

EXHIBIT A

Lowe's Parcel

**JACOB & MARTIN, LTD.
CONSULTING ENGINEERS & SURVEYORS
3465 CURRY LANE, ABILENE, TEXAS 79606
(325) 695-1070 FAX (325) 690-6417**

**SURVEY FOR LOWE'S HOME CENTERS, INC.
14.49 ACRES**

CITY OF ABILENE
TAYLOR COUNTY,
STATE OF TEXAS

LANDOWNER:
KENNETH L. MUSGRAVE, TRUSTEE

BEING a 14.49 acre tract of land located in the City of Abilene, Taylor County, Texas of which 14.29 acres is out of the SE/4 of Section No. 24 of the Blind Asylum Lands, Abstract No. 957 and out of a 25.097 acre tract described in a deed to Kenneth L. Musgrave, Trustee in Volume 2971, Page 980 of the Official Public Records of Taylor County, Texas and the remaining 0.20 acre being out of Section No. 33 of said Blind Asylum Lands, Abstract No. 1412 and out of a 9.594 acre tract described in a deed to said Kenneth L. Musgrave, Trustee in Volume 2971, Page 985 of said Official Public Records, and said 14.49 acre tract being more particularly described in metes and bounds as follows:

BEGINNING at a ¾ inch aluminum rod with 2 inch aluminum cap stamped "JACOB&MARTIN" (henceforth called a standard monument) set in the Northwest right-of-way line of Musgrave Boulevard from which a standard monument found at the intersection of the Northeast right-of-way line of U.S. Interstate 20 and said Northwest right-of-way line of Musgrave Boulevard bears S46°59'47"W 276.24 feet and N73°08'42"W 104.42 feet. Said point further being the beginning of a non-tangent curve to the right having a radius of 378.00 feet, a delta angle of 28°45'31" and a long chord with a bearing and distance of N23°15'52"W 197.53 feet;

THENCE in a northwesterly direction along said curve to the right, at 174.84 feet pass the North line of said Section No. 33, same being the South line of said Section No. 24, and continuing a total distance of 189.73 feet to a standard monument set for corner;

THENCE N89°14'17"W 253.82 feet to a standard monument set for corner;

THENCE N47°07'04"W 130.55 feet to a standard monument set for corner;

THENCE N00°45'43"E 50.00 feet to a standard monument set for corner;

THENCE N89°14'17"W 244.91 feet to a standard monument set for corner;

THENCE N00°45'29"E 850.75 feet to a standard monument set in the North line of said

1 of 2

25.097 acre tract, same being the South line of the Coca Cola Addition No. 2 per plat thereof recorded in Cabinet 2, Slide 179A of the Plat Records of Taylor County, Texas and from which the Northwest corner of said 25.097 acre tract, same being the Southwest corner of said Coca Cola Addition No. 2 bears N89°21'55"W 100.63 feet;

THENCE S89°21'55"E 676.18 feet along said North line of said 25.097 acre tract, same being said South line of said Coca Cola Addition No. 2 to a standard monument set for corner from which a ½ inch iron rod found at the Northeast corner of said 25.097 acre tract bears S89°21'55"E 341.94 feet;

THENCE S00°45'43"W 442.02 feet to a standard monument set for corner;

THENCE S11°53'36"W 83.30 feet to standard monument set for corner;

THENCE S00°45'43"W 328.58 feet to a standard monument set at the beginning of a non-tangent curve to the left having a radius of 14.50 feet, a delta angle of 84°03'44" and a long chord having a bearing and distance of S42°47'35"W 19.42 feet;

THENCE in a southwesterly direction along said curve to the left 21.27 feet to a standard monument set at the end of said curve;

THENCE S00°45'43"W 64.71 feet to the beginning of a curve to the left, said curve having a radius of 322.00 feet, a delta angle of 38°22'34" and a long chord having a bearing and distance of S18°25'26"E 211.64 feet;

THENCE in a southwesterly direction along said curve, at 83.80 feet pass said South line of said Section 24, same being said North line of said Section No. 33, and continuing a total distance of 215.67 feet to a standard monument set in said Northwest right-of-way line of said Musgrave Boulevard;

THENCE S46°59'47"W 56.21 feet along said Northwesterly right-of-way line to the **POINT OF BEGINNING** and containing 14.49 acres of land.

The bearings recorded hereon are referenced to the Texas State Plane Coordinate System, North American Datum of 1983, Texas North Central Zone, North American Datum of 1983 and the City of Abilene's COOP CORS ARP-"ABL1". The distances shown herein are surface and can be converted to grid by multiplying each distance by the combined scale factor of 0.9998464.

This date, September 25, 2006, the foregoing metes and bounds description was prepared from a survey made on the ground under my supervision and completed in September, 2006.

Mark T. Brown, R.P.L.S. No. 4247

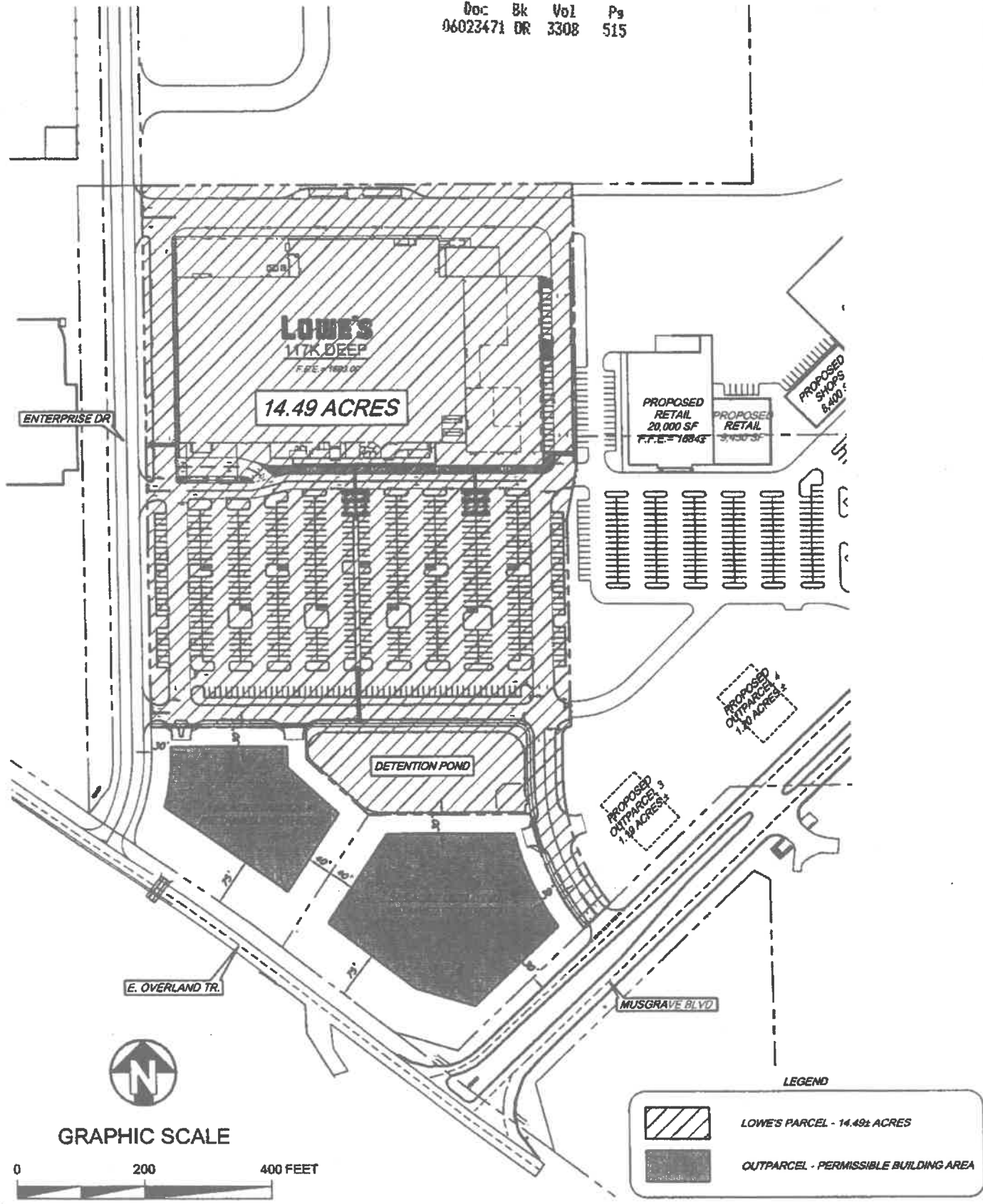


EXHIBIT "A" - LOWE'S PARCEL

Exhibit B

DEVELOPER PARCEL

TRACT 1

CITY OF ABILENE
TAYLOR COUNTY,
STATE OF TEXAS

BEING 60.65 acres of land out of the Southwest quarter of Section 25, Abstract No. 106, Blind Asylum Lands, City of Abilene, Taylor County, Texas and being a portion of 1934.72 acre tract described in a certain deed to Kenneth L. Musgrave, recorded in Volume 1882, Page 637, Official Public Records, Taylor County, Texas. Said tract being more particularly described in metes and bounds as follows:

BEGINNING at a PK nail set in asphalt at the intersection of the South line of said Section 25 and the Southeasterly right-of-way line of Musgrave Boulevard (Musgrave Boulevard dedicated to the City of Abilene by Amended Dedication of Right-of-Way recorded in Volume 3283, Page 53 of said Official Public Records of Taylor County, Texas) from which a ¾ inch aluminum rod with a 2 inch aluminum Jacob & Martin cap (henceforth called a standard monument) set as a reference monument bears S89°44'33"E 60.00 feet;

THENCE N46°59'47"E 1571.72 feet along said Southeasterly right-of-way line to a standard monument found at the West end of a "clip corner" in said right-of-way line at the Southwesterly corner of the intersection of said Musgrave Boulevard and the new extension of East Lake Road (said new extension of East Lake Road dedicated to the City of Abilene in said Amended Dedication of Right-of-Way recorded in Volume 3283, Page 53 of said Official Public Records);

THENCE S87°55'25"E 59.29 feet along said "clip corner" in said right-of-way line to a standard monument found in the Southwest right-of-way line of said East Lake Road;

THENCE S43°00'13'E 37.29 feet along said Southwest right-of-way line to a standard monument found at the Southwesterly corner of said East Lake Road;

THENCE N46°59'47"E 120.00 feet to the Southeasterly corner of said East Lake Road;

THENCE N43°00'13"W 953.90 feet along the Northeasterly right-of-way line of said East Lake Road to a standard monument found at the beginning of a curve to the right, said curve to the right having a radius of 1080.00 feet, a delta angle of 13°51'14" and a long chord with a bearing of N36°04'36"W and a length of 260.50 feet;

THENCE along the arc of said curve to the right a distance of 261.14 feet to a standard monument found at the end of said curve;

THENCE N29°08'59"W 108.62 feet along said Northeasterly right-of-way line to a standard monument set for corner;

THENCE N61°00'01"E 1111.35 feet to a standard monument set in a north/south fence line;

THENCE S00°39'10"W 451.98 feet along said fence line to a standard monument set for corner;

THENCE leaving said fence line and heading S43°05'19"E for a distance of 659.31 feet to a fence corner post;

THENCE S00°24'34"W 1741.21 feet along said fence line to a ½ inch iron rod found in the common South line of said Section 25 and said 1934.72 acre "Musgrave" tract, same being the common North line of Section 32, Blind Asylum Lands and a 96.52 acre tract described in a certain deed to Mary Jane Griffith, Trustee, recorded in Volume 2689, Page 745 of said Official Public Records, Taylor County, Texas;

THENCE N89°44'33"W 1869.78 feet along the South line of said Section 25 and the North line of said Section 32 to the **POINT OF BEGINNING** and containing **60.65** acres of land, more or less.

TRACT 2

**CITY OF ABILENE
TAYLOR COUNTY,
STATE OF TEXAS**

BEING 55.06 acres of land out of the Southeast quarter of Section 24, Abstract No. 957 and out of the Southwest quarter of Section 25, Abstract No. 106 and out of the Northeast quarter of Section 33, Abstract No. 1412, Blind Asylum Lands, City of Abilene, Taylor County, Texas and containing all of Lots 1, 2 and 3 of Block A of the Horne Subdivision to the City of Abilene as shown on the plat of said subdivision recorded in Plat Cabinet 2, Slide 342-C of the Plat Records of Taylor County, Texas and containing the remainder of a certain 25.097 acre tract out of said Section 24 conveyed to Kenneth L. Musgrave, Trustee by deed recorded in Volume 2971, Page 980 of the Official Public Records of said Taylor County, Texas and containing a portion of a 9.594 acre tract out of said Section 33 conveyed to Musgrave 351, JV, Ltd., by deed recorded in Volume 3050, Page 402 of said Official Public Records and containing a portion of a certain 1934.72 acre tract conveyed to Kenneth L. Musgrave by deed recorded in Volume 1882, Page 637 of said Official Public Records of said Taylor County, Texas. Said 55.06 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a ½ inch iron rod found in the Northeast right-of-way line of U.S. Interstate Highway No. 20 from which a ¾ inch aluminum rod with 2 inch aluminum

Jacob & Martin cap (henceforth called a standard monument) found at the northwesterly end of a "clip corner" in the right-of-way located at the Northerly corner of the intersection of said U.S. Interstate Highway 20 and Musgrave Boulevard bears, S54°41'16"E 306.48 feet, and S51°47'41"E 280.90 feet, said iron rod further being the Southwest corner of said 25.097 acre "Musgrave" tract and the Southeast corner of Lot 4, Block A, Continuation No. 2 of the George and White Associates Addition to the City of Abilene as shown on the plat of said Addition recorded in Plat Cabinet 3, Slide 479 of the Plat Records of Taylor County, Texas;

THENCE N00°42'22"E along the West line of said 25.097 acre "Musgrave" tract and the East line of said George and White Associates Addition, at 792.48 feet pass a ½ inch iron rod found at the Northeast corner of said George and White Associates Addition, same being the most Easterly Southeast corner of a 9.85 acre tract conveyed to Bharat M. Bhakta by deed recorded in Volume 2472, Page 520 of said Official Public Records of Taylor County, Texas, and continuing a total distance of 986.06 feet to a ½ inch iron rod found at the Northwest corner of said 25.097 acre "Musgrave" tract, same being the Southwest corner of the Coca Cola Addition No. 2 to the City of Abilene as shown on the plat of said Addition recorded in Plat Cabinet 2, Slide 179-A of said Plat Records;

THENCE S89°21'55"E along the North line of said 25.097 acre "Musgrave" tract, same being the South line of said Coca Cola Addition No. 2, at 100.17 feet pass a standard monument found at the Northeast corner of the Horne Subdivision to the City of Abilene, the plat thereof recorded in Plat Cabinet 2, Slide 342-C of said Plat Records, at 776.35 feet pass a standard monument found at the Northeast corner of said Horne Addition, at 1061.62 feet pass a point being the platted Southeast corner of said Coca Cola Addition No. 2, at 1078.56 feet pass a ½ inch iron rod found at the Northeast corner of said 25.097 acre "Musgrave" tract as called for in said Volume 2971, Page 980 and said ½ inch iron rod also being at the Northwest corner of that portion of an unpaved public road referred to as East Lake Road which was abandoned by the City of Abilene per Ordinance of Abandonment No. 1-2006, and continuing a total distance of 1091.14 feet to a standard monument set on the most Southerly point of the centerline of that portion of said East Lake Road which was not abandoned by said Ordinance of Abandonment No. 1-2006;

THENCE N00°39'45"E 853.03 feet along said centerline of East Lake Road to a standard monument set for corner;

THENCE N61°01'17"E 398.89 feet to a standard monument set in the Southwesterly right-of-way line of the new extension of East Lake Road (said new extension of East Lake Road dedicated to the City of Abilene by Amended Dedication of Right-of-Way recorded in Volume 3283, Page 53 of said Official Public Records);

THENCE S29°08'59"E along said Southwesterly right-of-way line a distance of 109.57 feet to a standard monument found at the beginning of a curve to the left, said curve to the left having a radius of 1200.00 feet, a delta angle of 13°51'14" and a long chord which has a bearing of S36°04'36"E and a length of 289.45 feet;

THENCE along the arc of said curve to the left a distance of 290.16 feet to a standard monument found at the end of said curve;

THENCE S43°00'13"E 712.88 feet along said Southwesterly right-of-way line to a standard monument found for corner at the North end of a "clip corner" in said right-of-way line located at the Northwesterly corner of the intersection of said new extension of East Lake Road and Musgrave Boulevard (said Musgrave Boulevard dedicated to the City of Abilene by said Amended Dedication of Right-of-Way recorded in Volume 3283, Page 53 of said Official Public Records);

THENCE S02°04'35"W along said "clip corner" a distance of 59.12 feet to a standard monument found at the South end of said "clip corner" and in the Northwesterly right-of-way line of said Musgrave Boulevard;

THENCE S46°59'47"W along said Northwesterly right-of-way line of Musgrave Boulevard, at 1853.95 feet pass a standard monument found at the Southeast corner of Lot 1, Block A of said Horne Subdivision, at 1910.16 feet pass a standard monument found at the most Southerly Southwest corner of said Lot 1, same being the East corner of Lot 3 of said Block A, Horne Subdivision, and continuing a total distance of 2186.41 feet to a standard monument found at the Southeasterly end of said "clip corner" in the right-of-way located at said Northerly corner of the intersection of said U.S. Interstate Highway 20 and said Musgrave Boulevard;

THENCE N73°08'42"W 104.42 feet along said "clip corner" to a standard monument found at said Northwesterly end of said "clip corner" and in said Northeast right-of-way line of U.S. Interstate Highway No. 20;

THENCE N51°47'41"W along said Northeast right-of-way line, at 235.60 feet pass a standard monument found at the most westerly corner of said Lot 3, Block A, Horne Subdivision, same being the most southerly corner of said Lot 2, Block A, Horne Subdivision, continuing a total distance of 280.90 feet to a brass disk right-of-way monument (TxDOT);

THENCE N54°41'16"W along said Northeast right-of-way line, at 219.49 feet pass a standard monument found at the most westerly corner of said Lot 2, at 258.31 feet pass a brass disk right-of-way monument (TxDOT), continuing a total distance of 306.46 feet to the **POINT OF BEGINNING** and containing 55.06 acres of land, more or less.

LESS AND EXCEPT (Lowe's Tract):

CITY OF ABILENE
TAYLOR COUNTY,
STATE OF TEXAS

BEING all of Lot 1, Block A, Horne Subdivision to the City of Abilene, Taylor County, Texas as shown by the plat of said subdivision recorded in Plat Cabinet 2, Slide 342-C of the Plat Records of said Taylor County, Texas, said Lot 1 being a 14.486 acre tract of land out of the SE/4 of Section No. 24 of the Blind Asylum Lands, Abstract No. 957 and out of a 25.097 acre tract described in a deed to Kenneth L. Musgrave, Trustee in Volume 2971, Page 980 of the Official Public Records of Taylor County, Texas and the remaining 0.20 acre being out of Section No. 33 of said Blind Asylum Lands, Abstract No. 1412 and out of a 9.594 acre tract described in a deed to said Musgrave 351 JV, Ltd. recorded in Volume 3050, Page 402 of said Official Public Records, and said 14.486 acre tract being more particularly described in metes and bounds as follows:

BEGINNING at a ¾ inch aluminum rod with 2 inch aluminum cap stamped "JACOB&MARTIN" (henceforth called a standard monument) set in the Northwest right-of-way line of Musgrave Boulevard from which a standard monument found at the intersection of the Northeast right-of-way line of U.S. Interstate 20 and said Northwest right-of-way line of Musgrave Boulevard bears S46°59'47"W 276.24 feet and N73°08'42"W 104.42 feet. Said point further being the beginning of a non-tangent curve to the right having a radius of 378.00 feet, a delta angle of 28°45'31" and a long chord with a bearing and distance of N23°15'52"W 197.53 feet;

THENCE in a northwesterly direction along said curve to the right, at 174.84 feet pass the North line of said Section No. 33, same being the South line of said Section No. 24, and continuing a total distance of 189.73 feet to a standard monument set for corner;

THENCE N89°14'17"W 253.82 feet to a standard monument set for corner;

THENCE N47°07'04"W 130.55 feet to a standard monument set for corner;

THENCE N00°45'43"E 50.00 feet to a standard monument set for corner;

THENCE N89°14'17"W 244.91 feet to a standard monument set for corner;

THENCE N00°45'29"E 850.75 feet to a standard monument set in the North line of said 25.097 acre tract, same being the South line of the Coca Cola Addition No. 2 per plat thereof recorded in Cabinet 2, Slide 179A of the Plat Records of Taylor County, Texas and from which the Northwest corner of said 25.097 acre tract, same being the Southwest corner of said Coca Cola Addition No. 2 bears N89°21'55"W 100.17 feet;

THENCE S89°21'55"E 676.18 feet along said North line of said 25.097 acre tract, same being said South line of said Coca Cola Addition No. 2 to a standard monument set for corner from which a ½ inch iron rod found at the Northeast corner of said 25.097 acre tract bears S89°21'55"E 302.21 feet;

THENCE S00°45'43"W 442.02 feet to a standard monument set for corner;

THENCE S11°53'36"W 83.30 feet to standard monument set for corner;

THENCE S00°45'43"W 328.58 feet to a standard monument set at the beginning of a non-tangent curve to the left having a radius of 14.50 feet, a delta angle of 84°03'44" and a long chord having a bearing and distance of S42°47'35"W 19.42 feet;

THENCE in a southwesterly direction along said curve to the left 21.27 feet to a standard monument set at the end of said curve;

THENCE S00°45'43"W 64.71 feet to the beginning of a curve to the left, said curve having a radius of 322.00 feet, a delta angle of 38°22'34" and a long chord having a bearing and distance of S18°25'26"E 211.64 feet;

THENCE in a southwesterly direction along said curve, at 83.80 feet pass said South line of said Section 24, same being said North line of said Section No. 33, and continuing a total distance of 215.67 feet to a standard monument set in said Northwest right-of-way line of said Musgrave Boulevard;

THENCE S46°59'47"W 56.21 feet along said Northwesterly right-of-way line to the **POINT OF BEGINNING** and containing 14.486 acres of land.

The bearings recorded hereon are referenced to the Texas State Plane Coordinate System, North American Datum of 1983, Texas North Central Zone, North American Datum of 1983 and the City of Abilene's COOP CORS ARP-"ABL1". The distances shown herein are surface and can be converted to grid by multiplying each distance by the combined scale factor of 0.9998464.

TRACT 3 (ROAD TRACT)

CITY OF ABILENE
TAYLOR COUNTY,
STATE OF TEXAS

BEING a 2.102 acre tract of land out of the Southeast quarter of Section 24, Blind Asylum Land Survey, Abstract No. 957, Taylor County, Texas and further said tract being out of the Coca Cola Addition No. 2 to the City of Abilene as shown on the plat of said Addition recorded in Plat Cabinet 2, Slide 179-A of the Plat Records of Taylor County, Texas. Said tract is more particularly described in metes and bounds as follows:

BEGINNING at a ¾ inch aluminum rod with a 2 inch aluminum, Jacob & Martin cap (henceforth called a standard monument) set in the Northwest line of said Coca Cola Addition No. 2, same being the Southeast right-of-way line of State Highway 351 and from said standard monument a point being the Northwest corner of said Coca Cola Addition No. 2 bears S60° 51'01"W 75.63 feet and a ½ inch iron rod with plastic cap stamped "KEYS RPLS 2507" found in the West line of said Coca Cola Addition No. 2 bears S59°20'43"W 76.22 feet (said ½ inch iron rod bears S00°40'35"W 1.15 feet from said Northwest corner of said Coca Cola Addition No. 2).

THENCE N60°51'01"E 86.62 feet along said Northwest line of said Coca Cola Addition No. 2 and the Southeast right-of-way line of said State Highway 351 to a standard monument set for corner, said standard monument being the beginning of a non-tangent curve to the left, said curve to the left having a radius of 50.50 feet, a delta angle of 22°54'01" and a long chord having a bearing of S05°38'26"E and length of 20.05;

THENCE along the arc of said curve to the left a distance of 20.19 feet to a standard monument set at a point of reverse curvature, said point of reverse curvature being the beginning of a curve to the right having a radius of 230.41 feet, a delta angle of 34°35'35" and a long chord having a bearing of S00°14'13"W and length of 137.01 feet;

THENCE in a Southerly direction along the arc of said curve to the right a distance of 139.12 feet to a standard monument set at the end of said curve to the right;

THENCE S17°33'56"W 115.15 feet to a standard monument set at the beginning of a curve to the left, said curve to the left having a radius of 217.42 feet, a delta angle of 17°00'38" and a long chord having a bearing of S09°09'43"W and length of 64.31 feet;

THENCE in a southerly direction along said curve to the left a distance of 64.54 feet to a standard monument found at the end of said curve to the left;

THENCE S00°45'29"W 641.24 feet to a standard monument found at the Northwest corner of the Horne Subdivision as shown on the plat of said subdivision recorded in Plat Cabinet 2, Slide 342-C of said Plat Records, said standard monument further being located in the South line of said Coca Cola Addition No. 2 and at the Northeast corner of the West portion of the remainder of a 25.097 acre tract described in a certain deed to Kenneth L. Musgrave, Trustee in Volume 2971, Page 980 of the Official Public Records, Taylor County, Texas;

THENCE N89°21'55"W 100.17 feet to a ½ inch iron rod found at the Southwest corner of said Coca Cola Addition No. 2, the Northwest corner of said "Musgrave" 25.097 acre tract and in the East line of a 9.85 acre tract described in a certain deed to Bharat M. Bhakta in Volume 2472, Page 520 of said Official Public Records;

THENCE N00°40'35"E along the West line of said Coca Cola Addition, at 41.58 feet pass a point being a Northeasterly corner of said "Bhakta" 9.85 acre tract, same being the Southeast corner of a 2.00 acre tract referred to as "Tract Two" in a certain deed to Val B. Durrington and Vance A. Durrington recorded in Volume 2352, Page 776 of said Official Public Records, from said point a ½ inch iron rod bears S89°51'42"W 0.53 feet, at 339.71 feet pass a 3 inch o.d. pipe corner post at the occupied Northeast corner of said "Durrington" 2.00 acre tract, same being the occupied Southeast corner of the Carey Marine Addition, Lot A and continuing a total distance of 781.54 feet to a standard monument set for corner;

THENCE S89°19'46"E, at 19.95 feet pass a ½ inch iron rod with said "KEYS" cap found at the Southwest corner of a 0.057 acre tract described in a certain Memorandum of Sublease And Purchase Option to Southern Towers, Inc., recorded in Volume 3027, Page 178 of said Official Public Records, at 70.09 feet pass a ½ inch iron rod with said "KEYS" cap found at the Southeast corner of said 0.057 acre tract and continuing a total distance of 71.14 feet to a standard monument set for corner,

THENCE N17°33'56"E 53.29 feet to a standard monument set at the beginning of a curve to the left, said curve to the left having a radius of 170.00 feet, a delta angle of 17°41'30" and a long chord having a bearing of N08°43'11"E and length of 52.38 feet;

THENCE along the arc of said curve to the left a distance of 52.49 feet to a standard monument set at the end of said curve to the left and being a point of compound curvature, the beginning of another curve to the left having a radius of 50.50 feet, a delta angle of 63°07'48" and a long chord having a bearing of N31°41'35"W and a length of 52.87 feet;

THENCE in a Northwesterly direction along the arc of said curve to the left a distance of 55.65 feet to the **POINT OF BEGINNING** and containing 2.102 acres of land more or less.

LESS AND EXCEPT (Durrington Tract):

CITY OF ABILENE
TAYLOR COUNTY,
STATE OF TEXAS

BEING a 0.728 acre tract of land out of the Southeast quarter of Section 24, Blind Asylum Land Survey, Abstract No. 957, Taylor County, Texas and further said tract being out of the Coca Cola Addition No. 2 to the City of Abilene as shown on the plat of said Addition recorded in Plat Cabinet 2, Slide 179-A of the Plat Records of Taylor County, Texas. Said tract is more particularly described in metes and bounds as follows:

BEGINNING at a ¾ inch aluminum rod with a 2 inch aluminum, Jacob & Martin cap (henceforth called a standard monument) found in the West line of said Coca Cola Addition No. 2, a ½ inch iron rod with plastic cap stamped "KEYS RPLS 2507" found in the West line of said Coca Cola Addition No. 2 bears N00°40'35"E 108.66 feet (said ½ inch iron rod bears S00°40'35"W 1.15 feet from said Northwest corner of said Coca Cola Addition No. 2).

THENCE S89°19'46"E, at 19.95 feet pass a ½ inch iron rod with said "KEYS" cap found at the Southwest corner of a 0.057 acre tract described in a certain Memorandum of Sublease And Purchase Option to Southern Towers, Inc., recorded in Volume 3027, Page 178 of Official Public Records of Taylor County, Texas, at 70.09 feet pass a ½ inch iron rod with said "KEYS" cap found at the Southeast corner of said 0.057 acre tract and continuing a total distance of 71.14 feet to a standard monument found for corner,

THENCE S17°33'56"W 61.87 feet to a standard monument found at the beginning of a curve to the left, said curve to the left having a radius of 280.00 feet, a delta angle of 16°48'27" and a long chord having a bearing of S09°09'43"W and a length of 81.84 feet;

THENCE in a Southerly direction along said curve to the left a distance of 82.14 feet to a standard monument found at the end of said curve to the left;

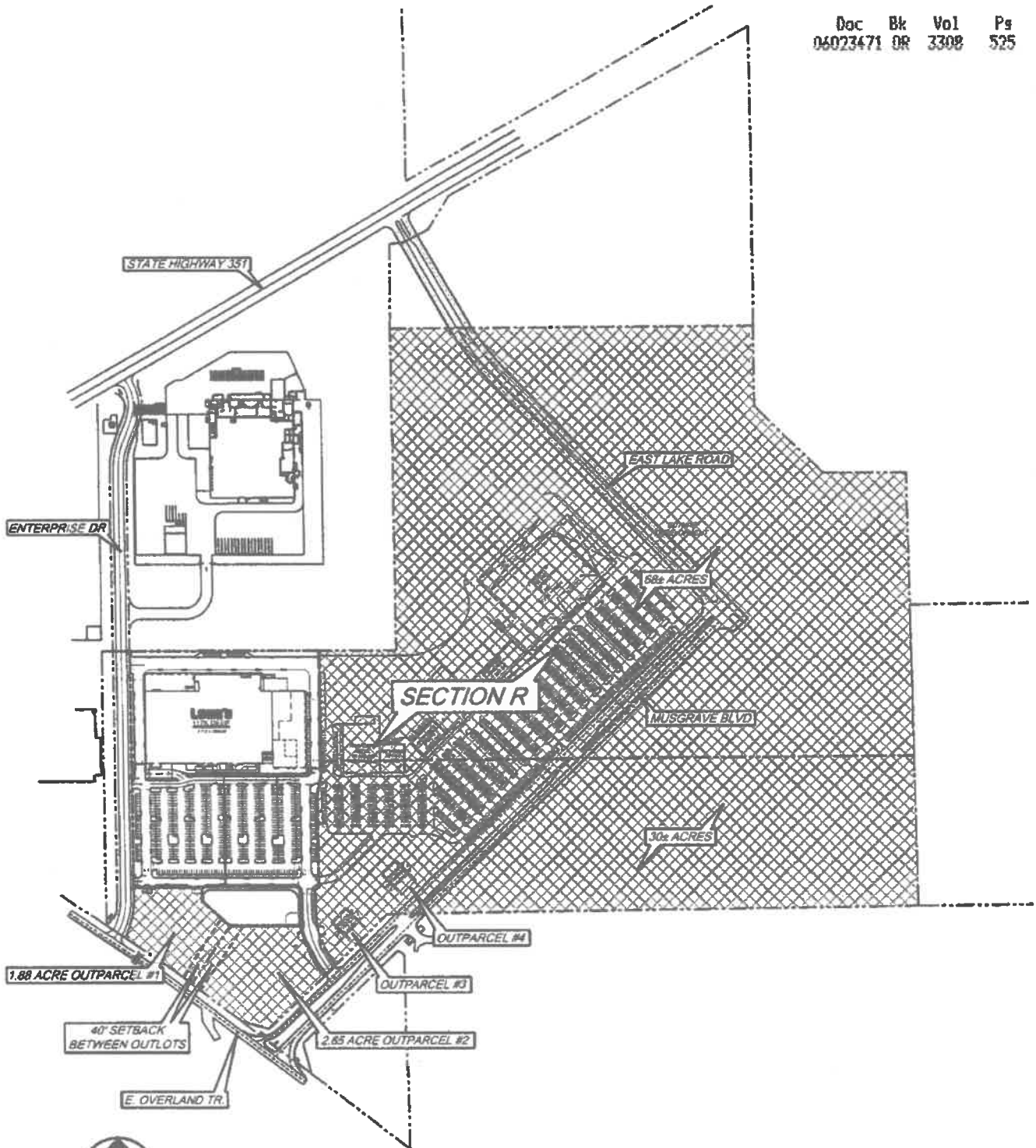
THENCE S00°45'29"W 599.82 feet to standard monument set being the Southeast corner of this tract;

THENCE N89°19'25"W 40.23 feet to a point on the West line of said Coca Cola Addition, point being a Northeasterly corner of 9.85 acre tract described in a certain deed to Bharat M. Bhakta recorded in Volume 2472, Page 520 of said Official Public Records, same being the Southeast corner of a 2.00 acre tract referred to as "Tract Two" in a certain deed to Val B. Durrington and Vance A. Durrington recorded in Volume 2352, Page 776 of said Official Public Records, from said point a ½ inch iron rod bears S89°51'42"W 0.53 feet,

THENCE N00°40'35"E along the West line of said Coca Cola Addition, at 298.12 feet pass a 3 inch o.d. pipe corner post at the occupied Northeast corner of said "Durrington" 2.00 acre tract,

same being the occupied Southeast corner of the Carey Marine Addition, Lot A, the plat of said addition recorded in Plat Cabinet 1, Slide 455 of said Plat Records and continuing a total distance of 739.96 feet to the **POINT OF BEGINNING** and containing 0.728 acres of land more or less;

JACOB & MARTIN, LTD.
CONSULTING ENGINEERS & SURVEYORS
3465 CURRY LANE, ABILENE, TX 79606
(325) 695-1070 FAX (325) 690-6417
Mark T. Brown, R.P.L.S. No. 4247



GRAPHIC SCALE



EXHIBIT "B" - DEVELOPER PARCEL

Doc Bk Vol Pg
06023471 OR 3308 526

Exhibit C
Musgrave Parcel

Approximately 133.50 acres as shown on the site plan following this legal description, being out of the following tracts:

Tract I:

A 1934.72 acre tract of land out of Sections 21, 25, 26, 27 and 28, Blind Asylum Lands, Abilene, Taylor County, Texas, more particularly described as follows:

BEGINNING at the Northeast corner of said Section 27, said point being the most Northerly Northeast corner of said 1934.72 acre tract;
THENCE South 0 degrees 02 minutes 44 seconds East along the East line of said Section 27 a distance of 2646.45 feet to a point for corner;
THENCE North 89 degrees 59 minutes 38 seconds East a distance of 2606.96 feet to a point for corner, said point being on the West right of way line of a county road;
THENCE South 0 degrees 13 minutes 59 seconds East along the West right of way line of a county road a distance of 2407.30 feet to a point for corner;
THENCE South 40 degrees 21 minutes 14 seconds West a distance of 247.43 feet to a point for corner, said point being on the North right of way line of a county road;
THENCE South 89 degrees 39 minutes 54 seconds West along the North line of a county road a distance of 2467.92 feet to a point for corner;
THENCE South along the West line of a county road a distance of 31.70 feet to a point for corner;
THENCE South 89 degrees 52 minutes 06 seconds West along the South line of said Sections 27 and 26 a distance of 10,640.31 feet to the Southwest corner of said Section 26 for corner;
THENCE South 89 degrees 54 minutes 53 seconds West along the South line of said Section 25 a distance of 5205.96 feet to a point for corner, said point being on the East right of way of a county road;
THENCE North 0 degrees 06 minutes 02 seconds East along the East line of a county road a distance of 2557.56 feet to a point at the intersection of the East right of way line of said county road and the Southeast right of way line of State Highway 351 for corner;
THENCE North 60 degrees 16 minutes 00 seconds East along the Southeast right of way line of said State Highway 351 a distance of 6035.29 feet to a point for corner, said point being on the East line of said Section 21;
THENCE South 0 degrees 02 minutes 09 seconds West along the East line of said Section 21 a distance of 227.58 feet to the Northwest corner of said Section 26 for corner;
THENCE South 89 degrees 59 minutes 03 seconds East along the North line of said Sections 26 and 27 a distance of 10,610.42 feet to the place of beginning, and containing 1934.72 acres of land.

Tract II:

BEING 37.183 acres of land out of the Northwest quarter of Section 25, Blind Asylum Lands, Abstract No. 1007, City of Abilene, Taylor County, Texas and being that same land identified as Lot 1, Block F, Section 1, Quail Valley Northeast Addition to said City of Abilene according to the plat of said Section 1 of said Addition recorded in Plat Cabinet 1, Slides 423 and 424 of the Plat Records of said Taylor County, Texas. Said tract is more particularly described in metes and bounds as follows:

BEGINNING at a ¾ inch aluminum rod with 2 inch aluminum cap stamped "J&M" (henceforth called a standard monument set) in the West right-of-way line of FM Highway 2833, also known as East Lake Road, from which the Northwest corner of said Section 25 is calculated from calls per said Plat to bear N00°42'18"E 45.05 feet, N01°00'18"E 754.36 feet and N88°59'42"W 60.00 feet, said point further being the Northwest corner of said Lot 1, Block F and the Southwest corner of Lot 302 of said Block F (a third generation replat of Lot 2 and a portion of Lot 3 of said Block F per said Cabinet 1, Slide 423) according to the plat of Lots 302 thru 305 recorded in Cabinet 3, Slide 111 of said Plat Records;

THENCE S89°09'07"E 211.90 feet along the North line of said Lot 1, same being the South line of said Lots 302 thru 304 to a standard monument set at the beginning of a curve to the right having a radius of

1400.00 feet, a delta angle of 59°57'42" and a long chord which has a bearing and a length of S59°08'25"E 1399.19 feet;

THENCE along the arc of said curve to the right also being said Northerly line of said Lot 1 and the southerly lines of said Lots 304, 305 and of Lot 207 of said Block F according to a certain replat recorded in Plat Cabinet 1, Slide 705 of said Plat Records, and Lots 8 thru 28 of said Block F according to said Plats recorded in Plat Cabinet 1, Slides 423 and 424 of said Plat Records, a distance of 1465.14 feet to a ½ inch iron rod found at the end of said curve;

THENCE S29°10'33"E 218.82 feet along said northerly line of said Lot 1 and the southwesterly line of Lots 29 thru 31 of said Block F to a ½ inch iron rod found in the Northwest right-of-way line of State Highway 351 and at the East corner of said Lot 1, same being the South corner of said Lot 31;

THENCE S60°52'45"W 1411.59 feet along said Northwest right-of-way line to a standard monument set at the most southerly corner of said Lot 1 same being the most easterly corner of an un-platted parcel of land out of that land conveyed to Kenneth L. Musgrave by warranty deed recorded in Volume 1448, Page 709 of the Deed Records of Taylor County, Texas and from which a found ¼ inch iron rod bears S58°02'47"E a distance of 0.25 feet and a concrete right-of-way monument found at the Northeast corner of the intersection of said State Highway 351 and said FM Highway 2833 bears S60°52'45"W 240.00 feet;

THENCE N64°44'03"W 162.03 feet along said westerly line of said Lot 1, Block F and said easterly line of said un-platted parcel to a ¼ inch iron rod found at the beginning of a non-tangent curve to the right having a radius of 2000.00 feet, a delta angle of 22°57'47" and a long chord which has a bearing of N10°46'35"W and length of 796.21 feet;

THENCE along the arc of said curve to the right, said westerly line of said Lot 1 and said easterly line of said un-platted parcel a distance of 801.56 feet to a standard monument set in the East right-of-way line of said FM Highway 2833 and at the end of said curve from which a found ¼ inch iron rod bears S45°48'12"W 0.16 feet;

THENCE N00°42'18"E 747.57 feet along said right-of-way line to the **POINT OF BEGINNING** and containing 37.183 acres of land, more or less.

Tract III:

Being 9.594 acres of land out of the Northeast corner of Lot 5 Jackson's Subdivision of Section No. 32 and the East ½ of Section No. 33, Blind Asylum Lands, Taylor County, Texas as shown by Plat recorded in Volume 1, Page 91, Plat Records, Taylor County, Texas, and said 9.594 acres of land being more particularly described as follows:

BEGINNING at the Northeast corner of said Lot 5 and the Northeast corner of Section 33, Blind Asylum Lands, Taylor County, Texas on the North side of Scottish Road;

THENCE S 0° 12' 05" E at 49.87; pass a found 3/8" Metal Rebar on the East line of said Lot 5, on the South line of Scottish Drive and continue on a distance in all of 802.03'; to a set 60 Penny Nail in a tree on the Northeast right-of-way of Interstate Highway 20 whence a found ½" Metal Rebar on the Southwest right-of-way of Interstate Highway 20 at the Northwest corner of Lot 3, Section 2, Joyce Hydroponic Gardens (recorded in Plat Cabinet 2, Slide 159-C, Plat Records, Taylor County, Texas) bears S 0° 12' 05" E 443.23' and from said set 60 Penny Nail a Brass Cap right-of-way marker on the Northeast right-of-way of Interstate Highway 20 bears S 52° 17' 00" E 717.97';

THENCE from said set 60 Penny Nail in tree N 52° 17' 00" W 1074.87' along the Northeast right-of-way of Interstate Highway 20 to a found Brass Cap right-of-way marker (referenced bearing for this survey);

THENCE N 55° 08' 45" W along the Northeast right-of-way of Interstate Highway 20 at 170.72' pass a set ½" Metal Rebar on the South line of Scottish Road and continue on a distance in all of 258.36' to a found Brass Cap right-of-way marker on the North line of said Lot 5 whence a found Brass Cap right-of-way marker on the North line of said Lot 5 on the Southwest right-of-way of Interstate Highway 20 bears N 89° 49' 39" W 512.24';

Doc 06023471 OR Pg 528
Bk 3308 Vbl

THENCE S 89° 49' 39" E 1059.47' along the North side of Scottish Road to the point of beginning and containing 9.594 acres of land of which 1.172 lies in Scottish Road leaving a net of 8.422 acres of land.

Tract IV:

BEING 25.097 acres and being all of a tract, called to be 25.624 acres by deed, recorded in Volume 1767, Page 258, Official Public Records, Taylor County, Texas, out of a 56.5 acre tract, recorded in Volume 256, Page 534, Deed Records, Taylor County, out of the southeast quarter of Section 24, Blind Asylum Lands, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at an old bend 3/8" iron rod, found, for the southeast corner of this tract at the 'tee' intersection of an east-west gravel road, known as Scottish Road, and a gravel road going north, from which the southeast corner of said Section 24 bears S 89° 57' 55" E 13.06 feet and S 0° 00' 45" W 10.0 feet;

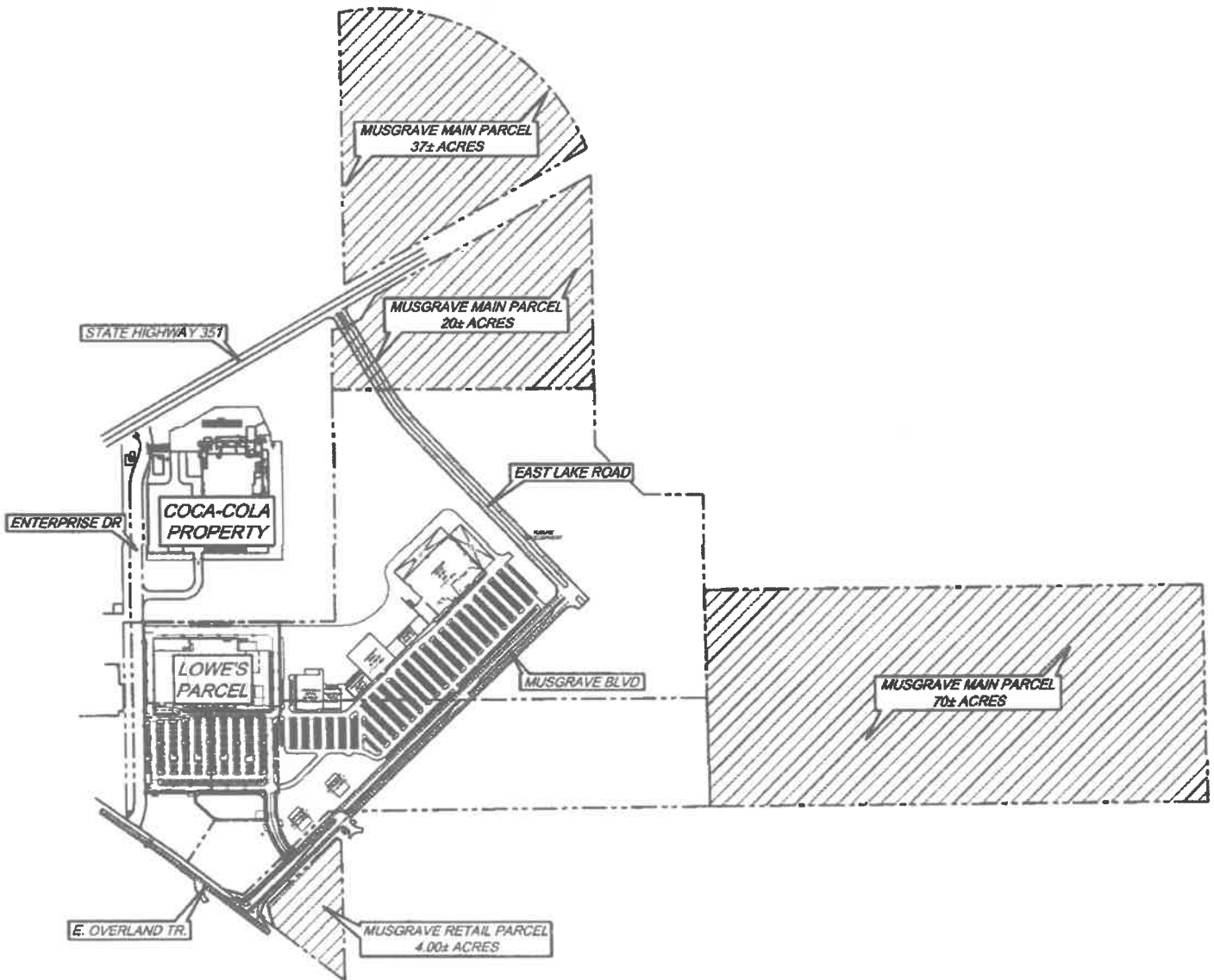
THENCE N 89° 57' 55" W 1039.37 feet (called West 1039.22 feet in said 25.624 acre deed) along the north boundary line of Scottish Road to a Highway Bronze Disc for the southernmost southwest corner of this tract on the northeast right-of-way of I.S. Highway 20;

THENCE N 55° 21' 55" W 48.05 feet to a 1/2" iron rod, set, for the westernmost southwest corner, same being the southeast corner of a certain 14.577 acre tract, from which a 3/8" iron rod, found, bears S 1° 34' 05" E 0.16 feet and a Highway Bronze Disc bears N 55° 21' 55" W 194.41 feet;

THENCE N 0° 01' 45" E 986.08 feet (called North 985.82 feet by 25.624 acre deed) to a 3/8" iron rod, found, in a north-south fence, by a 2" smooth iron bar 1.5 ± feet above the ground, for the northwest corner of this tract, and being the southwest corner of Block A, Coca Cola Addition:

THENCE N 89° 58' 43" E along the south boundary line of said Coca Cola Addition, at 1061.74 feet pass a 3/8" iron rod, found, by a 6" steel pipe post, recognized as the southeast corner of said Coca Cola Addition, continuing in all 1078.68 feet (called West 1078.75 feet by said 25.624 acre deed) to a 1/2" iron rod, set, on the west boundary line of a north-south gravel road;

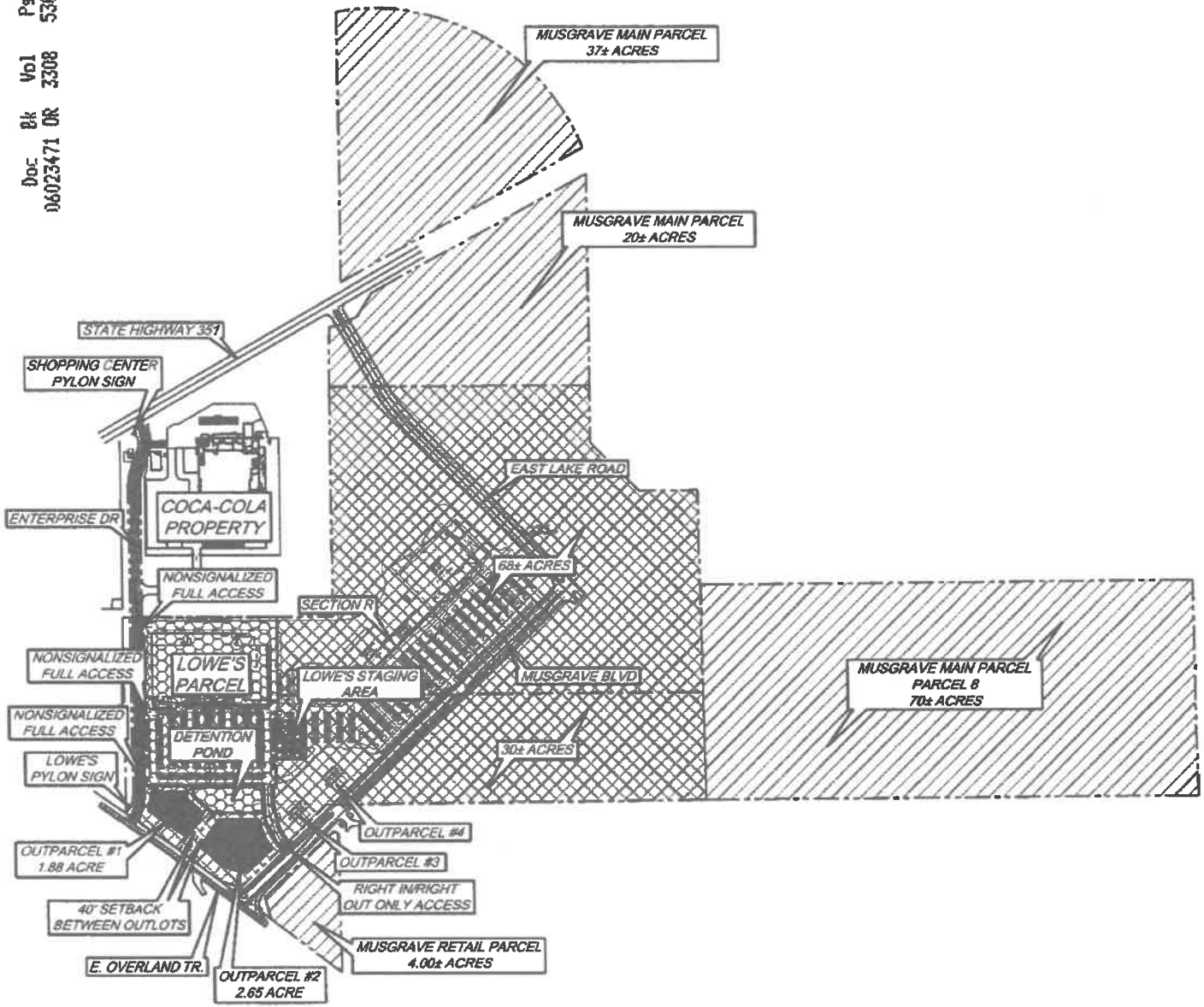
THENCE S 0° 00' 45" W 1014.41 feet (called South 1013.16 feet by said 25.624 acre deed) along the west boundary line of said gravel road to the POINT OF BEGINNING, and containing 25.097 acres of land more or less.



GRAPHIC SCALE



EXHIBIT "C" - MUSGRAVE PARCEL



GRAPHIC SCALE



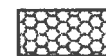
LEGEND



MUSGRAVE PARCEL - 131.00± ACRES



DEVELOPER PARCEL - 102.53± ACRES



LOWE'S PARCEL - 14.49± ACRES



OUTPARCEL - PERMISSIBLE BUILDING AREA

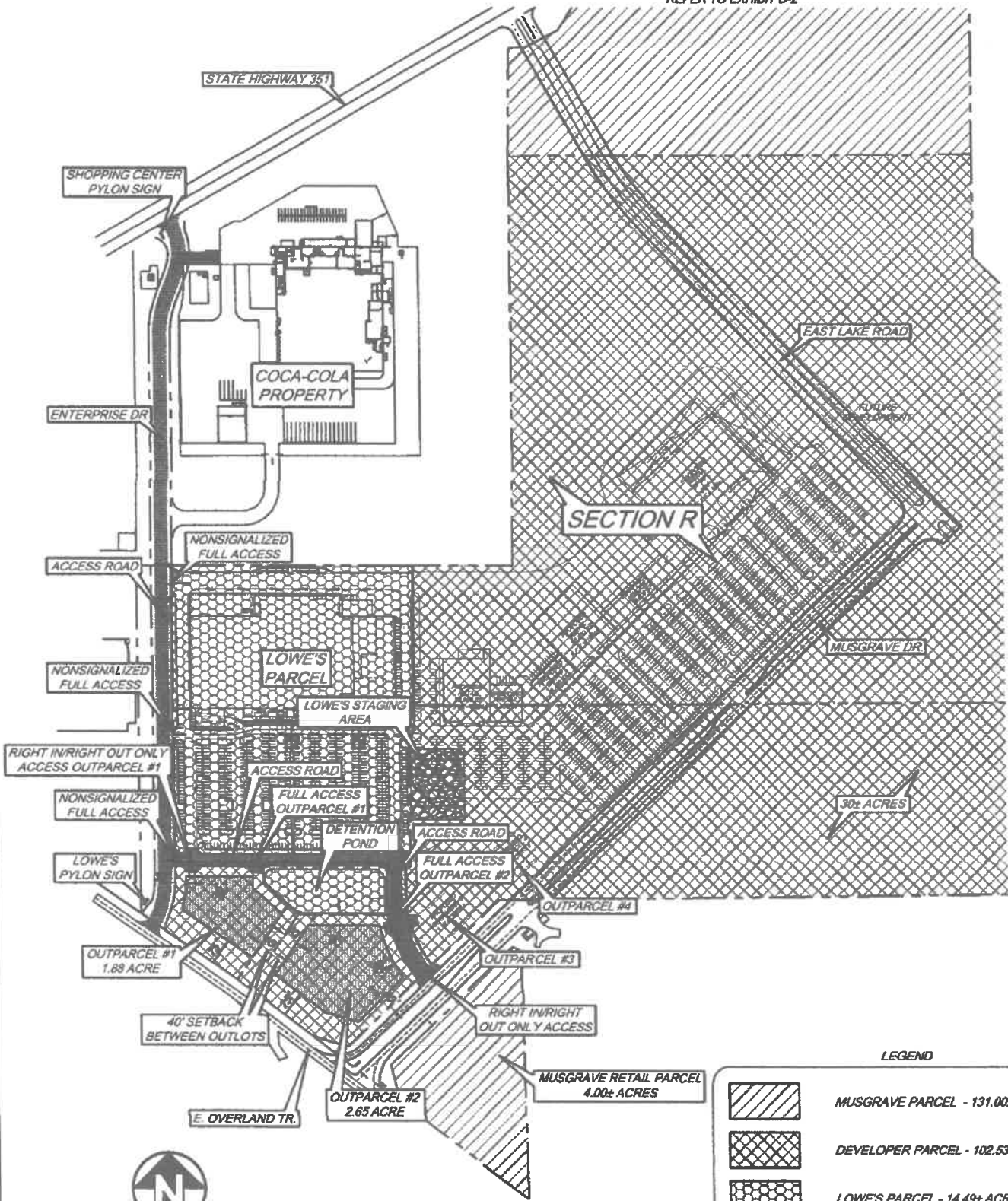
SHOPPING CENTER = LOWE'S PARCEL +
 DEVELOPER PARCEL + MUSGRAVE PARCEL

EXHIBIT "D" - SITE PLAN

REFER TO EXHIBIT D-2

Doc No
06023471 OR 3308 531
Blk Vol Pg

REFER TO EXHIBIT D-3



GRAPHIC SCALE



LEGEND

| | |
|--|---------------------------------------|
| | MUSGRAVE PARCEL - 131.00± ACRES |
| | DEVELOPER PARCEL - 102.53± ACRES |
| | LOWE'S PARCEL - 14.49± ACRES |
| | OUTPARCEL - PERMISSIBLE BUILDING AREA |
| | ACCESS ROADS |

EXHIBIT "D-1" - SITE PLAN

Doc Pg
06023471 532
Bk Vol
OR 3308



GRAPHIC SCALE



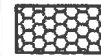
LEGEND



MUSGRAVE PARCEL - 131.00± ACRES



DEVELOPER PARCEL - 102.53± ACRES



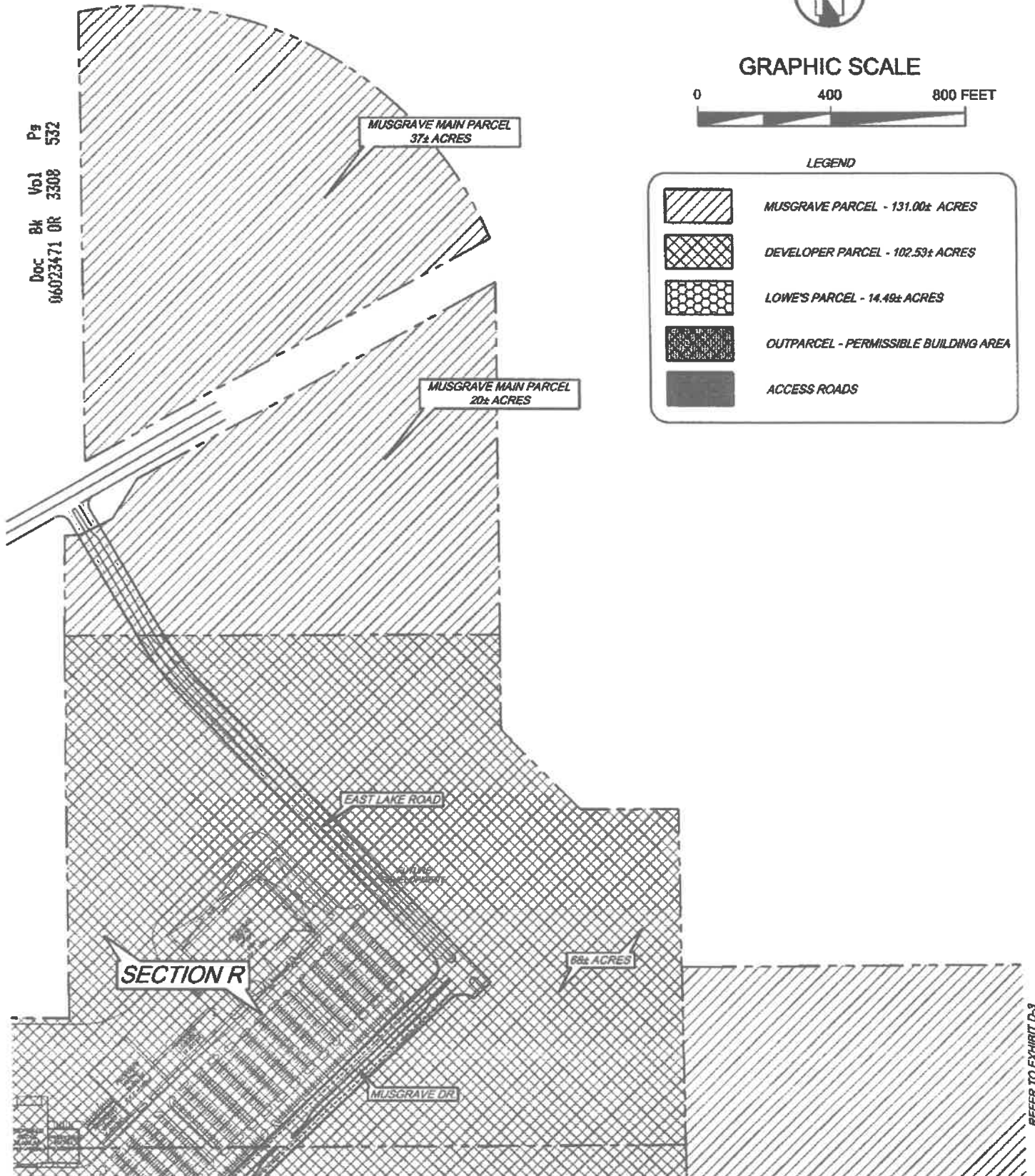
LOWE'S PARCEL - 14.49± ACRES



OUTPARCEL - PERMISSIBLE BUILDING AREA



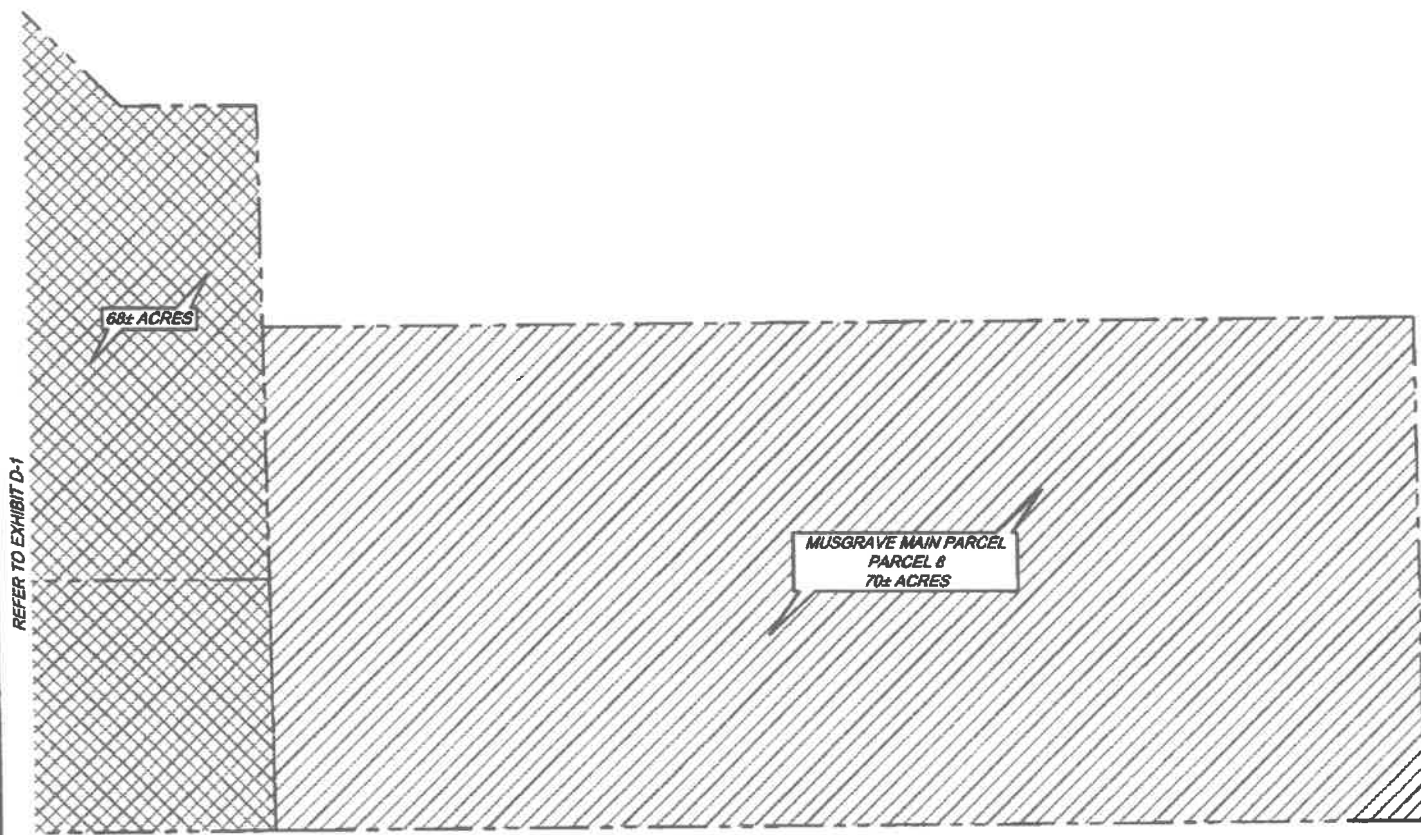
ACCESS ROADS








REFER TO EXHIBIT D-1

REFER TO EXHIBIT D-3

EXHIBIT "D-2" - SITE PLAN



LEGEND

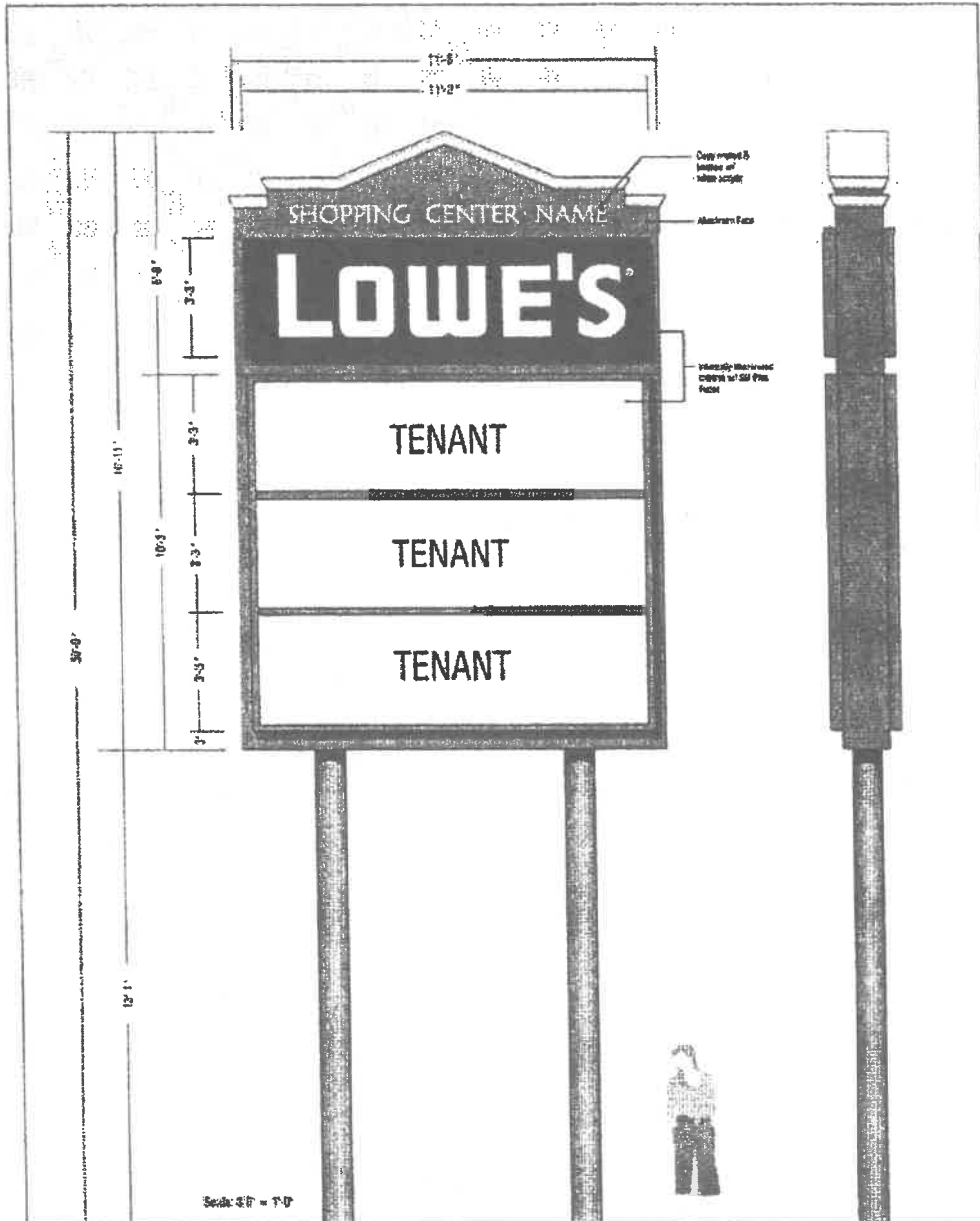
| | |
|---|---------------------------------------|
|  | MUSGRAVE PARCEL - 131.00± ACRES |
|  | DEVELOPER PARCEL - 102.53± ACRES |
|  | LOWE'S PARCEL - 14.49± ACRES |
|  | OUTPARCEL - PERMISSIBLE BUILDING AREA |
|  | ACCESS ROADS |



GRAPHIC SCALE





EXHIBIT "D-3" - SITE PLAN



LOWE'S @ N. Abilene, TX

10'-7" x 11'-5" = 197.36 Sq Ft

304 Warden Street
 Charlotte, N.C. 27703
 (919) 596-2124
 FAX (919) 556-0421
 lowes@lowes.com

This sign is for
 property of
 Lowes Corporation
 and cannot be used
 or altered in any
 way without the
 written approval
 of the sign designer.

Notes:
 Original
 Order Developer
 Field Installer

DATE: 08/19/03
 REV. DATE: 08/19/03
 LOCATION: N. Abilene, TX
 SIGN TYPE: 304 Warden St.
 SIGN NO.: 0303-0001

EXHIBIT "E-1" - SHOPPING CENTER SIGN

Filed for Record in:
Taylor County

On: Dec 11, 2006 at 10:24A

As a
Recording Fee

Document Number: 06023471

Amount 232.00

Receipt Number - 175657

By:
Irma Vela

STATE OF TEXAS COUNTY OF TAYLOR
I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
of the Official Public records of:
Taylor County

Larry G Beville, County Clerk
Taylor County

Doc 06023471 DR
Bk 3308
Vol 536
Pg

FIRST AMENDMENT TO
EASEMENTS,
COVENANTS, CONDITIONS AND RESTRICTIONS

THIS FIRST AMENDMENT to the Easements, Covenants, Conditions and Restrictions (hereinafter referred to as "the First Amendment"), is made and entered into as of the date of the last execution hereof, by and between Home RE – Abilene, LLC, a Tennessee limited liability company ("Developer"), Musgrave 351 JV, Ltd., a Texas limited partnership, and Kenneth L. Musgrave, a resident of Taylor County, Texas (collectively, "Musgrave") and Lowe's Home Centers, Inc., a North Carolina corporation ("Lowe's") (the foregoing parties hereinafter singularly referred to as a "Party" and collectively referred to as the "Parties");

W I T N E S S E T H :

WHEREAS, the Parties entered into that certain Easements, Covenants, Conditions and Restrictions dated as of November 30, 2006 and recorded in Book 3308, Page 481 in the public records for Taylor County, State of Texas; and

WHEREAS, Musgrave desires to release a portion of the Musgrave Retail Parcel from the restriction against hotels and motels; and

WHEREAS, Lowe's and Developer have agreed to said release consistent with the terms and conditions contained herein;

NOW, THEREFORE, the in consideration of the premises, the agreements and the covenants of the Parties hereto, the mutual benefits and advantages accruing to them, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. All of the foregoing recitals are true and correct in all respects and incorporated herein by reference. Further all capitalized terms in this First Amendment shall have the same meaning as in the ECCR, unless expressly stated otherwise.
2. Section 3.3(a)(x.v) of the ECCR shall be deleted in its entirety and the following shall be substituted in lieu thereof: "(x.v) A hotel or motel (only applies to Section R) provided however a Marriot Residence Inn may be constructed and operated on the property described and delineated as "Hotel Property" on Exhibit A attached hereto and made a part hereof".
3. Except as expressly modified hereby all other terms and conditions of the ECCR shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed and delivered this ECCR as of the day and year first written above.

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Vol 3385
Bk DR
Doc 07012982

DEVELOPER:

Horne RE - Abilene, LLC,
a Tennessee limited liability company

By: Horne Real Estate, LLC,
a Tennessee limited liability company,
its sole member

By: Doug Horne
Christina Grey Myer
Its Senior Vice Manager Chief Manager

THE STATE OF TENNESSEE
COUNTY OF KNOX

§
§
§

This instrument was acknowledged before me this 9th day of July, 2007 by ^{Douglas A. Horne} ~~Christina Gray~~ Myer, ^{Chief Manager} ~~Senior Vice Manager~~ of Horne Real Estate, LLC, a Tennessee limited liability company, sole member of Horne RE - Abilene, LLC, a Tennessee limited liability company, on behalf of said company.

my commission expires: 5/7/08

Ellen Burr
Notary Public for the State of Tennessee
NOTARY PUBLIC
LARGE
KNOX COUNTY, TN

LOWE'S:

Lowe's Home Centers, Inc.,
a North Carolina corporation

By: _____
Name: Gary E. Wyatt
Title: Senior Vice President

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was

THE STATE OF NORTH CAROLINA
COUNTY OF WILKES

W
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This instrument was acknowledged before me this 5th day of July, 2006 by Gary E. Wyatt, Sr Vice President of Lowe's Home Centers, Inc., a North Carolina corporation, on behalf of said corporation.

SHERRY LUCKEY
Notary Public, North Carolina
Wilkes County
My Commission Expires
January 25, 2010

Sherry Luckey
Notary Public in and for the State of North
Carolina

MUSGRAVE:

Musgrave 351 JV, Ltd.,
a Texas limited partnership

By: Kenneth L. Musgrave
a General Partner
its General Partner

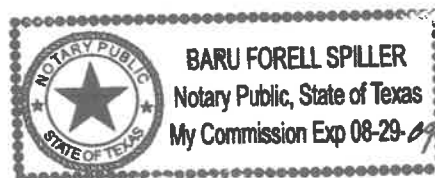
By: Kenneth L. Musgrave
Name: Kenneth L. Musgrave
Title: General Partner

THE STATE OF Texas
COUNTY OF Taylor

§
§
§

This instrument was acknowledged before me this 9 day of ~~November, 2006~~ July 2007 by Kenneth Musgrave, of Musgrave 351 JV, Ltd. a Texas limited partnership General Partner of Musgrave 351 JV, Ltd., a Texas limited partnership, on behalf of said limited partnership.

[Signature]
Notary Public in and for the State of Texas



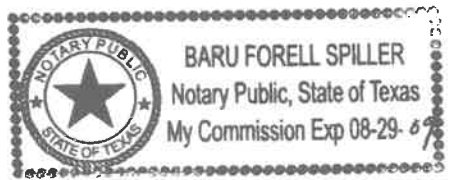
Kenneth L. Musgrave
KENNETH L. MUSGRAVE, INDIVIDUALLY

THE STATE OF Texas
COUNTY OF Taylor

55555

This instrument was acknowledged before me this 9 day of ^{July} ~~November~~, ²⁰⁰⁷ ~~2006~~ by KENNETH L. MUSGRAVE, INDIVIDUALLY.

[Signature]
Notary Public in and for the State of TEXAS



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Vol 3385
Blk OR
Doc 07012982

JM JACOB & MARTIN, LTD.
CONSULTING ENGINEERS

5405 CURRY LANE
ABILENE, TEXAS 79602
324-306-1070

1508 SANTA FE DR, SUITE 104
WEATHERFORD, TEXAS 75086
817-884-0888



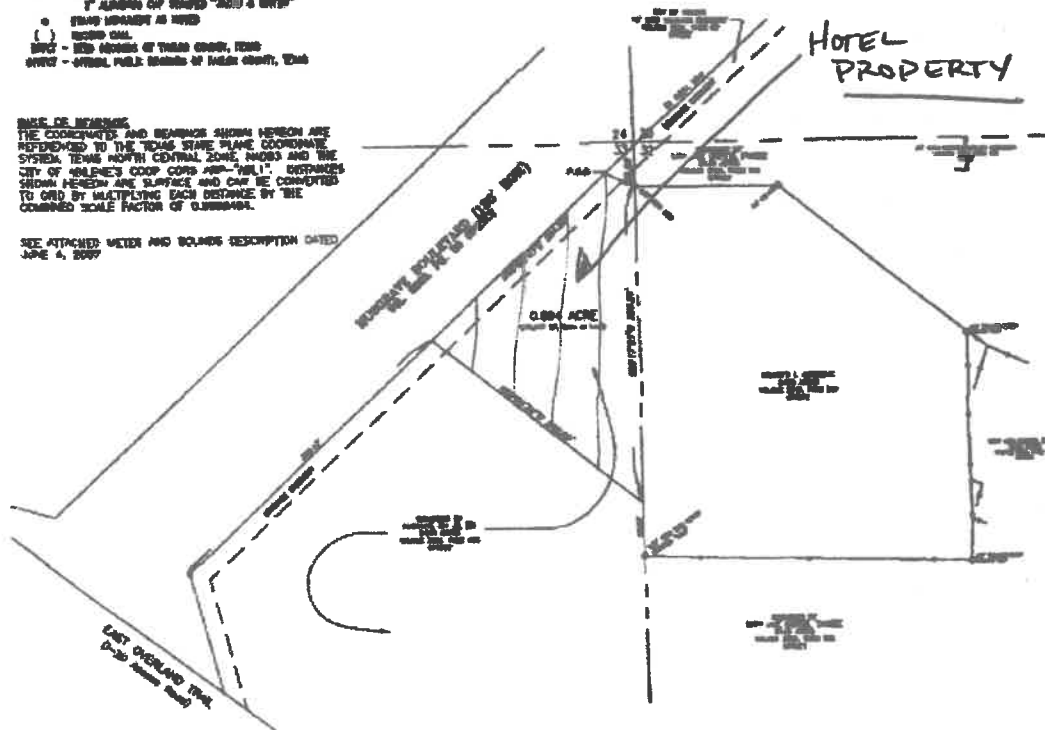
SCALE: 1" = 100'

EXHIBIT A
Page 1 of 2

- 3/4" IRON PIPE END
- 1" ALUMINUM CHAIN "200 & UP"
- IRON NAIL AS SHOWN
- () IRON NAIL
- IRON NAIL AS SHOWN
- IRON NAIL AS SHOWN
- IRON NAIL AS SHOWN

BASE DE BEASONS
THE COORDINATES AND BEASONS SHOWN HEREON ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE, NAD83 AND THE CITY OF ABILENE'S COOP CORP. 400-700.17' BEASONS. BEASONS HEREON ARE SURVEYED AND CAN BE CONVERTED TO GRID BY MULTIPLYING EACH DISTANCE BY THE COMBINED SCALE FACTOR OF 0.9999404.

SEE ATTACHED METEER AND BOLDS DESCRIPTION DATED JUNE 4, 2007



0.694 ACRE OUT OF
THE NE/4 SECTION 33, BLIND ASYLUM LANDS
ABSTRACT 1412
CITY OF ABILENE
TAYLOR COUNTY, TEXAS
DATE: JUNE 4, 2007



3465 Curry Lane
Abilene, Texas 79606
325-695-1070
www.jacobmartin.com

1508 Santa Fe Drive
Suites 204-205
Weatherford, Texas 76086
817-594-9880

**METES AND BOUNDS DESCRIPTION
ECCR BOUNDARY**

**CITY OF ABILENE
COUNTY OF TAYLOR
STATE OF TEXAS**

**LANDOWNER:
KENNETH L. MUSGRAVE**

BEING 0.694 acre out of the Northeast quarter of Section 33, Blind Asylum Lands, Abstract No. 1412, Taylor County, Texas and further being out of the remainder of a 9.594 acre tract described in a deed to Musgrave 351 JV, LTD recorded in Volume 3050, Page 402 of the Official Public Records of said Taylor County, Texas. Said 0.694 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found in the East line of said Section 33, the West line of Section 32 of said Blind Asylum Lands, and said point further being at the northwest corner of a 2.035 acre tract described in a certain deed to Kenneth L. Musgrave recorded in Volume 3316, Page 254 of said Official Public Records, and being at the most westerly and northerly Southwest corner of the remainder of that land containing 96.52 acres conveyed to Mary Jane Griffith, Trustee, recorded in Volume 2689, Page 745 of said Official Public Records, and said iron rod further being in the East line of said 9.594 acre tract, from which a disk monument stamped "Jacob & Martin" found at the PI in the northwesterly line of Musgrave Boulevard near it's intersection with East Overland Trail (the I-20 access road) bears S61°05'55"W 602.90 feet;

THENCE S00°17'23"W 290.26 feet along said East line of said 9.594 acre tract and the West line of said 2.035 acre tract to 5/8 inch iron rod found at the Southwest corner of said 2.035 acre tract;

THENCE N50°05'32"W 240.00 feet to a point in the southeasterly right-of-way line of Musgrave Boulevard (dedicated to the public per Volume 3283, Page 53 of said Official Public Records), same being the northwesterly line of the remainder of said 9.594 acre tract and from which a 3/4 inch aluminum rod with 2 inch aluminum, Jacob & Martin, Ltd cap found at an angle point in said right-of-way line bears S46°59'47"W 305.13 feet;

THENCE N46°59'47"E 254.00 feet along said right-of-way line to a point in said East line of said Section 33, the West line of said Section 32 and the most northerly West line of said 96.52 acre tract and being the most northerly corner of the remainder of said 9.594 acre tract;

THENCE S00°17'23"W 36.96 feet along the East line of said 9.594 acre tract and said West line of said 96.52 acre tract to the **POINT OF BEGINNING** and containing 0.694 acre of land.

This date, June 4, 2007, the foregoing metes and bounds description was prepared from a survey made on the ground under my supervision in June, 2006.

Mark T. Brown, R.P.L.S. No. 4247
SEE ATTACHED EXHIBIT "A" OF EQUAL DATE.