



**Planning &
Neighborhood Development**
35 Cabarrus Avenue, West
PO Box 308 Concord, NC 28026
Phone: 704-920-5146
Email: rogerss@concordnc.gov

Petition for Annexation into the Concord City Limits

Section A Submittal Checklist	
Please include all of the following (check off). If any information is missing from the application package, you will be asked to resubmit the petition with all required materials. Please carefully check the list below before you submit:	
Required – An incomplete application will delay the annexation process.	
✓	Written metes and bounds description of the property to be annexed. (Must include in application packet <u>and</u> email a Microsoft Word version to rogerss@concordnc.gov). Mark as Exhibit A . Source can be from Survey or Deed.
✓	Map showing above written metes and bounds description of the property to be annexed <u>in relation to the current city limits</u> . Mark as Exhibit B .
✓	A Current County Tax Map with parcels included in the annexation request clearly marked. Mark as Exhibit C . http://gis.cabarruscounty.us/gisdataexplorer/
✓	Correct Parcel Identification Number(s) (PIN) on second page of application. This is very important. Please indicate if the property to be annexed is only a portion of an existing parcel. http://gis.cabarruscounty.us/gisdataexplorer/
✓	Property Owners' Signatures, Date of Signatures, and addresses. See page 3 of this application. <u>All real property owners</u> must sign the application, and such signature <u>must be notarized</u> . An authorized representative must sign on behalf of each legal entity that holds ownership of the property and <u>such representative's signature must be notarized</u> . <u>One signature for each legal ownership interest in the property.</u> Please include signatures of new owners if ownership will change during the annexation process.
✓	Notary Statements for each signature
✓	General Warranty Deed showing ownership of the property. Petitioners must submit a title opinion or title insurance if a general warranty deed is not available. Upon review, a title opinion may be required in addition to a general warranty deed.
N/A	Statement of vested rights claimed, if any.
	\$300.00 Application Fee
	A letter authorizing a developer or agent to handle annexation petition (e.g. withdraw, delay/reactivate petition).
	This application form (Sections A, B, C, and D) completed, <u>dated and signed</u> by the property owner(s) and attested submitted by the deadlines noted in section B of this application, page 2.
Optional, but will assist in the steps following the annexation process	
✓	Section E (Supplemental Information)
	Copy of any proposed plans, which may include but is not limited to a preliminary site plan or final site plan
	Appropriate application(s) for City of Concord Planning & Zoning Commission (Rezoning Petition)
	List of Current Adjacent Property Owners

Section B Submittal Deadlines

Petitions for annexation are accepted by Planning & Neighborhood Development at any time. Find annexation schedule here: <https://www.concordnc.gov/Departments/Planning/Planning-Services/Annexations> **The annexation will become effective immediately upon adoption of the annexation ordinance at the scheduled public hearing unless notified otherwise by the City Clerk.**

(The City reserves the right to make exceptions to this tentative processing schedule for any reason, including when outstanding staff comments need to be addressed.)

Section C Summary Information / Metes and Bounds Descriptions

Development Project Name The Mills at Rocky River

Street Address 7601 Rocky River Rd Concord NC 28025

Cabarrus County Property Identification Number(s) list below

P.I.N. 55274159490000

P.I.N.

P.I.N.

P.I.N.

P.I.N.

P.I.N.

Acreage of Annexation Site 0.408

Annexation site is requesting connection to City of Concord Water Yes and/or Sewer Yes

Person to contact if there are questions about the petition

Name Nicholas Parker

Address 7140 Weddington Rd NW, Suite 140, Concord, NC, 28027

Phone (704) 573-1621

Fax #

Email

nrparker@amicuseng.com

Written metes and bounds description of property to be annexed

Attach additional sheets if necessary. Petitioners must submit an electronic Microsoft Word version. Petitioners must email an electronic copy to rogerss@concordnc.gov

See attached

Section D Annexation Petition

State of North Carolina, Cabarrus County, Petition of Annexation of Property to the City of Concord, North Carolina

Part 1 The undersigned, being all the owners of the real property described in this application (Section C) respectfully request the annexation of said property to the City of Concord, North Carolina. **The petitioners understand and agree that any utilities that must be extended to the annexed area are the responsibility of the developers or successive property owners.** The property to be annexed is:

Contiguous to the present primary corporate limits of the City of Concord, North Carolina, or

Satellite (Not Contiguous) to the municipal limits of the City of Concord, and meets all of the requirements for **NCGS §160A-58.1(b)**. This includes that if any portion of an area of the proposed annexation is part of a subdivision, all of the subdivision must be included.

Part 2 NC General Statutes require petitioners of both contiguous and satellite annexations to file a signed statement declaring whether vested rights have been established in accordance with G.S.160A-385.1 or 153A-344.1 for properties subject to the petition.

Do you declare such vested rights for the property subject to this petition? Yes ☒ No ☐

If yes, please submit proof that vested rights have been granted by governing board. I hereby declare that my failure to disclose existence of a vested right terminates any vested right previously acquired for this property.

Signed this 16th day of APRIL, 20 19 by the owners of the property described in Section C.

Owner's Signature(s)

Include signatures of new owners if ownership will change during the annexation process.

Indicate if owner is signing on behalf of legal entity and in what capacity.

Print Name R. Dean HARRELL Phone 704-564-4815

Address 5615 Potter Rd MATTHEWS N.C. 28104

Signature R. Dean Harrell Date April 16/19

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

A notary statement must be completely filled out for each signature.

PETITION MUST BE NOTARIZED

State of: _____
County of: _____

Use this section for individual landowners.

I, _____ [Notary's Name], a Notary Public for said County and State, do hereby certify that the landowner, _____ [Name of Landowner], as stated on the annexation petition, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Use this section for all land owners that are not individuals, such as (without limitation) corporate land owners, properties held in an estate, properties held in trust, etc.

I, Angela S. Jennings [Notary's Name], a Notary Public for said County and State, do hereby certify that R. Dean Harrell [Representative for Landowner], a duly authorized representative for Mills Ventures LLC [Landowner], mentioned on the annexation petition as the landowner, personally came before me this day and acknowledged that he is MEMBER [Title] of said land owner, and acknowledged on behalf of said landowner, the due execution of the foregoing instrument.

Use this section for all individual landowners that are having a Power-of-Attorney execute the Annexation Request.

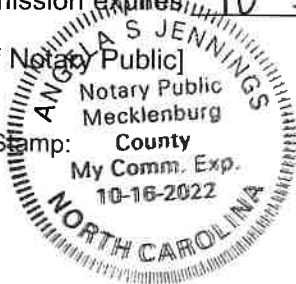
I, _____ [Notary's Name], a Notary Public for Said County and State, do hereby certify that, _____ [Attorney-In-Fact's Name], Attorney-in-Fact for _____, [Name of Landowner(s)] personally appeared before me this day, and being by me duly sworn, say that he/she executed the foregoing and annexed instrument for and on behalf of said Landowner(s) and that his/her authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged and recorded in the office of the Register of Deeds in the County of _____, State of _____, [County & State of Recording Office] on the ____ day of _____, 20____, [Date of Recording of the Document] and that this instrument was executed under and by virtue of the authority given by said instrument granting him power of attorney. I further certify that the said Attorney-In-Fact acknowledged the due execution of the foregoing instrument for the purposed therein expressed for and on behalf of said Landowners.

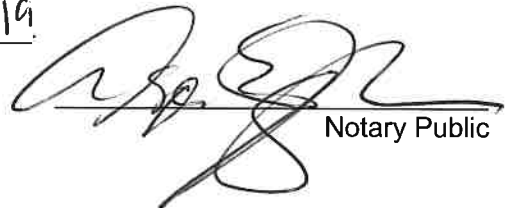
Witness my hand and official seal this 16 day of April, 2019.

My commission expires 10-16, 2022

[SEAL of Notary Public]

Notary's Stamp:




Notary Public

Section E Supplemental Information

In order for the City of Concord to better serve annexation areas, now and in the future, the City requests the following information from you. Please give your best estimates where they are needed. Contact information for relative City Departments can be found at the end of the worksheet. Please indicate 'N/A' for questions on which you have no information.

Acreage of Area					0.408 Ac				
Current Population of Area									
Current Zoning of Area					CR				
Desired City Zoning of Area					C1-CD				
Proposed Use (i.e. residential, commercial, or industrial)					Commercial				
Estimated Total Value of Residential Units for the Proposed Development					N/A				
Total Proposed Number of Dwelling Units					0				
Type of Proposed Dwelling Units (Single Family Detached, Single Family Attached, Multi-Family)					N/A				
Year 1		Year 2		Year 3		Year 4		Year 5	
Estimated Total Value of Business Units for the Entire Proposed Development									
Commercial Value		0		Industrial Value		0		Other (not-for-profit) Value	
								0	
Proposed Number of Commercial									
Year 1	0	Year 2	0	Year 3	0	Year 4	0	Year 5	0
Proposed Number of Industrial									
Year 1	0	Year 2	0	Year 3	0	Year 4	0	Year 5	0
Proposed Number of Other (not-for-profit)?									
Year 1	0	Year 2	0	Year 3	0	Year 4	0	Year 5	0

Section E (continued) Supplemental Information

Street Information

Proposed total linear mileage of roadway installed <i>N/A</i>									
Year 1		Year 2		Year 3		Year 4		Year 5	
Proposed total number of non-state maintained street miles <i>N/A</i>									
Year 1		Year 2		Year 3		Year 4		Year 5	

Water Information

Typical water service(s) (i.e. 3/4", 1", etc.) <i>N/A</i>									
Number of services installed by developer (by service type)									
Year 1		Year 2		Year 3		Year 4		Year 5	
Number of services requested (by service type)									
Year 1		Year 2		Year 3		Year 4		Year 5	
Typical irrigation meter size(s) to be installed (i.e. 3/4", 1", etc.) <i>N/A</i>									
Number of Services Requested <i>N/A</i>									
Year 1		Year 2		Year 3		Year 4		Year 5	
Estimated Mileage of Water Pipe Needed <i>N/A</i>									
Year 1		Year 2		Year 3		Year 4		Year 5	

Sewer Information

Typical sewer service(s) (i.e. 4", 6", 8" etc.) <i>N/A</i>									
Number of services installed by developer (by service type) <i>N/A</i>									
Year 1		Year 2		Year 3		Year 4		Year 5	
Number of services requested (by service type) <i>N/A</i>									
Year 1		Year 2		Year 3		Year 4		Year 5	
Estimated Mileage of Water Pipe Needed <i>N/A</i>									
Year 1		Year 2		Year 3		Year 4		Year 5	

Section E (continued) Supplemental Information									
Solid Waste Data									
Number of Rollouts needed for Multi-Family Units <i>N/A</i>									
Year 1		Year 2		Year 3		Year 4		Year 5	
Number of commercial units using City rollout collection									
Year 1		Year 2		Year 3		Year 4		Year 5	
Number of commercial units needing corrugated (cardboard) recycling <i>N/A</i>									
Year 1		Year 2		Year 3		Year 4		Year 5	
Number of commercial units needing white paper pick-up (recycling) <i>N/A</i>									
Year 1		Year 2		Year 3		Year 4		Year 5	

PLEASE SUBMIT ANY SKETCH PLANS OR PRELIMINARY PLATS THAT YOU MAY CURRENTLY HAVE FOR YOUR PROJECT.

City Contact Information

Planning and Neighborhood Development	704-920-5146
Water Resources Director	704-920-5343
Director of Electric Services	704-920-5301
Director of Engineering	704-920-5401
Solid Waste Manager	704-920-5351
Fire Chief	704-920-5536
Police Chief	704-920-5000
Transportation	704-920-5362
Legal	704-920-5114

EXHIBIT A

Legal Description

BEING all those certain pieces, parcels or tracts of land lying in the City of Concord, Cabarrus County, North Carolina, and being identified and described as Proposed Lot #1, Proposed Lot #2, Proposed Lot #3 and Proposed Lot #4, on the "Conveyance Plat, a Portion of PID #55275398040000, Rocky River Project, LLC" prepared by The Isaacs Group, dated December 10, 2018, and recorded January 23, 2019 in Plat Book 79 at Pages 54 through 58 in the Office of the Register of Deeds for Cabarrus County, North Carolina, reference to which is hereby made for a more particular description.

AND

TO FIND THE POINT AND PLACE OF BEGINNING, BEGIN AT NCGS MONUMENT "ROCKY" PUBLISHED COORDINATES (NAD 83): N-570428.892' AND E-1523326.606' AND PROCEED N39°33'18"W 1939.40' TO A #4 REBAR FOUND IN THE COMMON PROPERTY LINE OF NAO KHA VANG, NOW OR FORMERLY, (DEED BOOK 6489 PAGE 117) AND ROCKY RIVER PROJECT, LLC, NOW OR FORMERLY (DEED BOOK 1996 PAGE-167), THE TRUE POINT AND PLACE OF BEGINNING; THENCE FROM SAID BEGINNING POINT SO ESTABLISHED AND WITH THE AFORESID PROPERTY LINE OF NAO KHA VANG, NOW OR FORMERLY, N52°05'22"W 130.86' TO A #4 REBAR FOUND IN THE EASTERLY RIGHT OF WAY MARGIN OF ROCKY RIVER ROAD (60' PUBLIC R/W); THENCE WITH THE AFORESAID MARGIN OF ROCKY RIVER ROAD THE FOLLOWING TWO (2) COURSES:

1. N38°00'06"E 71.02' TO A #4 REBAR FOUND;
2. WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 730.00' (CHORD BEARING AND DISTANCE N32°31'20"E 139.42'), AN ARC DISTANCE OF 139.63' TO AN IRON PIN FOUND IN THE COMMON PROPERTY LINE OF SAID ROCKY RIVER PROJECT, LLC; THENCE WITH THE AFORESAID PROPERTY LINE OF ROCKY RIVER PROJECT, LLC, THE FOLLOWING TWO (2) COURSES:

1. S06°33'26" E 24.46' TO A #4 REBAR FOUND;
2. S05°06'01" E 221.31' TO A #4 REBAR FOUND IN THE COMMON PROPERTY LINE OF SAID NAO KHA VANG AND ROCKY RIVER PROJECT, LLC PROPERTIES; THENCE WITH THE AFORESAID PROPERTY LINE OF NAO KHA VANG, NOW OR FORMERLY, S76°22'15" 39.00' TO THE POINT AND PLACE OF BEGINNING.

CONTAINS 0.408 ACRES MORE OR LESS.

Exhibit B

Cabarrus County Property Map



Property Real ID

Physical Address:

Owner Name 1:

Owner Name 2:

Mailing Address:

Mail City:

Mail State:

Mail Zip:

Parcel PIN

Land Units

Land Units Type

Land Value

Building Value

Assessed Value

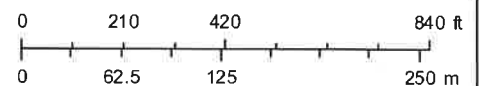
Market Value

Cabarrus County shall not be held liable for any errors in the data represented on this record. This includes errors of omission, commission, concerning the content of the data, and relative positional accuracy of the data. The data cannot be construed to be a legal document. Primary sources from which this data was compiled must be consulted for verification of information represented on this map document.

Map Created By Cabarrus County IT Department
Data Sources: Cabarrus County Land Records

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

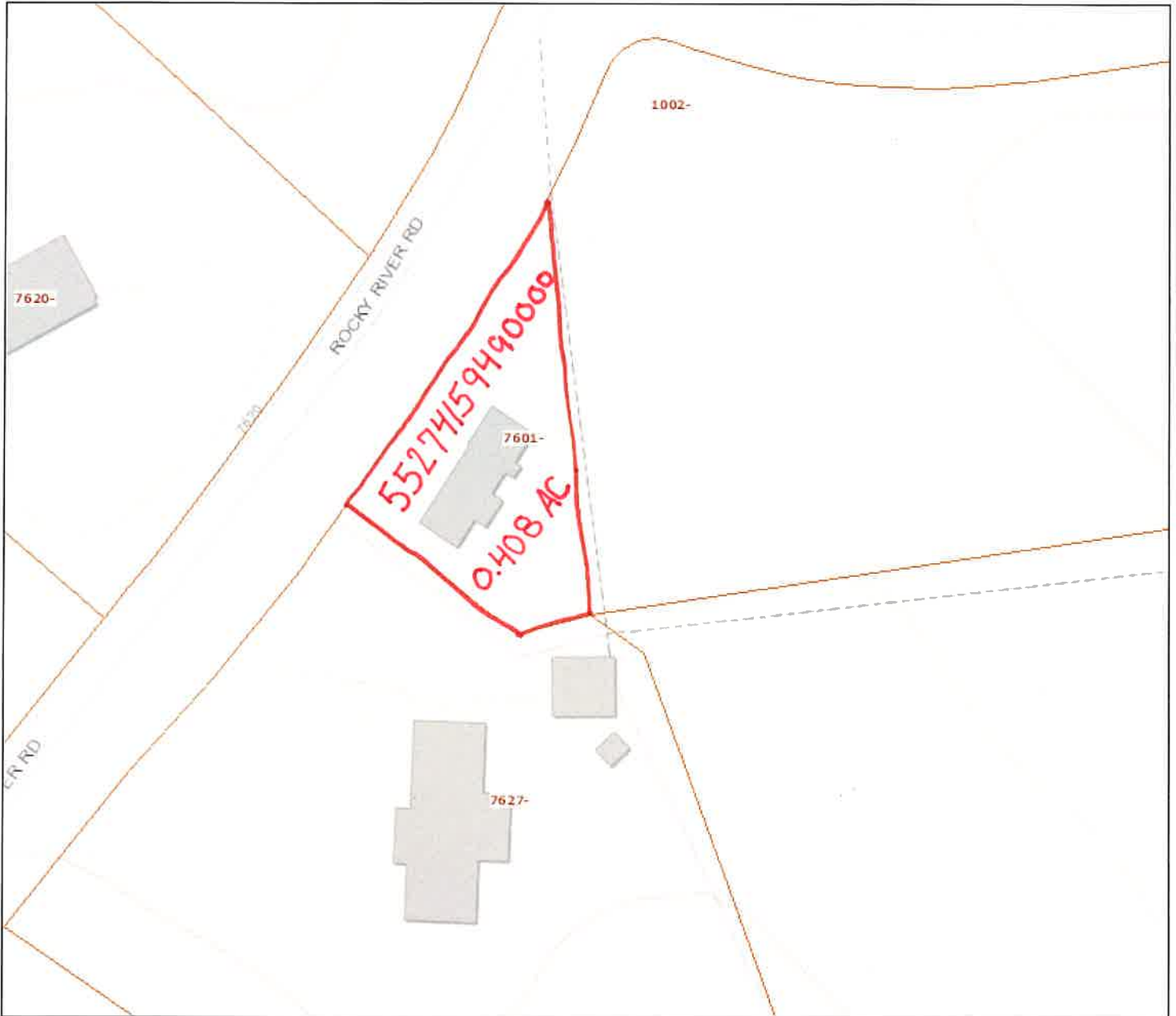
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Print Date: April 15, 2019

Exhibit C

Cabarrus County Property Map



Property Real ID

Physical Address:

Owner Name 1:

Owner Name 2:

Mailing Address:

Mail City:

Mail State:

Mail Zip:

Parcel PIN

Land Units

Land Units Type

Land Value

Building Value

Assessed Value

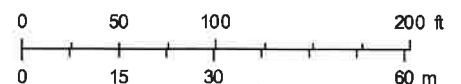
Market Value

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Data Sources: Cabarrus County Land Records

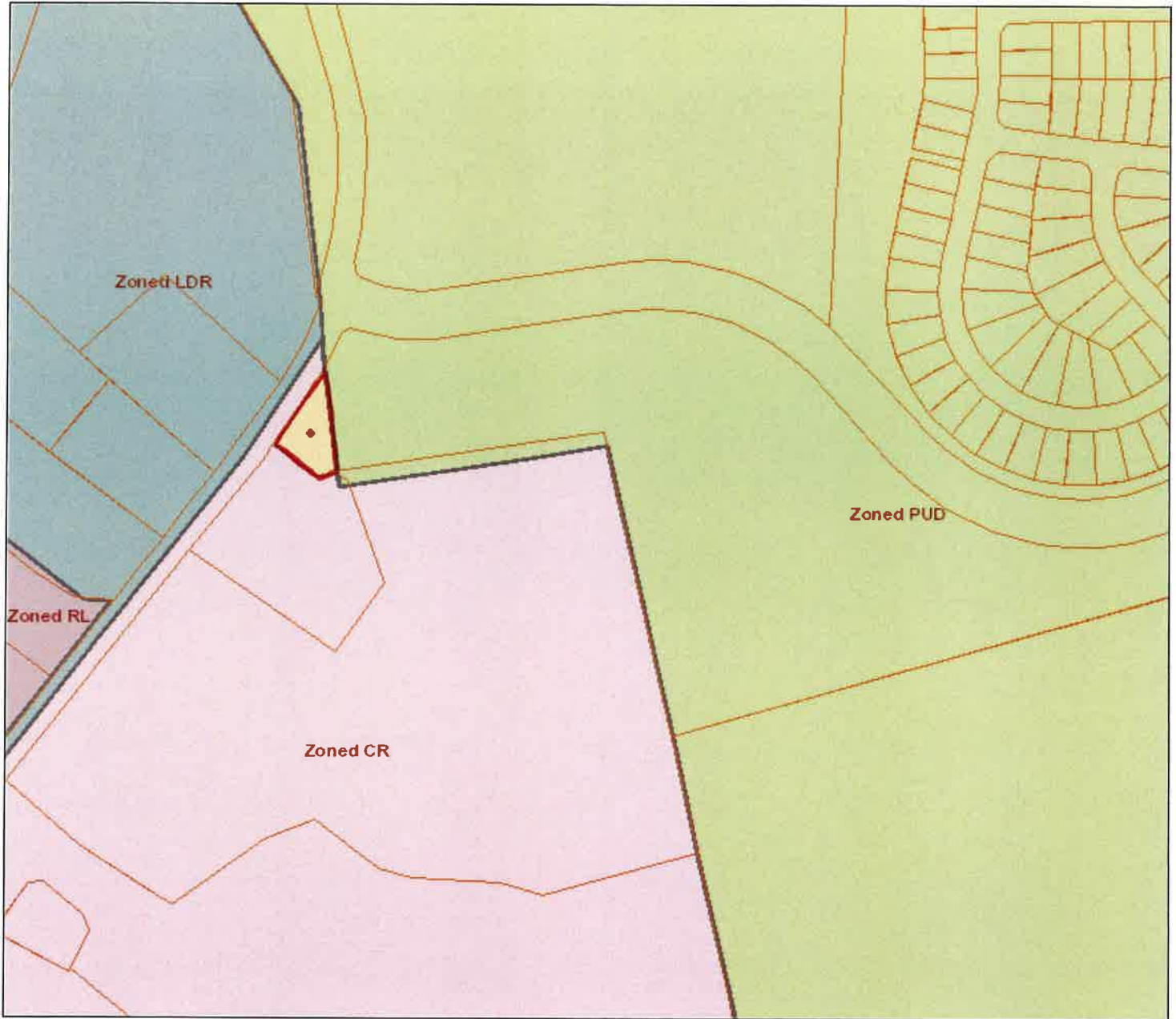
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

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Print Date: April 15, 2019

PIN 55274159490000



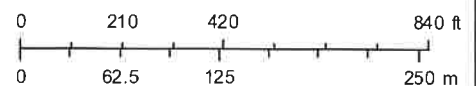
Property Real ID	01-018 -0005.10	Parcel PIN	55274159490000
Physical Address:	7601 ROCKY RIVER RD CONCORD NC 28025	Land Units	0.408
Owner Name 1:	MILLS VENTURES LLC	Land Units Type	AC
Owner Name 2:		Land Value	31540
Mailing Address:	ATTN: R DEAN HARRELL 5615 POTTER RD	Building Value	59790
Mail City:	MATTHEWS	Assessed Value	95130
Mail State:	NC	Market Value	95130
Mail Zip:	28104		

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13394 0062

FILED ELECTRONICALLY
CABARRUS COUNTY NC
M. WAYNE NIXON

FILED Feb 28, 2019
AT 04:24:00 PM
BOOK 13394
START PAGE 0062
END PAGE 0066
INSTRUMENT # 04644
EXCISE TAX \$2,500.00

Excise Tax \$2,500.00

Recording Time, Book and Page

PID # 55274159490000 and Part of PID #55275398040000

Verified by _____ County on the _____ day of _____, 2019 by _____

Mail after recording to Costner Law Office, PLLC, 10125 Berkeley Place Drive, Charlotte, NC 28262

This instrument was prepared by Kirk Palmer & Thigpen, P.A. [no title examination performed or requested]

Brief Description for the index 74.316 acres +/-, Rocky River Road, Concord, NC

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made as of the 28th day of February, 2019 by and between

GRANTOR

ROCKY RIVER PROJECT, LLC, a Delaware
limited liability company

c/o Wells Fargo Bank, N.A.
301 S. College Street, 15th Floor
Charlotte, NC 28202

GRANTEE

MILLS VENTURES LLC, a North Carolina limited
liability company

Attention: R. Dean Harrell
5615 Potter Road
Matthews, North Carolina 28104

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

00159264.3

Submitted electronically by "Costner Law Office, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the Memorandum of Understanding with
the Office of the Register of Deeds of Cabarrus County. NCGS 47-14(a1)(5).

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Cabarrus County, North Carolina and more particularly described on Exhibit A attached hereto and incorporated herein by reference.

The property does not include the primary residence of the Grantor (NCGS §105-317-2).

The property hereinabove described was acquired by Grantor by instrument recorded in Book **08493** Page **109**

Maps showing the above described properties are recorded in Map Book 79, Pages 54-58.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to those certain exceptions set forth on Exhibit B attached hereto and incorporated herein by reference.

The property hereinabove described is conveyed on an "AS IS, WHERE IS" condition and basis, and Grantor has not made, does not make and specifically negates and disclaims any representations, warranties, promises, covenants, agreements or guaranties of any kind or character whatsoever, whether express or implied, oral or written, past, present, or future, of, as to, concerning or with respect to: (a) the value, nature, quality or condition of the property hereinabove described, (b) the suitability of the property hereinabove described for any activities and uses, (c) the habitability, merchantability, marketability, profitability or fitness for a particular purpose of the property hereinabove described, or (d) any other matter with respect to the property except as to warranties of title as set forth herein.

REMAINDER OF PAGE LEFT BLANK

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed as of the day and year first above written.

ROCKY RIVER PROJECT, LLC, a Delaware
limited liability company

By: REDUS Properties, Inc., its sole member

By: *Ryan Sansavera* (SEAL)
Name: Ryan Sansavera
Title: Vice President

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I certify that the following person personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Ryan Sansavera.

Date: January 26 2019
February

Diahann Carol Gray
Official Signature of Notary

DIAHANN CAROL GRAY
Notary's printed or typed name, Notary Public
My commission expires: 09-18-2021

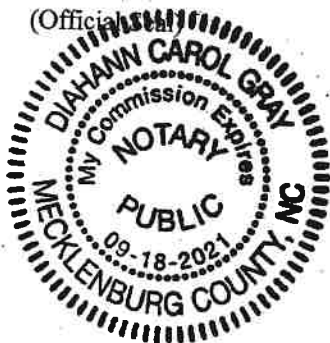


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CONTAINS 0.408 ACRES MORE OR LESS.

EXHIBIT B

1. The lien of all taxes for the year 2019 and thereafter, which are not yet due and payable.
2. All declarations, easements, rights-of-way, restrictions, covenants and other matters of public record.
3. All water, gas and mineral rights of others.
4. Any matters that would be disclosed by an accurate, current survey and inspection of the Property.