

$R=1959.86'$
 $\Delta=00^{\circ}13'38''$
 $L=7.77'$
 $CH=7.77'$
 $CB=N 04^{\circ}36'53'' E$

(Call 50 Ac.)
 John M. Robinson, Individually and as
 Independent Executor of the
 Estate of Ella Katherine Koinm, Deceased
 H.C.C.Fm Code No. 693-34-2594

LEACH FIELD EASEMENT
DESCRIPTION

Of 0.6360 acres or 27,705 square feet of land in the Ambrose Mays Survey, Abstract No. 543, Harris County, Texas, and being a part of a called 50 acre tract conveyed to John M. Robinson, individually and as Independent Executor of the Estate of Ella Katherine Koinm, Deceased by will dated February 16, 1994 and recorded in Harris County Clerk's File Code No. 693-34-2594 of the Real Properties of Harris County, Texas, said 0.6360 acres being more particularly described by metes and bounds as follows:

COMMENCING at the intersection of the Easterly Right-Of-Way of Aldine-Westfield Road (variable width Right-Of-Way) and the Northernly Right-Of-Way of Treschwig Road (variable width Right-Of-Way), same being the Southwest corner of that certain tract of land called 0.9183 acres (Exxon Tract) conveyed to Exxon Corporation by lease dated August 5, 1985 and recorded in Harris County Clerk's File No. K260692 of the Real Properties of Harris County, Texas, from which a 5/8 inch iron rod was found bearing West, at a distance of 0.56 feet;

THENCE along the Easterly Right-Of-Way of said Aldine-Westfield Road, same being the Westerly line of said Exxon Tract, all being along a curve to the left, having a radius of 921.95 feet, a central angle of $12^{\circ}24'12''$, an arc length of 199.58 feet, a chord bearing of North $07^{\circ}15'49''$ East and a chord distance of 199.9 feet to a 3/4 inch iron rod found at its intersection with the North line of said Exxon Tract, for the Northwest corner of said Exxon Tract;

THENCE South $83^{\circ}17'24''$ East, along the North line of said Exxon Tract, passing a distance of 199.09 feet to a 5/8 inch iron rod set, same being the Northeast corner of said Exxon Tract, from which a 3/4 inch iron rod (disturbed) was found at South 0.68 feet, East 0.67 feet, and continuing along the now extended line of said North line for a total distance of 229.06 feet to a 5/8 inch iron rod set for the PLACE OF BEGINNING of the herein described tract;

THENCE South $83^{\circ}17'24''$ East, continuing along said extended Northernly line, a distance of 25.51 feet to a 5/8 inch iron rod set for corner;

THENCE North $05^{\circ}08'23''$ East, a distance of 136.71 feet to a 5/8 inch iron rod set for corner;

THENCE South $83^{\circ}17'24''$ East, a distance of 78.03 feet to a 5/8 inch iron rod set for corner;

THENCE South $05^{\circ}08'23''$ West, a distance of 277.34 feet to a 5/8 inch iron rod set for corner in the Northernly Right-Of-Way of said Treschwig Road and in a curve to the right;

THENCE along the Northernly Right-Of-Way of said Treschwig Road and said curve to the right, having a radius of 350.00 feet, a central angle of $14^{\circ}30'45''$, and an arc length of 88.65 feet, a chord bearing of South $67^{\circ}47'27''$ West, and a chord distance of 88.41 feet to a 5/8 inch iron rod set for corner;

THENCE North $30^{\circ}31'03''$ West, a distance of 42.83 feet to a 5/8 inch iron rod set for corner, same being the beginning of a line being approximately 30 feet East of and parallel to the Easterly line of said Exxon Tract, a distance of 149.28 feet to a 5/8 inch iron rod set for corner;

THENCE North $05^{\circ}08'23''$ East, along said line, a distance of 149.28 feet to the PLACE OF BEGINNING of the herein described tract of land and containing within these calls 0.6360 acres or 27,705 square feet of land

Of 0.9696 acres or 42,235 square feet of land in the Ambrose Mays Survey, Abstract No. 543 Harris County, Texas, and being a part of a called 50 acre tract conveyed to John M. Robinson, individually and as Independent Executor of the Estate of Ella Katherine Koinm, Deceased by will dated February 16, 1994 and recorded in Harris County Clerk's File Code No. 693-34-2594 of the Real Properties of Harris County, Texas, said 0.9696 acres being more particularly described by metes and bounds as follows:

COMMENCING at the intersection of the Easterly Right-Of-Way of Aldine-Westfield Road (variable width Right-Of-Way) and the Northernly Right-Of-Way of Treschwig Road (variable width Right-Of-Way), same being the Southwest corner of said Exxon Tract, from which a 5/8 inch iron rod was found bearing West, a distance of 0.56 feet;

THENCE along the Easterly Right-Of-Way of said Aldine-Westfield Road, same being the Westerly line of said Exxon Tract, all being along a curve to the left, having a radius of 921.95 feet, a central angle of $12^{\circ}24'12''$, an arc length of 199.58 feet, a chord bearing of North $07^{\circ}15'49''$ East and a chord distance of 199.9 feet to a 3/4 inch iron rod found at its intersection with the North line of said Exxon Tract, for the PLACE OF BEGINNING of the herein described tract, same being the Northwest corner of said Exxon Tract;

THENCE North $01^{\circ}03'43''$ West, continuing along the Easterly Right-Of-Way of said Aldine-Westfield Road, distance of 130.29 feet to a 5/8 inch iron rod set for corner in a right-tangent curve to the left;

THENCE along said curve to the left, having a radius of 1959.86 feet, a central angle of $20^{\circ}13'38''$, an arc length of 777.77 feet, a chord bearing of North $04^{\circ}36'53''$ East and a chord distance of 7.77 feet to a 5/8 inch iron rod set for corner;

THENCE South $83^{\circ}17'24''$ East, a distance of 268.70 feet to a 5/8 inch iron rod set for corner;

THENCE South $05^{\circ}08'23''$ West, a distance of 136.71 feet to a 5/8 inch iron rod set for corner in the extended Northernly line of said 0.9183 acre tract;

THENCE North $83^{\circ}17'24''$ West, along said extended line a distance of 25.51 feet to a 5/8 inch iron rod set for corner;

THENCE South $05^{\circ}08'23''$ West, along a line being approximately 30 feet East of and parallel to the Easterly line of said Exxon Tract, a distance of 149.28 feet to a 5/8 inch iron rod set for corner;

THENCE South $30^{\circ}31'03''$ East, a distance of 42.83 feet to a 5/8 inch iron rod set for corner in the Northernly Right-Of-Way of said Treschwig Road and in a curve to the right;

THENCE along the Northernly Right-Of-Way of said Treschwig Road and said curve to the right, having a radius of 350.00 feet, a central angle of $14^{\circ}30'45''$, and an arc length of 88.65 feet, a chord bearing of South $67^{\circ}47'27''$ West, and a chord distance of 88.41 feet to a 5/8 inch iron rod set for corner and for the Southeast corner of said Exxon Tract, from which a 5/8 inch iron rod with cap (disturbed) was found at South 0.68 feet, West 0.68 feet;

THENCE North $05^{\circ}08'23''$ East, along the Easterly line of said Exxon Tract, a distance of 220.02 feet to a 5/8 inch iron rod set for corner, same being the Northeast corner of said Exxon Tract, from which a 3/4 inch iron rod (disturbed) was found at South 0.68 feet, East 0.67 feet;

THENCE North $83^{\circ}17'24''$ West, along the Northernly line of said Exxon Tract, a distance of 199.09 feet to the PLACE OF BEGINNING of the herein described tract of land and containing within these calls 0.9696 acres or 42,235 square feet of land


SURVEY CERTIFICATION

I, the undersigned, hereby certify to CNL APF PARTNERS, LP, and/or its affiliates, and REPUBLIC TITLE OF TEXAS, INC., and FIRST AMERICAN TITLE INSURANCE COMPANY,

and JACK IN THE BOX, INC., (formerly known as Foodmaker, Inc.),

that this survey is based on a survey made by J. Garlyn Rainwater, Registered Surveyor No. 4722, on October 13, 1999, and that this print of survey correctly shows the location of all buildings, structures, improvements, utility lines, and waterways situated on the property herein described; and that except as shown hereon, there are no visible easements, rights-of-way, or encroachments across said property, no easements or rights-of-way, of which the undersigned has been advised, for party walls or encroachments upon adjoining property, streets or alleys by any of said buildings, structures, or other improvements, and no cemeteries or family burial grounds upon the property herein described. I further certify that access to the property herein described is provided by Aldine Westfield Road to the South; the property is not located in a flood hazard area as designated by the United States Department of Housing and Urban or a 100 year flood plain as designated by the United States Army Corps of Engineers; the boundary line dimensions as shown on the survey map form a mathematically closed figure within ± 0.01 foot, except as shown on the survey map, the boundary lines of the subject property are contiguous with the boundary lines of all adjoining parcels, roads, highways, streets or alleys as described in their most recent respective legal descriptions of record; this survey was made in accordance with the minimum standards adopted by the American Land Title Association; and on the date aforementioned, I found the following parties to be possession of the property in the indicated capacities: Jack In The Box, Inc. (formerly known as Foodmaker, Inc.).

WITNESS MY HAND AND SEAL THIS THE 27TH DAY OF OCTOBER, 1999.


 J. Garlyn Rainwater
 Registered Professional Land Surveyor No. 4722

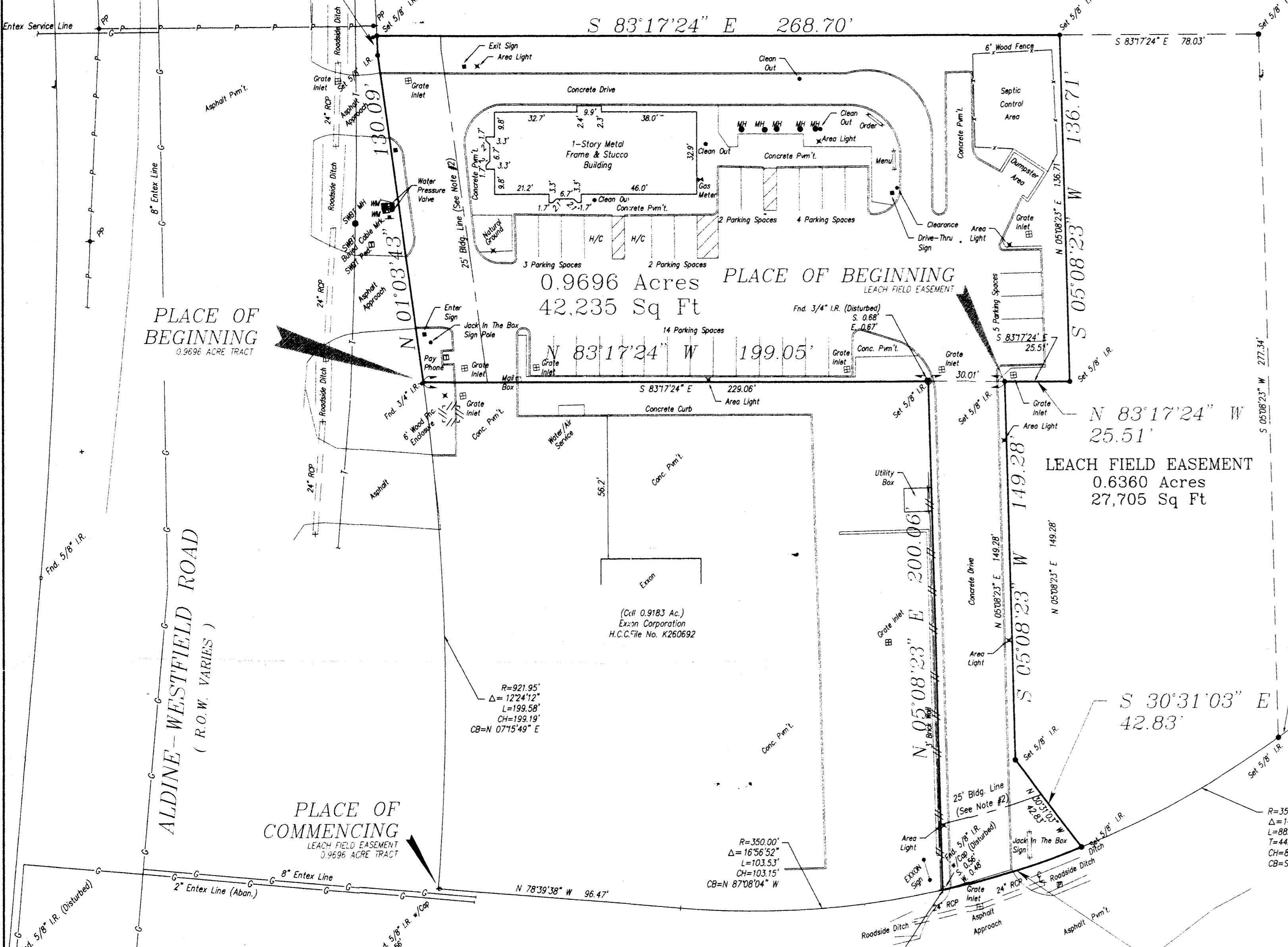


FLOOD STATEMENT:

BASED ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48201C0270 DATED NOVEMBER 6, 1996, THE TRACT HEREBY SURVEYED LIES WHOLLY WITHIN ZONE "X" OR AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

NOTE: THIS STATEMENT IS BASED ON THE SCALED LOCATION OF SAID SURVEY ON THE ABOVE REFERENCED MAP.

$R=350.00'$
 $\Delta=09^{\circ}20'41''$
 $L=57.08'$
 $CH=57.02'$
 $CB=S 79^{\circ}43'10'' W$



UTILITY COMPANIES

Gas
 Entex
 Herb Kojim - Room 64
 P. O. Box 2628
 Houston, Texas 77252-2628
 (713) 654-5143

Drainage District
 Harris County Flood Control District
 Tom Parker
 9900 Northwest Freeway, #220
 Houston, Texas 77092
 (713) 684-4050

Telephone
 Southwestern Bell Telephone
 Eleuterio (Teo) Galvan, Jr., P.E.
 Manager - Engineering Design
 3247 Yellowstone, Room 100
 Houston, Texas 77021
 (713) 741-7771

County Engineer
 Harris County Engineering
 James Thompson
 1001 Preston Avenue, 7th Floor
 Houston, Texas 77002
 (713) 756-5370

Electricity
 Houston Lighting & Power Company
 Edward F. Curo
 P. O. Box 1700
 Houston, Texas 77251-1700
 (713) 207-6370

Extraterritorial Jurisdiction of City
 City of Houston Planning Department
 Houston, Texas
 (713) 754-0081

LEGEND

ASPH.	ASPHALT
CONC.	CONCRETE
CL	CENTERLINE
FH	FIRE HYDRANT
FL	FLOWLINE
FND.	FOUND.
GM	GAS METER
GV	GAS VALVE
G	GUTTER
I.R.	IRON ROD
I.P.	IRON PIPE
LP	LIGHT POLE
MH	MAN-HOLE
P	POWER POLE
PP	POWER (OVERHEAD)
R.C.P.	REINFORCED CONCRETE PIPE
S.W.B.T.	SOUTHWESTERN BELL TELEPHONE
TBM	TEMPORARY BENCH MARK
WM	WATER METER
WV	WATER VALVE

AS-BUILT SURVEY
 OF 0.9696 ACRES OR 42,235 SQUARE FEET OF LAND
 BEING OUT OF THE AMBROSE MAYS SURVEY, ABSTRACT No. 543,
 HARRIS COUNTY, TEXAS AND BEING PART OF A
 CALLED 50 ACRE TRACT CONVEYED TO
 JOHN M. ROBINSON, INDIVIDUALLY AND AS INDEPENDENT EXECUTOR
 OF THE ESTATE OF ELLA KATHERINE KOINM, DECEASED
 HARRIS COUNTY CLERK'S FILM CODE NO. 693-34-2594
 OF THE REAL PROPERTIES OF HARRIS COUNTY, TEXAS

REV.	DATE	DESCRIPTION
3	5-6-99	REVISED PER ATTORNEY OBJECTION LETTERS
2	4-12-99	REVISED PER KANE, RUSSELL, CLOEMAN & LOGAN
1	1-14-99	REVISED TRACT

ALDINE-WESTFIELD RD. & TRESCHWIG RD., HARRIS COUNTY, TEXAS

JOB NO.	FIELD BOOK	FOLDER	PROJECT NO.	SHEET
08027				1

FOSTER - RAINWATER
AND ASSOCIATES
SURVEYING
 4202 ALLEN ROAD
 FENLAND, TEXAS 77584
 281-485-0189 FAX: 281-485-0404