NOTES

1. THIS IS A ALTA/NSPS LAND TITLE SURVEY OF ALL OF TRACT 2 AS DESCRIBED IN D.B. 6115 PG. 189 (PIN: 9648398557). THE TOTAL AREA OF SURVEY IS 0.660 ± ACRES.
2. THE SUBJECT PROPERTY MAY BE SUBJECT TO RIGHTS-OF-WAY, EASEMENTS, RESERVATIONS AND RESTRICTIONS, WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED, NOT SHOWN HEREON.
3. THE SUBJECT PROPERTY IS ZONED CENTRAL BUSINESS DISTRICT (CBD) PER CITY OF ASHEVILLE ZONING MAP. THE SETBACKS FOR THE (CBD) ZONE ARE AS FOLLOWS.

   FRONT: 0'
   REAR: 0'
   SIDE: 0'

   SEE THE CITY OF ASHEVILLE ZONING ORDINANCE FOR RESTRICTIONS AND ALLOWANCES.
4. PLAT BOOK 6 PAGE 49 SHOWS A SCALED RIGHT OF WAY OF 40' FOR BOTH SAWYER STREET (FORMERLY ASTON PLACE) AND ASTON STREET. DOCUMENTS FOR STREET PLANS PROVIDED BY THE CITY OF ASHEVILLE SHOW A WIDTH OF 60 FEET FOR ASTON AND SAWYER STREET. DISTANCES MEASURED ALONG THE CENTERLINE OF ASTON STREET AND SAWYER STREET TO MEASURE TO THE APPROXIMATE 30 FEET. ASTON STREET AND SAWYER STREET BOTH MAINTAINED BY THE CITY OF ASHEVILLE PER CITY OF ASHEVILLE MAINTAINED ROADS INVENTORY.
5. THE SUBJECT PROPERTY LIES WITHIN AN AREA OF MINIMAL FLOOD HAZARD (ZONE X), ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP 3700964800J, EFFECTIVE DATE JANUARY 8, 2016.
6. FIELD WORK WAS PERFORMED FROM 11/5/2021 THROUGH 11/22/2021. BY TRADITIONAL SURVEY METHODS. THE FIELD WORK WAS ADJUSTED USING A WEIGHTED, MINIMALLY CONSTRAINED LEAST SQUARES ADJUSTMENT. HORIZONTAL CLOSURE BEFORE ADJUSTMENT WAS 1:60562.
7. ALL AREAS WERE CALCULATED USING THE COORDINATE COMPUTATION METHOD.
8. ALL UNDERGROUND UTILITIES SHOWN ON THE SUBJECT PROPERTY WERE MARKED BY THIS FIRM AND WERE FIELD LOCATED. ALL UNDERGROUND UTILITIES SHOWN HEREON BY THE LINE TYPE (UNKOWN UNDERGROUND UTILITY), ARE UTILITIES THIS FIRM WAS UNABLE TO VERIFY. THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON SHOULD BE CONSIDERED APPROXIMATE.
9. UNDERGROUND SEWER LINE CONNECTIONS SHOWN HEREON IN ASTON STREET, ARE BASED ON ABOVE GROUND MARKINGS FOUND. THIS FIRM WAS UNABLE TO ACCESS SEWER MANHOLES SHOWN HEREON IN ASTON STREET IN ORDER TO VERIFY CONNECTIONS.
10. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES (U.S. SURVEY FEET) UNLESS NOTED OTHERWISE. ALL COORDINATES SHOWN ARE NC GRID NAD83(2011) COORDINATES.
11. ALL ELEVATIONS FOR BENCHMARKS SHOWN ARE RELATIVE TO THE PUBLISHED ELEVATION OF NCGS CORS STATION " SWANNANOA" (SEE CERTIFICATION).
12. MAJOR AND MINOR CONTOURS ARE SHOWN AT 5 FT. AND 1 FT. INTERVALS RESPECTIVELY.
13. NO RECORD EASEMENT WAS FOUND FOR OVERHEAD UTILITIES, SHOWN HEREON, THAT RUN THROUGH THE SUBJECT PROPERTY. HOWEVER, A PRESCRIPTIVE EASEMENT IN NATURE MAY APPLY.

PROVIDED LEGAL DESCRIPTION

BEGINNING at a stake on the South margin of Aston Street at the Northwest corner of the tract of land conveyed by U. G. Speed and other, Trustee to Ethel B. Hitchens and husband, by Deed dated March 31, 1936, and recorded in the Office of the Register of Deeds for Buncombe County, North Carolina in Book 484, at Page 599, and runs thence with the West line of the Hitchins lot South 11 deg. 29 min. East 82.20 feet to a stake at the Southwest corner of the Hitchins lot; thence South 85 deg. 33 min. West 9.30 feet to a stake; thence South 83 deg. 04 min. West 45.44 feet to a stake in the East line of Coutakis Lot; thence with the East line of the last mentioned Lot, North 3 deg. 37 min. West 17.45 feet to a stake; thence with the North line of said lost mentioned Lot, South 86 deg. 24 min. West 61.00 feet to a stake; the Northeast corner of a Lot known as the Whitfield Lot; thence continuing with the North line of the Whitfield property, South 85 deg. 25 min.. West, 50.00 feet to a stake; Northwest corner of said Whitfield property; thence with the West line of the Whitfield property, South 5 deg. 50 min. East 88.61 feet to a stake on the North margin of Aston Lane; thence with the North margin of Aston Lane, South 83 deg. 43 min. West 100.00 feet to a stake at the intersection of said margin of said Lane with the Eastern margin of a 15-foot alley; thence with the Eastern margin of said alley, North 5 deg. 33 min. West 92.90 feet to a stake; thence continuing with said margin of said alley, North 9 deg. 45 min. West 58.90 feet to a stake at the intersection of said margin of said alley with the south margin of Aston Street; thence with the South margin of Aston Street, North 73 deg. 48 min. East 106.25 feet to a stake; thence continuing with said margin of said Street, North 85 deg. 31 min. East 49.55 feet to a stake; thence continuing with said margin of said Street, South 85 deg. 56 min. East 108.62 feet to the BEGINNING.

AS SURVEYED LEGAL DESCRIPTION

BEGINNING at an unmarked point on the Southern right-of-way line of Aston Street, said unmarked point being the Northwestern most corner of the Aston Condos, LLC property described in Deed book 2561 page 866 of the Buncombe County Register of Deeds, thence with the Aston Condos, LLC line the following four calls, 1. S 09° 19' 44' E 8.00 to a 5/8" rebar with cap set flush with existing grade, 2. S 09° 19' 44' E 72.36 to a 5/8" rebar with cap set flush with existing grade, 3. S 87° 42' 16' W 9.30 to a 5/8" rebar with cap set flush with existing grade, 4. S 85° 13' 16' W 45.44 to a bent 1" open iron pipe found flush with existing grade, said open iron pipe being the Northwestern most corner of Deed book 191 page 149 of the Buncombe County Register of Deeds, said open iron pipe also being located approximately 0.37 West of the base of a 15' concrete wall that runs in a Southern direction towards Sawyer Street, thence with the line of the County of Buncombe, as described in Deed book 5055 page 1320 the following four calls, 1. N 03° 27' 44' W 17.45' to a 1" open iron pipe found 1.3 above existing grade, 2. S 88° 33' 16' W 61.00 to a 5/8" rebar with cap set 0.3 above existing grade, 3. S 87° 34' 16' W 50.00 to a mag nail found in the top of an 8" concrete retaining wall, 4. S 03° 40' 44' E 88.61 to a mag nail set in the top of a 8" concrete retaining wall having NC Grid NAD 83(2011) coordinates of Northing: 689449.17 Easting: 943634.71, said mag nail also lying on the Northern right-of-way line of Sawyer Street, thence with the Northern right-of-way line of Sawyer Street S 85° 52' 16' W 100.00 to a 5/8" rebar with cap set flush, said 5/8" rebar with cap lying at the intersection of the Eastern margin of that 15' alley shown on Plat book 6 page 49 of the Buncombe County Register of Deeds and the Northern right-of-way line of Sawyer Street, thence with the eastern margin of said 15' alley as shown on said plat N 03° 39' 34' W 90.18' to a mag nail set in asphalt pavement, said mag nail being located N 84° 22' 24' E 15.01' from a 1' pinched top pipe found 0.1 below existing grade, said pinched top pipe being the eastern most common corner between lot 15 and lot 16 as shown on Plat book 6 page 49 of the Buncombe County Register of Deeds, thence continuing with the eastern margin of said 15' alley as shown on said Plat, N 07° 35' 44' W 58.90' to a mag nail set in a concrete sidewalk, said mag nail lying at the intersection of the eastern margin of said 15' alley as shown on Plat book 6 page 49 of the Buncombe County Register of Deeds and the Southern right-of-way line of Aston Street, thence with the Southern right-of-way line of Aston Street the following three calls, 1. N 75° 51' 56' E 107.25' to a mag nail set flush in concrete, said nail having NC Grid NAD 83(2011) coordinates of Northing: 689616.50 Easting: 943625.43, 2. N 87° 36' 10' E 49.54' to a mag nail set in the top of a 8" concrete retaining wall, 3. S 83° 59' 58' E 108.23' to the point and place of BEGINNING, containing 0.660 Acres more or less.

Also being all of tract two as described in Deed book 6115 page 189 recorded in the Buncombe County Register of Deeds.

REASON FOR AS SURVEYED DESCRIPTION

TO HAVE AN ACCURATE DESCRIPTION AND LOCATION OF NEW CORNERS SET, EXISTING CORNERS, AND TO HAVE NEW ORIENTATION (NC GRID NAD 83(2011).

TO ASTON FLATS LLC, 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 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5,8,9&13, & 16 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 1/22/2021.

I, JOSHUA R. HODGES, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEEDS REFERENCED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM DEEDS REFERENCED HEREON; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:60562; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

THAT THE SURVEY IS OF THE FOLLOWING CATEGORY DESCRIBED IN G.S. 47-30(f)(11)(c)1.

THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CHANGE AN EXISTING STREET. FOR THE PURPOSES OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION OR LEGALLY RECORDED SUBDIVISION THAT HAS BEEN OR MAY BE LEGALLY CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

I, JOSHUA R. HODGES, CERTIFY THAT THIS PROJECT WAS COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THIS GROUND SURVEY WAS PERFORMED AT THE 95 PERCENT CONFIDENCE LEVEL TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS; THAT THIS SURVEY WAS PERFORMED TO MEET THE REQUIREMENTS FOR A TOPOGRAPHIC/PLANIMETRIC SURVEY TO THE ACCURACY OF CLASS AA AND VERTICAL ACCURACY WHEN APPLICABLE TO THE CLASS C STANDARD (21 NCAC 56.1606); THAT THE SURVEY WAS COMPLETED ON 11/24/2021; AND ALL ELEVATIONS ARE BASED ON NAVD 88.

I JOSHUA R. HODGES, CERTIFY THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY.

HORIZONTAL POSITIONAL ACCURACY: 1cm
VERTICAL POSITIONAL ACCURACY: 2cm
TYPE OF GNSS FIELD PROCEDURE: STATIC (POST-PROCESSED USING TOPCON TOOLS SOFTWARE)
DATE OF SURVEY: MAY, 18TH 2018
HORIZONTAL DATUM/EPOCH: NAD 83(2011) EPOCH 2010
FIXED CONTROL: "NCGS CORS STATION SWANNANOA"
LOCALIZATION POINT: N: 689410.49 E: 943632.04
GEOID MODEL: GEOID12B
COMBINED GRID FACTOR: 0.999790672
UNITS: U.S. SURVEY FEET

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL

THIS DAY January 10, 2022

Joshua R. Hodges
PROFESSIONAL LAND SURVEYOR

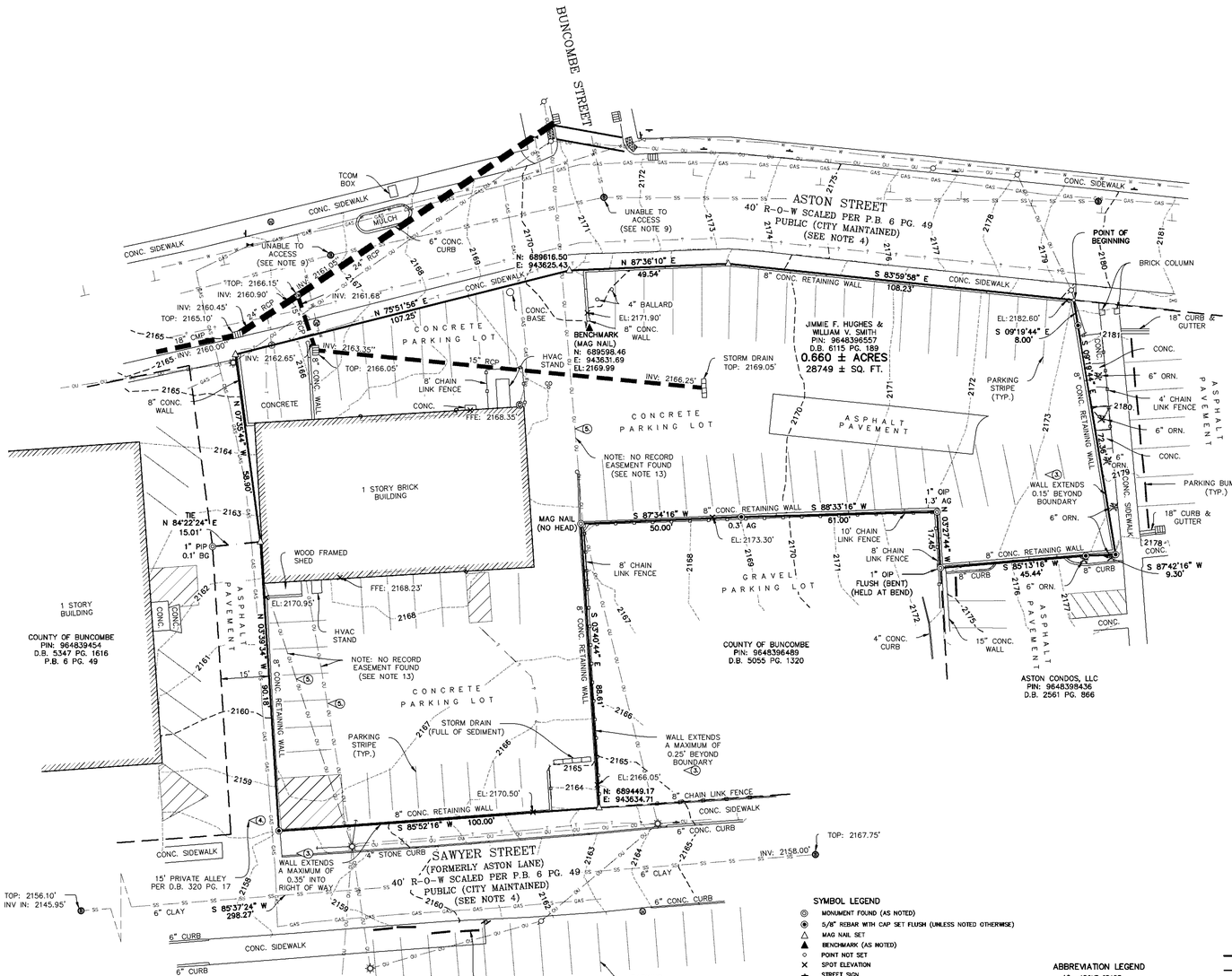
LICENSE # L-5304

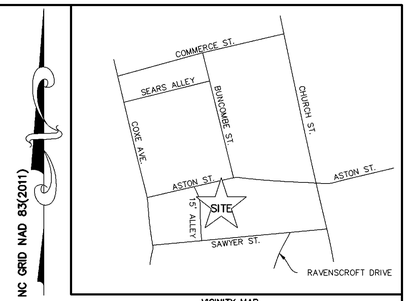
NORTH CAROLINA PROFESSIONAL SEAL L-5304 LAND SURVEYOR JOSHUA R. HODGES

N:\JOBS\21329 46 Aston Street\DWG\21329 46 ASTON STREET ALTA & TOPO.DWG

REVISIONS

1. ADDED G.S. 47-30 CERTIFICATE. DATE: 1-10-2022





VICINITY MAP
(NOT TO SCALE)

SYMBOL LEGEND

- AG ABOVE GRADE
- BG BELOW GRADE
- CONC. CONCRETE
- CMP CORRUGATED METAL PIPE
- D.B. DEED BOOK
- E: EASTING
- EL: ELEVATION
- FFE: FINISHED FLOOR ELEVATION
- IP IRON PIN
- INV: INVERT ELEVATION
- N: NORTHING
- OIP OPEN IRON PIPE
- ORN. ORNAMENTAL
- P.B. PLAT BOOK
- PG. PAGE
- PIN: PARCEL IDENTIFIER NUMBER
- PIP PINCHED IRON PIPE
- RB REBAR
- RCP REINFORCED CONCRETE PIPE
- RBC REBAR & CAP
- R-O-W RIGHT OF WAY
- (TYP.) TYPICAL

- MONUMENT FOUND (AS NOTED)
- 5/8" REBAR WITH CAP SET FLUSH (UNLESS NOTED OTHERWISE)
- MAG NAIL SET
- BENCHMARK (AS NOTED)
- POINT NOT SET
- SPOT ELEVATION
- STREET SIGN
- SANITARY SEWER MANHOLE
- CLEANOUT
- DROP INLET
- CURB INLET
- STORM WATER MANHOLE
- TELECOMMUNICATIONS MANHOLE
- WATER METER
- WATER VALVE
- GAS METER
- TREE (AS NOTED)
- GAS VALVE
- GUY WIRE
- (4) EXCEPTION NUMBER

LINE LEGEND

- BOUNDARY LINE (SURVEYED)
- DEED/PLAT LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- OU — OU OVERHEAD UTILITY LINE
- SS — SS SANITARY SEWER LINE
- T — T UNDERGROUND TELECOMUNICATION LINE
- GAS — GAS UNDERGROUND GAS LINE
- W — W UNDERGROUND WATER LINE
- ? — ? UNKNOWN UNDERGROUND UTILITY
- STORM WATER PIPE
- FENCE (AS NOTED)
- TIE LINE ONLY
- MAJOR CONTOUR
- MINOR CONTOUR

Submitted electronically by Ed Holmes and Associates Land Surveyors, PA in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Buncombe County Register of Deeds.

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT NO: 202111016-1 EFFECTIVE DATE: 10/20/2021 AT 11:00 AM
SCHEDULE B – SECTION II – EXCEPTIONS

(1) Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I – Requirements are met.– SURVEY NOTE– (ANY OBSERVED BY ME NOTED OR SHOWN HEREON)

(2) Taxes or assessments for the year 2022, not yet due and payable, and taxes or assessments for subsequent years, not yet due or payable.– SURVEY NOTE – (NOT A SURVEYING MATTER)

(3) Any discrepancy, conflict, access, shortage in area or boundary lines, encroachment, encumbrance, violation, variation, overlap, setback, easement or claims of easement, riparian right, and title to land within roads, ways, railroads, watercourses, swift grounds, marshes, dredged or filled areas or land below the mean highwater mark or within the bounds of any adjoining body of water, or other adverse circumstance affecting the Title that would be disclosed by a current inspection and accurate and complete land survey of the Land.– SURVEY NOTE – (ANY OBSERVED BY ME SHOWN HEREON. THE 8" CONCRETE RETAINING WALL THAT RUNS ALONG SAWYER STREET EXTENDS A MAXIMUM OF 0.35' INTO THE RIGHT OF WAY OF SAWYER STREET. THE RETAINING WALL APPEARS TO HAVE BEEN IN THIS LOCATION FOR MANY YEARS AS EVIDENCE OF THE WALLS EXISTENCE WAS FOUND ON A SURVEY BY CARTER AND BEARDEN ENGINEERS DATED APRIL 22ND 1949. SEE OTHER LOCATIONS NOTED HEREON WHERE THE 8" CONCRETE RETAINING WALL EXTENDS BEYOND THE BOUNDARY LINE.)

(4) Title to any portion of the Land lying within the right(s) of way of a fifteen (15) foot alley, Aston Lane, Aston Street and Sawyer Street, and rights of others entitled in and to the use thereof.– SURVEY NOTE – PER DEED BOOK 320 PAGE 17, THE 15 FOOT ALLEY AS SHOWN ON PLAT BOOK 6 PAGE 49, IS TO BE A PRIVATE ALLEY FOR USE OF THE CURRENT AND ALL FUTURE OWNERS OF THE SUBJECT PROPERTY AND THE CURRENT AND ALL FUTURE OWNERS OF LOTS 14-18 AS SHOWN ON PLAT BOOK 6 PAGE 49. NO DOCUMENT OF RECORD WAS FOUND FOR DEDICATION OF THE 15' ALLEY FOR PUBLIC USE OR CLOSING OF THE 15' ALLEY. NO INFORMATION WAS OBTAINED AS TO WHO MAINTAINS THE 15' ALLEY. THE SUBJECT PROPERTY'S WESTERN BOUNDARY SHOWN HEREON, RUNS WITH THE EASTERN MARGIN OF THE 15' FOOT ALLEY AS SHOWN ON PLAT BOOK 6 PAGE 49. THE WESTERN BOUNDARY LINE OF THE SUBJECT PROPERTY HAS BEEN DESCRIBED TO RUN WITH THE EASTERN MARGIN OF SAID 15' ALLEY FOR OVER 90 YEARS AND IS DESCRIBED THIS WAY IN THE CURRENT DEED DESCRIPTION (DEED BOOK 6115 PG 189).

(5) Easement(s) and right(s)-of-way for public and private roads and utilities in existence on the Land.– SURVEY NOTE – ANY OBSERVED BY ME AS SHOWN HEREON. NO EASEMENT OF RECORD WAS FOUND FOR OVERHEAD UTILITIES ON THE SUBJECT PROPERTY. AN EASEMENT PRESCRIPTIVE IN NATURE MAY APPLY FOR SAID OVERHEAD UTILITIES.

(6) NO CLOSING SERVICES INSURANCE: – As to the transaction for which this Commitment is issued, the Company does not afford insured closing protection/closing services insurance absent revision of this Commitment to include a statement that coverage is afforded to those parties identified in a separate closing protection letter issued simultaneously with revision of the Commitment. Any closing protection coverage or letter which heretofore may have been issued is hereby rescinded and shall not be effective as to this transaction. Any closing protection letter subsequently issued shall not be effective as to this transaction absent the accompanying requisite revision of this Commitment.– SURVEY NOTE– (NOT A SURVEYING MATTER)

Type: CONSOLIDATED REAL PROPERTY
Recorded: 1/10/2022 3:44:58 PM
Fee Amt: $21.00 Page 1 of 1
Buncombe County, NC
Drew Reisinger Register of Deeds

BK 224 PG 6

ALTA/NSPS LAND TITLE SURVEY
For
ASTON FLATS LLC
Located at: 46 Aston Street

REFERENCES
D.B. 6115 PG. 189
RECORD OWNER: Jimmie F. Hughes & William V. Smith
PIN: 9648396557
City of Asheville
Buncombe County, N.C.
Date: November 24th, 2021 Drawn by: Josh Hodges
Job #21329

ED HOLMES & ASSOCIATES
LAND SURVEYORS, PA
Joshua R. Hodges, PLS L-5304
300 Ridgefield Ct. Ste. 301 Asheville, NC 28806
Company Licensure # C-2806
828.225.6562
jhodges@edholmessurveying.com

0' 20' 40' 60'
SCALE 1" =20'

D21-118