

line towards Prytania Street of 103 feet 10 inches, and 5 lines, thence narrowing on a line running towards St. Charles Avenue a distance of 3 feet, thence a second depth of 6 feet, 1 inch, and 3 lines to the rear line, on which rear line said lot measures 25 feet; together with the use of a common alley 3 feet wide, separating said Lot "D" from the property adjoining it on the St. Charles Avenue side. Lot "D" is composed of parts of original Lot No. 17 and 9.

And according to survey by Gilbert, Kelly & Couturie, Inc., Surveying and Engineering, dated November 24, 1998, a print whereof is attached to Act of Sale by act before Lesli S. Bolner, Notary Public, dated January 7, 1999, Lot D has the same designation, location and dimensions as hereinabove set forth. D.

Together further with all applicable rights of use and other rights in and to an alley 3' wide between Lots 8 and D opening on Melpomene Street.

Being the same property acquired from Mon Share Leasing Group, L.L.C. by act of Cash Sale before George Pivach, II, Notary Public, dated September 20, 1999 and registered in Orleans Parish, CIN. 186131, N.A. 99-44712.

*City of New Orleans Lease*

All right title and interest of Seller as lessee in and to that certain lease (the "City Lease") dated February 20, 2002 by and between the City of New Orleans and Avenue Interests, L.L.C. affecting the following property to wit:

Designated Portions of St. Charles Avenue and Melpomene Street Demised Premises: Portions of Melpomene Street and St. Charles Avenue sidewalk area adjacent to Sq. 194, 1<sup>st</sup> M.D. described as follows: Commencing at the southwest intersection of St. Charles Avenue and Melpomene Street, the point of beginning; proceed southwesterly along the north property line of Sq. 194 a distance of 53'3"1" to a point and corner; thence proceed in a northeasterly direction towards Melpomene Street along a line parallel to Sq. 194 a distance of 7'7"2"1" "; thence proceed in a southeasterly direction towards Prytania Street along a line parallel to the east property line of Sq. 194 a distance of 214'1"0" to a point and corner; thence proceed in a southwesterly direction along a line parallel to St. Charles Avenue a distance of 23'11"0" to a point and corner; thence proceed along the east property line of Sq. 194 toward St. Charles Avenue a distance of 192'9"0" to a point being the point of beginning. All measurements more or less and subject to survey.

*Plans, etc.*

All right title and interest of Seller as owner in and to the completed work drawings, plans and specifications for a hotel project on the foregoing Property, including all of Seller's copyrights, trademarks and all of Seller's intellectual property rights pertaining to the Property, its improvements and the hotel project.

PARISH OF ORLEANS

2004-63339-217

FOR CUSTODIAN

2. *Price.* This sale is made and accepted for and in consideration of the price and sum of One Million One Hundred Twenty-Five Thousand Dollars and No Cents (\$1,125,000.00), which the said Purchaser has well and truly paid, in ready and current money to the Seller who hereby acknowledges the receipt thereof and grants full acquittance and discharge therefor.

3. *Taxes.* All state, city, and parish taxes and service charges up to and including the taxes due and exigible in and prior to 2004 are paid as per the tax research certificates attached hereto. The taxes for 2004 have been prorated between the parties hereto and taxes which shall become due subsequently shall be the obligation of the Purchaser.

4. *Certificates.* By reference to the attached mortgage and conveyance certificates of the Clerk of Court in and for the Parish in which the Property is located, the Property is not subject to any adverse alienations and encumbrances. The parties understand that the mortgage and

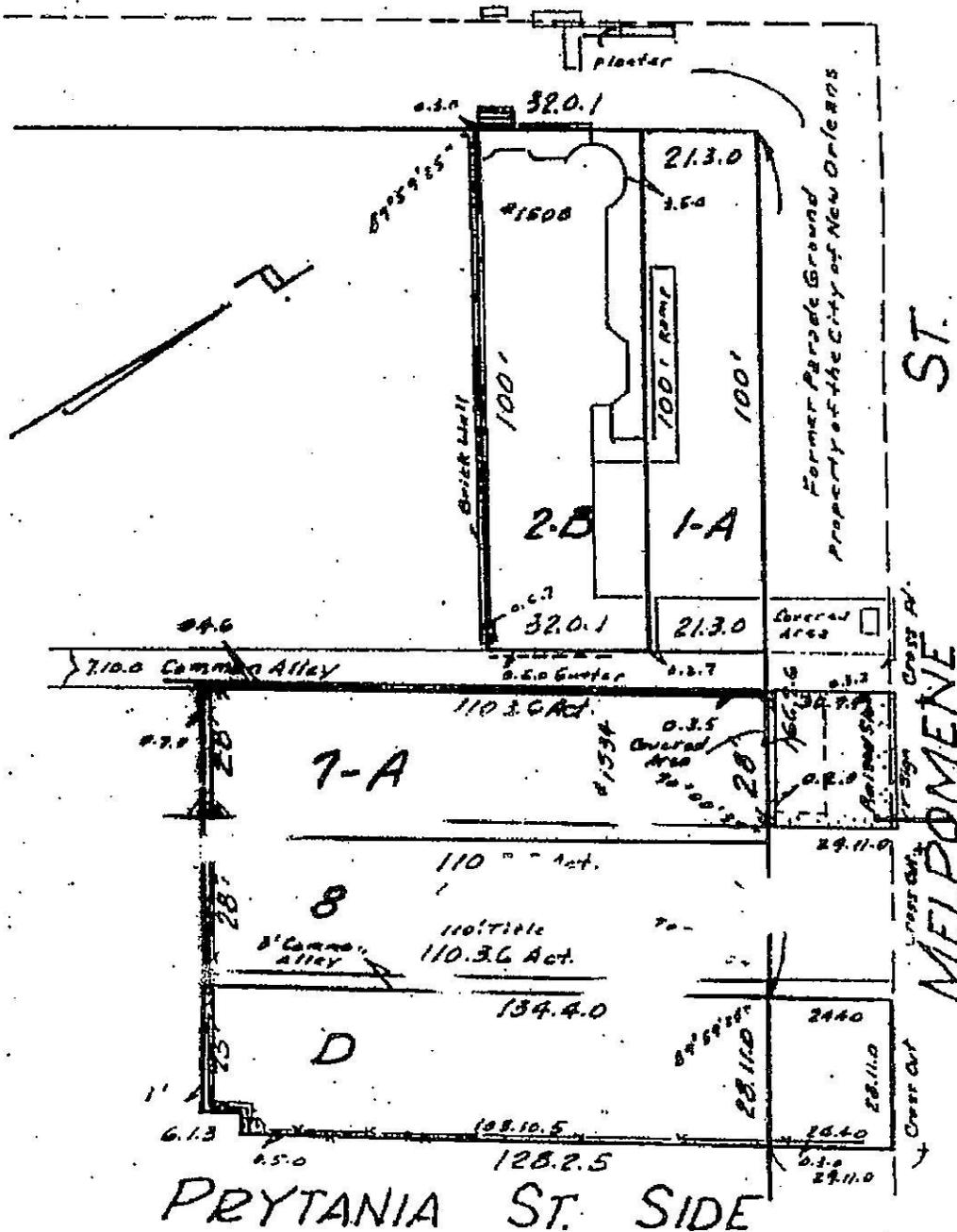


SQ. No. 194  
FIRST DISTRICT

200033/11.6  
NEW ORLEANS, LA.  
ORLEANS PARISH

ST. CHARLES AVE.

TERPSICHORE ST. SIDE



THE SERVICES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN DESCRIPTION FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVICES AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.

THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP INDICATES THAT THE ABOVE DESCRIBED PROPERTY IS LOCATED IN FIA ZONE

Date: September 13, 1999

Scale: 1" = 30'

This plat represents an actual ground survey made by me or under my direct supervision and control and conforms to the requirements for the Minimum Standards for Professional Boundary Surveys as found in Louisiana Administrative Code TITLE 46:LXI, Chapter 2.

Made at the office of L.L.C. & Bank One (Acquisitions), L.L.C. & Bank One (Acquisitions), 1111 L.L.C. Avenue, Acquisitions,

Gilbert, Kelly & Couturie, Inc., Surveying & Engineering  
2121 N. Causeway Blvd., Metairie LA 70001

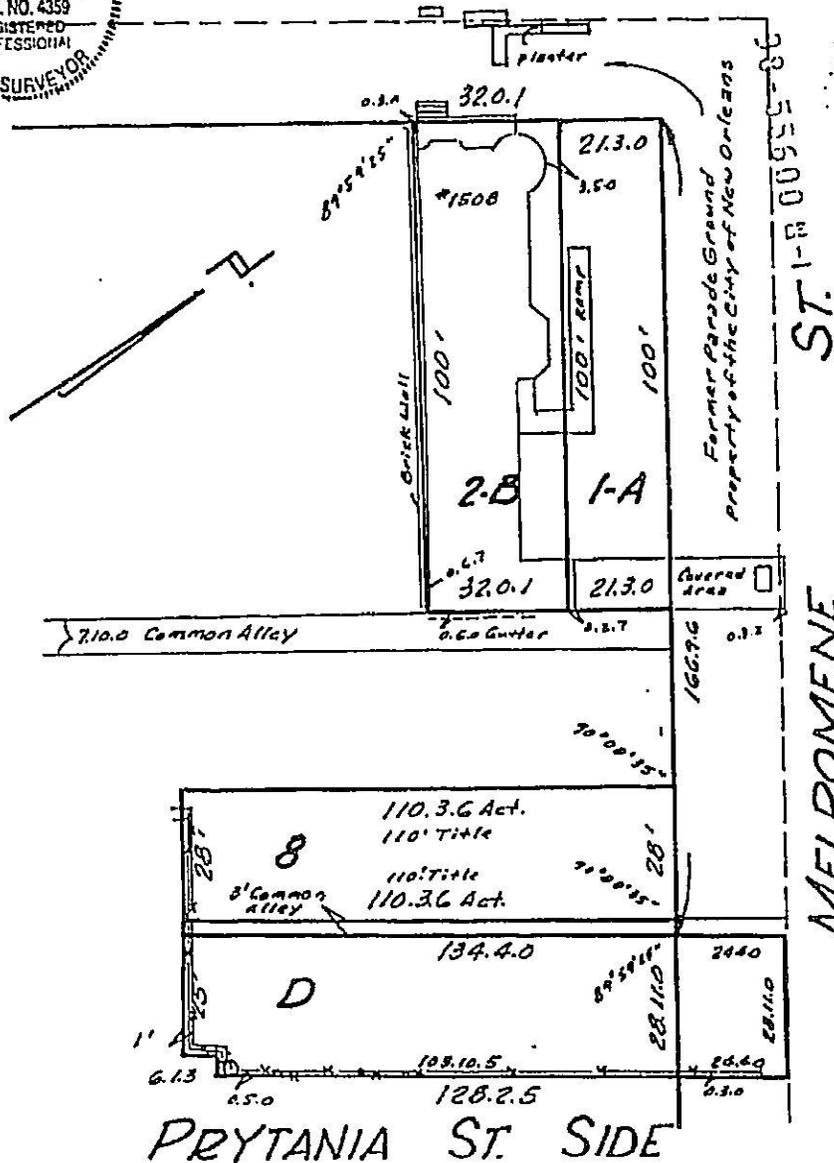
SQ. No. 194  
FIRST DISTRICT

NEW ORLEANS, LA.  
ORLEANS PARISH



ST. CHARLES AVE.

TERPSICHORE ST. SIDE



MELPOMENE

PRYTANIA ST. SIDE

THE DIMENSIONS AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN DESCRIPTIONS FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE STRADDLES AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COLLECTING THE DATA FOR THIS SURVEY.

THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD Delineation MAP INDICATES THAT THE ABOVE DESCRIBED PROPERTY IS LOCATED IN FIA ZONE

Lot Angles are as per plan

Date: November 24, 1998

Scale: 1"=30'

This plat represents an actual ground survey made by me or under my direct supervision and control and conforms to the requirements for the Minimum Standards for Property Boundary Surveys as found in Louisiana Administrative Code Title 46:XXI, Chapter 25 for a Class "C" survey.

Made at the request of Monshare Leasing Group, L.L.C., Raymond L. Harmon, Linda S. Harmon, First American Title Ins. Co., Berke & Bolner, A.P.C., Kenneth J. Berke & Lesli S. Bolner

Gilbert, Kelly & Coulurie, Inc., Surveying & Engineering  
2121 N. Causeway Blvd., Metairie LA 70001

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