

SURVEY LEGAL DESCRIPTION:

PARCEL 1:

The Northerly portion of Tract "B-1" of the SUMMARY PLAT OF TRACTS A, B-1 AND B-3, LIMITED PARTNERSHIP TRACT, situated within the Elena Gallegos Grant in the City of Albuquerque, New Mexico as the same is shown and designated on the Summary Plat filed in the Office of the County Clerk of Bernalillo County, New Mexico on August 19, 1977, as Document No. 77-50564, recorded in Volume B-13, folio 86/records of Bernalillo County, New Mexico, being more particularly described as follows: Beginning at a 1" pipe found for the Northeast corner No. 1 of the tract herein set forth, a point on the existing Southerly right-of-way line of Academy Road, N.E., being the identical Northwest corner of Tract B-2-A, as the same is shown and designated on the "Summary Plat of Tracts B-2-A, B-2-B and B-2-C, limited artnership Tract, Albuquerque, New Mexico" filed in the Office of the County Clerk of Bernalillo County, New Mexico on the 1st day of March, 1979 (616-31}, thence South 00° 04' 06" West, along the westerly boundary line of said tract B-2-A and Tract B- 2-B, limited Partnership Tract, a measured distance of 195.46 feet (South 00° 00' 13" West a distance of 195.33 feet of record) to a chiseled "X" found for the Southeast corner of No. 2 of the tract herein set forth, a point on the Northerly boundary line of Tract-B-3, limited partnership Tract, as the same are shown and designated on said plat filed in the office of the County Clerk of Bernalillo County, New Mexico on the 9th day of October, 1981 (B-19-53); thence North 89° 56' 45" west along said Northerly boundary line of said Tract B-3 a measured distance of 161.27 feet (North 89° 59' 27" W., a distance of 161.50 feet of record) to a chiseled "X" set for the Southwest corner No. 3 of the tract herein set forth, being a point on the Easterly line of Seagull Lane, N.E. (aka Tract H-1, North Academy Business Park) and being identical Northwesterly corner of said Tract B-3; thence North 00° 00' 33" East a distance of 280.93 feet to a chiseled "X" set for the Northwest corner of No. 4 of the tract herein set forth, a point on the curve of the right-of- way of Academy Road, N.E.; thence Southeasterly along a curve to the right along a measured arc distance of 26.38 feet, having a radius of 1757.00 feet, a central angle of 00° 51' 36" and a long chord which bears South 62° 25' 39 east a distance of 26.38 feet (Southeasterly along a curve to the right along an arc distance of 26.54 feet, having a radius of 1757.00 feet of record) to a chiseled "X" found for comer No. 5 of the tract herein set forth thence South 62° 00' 00" East along the Southeasterly right-of-way line of Academy Road, N.E., a measured distance of 156.38 feet (south 62° 00' 00" East a distance of 156.25 feet of record) to the POINT OF BEGINNING. Together with a twenty-six foot wide easement for ingress and egress as more particularly defined in that certain Agreement by and between Carl Tam and Sandy F. Tam, husband and wife and the G. Ed Hudgins Company, a general partnership, recorded in Book Misc. 54-A, page 642, as Document No. 83-69460 records of Bernalillo County, New Mexico.

PARCEL 2:

Tracts B-2a and B-2b of the Summary Plat of Tracts B-2a, B-2b & B-2c of the LIMITED PARTNERSHIP TRACT, Albuquerque, New Mexico, as the same are shown and designated on the plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico on March 1, 1979, in Plat Book B16, page 31.

SURVEYOR’S NOTES:

1. INGRESS AND EGRESS TO THE SUBJECT PROPERTY IS PROVIDED BY ACADEMY ROAD, NE, AND SEAGULL LANE, NE, DEDICATED AND ACCEPTED RIGHTS-OF-WAY MAINTAINED BY THE CITY OF ALBUQUERQUE.
2. THE TITLE LINES AND ACTUAL POSSESSION LINES ARE THE SAME.
3. THE SUBJECT PROPERTY IS NOT SERVED AND IS NOT SERVICED BY ANY ADJOINING PROPERTY FOR DRAINAGE, INGRESS AND EGRESS EXCEPT AS SHOWN.
4. MONUMENTATION RECOVERED, ACCEPTED OR SET IS AS NOTED HEREON.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF RECORD. ALL BEARINGS AND DISTANCES ARE FIELD MEASURED. RECORD BEARINGS AND/OR DISTANCES ARE SHOWN IN PARENTHESES.

FLOOD INFORMATION:

THIS PROPERTY DOES LIE IN AN AREA COVERED BY A FORMAL F.E.M.A. FLOOD STUDY. PROPERTY LIES WITHIN ZONE "X" (No Flood Hazard) AND IS NOT SUBJECT TO 100-YEAR FLOOD HAZARDS. REFERENCE: FLOOD INSURANCE RATE MAP, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO PANEL 350002 0139 G; EFFECTIVE DATE: SEPTEMBER 26, 2008.

NOTES CORRESPONDING TO SCHEDULE B:

- RIO GRANDE TITLE INSURANCE COMPANY COMMITMENT NO. R1713930-BE, EFFECTIVE DATE FEBRUARY 02, 2018 AT 7:00 A.M.
- 9

Reservations contained in Patent from the United States of America, recorded in (book) 80, (page) 353 records of Bernalillo County, New Mexico. (as to Parcel 1 and 2). Item is blanket in nature. Item is not plotted hereon.
- 10

Easements and notes as shown, noted and provided for on the plat recorded in (book) B 13, (page) 86 records of Bernalillo County, New Mexico. (as to Parcel 1). Item does not affect subject property. Item is not plotted hereon.
- 11

Easement granted by document recorded in (book) 91-12, (page) 7845 records of Bernalillo County, New Mexico. (as to Parcel 1). Item affects subject property. Item is plotted hereon.
- 12

Easement Agreement recorded in (book) 90-15, (page) 4887 records of Bernalillo County, New Mexico. (as to Parcel 1). Item affects subject property. Item is plotted hereon.
- 13

Agreement for Property Use and Easement recorded in (book) Misc. 754A, (page) 732 records of Bernalillo County, New Mexico. (as to Parcel 1), modified by document recorded 6/17/1991 in Bk. BCR 91-10, Pg. 3437, as Doc. No 91047529. Item affects subject property. Item is plotted hereon.
- 14

Agreement recorded in (book) Misc. 54A, (page) 642 records of Bernalillo County, New Mexico. (as to Parcel 1). Item affects subject property. Item is plotted hereon.
- 15

Easements and notes as shown, noted and provided for on the plat recorded in (book) B 16, (page) 31 records of Bernalillo County, New Mexico. (as to Parcel 2). Item affects subject property. Item is plotted hereon. Item a) is a 26' ingress/egress easement, item b) is a 5' public utility easement
- 16

Agreement recorded in Book Misc. 54A, page 642 and Acknowledgement of Easements and Agreements thereto recorded in Book BCR 91-8, page 4000 and Relinquishment of Limitation of Use thereto recorded in Book BCR 91-10, page 3435, records of Bernalillo County, New Mexico. (as to Parcel 2). Item affects subject property. Item is plotted hereon.
- 17

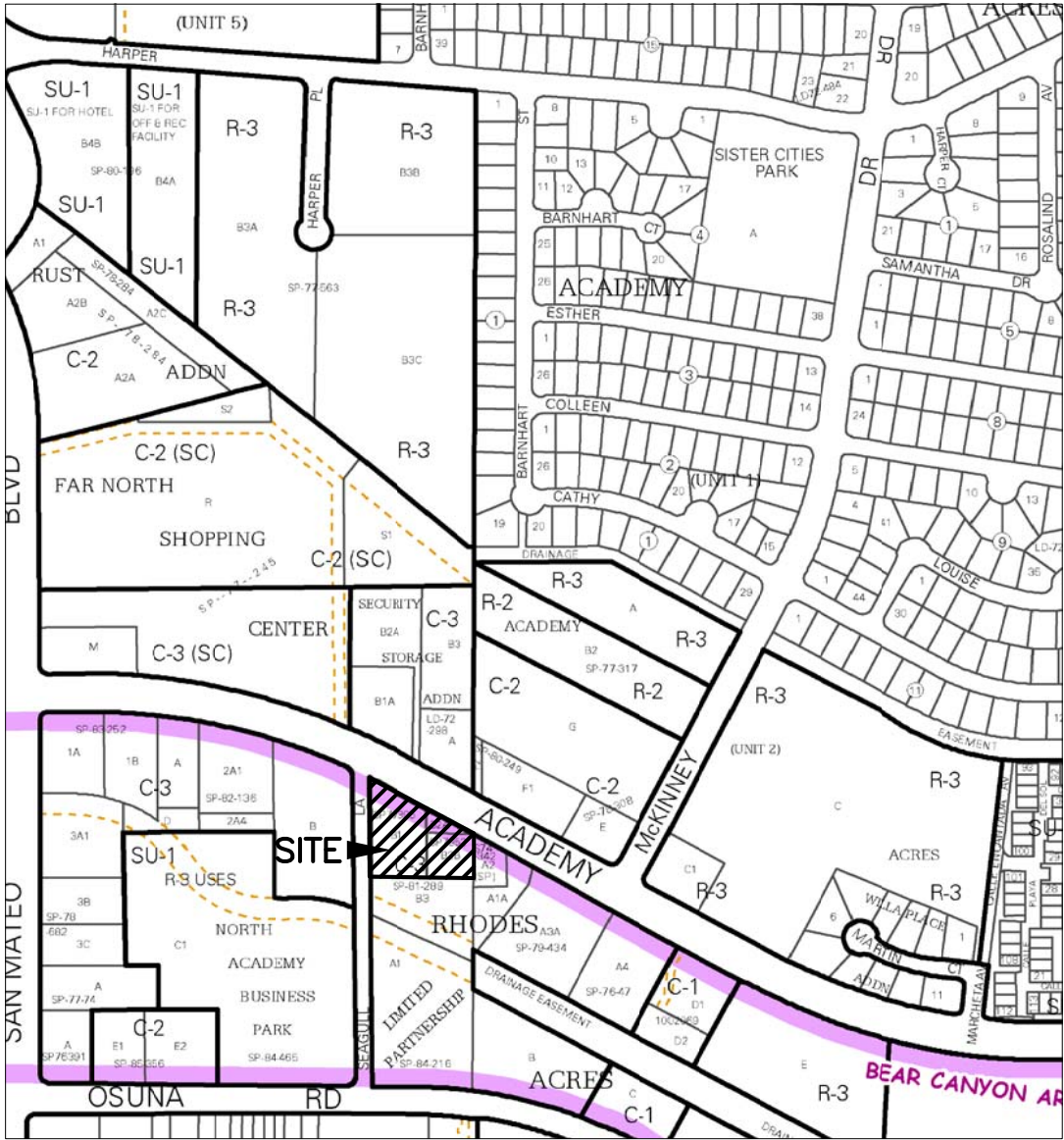
Agreement for Property Use and Easement recorded in Book Misc. 754A, page 732 and Modification, Amendment and Supplement thereto recorded in Book BCR 91-10, page 247 records of Bernalillo County, New Mexico. (as to Parcel 2). Item affects subject property. Item is plotted hereon.
- 18

Easement Agreement recorded in Book BCR 90-15, page 4887, records of Bernalillo County, New Mexico. (as to Parcel 2). Item affects subject property. Item is plotted hereon.
- 19

Easement Agreement recorded in Book BCR 90-15, page 6133, records of Bernalillo County, New Mexico. (as to Parcel 2). Item affects subject property. Item is plotted hereon.
- 20

Grant and Acceptance of Easement recorded in Book 9905, page 4322, records of Bernalillo County, New Mexico. (as to Parcel 2). Item affects subject property. Item is plotted hereon.

VICINITY MAP  
(NOT TO SCALE)



SITE RESTRICTIONS:

SETBACKS:  
FRONT/CORNER SIDE: 0/5 FEET  
SIDE: 0 FEET (5 FEET WHERE PROPERTY ABUTS RESIDENTIAL ZONE)  
REAR: 0 FEET (15 FEET WHERE PROPERTY ABUTS RESIDENTIAL ZONE)  
HEIGHT: 26 FEET  
LOT SIZE: NONE  
LOT WIDTH: NONE  
ZONE: C-3 HEAVY COMMERCIAL ZONE  
SITE RESTRICTIONS ARE AVAILABLE FROM CITY OF ALBUQUERQUE ZONING CODE. CITY OF ALBUQUERQUE ZONING DEPARTMENT (505) 924-3860. NO ZONING REPORT PROVIDED BY CLIENT

AREA:

60,360.12 sq. ft  
1.3857 Acres

PARKING:

58 STANDARD SPACES  
3 HANDICAPPED SPACES  
61 TOTAL SPACES

SURVEYOR’S CERTIFICATION:

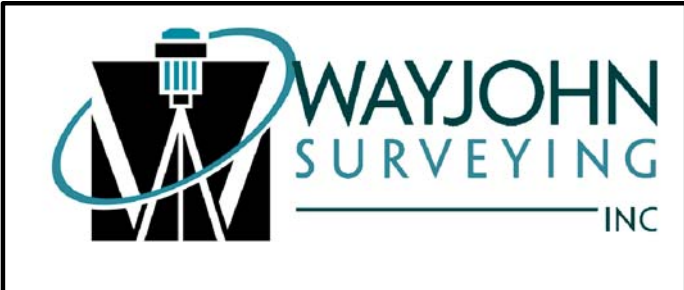
TO:  
(BUYER), Circle K Stores, Inc., a Texas Corporation, as to Parcel 1, and Pacific Bistro, A New Mexico general partnership aka Pacific Bistro Partnership, a New Mexico general partnership, as to Parcel 2  
(LENDER), TBD  
(TITLE COMPANY), Rio Grande Title Company  
(UNDERWRITER), Chicago Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys", jointly established and adopted by ALTA and NSPS in 2016, and includes Items 1, 2, 3, 4, 5, 6(a), 7(a), 7(b.1), 7(c), 8, 9, & 11 (location of utilities per visible, above-ground, on-site observation) 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 the Positional Uncertainties resulting from the survey measurements made on the survey do not exceed the allowable Positional Tolerance.



Thomas D. Johnston, NMPS 14269  
December 4, 2017

WAYJOHN SURVEYING, INC.



330 Louisiana Blvd, N.E. Albuquerque, NM 87108  
Phone: (505) 255-2052 Fax: (505) 255-2887

Date of Survey: 12/06/2017      Draftsman:A W Y  
Date of Last Revision:2/19/2018      Job No.ALTA-11-02-2017