

ACWORTH CVS SITE

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 1187 and 1190, 21st District, 2nd Section, Cherokee County, Georgia, and being more particularly described as follows:
BEGIN at a 1" open top pipe found at the intersection of Land Lots 1187, 1188, 1190, and 1187, said 1" open top pipe found being the TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence, along the Easterly Land Lot Line of Land Lot 1186 and the Westerly Land Lot Line of Land Lot 1187, North 01 degrees 57 minutes 00 seconds East, a distance of 201.41 feet to a 3/4" open top pipe found; Thence, leaving said common Land Lot Line, South 88 degrees 05 minutes 01 seconds East, a distance of 200.36 feet to a 3/4" open top pipe found on the Westerly right-of-way of Tyson Drive (50-foot right-of-way width); Thence, along said right-of-way line, South 01 degrees 28 minutes 08 seconds West, a distance of 100.87 feet to a rebar placed; Thence, continuing along said right-of-way line South 02 degrees 39 seconds West, a distance of 130.54 feet to a rebar placed; Thence, leaving said right-of-way line, South 34 degrees 37 minutes 59 seconds West, a distance of 58.96 feet to a rebar placed on the Northerly right-of-way line of Georgia State Route 92 (variable right-of-way width); Thence, continuing along said right-of-way line, South 68 degrees 13 minutes 02 seconds West, a distance of 143.26 feet to a 1" open top pipe found; Thence, leaving said right-of-way line, North 13 degrees 12 minutes 42 seconds West, a distance of 142.12 feet to a 1" open top pipe found being the TRUE POINT OF BEGINNING.

Said tract of land contains 1.3535 Acres.

SURVEYOR'S CERTIFICATION: This is to certify to Grathwohl Properties, LLC and Ryan Riley LLC (collectively, "Borrower/Owner"), Wachovia Bank, N.A. ("Lender"), Fidelity National Title Insurance Company of New York and Chicago Title Insurance Company (collectively, "Title Insurer"), Elise G. Linsowitz, Esq., and William R. Weiler that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by ALTA, ACSM and NSPS in 1999, and pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM and in effect on the date of this certification. The undersigned hereby certifies that the Positional Uncertainty resulting from the survey measurements made on the survey do not exceed the allowable Positional Tolerance. The undersigned further certifies that optional items numbers 1, 2, 3, 4 (in square feet or acres), 5, 7(a), 7(b), 7(c), 8, 9, 10, 11(a), 11(b), 13, 14, 15 and 16, from Table A, Optional Survey Responsibilities and Specifications, of the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys are included in this survey. The undersigned additionally certifies that (a) this survey was made on the ground under my supervision; (b) I have received and examined a copy of the Chicago Title Insurance Company Commitment No. 2-17232, Endorsement to Fidelity National Title Insurance Company of New York Policy 5412-2526970 (collectively, the "Title Commitment") issued by the Title Insurer as well as a copy of each instrument listed therein, and the subject property and each tract or parcel thereof described in this survey (the "Property") is the same property as described in the Title Commitment; (c) the survey fully and correctly represents the property owned by Borrower pursuant to Deed Book 7803, Page 119 and Deed Book 7803, Page 119, Records of Cherokee County, Georgia and otherwise accurately represents all facts found at the time of the survey; (d) if the Property consists of two or more tracts or parcels having common boundaries and planes, those tracts and parcels are contiguous along the common boundaries and planes; (e) the boundary lines and planes of the Property are contiguous with the boundary lines and planes of all adjoining parcels, roads, highways, streets or alleys as described in their most recent respective legal descriptions of record unless specifically noted otherwise herein; (f) there are no discrepancies among the boundary lines of actual possession of the Property as shown on the plat of survey, and as described in the legal description of record, and all physical evidence of boundary lines and lines of possession or occupancy have been shown; (g) the boundary line dimensions as shown on the plat of survey form a mathematically closed figure; (h) the Property and each tract or parcel thereof has a tax map designation separate and distinct from any other land and the Property and each tract or parcel thereof is a separate, legally subdivided parcel; (i) this survey correctly shows all matters of record (and to the extent they can be located, their location and dimensions) of which I have been advised affecting the Property and each tract or parcel thereof (with instrument, book, page and number indicated); (j) except as shown on this survey, no part of the Property is located in a 100-year Flood Plain or in an identified "Special Flood Hazard Area" as defined pursuant to the Flood Disaster Protection Act of 1973, as amended, as reflected by Flood Insurance Rate Map Panel #13057C0304B dated July 15, 1998, which each map panel covers the area in which the Property is situated and this survey correctly indicates the zone designation of any area as being in the 100-year Flood Plain or "Special Flood Hazard Area"; (k) all improvements are located as shown and are accurately shown, and there are no encroachments by such improvements onto adjoining property, or by improvements on adjoining property onto the Property, unless noted otherwise herein; (l) to the best of my knowledge, this survey shows the relation and distance of all substantial, visible buildings, sidewalks and other improvements to easements and setback lines; (m) to the best of my knowledge, except as shown on this survey, neither the Property nor any tract or parcel thereof serves any adjoining land for drainage, utilities, or ingress or egress; (n) all utility services required for operation of the Property enter the Property through adjoining public streets; (o) the area indicated for the Property is accurate; and (p) there are no easements, encroachments, streets, roads, rights-of-way or uses affecting the Property apparent from a careful inspection of the Property other than as accurately shown or noted herein.

FLOOD NOTE: BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 13057C0304 B, WHICH BEARS AN EFFECTIVE DATE OF JULY 15, 1998 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. (ZONE "X" IS DEFINED AS BEING AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN).

- LEGEND:
IPP- REBAR PLACED
OTF- OPEN TOP PIPE FOUND (TYPE)
DI- DROP INLET
J.BX- JUNCTION BOX
HW- HEAD WALL
BL- BUILDING LINE
LL- LAND LOT
CON- CONCRETE
S/W- SIDEWALK
SS- SANITARY SEWER
SSWH- SANITARY SEWER MANHOLE
P.O.B.- POINT OF BEGINNING
DI- DEED BOOK
PG- PAGE

STATEMENT OF ENCROACHMENTS: PORTIONS OF FOUR (4) PARKING SPACES ENCRACH UPON RIGHT-OF-WAY TAKING.

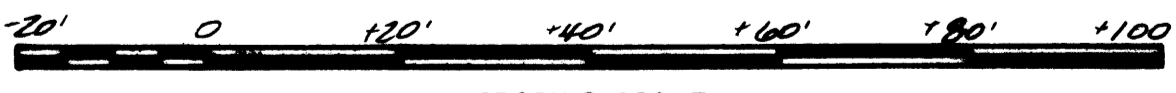
COMMITMENT NO. 2-17232-PART II, SCHEME B

- (f) DRAINAGE RIGHTS AS CONTAINED IN THAT CERTAIN RIGHT OF WAY DEED FROM W.O. TYSON TO STATE HIGHWAY DEPARTMENT OF GEORGIA, DATED OCTOBER 18, 1961, RECORDED IN DEED BOOK 63, PAGE 527, AFORESAID RECORDS. (THIS ITEM PLOTTED. DOES AFFECT SUBJECT PROPERTY).
(g) DRAINAGE RIGHTS AS CONTAINED IN THAT CERTAIN RIGHT OF WAY DEED FROM W.O. TYSON TO STATE HIGHWAY DEPARTMENT OF GEORGIA, DATED OCTOBER 18, 1961, RECORDED IN DEED BOOK 63, PAGE 528, AFORESAID RECORDS. (THIS ITEM PLOTTED. DOES AFFECT SUBJECT PROPERTY).
(h) DRAINAGE RIGHTS AS CONTAINED IN THAT CERTAIN RIGHT OF WAY DEED FROM J. R. SIZEMORE TO STATE HIGHWAY DEPARTMENT OF GEORGIA, DATED OCTOBER 10, 1961, RECORDED NOVEMBER 14, 1961, RECORDED IN DEED BOOK 63, PAGE 530, AFORESAID RECORDS. (THIS ITEM PLOTTED. DOES AFFECT SUBJECT PROPERTY).
(i) RIGHT OF WAY EASEMENT FROM TODD BLAIR ASSOCIATES, INC. TO SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, DATED MARCH 24, 1989, FILED FOR RECORD MARCH 27, 1990 AT 3:10 P.M., RECORDED IN DEED BOOK 780, PAGE 587, AFORESAID RECORDS. (THIS ITEM PLOTTED. DOES AFFECT SUBJECT PROPERTY).
(j) CONVEYANCE OF ACCESS RIGHTS FROM TODD MCL. BLAIR TO DEPARTMENT OF TRANSPORTATION, STATE OF GEORGIA, DATED SEPTEMBER 18, 1990, FILED FOR RECORD SEPTEMBER 18, 1990 AT 5:00 PM, RECORDED IN DEED BOOK 899, PAGE 234, AFORESAID RECORDS. (THIS ITEM PLOTTED. DOES AFFECT SUBJECT PROPERTY).
(k) EASEMENT AGREEMENT BY AND BETWEEN TODD BLAIR s/k/a TODD MCL. BLAIR AND BP OIL COMPANY, AN OHIO CORPORATION, DATED AS OF SEPTEMBER 28, 1990, FILED FOR RECORD OCTOBER 2, 1990 AT 4:45 PM., RECORDED IN DEED BOOK 905, PAGE 124, AFORESAID RECORDS. (THIS ITEM PLOTTED. DOES AFFECT SUBJECT PROPERTY).
(l) DECLARATION OF RESTRICTIVE COVENANT BY TODD BLAIR s/k/a TODD MCL. BLAIR, DATED SEPTEMBER 28, 1990, FILED FOR RECORD OCTOBER 2, 1990 AT 4:45 PM., RECORDED IN DEED BOOK 905, PAGE 147, AFORESAID RECORDS, AS AMENDED BY THAT CERTAIN AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANT BY AND BETWEEN REGENCY REALTY GROUP, INC., SUCCESSOR BY MERGER TO REGENCY REALTY GROUP II, INC. AND C&C FOOD STORES, INC., DATED AS OF MAY 14, 1998, FILED FOR RECORD JUNE 22, 1998 AT 9:30 a.m., RECORDED IN DEED BOOK 3166, PAGE 87, AFORESAID RECORDS, BUT OMITTING ANY RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT (a) IS EXEMPT UNDER CHAPTER 42, SECTION 3607 OF THE UNITED STATES CODE OR (b) RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS. (THIS ITEM NOT PLOTTED. DOES AFFECT SUBJECT PROPERTY).
(m) SHORT FORM MEMORANDUM NOTICE OF LEASE BY AND BETWEEN BRANCH PROPERTIES, L.P. ("LANDLORD") AND ALABAMA ROAD CVS, INC. ("TENANT"), DATED MAY 10, 1996, FILED FOR RECORD OCTOBER 30, 1996 AT 10:15 a.m., RECORDED IN DEED BOOK 2335, PAGE 239, AND AFORESAID RECORDS. (THIS ITEM PLOTTED. DOES AFFECT SUBJECT PROPERTY).
(n) EASEMENT FROM WILLIAM FRICKE PURSUANT TO POWER OF ATTORNEY FOR CATHERINE R. MILLECHAMP TO BELLSOUTH TELECOMMUNICATIONS, INC., A GEORGIA CORPORATION DATED AUGUST 8, 2001, FILED FOR RECORD AUGUST 28, 2001 AT 4:04 p.m., RECORDED IN DEED BOOK 4722, PAGE 11, AFORESAID RECORDS. (THIS ITEM PLOTTED. DOES AFFECT SUBJECT PROPERTY).
(o) RIGHT OF WAY DEED FROM GRATHWOHL PROPERTIES, LLC, A GEORGIA LIMITED LIABILITY COMPANY TO GEORGIA DEPARTMENT OF TRANSPORTATION, DATED MARCH 17, 2005, FILED FOR RECORD MARCH 30, 2005 AT 2:48 p.m., RECORDED IN DEED BOOK 7803, PAGE 119, AFORESAID RECORDS.

TYSON DRIVE (50 FOOT RIGHT OF WAY)

AREA=1.3535 ACRES

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT NO. 2-17232
EFFECTIVE DATE OF MAY 21, 2005 AT 5:00 p.m.



URBAN CLASS ALTA/ACSM AS-BUILT

PARKING SUMMARY
REGULAR SPACES (9' X 18') 44
COMPACT SPACES (10' X 15') 6
HANDICAPPED SPACES (10' X 20') 2
TOTAL SPACES 52

ZONING INFORMATION:
CURRENT ZONING IS IC (NEIGHBORHOOD COMMERCIAL)
SETBACKS: 75' GEORGIA STATE ROUTE 92
50' TYSON DRIVE
15' REAR YARD
10' SIDE YARD

PARKING REQUIREMENTS ARE ONE SPACE PER 280 SQUARE FEET OF FLOOR SPACE. BASED UPON THE SQUARE FOOTAGE OF THE BUILDING AND THE FACT THAT ONE SPACE PER 280 SQUARE FEET OF FLOOR SPACE IS REQUIRED, THIS SITE AS IMPROVED REQUIRES 51 PARKING SPACES.
ZONING INFORMATION OBTAINED FROM CHEROKEE COUNTY PLANNING AND ZONING DEPARTMENT, (678)-493-6101, 08-05-2006.

FIELD CLOSURE: THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 27,570 AND AN ANGULAR ERROR 00 DEGREES, 00 MINUTES, 03 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 61,739 FEET.

SHEET NUMBER 1
REVISIONS table with columns for REV, DWN, CHG, JOB NO, DATE, L.E.C., COORDINATE FILE

- LEGEND:
L.F.F. IRON PIN FOUND
L.F.S. IRON PIN SET
C.L. CENTERLINE
B.L. BUILDING LINE
D.A. DRAINAGE AREA
R/W RIGHT-OF-WAY
P.L. POWER LINE
T.L. TELEPHONE LINE
W.L. WATER LINE
S.L. SEWER LINE
T.H. TEST HOLE
M.H. MANHOLE
S.E. SEWER EASEMENT
L.E. LAND EASEMENT
D.A. DRAINAGE AREA
R.O. ROAD RIGHT-OF-WAY
C.B. CATCH BASIN
H.O. HEAD OF CURVE
P.T. POINT OF TANGENCY
P.C. POINT OF CURVATURE
R. RADIUS

SURVEY FOR
GRATHWOHL PROPERTIES, LLC and RYAN RILEY LLC, WACHOVIA BANK, N.A., FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK, CHICAGO TITLE INSURANCE COMPANY, ELISE G. LISBOWITZ, ESQ. and WILLIAM R. WEILER
LAND LOTS - 1187 & 1190
DISTRICT - 21st SECTION 2nd
COUNTY - CHEROKEE
STATE - GEORGIA
DATE 05 AUGUST 2005 SCALE 1" = 20 FEET

J. A. EVANS & ASSOCIATES
3279 POWDER SPRINGS ROAD
POWDER SPRINGS, GEORGIA 30127
(770)-943-6000 OFFICE
(770)-943-9003 FAX
evans@jac.com

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.
GEORGIA REGISTERED LAND SURVEYOR
JAMES A. EVANS, JR.
NO. 2167 PROFESSIONAL