

Deed Book 14003 Pg 3279
Filed and Recorded Jun-30-2004 04:13pm
2004-0123904

Austell WM 998
6/24/04

E

for notice of interest see as
DE Book 14036 Page 6383

J.C. Stephenson
Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

After recording return to:
Calloway Title & Escrow, LLC
Attn: Marcus Calloway
4800 Ashford Dunwoody Rd. Ste. 240
Atlanta, GA 30338 2-15510

Cross Reference with Instrument
Recorded in Deed Book 12108, Page
162, Deed Book 13239, Page 4333
Cobb County, Georgia Records

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2/12

NOTICE STATEMENT

Notice is hereby given pursuant to Section 19 of that certain Easements with Covenants and Restrictions Affecting Land described on Exhibit "A" attached hereto (the "ECR"), that on June 29, 2004, Austell WM Property Group, LLC, a Georgia limited liability company, acquired fee simple title to Tract 1 (as defined in the ECR) of East-West Crossroads Shopping Center, such tract of land being subject to the ECR and more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference.

All notices to which Austell WM Property Group, LLC is entitled pursuant to the ECR shall be addressed as follows:

Austell WM Property Group, LLC
457 Pebble Beach Drive
Aptos, California 95003
Attention: Robert Ridino

In accordance with Section 19 of the ECR, a copy of this Notice Statement has been sent via certified mail, return receipt requested, to the Existing Interest Holders (as such term is defined in Section 19 of the ECR).

IN WITNESS WHEREOF, the undersigned has caused this Notice Statement to be executed, as of this 26 of June, 2004.

Signed, sealed, and delivered in the presence of:

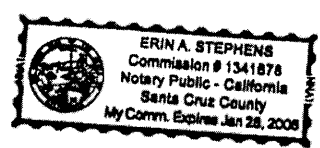
Crystal Afivel
Unofficial Witness
Erin A. Stephens
Notary Public
Commission expires: 1-28-06

OWNER:

AUSTELL WM PROPERTY GROUP, LLC, a Georgia limited liability company

By: Robert Ridino
(Robert Ridino, Manager)

[Affix Notarial Seal]



18

EXHIBIT "A"

Easement With Covenants and Restrictions Affecting Land ("ECR") by and between Wal-Mart Real Estate Business Trust, a Delaware business trust, Jacoby Lindbergh Properties II, L.L.C., a Georgia limited liability company, Austell Shops Associates, L.L.C., a Georgia limited liability company and Gipson/East-West, L.L.C., a Georgia limited liability company, dated as of January 14, 1999, recorded in Deed Book 12108, Page 162, Cobb County Records; as affected by that certain Notice of Interest by SouthTrust Bank, National Association, a national banking association, dated January 14, 1999, recorded in Deed Book 12108, Page 182, aforesaid Records; as amended by that certain First Amendment to Easements With Covenants and Restrictions Affecting Land by and between Wal-Mart Real Estate Business Trust, a Delaware business trust, Jacoby Lindbergh Properties II, L.L.C., a Georgia limited liability company, Austell Shops Associates, L.L.C., a Georgia limited liability company and Gipson/East-West, L.L.C., a Georgia limited liability company, dated as of January 31, 2000, recorded in Deed Book 13239, Page 4333, aforesaid Records; as affected by that certain Notice of Interest by 998, LLC and 1133 Shops LLC, dated July 31, 2001, recorded in Deed Book 13402, Page 4513, aforesaid Records; and as amended by that certain First Amendment to Easements with Covenants and Restrictions Affecting Land by and between Wal-Mart Real Estate Business Trust, a Delaware statutory trust, 998, LLC, a Georgia limited liability company, 1133 Shops, LLC, a Georgia limited liability company and Gipson/East-West, LLC, a Georgia limited liability company, dated June 16, 2003, recorded in Deed Book 13798, Page 884, aforesaid Records.

Deed Book 14003 pg 3220
Jay C. Stephenson
Clerk of Superior Court Cobb Cty, Ga.