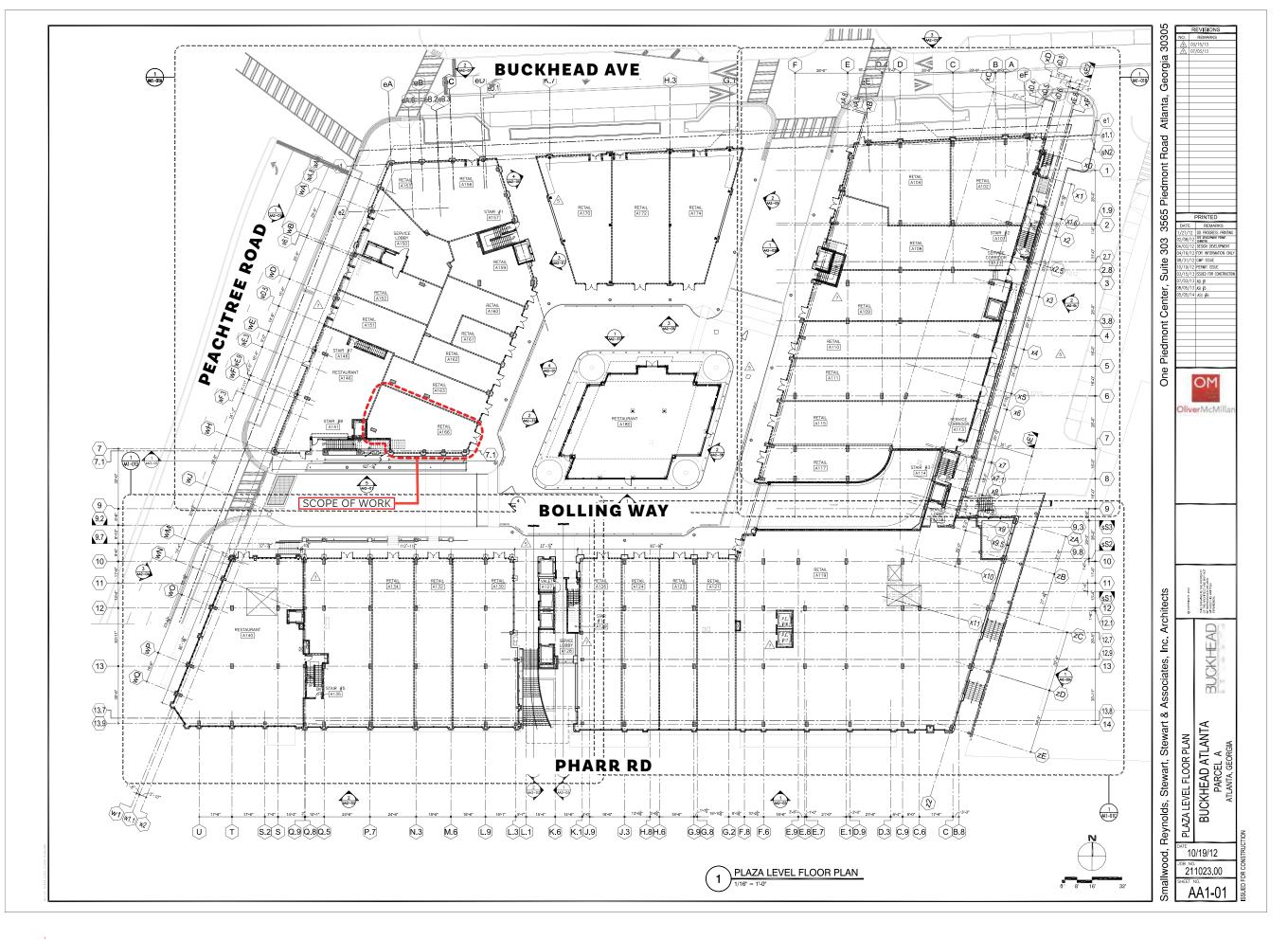
Brown & Co Jewelers
SAP Application Presentation

01.12.2024

PROJECT # 11981.00

ASD SKY BROWN & CO JEWELERS | SAP APPLICATION 55 IVAN ALLEN JR. BLVD, SUITE 100 ATLANTA, GA 30308 P: 404.688.3318 W: ASDSKY.COM

# Site Plan



#### **ZONING SPECIFICATION TABLE**

### PROJECT DESCRIPTION:

THIS PROJECT/SET OF DRAWINGS IS FOR NEW TENANT BUILDING PERMIT AT 3035 PEACHTREE RD NE SUITE #A-166. THE SCOPE OF WORK INLCUDES NEW EXTERIOR STOREFRONT, INTERIOR PARTITIONS AND FINISHES.

PROPERTY ADDRESS 3035 PEACHTREE ROAD

STE #A-166

ATLANTA, GA 30305

ZONING CLASSIFICATION SP1-9 SA 1

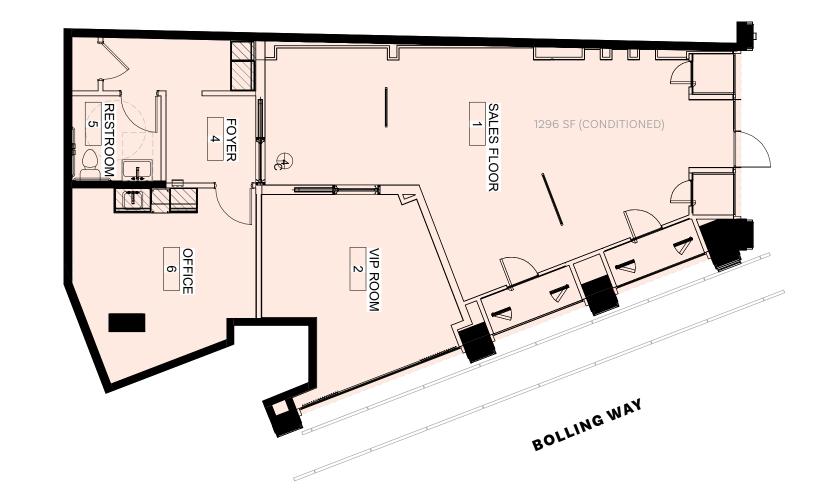
ZONING OVERLAY BUCKHEAD PARKING

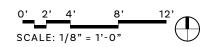
NET LOT AREA EXISITNG
GROSS LAND AREA EXISTING
FLOOR AREA RATIO EXISTING

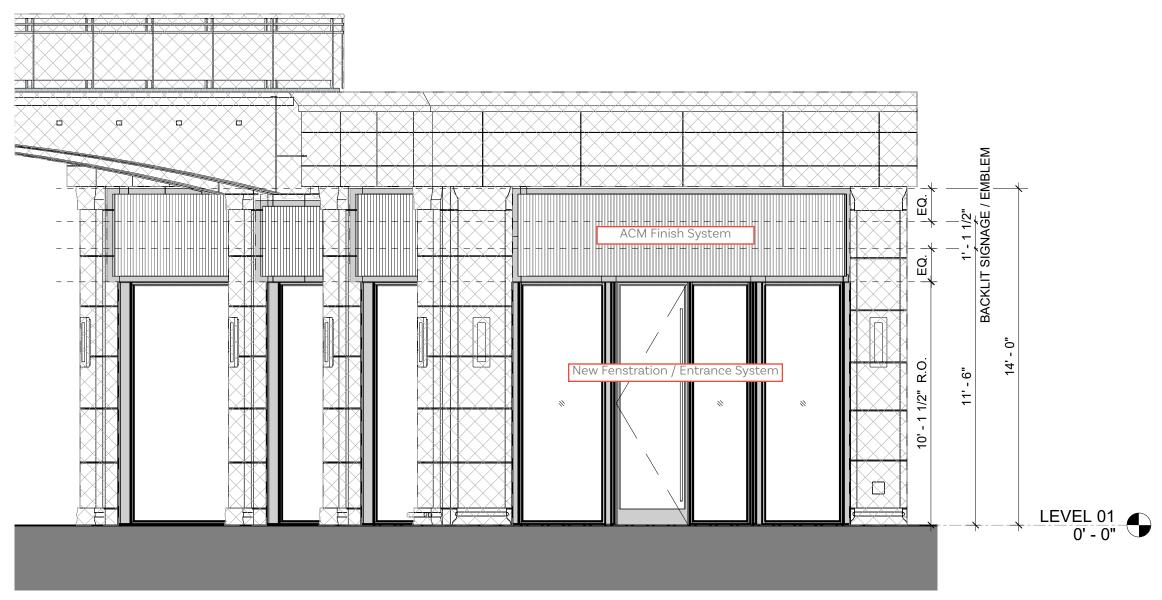
SQUARE FOOTAGE (STRUCTURES) 129.998 SF EXISTING

PARKING EXISTNG

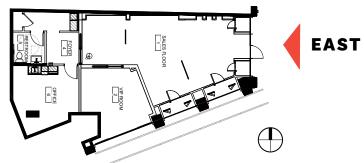
SCOPE OF WORK





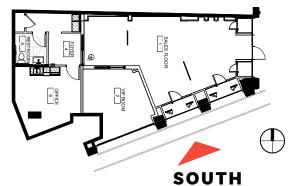


1 Proposed East Elevation (Fenstration Replacement)





1 Proposed South Elevation (Fenstration Replacement)



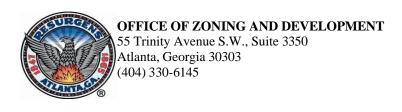


2 Proposed Conditions



1 Existing Conditions





APPLICATION #: SAP-24-021

DATE ACCEPTED **01/29/2024** 

### **NOTICE TO APPLICANT**

Address of Property:

3035 Peachtree RD NE

City Council District: 7 Neighborhood Planning Unit (NPU): **B** 

Special Administrative Permit (SAP) Hearing Date:

March 27th, 2024 at 12:00 PM

Council Chambers, 2nd Floor, City Hall 55 Trinity Avenue, S.W.

The contact person for NPU B is:

Kim Shorter 404-482-7460 kimzim@gmail.com

Contact info for adjacent NPUs is provided below if necessary:

### **Additional Contacts:**

Please contact the person(s) listed above within five days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,

Arianna Blake

AB, for Director, Office of Zoning and Development

OLIVIA A FREEMAN

#### **ZONING SPECIFICATION TABLE**

### PROJECT DESCRIPTION:

THIS PROJECT/SET OF DRAWINGS IS FOR NEW TENANT BUILDING PERMIT AT 3035 PEACHTREE RD NE SUITE #A-166. THE SCOPE OF WORK INLCUDES NEW EXTERIOR STOREFRONT, INTERIOR PARTITIONS AND FINISHES.

PROPERTY ADDRESS 3035 PEACHTREE ROAD

STE #A-166

ATLANTA, GA 30305

ZONING CLASSIFICATION SP1-9 SA 1

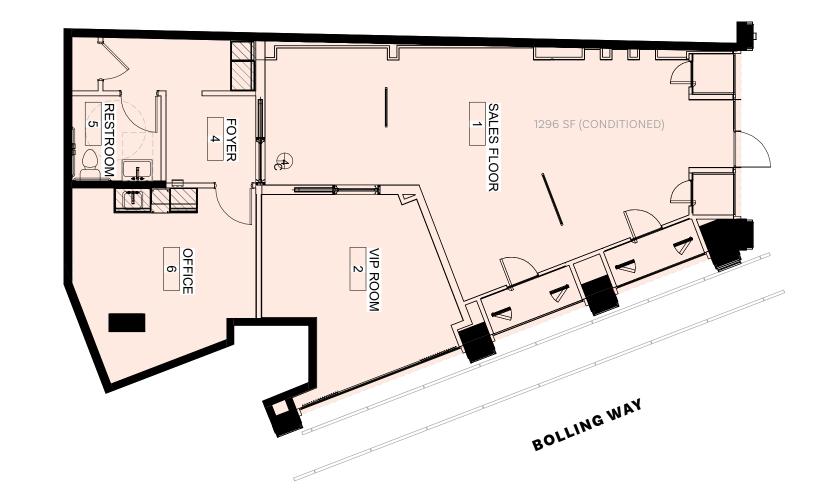
ZONING OVERLAY BUCKHEAD PARKING

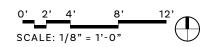
NET LOT AREA EXISITNG
GROSS LAND AREA EXISTING
FLOOR AREA RATIO EXISTING

SQUARE FOOTAGE (STRUCTURES) 129.998 SF EXISTING

PARKING EXISTNG

SCOPE OF WORK





A TOPCON 223 TOTAL STATION WAS USED TO OBTAIN ANGULAR MEASUREMENTS

A TRIMBLE R-8 DUAL FREQUENCY GPS UNIT WAS USED FOR ESTABLISHING CONTROL. A NETWORK ADJUSTED RTK SURVEY WAS PERFORMED AND ADJUSTED BY RELATIVE POSITIONAL ACCURACY

HIS SURVEY HAS BEEN CALCULATED FOR CLOSURE. BLOCK "A" IS ACCURATE WITHIN ONE FOOT IN 926,145 FEET. BLOCK "B" IS ACCURATE WITHIN ONE FOOT IN 728,833 FEET. BLOCK "C" IS ACCURATE WITHIN ONE FOOT IN 85,677 FEET. BLOCK "D-1" IS ACCURATE WITHIN ONE FOOT IN 115,837 FEET. BLOCK "E" OVERALL IS ACCURATE WITHIN ONE FOOT IN 777,634 FEET. BLOCK E "TRACT ONE" IS ACCURATE WITHIN ONE FOOT IN 68,240 FEET. BLOCK E "TRACT TWO" IS ACCURATE WITHIN ONE

THE FIELD DATA UPON WHICH THIS SURVEY IS BASED, ARE WITHIN THE POSITIONAL TOLERANCES ALLOWED FOR ALTA/NSPS LAND TITLE SURVEYS PER THE 2016 MINIMUM TECHNICAL STANDARDS ESTABLISHED BY ALTA AND NSPS AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

THE BEARINGS SHOWN ON THIS SURVEY ARE COMPUTED ANGLES BASED ON A

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND

ALL HORIZONTAL DISTANCES SHOWN ARE GROUND DISTANCES. MEASURING UNITS

LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY TO THE ACCURACY OF THIS INFORMATION AND THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND

INFORMATION REGARDING STORM SEWER AND SANITARY SEWER AS SHOWN HEREON, IS BASED ON OBSERVATIONS TAKEN BY TERRAMARK EMPLOYEES AT THE GROUND ELEVATION OF THE EXISTING STRUCTURE. TERRAMARK EMPLOYEES ARE NOT AUTHORIZED TO ENTER A CONFINED SPACE SUCH AS A STRUCTURE. THEREFORE, THERE IS NO CERTAINTY OF THE PIPE SIZES AND PIPE MATERIAL THAT ARE SHOWN ON THIS SURVEY. EXCAVATION BY A CERTIFIED CONTRACTOR IS THE ONLY WAY TO VERIFY PIPE SIZE AND MATERIAL. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THE PIPE INFORMATION SHOWN HEREON.

STATE WATERS AND BUFFERS AS SHOWN OR NOT SHOWN HEREON ARE SUBJECT TO REVIEW BY LOCAL JURISDICTION OFFICIALS. IT IS THE RESPONSIBILITY OF THE LOCAL AUTHORITY TO DETERMINE SPECIFIC WATER CLASSIFICATION. THEREFORE FERRAMARK LAND SURVEYING ACCEPTS NO RESPONSIBILITY IN THE IDENTIFICATION OF SAID WATERS OR BUFFERS IDENTIFIED OR NOT IDENTIFED HEREON.

THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS ( ENTITY NAMED HEREON. THIS SURVEY DOES NOT EXTEND TO ANY UNNAMED PERSO PERSONS OR ENTITY WITHOUT THE EXPRESS CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY

FIELD WORK FOR THIS PROPERTY WAS COMPLETED ON JANUARY 12, 2016. SITE WAS LAST UPDATED ON SEPTEMBER 15, 2016 TO VERIFY FIELD CONDITIONS.

THE PROPERTY SHOWN HEREON IS THE SAME PROPERTY DESCRIBED IN CHICAGO FITLE INSURANCE COMPANY ALTA COMMITMENT, COMMITMENT NO. GA-160377 WITH AN EFFECTIVE DATE OF AUGUST 18, 2016, AND THAT PLOTABLE 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.

THIS SURVEY ACCURATELY SHOWS THE LOCATION OF OBSERVED BUILDINGS, STRUCTURES, AND OTHER IMPROVEMENTS SITUATED ON THE PREMISES.

THIS SURVEY SHOWS THE LOCATION OF OBSERVED STORM DRAINAGE

ADJOINING PREMISES, ALLEYS, STREETS OR EASEMENT AREAS BY OBSERVED BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING

EXCEPT AS SHOWN HEREON, THERE ARE NO OBSERVED ENCROACHMENTS ONTO

APPURTENANCES FOR THE COLLECTION AND DISPOSAL OF ROOF AND SURFACE PROFESSIONAL LIABILITY INSURANCE POLICY OBTAINED BY THE SURVEYOR IN THE AMOUNT OF \$2,000,000 TO BE IN EFFECT THROUGOUT THE CONTRACT TERM, THE

CERTIFICATE OF INSURANCE TO BE PROVIDED UPON REQUEST. BUILDING ADDITIONS OR EARTH MOVING WORK.

THERE IS NO OBSERVED EVIDENCE OF USE OF PREMISES AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

THERE IS NO OBSERVED EVIDENCE OF WETLAND AREAS.

THERE IS NO OBSERVED EVIDENCE OF CEMETERIES OR BURIAL GROUNDS FOUND. THE SURVEYOR HAS NO KNOWLEDGE OF ANY PROPOSED STREET WIDENING.

ACCORDING TO THE "FIRM" (FLOOD INSURANCE RATE MAP OF FULTON COUNTY, GEORGIA. PANEL NUMBER 13121C0234 F. HAVING AN EFFECTIVE DATE OF SEPTEMBE 18, 2013. BY USE OF GRAPHICAL PLOTTING, NO PORTION OF THIS PROPERTY APPEAR TO LIE WITHIN A SPECIAL FLOOD HAZARD AREA.

PARCEL A, PARCEL B-1, PARCEL B-2, PARCEL C, PARCEL E-1 AND PARCEL E-2 APPEAR TO HAVE DIRECT PEDESTRIAN AND VEHICULAR ACCESS TO APPARENT PUBLIC RIGHTS-OF-WAY AS SHOWN HEREON.

# SITE INFORMATION

### BLOCK "A"

CURRENT OWNER: OMB BUCKHEAD LENDER, LLC DB. 50115 PG. 598

TAX PARCEL ID #17-0099-0008-0016

ADDRESS: 3035 PEACHTREE ROAD ZONING: SPI-9-SA1

### BLOCK "B" - FEE PARCEL

CURRENT OWNER: OMB BUCKHEAD LENDER, LLC

DB, 50115 PG, 598

TAX PARCEL ID #17-0099-0006-0208

ADDRESS: 3065 PEACHTREE ROAD ZONING: SPI-9-SA1

BLOCK "B" - LEASEHOLD PARCEL

CURRENT OWNER: G&M MANAGEMENT CORPORATION

LEASEHOLD TO: OMB BUCKHEAD LENDER, LLC

TAX PARCEL ID #17-0099-0006-0141

ZONING: SPI-9-SA1

BLOCK "C" CURRENT OWNER: OMB BUCKHEAD LENDER LLC

DB. 50115 PG. 598 TAX PARCEL ID #17-0099-0006-0232

ADDRESS: 262 BUCKHEAD AVENUE

ZONING: SPI-9-SA1

**BLOCK "E" - TRACT ONE - FEE PARCEL** CURRENT OWNER: OMB BUCKHEAD LENDER LLC

DB. 50115 PG. 598 TAX PARCEL ID #17-0099-0007-0108

ADDRESS: 273 BUCKHEAD AVENUE ZONING: SPI-9-SA1

BLOCK "E" - TRACT TWO - LEASEHOLD PARCEL CURRENT OWNER: THE ADAMS PARTNERSHIP

DB. 45305 PG. 639 LEASEHOLD TO: OMB BUCKHEAD LENDER, LLC

ATED OCTOBER 13, 2016 - SITE # 46949)

SIDE YARD SETBACK WAS RÉDUCED FROM 5' TO 0'.

FACADES SHALL BE SUBJECT TO SAP APPROVAL.

DB. 50115 PG. 598 TAX PARCEL ID #17-0099-0007-3862

ADDRESS: 273 BUCKHEAD AVENUE

ZONING INFORMATION PROVIDED PER REPORT PROVIDED BY ZONING-INFO.INC.

PROPERTIES ARE SUBJECT TO THE FOLLOWING ZONING VARIANCES: /-07-062 (PARCELS A,B,C & E) DATED APRIL 26, 2007 IN WHICH THE SIDE STREET

V-08-108 (PARCEL B) DATED AUGUST 11, 2008 IN WHICH THE FRONT YARD SETBACK WAS REDUCED FROM 10' TO 0': PERMITTING AWNINGS, CANOPIES, BALCONIES AND SIGNAGE UP TO THE ROAD ON ALL PROPERTY LINES AND REDUCING MAXIMUM USABLE OPEN SPACE TO 17,218 GROSS SQUARE FEET.

SPI-9-SA1 ZONING REQUIREMENTS: ZONING REQUIRES A SPECIAL APPLICATION PERMIT (SAP) WHICH INCLUDES REVIEW OF A SITE PLAN LANDSCAPE PLAN & ELEVATION DRAWINGS TO BE APPROVED BY TH DIRECTOR OF THE OFFICE OF PLANNING PRIOR TO FILING FOR A BUILDING PERMIT. ALL EXTERIOR DEMOLITION, NEW CONSTRUCTION (INCLUDING BUILDING ADDITIONS) MODIFICATIONS OF OUTDOOR DINING, OR ANY CONSTRUCTION THAT CONSISTS OF  $\acute{\mathsf{L}}$ OVERAGE, MODIFICATION OF BUILDING FOOTPRINT OR MODIFICATION OF BUILDING

MAXIMUM BUILDING SETBACK FROM BACK OF REQUIRED SIDEWALK: TYPE 2 STREET - 25' TYPE 4 STREET - 10 MAXIMUM BUILDING HEIGHT: 225'

**AMENITY ZONE MINIMUM WIDTH: 7** WALK ZONE MINIMUM WIDTH: 13' **UPPLEMENTAL ZONE MINIMUM WIDTH: 5'** TREE PLANTING STANDARDS: 40' ON CENTER PEDESTRIAN LIGHTING: 40' ON CENTER

STREETSCAPE REGULATIONS:

# **ALTA/NSPS LAND TITLE SURVEY**

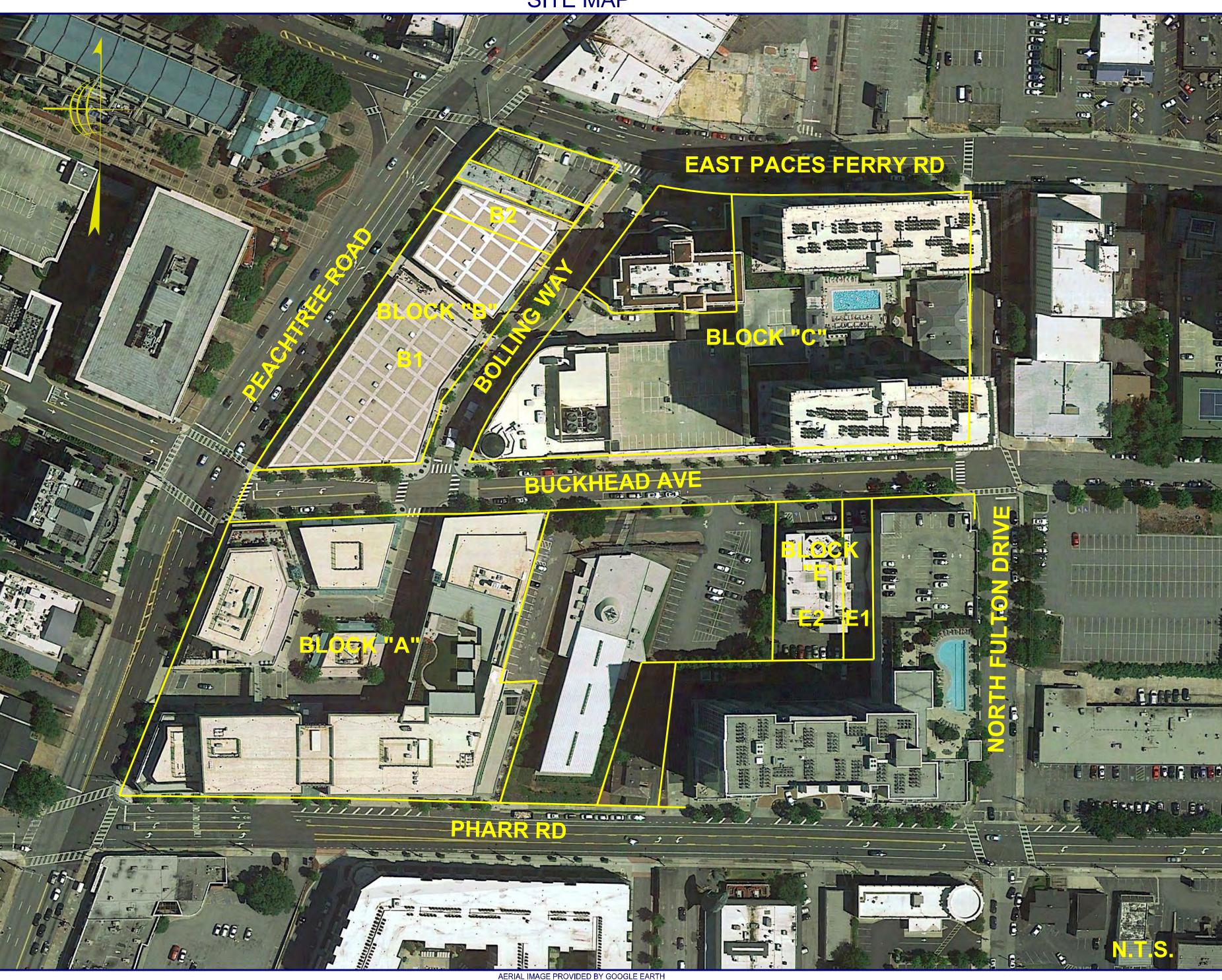
OMB BUCKHEAD LENDER, LLC; TPG RE FINANCE II, LTD. A CAYMAN ISLANDS EXEMPTED COMPANY, ITS SUCCESSORS, AFFILIATES AND ASSIGNS; FIDELITY NATIONAL TITLE GROUP; ZONING -INFO, INC. & CHICAGO TITLE INSURANCE COMPANY

# (BLOCKS A,B,C,& E)

LOCATED IN

LAND LOTS 61, 99 & 100, 17TH DISTRICT FULTON COUNTY, GEORGIA

SITE MAP



# **PARKING COUNT** STRIPED SPACES

REGULAR SPACES: 780 HANDICAP SPACES: 16 TOTAL SPACES: 796

PARKING COUNT STRIPED SPACES (BLOCK "B")

NONE OBSERVED

# PARKING COUNT STRIPED SPACES (BLOCK "C")

RETAIL PARKING RESIDENTIAL PARKING TOTAL PARKING \*\*\*\*\*\*PARKING COUNT WAS TAKEN WITHIN THE PARKING DECK ON BLOCK "C".

# PARKING COUNT STRIPED SPACES

REGULAR SPACES: HANDICAP SPACES: 2 TOTAL SPACES:

# PARKING TABULATION

BLOCK	REGULAR	HANDICAP
BLOCK "A":	780	16
BLOCK "B":	0	0
BLOCK "C":	1,336	36
DI OCK "E".	17	2

2,133

# PARKING REQUIREMENTS

INIMUM PARKING REQUIRED FOR PARCELS A, B, C, D, E & F: MAXIMUM PARKING ALLOWED FOR PARCELS A, B, C, D, E & F: TOTAL PARKING SPACES REQUIRED FOR PARCELS A, B, C, D, E & F:  $\,$  1,660 TOTAL SPACES

# PROPERTY DESCRIPTION BLOCK "A" (AS SURVEYED)

EING ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99, 17TH ISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS

FIND THE POINT OF BEGINNING, COMMENCE AT A POINT AT THE INTERSECTION F THE NORTH RIGHT-OF-WAY LINE OF BUCKHEAD AVENUE (A VARIABLE WIDTH RIGHT RIGHT OF WAY); THENCE, LEAVING SAID POINT AND RUNNING ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF PEACHTREE ROAD SOUTH 24°54'54" WEST 65.42 FEET TO A POINT AT THE INTERSECTION OF THE SAID EAST LINE OF PEACHTREE ROAD AND THE SOUTH RIGHT OF WAY LINE OF BUCKHEAD. AVENUE, SAID POINT BEING THE TRUE POINT F BEGINNING: FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED. RUNNING VITH THE SAID SOUTH LINE OF BUCKHEAD AVENUE THE FOLLOWING COURSES AND

NORTH 87°32'34" EAST, 214.69 FEET TO A POINT; THENCE NORTH 89°40'16" EAST, 52.99 FEET TO POINT; THENCE

NORTH 87°47'42" EAST, 100.60 FEET TO A PK NAIL SET; THENCE, LEAVING THE AFORESAID SOUTH LINE OF BUCKHEAD AVENUE AND RUNNING SOUTH 15'58'24" WEST, 205.86 FEET TO AN NAIL SET; THENCE NORTH 87°18'59" EAST, 42.69 FEET TO A NAIL SET; THENCE SOUTH 16°49'25" WEST, 146.53 FEET TO A NAIL SET ON THE NORTH RIGHT OF WAY LINE OF PHARR ROAD (A 60 FOOT WIDE RIGHT OF WAY); THENCE, RUNNING WITH THE SAID LINE OF PHARR ROAD THE FOLLOWING COURSES AND DISTANCES:

NORTH 88°25'30" WEST, 138.51 FEET TO A POINT; THENCE NORTH 88°13'25" WEST, 52.36 FEET TO A POINT; THENCE NORTH 89°19'07" WEST, 247.00 FEET TO A POINT AT THE INTERSECTION OF THE AFORESAID LINE OF PHARR ROAD AND THE AFORESAID LINE OF PEACHTREE ROAD: THENCE, RUNNING WITH THE SAID LINE OF PEACHTREE ROAD . NORTH 21°51'58" EAST, 338.80 FEET TO A POINT AND THE POINT OF BEGINNING, CONTAINING 129,634 SQUARE FEET OR 2.9760 ACRES OF LAND, MORE OR LESS.

### PROPERTY DESCRIPTION BLOCK "C" (AS SURVEYED)

eing all that tract or parcel of land lying and being in Land Lot 99, 17th District, Fulton County,

o find the Point of Beginning, commence at a scribe set at the intersection of the North Right-of Vay Line of Buckhead Avenue, (a variable width right of way), and the Easterly Right-of-Way Line f Peachtree Road (a variable width right of way); thence, leaving said point and running with the ild Line of Buckhead Avenue, North 87° 32' 35" East, 148.80 feet to a nail found, thence North 7° 32' 35" East, 44.36 feet to a point at the intersection of the said North Line of Buckhead venue and the new Westerly Right of Way Line of Bolling Way (an apparent variable width righ of way; thence, running across Bolling Way, North 88° 08 50" Éast, 54,89 feet to the intersection of the said North Line of Buckhead Avenue and the new East Right of Way Line of Bolling Way, aid point being the True Point of Beginning of the herein described tract or parcel of land, thence eaving the said Point of Beginning and running with the new said East Line of Bolling Way

North 22° 34' 26" East, 33.06 feet, thence, North 27° 50' 06" East, 30.25 feet; thence. North 33° 34' 33" East, 33.96 feet; thence,

North 37° 22' 41" East, 4.38 feet to a point on the previous East Line of Bolling Way; thence, running with said East Line of Bolling Way North 23° 03' 49" East, 9 41 feet, thence,

North 38° 34' 38" East, 98.20 feet; thence North 37° 29' 30" East, 11.46 feet; thence, leaving the aforesaid East Line of Bolling Way and running with the property now or formerly owned by Royal Capital Development, LLC as described in a deed recorded among the Land Records of Fulton County, Georgia in

Deed Book 26447, Page 16 South 85° 04' 27" East, 147.10 feet; thence, North 87° 37' 52" East, 41.65 feet, thence, 0. North 02° 32' 45" West, 135.11 feet to a 3 inch pipe found on the South Right of Way Line of East Paces Ferry Road (an apparent variable width right of way), thence, running with

the said line of East Paces Ferry Road . 13.47 feet along the arc of a curve deflecting to the left, having a radius of 557.70 feet and a chord bearing and distance of South 88° 16′ 13" East, 13.47 feet, thence, 2. South 88° 57' 43" East, 32.22 feet to a rod found; thence, 3. North 89° 28' 07" East, 99.55 feet; thence, 4. South 89° 37' 26" East, 39.95 feet; thence North 88° 24' 28" East, 20.09 feet, thence,

6. North 87° 44' 59" East, 70.00 feet to the point of intersection with the West Right of Wav Line of North Fulton Drive (an apparent variable width right of way); thence, running with the said Line of North Fulton Drive . South 00° 26' 58" West, 287.78 feet to the point of intersection with the aforesaid North Line of Buckhead Avenue; thence, running with the said line of Buckhead Avenue South 87° 54' 13" West, 240.01 feet to a nail found; thence, 9. South 87° 49' 05" West, 50.09 feet to a nail found; thence,

 South 87° 38' 06" West. 160.00 feet. thence. South 87° 24' 33" West, 80,00 feet, thence 2. South 87° 34' 20" West, 45.62 feet to the Point of Beginning, containing 121,470 square feet or 2.7886 acres of land, more or less.

Fulton County, Georgia and being more particularly described as follows: he "Residential Master Unit" of 262 Buckhead Avenue, A Master Condominium, as more particularly described and delineated in the Declaration of Condominium for 262 Buckhead venue, Á Master Condominium, recorded in Deed Book 56481, Page 619, et seq., Fulton

II that tract or parcel of land lying and being in Land Lot 99 of the 17th District, City of Atlanta,

his conveyance is subject to those certain floor plans filed in Condominium Floor Plan Book 65, Pages 16, aforesaid records, that certain plat of survey filed in Condominium Plat Book 24, Pages roperty is subject to all easements and rights of way recorded and unrecorded.

# PROPERTY DESCRIPTION BLOCK "E" (AS SURVEYED)

RACT ONE "FEE PARCEL"

LL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99 OF HE 17TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY

O FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE POINT FORMED BY THE ITERSECTION OF THE WESTERN RIGHT OF WAY LINE OF N. FULTON DRIVE (A ARIABI E WIDTH RIGHT OF WAY) AND THE SOUTHERN RIGHT OF WAY LINE OF UCKHEAD AVENUE (A 60 FOOT RIGHT OF WAY): RUN THENCE ALONG SAID DUTHERN RIGHT OF WAY LINE OF BUCKHEAD AVENUE SOUTH 87°36'32" WEST A STANCE OF 118.00 FEET TO THE TRUE POINT OF BEGINNING; FROM THE TRUE DINT OF BEGINNING AS THUS ESTABLISHED THENCE LEAVING SAID SOUTHERN IGHT OF WAY LINE OF BUCKHEAD AVENUE: SOUTH 00'38'06" EAST A DISTANCE OF 185.21 FEET TO AN 1/2" REBAR FOUND; THENCE

SOUTH 89°13'53" WEST A DISTANCE OF 34 61 FEET TO A POINT: THENCE NORTH 00°27'08" WEST A DISTANCE OF 184.39 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERN RIGHT OF WAY LINE OF BUCKHEAD AVENUE; THENCE ALONG SAID SOUTHERN RIGHT OF WAY LINE

NORTH 87°50'54" EAST A DISTANCE OF 34.04 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 6,342 SQUARE FEET OR 0.1456 ACRES OF LAND, MORE OR LESS.

ONDOMINIUM UNIT - TRACT TWO

L THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99 OF THE 17TH. ISTRICT, FULTON COUNTY, GEORGIA, CITY OF ATLANTA, BEING MORE PARTICULARLY ONDOMINIUM UNIT #10 OF ECLIPSE RETAIL CONDOMINIUM. A CONDOMINIUM. AS

8967, PAGE 319, ET SEQ., FULTON COUNTY, GEORGIA RECORDS, AS THE SAME MAY

MORE PARTICULARI Y DESCRIBED AND DELINEATED IN THE DECLARATION OF

ONDOMINIUM FOR ECLIPSE RETAIL CONDOMINIUM, RECORDED IN DEED BOOK

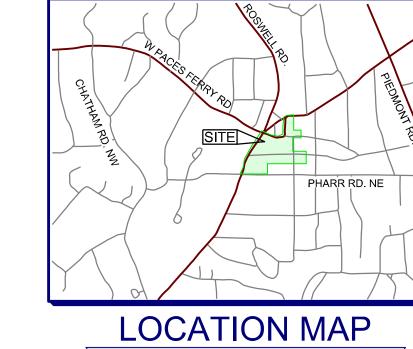
FRACT THREE "LEASEHOLD PARCEL"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99 OF HE 17TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY

O FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE POINT FORMED BY THE INTERSECTION OF THE WESTERN RIGHT OF WAY LINE OF N. FULTON DRIVE (A VARIABLE WIDTH RIGHT OF WAY) AND THE SOUTHERN RIGHT OF WAY LINE OF BUCKHEAD AVENUE (A 60 FOOT RIGHT OF WAY): RUN THENCE ALONG SAID. OUTHERN RIGHT OF WAY LINE OF BUCKHEAD AVENUE SOUTH 87°36'32" WEST A ISTANCE OF 118.00 FEET TO A POINT; THENCE CONTINUE ALONG SAID SOUTHERN GHT OF WAY LINE OF BUCKHEAD AVENUE SOUTH 87°50'54" WEST A DISTANCE OF 4.04 FEET TO THE TRUE POINT OF BEGINNING: FROM THE TRUE POINT OF EGINNING AS THUS ESTABLISHED, THENCE LÉAVING SAID SOUTHERN RIGHT OF /AY LINE OF BUCKHEAD AVENUE SOUTH 00°27'08" EAST A DISTANCE OF 184.39 FEET TO A POINT: THENCE

SOUTH 89°13'53" WEST A DISTANCE OF 81 79 FEET TO AN 1/2" REBAR FOUND: THENCE NORTH 01°18'45" EAST A DISTANCE OF 182.67 FEET TO A PK NAIL SET ON THE AFOREMENTIONED SOUTHERN RIGHT OF WAY LINE OF BUCKHEAD AVENUE; THENCE ALONG SAID SOUTHERN RIGHT OF WAY LINE

NORTH 87°50'54" EAST A DISTANCE OF 76.19 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 14,487 SQUARE FEET OR 0.3326 ACRES OF LAND,



LAT - 33°50'18.24" N

# PROPERTY DESCRIPTION BLOCK "B" (AS SURVEYED)

BEING ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99, 17TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED

BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF BUCKHEAD AVENUE (A VARIABLE WIDTH RIGHT OF WAY) AND THE EASTERLY RIGHT-OF-WAY LINE OF PEACHTREE ROAD (A VARIABLE WIDTH ŔIGHT OF WAY); THENCE, RUNNING WITH THE SAID LINE OF PEACHTREE ROAD THE

FOLLOWING COURSES AND DISTANCES: NORTH 32°11'43" EAST, 34.65 FEET TO A POINT; THENCE NORTH 34°17'48" EAST, 80.85 FEET TO A POINT, THENCE NORTH 34°34'23" EAST, 200.10 FEET TO A POINT, AND, THENCE NORTH 35°42'14" EAST, 50.00 FEET TO A POINT: THENCE, LEAVING THE AFORESAID

LINE OF PEACHTREE ROAD AND RUNNING

5. SOUTH 68°29'06" EAST, 146.64 FEET TO A POINT ON THE WEST RIGHT OF WAY
LINE OF BOLLING WAY (A VARIABLE WIDTH RIGHT OF WAY), THENCE, RUNNING
WITH THE SAID LINE OF BOLLING WAY THE FOLLOWING COURSES AND DISTANCES: SOUTH 36°53'47" WEST, 149.23 FEET TO A POINT; THENCE SOUTH 37°06'44" WEST, 60.44 FEET TO A POINT, THENCE

SOUTH 12°27'05" WEST, 14.27 FEET TO A POINT; THENCE SOUTH 19°57'45" WEST, 61.65 FEET TO A POINT AT THE INTERSECTION OF THE WEST LINE OF BOLLING WAY AND THE NORTHERN LINE OF BUCKHEAD AVENUE: THENCE, RUNNING WITH THE SAID LINE OF BUCKHEAD AVENUE 10. SOUTH 87°32'35" WEST, 44.36 FEET TO A POINT: AND THENCE I. SOUTH 87°32'35" WEST, 148.80 FEET TO THE POINT OF BEGINNING,

BEING ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99, 17TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED

CONTAINING 46,604 SQUARE FEET OR 1,0699 ACRES OF LAND, MORE OR LESS,

TO FIND THE POINT OF BEGINNING, COMMENCE AT A SCRIBE SET IN NCRETE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE C BUCKHEAD AVENUE (A VARIABLE WIDTH RIGHT OF WAY) AND THE EASTERLY RIGHT-DF-WAY LINE OF PEACHTREE ROAD (A VARIABLE WIDTH RIGHT OF WAY): THENCE. RUNNING WITH THE SAID LINE OF PEACHTREE ROAD THE FOLLOWING COURSES AND DISTANCES: NORTH 32°11'43" EAST, 34.65 FEET TO A POINT: THENCE NORTH 34°17'48' EAST, 80.85 FEET TO A POINT; THENCE NORTH 34°34'23" EAST, 200.10 FEET TO A

POINT; THENCE NORTH 35°42'14" EAST, 50.00 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING, FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, THENCE CONTINUE ALONG SAID LINE OF PEACHTREE ROAD

1. NORTH 36°53'47" EAST, 45.00 FEET TO A DRILL HOLE; THENCE LEAVING SAID LINE OF PEACHTREE ROAD AND RUNNING

SOUTH 68°29'06" EAST, 146.64 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF BOLLING WAY (A VARIABLE WIDTH RIGHT OF WAY), THENCE, RUNNING WITH THE SAID LINE OF BOLLING WAY SOUTH 36°53'47" WEST, 45.00 FEET TO A POINT; THENCE LEAVING SAID LINE OF

6,363 SQUARE FEET OR 0.1461 ACRES OF LAND, MORE OR LESS.

NORTH 68°29'06" WEST, 146.64 FEET TO THE POINT OF BEGINNING, CONTAINING

# REFERENCE MATERIAL

1 ALTA/ACSM LAND TITLE SURVEY FOR THE STREETS OF BUCKHEAD (PARCEL "A") PREPARED BY TERRAMARK LAND SURVEYING, INC

DATED JUNE 29, 2007 AND LAST REVISED DECEMBER 12, 2008. 2. ALTA/ACSM LAND TITLE SURVEY FOR THE STREETS OF BUCKHEAD (PARCEL "B") PREPARED BY TERRAMARK LAND SURVEYING, INC. DATED FEBURARY 19, 2013

3. ALTA/ACSM LAND TITLE SURVEY FOR THE STREETS OF BUCKHEAD (PARCEL "C") PREPARED BY TERRAMARK LAND SURVEYING, INC. DATED JULY 5, 2007 AND LAST REVISED DECEMBER 12, 2008. 4. ALTA/ACSM LAND TITLE SURVEY

FOR THE STREETS OF BUCKHEAD (PARCEL "D-1")

PREPARED BY TERRAMARK LAND SURVEYING, INC.

DATED JUNE 25, 2007 AND LAST REVISED DECEMBER 18, 2008. 5. ALTA/ACSM LAND TITLE SURVEY FOR THE STREETS OF BUCKHEAD (PARCEL "E") PREPARED BY TERRAMARK LAND SURVEYING, INC

DATED JUNE 25, 2007 AND LAST REVISED DECEMBER 12, 2008. 6. ALTA/ACSM LAND TITLE SURVEY FOR THE STREETS OF BUCKHEAD (PARCEL "F") PREPARED BY TERRAMARK LAND SURVEYING, INC

DATED JUNE 26, 2007 AND LAST REVISED DECEMBER 18, 2008.

7. ALTA/ACSM LAND TITLE SURVEY FOR THE STREETS OF BUCKHEAD (PARCEL "F") PREPARED BY VALENTINO & ASSOCIATES, INC. DATED JANUARY 25, 2011 AND LAST REVISED APRIL 12, 2011. 8. ALTA/ACSM LAND TITLE SURVEY

FOR THE STREETS OF BUCKHEAD (PARCEL "E")

PREPARED BY VALENTINO & ASSOCIATES, INC.

DATED JANUARY 26, 2011 AND LAST REVISED APRIL 12, 2011. 9. ALTA/ACSM LAND TITLE SURVEY FOR THE STREETS OF BUCKHEAD (PARCEL "D") PREPARED BY VALENTINO & ASSOCIATES, INC. DATED JANUARY 26, 2011 AND LAST REVISED APRIL 12, 2011.

10. ALTA/ACSM LAND TITLE SURVEY OLIVER MCMILLAN, INC. (PARCEL "A") PREPARED BY WATTS & BROWNING ENGINEERS, INC. DATED DECEMBER 13, 2010 AND LAST REVISED APRIL 6, 2011. 11. ALTA/ACSM LAND TITLE SURVEY OLIVER MCMILLAN, INC. (PARCEL "B")

DATED DECEMBER 13, 2010 AND LAST REVISED APRIL 6, 2011. 12 ALTA/ACSM LAND TITLE SURVEY OLIVER MCMILLAN, INC. (PARCEL "C") PREPARED BY WATTS & BROWNING ENGINEERS. INC.

PREPARED BY WATTS & BROWNING ENGINEERS, INC.

DATED DECEMBER 13, 2010 AND LAST REVISED APRIL 6, 2011. 13. ALTA/ACSM LAND TITLE SURVEY FOR OMB BUCKHEAD LENDER, LLC, PNC BANK, NATIONAL ASSOCIATION & FIDELITY NATIONAL TITLE INSURANCE COMPANY PREPARED BY TERRAMARK LAND SURVEYING, INC. DATED JUNE 29, 2007 AND LAST REVISED DECEMBER 12, 2008.

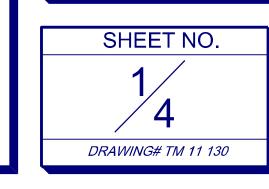
14. ALTA/ACSM LAND TITLE SURVEY FOR OMB BUCKHEAD LENDER, LLC, PNC BANK, NATIONAL ASSOCIATION & FIDELITY NATIONAL TITLE INSURANCE COMPANY PREPARED BY TERRAMARK LAND SURVEYING. INC.

DATED FEBUARY 19, 2013.

# SURVEYOR'S CERTIFICATE

: OMB BUCKHEAD LENDER, LLC; TPG RE FINANCE II, LTD. A CAYMAN ISLANDS EXEMPTE OMPANY, ITS SUCCESSORS, AFFILIATES AND ASSIGNS, FIDELITY NATIONAL TITLE GROU DNING -INFO, INC. & CHICAGO TITLE INSURANCE COMPANY HIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED VERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENT FOR ALTA / NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA ND NSPS, AND INCLUDES ITEMS 1,2,3,4,6(a),6(b),7(a),7(b),7(c),8,9,13,14,16,17,19 & 20 F TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 12, 2016 AND LA





THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT PREPARED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER GA-160377 VERSION 5 AND HAVING AN EFFECTIVE DATE OF SEPTEMBER 22, 2016 AT 5:00 P.M. THE FOLLOWING ENCUMBERANCES WERE IDENTIFIED IN THE AFORESAID REPORT:

- 12. EASEMENT FROM SAM LEVY TO GEORGIA POWER DATED FEBRUARY 22, 1965, AND RECORDED IN DEED BOOK 4399, PAGE 52, AMONG THE LAND RECORDS OF FULTON (AFFECT'S SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT, BLANKET IN NATURE)
- 13. EASEMENT FROM JOHN R. WALKER TO ATLANTA GAS LIGHT COMPANY DATED APRIL 27, 948 AND RECORDED IN DEED BOOK 2325, PAGE 400, AFORESAID RECORI (AFFECTS SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT, BLANKET IN NATURE) 14. BOUNDARY LINE AND EASEMENT AGREEMENT FROM WALDA S. ABNER. ET AL TO
- FULTON COUNTY DATED NOVEMBER 4, 1987 AND RECORDED IN DEED BOOK 11206, PAGE 43, AFORESAID RECORDS, AS DÉPICTED ON BLOCK A SURVEY. (AFFECTS SURVEYED PROPERTY - SHOWN ON SURVEY) 15. EASEMENT FROM WALDA S. ABNER, ET AL TO FULTON COUNTY DATED NOVEMBER 4
- 1987 AND RECORDED IN DEED BOOK 11206, PAGE 50, AFORESAID RECORDS, AS DEPICTED ON BLOCK A SURVEY (AFFECTS SURVEYED PROPERTY - SHOWN ON SURVEY) 16. INDEMNITY AGREEMENT BETWEEN THE STREETS OF BUCKHEAD DEVELOPMENT CO. AT

2007 AND RECORDED IN DEED BOOK 45616, PAGE 477, AFORESAID RECORDS

17. STORM WATER MANAGEMENT INSPECTION AND MAINTENANCE AGREEMENT BETWEEN THE STREETS OF BUCKHEAD DEVELOPMENT CO. AT BLOCK "A" LLC AND THE CITY OF ATLANTA, DATED MAY 13, 2008, FILED MAY 16, 2008 AND RECORDED IN DEED BOOK (AFFECTS SURVEYED PROPERTY - SHOWN ON SURVEY)

BLOCK A, LLC AND THE CITY OF ATLANTA, DATED AUGUST 28, 2007, FILED AUGUST 30,

(AFFECTS SURVEYED PROPERTY - APPROXIMATE LOCATION SHOWN ON SURVEY)

- 18. RIGHT OF WAY EASEMENT FROM J.W. PICKELSIMER TO GEORGIA POWER COMPANY DATED AUGUST 2, 1958, FILED SEPTEMBER 11, 1958 AND RECORDED IN DEED BOOK 3371, (AFFECTS SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT, CANNOT FIND POLE
- 19 TERMS AND PROVISIONS AS CONTAINED IN THAT CERTAIN GROUND LEASE WITH PURCHASE OPTION, AS EVIDENCED BY THAT CERTAIN MEMORANDUM OF LEASE ANI PURCHASE OPTION, DATED JUNE 15, 2007, FILED JUNE 20, 2007 AND RECORDED IN DEED BOOK 45217, PAGE 75, AFORESAID RECORDS; AS MODIFIED BY THAT CERTAIN AMENDMENT TO MEMORANDUM OF LEASE AND PURCHASE OPTION DATED JUNE 3, 2013, FILED JUNE 24, 2013 IN DEED BOOK 52789, PAGE 350, AFORESAID RECORDS. (AFFECTS TRACT 2) (AFFECTS SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT, BLANKET IN
- 20. INDEMNITY AGREEMENT BETWEEN THE STREETS OF BUCKHEAD DEVELOPMENT CO. AT BLOCK B, LLC AND THE CITY OF ATLANTA, DATED AUGUST 28, 2007, FILED AUGUST 30, 2007 AND RECORDED IN DEED BOOK 45616, PAGE 484, AFORESAID RECORDS AFFECTS SURVEYED PROPERTY - APPROXIMATE LOCATION SHOWN ON SURVEY)
- 21. STORM WATER MANAGEMENT INSPECTION AND MANAGEMENT INSPECTION AND MAINTENANCE AGREEMENT BETWEEN THE STREETS OF BUCKHEAD DEVELOPMENT CO AT BLOCK B, LLC TO THE CITY OF ATLANTA, DATED JANUARY 5, 2009, FILED JANUARY 5, 2009 AND RECORDED IN DEED BOOK 47475, PAGE 296, AFORESAID RECORDS. (AFFECTS SURVEYED PROPERTY - SHOWN ON SURVEY)

### BLOCK C, TRACTS 1 AND 2:

- 22. INTENTIONALLY DELETED
- 23. INTENTIONALLY DELETED. 24. INTENTIONALLY DELETED.
- 25. INTENTIONALLY DELETED. 26. AGREEMENT FOR INSTALLATION OF STREET LIGHTS BETWEEN ATLANTA GAS LIGHT
- COMPANY, JOSLIN-WARREN, INC., D.B.A. ROACH SPORTING GOODS AND CITY OF ATLANTA, DATED FEBRUARY 8, 1973, FILED MARCH 5, 1973 AND RECORDED IN DEED BOOK 5768, PAGE 450, AFORESAID RECORDS. (AFFECTS SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT, BLANKET IN NATURE)

- 27. INTENTIONALLY DELETED.
- 28. INTENTIONALLY DELETED.
- 29. INDEMNITY AGREEMENT BETWEEN THE STREETS OF BUCKHEAD DEVELOPMENT CO. AT BLOCK C. LLC AND THE CITY OF ATLANTA, DATED AUGUST 28, 2007, FILED AUGUST 30, 2007 AND RECORDED IN DEED BOOK 45616, PAGE 489, AFORESAID RECORDS (AFFECTS SURVEYED PROPERTY - APPROXIMATE LOCATION SHOWN ON SURVEY)
- 30. INTENTIONALLY DELETED.
- 31. STORM WATER MANAGEMENT INSPECTION & MAINTENANCE AGREEMENT BETWEEN THE STREETS OF BUCKHEAD DEVELOPMENT CO. AT BLOCK C, LLC AND THE CITY OF ATLANTA, DATED FEBRUARY 4, 2008, FILED FEBRUARY 22, 2008 AND RECORDED IN DEED (AFFECTS SURVEYED PROPERTY - SHOWN ON SURVEY)
- 32. INTENTIONALLY DELETED.
- 33. INTENTIONALLY DELETED. 34. INTENTIONALLY DELETED.
- 35. INDEMNITY AGREEMENT BETWEEN THE STREETS OF BUCKHEAD DEVELOPMENT COMPANY AT BLOCK D, LLC AND THE CITY OF ATLANTA, DATED SEPTEMBER 27, 2007 FILED OCTOBER 2, 2007 AND RECORDED IN DEED BOOK 45767, PAGE 535, AFORESAID RECORDS (DOES NOT AFFECT SURVEYED PROPERTY)
- 36. INTENTIONALLY DELETED.
- EASEMENT TO GEORGIA POWER COMPANY DATED OCTOBER 7, FILED OCTOBER 18, 1938, AND RECORDED IN DEED BOOK 1688, PAGE 570, AFORESAID RECORDS (MAY AFFECT SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT INSTRUMENT AND DETERMINE AFFECTED PROPERTY - NO LEGAL DESCRIPTION OF PROPERTY PROVIDED
- 38. EASEMENT FROM L.A. SMITH TO GEORGIA POWER COMPANY, DATED OCTOBER 7, 1938, LED OCTOBER 18, 1938 IN DEED BOOK 1688, PAGE 579, AFORESAID RECORDS MAY AFFECT SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT INSTRUMENT AND DETERMINE AFFECTED PROPERTY - NO LEGAL DESCRIPTION OF PROPERTY PROVIDED)
- 39. RIGHT OF WAY EASEMENT FROM ADAMS CATES COMPANY TO GEORGIA POWER COMPANY, DATED FEBRUARY 2, 1954, FILED MARCH 15 AND RECORDED IN DEED BOOK AFFECTS SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT, BLANKET IN NATURE)
- 40. EASEMENT FROM AARON RENTS, INC. TO GEORGIA POWER COMPANY, DATED APRIL 16, 1986, FILED MAY 7, 1986 AND RECORDED IN DEED BOOK 10086, PAGE 28, AFORESAID (AFFECTS SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT, BLANKET IN NATURE)
- 41. AGREEMENT BY AND BETWEEN ALFRED N. ADAMS TO GEORGIA POWER COMPANY DATED DECEMBER 9, 1954, FILED DECEMBER 10, 1946 AND RECORDED IN DEED BOOK (AFFECTS SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT, BLANKET IN NATURE)
- FEBRUARY 28, 1962 AND RECORDED IN DEED BOOK 3862, PAGE 11, AFORESAID AFFECTS SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT, BLANKET IN NATURE) 43. PERMIT FOR ANCHORS, GUY POLES AND WIRES FROM 305 BUCKHEAD ASSOCIATES TO GEORGIA POWER COMPANY DATED JULY 15, 1980, AND RECORDED IN DEED BOOK 7602,

42. RIGHT OF WAY EASEMENT FROM J.W. PICKELSIMER TO GEORGIA POWER, DATED

- (DOES NOT AFFECT SURVEYED PROPERTY) 44. INDEMNITY AGREEMENT BY AND BETWEEN OMB BUCKHEAD LENDERS, LLC AND EORGIA DEPARTMENT OF TRANSPORTATION, DATED OCTOBER 29, 2013, AND
- RECORDED IN DEED BOOK 53368, PAGE 457, FULTON COUNTY, GEORGIA RECORDS (AFFECTS SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT, BLANKET IN NATURE) 45. INDEMNITY AGREEMENT BY AND BETWEEN OMB BUCKHEAD LENDERS, LLC AND
- GEORGIA DEPARTMENT OF TRANSPORTATION, DATED OCTOBER 29, 2013, AND RECORDED IN DEED BOOK 53368, PAGE 459, FULTON COUNTY, GEORGIA RECORD AFFECTS SURVEYED PROPERTY - SURVEYOR UNABLE TO PLOT, BLANKET IN NATURE)
- 46. STORMWATER MANAGEMENT FACILITY INSPECTION AND MAINTENANCE/INDEMNIFICATION AGREEMENT BY OMB BUCKHEAD LENDER. LLC. DATED FEBRUARY 22, 2012, AND RECORDED IN DEED BOOK 50947, PAGE 428, FULTON COUNTY GEORGIA RECORDS. NOTE: NO UNOFFICIAL WITNESS SIGNATURE ON DOCUMENT, AFFECTS SURVEYED PROPERTY - SHOWN ON SURVEY)
- THE FOLLOWING EXCEPTIONS AFFECT THE PARCELS AS NOTED:
- 47. STORMWATER MANAGEMENT FACILITY INSPECTION AND MAINTENANCE/INDEMNIFICATION AGREEMENT BY OMB BUCKHEAD LENDERS. LLC ATED FEBRUARY 22, 2012. AND RECORDED IN DEED BOOK 50947. PAGE 446. FULTON COUNTY, GEORGIA RECORDS. NOTE: NO UNOFFICIAL WITNESS SIGNATURE ON DOCUMENT, CORRECTIVE ACTION MAY BE NECESSARY AFFECTS SURVEYED PROPERTY (BLOCK A) - SHOWN ON SURVEY)
- 48. INTENTIONALLY DELETED.
- 49. INDEMNITY AGREEMENT BY AND BETWEEN OMB BUCKHEAD LENDERS, LLC AND SEORGIA DEPARTMENT OF TRANSPORTATION, DATED NOVEMBER 4, 2013, AND RECORDED IN DEED BOOK 53436, PAGE 638, FULTON COUNTY, GEORGIA RECORDS. (AFFECTS SURVEYED PROPERTY (BLOCK A) - SURVEYOR UNABLE TO PLOT, BLANKET

#### 50. INDEMNITY AGREEMENT BY AND BETWEEN OMB BUCKHEAD LENDER, LLC AND GEORGIA DEPARTMENT OF TRANSPORTATION, DATED NOVEMBER 4, 2013, AND RECORDED IN DEED BOOK 53436, PAGE 642, FULTON COUNTY, GEORGIA RECORDS (AFFECTS SURVEYED PROPERTY(BLOCK A) - SURVEYOR UNABLE TO PLOT, BLANKET IN

- 51. INDEMNITY AGREEMENT BY AND BETWEEN OMB BUCKHEAD LENDER, LLC AND GEORGIA DEPARTMENT OF TRANSPORTATION, DATED NOVEMBER 4, 2013, AND RECORDED IN DEED BOOK 53436, PAGE 646, FULTON COUNTY, GEORGIA RECORDS AFFECTS SURVEYED PROPERTY (BLOCK A) - SURVEYOR UNABLE TO PLOT, BLANKET
- 52. INDEMNITY AGREEMENT BY AND BETWEEN OMB BUCKHEAD LENDER, LLC AND GEORGIA DEPARTMENT OF TRANSPORTATION, DATED NOVEMBER 4, 2013, AND RECORDED IN AFFECTS SURVEYED PROPERTY (BLOCK A) - SURVEYOR UNABLE TO PLOT, BLANKET
- 53. WATER UTILITY SYSTEM EASEMENT BY AND BETWEEN OMB BUCKHEAD LENDER, LLC AND THE CITY OF ATLANTA, DATED MARCH 21, 2012, AND RECORDED IN DEED BOOK 53512, PAGE 678, FULTON COUNTY, GEORGIA RECORDS. (AFFECTS SURVEYED PROPERTY (BLOCK A) - SHOWN ON SURVEY)
- 54. AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR ECLIPSE RETAIL CONDOMINIUM, FILED FOR RECORD FEBRUARY 25, 2014, AND RECORDED IN DEED BOOK 53590 PAGE 633 FULTON COUNTY GEORGIA RECORDS NOTE THE AMENDS THE DECLARATION THAT IS SHOWN ON THE PREVIOUS POLICY AS EXCEPTION #60 (AFFECTS SURVEYED PROPERTY (BLOCK E, TRACT 3 CONDOMINIUM PARCEL) - NOT
- 55. UNDERGROUND EASEMENT IN FAVOR OF GEORGIA POWER COMPANY, DATED FEBRUARY 21, 2014, AND RECORDED IN DEED BOOK 53661, PAGE 421, FULTON COUNTY, (AFFECTS SURVEYED POROPERTY (BLOCK B) - SHOWN ON SURVEY)

56. UNDERGROUND EASEMENT IN FAVOR OF GEORGIA POWER COMPANY, DATED

- FEBRUARY 21, 2014, AND RECORDED IN DEED BOOK 53661, PAGE 425, FULTON COUNTY, (AFFECTS SURVEYED PROPERTY (BLOCK A) - SHOWN ON SURVEY)
- 57. UNDERGROUND EASEMENT IN FAVOR OF GEORGIA POWER COMPANY, DATED FEBRUARY 21, 2014, AND RECORDED IN DEED BOOK 53661, PAGE 429, FULTON COUNTY, (AFFECTS SURVEYED PROPERTY (BLOCK C) - SHOWN ON SURVEY)
- 58. EASEMENT AND AGREEMENT REGARDING INSTALLATION AND MAINTENANCE OF LANDSCAPING AND GENERAL USE BY AND BETWEEN OMB BUCKHEAD LENDER, LLC AND FULTON COUNTY, DATED JUNE 17, 2014, AND RECORDED IN DEED BOOK 53920, PAGE 340, (AFFECTS SURVEYED PROPERTY (BLOCK A) - SHOWN ON SURVEY)
- 59. GRANT OF EASEMENT IN FAVOR OF COMCAST OF GEORGIA/VIRGINIA, INC., DATED DECEMBER 1, 2014, AND RECORDED IN DEED BOOK 55004, PAGE 290, FULTON COUNTY, GEORGIA RECORDS (AFFECTS SURVEYED PROPERTY (BLOCK A, B, C AND E) - SURVEYOR UNABLE TO PLOT, BLANKET IN NATURE)
- 60. INTENTIONALLY OMITTED. 61. INTENTIONALLY DELETED.
- 62. NOT A SURVEY RELATED MATTER.
- 63. NOT A SURVEY RELATED MATTER.
- 64. NOT A SURVEY RELATED MATTER.
- 65. INTENTIONALLY DELETED. 66. NOT A SURVEY RELATED MATTER.
- 67. INTENTIONALLY OMITTED.
- 68. ALL MATTERS DISCLOSED BY PLAT OF SURVEY RECORDED IN CONDOMINIUM PLAT BOOK (AFFECTS SURVEYED PROPERTY (BLOCK C) - SHOWN ON SURVEY WHERE SURVEYOR IS
- 69. DECLARATION OF CONDOMINIUM FOR 262 BUCKHEAD AVENUE, A MASTER CONDOMINIUM BY OMB BUCKHEAD LENDER, LLC, A DELAWARÉ LIMITED LIABILITY COMPANY, DATED AUGUST 9, 2016 AND RECORDED AUGUST 10, 2016 IN DEED BOOK 56481, PAGE 619, FULTON COUNTY, GEORGIA RECORDS. AFFECTS SURVEYED PROPERTY (BLOCK C) - SURVEYOR IS UNABLE TO PLOT, BLANKET IN NATURE)
- DECLARATION OF CONDOMINIUM FOR 262 BUCKHEAD AVENUE, A PARKIN CONDOMINIUM BY OMB BUCKHEAD LENDER, LLC, A DELAWARE LIMITED LIABILIT COMPANY, DATED AUGUST 9, 2016 AND RECORDED AUGUST 10, 2016 IN DEED BOOK 56481, PAGE 692, FULTON COUNTY, GEORGIA RECORDS. (AFFECTS SURVEYED PROPERTY (BLOCK C) - SURVEYOR IS UNABLE TO PLOT,
- 71. PARKING EASEMENT AGREEMENT BY AND BETWEEN OMB BUCKHEAD LENDER, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND AARON'S, INC., A GEORGIA CORPORATION, DATED JANUARY 26, 2016 AND RECORDED JANUARY 27, 2016 IN DEED BOOK 55794, PAGE 596, FULTON COUNTY, GEORGIA RECORDS. (AFFECTS SURVEYED PROPERTY (BLOCK C) - SURVEYOR IS UNABLE TO PLOT,
- MEMORANDUM OF VOTING AND COVENANT AGREEMENT BY AND AMONG OMB BUCKHEAD LENDER, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND SHF II RESIDENCE BUCKHEAD, LLC, A GEORGIA LIMITED LIABILITY COMPANY, DATED AUGUST 10, 2016 AND RECORDED AUGUST 11, 2016 IN DEED BOOK 56485, PAGE 472, FULTON COUNTY GEORGIA RECORDS (AFFECTS SURVEYED PROPERTY (BLOCK C) - SURVEYOR IS UNABLE TO PLOT, BLANKET IN NATURE)

- 73. TERMS AND PROVISIONS AS CONTAINED IN THAT CERTAIN GROUND LEASE WITH OPTION TO PURCHASE, AS EVIDENCED BY THAT CERTAIN MEMORANDUM OF LEASE AND PURCHASE OPTION FROM THE ADAMS PARTNERSHIP, A FLORIDA GENERAL PARTNERSHIP TO BUCKHEAD AVENUES DEVELOPMENT CO. AT BLOCK E, LLC, A GEORGIA LIMITED LIABILITY COMPANY, DATED JUNE 27, 2007, FILED JULY 5, 2007 AND RECORDED IN DEED BOOK 45305, PAGE 639, AFORESAID RECORDS (AFFECTS SURVEYED PROPERTY (TRACT 3) - SURVEYOR UNABLE TO PLOT, BLANKET
- 74. DECLARATION OF CONDOMINIUM FOR ECLIPSE, A MASTER CONDOMINIUM BY 250 PHARR ROAD, L.P., A GEORGIA LIMITED PARTNERSHIP DATED AUGUST 13, 2004, FILED NOVEMBER 22, 2004 AND RECORDED IN DEED BOOK 38882, PAGE 225, AFORESAID RECORDS; AS AMENDED BY FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR ECLIPSE, A MASTER CONDOMINIUM FILED NOVEMBER 22; 2004 AND RECORDED IN DEED BOOK 38882, PAGE 313, AFORESAID RECORDS. THIRD AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR ECLIPSE. A MASTER CONDOMINIUM. DATED JUNE 9, 2014, AND RECORDED IN DEED BOOK 54042, PAGE 245, AFORESAID (AFFECTS TRACT TWO CONDOMINIUM PARCEL - NOT SHOWN ON SURVEY)
- 75. DECLARATION FOR CONDOMINIUM FOR ECLIPSE RETAIL CONDOMINIUM BY 250 PHARR ROAD, L.P., A GEORGIA LIMITED PARTNERSHIP DATED NOVEMBER 30, 2004, FILED DECEMBER 7, 2004 AND RECORDED IN DEED BOOK 38967, PAGE 319, AFORESAID RECORDS: AS AMENDED BY LIMITED COMMON ELEMENT AMENDMENT TO . THE DECLARATION OF CONDOMINIUM FOR ECLIPSE RETAIL CONDOMINIUM DATED AUGUST 29, 2006, FILED. AUGUST 29, 2006 AND RECORDED IN DEED BOOK 43354, PAGE 452, (AFFECTS TRACT TWO CONDOMINIUM PARCEL - NOT SHOWN ON SURVEY)
- 76 10-FOOT SETBACK LOCATED ALONG PHARR ROAD AND BUCKHEAD AVENUE 5-FOOT SETBACK ALONG NORTH FULTON DRIVE AND STORM DRAINAGE LINE TRAVERSING THE SUBJECT PORTION OF THE PROPERTY, ALL AS SHOWN ON THAT CERTAIN PLAT RECORDED IN CONDOMINIUM PLAT BOOK 16, PAGE 300, AFORESAID RECORDS. (AFFECTS TRACT TWO CONDOMINIUM PARCEL - NOT SHOWN ON SURVEY)
- 77. INTENTIONALLY DELETED.
- 78. EASEMENT FROM THE STREETS OF BUCKHEAD DEVELOPMENT CO. AT BLOCK E, LLC TO GEORGIA POWER COMPANY, DATED FILED MAY 19, 2009 AND RECORDED IN DEED BOOK (AFFECTS SURVEYED PROPERTY - SHOWN ON SURVEY)

### AS TO BLOCK A, B AND C ONLY:

79. OBLIGATIONS AND PROVISIONS CONTAINED IN THAT CERTAIN TIE BACK EASEMENT AGREEMENT BETWEEN THE CITY OF ATLANTA AND BUCKHEAD AVENUES, LLC, DATED AUGUST 29, 2007, TO BE RECORDED IN THE REAL ESTATE RECORDS OF THE SUPERIOR COURT OF FULTON COUNTY, GEORGIA.

### (AFFECTS SURVEYED PROPERTIES - SHOWN ON SURVEY)

- 80. STORMWATER MANAGEMENT FACILITY INSPECTION AND MAINTENANCE & NDEMNIFICATION AGREEMENT, BETWEEN OMB BUCKHEAD LENDER, LLC AND CITY OF ATLANTA, RECORDED ON JANUARY 25, 2013 AT DEED BOOK 52180, PAGE 208, (AFFECTS SURVEYED PROPERTY (BLOCK B) - SHOWN ON SURVEY)
- 81. AMENDED AND RESTATED RECIPROCAL EASEMENT AGREEMENT BY AND AMONG ROYAL CAPITAL DEVELOPMENT, LLC, A GEORGIA LIMITED LIABILITY COMPANY AND OMB UCKHEAD LENDER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND 262 BUCKHEAD AVENUE MASTER CONDOMINIUM ASSOCIATION, INC., A GEORGI NONPROFIT CORPORATION, DATED AUGUST 10, 2016 AND RECORDED AUGUST 10, 2016 IN DEED BOOK 56482, PAGE 1, AFORESAID RECORDS (AFFECTS SURVEYED PROPERTY (BLOCK C) - SHOWN ON SURVEY)

## PROPERTY DESCRIPTION PARCEL "A" (per Title Commitment)

Being all that tract or parcel of land lying and being in Land Lot 99, 17th District Fulton County, Georgia and being more particularly described as follows:

To find the Point of Beginning, commence at a scribe set at the intersection of the North Right-of-Way Line of Buckhead Avenue (a variable width right of way), and the Easterly Right-of-Way Line of Peachtree Road (a variable width right of way); thence, leaving said point and running along said easterly Right-of-Way line of Peachtree Road South 32° 59' 7" West 71.32 feet to a PK Nail set at the intersection of the said East Line of Peachtree Road and the South Right of Way Line of Buckhead Avenue, said point being the True Point of Beginning; from the True Point of Beginning as thus established, running with the said South Line of Buckhead Avenue the following courses and distances: North 87° 32' 34" East, 225.98 feet to a 1 inch iron rod found; thence North 89° 40' 16" East, 52.99 feet to a 1/2 inch rebar found, thence North 87° 47' 42" East, 100.60 feet to a 1/2 inch rebar ound; thence, leaving the aforesaid South Line of Buckhead Avenue and running Soutl 15° 58' 24" West, 205.86 feet to an iron pin set; thence North 87° 18' 59" East, 42.69 feet to a nail set; thence South 16° 49' 25" West, 146.53 feet to a nail set on the North Right o Wav Line of Pharr Road (a 60 foot wide right of way), thence, running with the said line of Pharr Road the following courses and distances: North 88° 25' 30" West, 138.51 feet to a nail set; thence North 88° 13' 25" West, 52.36 feet to a 1/2 inch rebar found; thence North 39° 19' 07" West, 251.70 feet to a nail found at the intersection of the aforesaid line of Pharr Road and the aforesaid line of Peachtree Road; thence, running with the said line of Peachtree Road North 20° 44' 25" East, 217.80 feet to a nail found; and North 21° 04' 42" East, 118.10 feet to a pk nail set and the Point of Beginning, containing 132,192 square

TOGETHER with those easements granted in the following:

feet or 3.0347 acres of land, more or less.

Jnrecorded Encroachment Agreement for Non-Conforming Uses dated November 17, 2008 by and between the City of Atlanta and The Streets of Buckhead Development Co at Block A, LLC relating to a below grade concrete pad; (b) Unrecorded Encroachment Agreement for Non-Conforming Uses dated November 17, 2008 by and between the City of Atlanta and The Streets of Buckhead Development Co. at Block A. LLC relating to a below grade concrete pad; (b) Unrecorded Encroachment Agreement for Non-Conforming Jses dated November 17, 2008 by and between the City of Atlanta and The Streets of Buckhead Development Co. at Block A, LLC relating to a below grade vault; and (c) Jnrecorded Encroachment Agreement for Non-Conforming Uses dated January 5, 2009 by and between the City of Atlanta, and The Streets of Buckhead Development Co. at Block A, LLC, The Streets of Buckhead Development Co. at Block B, LLC, The Streets of Buckhead Development Co. at Block C, LLC, The Streets of Buckhead Development Co at Block D-1, LLC, and The Streets of Buckhead Development Co. at Block F, LLC.

TOGETHER with those easements granted in the following:

Jnrecorded Tie Back Easement Agreement by and between the City of Atlanta and Buckhead Avenues, LLC, dated August 29, 2007.

Boundary Line and Easement Agreement from Walda S. Abner, et al to Fulton County dated November 4, 1987 and recorded in Deed Book 11206, Page 43, aforesaid

Easement and Agreement regarding Installation and Maintenance of Landscaping and General Use by and between OMB Buckhead Lender, LLC and Fulton County, dated June 17, 2014, and recorded in Deed Book 53920, Page 340, Fulton County, Georgia records. LESS AND EXCEPT from the property conveyed by Right of Way Deed from OMB Buckhead Lender, LLC to Georgia Department of Transportation, dated September 9, 2013, and recorded in Deed Book 53206, Page 249, Fulton County, Georgia records. (affects Block A)

# PROPERTY DESCRIPTION PARCEL "B" (per Title Commitment)

### Tract 1-Fee Property:

Being all that tract or parcel of land lying and being in Land Lot 99, 17th

Beginning at a scribe set in concrete at the intersection of the North Right-of-Way Line of Buckhead Avenue (a variable width right of way) and the Easterly Right-of-Way Line of Peachtree Road (a variable width right of way); thence, running with the said Line of Peachtree Road the following courses and distances: North 32° 11' 43" East, 34.65 feet to a point, thence North 34° 17' 48" East, 80.85 feet to a point, thence North 34° 34' 23" East, 200.10 feet to a point; and, thence North 35° 42' 14" East, 50.00 feet to a point; thence, leaving the aforesaid Line of Peachtree Road and running South 68° 29' 06" East, 146.64 feet to a point on the West Right of Way Line of Boiling Way (a variable width right of way), thence, running with the said Line of Boiling Way the following courses and distances; South 36° 53' 47" West, 149.23 feet to a nail set; thence South 37° 06' 44" West, 60.44 feet to a point; thence South 12° 27' 05" West, 14.27 feet to a point; thence South 19° 57' 45" West, 61.65 feet to a point at the intersection of the West Line of Boiling Way and the Northern Line of Buckhead Avenue: thence, running with the said Line of Buckhead Avenue South 87° 32' 35" West, 44.36 feet to a point; and thence South 87° 32' 35" West, 148.80 feet to the Point of Beginning, containing

46,604 square feet or 1.0699 acres of land, more or less. TOGETHER with those easements granted in the following:

Buckhead Development Co. at Block B, LLC

of Buckhead Development Co. at Block F, LLC

Unrecorded Tie Back Easement Agreement by and between the City of Atlanta and Buckhead Avenues, LLC, dated August 29, 2007. Unrecorded Shoring System Agreement for Non-Conforming Uses dated November 17, 2008 by and between the City of Atlanta and The Streets of

Unrecorded Encroachment Agreement for Non-Conforming Uses dated November 17, 2008 by and between the City of Atlanta and The Streets of Buckhead Development Co, at Block B, LLC corded Encroachment Agreement for Non-Conforming Uses dated January 5, 2009 by and between the City of Atlanta, and The Streets of Buckhead Development Co. at Block A. L.C. The Streets of Buckhead Development C

at Block B. LLC. The Streets of Buckhead Development Co. at Block C, LLC

The Streets of Buckhead Development Co. at Block D-1, LLC, and The Streets

Together with all right, title and interest now existing or hereafter arising under to Buckhead Avenues Development CO., LLC, as evidenced by that certain Memorandum of Lease and Purchase Option, dated June 15, 2007, filed June 20, 2007 and recorded in Deed Book 45217, Page 75, aforesaid records; as affected by that certain Assignment of Ground Lease by and between The Streets of Buckhead Development Co. at Block B, LLC (f/k/a Buckhead Avenue Development CO., LLC), as Assignor, and Oliver McMillan Buckhead Block B, LLC, as Assignee, dated May 2, 2011 and recorded in Deed Book 50040, page 253 aforesaid records, as amended by that certain Amendment to Memorandum of Lease and Purchase Option dated June 3, 2013, filed June 24, 2013 in Deed Book 52789, Page 350, aforesaid records; as conveyed to OMB Buckhead Lender, LLC, a Delaware limited liability company by virtue of Deed Under Power of Sale from OliverMcMillan Buckhead Block A, LLC, OliverMcMillan Buckhead Block B, LLC, OliverMcMillan Buckhead Block C. LLC. OliverMcMillan Buckhead D-1, LLC, OliverMcMillan Buckhead Bock E, LLC OliverMcMillan Buckhead Block F. dated June 7, 2011 and recorded June 7 2011 in Deed Book 50115, Page 598, aforesaid records, as affected by that certain Lessor Estoppel and Agreement by and between G&M Management Corp. and OMB Buckhead Lender, LLC dated the date of the Security Deed (as defined in the Lessor Estoppel and Agreement), (together with and all

other amendments, modifications and extensions thereto, collectively, the

'G&M Ground Lease"), in and to the following property:

Being all that tract or parcel of land lying and being in Land Lot 99, 17th District, Fulton County, Georgia and being more particularly described as

BEGINNING at a point on the southeastern side of Peachtree Road, as an 80 foot right of way which point is 75.85 feet southwesterly from the intersection of the southeastern side of Peachtree Road with the southwestern side of East Paces Ferry Road and running thence in a southwesterly direction along the southeastern side of Peachtree Road, 44.75 feet; running thence in a southeasterly direction 146.75 feet to a point on the northwesterly side of Boiling Way; thence in a northeasterly direction along the northwestern side of Boiling Way 44.75 feet to a point; thence in a northwesterly direction 146.3 feet to Peachtree Road to the POINT OF BEGINNING. Being improved property with a brick office building thereon known as 3071 Peachtree Road according to the present system of numbering a building in Atlanta, Georgia. WHICH TRACT OR PARCEL IS THE SAME LAND DESCRIBED AS

To find the Point of Beginning, commence at a scribe set in concrete at the intersection of the North Right-of-Way Line of Buckhead Avenue (a variable width right of way) and the Easterly Right-of-Way Line of Peachtree Road (a variable width right of way); thence, running with the said Line of Peachtree Road the following courses and distances: North 32° 11' 43" East, 34.65 feet to a point; thence North 34° 17' 48" East, 80.85 feet to a point; thence North 34° 34' 23" East, 200.10 feet to a point; thence North 35° 42' 14" East, 50.00 feet to a point, said point being the True Point of Beginning; From the True Point of Beginning as Thus Established, thence continue along said Line of Peachtree Road North 36° 53' 47" East, 45.00 feet to a point, thence leaving said Line of Peachtree Road and running South 68° 29' 06" East, 146.64 feet to a point on the West Right of Way Line of Boiling Way (a variable width right of way), thence, running with the said Line of Boiling Way South 36° 53′ 47" West, 45.00 feet to a point; thence leaving said Line of Boiling Way North 68° 29' 06" West, 146.64 feet to the Point of Beginning, containing 6,363 square feet or 0.1461 acres of land, more or less

TOGETHER with those easements granted in the following: Inrecorded Shoring System Agreement for Non-Conforming Uses dated November 17, 2008, by and between the City of Atlanta and The Streets of

Buckhead Development Co, at Block B, LLC. Unrecorded Encroachment Agreement for Non-Conforming Uses dated November 17, 2008, by and between the City of Atlanta and The Streets of Buckhead Development Co. at Block B, LLC.

5, 2009 by and between the City of Atlanta, and The Streets of Buckhead

at Block B. LLC. The Streets of Buckhead Development Co. at Block C. LLC The Streets of Buckhead Development Co. at Block D-1, LLC, and The Streets of Buckhead Development Co. at Block F, LLC. Unrecorded Tie Back Easement Agreement by and between the City of Atlanta and Buckhead Avenues, LLC, dated August 29, 2007

Jnrecorded Encroachment Agreement for Non-Conforming Uses dated January

# PROPERTY DESCRIPTION PARCEL "C"

(per Title Commitment)

All that tract or parcel of land lying and being in Land Lot 99 of the 17th District, City

The "Commercial Master Unit" of 262 Buckhead Avenue, A Master Condominium as more particularly described and delineated in the Declaration of Condominium for 262 Buckhead Avenue, A Master Condominium, recorded in Deed Book 56481 Page 619, et seq., Fulton County, Georgia records, as amended

Subject to those certain floor plans filed in Condominium Floor Plan Book 65, Page

16, aforesaid records, that certain plat of survey filed in Condominium Plat Book 24,

Pages 13, aforesaid records. TOGETHER WITH, all right, title and interest in and to the Master Limited Common Elements assigned to the Commercial Master Unit, as more particularly described n that certain Declaration of Condominium for 262 Buckhead Avenue, A Master ondominium, recorded in Deed Book 56481, Page 619, et seq., Fulton County,

TOGETHER WITH, a 11.40 percent (11.40%)tenants-in-common interest in those certain Master Common Elements, as more particularly described in that certain Declaration of Condominium for 262 Buckhead Avenue, A Master Condominium, recorded in Deed Book 56481, Page 619, et seq., Fulton County, Georgia records,

AND

Georgia records, as amended.

All that tract or parcel of land being and lying in Land Lot 99 of the 17th District in the City of Atlanta of Fulton County, Georgia. Said tract or parcel of land being more particularly described as follows: The condominium unit know as Unit # 2 of 262 BUCKHEAD AVENUE, A PARKING CONDOMINIUM, as more particularly described and delineated in the Declaration of Condominium for 262 Buckhead Avenue, a Parking Condominium, recorded in Deed Book 56481, page 692, et. seq., Fulton County, Georgia records, as

# PROPERTY DESCRIPTION PARCEL "E" (per Title Commitment)

### TRACT 1:

County, Georgia and being more particularly described as follows: To Find The True Point of Beginning, commence at the point formed by the intersection of the western right of way line of N. Fulton Drive (a variable width right of way) and the southern right of way line of Buckhead Avenue (a 60 foot right of way); run thence along said southern right of way line of Buckhead Avenue South 87° 36' 32" West a distance of 118.00 feet to The True Point of Beginning; From The True Point of Beginning as nus Established thence leaving said southern right of way line of Buckhead Avenue South 00° 38' 06" East a distance of 185.21 feet to an iron pin set; thence South 89° 13' 53" West a distance of 34.61 feet to a point, thence North 00° 27' 08" West a distance of 184.39 feet to a point on the aforementioned southern right of way line of Buckhead Avenue: thence along said southern right of way line North 87° 50' 54" East a distance of 34.04 feet to The True Point of Beginning, containing 6,342 square feet (0.1456 acres

All that tract or parcel of land lying and being in Land Lot 99 of the 17th District, Fulton

### TRACT 2 (CONDOMINIUM UNIT 10):

of land), more or less.

All that tract or parcel of Land Iving and being in Land Lot 99 of the 17th District, Fulton County, Georgia, City of Atlanta, being more particularly described as follows: Condominium Unit #10 of Eclipse Retail Condominium, a Condominium, as more particularly described and delineated in the Declaration of Condominium for Eclipse Retail Condominium, recorded in Deed Book 38967, page 319, et seq., Fulton County, Georgia Records, as the same may be amended.

Subject to those certain floor plans filed in Condominium Floor Plan Book 29, Page 628. aforesaid records, that certain plat of survey filed in Condominium Plat Book 16, Pages

TOGETHER WITH (i) the percentage of undivided interest in and to the Common Elements attributable to such Unit as set forth in the above Declaration and (ii) two (2) parking spaces per the Limited Common Elements for the benefit of Condominium Unit #10, as described in Limited Common Element Amendment to the Declaration of ndominium for Eclipse Retail Condominium dated August 29, 2006, filed, August 29, 2006 and recorded in Deed Book 43354, Page 452, aforesaid records.

ALSO TOGETHER WITH ALL RIGHTS CONTAINED that certain Declaration of Condominium for Eclipse, a Master Condominium by 250 Pharr Road, LP., a Georgia limited partnership dated August 13, 2004, filed November 22, 2004, and recorded in Deed Book 38882, Page 225, aforesaid records; as amended by First Amendment to the Declaration of Condominium for Eclipse, a Master Condominium filed November 22, 2004 and recorded in Deed Book 38882, Page 313, aforesaid records, as amended by Second Amendment to the Declaration of Condominium for Eclipse, a Master and that certain Third Amendment to the Declaration of Condominium for Eclipse, a Master Condominium, dated June 9, 2014, and recorded in Deed Book 54042, Page 245; and Declaration for Condominium for Eclipse Retail Condominium by 250 Phari Road, L.P., a Georgia limited partnership dated November 30, 2004, filed December 7 2004 and recorded in Deed Book 38967, Page 319, aforesaid records, as amended by Limited Common Element Amendment to the Declaration of Condominium for Eclipse Retail Condominium dated August 29, 2006, filed August 29, 2006 and recorded in Deed Book 43354, Page 452, aforesaid records; and by Amendment to the Declaration of Condominium for Eclipse Retail Condominium, filed for record February 25, 2014. and recorded in Deed Book 53590, Page 633, Fulton County, Georgia records

TRACT 3: LEGAL DESCRIPTION FOR BLOCK E - LEASEHOLD PARCEL

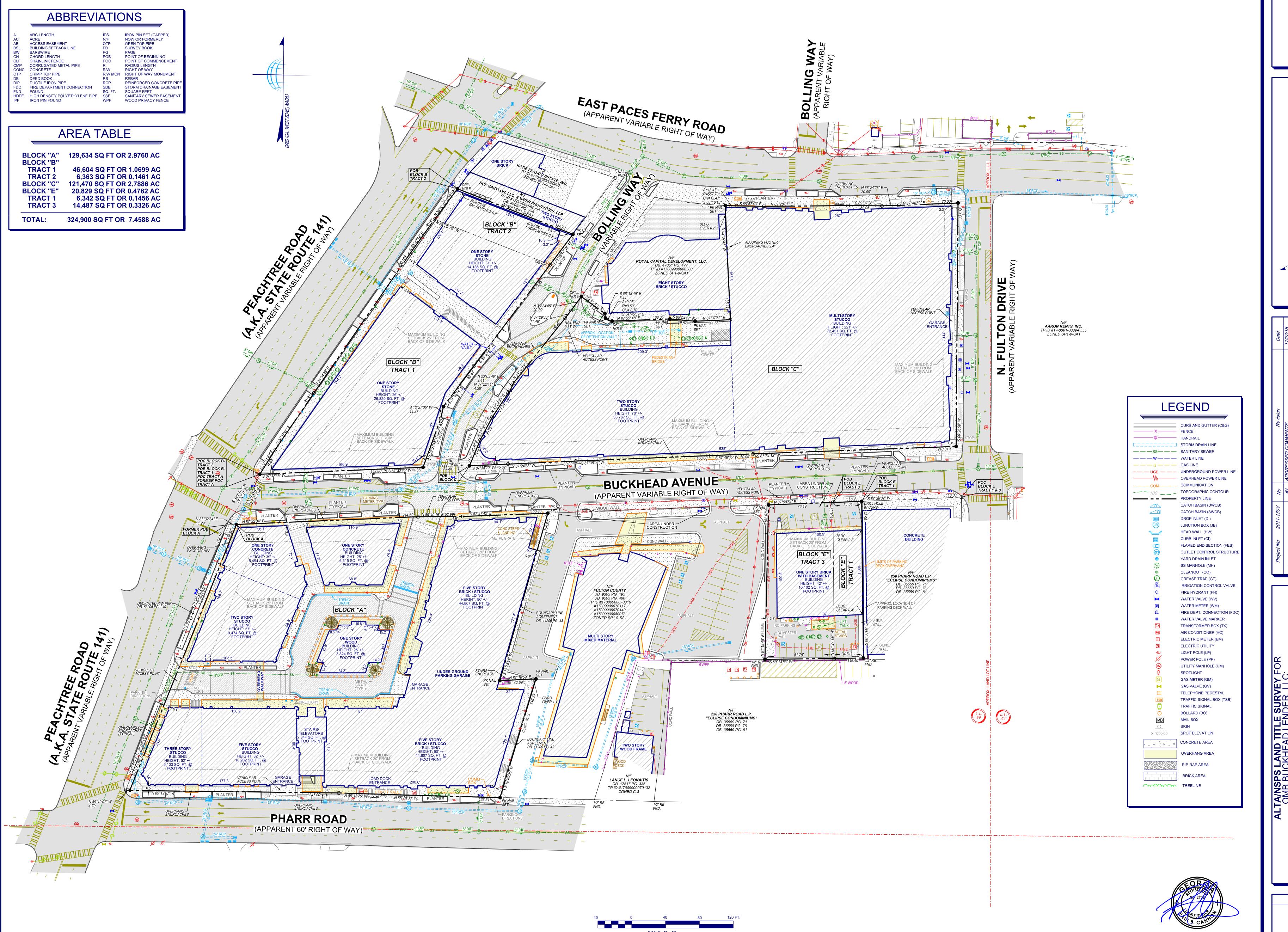
Together with all right, title and interest now existing or hereafter arising under that certain Ground Lease with Option to Purchase, as evidenced by that certain Memorandum of Lease and Purchase Option from The Adams Partnership, a Florida general partnership to Buckhead Avenues Development Co. at Block E. LLC, a Georgia imited liability company, dated June 27, 2007, filed July 5, 2007 and recorded in Deed Book 45305, Page 639, aforesaid records; as affected by that certain Assignment of Fround Lease from The Streets of Buckhead Development Co. at Block E, LLC (f/k/a luckhead Avenues Development Co. at Bock E, LLC) to Oliver McMillan Buckhead Block E, LLC, dated May 2, 2011 and recorded in Deed Book 50040, page 258, aforesaid records, as conveyed to OMB Buckhead Lender, LLC, a Delaware limited liability company by virtue of Deed Under Power of Sale from OliverMcMillan Buckhead Block A, LLC, OliverMcMillan Block B, LLC, OliverMcMillan Buckhead Block C, LLC, OliverMcMillan Buckhead D-1, LLC, OliverMcMillan Buckhead Bock E, LLC, OliverMcMillan Buckhead Block F, LLC dated June 7, 2011 and recorded June 7, 2011 in Deed Book 50115, Page 598, aforesaid records, as further affected by Lessor Estoppel and Agreement by and between The Adams Partnership, LLP and OMB Buckhead Lender LLC, dated the date of the Security Deed (as defined in the Lessor

Estoppel and Agreement), (together with all amendments, modifications and extensions

thereto, collectively, the "Adams Ground Lease") in and to the following property:

All that tract or parcel of land lying and being in Land Lot 99 of the 17th District, Fulton County, Georgia and being more particularly described as follows: To find the True Point of Beginning, commence at the point formed by the intersection of the western right of way line of N. Fulton Drive (a variable width right of way) and the southern right of way line of Buckhead Avenue (a 60 foot right of way); run thence along said southern right of way line of Buckhead Avenue South 87° 36' 32" West a distance of 118.00 feet to a point; thence continue along said southern right of way line of Buckhead Avenue South 87° 50' 54" West a distance of 34.04 feet to the True Point of Beginning; From the True Point of Beginning as Thus Established, thence leaving said southern right of way line of Buckhead Avenue South 00° 27' 08" East a distance of 184.39 feet to a point: thence South 89° 13' 53" West a distance of 81.79 feet to an iron pin set, thence North 01° 18' 45" East a distance of 182.67 feet to a pipe found on the aforementioned southern right of way tine of Buckhead Avenue, thence along said southern right of way line North 87° 50' 54" East a distance of 76.19 feet to The True Point of Beginning, containing 14,487 square feet (0.3326 acres) of land, more or less.

SHEET NO. **DRAWING# TM 11 130** 



TerraMark Land Surveying, Inc.
1396 Bells Ferry Road
Marietta, Georgia 30066
Phone No. (770) 421-1927
Fax. No. (770) 421-0552
www.TerraMark.com
and Surveying C. O. A.#LSF000810

 2011-130V
 No
 Revision
 Date

 JR
 #1
 ADDRESSED COMMENTS
 11/22/16

 KH/NC
 #2
 ADDRESSED COMMENTS
 11/30/16

 PBC
 #5
 ADDRESSED COMMENTS
 11/30/16

 11/08/16
 #5
 12/14/16

 #6
 12/14/16
 12/14/16

 #7
 #8
 12/14/16

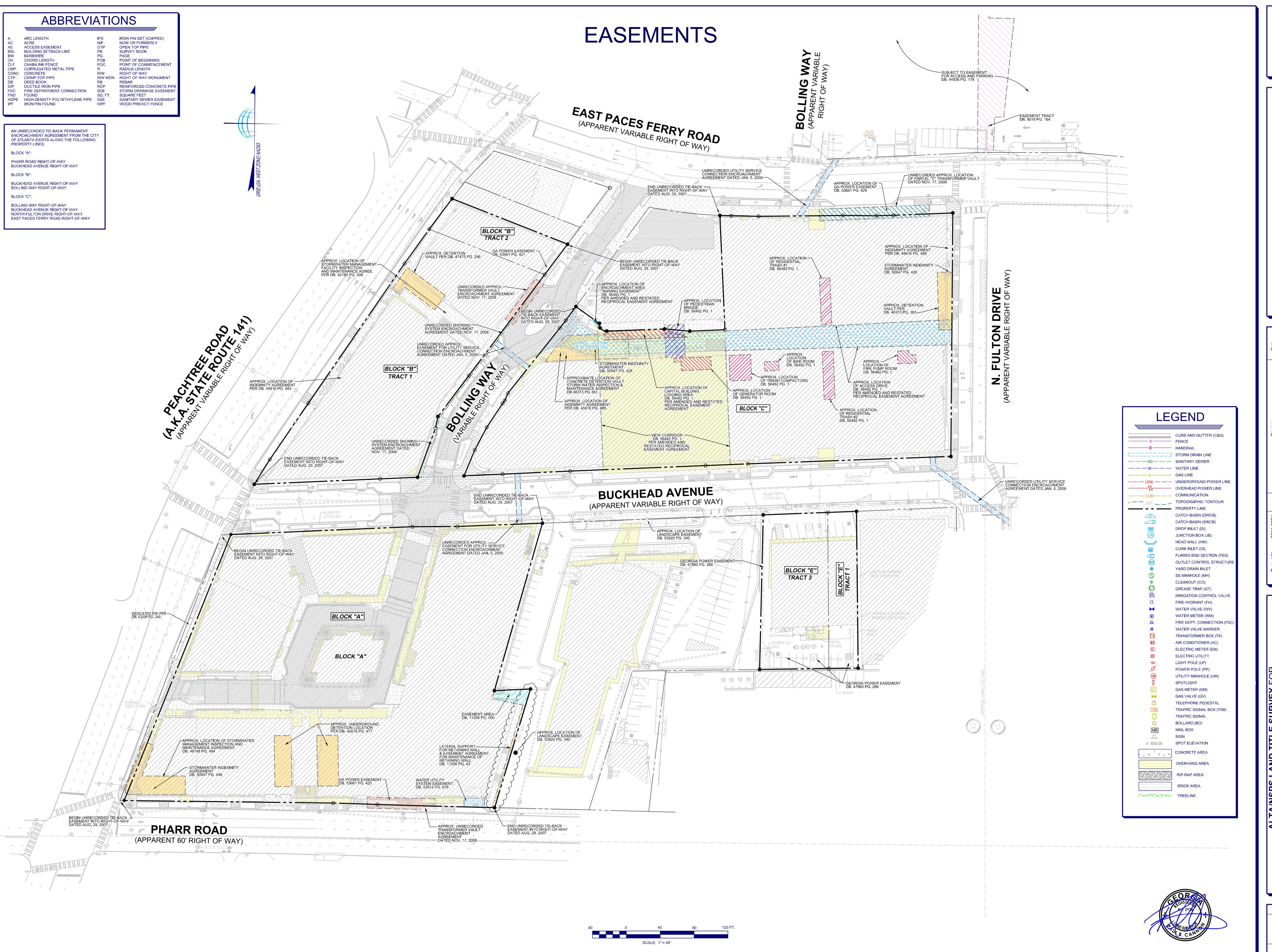
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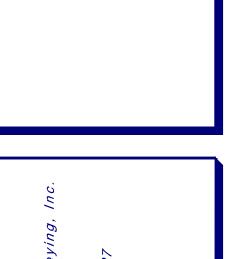
OMB BUCKHEAD LENDER, LLC;
FINANCE II, LTD. A CAYMAN ISLANDS EXEMPT
NY, ITS SUCCESSORS, AFFILIATES AND ASSIG
Y NATIONAL TITLE GROUP; ZONING -INFO, INC
CHICAGO TITLE INSURANCE COMPANY
(BLOCKS A, B, C, & E)
(ATED IN LAND LOTS 61, 99 & 100, 17TH DISTRICT

SHEET NO.

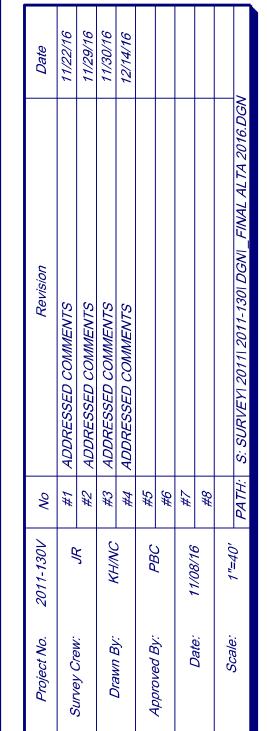
3
4

DRAWING# TM 11 130





TerraMark Land Surveyi 1396 Bells Ferry Road Marietta, Georgia 30066 Phone No. (770) 421-1927 Fax. No. (770) 421-0552 www.TerraMark.com



OMB BUCKHEAD LENDER, LLC;

RPG RE -FINANCE II, LTD. A CAYMAN ISLANDS EXEMPTED COMPANY, ITS SUCCESSORS, AFFILIATES AND ASSIGNS; FIDELITY NATIONAL TITLE GROUP; ZONING -INFO, INC. & CHICAGO TITLE INSURANCE COMPANY (BLOCKS A,B,C,&E)

LOCATED IN LAND LOTS 61, 99 & 100, 17TH DISTRICT FULTON COUNTY, GEORGIA

