REFERENCES
1. TOWNSHIP OF WHITEHALL TAX MAP.

2. MAP ENTITLED "ALTA SURVEY, DON PABLO'S STORE #86, WHITEHALL TOWNSHIP, LEHIGH COUNTY PENNSYLVANIA" PERFORMED BY HANOVER ENGINEERING ASSOCIATES, INC., DATED 2-26-03.

3. DEED RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF LEHIGH COUNTY ON JUNE 28, 2000 IN DEED VOLUME 1651, PAGE 300.

ENCROACHMENTS
NONE OBSERVED

OBSERVATIONS
1. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

2. THERE ARE NO CHANGES IN STREET RIGHT-OF-WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION

3. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.

4. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

NOTES
1. ATTENTION IS DIRECTED TO THE FACT THAT APPROXIMATE LOCATIONS OF KNOWN UTILITY STRUCTURES AND FACILITIES THAT MAY BE ENCOUNTERED WITHIN AND ADJACENT TO THE LIMITS OF THE SURVEY ARE SHOWN ON THE PLAN. THE ACCURACY AND COMPLETENESS OF THIS INFORMATION IS NOT GUARANTEED BY THE SURVEYOR.

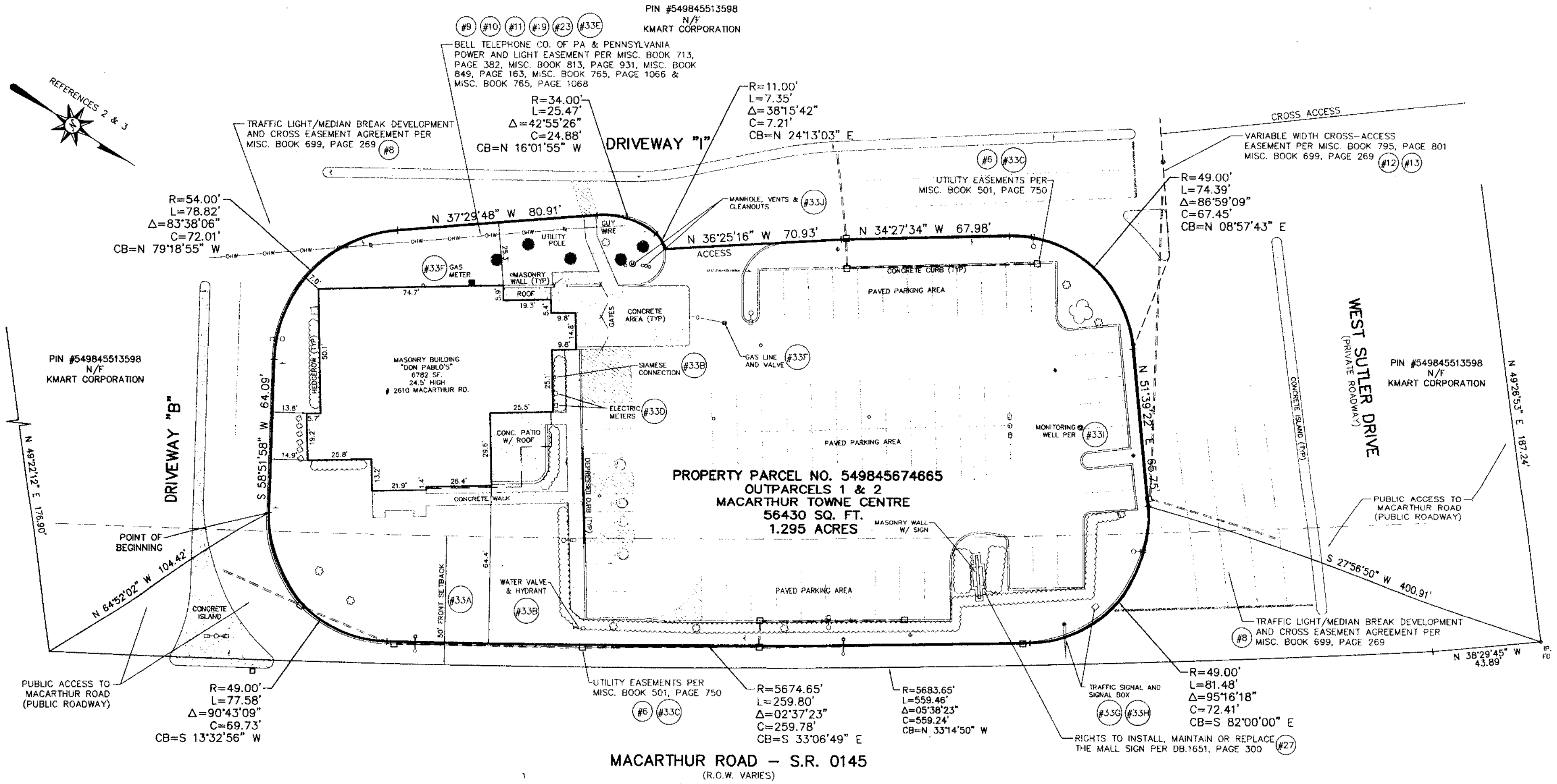
2. ALL FIELD MEASUREMENTS MATCHED RECORDED DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/ACSM SPECIFICATIONS.

3. THE PARCEL IS LOCATED IN THE C2 ZONE, REGIONAL-COMUNITY COMMERCIAL, WHICH ALLOWS THE RESTAURANT USE.

4. ALL UTILITIES APPEAR TO ENTER THE SITE VIA PUBLIC RIGHT-OF-WAYS OR BLANKET EASEMENTS AS NOTED IN THE SCHEDULE B-SECTION 2 EXCEPTIONS.

5. THE PROPERTY APPEARS TO DRAIN INTO PUBLIC RIGHT-OF-WAY OR BLANKET UTILITY EASEMENTS AS NOTED IN THE SCHEDULE B-SECTION 2 EXCEPTIONS.

6. ALL EASEMENTS THAT ARE BLANKET IN NATURE ARE NOTED IN THE SCHEDULE B-SECTION 2 EXCEPTIONS.



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY AND REPRESENT TO DON PABLO'S OPERATING CORP., CNL RESTAURANT CAPITAL, LP, A DELAWARE LIMITED PARTNERSHIP, CNL APF PARTNERS, LP, A DELAWARE LIMITED PARTNERSHIP, CNL NET LEASE FUNDING 2003, LLC, A DELAWARE LIMITED LIABILITY COMPANY, RAI RESTAURANTS, INC., A FLORIDA CORPORATION, CNL FINANCIAL VII, LP, A DELAWARE LIMITED PARTNERSHIP, TRUSTREET SELLER VII, LLC, A DELAWARE LIMITED LIABILITY COMPANY, CNL FINANCIAL VIII, LP, A DELAWARE LIMITED PARTNERSHIP, TRUSTREET SELLER VIII, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND WELLS FARGO BANK, N.A., AS COLLATERAL AGENT, PURSUANT TO THAT CERTAIN COLLATERAL AGENCY AGREEMENT DATED MARCH 31, 2006, BETWEEN CNL RESTAURANT CAPITAL, LP AND WELLS FARGO BANK, N.A., AS MORTGAGEE, AND EACH OF THEIR AFFILIATES, AND THEIR SUCCESSORS AND/OR ASSIGNS, AND LAWYERS TITLE INSURANCE COMPANY THAT (A) THIS IS A TRUE AND CORRECT MAP OF SURVEY MADE UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION 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 INCLUDE ITEMS 1, 2, 3, 4, 6, 7(A), 7(B), 7(C), 8, 9, 10, 11(A), 13 AND 14 AND TABLE A THEREOF AND THE STATE OF PENNSYLVANIA; (B) THIS MAP OF SURVEY CORRECTLY AND COMPLETELY SHOWS THE LOCATION OF ALL SUBSTANTIAL (I) VISIBLE IMPROVEMENTS AND STRUCTURES, (II) EASEMENTS AND RIGHTS-OF-WAY, (III) ENCROACHMENTS, OVERLAPS AND BOUNDARY LINE DISPUTES, (IV) AREAS DEVOTED OR RESTRICTED IN RECIPROCAL EASEMENT AGREEMENTS, AND ALL OTHER MATTERS VISIBLE ON THE GROUND OR OF RECORD (AS REFLECTED IN THE BELOW REFERENCED TITLE COMMITMENT), OR OF WHICH THE UNDERSIGNED HAS OTHERWISE BEEN ADVISED AS LOCATED ON, ENCUMBERING OR APPURTENANT TO THE PROPERTY; (C) AS SHOWN ON THIS MAP OF SURVEY, INGRESS AND EGRESS TO THE LAND DESCRIBED IN THIS MAP OF SURVEY IS PROVIDED BY MACARTHUR ROAD, THE SAME BEING A PAVED AND DEDICATED RIGHT OF WAY MAINTAINED BY PENN D.O.T.; (D) THE LAND DESCRIBED IN THIS MAP OF SURVEY DOES NOT SERVE THE ADJOINING PROPERTY FOR DRAINAGE, INGRESS, EGRESS, OR ANY OTHER PURPOSE; (E) I HAVE CONSULTED THE APPLICABLE FEDERAL FLOOD INSURANCE MAP, MAP PANEL NO. 42077C01163DF, DATED JULY 16, 2004, AND FOUND THAT THE LAND DESCRIBED IN THIS MAP OF SURVEY IS NOT SITUATED WITHIN A FEDERALLY-DESIGNATED SPECIAL FLOOD HAZARD AREA; (F) THE LAND DESCRIBED IN THIS MAP OF SURVEY IS NOT SUBJECT TO ANY SETBACK OR HEIGHT RESTRICTIONS OF RECORD OR DISCLOSED BY APPLICABLE ZONING OR BUILDING CODES OR SUBDIVISION MAPS EXCEPT AS SHOWN ON THIS MAP OF SURVEY; (G) THE LAND DESCRIBED IN THIS MAP OF SURVEY IS THE SAME PROPERTY AS THAT DESCRIBED IN LAWYERS TITLE INSURANCE COMPANY TITLE INSURANCE COMMITMENT NO. HL212499CP WITH AN EFFECTIVE DATE OF JUNE 21, 2006; AND (H) ALL UTILITY SERVICES TO THE LAND DESCRIBED IN THIS MAP OF SURVEY EITHER ENTER TO SUCH LAND THROUGH ADJOINING PUBLIC STREETS OR THIS SURVEY SHOWS THE POINT OF ENTRY AND LOCATION OF ANY UTILITIES WHICH PASS THROUGH OR ARE LOCATED ON ADJOINING PRIVATE LAND.

[signature] 7/31/06

JAMES V. DEMURO PA L.S. LIC. NO. 040376-R — DATE

THE PROPERTY DESCRIBED AND SHOWN HEREON IS THE SAME PROPERTY DESCRIBED IN LAWYERS TITLE INSURANCE COMPANY TITLE COMMITMENT NUMBER HL212499CP DATED JUNE 21, 2006.

SCHEDULE B - SECTION 2 EXCEPTIONS
SCHEDULE B - SECTION 2 EXCEPTIONS IN LAWYERS TITLE INSURANCE COMPANY COMMITMENT NO. HL212499CP, DATED JUNE 21, 2006.

#4 RIGHTS GRANTED TO PENNSYLVANIA POWER & LIGHT COMPANY IN MISC. BOOK 354, PAGE 772 ...... RIGHTS TO AN UNDERGROUND ELECTRIC LINE ALONG MACARTHUR ROAD, AFFECTS THE SUBJECT PARCEL, NOT PLOTTABLE.

#5 DECLARATION OF EASEMENTS IN MISC. BOOK 391, PAGE 697 ...... EASEMENT ACROSS LANDS OF MACARTHUR TOWNE CENTER, DOES NOT AFFECT THE SUBJECT PARCEL.

#6 DECLARATION OF SHOPPING CENTER EASEMENTS IN MISC. BOOK 501, PAGE 750 ...... BLANKET EASEMENT THAT AFFECTS THE ENTIRE MACARTHUR TOWNE CENTRE, INCLUDING THE SUBJECT PARCEL, NOT PLOTTABLE.

#7 SANITARY SEWER AND STORM WATER DETENTION EASEMENT AGREEMENT IN MISC. BOOK 694, PAGE 662 ...... BLANKET EASEMENT THAT AFFECTS THE ENTIRE MACARTHUR TOWNE CENTRE, INCLUDING THE SUBJECT PARCEL, NOT PLOTTABLE.

#8 TRAFFIC LIGHT/MEDIAN BREAK DEVELOPMENT AND CROSS EASEMENT AGREEMENT IN MISC. BOOK 699, PAGE 269 ...... BLANKET EASEMENT THAT AFFECTS THE ENTIRE MACARTHUR TOWNE CENTRE, INCLUDING THE SUBJECT PARCEL, EASEMENT AREA SHOWN ON THE SURVEY, NOT PLOTTABLE.

#9 RIGHTS GRANTED TO PENNSYLVANIA POWER & LIGHT COMPANY IN MISC. BOOK 713, PAGE 382 ...... BLANKET EASEMENT THAT AFFECTS THE ENTIRE MACARTHUR TOWNE CENTRE, INCLUDING THE SUBJECT PARCEL, NOT PLOTTABLE.

#10 RIGHTS GRANTED TO BELL TELEPHONE COMPANY OF PA IN MISC. BOOK 765, PAGE 1066 ...... BLANKET EASEMENT THAT AFFECTS THE ENTIRE MACARTHUR TOWNE CENTRE, INCLUDING THE SUBJECT PARCEL, NOT PLOTTABLE

#11 RIGHTS GRANTED TO PENNSYLVANIA POWER & LIGHT COMPANY AND BELL TELEPHONE COMPANY OF PA IN MISC. BOOK 765, PAGE 1068 ...... EASEMENT ACROSS LANDS OF MACARTHUR TOWNE CENTRE, DOES NOT AFFECT THE SUBJECT PARCEL.

#12 DECLARATION OF EASEMENTS IN MISC. BOOK 795, PAGE 801 ...... BLANKET EASEMENTS THAT AFFECT THE ENTIRE MACARTHUR TOWNE CENTRE, INCLUDING THE SUBJECT PARCEL, CROSS-ACCESS EASEMENT IS SHOWN.

#13 MODIFICATION OF DECLARATION OF EASEMENTS IN MISC. BOOK 795, PAGE 834 ... BLANKET EASEMENTS THAT AFFECT THE ENTIRE MACARTHUR TOWNE CENTRE, INCLUDING THE SUBJECT PARCEL, CROSS-ACCESS EASEMENT IS SHOWN.

#14 SIGN EASEMENT AGREEMENT IN MISC. BOOK 795, PAGE 883 ..... DOES NOT AFFECT THE SUBJECT PARCEL.

#15 MODIFICATION OF DECLARATION OF EASEMENTS IN MISC. BOOK 797, PAGE [illegible] ..... SAME AS #13 ABOVE.

#16 DECLARATION OF EASEMENTS IN MISC. BOOK 797, PAGE 49 ..... SAME AS #12 ABOVE

#17 SIGN EASEMENT AGREEMENT IN MISC. BOOK 797, PAGE 82 ..... SAME AS #14 ABOVE

#18 DEED OF EASEMENT TO WHITEHALL TOWNSHIP AUTHORITY IN MISC. BOOK 805, PAGE 244 .... WATERLINE EASEMENT ACROSS LANDS OF MACARTHUR TOWNE CENTRE, DOES NOT AFFECT THE SUBJECT PARCEL.

#19 RIGHTS GRANTED TO BELL TELEPHONE COMPANY OF PA IN MISC. BOOK 813, PAGE 931 BLANKET EASEMENT THAT AFFECTS THE ENTIRE MACARTHUR TOWNE CENTRE, INCLUDING THE SUBJECT PARCEL, NOT PLOTTABLE.

#20 CORRECTIVE DEED OF EASEMENT TO WHITEHALL TOWNSHIP AUTHORITY IN MISC. BOOK 842, PAGE 684 ...... SAME AS #18 ABOVE.

#21 SUBDIVISION IMPROVEMENTS AGREEMENT IN MISC. BOOK 847, PAGE 78 ...... AFFECTS THE SUBJECT PARCEL.

#22 SUBDIVISION MAINTENANCE AGREEMENT IN MISC. BOOK 847, PAGE 112 ...... AFFECTS THE SUBJECT PARCEL.

#23 RIGHTS GRANTED TO PENNSYLVANIA POWER & LIGHT COMPANY IN MISC. BOOK 849, PAGE 163 ...... BLANKET EASEMENT THAT AFFECTS THE ENTIRE MACARTHUR TOWNE CENTRE, INCLUDING THE SUBJECT PARCEL, NOT PLOTTABLE.

#24 SUBJECT TO RESERVATIONS OF THE RIGHT OF INGRESS, EGRESS AND REGRESS AND FOR USE FOR THE INSTALLATION OF PUBLIC UTILITIES AND OTHER RELATED SERVICES IN THE BED OF THE FORMER ROYAL AVENUE CONTAINED IN A DEED TO PETER NESTOR AND HELEN NESTOR AS SET FORTH IN DEED BOOK 1316, PAGE 902 ...... DOES NOT AFFECT THE SUBJECT PARCEL.

#25 SUBJECT TO RESERVATIONS OF THE RIGHT OF INGRESS, EGRESS AND REGRESS OVER THE BED OF CENTER AVENUE AS SET FORTH IN DEED FROM PETER NESTOR AND HELEN H. NESTOR AS SET FORTH IN DEED BOOK 1316, PAGE 906 ...... DOES NOT AFFECT THE SUBJECT PARCEL.

#26 CONDITIONS AND RESERVATIONS IN DEED BOOK 1496, PAGE 1169 ...... BLANKET EASEMENT THAT AFFECTS THE ENTIRE MACARTHUR TOWNE CENTRE, INCLUDING THE SUBJECT PARCEL, NOT PLOTTABLE.

#27 RESERVATIONS, CONDITIONS AND SURVEY IN DEED BOOK 1651, PAGE 300 ...... RIGHTS TO INSTALL, MAINTAIN OR REPLACE THE MALL SIGN, AFFECTS THE SUBJECT PROPERTY, SIGN IS SHOWN ON THE SURVEY.

#28 DECLARATION OF EASEMENTS IN INSTRUMENT 7115225 ...... DECLARATION OF DEVELOPMENT, OPERATION AND EASEMENT AGREEMENT THAT AFFECTS THE ENTIRE MACARTHUR TOWNE CENTRE, INCLUDING THE SUBJECT PARCEL, NOT PLOTTABLE.

#29 CONDITIONS ON SURVEY PLAN FOR MACARTHUR TOWNE CENTRE IN PLAN BOOK VOLUME 31, PAGE 5 ...... SURVEY OF ENTIRE MACARTHUR TOWNE CENTRE SITE, AFFECTS THE SUBJECT PARCEL.

#30 CONDITIONS ON RESUBDIVISION AND SUBDIVISION AND LAND DEVELOPMENT PLAN FOR MACARTHUR TOWNE CENTRE IN PLAN BOOK VOLUME 31, PAGE 15 ...... SUBDIVISION OF ENTIRE MACARTHUR TOWNE CENTRE SITE, AFFECTS THE SUBJECT PARCEL.

#31 CONDITIONS ON SURVEY PLAN FOR MACARTHUR TOWNE CENTRE IN PLAN BOOK VOLUME 31, PAGE 19 ...... SURVEY OF ENTIRE MACARTHUR TOWNE CENTRE SITE, AFFECTS THE SUBJECT PARCEL.

#32 CONDITIONS ON PLAN OF MAJOR SUBDIVISION OF MACARTHUR TOWNE CENTRE FOR DON PABLO'S MEXICAN KITCHEN IN PLAN BOOK VOLUME 36, PAGE 15 ...... SUBDIVISION PLAN OF SUBJECT PARCEL, AFFECTS THE SUBJECT PARCEL.

#33 CONDITIONS ON ALTA/ACSM LAND TITLE SURVEY OF DON PABLO'S STORE #86 MADE BY HANOVER ENGINEERING ASSOCIATES, DATED 2/26/2003 (PROJECT NO. E2259) INCLUDING THE FOLLOWING AFFECTING, LOCATED ON OR CROSSING THE SUBJECT PREMISES:

A. BUILDING RESTRICTION LINE ..... SETBACK LINE IS SHOWN ON THE SURVEY.

B. WATER LINE, WATER VALVES AND SPRINKLER HYDRANT ...... SHOWN ON THE SURVEY.

C. 8", 12", 15" AND 18" RCP STORM SEWER PIPES AND INLETS ...... INLETS AND PIPES ARE SHOWN ON THE SURVEY.

D. UNDERGROUND ELECTRIC LINE AND ELECTRIC METER ...... ELECTRIC METERS ARE SHOWN ON THE SURVEY

E. OVERHEAD WIRES, POLE AND GUY WIRE ...... SHOWN ON THE SURVEY.

F. GAS LINE, GAS VALVE AND GAS METER ...... SHOWN ON THE SURVEY.

G. TRAFFIC SIGNAL MAST, TRAFFIC SIGNS AND STANDARDS ...... SHOWN ON THE SURVEY.

H. TRAFFIC SIGNAL BOX ...... SHOWN ON THE SURVEY.

I. MONITORING WELL ...... SHOWN ON THE SURVEY.

J. VENTS, CLEANOUTS AND MANHOLES ...... SHOWN ON THE SURVEY.

SCHEDULE C DESCRIPTION AND RECITAL

PARCEL A

ALL THAT CERTAIN AREA OF LAND BEING LOCATED WITHIN THE EXISTING CURB LINE BEING KNOWN AS OUT PARCELS NO. 1 AND NO. 2 OF THE MACARTHUR TOWNE CENTRE, BOUNDED AND DESCRIBED IN ACCORDANCE WITH A PLAN KNOWN AS DON PABLO'S MEXICAN KITCHEN, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, MADE BY HANOVER ENGINEERING ASSOCIATES, INC. DATED 9/25/96, LAST REVISED 1/22/97 (PROJECT NO. 3032) AND RECORDED ON 9/25/97 IN MAP BOOK VOL. 36, PAGE 15, MORE FULLY BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ALONG THE SOUTHERLY EDGE OF SAID OUT PARCELS NO. 1 AND NO. 2, SAID POINT BEING LOCATED NORTH 64°-52'-02" WEST 104.42 FEET FROM THE TRACT CORNER IN LINE WITH THE NORTHEAST TRACT CORNER OF THE LANDS NOW OR FORMERLY NESTORS; THENCE, FROM THE TRUE POINT OF BEGINNING, CONTINUING AROUND SAID OUT PARCELS THE FOLLOWING TWELVE (12) COURSES; 1. SOUTH 58°-51'-58" WEST, 64.09 FEET TO A POINT; 2. ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 83°-38'-14", A RADIUS OF 54.00 FEET AND AN ARC LENGTH OF 78.83 FEET TO A POINT; 3. NORTH 37°-29'-48" WEST, 80.91 FEET TO A POINT; 4. ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 42°-55'-46", A RADIUS OF 34.00 FEET AND AN ARC LENGTH OF 25.47 FEET TO A POINT; 5. ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 38°-16'-13", A RADIUS OF 11.00 FEET AND ARC LENGTH OF 7.35 FEET TO A POINT; 6. NORTH 36°-25'-16" WEST 70.93 FEET TO A POINT; 7. NORTH 34°-27'-34" WEST 67.98 FEET TO A POINT; 8. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 86° -59'-24", A RADIUS OF 49.00 FEET AN ARC LENGTH OF 74.39 FEET, A CHORD BEARING OF NORTH 8°-57'-43" EAST AND A CHORD DISTANCE OF 67.45 FEET TO A POINT; 9. NORTH 51°-39'-22" EAST 65.75 FEET TO A POINT; 10. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 95° -16'-46", A RADIUS OF 49.00 FEET, AN ARC LENGTH OF 81.48 FEET A CHORD BEARING OF NORTH 82°-00'-00" EAST AND A CHORD DISTANCE OF 72.41 FEET TO A POINT; 11. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02°-37'-23" A RADIUS OF 5674.65 FEET, AN ARC LENGTH OF 259.80 FEET, A CHORD BEARING OF SOUTH 33°-06'-49" EAST AND A CHORD DISTANCE OF 259.78 FEET TO A POINT; 12. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90°-42'-47", A RADIUS OF 49.00 FEET, AN ARC LENGTH OF 77.58 FEET, A CHORD BEARING OF SOUTH 13°-32'-56" EAST AND A CHORD DISTANCE OF 69.73 FEET TO A POINT, SAID POINT BEING THE PLACE OF BEGINNING.

CONTAINING 56,435 SQUARE FEET OR 1.2956 ACRES, MORE OR LESS.

TOGETHER WITH TRAFFIC LIGHT/MEDIAN BREAK DEVELOPMENT AND CROSS EASEMENT AGREEMENT IN MISC. BOOK VOLUME 699, PAGE 269.

DECLARATION OF EASEMENT AS SET FORTH IN MISC. BOOK VOLUME 391, PAGE 697, AS MODIFIED BY MODIFICATION OF DECLARATION OF EASEMENTS IN MISC. BOOK VOLUME 795, PAGE 834; AS AFFECTED BY SETTLEMENT AGREEMENT REFERENCED IN EQUITY PROCEEDINGS LISTED AT U.S. DISTRICT COURT, EASTERN DISTRICT, DOCKET NO. 93 CV 71.

DECLARATION OF SHOPPING CENTER EASEMENT IN MISC. BOOK VOLUME 501, PAGE 750.

PARCEL B

TOGETHER WITH THE AREA OF LAND BEING LOCATED WITHIN THE EXISTING CLUB LINE BEING KNOWN AS OUT PARCELS NO. 1 AND NO. 2 OF THE MACARTHUR TOWNE CENTRE, BOUNDED AND DESCRIBED IN ACCORDANCE WITH A PLAN KNOWN AS DON PABLO'S MEXICAN KITCHEN, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, MADE BY HANOVER ENGINEERING ASSOCIATES, INC. DATED 9/25/96, LAST REVISED 1/22/97 (PROJECT NO. 3032) AND RECORDED ON 9/25/97 IN MAP BOOK VOL. 36, PAGE 15.

BEGINNING AT A POINT ALONG THE SOUTHERN EDGE OF SAID OUT PARCELS NO. 1 AND NO. 2 SAID POINT BEING LOCATED NORTH 64°-52'-02" WEST 104.42 FEET FROM THE TRACT CORNER IN LINE WITH THE NORTHEAST TRACT CORNER OF THE LANDS NOW OR FORMERLY NESTORS; THENCE, CONTINUING AROUND SAID OUT PARCELS, THE FOLLOWING TWELVE (12) COURSES: 1. SOUTH 58°-41'-58" WEST, 64.09 FEET TO A POINT; 2. ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 83°-38'-14" A RADIUS OF 54.00 FEET AND AN ARC LENGTH OF 78.83 FEET TO A POINT; 3. NORTH 37°-29'-48" WEST, 80.91 FEET TO A POINT; 4. ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 42°-55'-46" A RADIUS OF 34.00 FEET AND AN ARC, LENGTH OF 25.47 FEET TO A POINT; 5. ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 38°-16'-13" A RADIUS OF 11.00 FEET AND AN ARC LENGTH OF 7.35 FEET TO A POINT; 6. NORTH 36°-25'-16" WEST 80.93 FEET TO A POINT; 7. NORTH 34°-27'-34" WEST 67.98 FEET TO A POINT; 8. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 86°-59'-24' A RADIUS OF 49.00 FEET AND AN ARC LENGTH OF 74.39 FEET TO A POINT; 9. NORTH 51°-39'22" EAST 65.75 FEET TO A POINT; 10. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 95°-16'-46" A RADIUS OF 49.00 FEET AND AN ARC LENGTH OF 81.48 FEET TO A POINT; 11. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02°-37'-23" A RADIUS OF 5674.65 FEET AND AN ARC LENGTH OF 259.80 FEET TO A POINT; 12. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90°-42'-47" RADIUS OF 49.00 FEET AND AN ARC LENGTH OF 77.58 FEET TO A POINT, THE PLACE OF BEGINNING.

BEING THE SAME PREMISES WHICH KMART CORPORATION, A MICHIGAN CORPORATION BY DEED DATED DECEMBER 3, 1999 AND RECORDED JANUARY 28, 2000 IN DEED BOOK VOLUME 1651 PAGE 300 GRANTED AND CONVEYED UNTO DON PABLO'S OPERATING CORPORATION, AN OHIO CORPORATION, F/K/A DF&R OPERATING COMPANY, INC. IN FEE.

PROPERTY PARCEL NO. 549845674665 1

LAND SURVEYOR'S DESCRIPTION

ALL THAT CERTAIN AREA OF LAND BEING LOCATED WITHIN THE EXISTING CURB LINE BEING KNOWN AS OUT PARCELS NO. 1 AND NO. 2 OF THE MACARTHUR TOWNE CENTRE, BOUNDED AND DESCRIBED IN ACCORDANCE WITH A PLAN KNOWN AS DON PABLO'S MEXICAN KITCHEN, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, MADE BY HANOVER ENGINEERING ASSOCIATES, INC. DATED 9/25/96, LAST REVISED 1/22/97 (PROJECT NO. 3032) AND RECORDED ON 9/25/97 IN MAP BOOK VOL. 36, PAGE 15, MORE FULLY BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ALONG THE SOUTHERLY EDGE OF SAID OUT PARCELS NO. 1 AND NO. 2, SAID POINT BEING LOCATED NORTH 64°-52'-02" WEST 104.42 FEET FROM THE TRACT CORNER IN LINE WITH THE NORTHEAST TRACT CORNER OF THE LANDS NOW OR FORMERLY NESTORS; THENCE, FROM THE TRUE POINT OF BEGINNING, CONTINUING AROUND SAID OUT PARCELS THE FOLLOWING TWELVE (12) COURSES;

1. SOUTH 58°-51'-58" WEST, 64.09 FEET TO A POINT; THENCE

2. ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 83°-38'-06", A RADIUS OF 54.00 FEET AND AN ARC LENGTH OF 78.82 FEET TO A POINT; THENCE

3. NORTH 37°-29'-48" WEST, 80.91 FEET TO A POINT; THENCE

4. ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 42°-55'-26", A RADIUS OF 34.00 FEET AND AN ARC LENGTH OF 25.47 FEET TO A POINT; THENCE

5. ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 38°-15'-42", A RADIUS OF 11.00 FEET AND ARC LENGTH OF 7.35 FEET TO A POINT; THENCE

6. NORTH 36°-25'-16" WEST 70.93 FEET TO A POINT; THENCE

7. NORTH 34°-27'-34" WEST 67.98 FEET TO A POINT; THENCE

8. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 86°-59'-09", A RADIUS OF 49.00 FEET AN ARC LENGTH OF 74.39 FEET, A CHORD BEARING OF NORTH 8°-57'-43" EAST AND A CHORD DISTANCE OF 67.45 FEET TO A POINT; THENCE

9. NORTH 51°-39'-22" EAST 65.75 FEET TO A POINT; THENCE

10. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 95°-16'-18", A RADIUS OF 49.00 FEET, AN ARC LENGTH OF 81.48 FEET A CHORD BEARING OF SOUTH 82°-00'-00" EAST AND A CHORD DISTANCE OF 72.41 FEET TO A POINT; THENCE

11. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02°-37'-23" A RADIUS OF 5674.65 FEET, AN ARC LENGTH OF 259.80 FEET, A CHORD BEARING OF SOUTH 33°-06'-49" EAST AND A CHORD DISTANCE OF 259.78 FEET TO A POINT; THENCE

12. ON A NON-RADIAL CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90°-43'-09", A RADIUS OF 49.00 FEET, AN ARC LENGTH OF 77.58 FEET, A CHORD BEARING OF SOUTH 13°-32'-56" WEST AND A CHORD DISTANCE OF 69.73 FEET TO A POINT, SAID POINT BEING THE PLACE OF BEGINNING.

CONTAINING 56,435 SQUARE FEET OR 1.2956 ACRES, MORE OR LESS.

TOGETHER WITH TRAFFIC LIGHT/MEDIAN BREAK DEVELOPMENT AND CROSS EASEMENT AGREEMENT IN MISC. BOOK VOLUME 699, PAGE 269.

DECLARATION OF EASEMENT AS SET FORTH IN MISC. BOOK VOLUME 391, PAGE 697, AS MODIFIED BY MODIFICATION OF DECLARATION OF EASEMENTS IN MISC. BOOK VOLUME 795, PAGE 834; AS AFFECTED BY SETTLEMENT AGREEMENT REFERENCED IN EQUITY PROCEEDINGS LISTED AT U.S. DISTRICT COURT, EASTERN DISTRICT, DOCKET NO. 93 CV 71.

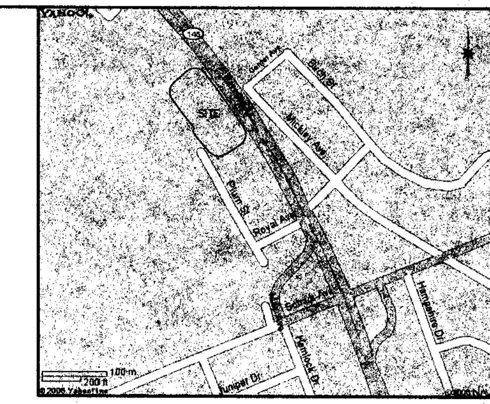
DECLARATION OF SHOPPING CENTER EASEMENT IN MISC. BOOK VOLUME 501, PAGE 750.

KNOWN AS PROPERTY PARCEL NO. 549845674665 1

BEING THE SAME PREMISES AS DESCRIBED IN LAWYERS TITLE INSURANCE COMPANY COMMITMENT NO. HL212499CP, DATED JUNE 21, 2006.

LEGEND
- GAS LINE
- OVERHEAD WIRES
- FENCE LINE
- SINGLE LIGHT
- DOUBLE LIGHT
- COBRA LIGHT
- TRAFFIC SIGNAL POST
- TRAFFIC SIGNAL
- WATER VALVE
- HYDRANT
- SIAMESE CONNECTION
- WATER MANHOLE
- MANHOLE
- SIGN
- INLET
- GAS METER

FINAL



VICINITY MAP
N.T.S.

ZONING INFORMATION
INFORMATION OBTAINED FROM THE WHITEHALL TOWNSHIP ZONING ORDINANCE

C2 ZONE - REGIONAL-COMMUNITY COMMERCIAL
(PERMITTED USE AS RESTAURANT)

MINIMUM LOT AREA	25000 SF.
MINIMUM LOT FRONTAGE	75 FT.
MINIMUM LOT WIDTH	100 FT.
MINIMUM SETBACKS	
FRONT	50 FT.
REAR	25 FT.
ONE SIDE	20 FT.
TOTAL SIDE	40 FT.
MAXIMUM BUILDING HEIGHT	35 FT.

FLOOD INFORMATION

PROPERTY IS LOCATED IN ZONE "X" ON FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 42077C01163F, DATED JULY 16, 2004, AND IS NOT IN A FLOOD HAZARD AREA.

PARKING INFORMATION
REQUIRED:
1 SPACE FOR EACH 3 PERSONS OF LEGAL CAPACITY PLUS 1 SPACE FOR EACH EMPLOYEE ON THE LARGEST WORK SHIFT

EXISTING:
60 STRIPED PARKING SPACES OBSERVED
4 HANDICAP PARKING SPACES OBSERVED

0' 30' 60' 90'
GRAPHIC SCALE: 1" = 30'

"ALTA/ACSM LAND TITLE SURVEY"

PREPARED FOR:

THE MATTHEWS COMPANY Inc.
National ALTA Survey Management

17220 Newhope Street, Suites 108-110, Fountain Valley, CA 92708
Tel: (714)-979-7181 Fax: (714)-641-2840
www.thematthewscompany.com

MARK	DATE	REVISION	BY	AP'V'D
1	7/31/06	REVISE PER ATTORNEY REVIEW	BJF	JVD

DE MURO ASSOCIATES
Consulting and Municipal Engineers
Professional Land Surveyors
24 West Cliff Street - Somerville, NJ 08876
908-725-1990 - Fax 908-725-6150
Project No. P26287
TAD Associates, LLC

TRUSTREET Properties

2610 MACARTHUR ROAD WHITEHALL TOWNSHIP, PA (DON PABLO'S)

SCALE: 1" = 30'	CHKD. / AP'V'D:
DATE: JULY 20, 2006	APPROVED:
DWN. BY: JCR	STORE NO.: DOP086
CHKD. BY: J.V.D.	J.N.: 29659