



INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

ENDORSEMENT

Endorsement Number 001

Attached to and made a part of Investors Title Insurance Company

Policy Number 200603793G/END#1
ALTA MORTGAGEE POLICY (1992)

The above mentioned Policy of amended to add the following under Scedule B, Part I:

19. Plat of survey by R.B. Pharr & Associates, PLS, dated 8/22/2006, shows 50-foot gasline easement; 30-foot proposed right of way; 60-foot proposed right of way; 20-foot sanitary sewer eaement; 30-foot sanitary sewer easement located on the Land.

20. Attention is directed to the fact that the plat of survey by R.B. Pharr & Associates, PLS, dated 8/22/2006, is a "Boundary Survey" and this policy does not insure other matters that a complete survey showing any and all improvements would disclose.

The above mentioned mortgagee policy of title insurance is hereby amended to add the following endorsement(s) (and same are attached to this endorsement):

Leilie Q. Brown

Authorized Countersignature

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

***Survey Endorsement;
Contiguity Endorsement;
Tax Parcel Endorsement***

OWNER OF PROPERTY: *HARRISBURG 49/GRANITE, LLC*

The total liability of the Company under said policy and any endorsements attached thereto shall not exceed, in the aggregate, the face amount of said policy and costs which the Company is obligated under the provisions of said policy to pay.

This endorsement is made a part of said policy and is subject to the schedules, conditions, stipulations and terms thereof, except as modified by the provisions hereof.

Date Issued 04/27/2007

Executed on behalf of
Investors Title Insurance Company
by W. Morris Fine, President (SEAL)



INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

ENDORSEMENT

Endorsement Number 002

Attached to and made a part of Investors Title Insurance Company

Policy Number 200603793G/END#2
ALTA MORTGAGEE POLICY (1992)

The above mentioned policy of title insurance is hereby amended to delete item(s) number 20 under Schedule B in its entirety.

OWNER OF PROPERTY: HARRISBURG 49/GRANITE, LLC

The total liability of the Company under said policy and any endorsements attached thereto shall not exceed, in the aggregate, the face amount of said policy and costs which the Company is obligated under the provisions of said policy to pay.

This endorsement is made a part of said policy and is subject to the schedules, conditions, stipulations and terms thereof, except as modified by the provisions

Leilie Q. Brown

Authorized Countersignature

Page 1

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

hereof.

Date Issued 04/30/2007

Executed on behalf of
Investors Title Insurance Company
by W. Morris Fine, President (SEAL)



INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687

Chapel Hill, North Carolina 27515-2687

POLICY OF TITLE INSURANCE

This Policy is not complete without appropriate Schedules and corresponding Jacket unless otherwise agreed in writing.

SCHEDULE A

Policy No. 200603793G Policy Date 07/28/2006 Time 01:18.00 PM

Amount of Insurance \$3,740,000.00

1. Name of Insured: WACHOVIA BANK, NATIONAL ASSOCIATION

ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTEREST MAY APPEAR

2. The estate or interest in the land which is encumbered by the insured mortgage is: *FEE SIMPLE*

3. Title to the estate or interest in the land is vested in:
HARRISBURG 49/GRANITE, LLC

4. The insured mortgage and assignments thereof, if any, are described as follows:

DEED OF TRUST, ASSIGNMENT OF RENTS AND SECURITY AGREEMENT FROM HARRISBURG 49/GRANITE, LLC, A NORTH CAROLINA LIMITED LIABILITY COMPANY, TO TRSTE, INC., TRUSTEE(S) FOR WACHOVIA BANK, NATIONAL ASSOCIATION, DATED 7/27/2006, AND RECORDED 7/28/2006, AT 1:18 PM IN BOOK 006912 AT PAGE 000039, CABARRUS COUNTY REGISTRY, NC, TO SECURE A NOTE OF \$3,740,000.00.

5. The land referred to in this Policy is in the State of NC County of Cabarrus and described as follows:

TRACT 1:

Issued through the Office of:
Investors Title Insurance Company
127 N. Greene Street, Ste. 100
P O Box 3565
Greensboro, NC 27402
Tel. (336)274-8495
Fax (336)275-7940

Leilie C. Brown

Authorized Countersignature

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687

Chapel Hill, North Carolina 27515-2687

Policy No. 200603793G

LYING AND BEING IN CABARRUS COUNTY, NORTH CAROLINA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT AND PLACE OF BEGINNING, COMMENCE AT N.C.G.S. MON.

"VALHALLA" (NAD83) (HAVING GRID COORDINATES OF N = 575,680.92 FT. AND E = 1,501,919.42 FT.) AND RUN THENCE S. 832-37 W. 902.66 FEET (GROUND) TO AN EXISTING IRON PIN MARKING THE SOUTHWESTERLY CORNER OF THE W. H. WILLIAMS, JR. PROPERTY AS DESCRIBED IN A DEED RECORDED IN DEED BOOK 1051 AT PAGE 246 IN THE CABARRUS COUNTY PUBLIC REGISTRY (THE "REGISTRY"), SAID EXISTING IRON PIN ALSO BEING THE POINT AND PLACE OF BEGINNING; AND RUNNING THENCE FROM SAID BEGINNING POINT WITH THE SOUTHERLY BOUNDARY OF THE W. H. WILLIAMS, JR. PROPERTY (NOW OR FORMERLY) AND THE SOUTHERLY BOUNDARY OF THE PROVIDENCE BAPTIST CHURCH PROPERTY AS DESCRIBED IN A DEED RECORDED IN DEED BOOK 1368 AT PAGE 191 IN THE REGISTRY N. 88-40-12 E. 1030.50 FEET TO AN EXISTING IRON PIN MARKING THE NORTHWESTERLY CORNER OF THE PROVIDENCE BAPTIST CHURCH PROPERTY AS DESCRIBED BY A DEED RECORDED IN DEED BOOK 816 AT PAGE 304 IN THE REGISTRY; THENCE WITH THE WESTERLY AND SOUTHERLY BOUNDARIES OF THE PROVIDENCE BAPTIST CHURCH PROPERTY AS DESCRIBED IN A DEED RECORDED IN DEED BOOK 816 AT PAGE 304 IN THE REGISTRY THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) S. 0-27-23 W. 365.58 FEET TO AN EXISTING IRON PIN; AND (2) S. 89-32-37 E. 227.20 FEET TO AN EXISTING IRON PIN LYING IN THE WESTERLY BOUNDARY OF THE JAMES A. TURNER, JR. PROPERTY AS DESCRIBED IN A DEED RECORDED IN DEED BOOK 318 AT PAGE 129 IN THE REGISTRY; THENCE WITH THE WESTERLY BOUNDARY OF THE JAMES A. TURNER, JR. PROPERTY (NOW OF FORMERLY) S. 04-15-45 W. 793.23 FEET TO A CONTROL POINT LYING WITHIN THE TWO HUNDRED FOOT (200') WIDE RIGHT-OF-WAY OF THE SOUTHERN RAILROAD; THENCE WITHIN THE TWO HUNDRED FOOT (200') WIDE RIGHT-OF-WAY OF THE SOUTHERN RAILROAD THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) S. 84-34-30 W. 917.54 FEET TO A CONTROL POINT; AND (2) S. 84-06-26 W. 312.20 FEET TO A CONTROL POINT; THENCE WITH A NEW LINE THE FOLLOWING SIX (6) COURSES AND DISTANCES: (1) N. 22-34-21 W. 241.66 FEET, PASSING A NEW IRON PIN AT 89.27 FEET, TO AN NEW IRON PIN; (2) N. 29-08-35 W. 93.62 FEET TO A NEW IRON PIN; (3) N. 30-31-02 W. 104.20 FEET TO A NEW IRON PIN; (4) N. 32-20-18 W. 61.13 FEET TO A NEW IRON PIN; (5) N. 30-39-49 W. 212.82 FEET TO A NEW IRON PIN; AND (6) N. 40-05-51 W. 389.30 FEET TO A NEW IRON PIN; THENCE N. 66-41-35 E. 672.43 FEET, PASSING EXISTING

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

Policy No. 200603793G

IRON PINS AT 114.72 FEET, 175.31 FEET AND 575.57 FEET, TO AN EXISTING IRON PIN MARKING THE SOUTHEASTERN CORNER OF THE BES LEASING CO. PROPERTY AS DESCRIBED IN A DEED RECORDED IN DEED BOOK 1714 AT PAGE 247 IN THE REGISTRY; THENCE WITH THE EASTERLY BOUNDARY OF THE BES LEASING CO. PROPERTY (NOW OR FORMERLY) N. 5-35-35 W. 60.34 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 40.000 ACRES OR 1,742,402 SQUARE FEET, MORE OR LESS; ALL AS SHOWN ON A SURVEY ENTITLED "SURVEY OF: 40.000 ACRES OFF OF NC HWY 49" DATED AUGUST 15, 2000 AND PREPARED BY JAMES T. WEST, NORTH CAROLINA PROFESSIONAL LAND SURVEYOR (REG. NO. L-3392) OF HARRISBURG SURVEYING AND DESIGNATED AS MSCAD 3.1:000720A, REFERENCE TO SAID SURVEY BEING MADE IN AID OF DESCRIPTION.

LESS AND EXCEPT THAT CERTAIN 2.141 ACRES AS SHOWN ON THAT CERTAIN "RECOMBINATION PLAT: "SPEEDWAY MOTORSPORTS, INC." DATED APRIL 21, 2004 AND RECORDED IN MAP BOOK 44, PAGE 63, IN THE REGISTRY.

TRACT 2:

LYING AND BEING IN NO. 1 TOWNSHIP, CABARRUS COUNTY, NORTH CAROLINA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
TO FIND THE POINT AND PLACE OF BEGINNING, COMMENCE AT N.C.G.S. MONUMENT "VALHALLA" HAVING A GRID COORDINATES OF N=575,747.57' AND E=1,501,993.68' (NAD 83) AND RUN THENCE S. 48-51-14 E. 1,846.12 FEET (GROUND) 1,845.83 FEET (GRID) (COMBINED FACTOR = 0.999845149) TO A SET IRON PIN (#5 REBAR) HAVING GRID COORDINATES OF N=574,533.05' AND E=1,503,383.65' AND MARKING THE INTERSECTION OF A SOUTHWESTERLY CORNER OF THE CHARTOWN PROPERTY AS DESCRIBED IN A DEED RECORDED IN BOOK 1281 AT PAGE 144 IN THE CABARRUS COUNTY PUBLIC REGISTRY (THE "REGISTRY") AND THE EASTERLY BOUNDARY OF THE PROVIDENCE BAPTIST CHURCH OF HARRISBURG PROPERTY AS DESCRIBED IN A DEED RECORDED IN BOOK 816 AT PAGE 304 IN THE REGISTRY, SAID SET IRON PIN (#5 REBAR) ALSO MARKING THE POINT AND PLACE OF BEGINNING; AND RUNNING THENCE FROM SAID BEGINNING POINT WITH THE SOUTHWESTERLY OR WESTERLY BOUNDARIES OF THE CHARTOWN PROPERTY (NOW OR FORMERLY) AND THE MARGARET P. SIMS PROPERTY AS DESCRIBED IN A DEED RECORDED IN BOOK 2457 AT PAGE 162 IN THE REGISTRY THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) S. 72-44-18 E. 643.87 FEET TO A 1½" PIPE; AND (2) S. 16-49-14 E. 906.49 FEET, PASSING A #4 REBAR AT 500.21

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687

Chapel Hill, North Carolina 27515-2687

Policy No. 200603793G

FEET AND THE CENTERLINE OF A 200' WIDE RIGHT-OF-WAY OF THE SOUTHERN RAILWAY AT 566.11 FEET, TO A SET IRON PIN (#5 REBAR) MARKING THE SOUTHWESTERLY CORNER OF THE MARGARET P. SIMS PROPERTY (NOW OR FORMERLY); THENCE WITH THE WESTERLY BOUNDARY OF THE NIBLOCK DEVELOPMENT PROPERTY AS DESCRIBED IN A DEED RECORDED IN BOOK 2142, AT PAGE 1, IN THE REGISTRY S. 06-12-18 W. 98.07 FEET TO A #8 REBAR LEANING OVER MARKING THE NORTHEASTERLY CORNER OF THE ORCHARD PARK DEVELOPMENT, INC., PROPERTY AS DESCRIBED IN A DEED RECORDED IN BOOK 1046 AT PAGE 232 IN THE REGISTRY; THENCE WITH THE BOUNDARIES OF THE ORCHARD PARK DEVELOPMENT, INC. PROPERTY (NOW OR FORMERLY) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) S. 80-11-58 W. 259.16 FEET TO A POINT LOCATED WITHIN BACK CREEK; AND (2) S. 11-11-58 W. 101.26 FEET TO A 1½ " PIPE LOCATED IN THE NORTHERLY BOUNDARY OF THE C. F. LITTLE DEVELOPMENT PROPERTY AS DESCRIBED IN DEED RECORDED IN BOOK 1286 AT PAGE 287 IN THE REGISTRY; THENCE WITH THE NORTHERLY BOUNDARY OF THE C. F. LITTLE DEVELOPMENT PROPERTY (NOW OR FORMERLY) N. 86-58-07 W. 474.15 FEET TO A POINT; THENCE WITH THE BOUNDARY OF THE NORTH CAROLINA RAILROAD COMPANY PROPERTY AS DESCRIBED IN A DEED RECORDED IN BOOK 3063 AT PAGE 168 IN THE REGISTRY N. 86-58-07 W. 201.81 FEET TO AN AXLE; THENCE WITH THE EASTERLY BOUNDARIES OF THE NORTH CAROLINA RAILROAD COMPANY PROPERTY (NOW OR FORMERLY), THE SPEEDWAY MOTORSPORTS, INC. PROPERTY AS DESCRIBED IN A DEED RECORDED IN BOOK 3054 AT PAGE 228 IN THE REGISTRY AND THE PROVIDENCE BAPTIST CHURCH OF HARRISBURG PROPERTY (NOW OR FORMERLY) N. 03-46-42 E. 1,266.72 FEET, PASSING THE CENTERLINE OF THE 200' WIDE RIGHT-OF-WAY OF THE SOUTHERN RAILWAY AT 446.12 FEET, TO THE POINT AND PLACE OF BEGINNING, CONTAINING 21.282 ACRES, MORE OR LESS, ALL AS SHOWN ON SURVEY ENTITLED "BOUNDARY SURVEY FOR: J.A. TURNER PROPERTY", DATED FEBRUARY 20, 2001 AND LAST REVISED ON MARCH 7, 2001 AND PREPARED BY JAMES E. DAVIS, NORTH CAROLINA PROFESSIONAL LAND SURVEYOR (CERTIF. NO. L-3747) OF CONCORD ENGINEERING & SURVEYING, INC., AND DESIGNATED AS JOB NO. 010204.001, REFERENCE TO SAID SURVEY BEING MADE IN AID OF DESCRIPTION. AND BEING THE SAME PROPERTY AS WAS CONVEYED TO J. A. TURNER AND WIFE, LINERIEUX TURNER (BEING THE SAME AS LINERIEUX B. TURNER) BY DEED FROM JOHN L. CARPENTER, ET AL DATED APRIL 14, 1962 AND RECORDED IN DEED BOOK 318 AT PAGE 129 IN THE CABARRUS COUNTY PUBLIC REGISTRY. THEREAFTER J. A. TURNER, JR. DIED TESTATE ON THE 24TH DAY OF NOVEMBER, 1998 WHILE STILL INTERMARRIED

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

Policy No. 200603793G

WITH LINERIEUX B. TURNER, LEAVING HER AS THE OWNER OF THE ABOVE DESCRIBED PROPERTY AS THE SURVIVING TENANT BY THE ENTIRETY. REFERENCE IS MADE TO THE PROBATE PROCEEDINGS FOR THE ESTATE OF JAMES A. TURNER, JR. BY RECORD IN THE OFFICES OF THE CLERK OF SUPERIOR COURT FOR MECKLENBURG COUNTY, NORTH CAROLINA AS ESTATE FILE NUMBER 98-E-3229, A CERTIFIED COPY OF WHICH PROBATE PROCEEDINGS HAS BEEN DULY RECORDED IN ESTATE FILE NUMBER 99-E-579 IN THE OFFICE OF THE CLERK OF SUPERIOR COURT FOR CABARRUS COUNTY, NORTH CAROLINA.

TRACT 3:

BEING ALL OF THAT CERTAIN 0.873 ACRES AS SHOWN ON THAT CERTAIN "RECOMBINATION PLAT: SPEEDWAY MOTORSPORTS, INC." DATED APRIL 21, 2004 AND RECORDED IN MAP BOOK 44, PAGE 63, CABARRUS COUNTY PUBLIC REGISTRY (THE "REGISTRY")

IN ADDITION TO CONVEYING THE PROPERTY DESCRIBED ABOVE, IT IS GRANTOR'S INTENT TO CONVEY AND GRANTOR DOES HEREBY GRANT, BARGAIN, SELL AND CONVEY UNTO GRANTEE ALL OF GRANTOR'S RIGHT, TITLE, AND INTEREST IN AND TO THE FOLLOWING PROPERTY:

LYING AND BEING IN THE TOWN OF HARRISBURG, NO. 1 TOWNSHIP, CABARRUS COUNTY, NORTH CAROLINA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT AND PLACE OF BEGINNING, COMMENCE AT N.C.G.S. MONUMENT "VALHALLA" HAVING GRID COORDINATES OF N=575747.57 AND E=1501993.66 AND RUN THENCE S. 53-16-14 E. 1452.74 FEET (GROUND) 1452.51 FEET (GRID) (COMBINED GRID FACTOR = 0.99984039) TO A #5 REBAR HAVING GRID COORDINATES OF N=574878.92 AND E=1503157.80 AND MARKING THE SOUTHEASTERLY CORNER OF THE PROVIDENCE BAPTIST CHURCH PROPERTY AS DESCRIBED IN AN INSTRUMENT RECORDED IN DEED BOOK 1368 AT PAGE 191 IN THE REGISTRY AND RUN THENCE WITH THE WESTERLY BOUNDARY OF THE PROVIDENCE BAPTIST CHURCH PROPERTY AS DESCRIBED IN AN INSTRUMENT RECORDED IN DEED BOOK 816 AT PAGE 304 IN THE REGISTRY S. 00-27-11 W. 197.58 FEET TO A SET IRON PIN (#5 REBAR), SAID SET IRON PIN (#5 REBAR) ALSO BEING THE POINT AND PLACE OF BEGINNING; AND RUNNING THENCE FROM SAID BEGINNING POINT S. 88-44-28 E. 228.67 FEET TO A SET IRON PIN (#5 REBAR) LYING IN THE WESTERLY BOUNDARY OF THE CHARTOWN PROPERTY AS DESCRIBED IN AN INSTRUMENT RECORDED IN DEED BOOK 1281 AT PAGE 144 IN THE REGISTRY; THENCE WITH THE WESTERLY BOUNDARIES OF THE CHARTOWN PROPERTY (NOW OR FORMERLY) AND

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

Policy No. 200603793G

THE SPEEDWAY MOTORSPORTS, INC. PROPERTY AS DESCRIBED IN AN INSTRUMENT RECORDED IN DEED BOOK 3152 AT PAGE 186 IN THE REGISTRY THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) S. 00-27-45 W. 143.34 FEET TO A #5 REBAR; AND (2) S. 04-15-33 W. 21.50 FEET TO A SET IRON PIN (#5 REBAR); THENCE WITH THE NORTHERLY BOUNDARY OF THE SPEEDWAY MOTORSPORTS, INC. PROPERTY (NOW OR FORMERLY) N. 89-32-49 W. 227.20 FEET TO A 1½ INCH PIPE (BENT) AND THENCE N. 00-27-11 E. 168.00 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 0.873 ACRES, MORE OR LESS, ALL AS SHOWN ON SURVEY ENTITLED "RECOMBINATION PLAT: SPEEDWAY MOTORSPORTS, INC.", DATED APRIL 21, 2004 AND PREPARED BY JAMES E. DAVIS, NORTH CAROLINA PROFESSIONAL LAND SURVEYOR (SEAL NO. L-3747) OF CONCORD ENGINEERING & SURVEYING, INC. AND DESIGNATED AS JOB NO. 010204.015, REFERENCE TO SAID SURVEY BEING MADE IN AID OF DESCRIPTION.

TRACT 4:

BEING ALL OF THAT CERTAIN 20.499 ACRES CONTAINED IN LOT 4 AS SHOWN ON THAT CERTAIN "FINAL PLAT OF: 600 RACING SUBDIVISION" DATED MARCH 22, 2001 AND RECORDED IN PLAT BOOK 37 AT PAGE 109, CABARRUS COUNTY PUBLIC REGISTRY (THE "REGISTRY),

LESS AND EXCEPT THE FOLLOWING TRACT OF LAND:

BEING ALL OF THAT CERTAIN 1.000 ACRE OF TAX PARCEL IDENTIFICATION NUMBER 5507-44-4395 AS SHOWN ON THAT CERTAIN "RECOMBINATION SURVEY FOR: TOWNSHIP OF HARRISBURG" DATED SEPTEMBER 5, 2005 AND RECORDED IN PLAT BOOK 47 AT PAGE 75 OF THE REGISTRY.

AS TO ALL TRACTS:

TOGETHER WITH THE RIGHTS IN THAT CERTAIN RIGHT OF WAY RECORDED IN BOOK 800, PAGE 434, CABARRUS COUNTY REGISTRY; AND

TOGETHER WITH THE RIGHTS IN COMMON WITH OTHERS IN AND TO THAT CERTAIN EASEMENT AGREEMENT RECORDED IN BOOK 798, PAGE 348, CABARRUS COUNTY REGISTRY, AND IN BOOK 551, PAGE 590 AND BOOK 816, PAGE 312, CABARRUS COUNTY REGISTRY; AND

TOGETHER WITH ALL EASEMENTS, RIGHTS AND BENEFITS UNDER THAT CERTAIN RECIPROCAL EIGHTY-FOOT ACCESS AGREEMENT RECORDED IN BOOK 4400 AT PAGE 172, CABARRUS COUNTY REGISTRY; AND

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

Policy No. 200603793G

TOGETHER WITH ALL EASEMENTS, RIGHTS AND BENEFITS UNDER THAT CERTAIN 50-FOOT GASLINE EASEMENT RECORDED IN DEED BOOK 290, PAGE 83, OFFICE OF THE REGISTER OF DEEDS OF CABARRUS COUNTY, NORTH CAROLINA; AND TOGETHER WITH ALL EASEMENTS, RIGHTS, AND BENEFITS UNDER THAT CERTAIN SEWER LINE AGREEMENT IN DEED BOOK 569, PAGE 670, OFFICE OF THE REGISTER OF DEEDS OF CABARRUS COUNTY, NORTH CAROLINA.

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

Policy No. 200603793G

SCHEDULE B - PART I *EXCEPTIONS FROM COVERAGE*

This Policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. *Taxes for the year 2006, and subsequent years, not yet due and payable.*

AS TO TRACTS 1, 2 AND 3:

2. *Right of way to North Carolina Gas Corp., recorded in Book 290 at Page 83, Cabarrus County Registry.*

3. *Rights of others in and to non-exclusive Right of Way Agreement recorded in Book 800, Page 434, Cabarrus County Registry. It appears this easement was abandoned by the Abandonment of Sixty Foot Easement and/or Right of Way and Agreement Relating Thereto By and Between Highway 49 Investment Group, LLC and Speedway Motorsports, Inc., recorded in Book 5134, Page 137 of the Cabarrus County Registry.*

4. *Terms and Conditions of the Reciprocal Eighty Foot Easement Agreement by and Between Highway 49 Investment Group, LLC and Speedway Motorsports, Inc., recorded in Book 4400, Page 172 of the Cabarrus County Registry.*

5. *Rights of others in and to non-exclusive Easement Agreements recorded in Book 551, Page 590, modified in Book 816, Page 312 and Book 798, Page 348, Cabarrus County Registry.*

6. *Easement to Concord Telephone Company, recorded in Book 390 at Page 426, Cabarrus County Registry.*

7. *Easements to Duke Power Company, recorded in Book 390 at Page 188; Book 139, Page 261; and Book 160, Page 12, Cabarrus County Registry.*

8. *Sewer Line Agreement by and between J. A. Turner and wife, Linerieux*

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

Policy No. 200603793G

Turner and Performance Consultants, Inc., recorded in Book 688 at Page 238, Cabarrus County Registry.

9. *Sanitary Sewer Easement Agreement by and between J. A. Turner and wife, Linerieux Turner and the Town of Harrisburg recorded in Book 1022 at Page 6, Cabarrus County Registry.*

10. *Title to that portion of insured premises lying within the bounds of the railroad right of way of Southern Railroad and the North Carolina Railroad Company.*

AS TO TRACT 4:

11. *Subject to matters shown on recorded Plat Book 37 at Page 109 and in Plat Book 47 at Page 75.*

12. *Easements to Duke Power Company recorded in Book 243 at Page 372; Book 276 at Page 473; Book 276 at Page 474; Book 321 at Page 583; and Book 363 at Page 287, Cabarrus County Registry.*

13. *Easement to Concord Telephone Company, recorded in Book 187 at Page 167; Book 187 at Page 168; Book 187 at Page 619; Book 187 at Page 620; Book 187 at Page 621; and Book 187 at Page 372, Cabarrus County Registry.*

14. *Easements to Southern Public Utilities Company, recorded in Book 118 at Page 358; Book 118, Page 425; Book 122, Page 492 and Book 122, Page 510, Cabarrus County Registry.*

15. *Joint Easement Agreement recorded in Book 551, Page 590 and modified in Book 816, Page 312, Cabarrus County Registry.*

16. *Sewer Line Agreement recorded in Book 569, Page 670, Cabarrus County Registry.*

17. *Temporary Construction Easement to the North Carolina Department of Transportation, recorded in Book 1274 at Page 147, Cabarrus County Registry.*

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

Policy No. 200603793G

18. *Drainage Easement to the North Carolina Department of Transportation, recorded in Book 1274 at Page 149, Cabarrus County Registry.*

NOTE: The following endorsement(s) are attached to the mortgagee's final policy:

- A) ALTA 6 and*
- B) Access.*

NOTE: AFFIRMATIVE INSURED CLOSING PROTECTION COVERAGE PROVIDED - As to the transaction for which this binder and/or policy is issued, the Company affords insured closing protection as described in the North Carolina Insured Closing Protection Letter (NCTIRB-01-2003) to the Proposed and/or Insured Lender and its successors and/or the Proposed and/or Insured Owner. Said letter is incorporated herein its entirety. The approved attorney is the Closing Attorney referenced above. Claims under such letter shall be made promptly to the Company at its claims office at P.O.Box 2637, Chapel Hill, NC 27515.

INVESTORS TITLE INSURANCE COMPANY

P.O. Drawer 2687
Chapel Hill, North Carolina 27515-2687

Policy No. 200603793G

SCHEDULE B - PART II

In addition to the matters set forth in Part 1 of this Schedule, the title to the estate or interest in the land described or referred to in Schedule A is subject to the following matters, if any be shown, but the Company insures that these matters are subordinate to the lien or charge of the insured mortgage upon the estate or interest:

N/A