ALTA/NSPS Land Title Survey

125, 159, 185, 205, 223, 225, 227, 229, 231, 234, Parkway Drive
Fort Oglethorpe – Catoosa County – Georgia

Legal Description

Tract 1:

A certain tract of land, being a portion of a parcel located in Part of Land Lots 124 & 125, 4th District, 4th Section of Catoosa County, Fort Oglethorpe, Georgia as described in Deed Book 1324, Page 000 in the Register's Office of Catoosa County, Georgia, being more particularly described as follows:

Beginning at a capped iron rod set on the southern right-of-way line of Georgia Highway 2-A (Battlefield Parkway) having a right-of-way width of 200 feet, and the northwest corner of the former Family Property located in Part of Land Lot 126, 5th District, 4th Section of Catoosa County, Fort Oglethorpe, Georgia as described in Deed Book 1184, Page 117 in the Register's Office of Catoosa County, Georgia, said point also known as Lot 2 of the Armour Battlefield Subdivision as recorded in Plat Book 22, Page 259, in the Register's Office of Catoosa County, Georgia, said point also being the northeastern most corner of the property being herein described, said point also being known as the POINT OF BEGINNING thence, leaving said point and the aforementioned southern right-of-way line of Georgia Highway 2-A, in a curve to the left having a radius of 85.28 feet, an arc length of 23.82 feet and being subtended by a chord of South 25 degrees 40 minutes 30 seconds West to a point; thence, South 18 degrees 00 minutes 29 seconds West, 30.83 feet to a point; thence, South 20 degrees 22 minutes 07 seconds West, 14.64 feet to a point; thence, South 31 degrees 13 minutes 43 seconds West, 30.15 feet to a point; thence, South 25 degrees 33 minutes 07 seconds West, 7.74 feet to a point; thence, South 25 degrees 32 minutes 37 seconds West, 77.00 feet to a point; thence, in a curve to the left having a radius of 43.00 feet, an arc length of 67.76 feet and being subtended by a chord of South 19 degrees 22 minutes 08 seconds East, 61.01 feet to an iron rod set; thence, South 63 degrees 16 minutes 25 seconds East, 184.56 feet to an iron rod set; thence, South 66 degrees 46 minutes 19 seconds East, 78.27 feet to an iron rod found; thence, South 19 degrees 14 minutes 22 seconds West, 198.13 feet to an iron rod found; thence, North 76 degrees 45 minutes 38 seconds East, 34.13 feet to an iron rod set; thence, South 18 degrees 48 minutes 12 seconds West, 423.85 feet to an iron rod set; thence, South 00 degrees 41 minutes 26 seconds West, 59.13 feet to an iron rod set; thence, North 66 degrees 21 minutes 55 seconds West, 220.42 feet to an iron rod set; thence, South 19 degrees 19 minutes 32 seconds West, 173.13 feet to an iron rod set; thence, South 51 degrees 53 minutes 42 seconds West, 139.0+/- feet to the center of West Chickamauga Creek; thence, following the centerline of the creek, the following chord bearings and distances: North 36 degrees 08 minutes 18 seconds West, 62.7+/- feet; thence, North 27 degrees 47 minutes 16 seconds West, 128.4+/- feet; thence, North 34 degrees 20 minutes 44 seconds West, 124.7+/- feet; thence, North 44 degrees 04 minutes 39 seconds West, 138.4+/- feet; thence, North 48 degrees 57 minutes 42 seconds West, 236.0+/- feet; thence, North 51 degrees 17 minutes 51 seconds West, 133.8+/- feet to a point; thence, leaving the centerline of West Chickamauga Creek, North 27 degrees 02 minutes 00 seconds East, 523.49+/- feet to an iron rod set; thence, North 13 degrees 54 minutes 35 seconds East, 46.50 feet to an iron rod set; thence, South 77 degrees 52 minutes 13 seconds East, 182.00 feet to an iron rod set; thence, North 61 degrees 05 minutes 15 seconds East, 7.89 feet to an iron rod set; thence, South 62 degrees 51 minutes 23 seconds East, 300.66 feet to a iron rod set; thence, in a curve to the left, having a radius of 40.00 feet, an arc length of 63.68 feet and being subtended by a chord of North 71 degrees 30 minutes 52 seconds East, 57.00 feet to a point; thence, North 25 degrees 33 minutes 07 seconds East, 390.80 feet to a point; thence, North 25 degrees 31 minutes 24 seconds East, 6.35 feet to a point; thence, North 19 degrees 52 minutes 59 seconds East, 30.33 feet to a point; thence, North 12 degrees 22 minutes 20 seconds East, 13.41 feet to a point; thence, North 21 degrees 13 minutes 40 seconds East, 20.13 feet to a point; thence, North 25 degrees 31 minutes 21 seconds East, 13.43 feet to a point; thence, in a curve to the left, having a radius of 67.72 feet, an arc length of 23.90 feet and being subtended by a chord of North 15 degrees 26 minutes 00 seconds East, 23.77 feet to an iron rod set on the southern right-of-way line of the aforementioned Battlefield Parkway; thence, with and along the southern right-of-way line of the aforementioned Battlefield Parkway, South 60 degrees 14 minutes 38 seconds East, 34.00 feet to the POINT OF BEGINNING.

Said tract of land herein described contains 765,823.13 Square Feet or 17.65 Acres.

Tract 2:

TOGETHER WITH easements appurtenant to said property as contained in that certain Access Easement by and between Wal-Mart Real Estate Business Trust, a Delaware statutory trust, and C. Larry Armour, dated March 13, 2014 and recorded in Deed Book 1718, Page 61, Catoosa County, Georgia Records.

TOGETHER WITH easements appurtenant to said property as contained in that certain Access and Utility Easement by and between Huckleberry Place, LLC and C. Larry Armour, personally, C. Larry Armour, Trustee and Gail C. Armour, Trustee for the Larry Todd Armour Irrevocable Trust under Agreement dated July 1, 2004 and C. Larry Armour, Trustee and Gail C. Armour, Trustee for the Michael Jason Armour under Agreement dated July 1, 2004 dated March 13, 2014, filed for record March 13, 2014 and recorded in Book 1719, Page 42, aforesaid records. *(Affects Subject Property – As Shown)*

The tracts herein described are the same tracts as detailed in title commitment prepared by Fidelity National Title Insurance Company, bearing a policy number of 18144200 and an effective date of June 14, 2018.

Surveyors Certification

for
Lot 1
Armour Battlefield Subdivision

Based Upon Title Commitment Policy No. 18144200A
Issued by: Fidelity National Title Insurance Company
bearing an effective date of June 14, 2018 at 12:00 a.m.

To: Parkway Plaza, LLC, a Georgia limited liability company
Fidelity National Title Insurance Company
Wells Fargo Bank, National Association
Stearns Approval, Inc.
and their successors and assigns as their interests may appear

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 – 4, 6b, 7a, 7b1, 7b2, 8, 9, 10a, 11a, 13, 14, and 19 – 16 of Table A thereof. The fieldwork was completed on July 18, 2018.

Michael Shane Lloyd
Registered Land Surveyor No. 3155
In the State of Georgia
Drawing No.: 181285
Date of Survey: 07/19/2018
Date of Last Revision: 08/17/2018

This Survey is NOT transferable to any other owner or lender, and may not be copied or used in any way without express written consent of The R•L•S Group, LLC.

Current Zoning Information

- Current Zoning Classification: C-2, General Commercial District
- Setback Requirements:
  Front: 50 feet
  Side: 20 feet
  Rear: 25 feet
- Building Height Requirements:
  Maximum Building Height: 45 feet
- Density Requirements:
  Maximum Lot Coverage: None Specified
- Off-Street Parking Requirements:
  Parking Formula: 1 space for every 250 Square Feet of Gross Floor Area
  Number of Required Spaces: 538 total parking spaces required

Zoning Compliance Report provided by FCR Report, certified to Housepage Properties LLC and its successors and assigns, bearing a final date of August 14, 2018.

PARKING SPACE TABLE

Type of Space	Existing
Regular	556
Handicap	18
Total	574

Note Corresponding to Schedule B

12. Terms and provisions of that certain Access Easement by and between Wal-Mart Real Estate Business Trust, a Delaware statutory trust, and C. Larry Armour, dated November 20, 2013, filed March 13, 2014, and recorded in Deed Book 1719, Page 6, Catoosa County, Georgia records. *(Affects Subject Property – As Shown)*

13. Terms and provisions of that certain Access and Utility Easement Agreement by and between Huckleberry Place LLC and C. Larry Armour, personally, C. Larry Armour, Trustee and Gail C. Armour, Trustee for the Larry Todd Armour Irrevocable Trust under Agreement dated July 1, 2004 and C. Larry Armour, Trustee and Gail C. Armour, Trustee for the Michael Jason Armour under Agreement dated July 1, 2004 dated March 13, 2014 and recorded in Book 1719, Page 42, aforesaid records. *(Affects Subject Property – As Shown)*

14. Access Easement for Family Use by and between Wal-Mart Stores, Inc., a Delaware corporation and Estate of Charles A. Kellenbeck, Sr., and Estate of Kate C. Kellenbeck (a/k/a Kate Cothran Kellenbeck), Charles A. Kellenbeck, Jr., Mary K. Ripley and Julia H. Stokes, dated December 10, 1984, filed for record December 21, 1984, and recorded in Deed Book 507, Page 786, Catoosa County, Georgia records; as amended by that certain Modification and Grant of Access Easement for Family Use by and among Wal-Mart Stores, Inc., a Delaware Corporation, Wal-Mart Real Estate Business Trust, a Delaware Business Trust, BMH-Battlefield, Inc., a Georgia corporation, and Julia H. Stokes, an individual resident of the State of Tennessee, Mary K. Ripley, an individual resident of the State of Georgia, and Henry C. Kellenbeck, and individual resident of the State of Tennessee, dated March 19, 1990, filed for record March 23, 1998, and recorded in Deed Book 694, Page 207, aforesaid records; as further amended by that certain First Amendment to Modification and Grant of Access Easement for Family Use, filed for record February 23, 2000, and recorded in Deed Book 734, Page 484, aforesaid records; and as re-recorded on February 24, 2000 in Deed Book 734, Page 687, aforesaid records. *(Does Not Affect Subject Property)*

15. Georgia Highway No. 2-A (Battlefield Parkway) is the northern boundary of the subject property, which highway is a limited access highway with points of access only at such points as designated by the Georgia Department of Transportation or other governmental agency. *(Affects Subject Property – As Shown)*

16. Terms and provisions of that certain Access, Parking and Utility Easement by and between Wal-Mart Real Estate Business Trust, a Delaware Business Trust and BMH-Battlefield, Inc., a Georgia corporation, dated March 10, 1999 filed for record March 22, 1999, and recorded in Deed Book 680, Page 184, aforesaid records; as amended by the certain First Amendment to Access, Parking, and Utility Easement and Waiver, dated February 16, 2000, filed for record February 22, 2000, and recorded in Deed Book 734, Page 490, aforesaid records; and as re-recorded on February 24, 2000 in Deed Book 734, Page 683, aforesaid records. *(Does Not Affect Subject Property)*

17. Terms and provisions of that certain Easements with Covenants and Restrictions affecting land, by and between Eric S. Zorn, as Trustee of Wal-Mart Real Estate Business Trust, a Delaware statutory trust, and Murphy Oil USA Inc., a Delaware corporation, dated January 28, 2008, filed for record February 22, 2008, and recorded in Deed Book 1421, Page 243, aforesaid records. *(Does Not Affect Subject Property)*

18. Terms and provisions of that certain Declaration of Environmental Release, by Wal-Mart Stores, Inc., a Delaware corporation, Eric S. Zorn, as Trustee of Wal-Mart Real Estate Business Trust, a Delaware statutory trust, Wal-Mart Stores East, LP, a Delaware limited partnership, Wal-Mart Stores East, Inc., an Arkansas corporation, (formerly a Delaware corporation), Wal-Mart Louisiana, LLC, a Delaware limited liability company, and Wal-Mart Stores Texas, LLC, a Delaware limited liability company (formerly known as Wal-Mart Stores Texas, LP, a Texas limited partnership) and Murphy Oil USA, Inc., a Delaware corporation dated January 28, 2008, filed for record February 22, 2008 and recorded in Deed Book 1421, Page 264, aforesaid records *(Does Not Affect Subject Property)*

19. Restrictions contained in Limited Warranty Deed by and among C. Larry Armour As To A ½ Undivided Interest, C. Larry Armour, Trustee And Gail C. Armour, Trustee For The Larry Todd Armour Irrevocable Trust Under Agreement Dated July 1, 2004 As To An Undivided ½ Interest, And C. Larry Armour, Trustee And Gail C. Armour, Trustee For The Michael Jason Armour Irrevocable Trust Under Agreement Dated July 1, 2004 As To An Undivided ½ Interest And Huckleberry Place, LLC, a Georgia limited liability company, dated March 4, 2014 and recorded March 13, 2014 in Deed Book 1719, page 29, aforesaid records. *(Affects Subject Property – As Shown)*

20. Claims to land created or lost by accretion, reliction, or avulsion resulting from the movement of the West Chickamauga Creek which forms the southeastern boundary of the insured property. *(Affects Subject Property – As Shown)*

21. Lease evidenced by Memorandum of Lease by and between Huckleberry Place, LLC, a Georgia limited liability company and Mimimalls of WA, Inc., a Massachusetts corporation, dated July 11, 2014 and recorded July 25, 2014 in Deed Book 1738, Page 133, aforesaid records. *(Affects Subject Property – Unable to Plot)*

22. Lease evidenced by Memorandum of Lease by and between Huckleberry Place, LLC, a Georgia limited liability company and Ross Dress For Less, Inc., a Virginia corporation, dated May 1, 2014 and recorded September 3, 2014 in Deed Book 1756, Page 547, aforementioned records. *(Affects Subject Property – Unable to Plot)*

23. Permanent Water Easement from Huckleberry Place, LLC, a Georgia limited liability company to City of Fort Oglethorpe, a municipal corporation, dated February 3, 2017 and recorded July 7, 2017 in Deed Book 1987, Page 440, as depicted on Plat Book 23, Page 239, aforesaid records. *(Affects Subject Property – As Shown)*

24. Permanent Water Easement from Huckleberry Place, LLC, a Georgia limited liability company to Catoosa County Utility District Authority, a municipal corporation, dated July 12, 2017 and recorded August 6, 2017 in Deed Book 1991, Page 742, aforesaid records. *(Affects Subject Property – As Shown)*

25. All matters shown on that certain plat entitled "Final Plat of Lots 1, 2, 3, & 4, Armour Battlefield Subdivision, Land Lot 125, 4th District, Fort Oglethorpe, Georgia", recorded in Plat Book 22 at Page 268, in the Office of the Clerk of the Superior Court of Catoosa County, Georgia. *(Affects Subject Property – As Shown)*

Flood Note

I, hereby certify after examination of the current F.E.M.A.-Flood Insurance Rate Map No.13047C0035E that the subject property lies in zone(s) "X" and "AE" thereon and a portion DOES lie within the 100 year flood hazard area. The reference map bears a revised date of September 11, 2009.

Statement of Encroachments

(A) At the time of this survey, the surveyor observed a portion of curb encroaches from the subject property onto an adjoining property by as much as 1.3'±

LEGEND

- Power Pole
- Light Pole
- Transformer Pad
- Water Meter
- Water Valve
- Fire Hydrant
- Manhole
- Manhole Telephone
- Manhole Electric
- Clean Out
- Gas Meter
- Gas Valve
- Telephone Riser
- Electric Access Box
- Signal Pole
- Bench Mark
- Guy Wire
- Tree
- Monitoring Well
- Catch Basins
- Iron Rod (Found)
- Iron Pipe (Found)
- Concrete Monument (Found)
- P.K. Nail (Found)
- Iron Rod (Set)
- Concrete
- Edge of Asphalt
- P.O.C. Point of Commencement
- P.O.B. Point of Beginning
- Auto-Sprinkler Valve Box
- Sprinkler Valve
- Irrigation Control Valve
- FFE Finished Floor Elevation
- RCP Reinforced Concrete Pipe
- CMP Corrugated Metal Pipe
- ℄ Centerline
- Property Line
- Building Line
- Easement Line
- Center Line
- Gas Line
- Sewer Line (Sanitary)
- Sewer Line (Storm)
- Overhead Power & Communication Line
- Electric Line (U/G)
- Telephone Line (U/G)
- Fence Line

Note: Utility Service Lines Shown at Approximate Locations Only.

Scale 1" = 60'

Contact Information

Catoosa Planning Commission
184 Tiger Trail
Ringgold, GA 30736
706-965-2987

Ringgold Telephone Co.
202 Tom Parkway
Ringgold, GA 30736
706-965-5554

Catoosa Utility District
1694 Old Dalton Rd
Ringgold, GA 30736
706-937-4127

Atlanta Gas & Light Co.
10 Peachtree Memorial Way
Rome, GA 30161
706-238-4640

Georgia Power
District Office
1196 Martin Luther King Jr. Dr.
Dalton, GA 30721
888-660-5890

Drawing No.: 181285
Tax Map: 0134001
File Name: Parkway Drive

SHEET 1 OF 1

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The Location of existing underground utilities are shown as approximate locations only and are based upon the best location of visible utility apparatus and information provided by utility companies.