

Notes Corresponding to Schedule B

- 10. The following matters and all terms of the documents creating or offering evidence of the matters.
- 10a. **THE HEREIN DESCRIBED LAND IS SUBJECT TO:** An undivided mineral interest reserved as more fully described in deed from G. F. Ray, Jr. et al. to El Chico Realty Corporation, recorded December 17, 1986 in Volume 1448, Page 729, Wichita County Deed Records. **AFFECTS THE SUBJECT PROPERTY BUT IS NOT A PLOTTABLE ISSUE.**
- 10b. Easement for Drainage and Utility from Harlan Ray et al. to City of Wichita Falls, dated September 13, 1968, recorded in Volume 1066, Page 657, Wichita County Deed Records. **AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED HEREON.**
- 10h. A 25 foot Building Limit line across the East and West property lines, as per recorded plat in Volume 26, Page 738, Wichita County Plat Records. **AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED HEREON.**
- 10i. A 10 foot Utility Easement running across the East and West property lines, as shown per recorded plat in Volume 26, Page 738, Wichita County Plat Records. **AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED HEREON.**
- 10j. A 15 foot Utility Easement running across the North and South property lines, as shown per recorded plat in Volume 26, Page 738, Wichita County Plat Records. **AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED HEREON.**
- 10k. A 60 foot Drainage & Utility Easement across the subject property, as shown per recorded plat in Volume 26, Page 738, Wichita County Plat Records. **AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED HEREON.**

Statement of Encroachments

- A. The power line running through the subject property from the West property line encroaches onto the subject property.
- B. The power line running inside the property along the South property line encroaches onto the subject property.

Utility Notes

The Aboveground utilities shown have been located from field survey information only. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further certifies that they are located as accurately as possible from the field information obtained.

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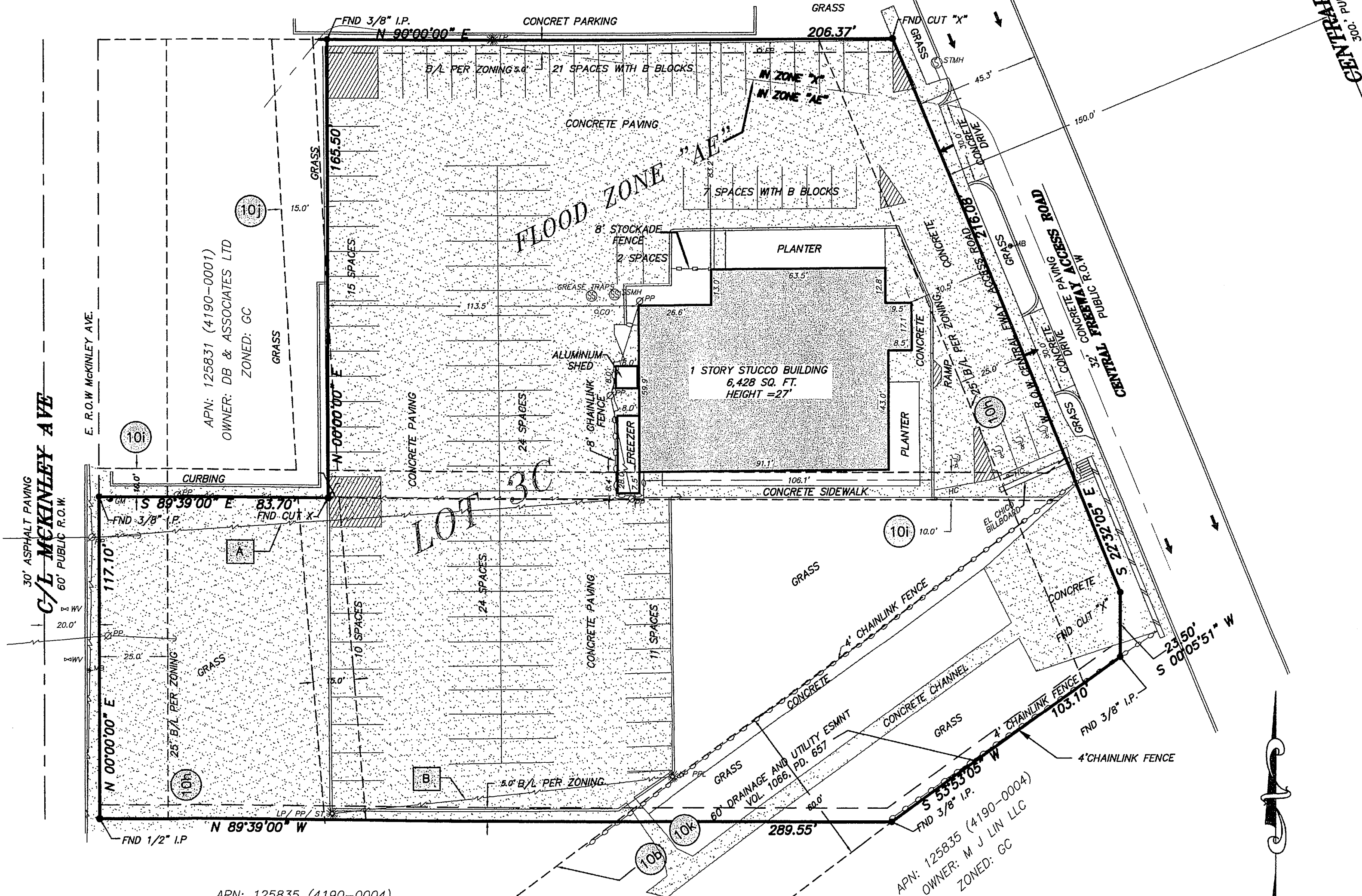
ZONING INFORMATION

STATUS:	REQUIRED	OBSERVED	DISTRICT	"GC" GENERAL COMMERCIAL
Permitted Use	RESTAURANT	RESTAURANT	Source of Information	Wichita Falls Planning & Zoning Department
Min. Lot Area:	5,000 SQ. FT.	80,957 SQ. FT.	Address:	1300 7th St. Wichita Falls, TX 76301
Min. Lot Frontage	25 FT	N/A	Person Contacted	Karen Gagne
Min. Lot Width	50 FT	N/A	Date Contacted	December 15, 2006
Bulk/Density:	NONE	N/A	Phone Number	(940) 761-7451
Max. Bldg. Coverage:	20%	N/A	Fax Number	(940) 761-7419
Minimum Setback:			E-Mail Address	planning.dty@cwftx.net
Front:	25 FT	30.5 FT +/-	NOTES:	
Interior Side:	5 FT	82 FT +/-	1 space per 100 square feet of gross floor area, plus 1 space per employee.	
Street Side:	25 FT	N/A		
Rear:	25 FT	113.5 FT +/-		
Max. Bldg. Ht:	NONE	20 FT		
Parking:				
Regular:	See Notes	114		
Handicap:	Per ADA Requirements	4		
Total:		118		

LEGEND

- PIPELINE VENT
- GAS METER
- SIGNAL LIGHT
- PIPELINE MARK
- MAIL BOX
- BUSH
- SAN. SEW. M.H.
- GUY WIRE
- CLEAN OUT
- FLAG POLE
- ELEC. TRANS.
- TELE. PED.
- ELEC. PEDESTAL
- WATER VALVE
- PULL BOX
- FIRE HYDRANT
- CURB INLET
- W/M.H. COVER
- SAN. SEW. M.H.
- GUY WIRE
- CLEAN OUT
- FLAG POLE
- ELEC. TRANS.
- TRAFFIC CONTROL BOX
- ROAD SIGN
- POTTER MANHOLE
- APPROX.
- UTILITY POLE
- GAS VALVE
- TEL. U.G. MARK.
- TELE. MANHOLE
- STOCKADE FCE
- BARB WIRE FCE
- CHAIN LINK FCE
- WATER METER
- TRASH CAN
- SS
- SANITARY SEWER
- WATER LINE
- GAS LINE
- UNDERGROUND COMMUNICATION
- UNDERGROUND
- STATUTORY
- FILLER CAP

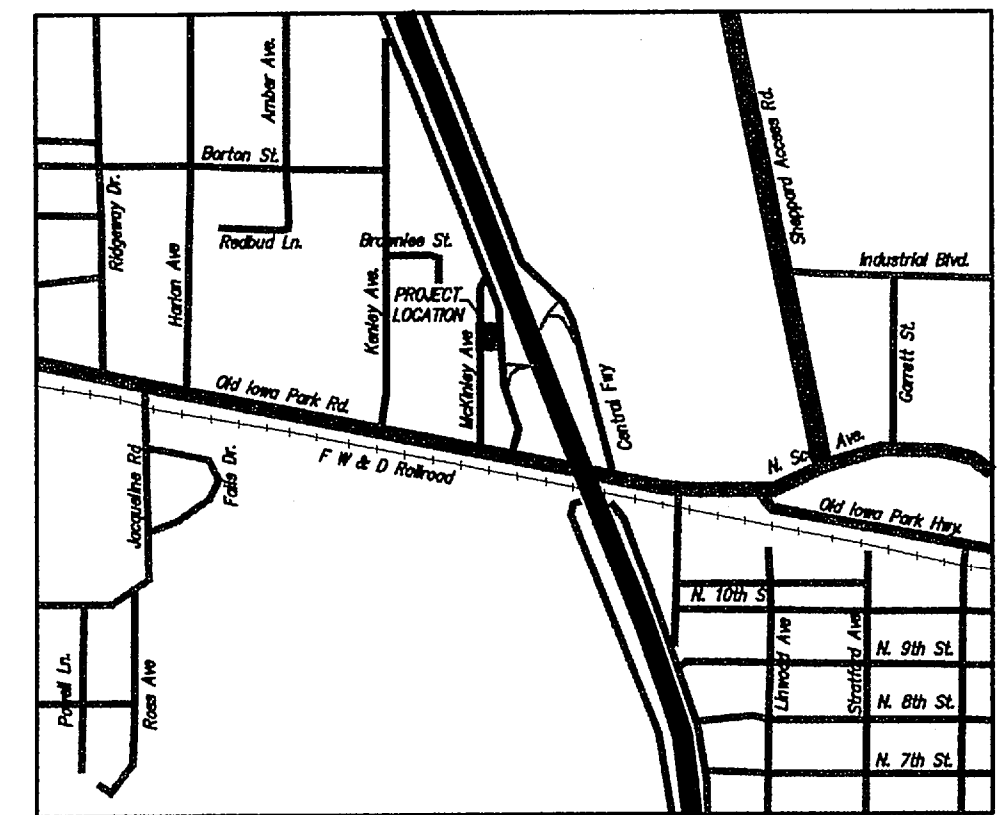
APN: 125831 (4190-0001)
OWNER: DB & ASSOCIATES LTD
ZONED: GC



APN: 125835 (4190-0004)
OWNER: M J LIN LLC
ZONED: GC

General Notes

- The subject property has direct ingress and egress to Central Freeway Access Road, which is a paved public right of way.
- The bearing of N 89°39'00" W as shown on the South of the subject property, per plat (TRI-STAR) was used as the basis of bearing for the purpose of this survey.
- The surveyor did not observe any physical address, posted on site of subject property.
- All field measurements matched record dimensions within the precision requirements of ALTA/ACSM specifications unless otherwise shown.
- There is no visible evidence of earth moving, current or proposed.
- There is no visible evidence on site of use as a dump or sanitary landfill, currently or previously.
- Surveyor is aware of no changes in street right of way lines, either completed or proposed. Surveyor observed no evidence of recent street or sidewalk construction or repairs.
- Subject property contains 80,957 square feet or 1.8585 acres more or less.
- Surveyor observed no visible evidence on site of use as cemetery or burial grounds, currently or previously.
- Subject Parcel Boundary is contiguous with adjoining parcels.
- No subdivision plat provided. Assessors numbers used.



Legal Description

LEGAL DESCRIPTION
Lot 3C, Ed Woodall Subdivision No. 3 (A Replat of Lot 3A, Ed Woodall Subdivision No. 3 and Lot 3, Ed Woodall Subdivision No. 2), an Addition to the City of Wichita Falls, Wichita County, Texas, according to Plat of record in Volume 26, Page 738, Wichita County Plat Records.

The property described herein is the same property as covered in Lawyers Title Insurance Corporation Commitment G.F. No. 06-003062, dated November 16, 2006.

FLOOD NOTE:

By graphic plotting only, this property is in Zone "AE" of the Flood Insurance Rate Map, Community Panel No. 4806820002E, with an effective date of September 15, 1993 and is in a Special Flood Hazard Area. Verified through the FEMA official website Community Status Book and/or by telephone call dated September 5, 2006 to the National Flood Insurance Program (800-638-6820) we have learned this community does currently participate in the program. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

ALTA/ACSM Land Title Survey

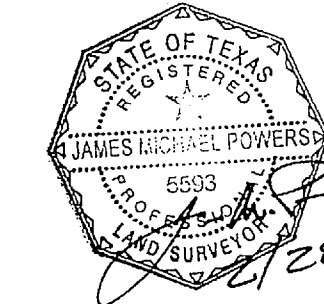
ELCH FEE Project

Wichita Falls
B&C Project No. 20061803-005
1028 Central Expressway, Wichita Falls, TX
Surveyor's Certification

To: SPIRIT MASTER FUNDING III LLC, a Delaware limited liability company, and their respective successors and assigns, CRICDOM-III ELCH, LLC, a Delaware limited liability company, its successors and/or assigns, Babson Capital Management, L.L.C., a Delaware limited liability company, its successors and/or assigns, and as agent for Massachusetts Mutual Life Insurance, Lawyers Title Insurance Corporation and Bock & Clark Corporation.

The undersigned certifies that to the best of his professional knowledge, information and belief, this map or plat and the Survey on which it is based were made on the date shown below of the premises specifically described in Lawyers Title Insurance Corporation, Commitment G.F. No. 06-003062, dated November 16, 2006 and were made: (i) in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005; (ii) in accordance with the "Survey Requirements for ELCH FEE Surveys dated 12/5/2006," and includes items 1, 2, 3, 4, 6, 7a, 7b1, 7c, 8, 9, 10, 11a and 13 of Table A specifically defined therein; and (iii) Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Texas, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

James M. Powers
Registration No. 5593
In the State of Texas
Date of Survey: 12-12-2006
Date of Last Revision: 2-26-2007
Network Project No. 20061803-005

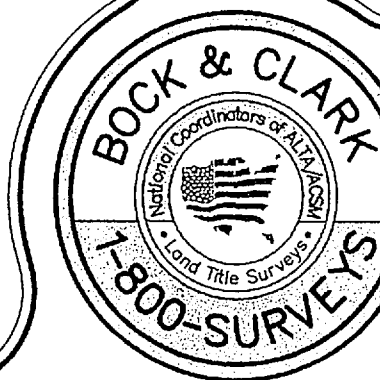


Survey Performed By:
Red Plains Surveying Company
5500 N.W. Expressway, Suite A
Oklahoma City, OK 73132
Phone: 405-603-7842
Fax: 405-603-7852
Email: Mick@psurveying.com



Sheet 1 of 1

Bock & Clark's National Surveyors Network
National Coordinators of ALTA/ACSM Land Title Surveys
537 North Cleveland-Kassillon Road
Akron, Ohio 44333
Phone: (800) SURVEYS, Fax: (330) 666-3608 www.1800surveys.com



Bock & Clark Project No. 20061803-005

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