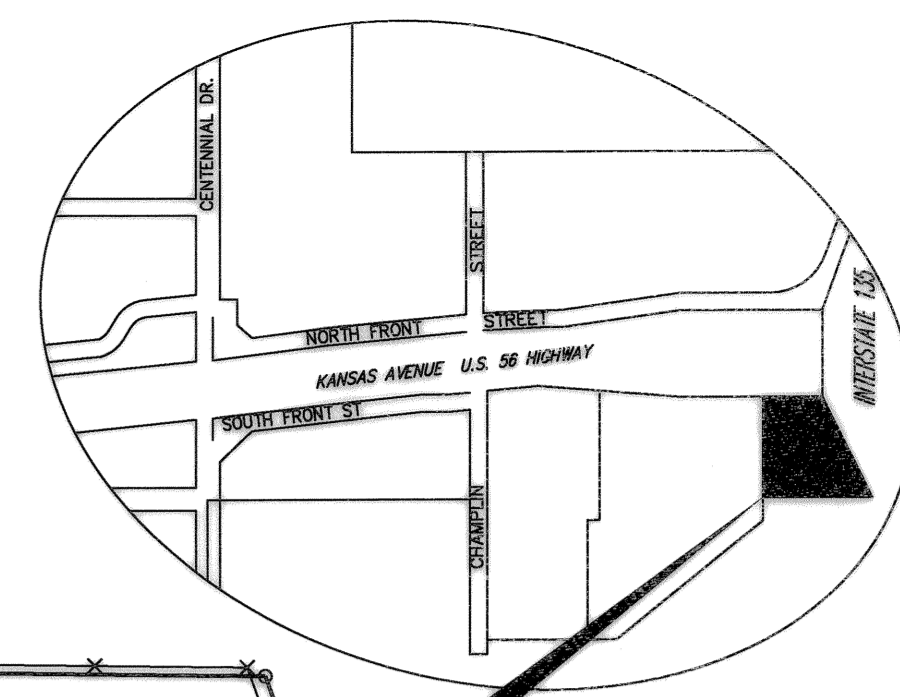


APRIL 2010 AMENDMENT TO FINAL P.U.D. PLAN OF PLAZA EAST ADDITION MCPHERSON, MCPHERSON COUNTY, KANSAS

Page 1 of 2



PROJECT LOCATION
VICINITY MAP

General Provisions:
This P.U.D. and the hereon described property is subject to the following:

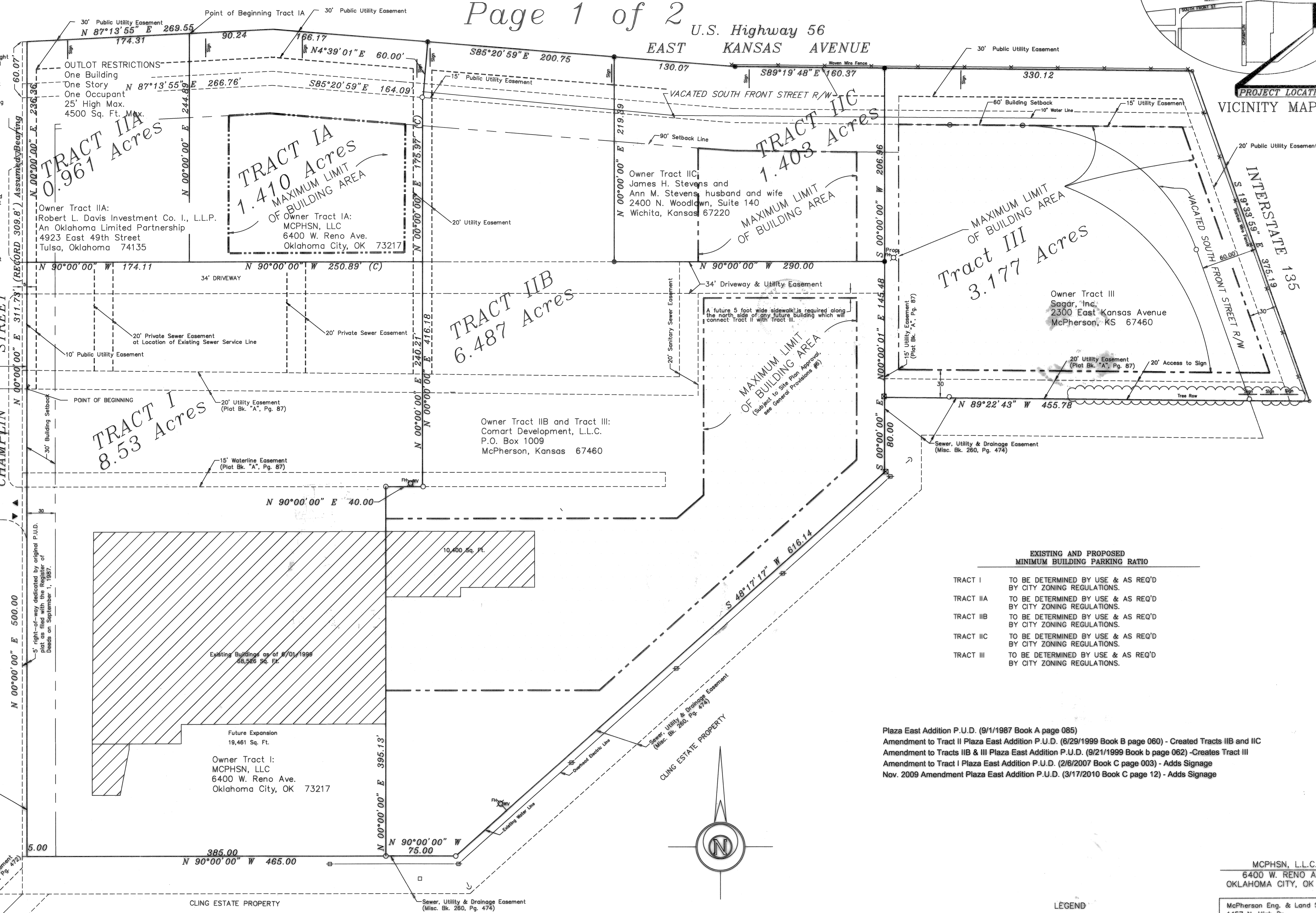
- 1.) Easements with Covenants and Restrictions affecting land "ECR" dated November 8, 1985 between Wal-Mart Properties, Inc. and McPherson Development Company, a Missouri General Partnership, filed for record November 14, 1985 in Volume Misc. 260 at Page 440.
- 2.) Development Agreement between Wal-Mart Properties, Inc. and McPherson Development Company, a Missouri General Partnership, dated November 8, 1985.
- 3.) Amendment to Development Agreement between Wal-Mart Properties, Inc. and McPherson Development Company dated July 31, 1986.
- 4.) Second Amendment to Development Agreement filed December 12, 1986 filed for record Volume Misc. 264, Page 357.
- 5.) Signs along U.S. Highway 56 are permitted an additional 5 feet height for a total of 35 feet. Signs along I.H. 135 are permitted an additional 20 feet height for a total of 50 feet. Signs shall not exceed a gross surface area of 300 square feet per sign or total sign area per business shall not exceed three square feet of signage per linear foot store frontage. This plan indicates general location and number of ground or pole-type signs per tract only and not exact sign locations. Signs shall otherwise comply with sign regulations for the B-5 Shopping Center Business District as found in the City Zoning Regulations.
- 6.) A separate site plan is required for approval of each building to be built within the defined "maximum building area" at the time of construction.
- 7.) Amendment to Tract II, Final P.U.D. Plan filed for record in Plat Book B page 60 on June 28, 1999.
- 8.) As per agreement with the K.D.O.T., there will be no entrances allowed from Champlin Street any closer than 100 feet from the south right-of-way of U.S. Highway 56.
- 9.) All existing or future outdoor lighting shall be directed or shielded in such a way so as to prevent the creation of a nuisance to adjacent residential properties or the creation of a hazard on any public way.
- 10.) Planned Unit Development Statement filed for record on September 15, 1999 in book Misc. 310, page 824.
- 11.) The uses allowed in this P.U.D. shall be those listed in the City Zoning Regulations under the B-5 Shopping Center Business District including all additions or deletions for this P.U.D. overlay district as approved by the McPherson City Commission under Ordinance Number 2629 dated July 26, 1999.
- 12.) Temporary and seasonal, sales, display and/or storage areas are allowed outside without screening as long as the required parking area ratio is maintained. Permanent outside storage and display areas are shown and may be fenced as appropriate. Notwithstanding anything to the contrary, the required parking area ratio shall not be greater than the ratio required by the currently existing City Zoning Regulations. Portable storage containers are allowed in Tracts I and II behind the buildings. Fire access lanes shall be maintained in accordance with applicable state statute and city ordinance.
- 13.) 6' cedar screening fence to be built along the south property line of Tracts I, II and III by developers and by Wal-Mart Stores, Inc., when and only when the property adjoining and south of these tracts develops as residential.

SEC. 26, 1195, R3W
FD. City Monument
Elevation = 1502.94 USGS

BENCHMARK:
Chiseled [] (Square) on top of Headwall at Southwest corner of East branch, Dry Turkey Creek culverts under East Kansas Avenue (1/2 mile West of site) RM3 National Flood Rate Map, Panel 20 of 20.
Elevation = 1487.91 USGS

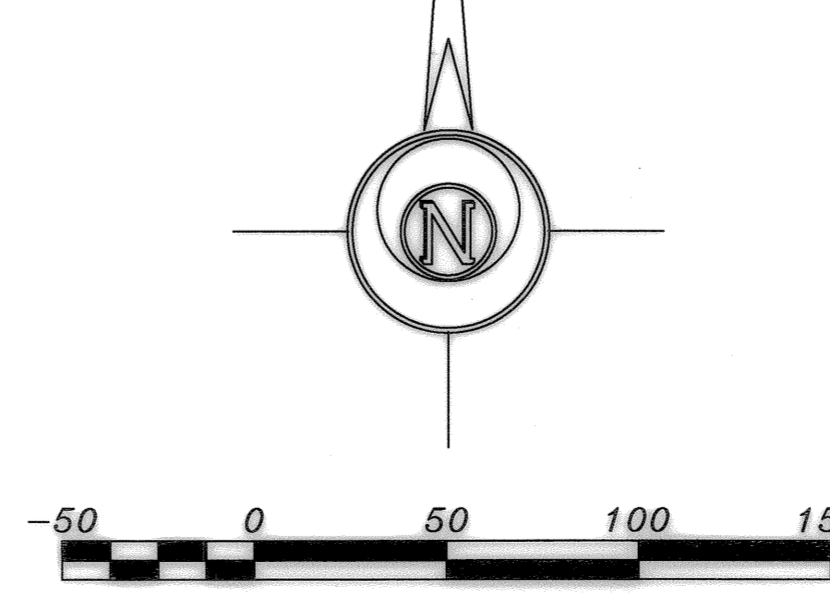
TEMPORARY BENCHMARK:
"t" on East side of Concrete Pole Base.
Elevation = 1502.94 USGS

FLOOD CERTIFICATION:
No portion of this site is in the "Zone A" designated flood area (100-Year Frequency Flood Zone) as designated by the Federal Emergency Management Agency, Flood Insurance Rate Map, Community Panel Number 200217 0020D, for the City of McPherson, McPherson County, Kansas, dated March 16, 1983. This site is in Zone C.



EXISTING AND PROPOSED MINIMUM BUILDING PARKING RATIO	
TRACT I	TO BE DETERMINED BY USE & AS REQ'D BY CITY ZONING REGULATIONS.
TRACT II A	TO BE DETERMINED BY USE & AS REQ'D BY CITY ZONING REGULATIONS.
TRACT II B	TO BE DETERMINED BY USE & AS REQ'D BY CITY ZONING REGULATIONS.
TRACT II C	TO BE DETERMINED BY USE & AS REQ'D BY CITY ZONING REGULATIONS.
TRACT III	TO BE DETERMINED BY USE & AS REQ'D BY CITY ZONING REGULATIONS.

Plaza East Addition P.U.D. (9/1/1987 Book A page 085)
Amendment to Tract II Plaza East Addition P.U.D. (6/29/1999 Book B page 060) - Created Tracts II B and II C
Amendment to Tracts II B & III Plaza East Addition P.U.D. (9/21/1999 Book B page 062) - Creates Tract III
Amendment to Tract I Plaza East Addition P.U.D. (2/6/2007 Book C page 003) - Adds Signage
Nov. 2009 Amendment Plaza East Addition P.U.D. (3/17/2010 Book C page 12) - Adds Signage



MCPHSN, L.L.C.
6400 W. RENO AVE.
OKLAHOMA CITY, OK 73127

- LEGEND**
- - 5/8" x 24" Iron Rebar w/G.S.S. Cap
 - - Survey Monument Found 4/12/1999 by Garber
 - - Fence
 - - 1/2" Rebar in Concrete

McPherson Eng. & Land Surveying
1457 N. High Dr.
McPherson, Kansas 67460
620-241-5086
Drawing Date: 04/06/2010

APRIL 2010 AMENDMENT TO FINAL P.U.D. PLAN OF PLAZA EAST ADDITION MCPHERSON, MCPHERSON COUNTY, KANSAS PAGE 2 OF 2

LAND SURVEYOR'S CERTIFICATE AND DESCRIPTION:

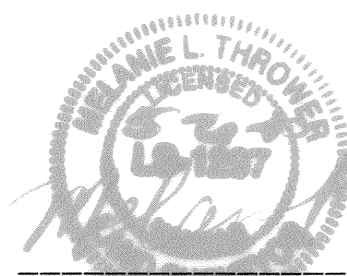
I, the undersigned, registered land surveyor of the State of Kansas, do hereby certify that the following described tract is the description of the boundary of Tracts I, IA, II, and III of the Final P.U.D. Plan of the Plaza East Addition based on survey on April 12, 1999 per the Amendment to Tract II as certified by Dan Garber, as filed at the Register of Deeds Plat Bk. "B", Page 60 in McPherson County, McPherson County, Kansas. The basis of origin is from Francis Rankin survey Champlin Addition 1/9/1970. No boundary survey was performed and no pins were set at time of this filing as approved by property owners of record.

Commencing at the Southwest corner of the NW1/4 of Section Twenty-six, Township 19 South, Range Three West of the Sixth Principal Meridian, in McPherson County, Kansas, thence S89°22'43"E a distance of 976.65 feet measured (971.65 feet recorded) to the point of beginning; thence N 00°00'00" W, 371.80' along the east right-of-way of Champlin Street; thence N 87°13'55" E, 269.55'; thence S 85°20'59" E, 496.99'; thence S 89°19'48" E, 490.49'; thence S 19°33'59" E, 375.19'; thence N 89°22'43" W, 455.78'; thence S 00°00'00" E, 80.00'; thence S 48°17'17" W, 616.14'; thence S 90°00'00" W, 465.00'; thence N 00°00'00" W, 500.00' to the point of beginning containing 19.38 acres more or less. Precision: 1:17398.37

DESCRIPTION TRACT IA:

Beginning at the Northwest Corner of TRACT I, Thence N 87°13'55" E, 90.24'; thence S 85°20'59" E, 166.17'; thence S 04°39'01" W, 60.00'; thence S 00°00'00" E, 175.97'; thence S 90°00'00" W, 250.89'; thence N 00°00'00" W, 244.89' to the point of beginning containing 1.41 acres. Precision: 1:206966.04

Date May 6, 20 10



Melanie L. Thrower RLS #1297

[SEAL]

OWNER'S CERTIFICATE AND DEDICATION:

STATE OF KANSAS }
CITY OF MCPHERSON }SS

This is to certify that the undersigned owner(s) of the land described in the Surveyor's Certificate; have caused the same to be surveyed and subdivided on the accompanying plat into lots, blocks, streets and other public ways under the name of Plaza East Addition; (an addition to the City of McPherson, McPherson County, Kansas); that all highways, streets, alleys, easements and public grounds as denoted on the plan are hereby dedicated to and for the use of the public for the purposes of constructing, operating, maintaining and repairing public improvements; and further that the land contained herein is held and shall be conveyed subject to any applicable restrictions, reservations, and covenants now on file or hereafter filed in the Office of the Register of Deeds of McPherson County, Kansas.

Bryan K. Hess
Bryan K. Hess, Operating Manager
TRACT 11B
Comart Development, L.L.C.

Jeffrey W. Davis
Jeffrey W. Davis
TRACT IA
Robert L. Davis Investment Co. I, L.L.C.

Terry Zerby
Terry Zerby, Manager
TRACT I and IA
MCPHSN, L.L.C.

James H. Stevens
James H. Stevens
TRACT IIC

Larry Patel
Larry Patel
TRACT III
Sagar, Inc.

Ann M. Stevens
Ann M. Stevens
TRACT IIC

NOTARY CERTIFICATES

STATE OF KANSAS }
COUNTY OF MCPHERSON }SS

The foregoing instrument was acknowledged before me this 7th day of May, 2010, by Bryan K. Hess, Operating Manager, Comart Development, L.L.C.

[SEAL] Carol A. Michel, Notary Public

My commission expires: 6-1-2013

STATE OF OKLAHOMA }
COUNTY OF OKLAHOMA }SS

The foregoing instrument was acknowledged before me this 10th day of May, 2010, by Terry Zerby, Manager, MCPHSN L.L.C.

[SEAL] Angela G. ..., Notary Public

My commission expires: 2/21/2014

STATE OF OKLAHOMA }
COUNTY OF TULSA }SS

The foregoing instrument was acknowledged before me this 15th day of June, 2010, by Jeffrey W. Davis.

[SEAL] Julia A. Kuhn, Notary Public

My commission expires: 5/26/12
Comm #00001418

STATE OF KANSAS }
COUNTY OF SEDGWICK }SS

The foregoing instrument was acknowledged before me this 9th day of June, 2010, by James H. Stevens and Ann M. Stevens.

[SEAL] Julia A. Kuhn, Notary Public

My commission expires: 5/26/2011

MORTGAGE HOLDER

We, Home State Bank and Trust, by Ted Odle, President, holders of a mortgage on the above described property do hereby consent to the plan of Plaza East Addition, City of McPherson, McPherson County, Kansas.

Home State Bank And Trust
223 N. Main Street
McPherson, Kansas
Ted Odle
Ted Odle, President

MORTGAGE HOLDER

We, Bank of Hydro, by Fred Schamburg, President, holders of a mortgage on the above described property do hereby consent to the plan of Plaza East Addition, City of McPherson, McPherson County, Kansas.

Bank of Hydro
146 W. Main Street
Hydro, Oklahoma 73048
Fred Schamburg
Fred Schamburg, President

MORTGAGE HOLDER

We, Bank of America, by Mark Heiman, Senior Vice-President, holders of a mortgage on the above described property do hereby consent to the plan of Plaza East Addition, City of McPherson, McPherson County, Kansas.

Bank of America
P.O. Box 4
Wichita, Kansas 67201
Mark E. Heiman
Mark Heiman, Senior Vice-President

NOTARY CERTIFICATES

STATE OF KANSAS }
COUNTY OF MCPHERSON }SS

The foregoing instrument was acknowledged before me this 10th day of August, 2010, by Ted Odle, President Home State Bank and Trust.

[SEAL] Carol A. Michel, Notary Public

My commission expires: 4-25-13

STATE OF OKLAHOMA }
COUNTY OF CUSTER }SS

The foregoing instrument was acknowledged before me this 13 day of May, 2010, by Fred Schamburg, President Bank of Hydro.

[SEAL] Julia A. Kuhn, Notary Public

My commission expires: 01-19-11

STATE OF KANSAS }
COUNTY OF SEDGWICK }SS

The foregoing instrument was acknowledged before me this 9th day of June, 2010, by Mark Heiman, Senior Vice-President Bank of America.

[SEAL] Julia A. Kuhn, Notary Public

My commission expires: 5/26/2011

PLANNING COMMISSION CERTIFICATE

STATE OF KANSAS }
CITY OF MCPHERSON }SS

This plan was approved by the McPherson City Planning Commission on

May 4, 2010

Signed August 16, 2010

Donna S. Lehner
Donna S. Lehner, Chairperson

ATTEST:
Gail Lauderdale
Gail Lauderdale, Secretary

COUNTY CLERK AND CITY CLERK CERTIFICATE

STATE OF KANSAS }
COUNTY OF MCPHERSON }SS
CITY OF MCPHERSON

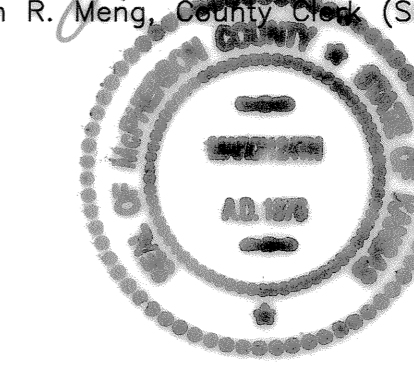
We, the undersigned, County Clerk of McPherson County, Kansas, and City Clerk of the City of McPherson, Kansas, within our respective jurisdictions, do hereby certify that at the date of this certificate, all currently due and owing taxes and special assessments of any kind assessed against any of the land included in this plan, have been paid.

Date Signed August 23, 2010

Date Signed 8/16/10

Susan R. Meng, County Clerk (SEAL) Deputy

Tamra K. Seely, City Clerk (SEAL)



GOVERNING BODY CERTIFICATE:

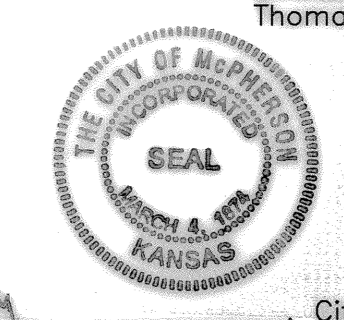
STATE OF KANSAS }
CITY OF MCPHERSON }SS

The dedications shown on this plat, if any, are hereby accepted by the Governing Body of the City of McPherson, Kansas, on August 16, 2010

Thomas A. Brown, Mayor

[SEAL]

ATTEST:
Tamra K. Seely, City Clerk



REGISTER OF DEEDS CERTIFICATE:

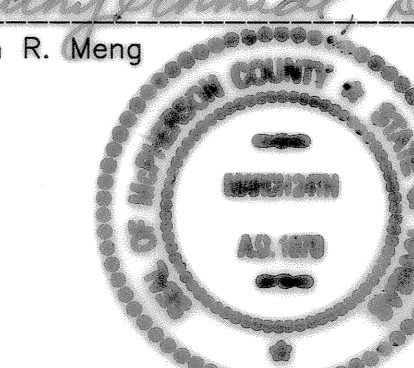
3618
MCPHERSON COUNTY REGISTER OF DEEDS
Julia A. Kuhn
40.00



TRANSFER RECORD

Entered on transfer record this 23 day of August, 2010

Susan R. Meng, County Clerk



MCPHSN, L.L.C.
6400 W. RENO AVE.
OKLAHOMA CITY, OK 73127

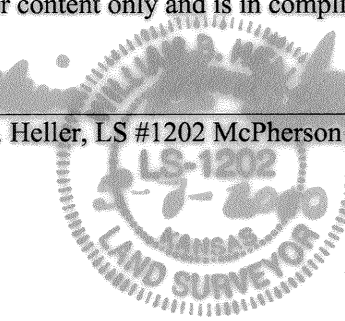
McPherson Eng. & Land Surveying
1457 N. High Dr.
McPherson, Kansas 67460
620-241-5086
Drawing Date: 04/06/2010

COUNTY SURVEYOR CERTIFICATE

State of Kansas }
County of McPherson)

Reviewed by the Unified Government Surveyor this 7th day of May, 2010. This survey has been reviewed for filing, pursuant to K.S.A. 58-2005 and K.S.A. 58-2011 for content only and is in compliance with those provisions. No other warranties are extended or implied.

William B. Heller, LS #1202 McPherson County Surveyor



STATE OF MISSOURI }
COUNTY OF CLAY }SS

The foregoing instrument was acknowledged before me this 5th day of August, 2010, by Larry Patel.

[SEAL] Nicholas Watts, Notary Public

My commission expires: June 12, 2013

June 12, 2013