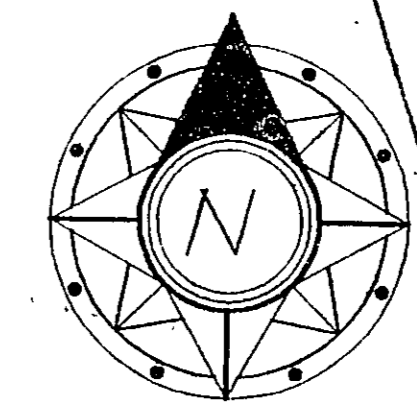


Flood Zone Designation:
 Land Designated As Zone 'C', An Area Of Minimal Flooding
 -Willoughby-Community Panel #390.322 0006 A Effective Date Of January 16th., 1981
 -Willoughby-Hills-Community Panel #390.323 0005 B Effective Date Of January 16th., 0980

2 WORKING DAYS BEFORE YOU DIG
 CALL TOLL FREE 800-362-2764
 CHD UTILITIES PROTECTION SERVICE



Benchmark:
 B.M.=T.B.M. Set On Top Of Hydrant Located As Noted
 Elev. = 782.33

EXISTING UNDERGROUND UTILITIES NOTE:
 THE SIZE & LOCATION, BOTH HORIZONTAL AND VERTICAL, OF THE UNDERGROUND UTILITIES SHOWN HEREON, HAVE BEEN OBTAINED BY A SEARCH OF AVAILABLE RECORDS. VERIFICATION BY FIELD OBSERVATION HAS BEEN CONDUCTED WHERE PRACTICAL. HOWEVER, LDC INC. DOES NOT GUARANTEE THE COMPLETENESS NOR ACCURACY THEREOF.

Basis of Bearings Used Refer To The Recorded Plat Of Commerce Circle, As Recorded In Vol.44, Page 6 Of Lake County Plat Records.

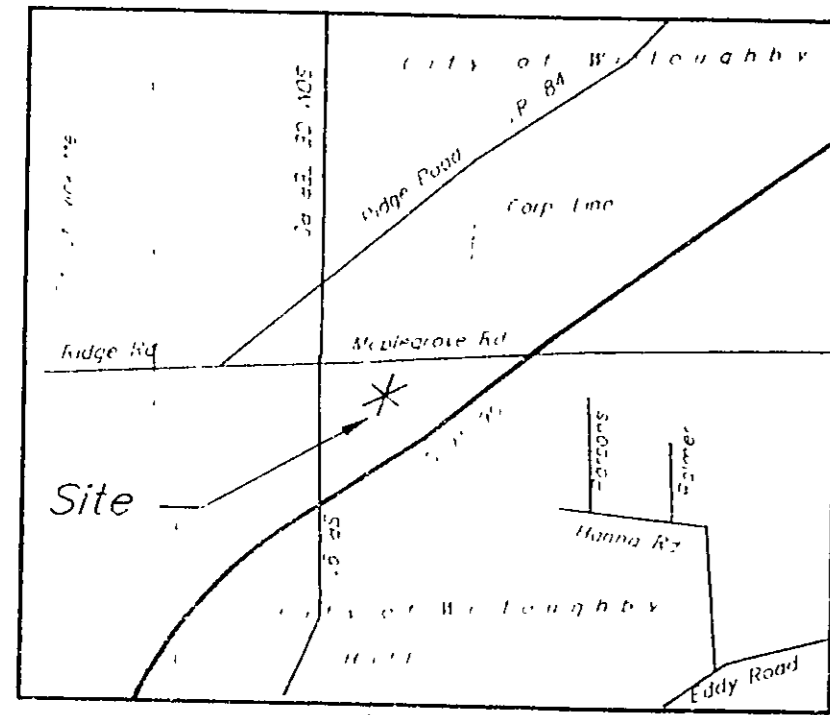
UTILITIES

It is the obligation and responsibility of the contractor to make his own investigations of surface and subsurface conditions prior to submitting his proposal.

The location of all existing underground facilities are shown on the plans from data available at the time of the field survey in accordance with section 153.64 of the Ohio Revised Code. The contractor shall be responsible for notification of the existing utility owners and utility protection service listed below in accordance with section 153.64 of the Ohio Revised Code and as outlined in project specifications.

The Utility Ownership's are as follows:

- OHIO UTILITIES PROTECTION SERVICE
7820 DIVISION DRIVE
MENTOR, OHIO 44060
PHONE: (800) 362-2764
- WILLOUGHBY CITY HALL
ONE PUBLIC SQUARE
WILLOUGHBY, OHIO 44094
PHONE: (440) 951-2800
- LAKE COUNTY DEPARTMENT OF UTILITIES
105 MAIN STREET
PAINESVILLE, OHIO 44077
PHONE: (440) 350-2652 (WATER ONLY)
- THE ILLUMINATING COMPANY
7757 AUBURN ROAD
PAINESVILLE, OHIO 44077
PHONE: (440) 350-7741 (JENNIE HALDI)
- AT&T BROADBAND
7820 DIVISION DRIVE
MENTOR, OHIO 44060
PHONE: (440) 974-3401 (AMIL)
- AMERITECH
5422 E. 96TH STREET
GARFIELD HEIGHTS, OHIO 44125
PHONE: (216) 518-4730 (DAVE SHARP)
- DOMINION EAST OHIO
1201 EAST 55TH STREET
PO BOX 5759
CLEVELAND, OHIO 44101
PHONE: (216) 736-6832 (ANTHONY CARRUSO)



Cracker Barrel Old Country Store, Inc.
 Doc. #2003R014239
 PPN: 27A-01-54

**1.6913 Ac. Parcel 3
 (73,673 S.F.)**

Parcel No. 4
 Shavley Development, Co.
 Doc. #2002R034200
 PPN: 27A-01-25

**1.1495 Acre Parcel
 (50,074 S.F.)**
 Shavley Development, Co.
 Doc. #2002R034200
 PPN: 27A-01-25
 City of Willoughby Zoning: Motorist Service Business (MS-B)

**0.5418 Acre Parcel
 (23,599 S.F.)**

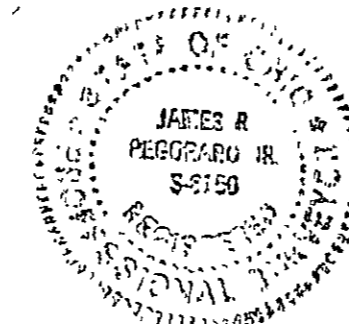
PPN: 31A-12B-16
 (0.2328 Ac.Parcel)
 Shavley Development, Co.
 Doc. #2003R041608

BP Oil, Co.
 Vol 56B, Pg. 7 (Prel 2)
 PPN: 31A-12B-01

Ex. Ad. Bldg.
 Fin. Fl. 780.92

BP Oil, Co.
 PPN: 31A-12B-02

LAND DESIGN consultants
 ENGINEERS - PLANNERS - SURVEYORS
 8785 East Avenue Mentor Ohio 44060
 TEL: (440) 255-8161 FAX: (440) 951-1249
 1471 Far Industrial Park Avon Ohio 44011
 TEL: (440) 937-5601 FAX: (440) 937-5602
 (440) 334-9195 FAX: (440) 951-9551



To Texas Roadhouse Holdings, LLC
 Shavley Development Company
 Republic Title of Texas, Inc. And First American Title Insurance Company
 -Commitment No. NCS-61655-T-CLE, Effective Date: December 01, 2003

This is to certify that this map or plot and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes items (None provided) of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification, undersigned further certifies that:
 - proper field procedures, instrumentation, and adequate survey personnel were employed in order to achieve results comparable to those outlined in the "Minimum Angle, Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."

Date: 2/11/04
 James R. Pegarera, Jr., P.S. 8150

LEGAL DESCRIPTION
 1.6913 ACRE PARCEL 3
 Situated in the City of Willoughby and City of Willoughby Hills, County of Lake and State of Ohio, known as being part of Original Willoughby Township Lot No. 3, Tract 6, further known as being part of land conveyed to Shavley Development Co. by deed recorded in Lake County Document No. 2002R034200 (PPN: 27A-01-25 & 31A-12B-15) and a 0.2328 acre parcel of land in the City of Willoughby Hills, Recorded in Lake County Document No. 2003R041608, PPN: 31A-12B-16.

Beginning at a monument box with a 5/8 inch iron pin at the radius point of the cut-dug-of Commerce Circle (50 feet wide) as shown by plat of its dedication in Volume 44, Page 6 of Lake County Plat Records;

Thence South 69°38'37" East, 50.00 feet to a 5/8 inch iron pin set in the southeasterly sideline of said Commerce Circle and the Principal Place of Beginning;

COURSE I Thence continuing South 69°38'37" East, 45.94 feet to a 5/8 inch iron pin set;

COURSE II Thence South 35°52'12" East, 25.68 feet to a 5/8 inch iron pin set;

COURSE III Thence South 06°51'23" East, 125.79 feet to a 5/8 inch iron pin set;

COURSE IV Thence South 31°29'27" East, 49.62 feet to a 5/8 inch iron pin set in the northwesterly limited access line of State Route 1 (Interstate 90);

COURSE V Thence South 58°30'33" West, along said limited access line, 213.22 feet to a 5/8 inch iron pin set at an angle point thereat, said point also lying in the westerly corporation line of the City of Willoughby Hills;

COURSE VI Thence South 45°48'53" West, along said limited access line, 76.90 feet to a 5/8 inch iron pin set at the easterly corner of land conveyed to BP Oil Co. by deed recorded in Volume 56B, Page 7 of Lake County Official Records (PPN: 31A-12B-02);

COURSE VII Thence North 86°56'41" West, along a northerly line of said BP Oil Co., 113.31 feet to a 5/8 inch iron pin set at an angle point thereat;

COURSE VIII Thence North 03°03'17" East, along a northerly line of said BP Oil Co., 19.01 feet to a 5/8 inch iron pin set at an angle point thereat;

COURSE IX Thence North 85°38'22" West, along a northerly line of said BP Oil Co., 46.56 feet to a 5/8 inch iron pin set at an angle point thereat;

COURSE X Thence North 04°58'10" East, along a westerly line of said BP Oil Co., 96.36 feet to a 5/8 inch iron pin set in the southerly line of land conveyed to Cracker Barrel Old Country Store, Inc. by deed recorded in Lake County Document No. 2003R014239 (PPN: 27A-01-54);

The following 3 courses are along the southerly and easterly lines of said Cracker Barrel parcel:

COURSE XI Thence South 06°46'10" East, 74.55 feet to a 5/8 inch iron pin set;

COURSE XII Thence North 08°15'00" East, 198.64 feet to a 5/8 inch iron pin set;

COURSE XIII Thence North 03°53'09" East, 33.19 feet to a 5/8 inch iron pin set in the westerly sideline of said Commerce Circle;

COURSE XIV Thence along the arc of said sideline deflecting to the left, 134.83 feet, said curve having a radius of 50.00 feet, a central angle of 154°31'46" and a chord which bears South 82°22'44" East, 92.64 feet to the Principal Place of Beginning and comprising 1.6913 acres (73,673 square feet) of land as calculated and described in May, 2003 by LDC, Inc. Land described herein, contains 1.1495 acres (50,074 square feet) of land in the City of Willoughby and 0.5418 acres (23,599 square feet) of land in the City of Willoughby Hills.

SCHEME B ITEMS

10. The premises abuts upon State Route 1 and State Route 91 a limited access highway to which access from the abutting property is denied between regularly constituted access points. ACKNOWLEDGED.

11. Restrictions and reservations contained in a deed, dated February 8, 1982, filed for record March 1, 1982 and recorded in Volume 314, Page 307 of Lake County Records, pertaining to this use and maintenance of a natural spring water system "that city water become available" AFFECTS CAPTION AND MORE LAND. CITY WATER AVAILABLE.

12. Easement established in a deed, dated January 1, 1982, filed for record July 1, 1981 and recorded in Volume 885, Page 332 of Lake County Records, PPN: 27A-01-25 & 31A-12B-15 (SHOW).

13. Surrender and Termination of Easement and Mutual Grant of Easement, dated December 14, 1983, filed for record December 22, 1983 and recorded in Volume 851, Page 1187 of Lake County Records. AFFECTS CAPTION AND MORE LAND.

14. Amendment recorded in Lake County Recorder's File No. 2003R024648, RELEASE OF EASEMENTS WITHIN THE PUBLIC RIGHT OF WAY OF COMMERCE CIRCLE, R/W SHOW.

15. Amendment to Mutual Grant of Easement, dated March 1, 2003, filed for record March 14, 2003 and recorded in Lake County Recorder's File No. 2003R013908, AFFECTS CAPTION AND MORE LAND. SUMMARY SERIES EASEMENT PLOTTED, SHOW AS 13b.

16. Declaration of Restrictions by BP Oil Company, dated October 11, 1991, filed for record November 4, 1993 and recorded in Volume 827, Page 1140 of Lake County Records, AFFECTS CAPTION AND MORE LAND. PPN: 31A-12B-16 WAS PART OF "BP PROPERTY" (SHOW).

17. Amendment, filed for record October 11, 2001 and recorded in Lake County Recorder's File No. 2001A0804, PROPERTY DESCRIBED IN EXHIBIT 'A' OF ADDENDUM DOES NOT AFFECT CAPTION.

18. Acknowledgment, filed for record March 7, 2002 and recorded in Lake County Recorder's File No. 2002R011578, PROPERTY DESCRIBED IN EXHIBIT 'A' OF ADDENDUM DOES NOT AFFECT CAPTION.

19. Restrictions contained in a deed from LDC Associates-East, LLC to Shavley Development Company, dated July 8, 2003, filed for record July 10, 2003 and recorded in Lake County Recorder's File No. 2003R034200, AFFECTS CAPTION AND MORE LAND.

20. Declaration of Easements, Covenants, Conditions and Restrictions by Shavley Development Company, dated February 12, 2003, filed for record February 13, 2003 and recorded in Lake County Recorder's File No. 2003R034200, AFFECTS CAPTION AND MORE LAND.

21. First Amendment, dated June 1, 2003, filed for record August 12, 2003 and recorded in Lake County Recorder's File No. 2003R041608, AFFECTS CAPTION AND MORE LAND.

22. Easement contained in Common Pleas Case No. 34241, as to Easement parcel, (Case is not available for our review or copies) NOT ADDRESSED.

23. Easement for Highway Purposes from the Standard Oil Company to State of Ohio, dated December 23, 1963, filed for record February 14, 1964 and recorded in Volume 838, Page 444 of Lake County Records, as to Easement parcel, DOES NOT AFFECT CAPTION.

24. Grant of Easement by Grew Properties, Inc. dated July 28, 1988, filed for record October 6, 1988 and recorded in Volume 685, Page 533 of Lake County Records, as to Easement parcel, DOES NOT AFFECT CAPTION.

25. Easement shown on Plat, recorded in Volume 72, Page 40 of Lake County Plat Records, as to Easement parcel, DOES NOT AFFECT CAPTION.

26. Easements and setback shown on Plat recorded in Volume 44, Page 8 of Lake County Plat Records, as follows:
 a) 15 foot Underground Utility Easement; PLOTTED
 b) 40 foot building setback line; PLOTTED
 c) 10 foot building setback line; PLOTTED

NOTE: SHAVLEY DRAWINGS SHOW A 30 FOOT WIDE SETBACK SETBACK CROSSING CAPTION AND LABELED AS PROPOSED, NOT ADDRESSED BY THIS COMMENT.

Zoning Note: By Order of the Court of Common Pleas, Lake County (Case No. 01 CV 00028) filed August 20th, 2001, the zoning for the parcels in Willoughby Hills was changed from (R) Residential to (U) Commercial.

Alta/ACSM Land Title Survey
 DATE: January 24th, 2004
 SCALE: HORIZ. 1"=50'
 VERT. 1"=20'
 FILENAME: 27A-01-25-16
 COMPUTER: [unclear]
 FIELD CREW: [unclear]

P.P.N.'s 27A-01-25 & 31A-12B-15-16
 Commerce Circle
 Lands Shown Are Known As Being Part Of Original Willoughby Township Lot No. 3, Tract 6, Situated Within The City Of Willoughby And The City Of Willoughby Hills, County Of Lake, State Of Ohio.

SHEET 1 OF 1
 CONTRACT No. SNAVB1-0203