



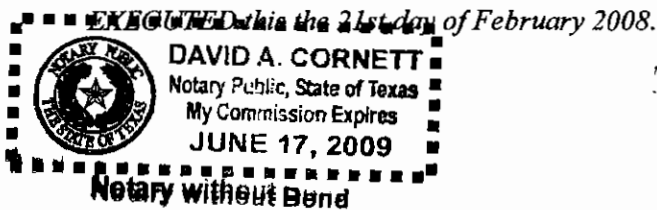
RAILROAD COMMISSION OF TEXAS

OIL AND GAS DIVISION

VOLUNTARY CLEANUP PROGRAM FINAL CERTIFICATE OF COMPLETION RELYING ON INSTITUTIONAL CONTROLS

As provided for Chapter 91, Subchapter 0, Texas Natural Resource Code.

I, WILLIAM B. MIERTSCHIN, ASSISTANT DIRECTOR OF THE SITE REMEDIATION SECTION, OIL AND GAS DIVISION, RAILROAD COMMISSION OF TEXAS, CERTIFY UNDER CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE, THAT NECESSARY RESPONSE ACTIONS HAVE BEEN COMPLETED FOR VOLUNTARY CLEANUP PROGRAM SITE VCP NO. 03-30017 AS OF 21 February 2008 FOR THE TRACT OF LAND DESCRIBED IN EXHIBIT "A", BASED ON THE AFFIDAVIT OF COMPLETION OF RESPONSE ACTION AND INSTITUTIONAL CONTROLS, EXHIBIT "B" AND WHICH ARE FURTHER DESCRIBED IN THE APPROVED FINAL REPORT FOR THE SITE. APPLICANTS WHO WERE NOT RESPONSIBLE PARTIES UNDER SECTION 91.113 ON THE DATE OF ISSUANCE OF THIS CERTIFICATE ARE QUALIFIED TO OBTAIN THE PROTECTION FROM LIABILITY PROVIDED BY CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE.



William B. Miertschin,
Assistant Director, Site Remediation

STATE OF TEXAS

COUNTY OF TRAVIS

BEFORE ME, personally appeared William B. Miertschin, Assistant Director, Remediation Division, of the Railroad Commission of Texas, known to me to be the person and agent of said commission whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, *this the 21st day of February 2008.*

Notary Public in and for the State of Texas

EXHIBIT "A"
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
LEGAL DESCRIPTION 1.1782 ACRE TRACT
3605-3651 WILLOWBEND BLVD, HOUSTON
HARRIS COUNTY, TEXAS
VCP NO. 03-30017

**METES AND BOUNDS DESCRIPTION
OF
1.1782 ACRES
B.B.B. & C. RR CO. SURVEY
ABSTRACT NO. 173
HARRIS COUNTY, TEXAS**

new

A PARCEL OF LAND CONTAINING 1.1782 ACRES (51,324 SQUARE FEET) BEING OUT OF THAT CERTAIN 12.7118 ACRE TRACT, CONVEYED FROM SC MAIN PARK, LTD. TO ENDOWMENT AND FOUNDATION REALTY, LTD. -JMB-IV, AS RECORDED IN COUNTY CLERK'S FILE NO. S005433, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS, (O.P.R.R.P.H.C.T.), AND ALSO BEING OUT OF THAT CERTAIN 19.4807 ACRE TRACT, CONVEYED FROM DC MAIN PARK LTD. AND INTERNATIONAL ACQUISITION II, LTD. TO ENDOWMENT AND FOUNDATION REALTY, LTD. -JMB-IV, AS RECORDED IN COUNTY CLERK'S FILE NO. P948748, O.P.R.R.P.H.C.T., SAID 1.1782 ACRE TRACT BEING SITUATED IN THE B.B.B. & C. CO. RR SURVEY, ABSTRACT NO. 173 IN HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, AT A FOUND 5/8 INCH IRON ROD, AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF OLD MAIN STREET ROAD, RIGHT-OF-WAY VARIES, WITH THE SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, 100-FOOT RIGHT-OF-WAY, FOR THE MOST WESTERLY NORTH CORNER OF THE SAID 12.7118 ACRE TRACT;

THENCE, N 83° 30' 48" E, WITH THE SAID SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, SAME BEING THE NORTH LINE OF THE SAID 12.7118 ACRE TRACT, A DISTANCE OF 11.23 FEET TO A FOUND 5/8 INCH IRON ROD, FOR THE MOST SOUTHERLY CUTBACK CORNER WITH THE SAID SOUTHEASTERLY LINE OF OLD MAIN STREET ROAD, SAME BEING THE MOST EASTERLY NORTH CORNER OF THE SAID 12.7118 ACRE TRACT;

THENCE, S 60° 55' 40" E, WITH THE SAID SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, SAME BEING THE NORTHEASTERLY LINE OF THE SAID 12.7118 ACRE TRACT, A DISTANCE OF 691.55 FEET TO THE POINT OF BEGINNING;

THENCE, S 60° 55' 40" E, WITH THE SAID SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, SAME BEING THE SAID NORTHEASTERLY LINE OF THE 12.7118 ACRE TRACT, AT A DISTANCE OF 50.09 FEET, PASS A FOUND 5/8 INCH IRON ROD, BENT, FOR THE MOST NORTHERLY CORNER OF THE SAID 19.4807 ACRE TRACT, SAME BEING THE MOST EASTERLY CORNER OF THE SAID 12.7118 ACRE TRACT, AND WITH THE NORTHEASTERLY LINE OF THE SAID 19.4807 ACRE TRACT, A TOTAL DISTANCE OF 347.45 FEET TO A FOUND 5/8 INCH IRON ROD, FOR A POINT OF CURVATURE;

THENCE, WITH THE SAID SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, SAME BEING THE SAID NORTHEASTERLY LINE OF THE 19.4807 ACRE TRACT, A DISTANCE OF 5.38 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1950.00 FEET, A CENTRAL ANGLE OF 00° 09' 29", AND A CHORD WHICH BEARS, S 60° 50' 58" E, A DISTANCE OF 5.38 FEET, FROM WHICH, A FOUND 5/8 INCH IRON ROD IN THE SAID SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, FOR THE NORTHWEST CORNER OF THAT CERTAIN 6.6173 ACRE TRACT 2, CONVEYED FROM MAIN STREET, LTD. TO BUFFALO LAKES, LTD., AS RECORDED IN COUNTY CLERK'S FILE NO. X866237, O.P.R.R.P.H.C.T., SAME BEING THE NORTHEAST CORNER OF THE SAID 19.4807 ACRE TRACT, IS LOCATED, A DISTANCE OF 185.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1950.00 FEET, A CENTRAL ANGLE OF 05° 27' 40", AND A CHORD WHICH BEARS, S 58° 02' 24" E, A DISTANCE OF 185.79 FEET;

THENCE, S 29° 09' 04" W, CROSSING A PORTION OF THE SAID 19.4807 ACRE TRACT, A DISTANCE OF 148.25 FEET TO A POINT,

THENCE, N 80° 50' 56" W, CROSSING A PORTION OF THE SAID 19.4807 ACRE TRACT, AT A DISTANCE OF 247.99 FEET, PASS THE SOUTHEASTERLY LINE OF THE SAID 12.7118 ACRE TRACT, SAME BEING THE NORTHWESTERLY LINE OF THE SAID 19.4807 ACRE TRACT, FROM WHICH, A FOUND 5/8 INCH IRON ROD, FOR AN ANGLE POINT IN THE SAID SOUTHEASTERLY LINE OF THE 12.7118 ACRE TRACT, SAME BEING AN ANGLE POINT IN THE SAID NORTHWESTERLY LINE OF THE 19.4807 ACRE TRACT, BEARS, S 03° 13' 33" W, 5.93 FEET, AND CROSSING A PORTION OF THE SAID 12.7118 ACRE TRACT, A TOTAL DISTANCE OF 302.82 FEET TO A POINT;

THENCE, CROSSING A PORTION OF THE SAID 12.7118 ACRE TRACT THE FOLLOWING (3) THREE COURSES AND DISTANCES:

1. N 29° 09' 04" E, A DISTANCE OF 17.97 FEET TO A POINT,
2. N 80° 50' 56" W, A DISTANCE OF 50.00 FEET TO A POINT, AND
3. N 29° 09' 04" E, A DISTANCE OF 129.80 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1.1782 ACRES (51,324 SQUARE FEET) OF LAND MORE OR LESS.



Clifton Seward 01/16/08
CLIFTON SEWARD, R.P.L.S., # 4337

THIS DESCRIPTION IS BASED ON A SURVEY PREPARED BY CIVIL-SURV LAND SURVEYING, L.C. DURING OCTOBER 2004 AND JANUARY 2008.

RP 053-9 -1511

EXHIBIT "B"
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
AFFIDAVIT OF COMPLETION OF RESPONSE ACTION
AND INSTITUTIONAL CONTROLS

I, Lauren D. Hogan, representing Endowment and Foundation Realty Ltd. – JMB-IV, have completed response actions necessary, pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at the tract of land described in Exhibit "A" (Site) of this certificate pertaining to VCP No. 03-30017. At the time of the application, Endowment and Foundation Realty Ltd. – JMB-IV owned the 1.1782-acre parcel located in Harris County, Texas. The Applicant has submitted and received approval from the Railroad Commission of Texas Voluntary Cleanup Program on all plans and reports required by the Voluntary Cleanup Agreement. The plans and reports were prepared using a prudent degree of inquiry of the Site consistent with accepted industry standards to identify all contaminants, waste and contaminated media of regulatory concern. The response actions for the site have achieved response action levels as determined by the standards of the RRC and remain protective as long as the following institutional controls are maintained:

1. Use of the Affected Property shall not be allowed for residential purposes as defined in the restrictive covenant.
2. Use of the groundwater beneath the Affected Property shall not be allowed except for monitoring purposes.
3. Penetration or excavation of the impacted soil and/or groundwater zones for any purpose should only be conducted in such a manner as to prevent the migration or release of contaminants to any other zone or media and to prevent uncontrolled exposure to human and ecological receptors.
4. This restriction shall be a covenant running with the land.
5. These restrictions were filed in the Harris County Clerk's office on 5 February 2008, Document 200800588 (Attachment 1)

The response actions eliminate substantial present or future risk to public health and safety and to the environment from releases and threatened releases of contaminants at or from the Site. The Applicant has not acquired this certificate of completion by fraud, misrepresentation, or knowing failure to disclose material information. Further information concerning the response actions at this Site may be found in the final report at the central office of the RRC under VCP No. 03-30017.

The preceding is true and correct to the best of my knowledge and belief.

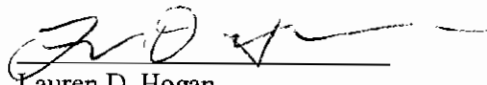
Applicant

ENDOWMENT AND FOUNDATION REALTY, LTD. -- JMB-IV
a Delaware corporation

By: HEITMAN ENDOWMENT ADVISORS, L.P.
an Illinois limited partnership
Investment Advisor

By: HEITMAN CAPITAL MANAGEMENT LLC
an Iowa limited liability company
General Partner

By:

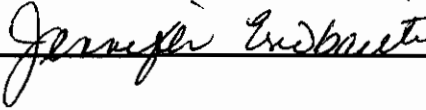


Lauren D. Hogan
Senior Vice President

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE ME, personally appeared Lauren D. Hogan, Senior Vice President of Heitman Capital Management LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 7 day of February, 2008.



Notary Public in and for the State of Illinois



*Attachment 1
Institutional Control
Document 200800588
Harris County, Texas*

Railroad Commission of Texas
Environmental Restrictive Covenant

20080058800
02/05/2008 RP2 \$52.00

STATE OF TEXAS

§

COUNTY OF Harris

§

This Restrictive Covenant is filed pursuant to the authority of the Railroad Commission of Texas (Commission) to control and clean up pollution caused by activities over which the Commission exercises jurisdiction in accordance with Section 91.113 of the Texas Natural Resources Code, and affects the real property (Property) described as follows:

Endowment and Foundation Realty, Ltd. is the current Owner of the Property and premises, and appurtenances thereto, located in Harris County, Texas consisting of a parcel of land containing 1.1782 acres (51,324 square feet) being out of that certain 12.7118 acre tract, conveyed from SC Main Park, Ltd. to Endowment and Foundation Realty, Ltd. -JMB-IV, as recorded in County Clerk's File No. S005433, Official Public Records of Real Property, Harris County, Texas, (O.P.R.R.P.H.C.T.), and also being out of that certain 19.4807 acre tract, conveyed from DC Main Park Ltd. and International Acquisition II, Ltd. to Endowment and Foundation Realty, LTD. -JMB-IV, as recorded in County Clerk's File No. P948748, O.P.R.R.P.H.C.T., said 1.1782 acre tract being situated in the B.B.B. & C. Co. RR Survey, Abstract No. 173 in Harris County, Texas, as more fully described on **Exhibit A** with the following metes and bounds as follows:

Commencing, at a found 5/8 inch iron rod, at the intersection of the southeasterly line of Old Main Street Road, right-of-way varies, with the southwesterly line of Willowbend Boulevard, 100-foot right-of-way, for the most westerly north corner of the said 12.7118 acre tract;

Thence, N 83°30'48" E, with the said southwesterly line of Willowbend Boulevard, same being the north line of the said 12.7118 acre tract, a distance of 11.23 feet to a found 5/8 inch iron rod, for the most southerly cutback corner with the said southeasterly line of Old Main Street Road, same being the most easterly north corner of the said 12.7118 acre tract;

Thence, S 60°55'40" E, with the said southwesterly line of Willowbend Boulevard, same being the said northeasterly line of the 12.7118 acre tract, a distance of 691.55 feet to **Point of Beginning**;

Thence, S 60°55'40" E, with the said southwesterly line of Willowbend Boulevard, same being the said northeasterly line of the 12.7118 acre tract, at a distance of 50.09 feet, pass a found 5/8 inch iron rod, bent, for the most northerly corner of the said 19.4807 acre tract, same being the most easterly corner of the said 12.7118 acre tract, and with the northeasterly line of the said 19.4807 acre tract, a total distance of 347.45 feet to a found 5/8 inch iron rod, for a point of curvature;

Thence, with the said southwesterly line of Willowbend Boulevard, same being the said northeasterly line of the 19.4807 acre tract, a distance of 5.38 feet along the arc of a curve to the right, having a radius of 1950.00 feet, a central angle of 00°09'29", and a chord

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6-550 PH

RP 053-9 -1504

which bears, S 60°50'58" E, a distance of 5.38 feet, from which, a found 5/8 inch iron rod in the said southwesterly line of Willowbend Boulevard, for the northwest corner of that certain 6.6173 acre tract 2, conveyed from Main Street, Ltd. to Buffalo Lakes, Ltd., as recorded in County Clerk's File No. X866237, O.P.R.R.P.H.C.T., same being the northeast corner of the said 19.4807 acre tract, is located, a distance of 185.86 feet along the arc of a curve to the right, having a radius of 1950.00 feet, a central angle of 05°27'40", and a chord which bears, S 58°02'24" E, a distance of 185.79 feet;

Thence; S 29°09'04" W, crossing a portion of the said 19.4807 acre tract, a distance of 148.25 feet to a point;

Thence, N 60°50'56" W, crossing a portion of the said 19.4807 acre tract, at a distance of 247.99 feet, pass the southeasterly line of the said 12.7118 acre tract, same being the northwesterly line of the said 19.4807 acre tract, from which, a found 5/8 inch iron rod, for an angle point in the said southeasterly line of the 12.7118 acre tract, same being an angle point in the said northwesterly line of the 19.4807 acre tract, bears, S 03°13'33" W, 5.93 feet, and crossing a portion of the said 12.7118 acre tract, a total distance of 302.82 feet to a point;

Thence, crossing a portion of the said 12.7118 acre tract the following (3) three courses and distances:

1. N 29°09'04" E, a distance of 17.97 feet to a point,
2. N 60°50'56" W, a distance of 50.00 feet to a point, and
3. N 29°09'04" E, a distance of 129.80 feet to the **point of beginning**, and containing 1.1782 acres (51,324 square feet) of land more or less.

Soil and groundwater on the entire property is affected by certain identified chemicals of concern (COCs). Therefore the entire 1.1782 acres is considered to be the Affected Area, as presented on **Exhibit A**.

This restrictive covenant is required for the following reasons:

The Affected Property is currently an industrial multi-tenant complex, otherwise known as the Main Park Industrial Center. Oil and gas exploration was conducted on the property from the 1950s to 1996 and a gas well was installed. The Texas Railroad Commission funded the plugging of this gas well in 1996. Available documentation indicated that contamination of the property occurred from a release of condensate during well abandonment.

The second source of impact is related to the historical operation of a former skeet range located along Old Main Street Loop west of the Property from the 1950s to the 1960s. Operations of the skeet range would have included the Property as well as properties to the north, west, and south. The Property is bordered by a larger approximate 25-acre parcel of land also owned by Endowment and Foundation Realty, Ltd.-JMB-IV that is currently in the Texas Commission on Environmental Quality (TCEQ) Voluntary Cleanup Program (VCP) No. 1622.

Exceedance of soil PCLs and/or Texas specific background concentrations for lead were found to be at widespread locations across the TCEQ VCP property and also off-site to the north and south. Soil samples from this area were also found to contain arsenic, barium, and silver at less widespread locations that also exceed their respective soil PCLs and/or Texas-specific background concentrations. The planned response action is based on a remedy that relies on institutional controls restricting the production and use of on-site groundwater resources and restricting residential occupancy on the approximate 25-acre parcel. Issuance of the Certificate of Completion for the TCEQ VCP property is anticipated to be filed in February 2008.

Chemicals of concern attributable to the former activities at the Property have impacted soil and groundwater. An environmental investigation and response action was required in accordance with Commission regulations. Endowment and Foundation Realty, Ltd.-JMB-IV performed the response action to characterize and remediate the chemicals of concern. The remediation was performed in such a manner that the following chemicals of concern at the following maximum levels at the time of restrictive covenant filing were left in soil and groundwater: arsenic was detected in soil at a maximum concentration of 18.7 parts per million (ppm), lead was detected in soil at a maximum concentration of 101 ppm, benzene was detected in groundwater at a concentration of 144 parts per billion (ppb), barium was detected in groundwater at a maximum concentration of 5.83 ppm, and chloride was detected in groundwater at a maximum concentration of 8,230 ppm. The investigation, assessment, remediation and analytical data are contained in the Affected Property Assessment Report dated June 2004, Response Action Plan dated January 2006, Results of Groundwater Monitoring Event dated April 11, 2007, and the Results of Groundwater Monitoring Event dated November 1, 2007. Copies of the reports may be obtained from:

Railroad Commission of Texas
Site Remediation Section
P. O. Box 12967
1701 N. Congress
Austin, Texas 78711-2967

The response action has been approved by the Commission based on the presumption that the Affected Property will be used exclusively for commercial/industrial purposes, and will not be put to residential use, and the ground water beneath the Affected Property will not be used for any purpose, except monitoring. The Commission has determined that the Affected Property currently meets standards for commercial/industrial use. Based on information contained in the reports identified above, the chemicals of concern pose no significant present or future risk to humans or the environment based on commercial/industrial use. The Commission does not require any further remediation of the Affected Property as long as the Affected Property is not put to residential use and/or the ground water is not used. For purposes of this Covenant, the term "residential use" means use for dwellings such as single family houses and multi-family apartments, children's homes, nursing homes, residential portions of government-owned lands (local, state or federal), day care facilities, educational facilities, hospitals, residential portions of ranch and farm land, and parks (local, state or federal). This restrictive covenant is necessary to assure that all present and future owners of the Affected Property are aware of its condition and do not use the property in any manner inconsistent with this restriction. If any person desires to

use the Affected Property in the future for residential purposes, and/or the ground water beneath the Affected Property, the Commission must be notified at least 60 days in advance of such use. Additional response action contemplating a change in land use or in the size of the assumed exposure area may be necessary.

Endowment and Foundation Realty, Ltd.-JMB-IV is the Owner of the Property. In consideration of the Response Action leading to final approved remediation of the Affected Property, the Owner of the Property has agreed to place the following restrictions on the Property in favor of the Commission and the State of Texas. Now therefore, in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following restrictive covenant in favor of the Commission and the State of Texas are placed on the Property described in Exhibit "A" to-wit:

1. Use of the Affected Property shall not be allowed for residential purposes as defined in this Covenant.
2. Use of the groundwater beneath the Affected Property shall not be allowed except for monitoring purposes.
3. Penetration or excavation of the impacted soil and/or groundwater zones for any purpose should only be conducted in such a manner as to prevent the migration or release of contaminants to any other zone or media and to prevent uncontrolled exposure to human and ecological receptors.
4. These restrictions shall be a covenant running with the land.

For additional information, contact:

Railroad Commission of Texas
Site Remediation Section
P. O. Box 12967
1701 N. Congress
Austin, Texas 78711-2967
Railroad Commission of Texas Voluntary Cleanup Program No.: 03-30017

As of the date of this Covenant, the record owner of fee title to the Property is Endowment and Foundation Realty, Ltd.-JMB-IV, with an address:

191 North Wacker Drive
Suite 2500
Chicago, IL 60606

This Restrictive Covenant may be rendered of no further force or effect only by a release executed by the Railroad Commission of Texas and filed in the same Real Property Records as those in which this restrictive covenant is filed.

Executed this 4th day of February, 2008.

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Endowment and Foundation Realty, Ltd.-JMB-IV
By: Heitman Endowment Advisors, L.P.
Signature: By: Heitman Capital Management, LLC,
General Partner
Signature: [Signature]
Printed Name: Lauren D. Hogan
Title: Senior Vice President

STATE OF TEXAS ILLINOIS
(COOK) COUNTY

BEFORE ME, on this the 4th day of February, personally appeared LAUREN D. HOGAN known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 4th day of February, 2008.

Susan M. Whelihan
Notary Public in and for the State of Texas, Illinois
County of Cook
My Commission Expires: 11/20/11



RP 053-9 -1507

FILED
2008 FEB -5 PM 4: 09
County Clerk
HARRIS COUNTY, TEXAS
[Signature]

Accepted as Third Party Beneficiary this 31st day of January, 2008.

Railroad Commission of Texas

By: David W. Cooney, Jr.

Name: David W. Cooney, Jr.

Title: Attorney, Special Counsel Section

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STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the 31st day of January, 2008, personally appeared David W. Cooney, Jr., known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

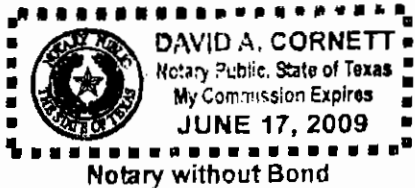
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 31st day of January, 2008.

David A. Cornett

Notary Public in and for the State of Texas,

County of Travis

My Commission Expires: 17 Jun 09



After recording, please return to:

Carie McKinney
Haynes and Boone, LLP
600 Congress Ave., Suite 1300
Austin, TX 78701

W

RP 053-S - 1508

EXHIBIT A

RP 053-S - 1509

**METES AND BOUNDS DESCRIPTION
OF
1.1782 ACRES
B.B.B. & C. RR CO. SURVEY
ABSTRACT NO. 173
HARRIS COUNTY, TEXAS**

new

A PARCEL OF LAND CONTAINING 1.1782 ACRES (51,324 SQUARE FEET) BEING OUT OF THAT CERTAIN 12.7118 ACRE TRACT, CONVEYED FROM SC MAIN PARK, LTD. TO ENDOWMENT AND FOUNDATION REALTY, LTD. -JMB-IV, AS RECORDED IN COUNTY CLERK'S FILE NO. S005433, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS, (O.P.R.R.P.H.C.T.), AND ALSO BEING OUT OF THAT CERTAIN 19.4807 ACRE TRACT, CONVEYED FROM DC MAIN PARK LTD. AND INTERNATIONAL ACQUISITION II, LTD. TO ENDOWMENT AND FOUNDATION REALTY, LTD. -JMB-IV, AS RECORDED IN COUNTY CLERK'S FILE NO. P948748, O.P.R.R.P.H.C.T., SAID 1.1782 ACRE TRACT BEING SITUATED IN THE B.B.B. & C. CO. RR SURVEY, ABSTRACT NO. 173 IN HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, AT A FOUND 5/8 INCH IRON ROD, AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF OLD MAIN STREET ROAD, RIGHT-OF-WAY VARIES, WITH THE SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, 100-FOOT RIGHT-OF-WAY, FOR THE MOST WESTERLY NORTH CORNER OF THE SAID 12.7118 ACRE TRACT;

THENCE, N 83° 30' 48" E, WITH THE SAID SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, SAME BEING THE NORTH LINE OF THE SAID 12.7118 ACRE TRACT, A DISTANCE OF 11.23 FEET TO A FOUND 5/8 INCH IRON ROD, FOR THE MOST SOUTHERLY CUTBACK CORNER WITH THE SAID SOUTHEASTERLY LINE OF OLD MAIN STREET ROAD, SAME BEING THE MOST EASTERLY NORTH CORNER OF THE SAID 12.7118 ACRE TRACT;

THENCE, S 60° 55' 40" E, WITH THE SAID SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, SAME BEING THE NORTHEASTERLY LINE OF THE SAID 12.7118 ACRE TRACT, A DISTANCE OF 691.55 FEET TO THE **POINT OF BEGINNING**;

THENCE, S 60° 55' 40" E, WITH THE SAID SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, SAME BEING THE SAID NORTHEASTERLY LINE OF THE 12.7118 ACRE TRACT, AT A DISTANCE OF 50.09 FEET, PASS A FOUND 5/8 INCH IRON ROD, BENT, FOR THE MOST NORTHERLY CORNER OF THE SAID 19.4807 ACRE TRACT, SAME BEING THE MOST EASTERLY CORNER OF THE SAID 12.7118 ACRE TRACT, AND WITH THE NORTHEASTERLY LINE OF THE SAID 19.4807 ACRE TRACT, A TOTAL DISTANCE OF 347.45 FEET TO A FOUND 5/8 INCH IRON ROD, FOR A POINT OF CURVATURE;

THENCE, WITH THE SAID SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, SAME BEING THE SAID NORTHEASTERLY LINE OF THE 19.4807 ACRE TRACT, A DISTANCE OF 5.38 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1950.00 FEET, A CENTRAL ANGLE OF 00° 09' 29", AND A CHORD WHICH BEARS, S 60° 50' 58" E, A DISTANCE OF 5.38 FEET, FROM WHICH, A FOUND 5/8 INCH IRON ROD IN THE SAID SOUTHWESTERLY LINE OF WILLOWBEND BOULEVARD, FOR THE NORTHWEST CORNER OF THAT CERTAIN 6.6173 ACRE TRACT 2, CONVEYED FROM MAIN STREET, LTD. TO BUFFALO LAKES, LTD., AS RECORDED IN COUNTY CLERK'S FILE NO. X866237, O.P.R.R.P.H.C.T., SAME BEING THE NORTHEAST CORNER OF THE SAID 19.4807 ACRE TRACT, IS LOCATED, A DISTANCE OF 185.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1950.00 FEET, A CENTRAL ANGLE OF 05° 27' 40", AND A CHORD WHICH BEARS, S 58° 02' 24" E, A DISTANCE OF 185.79 FEET;

RP 053-5 -1510

THENCE, S 29° 09' 04" W, CROSSING A PORTION OF THE SAID 19.4807 ACRE TRACT, A DISTANCE OF 148.25 FEET TO A POINT,

THENCE, N 60° 50' 56" W, CROSSING A PORTION OF THE SAID 19.4807 ACRE TRACT, AT A DISTANCE OF 247.99 FEET, PASS THE SOUTHEASTERLY LINE OF THE SAID 12.7118 ACRE TRACT, SAME BEING THE NORTHWESTERLY LINE OF THE SAID 19.4807 ACRE TRACT, FROM WHICH, A FOUND 5/8 INCH IRON ROD, FOR AN ANGLE POINT IN THE SAID SOUTHEASTERLY LINE OF THE 12.7118 ACRE TRACT, SAME BEING AN ANGLE POINT IN THE SAID NORTHWESTERLY LINE OF THE 19.4807 ACRE TRACT, BEARS, S 03° 13' 33" W, 5.93 FEET, AND CROSSING A PORTION OF THE SAID 12.7118 ACRE TRACT, A TOTAL DISTANCE OF 302.82 FEET TO A POINT;

THENCE, CROSSING A PORTION OF THE SAID 12.7118 ACRE TRACT THE FOLLOWING (3) THREE COURSES AND DISTANCES:

1. N 29° 09' 04" E, A DISTANCE OF 17.97 FEET TO A POINT,
2. N 60° 50' 56" W, A DISTANCE OF 50.00 FEET TO A POINT, AND
3. N 29° 09' 04" E, A DISTANCE OF 129.80 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1.1782 ACRES (51,324 SQUARE FEET) OF LAND MORE OR LESS.



Clifton Seward 01/16/08
CLIFTON SEWARD, R.P.L.S., # 4337

THIS DESCRIPTION IS BASED ON A SURVEY PREPARED BY CIVIL-SURV LAND SURVEYING, L.C. DURING OCTOBER 2004 AND JANUARY 2008.

RP 053-9 -1513

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL
PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time
stamped hereon by me, and was duly RECORDED in the Official Public Records of Real Property of Harris
County, Texas on

FEB - 5 2008



Dorothy L. Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS