PART OF LOT 1-B CENTER CITY RESUBDIVISION OF LOT 1 (PB. 129, PG. 95) BOTH OF RECORD AT THE SHELBY COUNTY REGISTER'S OFFICE, LOCATED IN MEMPHIS, SHELBY COUNTY, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF ANGELUS PLACE (46' PUBLIC ROW), SAID POINT BEING 25.56 FEET SOUTH OF THE TANGENT INTERSECTION OF THE SOUTH LINE OF POPLAR AVENUE (94' PUBLIC ROW) AND THE WEST LINE OF SAID ANGELUS PLACE; THENCE ALONG THE WEST LINE OF SAID ANGELUS PLACE S09°07'31"W A DISTANCE OF 493.44 FEET TO A POINT; THENCE LEAVING SAID WEST LINE N80°52'29"W A DISTANCE OF 394.72 FEET TO A POINT IN THE EAST LINE OF NORTH AVALON STREET (PUBLIC ROW VARIES); THENCE ALONG SAID EAST LINE N09°17'57"E A DISTANCE OF 360.62 FEET TO A POINT; THENCE S80°42'14"E A DISTANCE OF 12.00 FEET TO A POINT; THENCE N09°17'46"E A DISTANCE OF 125.62 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25,00 FEET, AN ARC LENGTH OF 38.64 FEET (CHORD N53°34'43"E - 34.91 FEET ) TO A POINT IN THE SOUTH LINE OF SAID POPLAR AVENUE: THENCE ALONG SAID SOUTH LINE S82°08'20"E A DISTANCE OF 331.35 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.82 FEET (CHORD S36°30'24"E - 35.74 FEET) TO THE POINT OF BEGINNING AND CONTAINING 200,684 SQUARE FEET OR 4,607 ACRES.

# PROPERTY DESCRIPTION - PARCEL 1 - TRACT 1

BEING LOT 1-A OF THE CENTER CITY RESUBDIVISION OF LOT 1 AS RECORDED IN PLAT BOOK 129, PAGE 95 OF RECORD AT THE SHELBY COUNTY REGISTER'S OFFICE, LOCATED IN MEMPHIS, TENNESSEE AND BEING MORE PARTICULARLY

BEGINNING AT A POINT IN THE WEST LINE OF ANGELUS PLACE (46' PUBLIC ROW), SAID POINT BEING 25.56 FEET SOUTH OF THE TANGENT INTERSECTION OF THE SOUTH LINE OF POPLAR AVENUE (94' PUBLIC ROW) AND THE SAID WEST LINE OF ANGELUS PLACE; THENCE ALONG THE WEST LINE OF SAID ANGELUS PLACE S09°07'31"W A DISTANCE OF 90.38 FEET TO A POINT; THENCE LEAVING SAID WEST LINE, N80°59'54"W A DISTANCE OF 169.86 FEET TO A POINT; THENCE N09°16'36"E A DISTANCE OF 112.56 FEET TO A POINT ON THE SOUTH LINE OF SAID POPLAR AVENUE; THENCE S82°08'20"E A DISTANCE OF 144.05 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.82 FEET (CHORD S36°30'24"E - 35.74') TO THE POINT OF BEGINNING AND CONTAINING 19,248 SQUARE FEET OR 0.441 ACRE.

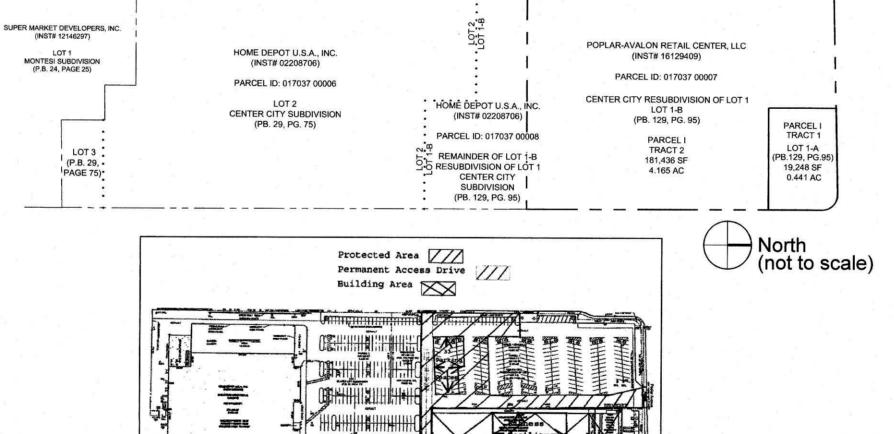
# PROPERTY DESCRIPTION - PARCEL 1 - TRACT 2

BEING PART OF LOT 1-B OF THE CENTER CITY RESUBDIVISION OF LOT 1 AS RECORDED IN PLAT BOOK 129, PAGE 95 OF RECORD AT THE SHELBY COUNTY REGISTER'S OFFICE, LOCATED IN MEMPHIS, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WEST LINE OF ANGELUS PLACE (46' PUBLIC ROW), SAID POINT BEING 25.56 FEET SOUTH OF THE TANGENT INTERSECTION OF THE SOUTH LINE OF POPLAR AVENUE (94' PUBLIC ROW) AND THE SAID WEST LINE OF ANGELUS PLACE; THENCE ALONG THE WEST LINE OF SAID ANGELUS PLACE S09°07'31"W A DISTANCE OF 90.38 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, S09°07'31"W A DISTANCE OF 403.06 FEET TO A POINT; THENCE LEAVING SAID WEST LINE, N80°52'29"W A DISTANCE OF 394.72 FEET TO A POINT IN THE EAST LINE OF NORTH AVALON STREET (PUBLIC ROW VARIES); THENCE ALONG THE EAST LINE OF SAID NORTH AVALON STREET N09°17'57"E A DISTANCE OF 360.62 FEET TO A POINT; THENCE S80°42'14"E A DISTANCE OF 12.00 FEET TO A POINT; THENCE N09°17'46"E A DISTANCE OF 125.62 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 38.64 FEET (CHORD 34.91' - N53°34'43"E) TO A POINT ON THE SOUTH LINE OF SAID POPLAR AVENUE; THENCE S82°08'20"E A DISTANCE OF 187.30 FEET TO A POINT; THENCE LEAVING SAID SOUTH LINE, S09°16'36"W A DISTANCE OF 112.56 FEET TO A POINT; THENCE S80°59'54"E A DISTANCE OF 169.86 FEET TO THE POINT OF BEGINNING AND CONTAINING 181,436 SQUARE FEET OR 4.165 ACRES.

# PARCEL II - EASEMENT PARCEL

TOGETHER WITH PERPETUAL, NON-EXCLUSIVE EASEMENT RIGHTS AND ANY OTHER REAL PROPERTY INTERESTS BENEFITTING THE INSURED FEE PROPERTY, CONTAINED IN THAT CERTAIN RESTRICTIVE COVENANTS AND EASEMENT AGREEMENT, DATED APRIL 29, 2015, BY AND BETWEEN POPLAR AVALON, LLC, A TENNESSEE LIMITED LIABILITY COMPANY AND HOME DEPOT U.S.A., INC. A DELAWARE CORPORATION, RECORDED APRIL 29, 2015, AS INSTRUMENT NUMBER 15039203, REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE.



22 EXHIBIT 'C' (INST. 15039203)

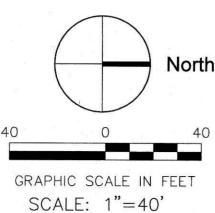
# -PROPERTY DESCRIPTION CONTINUED-

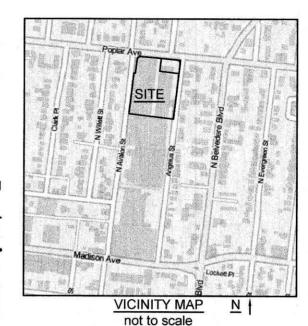
# PARCEL III - EASEMENT PARCEL

TOGETHER WITH PERPETUAL, NON-EXCLUSIVE EASEMENT RIGHTS AND ANY OTHER REAL PROPERTY INTERESTS BENEFITTING THE INSURED FEE PROPERTY, CONTAINED IN THAT CERTAIN RECIPROCAL EASEMENTS, COVENANTS AND RESTRICTIONS, DATED MARCH 31, 1992, RECORDED APRIL 1, 1992, AS INSTRUMENT CU0453, REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE.

BEING THE SAME PROPERTY CONVEYED TO POPLAR-AVALON RETAIL CENTER, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, BY SPECIAL WARRANTY DEED OF RECORD IN INSTRUMENT NO. 16129409, IN THE REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE.

BEING THE SAME PROPERTY CONVEYED CENTER CITY PROPERTIES, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, BY DEED OF RECORD IN INSTRUMENT NO. , IN THE REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE.





#### LEGEND

A/C AIR CONDITIONER CO CLEANOUT CONC CONCRETE **EM ELECTRIC METER** EMH ELECTRIC MANHOLE FDC FIRE DEPARTMENT CONNECTION FIRE HYDRANT FOM FIBER OPTIC MARKER

GEN GENERATOR **GAS LINE GAS METER** GP **GUY POLE** GV **GAS VALVE GUY WIRE** HCR HANDICAP RAMP

STORM DRAIN INLET LIGHT POLE LP OVERHEAD ELECTRIC PB PULLBOX PIV POST INDICATOR VALVE POB POINT OF BEGINNING

POC POINT OF COMMENCEMENT PP POWER POLE SMH SANITARY SEWER MANHOLE TB TELEPHONE BOX TRASH TRASH COMPACTOR

TSP TRAFFIC SIGNAL POLE TSVLT TRAFFIC SIGNAL VAULT UG/CV UNDERGROUND COMMUNICATION VAULT UGE UNDERGROUND ELECTRIC LINE

WROUGHT IRON WATER LINE WATER METER WATER VALVE

# EXCEPTION ITEM

Survey performed by

Memphis, TN 38138

Phone: 901-761-2016 Fax: 901-763-2847

Registration No. 807

In the State of Tennessee

TRF Project No. 19-0015

Date of Survey April 5, 2019

Reaves | Engineering

Firm | Land Surveying

6800 POPLAR AVENUE, SUITE 101

MEMPHIS, TN 38138

901-761-2016

www.ReavesFirm.com

Date of Last Revision: April 30, 2019

Michael Frye

The Reaves Firm, Inc.

6800 Poplar Avenue, Suite 101

Email: deena@reavesfirm.com

## INDEX OF TITLE EXCEPTIONS

THIS SURVEY WAS PREPARED USING FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE. COMMITMENT NUMBER 1900094CTN, DATED MARCH 13, 2019. THIS COMMITMENT IS BEING RELIED UPON BY THE SURVEYOR TO BE A TRUE, ACCURATE AND COMPLETE REPRESENTATION OF THE CURRENT TITLE MATTERS THAT AFFECT THE SURVEYED PROPERTY. NO INDEPENDENT TITLE RESEARCH WAS UNDERTAKEN OR COMMISSIONED BY THE SURVEYOR IN THE PREPARATION OF THIS SURVEY. ANY DEED BOOK, PLAT BOOK, OR INSTRUMENT NUMBER REFERENCES NOTED BELOW ARE RECORDED IN THE REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE UNLESS NOTED OTHERWISE. BELOW IS A LIST OF THE ITEMS LISTED IN SCHEDULE B - SECTION 2 OF THE ABOVE MENTIONED COMMITMENT AND THEIR AFFECT ON THE SURVEYED PROPERTY.

### ITEMS 1-9 AND 17-26 ARE NOT SURVEY RELATED ITEMS.

- 10. THE SURVEYED PROPERTY IS SUBJECT TO ALL MATTERS AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 129, PAGE 95;
- 11. THE SURVEYED PROPERTY IS SUBJECT TO ALL MATTERS AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 29, PAGE 75;
- 12. THE SURVEYED PROPERTY IS SUBJECT TO ALL MATTERS AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 27, PAGE 68;
- 13. THE SURVEYED PROPERTY IS SUBJECT TO ALL MATTERS AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 27, PAGE 17;
- 14. THE SURVEYED PROPERTY IS SUBJECT TO ALL MATTERS AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 24, PAGE 25;
- 15. THE SURVEYED PROPERTY IS SUBJECT TO EASEMENT CONTRACT OF RECORD IN BOOK 5185, PAGE 300. LOCATED AND SHOWN HEREON.
- 16. THE SURVEYED PROPERTY IS SUBJECT TO EASEMENT CONTRACT OF RECORD IN BOOK 5306, PAGE 292. LOCATED AND SHOWN HEREON.
- 17. THE SURVEYED PROPERTY IS SUBJECT TO EASEMENT CONTRACT OF RECORD IN BOOK 5328, PAGE 272. LOCATED AND SHOWN HEREON.
- 18. THE SURVEYED PROPERTY IS SUBJECT TO EASEMENT CONTRACT OF RECORD IN BOOK 6104, PAGE 110.
- 19. THE SURVEYED PROPERTY IS SUBJECT TO EASEMENT CONTRACT OF RECORD IN BOOK 6106, PAGE 410. LOCATED AND SHOWN HEREON.
- 20. THE SURVEYOR HAS NO OPINION ON MEMORANDUM OF LEASE OF RECORD IN INSTRUMENT NO. 07105065.
- 21. THE SURVEYOR HAS NO OPINION ON SHORT FORM LEASE OF RECORD IN INSTRUMENT NO. 10099535.
- 22. THE SURVEYED PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS AND EASEMENT AGREEMENT OF RECORD IN INSTRUMENT NO. 15039203. PLOTTABLE ITEMS ARE SHOWN.
- 23. RIGHTS OF TENANTS IS NOT SURVEY RELATED.

LOCATED AND SHOWN HEREON.

24. THE SURVEYED PROPERTY IS SUBJECT TO DECLARATION OF RECIPROCAL EASEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD IN INSTRUMENT NO. CU-0453. BLANKET IN NATURE, NOT PLOTTABLE.

- 1. ALL BEARINGS ARE RELATIVE TO THE SHELBY COUNTY GEODETIC NETWORK ESTABLISHED BY THE CITY OF MEMPHIS SURVEY SERVICE CENTER.
- 2. ANY DEED BOOK, PLAT BOOK, OR INSTRUMENT NUMBER REFERENCES SHOWN HEREON ARE RECORDED IN THE REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE UNLESS NOTED OTHERWISE
- 3. DISTANCES SHOWN ON THIS PLAT ARE IN FEET.
- 4. THIS MAP OR PLAT IS BASED UPON THE FIELD NOTES OF THE SURVEY. THIS SURVEY ACCURATELY SHOWS THE LOCATION OF ALL VISIBLE, ABOVE GROUND BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS. THE DESCRIPTION SHOWN HEREON IS BASED UPON THE FIELD SURVEY AND IS CORRECT, COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND
- 5. ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NUMBER 47157C0270F, DATED SEPTEMBER 28, 2007, THIS PROPERTY HAS THE FOLLOWING ZONE CLASSIFICATIONS:
- OTHER AREAS ZONE "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
- 6. APPLICABLE BUILDING SETBACK LINES ARE AS REQUIRED BY BUILDING CODE, ZONING ORDINANCE OR ANY RECORDED PLAT OR INSTRUMENT OF RECORD.
- 7. THE ERROR OF CLOSURE FOR THE UNADJUSTED TRAVERSE IS GREATER THAN 1:10,000. THIS IS A CATEGORY "I" SURVEY IN ACCORDANCE WITH THE STATE OF TENNESSEE LAND SURVEYOR'S STANDARDS.
- 8. A ZONING REPORT WAS PROVIDED TO THE SURVEYOR BY THE CLIENT.
- PZR REPORT DATED 03/28/19 PZR SITE NUMBER 127054-1.
- PER THE PLANNING & ZONING RESOURCE COMPANY, THE SURVEYED PROPERTY IS CURRENTLY ZONED AS FOLLOWS:
- CMU-3 (COMMERCIAL MIXED USE -3)

# (ALTA TABLE "A" ITEM 6(a)(b)

- 9. THE LOCATIONS OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY WERE DETERMINED BY PHYSICAL ABOVE GROUND EVIDENCE AND PLANS AND MARKINGS PROVIDED BY THE VARIOUS UTILITY COMPANIES. THE UTILITY INSTALLATIONS SHOWN HEREON ARE APPROXIMATE ONLY AND ARE SUBJECT TO FIELD VERIFICATION. CALL TENNESSEE ONE CALL AT 811 PRIOR TO ANY DIGGING OR EXCAVATING (ALTA TABLE "A" ITEM 11)
- 10. THE SURVEYED PROPERTY IS CURRENTLY IMPROVED WITH RETAIL BUILDINGS (AS SHOWN). THERE WAS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK. (ALTA TABLE "A" ITEM 16)
- 11. THE SURVEYED PROPERTY IS ADJACENT TO, CONTIGUOUS WITH AND HAS DIRECT PHYSICAL ACCESS TO POPLAR AVENUE. NORTH AVALON STREET AND ANGELUS PLACE, ALL ARE FULLY DEDICATED AND IMPROVED PUBLIC RIGHTS-OF-WAY. THE SURVEYOR IS NOT AWARE OF PROPOSED CHANGES IN STREET RIGHT OF WAY LINES. THERE IS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK. (ALTA TABLE "A" ITEM 17)
- 12. NO WETLAND DELINEATION MARKERS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK. (ALTA TABLE "A" ITEM 18)
- 13. NO STATEMENT OR CERTIFICATION IS MADE AS TO THE COMPLIANCE OF THIS SITE WITH THE CURRENT ADA ACCESSIBILITY STANDARDS.
- 14. LOT 1-A PARCEL I TRACT 1 CONTAINS 19 PARKING SPACES OF WHICH 2 ARE DESIGNATED AS HANDICAPPED. LOT 1-B - PARCEL I - TRACT 2 CONTAINS 251 PARKING SPACES OF WHICH 6 ARE DESIGNATED AS HANDICAPPED.
- 15. THE SOUTH AND WEST BOUNDARIES OF PARCEL 1, TRACT 1 ARE CONTIGUOUS TO THE NORTH AND EAST BOUNDARIES OF PARCEL 1, TRACT 2. ALL LOT LINES ARE CONTIGUOUS WITH NO GAPS OR GORES.

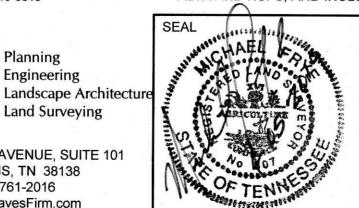
# SURVEYORS CERTIFICATE

FIDELITY NATIONAL TITLE INSURANCE COMPANY,

HAUPPAUGE PROPERTIES, LLC, WELLS FARGO BANK, NATIONAL ASSOCIATION, ITS SUCCESSORS AND/OR ASSIGNS, CENTER CITY PROPERTIES, LLC, A TENNESSEE LIMITED LIABILITY COMPANY,

ISLAND ABSTRACT INC.

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)(b), 7(a), 7(b-1), 7(c), 8, 9, 11, 13, 14, 16, 17, 18, 19 & 20 OF TABLE A THEREOF.



FOR: SHEET TITLE:

PROJECT: SCALE: SURVEY OF THE FIELD DATE: 02/19/19 POPLAR-AVALON RETAIL CENTER, LLC PROPERTY ISSUE DATE: 04/05/19

1625 POPLAR AVENUE, MEMPHIS, TN 38104 HAUPPAUGE PROPERTIES, LLC

ALTA/NSPS LAND TITLE SURVEY TRF JOB NO.: 19-0015 SHEET NO .: Sht 1 of 1

PREPARED BY: DRS

1"=40"

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