**PLANO CITY COUNCIL**
**December 17, 2013**

**COUNCIL MEMBERS PRESENT**
Harry LaRosiliere, Mayor
Lissa Smith, Mayor Pro Tem
Ben Harris, Deputy Mayor Pro Tem
Pat Miner
André Davidson
Jim Duggan
Patrick Gallagher
David Downs

**STAFF PRESENT**
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Tuesday, December 17, 2013, at 7:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Nadim Bashir, Imam and Religious Director of the East Plano Islamic Center led the invocation and Boy Scout Troop 219 from Christ Church Plano led the Pledge of Allegiance.

Mayor LaRosiliere received a presentation from the Friends of the Plano Public Library, administered oaths to incoming board and commission members and recognized outgoing board members.

**Comments of Public Interest**

No one appeared to speak.

**CONSENT AGENDA**

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Downs, the Council voted 8-0 to approve and adopt all items on the Consent Agenda as recommended and as follows:

**Approval of Minutes** (Consent Agenda Item "A")
December 9, 2013
December 12, 2013

**Approval of Expenditures**
**Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)**

**Bid No. 2014-36-B** for the Oak Point Park and Nature Preserve, Phase 1 Hillside Improvements Project No. 6390 to C. Green Scaping, LP in the amount of $485,833 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

**Bid No. 2013-314-B** for the purchase of one (1) Sprinter S.W.A.T. Van from Mercedes-Benz of Plano in the amount of $71,355 for Fleet Services, to be utilized by the Police Department, and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

**Purchase from an Existing Contract**

To approve the purchase of SCBA cylinders in the amount of $128,340 from Municipal Emergency Services (MES) through an existing contract/agreement with the City of Fort Worth Contract #PO 13-00075283 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "D")

**Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)**

To approve a Landscape Architecture Services Agreement by and between the City of Plano and MESA Design Associates, Inc. in the amount of $698,745 for design services for Windhaven Meadows Park and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "E")

To approve a Landscape Architecture Services Agreement by and between the City of Plano and MESA Design Associates, Inc. in the amount of $727,350 for design services for the Oak Point Park and Nature Preserve hillside and trail improvements project and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "F")

**Approval of Expenditure**

To approve the purchase of Maintenance Support for software and hardware of the 9-1-1 phone system for 911 Wireline Fees from Affiliated Telephone, Inc., a sole source provider for the City of Plano Vesta CS Meridian 9-1-1 Call Processing Equipment in the amount not to exceed $101,202; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "G")

**Adoption of Resolutions**

**Resolution No. 2013-12-8(R):** To support the application of BC Station Partners, LP to the Texas Commission on Environmental Quality for a Municipal Setting Designation at the northeast quadrant of Central Expressway and Renner Road in Richardson, Texas and providing an effective date. (Consent Agenda Item "H")

**Resolution No. 2013-12-9(R):** To approve the purchase of .0447acres in fee simple located at 1020 15th Place, Lot 11b of Block 4 of the Original Donation to the City of Plano, from Old Shed Joint Venture; authorizing execution of the purchase documents by the City Manager; and providing an effective date. (Consent Agenda Item "I")

**END OF CONSENT**

**Receipt of Public Comment and adoption of Ordinance No. 2013-12-10** to amend Ordinance No. 2012-12-16, codified as Chapter 9, Food Code of the Code of Ordinances of the City of Plano to add Section 9-79 of Article VII, Construction and Maintenance of Physical Facilities, of Chapter 9, Food Code, to establish a process to apply for a variance allowing dogs on outdoor patios at certain food establishments; providing a repealer clause, a severability clause, a savings clause and an effective date. (Regular Agenda Item "1")

Environmental Health Manager Heinicke referenced Council direction to review regulations in place in other cities related to dogs on outdoor restaurant patios and spoke to a proposed ordinance allowing for flexibility, minimizing risk and requiring locations to apply for a variance. He spoke to inclusion of requirements for a separate entrance, self-closing doors at the entrance to indoor dining, and cleaning/maintenance.

Mayor LaRosiliere opened the floor for speakers. Buddy Cramer, representing Katy Trail Outpost, spoke in support of the item and to the variance providing an option to restaurants. He stated concern regarding regulations addressing self-closing doors (with garage style openings) and potential difficulties if full cleaning is required every three hours. Residents Merile Dault, Fred Venners, Jeannine Knowlton and Kim Holley spoke in support of the item. There were no further speakers.

Mr. Heinicke responded to the Council, advising that additional inspections will be scheduled to coincide with current ones and that upon receipt of a complaint, conditions will be discussed with restaurant management. He further advised that aggressive animal complaints will be referred to the Police Department. Mr. Heinicke responded to the Council, regarding three-hour intervals for full cleaning and stated that an "air curtain" may be utilized to address garage-style doorways, but will only prevent flying insects from entering the restaurant's interior. Mayor Pro Tem Smith spoke to permitting wooden tables if covered with a polyurethane coating and spoke to the lack of issues at Dallas locations.

**Ordinance No. 2013-12-10 (cont'd)**

Council Member Downs spoke to the option as a business decision and any non-compliance issues resulting in a revocation of the variance. Mayor Pro Tem Smith spoke to offering options for business and citizens and made a motion for approval for which no second was made.

City Attorney Wetherbee reviewed potential floor amendments based on Council discussion including adding an air curtain as an alternative and revising time periods for cleaning. Director of Environmental Health Collins spoke to the importance of cleaning to maintain animal as well as human health and to requiring spot cleaning when necessary. He advised that self-closing doorways are included in current restaurant regulations and address the containment of dogs for which air curtains are ineffective. Mayor LaRosiliere and Council Member Davidson spoke to businesses making a choice regarding their clientele and expressed reluctant support for the ordinance. The Council discussed the proximity of animals to doorways and requested information on the use of self-closing doors in all restaurants.

Deputy Mayor Pro Tem Harris made a motion to approve the item with revisions as follow:

7(F) The outdoor patio must be continuously maintained free of visible dog hair, dog dander, and other dog-related waste or debris. The outdoor patio must be hosed down or mopped with a product approved under Section 9-77 of this Code at the beginning of each shift during which food or beverages will be served (breakfast, lunch, dinner, or late-hours), ~~or, if a food establishment has continuous food or beverage service without designated shifts, then every three (3) hours that the establishment is open for business~~, except that cleaning under this subparagraph is not required if no dog has been present on the outdoor patio since the last cleaning.

7(G)(a) All table and chair surfaces shall be ~~constructed of~~ non-porous, easily cleanable material and cleaned and sanitized with a product approved under Section 9-77 of this Code.

Council Member Duggan seconded the motion and the Council voted 8-0 to amend Ordinance No. 2012-12-16, codified as Chapter 9, Food Code of the Code of Ordinances of the City of Plano to add Section 9-79 of Article VII, Construction and Maintenance of Physical Facilities, of Chapter 9, Food Code, to establish a process to apply for a variance allowing dogs on outdoor patios at certain food establishments; and further to adopt Ordinance No. 2013-12-10 as revised.

**Ordinance No. 2013-12-11:** To amend Ordinance No. 2012-11-24 entitled "Health Categories and Fees," to amend Health Department fees; providing a repealer clause, a severability clause, and an effective date. (Regular Agenda Item "2")

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Miner, the Council voted 8-0 to amend Ordinance No. 2012-11-24 entitled "Health Categories and Fees," to amend Health Department fees; and further to adopt Ordinance No. 2013-12-11.

**Public Hearing and Comment:** Review of the Consolidated Annual Performance Evaluation Report describing the use of federal funds. This report details how the City used U.S. Department of Housing and Urban Development (HUD) funds during the 2012-2013 grant year. The public will be given an opportunity to speak on the report during the public hearing. (Regular Agenda Item "3")

Community Services Manager Brown advised that this report represents the third year of operation under a five-year plan submitted to HUD. She advised that remaining goals are expected to be met over the next two years and spoke to the $2.2 million in Community Development Block Grant and HOME funds as well as the $263,500 of Buffington Grant funds offering assistance to 8,000 individuals and 426 families in providing housing, a suitable living environment and economic opportunities.

Mayor LaRosiliere opened the public hearing. No one spoke for or against the request. The public hearing was closed.

**A Public Hearing pursuant to Chapter 26 of the Texas Parks and Wildlife Code** pertaining to the use or taking of a portion of City of Plano Park Land, known as Oak Point Park and Nature Preserve, for a 0.459 acre addition to an existing 1.263 acre permanent easement to the North Texas Municipal Water District for Upper Rowlett Creek and Upper Cottonwood Creek Lift Station Improvements. (Regular Agenda Item "4")

Director of Parks and Recreation Fortenberry spoke regarding a North Texas Municipal Water District request for a permanent easement at Oak Point Park and Nature Preserve to install a secondary power unit for the lift station. She advised that the City would receive $26,090 in compensation and the Parks and Recreation Department would install screening. Ms. Fortenberry responded to the Council, advising that City management of the grounds would ensure their maintenance. She further advised that after a public hearing, the Council must determine that there is no feasible or prudent alternative to the taking or use of park land and that the proposed project includes all reasonable planning to minimize harm to the land and park resulting from the use. Ms. Fortenberry stated that the Parks and Recreation Planning Board had no objections to moving forward.

Mayor LaRosiliere opened the public hearing. No one spoke for or against the request. The public hearing was closed.

**Ordinance No. 2013-12-12:** To approve the use or taking a portion of City of Plano public park land, known as Oak Point Park and Nature Preserve for a permanent lift station easement to the North Texas Municipal Water District; providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the Park Land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park resulting from the use; and providing an effective date. (Regular Agenda Item "5")

**Ordinance No. 2013-12-12 (cont'd)**

Upon a motion made by Council Member Downs and seconded by Council Member Miner, the Council voted 8-0 to approve the use or taking a portion of City of Plano public park land, known as Oak Point Park and Nature Preserve for a permanent lift station easement to the North Texas Municipal Water District; providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the Park Land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park resulting from the use; and further to adopt Ordinance No. 2013-12-12.

**Public Hearing and adoption of Resolution No. 2013-12-13(R)** to determine a public necessity to acquire certain easement properties as described in the attached Exhibit "A," for public use for the 15th Street Reconstruction Project; authorizing the use of the power of eminent domain to acquire the easement properties; authorizing the City Manager and City Attorney, or their respective designees, to acquire the needed real property including making initial and bona fide offers, and authorizing the City Attorney or her designee to file eminent domain proceedings if necessary, and providing an effective date. (Regular Agenda Item "6")

Director of Engineering Carr spoke to the need to acquire easements on six parcels to complete reconstruction of 15th Street. He advised regarding discussions held with property owners with one unresponsive and reviewed the process of eminent domain for acquisition.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against the item. The Public Hearing was closed.

Deputy Mayor Pro Tem Harris moved that the City Council authorize the use of the power of eminent domain to acquire the easement properties described in Exhibit A attached to the proposed Resolution for the public use of street, sidewalk, utility, water, and temporary construction easements for the 15th Street Reconstruction project; and further to adopt Resolution No. 2013-12-13(R). Mayor Pro Tem Smith seconded the motion and the Council voted 8-0. The motion carried.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 8:13 p.m.

_____
**Harry LaRosiliere, MAYOR**

ATTEST

_____
Diane Zucco, City Secretary

**A Resolution of the City Council of the City of Plano, Texas determining a public necessity to acquire certain easement properties as described in the attached Exhibit "A," for public use for the 15th Street Reconstruction Project; authorizing the use of the power of eminent domain to acquire the easement properties; authorizing the City Manager and City Attorney, or their respective designees, to acquire the needed real property including making initial and bona fide offers, and authorizing the City Attorney or her designee to file eminent domain proceedings if necessary, and providing an effective date.**

**WHEREAS,** the City Council of the City of Plano, Texas ("City Council") has determined that there is a public need and necessity to acquire utility, street, sidewalk, and temporary construction easements (collectively, "Easements") on the properties attached hereto as **Exhibit "A"** and incorporated herein for all purposes, located within the City of Plano, Texas, for the purpose of, among other things, the construction, access, repair, maintenance and replacement of the improvements and related appurtenances, which are necessary for the 15th Street Reconstruction Project (approximately from the west side of the G Avenue intersection westward to the southern terminus of the Chisholm Trail at Spring Creek) ("Project"); and

**WHEREAS,** the City Council finds that the description of the Properties, attached hereto as **Exhibit "A"** to be acquired by eminent domain for the Project, complies with applicable law in that the same: (i) provides property owners reasonable notice that the owners' properties may be subject to condemnation proceedings during the planning or construction of the Project; and (ii) the Project is a reconstruction project for which the law authorizes such description of the general area to be covered by the Project and/or the general route that will be used by Plano for the Project; and

**WHEREAS,** the City Council has further investigated and determined that the Project constitutes a public use for a public purpose; and

**WHEREAS**, the City is required to make an initial offer as defined by and in compliance with §21.0111, Texas Property Code ("Initial Offer") and a bona fide offer, as defined by and in compliance with §21.0113, Texas Property Code, ("Bona Fide Offer") to acquire the Easements on the Property for public use, voluntarily, from the subject landowners prior to moving forward with acquisition by eminent domain; and

**WHEREAS**, the City Council now deems it necessary to authorize the City Attorney to initiate condemnation proceedings in order to acquire the necessary Easements;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS:**

**Section I:** Acquisition of Property. The City Council hereby finds and determines that there is a public need and it is necessary for the health, safety, and welfare of the citizens of the City of Plano, Texas to acquire the Easements, and it is Plano's intent to acquire the Easements for public use as more generally depicted on **Exhibit "A,"** attached hereto, for the purpose of the 15th Street Reconstruction Project.

**Section II :** Authority of City Manager/Bona Fide Offer. The City Manager or his designee is hereby authorized to contract with professional appraisers for appraisal services and with attorneys for preparation of title opinion(s) needed by Plano from time to time in connection with the acquisition of the Easements on the Property. The City Council hereby ratifies any contracts entered into, prior to the effective date of this Resolution, by the City Manager or his designee with professional appraisers for appraisal services and with attorneys for preparation of title opinion(s) needed for the acquisition of the Easements on the Property. To this end, the City Manager or his designee shall first make a Bona Fide Offer to acquire the Easements on the Property from the subject landowners, voluntarily. Should the landowner fail to provide the Easements voluntarily through said Bona Fide Offer, the City Manager or his designee is authorized to acquire the Easements on the Property by condemnation.

**Section III:** Determination of Just Compensation. The City Manager or his designee is hereby authorized and directed to examine and rely on the independent appraisal reports, and other information, to make a determination as to the establishment and approval of a fair market value offer and the just compensation for the Easements on the Property for the purpose of making the Bona Fide Offer. After such consideration, the City Manager or his designee shall establish and approve the amount determined to be just compensation for acquisition of said Easements and shall have the authority to execute any and all documents necessary to complete the acquisition of same.

**Section IV:** Authority to Make an Offer. Upon establishment and approval by the City Manager or his designee of the amount of just compensation for the acquisition of the Easements on the Property, the City Manager and/or City Attorney or their respective designees are authorized to send a written Bona Fide Offer to the landowners of said Property for the acquisition of said Easements at the full amount determined and established to be just compensation therefore, to provide a copy of the Texas Landowner's Bill of Rights, and to negotiate with said landowner on behalf of the City to acquire the Easements voluntarily.

**Section V**: Eminent Domain Authorized. Should the City Manager or City Attorney or their respective designees be unable to acquire the Easements voluntarily from the landowners, the City Attorney or her designee is authorized to commence eminent domain proceedings for the acquisition of the Easements on the Property for the Project. The City Attorney is authorized to retain such outside counsel as she deems necessary to litigate the eminent domain proceedings.

**Section VI:** Findings Incorporated. The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

**Section VII:** Effective Date. This Resolution shall take effect immediately from and after its passage.

**DULY PASSED AND APPROVED** this the 17th day of December, 2013.

Harry LaRosiliere, Mayor

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

# U.S. Restaurant Properties Operating, L.P.
# "Grandy's Restaurant"
# 620 E. 15th Street

**for**

**Utility Easement – 50 square ft.**
**Temporary Construction Easement – 1330 square ft.**

# UTILITY EASEMENT
## A PORTION OF
## LOT 1, BLOCK A, GRANDYS ADDITION
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

BEING a 0.0011 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain tract of land conveyed to U.S. Restaurant Properties Operating L.P. according to the General Warranty Deed as recorded in Volume 5710, Page 886 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said tract being Lot 1, Block A of Grandys Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet B, Page 352 of the Plat Records of Collin County, Texas (P.R.C.C.T.) and the remainder of Lot 3C, Block 28 of the Original Donation to the City of Plano, and being more particularly described by metes and bounds as follows:

BEGINNING at the most northerly northeast corner of the aforementioned Lot 1, Block A of Grandys Addition, said corner being the northwest end of a corner clip at the intersection of the south right-of-way line of 15th Street (variable width right-of-way) and the west right-of-way line of Avenue "F" (variable width right-of-way), from whence a 5/8" iron rod found for the common northwest corner of said Lot 1, Block A of Grandys Addition and the most northerly northeast corner of that certain tract of land conveyed to Retail Buildings, Inc. according to the Special Warranty Deed (Cash Sale) as recorded in County Clerk's File No. 92-0007533, D.R.C.C.T., said tract being Lot 1, Block A of Braum's Addition No. 2, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet H, Page 509, P.R.C.C.T. bears S 89°24'47" W (plat-EAST, deed-N 90°00'00" E), 182.50 feet;

THENCE S 45°34'33" E (plat-S 45°00' E, deed-S 45°00'00" E), departing said south right-of-way line of 15th Street and with said corner clip, 14.14 feet to the southeast end of said corner clip, said southeast end being the most easterly northeast corner of said 1, Block A of Grandys Addition and being in said west right-of-way line of Avenue "F", from whence a 1" iron rod found for the common southeast corner of the aforementioned U.S. Restaurant Properties Operating L.P. tract and the northeast corner of a 6' Street Dedication for Avenue "F" as reflected on the aforementioned plat of Braum's Addition No. 2 bears S 00°33'52" E, 215.94 feet (deed-S 00°19'00" E, 214.94 feet)

THENCE S 89°24'47" W, departing said west right-of-way line of Avenue "F", 10.00 feet;



NDM
NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Park Lane Place / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / Ph. (214) 739-4741

SEPTEMBER 22, 2012
07-10-097
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# UTILITY EASEMENT
## A PORTION OF
## LOT 1, BLOCK A, GRANDYS ADDITION
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE N 00°35'13" W, 10.00 feet to the POINT OF BEGINNING and containing 0.0011 acres (50 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

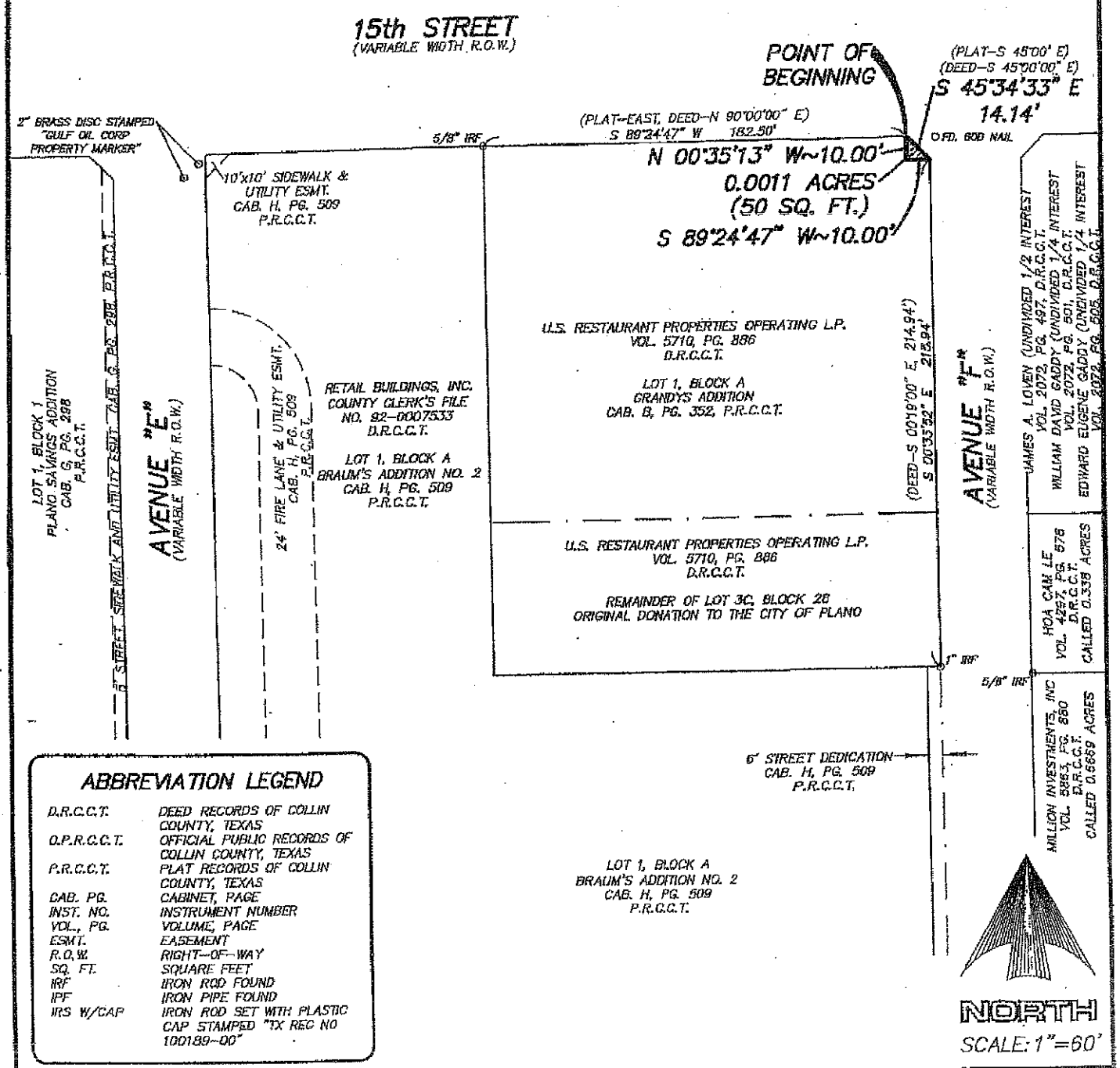
STATE OF TEXAS REGISTERED JOHN L. MELTON #4268 PROFESSIONAL LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of Plano geodetic control monuments J2, K2, N2 az mk and N5.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.

# UTILITY EASEMENT
## A PORTION OF
## LOT 1, BLOCK A, GRANDYS ADDITION
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS




### ABBREVIATION LEGEND

| | |
|---|---|
| D.R.C.C.T. | DEED RECORDS OF COLLIN COUNTY, TEXAS |
| O.P.R.C.C.T. | OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS |
| P.R.C.C.T. | PLAT RECORDS OF COLLIN COUNTY, TEXAS |
| CAB. PG. | CABINET, PAGE |
| INST. NO. | INSTRUMENT NUMBER |
| VOL., PG. | VOLUME, PAGE |
| ESMT. | EASEMENT |
| R.O.W. | RIGHT-OF-WAY |
| SQ. FT. | SQUARE FEET |
| IRF | IRON ROD FOUND |
| IPF | IRON PIPE FOUND |
| IRS W/CAP | IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00" |

PAGE 1 OF 1

NDM

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# TEMPORARY CONSTRUCTION EASEMENT
## A PORTION OF
## LOT 1, BLOCK A, GRANDYS ADDITION
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

BEING a 0.0305 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213; in the City of Plano, Collin County, Texas, and being a portion of that certain tract of land conveyed to U.S. Restaurant Properties Operating L.P. according to the General Warranty Deed as recorded in Volume 5710, Page 886 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said tract being Lot 1, Block A of Grandys Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet B, Page 352 of the Plat Records of Collin County, Texas (P.R.C.C.T.) and the remainder of Lot 3C, Block 28 of the Original Donation to the City of Plano, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod found for the northwest corner of the aforementioned Lot 1, Block A of Grandys Addition, said corner being in the south right-of-way line of 15th Street (variable width right-of-way) and also being the most northerly northeast corner of that certain tract of land conveyed to Retail Buildings, Inc. according to the Special Warranty Deed (Cash Sale) as recorded in County Clerk's File No. 92-0007533, D.R.C.C.T., said tract being Lot 1, Block A of Braum's Addition No. 2, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet H, Page 509, P.R.C.C.T.;

THENCE N 89°24'47" E (plat-EAST, deed-N 90°00'00" E), with the north line of said Lot 1, Block A of Grandys Addition and said south right-of-way line of 15th Street, 182.50 feet to the most northerly northeast corner of said Lot 1, Block A of Grandys Addition, said corner being the northwest end of a corner clip at the intersection of said south right-of-way line of 15th Street and the west right-of-way line of Avenue "F" (variable width right-of-way);

THENCE S 45°34'33" E (plat-S 45°00' E, deed-S 45°00'00" E), departing said south right-of-way line of 15th Street and with said corner clip, 7.07 feet, from whence a 1" iron rod found for the common southeast corner of the aforementioned U.S. Restaurant Properties Operating L.P. tract and the northeast corner of a 6' Street Dedication for Avenue "F" as reflected on the aforementioned plat of Braum's Addition No. 2 bears S 45°34'33" E (plat-S 45°00' E, deed-S 45°00'00" E), 7.07 feet and S 00°33'52" E, 215.94 feet (deed-S 00°19'00" E, 214.94 feet)

THENCE S 89°24'47" W, departing said corner clip, 15.85 feet;



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# TEMPORARY CONSTRUCTION EASEMENT
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## LOT 1, BLOCK A, GRANDYS ADDITION
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE S 00°35'13" E, 2.00 feet;

THENCE S 89°24'47" W, 127.80 feet;

THENCE S 00°35'13" E, 2.00 feet;

THENCE S 89°24'47" W, 37.25 feet;

THENCE N 00°35'13" W, 4.00 feet;

THENCE S 89°24'47" W, 6.60 feet to the common west line of said Lot 1, Block A of Grandys Addition and the most northerly east line of the aforementioned Lot 1, Block A of Braum's Addition No. 2;

THENCE N 00°33'37" W (plat–N 0°19' W, deed–N 00°19'00" W), with said common west line of Lot 1, Block A of Grandys Addition and the most northerly east line of Lot 1, Block A of Braum's Addition No. 2, 5.00 feet to the POINT OF BEGINNING and containing 0.0305 acres (1,330 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of Plano geodetic control monuments J2, K2, N2 az mk and N5.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.



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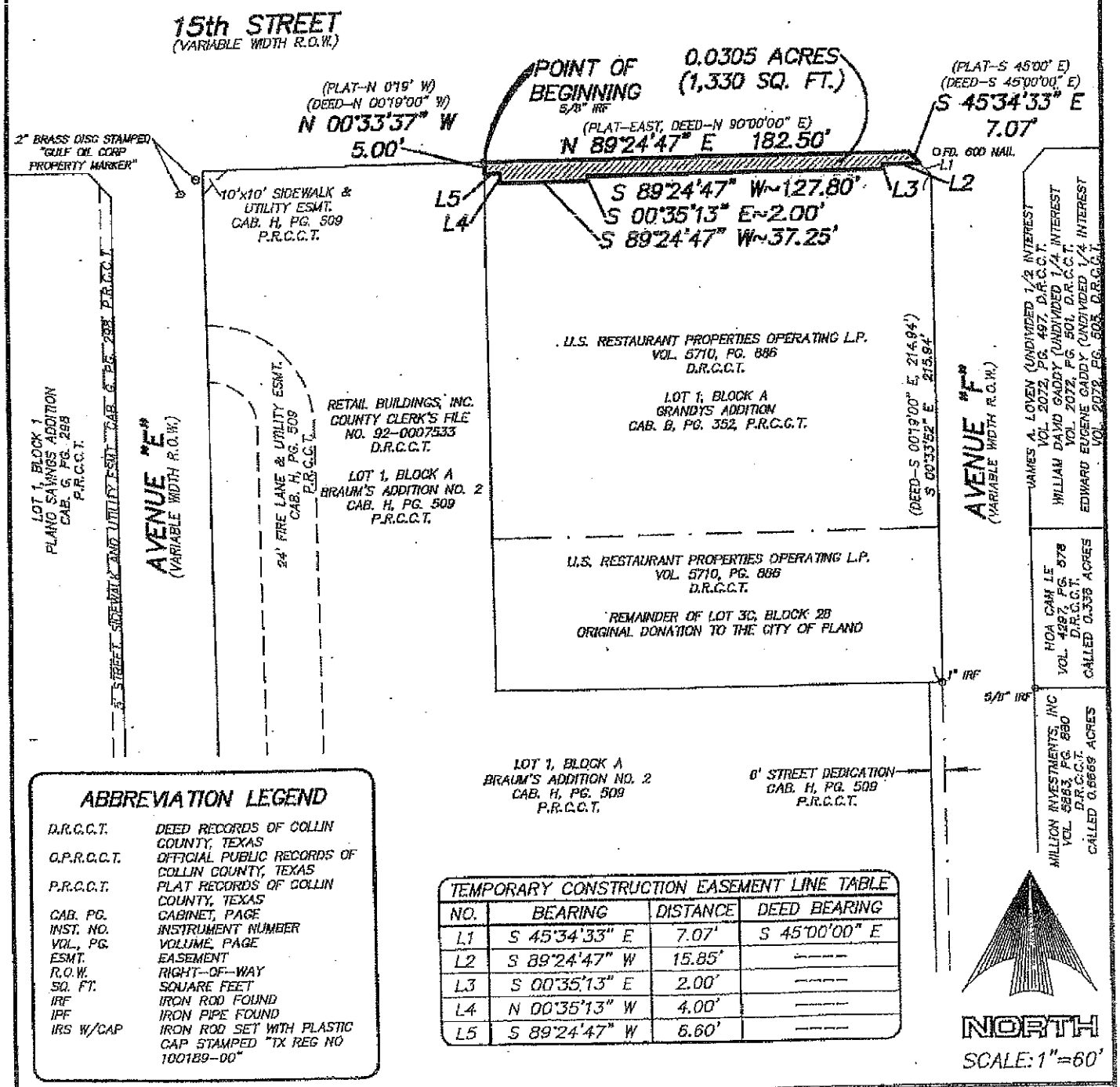
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS




### ABBREVIATION LEGEND

| | |
|---|---|
| D.R.C.C.T. | DEED RECORDS OF COLLIN COUNTY, TEXAS |
| O.P.R.C.C.T. | OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS |
| P.R.C.C.T. | PLAT RECORDS OF COLLIN COUNTY, TEXAS |
| CAB. PG. | CABINET, PAGE |
| INST. NO. | INSTRUMENT NUMBER |
| VOL., PG. | VOLUME, PAGE |
| ESMT. | EASEMENT |
| R.O.W. | RIGHT-OF-WAY |
| SQ. FT. | SQUARE FEET |
| IRF | IRON ROD FOUND |
| IPF | IRON PIPE FOUND |
| IRS W/CAP | IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00" |

### TEMPORARY CONSTRUCTION EASEMENT LINE TABLE

| NO. | BEARING | DISTANCE | DEED BEARING |
|---|---|---|---|
| L1 | S 45°34'33" E | 7.07' | S 45°00'00" E |
| L2 | S 89°24'47" W | 15.85' | ---- |
| L3 | S 00°35'13" E | 2.00' | ---- |
| L4 | N 00°35'13" W | 4.00' | ---- |
| L5 | S 89°24'47" W | 6.60' | ---- |

PAGE 1 OF 1

NDM

NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Park Lane Place / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / Ph. (214) 739-4741

SEPTEMBER 22, 2012
07-10-097
7097-ES11-TCE.dwg

# Carlisle Interests, Inc.
# "Pro-Quick Lube"
# 617 E. 15th Street

**for**

**Street, Utility & Sidewalk Easement – 50 square ft.**
**Temporary Construction Easement #1 – 1804 square ft.**
**Temporary Construction Easement #2 – 775 square ft.**

# STREET, UTILITY & SIDEWALK EASEMENT
## A PORTION OF
## LOT 1, BLOCK 1
## McDONALDS/QUAKER STATE ADDITION, BLOCK 1, LOTS 1 AND 2
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

### EASEMENT DESCRIPTION

BEING a 0.0011 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain tract of land conveyed to Carlisle Interests, Inc., Trustee according to the Special Warranty Deed with Vendor's Lien as recorded in Volume 6059, Page 3180 of the Deed Records of Collin County, Texas (D.R.C.C.T.) said tract being Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet L, Page 400 of the Plat Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" set in concrete for the southeast corner of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, said southeast corner being at the intersection of the north right-of-way line of 15th Street (variable width right-of-way) and the west right-of-way line of Avenue "F" (variable width right-of-way);

THENCE S 89°30'42" W (plat-WEST), with the south line of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and said north right-of-way line of 15th Street, 10.00 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence a 3-1/4" aluminum disc found for the southwest corner of Lot 2, Block 1 of said McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 bears S 89°30'42" W (plat-WEST), 283.81 feet;

THENCE N 44°29'41" E, departing the south line of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and said north right-of-way line of 15th Street, 14.14 feet to an "X" set in concrete for corner in the east line of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, said east line being the aforementioned west right-of-way line of Avenue "F", from whence a 1" iron rod found at a point of curvature in said east line of Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and said west right-of-way line of Avenue "F" bears N 00°31'20" W (plat-S 00°01'03" E), 73.06 feet;



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REV. SEPTEMBER 25, 2012
SEPTEMBER 19, 2012
07-10-097
7097-ES20-SE.dwg

# STREET, UTILITY & SIDEWALK EASEMENT
## A PORTION OF
## LOT 1, BLOCK 1
## McDONALDS/QUAKER STATE ADDITION, BLOCK 1, LOTS 1 AND 2
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE S 00°31'20" E (plat-S 00°01'03" E), with said east line of Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and said west right-of-way line of Avenue "F", 10.00 feet to the POINT OF BEGINNING and containing 0.0011 acres (50 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor.

STATE OF TEXAS REGISTERED JOHN L. MELTON #4268 PROFESSIONAL LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of Plano geodetic control monuments J2, K2, N2 az mk and N5.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.



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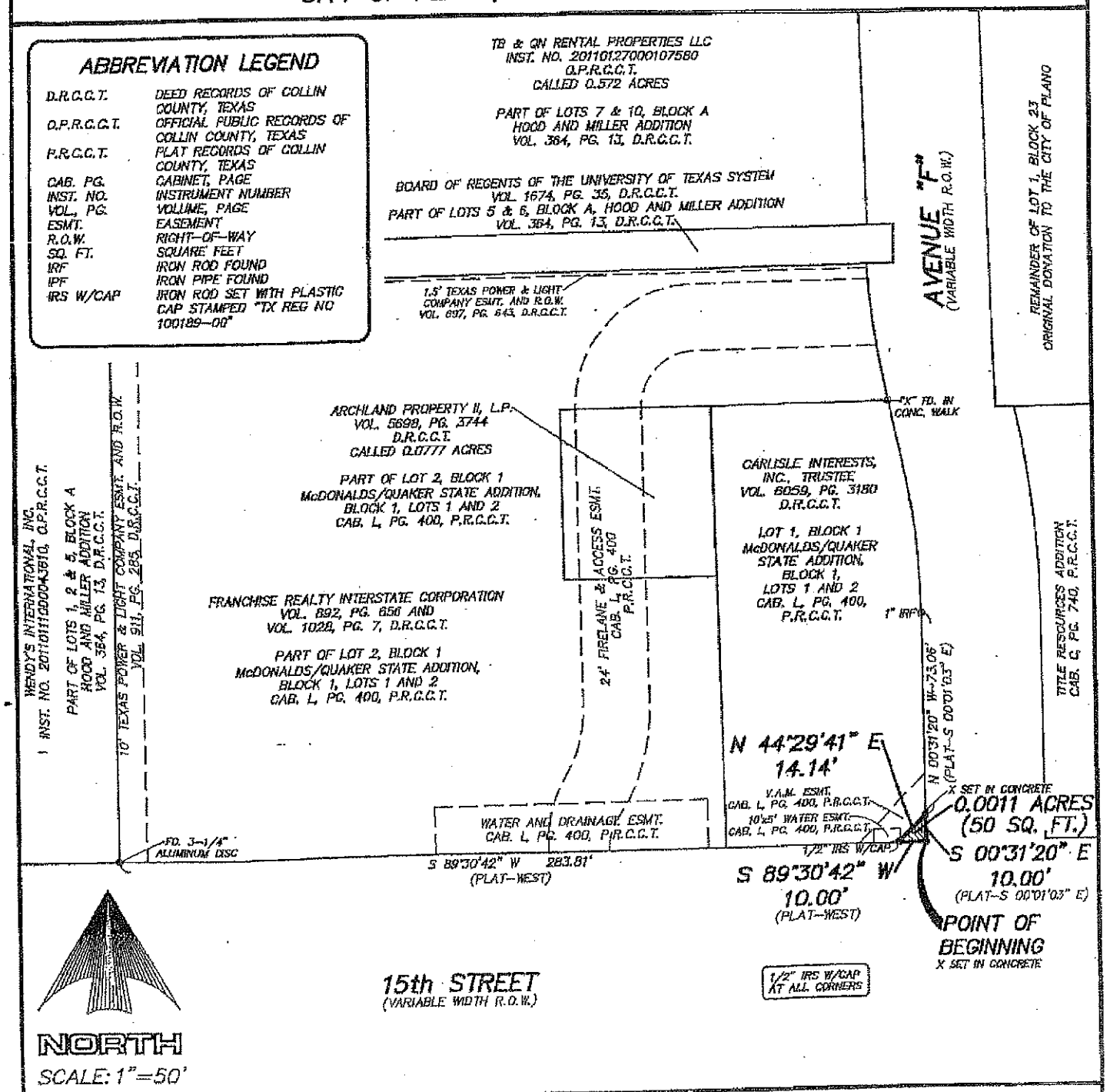


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SEPTEMBER 19, 2012
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# TEMPORARY CONSTRUCTION EASEMENT
## A PORTION OF
## LOT 1, BLOCK 1
## McDONALDS/QUAKER STATE ADDITION, BLOCK 1, LOTS 1 AND 2
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

### EASEMENT DESCRIPTION

BEING a 0.0414 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain tract of land conveyed to Carlisle Interests, Inc., Trustee according to the Special Warranty Deed with Vendor's Lien as recorded in Volume 6059, Page 3180 of the Deed Records of Collin County, Texas (D.R.C.C.T.) said tract being Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet L, Page 400 of the Plat Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, said southeast corner being at the intersection of the north right-of-way line of 15th Street (variable width right-of-way) and the west right-of-way line of Avenue "F" (variable width right-of-way);

THENCE S 89°30'42" W (plat-WEST), with the south line of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and said north right-of-way line of 15th Street, 72.88 feet (plat-72.91 feet) to the southwest corner of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, said southwest corner also being the southeast corner of the remainder of those certain tracts of land conveyed to Franchise Realty Interstate Corporation according to the Warranty Deed as recorded in Volume 892, Page 656, D.R.C.C.T. and the Cash Warranty Deed as recorded in Volume 1028, Page 7, D.R.C.C.T., said tract being Lot 1, Block 1 of said McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, from whence a 3-1/4" aluminum disc found for the southwest corner of said Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 bears S 89°30'42" W (plat-WEST), 220.93 feet;

THENCE N 01°12'33" W (plat-S 00°44'00" E), departing said north right-of-way line of 15th Street and with the common west line of said Lot 1, Block 1 and east line of said Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, 24.71 feet;



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REV. SEPTEMBER 25, 2012
SEPTEMBER 19, 2012
07-10-097
7097-ES20-TCE.dwg

# TEMPORARY CONSTRUCTION EASEMENT
## A PORTION OF
## LOT 1, BLOCK 1
## McDONALDS/QUAKER STATE ADDITION, BLOCK 1, LOTS 1 AND 2
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE N 89°30'42" E, departing the common west line of said Lot 1, Block 1 and east line of said Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, 73.18 feet to the east line of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, said east line being the aforementioned west right-of-way line of Avenue "F", from whence a 1" iron rod found at a point of curvature in said east line of Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and said west right-of-way line of Avenue "F" bears N 00°31'20" W (plat-S 00°01'03" E), 58.38 feet;

THENCE S 00°31'20" E (plat-S 00°01'03" E), with said east line of Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and said west right-of-way line of Avenue "F", 24.71 feet to the POINT OF BEGINNING and containing 0.0414 acres (1,804 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS REGISTERED JOHN L. MELTON #4268 PROFESSIONAL LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of Plano geodetic control monuments J2, K2, N2 az mk and N5.

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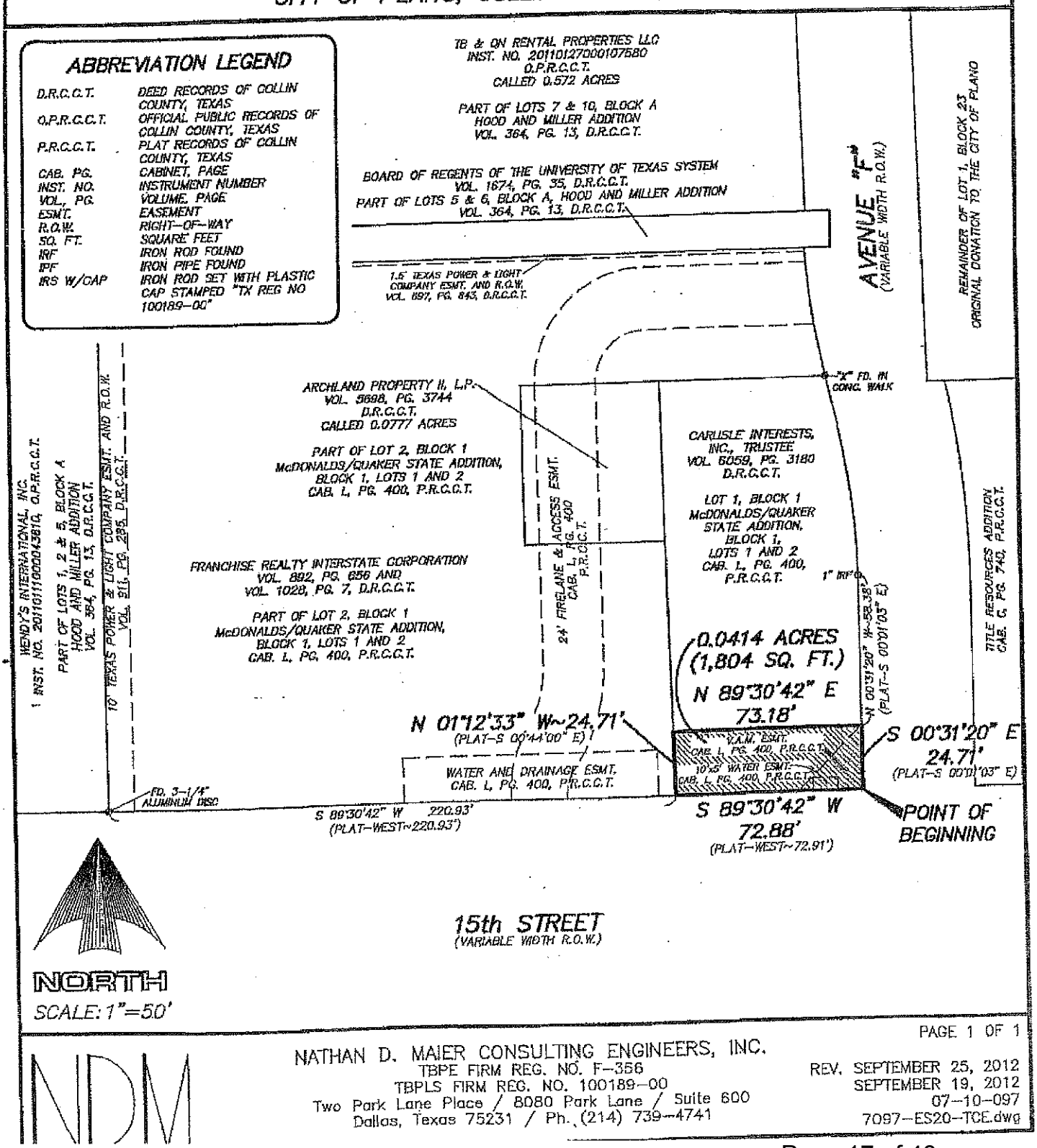
REV. SEPTEMBER 25, 2012
SEPTEMBER 19, 2012
07-10-097
7097-ES20-TCE.dwg

# TEMPORARY CONSTRUCTION EASEMENT
## A PORTION OF
## LOT 1, BLOCK 1
## McDONALDS/QUAKER STATE ADDITION, BLOCK 1, LOTS 1 AND 2
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

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REV. SEPTEMBER 25, 2012
SEPTEMBER 19, 2012
07-10-097
7097-ES20-TCE.dwg

# TEMPORARY CONSTRUCTION EASEMENT NO. 2
## A PORTION OF
## LOT 1, BLOCK 1
## McDONALDS/QUAKER STATE ADDITION, BLOCK 1, LOTS 1 AND 2
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

BEING a 0.0178 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain tract of land conveyed to Carlisle Interests, Inc., Trustee according to the Special Warranty Deed with Vendor's Lien as recorded in Volume 6059, Page 3180 of the Deed Records of Collin County, Texas, said tract being Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet L, Page 400 of the Plat Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" found in a concrete walk for the common northeast corner of the aforementioned Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and the most easterly southeast corner of Lot 2 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, said corner being in the west right-of-way line of Avenue "F" (variable width right-of-way) and being the beginning of a non-tangent curve to the left having a central angle of 01°49'54", a radius of 325.00 feet, a tangent length of 5.20 feet and a chord which bears S 13°49'56" E, 10.39 feet;

THENCE, with the east line of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and said west right-of-way line of Avenue "F" and with said non-tangent curve to the left, an arc distance of 10.39 feet to the beginning of a reverse curve to the right having a central angle of 03°36'54", a radius of 275.00 feet, a tangent length of 8.68 feet and a chord which bears S 12°56'26" E, 17.35 feet;

THENCE, continuing with the east line of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and said west right-of-way line of Avenue "F" and with said reverse curve to the right, an arc distance of 17.35 feet, from whence a 1" iron rod found for corner at the point of curvature of the east line of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and said west right-of-way line of Avenue "F" bears through a curve to the right having a central angle of 10°36'38", a radius of 275.00 feet, a tangent length of 25.54 feet and a chord which bears S 05°49'40" E, 50.85 feet, an arc distance of 50.93 feet;

THENCE S 17°33'29" W, departing the east line of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and said west right-of-way line of Avenue "F", 36.48 feet;

THENCE S 89°16'52" W, 15.80 feet;

THENCE N 17°33'29" E, 64.99 feet to the common north line of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and the most easterly south line of the aforementioned Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2;

# TEMPORARY CONSTRUCTION EASEMENT NO. 2
## A PORTION OF
## LOT 1, BLOCK 1
## McDONALDS/QUAKER STATE ADDITION, BLOCK 1, LOTS 1 AND 2
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE N 89°17'08" E (plat-S 89°39'24" W), with the common north line of said Lot 1, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and the most easterly south line of said Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, 0.82 feet to the POINT OF BEGINNING and containing 0.0178 acres (775 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of Plano geodetic control monuments J2, K2, N2 az mk and N5.

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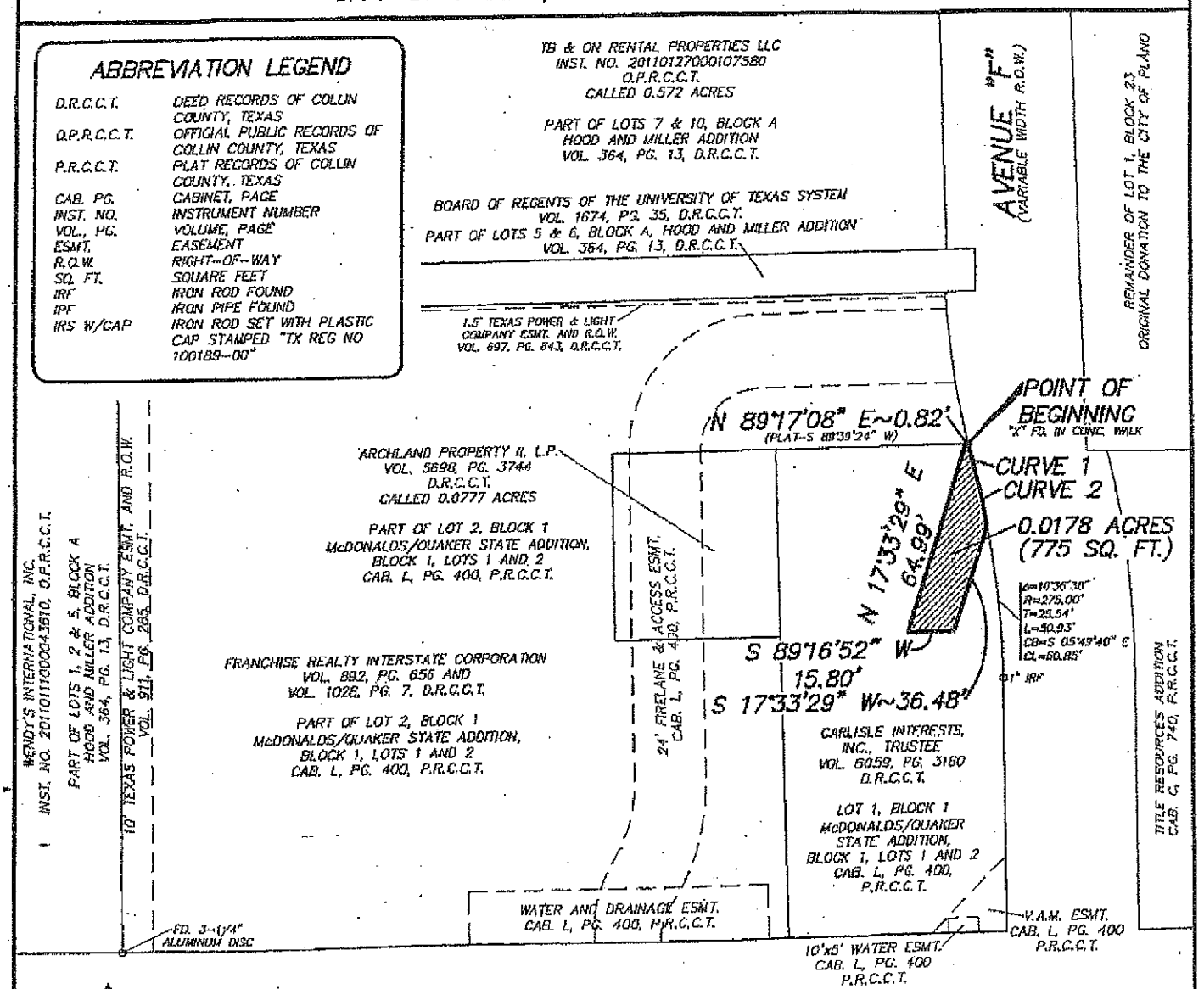
Two Park Lane Place / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / Ph. (214) 739-4741

REVISED: AUGUST 1, 2013
JULY 24, 2013
07-10-097
7097-ES20-TCE2.dwg

# TEMPORARY CONSTRUCTION EASEMENT NO. 2

A PORTION OF
LOT 1, BLOCK 1
McDONALDS/QUAKER STATE ADDITION, BLOCK 1, LOTS 1 AND 2
JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
CITY OF PLANO, COLLIN COUNTY, TEXAS

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REVISED: AUGUST 1, 2013
JULY 24, 2013
07-10-097
7097-ES20-TCE2.dwg

# Carpenter Living Trust
# 708 E. 16th Street

**for**

**Utility Easement – 793 square ft.**

# UTILITY EASEMENT
## A PORTION OF
## CARPENTER LIVING TRUST TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

BEING a 0.0182 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain tract of land conveyed to Maxine Miller Carpenter, Russell Carpenter, Russell Carpenter, Carolyn Neely, Don Neely or Carmen Haggard, Trustees, and any successors in trust, of the Carpenter Living Trust, dated December 28, 2001, and any amendments thereto (Carpenter Living Trust), according to the Warranty Deed as recorded in Volume 5077, Page 5292 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said tract being the remainder of Lot 1, Block 23 of the Original Donation to the City of Plano and being more particularly described by metes and bounds as follows:

COMMENCING at an "X" cut in concrete found in the north right-of-way line of 15th Street (variable width right-of-way) for the southeast corner of that certain tract of land conveyed to said 701 Building Partnership, Ltd. and described in Exhibit "A" (a) of the aforementioned Special Warranty Deed, Bill of Sale and Assignment as recorded in Instrument No. 20091229001543620 of the Official Public Records of Collin County, Texas, said tract being Title Resources Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet C, Page 740 of the Plat Records of Collin County, Texas and for the most southerly southwest corner of that certain called 0.727 acre tract of land conveyed to 777 Building Partnership according to the Special Warranty Deed with Vendor's Lien as recorded in County Clerk's File 94-0099062, D.R.C.C.T. and to David B. McCall, III (an undivided 20% interest) according to the Special Warranty Deed as recorded in Volume 5869, Page 1735, D.R.C.C.T., said tract being part of Lots 6, 7 and 8, Block 23 of the Original Donation to the City of Plano;

THENCE N 00°43'31" W, with the east line of said Title Resources Addition and the most southerly west line of said 777 Building Partnership and David B. McCall, III tract, 158.12 feet to an ell corner of said 777 Building Partnership and David B. McCall, III tract, same being the northeast corner of said Title Resources Addition;

THENCE S 89°23'10" W, with the most northerly south line of said 777 Building Partnership and David B. McCall, III tract and the north line of said Title Resources Addition, passing at a distance of 45.66 feet the most northerly southwest corner of said 777 Building Partnership and David B. McCall, III tract, same being the southeast corner of the aforementioned Carpenter Living Trust tract, and continuing with the south line of said Carpenter Living Trust tract and the north line of said Title Resources Addition a total distance of 129.55 feet to a 1" iron rod found for corner at an angle point in the north line of said Title Resources Addition and the south line of said Carpenter Living Trust tract, said corner being the POINT OF BEGINNING;



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OCTOBER 5, 2012
07-10-097
7097-ES04-UE.dwg

# UTILITY EASEMENT
## A PORTION OF
## CARPENTER LIVING TRUST TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
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THENCE S 89°27'35" W, continuing with the south line of said Carpenter Living Trust tract and the north line of said Title Resources Addition, 157.94 feet to the common southwest corner of said Carpenter Living Trust tract and the northwest corner of said Title Resources Addition, said common corner being in the east right-of-way line of Avenue "F" (variable width right-of-way) and being the beginning of a non-tangent curve to the left having a central angle of 00°44'34", a radius of 320.00 feet, a tangent length of 2.07 feet and a chord which bears N 14°22'37" W, 4.15 feet;

THENCE, with the west line of said Carpenter Living Trust tract and said east right-of-way line of Avenue "F" and with said non-tangent curve to the left, an arc distance of 4.15 feet to the beginning of a tangent curve to the right having a central angle of 00°12'19", a radius of 280.00 feet, a tangent length of 0.50 feet and a chord which bears N 14°38'44"W, 1.00 feet;

THENCE, continuing with the west line of said Carpenter Living Trust tract and said east right-of-way line of Avenue "F" and with said tangent curve to the right, an arc distance of 1.00 feet;

THENCE N 89°27'35" E, departing the west line of said Carpenter Living Trust tract and said east right-of-way line of Avenue "F", 159.17 feet;

THENCE S 00°32'25" E, 5.00 feet to the POINT OF BEGINNING and containing 0.0182 acres (793 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
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NOTES:

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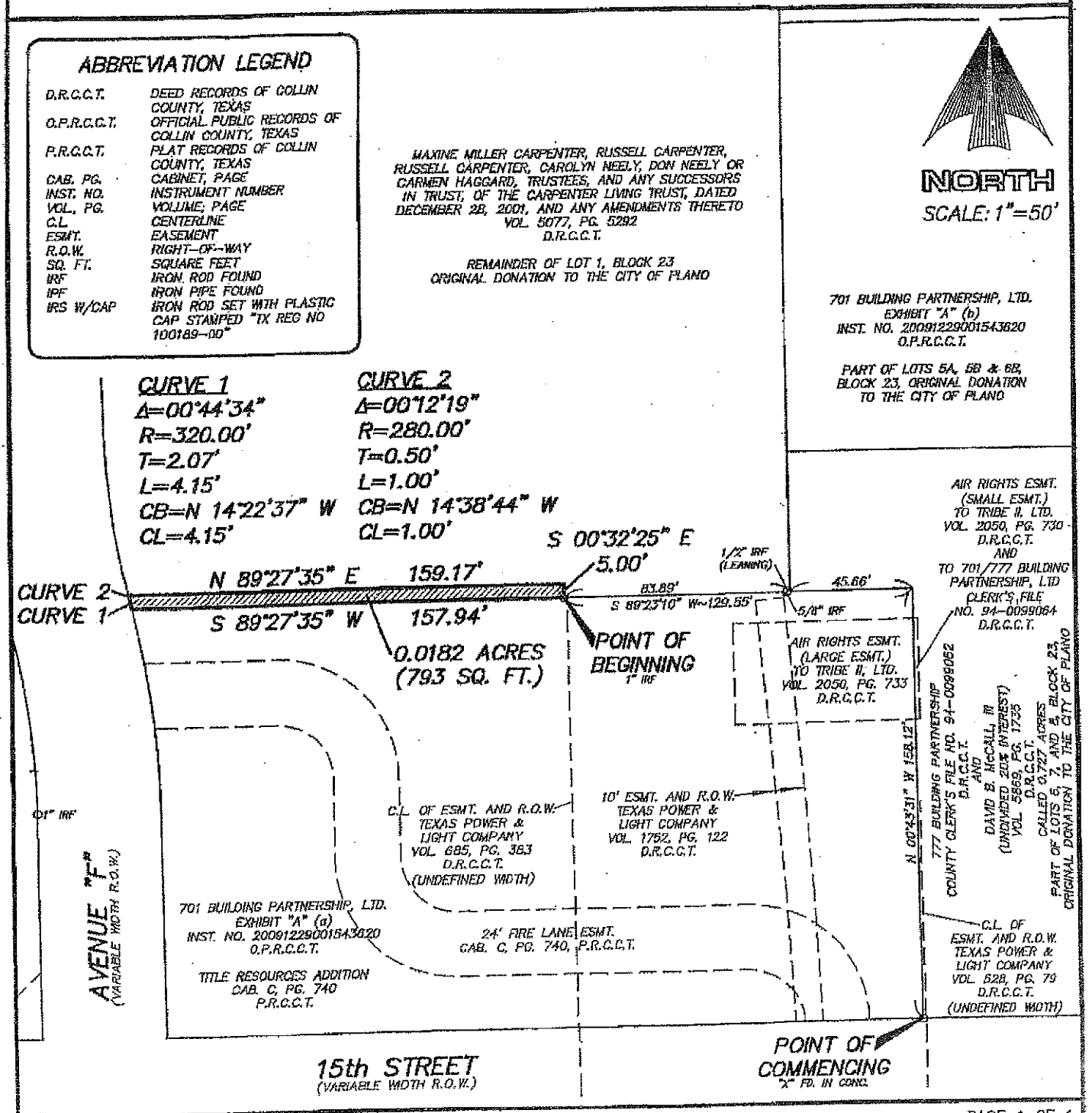


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Dallas, Texas 75231 / Ph. (214) 739-4741

OCTOBER 5, 2012
07-10-097
7097-ES04-UE.dwg

# Quick-Way Retail Associates II, Ltd.
# "Shell Station/7-Eleven"
# 1501 N. Central Expressway

**for**

**Street, Utility & Sidewalk Easement – 458 square ft.**

# STREET, UTILITY & SIDEWALK EASEMENT
## A PORTION OF
## TEXACO ADDITION NO. 1, LOT 1, BLOCK 1
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

BEING a 0.0105 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain tract of land conveyed to Quik-Way Retail Associates II, Ltd. according to the Special Warranty Deed as recorded in Instrument No. 20080221000204980 of the Official Public Records of Collin County, Texas, said tract being Texaco Addition No. 1, Lot 1, Block 1, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet B, Page 150 of the Plat Records of Collin County, Texas (P.R.C.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron with plastic cap stamped "Halff Assoc Inc" found for the most southerly southeast corner of the aforementioned Texaco Addition No. 1, Lot 1, Block 1, said corner being the southwest end of a corner clip at the intersection of the north right-of-way line of 15th street (variable width right-of-way) and the west right-of-way line of Central Expressway (U.S. Highway 75) (variable width right-of-way);

THENCE S 89°14'52" W (plat-N 88°44'09" W), with the south line of said Texaco Addition No. 1, Lot 1, Block 1 and said north right-of-way line of 15th Street, 110.14 feet (plat-110.12 feet) to a "X" in concrete found at an angle point of said south line of Texaco Addition, No. 1, Lot 1, Block 1 and said north right-of-way line of 15th Street;

THENCE S 87°32'08" W (plat-N 89°42'09" W), continuing with said south line of Texaco Addition No. 1, Lot 1, Block 1 and said north right-of-way line of 15th Street, 10.45 feet (plat-10.44 feet) to a 5/8" iron with plastic cap stamped "Halff Assoc Inc" found for the southwest corner of said Texaco Addition No. 1, Lot 1, Block 1, said southwest corner also being the most southerly southeast corner of that certain tract of land conveyed to Srinivas, L.C. according to the Special Warranty Deeds as recorded in the County Clerk's File No. 92-0088203 (77% undivided interest) and No. 92-0088204 (23% undivided interest) of the Deed Records of Collin County, Texas, said tract being Lot 2R, Block 1 of The Second Replat of Restaurants Of Spring Creek Addition, Lots 1, 2, 3, 4, 5 & 6, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet H, Page 584, P.R.C.C.T.;

THENCE N 10°49'39" W (plat-N 8°49'10" W), departing said north right-of-way line of 15th Street and with the west line of said Texaco Addition No. 1, Lot 1, Block 1 and the most southerly east line of said Lot 2R, Block 1 of The Second Replat of Restaurants Of Spring Creek Addition, Lots 1, 2, 3, 4, 5 & 6, 2.34 feet, to a 1/2" iron rod with plastic cap stamped "TX-100189-00" set for corner;



NDM
NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Park Lane Place / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / Ph. (214) 739-4741

REV. SEPTEMBER 25, 2012
SEPTEMBER 22, 2012
07-10-097
7097-ES18-SE.dwg

# STREET, UTILITY & SIDEWALK EASEMENT
## A PORTION OF
## TEXACO ADDITION NO. 1, LOT 1, BLOCK 1
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE N 87°59'06" E, departing said west line of Texaco Addition No. 1, Lot 1, Block 1 and said most southerly east line of Lot 2R, Block 1 of The Second Replat of Restaurants Of Spring Creek Addition, Lots 1, 2, 3, 4, 5 & 6, 100.93 feet to a 1/2" iron rod with plastic cap stamped "TX-100189-00" set for corner;

THENCE N 02°00'54" W, 1.70 feet to a 1/2" iron rod with plastic cap stamped "TX-100189-00" set for corner;

THENCE N 87°59'06" E, 26.42 feet to a 1/2" iron rod with plastic cap stamped "TX-100189-00" set for corner in the aforementioned corner clip at the intersection of the north right-of-way line of 15th street and the west right-of-way line of Central Expressway (U.S. Highway 75);

THENCE S 43°19'31" W (plat-S 45°20'30" W), with said corner clip, 9.05 feet to the POINT OF BEGINNING and containing 0.0105 acres (458 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of Plano geodetic control monuments J2, K2, N2 az mk and N5.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.



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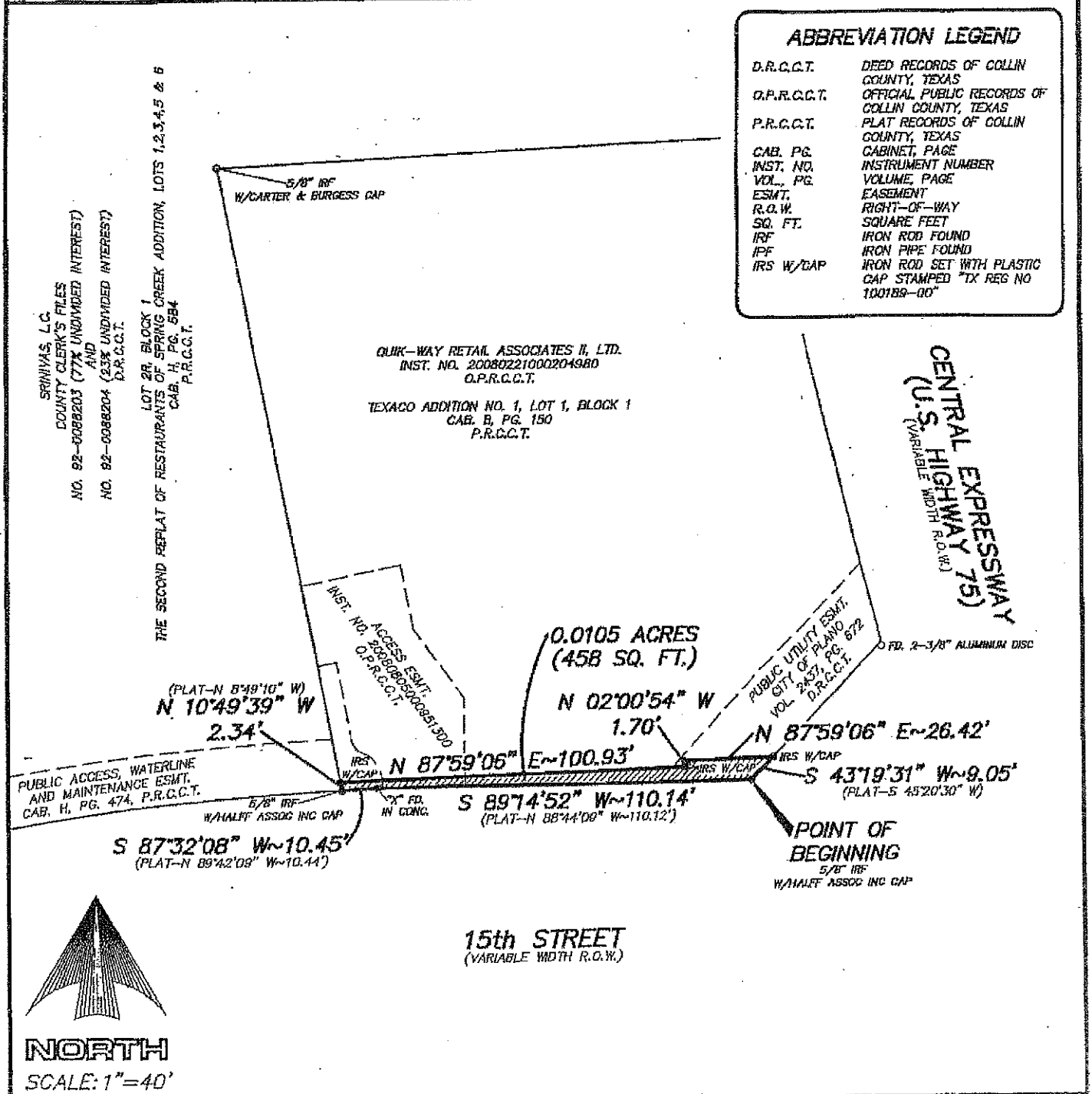
REV. SEPTEMBER 25, 2012
SEPTEMBER 22, 2012
07-10-097
7097-ES18-SE.dwg

# STREET, UTILITY & SIDEWALK EASEMENT

A PORTION OF
TEXACO ADDITION NO. 1, LOT 1, BLOCK 1
JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
CITY OF PLANO, COLLIN COUNTY, TEXAS

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PAGE 1 OF 1
REV. SEPTEMBER 25, 2012
SEPTEMBER 22, 2012
07-10-097
7097-ES18-SE.dwg

# Wendy's International, Inc.
# "Wendy's Restaurant"
# 603 E. 15th Street

**for**

**Water Easement – 25 square ft.**
**Utility Easement – 486 square ft.**
**Temporary Construction Easement #1 – 1167 square ft.**
**Temporary Construction Easement #2 – 7190 square ft.**

# EXHIBIT "A"
# WATER EASEMENT
## A PORTION OF
## WENDY'S INTERNATIONAL, INC. TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

### EASEMENT DESCRIPTION

BEING a 0.0006 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain tract of land conveyed to Wendy's International, Inc. according to the Special Warranty Deed as recorded in Instrument Number 20110111000043610 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), said tract being part of Lots 1, 2 and 5, Block A of Hood and Miller Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Volume 364, Page 13 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a 3-1/4" aluminum disc found for the southeast corner of said Wendy's International, Inc. tract, said southeast corner being in the north right-of-way line of 15th Street (variable width right-of-way) and also being the southwest corner of the remainder of those certain tracts of land conveyed to Franchise Realty Interstate Corporation according to the Warranty Deed as recorded in Volume 892, Page 656, D.R.C.C.T. and the Cash Warranty Deed as recorded in Volume 1028, Page 7, D.R.C.C.T., said remainder being part of Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet L, Page 400 of the Plat Records of Collin County, Texas (P.R.C.C.T.);

THENCE S 89°30'42" W (deed-WEST), with the south line of said Wendy's International, Inc. tract and said north right-of-way line of 15th Street, 54.30 feet to the POINT OF BEGINNING;

THENCE S 89°30'42" W (deed-WEST), continuing with the south line of said Wendy's International, Inc. tract and said north right-of-way line of 15th Street, 5.00 feet, from whence a 1/2" iron rod with plastic cap stamped "Dewey RPLS 1641" found for the southwest corner of said Wendy's International, Inc. tract bears S 89°30'42" W (deed-WEST), 40.72 feet, said southwest corner also being the southeast corner of that certain tract of land conveyed to JPMorgan Chase Bank, National Association according to the Confirmatory Receiver's Deed (Deed without Covenant, Representation or Warranty) as recorded in Instrument No. 20090811001008380, O.P.R.C.C.T., said tract being Lot 1, Block 1 of Plano Savings and Loan Association Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet D, Page 165, P.R.C.C.T.

# EXHIBIT "A"
# WATER EASEMENT
## A PORTION OF
## WENDY'S INTERNATIONAL, INC. TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE N 00°29'18" W, departing the south line of said Wendy's International, Inc. tract and said north right-of-way line of 15th Street, 5.00 feet;

THENCE N 89°30'42" E, 5.00 feet;

THENCE S 00°29'18" E, 5.00 feet to the POINT OF BEGINNING and containing 0.0006 acres (25 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

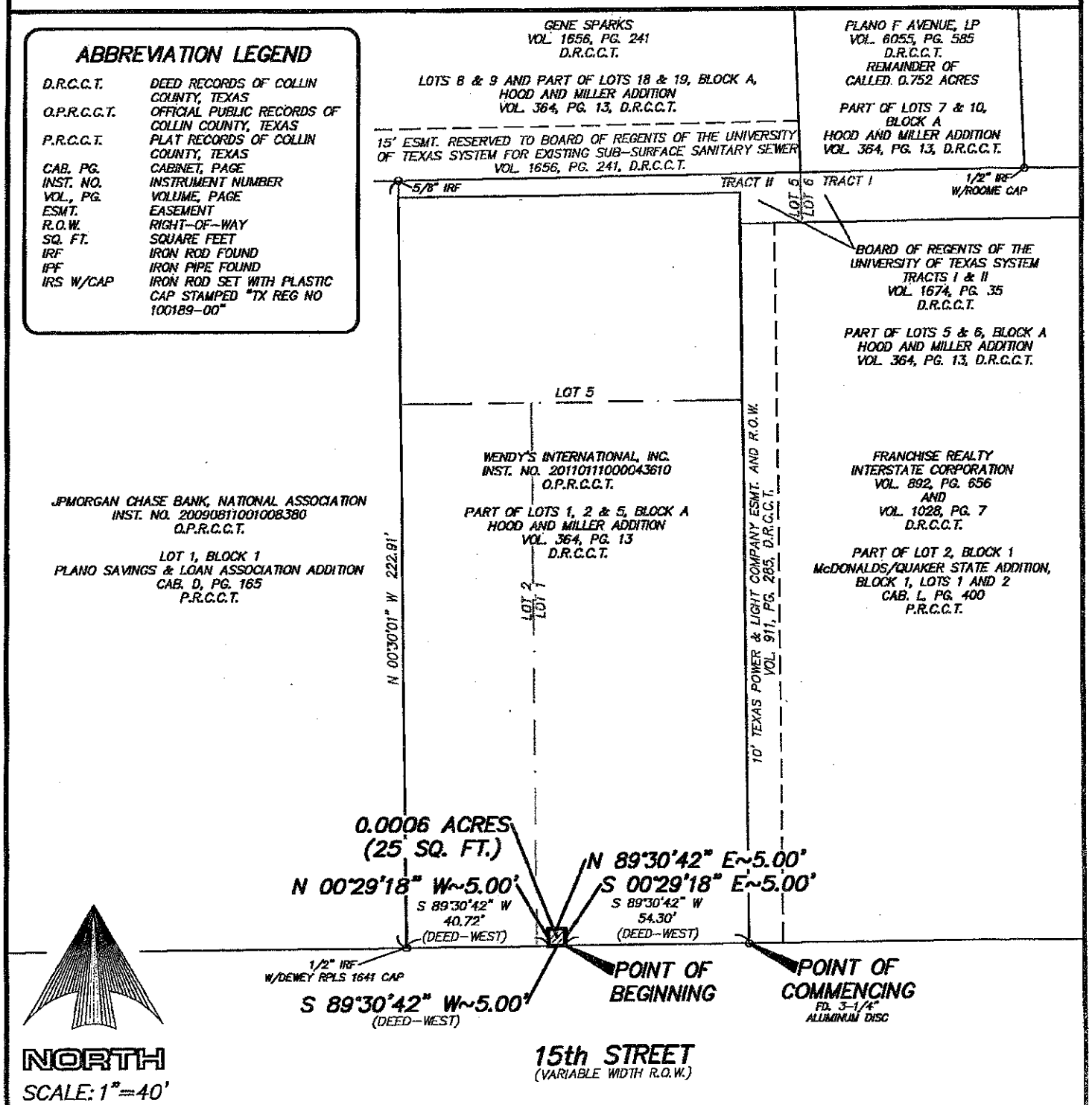
STATE OF TEXAS REGISTERED JOHN L. MELTON #4268 PROFESSIONAL LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of Plano geodetic control monuments J2, K2, N2 az mk and N5.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.

# EXHIBIT "B"
# WATER EASEMENT
## A PORTION OF
## WENDY'S INTERNATIONAL, INC. TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS




NDM

NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Park Lane Place / 8080 Park Lane / Suite 600
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PAGE 1 OF 1

OCTOBER 3, 2012
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# EXHIBIT "A"
# UTILITY EASEMENT
## A PORTION OF
## WENDY'S INTERNATIONAL, INC. TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

### EASEMENT DESCRIPTION

BEING a 0.0112 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain tract of land conveyed to Wendy's International, Inc. according to the Special Warranty Deed as recorded in Instrument Number 20110111000043610 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), said tract being part of Lots 1, 2 and 5, Block A of Hood and Miller Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Volume 364, Page 13 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron rod with plastic cap stamped "Dewey RPLS 1641" found for the southwest corner of said Wendy's International, Inc. tract, said southwest corner being in the north right-of-way line of 15th Street (variable width right-of-way) and also being the southeast corner of that certain tract of land conveyed to JPMorgan Chase Bank, National Association according to the Confirmatory Receiver's Deed (Deed without Covenant, Representation or Warranty) as recorded in Instrument No. 20090811001008380, O.P.R.C.C.T., said tract being Lot 1, Block 1 of Plano Savings and Loan Association Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet D, Page 165 of the Plat Records of Collin County, Texas (P.R.C.C.T.);

THENCE N 00°30'01" W (deed-NORTH), departing said north right-of-way line of 15th Street and with the common west line of said Wendy's International, Inc. tract and east line of said Lot 1, Block 1 of Plano Savings and Loan Association Addition, 212.91 feet to the POINT OF BEGINNING;

THENCE N 00°30'01" W (deed-NORTH), continuing with the common west line of said Wendy's International, Inc. tract and the east line of said Lot 1, Block 1 of Plano Savings and Loan Association Addition, 5.09 feet to the northwest corner of said Wendy's International, Inc. tract, said northwest corner also being the most westerly southwest corner of that certain tract of land described as Tract II in the Deed of Gift to the Board of Regents of the University of Texas System as recorded in Volume 1674, Page 35, D.R.C.C.T., said Tract II being part of Lot 5, Block A of the aforementioned Hood and Miller Addition;

THENCE N 89°30'42" E (deed-EAST), departing the east line of said Lot 1, Block 1 of Plano Savings and Loan Association Addition and with the north line of said Wendy's International, Inc. tract and a south line of said Tract II, 100.07 feet (deed-100.00 feet) to the northeast corner of said Wendy's International, Inc. tract and an ell corner of said Tract II;

# EXHIBIT "A"
# UTILITY EASEMENT
## A PORTION OF
## WENDY'S INTERNATIONAL, INC. TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE S 00°29'18" E (deed-SOUTH), with the east line of said Wendy's International, Inc. tract and a west line of said Tract II, 8.97 feet to the most easterly southwest corner of said Tract II, said corner also being the northwest corner of the remainder of those certain tracts of land conveyed to Franchise Realty Interstate Corporation according to the Warranty Deed as recorded in Volume 892, Page 656, D.R.C.C.T. and the Cash Warranty Deed as recorded in Volume 1028, Page 7, D.R.C.C.T., said remainder being part of Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet L, Page 400, P.R.C.C.T., from whence a 3-1/4" aluminum disc found in the aforementioned north right-of-way line of 15th Street for the common southeast corner of said Wendy's International, Inc. tract and the southwest corner of said Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 bears S 00°29'18" E (plat-SOUTH), 209.03 feet;

THENCE N 45°52'34" W, departing the east line of said Wendy's International, Inc. tract, 6.45 feet;

THENCE S 89°07'26" W, 95.48 feet to the POINT OF BEGINNING and containing 0.0112 acres (486 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

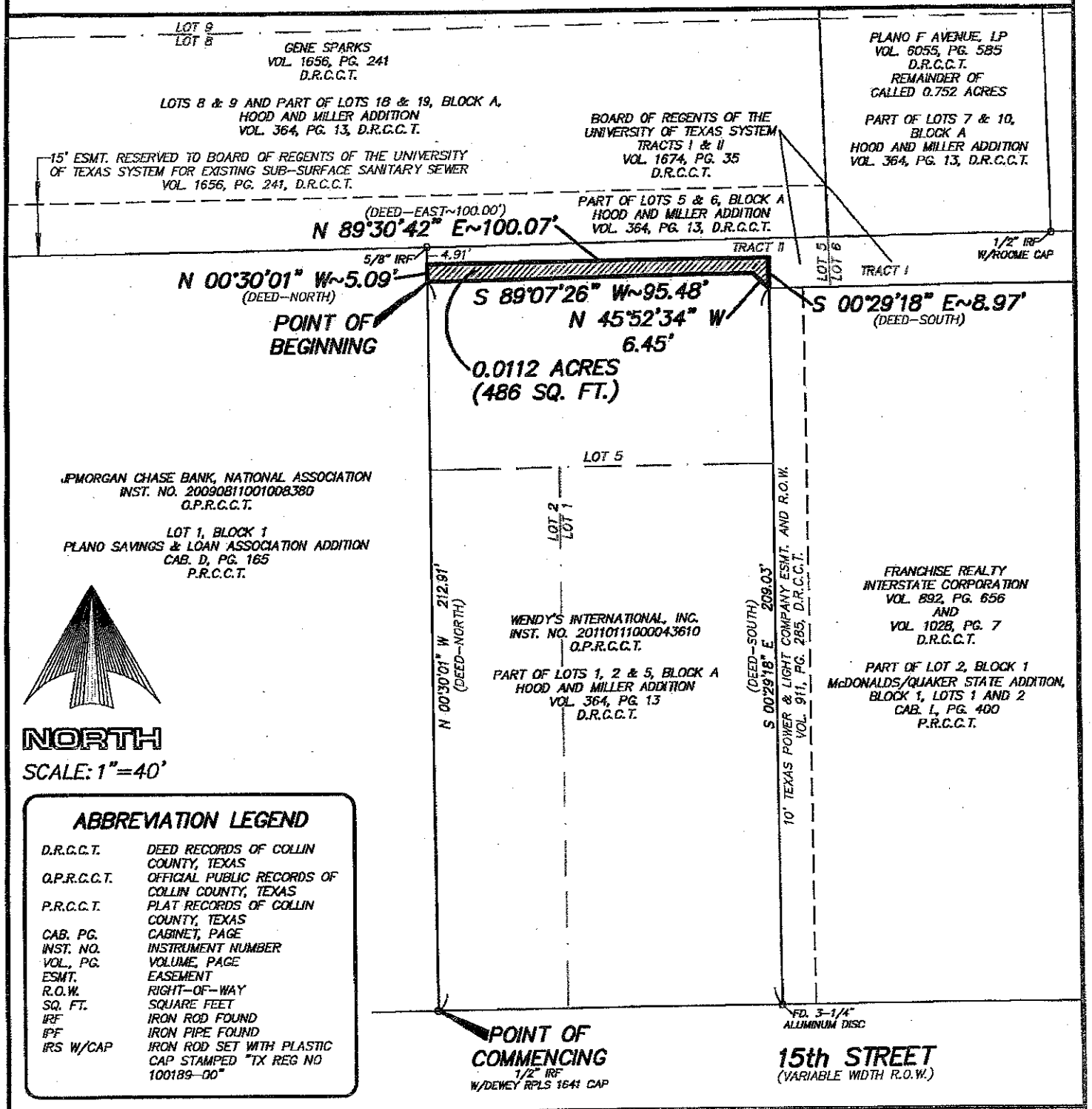
STATE OF TEXAS REGISTERED JOHN L. MELTON #4268 PROFESSIONAL LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of Plano geodetic control monuments J2, K2, N2 az mk and N5.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.

# EXHIBIT "B"
## UTILITY EASEMENT
A PORTION OF
WENDY'S INTERNATIONAL, INC. TRACT
JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
CITY OF PLANO, COLLIN COUNTY, TEXAS




### ABBREVIATION LEGEND

| | |
|---|---|
| D.R.C.C.T. | DEED RECORDS OF COLLIN COUNTY, TEXAS |
| O.P.R.C.C.T. | OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS |
| P.R.C.C.T. | PLAT RECORDS OF COLLIN COUNTY, TEXAS |
| CAB. PG. | CABINET, PAGE |
| INST. NO. | INSTRUMENT NUMBER |
| VOL., PG. | VOLUME, PAGE |
| ESMT. | EASEMENT |
| R.O.W. | RIGHT-OF-WAY |
| SQ. FT. | SQUARE FEET |
| IRF | IRON ROD FOUND |
| IPF | IRON PIPE FOUND |
| IRS W/CAP | IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00" |

NDM
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PAGE 1 OF 1

OCTOBER 2, 2012
07-10-097
7097-ES15-UE.dwg

# EXHIBIT "A"
# TEMPORARY CONSTRUCTION EASEMENT
## A PORTION OF
## WENDY'S INTERNATIONAL, INC. TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

BEING a 0.0268 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain tract of land conveyed to Wendy's International, Inc. according to the Special Warranty Deed as recorded in Instrument Number 20110111000043610 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), said tract being part of Lots 1, 2 and 5, Block A of Hood and Miller Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Volume 364, Page 13 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 3-1/4" aluminum disc found for the southeast corner of said Wendy's International, Inc. tract, said southeast corner being in the north right-of-way line of 15th Street (variable width right-of-way) and also being the southwest corner of the remainder of those certain tracts of land conveyed to Franchise Realty Interstate Corporation according to the Warranty Deed as recorded in Volume 892, Page 656, D.R.C.C.T. and the Cash Warranty Deed as recorded in Volume 1028, Page 7, D.R.C.C.T., said remainder being part of Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet L, Page 400 of the Plat Records of Collin County, Texas (P.R.C.C.T.);

THENCE S 89°30'42" W (deed-WEST), with the south line of said Wendy's International, Inc. tract and said north right-of-way line of 15th Street, 100.02 feet (deed-100.00 feet) to a 1/2" iron rod with plastic cap stamped "Dewey RPLS 1641" found for the southwest corner of said Wendy's International, Inc. tract, said southwest corner also being the southeast corner of that certain tract of land conveyed to JPMorgan Chase Bank, National Association according to the Confirmatory Receiver's Deed (Deed without Covenant, Representation or Warranty) as recorded in Instrument No. 20090811001008380, O.P.R.C.C.T., said tract being Lot 1, Block 1 of Plano Savings and Loan Association Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet D, Page 165, P.R.C.C.T.

THENCE N 00°30'01" W (deed-NORTH), departing said north right-of-way line of 15th Street and with the common west line of said Wendy's International, Inc. tract and the east line of said Lot 1, Block 1 of Plano Savings and Loan Association Addition, 19.00 feet;



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OCTOBER 3, 2012
07-10-097
7097-ES15-TCE.dwg

# EXHIBIT "A"
# TEMPORARY CONSTRUCTION EASEMENT
## A PORTION OF
## WENDY'S INTERNATIONAL, INC. TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE N 89°30'42" E, departing the common west line of said Wendy's International, Inc. tract and the east line of said Lot 1, Block 1 of Plano Savings and Loan Association Addition, 31.77 feet;

THENCE S 00°29'18" E, 10.75 feet;

THENCE N 89°30'42" E, 68.25 feet to the common east line of said Wendy's International, Inc. tract and the west line of the aforementioned Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2;

THENCE S 00°29'18" E (deed-SOUTH), with the common east line of said Wendy's International, Inc. tract and the west line of said Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, 8.25 feet to the POINT OF BEGINNING and containing 0.0268 acres (1,167 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

**NOTES:**

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of Plano geodetic control monuments J2, K2, N2 az mk and N5.

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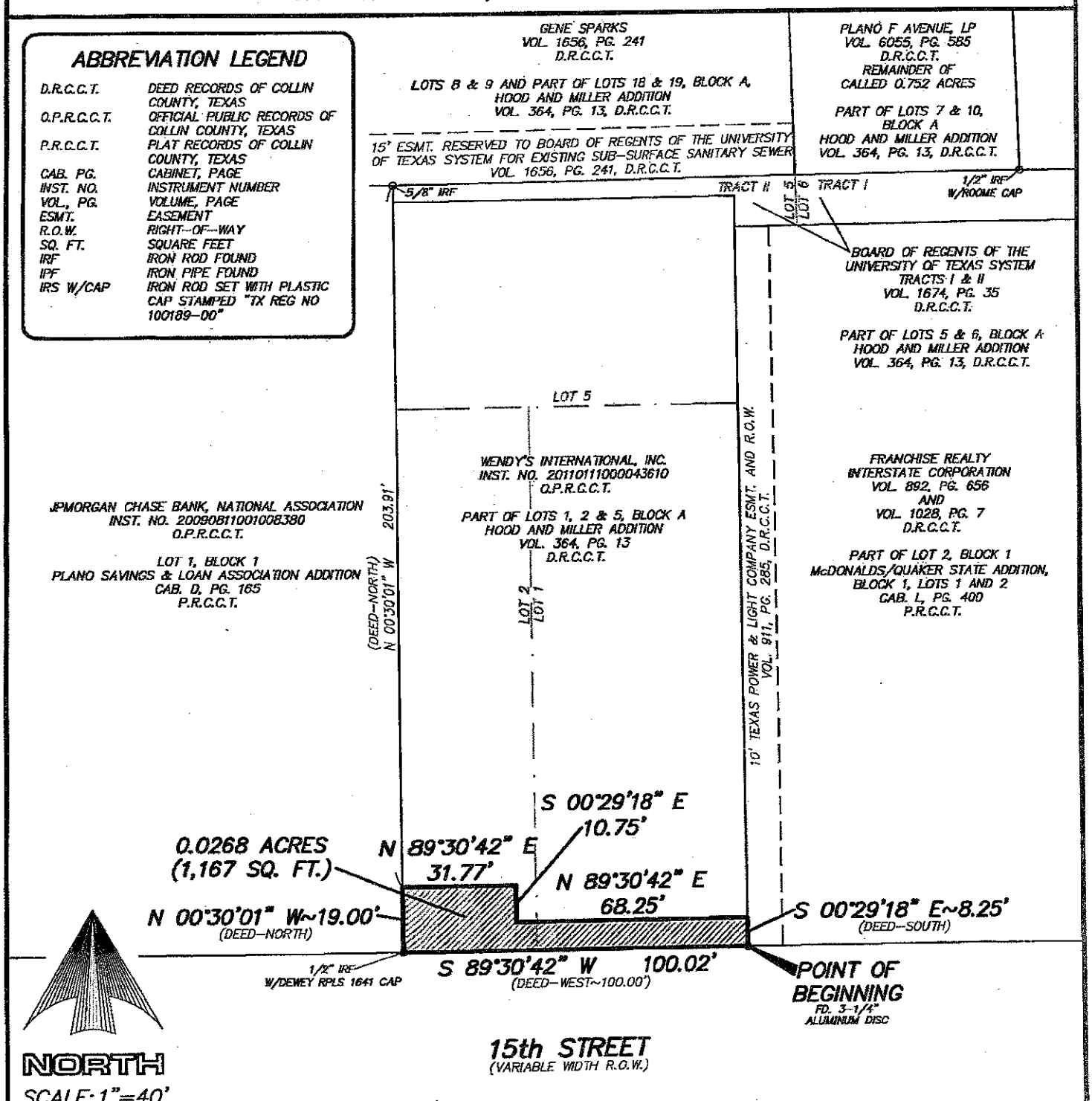
# EXHIBIT "B"
## TEMPORARY CONSTRUCTION EASEMENT
A PORTION OF
WENDY'S INTERNATIONAL, INC. TRACT
JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
CITY OF PLANO, COLLIN COUNTY, TEXAS




NDM

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PAGE 1 OF 1

OCTOBER 3, 2012
07-10-097
7097-ES15-TCE.dwg

# EXHIBIT "A"
# TEMPORARY CONSTRUCTION EASEMENT NO. 2
## A PORTION OF
## WENDY'S INTERNATIONAL, INC. TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

BEING a 0.1651 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain tract of land conveyed to Wendy's International, Inc. according to the Special Warranty Deed as recorded in Instrument Number 20110111000043610 of the Official Public Records of Collin County, Texas, said tract being part of Lots 1, 2 and 5, Block A of Hood and Miller Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Volume 364, Page 13 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a 3-1/4" aluminum disc found for the southeast corner of said Wendy's International, Inc. tract, said southeast corner being in the north right-of-way line of 15th Street (variable width right-of-way) and also being the southwest corner of the remainder of those certain tracts of land conveyed to Franchise Realty Interstate Corporation according to the Warranty Deed as recorded in Volume 892, Page 656, D.R.C.C.T. and the Cash Warranty Deed as recorded in Volume 1028, Page 7, D.R.C.C.T., said remainder tract part of Lot 2, Block 1 of McDonalds/Quaker State Addition, being part of Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet L, Page 400 of the Plat Records of Collin County, Texas, from whence a 1/2" iron rod with plastic cap stamped "Dewey RPLS 1641" found for the southwest corner of said Wendy's International, Inc. tract bears S 89°30'42" W, 100.02 feet (deed-WEST, 100.00 feet);

THENCE N 00°29'18" W (deed-SOUTH), departing said north right-of-way line of 15th Street and with the east line of said Wendy's International, Inc. tract and the west line of said Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, 93.59 feet to the POINT OF BEGINNING;

THENCE S 89°07'26" W, departing the east line of said Wendy's International, Inc. tract and the west line of said Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, 60.00 feet;

THENCE N 00°29'18" W, 120.00 feet;

THENCE N 89°07'26" E, 55.41 feet;

# EXHIBIT "A"
# TEMPORARY CONSTRUCTION EASEMENT NO. 2
## A PORTION OF
## WENDY'S INTERNATIONAL, INC. TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE S 45°52'34" E, 6.45 feet to a point in the east line of said Wendy's International, Inc. tract, said point being the northwest corner of said Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2 and the most easterly southwest corner of that certain tract of land described as Tract II in the Deed of Gift to the Board of Regents of the University of Texas System as recorded in Volume 1674, Page 35, D.R.C.C.T., said Tract II being part of Lot 5, Block A of the aforementioned Hood and Miller Addition;

THENCE S 00°29'18" E (deed-SOUTH), with the east line of said Wendy's International, Inc. tract and the west line of said Lot 2, Block 1 of McDonalds/Quaker State Addition, Block 1, Lots 1 and 2, 115.44 feet to the POINT OF BEGINNING and containing 0.1651 acres (7,190 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS REGISTERED JOHN L. MELTON #4268 PROFESSIONAL LAND SURVEYOR

**NOTES:**

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of Plano geodetic control monuments J2, K2, N2 az mk and N5.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.



NDM
NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Park Lane Place / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / Ph. (214) 739-4741

NOVEMBER 11, 2013
07-10-097
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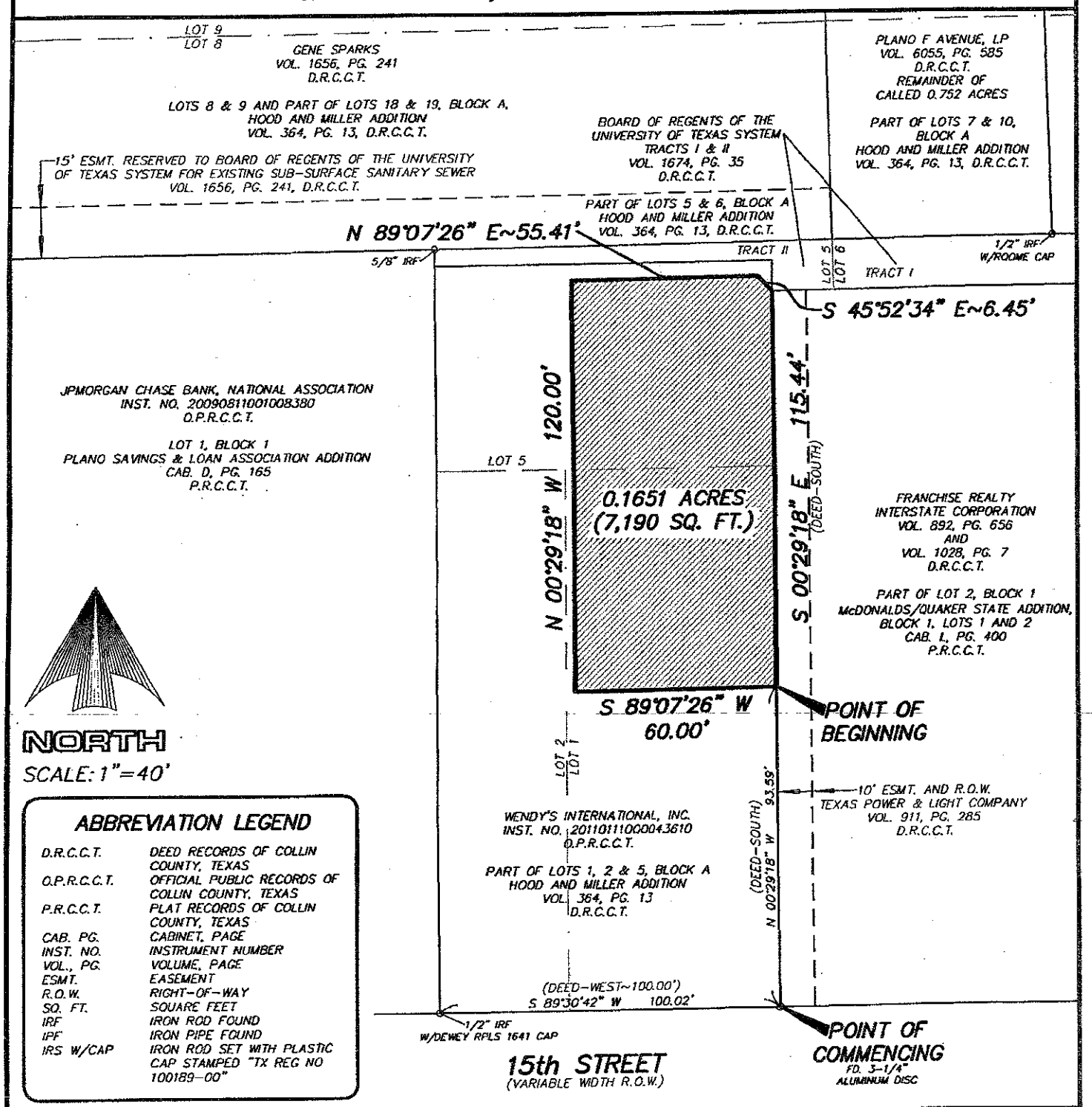
# EXHIBIT "B"
## TEMPORARY CONSTRUCTION EASEMENT NO. 2
A PORTION OF
WENDY'S INTERNATIONAL, INC. TRACT
JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
CITY OF PLANO, COLLIN COUNTY, TEXAS




### ABBREVIATION LEGEND

| | |
|---|---|
| D.R.C.C.T. | DEED RECORDS OF COLLIN COUNTY, TEXAS |
| O.P.R.C.C.T. | OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS |
| P.R.C.C.T. | PLAT RECORDS OF COLLIN COUNTY, TEXAS |
| CAB. PG. | CABINET, PAGE |
| INST. NO. | INSTRUMENT NUMBER |
| VOL., PG. | VOLUME, PAGE |
| ESMT. | EASEMENT |
| R.O.W. | RIGHT-OF-WAY |
| SQ. FT. | SQUARE FEET |
| IRF | IRON ROD FOUND |
| IPF | IRON PIPE FOUND |
| IRS W/CAP | IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00" |

PAGE 1 OF 1

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# Miracle Investment Group, Inc.
# "Global Realty"
# 704 E. 15th Street

**for**

**Utility Easement – 900 square ft.**
**Temporary Construction Easement – 669 square ft.**

# EXHIBIT "A"
# UTILITY EASEMENT
## A PORTION OF
## MIRACLE INVESTMENT GROUP, INC. d/b/a GLOBAL REALTY TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

### EASEMENT DESCRIPTION

BEING a 0.0207 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain 0.329 acre tract of land conveyed to Miracle Investment Group, Inc. d/b/a Global Realty according to the Warranty Deed with Vendor's Lien as recorded in Volume 5636, Page 4172 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said tract being part of Lot 3 of Kendricks Addition, an addition to the Town of Plano, Texas, according to the plat thereof recorded in Volume 23, Page 494, D.R.C.C.T., and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod found for the common southeast corner of the aforementioned Miracle Investment Group, Inc. d/b/a Global Realty tract; the southwest corner portion of that certain 0.336 acre tract of land conveyed to Jennwill, Ltd. according to the Special Warranty Deed with Vendor's Lien as recorded in Volume 5619, Page 794, D.R.C.C.T., said Jennwill, Ltd. tract being part of Lot 2 of the aforementioned Kendricks Addition; the northwest corner of Block B of Final Plat 15th Street Village No. 1, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet Q, Page 134 of the Plat Records of Collin County, Texas; and the northeast corner of that certain 0.338 acre tract of land conveyed to Hoa Cam Le according to the Warranty Deed as recorded in Volume 4297, Page 578, D.R.C.C.T., said Hoa Cam Le tract being part of Lot 4 of said Kendricks Addition;

THENCE S 89°50'21" W (deed–S 89°56'06" W), with the common south line of said Miracle Investment Group, Inc. d/b/a Global Realty tract and north line of said Hoa Cam Le tract, 90.02 feet (deed–89.55 feet) to the common southwest corner of said Miracle Investment Group, Inc. d/b/a Global Realty tract and the southeast corner of that certain tract of land conveyed to James A. Loven (undivided 1/2 interest) according to the Warranty Deed as recorded in Volume 2072, Page 497, D.R.C.C.T., to William David Gaddy (undivided 1/4 interest) according to the Warranty Deed as recorded in Volume 2072, Page 501, D.R.C.C.T. and to Edward Eugene Gaddy (undivided 1/4 interest) according to the Warranty Deed as recorded in Volume 2072, Page 505, D.R.C.C.T., said Loven, et al tract being part of Lot 3 of said Kendricks Addition;

THENCE N 00°26'17" W (deed–N 00°21'53" E), departing the north line of said Hoa Cam Le tract and with the common west line of said Miracle Investment Group, Inc. d/b/a Global Realty tract and east line of said Loven, et al tract, 10.00 feet;

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## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE N 89°50'21" E, departing the common west line of said Miracle Investment Group, Inc. d/b/a Global Realty tract and east line of said Loven, et al tract, 90.04 feet to the common east line of said Miracle Investment Group, Inc. d/b/a Global Realty tract and west line of the aforementioned Jennwill, Ltd. tract, from whence an "X" found in a concrete sidewalk in the south right-of-way line of 15th Street (variable width right-of-way) for the common northeast corner of said Miracle Investment Group, Inc. d/b/a Global Realty tract and northwest corner of said Jennwill, Ltd. tract bears N 00°19'19" W (deed-S 00°24'03" W), 153.10 feet;

THENCE S 00°19'19" E (deed-S 00°24'03" W), with the common east line of said Miracle Investment Group, Inc. d/b/a Global Realty tract and west line of said Jennwill, Ltd. tract, 10.00 feet to the POINT OF BEGINNING and containing 0.0207 acres (900 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

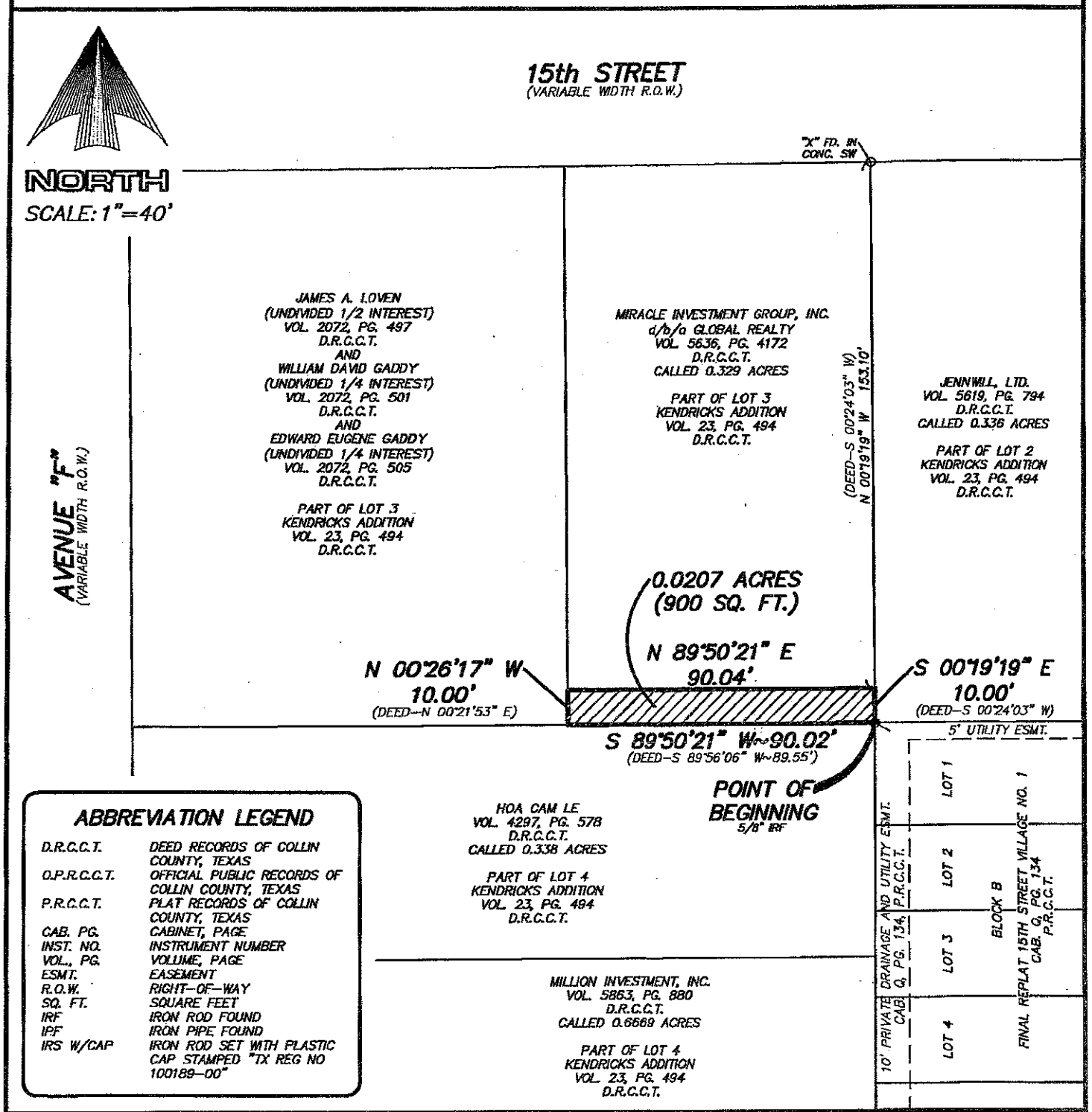
STATE OF TEXAS REGISTERED JOHN L. MELTON #4268 PROFESSIONAL LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of Plano geodetic control monuments J2, K2, N2 az mk and N5.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.

# EXHIBIT "B"
## UTILITY EASEMENT
A PORTION OF
MIRACLE INVESTMENT GROUP, INC. d/b/a GLOBAL REALTY TRACT
JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
CITY OF PLANO, COLLIN COUNTY, TEXAS




### ABBREVIATION LEGEND

| | |
|---|---|
| D.R.C.C.T. | DEED RECORDS OF COLLIN COUNTY, TEXAS |
| O.P.R.C.C.T. | OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS |
| P.R.C.C.T. | PLAT RECORDS OF COLLIN COUNTY, TEXAS |
| CAB. PG. | CABINET, PAGE |
| INST. NO. | INSTRUMENT NUMBER |
| VOL., PG. | VOLUME, PAGE |
| ESMT. | EASEMENT |
| R.O.W. | RIGHT–OF–WAY |
| SQ. FT. | SQUARE FEET |
| IRF | IRON ROD FOUND |
| IPF | IRON PIPE FOUND |
| IRS W/CAP | IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189–00" |

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PAGE 1 OF 1

SEPTEMBER 26, 2012
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# EXHIBIT "A"
# TEMPORARY CONSTRUCTION EASEMENT
## A PORTION OF
## MIRACLE INVESTMENT GROUP, INC. d/b/a GLOBAL REALTY TRACT
## JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
## CITY OF PLANO, COLLIN COUNTY, TEXAS

### EASEMENT DESCRIPTION

BEING a 0.0154 acre tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being a portion of that certain 0.329 acre tract of land conveyed to Miracle Investment Group, Inc. d/b/a Global Realty according to the Warranty Deed with Vendor's Lien as recorded in Volume 5636, Page 4172 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said tract being part of Lot 3 of Kendricks Addition, an addition to the Town of Plano, Texas, according to the plat thereof recorded in Volume 23, Page 494, D.R.C.C.T., and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" found in a concrete sidewalk for the northeast corner of the aforementioned Miracle Investment Group, Inc. d/b/a Global Realty tract, said corner being in the south right-of-way line of 15th Street (variable width right-of-way) and also being the northwest corner of that certain 0.336 acre tract of land conveyed to Jennwill, Ltd. according to the Special Warranty Deed with Vendor's Lien as recorded in Volume 5619, Page 794 , D.R.C.C.T., said Jennwill, Ltd. tract being part of Lot 2 of the aforementioned Kendricks Addition;

THENCE S 00°19'19" E (deed-S 00°24'03" W), departing said south right-of-way line of 15th Street and with the common east line of said Miracle Investment Group, Inc. d/b/a Global Realty tract and west line of said Jennwill, Ltd. tract, 10.60 feet, from whence a 5/8" iron rod found for the common southeast corner of said Miracle Investment Group, Inc. d/b/a Global Realty tract and southwest corner of said Jennwill, Ltd. tract bears S 00°19'19" E (deed-S 00°24'03" W), 152.50 feet;

THENCE S 89°24'47" W, departing the common east line of said Miracle Investment Group, Inc. d/b/a Global Realty tract and west line of said Jennwill, Ltd. tract, 38.75 feet;.

THENCE N 00°35'13" W, 5.60 feet;

THENCE S 89°24'47" W, 51.56 feet to the common west line of said Miracle Investment Group, Inc. d/b/a Global Realty tract and east line of that certain tract of land conveyed to James A. Loven (undivided 1/2 interest) according to the Warranty Deed as recorded in Volume 2072, Page 497, D.R.C.C.T., to William David Gaddy (undivided 1/4 interest) according to the Warranty Deed as recorded in Volume 2072, Page 501, D.R.C.C.T. and to Edward Eugene Gaddy (undivided 1/4 interest) according to the Warranty Deed as recorded in Volume 2072, Page 505, D.R.C.C.T., said Loven et al. tract being part of Lot 3 of said Kendricks Addition;

# EXHIBIT "A"
# TEMPORARY CONSTRUCTION EASEMENT
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## CITY OF PLANO, COLLIN COUNTY, TEXAS

THENCE N 00°26'17" W (deed-N 00°21'53" E), with the common west line of said Miracle Investment Group, Inc. d/b/a Global Realty tract and east line of said Loven et al. tract, 5.00 feet to the common northwest corner of said Miracle Investment Group, Inc. d/b/a Global Realty tract and northeast corner of said Loven et al. tract, said common corner being in the aforementioned south right-of-way line of 15th Street;

THENCE N 89°24'47" E (deed-N 89°56'06" E), with the north line of said Miracle Investment Group, Inc. d/b/a Global Realty tract and said south right-of-way line of 15th Street, 90.35 feet (deed-89.65 feet) the POINT OF BEGINNING and containing 0.0154 acres (669 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

NOTES:

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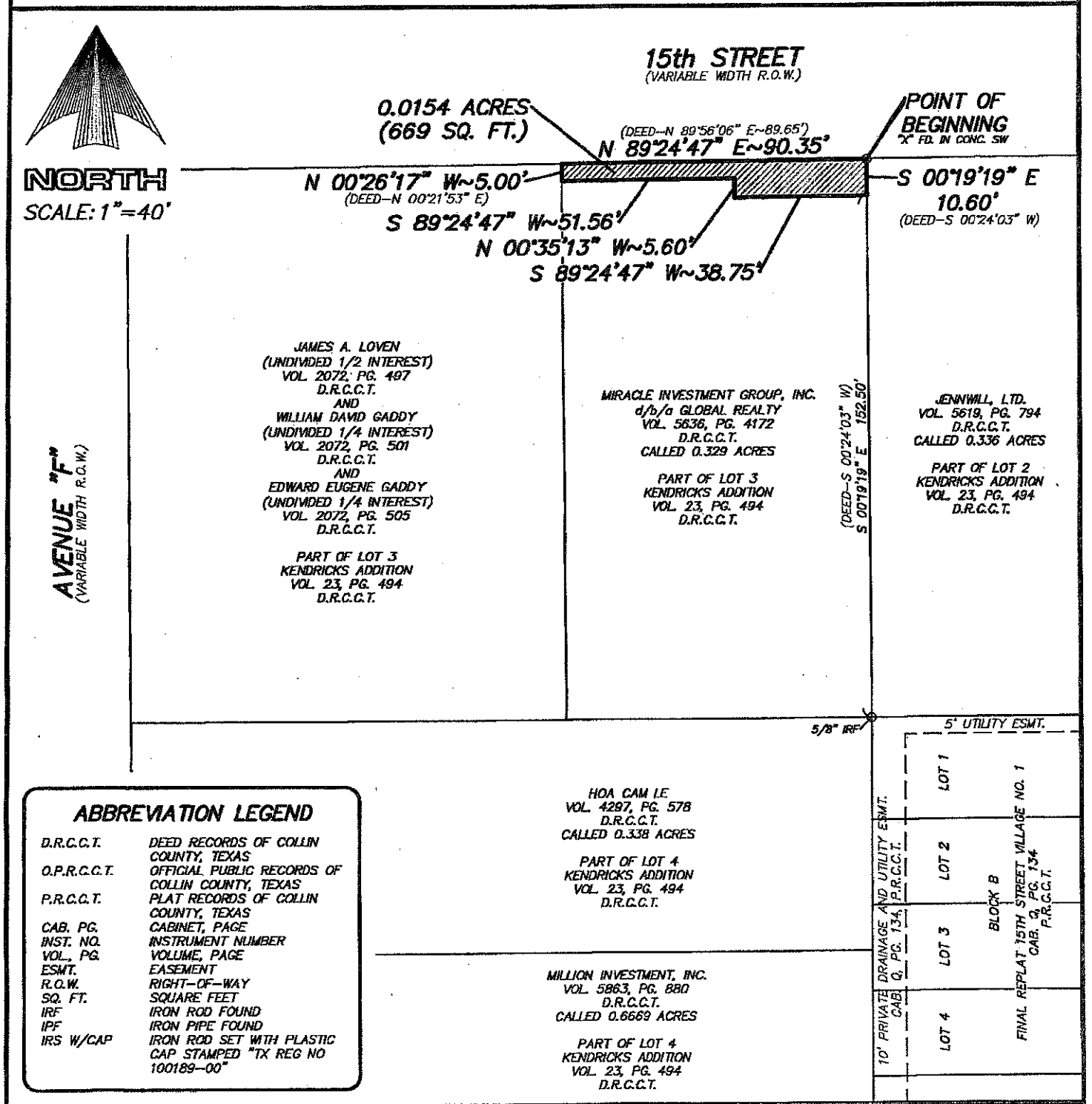
# EXHIBIT "B"
## TEMPORARY CONSTRUCTION EASEMENT
A PORTION OF
MIRACLE INVESTMENT GROUP, INC. d/b/a GLOBAL REALTY TRACT
JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
CITY OF PLANO, COLLIN COUNTY, TEXAS




### ABBREVIATION LEGEND

| | |
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| D.R.C.C.T. | DEED RECORDS OF COLLIN COUNTY, TEXAS |
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| CAB. PG. | CABINET, PAGE |
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PAGE 1 OF 1

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