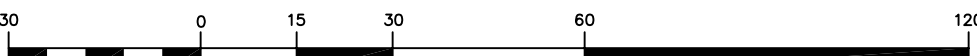


VICINITY MAP  
NOT TO SCALE

PROJECT DATUM BASED ON NAD83 DERIVED THROUGH GPS LOCATION

SITE BENCHMARK: LANDSCAPE NAIL SET IN A UTILITY POLE AT THE  
NORTHEAST PROPERTY CORNER.  
ELEV: 615.94

GRAPHIC SCALE



( IN FEET )  
1 inch = 30 ft.

LINE TABLE		
LINE	LENGTH	BEARING
L1	2.18	N34°42'10"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	TANGENT	CHD. BRG.	CHORD
C1	77.76	50.00	49.23	89°06'40"	70.16
C2	207.06	1933.73	103.63	59°10'00"	206.96
C3	20.66	408.57	10.33	2°53'51"	20.66
C4	43.72	408.57	21.88	6°07'51"	43.70

#### DESCRIPTION (PARCEL 359)

Being a tract of land in the western portion of Davidson County, lying in the 22nd Council District of Nashville, Tennessee. Tract being known as Lot 8 of the Final Plat of the Re-subdivision of Lot 7 Galleries at Bellevue as recorded in Plat Instrument #20010306-0021171 Registers Office Davidson County (RODC), Tract bounded on the northeast by JRN, Inc. as recorded in Instrument #20031015-0153055 RODC, also on the northeast by Byrd, Mann, McAffee, Neal, Watson etal as recorded in Instrument #200103200026647 RODC, on the southeast by TRU 2005 REI, LLC as recorded in Instrument #200601060002462 RODC, on the southwest by Draper, Lloyd, Tr. For COI Trust as recorded in Book 9519, Page 782 RODC, and on the northwest by Right-of-Way (R/W) of Coley-Davis Road (R/W varies). Tract being described as follows:

POINT OF BEGINNING being a found iron rod with a Cherry Land Surveying cap at the northeast corner of the tract being described, said point lying on the southerly R/W margin of Coley-Davis Road; thence leaving said R/W South 41°06'28" East 195.58 feet to a found iron rod with a Cherry Cap; thence South 41°06'41" East 131.01 feet to a set point; thence South 48°46'57" West 94.27 feet to a found PK nail; thence North 41°13'03" West 77.00 feet to a found PK nail; thence North 48°46'57" East 51.00 feet to a set point; thence North 41°06'41" West 244.79 feet to a set point in the southerly R/W margin of Coley-Davis Road; thence with said R/W margin and with a curve to the left having a radius of 408.57 feet, an arc length of 43.72 feet, a central angle of 6°07'51", a chord bearing and distance of North 42°28'16" East 43.70 feet to the point of beginning.

Containing 17,979 square feet or 0.41 acres.

Bearings based on Instrument#200310150153055 RODC.

#### KEY LEGEND

PARCEL NO.	(00)
IRON ROD (OLD)	IR(O)
P K NAIL (OLD)	PK(O)
IRON ROD (NEW)	IR(N)
PROPERTY LINE	
BORDHOLE	
FIRE HYDRANT	
WATER METER	
WATER VALVE	
ELECTRIC RISER	
TRAFFIC SIGNAL POLE	
SANITARY SEWER MANHOLE	
UTILITY POLE	
QUY WIRE	
LIGHT STANDARD	
SINGLE CURB INLET	
DOUBLE CURB INLET	
AREA DRAIN	
SIGN	
OVERHEAD POWER LINE	
SANITARY SEWER LINE	
STORM SEWER LINE	
WATER LINE	
GAS LINE	
CONTOUR LINE	

PARKING SUMMARY  
STRIPING FOR 6 SPACES WERE ABLE TO BE DETERMINED AS EXISTING

#### GENERAL NOTES

- 1) PARCEL NUMBERS SHOWN THUS (00) REFER TO DAVIDSON COUNTY TAX MAP 142.
- 2) ALL DEED & PLAT REFERENCES ARE MADE TO REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, UNLESS OTHERWISE NOTED.
- 3) NO PORTION OF THE PROPERTY SHOWN LIES WITHIN THE 100 YEAR FLOOD PLANE AND IS DETERMINED TO BE IN ZONE "X" AS PER FIRM PANEL NUMBER 47037C0304 F, DATED: APRIL 20, 2001.
- 4) UTILITIES SHOWN WERE TAKEN FROM FIELD LOCATIONS THAT WERE APPARENT AND COPIED FROM APPROPRIATE GOVERNING AGENCIES. MAPS ARE APPROXIMATE AT BEST. THERE MAY BE UTILITIES, THE EXISTENCE OF WHICH ARE UNKNOWN TO THE SURVEYOR.
- 5) PRIOR TO CONSTRUCTION, EXCAVATION OR ANY DISTURBANCE OF THE EXISTING GROUND ELEVATION, THE OWNER AND/ OR CONTRACTOR SHOULD ASSUME RESPONSIBILITY OF CONTACTING THE LOCAL UTILITY AUTHORITIES FOR EXACT LOCATION OF UNDERGROUND GAS LINES, TELEPHONE AND ELECTRIC CABLES AND WATER LINES ETC., TO AVOID ANY HAZARD OR CONFLICT. IN TENNESSEE, IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENT ACT", THAT ANYONE WHO ENGAGES IN EXACTION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) NOR MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. TENNESSEE ONE CALL 1-800-351-1111.
- 6) SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THE ORIGINAL PURCHASER AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITIES WITHOUT AN EXPRESSED RE-CERTIFICATION BY THE SURVEYOR WHOSE SIGNATURE APPEARS UPON THIS SURVEY.
- 7) UNDERGROUND FUEL STORAGE TANKS REMOVED ON OR ABOUT 9/24/2002 AS PER TN. DEPT. OF UNDERGROUND STORAGE TANKS.
- 8) PARCEL 359 IS A PORTION OF THE P.U.D. ENACTED BY ORDINANCE NO. 79-57.
- 9) NO DETERMINATION HAS BEEN MADE TO THE EXISTENCE OF ANY WETLANDS.
- 10) THE CERTIFICATION AS PROVIDED ON THIS SURVEY, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTATION ABLE TO BE FOUND AT THE TIME OF THIS SURVEY.
- 11) THIS DRAWING WAS PREPARED IN ACCORDANCE WITH OUR FIELD SURVEY NOTES AND SHOWS IMPROVEMENTS AS THEY EXIST AT THE TIME OF THIS SURVEY TO THE BEST OF OUR KNOWLEDGE, BUT DOES NOT GUARANTEE TO BE CORRECT IN EACH AND EVERY DETAIL.

#### AREA SUMMARY

PARCEL 143: 57,998 SQUARE FEET OR 1.33 ACRES  
PARCEL 359: 17,979 SQUARE FEET OR 0.41 ACRES  
TOTAL: 75,977 SQUARE FEET OR 1.74 ACRES

#### MINIMUM SETBACKS

MIN. FRONT SETBACK: (UG COLLECTOR) 69' FROM CL  
MIN. SIDE SETBACK: NONE REQUIRED  
MIN. REAR SETBACK: 20'  
MAX. HEIGHT AT SETBACK: 30'  
SLOPE OF HEIGHT CONTROL PLANE: 1.5 TO 1

#### DESCRIPTION (PARCEL 143)

Being a tract of land in the western portion of Davidson County, lying in the 22nd Council District of Nashville, Tennessee. Bounded on the northeast by Right-of-Way (R/W) of US Highway 70 South also known as Bristol Memphis Highway and State Route 1 (R/W varies), on the southeast by Byrd, Mann, McAffee, Neal, Watson etal as recorded in Instrument #200103200026647 Registers Office Davidson County (RODC), on the southwest by Hickory 1, LLC as recorded in Instrument #20030102-0000641 RODC, on the northwest by R/W of Coley-Davis Road (R/W varies). Tract being described as follows:

POINT OF BEGINNING being a found iron rod with a Cherry Land Surveying Cap, said point lying on the southerly R/W margin of US Hwy. 70 South, said point being North 48°46'57" East 12.75 feet from the northeast corner of Lot 7 of the Final Plat of the Re-subdivision of Lot 7 Galleries at Bellevue as recorded in Plat Instrument #20010306-0021171 RODC; thence leaving said R/W margin and running with said common line of Lot 7 South 48°46'57" West 303.66 feet to a found iron rod with a Cherry Land Surveying cap, passing a found 3/8" iron rod at 12.72 feet; thence North 41°06'28" West 195.58 feet to a found iron rod with a Cherry Surveying cap on the southerly R/W margin of Coley-Davis Road; thence with said R/W margin and a curve to the left having a radius of 408.57 feet, an arc length of 20.66 feet, a central angle of 2°53'51", a chord bearing and distance of North 37°49'08" East 20.66 feet to a found iron rod; thence continuing with said R/W margin North 36°30'16" East 161.50 feet to a found iron rod; thence with a curve to the right merging into the southerly R/W margin of US Hwy. 70 South having a radius of 50.00 feet, an arc length of 77.76 feet, a central angle of 89°06'40", a chord bearing and distance of North 81°05'13" East 70.16 feet to a found PK nail; thence North 34°42'10" East 2.18 feet to a found Drill Hole; thence with a curve to the left having a radius of 1933.73 feet, an arc length of 207.06 feet, a central angle of 6°08'06", a chord bearing and distance of South 59°10'00" East 206.96 feet to the point of beginning.

Containing 57,998 square feet or 1.33 acres.

Bearings based on Instrument #200310150153055 RODC.

#### SURVEYORS COMMENTS

COMMITMENT FOR TITLE INSURANCE ISSUED BY:  
STEWART TITLE GUARANTY COMPANY

COMMITMENT NUMBER: 85552B (REVISED 3)  
COMMITMENT DATE: MARCH 8, 2007 AT 08:00 AM  
SCHEDULE B, SECTION II EXCEPTIONS

#### ITEM #

8. INST. 20031015-0153056 AFFECTS PROPERTY, EXACT LOCATION UNABLE TO BE PLOTTED
9. INST. 20031015-0153055 AFFECTS PROPERTY
10. BK. 8323, PG. 183 AFFECTS PARCEL 359  
BK. 8394, PG. 993 AFFECTS PARCEL 359  
BK. 9214, PG. 962 AFFECTS PARCEL 359  
BK. 9720, PG. 53 AFFECTS PARCEL 359  
BK. 8395, PAGE 6 AFFECTS PARCEL 359
11. BK. 9214, PG. 985 AFFECTS PARCEL 359
12. BK. 8395, PAGE 6 AFFECTS PARCEL 359
13. BK. 8399, PG. 90 AFFECTS PARCEL 359
14. P.B. 7900, PG. 272 AFFECTS PROPERTY AS SHOWN  
INST. 20010306-0021171 AFFECTS PROPERTY AS SHOWN  
P.B. 7900, PG. 534 AFFECTS PROPERTY AS SHOWN

#### SURVEYORS CERTIFICATE

The undersigned, Registered Land Surveyor (the "Surveyor") hereby certifies to RTM Operating Company, Stewart Title Guaranty Company, Regions Bank, Coconuts, LLC and Arby's Restaurant Group that:

1. This plan of survey and the property description set forth hereon are true and correct and prepared from an actual on-the-ground survey of the real property shown hereon (the "Project");
2. Such survey was conducted by the Surveyor, or under his supervision;
3. All monuments shown hereon actually exist, and the location, size, and type of material thereof are correctly shown;
4. All parcels shown hereon are contiguous with each other and no gaps or gores exist between or among such parcels;
5. Except as shown hereon, there are no visible encroachments onto the project or protrusions therefrom (including, without limitation, encroachments by improvements appurtenant to the Project), there are no improvements on the Project, there are no visible easements or rights-of-way on the Project, and there are no visible discrepancies, conflicts, shortages in area, or boundary line conflicts;
6. Except as shown hereon, there are no poles, lines, wires, electrical power, telephone lines, or other utilities on the Project, and all utility services required for the operation of the Project (including sanitary sewer, storm sewer, telephone, gas, electric, and water), enter the Project by way of adjoining public streets, or this survey shows the point of entry of any utilities which pass through or are located on adjoining private land;
7. The size, location, and type of all buildings, structures, and other improvements are as shown hereon and all are located on the Project in conformity with all applicable zoning laws regulating the use of the Project, applicable laws containing minimum setback provisions, and covenants and restrictions of record;
8. Adequate ingress and egress to and from the Project is provided by the following streets and dedicated public rights-of-way maintained by the City of Nashville, Tennessee and the State of Tennessee, Bristol Memphis Highway (US Highway 70South)(State Route 1)
9. The Project does not serve any adjoining properties for drainage, ingress, egress, or other purposes except as shown hereon;
10. All recorded easements and other exceptions, as noted in the Commitment for Title Insurance No. 85552 (Revised 6) issued by Stewart Title Guaranty Company ("Title Company") dated March 8, 2007 at 08:00 AM and as noted in the Commitment for Title Insurance No. 85552B (Revised 3) issued by Stewart Title Guaranty Company ("Title Company") dated March 8, 2007 at 08:00 AM, have been correctly plotted hereon;
11. Except as shown hereon, there are no watercourses, ditches, reservoirs, pools, streams, or other natural areas of water flow on the Project, and there is no apparent use of the Project for pathways, driveways, or roadways for which there are no recorded easements, or for dumping, drilling, or excavation;
12. The Project is not located in a 100-year flood plain or in an identified "flood prone area", as defined by the U.S. Department of Housing and Urban Development, pursuant to the Flood Disaster Protection Act of 1973, as amended, as reflected by Flood Insurance Rate Map Panel #47037C0304 F, dated April 20, 2001, which map panel covers the area in which the Project is situated;
13. The survey was made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by the American Land Title Association and the American Congress on Surveying and Mapping in 2005, and undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Tennessee, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

The Surveyor expressly understands and agrees that (i) this certificate is made to induce Regions Bank ("Lender") to extend credit secured by a mortgage covering the Project and to induce the Title Company to issue a policy of title insurance insuring the validity and priority of such mortgage; (ii) Lender and Title Company are entitled to rely on this plan of survey as being true and accurate in all respects and upon this Certificate as being true and accurate.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
DOUGLAS W. BALL-CHANDLER TENN. REGISTERED SURVEYOR'S NO.2588

PROJECT MANAGER: DWC

REVIEWED BY:

REVISIONS

DATE	REVISION
6-20-07	COMMENTS
4-18-07	NEW TILES/COMMENTS
10-6-06	PROJECT #2006-001

#### CLIENT INFO:

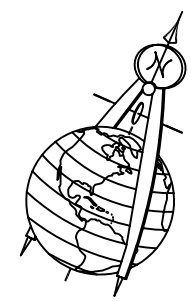
ARBY'S RESTAURANT GROUP  
458 RIVERTON DRIVE  
RAINBOW CITY, ALABAMA  
35906

(256) 442-7882  
P.O.C.: MR. JIM SCHREIBER

#### PROPOSED OWNER/ LANDLORD INFO:

COCONUTS, LLC  
P.O. BOX 1390  
KNOXVILLE, TENNESSEE 37901-1390

PROPOSED TENANT INFO:  
RTM OPERATING COMPANY d/b/a Arby's  
A DELAWARE CORPORATION  
1155 PERIMETER CENTER WEST  
SUITE 1200  
ATLANTA, GEORGIA 30338



# LATITUDE LAND SURVEYING, INC.

441 DONELSON PIKE, SUITE 300, NASHVILLE, TENNESSEE 37214

P. 615-871-4669 F. 615-871-4653

latitudesurveying@comcast.net