

LEGAL DESCRIPTION

PARCEL I: 220 Hull Street

All that certain lot, piece or parcel of land with all improvements thereon and appurtenances thereto belonging, lying and being in the City of Richmond, Virginia, in that part thereof known as South Richmond, on the southern line of Hull Street between Thrid or Wadsworth Street and Second Street, and described as follows:  
BEGINNING at the intersection of the southern line of Hull Street, with the eastern line of Third and Wadsworth Street, thence extending eastwardly along and fronting on the southern line of Hull Street, ninety (90') feet, thence from said front extending back southwardly between parallel lines ( the western one of which is the eastern line of Third or Wadsworth Street)one hundred thirty (130') feet to an alley twelve (12') feet wide.

PARCEL II: 15 E. 2nd Street

All that certain parcel of land lying and being in the City of Richmond, Virginia, with the improvements thereon, and more particularly described as follows:  
BEGINNING at a point on the east line of Third Street, distance thereon 71 feet north of the point of intersection with the north line of Decatur Street, said point of beginning also being at the center of a spur track, thence from said point of beginning extending northwardly along the east line of Third Street 132.20 feet to the south line of a 10-foot alley, thence extending eastwardly along the south line of said alley 260.62 feet to a point on the west line of Second Street, thence extending southwardly along the west line of Second Street 134.51 feet to the center of said spur track, thence extending westwardly along the center line of said spur track 260.62 feet to the point of beginning; all as shown on a plat of survey prepared by William M Lewis, Certified Surveyor, dated December 1, 1949.

Parcels I and II, being part of the same property shown on survey entitled "Plat of Four Parcels of Land Along the East Line of Third Street, Between Hull Street and Decatur Street in the City of Richmond, Virginia", prepared by Foster & Miller, P.C. dated April 14, 1994 and revised May 23, 1994.

Being the same real estate conveyed to Commons at Plat Zero, LLC, a Virginia limited liability company, by deed from Carastar Mill Group, Inc., an Ohio corporation, successor in interest by merger to Richmond Paperboard Corporation, dated December 3, 2004, recorded December 3, 2004 in the Clerk's Office, Circuit Court, City of Richmond, Virginia as Instrument No. 04040699.

CERTIFICATION

TO: WACHOVIA BANK, NATIONAL ASSOCIATION, WACHOVIA COMMUNITY DEVELOPMENT ENTERPRISES II, LLC, TRANSNATION TITLE INSURANCE COMPANY AND THE COMMONS AT PLANT ZERO, LLC.

The undersigned, Registered Public Surveyor (the "Surveyor") hereby certifies that:

This plan of survey and the property description set forth hereon are true and correct and prepared from an actual on-the-ground survey of the real property shown hereon (the "Project");  
1. Such survey was conducted by the Surveyor, or under his supervision;  
2. All monuments shown hereon actually exist, and the location, size, and type of material thereof are correctly shown;  
3. All parcels shown hereon are contiguous with each other and no gaps or gores exist between or among such parcels;  
4. Except as shown hereon, there are no visible encroachments onto the Project or protrusions therefrom (including, without limitation, encroachments by improvements appurtenant to adjoining premises or protrusions onto adjacent premises by improvements appurtenant to the Project), there are no improvements on the Project, there are no visible easements or rights-of-way on the Project, and there are no visible discrepancies, conflicts, shortages in area, or boundary line conflicts;  
5. As of the date on this plat, except as shown hereon, there are no poles, lines, wires, electrical power, telephone lines, or other utilities on the Project, and all utility services required for the operation of the Project (including sanitary sewer, storm sewer, telephone, gas, electric, and water) enter the Project by way of adjoining public streets, or this survey shows the point of entry of any visible utilities which pass through or are located on adjoining private land;  
6. Ingress and egress to and from the Project is provided by the following streets and dedicated public rights-of-way maintained by the Commonwealth of Virginia or the City of Richmond; and  
7. All recorded easements and other exceptions, as noted in the Commitment for Title Insurance No. PREM-0088 issued by Transnation Title Insurance Company ("Title Company") dated November 17, 2006, have been correctly platted hereon;  
8. Except as shown hereon, there are no watercourses, ditches, reservoirs, pools, streams, or other natural areas of water flow on the Project, and there is no apparent use of the Project for pathways, driveways, or roadways for which there are no recorded easements, or for dumping, drilling, or excavation;  
9. The Project is not located in a 100-year flood plain or in an identified "flood prone area", as defined by the U.S. Department of Housing and Urban Development, pursuant to the Flood Disaster Protection Act of 1973, as amended, as reflected by Flood Insurance Rate Map Panel #510129-0010 G, dated July 20, 1998, which map panel covers the area in which the Project is situated;  
10. The survey was made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by the American Land Title Association and the American Congress on Surveying and Mapping in 2000, and meets the accuracy requirements of a Class A survey as defined therein.  
The Surveyor expressly understands and agrees that (i) this Certificate is made to induce Wachovia Bank, National Association, its successors and/or assigns ("Lender"), Wachovia Community Development Enterprises II, LLC and The Commons at Plant Zero; to extend credit secured by a mortgage covering the Project and to induce the Title Company to issue a policy of title insurance insuring the validity and priority of such mortgage; (ii) Lender and Title Company are entitled to rely on this plat of survey as being true and accurate in all respects and upon this Certificate as being true and accurate; and (iii) the consideration paid to the Surveyor for the preparation and certification of such survey has been paid, in part, for the benefit of Lender and Title Company and in anticipation of their reliance hereon.

BRIAN M LONG, L.S. # 002372

AS-SURVEYED DESCRIPTION

PARCEL I  
BEGINNING AT THE INTERSECTION OF 3RD STREET AND HULL STREET ROAD;  
THENCE ALONG HULL STREET ROAD N 52°40'20" E 90.00' TO A POINT;  
THENCE LEAVING HULL STREET ROAD, S 37°23'01" E 130.00' TO A POINT  
ALONG A FORMER PUBLIC ALLEY;  
THENCE ALONG SAID FORMER ALLEY, S 52°40'20" W 90.00' TO A POINT ALONG 3RD STREET;  
THENCE ALONG 3RD STREET N 37°23'06" W 130.00' TO THE POINT OF BEGINNING AND CONTAINING 0.269 ACRE OF LAND.

PARCEL II  
BEGINNING AT THE INTERSECTION OF 3RD STREET AND HULL STREET;  
THENCE ALONG 3RD STREET S 37°23'06" E 142.00' TO THE POINT OF BEGINNING;  
THENCE N 52°40'20" E 260.62' ALONG A FORMER PUBLIC ALLEY TO A POINT ON 2ND STREET;  
THENCE ALONG 2ND STREET S 37°20'27" E 134.51' TO A POINT;  
THENCE ALONG A NON TANGENT CURVE HAVING A RADIUS OF 300.60', A LENGTH OF 38.25' AND A CHORD OF S 56°17'20" W 38.22' TO A POINT;  
THENCE S 52°38'37" W 222.37' TO A POINT ON 3RD STREET;  
THENCE ALONG 3RD STREET N 37°23'06" W 132.20' TO THE POINT OF BEGINNING AND CONTAINING 0.791 ACRE OF LAND.

PARCEL III  
BEGINNING AT THE INTERSECTION OF 3RD AND HULL STREET;  
THENCE ALONG 3RD STREET 130.00' TO THE POINT OF BEGINNING;  
THENCE N 52°40'20" E 260.62' TO A POINT ON 2ND STREET;  
THENCE ALONG 2ND STREET, S 37°20'27" E 12.00' TO A POINT;  
THENCE S 52°40'20" W 260.62' TO A POINT ON 3RD STREET;  
THENCE ALONG 3RD STREET N 37°23'06" W 12.00' TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 0.072 ACRES OF LAND.

GENERAL NOTES

1. This plat is based on current field work.
2. No underground utilities were located. Only aboveground utilities are shown.
3. There is visible evidence of recent earth moving, building construction or building additions.
4. There is no visible evidence of recent street or sidewalk construction or repair.
5. There is no visible evidence of site use as a waste dump, sump or sanitary landfill.
6. This plat was prepared with the benefit of a title report from Transnation Title Insurance Company, Commitment # PREM-0088 effective November 17, 2006.
7. All Statements within the certifications, and other references located elsewhere hereon related to: utilities improvements, structures, buildings, party walls, parking, easements, servitudes, and encroachments; are based solely on above ground, visible evidence, unless another source of information is specifically referenced hereon.
8. Field Measurements do not match Record Measurements
9. This parcel is in zone "X" as defined on F.I.R.M # 510129-0010 C dated July 20, 1998. Zone "X" is defined as area out side 500 year flood plain.
10. Parcel(s) zoning is M-2  
Setbacks  
Front = 0  
Rear = 0  
Side = 0
11. Buildings and site are under renovation and construction.
12. Corners not set due to construction.
13. Alley vacated per Quit Claim Deeds recorded in instruments 0639990, 063991 and 0639992

PARKING

NO VISIBLE PARKING OBSERVED AT TIME OF SURVEY.



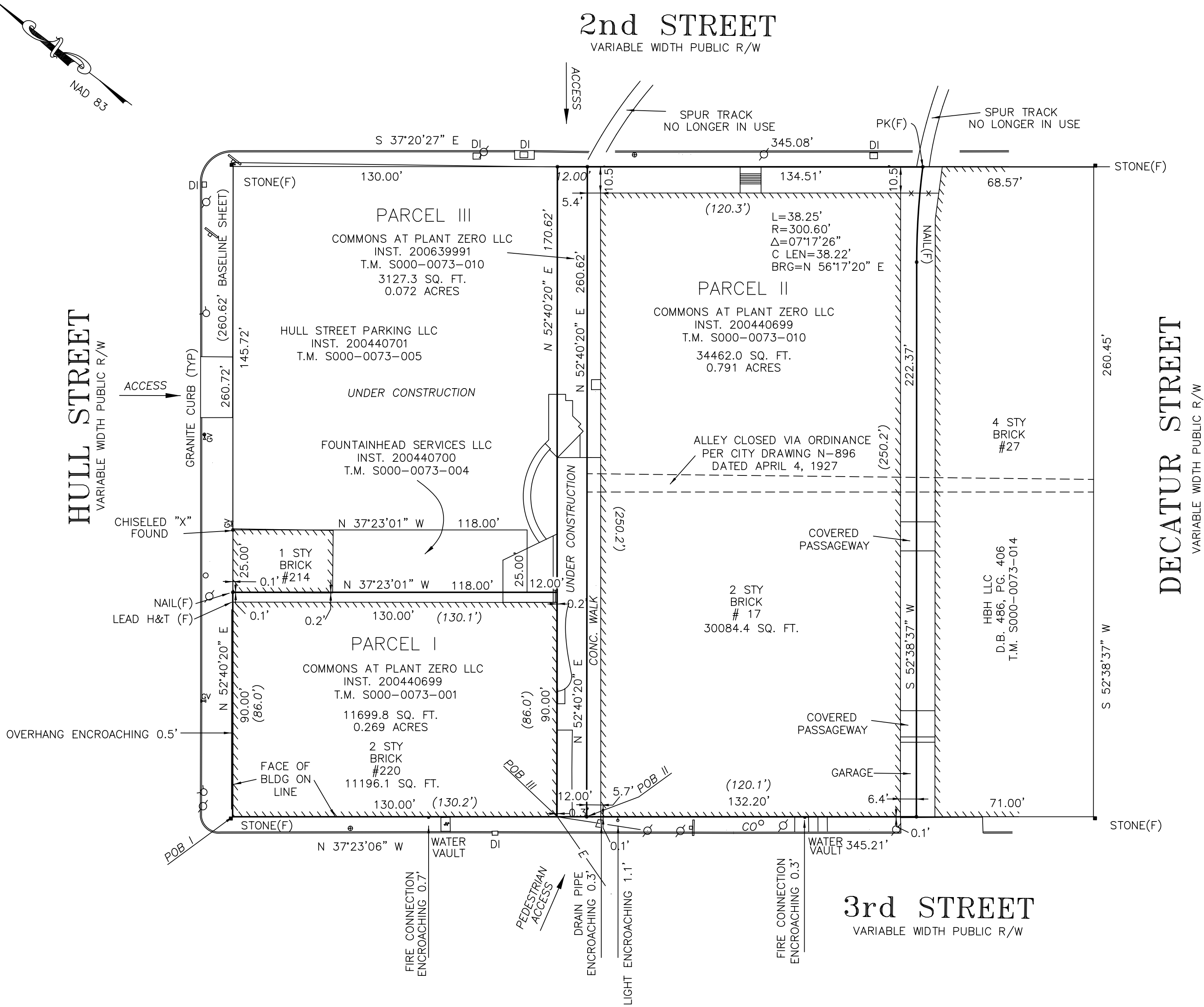
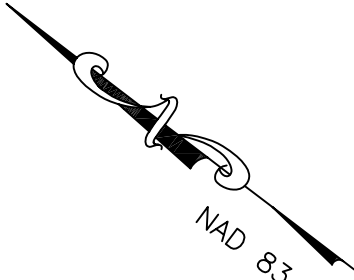
LONG SURVEYING LLC  
3408 SHERWOOD BLUFF WAY  
POWHATAN, VA 23139

NOTES CORRESPONDING TO SCHEDULE B

TITLE REPORT FINISHED BY TRANSNATION TITLE INSURANCE COMPANY.  
COMMITMENT NUMBER PREM-0088 DATED NOVEMBER 17, 2006.

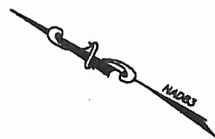
- ITEM 1: DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT ~ NOT A MATTER OF SURVEY
- ITEM 2: ENCROACHMENTS, OVERLAPS, DEFICIENCY IN QUANTITY OF GROUND, BOUNDARY LINE DISPUTES, ROADWAYS, UNRECORDED EASEMENTS, OR ANY MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY AND INSPECTION OF THE PREMISES. ~ ALTA SURVEY PERFORMED
- ITEM 3: TAXES FOR YEAR 2007, AND SUBSEQUENT YEARS, NOT YET DUE AND PAYABLE. ~ NOT A MATTER OF SURVEY.
- ITEM 4: RIGHTS OF OTHERS TO THE USE OF THE SPUR TRACK CONSTRUCTED PER INDENTURE RECORDED IN DEED BOOK 26, PAGE 431. SEE INSTRUMENT FOR PARTICULARS. ~ NO LONGER AFFECTS PARCEL, THE SPUR TRACK IS BURIED.
- ITEM 5: ABSOLUTE RELEASE AND COVENANTS NOT TO SUE AS RECORDED IN DEED BOOK 440, PAGE 1326. SEE COPY OF DEED. ~ NOT A MATTER OF SURVEY.
- ITEM 6: DEDICATION OF ALLEY TO CITY OF RICHMOND RECORDED IN DEED BOOK 65B, PAGE 433. SEE INSTRUMENT FOR PARTICULARS. ~ ALLEY VACATED. SEE GENERAL NOT 13.
- ITEM 7: RECORDED PLATS:  
1. WM. M. LEWIS DATED DECEMBER 1, 1949 SHOWING RAIL SPUR TRACKS ADJACENT TO SUBJECT REAL ESTATE AND ENCROACHMENT OF BUILDING ON 3RD STREET. SEE DIVISION II, PLAT 6, PAGE 22.  
2. CHARLES FLEET & ASSOC., DATED OCTOBER 15, 1976, RECORDED WITH DEED BOOK 499, PAGE 367 SHOWS UTILITIES CROSSING SUBJECT REAL ESTATE AND ENCROACHMENT OF IMPROVEMENTS ON HULL STREET.  
ITEMS ON PLATS THAT AFFECT CURRENT SURVEY ARE REFLECTED ON SURVEY
- ITEM 8: MATTERS OF RECORD IN INSTRUMENT NO. 980033979 "CLEAN-UP PLAN CERTIFICATION". ~ NOT A MATTER OF SURVEY.

- ⬮ FIRE HYDRANT
- UTILITY POLE
- WATER METER
- ⊕ GAS VALVE
- ⊖ WATER VALVE
- DI STORM INLET
- (XX.X') BUILDING DIMENSIONS



ALTA / ACSM SURVEY OF  
SEVERAL PARCELS  
LYING BETWEEN  
2nd ST. & 3rd ST. AND  
HULL ST. & DECATUR ST.

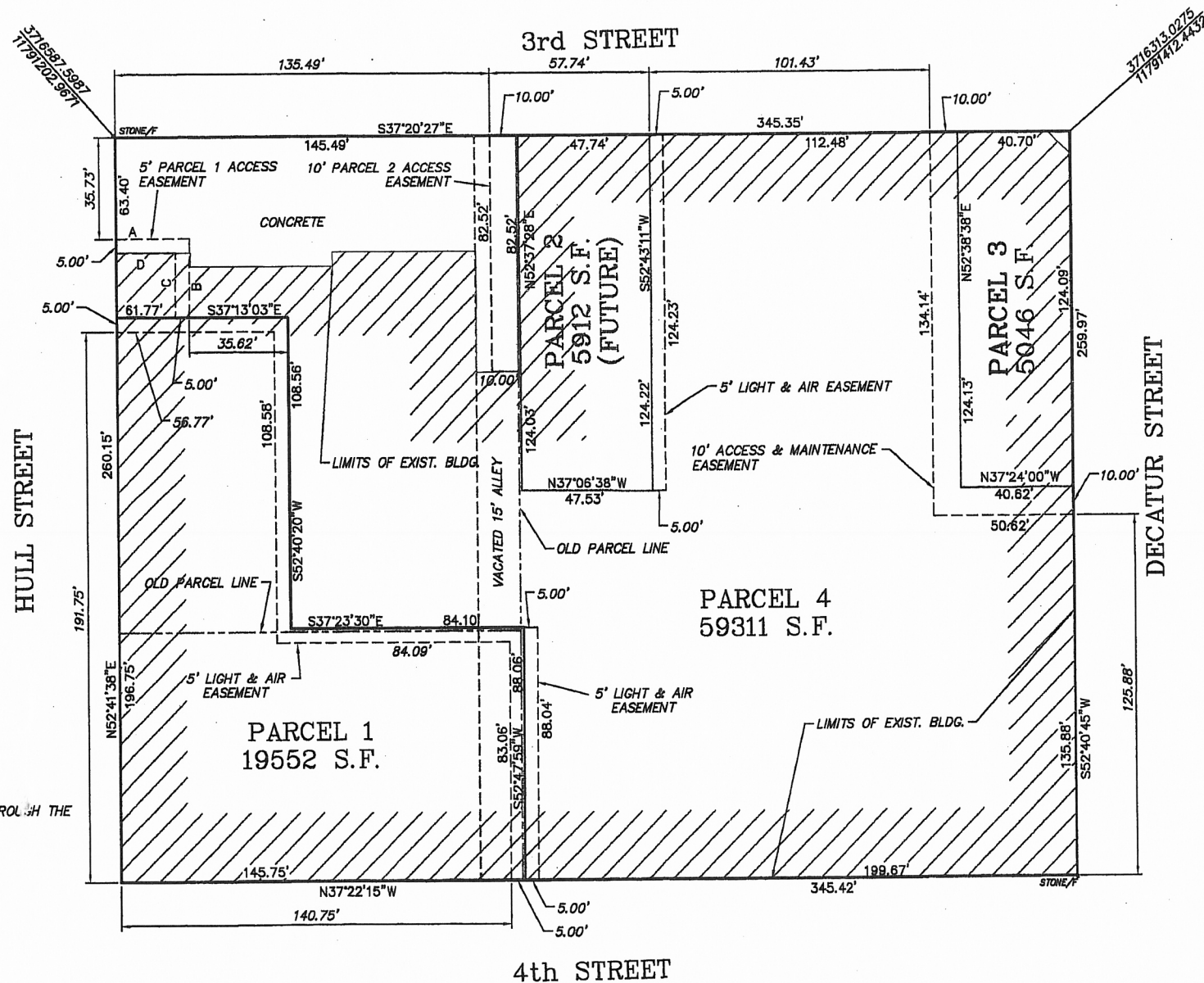
CITY OF RICHMOND, VIRGINIA  
DECEMBER 5, 2006



5' PARCEL 1 ACCESS EASEMENT

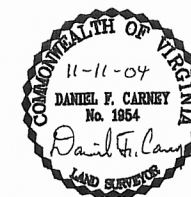
- A) S37°13'03"E - 26.43'
- B) S53°16'39"W - 27.68'
- C) N53°16'39"E - 22.63'
- D) N37°13'03"W - 21.38'

NOTE:  
INTERIOR PROPERTY LINES RUN THROUGH THE  
CENTERLINE OF BUILDING WALLS



LEGAL DESCRIPTION - PARCEL 3

BEGINNING AT A POINT AT THE INTERSECTION OF  
THE SOUTH LINE OF 3RD STREET, WITH THE WEST  
LINE OF DECATUR STREET; THENCE S 52° 40' 45"  
W FOR 124.09' TO A POINT; THENCE N 37° 24'  
00" W FOR 40.62'; THENCE N 52° 38' 38" E FOR  
124.13' TO A POINT; THENCE S 37° 20' 27" E  
FOR 40.70' TO A POINT OF BEGINNING; SAID  
PARCEL CONTAINING 5046 SQ. FT.



I HEREBY CERTIFY THAT THE BOUNDARY  
SHOWN HEREON IS BASED ON A CURRENT  
FIELD SURVEY

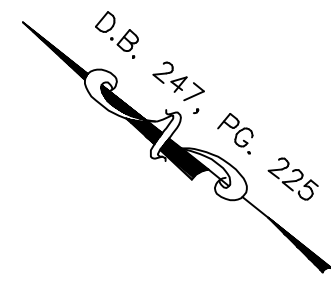
THIS PROPERTY IS LOCATED IN H.U.D. FLOOD ZONE X

PLAT OF PARCEL 3 ON  
THE WEST LINE OF  
DECATUR STREET  
CITY OF RICHMOND, VIRGINIA

DATE: NOV. 5 SCALE: 1"=30'



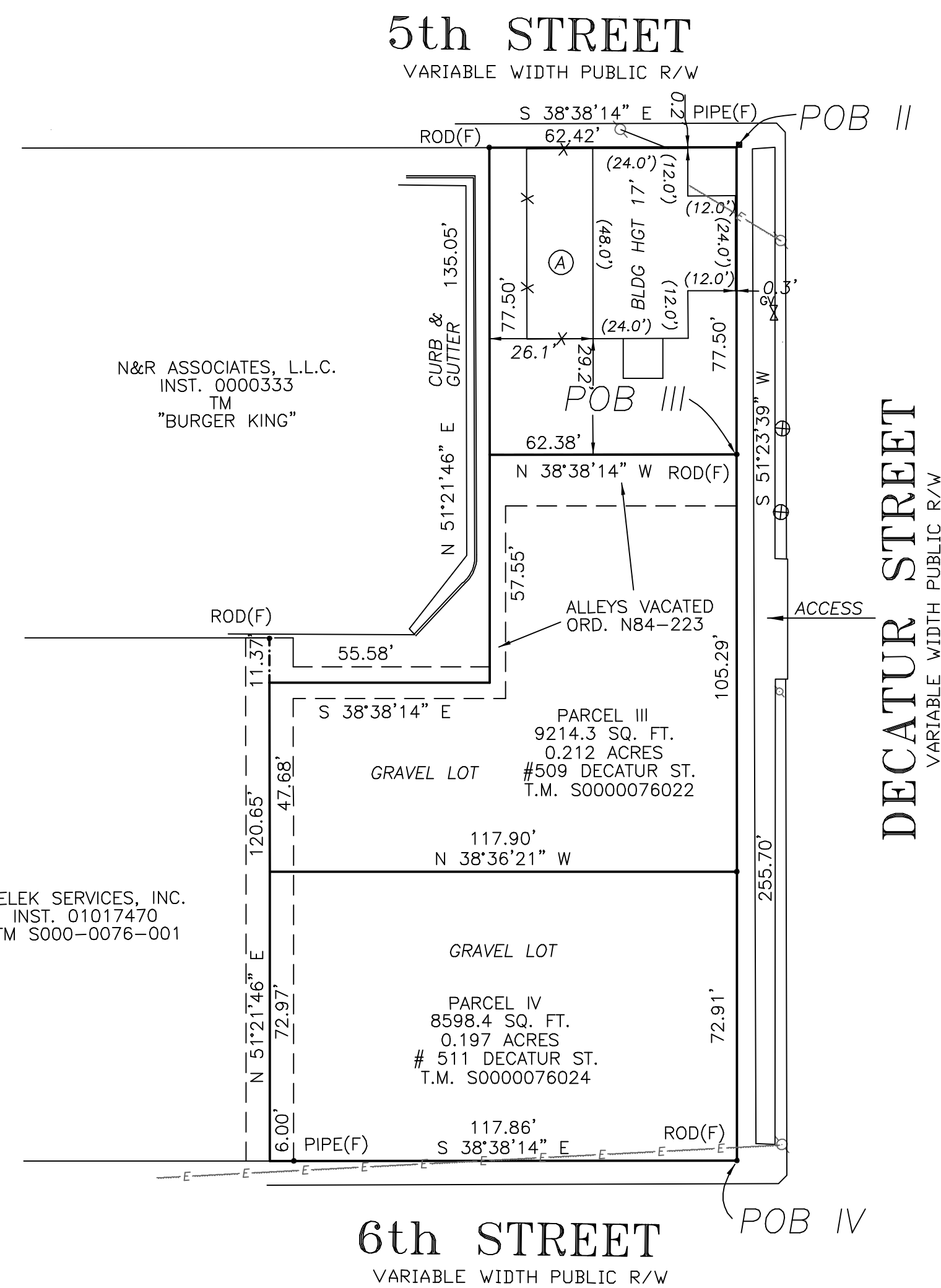
VICINITY SKETCH ~ NTS



(A) PARCEL II  
4835.9 SQ. FT.  
0.111 ACRE  
# 501 DECATUR ST.  
T.M. S0000076017

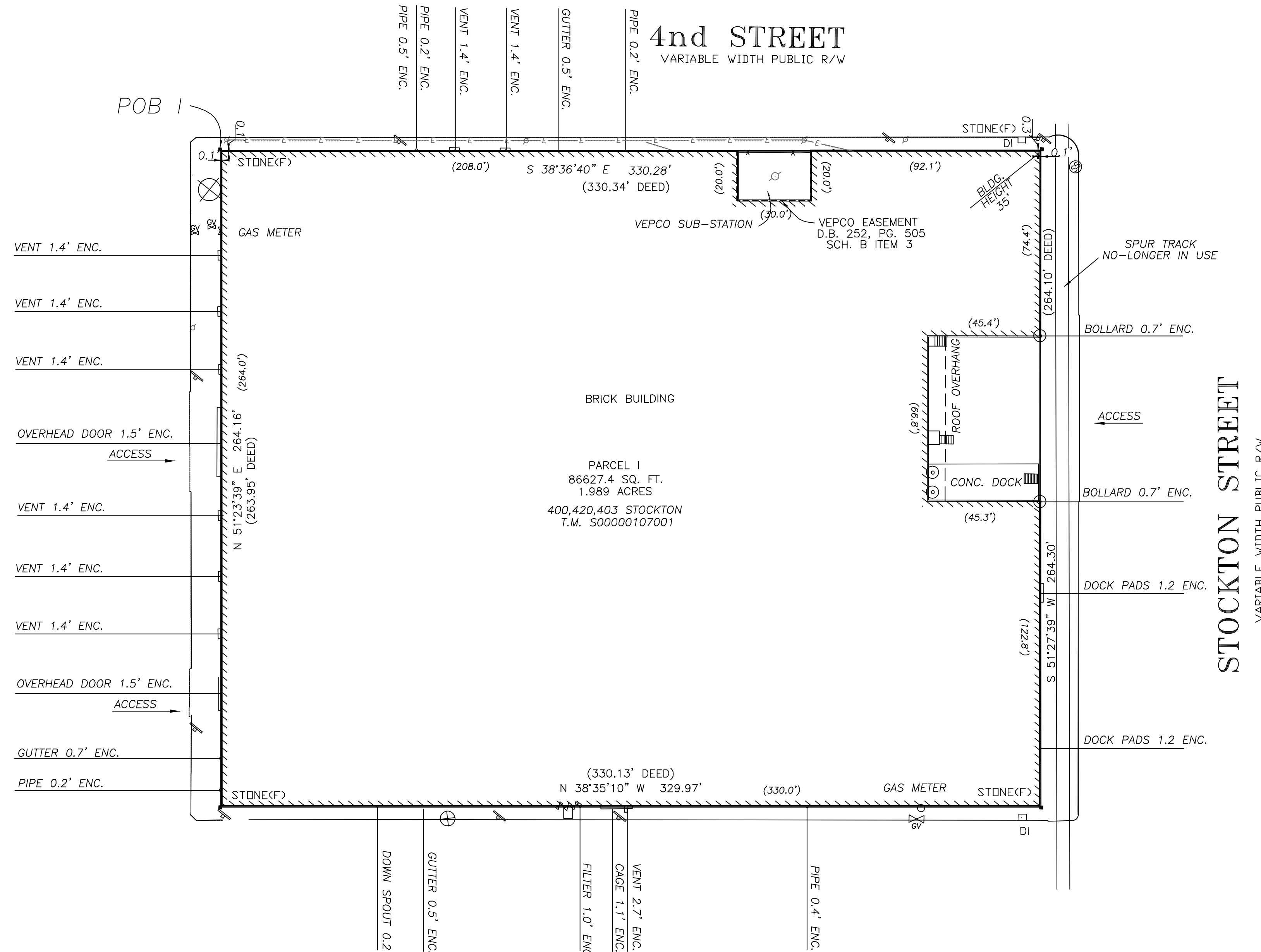
N&R ASSOCIATES, L.L.C.  
INST. 0000333  
TM  
"BURGER KING"

DELEK SERVICES, INC.  
INST. 01017470  
TM S000-0076-001



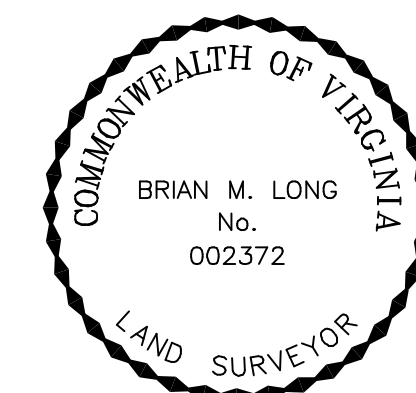
DECATUR STREET  
VARIABLE WIDTH PUBLIC R/W

STOCKTON STREET  
VARIABLE WIDTH PUBLIC R/W



5th STREET  
VARIABLE WIDTH PUBLIC R/W

- LEGEND
- SIGN
  - FIRE HYDRANT
  - UTILITY POLE
  - WATER METER
  - GAS VALVE
  - WATER VALVE
  - DI STORM INLET
  - (XX.X') BUILDING DIMENSIONS
  - ENC. ENCROACHMENT
  - CONC. CONCRETE



ALTA / ACSM SURVEY OF  
400,420 & 403 STOCKTON STREET  
501,509 & 511 DECATUR STREET

CITY OF RICHMOND, VIRGINIA  
APRIL 20, 2006

LONG SURVEYING LLC  
3408 SHERWOOD BLUFF WAY  
POWhatan, VA 23139

