

NOTES:

- Any underground utilities shown have been located from field survey information, and utility markings, as provided by the GPRS, Inc. The surveyor makes no guarantee 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 although he does certify that they are located as accurately as possible from the information available. Public utility locate request was made under Ticket No. 210505-1697 dated 5/5/2021. This site was located by standard RF methods and with GPR locating.
- Bearings are relative to Grid North per GPS observations, Arkansas State Plane Coordinate System (0301). (NAD83)
- FEDERAL EMERGENCY MANAGEMENT AGENCY, FEMA FIRMette published 5/21/2021, referencing Flood Insurance Rate Map, Map Number 05023C0144D, with an effective date of 02/16/2006, indicates this parcel of land is located in Zone X (Area of minimal flood hazard).
- This survey does not constitute a title search by Clark Land Surveying, Inc. to determine ownership or easements of record. For all information regarding esements, rights of way and title of record, Clark Land Surveying, Inc. relied upon a Commitment for Title Insurance, prepared by First American Title Insurance Company, Commitment No. NCS-1064967-OMHA, with an effective date of April 30, 2021.
- The lineal units used in this drawing are U.S. Survey Feet.
- Elevations are based on NAVD 88 datum.
- The improvements shown hereon are as of the date of field work, 5/13/2021.
- No zoning information was provided by client.
- This property contains a calculated area of 71,544 square feet (1.642 acres) more or less.
- There are improvements along portions of the boundary as shown hereon. Ownership and/or maintenance responsibilities of said improvements was not determined by this survey.
- Access is obtained directly from Highway 25. The right of way lines of said street and the boundary lines of subject property are coterminous and contain no gaps, gores or overlaps.
- Easements and other record documents shown or noted on this survey were examined as to location and purpose and were not examined as to restrictions, exclusions, conditions, obligations, terms, or as to the right to grant the same.
- This ALTA/NSPS Land Title Survey was prepared for the exclusive use of persons/parties listed in certification. Said statement does not extend to any unnamed person/parties without an express statement by the surveyor naming said person/parties.
- The subject property is commonly known as 1632 Highway 25 B, Heber Springs, Arkansas. No posted address was located during the course of field work. Address listed hereon is gained from county assessor information.
- There is no observable evidence of earth moving work, building construction or building additions within recent months.
- There are no changes in street right of way lines either completed or proposed, per documents provided by title company.
- There is no observable evidence of recent street or sidewalk construction or repairs.
- Site Benchmark: #5 Rebar with cap marked "1269" as shown hereon. Elevation: 560.56.
- Elevations are based on NAVD88 datum.
- Encroachment Statement:  
  
No apparent encroachments at the time of survey.
- As to Table A Item 9: 43 Regular spaces + 2 Handicap Spaces = 45 Total Parking Spaces.
- As to Table A Item 20: All surveyed utilities are depicted as ASCE 38-02 "Quality Level B" unless noted otherwise  
Utilities were located by GPRS Inc. on May 10, 2021.
- Quality level definitions as per ASCE 38-02

- QL-D involves utility records research and interviews with knowledgeable utility personnel.
- QL-C involves surface survey and identifying and recording aboveground features of subsurface utilities, such as manholes, valves, and hydrants.
- QL-B involves application of "surface geophysical methods," such as EM-based locating instruments, GPR, radar tomography, metal detectors, and optical instruments, to gather and record approximate horizontal (and, in some cases, vertical) positional data.
- QL-A involves physical exposure via "soft-digging" (vacuum excavation or hand-digging) and provides precise horizontal and vertical positional data.

LEGAL DESCRIPTION:

The Land referred to herein below is situated in the County of Cleburne, State of Arkansas, and is described as follows:

PART OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 10 NORTH, RANGE 10 WEST, CLEBURNE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE WEST 1/2 NORTHWEST 1/4 SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 10 NORTH, RANGE 10 WEST AND RUNNING THENCE NORTH 85 DEGREES 10 MINUTES WEST 45.97 FEET TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN AND ALSO BEING A POINT ON THE WEST RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY 25; THENCE SOUTH 01 DEGREE 48 MINUTES WEST 82.92 FEET ALONG SAID WEST RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY 25; THENCE NORTH 85 DEGREES 10 MINUTES WEST 355.52 FEET; THENCE NORTH 01 DEGREE 57 MINUTES EAST 100.00 FEET; THENCE SOUTH 85 DEGREES 10 MINUTES EAST 355.26 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY 25; THENCE SOUTH 01 DEGREE 48 MINUTES WEST 17.09 FEET TO THE POINT OF BEGINNING OF SAID TRACT AND CONTAINING 0.81 ACRE, MORE OR LESS.

AND

A PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CLEBURNE COUNTY, ARKANSAS, DESCRIBED AS PROCEEDING FROM THE NORTHEAST CORNER OF SAID SUBDIVISION; THEN NORTH 85 DEGREES 10 MINUTES WEST 45.97 FEET TO THE WEST LINE OF ARKANSAS HIGHWAY NO. 25; THEN SOUTH 01 DEGREE 48 MINUTES WEST ALONG THE WEST LINE OF HIGHWAY NO. 25 A DISTANCE OF 170.92 FEET; THEN NORTH 85 DEGREES 10 MINUTES WEST 218.32 FEET TO THE POINT OF BEGINNING, THEN CONTINUING NORTH 85 DEGREES 10 MINUTES WEST 137.20 FEET, THEN NORTH 01 DEGREE 52 MINUTES 50 SECONDS EAST 88.0 FEET, THEN SOUTH 85 DEGREES 10 MINUTES EAST 133.28 FEET, THEN SOUTH 00 DEGREES 39 MINUTES 18 SECONDS EAST 88.29 FEET TO THE POINT OF BEGINNING, CONTAINING 0.273 ACRE, MORE OR LESS.

AND

A PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CLEBURNE COUNTY, ARKANSAS, DESCRIBED AS PROCEEDING FROM THE NORTHEAST CORNER OF SAID SUBDIVISION, THEN NORTH 85 DEGREES 10 MINUTES WEST 45.97 FEET TO THE WEST LINE OF ARKANSAS HIGHWAY NO. 25, THEN SOUTH 01 DEGREE 48 MINUTES WEST ALONG THE WEST LINE OF HIGHWAY 25 A DISTANCE OF 170.92 FEET, THEN NORTH 85 DEGREES 10 MINUTES WEST 355.52 FEET TO THE POINT OF BEGINNING, THEN NORTH 85 DEGREES 10 MINUTES WEST 32.20 FEET, THEN NORTH 06 DEGREES 19 MINUTES 55 SECONDS EAST 187.84 FEET, THEN SOUTH 85 DEGREES 10 MINUTES EAST 17.60 FEET, THEN SOUTH 01 DEGREE 52 MINUTES 50 SECONDS WEST 188.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.10 ACRE, MORE OR LESS.

AND

PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4,THENCE NORTH 85 DEGREES 10 MINUTES WEST 45.97 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY NO. 25, THENCE SOUTH 01 DEGREE 48 MINUTES WEST ALONG SAID RIGHT OF WAY LINE 170.9 FEET TO THE POINT OF BEGINNING; THENCE NORTH 85 DEGREES 10 MINUTES WEST 355.52 FEET, THENCE NORTH 01 DEGREE 57 MINUTES EAST 88.0 FEET, THENCE SOUTH 85 DEGREES 10 MINUTES EAST 355.52 FEET TO A POINT ON THE AFORESAID WEST RIGHT OF WAY LINE, THENCE SOUTH 01 DEGREE 49 MINUTES WEST 88.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.72 ACRE, LESS AND EXCEPT 0.273 ACRE, MORE PARTICULARLY DESCRIBED AS A PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CLEBURNE COUNTY, ARKANSAS, DESCRIBED AS PROCEEDING FROM THE NORTHEAST CORNER OF SAID SUBDIVISION; THEN NORTH 85 DEGREES 10 MINUTES WEST 45.97 FEET TO THE WEST LINE OF ARKANSAS HIGHWAY NO. 25; THEN SOUTH 01 DEGREE 48 MINUTES WEST ALONG THE WEST LINE OF HIGHWAY NO. 25 A DISTANCE OF 170.92 FEET; THEN NORTH 85 DEGREES 10 MINUTES WEST 218.32 FEET TO THE POINT OF BEGINNING, THEN CONTINUING NORTH 85 DEGREES 10 MINUTES WEST 137.20 FEET, THEN NORTH 01 DEGREE 52 MINUTES 50 SECONDS EAST 88.0 FEET, THEN SOUTH 85 DEGREES 10 MINUTES EAST 133.28 FEET, THE SOUTH 00 DEGREES 39 MINUTES 18 SECONDS EAST 88.29 FEET TO THE POINT OF BEGINNING IN SECTION 11, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN CLEBURNE COUNTY, ARKANSAS, LEAVING A TOTAL OF .447 ACRE, MORE OR LESS

SCHEDULE B2 EXCEPTIONS:

Item No.

- 5

Any Lien, or Right to a Lien, for Services, Labor or Material heretofore or hereafter furnished, imposed by law and not shown in the public records.  
-IS LOCATED ON THE SURVEY AREA, BLANKET IN NATURE.
- 6

Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.  
-IS LOCATED ON THE SURVEY AREA, BLANKET IN NATURE.
- 7

Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, limestone, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise, and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records are shown in Schedule B.  
-IS LOCATED ON THE SURVEY AREA, BLANKET IN NATURE.
- 8

Taxes and assessments for the year 2021, and subsequent years, not yet due and payable.  
-IS LOCATED ON THE SURVEY AREA, BLANKET IN NATURE.
- 9

Rights of tenants in possession under unrecorded leases solely as tenants and solely with respect to space occupied by each such tenant, (together with non-exclusive rights in common with other tenants in areas used by all tenants).  
-IS LOCATED ON THE SURVEY AREA, BLANKET IN NATURE.
- 10

Loss arising from security interest evidenced by Financing Statements and Liens filed of record as of the effective date hereof, under the Arkansas Uniform Commercial Code in the State of Arkansas.  
-IS LOCATED ON THE SURVEY AREA, BLANKET IN NATURE.
- 11

Loss arising from and/or resulting from oil, gas and/or all other minerals, conveyed, retained, leased, assigned or any other activity concerning the sub-surface rights or ownership, including but not limited to the right of ingress or egress for said sub-surface purposes.  
-IS LOCATED ON THE SURVEY AREA, BLANKET IN NATURE.
- 12

General and special taxes for the year 2021 and subsequent years which are not yet due and payable. Taxes for the year 2019 and prior years are paid.  
-IS LOCATED ON THE SURVEY AREA, BLANKET IN NATURE.
- 13

Subject to any controlled access restrictions in favor of the Arkansas Highway Commission.  
-IS LOCATED ON THE SURVEY AREA, BLANKET IN NATURE.
- 14

The policy, when issued, will not insure as to the amount of acreage contained within the described boundaries of the Land. Any mention of acreage amounts is done so for descriptive purposes only.  
-IS LOCATED ON THE SURVEY AREA, BLANKET IN NATURE.

Items not listed above are determined non-survey related items and are not plotted hereon.

SURVEYOR'S CERTIFICATION:

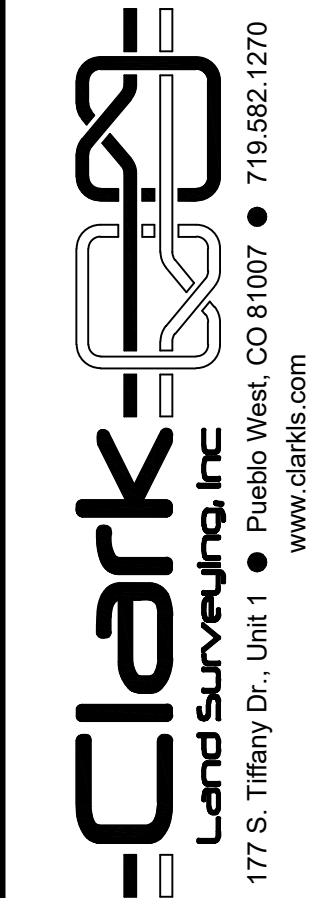
To RB Ark Restaurants, LLC, a Delaware limited liability company, First American Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6a, 6b, 7a, 7b1, 7c, 8, 9, 11a, 11b, 13, 14, 16, 17, 19, and 20 of Table A thereof. The field work was completed on 5/13/2021. Date of Plat or Map: 5/21/2021.

The undersigned further states that the plat was surveyed and drawn to the normal standard of practice of surveyors in the State of Arkansas under his direct responsibility and supervision and accurately shows the described tract of land thereof to the best of his professional knowledge, belief and opinion. This certification is neither a warranty nor guarantee, either expressed or implied.



James A. Rasbury  
Arkansas Professional Land Surveyor No. 1506  
For and on behalf of Clark Land Surveying, Inc.  
Email: ALTA@clarkis.com



Revisions				
No.	Description	By	Date	

SITE NAME:  
Arby's

ALTANSPS LAND TITLE SURVEY  
A PORTION OF THE SE 1/4 OF SECTION 11,  
TOWNSHIP 10 NORTH, RANGE 10 WEST, 5TH P.M.  
CITY OF HEBER SPRINGS, CLEBURNE COUNTY, ARKANSAS.

Project No. 210648  
Drawn By: JAR  
Checked By: JAR  
Date: 5/21/2021  
Sheet 1 of 2