

#062278

EXHIBIT "B"

PARCEL PROPERTY DESCRIPTION

CITY OF WILLIAMSBURG, VIRGINIA
TAX MAP PARCEL # 312-00-002

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, LYING AND BEING IN THE CITY OF WILLIAMSBURG, VIRGINIA, SHOWN AND SET OUT AS PARCEL 2, 54,982 S.F. +/-, 1.261 ACRES +/- ON THAT CERTAIN PLAT OF SUBDIVISION ENTITLED "PLAT SHOWING BOUNDARY LINE ADJUSTMENT BETWEEN PARCELS 1, 2, AND 3 OWNED BY MAPLE & MAIN REDEVELOPMENT, LLC AND UTILITY EASEMENT ADJUSTMENTS BETWEEN PARCELS 1, 2, 3, AND 4", DATED MARCH 20, 2005, PREPARED BY AES CONSULTING ENGINEERS, WHICH PLAT IS RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR THE CITY OF WILLIAMSBURG AND COUNTY OF JAMES CITY AS INSTRUMENT NO. 080545.

SAID PARCEL IS ALSO MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF RICHMOND ROAD, U.S. ROUTE 60, A VOHT MONUMENT, SAID POINT MARKING THE INTERSECTION OF SAID RIGHT-OF-WAY LINE AND THE LINE DIVIDING PARCEL 2 AND PARCEL 3; THENCE ALONG SAID RIGHT-OF-WAY N82°58'25"E, A DISTANCE OF 21.18' TO A VOHT MONUMENT; THENCE S08°28'13"E, A DISTANCE OF 33.78' TO AN IRON ROD SET; THENCE S07°02'24"E, A DISTANCE OF 33.61' TO AN IRON ROD SET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE ALONG THE LINE DIVIDING PARCEL 1 AND PARCEL 2, S82°58'25"W, A DISTANCE OF 200.51' TO A PK NAIL SET; THENCE S07°01'35"E, A DISTANCE OF 78.12' TO A PK NAIL SET; THENCE S82°58'25"W, A DISTANCE OF 145.00' TO A POINT; THENCE N07°01'35"W, A DISTANCE OF 20.33' TO A POINT; THENCE S82°58'25"W, A DISTANCE OF 8.00' TO A POINT; THENCE N07°01'35"W, A DISTANCE OF 98.53' TO A PK NAIL SET; THENCE N82°58'25"E, A DISTANCE OF 54.00' TO A PK NAIL SET; THENCE N07°01'35"W, A DISTANCE OF 204.00' TO AN IRON ROD SET; THENCE N82°58'25"E, A DISTANCE OF 100.54' TO AN IRON ROD SET; THENCE ALONG THE LINE DIVIDING PARCEL 2 AND PARCEL 3, S07°01'35"E, A DISTANCE OF 184.19' TO A PK NAIL SET; THENCE N82°58'25"E, A DISTANCE OF 210.08' TO AN IRON ROD SET; THENCE N08°09'02"W, A DISTANCE OF 5.82' TO AN IRON ROD SET; THENCE N82°58'25"E, A DISTANCE OF 28.98' TO THE POINT OF BEGINNING.

CONTAINING 54,982 SQUARE FEET OR 1.261 ACRES MORE OR LESS.

SCHEDULE B - SECTION II EXCEPTIONS (TITLE COMMITMENT NO. C0035804A)

- 6. EASEMENT GRANTED CHESAPEAKE AND POTOMAC TELEPHONE COMPANY BY INSTRUMENT RECORDED IN DEED BOOK 90, PAGE 088. (AS LOCATED AND SHOWN ON SURVEY).
7. EASEMENT GRANTED VIRGINIA ELECTRIC AND POWER COMPANY BY INSTRUMENT RECORDED IN DEED BOOK 33, PAGE 228. (LOCATION UNDETERMINED-NOT PLOTTABLE-AFFECTS THE PROPERTY - PARCELS 1 AND 3 ONLY)
8. EASEMENT GRANTED VIRGINIA ELECTRIC AND POWER COMPANY BY INSTRUMENT RECORDED IN DEED BOOK 46, PAGE 170, WHICH CONTAINS A RESTRICTION THAT NO BUILDINGS BE PLACED IN THE RIGHT OF WAY, THAT AFFECTS PARCEL THREE. (NOT PLOTTED-AFFECTS PARCEL 1)
9. EASEMENT GRANTED VIRGINIA ELECTRIC AND POWER COMPANY BY INSTRUMENT RECORDED IN INSTRUMENT NO. 981184. (NOT PLOTTED-AFFECTS PARCELS 1 AND 3)
10. EASEMENT GRANTED VIRGINIA ELECTRIC AND POWER COMPANY BY INSTRUMENT RECORDED IN INSTRUMENT NO. 9812254 (NOT PLOTTED-AFFECTS PARCELS 1 AND 3)
11. EASEMENT GRANTED VIRGINIA ELECTRIC AND POWER COMPANY BY INSTRUMENT RECORDED IN INSTRUMENT NO. 981575. (NOT PLOTTED-AFFECTS PARCEL 1)
12. EASEMENT GRANTED VIRGINIA ELECTRIC AND POWER COMPANY BY INSTRUMENT RECORDED IN INSTRUMENT NO. 980018828. (AS LOCATED AND SHOWN ON SURVEY).
13. UNITED STATES RIGHT OF WAY FOR WATER LINE RECORDED IN DEED BOOK 34, PAGE 295. (NOT PLOTTED, AFFECTS PARCELS 1 AND 3, CONVEYED TO CITY OF NEWPORT NEWS, VIRGINIA BY D.B.36, PAGE 285)
14. COMMONWEALTH OF VIRGINIA HIGHWAY TAKE FOR RT. 60, RECORDED IN DEED BOOK 64, PAGE 211, CONFIRMED BY COURT ORDER RECORDED IN DEED BOOK 68, PAGE 455, CREATES A NEW VEPCO RIGHT OF WAY THAT AFFECTS PARCEL THREE. (AS LOCATED AND SHOWN ON SURVEY).
15. CITY OF WILLIAMSBURG STORM WATER RIGHT OF WAY RECORDED IN DEED BOOK 100, PAGE 224, AFFECTS PARCEL THREE. (NOT PLOTTED-AFFECTS PARCEL 1).
16. CITY OF WILLIAMSBURG STORM WATER RIGHT OF WAY RECORDED IN DEED BOOK 100, PAGE 214, AFFECTS PARCELS ONE AND TWO. (AS LOCATED AND SHOWN ON SURVEY-AFFECTS PARCEL 1).
17. SANITARY SEWER AGREEMENT AND RIGHT OF WAY BETWEEN RURAL, INC. AND T.R. VERMILLION RECORDED IN DEED BOOK 117, PAGE 408. (LOCATION UNDETERMINED-NOT PLOTTABLE-APPEARS TO AFFECT PARCELS 1 AND 4).
18. TWENTY (20) FOOT SEWER EASEMENT RECORDED IN DEED BOOK 146, PAGE 448 RECORDED IN JAMES CITY COUNTY. (NOT PLOTTED-AFFECTS PARCEL 1).
19. TWENTY (20) FOOT UTILITY EASEMENT GRANTED JAMES CITY SERVICE AUTHORITY, BY INSTRUMENT DATED DECEMBER 13, 2004, RECORDED AS INSTRUMENT NO. 042291. (AS LOCATED AND SHOWN ON SURVEY).
20. EASEMENT GRANTED GMPL, INC. BY INSTRUMENT DATED DECEMBER 13, 2004, RECORDED AS INSTRUMENT NO. 042290. (NOT PLOTTED-AFFECTS PARCEL 1).
21. TWENTY (20) FOOT UTILITY EASEMENT GRANTED CITY OF WILLIAMSBURG, VIRGINIA, BY INSTRUMENT DATED DECEMBER 31, 2004, AS INSTRUMENT NO. 042288. (AS LOCATED AND SHOWN ON SURVEY).
22. TERMS AND CONDITIONS CONTAINED IN DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS DATED DECEMBER 13, 2004, RECORDED AS INSTRUMENT NO. 042285. (AS LOCATED AND SHOWN ON SURVEY).
23. EASEMENT GRANTED VERIZON VIRGINIA INC. BY INSTRUMENT DATED MAY 18, 2005, AND RECORDED AS INSTRUMENT NO. 051143. (AS LOCATED AND SHOWN ON SURVEY).
24. EASEMENT GRANTED VIRGINIA ELECTRIC AND POWER COMPANY BY INSTRUMENT DATED DECEMBER 19, 2006, AND RECORDED AS INSTRUMENT NO. 080342. (AS LOCATED AND SHOWN ON SURVEY).

REFERENCES

BOUNDARY LINE AND UTILITY EASEMENT ADJUSTMENT PLAT BETWEEN PARCELS 1, 2, 3, AND 4 DATED MARCH 20, 2005, RECORDED FEBRUARY 28, 2006, AS DOCUMENT #080545.

SUBORDINATION AGREEMENT DATED NOVEMBER 11, 2005, RECORDED FEBRUARY 28, 2006, AS DOCUMENT #080546.

RIGHT-OF-WAY GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY BY RIGHT-OF-WAY AGREEMENT DATED SEPTEMBER 28, 1988, RECORDED OCTOBER 16, 1988, AS INSTRUMENT 880018828 (PLOTTED)

RIGHT-OF-WAY GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY BY DEED DATED DECEMBER 19, 2005, RECORDED FEBRUARY 8, 2006, AS INSTR. #080342 (PLOTTED)

EASEMENT GRANTED TO CHESAPEAKE AND POTOMAC TELEPHONE COMPANY BY DEED DATED DECEMBER 20, 1988, RECORDED FEBRUARY 1, 1990, AS DEED BOOK 90, PAGE 088 (PLOTTED)

SURVEY CERTIFICATION

THIS SURVEY IS MADE FOR THE BENEFIT OF: LANDAMERICA NATIONAL COMMERCIAL SERVICES (TITLE COMPANY); BY WILLIAMSBURG, LLC, MAPLE & MAIN REDEVELOPMENT, LLC, CARABBA'S/VIRGINIA, LIMITED PARTNERSHIP (BUYERS); AND BANK OF ALBUQUERQUE (LENDER); THEIR SUCCESSORS AND ASSIGNS.

I, ROBERT D. MANN, A REGISTERED LAND SURVEYOR IN THE STATE OF VIRGINIA, DO HEREBY CERTIFY TO THE AFORESAID PARTIES, THEIR SUCCESSORS AND ASSIGNS, AS OF THE DATE SET FORTH ABOVE, THAT I HAVE MADE A CAREFUL SURVEY OF A TRACT OF LAND (THE "PREMISES") DESCRIBED AS FOLLOWS:

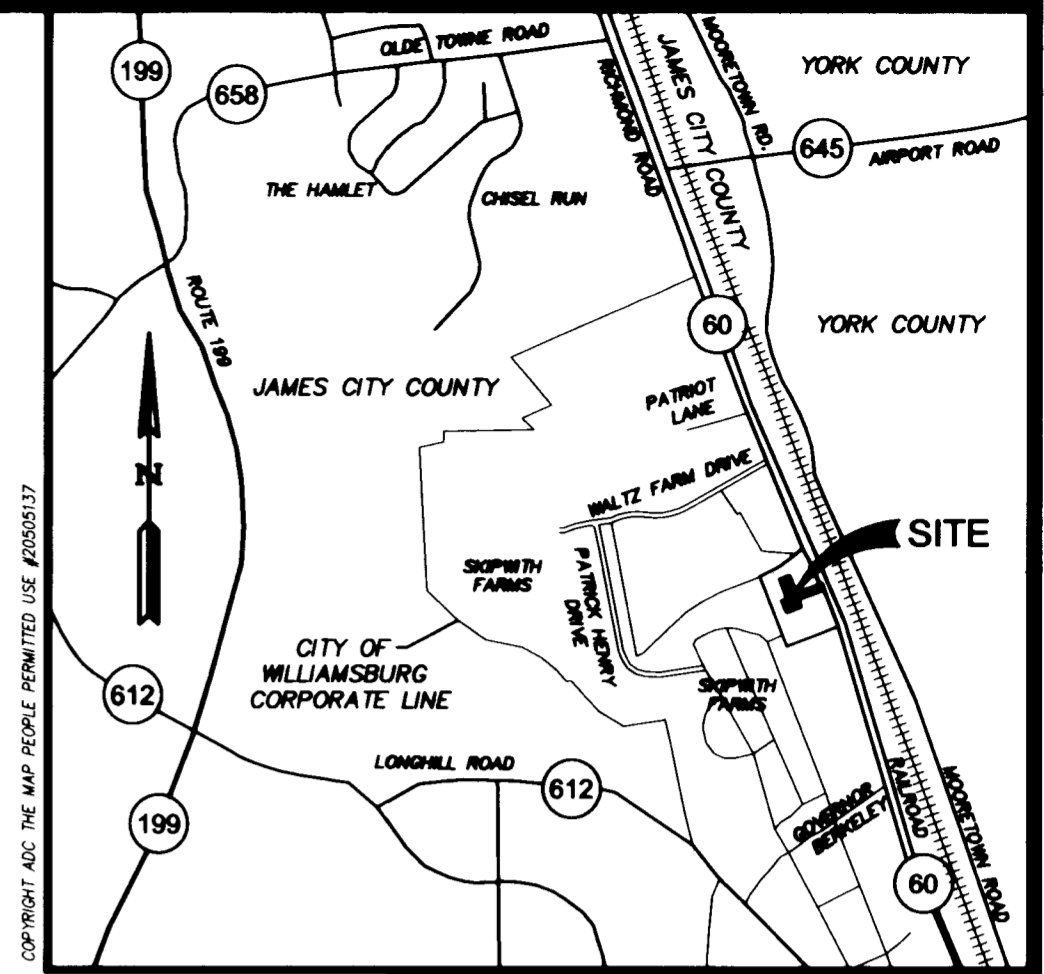
PARCEL 1 AS SHOWN ON THAT CERTAIN PLAT TITLED PLAT SHOWING BOUNDARY LINE ADJUSTMENT BETWEEN PARCELS 1, 2 AND 3 OWNED BY MAPLE & MAIN REDEVELOPMENT, LLC AND UTILITY EASEMENT ADJUSTMENTS BETWEEN PARCELS 1, 2, 3 AND 4

- 1. THE SURVEY REFLECTED BY THIS PLAT WAS ACTUALLY MADE UPON THE GROUND, THAT THE ATTACHED PLAT OF SURVEY IS MADE AT LEAST IN ACCORDANCE WITH THE MINIMUM STANDARDS ESTABLISHED BY THE STATE OF VIRGINIA FOR SURVEYORS AND WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 2005, THAT, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND HSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF VIRGINIA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN AND CONTAINS ITEMS 1, 2, 3, 4, 6, 7(A), 7(B)(1) AND 7(C), 8, 9, 10, AND 11(A) OF TABLE A THERETO.
2. THE SURVEY CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE PREMISES.
3. EXCEPT AS SHOWN, THERE ARE NO VISIBLE EASEMENTS OR RIGHTS OF WAY ACROSS SAID PREMISES; THAT THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN LAWYERS TITLE INSURANCE CORPORATION TITLE COMMITMENT NO. C0035804A AN EFFECTIVE DATE OF MAY 31, 2008 AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT, AND EASEMENTS OF WHICH THE UNDERSIGNED HAS BEEN ADVISED OR HAS KNOWLEDGE, HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY;
4. EXCEPT AS SHOWN, THERE ARE NO ENCROACHMENTS ONTO ADJOINING PREMISES, STREETS OR ALLEYS BY ANY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS LOCATED ON THE PREMISES, AND NO ENCROACHMENTS ONTO SAID PREMISES BY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PREMISES;
5. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" (AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN) BY THE FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION, ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL #10284-0005 B, DATED MARCH 2, 1984 FOR THE CITY OF WILLIAMSBURG, VIRGINIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED;
6. THE PROPERTY HAS DIRECT PHYSICAL ACCESS TO RICHMOND ROAD, U.S. ROUTE 60, A DEDICATED PUBLIC STREET;
7. THE NUMBER OF STRIPED PARKING SPACES LOCATED ON THE SUBJECT PROPERTY IS 244, AND TO THE EXTENT POSSIBLE, ARE GRAPHICALLY SHOWN HEREON.
8. ALL SET BACK, SIDE YARD AND REAR YARD LINES AND REQUIREMENTS SHOWN OR SET FORTH ON RECORDED PLATS AND DOCUMENTS AS REFERENCED IN THE TITLE REPORT AND OR OTHERWISE KNOWN TO THE SURVEYOR, AND THOSE SET FORTH IN APPLICABLE ZONING ORDINANCES, ARE NOTED HEREON IN TABULAR FORM.

Signature of Robert D. Mann, dated 5/11/08, REG. LAND SURVEYOR NO. 002509

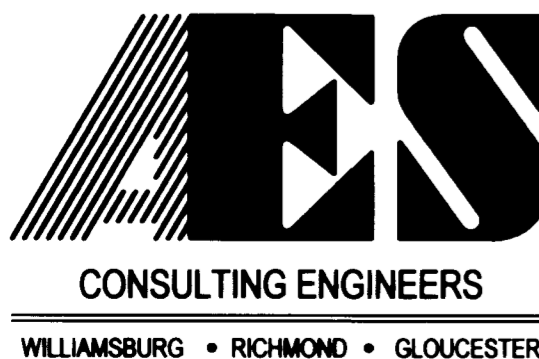
LEGEND

- WV Water Valve
FH Fire Hydrant
W/L Waterline
S Sanitary Manhole
C.O.O Sewer Clean Out
TEL PED Telephone Pedestal
G Gas Meter
LP Light Pole
E Electrical Hookup
T Transformer
SM Storm Manhole
SDI Storm Drop Inlet
S Sign
B Building
CC Concrete
VDHT Mon Virginia Department of Highways Monument
CMF Concrete Monument Found
IRF Iron Rod Found
IRS Iron Rod Set
PKNS PK Nail Set
R-OW Right-of-Way Line
P Property Line
B-S Building Setback
B-A Buildable Areas Limit



GENERAL NOTES

- 1. PROPERTY IS ALL OF TAX MAP PARCEL # 312-00-002
2. SITE ADDRESS: 2500 RICHMOND ROAD
3. THIS PROPERTY LIES WITHIN ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAN) AS SHOWN ON COMMUNITY PANEL #10284-0005 B, DATED 3/2/84 OF THE FLOOD INSURANCE RATE MAPS FOR THE CITY OF WILLIAMSBURG, VIRGINIA.
4. THIS PROPERTY IS ZONED B-2, TOURIST BUSINESS DISTRICT (SEC. 21-322(14) OF THE CITY OF WILLIAMSBURG, VIRGINIA ZONING ORDINANCE.
5. ZONING ORDINANCE RESTRICTIONS: (BASED UPON CITY OF WILLIAMSBURG, VIRGINIA ZONING ORDINANCE, DIVISION 9)
BUILDING SETBACK REQUIREMENTS: (SEC. 21-327 (1-3))
FRONT - 35' MIN.
SIDE - 15' MIN. (NO SIDE YARD SETBACK IS REQUIRED (HOWEVER, IF BUILDINGS ARE NOT BUILT ON THE PROPERTY LINE THEN A 15' SIDE SETBACK IS REQUIRED))
REAR - 15' MIN.
LANDSCAPE SETBACK REQUIREMENTS: (SEC. 21-704)
MAXIMUM BUILDING HEIGHT: 45' (SEC. 21-328 (1))
MINIMUM NUMBER OF PARKING SPACES REQUIRED: (SEC. 21-707)
52 SPACES ON SITE (REFER TO DOCUMENT #042285 FOR COVENANTS AND RESTRICTIONS).
6. PROPERTY USE IS PERMITTED UNDER SEC. 21-322 (14) OF THE WILLIAMSBURG ZONING ORDINANCE.
7. PROPERTY HAS DIRECT ACCESS TO RICHMOND ROAD, U.S. ROUTE 60, A DEDICATED PUBLIC STREET.
8. NO BUILDINGS EXIST ON THIS PROPERTY, EXCEPT FOR ENCROACHMENTS AS SHOWN HEREON.
9. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN ON THIS SURVEY ARE BASED ON FIELD SURVEY INFORMATION OF ABOVE GROUND FEATURES AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
10. HORIZONTAL DATUM: CITY OF WILLIAMSBURG GEODETIC CONTROL NETWORK VA. STATE PLANE COORDINATE SYSTEM - SOUTH ZONE NAD83 (1984 VA HARN)



ALTA / ACSM LAND TITLE SURVEY
PARCEL 2
OWNED BY MAPLE & MAIN REDEVELOPMENT, LLC
CITY OF WILLIAMSBURG, VIRGINIA

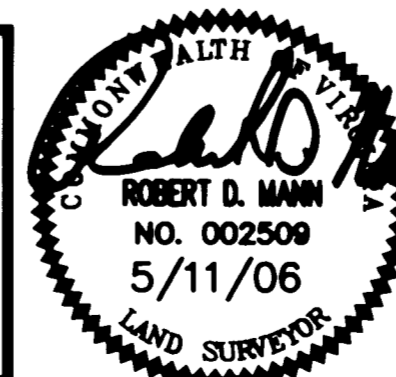


Table with columns for No., DATE, REVISION / COMMENT / NOTE, REVIEWED BY, and REVISION BY. Includes recording information for the plat.

Table with columns for Designed (AES), Drawn (AWT/EAW), Scale (1"=30'), Date (12/19/05), Project No. (9414-08), and Drawing No. (1).

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