

Effective April 4, 2017

To Whom It May Concern:

SUBJECT: Zoning/Land Use in the City of Conroe

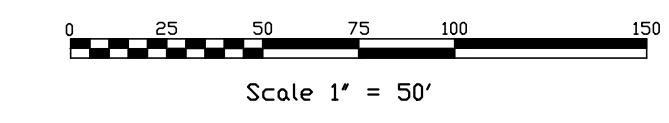
This is considered a Letter of No Zoning and is provided by the Community Development Department. This letter indicates to a property owner that the City of Conroe does not regulate land use, nor do we have a formal zoning ordinance. This does not address any separately filed restrictions that may be applicable to the property, including but not limited to, deed restrictions. Please be aware that this letter does not authorize the property owner to proceed with a development nor does it include a determination that a tract of land may be developed.

All construction and site improvements are governed and regulated by the ICC family of codes, City Ordinances and Amendments. You should note that the Conroe City Council has adopted a Tree Preservation Ordinance that applies to all development. Further, Conroe City Council has adopted specific Development Guidelines for the Carter Moore Drive Corridor (Farm to Market Road 3083), which affect properties that abut or front Carter Moore Drive. The corridor plan addresses signage, a tree preservation buffer and other development criteria.

If you have any other questions or need additional assistance, please do not hesitate to contact Nancy Mikeska, Director of Community Development, at 936.522-3600. You may also visit our website at www.cityofconroe.org to view a PDF of the Carter Moore Drive Corridor Guidelines, the Development Guide, the Design Manual, City Adopted Codes and City Ordinances, as well as other helpful information. You may use this letter to present to your lender. This letter will be updated on an annual basis.

Sincerely,
Nancy Mikeska
Nancy Mikeska
Director
Community Development

300 W. Davis, Ste 530 | P.O. Box 3066 | Conroe, TX 77305 | T: 936.522.3600 | F: 936.522.3004
www.cityofconroe.org

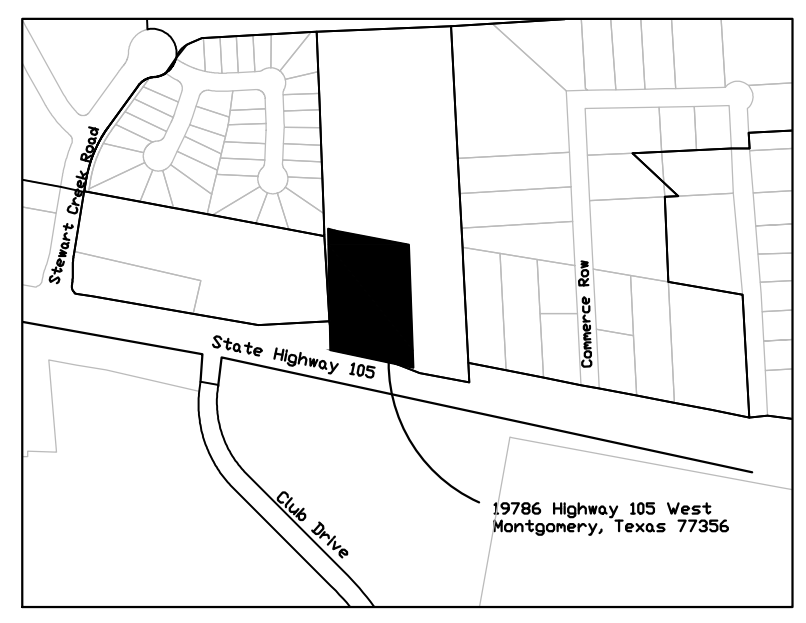


- LEGEND**
- C.C.F.N. = County Clerk's File Number
 - F/L = Flow Line
 - WV = Water Valve
 - Fnd. = Found
 - I.R. = Iron Rod
 - RCP = Reinforced Concrete Pipe
 - M.C.D.R. = Montgomery County Deed Record
 - M.C.M.R. = Montgomery County Map Record
 - M.C.R.P.R. = Montgomery County Real Property Records
 - BOC = Back of Curb
 - NG = Natural Ground
 - PP = Power Pole
 - FH = Fire Hydrant
 - FO = Fiber Optic
 - PVC = Plastic Vinyl Chloride pipe
 - EC = Edge of Concrete
 - SAN MH = Sanitary Manhole
 - CC = Corner of Concrete
 - WM = Water Meter
 - TPED = Telephone Pedestal
 - MB = Mail Box
 - LP = Light Pole
 - EA = Edge of Asphalt
 - CA = Corner of Asphalt
 - T/R = Top of Rim
 - GI = Grate Inlet
 - Vol. = Volume
 - Pg. = Page
 - Cab. = Cabinet
 - Sht. = Sheet

SCHEDULE B EXCEPTIONS FROM COVERAGE

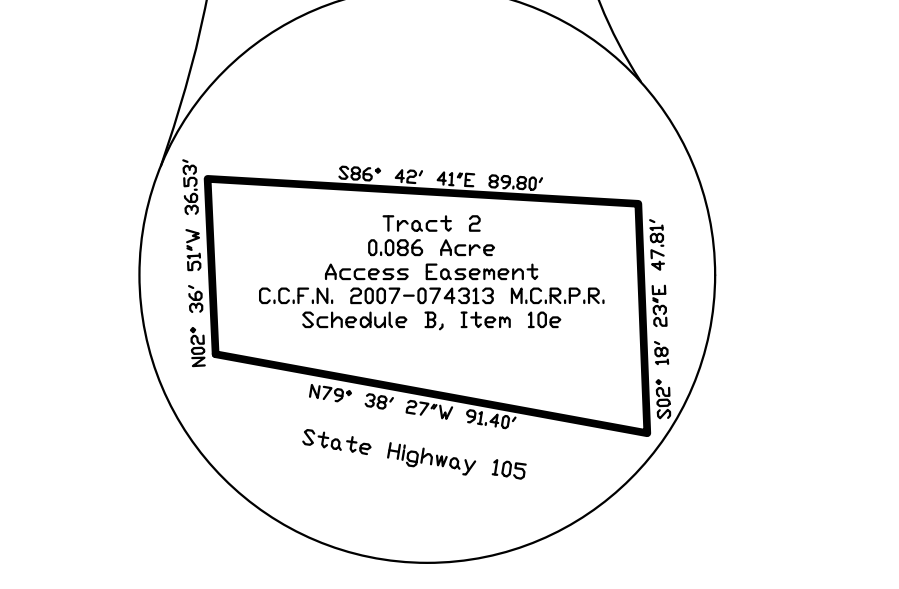
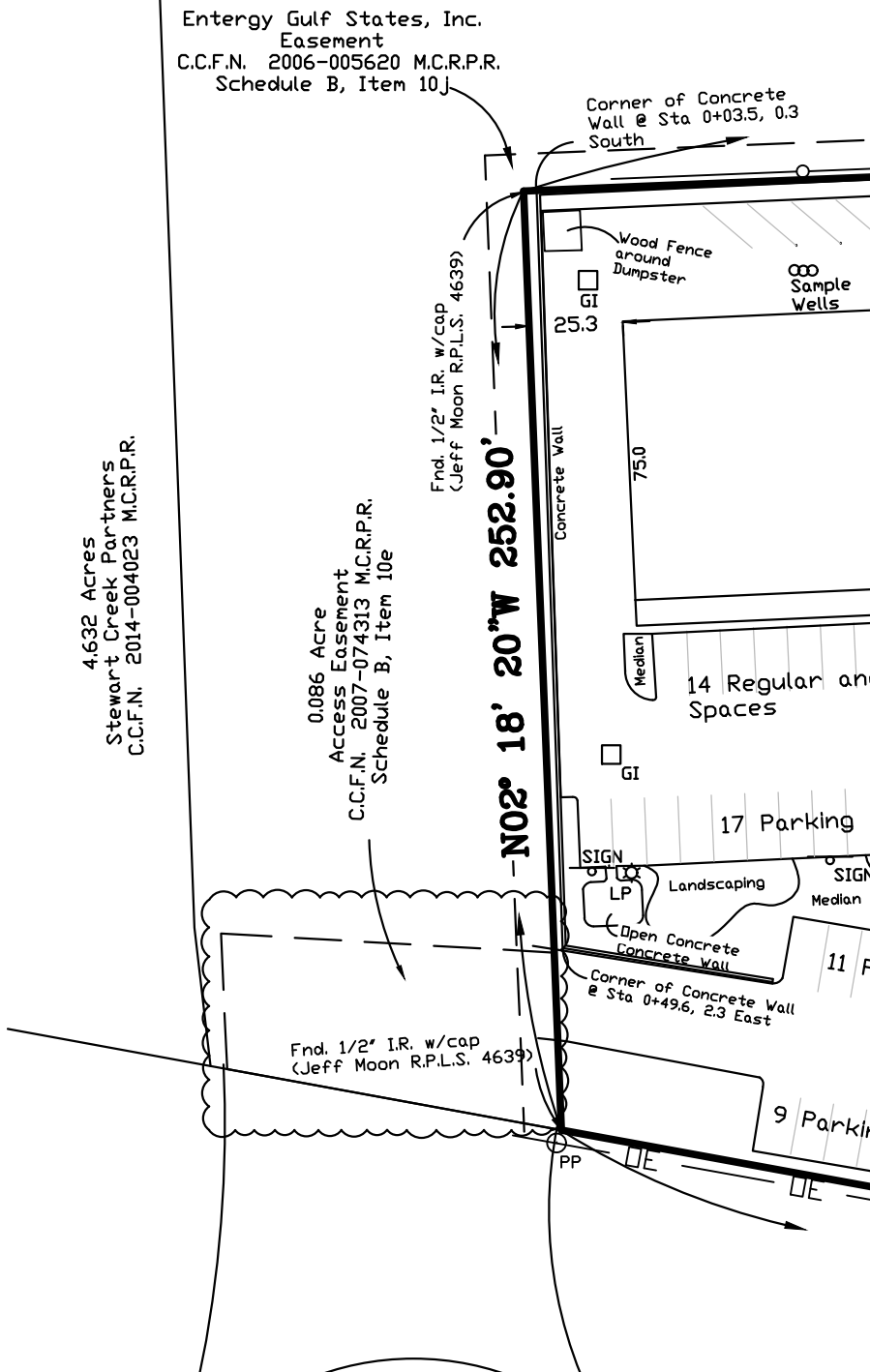
Commitment No. CTT17683267 GF No. CTH-MM-CTT17683267MC
In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorneys fees, and expenses resulting from:

10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):
 - a. Intentionally deleted
 - b. Rights of tenants in possession, as retail tenants only, pursuant to written but unrecorded leases in effect as of the date of this policy, without rights or options to purchase insured property.
 - c. Easement(s) for drainage purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the recorded plat:
Affects: 15 feet wide on each side of the center line of any and all gullies, ravines, draws, sloughs or other natural drainage courses
Recording No Cabinet C, Sheet 200A, of the Map Records of Montgomery County, Texas. (Affects subject property)
 - d. Terms, conditions and provisions contained in that certain Grant of Easement, filed for record under Montgomery County Clerk's File No. 2005-008206. (as to Tract I only). (Shown)
 - e. Terms, conditions and provisions contained in that certain Easement dated December 21, 2006, by and between Montgomery Apartments, LP, a Texas limited partnership and Marcel Construction & Maintenance, Ltd., a Texas limited partnership, filed for record under Montgomery County Clerk's File No. 2006-148835) as restated in Restated Maintenance Agreement and Grant of Partial Use of Detention Facility filed for record under Montgomery County Clerk's File No. 2007-074314. (Affects subject property)
 - f. Terms, conditions and provisions contained in that certain Maintenance Agreement dated December 21, 2006, by and between Montgomery Apartments, LP, a Texas limited partnership and Marcel Construction & Maintenance, Ltd., a Texas limited partnership, filed for record under Montgomery County Clerk's File No. 2006-148835) as restated in Restated Maintenance Agreement and Grant of Partial Use of Detention Facility filed for record under Montgomery County Clerk's File No. 2007-074314. (Affects subject property)
 - g. g. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
 - h. Terms, conditions and provisions contained in that certain Waiver of Special Appraisal for the benefit of Stanley Lake Municipal Utility District, filed for record under Montgomery County Clerk's File No. 2004-133144. (Affects subject property)
 - i. Intentionally deleted
 - j. Easement(s) for electric power and communication facilities purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to Entergy Gulf States, Inc.
Purpose as provided in said document
Recording No. Montgomery County Clerk's File No. 2006-005620
Affects: 10 feet in width, the center line of which as shown on drawing attached thereto (as to Tract II only). (Appears to be solely on the Montgomery Apartments 8.684 Acre tract) (Shown)



BEING 2.357 ACRES OF LAND IN THE JOHN CORNER SURVEY, A-8, MONTGOMERY COUNTY, TEXAS, SAID 2.357 ACRES BEING OUT OF LOT 12, WESTERN HILLS COMMERCIAL DEVELOPMENT, A SUBDIVISION, MAP OF WHICH IS RECORDED IN CABINET C, SHEET 200A, MONTGOMERY COUNTY MAP RECORDS, SAID 2.357 ACRES BEING THE SAME TRACT OF LAND AS CONVEYED TO MARCEL CONSTRUCTION AND MAINTENANCE, LTD.; DEED OF WHICH IS RECORDED UNDER COUNTY CLERK'S FILE NUMBER 2005-105690, MONTGOMERY COUNTY REAL PROPERTY RECORDS, SAID 2.357 ACRES BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

- BEGINNING at a 1/2" iron rod found with a cap stamped "Jeff Moon R.P.L.S. 4639 in the North Right of Way line of State Highway 105, (right of way varies) for the Southeast corner of the herein described tract;
- THENCE N. 79° 38' 28" W., along the North line of said Highway 105, for a distance of 361.01 feet to a 1/2" iron rod found with a cap stamped "Jeff Moon R.P.L.S. 4639" for the Southwest corner of the herein described tract;
- THENCE N. 02° 18' 20" W., leaving the North line of Highway 105, across Lot 12 for a distance of 252.90 feet to a 1/2" iron rod found with a cap stamped "Jeff Moon R.P.L.S. 4639" for the Northwest corner of the herein described tract;
- THENCE N. 87° 41' 37" E., for a distance of 350.19 feet to a "x" found in concrete for the Northeast corner of the herein described tract, in the West line of said Western Hills Commercial Development, Section 2, the East line of said Lot 12;
- THENCE S. 02° 39' 25" E., along the above mentioned line for a distance of 332.06 feet to the POINT OF BEGINNING and containing in all 2.357 acres of land.



Tract II (Easement Estate):
A non-exclusive, perpetual and unrestricted easement and right-of-way for ingress and egress upon and across the tract of land described in Exhibit "C" attached thereto, as set forth, created and further defined in Restated Easement, filed for record under Montgomery County Clerk's File No. 2007-074313. (As Copied from Title Commitment)

Parking Table

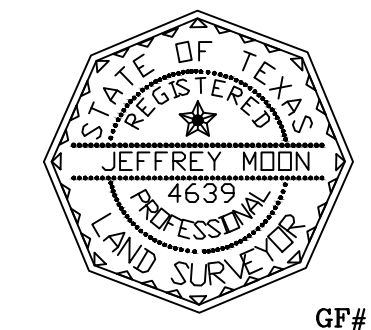
7 Handicap Spaces
121 General Parking Spaces
128 Total Spaces

LAND TITLE SURVEY
2.357 ACRES OF LAND
OUT OF LOT 12
WESTERN HILLS COMMERCIAL DEVELOPMENT
IN THE JOHN CORNER SURVEY, A-8
MONTGOMERY COUNTY, TEXAS REF: Cab. C, Sht. 200A MAP RECORDS
Scale: 1" = 50' Date: July 17, 2017 (Revised)
Address: 19786 HIGHWAY 105 W. MONTGOMERY, TX 77356

This survey is made for the exclusive benefit of UnionCapitalFunding LLC ("Union Capital"), its successors, assigns and participants with respect to all or any portion of that certain loan made by Union Capital to Colonnade Highway 105, LLC, a Texas limited liability company ("Borrower") and secured by the property that is the subject of this survey, Borrower and Chicago Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS", jointly established and adopted by ALTA/NSPS in 2016, and includes items 2, 3, 4, 6, 7(a), 7(b)(1), 7(c), 8, 9, 13, 14, 16, 17 and 20 of Table A thereof. The field work was completed on July 12, 2017. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that, in my professional opinion as a land surveyor R.P.L.S. 4639 in the state of Texas of Montgomery County, the Relative Position Accuracy of this survey does not exceed that which is specified therein.

All rights reserved Copyright 2017 Jeffrey Moon & Assoc., Inc. ©



Jeffrey Moon
Jeffrey Moon
Registered Professional
Land Surveyor No. 4639