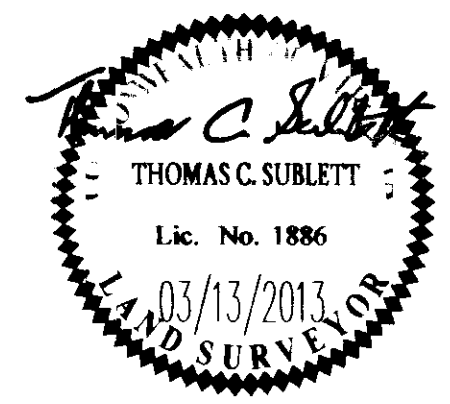


130908

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY TO FIDELITY NATIONAL TITLE INSURANCE COMPANY, VIRGINIA LANDMARK HOTELS LLC AND THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA, ITS AFFILIATES, SUCCESSORS AND/OR ASSIGNS, AS THEIR INTERESTS MAY APPEAR, THIS 13TH DAY OF MARCH 2013, THAT THE SURVEY PREPARED BY ME ENTITLED "ALTA/ACSM LAND TITLE SURVEY 415 RICHMOND ROAD PROPERTY OF VIRGINIA LANDMARK HOTELS, LLC CONTAINING A TOTAL OF 3.658 ACRES± DATED MARCH 13, 2012 (THE "SURVEY") WAS ACTUALLY MADE UPON THE GROUND AND THAT IT AND THE INFORMATION, COURSES AND DISTANCES SHOWN THEREON ARE CORRECT; THAT THE TITLE LINES SHOWN ON THE SURVEY ARE THE LINES OF ACTUAL POSSESSION ARE THE SAME; THAT THE SIZE, LOCATION AND TYPE OF BUILDINGS AND IMPROVEMENTS ARE AS SHOWN ON THE SURVEY AND ALL ARE WITHIN THE BOUNDARY LINES AND APPLICABLE SET-BACK LINES OF THE PROPERTY (ZONING AND SETBACK REQUIREMENTS AT TIME OF HOTEL CONSTRUCTION ARE UNKNOWN); THAT THERE ARE NO EASEMENTS OR USES AFFECTING THIS PROPERTY APPEARING FROM A CAREFUL PHYSICAL INSPECTION OF THE SAME, OTHER THAN THOSE SHOWN AND DEPICTED OR REFERENCED ON THE SURVEY; THAT THERE ARE NO ENCROACHMENTS AFFECTING THIS PROPERTY EXCEPT AS SPECIFICALLY SHOWN ON THE SURVEY; THAT ALL UTILITY SERVICES REQUIRED FOR THE OPERATION OF THE PREMISES EITHER ENTER THE PREMISES THROUGH ADJOINING PUBLIC STREETS OR PURSUANT TO RECORDED PERMANENT EASEMENTS THEREOF AS TO SUCH UTILITY LINES WHICH PASS THROUGH OR ARE LOCATED ON ADJACENT PRIVATE LAND, WHICH EASEMENTS ARE DEPICTED ON THE SURVEY; THAT THE SURVEY SHOWS THE LOCATION OF ALL STORM DRAINAGE SYSTEMS FOR THE COLLECTION AND DISPOSAL OF ALL ROOF AND SURFACE DRAINAGE; THAT ANY DISCHARGE INTO STREAMS, RIVERS OR OTHER CONVEYANCE SYSTEM IS SHOWN ON THE SURVEY; AND THAT NONE OF THE PROPERTY LIES WITHIN THE SPECIAL FLOOD HAZARD AREAS, IN ACCORDANCE WITH ANY MAPS ENTITLED: "FLOOD INSURANCE RATE MAP," "FLOOD HAZARD FLOODWAY BOUNDARY MAP," "FLOOD HAZARD BOUNDARY MAP," OR "FLOOD BOUNDARY AND FLOODWAY MAP" OR ANY SIMILAR MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR A FLOOD HAZARD BOUNDARY MAP PUBLISHED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNLESS OTHERWISE NOTED. I FURTHER CERTIFY THAT, AS OF THE DATE HEREOF, THIS SURVEY CORRECTLY SHOWS, ON THE BASIS OF A FIELD TRANSIT SURVEY AND IN ACCORDANCE WITH CURRENT "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2011 (OR THEREAFTER AS APPLICABLE) AND INCLUDES ITEMS 2-4, 6(b), 7(a), 7(b)(1), 8, 9, 11(a), 13, 14, AND 20(a) OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS 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. THE PRINT OF SURVEY REFLECTS BOUNDARY LINES OF THE DESCRIBED LAND WHICH "CLOSE" BY ENGINEERING CALCULATIONS, THE PROPERTY HAS DIRECT ACCESS TO AND FROM THE FOLLOWING DEDICATED AND ACCEPTED PUBLIC RIGHT(S)-OF-WAY, KNOWN AS RICHMOND ROAD, SCOTLAND STREET AND VIRGINIA AVENUE.

*Thomas C. Sublett*  
SURVEYOR: THOMAS C. SUBLETT. (L.S. 1886)



**PROPERTY DESCRIPTION**

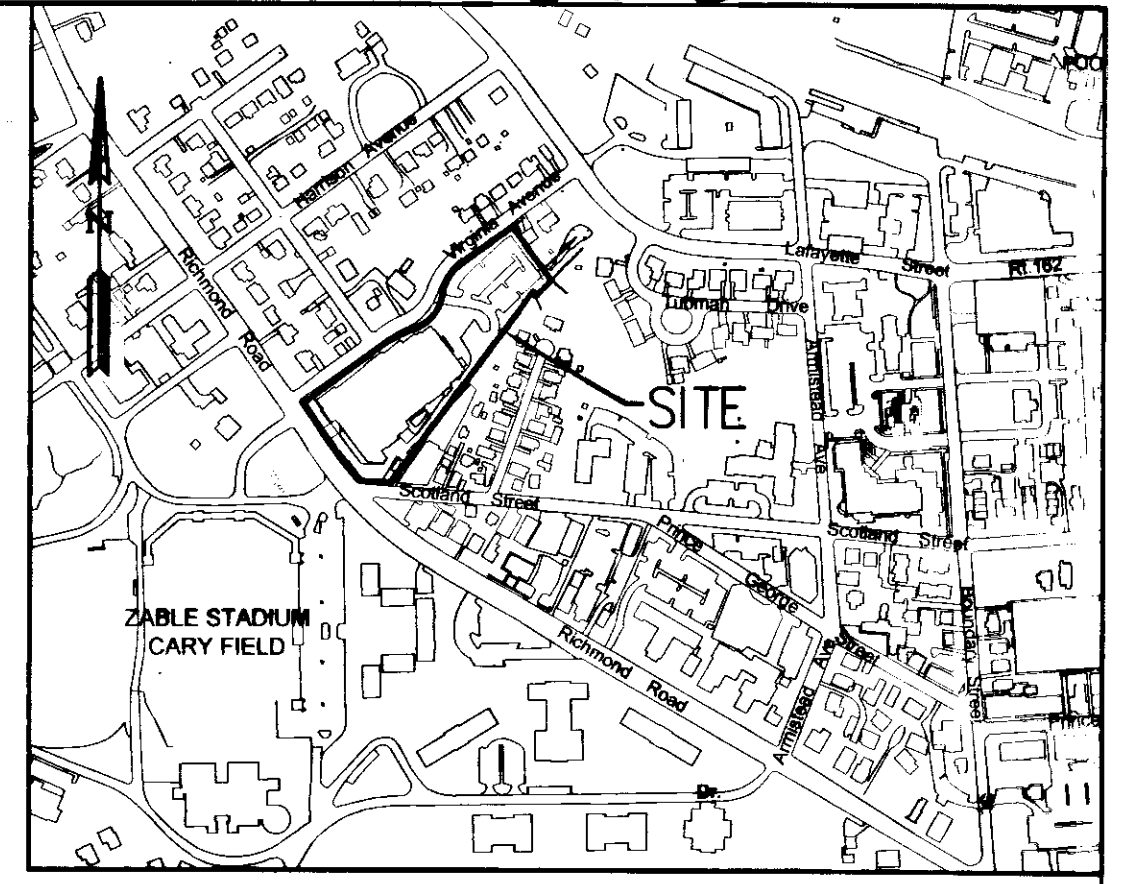
ALL THOSE CERTAIN LOTS, PIECES, OR PARCELS OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON, SITUATE, LYING AND BEING IN THE CITY OF WILLIAMSBURG, VIRGINIA AND AS SHOWN HEREON.

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF VIRGINIA AVENUE, SAID POINT BEING 730± EASTERLY OF THE INTERSECTION OF U.S. ROUTE 60, RICHMOND ROAD, AND VIRGINIA AVENUE; THENCE S36°28'49"E, A DISTANCE OF 173.44' TO AN IRON ROD SET; THENCE S43°26'05"W, A DISTANCE OF 59.32' TO AN IRON ROD SET; THENCE N25°13'53"W, A DISTANCE OF 15.52' TO AN IRON ROD SET; THENCE S36°37'11"W, A DISTANCE OF 822.19' TO A NAIL SET, SAID NAIL BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SCOTLAND STREET; THENCE ALONG THE RIGHT-OF-WAY LINE OF SAID SCOTLAND STREET, N86°05'24"W, 84.35' TO A DRILL HOLE SET, SAID DRILL HOLE BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 60, RICHMOND ROAD; THENCE ALONG THE RIGHT-OF-WAY LINE OF SAID U.S. ROUTE 60, RICHMOND ROAD N36°47'26"W, A DISTANCE OF 96.01' TO A NAIL SET; THENCE N34°47'24"W, A DISTANCE OF 50.63' TO A NAIL SET; THENCE N33°57'36"W, A DISTANCE OF 100.00' TO A DRILL HOLE SET, SAID DRILL HOLE BEING AT THE RIGHT-OF-WAY INTERSECTION OF U.S. ROUTE 60, RICHMOND ROAD, AND VIRGINIA AVENUE; THENCE ALONG THE RIGHT-OF-WAY LINE OF SAID VIRGINIA AVENUE N53°36'09"E, A DISTANCE OF 259.29' TO AN IRON PIPE FOUND; THENCE ALONG THE RIGHT-OF-WAY OF VIRGINIA AVENUE ON A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 410.00', A DELTA ANGLE OF 14°10'42", A LENGTH OF 101.46', A CHORD DISTANCE OF 101.20' AND A CHORD BEARING OF N63°57'46"E TO AN IRON ROD SET; THENCE ALONG THE RIGHT-OF-WAY OF VIRGINIA AVENUE ON A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 115.00', A DELTA ANGLE OF 52°44'28", A LENGTH OF 105.86', A CHORD DISTANCE OF 102.16' AND A CHORD BEARING OF N36°23'07"E TO A NAIL SET; THENCE N08°31'11"E, A DISTANCE OF 24.71' TO AN IRON ROD SET; THENCE ALONG THE RIGHT-OF-WAY OF VIRGINIA AVENUE ON A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 180.50', A DELTA ANGLE OF 16°22'52", A LENGTH OF 51.61', A CHORD DISTANCE OF 51.43' AND A CHORD BEARING OF N31°18'03"E TO AN IRON ROD SET; THENCE N53°31'11"E, A DISTANCE OF 188.05' TO A POINT BEING THE POINT OF BEGINNING CONTAINING 159,338 SQUARE FEET OR 3.658 ACRES, MORE OR LESS.

THESE BEING THE SAME PROPERTIES CONVEYED TO VIRGINIA LANDMARK HOTELS LLC BY DEED FROM A. WILLIAMSBURG, INC., DATED OCTOBER 27, 2006 AND RECORDED AS INSTRUMENT NO. 063863 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF WILLIAMSBURG, VIRGINIA.

FIDELITY NATIONAL TITLE INSURANCE COMPANY  
SCHEDULE B - SECTION II EXCEPTIONS  
COMMITMENT NO. SP13-161  
EFFECTIVE DATE: FEBRUARY 20, 2013

- 6. EASEMENT GRANTED TO THE CHESAPEAKE AND POTOMAC TELEPHONE COMPANY OF VIRGINIA BY DEED DATED JUNE 2, 1914 IN DEED BOOK 33, PAGE 426 NOT OBSERVABLE, LOCATION UNKNOWN.
- 7. THE LOT DESCRIBED IN DEED BOOK 19, PAGE 129 IS NOT ADJACENT TO OR A PART OF THE SUBJECT PROPERTY. HOWEVER, SOME RESTRICTIONS AND/OR COVENANTS CITED IN SAID DEED AND INCORPORATED BY DEEDS RECORDED IN DEED BOOK 22, PAGE 258; DEED BOOK 22, PAGE 499; DEED BOOK 26, PAGE 56; DEED BOOK 20, PAGE 183; DEED BOOK 25, PAGE 519 MAY APPLY, BUT ARE NOT PLOTTABLE.
- 8. EASEMENT GRANTED TO THE VIRGINIA ELECTRIC AND POWER CO. BY DEED DATED FEBRUARY 23, 1940 IN DEED BOOK 18, PAGE 268 FOR POLE LINE. POLE LINE NOW ABANDONED AND REMOVED.
- 9. EASEMENT GRANTED TO THE VIRGINIA ELECTRIC AND POWER CO. BY DEED DATED JUNE 19, 1972 IN DEED BOOK 48, PAGE 769 FOR 10' RIGHT-OF-WAY EASEMENT-NOTED ON SURVEY.
- 10. EASEMENT GRANTED TO THE CITY OF WILLIAMSBURG BY DEED DATED DECEMBER 15, 1982 IN DEED BOOK 63, PAGE 414 FOR 10' DRAINAGE EASEMENT-SHOWN AND NOTED ON SURVEY.
- 11. EASEMENT GRANTED TO THE VIRGINIA ELECTRIC AND POWER CO. BY DEED DATED FEBRUARY 13, 1984 IN DEED BOOK 66, PAGE 591 FOR 10' RIGHT-OF-WAY EASEMENT-NOTED ON SURVEY.
- 12. EASEMENT AGREEMENT WITH THE CITY OF WILLIAMSBURG, VIRGINIA BY INSTRUMENT DATED MAY 27, 2004, RECORDED AS INSTRUMENT NO. 040998. EASEMENT NOTED ON SURVEY.
- 13. EASEMENTS GRANTED TO THE CITY OF WILLIAMSBURG BY INSTRUMENT DATED AUGUST 14, 2006 RECORDED SEPTEMBER 6, 2006 AS INSTRUMENT NO. 063546-SHOWN AND NOTED ON SURVEY.



VICINITY MAP 1" = 500'

**GENERAL NOTES**

PROPERTY IS ALL OF TAX MAP PARCELS 464-(0A)-00-003; 464-(03)-00023; 465-(01)-00-024, 24A, 25, 25A, 26, 27, 28; 465-(02)-00-009C; 465-(0A)-00-001.

PROPERTY ADDRESS: 415 RICHMOND ROAD.

PROPERTY IS CURRENTLY ZONED "B-1".

ZONING AND SETBACK REQUIREMENTS AT TIME OF HOTEL CONSTRUCTION ARE UNKNOWN.

TOTAL AREA: 3.658 ACRES±

PARKING:  
EXTERIOR PARKING- 4 BUS SPACES  
59 REGULAR SPACES

UNDERGROUND PARKING- 243 REGULAR SPACES  
10 HANDICAPPED SPACES

THIS PROPERTY LIES WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL CHANCE FLOOD PLAIN) PER F.I.R.M. MAP #51095C0140C, DATED SEPTEMBER 28, 2007.

BOUNDARY IS BASED UPON PLAT BY LYNN D. EVANS, C.L.S., DATED NOVEMBER 15, 1983 AND ENTITLED "COMPOSITE PLAT OF PROPERTY OF AMERICAN REALTY TRUST" AND ALSO FROM RECORD AND OTHER AVAILABLE INFORMATION. ONLY PERIMETER BOUNDARY IS SHOWN HEREON, NO SEPARATE PARCELS OR INTERIOR LOT LINES HAVE BEEN SHOWN OR DESIGNATED. BUILDING SETBACKS AS NOTED IN RESTRICTIONS RECORDED BY DEED DATED DECEMBER 2, 1941 IN DEED BOOK 19, PAGE 129, HAVE NOT BEEN SHOWN OR DETERMINED BY THIS SURVEYOR.

2 Large/Small Plat(s) Recorded  
herewith as # 130908

STATE OF VIRGINIA  
CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY CIRCUIT COURT. THIS 31<sup>ST</sup> DAY OF March, 2013.  
THE PLAT SHOWN HEREON WAS PRESENTED AND ADMITTED TO THE RECORD AS THE LAW DIRECTS. @ 4:06 AM/PM.

INSTRUMENT # 130908  
TESTE: *Betsy B. Woolridge, Clerk*  
BETSY B. WOOLRIDGE, CLERK  
By *Claudia H. Brinkley, Dep. Clerk*

| Rev | Date | Description | Revised By |
|-----|------|-------------|------------|
|     |      |             |            |
|     |      |             |            |
|     |      |             |            |
|     |      |             |            |
|     |      |             |            |
|     |      |             |            |
|     |      |             |            |
|     |      |             |            |
|     |      |             |            |

**WES**  
CONSULTING ENGINEERS  
5248 Olde Towne Road, Suite 1  
Williamsburg, Virginia 23188  
Phone: (757) 253-0040  
Fax: (757) 220-8994  
www.wesva.com  
Hampton Roads | Central Virginia | Middle Peninsula

ALTA/ACSM LAND TITLE SURVEY  
415 RICHMOND ROAD  
OWNED BY VIRGINIA LANDMARK HOTELS, LLC  
CONTAINING A TOTAL OF 3.658 ACRES±  
CITY OF WILLIAMSBURG VIRGINIA

Project Contacts: TCS/JFS  
Project Number: 5122-06  
Scale: 1"=40'  
Date: 3/13/13  
Sheet Number  
**1 OF 2**