

GENERAL NOTES

- The Surveyor has not conducted a title examination and has relied upon the Title Commitment as to recorded matters of easements, setbacks and restrictions.
- All field measurements corresponded with record dimensions within the precision requirements of ALTA/ACSM specifications. The bearings and distances shown hereon and within the Legal (As-Surveyed) are based on monuments found in the field and apparent possessions based on existing fences and retaining walls.
- All statements within the certification, and other references located elsewhere hereon, related to: utilities, easements, servitudes, and encroachments; are based solely on aboveground, visible evidence, unless another source of information is specifically referenced hereon.
- The developer and/or owner is responsible for any and all requirements and regulations for subdividing the subject property in accordance with the local, state, and federal governing agencies. See "Zoning Information" contained hereon this plot for further information.
- It is the intent to locate all structures visibly observed on the property. However, there may be structures or utilities present that were not visibly observed due to the size of the project, an obstruction by a larger object, or by very thick vegetation. For purposes of illustration, an example might be a sewer manhole located underneath a parked automobile or a meter obscured by vegetation. All large structures such as buildings, mobile storage facilities, etc. are shown on this plot.
- There was no observable evidence of the site used as a solid waste dump, sump or sanitary landfill.
- There was no observable evidence of earth moving work, building construction or building additions within recent months.
- There was no visible evidence that the subject property was used as a cemetery.
- The building street number observed in the field is 1580 Eastern Boulevard.
- There were no changes in street right-of-way lines, either completed or proposed and available from the controlling jurisdiction, and observed in the field.
- The surveyor did not utilize rectified orthophotography, photogrammetric mapping, laser scanning and other similar products, tools or technologies as the basis for the location of certain featured (excluding boundaries) where ground measurements are not otherwise necessary to locate those features to an appropriate acceptable accuracy relative to a nearby boundary.
- The zoning information shown hereon is based on current zoning for the subject property as obtained by the local governing agency (i.e. Planning & Zoning Department, Town Manager, etc.), unless shown or stated otherwise. The subject property may be "grandfathered" to other zoning restrictions or regulations within Planned Unit Developments, Covenants, or other recorded documents.
- The surveyor did not observe any wetland areas or vegetation indicative of the presence of wetlands on or abutting the subject Property.

ZONING INFORMATION

Zoned: B-2 (Commercial District)

Current Use: Best Buy (General Merchandise and Electronics)

Permitted Use: General Merchandise

Setbacks:

Front - None
Side - Not stated
Rear - None

Maximum Height - 3 Stories or 45 feet

Maximum Building Area: 50%

Parking Requirements: 1/2 spaces per 200 square feet of gross floor area

NOTE: The current use of the property is permitted under the current zoning.

All Zoning regulations are subject to interpretation by the City of Montgomery, Alabama, Planning & Zoning, Phone 334-241-2737.

FLOOD DATA

The subject property is located in Zone X, areas determined to be outside the 0.2% chance annual chance floodplain according to the Flood Insurance Rate Map (FIRM), Community Panel No. 01101C0151G and 0110C0152G with an effective date of August 4, 2003. A field survey of the subject site was not performed to determine this zone. An elevation certificate completed in accordance with the Federal Emergency Management Agency specifications may be required to determine the zone. Additional inquiries concerning the flood zone(s) for the subject site should be addressed to the Federal Emergency Management Agency.

BASIS OF BEARING

THE BEARING OF NORTH 66°15'00" WEST ALONG THE NORTH RIGHT-OF-WAY MARGIN OF HASKELL DRIVE IS THE BASIS OF BEARINGS FOR THE SUBJECT SURVEY AND IS FROM WOODMERE CROSSING PLAT NO. 1-A, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MONTGOMERY COUNTY, ALABAMA, IN PLAT BOOK 48 AT PAGE 193.

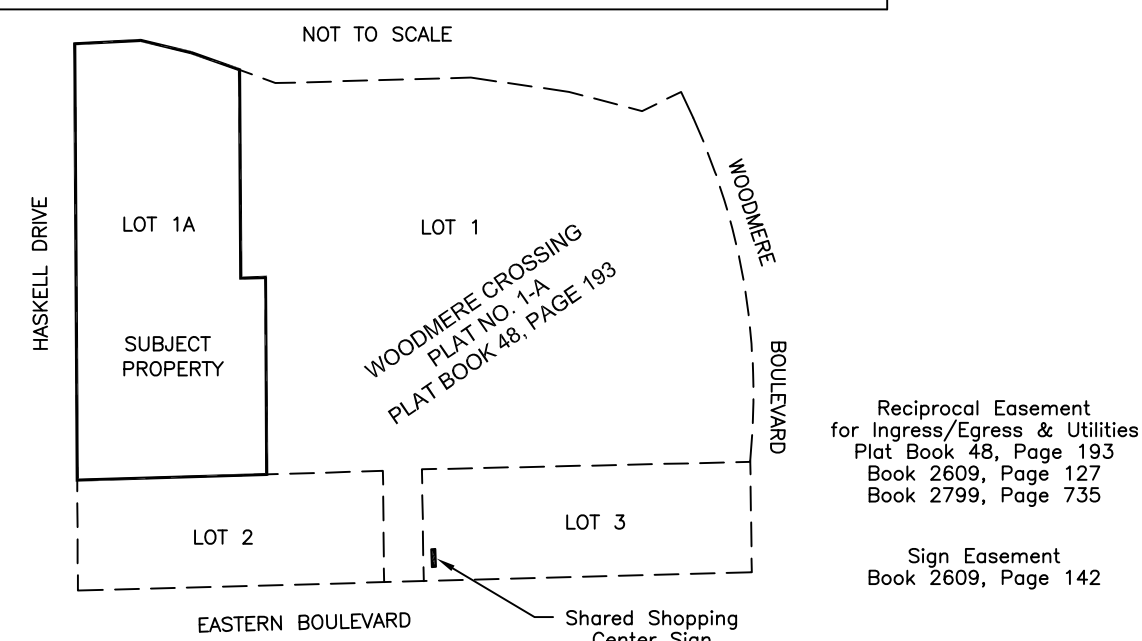
UTILITY DISCLAIMER

THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE BY VISIBLE OBSERVATION. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ANY UNDERGROUND UTILITIES.

LEGEND / ACRONYM

● 1/2 INCH CAPPED REBAR FOUND	⊠ ELECTRICAL CONNECTOR	⚡ POWERPOLE
○ RECORD MONUMENT	⊠ ELECTRIC METER	⚡ LIGHT POLE
○ RIGHT-OF-WAY	⊠ CONCRETE BOLLARD	⚡ HYDRANT
⊠ STANDARD PARKING SPACES	⊠ GRATE INLET	⚡ GUY WIRE
⊠ HANDICAP PARKING SPACES	⊠ HANDICAP	⚡ SIGN
⊠ SANITARY SEWER MANHOLE	⊠ OVERHEAD ELECTRIC	⊠ WATER METER
⊠ STORM SEWER MANHOLE	⊠ TELEPHONE BOX	⊠ LIGHT POLE BASE
⊠ TELEPHONE MANHOLE	⊠ ELECTRICAL TRANSFORMER	⊠ WATER MAIN
⊠ WATER VALVE	⊠ UNDERGROUND VAULT	⊠ FIRE CONNECTOR

SHOPPING CENTER DETAIL



HASKELL DRIVE

54' RIGHT-OF-WAY
PUBLIC ROAD

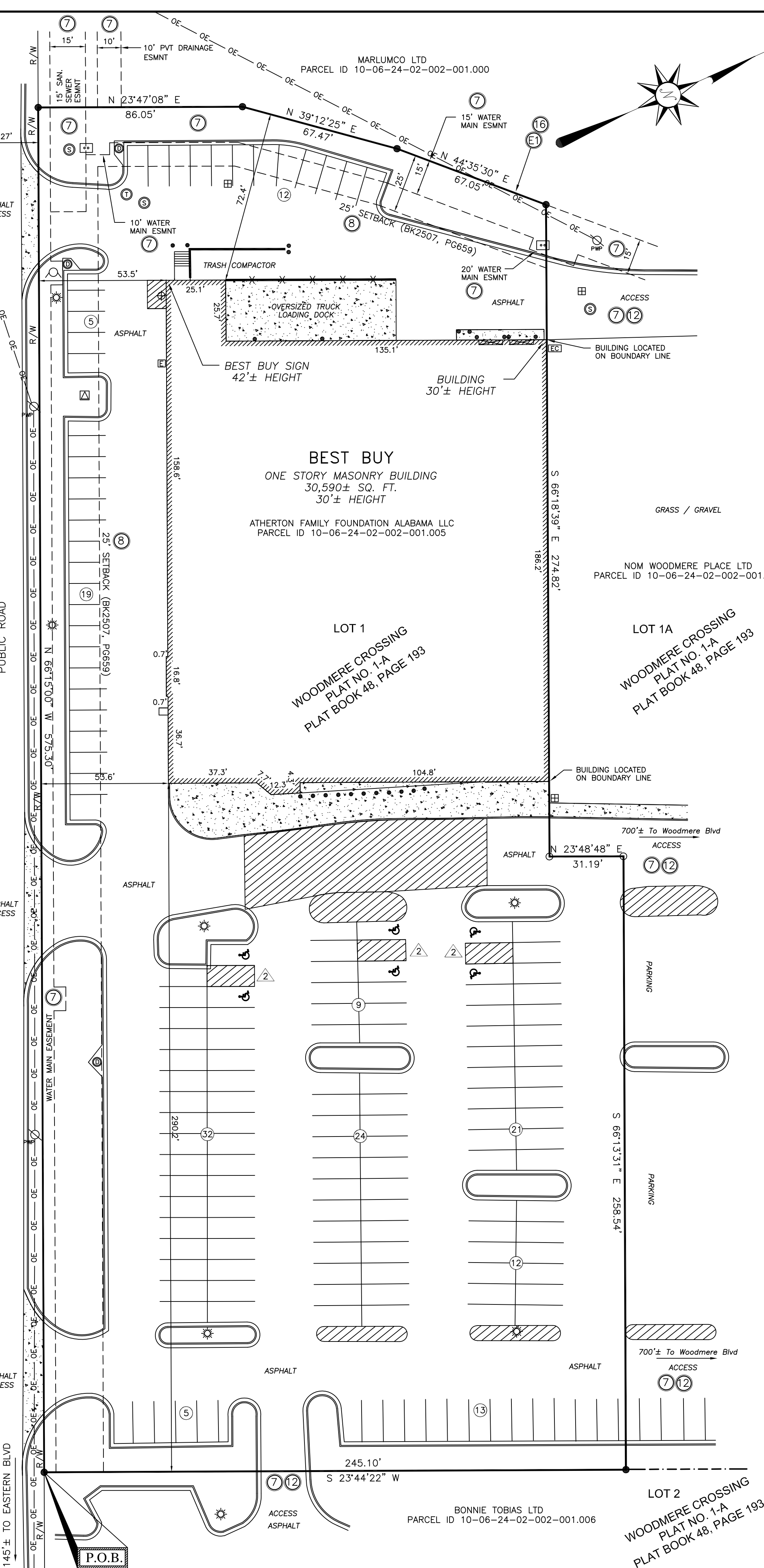
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LEGAL DESCRIPTION (TITLE)

Lot 1A of Woodmere Crossing Plat No. 1-A, as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 48 at page 193.

Being the same as that property as shown on ALTA/ACSM Land Title Survey prepared by Christopher S. Denham, of Denham Land Surveyors LLC, under supervision of The Matthews Company, dated May 28, 2010, last revised _____, Job No. 35794, more particularly described as follows:

Begin at the Southeast corner of Lot 1-A of said Woodmere Crossing Plat No. 1-A; said Point of Beginning lying on the North right-of-way margin of Haskell Drive (54 foot right-of-way) and being the Southwest corner of Lot 2, Woodmere Crossing Plat No. 1-A; thence from the Point of Beginning North 66°15'00" West along the North right-of-way margin of Haskell Drive a distance of 575.30 feet; thence leaving Haskell Drive North 23°47'08" East a distance of 86.05 feet; thence North 39°12'25" East a distance of 67.47 feet; thence North 44°35'30" East a distance of 67.05 feet; thence South 66°18'39" East a distance of 274.82 feet; thence North 23°48'48" East a distance of 31.19 feet; thence South 66°13'31" East a distance of 258.54 feet; thence South 23°44'22" West a distance of 245.10 feet to the Point of Beginning.

Together with those non-exclusive easements for access and utilities as set forth in that certain Declaration of Easements with Restrictive Covenants as recorded in Book 2609, Page 127, of the Official records of Montgomery County, Alabama, and;

Together with those non-exclusive easements for parking and surface drainage as set forth in that certain Declaration of Easements with Restrictive Covenants as recorded in Book 2799, Page 735, of the Official records of Montgomery County, Alabama.

Together with a non-exclusive perpetual easement for a shopping center sign as set forth in Sign Easement Agreement as recorded in Book 2609, Page 142, of the Official records of Montgomery County, Alabama.

Together with a non-exclusive easement for access as set forth in Agreement Regarding Shopping Center Sign recorded in Book _____, Page _____ of the Official records of Montgomery County, Alabama.

THIS IS THE SAME TRACT OF LAND DESCRIBED IN THE FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-439529-PHX1 WITH AN EFFECTIVE DATE OF MAY 17, 2010.

SCHEDULE B ITEMS

7. The following matters as set forth on Plat of Woodmere Crossing Plat No. 1-A, as filed for record in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 48, at Page 193.

- 15' water main easement along the western boundary of the property.
- 5' x 20' water main easement in the northwest corner of the property.
- 5' water main easement, varying to 10' x 10' in 2 areas, along the southern boundary of the property.
- 10' x 15' water main easement in the southwest corner of the property.
- 15' sanitary sewer easement in the southwest portion of the property.
- Notes regarding sanitary sewer and water main easements and ingress and egress.

APPLIES AND AFFECTS THE SUBJECT PROPERTY AS PLOTTED AND SHOWN HEREON.

8. Restrictions as set out in the certain deed from Marlumco Investments, Ltd. to NOM Woodmere Place, Ltd., as filed for record in said Probate Office in RPLY Book 2507, at Page 0659. A violation of any of the restrictions shall not cause a forfeiture of title or result in a reversion of title.

9. Construction and Drainage Easement Agreement between Marlumco Investments, Ltd. and NOM Woodmere Place, Ltd., as filed for record in said Probate Office in RPLY Book 2507, at Page 0674.

THIS DOCUMENT IS BLANKET IN NATURE AND AFFECTS ALL OF THE SUBJECT PROPERTY. APPLICABLE SETBACKS ARE PLOTTED AND SHOWN HEREON.

10. THIS ITEM INTENTIONALLY DELETED.
11. THIS ITEM INTENTIONALLY DELETED.

12. Declaration of Easements with Restrictive Covenants as filed for record in said Probate Office in RPLY Book 2609, at Page 0127. First Amendment to Declaration of Easements with Restrictive Covenants as filed for record in said Probate Office in RPLY Book 2799, at Page 0735.

THESE DOCUMENTS ARE BLANKET IN NATURE AND AFFECTS ALL OF THE SUBJECT PROPERTY. THE ACCESS AREAS ARE PLOTTED AND SHOWN HEREON.

13. THIS ITEM INTENTIONALLY DELETED.
14. THIS ITEM INTENTIONALLY DELETED.

15. Rights of tenant, Best Buy Stores, L.P., under that certain Amended and Restated Lease dated April 6, 2004, as disclosed by Special Warranty Deed dated July 16, 2004 from NOM Woodmere Place, Ltd. to Atherton Family Foundation-Alabama, LLC, filed for record in said Probate Office in RPLY Book 2921, at Page 0979. Rights of NOM Woodmere Place, Ltd., as landlord, assigned to Atherton Family Foundation - Alabama, LLC by Assignment of Lease dated July 16, 2004.

THIS DOCUMENT IS BLANKET IN NATURE AND AFFECTS ALL OF THE SUBJECT PROPERTY.

16. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/ACSM survey made by Christopher S. Denham of Denham Land Surveyors LLC, under supervision of The Matthews Company on May 28, 2010, last revised _____, designated Job Number 35794:

Overhead electric lines crossing northwest portion of the property without benefit of recorded easement.

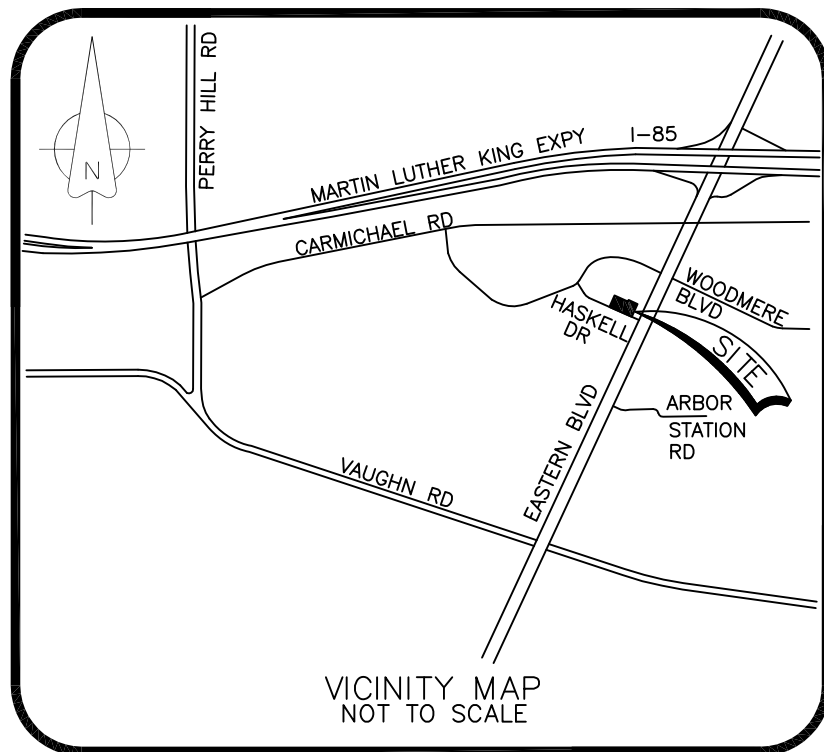
APPLIES AND AFFECTS THE SUBJECT PROPERTY AS PLOTTED AND SHOWN HEREON.

17. Terms and Conditions of Sign Easement Agreement as recorded in Book 2609, Page 142 of the official records of Montgomery County. (affects appurtenant sign easement)

THE EASEMENT DOES NOT LIE WITHIN THE BOUNDARY LINES OF THE SUBJECT PROPERTY, HOWEVER IT BENEFITS THE SUBJECT PROPERTY.

18. Terms and conditions of Agreement Regarding Shopping Center Sign as recorded in Book _____, Page _____ of the official records of Montgomery County. (affects appurtenant access easement)

THIS DOCUMENT IS BLANKET IN NATURE AND AFFECTS ALL OF THE SUBJECT PROPERTY.



0' 30' 60' 90'
SCALE 1" = 30'

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DENHAM Since 1978
Land Surveyors LLC
1733 Winchester Road
Huntsville, Alabama 35811
(256) 851-2633
email chris@denham-surveyors.com
website www.denham-surveyors.com
Point of Beginning For Your Surveying Needs

STATEMENT OF ENCROACHMENTS

⊖ THE OVERHEAD UTILITY LINES ENCROACH ACROSS THE SUBJECT PROPERTY WITHOUT BENEFIT OF A UTILITY LINE EASEMENT.

SURVEYED AREA

128,655.9± SQ. FT.
2.954± ACRES

SURVEYOR'S CERTIFICATION

TO:

Cole BB Montgomery AL, LLC, a Delaware limited liability company, its successors and assigns;
Series C, LLC, its successors and assigns;
Atherton Family Foundation - Alabama, LLC, a Hawaii limited liability company;
First American Title Insurance Company;

This is to certify that this map or plot of survey (this "Survey Map") of the real property ("Property") specifically described in First American Title Insurance Company Title Commitment No. NCS-439529-PHX1 dated May 17, 2010 (the "Title Commitment"), (1) is based on a field survey made on May 28, 2010, by me or directly under my supervision in accordance with the most recently adopted Minimum Standard Detail Requirements and Classifications for ALTA/ACSM Land Title Surveys, items 1, 2, 3, 4, 6, 7(a), 7(b)(1), 7(c), 8-10, 11(a), 13 and 14 of Table A thereof, pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM, and in effect on the date of this certification, the undersigned further certifies that the proper field procedures, instrumentation, and adequate survey personnel were employed in order to achieve results comparable to those outlined in the "Minimum Accuracy, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys" (2) was prepared in accordance with and includes all items and information required by the document titled "Survey Requirements for Cole Capital Partners, LLC, an Arizona limited liability company" dated September 1, 2007, and (3) to the best of my professional knowledge, information and belief,

(a) This Survey Map correctly represents the facts found at the time of the survey;

(b) There are no discrepancies between the boundary lines of the Property as shown on this Survey Map and as described in the legal description presented in the Title Commitment;

(c) The boundary line dimensions as shown on this Survey Map form a mathematically closed figure within +/-0.1 foot;

(d) The boundary lines of the Property are contiguous with the boundary lines of all adjoining streets, highways, rights of way and easements, public or private, as described in their most recent respective legal descriptions of record; and

(e) Except as otherwise noted below, if the Property consists of two or more parcels, there are no gaps or gores between said parcels.

The undersigned understands and agrees that the parties to whom this certification is addressed will be relying upon this survey for accuracy with respect to the Property.

Christopher S. Denham

Christopher S. Denham, RLS
Alabama License No. 21171

Denham Land Surveyors LLC
1733 Winchester Road
Huntsville, AL 35811
(256) 851-2633
(256) 851-2633 Fax
chris@denham-surveyors.com

THIS IS THE SAME TRACT OF LAND DESCRIBED IN THE FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-439529-PHX1 WITH AN EFFECTIVE DATE OF MAY 17, 2010.

PARKING SPACE TABLE

TYPE OF SPACE	TOTAL EXISTING	REQUIRED BY ZONING
REGULAR	152	See Site Data
HANDICAP	6	See Site Data
TOTAL	158	See Site Data

"ALTA/ACSM LAND TITLE SURVEY"

PREPARED FOR:

THE MATTHEWS COMPANY Inc.
National ALTA Survey Management

17220 Newhope Street, Suites 108-110, Fountain Valley, CA 92708
Tel: (714)-979-7181 Fax: (714)-641-2840
www.themaththewscompany.com

MARK	DATE	REVISION	BY
A	6/16/10	Client Comments	6/14/2010
B	6/21/10	Revised per legible plot 48, pg 193	csd
C	6/28/10	New title commitment	csd
D	6/30/10	New title commitment	csd

Cole Real Estate Investments

1580 Eastern Boulevard
Montgomery, Alabama
(Best Buy)

SCALE	1" = 30'	CHKD./AP'VD
DATE:	28 May 2010	APPROVED
DWN. BY	csd/wj	DENHAM PROJ NO. 10036
CHKD. BY	CSD	