STATEMENT OF ENCROACHMENTS

NO ENCROACHMENTS OBSERVED AT TIME OF SURVEY.

NOTES CORRESPONDING TO SCHEDULE "B"

10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):

- E. An Easement of egress and ingress to the City of Midland for garbage and trash collection and location and maintenance of trash containers and condition, said easement such that the exact location of said containers and the easements in connection therewith shall be selected and approved by the Director of Public Works as reserved on subdivision plat recorded in Cabinet C, Page 190, Plat Records of Midland County, Texas. (SUBJECT TO)
- G. Right of Way executed by Clarence Scharbauer to Texas Electric Service Company dated May 13, 1927, and recorded in Volume 37, Page 304, Deed Records of Midland County, Texas. (DOES NOT AFFECT)
- H. Easement and Right-of-Way executed by Scharbauer Brothers & Co. to Texas Electric Service Company dated August 30, 1963, and recorded in Volume 413, Page 19, Deed Records of Midland County, Texas. (DOES NOT AFFECT)
- I. Easement and Right of Way executed by Scharbauer Brothers & Co. to Texas Electric Service Company dated November 20, 1984, and recorded in Volume 848, Page 527, Deed Records of Midland County, Texas. (DOES NOT AFFECT)
- J. Specific Easement and Right of Way executed by Midland County Hospital District to Texas Electric Service Company dated November 29, 1984, and recorded in Volume 850, Page 274, Deed Records of Midland County, Texas. (AS SHOWN)
- K. Assignment and Agreement by and between Midland Camelback Samaritan Group, Inc., et al, and Midland County Hospital District dated December 30, 1988, and recorded in Volume 990, Page 578, Deed Records of Midland County, Texas. (SUBJECT TO)
- L. Memorandum of Agreement by and between Midland County Hospital District dba Memorial Hospital and Medical Center and Cox Communications West Texas, Inc. dated December 1, 1997, and recorded in Volume 1517, Page 596, Official Records of Midland County, Texas.
- M. Memorandum of Lease by and between Midland County Hospital District and Midland Memorial Healthcare System, dated July 1, 2006, and recorded July 12, 2006, in Volume 2710, Page 460, Official Records of Midland County, Texas; and subsequently replaced by Replacement Memorandum of Lease covering subject property, including but not limited to the right to reserve Access, Utility, and Power Line Easements as contained therein, by and between same parties, effectively dated July 1, 2006, and recorded in Volume 2815, Page 883, Official Records of Midland County, Texas. (SUBJECT TO – AS SHOWN)
- N. Subordination, Non-Disturbance and Attornment Agreement by and between Bear Stearns Commercial Mortgage, Inc. and Midland Memorial Healthcare System, dated February 9, 2007, and recorded in Volume 2828, Page 99, Official Records of Midland County, Texas.
- O. Subordination, Non-Disturbance and Attornment Agreement, by and between Midland Memorial Healthcare Systems/Bear Stearns Commercial Mortgage, Inc. and RehabCare Group of Midland, LP, dated March 8, 2007, and recorded in Volume 2828, Page 111, Official Records of Midland County, Texas. (SUBJECT TO)
- P. Tenants in Common Agreement by and between FGG Midland Rehab Hospital, LLC et al and Memorial Rehabilitation Hospital of Midland, dated March 12, 2007, and recorded in Volume 2828, Page 124, Official Records of Midland County, Texas. (SUBJECT TO)

The Schedule "B" items described above are the same as the pertinent property as described in Mortgagee Title Policy issued by First American Title Insurance Company, Commitment No. 1002-225809-RTT, effective date June 02, 2017.

1. NO UNDERGROUND UTILITIES ARE SHOWN ON THIS SURVEY, ONLY ABOVE GROUND VISIBLE EVIDENCE OF UTILITIES ARE SHOWN. SURVEYOR HAS NO KNOWLEDGE OF WHERE THE UNDERGROUND UTILITIES ARE THAT

2. ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARKING, EASEMENTS, SERVITUDES AND ENCROACHMENTS: ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON. 3. NO VISIBLE EVIDENCE OF CEMETERIES ON SUBJECT PROPERTY.

THE SUBJECT PROPERTY HAS DIRECT ACCESS TO AND IS CONTIGUOUS WITH TRADEWINDS BOULEVARD BEING DEDICATED PUBLIC STREETS OR HIGHWAYS WITH NO GAPS, GORES OR OVERLAPS, OWNED AND MAINTAINED BY 5. NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS

WITHIN RECENT MONTHS. 6. NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
7. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF TITLE AS SHOWN.

8. THE PARCEL(S) CONTAINED IN THE LEGAL DESCRIPTION(S) ARE CONTIGUOUS WITHOUT ANY GAPS, GORES OF OVERLAPS AND FORM A MATHEMATICALLY CLOSED FIGURE 9. NO APPARENT CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR KNOWN TO BE PROPOSEL AT THIS TIME AND AVAILABLE FROM THE CONTROLLING JURISDICTION. NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AS OBSERVED DURING FIELD SURVEY OF THE SUBJECT

10. BUILDING AREAS SHOWN HEREON ARE FOR THE FOOTPRINT OF THE BUILDING ONLY. SURVEYOR DID NOT OBSERVE ANY WETLANDS AT THE TIME OF SURVEY, HOWEVER SITE WAS NOT VISITED BY ANY JURISDICTIONAL WETLAND OR ENVIRONMENTAL AGENCIES. 12. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL OF THE LICENSED SURVEYOR, ADDITIONS AND DELETIONS TO SURVEY MAPS, SKETCHES, OR REPORTS IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE

13. ABOVE GROUND IMPROVEMENTS AND EASEMENTS PROVIDED (ON-SITE AND OFF-SITE) ARE SHOWN HEREON

PROPERTY PICTURES



AND THE OBSERVED ADDRESS IS SHOWN HEREON.







GRAPHIC SCALE: 1" = 60"

FLOOD NOTE

NOT TO SCALE FLOOD NOTE: Based on maps prepared by the Federal Emergency Management Agency (FEMA) available online at www.msc.fema.gov, and by graphic plotting only, this property is located in Zone "X" on Flood Insurance Rate Map Number 48329C0182F, which bears an effective date of 09/16/2005 and <u>is not</u> in a Special Flood Hazard Area. By reviewing flood maps provided by the National Flood Insurance Program we have learned this community does participate in the program. No field surveying was performed to determine this zone and a elevation certificate may be needed to verify the accuracy of the maps and/or to apply for a variance from the Federal Emergency Management Agency.

VICINITY

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE MERCATOR GRID AND CONFORM TO THE TEXAS STATE PLANE COORDINATE SYSTEM "TEXAS CENTRAL" NORTH AMERICAN DATUM 1983. DISTANCES ARE SURFACES VALUES.

ZONING NOTES

SEE PARTIAL ZONING REPORT BELOW. FOR FULL REPORT SEE NATIONWIDE DUE DILIGENCE FROM THE GROUND UP ZONING REPORT PROJECT NO. 01-17038233-02N PREPARED JUNE, 2017.

LAND AREA

7.87 ACRES / 342895 Sq. Ft.

PARKING STALLS

STANDARD SPACES: 116 HANDICAP SPACES: 16 TOTAL SPACES: 132

conforms to the district. There are no zoning violations associated with this property.

John Bridewese R.

For further inquiries or information please contact the Planning Division at 432-685-7400.

 MONUMENT FOUND AS NOTED ← SEWER MANHOLE

LEGEND

- → WATER METER
- FIRE HYDRANT

∞ – GAS METER

- X LIGHT POLES
- o SEPTIC CLEANOUT

- POWERLINE W/POLE & ANCHOR

- CONCRETE

- STUCCO FENCE

POINT OFBEGINNING(CABINET J, PAGE 63) PORTION OF WESTRIDGE PARK SECTION 1 CAB. C, PG. 190 $7.87 \ Ac.$ 342895 Sq. Ft. FGG MIDLAND REHAB HOSPITAL, LLC. (VOL. 2827, PG. 852) TAX PARCEL R51289 RADE Sani BOULEV MIDLAND COUNTY HOSPITAL (VOL. 837, PG. 423) REMAINDER 10.00 ACRES 2.13 Ac. 92783 Sq. Ft. Maximum Building Height No building shall be erected to 13.0 ft. (1 story) exceed two and one-half (2- $\frac{1}{2}$) standard stories in height. Setbacks Existing plotted setbacks: 32.1 ft., Front 20 ft. 206.6 ft. Rear 10 ft. ning Report: 7 TRADEWINDS BLVD Offices, generall space for each 400 square feet of Regular Spaces —116 loor area Handicap Spaces **-** 16 The property conforms to the requirements set forth in the Section 2.1(b)(c) as to U.S. Bank National Association, as Trustee, as successor in interest lot area, height, and setbacks and also to Section 11-1.7(I)(b) as to parking. to Bank of America, National Association, as successor by merger to LaSalle Bank National Association, as Trustee for Morgan Stanley Information in this report was provided by the following. Capital I Inc., Commercial Mortagae Pass—Through Certificates, TRADEWINDS BLV Series 2007-TOP27. Project #:01-17038233-02N. & THOMASON DF Janna Keller Harcrow Surveying, LLC Planner Daniel A. Smith Parcel Identification Number(s): R000204372 (PUBLIC 700 N. Loraine, Suite # 440 2314 W. Main St. Midland, TX 79701 Artesia, NM 88210 (432) 685-7400 (575) 746-2158 \ RIGHT-OF-WAYS) Jurisdiction: City of Midland, Texas Current Use: Medical Facility, Medical Office To Whom It May Concern, Proposed Use: Medical Facility, Medical Office The subject property located at 207 Tradewinds Boulevard, is located within the City Zoning Classification: (O-1) Office District limits and is zoned 01. Office District. The current usage of this facility is West Texas The current use of the subject property conforms with the permitted use in the 0-1 Therapy Services and is currently used a Medical Facility. There are no known zoning violations on file in our records. District; information provided by Janna Keller, Planner, City of Midland, Texas in conjunction with the City of Midland, Texas Zoning Ordinance Section 2.1 (a). or any further inquiries or information contact the Department of Development Services Planning Division at 685–7400. "There are no known zoning violations on file in our records. A. The subject property, 207 Tradewinds Boulevard, is located inside the city limits and is zoned 01, Office District for an Office Center. The current owner of this property is Mid land. County and the current usage is a Medical Facility. There is no ordinance that governs this property. The current use of the property Information provided by Janna Keller, Planner, City of Midland, Texas.

(O−1) Office District

Minimum Lot area None specified except for dwelling 342,895 sf. / 7.87 ac.

LEGAL DESCRIPTION

Being a 7.87 acre tract of land and being a portion of Lot One (1), Block One (1). WESTRIDGE PARK ADDITION SECTION 1. an addition to the City of Midland, Midland County, Texas, according to the Map or Plat thereof recorded in Cabinet C, Page 190, Plat Records, Midland County, Texas, located in Section 48, Block 40, T-1-S, T & P Railroad Company Survey, Midland County Texas, and being that same tract of land described in deed to FGG Midland Rehab Hospital, LLC. as recorded in Volume 2827, Page 852, Deed Records, Midland County, Texas, said 7.87 acres being more particularly described by metes and bounds as follow:

BEGINNING at a 1/2 inch reinforced rebar found at the northeast corner of said 7.87 acre tract and the southeast corner of a tract of land to the City of Midland known as Lot 2, Block 1 WESTRIDGE PARK ADDITION, SECTION 32 an addition to the City of Midland County, Texas, according to the Map or Plat thereof recorded in Cabinet J, Page 63, Plat Records, Midland County, Texas, and being in the west line of Tradewinds Boulevard, a 110 foot right-of-way, said $\frac{1}{2}$ inch reinforced rebar being S 75°13'00" W, 1624.13 feet from the northeast corner of Section 48:

THENCE, S 14°19'00" E, 660.00 feet along the west line of said Tradewinds Boulevard to a 1/2 inch reinforced rebar found with yellow cap stamped "RPS-1974" at the northeast corner of a tract of land described in deed to Tradewinds & Thomason Apartments LLC as recorded in Instrument No. 2014—29076, said Deed records;

THENCE, S 75°13'00" W, 411.49 feet along the north line of said Tradewinds & Thomason tract to a 1/2 inch reinforced rebar found at the southeast corner of a 2.13 acre tract as retained by the aforesaid deed referenced above as Volume 2827, Page 852 to the Midland County Hospital District as recorded in Volume 837, Page 423 (originally a 10.00 acre tract), said Deed Records;

THENCE, N 14°19'00" W, 373.00 feet to a 1/2 inch reinforced rebar found at the northeast corner of said 2.13 acres and an ell corner of the aforesaid 7.87 acre tract;

THENCE, S 75°13'00" W, 248.51 feet to a 1/2 inch reinforced rebar found at the northwest corner of said 2.13 acre tract and being in the east line of a tract of land described in deed to Midland Independent School District as recorded in Instrument No. 2013-29942, said Deed

THENCE, N 14°19'00" W, 287.00 feet along the east line of said Midland Independent School District tract to a 1/2 inch reinforced rebar found at the southwest corner of the aforesaid Lot 2, Block 1 WESTRIDGE PARK ADDITION, SECTION 32;

THENCE, N 75°13'00" E, 660.00 feet to the POINT OF BEGINNING and containing 7.87 acres or 342,895 square feet of land, more or less.

> The property hereon described is the same as the pertinent property as described in First American Title Insurance Company, Commitment No. 1002-5809-RTT, effective date June 02, 2017.

SHEET TITLE

ALTA/NSPS LAND TITLE SURVEY

PROJECT MIDLAND REHAB

HOSPITAL

207 TRADEWINDS BOULEVARD MIDLAND, TEXAS 79706

ALTA/NSPS LAND TITLE SURVEY

SURVEYOR'S CERTIFICATE:

To: U.S. Bank National Association, as Trustee, as successor in interest to Bank of America, National Association, as successor by merger to LaSalle Bank National Association, as Trustee for Morgan Stanley Capital I Inc., Commercial Mortgage Pass-Through Certificates, Series 2007-TOP27:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1,2,3,4,6(a),6(b),7(a),7b1,7(c),8,9,13,14,16,17,18, 19, 20 of Table A thereof. The field work was completed on May 25, 2017.

Date of Plat or Map: June 22, 2017

Daniel A. Smith, RPLS Texas Registration No. 4645 Texas Firm No. 10194089



HECKED BY: DS

COORDINATED BY:

OLD REPUBLIC SPECIALIZED COMMERCIAL SERVICES A MEMBER OF THE OLD REPUBLIC TITLE INSURANCE GROUP

Preston Park Financial Center East 4965 Preston Park Blvd #620 Plano, TX 75093

P:(972) 943-5300 F:(972) 943-5339

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