

Notes Corresponding to Schedule B

SCH. B-2
ITEM
NO. DESCRIPTION

- 11. RESERVATIONS CONTAINED IN PATENT FROM THE UNITED STATES OF AMERICA, RECORDED IN BOOK 35, PAGE 334, RECORDS OF BERNALILLO COUNTY, NEW MEXICO.
- 12. INTENTIONALLY OMITTED.
- 13. UTILITY EASEMENT GRANTED TO PUBLIC SERVICE COMPANY OF NEW MEXICO AND MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY BY DOCUMENT RECORDED IN BOOK MISC. 794, PAGE 311, RECORDS OF BERNALILLO COUNTY, NEW MEXICO.
- 14. SIDEWALK EASEMENT GRANTED BY DOCUMENT RECORDED IN BOOK MISC. 698A, PAGE 760, RECORDS OF BERNALILLO COUNTY, NEW MEXICO.
- 15. SIDEWALK EASEMENT GRANTED BY DOCUMENT RECORDED IN BOOK MISC. 772A, PAGE 656, RECORDS OF BERNALILLO COUNTY, NEW MEXICO.
- 16. UTILITY AND NOTES, AS SHOWN, NOTED AND PROVIDED FOR ON THE PLAT RECORDED IN MAP BOOK C13, FOLIO 62 AND MAP BOOK 2003C, PAGE 157, RECORDS OF BERNALILLO COUNTY, NEW MEXICO.
- 17. RECIPROCAL EASEMENT AGREEMENT DATED JUNE 11, 1992 AND RECORDED NOVEMBER 5, 1992, IN BOOK 92-26, PAGE 4690, AS DOCUMENT NO. 92111856, AS AMENDED BY FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED IN BOOK 9818, PAGE 5024, AS DOCUMENT NO. 1998146852, RECORDS OF BERNALILLO COUNTY, NEW MEXICO.
- 18. ENCROACHMENT OF CARPORTS ONTO SEVEN (7) FOOT P.U.E., AS EVIDENCED BY THE TERMS AND CONDITIONS OF EASEMENT ENCROACHMENT AGREEMENT RECORDED IN BOOK 9818, PAGE 5024, AS DOCUMENT NO. 1998146852, RECORDS OF BERNALILLO COUNTY, NEW MEXICO.
- 21. UTILITY EASEMENT GRANTED TO PUBLIC SERVICE COMPANY OF NEW MEXICO BY DOCUMENT RECORDED IN BOOK A74, PAGE 4082, RECORDS OF BERNALILLO COUNTY, NEW MEXICO.
- 23. ENCROACHMENT OF IMPROVEMENTS CONSISTING OF CARPORT, DUMPSTER ENCLOSURE, PAVEMENT, CURBING, STAIRS ONTO UTILITY AND SIDEWALK EASEMENTS AND PUBLIC RIGHT-OF-WAY, AS SHOWN ON SURVEY OF LARRY MEDRANO, N.M.P.S. NO. 11993, DATED MAY 26, 2004, AS REVISED ON JUNE 10, 2004.

12. ITEM AFFECTS SUBJECT PROPERTY AS SHOWN
** AFFECTS SUBJECT PROPERTY-NOT PLOTABLE OR NON-SURVEY MATTER

ALTA/ACSM Land Title Survey Tract C-2-A-2-B-1 and Tract C-2-A-2-A of Unit No. 5 of Dale J. Bellamah's Jeannedale Albuquerque, Bernalillo County, New Mexico June 2004

Surveyor's Certificate

LARRY W. MEDRANO, A REGISTERED LAND SURVEYOR, LICENSE NO. 11993, IN AND FOR THE STATE OF NEW MEXICO AND LEGALLY DOING BUSINESS IN BERNALILLO COUNTY, DOES HEREBY CERTIFY TO UPTOWN PARK, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY, GENERAL ELECTRIC CAPITAL CORPORATION, A DELAWARE CORPORATION, ITS SUCCESSORS AND OR ASSIGNS, RIO GRANDE TITLE COMPANY, AND LAWYERS TITLE INSURANCE CORPORATION AS FOLLOWS:

- (1) THE ACCOMPANYING SURVEY ("SURVEY") REPRESENTS A TRUE AND ACCURATE SURVEY MADE BY ME IN DECEMBER, 2003 OF THE LAND THEREON PARTICULARLY DESCRIBED;
- (2) THE SURVEY AND THE INFORMATION, COURSES AND DISTANCES SHOWN THEREON ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF;
- (3) THE TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME;
- (4) THE LAND DESCRIBED IN THE SURVEY IS THE SAME AND AS DESCRIBED IN THE TITLE INSURANCE COMMITMENT DESCRIBED BELOW;
- (5) THE AREA OF THE SUBJECT PROPERTY AND THE SIZE AND LOCATION OF BUILDINGS AND IMPROVEMENTS AND ANY OTHER VISIBLE MATTERS SITUATED ON THE SUBJECT PROPERTY ARE AS SHOWN AND ALL BUILDINGS AND IMPROVEMENTS ARE WITHIN THE BOUNDARY LINES AND APPLICABLE SET-BACK LINES OF THE PROPERTY (UNLESS OTHERWISE NOTED);
- (6) THERE ARE NO VIOLATIONS OF ZONING ORDINANCES, RESTRICTIONS OR OTHER RULES AND REGULATIONS WITH REFERENCE TO THE LOCATION OF SAID BUILDINGS AND IMPROVEMENTS;
- (7) THERE ARE NO APPARENT EASEMENTS OR USES AFFECTING THIS PROPERTY APPEARING FROM A CAREFUL PHYSICAL INSPECTION OF THE SAME, OTHER THAN THOSE SHOWN AND DEPICTED ON THE SURVEY;
- (8) THERE ARE NO ENCROACHMENTS ON THE ADJOINING PROPERTIES, STREETS, OR ALLEYS BY ANY OF SAID BUILDINGS, STRUCTURES AND IMPROVEMENTS, OTHER THAN AS SHOWN ON THE SURVEY;
- (9) THERE ARE NO PARTY WALLS OR VISIBLE ENCROACHMENTS ON SAID DESCRIBED PROPERTY BY STREETS, ALLEYS OR BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PROPERTY, EXCEPT AS SHOWN ON THE SURVEY;
- (10) ALL UTILITY SERVICES REQUIRED FOR THE OPERATION OF THE PREMISES EITHER ENTER THE PREMISES THROUGH ADJOINING PUBLIC STREETS, OR THE SURVEY SHOWS THE POINT OF ENTRY AND LOCATION OF ANY UTILITIES THAT PASS THROUGH OR ARE LOCATED ON THE ADJOINING LAND.
- (11) THE SURVEY SHOWS THE LOCATION AND DIRECTION OF ALL VISIBLE ABOVE GROUND STORM DRAINING SYSTEMS FOR THE COLLECTION AND DISPOSAL OF ALL ROOF AND SURFACE DRAINAGE;
- (12) ANY VISIBLE ABOVE GROUND EVIDENCE OF DISCHARGE INTO STREAMS, RIVERS OR OTHER CONVEYANCE SYSTEM IS SHOWN ON THE SURVEY;
- (13) THE PARCELS DESCRIBED IN THIS SURVEY DO NOT LIE WITHIN FLOOD HAZARD AREAS IN ACCORDANCE WITH ANY MAPS ENTITLED: "FLOOD INSURANCE RATE MAP" OR "FLOOD HAZARD FLOODWAY BOUNDARY MAP," "FLOOD HAZARD BOUNDARY MAP" OR "FLOOD BOUNDARY AND FLOODWAY MAP" PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR A FLOOD HAZARD BOUNDARY MAP PUBLISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. THE SURVEY INDICATES THE ZONE DESIGNATION OF ANY AREA SHOWN AS BEING WITHIN A FLOOD HAZARD AREA.
- (14) THE SUBJECT PROPERTY HAS ACCESS TO AND FROM A DULY DEDICATED AND ACCEPTED PUBLIC STREET OR HIGHWAY KNOWN AS UPTOWN BOULEVARD, N.E. (AS TO PARCEL I), AND TO LOUISIANA BOULEVARD, N.E. (AS TO PARCEL II)
- (15) EXCEPT AS SHOWN ON THE SURVEY, THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, OR INGRESS OR EGRESS; AND
- (16) THE RECORD DESCRIPTION OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE.
- (17) SETBACKS ARE PER THE CITY OF ALBUQUERQUE APPROVED MASTER SITE DEVELOPMENT PLAN DRB-98-292/AA-98-99 (PARCEL 1) AND Z-78-72/AA-03AA00687 (PARCEL 2). THE BUILDING AS BUILT CONFORMS WITH THE LOCATION REQUIREMENTS OF SAID SITE PLAN.

THE UNDERSIGNED HAS RECEIVED AND EXAMINED A COPY OF RIO GRANDE TITLE COMPANY'S COMMITMENT NUMBER 02403545-MH, WITH AN EFFECTIVE DATE OF MAY 21, 2004; AND THE LOCATION OF ANY MATTER SHOWN THEREON, TO THE EXTENT IT CAN BE LOCATED, HAS BEEN SHOWN ON THIS SURVEY WITH THE APPROPRIATE RECORDING REFERENCE.

THE PARTIES LISTED ABOVE ARE ENTITLED TO RELY ON THE SURVEY AND THIS CERTIFICATE AS BEING TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

THIS SURVEY IS MADE IN ACCORDANCE WITH "THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS", JOINTLY ADOPTED BY ALTA AND ACSM IN 1999, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 7(a), 7(b)(1), 7(c) 8, 9, 10, 11(a) AND 13 OF TABLE "A" THEREOF.

THIS SURVEY IS MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA, NSPS AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. THE UNDERSIGNED FURTHER CERTIFIES THAT THE POSITIONAL UNCERTAINTIES RESULTING FROM THE SURVEY MEASUREMENTS MADE ON THE SURVEY DO NOT EXCEED THE ALLOWABLE POSITIONAL TOLERANCE.

I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM STANDARD REQUIREMENTS FOR LAND SURVEYS AS ADOPTED BY THE NEW MEXICO BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS.

LARRY W. MEDRANO
N.M.P.S. No. 11993

DATE



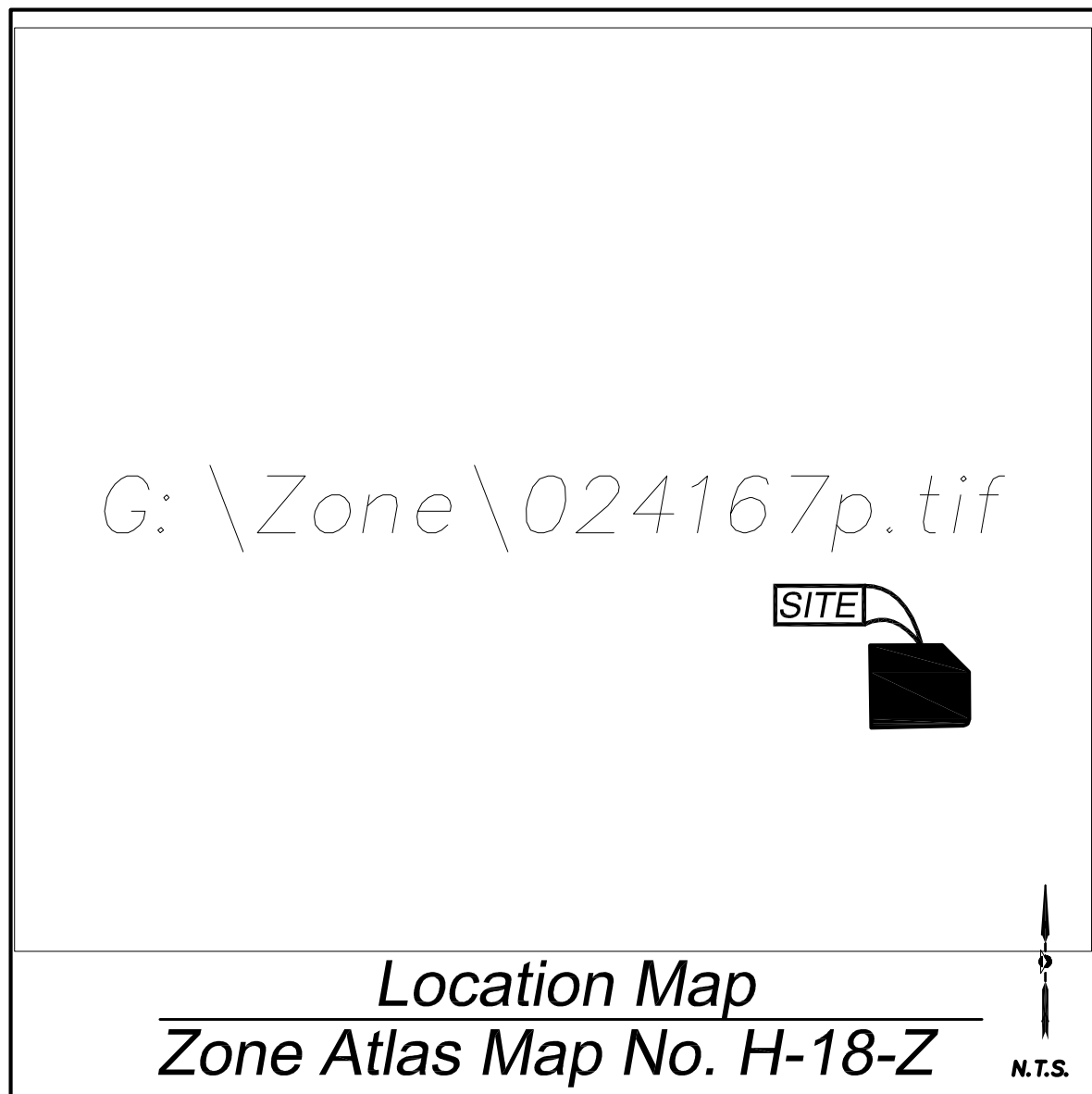
PRECISION SURVEYS, INC.

8414-D JEFFERSON ST., N.E. PHONE 505 856 5700
ALBUQUERQUE, NEW MEXICO 87113 FAX 505 856 7900

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Sheet 1 of 2
035528AL



Legal Description

PARCEL 1
TRACT LETTERED "C-2-A-2-A" OF THE REPLAT OF TRACT "C-2-A-2" IN UNIT NO. 5 OF DALE J. BELLAMAH'S JEANNEDALE, AN ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON SAID REPLAT, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON APRIL 17, 1978, LESS THAN AND EXCEPTING THAT PORTION HAVING BEEN CONVEYED TO THE CITY OF ALBUQUERQUE, BY WARRANTY DEED RECORDED APRIL 30, 1985 IN BOOK D 238A, PAGE 516 AS DOCUMENT NO. 85-33005, RECORDS OF BERNALILLO COUNTY, NEW MEXICO.

PARCEL 2
TRACT C-2-A-2-B-1 OF UNIT NO. 5 OF DALE J. BELLAMAH'S JEANNEDALE, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MAY 30, 2003 IN MAP BOOK 2003C, FOLIO 157.

PARCEL 3
A NON-EXCLUSIVE DRAINAGE EASEMENT FOR THE BENEFIT OF PARCEL 2 ABOVE, SAID EASEMENT BEING CREATED BY THE PLAT FILED ON MAY 30, 2003, IN MAP BOOK 2003C, FOLIO 157, RECORDS OF BERNALILLO COUNTY, NEW MEXICO, OVER AND ACROSS TRACT C-2-A-1-B, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT, AND SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS SET FORTH IN SAID PLAT.

Zoning Data

ZONING DESIGNATION = SU-3

NUMBER OF STRIPED PARKING SPACES = 85 REGULAR, 4 HANDICAP, AS TO PARCEL I
NUMBER OF STRIPED PARKING SPACES = 58 REGULAR, 4 HANDICAP, AS TO PARCEL II

Notes

- 1. FIELD SURVEY PERFORMED IN DECEMBER 2003.
- 2. ALL BEARINGS ARE GRID BEARINGS: N.M. STATE PLANE COORDINATES, CENTRAL ZONE-NAD 1927.
- 3. ALL DISTANCES ARE GROUND DISTANCES: U.S. SURVEY FOOT.
- 4. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION OF ABOVE GROUND APPURTENANCES AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL THE 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 THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- 5. THIS PROPERTY LIES WITHIN SECTION 12, TOWNSHIP 10 NORTH, RANGE 3 EAST, N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.
- 6. UPC NO. 101805948908840204 -PARCEL I
UPC NO. 101805950908540220-PARCEL II

23. Statement of Encroachments

- (A) ENCROACHMENT OF STAIRS INTO 10' UTILITY EASEMENT AND PUBLIC RIGHT OF WAY
- (B) ENCROACHMENT OF SIGN INTO 10' UTILITY EASEMENT
- (C) ENCROACHMENT OF DUMPSTER ENCLOSURE & CARPORT IN UTILITY EASEMENT. (20) EXISTING ENCROACHMENT AGREEMENT

Flood Note

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE(S) X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 35001C0<352>D, WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 20, 1996 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ALTA/ACSM Land Title Survey
 Tract C-2-A-2-B-1 and Tract C-2-A-2-A of
 Unit No. 5 of
 Dale J. Bellamah's Jeannedale
 Albuquerque, Bernalillo County, New Mexico

June 2004

Americas Parkway, N.E.

NO ACCESS TO AMERICAS PARKWAY, N.E.

(R.O.W. VARIES)

N 89°52'17" E 68.58'

N 89°37'00" E

N 89°52'02" E

(263.61) 213.64(7.94')

S 00°00'10" W 7.94'

15. EXISTING SIDEWALK EASEMENT (JULY 26, 1989, BOOK 772A, PAGE 656)

16. EXISTING 7' UTILITY EASEMENT (4/17/1978, C13-62)

21. EXISTING PNM UNDERGROUND EASEMENT (03/16/2004, BK. A74-PG 4028)

TRANSFORMER S 89°44'10" W 23.50'

TRACT C-1, UNIT NO. 5 OF DALE J. BELLAMAH'S JEANNEDALE RON NELSON OR JOHN WHISENANT (11/14/73, D5-197)

PARCEL 1
 Tract C-2-A-2-A
 AREA=1.6428 AC.±
 71,559 SQ. FT.±

EXISTING COMMERCIAL BUILDING
 6701 UPTOWN BOULEVARD
 AREA OF EXTERIOR FOOTPRINT AT GROUND LEVEL= 24,399 SQ. FT.±

PARCEL 3
 EXISTING PRIVATE CROSS LOT DRAINAGE EASEMENT FOR THE BENEFIT OF TRACTS C-2-A-2-B-1 AND C-2-A-1-B, TO BE MAINTAINED BY SAME. (05/30/2003, 2003C-157)

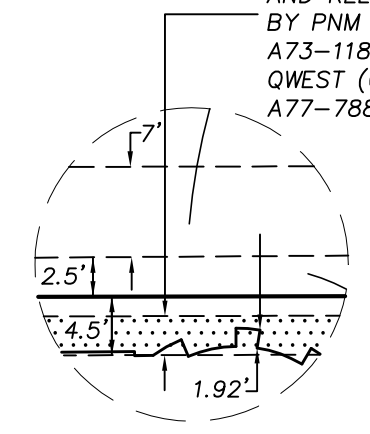
LEGAL/PHYSICAL ACCESS BETWEEN PARCELS 1 AND 2

GRAPHIC SCALE



(IN FEET)
 1 inch = 30 ft.

SOUTHERLY 3' PARTIAL WAIVER AND RELEASE BY PNM (02/19/2004, A73-1189) AND BY QWEST (05/19/2004, A77-7886)



DETAIL NTS

Legend

(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES SHOWN IN PARENTHESIS
N 90°00'00" E	MEASURED BEARING AND DISTANCES
○	FOUND AND USED MONUMENT AS DESIGNATED
○	○ DENOTES REBAR W/CAP "PS 11993" TO BE SET UNLESS OTHERWISE NOTED
○	SEWER MANHOLE
○	GAS METER
○	CLEAN OUT
○	UTILITY BOX
○	UTILITY POLE
○	LIGHT POLE
○	ANCHOR
—	OVERHEAD UTILITY LINES
—	CURB
■	TRAFFIC SIGNAL BOX
■	ELECTRIC BOX
○	WATER METER
○	FIRE HYDRANT
○	WATER VALVE
H=22.7'	HEIGHT OF BUILDING

Louisiana Boulevard, N.E.
 (ROW 106')

TRACT C-2-A-1-B
 UNIT NO. 5 OF
 DALE J. BELLAMAH'S JEANNEDALE
 (05/30/2003, 2003C-157)

PARCEL 2
 Tract C-2-A-2-B-1
 AREA= 1.0469 AC.±
 45,601 SQ. FT.±

EXISTING COMMERCIAL BUILDING
 2201 LOUISIANA BOULEVARD, N.E.
 AREA OF EXTERIOR FOOTPRINT AT GROUND LEVEL= 16,091 SQ. FT.±

EXISTING 7' UTILITY EASEMENT (08/27/1980, MISC. 794, PG. 311)

13. EXISTING 10' UTILITY EASEMENT (APRIL 17, 1978, C13-62)

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Point of Beginning

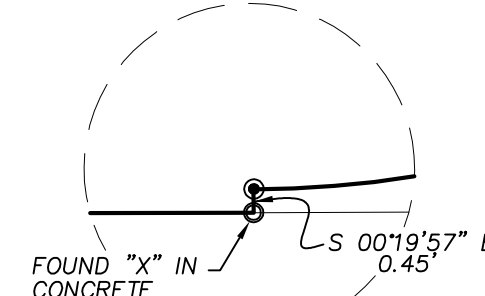
A.C.S. MONUMENT "15-H18" STANDARD A.C.S. ALUMINUM CAP (FOUND IN PLACE)
 NEW MEXICO STATE PLANE COORDINATES (CENTRAL ZONE-N.A.D. 1927)
 X=404,773.95
 Y=1,495,049.22
 EL=5300.769 (NGVD 29)
 GROUND TO GRID FACTOR=0.99965691
 DELTA ALPHA ANGLE=-0°10'59"

A.C.S. MONUMENT "20-H18" STANDARD A.C.S. ALUMINUM CAP (FOUND IN PLACE)
 NEW MEXICO STATE PLANE COORDINATES (CENTRAL ZONE-N.A.D. 1927)
 X=404,802.33
 Y=1,493,092.39
 EL=5280.592 (NGVD 29)
 GROUND TO GRID FACTOR=0.99965788
 DELTA ALPHA ANGLE=-0°10'59"

Uptown Boulevard, N.E.
 (86' R.O.W.)

BASIS OF BEARINGS
 N 00°49'51" W (GRID BEARING)
 N 00°49'21" W (GROUND BEARING)
 1957.65'

R=19.42'
 L=30.64'
 Δ=90°23'54"
 TAN=19.56'
 CH=S 44°40'44" W 27.56'



DETAIL NTS

PRECISION SURVEYS, INC.
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 ALBUQUERQUE, NEW MEXICO 87113 FAX 505 856 7900