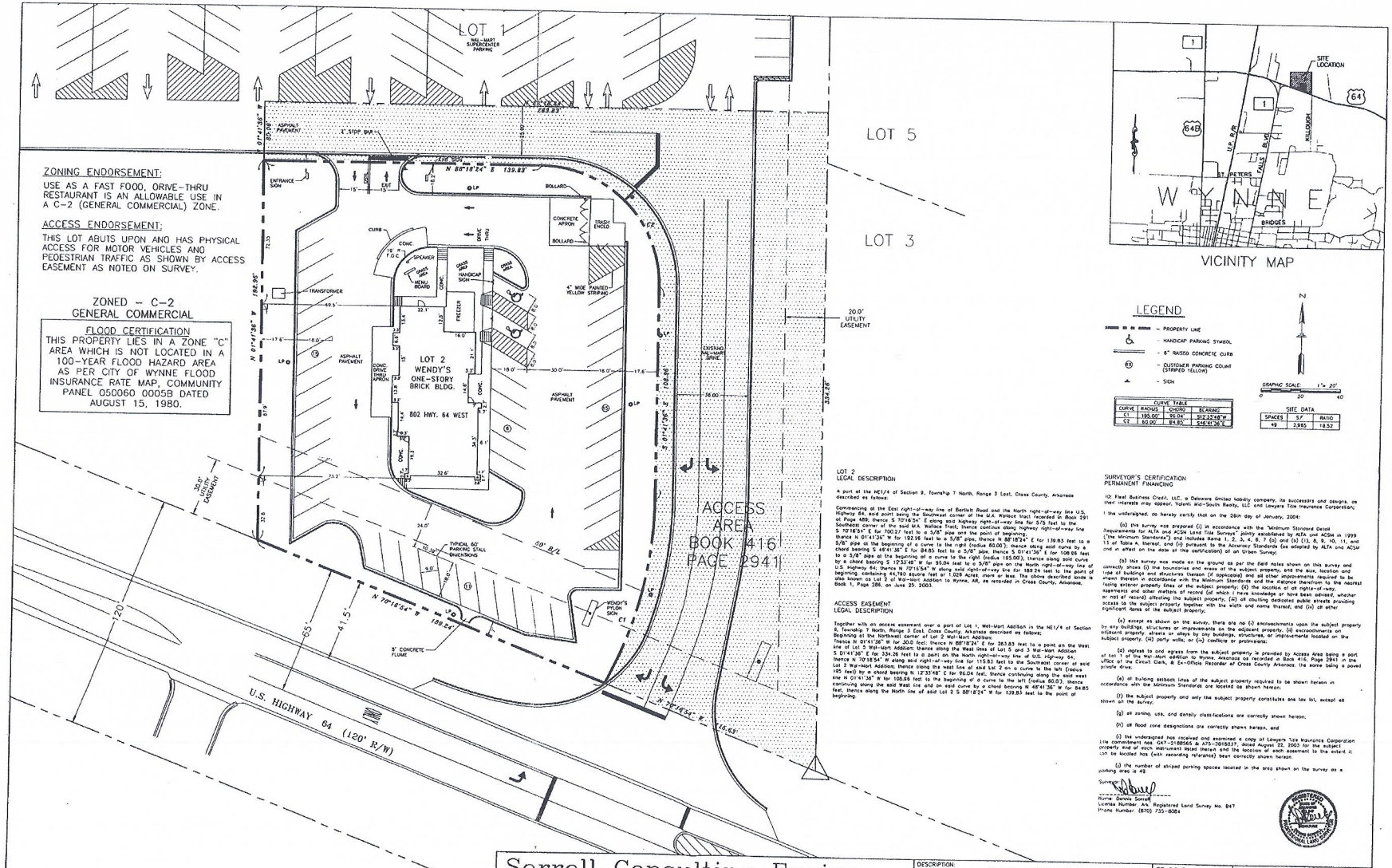

ZONING ENDORSEMENT:

USE AS A FAST FOOD, DRIVE-THRU RESTAURANT IS AN ALLOWABLE USE IN A C-2 (GENERAL COMMERCIAL) ZONE.

ACCESS ENDORSEMENT:

THIS LOT ABUTS UPON AND HAS PHYSICAL ACCESS FOR MOTOR VEHICLES AND PEDESTRIAN TRAFFIC AS SHOWN BY ACCESS EASEMENT AS NOTED ON SURVEY.

ZONED - C-2
GENERAL COMMERCIAL

FLOOD CERTIFICATION

THIS PROPERTY LIES IN A ZONE "C" AREA WHICH IS NOT LOCATED IN A 100-YEAR FLOOD HAZARD AREA AS PER CITY OF WYNNE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 050060 0005B DATED AUGUST 15, 1980.

CURVE TABLE

CURVE	RADIUS	CHORD	BEARING
C1	193.00'	95.04'	S12°37'58"W
C2	50.00'	84.85'	S48°41'36"E

LOT 2
LEGAL DESCRIPTION

A part of the NE1/4 of Section 9, Township 7 North, Range 3 East, Cross County, Arkansas described as follows:

Commencing at the East right-of-way line of Bartlett Road and the North right-of-way line U.S. Highway 64, said point being the Southwest corner of the U.A. Wallace tract recorded in Book 291 at Page 489; thence S 70°18'54" E along said highway right-of-way line for 575 feet to the Southeast corner of the said U.A. Wallace Tract; thence continue along highway right-of-way line S 70°18'54" E for 700.27 feet to a 5/8" pipe and the point of beginning; thence N 01°41'36" W for 192.95 feet to a 5/8" pipe, thence N 88°18'24" E for 139.83 feet to a 5/8" pipe at the beginning of a curve to the right (radius 60.00'); thence along said curve by a chord bearing S 48°41'36" E for 84.85 feet to a 5/8" pipe, thence S 01°41'36" E for 108.95 feet to a 5/8" pipe at the beginning of a curve to the right (radius 193.00'); thence along said curve by a chord bearing S 12°37'58" W for 95.04 feet to a 5/8" pipe on the North right-of-way line of U.S. Highway 64; thence N 70°18'54" W along said right-of-way line for 189.24 feet to the point of beginning, containing 44,190 square feet or 1.029 Acres, more or less. The above described lands is also known as Lot 2 of Wal-Mart Addition to Wynne, AR, as recorded in Cross County, Arkansas, Book 1, Page 286, on June 25, 2003.

ACCESS EASEMENT
LEGAL DESCRIPTION

Together with an access easement over a part of Lot 1, Wal-Mart Addition in the NE1/4 of Section 9, Township 7 North, Range 3 East, Cross County, Arkansas described as follows:
Beginning at the Northwest corner of Lot 2 Wal-Mart Addition:
Thence N 01°41'36" W for 30.0 feet; thence N 88°18'24" E for 263.83 feet to a point on the West line of Lot 5 Wal-Mart Addition; thence along the West lines of Lot 5 and 3 Wal-Mart Addition S 01°41'36" E for 334.26 feet to a point on the North right-of-way line of U.S. Highway 64; thence N 70°18'54" W along said right-of-way line for 115.83 feet to the Southeast corner of said Lot 2 Wal-Mart Addition; thence along the west line of said Lot 2 on a curve to the left (radius 185 feet) by a chord bearing N 12°37'58" E for 91.04 feet, thence continuing along the said west line N 01°41'36" W for 108.95 feet to the beginning of a curve to the left (radius 60.0'), thence continuing along the said West line and on said curve by a chord bearing N 48°41'36" W for 84.85 feet, thence along the North line of said Lot 2 S 88°18'24" W for 139.83 feet to the point of beginning.

SURVEYOR'S CERTIFICATION
PERMANENT FINANCING

TO: First Business Credit, LLC, a Delaware limited liability company, its successors and assigns, as their interests may appear, Yulanti Mid-South Realty, LLC and Lawyers Title Insurance Corporation;

I the undersigned, do hereby certify that on the 28th day of January, 2004:

(a) this survey was prepared (i) in accordance with the "Minimum Standard Detail Requirements for ALTA and ACSM Land Title Surveys" jointly established by ALTA and ACSM in 1999 ("the Minimum Standards") and includes items 1, 2, 3, 4, 6, 7 (a) and (b) (1), 8, 9, 10, 11, and 13 of Table A, thereof, and (ii) pursuant to the Accuracy Standards (as adopted by ALTA and ACSM and in effect on the date of the certification) of an Urban Survey;

(b) this survey was made on the ground as per the field notes shown on this survey and correctly shows (i) the boundaries and areas of the subject property, and the size, location and type of buildings and structures thereon (if applicable) and all other improvements required to be shown thereon in accordance with the Minimum Standards and the distance therefrom to the nearest facing exterior property lines of the subject property; (ii) the location of all rights-of-way, easements and other matters of record (of which I have knowledge or have been advised, whether or not of record) affecting the subject property; (iii) all abutting dedicated public streets providing access to the subject property together with the width and name thereof; and (iv) all other significant items of the subject property;

(c) except as shown on the survey, there are no (i) encroachments upon the subject property by any buildings, structures or improvements on the adjacent property, (ii) encroachments on adjacent property, streets or alleys by any buildings, structures, or improvements located on the subject property, (iii) party walls, or (iv) conflicts or protrusions;

(d) ingress to and egress from the subject property is provided by Access Area being a part of Lot 1 of the Wal-Mart addition to Wynne, Arkansas as recorded in Book 416, Page 2941 in the office of the Circuit Clerk, & Ex-Officio Recorder of Cross County Arkansas; the same being a paved private drive;

(e) all building setback lines of the subject property required to be shown hereon in accordance with the Minimum Standards are located as shown hereon;

(f) the subject property and only the subject property constitutes one tax lot, except as shown on the survey;

(g) all zoning, use, and density classifications are correctly shown hereon;

(h) all flood zone designations are correctly shown hereon, and

(i) the undersigned has received and examined a copy of Lawyers Title Insurance Corporation Title commitment nos. G47-2188565 & A75-2015037, dated August 22, 2003 for the subject property and of each instrument listed therein and the location of each easement to the extent it can be located has (with recording reference) been correctly shown hereon.

(j) the number of striped parking spaces located in the area shown on the survey as a parking area is 49.

Surveyor

Name: Dennis Sorrell
License Number: Ark. Registered Land Survey No. 847
Phone Number: (870) 735-8084

REGISTERED LAND SURVEYOR
STATE OF ARKANSAS
DENNIS SORRELL
847
REGISTERED LAND SURVEYOR

Sorrell Consulting Engineers
206 SHOPPINGWAY BLVD. • (870) 735-8084 • WEST MEMPHIS, ARKANSAS 72301
Civil Engineering — Land Surveying

DESCRIPTION:
ALTA SURVEY
WENDY'S RESTAURANT
WYNNE, ARKANSAS

REVISIONS:

DESIGNED:
DRAWN:
CHECKED:
DATE: 2/5/04
SCALE: 1" = 20'
PROJECT No.:

SHEET NO. 1 of 1