

▲ LAWYERS TITLE INSURANCE CORPORATION COMMITMENT NO. 1172-266, DATED AUGUST 24, 2004.
SCHEDULE B - SECTION 2, EXCEPTIONS PERTAINING TO THIS SURVEY

3. Special Exceptions:

- (c) Easement from E.D. Thomas to Georgia Power Company, dated July 14, 1936, filed for record July 25, 1936 at 1:32 p.m., recorded in Deed Book 1589, Page 541, Records of Fulton County, Georgia. INSUFFICIENT INFORMATION CONTAINED IN DOCUMENT TO DETERMINE AFFECT ON SUBJECT PROPERTY.
 - (d) Right-of-Way Easement from John A. Woyt, Jr. to Sawnee Electric Membership Corporation, dated May 24, 1966, filed for record June 11, 1966 at 8:57 a.m., recorded in Deed Book 4596, Page 165, aforesaid Records. INSUFFICIENT INFORMATION CONTAINED IN DOCUMENT TO DETERMINE AFFECT ON SUBJECT PROPERTY.
 - (e) Right-of-Way Easement from John A. Woyt, Jr. to Sawnee Electric Membership Corporation, dated April 21, 1967, filed for record April 28, 1967 at 8:26 a.m., recorded in Deed Book 4727, Page 320, aforesaid Records. INSUFFICIENT INFORMATION CONTAINED IN DOCUMENT TO DETERMINE AFFECT ON SUBJECT PROPERTY.
 - (f) Easement from Dillard Munford, Jr. to Georgia Power Company, dated March 8, 1976, filed for record August 16, 1977 at 1:09 p.m., recorded in Deed Book 6770, Page 368, aforesaid Records. INSUFFICIENT INFORMATION CONTAINED IN DOCUMENT TO DETERMINE AFFECT ON SUBJECT PROPERTY.
 - (g) Easement contained in Right-of-Way Donation Deed from United States Trust Company of Florida, N.A., successor co-trustee of the trust, along with Kathryn H. Maclellan, of the Trust of Anne M. Munford, to Fulton County, dated November 4, 1986, filed for record December 31, 1986 at 8:30 a.m., recorded in Deed Book 25988, Page 150, aforesaid Records. PLOTTED HEREON.
 - (h) Declaration of Restrictions by Jamestown Land Investors IV, L.P., a Georgia limited partnership, dated May 7, 1999, filed for record May 11, 1999 at 2:14 p.m., recorded in Deed Book 26591, Page 206, aforesaid Records; as amended by Amendment No. 1 to Declaration of Restrictions by Jamestown Land Investors IV, L.P., a Georgia limited partnership, dated November 12, 1999, filed for record November 12, 1999 at 12:19 p.m., recorded in Deed Book 27983, Page 18, aforesaid Records; as further amended by Second Amendment to Declaration of Restrictions by Jamestown Land Investors IV, L.P., a Georgia limited partnership, and City of Alpharetta, dated December 18, 2000, filed for record March 6, 2001 at 12:29 p.m., recorded in Deed Book 30043, Page 408, aforesaid Records. BLANKET IN NATURE AFFECTING ENTIRE SUBJECT PROPERTY & CANNOT BE PLOTTED.
 - (i) Right-of-Way Easement from Jamestown Land Investors IV, LP to Sawnee Electric Membership Corporation, dated May 31, 1999, filed for record June 3, 1999 at 4:31 p.m., recorded in Deed Book 26802, Page 285, aforesaid Records. AFFECTS SUBJECT PROPERTY, HOWEVER, INSUFFICIENT INFORMATION CONTAINED IN DOCUMENT, THEREFORE EASEMENT CANNOT BE PLOTTED.
 - (j) Reciprocal Access Easement Agreement by Jamestown Land Investors IV, L.P., dated February 7, 2001, filed for record February 7, 2001 at 3:19 p.m., recorded in Deed Book 29950, Page 53, aforesaid Records; as corrected by Corrective Reciprocal Access Easement Agreement by Jamestown Land Investors IV, L.P., dated February 8, 2001, filed for record February 8, 2001 at 3:01 p.m., recorded in Deed Book 29953, Page 578, aforesaid Records. BLANKET IN NATURE AFFECTING PROPERTIES AS PLOTTED HEREON (SEE DETAIL).
 - (k) Declaration of Covenants, Conditions, Easements and Restrictions for North Point Commons, Phase IV by Jamestown Land Investors IV, L.P., dated April 21, 2001, filed for record April 24, 2001 at 8:34 a.m., recorded in Deed Book 30261, Page 56, aforesaid Records; as amended by Amendment No. 1 to Declaration of Covenants, Conditions, Easements and Restrictions for North Point Commons, Phase IV by Jamestown Land Investors IV, L.P., LLC Entertainment, Inc., a Kansas corporation, and ROLTA International, Inc., dated July 25, 2001, filed for record July 26, 2001 at 9:32 a.m., recorded in Deed Book 30747, Page 353, aforesaid Records. BLANKET IN NATURE AFFECTING ENTIRE SUBJECT PROPERTY & CANNOT BE PLOTTED.
 - (l) Lease as evidenced by Memorandum of Lease by and between CNL Net Lease Funding 2003, LLC, a Delaware limited liability company, and Metro Corral Partners, LLC, a Florida limited liability company, dated May 25, 2004, filed for record May 26, 2004 at 1:48 p.m., recorded in Deed Book 37656, Page 214, aforesaid Records. BLANKET IN NATURE AFFECTING ENTIRE SUBJECT PROPERTY & CANNOT BE PLOTTED.
- Note: The following affect the leasehold interest only:
- (i) Leasehold Deed to Secure Debt, Assignment of Leases and Rents and Fixture Filing from Metro Corral Partners, LLC, a Florida limited liability company, to Bank of America, N.A., a national banking association, dated May 25, 2004, filed for record May 26, 2004 at 2:05 p.m., recorded in Deed Book 37656, Page 297, aforesaid Records;
 - (ii) UM-1 Financing Statement having Metro Corral Partners, LLC, as Debtor and Bank of America, N.A., as administrative agent, as Secured Party, filed for record May 26, 2004 at 2:05 p.m., recorded in Deed Book 37656, Page 329, aforesaid Records.
 - (m) In addition to the matters set forth above, Final Subdivision Plat for Northpoint Commons, filed for record May 18, 2001 at 10:26 a.m., recorded in Plat Book 219, Pages 134-137, aforesaid Records, discloses the following:
 - (i) 65' front building setback line located along North Point Parkway; SHOWN HEREON
 - (ii) 35' front building setback line located along North Point Drive; SHOWN HEREON
 - (iii) 20' side building setback lines located along the westerly and northerly boundary lines of the subject property; SHOWN HEREON
 - (iv) 20' sanitary sewer easement located in the northwesterly corner of the subject property; PLOTTED HEREON
 - (v) power pad located in the northwesterly corner of the subject property; SHOWN HEREON
 - (vi) power pads located along the easterly boundary line of the subject property; SHOWN HEREON
 - (vii) water vault located in the westerly portion of the subject property; SHOWN HEREON
 - (viii) 20' emergency drainage easement located in the southwesterly portion of the subject property; PLOTTED HEREON
 - (ix) gas meter located in the northwesterly portion of the subject property; SHOWN HEREON
 - (x) fire hydrant located in the westerly portion of the subject property; SHOWN HEREON
 - (xi) telephone pedestal located in the westerly portion of the subject property; SHOWN HEREON
 - (xii) buried gas line sign located in the westerly portion of the subject property, indicating presence of underground gas line; SHOWN HEREON
 - (xiii) water valve located in the southwesterly portion of the subject property. SHOWN HEREON

DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 797 and 808 of the 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a point marked by an iron pin at the east end of the mitered intersection of the northeast margin of the right-of-way of North Point Drive (right-of-way width varies) and the northwest margin of the right-of-way of North Point Parkway (right-of-way width varies); thence northwesterly along said mitered intersection N 88°58'04" W a distance of 63.33 feet to a point marked by an iron pin, being the west end of said miter; thence along the northeast margin of the right-of-way of North Point Drive N 27°50'04" W a distance of 27.06 feet to a point; thence northwesterly along the northeast margin of the right-of-way of North Point Drive and being a curve to the left a distance of 153.97 feet to a point marked by an iron pin (said curve being subtended by a chord having a bearing of N 38°52'20" W, a chord distance of 153.01 feet and a radius of 397.82 feet); thence N 39°59'25" E a distance of 65.86 feet to a point marked by an iron pin; thence N 50°00'35" W a distance of 30.37 feet to a point marked by an iron pin; thence N 04°32'23" E a distance of 146.27 feet to a point marked by an iron pin; thence S 85°27'37" E a distance of 183.24 feet to a point marked by an iron pin; thence S 64°26'51" E a distance of 213.52 feet to a point located on the northwest margin of the right-of-way of North Point Parkway; thence along the northwest margin of right-of-way of North Point Parkway S 25°33'09" W a distance of 43.32 feet to a point; thence southwesterly along the northwest margin of right-of-way of North Point Parkway and being a curve to the right a distance of 318.31 feet to the POINT OF BEGINNING (said curve being subtended by a chord having a bearing of S 39°33'20" W, a chord distance of 315.15 feet and a radius of 651.20 feet); said tract of land containing 2.317 acres more or less, and being shown and delineated on a certain ALTA/ACSM Land Title Survey for Winston's G.C. No. 1, Inc. & Chicago Title Insurance Company, dated June 4, 2001, revised June 11, 2001, prepared by James C. Jones, G.R.L.S. No. 2298, of Rochester & Associates, Inc., which survey is incorporated herein by reference thereto.

TOGETHER WITH all appurtenant easements benefiting the above-referenced property as set forth in Declaration of Covenants, Conditions, Easements and Restrictions for North Point Commons, Phase IV, dated April 21, 2001, filed April 24, 2001, and recorded in Deed Book 30261, page 56, Fulton County, Georgia Records, as thereafter amended by Amendment No. 1 to Declaration of Covenants, Conditions, Easements and Restrictions for North Point Commons, Phase IV, dated July 25, 2001, filed July 26, 2001, and recorded in Deed Book 30747, page 353, aforesaid records.

TOGETHER WITH all appurtenant easements benefiting the above-referenced property as set forth in Reciprocal Easement Agreement by Jamestown Land Investors IV, L.P., a Georgia limited partnership, dated February 7, 2001, filed February 7, 2001, recorded in Deed Book 29950, page 53, Fulton County, Georgia Records, as thereafter amended by Corrective Reciprocal Access Easement Agreement by Jamestown Land Investors IV, L.P., dated February 8, 2001, filed February 8, 2001, and recorded in Deed Book 29953, page 578, aforesaid records.

Property surveyed and shown hereon is the same property as described in title commitment number 1172-266, dated August 24, 2004, prepared by Lawyers Title Insurance Corporation.

MISCELLANEOUS NOTES AND SURVEYOR'S REPORT:

1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTHEASTERLY RIGHT OF WAY LINE OF NORTH POINT DRIVE BEING N 88°58'04" W, AS PER THE LEGAL DESCRIPTION.
2. THE FIELD DATA UPON WHICH THIS SKETCH OF SURVEY IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 10,000 FEET AND AN ANGLE ERROR OF .00 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING COMPOUND RULE. THIS SKETCH OF SURVEY HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1 FOOT IN 120,000 FEET. TYPE OF EQUIPMENT USED: TOPCON 515 392.
3. ALL UTILITIES SHOWN HEREON ARE BASED ON SURFACE EVIDENCE. ANY UTILITIES NOT SHOWN ARE LACKING SURFACE EVIDENCE TO MAKE A DETERMINATION OF LOCATION IN THE FIELD.
4. THE SOUTHWESTERLY BOUNDARY LINE OF THE SUBJECT PROPERTY IS THE SAME AS THE NORTHEASTERLY RIGHT OF WAY LINE OF NORTH POINT DRIVE AND THE SOUTHEASTERLY BOUNDARY LINE OF THE SUBJECT PROPERTY IS THE SAME AS THE NORTHWESTERLY RIGHT OF WAY LINE OF NORTH POINT PARKWAY.
5. THE ORIGINAL DRAWING FROM WHICH THIS COPY WAS MADE IS AT THE SCALE SHOWN HEREON, HOWEVER IN THE PROCESS OF REPRODUCTION, THIS SCALE MAY BE SLIGHTLY REDUCED, ENLARGED, OR OTHERWISE DISTORTED FROM ITS ORIGINAL SCALE.
6. ALL UTILITIES APPEAR TO ENTER THE SUBJECT PROPERTY VIA A PUBLIC RIGHT OF WAY.
7. SUBJECT PROPERTY APPEARS TO DRAIN INTO A PUBLIC RIGHT OF WAY.

FLOOD ZONE:

AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 13121C 0066 E, DATED JUNE 22, 1998, THE SUBJECT PROPERTY LIES IN ZONE "X", BY SCALE LOCATION ONLY.

LAND AREA:

THE LAND AREA IS 100,935 SQUARE FEET OR 2.317 ACRES.

SOURCE OF ZONING DATA:

THE CITY OF ALPHARETTA, GEORGIA ZONING DEPARTMENT
PHONE: (678) 297-6000

ZONING:

THE CURRENT ZONING IS O-1 (OFFICE INSTITUTIONAL) AND CUP (COMMUNITY UNIT PLAN). THE CURRENT ZONING ALLOWS FOR THE CURRENT USE AS A RESTAURANT.

BUILDING SETBACK REQUIREMENTS:

FRONT 65 FEET FROM R/W OF NORTH POINT PARKWAY
FRONT 35 FEET FROM R/W OF NORTH POINT DRIVE
SIDE 20 FEET
REAR 15 FEET

BUILDING HEIGHT RESTRICTION:

45 FEET

PARKING SPACE TABLE:

REGULAR PARKING SPACES: 134
HANDICAP PARKING SPACES: 6
TOTAL: 140

PARKING SPACE REQUIREMENTS:

1 PARKING SPACE FOR EACH 100 SQ. FT. OF GROSS FLOOR AREA.

Because there may be a need for interpretation of the applicable zoning codes, we refer you to the City of Alpharetta, Georgia and the applicable zoning codes.

BUILDING AREA:

EXTERIOR FOOT PRINT AT GROUND FLOOR IS 12,011 SQUARE FEET.

ACCESS NOTE:

ACCESS TO THE SUBJECT PROPERTY IS BY PUBLIC RIGHTS OF WAY OF NORTH POINT DRIVE AND NORTH POINT PARKWAY.

ENCROACHMENTS:

THERE ARE NO APPARENT ENCROACHMENTS.

CERTIFICATION:

The undersigned hereby certifies to General Electric Capital Assurance Company, Lawyers Title Insurance Corporation, and Milkathy Corp.

as of November 11, 2004 that this survey was actually made upon the ground; that it and the other information, courses and distances shown thereon are accurate; that the title lines and lines of actual possession are the same; that the Property description "closes" by engineering calculation; that this survey correctly shows the size, location and type of all buildings, structures and other improvements on the Property and all are within the boundary lines and applicable set-back lines (whether established by subdivision plat, recorded restrictions or applicable zoning or building codes) affecting the Property; that there are no easements, rights of way or uses affecting the Property known to the undersigned or appearing from a careful physical inspection of the same, other than those shown thereon; that other than as shown thereon, there are no party walls with or encroachments upon adjoining premises, streets or alleys by any of said buildings, structures or other improvements; or encroachments upon or party walls with the Property by any building, structure or other improvement situated upon any adjoining premises; that all public streets necessary for access to the Property have been completed and there is direct access between such streets and the Property; that the Property comprises 100,935 square feet; that the Property lies within a minimal flood hazard area and is within an area designated as Flood Zone "X" shown on U.S. Department of H.U.D. Flood Insurance Boundary Map No. 13121C 0066 E or special flood hazard map published by the Federal Emergency Management Agency; and that the street address of the Property is 915 Northpoint Drive, Alpharetta, GA. This survey was made in accordance with the Minimum Standard Detail Requirements and Classifications for Land Title Surveys jointly established by ALTA and ACSM in 1999 and includes, items 1-4, 6, 7(a)-(c), 8-10, 11(a) and 13-16 of Table A thereof and meets the accuracy requirements of an Urban Survey, as defined therein.

DATE: NOVEMBER 11, 2004

WILLIAM B. THOMPSON
REGISTERED LAND SURVEYOR
NO. 2027
STATE OF GEORGIA



THOMPSON & ASSOCIATES
LAND SURVEYING, INC.
300 SW Rutledge Street, P.O. Box 1090
Madison, FL 32340
State of Georgia Corp. License No. 641 850-973-6188 800-882-8398 Fax: 850-973-6931
Land Lots 797 and 808, 1st District, 2nd Section, Fulton Co., GA
Drawn by: WDW E-2 by: WDW, MOC & CDG Job Order No: 04-062
Field work completed: November 11, 2004

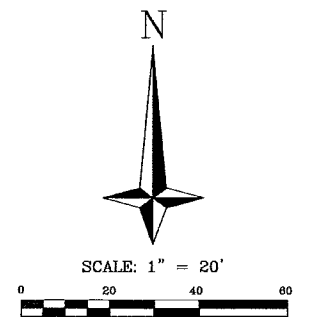
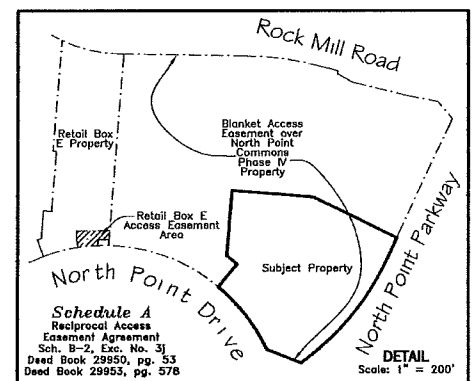
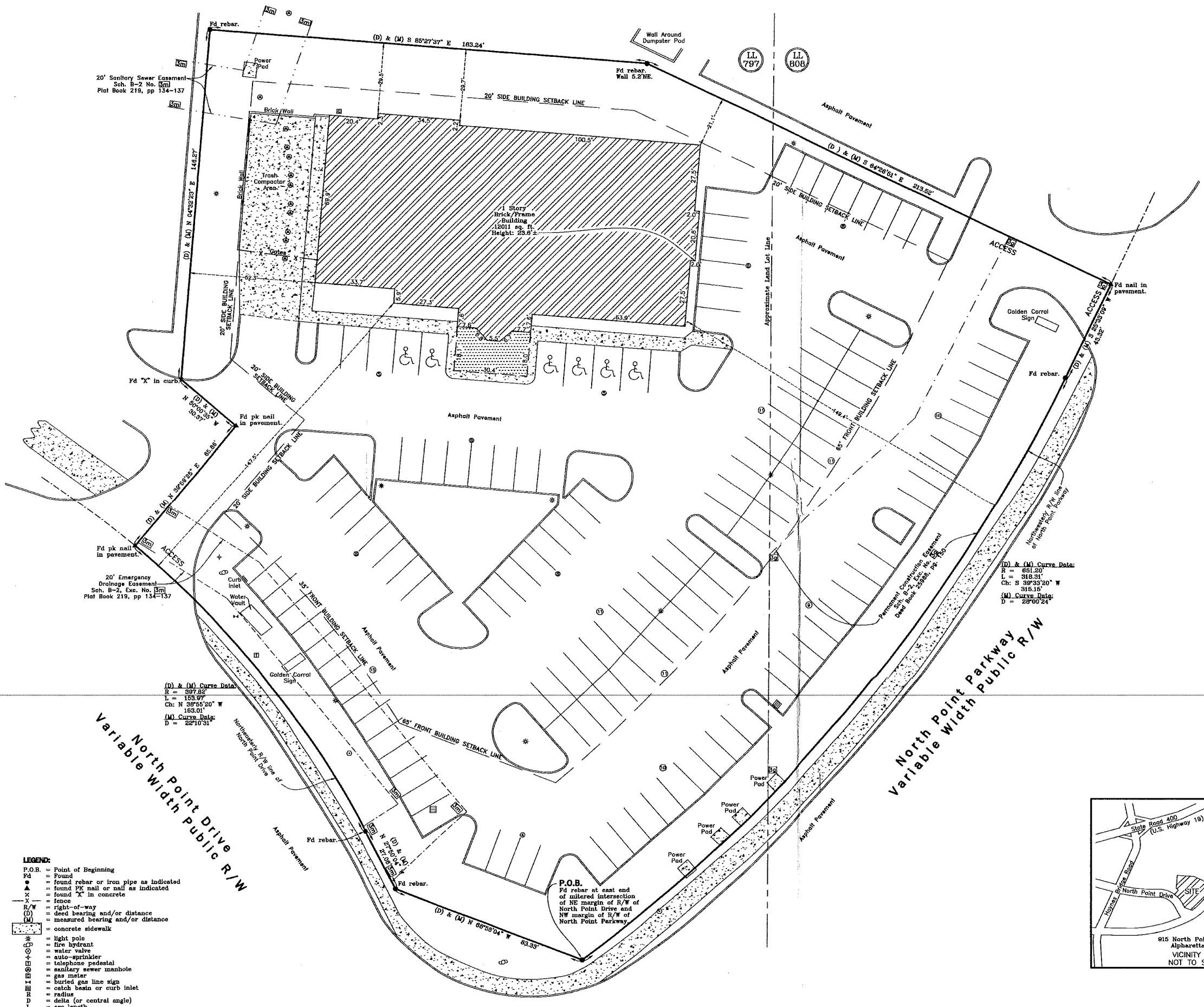
"ALTA/ACSM LAND TITLE SURVEY"

MARK	DATE	REVISION	BY	APVD
▲	12/20/04	Revise per comments and per zoning letter.	CDG	WBT

MILKATHY CORP.

915 North Point Drive
Alpharetta, Georgia
(Golden Corral)

SCALE: 1" = 20'	CHKD. / APVD: CDG
DATE: November 11, 2004	APPROVED: WBT
DWN. BY: WDW	UNIT NO.: 11
CHKD. BY: CDG	



THOMPSON & ASSOCIATES
LAND SURVEYING, INC.
 State of Georgia Corp. 300 SW Rutledge Street P.O. Box 1090
 License No. 641 850-973-6188 800-892-8588 Fax: 850-973-6931
 Madison, FL 32340
 FB - See folder DWG file: 04-082.dwg Calc file: 04-082 (CVP)
 Land Lots 797 and 808, 1st District, 2nd Section, Fulton Co., GA
 Drawn by: WDW B-2 by: WDW, MGC & CDG Job Order No: 04-082
 Field work completed: November 11, 2004

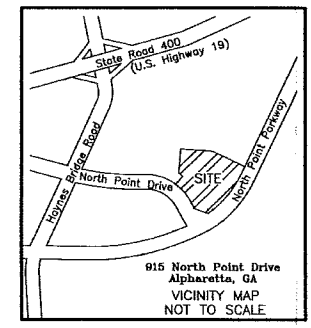
"ALTA/ACSM LAND TITLE SURVEY"

MARK	DATE	REVISION	CDG	WBT
▲	12/20/04	Revise per comments.		
			BY	APVD

MILKATHY CORP.

915 North Point Drive
 Alpharetta, Georgia
 (Golden Corral)

SCALE: 1" = 20'	CHKD./APVD: CDG
DATE: November 11, 2004	APPROVED: WBT
DWN. BY: WDW	UNIT NO.: 11
CHKD. BY: CDG	



- LEGEND:**
- P.O.B. = Point of Beginning
 - Fd = Found
 - = found rebar or iron pipe as indicated
 - ▲ = found PK nail or nail as indicated
 - ✕ = found "X" in concrete
 - - - = fence
 - - - X - - - = right-of-way
 - (D) = deed bearing and/or distance
 - (M) = measured bearing and/or distance
 - ▨ = concrete sidewalk
 - * = light pole
 - ⊙ = fire hydrant
 - = water valve
 - ⊕ = auto-sprinkler
 - ⊞ = telephone pedestal
 - ⊚ = sanitary sewer manhole
 - ⊛ = gas meter
 - ⊜ = buried gas line sign
 - ⊝ = catch basin or curb inlet
 - R = radius
 - Δ = delta (or central angle)
 - L = arc length
 - Ch = chord bearing and/or distance

(D) & (M) Curve Data:
 R = 397.82'
 L = 153.97'
 Ch: N 38°55'20" W
 163.01'
 (M) Curve Data:
 D = 22°10'31"

(D) & (M) Curve Data:
 R = 651.20'
 L = 318.31'
 Ch: S 39°33'20" W
 316.16'
 (M) Curve Data:
 D = 28°00'24"

P.O.B.
 Fd rebar at east end of
 millered intersection
 of NE margin of R/W of
 North Point Drive and
 NW margin of R/W of
 North Point Parkway