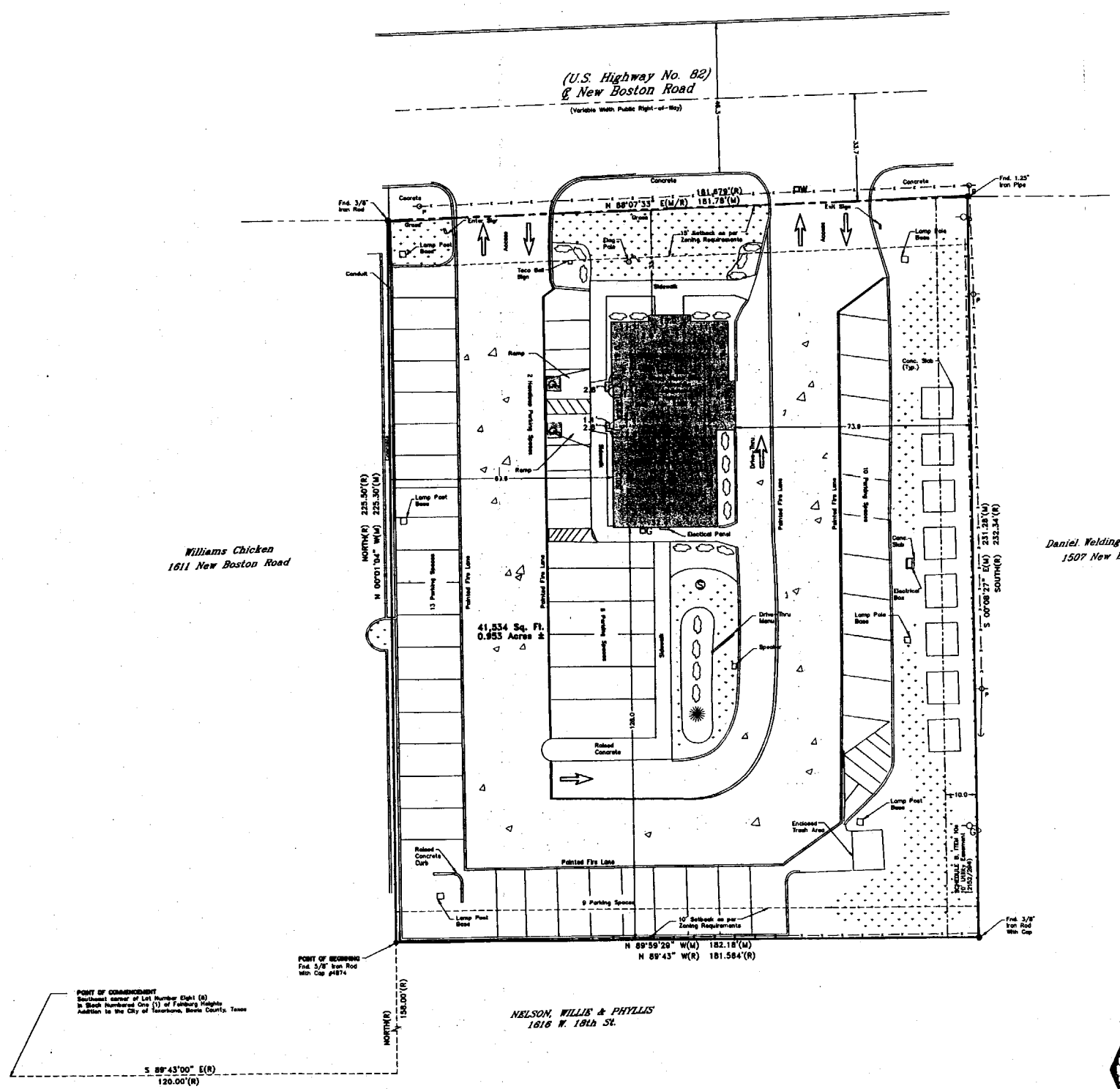
"ALTA/ACSM LAND TITLE SURVEY"

Situated in:

THE HOWARD ETHERIDGE HEADRIGHT SURVEY, ABST. NO. 182 IN
BOWIE COUNTY, TEXAS

BASIS OF BEARINGS:
All bearings shown hereon are based on record N 88°07'33" E along the North line of the subject property as established by the Title Commitment No. 121101823 issued by Lawyers Title Insurance Corporation dated 10/13/2004.

SCALE: 1"=20 FEET
0 10 20 40



SCHEDULE B, EXCEPTIONS

10d) Assignment of Real Estate Lease and Consent and Waiver dated October 1, 1986 executed by and between Citicorp Industrial Credit Inc., as Assignee; K-MAC Enterprises Inc., as Assignor; and K&K Investment Company, a Partnership consisting of Kenneth B. McGruder and Kenneth W. King as Landlord, filed in Volume 906, Page 305, Real Property Records of Bowie County, Texas. (DOES AFFECT SUBJECT PROPERTY – BLANKET IN NATURE)

10e) Easement executed by K&K Investment Company, a general partnership to Southwestern Electric Power Company dated June 9, 1994 and recorded in Volume 2152, Page 294 of the Real Property Records of Bowie County, Texas. (DOES AFFECT SUBJECT PROPERTY – AS SHOWN HEREON)

SURVEYOR'S CERTIFICATION

TO: GE CAPITAL FRANCHISE FINANCE CORPORATION, A DELAWARE CORPORATION AND ITS SUCCESSORS AND ASSIGNS, LANDAMERICA FINANCIAL GROUP, INC., LAWYERS TITLE INSURANCE CORPORATION, OLYMPUS GROWTH FUND IV, L.P., K-MAC ENTERPRISES, INC., BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT AND GOLDEN PARTNERS, INC.:

This is to certify that this map or plat of survey (this "Survey Map") of the real property ("Property") specifically described in Lawyers Title Insurance Corporation title commitment GF No.: 121101823 dated October 13, 2004 (the "Title Commitment"), (1) is based on a field survey made on November 30, 2004, 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, 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" (3) was prepared in accordance with and includes all items and information required by the document titled "Survey Requirements for GE Capital Franchise Finance Corporation, a Delaware corporation" dated August 3, 2001, 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 the 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.

Virgil T. Collins, PLS
Registration No.: 5032
State of Texas

The property described and shown hereon is the same property described in Lawyer's Title Insurance Corporation title commitment GF No.: 121101823 dated October 13, 2004.

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.

STATE OF TEXAS
REGISTERED
VIRGIL T. COLLINS
5032
PROFESSIONAL
LAND SURVEYOR

TITLE COMMITMENT DESCRIPTION

All that certain tract or parcel of land situated in Bowie County, being a part of the HOWARD ETHERIDGE HEADRIGHT SURVEY, Abst. No. 182 in Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the Southeast corner of Lot Number Eight (8) in Block Numbered One (1) of Feinburg Heights Addition to the City of Texarkana, Bowie County, Texas;
THENCE: S 89 deg. 43' E, 120.00 feet to a point;
THENCE: North 158.00 feet to an iron pin for the POINT OF BEGINNING for the tract herein described, said Point being in the East boundary line of a certain tract of land conveyed by Nannie M. Watts to Nannie M. White July 24, 1981 by deed of record in Volume 138 of the Deed Records of Bowie County, Texas;
THENCE: North 225.50 feet with the East boundary line of said White tract to an iron pin for corner on the South side of New Boston Road (U.S. Highway No. 82);
THENCE: N 88 deg. 07' 33" E, 181.679 feet with the South side of New Boston Road to an iron pin for corner being the Northwest corner of a certain tract of land conveyed by Marguerite B. Daniel to Mary Helen DiMattteo March 31, 1975 by deed of record in Volume 588, Page 59 of the Deed Records of Bowie County, Texas; THENCE: South 232.34 feet with the West boundary line of said DiMattteo tract to an iron pin for corner, same being North 18.0 feet from the Northwest corner of a certain tract of land conveyed by David M. Watts stat to Trustees of Tri State Lodge No. 160, I. O. O. F. of Texas by deed dated April 1954 of record in Volume 312, Page 12 of the Deed Records of Bowie County, Texas;
THENCE: N 89 deg. 43' W, 181.584 feet to the POINT OF BEGINNING and containing 41,567.75 square feet of land, same being 0.9534 acres of land, more or less.

Note: the Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

SURVEYOR'S DESCRIPTION

All that certain tract or parcel of land containing 0.953 acres, more or less, situated in the HOWARD ETHERIDGE HEADRIGHT SURVEY, Abstract No. 182 in Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the Southeast corner of Lot 8, Block 1, Feinburg Heights Addition :o the City of Texarkana, Bowie County, Texas;

THENCE South 89 degrees 43 minutes 00 seconds East (record) for a distance of 120.00 feet (record) to a point;

THENCE North (record) for a distance of 158.00 feet (record) to a found 5/8 inch iron rod with cap and the POINT OF BEGINNING of herein described tract;

THENCE North 00 degrees 01 minutes 04 seconds West (record North) for a distance of 225.30 feet (record 225.50 feet) to a found 3/8 inch iron rod on the South right-of-way line of New Boston Road (U.S. Highway No. 82);

THENCE North 88 degrees 07 minutes 33 seconds East (record) along said right-of-way line for a distance of 181.78 feet (record 181.679 feet) to a found 1.25 inch iron pipe;

THENCE leaving said South right-of-way line, run South 00 degrees 08 minutes 27 seconds East (record South) for a distance of 231.28 feet (record 232.34 feet) to a found 3/8 inch iron rod;

THENCE North 89 degrees 59 minutes 29 seconds West (record North 89 degrees 43 minutes West) for a distance of 182.18 feet (record 181.584 feet) to the Point of Beginning; Containing an area of 41,534 square feet or 0.953 acres, more or less.

Zoning Data:

Property Zoned: Commercial
The current zoning ces allow for the current use.

Setback Requirements:
Front: 15'
Back: 10'
Side: none

Parking Requirements: 1 Parking Space for every 3 seats

Building Height Restriction: none

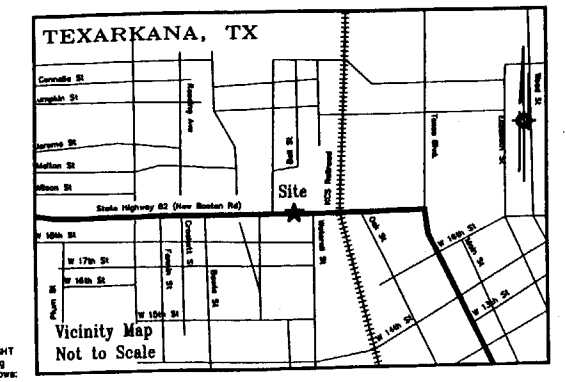
Minimum Lot Area: 50%

Source of Data:
Planning and Development
(903) 798-3949

General Notes:
2 Handicapped Parking Spaces
38 Regular Parking Spaces

Approx. Height of Building: 16'±

This property is located in flood zone "X" Community Panel No. 48006C0001C dated 05/17/1993.



NOTE:
THE WORD "CERTIFY" AS USED HEREIN IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL OPINION BY THE SURVEYOR, BASED UPON HIS BEST KNOWLEDGE, INFORMATION, AND BELIEF, AS SUCH, IT DOES NOT CONSTITUTE A GUARANTEE NOR A WARRANTY, EXPRESSED OR IMPLIED.

THE SERVITUDES AND RESTRICTIONS SHOWN HEREON ARE THOSE VISIBLE ON THE GROUND OR SET FORTH IN THE DESCRIPTION FURNISHED TO US BY THE CLIENT OR REPRESENTATIVE AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.

REFERENCES:
1) TITLE COMMITMENT PROVIDED BY LAWYERS TITLE INSURANCE CORPORATION, HAVING AN EFFECTIVE DATE OF OCTOBER 13, 2003, BEARING TITLE COMMITMENT OF NO. 121101823.

ENCROACHMENTS:

NONE FOUND

THIS PROPERTY HAS ACCESS TO NEW BOSTON ROAD, A PUBLIC RIGHT OF WAY.

THIS PROPERTY DRAINS INTO A PUBLIC DRAINAGE SYSTEM. FURTHER TOPOGRAPHIC WORK SHOULD BE PERFORMED TO DETERMINE RUNOFF DIRECTION.

Collins & Associates
Land Surveyors, Inc.
REGISTERED PROFESSIONAL LAND SURVEYORS
Louisiana, Texas, Arkansas, Mississippi & Alabama
Office: 337-438-5808 Fax: 337-438-3330
815 Mulberry Street Vinsdale, LA 70668

"ALTA/ACSM LAND TITLE SURVEY"

PREPARED FOR:

THE MATTHEWS COMPANY Inc
National ALTA Survey Management
17220 Newhope Street, Suites 109-110, Fountain Valley, CA 92708
Tel: (714)979-7181 Fax: (714)641-2840
www.thematthewscompany.com

MARK	DATE	REVISION	BY	APV'D
	12/14/2004	REVISED AS PER ATTY. COMMENTS	BF	VTC

LEGEND

	GRASS
—T—	OVERHEAD TELEPHONE
—E—	OVERHEAD ELECTRIC
FH	FIRE HYDRANT
E	ELECTRIC BOX
G	GAS METER
WV	WATER VALVE
W	WATER METER
	GUARD POST
T	TELEPHONE BOX
TP	TELEPHONE PEDESTAL
T	PUBLIC TELEPHONE
	GUY WIRE
	LAMP POLE
	POWER POLE
E	ELECTRIC METER
CO	SEWER CLEANOUT
S	SEWER MANHOLE
	BUSH
	HANDICAP PARKING
	SIGN
	CONCRETE
SCP	STEEL COVER PLATE
	EGRESS OR INGRESS
D	STORM DRAIN MANHOLE
(M)	MEASURED
(R)	RECORD
	TREE

GE Capital Franchise Finance

1609 New Boston Road
Texarkana, Tx.
(Taco Bell)

SCALE: 1" = 20'	CHKD. / APV'D: VTC
DATE: 12/07/2004	APPROVED: VTC
DWN. BY: BLH	SITE NO.: TB512
CHKD. BY: BF	GECFF NO.: 8004-0981
	ESCROW NO.: 04-001147

C&A J.N.: 204544 J.N.: 26398