

LEGAL DESCRIPTION

A 0.6916 ACRE, (30,123.97 SQUARE FOOT), TRACT OF LAND SITUATED IN THE MONTGOMERY COUNTY SCHOOL LAND SURVEY, A-350 IN MONTGOMERY COUNTY, TEXAS.

All that certain tract or parcel containing 0.6916 acre, (30,123.97 square feet), of land situated in the Montgomery County School Land Survey, A-350 in Montgomery County, Texas, said 0.6919 acre tract of land being that same tract of land as described in a deed filed for record under Montgomery County Clerk's File No. 9416160 and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod (found) marking the intersection of the South right-of-way line of Shenandoah Drive, (60.00 feet in width), with the East right-of-way line of Savannah Drive, (60.00 feet in width), same point marking the Northwest corner of Lot 38 in Block 3 of Shenandoah Valley, Section 1, a subdivision in Montgomery County, Texas according to the map or plat thereof recorded in Cabinet A, Sheet 3-A of the Montgomery County Map Records;

THENCE N 89°32'42" E, along the South right-of-way line of said Shenandoah Drive, passing at 120.00 feet a 3/8" iron rod (found) marking the Northeast corner of said Lot 38 and the Northwest corner of the Woodlands Land Development Corp. Tract No. 46-B as shown under MCAD I.D. No. R47115, a total distance of 220.00 feet to a 1" iron rod (found) for angle point, from which point a 3/4" iron rod with cap (found stamped "REFPT") bears N 61°02'42" E, 2.10 feet;

THENCE S 84°44'40" E, a distance of 50.28 feet along the South right-of-way line of said Shenandoah Drive to a 5/8" iron rod with E.I.C. cap (found) marking the Northeast corner of said Woodlands Land Development Corp. Tract No. 46-B and the Northwest corner and POINT OF BEGINNING of the herein described 0.6916 acre tract of land;

THENCE continuing S 84°44'40" E, a distance of 50.22 feet along the South right-of-way line of said Shenandoah Drive to a 5/8" iron rod with E.I.C. cap (found) for angle point;

THENCE N 89°32'42" E, a distance of 100.00 feet along the South right-of-way line of said Shenandoah Drive to a 5/8" iron rod with E.I.C. cap (found) marking the intersection of the South right-of-way line of Shenandoah Drive with the West right-of-way line of Interstate Highway 45, (variable width), marking the Northeast corner of the herein described 0.6916 acre tract of land;

THENCE S 00°11'37" E, a distance of 200.00 feet along the West right-of-way line of said Interstate Highway 45 to a 5/8" iron rod (found) marking the Northeast corner of the La Quinta Inn call 2.6467 acre tract of land as described in a deed filed for record under Montgomery County Clerk's File No. 2006017445 and the Southeast corner of the herein described 0.6916 acre tract of land;

THENCE S 89°32'42" W, a distance of 150.00 feet along the common line of said La Quinta Inn 2.6467 acre tract of land and the herein described 0.6916 acre tract of land to a 5/8" iron rod with E.I.C. cap (found) marking the Southeast corner of the Woodlands Land Development Corp. Tract No. 46-B and the Southwest corner of the herein described 0.6916 acre tract of land;

THENCE N 00°11'37" W, a distance of 205.00 feet along the common line of said Woodlands Land Development Corp. Tract No. 45-B and the herein described 0.6916 acre tract of land to the POINT OF BEGINNING and containing 0.6916 acre, (30,123.97 square feet), of land.

Job No. 11-202-04

The basis of bearing is N 89°32'42" E along the South right-of-way line of Shenandoah Drive per prior deed.

SUBJECT TO:

- © 2011 All Rights Reserved.
- Survey is valid only if print has original Impression seal and signature of surveyor on it. Declaration is made to original purchaser of this survey. It is not transferable to additional institutions or subsequent owners.
- Fences as shown.

ALTA/ACSM LAND TITLE SURVEY

FOR: 28677 INTERSTATE HIGHWAY - 45 NORTH
STORE NO. 144

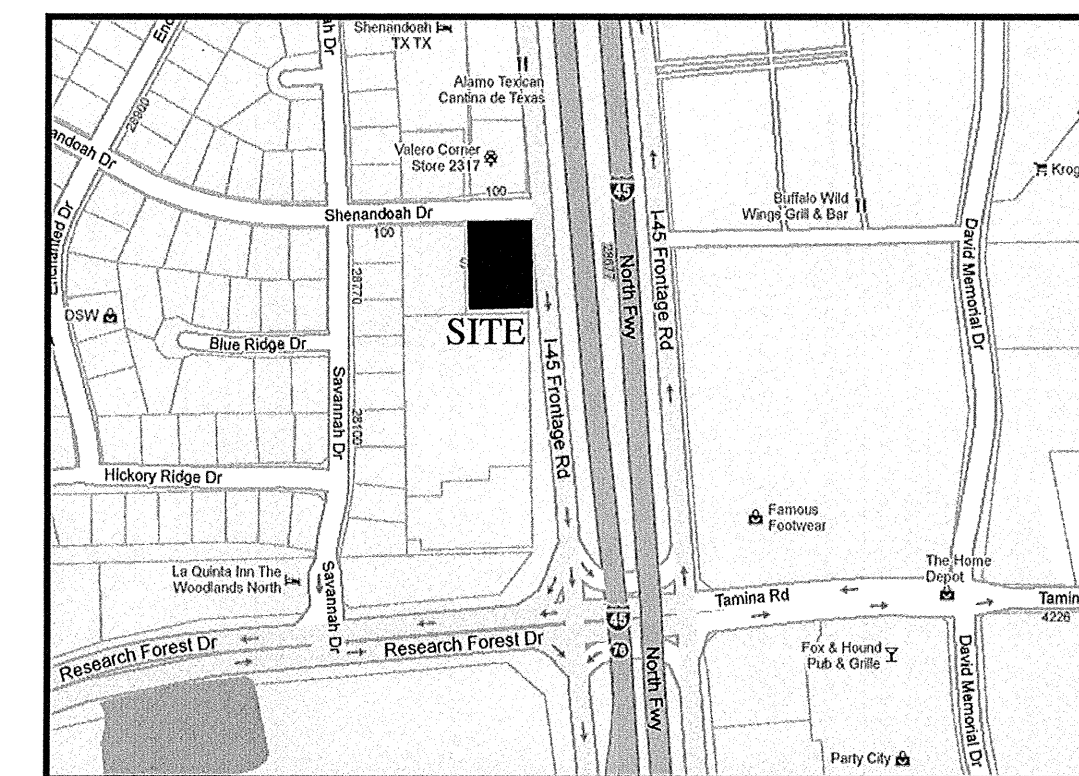
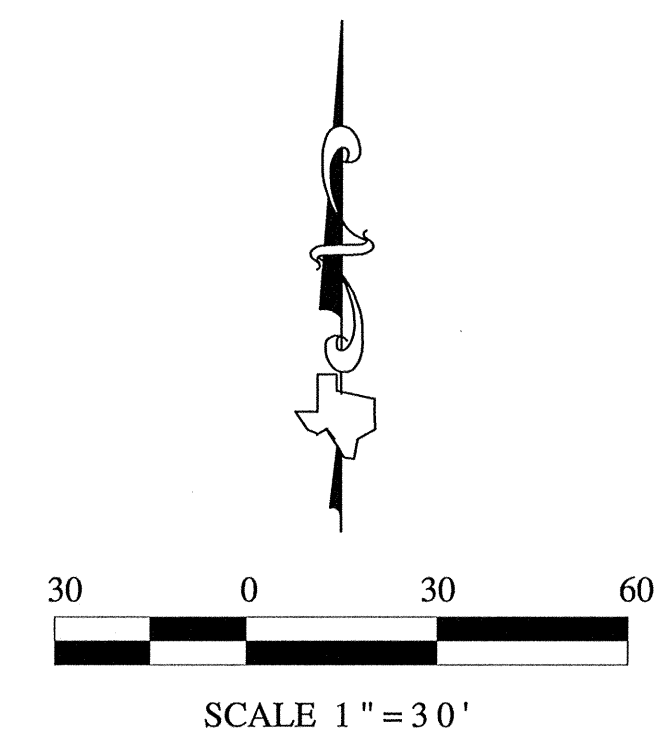
To Sun Development, LP, Mutual of Omaha Bank, individually, as a Lender and as Administrative Agent for the Lenders, its successors and assigns, and Stewart Title Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 11(a), 13, 16, 17, 18, 19, and 21 of Table A thereof. The field work was completed on April 19, 2011.

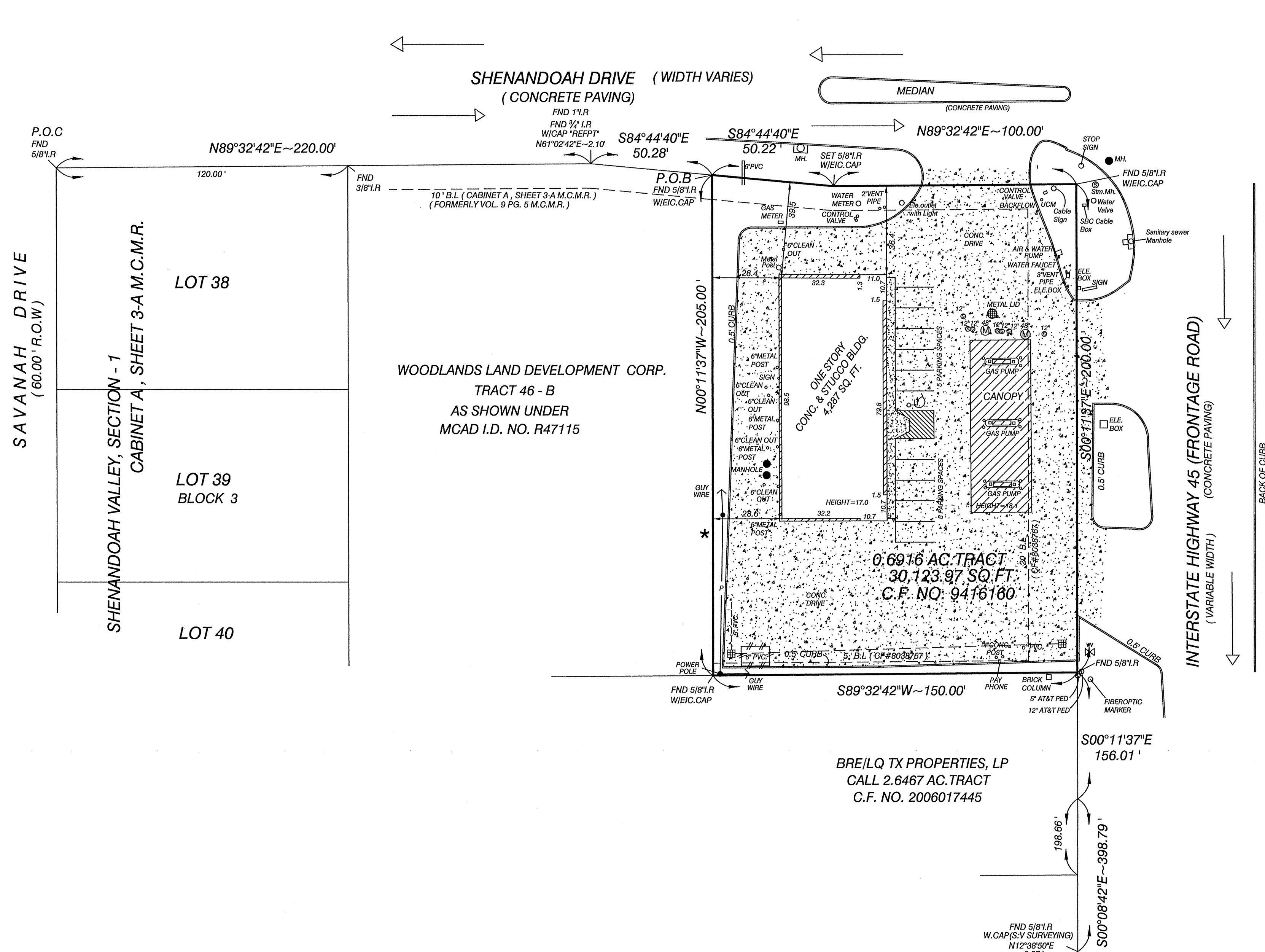
[Signature]
Craig A. Laney, R.P.L.S. No. 4507

May 6, 2011
Original Signature Date
June 9, 2011
Revised Signature Date
[Signature]
6/14/2011
2nd Revised Signature Date

EIC SURVEYING COMPANY
12345 JONES ROAD
SUITE 270
HOUSTON, TX 77070
(281) 955-2772
EIC@EICSURVEYING.COM



VICINITY MAP
(NOT TO SCALE)



- LEGEND**
- 0.8 x 0.8 Metal Support Column
 - Back Flow Valve
 - Power Pole
 - Water Valve
 - Water Meter Box
 - Southwestern Bell Cable Box
 - 6" Clean Out
 - 4" Pipe Bollard
 - Grate Inlet
 - Manhole
 - Metal Lid
 - Sample Well
 - Monitor Well
 - Handicap Parking Space
 - Overhead Power Line
 - Guy Wire
 - No Parking Area
 - Covered Area
 - Concrete Paving
 - Telephone Pedestal
 - Water meter
 - Light pole
- ABBREVIATIONS**
- BLDG - BUILDING
 - C.F. NO. - CLERK'S FILE NUMBER
 - CO - CLEAN OUT
 - CONC - CONCRETE
 - ELEC - ELECTRIC
 - ELEV - ELEVATION
 - ESMT - EASEMENT
 - FND - FOUND
 - PG - PAGE
 - PVC - POLYVINYL CHLORIDE PIPE
 - ROW - RIGHT-OF-WAY
 - VOL - VOLUME
 - I.R. - IRON ROD
 - W/ - WITH
 - TYP - TYPICAL
 - M.C.M.R. - MONTGOMERY COUNTY MAP RECORDS
 - B.L. - BUILDING LINE
 - UCM - UNDERGROUND CABLE METER
 - SQ.FT. - SQUARE FEET
 - MCAD - MONTGOMERY COUNTY APPRAISAL DISTRICT

TABLE A
OF MINIMUM STANDARD DETAIL REQUIREMENTS
FOR ALTA/ACSM LAND TITLE SURVEYS

- Address: 28677 Interstate Highway 45 North, Shenandoah TX 77381
- Per graphic scaling this property is located in ZONE "X" Out of the 100 year flood plain according to FEMA Panel No. 4812560537G, dated September 22, 1999.
- Current zoning classification and building setback requirements unless otherwise noted hereon. (None)
- Regular parking spaces = 10
Handicapped parking spaces = 1
Total parking spaces = 11
- No observable evidence of Earth moving work, building construction or building additions within recent months.
- No changes in street right-of-way lines either completed or proposed, and available from the controlling jurisdiction. No observable evidence of recent street or sidewalk construction or repairs.
- No observable evidence of site use as a solid waste dump, sump or sanitary landfill.
- No observable evidence of location of wetland areas as delineated by appropriate authorities.
- Professional Liability Insurance Certificate was given to the client to be effective throughout the contract term only.

SCHEDULE "B" EXCEPTIONS
FOR GF# 1120135373 (Tract 7)

- Restrictive Covenants as set forth in instruments recorded under Clerk's File No. 8038767 of the Montgomery County Deed Records.
- Terms, conditions and provisions of a Fuel Marketing Location Agreement evidenced by Memorandum dated October 11, 2010, recorded under Clerk's File No. 2010-085787 of the Real Property Records of Montgomery County, Texas, between Sussler Petroleum Company, LLC and Petroleum Wholesale LP.