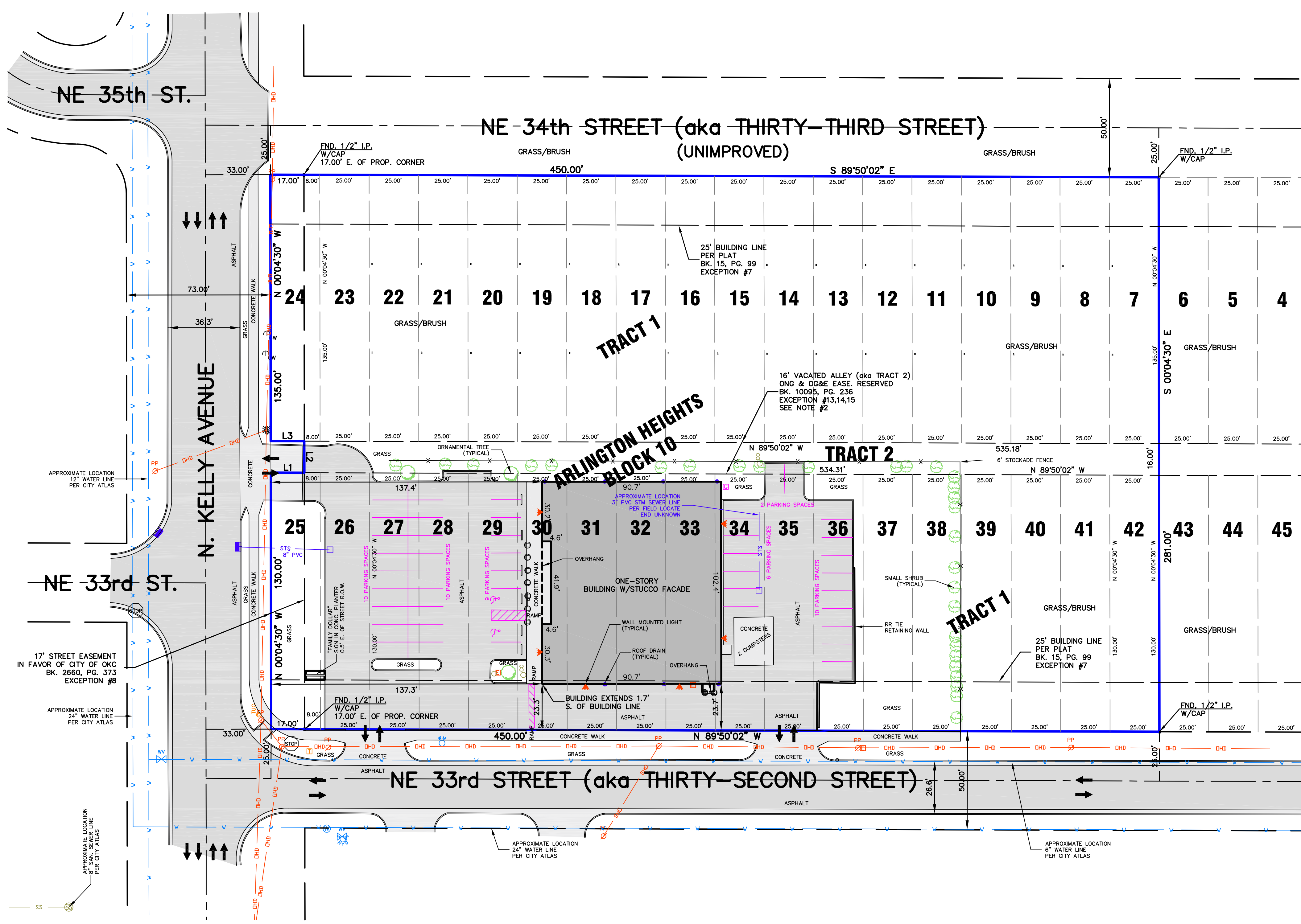
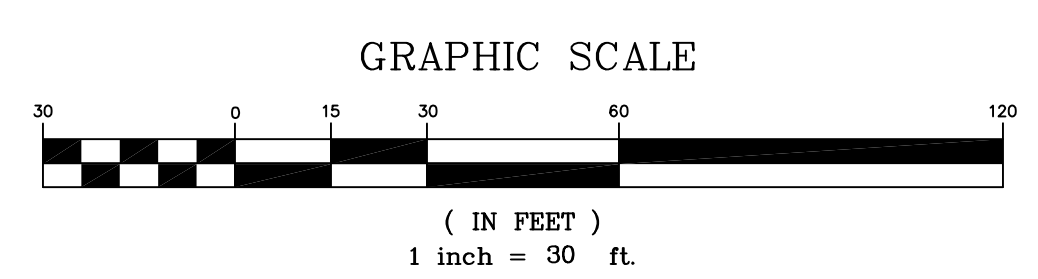


LEGEND

- A/C - AIR CONDITIONING UNIT
- - CLEAN OUT
- ⊕ - ELECTRIC MANHOLE
- ⊕ - ELECTRIC RISER
- ⚡ - FIRE DEPT. CONNECTION
- ⚡ - FIRE HYDRANT
- ⊕ - FUEL FILLER PORT
- ⊕ - GAS METER
- ⊕ - GUARD POST
- ⊕ - GAS VALVE
- ⊕ - GUY WIRE
- ⊕ - INLET
- ⊕ - LIGHT POLE
- ⊕ - MONITORING WELL
- ⊕ - MAIL BOX
- ⊕ - MARKER
- ⊕ - PULL BOX
- ⊕ - POWER POLE
- ⊕ - POWER POLE W/ UNDERGROUND SERVICE
- ⊕ - SPRINKLER HEAD
- ⊕ - SPRINKLER VALVE
- ⊕ - SANITARY SEWER MANHOLE
- ⊕ - STORM SEWER MANHOLE
- ⊕ - SIGN
- ⊕ - TELEPHONE MANHOLE
- ⊕ - TELEPHONE RISER
- ⊕ - TELEPHONE UNDERGROUND
- ⊕ - TRAFFIC SIGNAL LIGHT
- ⊕ - VENT
- ⊕ - WATER METER
- ⊕ - WATER VAULT
- ⊕ - WATER VALVE
- ⊕ - E - ELECTRIC LINE
- ⊕ - SS - SANITARY SEWER LINE
- ⊕ - W - WATER LINE
- ⊕ - F - FENCE
- ⊕ - OHD - OVERHEAD LINE
- ⊕ - STS - STORM SEWER LINE
- ⊕ - F/O - FIBER OPTIC LINE
- ⊕ - G - GAS LINE

LINE TABLE		
LINE	LENGTH	BEARING
L1	17.00	S 89°50'02" E
L2	16.00	N 00°04'30" W
L3	17.00	N 89°50'02" W



...CONTINUED

- EASEMENT in favor of City of Oklahoma City for street purposes, recorded in Book 2660, Page 373, affects the West 17 feet of Lots 24 and 25 as shown hereon.
- MUTUAL CROSS ACCESS EASEMENT AGREEMENT by and between FD-RE, LLC, an Oklahoma limited liability company and FD-RE, LLC, an Oklahoma limited liability company, recorded in Book 10308, Page 366; as amended by AMENDMENT TO MUTUAL CROSS ACCESS EASEMENT AGREEMENT, recorded in Book 10308, Page 1630, affects subject property. This EASEMENT, as amended, contains insufficient information to place it accurately on the ground.
- Property is subject to RESTRICTIVE COVENANTS contained in DEDICATION of ARLINGTON HEIGHTS ADDITION, recorded in Book 15 of Plats, Page 99. See Notes #2 and 3 above.
- EASEMENTS and other rights reserved in Ordinance No. 4906, dated June 18, 1937 and recorded in Book 399, Page 564, affect Tract 2 and are shown hereon.
- EASEMENTS reserved in favor of Oklahoma Natural Gas Company and Oklahoma Gas and Electric Company (OG&E), as set forth in JOURNAL ENTRY and JUDGEMENT VACATING, CLOSING AND FORECLOSING ALLEYWAY dated April 26, 2006, recorded in Book 10095, Page 236, affects Tract 2 and is shown hereon. See Note #2.

Utility Statement

The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

SURVEYOR'S CERTIFICATE

February 1, 2010

This survey is made for the benefit of:

NEWMAN DEVELOPMENT CORP., A FLORIDA CORPORATION
M&I MARSHALL AND ILSLEY BANK
AMERICAN EAGLE TITLE INSURANCE COMPANY
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
M&I REGIONAL PROPERTIES, LLC

I, Bob Manley, a Registered Professional Land Surveyor, do hereby certify to the aforesaid parties, as of the date set forth above that I or others under my direct supervision have made a careful survey of a parcel of land described as follows:

TRACT 1
Lots Seven (7) through Forty-two (42), inclusive, Block Ten (10), ARLINGTON HEIGHTS ADDITION to the City of Oklahoma City, Oklahoma County, State of Oklahoma, according to the recorded plat thereof;

AND

TRACT 2
The alleyway adjacent to the Southerly boundaries of Lots 7 through 23, inclusive, and the East 8.00 feet of Lot 24, and adjacent to the Northerly boundaries of the East 8.00 feet of Lot 25 and all of Lots 26 through 42, inclusive, Block 10, ARLINGTON HEIGHTS ADDITION to the City of Oklahoma City, Oklahoma County, State of Oklahoma, according to the recorded plat thereof.

Said tract of land contains an area of 126,177 square feet or 2.8966 acres, more or less.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS in 2005, and includes Items 1-4, 7a, 8-10, and 11a in Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Oklahoma, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

I further certify that:

- The accompanying survey was made on the ground and correctly shows the location of all observable above ground evidence of buildings, structures and other improvements situated on the above premises; and that the property described herein is the same as the property described in Old Republic National Title Insurance Company Commitment No. 20910-170004 dated December 2, 2009, issued February 24, 2010, and provided to this surveyor by American Eagle Title Insurance Company, and that all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site or otherwise known to me have been plotted hereon or otherwise noted as to their effect on the subject property; that there are no building encroachments on the subject property or upon adjacent land abutting said property unless shown hereon.
- This map or plat and the survey on which it is based were made in accordance with the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.
- Said described property is, by graphic plotting only, located within an area having a Zone Designation "X" (Areas determined to be outside the 500-year flood plain) by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 40109C0238G, with a date of identification of July 2, 2002, for Community No. 405378, in Oklahoma County, State of Oklahoma, which is the current Flood Insurance Rate Map for the community in which said premises is situated.
- The Property has direct access to N. Kelly Avenue and NE 33rd Street, both being dedicated public streets. Property also has direct access to NE 34th Street, an unimproved dedicated street right-of-way.
- The number of striped parking spaces located on the property is 47, 2 of which are designated for handicapped use.

Bob Manley, P.L.S. 1584 _____ Date _____

Notes:

- The bearings shown hereon are based upon the Oklahoma State Plane Coordinate System (North Zone).
- The platted 16 foot alley in Block 10 has been the subject of two previous vacation orders. The first was a vacation by City of Oklahoma City Ordinance #4906 recorded in Book 399, Page 564 on June 18, 1937. Said vacation by ordinance vacated and discontinued said alley reserving an easement for utilities over said platted alley and the city's right to re-open same at the discretion of the City Council.

Agents of Old Republic Title Insurance Company have asserted that the vacation of said alley by City Ordinance cited above does not constitute a true vacation due to the city's reservation of a right to reopen said alley.

JOURNAL ENTRY and JUDGEMENT in Case No. CJ-2006-1770 vacating, closing and foreclosing alleyway, recorded in Book 10095, Page 236, vacates the portion of the platted alley in Block 10 described above as Tract 2, extinguishing the city's right to reopen the same, but reserves a 16 foot utility easement over the platted alley in favor of Oklahoma Natural Gas (ONG) and Oklahoma Gas & Electric (OG&E).

Agents of Old Republic Title Insurance Company have asserted a claim that said vacation is invalid due to a failure of plaintiff to meet the prescribed notification requirements. The recorded document clearly states that said notification requirements had been met.

A determination of the validity of the legal process which led to the 2006 vacation order in Case No. CJ-2006-1770 is beyond the scope of professional land surveying and no such opinion is offered or implied herein, save that said vacation order has been signed and issued by the appropriate authority having jurisdiction and appears in the records of the Oklahoma County Clerk. This surveyor is not aware of any action taken by any party to invalidate this order and it appears to remain in full force and effect. Old Republic Title Insurance Company's reluctance to insure title to said Tract 2 is insufficient evidence for this surveyor to disregard a signed and apparently properly filed Vacation Order of the District Court and the boundary determination depicted hereon based upon that view. This represents the professional opinion of this Surveyor regarding this document only insofar as it affects the determination of the current boundary of subject property and associated property rights.

- JOURNAL ENTRY and JUDGEMENT partially vacating Plat restriction in Case No. CJ-2006-4152, dated July 20, 2006, affects the East 8 feet of Lots 24 and 25 and all of Lots 7 through 23 and 26 through 42; Said document vacates the restriction against use of said portion of subject property for anything other than residential purposes.

Items listed in Schedule B Part II of Old Republic National Title Insurance Company Commitment No. 20910-170004 dated December 2, 2009, issued February 24, 2010, and provided to this surveyor by American Eagle Title Insurance Company, corresponding to the following exception numbers:

- Streets as shown on the recorded PLAT of ELLIOTT PLACE ADDITION, recorded in Book 4 of Plats, Page 4; as vacated, subject to easements and right to reopen as reserved therein, by ORDINANCE No. 4730, recorded in Book 351, Page 410, do not affect subject property.
- Tract 1 is subject to a BUILDING SETBACK LINE across the North and South 25 feet as shown on the recorded PLAT of ARLINGTON HEIGHTS ADDITION, recorded in Book 15 of Plats, Page 99. The existing building on subject property extends 1.7 feet South of the BUILDING LINE across the South 25 feet of Tract 1 as shown on the recorded PLAT.

CONTINUED...

Bob Manley PLS L.L.C.

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3400 N. KELLY AVE.

ALTA/ACSM Land Title Survey

SURVEYING - MAPPING - CONSULTING

Oklahoma CA No. 4601 - Expires June 30, 2008

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Project No: 3444
Drawn by: rwm
DWG File: 3444A.dwg

Date: 02/01/10
Party Chief: b.manley
FB/Data File: 3444.rw5

Scale: 1" = 30'
Revisions:
Sheet #: 1 of 1