

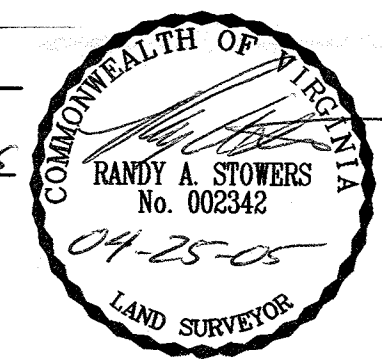
METES AND BOUNDS DESCRIPTION  
BEGINNING AT A REBAR SET IN THE SOUTHERLY RIGHT-OF-WAY LINE OF VIRGINIA STATE ROUTE 42, RESERVOIR ROAD, SAID POINT BEING THE NORTHEASTERN CORNER OF THE TERRY L. & ALEXA J. HELSLEY PROPERTY AND BEING THE NORTHWESTERN CORNER OF THE PROPERTY HEREIN DESCRIBED;  
THENCE WITH THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF VIRGINIA STATE ROUTE 42 THE FOLLOWING THREE COURSES AND DISTANCES: S 10° 58' 32" W 3.59 FEET TO A REBAR FOUND;  
THENCE S 77° 56' 00" E 321.32 FEET TO A REBAR SET;  
THENCE S 24° 42' 19" E 89.92 FEET TO A REBAR SET AT THE CORNER OF THE SHENANDOAH LAND COMPANY, L.C. PROPERTY;  
THENCE LEAVING THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF VIRGINIA STATE ROUTE 42 AND RUNNING WITH THE SAID SHENANDOAH LAND COMPANY, L.C. PROPERTY S 42° 08' 00" W 478.24 FEET TO A REBAR FOUND AT THE CORNER OF THE VIRGINIA ELECTRIC AND POWER COMPANY PROPERTY;  
THENCE LEAVING THE SAID SHENANDOAH LAND COMPANY, L.C. PROPERTY AND RUNNING WITH THE SAID VIRGINIA ELECTRIC AND POWER COMPANY PROPERTY N 48° 11' 55" W 281.60 FEET TO A REBAR FOUND AT THE SOUTHEASTERN CORNER OF THE AFOREMENTIONED TERRY L. & ALEXA J. HELSLEY PROPERTY;  
THENCE LEAVING THE SAID VIRGINIA ELECTRIC AND POWER COMPANY PROPERTY AND RUNNING WITH THE SAID TERRY L. & ALEXA J. HELSLEY PROPERTY N 26° 20' 31" E 371.22 FEET TO THE POINT OF BEGINNING, CONTAINING 3.3152 ACRES, MORE OR LESS.

- COMMITMENT REVIEW:  
I HAVE RECEIVED AND REVIEWED FIRST AMERICAN TITLE INSURANCE COMPANY'S COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. NCS-147783-PHX6, DATED FEBRUARY 22, 2005, SCHEDULE "B", SECTION II, AND MAKE THE FOLLOWING NOTATIONS CONCERNING THE ITEMS THEREIN:
- EXCEPTIONS:
- ITEM A) THERE IS A WATER MAIN CROSSING THE SUBJECT PROPERTY WITH NO EASEMENT REPORTED.
  - ITEM B) NONE NOTED.
  - ITEM C) NOT A MATTER OF SURVEY, NOT ADDRESSED HEREON.
  - ITEM D) THERE IS A WATER MAIN CROSSING THE SUBJECT PROPERTY WITH NO EASEMENT REPORTED.
  - ITEM E) NOT A MATTER OF SURVEY, NOT ADDRESSED HEREON.
  - ITEM 1) NOT A MATTER OF SURVEY, NOT ADDRESSED HEREON.
  - ITEM 2) NOT A MATTER OF SURVEY, NOT ADDRESSED HEREON.
  - ITEM 3) THE EASEMENTS GRANTED TO SHENANDOAH TELEPHONE COMPANY IN D.B. 826, PG. 662 AND IN D.B. 1153, PG. 272 ARE SHOWN HEREON.
  - ITEM 4) THE EASEMENTS GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY IN D.B. 829, PG. 89 AND IN D.B. 1163, PG. 338 ARE SHOWN HEREON.
  - ITEM 5) THIS ITEM NO LONGER AFFECTS THE PROPERTY.
  - ITEM 6) THE 10' FORCE MAIN EASEMENT AND 20' DRAINAGE EASEMENT GRANTED TO SHENANDOAH LAND COMPANY, L.C. IN D.B. 879, PG. 341 ARE SHOWN HEREON.
  - ITEM 7) THE 10' GAS PIPELINE EASEMENT GRANTED TO WASHINGTON GAS LIGHT COMPANY IS SHOWN HEREON.
  - ITEM 8) NOT A MATTER OF SURVEY, NOT ADDRESSED HEREON.
  - ITEM 9a) SEE ITEM 4a ABOVE.
  - ITEM 9b) SEE ITEM 6 ABOVE.
  - ITEM 9c) SEE ITEM 3a ABOVE.
  - ITEM 9d) SEE ITEM 6 ABOVE.

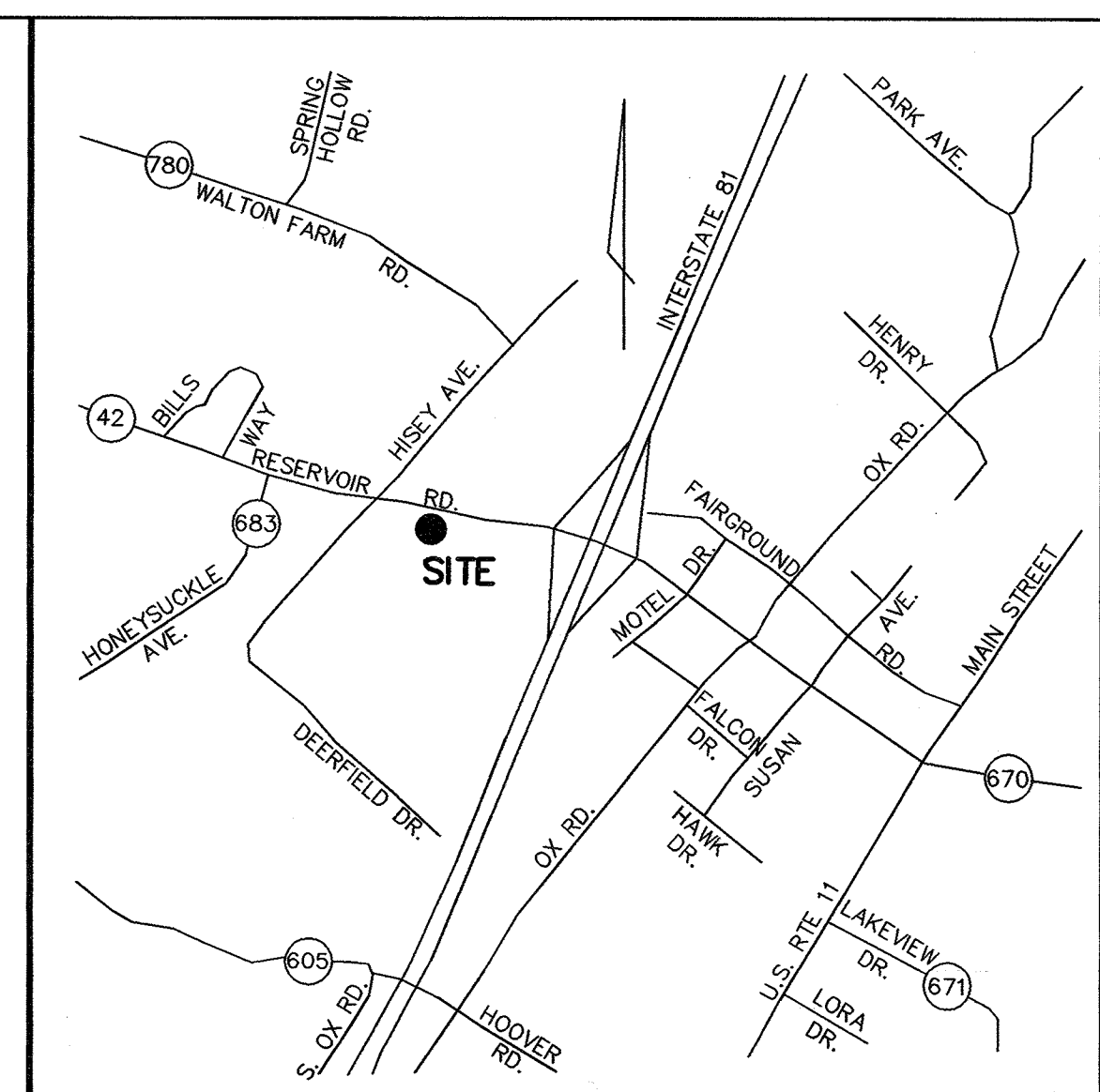
TO: TKC XXXVII, LLC  
SERIES A, LLC, AND ITS SUCCESSORS AND ASSIGNS  
COLE TS WOODSTOCK VA, LLC  
WACHOVIA BANK, NATIONAL ASSOCIATION, AND ITS SUCCESSORS AND ASSIGNS  
FIRST AMERICAN TITLE INSURANCE COMPANY

This is to certify that this map or plat of survey (this "Survey Map") of the real property ("Property") specifically described in First American Title Insurance Company's Title Commitment No. NCS-147783-PHX6 dated February 22, 2005 (the "Title Commitment"), (1) is based on a field survey made on March 23, 2005, 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), 7(c), 8, 9, 10, 11a and 13 through 16 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 Angle, 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 March 1, 2005, 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.

By: *[Signature]*  
Print Name: *Randy A. Stowers*



Registration No.: 002342  
Within the Commonwealth of Virginia  
The property described and shown hereon is the same property described in First American Title Insurance Company Title Commitment No. NCS-147783-PHX6 dated February 22, 2005.



VICINITY MAP  
SCALE: 1" = 1,500'

- NOTES:
- THE PROPERTY SHOWN HEREON IS LOCATED ON TAX ASSESSMENT MAP NO. 45A3-A-38A AND IS NOW IN THE NAME OF TKC XXXVII, LLC PER DEED RECORDED IN DEED BOOK 1127 AT PAGE 131 AMONG THE LAND RECORDS OF SHENANDOAH COUNTY, VIRGINIA.
  - THE LOCATION OF THE FORCE MAIN SHOWN HEREON WAS TAKEN FROM EXISTING PLANS. THE FORCE MAIN HAS BEEN REPLACED AND WAS TO HAVE BEEN RELOCATED IN PLACE. NO RECORDS COULD BE FOUND THAT SHOW THE RELOCATED FORCE MAIN.
  - THE EXISTENCE OF VEGETATED OR TIDAL WETLANDS, WATERS OF THE U.S. AND/OR HAZARDOUS WASTES HAS BEEN NEITHER INVESTIGATED NOR CONFIRMED DURING THE PERFORMANCE OF THIS SURVEY.
  - UNLESS OTHERWISE INDICATED, THE LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE AND ARE BASED ON VISIBLE EVIDENCE AND UTILITY MAPS, IF PROVIDED.
  - THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED IN FLOOD ZONE "X" AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN AS DETERMINED BY REFERENCE TO FIRM COMMUNITY PANEL NO. 510150 0280 C, EFFECTIVE DATE JULY, 16, 2003, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
  - THE PROPERTY DELINEATED ON THIS PLAT IS ZONED B2, AND THE BUILDING SETBACKS AS SET FORTH IN THE SHENANDOAH COUNTY ZONING ORDINANCE ARE AS FOLLOWS:  
FRONT YARD: 40'  
SIDE YARD: 15'  
REAR YARD: 20'
  - THE HORIZONTAL DATUM IS NAD 83 AND THE VERTICAL DATUM IS NAVD 88. HORIZONTAL AND VERTICAL CONTROL WAS OBTAINED USING GPS SURVEY METHODS AND WAS BASED ON NGS STATIONS AJ4467, AJ6818 AND DF7481.
  - THERE ARE 86 REGULAR AND 4 HANDICAP PARKING SPACES ON THIS SITE.
  - NO EVIDENCE OF EARTH MOVING IN RECENT MONTHS WAS OBSERVED DURING THE PERFORMANCE OF THIS SURVEY.
  - NO EVIDENCE THAT THIS SITE WAS USED AS A SOLID WASTE DUMP WAS OBSERVED DURING THE PERFORMANCE OF THIS SURVEY.
  - THIS SITE COMPLIES WITH ALL APPLICABLE ZONING REGULATIONS LISTED UNDER CHAPTER 90, SECTIONS 90-221 THRU 90-250 OF THE TOWN OF WOODSTOCK ZONING ORDINANCE.

| NO. | REVISION             | DESCRIPTION | DATE    | REV'D | REV'D | APR'D | DATE |
|-----|----------------------|-------------|---------|-------|-------|-------|------|
| 1   | REVISED PER COMMENTS |             | 4/25/05 | RAS   |       |       |      |

Patton Harris Rust & Associates, PC  
Engineers, Surveyors, Planners, Landscape Architects.

**PHRA**

117 East Piccadilly Street, Suite 200  
Winchester, Virginia 22601  
T 540.667.2139  
F 540.665.0493

PLAT SHOWING

ALTA/ACSM  
LAND TITLE SURVEY

TKC XXXVII, LLC  
PROPERTY

TOWN OF WOODSTOCK, VIRGINIA

| SURVEY       | DATE                 |
|--------------|----------------------|
| DRAWN RAS    | 03-30-05             |
| CHECKED RAS  | SCALE 1" = 30'       |
| SHEET 1 OF 1 | FILE NO. 1257130ALTA |