

Legal Description

Tract 1: (Free Simple) Being Lot 6, Block A of LAKE CROSSING ADDITION, BLOCK A, LOT 6, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet V, Page 750, Plat Records of Denton County, Texas: SAVE & EXCEPT: That portion conveyed to the State of Texas in Special Warranty Deed filed 07/16/2009, recorded in cc# 2009-86509, Real Property Records of Denton County, Texas.

Tract 2: (Easement Estate) Easement Estate as created in Declaration of Restrictions Easements and Operating Agreement recorded in Volume 4365, Page 528, amended and superseded by instrument recorded in Volume 5048, Page 305, Real Property Records, Denton County, Texas. As affected by First Amendment(s) filed 05/05/2004, recorded in cc# 2004-57486 and filed 03/06/2009, recorded in cc# 2009-27089. Real Property Records of Denton County, Texas.

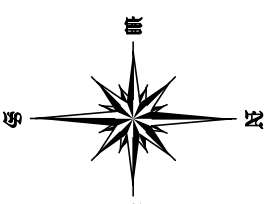
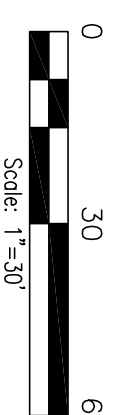
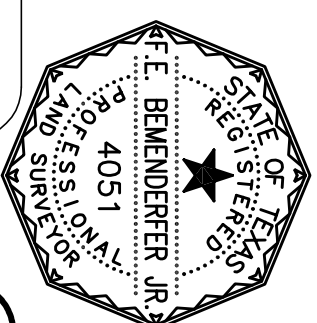
Tract 3: (Easement Estate) Easement Estate as created in Declaration of Easements, Covenants, Conditions and Restrictions by and between Big Diamond, Inc., a Texas corporation, and ABS TX Investor, LP, a Texas limited partnership, dated 08/06/2008, filed 08/18/2008, recorded in cc# 2008-91026. Real Property Records of Denton County, Texas.

Surveyors' Certification

To: **Boilermaker Investments, LLC, Wendy's International, Inc., Republic Title of Texas, and First American Title Insurance Company**

I hereby certify that: (a) on the 10th day of July, 2015, this plat of survey was made from on-the-ground survey by the undersigned or under the supervision of the undersigned as per the field notes shown on this survey and correctly shows: (i) the legal description of the subject property by metes and bounds, and by reference to the recorded plat of the subject property, (ii) the boundaries and area (in both acres and square feet) of the subject property, (iii) the size, location and type of buildings and improvements thereon (if any), (iv) the location and the total number of surface parking spaces on the subject property, (v) the location of the subject property of all paved surfaces, including sidewalks, walkways, fire lanes, driveways, areas of access, ingress and egress, and other similar items, and any curb cuts on or adjacent to the subject property, (vi) the location of all proposed or existing right-of-ways, easements, building setback lines and any other matters of record (or of which I have knowledge or have been advised whether or not of record) affecting the subject property (with recording information indicated), (vii) the location of all fences on the subject property, (viii) all abutting dedicated public streets providing access to the subject property, together with the width and name thereof, (ix) all other significant items on the subject property; (b) all monuments shown actually exist, and the location thereof is correctly shown; the distance of the nearest intersecting street is as shown hereon; (d) except as shown hereon, there are no (i) encroachments upon the subject property by improvements on adjacent property, (ii) encroachments on adjacent property, streets, alleys, building setback lines, or easements by any improvements on the subject property, (iii) party walls, or (iv) conflicts or protrusions; (e) no part of the subject property is shown to lie within a 100-yr. Flood Area according to Flood Insurance Rate Map Community Panel No. 48121C00420 G dated April 18, 2011, for Denton County and Incorporated Area (Zone X); (f) ingress to and egress from the subject property is provided by F.M. 423 (a variable width right-of-way), the same being paved, dedicated public right(s)-of-way maintained by, the City of Frisco, Texas; and (g) this survey complies with the current Texas Society of Professional Land Surveyors Standards and Specifications for a Category 1A, Condition II, Survey.

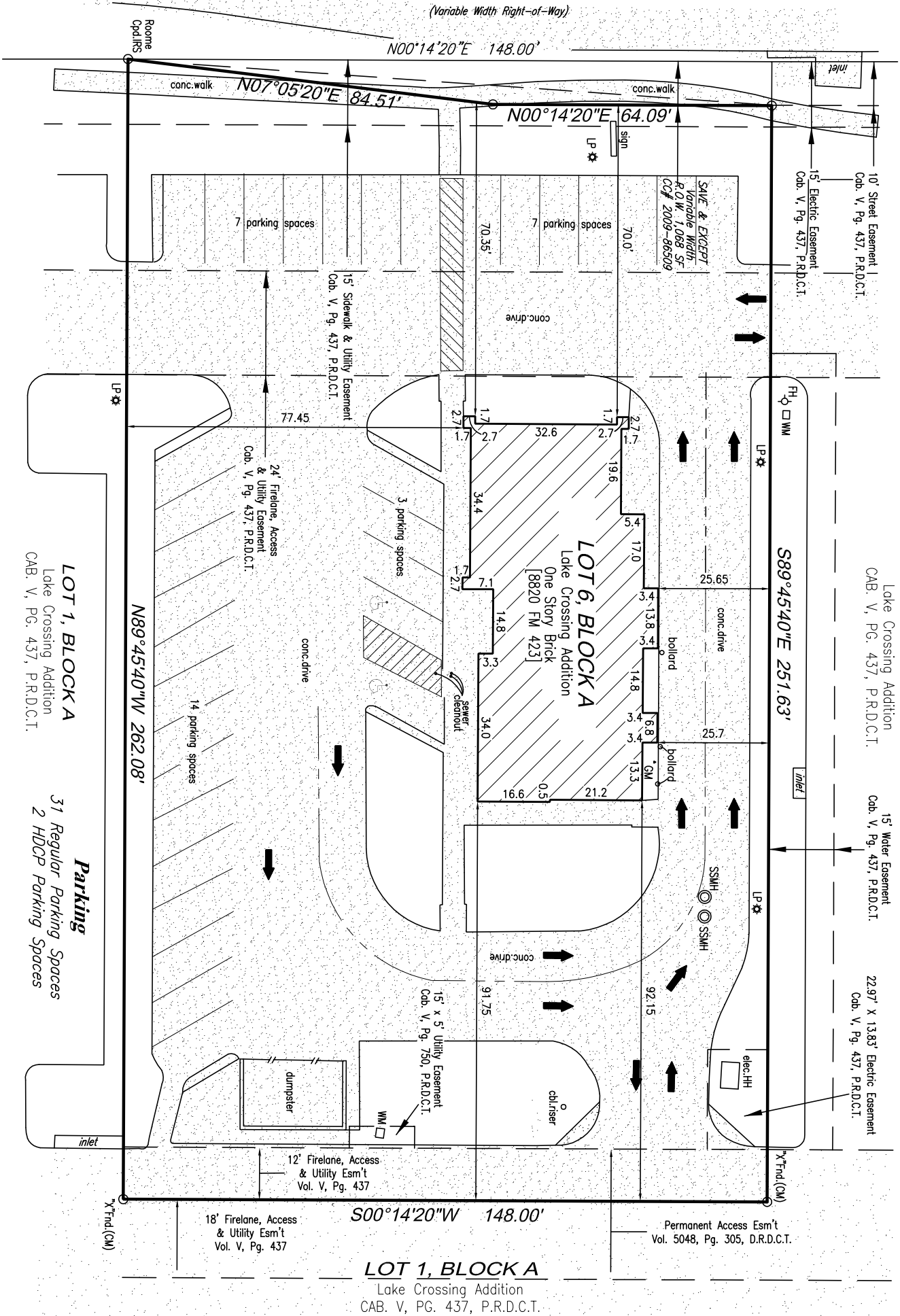
J.E. Bemenderfer Jr.
J. E. Bemenderfer Jr.
 Registered Professional Land
 Surveyor No. 4051



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F. M. Road 423

(Variable Width Right-of-Way)



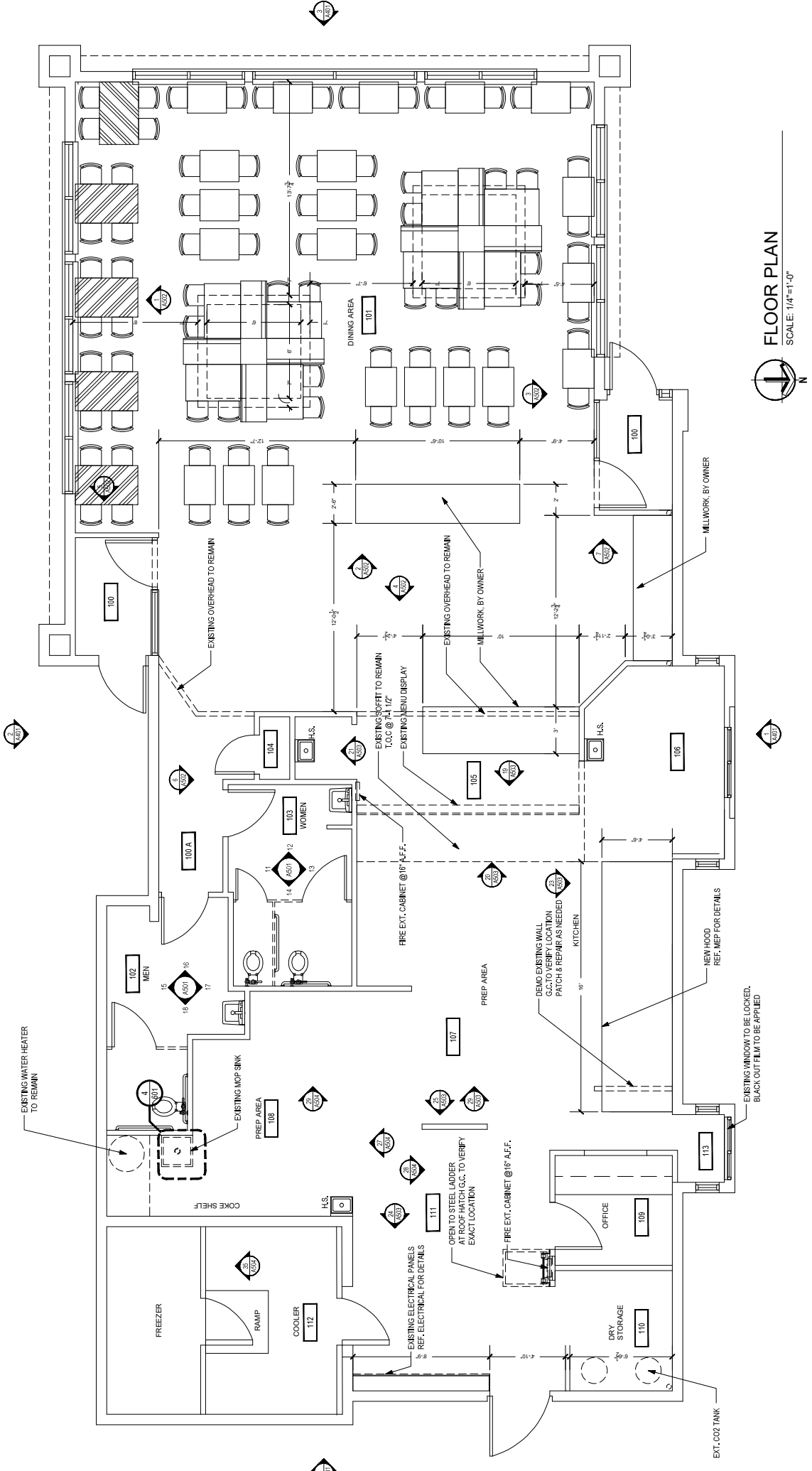
Notes: 1) CM is a controlling monument; 2) Surveyor's signature will appear in red ink on certified copies; 3) Source bearing per Lake Crossing Addition plat recorded in Cabinet V, Page 750; 4) This survey was performed with the benefit of Title Commitment GF No. 1002-155753-RTT issued July 7, 2015; 5) This survey is intended for the exclusive use of the hereon noted owner, purchaser, title company and/or mortgage company only and the survey is made in accordance with the title commitment referenced by the GF number shown hereon as provided by the above stated title company. 6) As shown in the title commitment the Property is subject to easements recorded in Vol. 5048, Pg. 305, cc# 2004-57486, cc# 2009-27089, Vol. 5048, Pg. 462, CC# 2004-57487, Vol. 4984, Pg. 1287, Vol. 5016, Pg. 3843, CC# 2009-86509 of the Real Property Records, Denton County, TX.

Legend

Room Cap'd LRS P.R.D.C.T.	Room Capped Iron Rod Set	Water Valve
IRF	Plot Records Denton County Taxes	Gas Meter
CM	Iron Rod Found	Fire Hydrant
LP	Controlling Monument	Sanitary Sewer Manhole
WM	Light Pole	Regular Parking Spaces
	Water Meter	Handicap Parking Spaces

Roome Land Surveying, Inc.

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 www.roomesurveying.com



FLOOR PLAN
SCALE: 1/4"=1'-0"



EXISTING WINDOW TO BE LOCKED.
BLACK OUT FILM TO BE APPLIED

EXT. CO2 TANK

NEW HOOD
REF. MEP FOR DETAILS

MILLWORK BY OWNER

MILLWORK BY OWNER

MILLWORK BY OWNER

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MILLWORK BY OWNER

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Information About Brokerage Services

Texas law requires all real estate license holders to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.



TYPES OF REAL ESTATE LICENSE HOLDERS:

- **A BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- **A SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

AS AGENT FOR OWNER (SELLER/LANDLORD): The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

AS AGENT FOR BUYER/TENANT: The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

AS AGENT FOR BOTH - INTERMEDIARY: To act as an intermediary between the parties the broker must first obtain the written agreement of *each party* to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
 - that the owner will accept a price less than the written asking price;
 - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
 - any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

AS SUBAGENT: A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

LICENSE HOLDER CONTACT INFORMATION: This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

Boilermaker Capital LLC	9004063	rdfintx@aol.com	214-288-9288
Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
Daniel James Metevier	422441	metevierd@gmail.com	972-489-2872
Designated Broker of Firm	License No.	Email	Phone
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
Sales Agent/Associate's Name	License No.	Email	Phone

Buyer/Tenant/Seller/Landlord Initials

Date