

"ALTA/NSPS LAND TITLE SURVEY"

Of
A part of Reserve "A", (Unrestricted) of the Westlake Section One
Subdivision, Harris County, Texas.

RESERVE "A2-A1"
WESTLAKE SECTION ONE SUBDIVISION
TAJIAN FAMILY PARTNERSHIP LTD
1940 FRY ROAD
HOUSTON, TX 77084

PIZZA HUT
1930 FRY ROAD
HOUSTON, TEXAS
2,062.94 - SQ. FT. +/-
HT. = 17.4' +/-

TRICON GLOBAL RESTAURANTS
PIZZA HUT
PO BOX 35379
LOUISVILLE, KY 50232

10' X 10' WATER EASEMENT
TITLE COMMITMENT
SCHEDULE B, ITEM 106
CLERK'S DOC NO. X591375

LOT 1, BLOCK 1
WESTLAKE VILLAGE
BARKEE ROSTA
19814 LAKE HOLLOW LN
HOUSTON, TX 77084

CONSENT OF ENCROACHMENT
TITLE COMMITMENT
SCHEDULE B, ITEM 106
CLERK'S DOC NO. X553409

LOT 2, BLOCK 1
WESTLAKE VILLAGE
RIOS JUANA D & JOSE
19819 LAKE HOLLOW LN
HOUSTON, TX 77084

LOT 3, BLOCK 1
WESTLAKE VILLAGE
BELTRY DAVID & BLANCA
19806 LAKE HOLLOW LN
HOUSTON, TX 77084

8' UTILITY EASEMENT
TITLE COMMITMENT
SCHEDULE B, ITEM 1
CLERK'S DOC NO. G107232, G107233, G107234
PER PLAT, ITEM 106
VOLUME 197, PAGE 32

TOTAL AREA =
14,300 SQ. FT. +/-
OR 0.33 ACRES +/-

5 STANDARD PARKING SPACES

1 HANDICAP SPACE

1 HANDICAP SPACE

4 STANDARD PARKING SPACES

COMMITMENT SCHEDULE B, EXCEPTIONS

- The following restrictive covenants of record Itemized below:

Clerk Document Nos. G107232, G107233, G107234 Deed Records of Harris County, Texas and in Volume 197, Page 32 of the Map Records of Harris County, Texas, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is under Chapter 42, U.S.C., Section 3604(c) of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons. (SHOWN AND NOTED)
- The following matters and all terms of the documents creating or offering evidence of the matters

h. The following, all according to the plat recorded in Volume 197, Page 32 of the Plat Records, Harris County, Texas:

8' wide easement along the south and east property line and an unobstructed aerial easement 5' wide from a plane 20' above the ground upward, located adjacent thereto for the use of public utilities as stated on plat. (SHOWN AND NOTED)

Consent to encroachment of concrete paving into the 8' utility easement by Southwestern Bell Telephone, L.P. as set out in Clerk Document No. X553409, Deed Records of Harris County, Texas. (SHOWN AND NOTED)

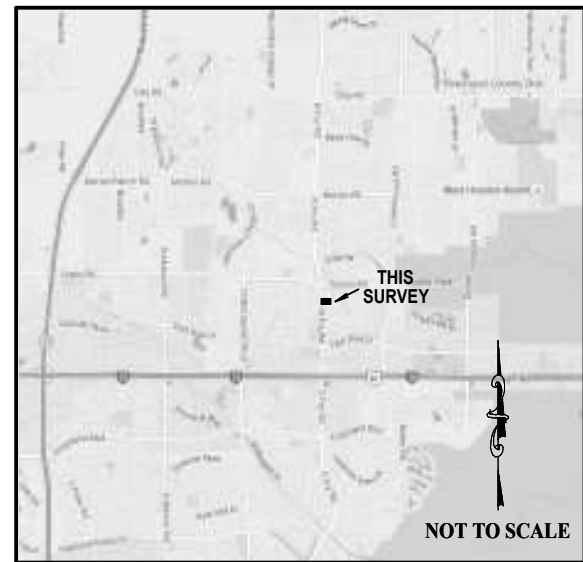
An easement for drainage purposes extending a distance of 15' on each side of the center line of all natural drainage courses as stated on plat. (DOES NOT AFFECT)

10' building line along the west property line as shown on plat. (SHOWN AND NOTED)
- Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: (SHOWN AND NOTED)
Granted to: West Lake Municipal Utility District No.1
Purpose: 10' x 10' water easement
Recording Date: May 6, 2004
Recording No: Clerk Document No. X591375, Deed Records of Harris County, Texas
- Agreement for the installation, operation and maintenance of underground/overhead electrical service distribution system (DOES NOT AFFECT)
Executed by: Houston Lighting & Power Company
Recording Date: 11/27/1972
Recording No.: Clerk Document No. D764231, Deed Records of Harris County, Texas
- Rights of Board of Water Engineers of the State of Texas to control withdrawal of water from underground water reservoir beneath all of the subject property in accordance with the certified copy of the minutes of a meeting of said Board dated January 11, 1957, as recorded in Volume: 3286, Page 514, Deed Records of Harris County, Texas. (BLANKET IN NATURE)
- Reciprocal Easement Agreement for Ingress and Egress and Parking dated 06/15/2004, by and between Pizza Hut, Ltd., a Texas limited partnership and The Tajian Family Partnership, a Texas limited partnership corporation to be recorded in Clerk's Document No. ____ Official Public Records of Harris County, Texas. (DOCUMENTS NOT PROVIDED)
- Interest in and to oil, gas and other minerals and/or royalties, bonuses, rentals and all other rights relating thereto as set forth in the document record in Clerk Document No. D996793, Deed Records of Harris County, Texas. Said mineral interest not traced subsequent to the date of the above-cited instrument. (BLANKET IN NATURE)
- Interest in and to oil, gas and other minerals and/or royalties, bonuses, rentals and all other rights relating thereto as set forth in the document record in Clerk's File Nos. G107232, G107233 and G107234, Deed Records of Harris County, Texas. Which document contains the following language: "Surface rights waived therein." Said mineral interest not traced subsequent to the date of the above-cited instrument. (BLANKET IN NATURE)
- A mineral lease (BLANKET IN NATURE)
Dated: 04/13/1978
Lessor: LNS Land Corp., a Texas corporation
Lessee: Millican Oil Company
Recording Date: 05/08/1978
Recording No: Clerk Document No. F587987, Deed Records of Harris County, Texas
Said mineral interest not traced subsequent to the date of the above-cited instrument
- Royalty interest in minerals as set forth in instrument recorded in Clerk's No. D501578, Deed Records of Harris County, Texas. Said mineral interest not traced subsequent to the date of the above-cited instrument. (BLANKET IN NATURE)

THIS SURVEY HAS BEEN PREPARED SOLELY FOR THE BENEFIT OF THE PARTIES SET FORTH IN THIS SURVEYOR'S CERTIFICATION AND MAY NOT BE QUOTED OR RELIED UPON BY, NOR MAY COPIES BE DELIVERED TO, ANY OTHER PARTY OR USED FOR ANY OTHER PURPOSE INCLUDING, WITHOUT LIMITATION, THE PREPARATION OF ZONING REPORTS OR ANY OTHER THIRD PARTY REPORTS, WITHOUT THE MATTHEWS COMPANY, INC. AND COMMERCIAL LAND SURVEYS PRIOR WRITTEN CONSENT. THE MATTHEWS COMPANY, INC. AND COMMERCIAL LAND SURVEYS EXPRESSLY DISCLAIMS ANY DUTY OR OBLIGATION TOWARDS ANY PARTY THAT IS NOT IDENTIFIED IN THIS SURVEYOR'S CERTIFICATION.

PLEASE BE ADVISED THAT THE MATTHEWS COMPANY, INC. AND COMMERCIAL LAND SURVEYS WILL NOT INCLUDE THE PROVIDERS OF ANY THIRD PARTY REPORTS IN THE SURVEYOR'S CERTIFICATION.

SCALE 1" = 10'



VICINITY MAP

LEGEND

PROPERTY CORNER	⊙
TELEPHONE PEDESTAL	⊠
POWER POLE	⊕
GUY WIRE	+
LIGHT	⊙
CLEANOUT	⊙
WATER METER	⊙
WATER VALVE	⊙
GAS METER	⊙
STORM SEWER MANHOLE	⊙
SQUARE SEWER DRAIN	⊕
SANITARY SEWER MANHOLE	⊕
HANDICAP PARKING	⊕
HANDICAP PARKING SIGN	⊕
TREE	⊙
OVERHEAD POWER LINE	— v — v — v —
RIGHT OF WAY	— B.O.W. —
PROPERTY LINE	— — — — —
FENCE	— + — + — + —
CURBING	— — — — —
CONCRETE	▨
NO PARKING STRIPES	▨

LEGAL DESCRIPTION

TRACT ONE:
Being 0.6722 acres or 29,234 sq. ft. of land out of Reserve "A", WESTLAKE SUBDIVISION, SECTION ONE (1), Harris County, Texas according to the plat of said subdivision recorded in Volume 197, Page 32, Harris County Map Records, said 0.6711 acres of land being described as follows:

BEGINNING at a 5/8" iron rod at the southwest corner of Reserve "A" in the present east right-of-way line of Fry Road, being the east line of the 25 foot wide strip dedicated for the widening of said road;

THENCE North 0 deg. 01 min 40 sec West with the west line of Reserve "A" and the east right-of-way line 190.08 feet to a 1-1/4" iron pipe for corner;

THENCE South 89 deg. 30 min 39 sec East 154.00 feet to a 1-1/4" iron pipe for corner;

THENCE South 0 deg. 01 min 40 sec East 189.59 feet to a 1-1/4" iron pipe for corner in the south line of Reserve "A";

THENCE North 89 deg. 41 min 38 sec West with said south line 154.00 feet to the PLACE OF BEGINNING.

SAVE AND EXCEPT THE FOLLOWING:
Being a 0.3426 of one acre (14,922 square feet) tract of land out of the W.C.R.R. CO. Survey, Abstract No. 1371, Harris County, Texas, and being out of and part of Reserve "A", (Unrestricted) of the Westlake Section One Subdivision as recorded in Volume 197, Page 32 of the Harris County Map Records (HCMR), and a called 0.6711 of one acre tract as conveyed to Pizza Hut Ltd., a Texas Limited Partnership as described under Harris County Clerk File (HCCF) No. U940969, dated March 12, 2001 of the Official Public Records of Real Property (OPROP); said 0.3426 of one acre tract being more particularly described by metes and bounds as follows (Bearing basis per the south line of said Reserve "A"):

COMMENCING at a point in the east right-of-way line of Fry Road (100 foot width and partially dedicated under Volume 197, Page 32 HCMR), and being the southwest corner of said Reserve "A" and the northwest corner of Lot 1, Block 1 of Westlake Village Subdivision as recorded in Volume 288, Page 43 HCMR, and from which a found 5/8" iron rod bears South 80 deg. 11 min West, 0.2 feet;

THENCE, North 00 deg. 10 min 04 sec West, along the east right-of-way line of Fry Road and the west line of Reserve "A" and called 0.6711 of one acre tract, a distance of 92.60 feet to a set 5/8" iron rod with "GS" cap for the POINT OF BEGINNING;

THENCE, North 00 deg. 10 min 04 sec West, continuing along the east right-of-way line of Fry Road and the west line of Reserve "A" and called 0.6711 of one acre tract, a distance of 97.48 feet for the northwest corner of said called 0.6711 of one acre tract and the southwest corner of a called 0.286 of one acre tract as conveyed to Jain Enterprises, Inc., a Texas Corporation from which a found 3/4" iron rod bears, South 49 deg. 07 min East, 0.1 feet, and a found 5/8" iron rod bears, South 58°59' West, 0.27 feet, and a found 1/2" iron rod bears North 71°26' West, 0.44 feet and a found 5/8" iron rod bears North S1 deg. 20 sec East, 0.19 feet;

THENCE, South 89 deg. 30 min 39 sec East, along the common line of said called 0.6711 of one acre tract and the called 0.286 of one acre tract, pass at a distance of 124.52 feet to a point from which a found 5/8" iron rod which bears South 0.3 feet for a common corner of said called 0.286 of one acre tract and an interior corner of a called 36,817 square feet tract as conveyed to Realty Income Texas Properties, L.P., a Delaware limited Partnership as described under HCCF No. R718679, and continuing for a total distance of 154.30 feet to a found 1-1/4" iron pipe for the northeast corner of said called 0.6711 of one acre tract and an interior corner of said called 36,817 square feet tract;

THENCE, South 00 deg. 01 min 40 sec East, along the common line of said called 0.6711 of one acre tract and said called 36,817 square feet tract, a distance of 96.09 feet to a set 5/8" iron rod with "GS" cap for the southeast corner hereof;

THENCE, South 89 deg. 58 min 20 sec West, a distance of 154.05 feet to the POINT OF BEGINNING and containing 0.3426 (14,922 square feet) of one acre of land, more or less.

TRACT TWO:
Easement Estate in and to that one certain Reciprocal Easement Agreement for Ingress and Egress and Parking dated 06/15/2004, by and between Pizza Hut, Ltd., a Texas limited partnership and The Tajian Family Partnership, a Texas limited partnership corporation to be recorded in Clerk's Document No. ____, Official Public Records of Harris County, Texas.

BASIS OF BEARING

The record bearings of Reserve "A", (Unrestricted) of the Westlake Section One Subdivision, Official Public Records of Real Property, Harris County, Texas.

The property described and shown hereon is the same property described in FIDELITY NATIONAL TITLE INSURANCE COMPANY, Title Commitment GF No. 2810009575, dated February 17, 2016, issued March 2, 2016, at 8:00 a.m.

THE CURRENT CLASSIFICATION ALLOWS FOR THE CURRENT USE PER THE CITY OF HOUSTON, TEXAS

ZONING - CLASS 7

HEIGHT RESTRICTIONS - NONE

SETBACK RESTRICTIONS

FRONT - 10 FEET

SIDE - 0 FEET

REAR - 0 FEET

PARKING

PARKING REQUIREMENTS
9 SPACES PER 1000 SQ. FT. OF GFA
HANDICAP SPACES, 1-25 = 1

13 STANDARD PARKING SPACES
2 HANDICAP PARKING SPACES
TOTAL SPACES = 15

FLOOD STATEMENT:
THIS PROPERTY IS LOCATED IN
ZONE X FIRM MAP# 48201C061SL

EFFECTIVE DATE: JUNE 18, 2007

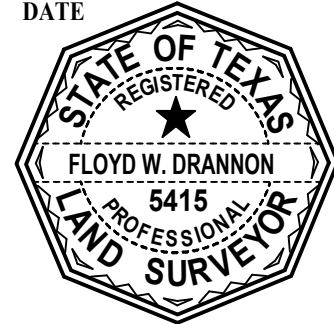
SURVEYOR'S CERTIFICATE

TO: Evergreen Bank, N.A., and its successors and assigns, RTL Foods, LLC, Pizza Hut of America, Inc. a Delaware corporation, Chicago Title Insurance Company, Fidelity National Title Insurance Company, The Matthews Company, Inc.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6a, 6b, 7a, 7b1, 7c, 8, 9, 10a, 13, 14, 16, 17 and 20 of Table A thereof. The fieldwork was completed on February 25, 2016.

FLOYD W. DRANNON, R.F.L.S. NO. 5415
WITHIN THE STATE OF TEXAS
DATE 3/9/16

COMMERCIAL LAND SURVEYS, INC.
721 S. FORREST
STRATFORD, OK 74872
PH: (580) 759-3886
FAX: 800-883-4031
E-MAIL: Floyd@CommercialLandSurveys.com
PROJECT #CLS-16-5475 ALTA



The property described and shown hereon is the same property described in FIDELITY NATIONAL TITLE INSURANCE COMPANY, Title Commitment GF No. 2810009575, dated February 17, 2016, issued March 2, 2016, at 8:00 a.m.

SURVEYOR'S NOTES

TOTAL AREA =
14,300 SQ. FT. +/-
OR 0.33 ACRES +/-

PUBLIC ACCESS
WEST - SUBJECT PROPERTY HAS DIRECT ACCESS TO FRY ROAD (A 100' PUBLIC R.O.W.)

THE CURRENT CLASSIFICATION ALLOWS FOR THE CURRENT USE PER THE CITY OF HOUSTON, TEXAS.

ZONING - CLASS 7

THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION.

THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.

THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP SANITARY LANDFILL OR CEMETERY.

ALL UTILITIES APPEAR TO ENTER THE PROPERTY VIA AN EASEMENT OR PUBLIC RIGHT-OF-WAY.

THE PROPERTY APPEARS TO DRAIN INTO A PUBLIC RIGHT-OF-WAY.

NO EVIDENCE OF POTENTIAL WETLANDS WERE OBSERVED ON THE SUBJECT PROPERTY AT THE TIME THE SURVEY WAS CONDUCTED, NOR HAVE WE RECEIVED ANY DOCUMENTATION OF ANY WETLANDS BEING LOCATED ON THE SUBJECT PROPERTY.

THIS SURVEY MAP CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.

THERE ARE NO DISCREPANCIES BETWEEN THE BOUNDARY LINES OF THE PROPERTY AS SHOWN ON THIS SURVEY MAP AND AS DESCRIBED IN THE LEGAL DESCRIPTION PRESENTED IN THE TITLE COMMITMENT.

THE BOUNDARY LINE DIMENSIONS AS SHOWN ON THIS SURVEY MAP FORM A MATHEMATICALLY CLOSED FIGURE WITHIN +/-0.1 FOOT.

THE BOUNDARY LINES OF THE PROPERTY ARE CONTIGUOUS WITH THE BOUNDARY LINES OF ALL ADJOINING STREETS, HIGHWAYS, RIGHTS OF WAY AND EASEMENTS, PUBLIC OR PRIVATE, AS DESCRIBED IN THEIR MOST RECENT RESPECTIVE LEGAL DESCRIPTIONS OF RECORD.

EXCEPT AS OTHERWISE NOTED BELOW, IF THE PROPERTY CONSISTS OF TWO OR MORE PARCELS, THERE ARE NO GAPS OR GORES BETWEEN SAID PARCELS.

NOTE NO VISIBLE ENCROACHMENTS ON AND OFF OF THE PROPERTY AFFECT SUBJECT PROPERTY.

"ALTA/NSPS LAND TITLE SURVEY"

PREPARED FOR:

THE MATTHEWS COMPANY, Inc.
17220 Newhope Street, Suites 108-110, Fountain Valley, CA 92708
(714) 978-7101 FAX (714) 941-2240
www.themathewscorp.com

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NONE	4/22/16	PER COMMENTS		D.L.	F.D.
NONE	4/22/16	PER COMMENTS		J.D.	F.D.
MARK	DATE	REVISION		BY	AP'VD.

YUM! Brands, Inc.

1930 Fry Road
Houston, TX
(Pizza Hut)

SCALE: 1" = 10'	CHKD/AP'VD: F.D.
DATE: FEB. 23, 2016	APPROVED: F.D.
DWN. BY: J.D.	STORE NO. 315077
CHKD. BY: F.D.	PROJECT NO. CLS-16-5475 ALTA

JN: 16-02-04-16015