

Schedule B Items

The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception): Volume 2009, Page 141, Real Property Records, Collin County, Texas; Volume 1810, Page 485, Real Property Records, Collin County, Texas; Volume 4189, Page 1135, Real Property Records, Collin County, Texas; under Clerk's File No. 20080605000684910, Real Property Records, Collin County, Texas; under Clerk's File No. 20160129000105770, Real Property Records, Collin County, Texas, as affected by First Amendment recorded under Clerk's File No. 20160527000664230, Real Property Records, Collin County, Texas; under Clerk's File No. 20081010001213250, Real Property Records, Collin County, Texas. (AFFECTS TRACT 2)

Omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

- The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):
- a. Rights of parties in possession.
- The following exception will appear in any policy issued (other than the T-1R Residential Owner Policy of Title Insurance and the T-2R Short-Form Residential Mortgagee Policy) if the Company is not provided a survey of the Land, acceptable to the Company, for review at or prior to

Note: Upon receipt of a survey acceptable to the Title Company, this exception will be deleted. The Company reserves the right to except additional items and/or make additional requirements

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.

after reviewing said survey.

c. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public

together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.

d. Rights of tenants in possession, as tenants only, under unrecorded lease agreements.
 e. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat:

Purpose: 1) 24' fire lane, access, drainage & utility easement;

Purpose: 2) 10' drainage and utility easement; Purpose: 3) 10' sidewalk;

Purpose: 4) 5' utility easement; Recording No: Volume 2009, Page 141

Recording No: Volume 2009, Page 141, Real Property Records, Collin County, Texas

f. Those items shown on plat recorded in Volume 2009, Page 141, Real Property Records, Collin

County, Texas. (AFFECTS TRACT 2)

g. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: North Texas Municipal Water District Purpose: As provided in said document

Recording Date: May 13, 2004
Recording No: Volume 5668, Page 4738, Real Property Records, Collin County, Texas.

 Easement(s) and rights incidental thereto, as granted in a document: Granted to: North Texas Municipal Water District Purpose: As provided in said document

Recording Date: August 27, 2004
Recording No: Volume 5741, Page 37, Real Property Records, Collin County, Texas.
(AFFECTS AS SHOWN)

Easement(s) and rights incidental thereto, as granted in a document:
Granted to: Denton County Electric Cooperative, Inc. d/b/a CoSery Electric

Granted to: Denton County Electric Cooperative, Inc. d/b/a CoServ Electric Purpose: As provided in said document

Recording Date: May 4, 2009
Recording No: under Clerk's File No. 20090504000525290, Real Property Records, Collin County, Texas. (AFFECTS TRACT 2)

Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in said document

Recording Date: January 29, 2016
Recording No: under Clerk's File No. 20160129000105770, as affected by First Amendment recorded under Clerk's File No. 20160527000664230, Real Property Records, Collin County, Texas (AFFECTS TRACT 1)

Terms, provisions and conditions contained in that certain document Entitled: Amended and Restated Easements Covenants, Conditions and Restrictions Dated: January 28, 2016

Executed by: and between Rosebriar Prosper Plaza, LP, Lowe's Home Centers, LLC, POP Holdings, LP, Firebrand Properties, LP, LegacyTexas Bank, and Bridgestone Retail Operations, LLC Recording Date: January 29, 2016
Recording No: under Clerk's File No. 20160129000105770, as affected by First Amendment recorded under Clerk's File No. 20160527000664230, Real Property Records, Collin County, Texas. Reference is hereby made to said document for full particulars.

(AFFECTS TRACT 2)

An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document Entitled: Memorandum of Amended and Restated Outdoor Advertising Sign or Ground Lease

Lessor: LegacyBank Texas Lessee: Primary Media, Ltd., a Texas limited partnership Recording Date: May 9, 2017

Recording No: under Clerk's File No. 20170509000594530, Real Property Records, Collin County, Texas (AFFECTS TRACT 1)

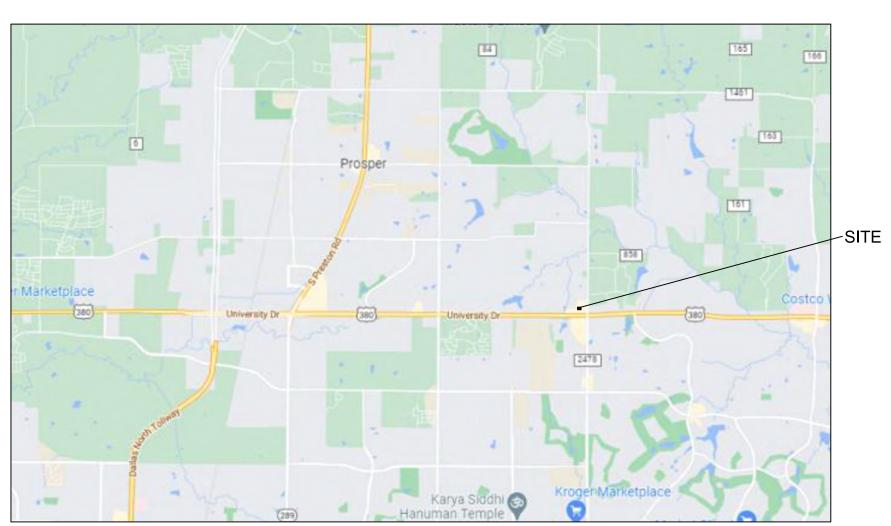
Schedule B Items (cont.)

- m. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated August 5, 1938, recorded August 23, 1938 at Volume 319, Page 301, as affected by Waiver of Surface Rights recorded under Clerk's File No. 20070423000540650, of the Official Records of Collin County, Texas, which document contains the following language "...1/4 interest of all the oil, gas, and other minerals..., et al". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- n. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated July 1, 1997, recorded October 31, 1997 at Volume 4031, Page 1326 as affected by Waiver of Surface Rights recorded under Clerk's File No. 20070423000540650, of the Official Records of Collin County, Texas, which document contains the following language "...all the oil, gas, hydrocarbons and all other minerals..., et al". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- o. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated January 11, 1978, recorded January 13, 1978 at Volume 1089, Page 673 as affected by Waiver of Surface Rights recorded under Clerk's File No. 20070423000540640, of the Official Records of Collin County, Texas, which document contains the following language "...1/2 interest and and to all oil, gas, and other minerals....". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- p. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated February 8, 1980, recorded February 22, 1980 at Volume 1236, Page 445 as affected by Waiver of Surface Rights recorded under Clerk's File No. 20070423000540630, of the Official Records of Collin County, Texas, which document contains the following language "...an undivided 1/8 interest in and to all of the oil, gas, and other minerals...". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- q. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated August 18, 1989, recorded August 21, 1989 at Volume 3113, Page 855 as affected by Waiver of Surface Rights recorded under Clerk's File No. 20070423000540630, of the Official Records of Collin County, Texas, which document contains the following language "...an undivided 1/8 interest in and to all of the oil, gas, and other minerals...". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- r. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated August 30, 2005, recorded September 2, 2005 at Volume 5995, Page 7329 of the Official Records of Collin County, Texas, which document contains the following language "...all subsurface water, oil, gas, and other minerals ...". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- s. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated January 4, 1984, recorded January 16, 1984 at Volume 1810, Page 485 of the Official Records of Collin County, Texas, which document contains the following language "...an undivided 1/2 interest in the oil, gas, and other minerals...". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- t. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated October 10, 2008, recorded October 10, 2008 at under Clerk's File No. 20081010001213260, and re-filed under Clerk's File No. 20090414000434660 of the Official Records of Collin County, Texas, which document contains the following language "...all the oil, gas, hydrocarbons and other minerals.... Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- If any portion of the proposed loan and/or the Owner's Title Policy coverage amount includes funds for immediately contemplated improvements, the following exceptions will appear in Schedule B of any policy issued as indicated:

Owner and Loan Policy(ies): Any and all liens arising by reason of unpaid bills or claims for work performed or materials furnished in connection with improvements placed, or to be placed, upon the subject land. However, the Company does insure the insured against loss, if any, sustained by the Insured under this policy if such liens have been filed with the County Clerk of County, Texas, prior to the date hereof.

Owner Policy(ies) Only: Liability hereunder at the date hereof is limited to \$ 0.00. Liability shall increase as contemplated improvements are made, so that any loss payable hereunder shall be limited to said sum plus the amount actually expended by the insured in improvements at the time the loss occurs. Any expenditures made for improvements, subsequent to the date of this policy, will be deemed made as of the date of this policy. In no event shall the liability of the Company hereunder exceed the face amount of this policy. Nothing contained in this paragraph shall be construed as limiting any exception or any printed provision of this policy.

Loan Policy(ies) Only: Pending disbursement of the full proceeds of the loan secured by the lien instrument set forth under Schedule A hereof, this policy insures only to the extent of the amount actually disbursed, but increase as each disbursement is made in good faith and without knowledge of any defect in, or objections to, the title up to the face amount of the policy. Nothing contained in this paragraph shall be construed as limiting any exception under Schedule B, or any printed provision of this policy.



VICINITY MAP

Scale: NTS

OWNER:
WS Residential Investments LLC
170 Westcott

Houston, TX 77007 Phone (281) 816-6550

Eric Walker

APPLICANT: Identity Architects 111 Travis St Houston, TX 77002

SURVEYOR:

Phone (713) 595-2191 William Kalkman

Landpoint 6410 Southwest Blvd Ste 127 Fort Worth, TX 76109 Phone (817) 554-1805 Robert Maloy

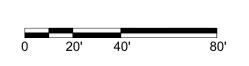
EXHIBIT A

January 14, 2022

PROSPER PLAZA TRACT 1 LOT 2 BLOCK A VOLUME 2009, PAGE 140 O.P.R.C.C.T JEREMIAH HORN SURVEY, ABSTRACT NO. 411 1.121 ACRES

SITE PLAN

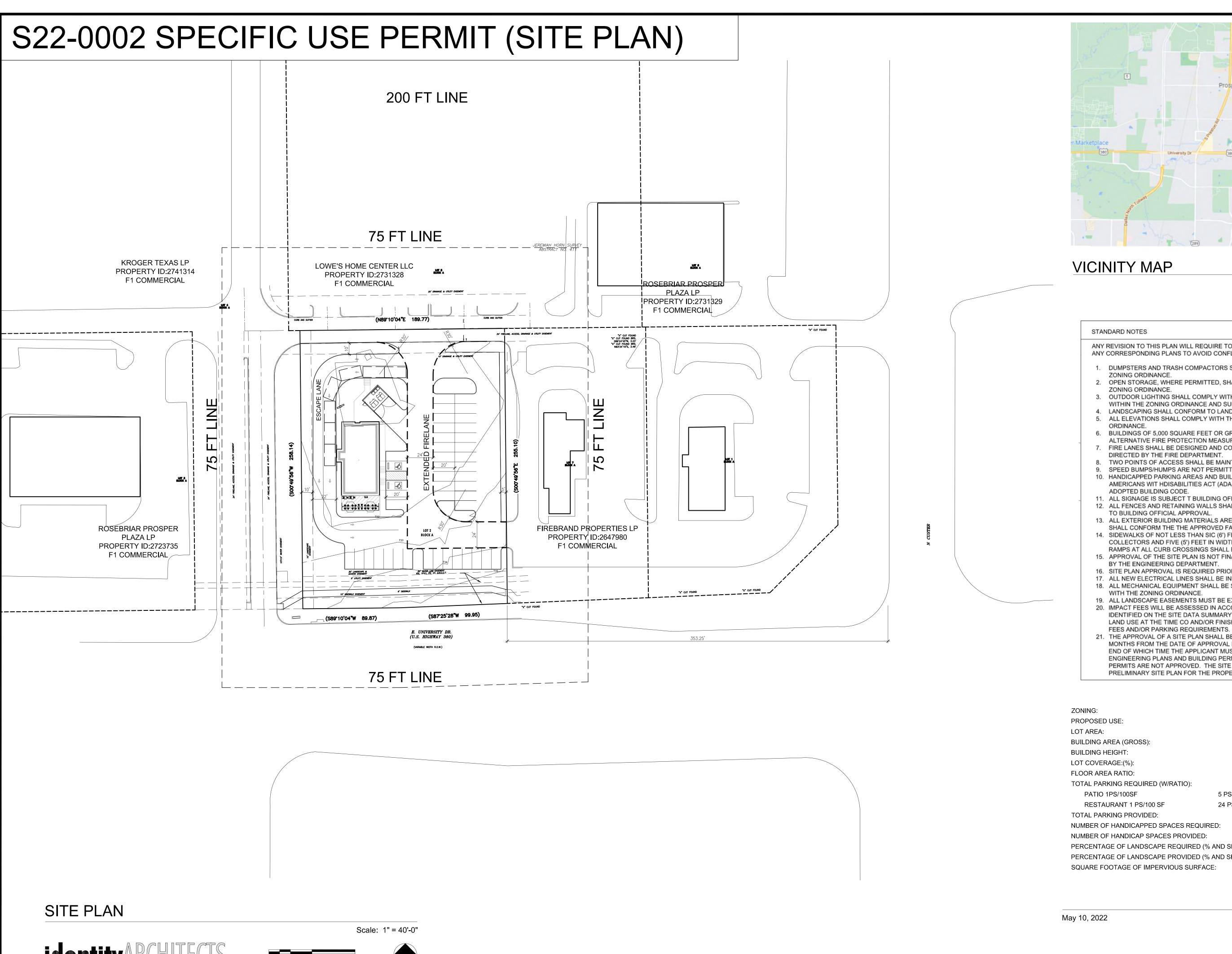
identityARCHITECTS

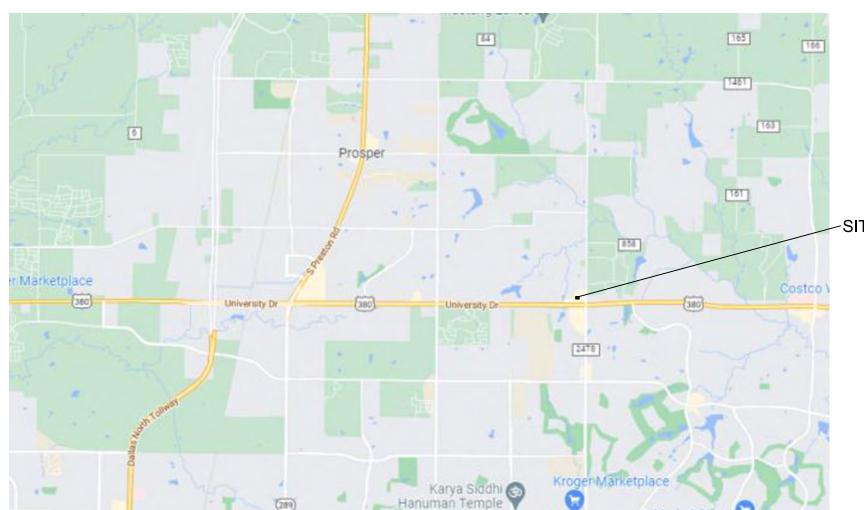




Scale: 1" = 40'-0"

111 Travis Street, Houston, Texas 77002 www.identityarchitects.com 713.595.2150





VICINITY MAP

ANY REVISION TO THIS PLAN WILL REQUIRE TOWN APPROVAL AND WILL REQUIRE REVISIONS TO ANY CORRESPONDING PLANS TO AVOID CONFLICTS BETWEEN PLANS.

- LANDSCAPING SHALL CONFORM TO LANDSCAPE PLANS APPROVED BY THE TOWN.

- 11. ALL SIGNAGE IS SUBJECT T BUILDING OFFICIAL APPROVAL.
- 12. ALL FENCES AND RETAINING WALLS SHALL E SHOWN ON THE SITE PLAN AND ARE SUBJECT
- 13. ALL EXTERIOR BUILDING MATERIALS ARE SUBJECT TO BUILDING OFFICIAL APPROVAL AND SHALL CONFORM THE THE APPROVED FACADE PLAN.
- 14. SIDEWALKS OF NOT LESS THAN SIC (6') FEET IN WIDTH ALONG THOROUGHFARES AND COLLECTORS AND FIVE (5') FEET IN WIDTH ALONG RESIDENTIAL STREETS, AND BARRIER FREE RAMPS AT ALL CURB CROSSINGS SHALL BE PROVIDED PER TOWN STANDERDS.
- 15. APPROVAL OF THE SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED BY THE ENGINEERING DEPARTMENT.
- 16. SITE PLAN APPROVAL IS REQUIRED PRIOR TO GRADING RELEASE.
- 17. ALL NEW ELECTRICAL LINES SHALL BE INSTALLED AND/OR RELOCATED UNDERGROUND. 18. ALL MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW IN ACCORDANCE
- WITH THE ZONING ORDINANCE.
- 19. ALL LANDSCAPE EASEMENTS MUST BE EXCLUSIVE OF ANY OTHER TYPE OF EASEMENT. 20. IMPACT FEES WILL BE ASSESSED IN ACCORDANCE WITH THE LAND USE CLASSIFICATION(S) IDENTIFIED ON THE SITE DATA SUMMARY TABLE; HOWEVER, CHANGES TO THE PROPOSED LAND USE AT THE TIME CO AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT
- 21. THE APPROVAL OF A SITE PLAN SHALL BE EFFECTIVE FOR A PERIOD OF EIGHTEEN (18) MONTHS FROM THE DATE OF APPROVAL BY THE PLANNING & ZONING COMMISSION. AT THE END OF WHICH TIME THE APPLICANT MUST HAVE SUBMITTED AND RECEIVED APPROVAL OF ENGINEERING PLANS AND BUILDING PERMITS. IF THE ENGINEERING PLANS AND BUILDING PERMITS ARE NOT APPROVED. THE SITE PLAN APPROVAL, TOGETHER WITH ANY PRELIMINARY SITE PLAN FOR THE PROPERTY, IS NULL AND VOID.

ZONING:		COMMERCIAL		
PROPOSED USE:		RESTAURANT		
LOT AREA:		48,835 SF 1.121 ACRES		
BUILDING AREA (GROSS):		2,400 SF	OWNER	
BUILDING HEIGHT:		19 FT 4 IN	OWNER: WS Residential Investments LLC 170 Westcott Houston, TX 77007 Phone (281) 816-6550 Eric Walker	
LOT COVERAGE:(%):		4.9%		
FLOOR AREA RATIO:		0.05:1		
TOTAL PARKING REQUIRED (W/RATIO):		29 PS		
PATIO 1PS/100SF	5 PS		APPLICANT:	
RESTAURANT 1 PS/100 SF	24 PS		Identity Architects 111 Travis St	
TOTAL PARKING PROVIDED:		42 PS	Houston, TX 77002 Phone (713) 595-2191	
NUMBER OF HANDICAPPED SPACES REQUIRED:		2 PS	William Kalkman	
NUMBER OF HANDICAP SPACES PROVIDED:		2 PS	SURVEYOR:	
PERCENTAGE OF LANDSCAPE REQUIRED (% AND SF):		10% 4,884 SF	Landpoint 6410 Southwest Blvd Ste 127 Fort Worth, TX 76109 Phone (817) 554-1805 Robert Maloy	
PERCENTAGE OF LANDSCAPE PROVIDED (% AND SF):		27% 13,207 SF		
SQUARE FOOTAGE OF IMPERVIOUS SURFACE:		35,628 SF		

EXHIBIT B

PROSPER PLAZA TRACT 1 LOT 2 BLOCK A VOLUME 2009, PAGE 140 O.P.R.C.C.T JEREMIAH HORN SURVEY, ABSTRACT NO. 411 1.121 ACRES

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