

City of Roanoke  
State of Virginia

I, Catherine S. Pendleton, a Notary Public in and for the aforesaid City and State, do hereby certify that, Elena Gonzalez, whose name is signed to the foregoing writing dated the 31st Day of May, 2002, Has personally appeared before me in my city and state and has acknowledged the same on this the 31st Day of May, 2002.

My Commission Expires: May 31, 2006

Notary Public: Catherine S. Pendleton

City of Bentonville  
State of Arkansas

I, Linda M. Schneider, a Notary Public in and for the aforesaid City and State, do hereby certify that, Michael E. Gaudin, whose name is signed to the foregoing writing dated the 4th Day of June, 2002, Has personally appeared before me in my city and state and has acknowledged the same on this the 4th Day of June, 2002.

My Commission Expires: 4-1-2012

Notary Public: Linda M. Schneider

KNOW ALL YE MEN THESE PRESENTS TO WIT:

That Roanoke Regional Airport Commission is the Fee Simple owner of the land shown hereon bounded by corners 1 through 10 to 20 to 16 to 17 to 1, inclusive, and being known as Parcel 7-A, and is a portion of the same land conveyed to Said owner by Deed recorded in the Clerk's office of the Circuit Court of the CITY of ROANOKE, VIRGINIA in Deed Book 1564, Page 668 and Deed Book 1611, Page 525.

That Sam's Real Estate Business Trust is the Fee Simple owner of the land shown hereon bounded by corners 10 to 12 through 16 to 20 to 10 inclusive, and being known as Parcel 10-A, and is all of the same land conveyed to Said owner by Deed recorded in the Clerk's office of the Circuit Court of the CITY of ROANOKE, VIRGINIA as Instrument No. 020009687.

The Platting and Combination of the land shown hereon is with the free will and consent and in accord with the desire of the undersigned owners as required by Sections 15.2-2240 through 15.2-2276 of the Code of Virginia (1950) as amended to date, and the Subdivision Ordinance of the City of Roanoke, Virginia. The said owners hereby vacate the old lot line and the 30' minimum building line shown hereon.

In witness whereof is hereby placed the Signatures of the said owners on this the 31st Day of MAY, 2002.

[Signature]  
AUTHORIZED AGENT FOR  
ROANOKE REGIONAL AIRPORT COMMISSION

5-31-02  
DATE

[Signature]  
AUTHORIZED AGENT FOR  
SAM'S REAL ESTATE BUSINESS TRUST

6-04-02  
DATE

APPROVED: [Signature]  
CITY ENGINEER, ROANOKE, VIRGINIA

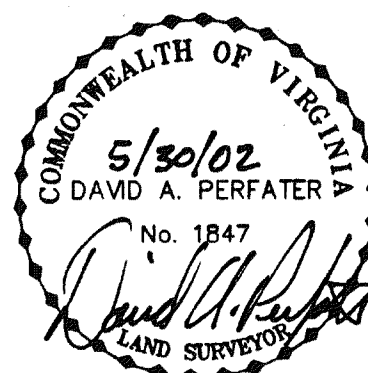
6/6/02  
DATE

[Signature]  
AGENT FOR THE CITY OF ROANOKE PLANNING COMM. DATE 6/6/2002

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR THE CITY OF ROANOKE, VIRGINIA THIS MAP PRESENTED ON THIS 6th DAY OF JUNE, 2002 AND WITH CERTIFICATE OF DEDICATION AND ACKNOWLEDGEMENT THERETO ANNEXED ADMITTED TO RECORD 3:00 O'CLOCK P.M.

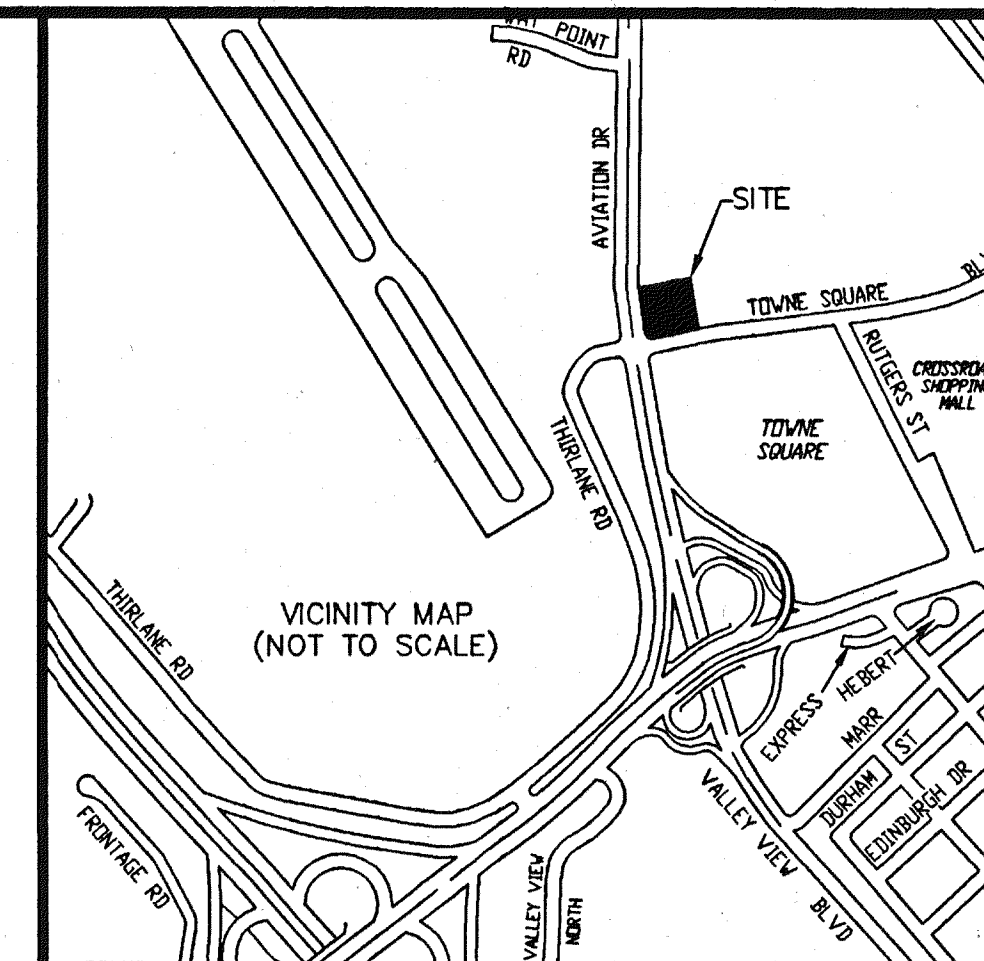
Teste: ARTHUR B. CRUSH, III  
CLERK

By: Patty Taylor



I, DAVID A. PERFATER, a duly Certified Surveyor in the State of Virginia, do hereby certify that the property shown hereon was carefully surveyed, and is correct to the best of my knowledge and belief.

[Signature]  
DAVID A. PERFATER, L.S. 1847



#### Release and Imposition of Storm Water Control Facilities Maintenance Covenant:

By Maintenance Agreement dated March 11, 1987, recorded in the Clerk's Office of the Circuit Court of the City of Roanoke, Virginia, in Deed Book 1556, page 1739 ("the Maintenance Agreement"), the City of Roanoke imposed on all of the property of Towne Square Joint Venture, as shown on plat of subdivision of Towne Square recorded in said Clerk's Office in Plat Book 1, pages 589-92, certain obligations with respect to maintenance of storm water control facilities serving the Towne Square development. The 1.441-acre parcel, property of Sam's Real Estate Business Trust, which is to be conveyed to the Roanoke Regional Airport Commission and is becoming a part of new Parcel 7-A1 as shown hereon, was part of the original Towne Square development and is therefore subject to the covenants created by the Maintenance Agreement. New Parcel 7-A1 as hereby created will, however, have its own storm water control facilities and will not be a part of the Towne Square storm water control system.

Accordingly, the City of Roanoke, by its approval of this Subdivision and Combination Plat, releases the 1.441-acre parcel being conveyed by Sam's Real Estate Business Trust, to the Roanoke Regional Airport Commission, and becoming a part of new Parcel 7-A1, from the covenants and obligations imposed by the Maintenance Agreement.

Conversely, the 1.802-acre parcel, property of the Roanoke Regional Airport Commission, which is to be conveyed to Sam's Real Estate Business Trust and is becoming a part of new parcel 10-A1 as shown hereon, will become part of the Towne Square development, will be served by the Towne Square storm water control facilities which are the subject of the Maintenance Agreement and must therefore be responsible, pro rata with the other property in Towne Square, for performance of the maintenance obligations described in the Maintenance Agreement.

Accordingly, Sam's Real Estate Business Trust, by its execution of this Subdivision and Combination Plat, agrees that the responsibility and obligation for maintenance of the Towne Square storm water control facilities, as those facilities and obligations are described in the Maintenance Agreement shall be a perpetual covenant which shall run with the title to the 1.802-acre parcel being acquired by Sam's Real Estate Business Trust from the Roanoke Regional Airport Commission and becoming a part of new parcel 10-A1 hereon, the same as if said parcel had been a part of the Towne Square development as originally described in the Maintenance Agreement.

#### SUBDIVISION AND COMBINATION PLAT FOR ROANOKE REGIONAL AIRPORT COMMISSION AND SAM'S REAL ESTATE BUSINESS TRUST

SHOWING A 1.441 AC. PARCEL BEING COMBINED WITH ROANOKE REGIONAL AIRPORT COMMISSION (PARCEL 7-A), AND CREATING PARCEL 7-A1 (6.826 AC.) AND A 1.802 AC. PARCEL BEING COMBINED WITH SAM'S REAL ESTATE BUSINESS TRUST (PARCEL 10-A), AND CREATING PARCEL 10-A1 (11.642 AC.).

THE CITY OF ROANOKE, VIRGINIA

SCALE: 1" = 100'

DATE: MAY 22, 2001

REVISED: OCTOBER 30, 2001

REVISED: MAY 30, 2002



Mattern & Craig, Inc.

CONSULTING ENGINEERS • SURVEYORS  
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Sheet 1 of 2

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