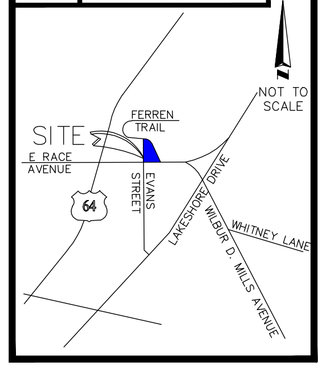
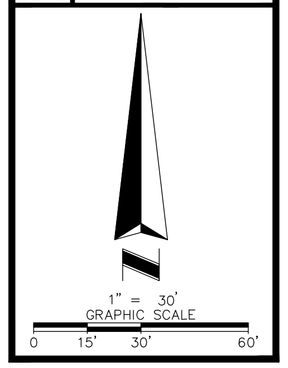
6Dic VICINITY MAP



6Dia NORTH ARROW & SCALE



5Ciii SURVEYOR OBSERVED POSSIBLE ENCROACHMENTS

A GUY WIRE ANCHOR NO MORE THAN 11.2' INSIDE PROPERTY.

B UTILITY POLE & OVERHEAD LINES CROSS SUBJECT PROPERTY NO MORE THAN 3.9' INSIDE PROPERTY, WITH NO APPARENT EASEMENT.

3 FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE "X", AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 0502290 0300 E (MAP NO. 05145C0300E), WHICH BEARS AN EFFECTIVE DATE OF MAY 2, 2012, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. ZONE "X" DENOTES AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

6Dib LEGEND & ABBREVIATIONS

	CONCRETE SURFACE	BFP	BACK FLOW PREVENTER
	NO PARKING	CCG	CONCRETE CURB & GUTTER
	COVERED AREA	GM	GAS METER
OHU	OVERHEAD UTILITY LINE	ICV	IRRIGATION CONTROL VALVE
	PROPERTY LINE	LSA	LANDSCAPE AREA
	ADJOINER LINE	MES	MITERED END SECTION
	R/W LINE	TSP	TRAFFIC SIGNAL POLE
	CENTERLINE	SQ.FT.	SQUARE FEET
	EASEMENT LINE	TV	TELEPHONE VAULT
	HANDICAP PARKING SPACE	UR	UTILITY RISER
	SANITARY MANHOLE	WM	WATER METER
	LIGHT POLE		
	STORM MANHOLE		
	UTILITY POLE		
	SIGN		
	WATER VALVE		
	FIRE HYDRANT		
	GUY ANCHOR		

22 ZONING INFORMATION

ITEM	REQUIRED	OBSERVED
PERMITTED USE	C-4	RESTAURANT
MINIMUM LOT AREA (SQ.FT.)	N/A	±90,892
MINIMUM FRONTAGE	N/A	325.59'
MINIMUM LOT WIDTH	N/A	234'±
MAX BUILDING COVERAGE	100%	11%
MAX BUILDING HEIGHT	25'	18'
MINIMUM SETBACKS		
FRONT	*SEE NOTE	48.0'
SIDE	N/A	27.4'
REAR	10'	194.5'
PARKING REQUIREMENTS	1 SPACE PER 100 SQ.FT. OF GROSS FLOOR AREA	

NOTE: CURRENT ZONING = "C-4" COMMERCIAL COMMUNITY

ZONING INFORMATION SHOWN HEREON WAS PROVIDED BY INSURED, INFORMATION WAS NOT OBTAINED BY ASM, INC.

CONTACT:
MASSEY CONSULTING GROUP
SITE#:17831
REPORT DATE: 8/15/13
PHONE/FAX:
(866)783-7153
(866)783-7154

*MINIMUM SETBACKS:

FRONT:

25'; 60' FROM CENTERLINE ADJACENT TO MINOR ARTERIAL; 55' FROM CENTERLINE ADJACENT TO COLLECTOR STREET; 50' ADJACENT TO CENTERLINE OF LOCAL STREET.

6B RECORDED SETBACKS/RESTRICTIONS

NONE PROVIDED TO THIS SURVEYOR

5Ei SCHEDULE "B" ITEMS

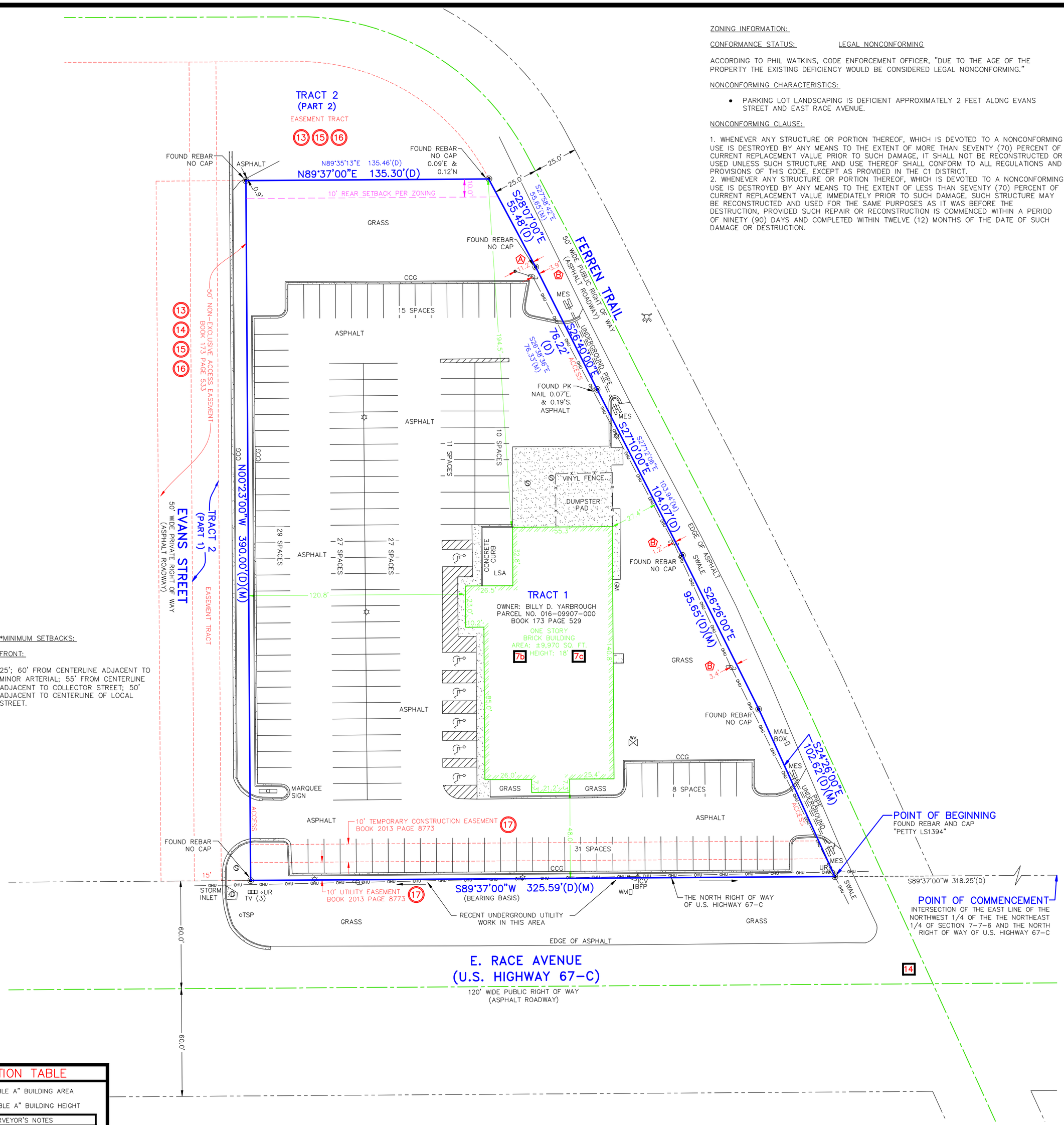
13 — TERMS AND CONDITIONS OF THAT CERTAIN UNRECORDED GROUND LEASE, DATED JULY 1, 1996, EXECUTED BY BILLY D. YARBROUGH AND STEPHANIE YARBROUGH, HUSBAND AND WIFE, AND RYAN'S FAMILY STEAK HOUSES, INC., AS DISCLOSED BY MEMORANDUM OF GROUND LEASE, DATED APRIL 2, 1997, FILED APRIL 3, 1997 IN BOOK 173, PAGE 529, RECORDS OF WHITE COUNTY, ARKANSAS. FURTHER EVIDENCED BY AN ASSIGNMENT AND ASSUMPTION OF LEASE FILED NOVEMBER 30, 2006, IN BOOK 2006 AT PAGE 12505 OF THE RECORDS OF WHITE COUNTY, ARKANSAS, BY FIRE MOUNTAIN RESTAURANTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, SUCCESSOR IN INTEREST BY CONVERSION FROM FIRE MOUNTAIN RESTAURANTS, INC., A DELAWARE CORPORATION, FORMERLY KNOWN AS RYAN'S FAMILY STEAK HOUSES EAST, INC., A DELAWARE CORPORATION, SUCCESSOR IN INTEREST TO RYAN'S FAMILY STEAK HOUSES, INC., A SOUTH CAROLINA CORPORATION (ASSIGNOR) AND FIORYANH-2 LLC, A DELAWARE LIMITED LIABILITY COMPANY (ASSIGNEE). (LEASE AND AFFECTS A SHOWN)

14 — TERMS AND CONDITIONS SET FORTH IN EASEMENT (NON EXCLUSIVE) FOR INGRESS AND EGRESS FROM BILLY D. YARBROUGH AND STEPHANIE YARBROUGH, HUSBAND AND WIFE, TO RYAN'S FAMILY STEAK HOUSES, INC., DATED APRIL 3, 1997, FILED APRIL 3, 1997 IN BOOK 173 PAGE 533, RECORDS OF WHITE COUNTY, ARKANSAS. (BLANKET IN NATURE)

15 — MEMORANDUM OF LEASE BY AND BETWEEN FIORYANH, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND FIRE MOUNTAIN RESTAURANTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, DATED NOVEMBER 1, 2006, RECORDED NOVEMBER 30, 2006 AS BOOK 2006, PAGE 12724, IN THE RECORDS OF THE COUNTY CLERK OF WHITE COUNTY, ARKANSAS. (LEASE AND AFFECTS A SHOWN)

16 — SUBORDINATION AGREEMENT; ACKNOWLEDGMENT OF LEASE ASSIGNMENT, ESTOPPEL, ATTORNMENT AND NON-DISTURBANCE AGREEMENT, DATED NOVEMBER 1, 2006, BY AND BETWEEN FIORAYANH, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("OWNER"), FIRE MOUNTAIN RESTAURANTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("LESSEE") AND GERMAN AMERICAN CAPITAL CORPORATION, A MARYLAND CORPORATION ("LENDER"), RECORDED NOVEMBER 30, 2006 AS BOOK 2006, PAGE 12732, IN THE OFFICE RECORDS OF THE COUNTY CLERK, OF WHITE COUNTY, ARKANSAS. (LEASE AND AFFECTS A SHOWN)

17 — EASEMENT FROM BILLY D. YARBROUGH TO SEARCY BOARD OF PUBLIC UTILITIES DATED APRIL 22, 2013, RECORDED JULY 2, 2013 IN MISC. BOOK 2013 AT PAGE 8773, OF THE RECORDS OF WHITE COUNTY, ARKANSAS. (AFFECTS AS SHOWN)



ZONING INFORMATION:

CONFORMANCE STATUS: LEGAL NONCONFORMING

ACCORDING TO PHIL WATKINS, CODE ENFORCEMENT OFFICER, "DUE TO THE AGE OF THE PROPERTY THE EXISTING DEFICIENCY WOULD BE CONSIDERED LEGAL NONCONFORMING."

NONCONFORMING CHARACTERISTICS:

- PARKING LOT LANDSCAPING IS DEFICIENT APPROXIMATELY 2 FEET ALONG EVANS STREET AND EAST RACE AVENUE.

NONCONFORMING CLAUSE:

1. WHENEVER ANY STRUCTURE OR PORTION THEREOF, WHICH IS DEVOTED TO A NONCONFORMING USE IS DESTROYED BY ANY MEANS TO THE EXTENT OF MORE THAN SEVENTY (70) PERCENT OF CURRENT REPLACEMENT VALUE PRIOR TO SUCH DAMAGE, IT SHALL NOT BE RECONSTRUCTED OR USED UNLESS SUCH STRUCTURE AND USE THEREOF SHALL CONFORM TO ALL REGULATIONS AND PROVISIONS OF THIS CODE, EXCEPT AS PROVIDED IN THE C1 DISTRICT.
2. WHENEVER ANY STRUCTURE OR PORTION THEREOF, WHICH IS DEVOTED TO A NONCONFORMING USE IS DESTROYED BY ANY MEANS TO THE EXTENT OF LESS THAN SEVENTY (70) PERCENT OF CURRENT REPLACEMENT VALUE IMMEDIATELY PRIOR TO SUCH DAMAGE, SUCH STRUCTURE MAY BE RECONSTRUCTED AND USED FOR THE SAME PURPOSES AS IT WAS BEFORE THE DESTRUCTION, PROVIDED SUCH REPAIR OR RECONSTRUCTION IS COMMENCED WITHIN A PERIOD OF NINETY (90) DAYS AND COMPLETED WITHIN TWELVE (12) MONTHS OF THE DATE OF SUCH DAMAGE OR DESTRUCTION.

ALTA/ACSM LAND TITLE SURVEY IDENTIFICATION TABLE

2 "TABLE A" PROPERTY ADDRESS	6BVII CONTIGUITY STATEMENT	7b "TABLE A" BUILDING AREA
3 "TABLE A" FLOOD INFORMATION	6Bx TITLE INFORMATION	7c "TABLE A" BUILDING HEIGHT
4 "TABLE A" LAND AREA	6Bi TITLE DESCRIPTION	8 SURVEYOR'S NOTES
5Biii ACCESS TO PROPERTY	6Biv BEARING BASIS	9 "TABLE A" PARKING SPACES
5Ciii SURVEYOR OBSERVED POSSIBLE ENCROACHMENT	6Dia NORTH ARROW & SCALE	13 "TABLE A" ADJOINING OWNERS
5Ei SCHEDULE "B" ITEMS	6Dib LEGEND & ABBREVIATIONS	14 "TABLE A" INTERSECTING STREET
5F CEMETERY NOTE	6Dic VICINITY MAP	16 "TABLE A" EARTH MOVING NOTE
6B RECORDED SETBACKS/ RESTRICTIONS PROVIDED BY INSURED	6Dvi TYPE OF SURVEY	18 "TABLE A" DUMP, SUMP OR LANDFILL NOTE
	7 SURVEYOR'S CERTIFICATE	22 "TABLE A" ZONING INFORMATION

DATE	REVISIONS	TECH

SCALE: 1" = 30'
DRAWN BY/FIELD CREW: LG/DH
APPROVED BY: JS
DRAWING FILE NAME: 1300888 BUFFETS INC. SEARCY AR.DWG

SHEET 1 OF 1

6Bx TITLE INFORMATION

THE TITLE DESCRIPTION AND SCHEDULE B ITEMS HEREON ARE FROM, **STEWART TITLE GUARANTY COMPANY FILE NO.: 20135524, HAVING AN EFFECTIVE DATE OF JULY 23, 2013.**

6Bi TITLE DESCRIPTION

TRACT 1:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW 1/4 NE 1/4) OF SECTION SEVEN (7), TOWNSHIP SEVEN (7) NORTH, RANGE SIX (6) WEST AND THE NORTH RIGHT OF WAY OF U.S. HIGHWAY 67-C; THENCE RUN SOUTH 89 DEGREES 37 MINUTES WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 318.25 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THEN RUN SOUTH 89 DEGREES 37 MINUTES WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 325.59 FEET TO A POINT; THEN RUN NORTH 00 DEGREES 23 MINUTES WEST, A DISTANCE OF 390.00 FEET TO A POINT; THEN RUN NORTH 89 DEGREES 37 MINUTES EAST, A DISTANCE OF 135.30 FEET TO A POINT; THEN RUN SOUTH 28 DEGREES 07 MINUTES EAST, A DISTANCE OF 55.48 FEET TO A POINT; THEN RUN SOUTH 26 DEGREES 40 MINUTES EAST A DISTANCE OF 76.22 FEET TO A POINT; THEN RUN SOUTH 27 DEGREES 10 MINUTES EAST, A DISTANCE OF 104.07 FEET TO A POINT; THEN RUN SOUTH 26 DEGREES 26 MINUTES EAST, A DISTANCE OF 95.65 FEET TO A POINT; THEN RUN SOUTH 24 DEGREES 26 MINUTES EAST, A DISTANCE OF 102.62 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING.

TRACT 2: EASEMENT TRACTS

A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (W 1/2 NW 1/4 NE 1/4) OF SECTION SEVEN (7), TOWNSHIP SEVEN (7) NORTH, RANGE SIX (6) WEST, THAT LIES NORTH OF THE RIGHT OF WAY OF U.S. HIGHWAY NO. 67-C AND SOUTH OF THE OLD DONIPHAN ROAD; BEGINNING 645 FEET EAST OF INTERSECTION OF THE WEST LINE OF SAID W 1/2 OF THE NW 1/4 OF THE NE 1/4 WITH THE NORTH LINE OF SAID U.S. HIGHWAY NO. 67-C AND RUN THENCE EAST ON SAID HIGHWAY LINE 15 FEET; THENCE NORTH TO OLD DONIPHAN AND SEARCY PUBLIC ROAD; THENCE NORTHWEST ALONG SAID ROAD TO A POINT DIRECTLY NORTH OF POINT OF BEGINNING, AND THENCE SOUTH TO THE POINT OF BEGINNING.

AND

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF U.S. HIGHWAY 67-C WITH THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (E 1/2 NW 1/4 NE 1/4) OF SECTION SEVEN (7), TOWNSHIP SEVEN (7) NORTH, RANGE SIX (6) WEST, AND RUN THENCE NORTH 700 LINKS; THENCE EAST ACROSS OLD WIRE ROAD 158 1/8 LINKS; THENCE SOUTH 100 LINKS TO THE SOUTH SIDE OF OLD WIRE ROAD; THENCE ALONG THE SOUTH SIDE OF SAID ROAD TO A POINT 460 LINKS NORTH OF SAID NORTH LINE OF HIGHWAY 67-C; THENCE SOUTH 460 LINKS TO THE NORTH LINE OF SAID HIGHWAY; THENCE WEST ALONG SAID NORTH LINE OF SAID HIGHWAY 316 3/8 LINKS TO THE POINT OF BEGINNING.

THIS SURVEY DESCRIBES AND DEPICTS THE SAME LAND AS DESCRIBED IN THE TITLE COMMITMENT AS REFERENCED ABOVE.

8 SURVEYOR'S NOTES

1. NO UNDERGROUND UTILITIES ARE SHOWN ON THIS SURVEY, ONLY ABOVE GROUND VISIBLE EVIDENCE OF UTILITIES ARE SHOWN.
2. ALL STATEMENTS WITHIN THE CERTIFICATION, 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.
3. THIS SURVEY MEETS OR EXCEEDS THE SURVEY STANDARDS/STANDARDS OF CARE AS SET FORTH IN SECTION 3 OF THE 2011 ALTA/ACSM SURVEY REQUIREMENTS.
4. NO GOVERNMENTAL AGENCY REQUIREMENTS HAVE BEEN FURNISHED TO THE UNDERSIGNED AT THE TIME OF THE SURVEY, FOR THE SUBJECT PARCEL.

4 LAND AREA

±90,892 SQUARE FEET ±2.087 ACRES

6Biv BEARING BASIS

BEARINGS SHOWN HEREON ARE BASED ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 67-C AS BEING S89°37'00"W, PER LEGAL DESCRIPTION.

5F CEMETERY NOTE

THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON SUBJECT PROPERTY.

9 PARKING SPACES

REGULAR = 158 HANDICAP = 6

5Biii ACCESS TO PROPERTY

THE SUBJECT PROPERTY HAS DIRECT PHYSICAL ACCESS TO FERREN TRAIL AND INDIRECT PHYSICAL ACCESS TO E RACE AVENUE VIA EVANS STREET BY ACCESS EASEMENT, DEDICATED PUBLIC STREETS OR HIGHWAYS.

16 EARTH MOVING NOTE

THERE IS OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

18 DUMP, SUMP OR LANDFILL NOTE

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

6Bvii CONTIGUITY STATEMENT

THE PARCELS CONTAINED IN THE LEGAL DESCRIPTION ARE CONTIGUOUS WITHOUT ANY GAPS, GORES OR OVERLAPS.

7 SURVEYOR'S CERTIFICATE

AR CAPITAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY; ARC DBPPROP001, LLC, A DELAWARE LIMITED LIABILITY COMPANY; STEWART TITLE GUARANTY COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 11(a), 12, 13, 14, 16, 18, 21 AND 22 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 8/14/2013. DATE OF PLAT OR MAP: 8/14/2013.

TIMOTHY L. WHITE 10/16/13
TIMOTHY L. WHITE DATE

PROFESSIONAL LAND SURVEYOR NO.: 1241
STATE OF ARKANSAS
PROJECT NO.: 1300888

STATE OF ARKANSAS No. 1241 REGISTERED PROFESSIONAL LAND SURVEYOR TIMOTHY L. WHITE SIGNATURE

SURVEY PREPARED BY:
AMERICAN SURVEYING AND MAPPING, INC.
3191 MAGUIRE BLVD., SUITE 200
ORLANDO, FL 32803
PHONE: (407) 426-7979
FAX: (407) 426-9741

6Dvi ALTA/ACSM LAND TITLE SURVEY
2 OF
#4199 BUFFETS, INC.
3608 E RACE AVENUE
SEARCY, ARKANSAS
WHITE COUNTY

ASM AMERICAN SURVEYING & MAPPING INC
3191 MAGUIRE BLVD., SUITE 200 ORLANDO, FLORIDA 32803
PHONE (407) 426-7979 WWW.ASMCORPORATE.COM