

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefor issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

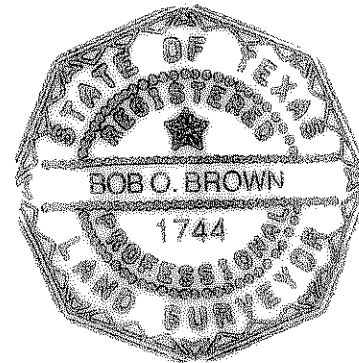
**\* SURVEYOR'S CERTIFICATE \***

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Bob O. Brown, a Registered Professional Land Surveyor in and for the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and the corner monuments shown thereon were properly placed under my personal supervision.

Signed this 24<sup>th</sup> day of May, 2005

Bob O. Brown  
Bob O. Brown  
Texas Registered Professional Land Surveyor No. 1744



**OWNERS CERTIFICATE**  
(Public Dedication)

STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS STEAK 'N SHAKE OPERATIONS, INC. BEING THE OWNER OF A TRACT OF LAND in the County of Rockwall, State of Texas, said tract being described as follows:

BEING A TRACT OF LAND SITUATED IN THE WILLIAM BLEVINS SURVEY, ABSTRACT NO. 9 AND THE JAMES SMITH SURVEY, ABSTRACT NO. 200, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AS EVIDENCED BY PLAT RECORDED IN CABINET 159, SLIDE 270 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET IN THE NORTHWEST CORNER OF INTERSTATE HIGHWAY 30 (A VARIABLE WIDTH RIGHT-OF-WAY) FOR THE MOST NORTH SOUTHWEST CORNER OF SAID CATFISH SUBDIVISION, SAME POINT BEING THE SOUTH CORNER OF LOT 1, BLOCK 1 OF IHOP NO. 9448 ADDITION, AN ADDITION TO CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AS EVIDENCED BY PLAT RECORDED IN CABINET 159, SLIDE 200 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE ALONG THE SAID NORTHWEST LINE OF INTERSTATE HIGHWAY 30 AS FOLLOWS:

SOUTH 11 DEGREES 17 MINUTES 01 SECONDS WEST A DISTANCE OF 110.65 FEET TO A 1/2 INCH IRON ROD SET FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID CATFISH SUBDIVISION;

SOUTH 66 DEGREES 13 MINUTES 27 SECONDS WEST A DISTANCE OF 347.30 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER;

SOUTH 80 DEGREES 08 MINUTES 13 SECONDS WEST A DISTANCE OF 215.08 FEET TO A 1/2 INCH IRON ROD SET IN THE SOUTH RIGHT-OF-WAY LINE OF CATALINA DRIVE (A VARIABLE WIDTH RIGHT-OF-WAY) FOR THE SOUTHWEST CORNER OF SAID CATFISH SUBDIVISION;

THENCE NORTH 54 DEGREES 31 MINUTES 00 SECONDS WEST, DEPARTING THE SAID NORTHWEST LINE OF INTERSTATE HIGHWAY 30 AND ALONG THE COMMON LINE BETWEEN SAID CATFISH SUBDIVISION AND THE SAID SOUTH RIGHT-OF-WAY LINE OF CATALINA DRIVE, A DISTANCE OF 52.09 FEET TO A 1/2-INCH IRON ROD SET FOR THE NORTHWEST CORNER OF SAID CATFISH SUBDIVISION;

THENCE NORTH 44 DEGREES 36 MINUTES 40 SECONDS EAST CONTINUING ALONG THE SAID COMMON LINE BETWEEN SAID CATFISH SUBDIVISION AND CATALINA DRIVE PASSING AT A DISTANCE OF 254.89 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK A, LA JOLLA POINTE ADDITION, PHASE TWO, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AS EVIDENCED BY PLAT RECORDED IN CABINET 5, SLIDE 279 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS AND CONTINUING ALONG THE COMMON LINE BETWEEN SAID CATFISH SUBDIVISION AND SAID LOT 1, A TOTAL DISTANCE OF 363.92 FEET TO A 1/2 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF SAID CATFISH SUBDIVISION, SAME POINT BEING THE NORTHWEST CORNER OF THE ABOVE MENTIONED LOT 1, BLOCK 1 OF IHOP NO. 9448 ADDITION AS EVIDENCED BY PLAT RECORDED IN CABINET 159, SLIDE 200 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 44 DEGREES 02 MINUTES 40 SECONDS EAST DEPARTING THE SAID SOUTHWEST CORNER OF LOT 1 OF LA JOLLA POINTE ADDITION AND ALONG THE COMMON LINE BETWEEN SAID CATFISH SUBDIVISION AND SAID LOT 1 OF IHOP NO. 9448 ADDITION A DISTANCE OF 282.43 FEET TO THE POINT OF BEGINNING, CONTAINING WITHIN THE METES RECITED 134,178 SQUARE FEET OR 3.080 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the STEAK 'N SHAKE ADDITION to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the STEAK 'N SHAKE ADDITION have been notified and signed this plat.

I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purposes of construction, reconstruction, inspection, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and ditches, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer or progress payments as the work progresses in making such improvements by making certified regulations to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or erection made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City. I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of easements made herein.

[Signature]  
Owner

STATE OF INDIANA  
COUNTY OF MARION

BEFORE ME, the undersigned authority, on this day personally appeared, David C. Milne, Authorized Agent for STEAK 'N SHAKE OPERATIONS, INC., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 19 day of May, 2005

Michelle L. Mayfield  
Notary Public in and for the State of Indiana

My Commission Expires 10/26/09

LOTS 1 AND 2, BLOCK A  
STEAK 'N SHAKE ADDITION  
BEING A REPLAT OF ALL OF  
CATFISH SUBDIVISION  
CAB. A, SLIDE 270 P.R.R.C.T.  
3.080 ACRES  
OUT OF  
WILLIAM BLEVINS SURVEY, ABSTRACT NO. 9  
AND  
JAMES SMITH SURVEY, ABSTRACT NO. 200

RECOMMENDED FOR FINAL APPROVAL  
[Signature] 5-51-05  
Planning and Zoning Commission Date

APPROVED  
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the 19 day of May, 2005.

WITNESS OUR HANDS, this 19 day of May, 2005  
[Signature] [Signature] [Signature]  
Mayor, City of Rockwall City Secretary City of Rockwall City of Rockwall Engineer

Filed \_\_\_\_\_ Cabinet \_\_\_\_\_ Slide \_\_\_\_\_

OWNER:  
STEAK 'N SHAKE OPERATIONS, INC.  
500 CENTURY BUILDING  
36 S. PENNSYLVANIA ST.  
INDIANAPOLIS, IN. 46204  
(317) 633-4100  
(317) 655-7317 FAX  
CONTACT: JAY KAMMEYER

**CEI ENGINEERING ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS

12300 Ford Road, Suite 110 (972) 488-3737 JOB NO.: 19434  
Dallas, TX 75235 FAX (972) 488-6732 DWG NAME: 9434plat

LOTS 1 & 2, BLOCK A  
STEAK 'N SHAKE ADDITION  
INTERSTATE HIGHWAY 30  
Rockwall, Rockwall County, Texas

DATE 05/10/05 SHEET NO. 2 OF 2

P2004-045

Steak 'N Shake Add  
Lot 1-2, Blk A