

TOTAL AREA - 3.337 ACRES (-0.5050 ACRES WITHIN R/W)
2.8720 TOTAL ACRES

PROPERTY ADDRESS - 4920 OLD RATHMELL CT.

REFERENCE PLAT:
1. PLAT ENTITLED "BOUNDARY SURVEY FOR ALEXIS A. JACOBS"
PREPARED BY E.P. FERRIS AND ASSOCIATES, INC.
CONSULTING CIVIL ENGINEERS & SURVEYORS, DATED MARCH
13, 1990, SAID PLAT BEING RECORDED IN FRANKLIN COUNTY.

NOTES:
- PER VILLAGE OF OBETZ ZONING OFFICE THIS PROPERTY IS ZONED
(CC) GENERAL COMMERCIAL DISTRICT.
SETBACKS:
FRONT - 50'
SIDE - 15'
REAR - 20'
MAXIMUM BLDG. HEIGHT - 50'
PARKING SPACES - NUMBER REQUIRED SPACES N/A
- PER COMMUNITY FIRM PANEL NO. 39049C0360 C - FRANKLIN COUNTY, OH
DATED AUGUST 2, 1995, THIS PROPERTY IS LOCATED IN ZONE "X" - AREAS
DETERMINED TO BE OUTSIDE OF 500 YEAR FLOOD PLAIN.
- ACCESS TO PROPERTY VIA PUBLIC RIGHT-OF-WAY, OLD RATHMELL CT. &
GROVEPORT ROAD.
- TAX MAP PARCEL NO. 152-1467
- BASIS OF BEARINGS: OFFICIAL RECORD VOLUME 34504, PAGE A06.
- LIGHT POLES ARE SERVICED UNDERGROUND UNLESS OTHERWISE SHOWN.
- PROPOSED SANITARY SEWER ALONG THE WEST LINE OF ALUM CREEK DRIVE
WAS UNDER CONSTRUCTION WHEN THIS SURVEY WORK WAS DONE.

ENCROACHMENTS
- ASPHALT PARKING ON NORTHERN BOUNDARY
- SLIGHT DISCREPANCIES EXIST BETWEEN DESCRIPTION OF RECORD
AND MONUMENTS FOUND IN THE FIELD.

LAWYERS TITLE INSURANCE CORPORATION
TITLE COMMITMENT NO. 98-1456-43
SCHEDULE B - EXCEPTIONS

- 13) 20' EASEMENT FOR WATER AND SANITARY SEWER, WHICH ABUTS ALUM CREEK DRIVE
RECORDED IN OFFICIAL RECORD 34504 A11, OF THE FRANKLIN COUNTY RECORDERS
OFFICE. PLOTTED HEREON.
- 13) 10' WIDE STORM SEWER EASEMENT ALONG A PORTION OF RATHMELL ROAD.
RECORDED IN OFFICIAL RECORD 34504 A11 OF THE FRANKLIN COUNTY RECORDERS
OFFICE. PLOTTED HEREON.
- 14) EASEMENT FOR WATER AND SEWER FOR THE BENEFIT OF SUBJECT PROPERTY
AT THE CORNER OF THE NORTHWEST CORNER OF THE BP OIL COMPANY PROPERTY.
RECORDED IN OFFICIAL RECORD 34632 E16 OF THE FRANKLIN COUNTY RECORDERS
OFFICE. PLOTTED HEREON.
- 12) AN ELECTRIC LINE EASEMENT GRANTED TO COLUMBUS SOUTHERN POWER COMPANY
OVER A SIX FOOT STRIP ABUTTING RATHMELL ROAD, AND A 10' STRIP ALONG THE
ENTIRE NORTHERN PROPERTY LINE OF THE SUBJECT PROPERTY. RECORDED IN
OFFICIAL RECORD 199708060064928 OF THE FRANKLIN COUNTY RECORDERS OFFICE.
PLOTTED HEREON.
- 11) EASEMENT TO COLUMBIA GAS OF OHIO, INC. OF RECORD IN INSTRUMENT
NO. 199802090029083. PLOTTED HEREON
- 9) LEASE FROM GOLDEN EYE LIMITED PARTNERSHIP, TO B.P. OIL COMPANY, FILED JULY 12, 1990
RECORDED IN OFFICIAL RECORD 15480 J12. PLOTTED HEREON
- 10) LEASE FROM GOLDEN EYE LIMITED PARTNERSHIP, TO COLUMBUS FAIR AUTO AUCTION,
INC., FILED OCTOBER 29, 1991, A MEMORANDUM OF WHICH IS RECORDED IN OFFICIAL
RECORD 17908H07. "DESCRIPTION OF 20.286 ACRE TRACT DOES NOT AFFECT SUBJECT
PROPERTY, DESCRIPTION OF 5.413 ACRE TRACT AFFECTS ALL OF THE PROPERTY DESCRIBED
IN THIS SURVEY, PLUS NORTHERN ADJOINER PROPERTY, AS SHOWN ON SURVEY."

LEGAL DESCRIPTION

Situated in the State of Ohio, Franklin County, Village of Obetz, in the northeast quarter of Section 24, Township 4, Range 22, Congress Lands and being a part of 5.413 acre tract conveyed to James K. Hunter, III, Trustee, by deed recorded in Official Record Volume 34504, page A03 of the Franklin County Records Office and being more particularly described as follows:

Beginning at a railroad spike found in the centerline of Rathmell Road at its intersection with the old centerline of Groveport Road, now being north of the existing Groveport Road as improved; said spike also being the southeast corner of said 5.413 acre tract of said James K. Hunter, III, Trustee;
thence, with the old centerline of Groveport Road, now on a line north of the improved Groveport Road; N 6°46'50" E 275.40' to a point witnessed by a 1/2" iron pin found bearing N 19°49'50" E, a distance of 25.07';
thence, with the line of B.P. Exploration & Oil, Inc., as recorded in Official Record Volume 34500, page 104, N 19°49'50" E; passing said 1/2" iron pin found at 25.07', a total distance of 234.78' to a 1/2" iron pin found;
thence, with the line of said B.P. Exploration & Oil, Inc., N 6°47'10" W: 211.02' to a 3/4" iron pin found in the east right-of-way line of Alum Creek Road;
thence, with said right-of-way, N 21°23'10" E; 200.40' to a 1/2" iron pin found;
thence, S 68°40'35" E; 354.94' to a point in the centerline of Rathmell Road, a mag nail found being 0.30' west of said point;
thence, with said centerline, S 8°00'12" E: 130.83' to a 1" iron pin found on the east side of improved Rathmell Road;
thence, continuing with the centerline, S 9°48'11" W: 381.35' to a railroad spike and the place of beginning, containing 3.3770 acres of land, excepting 0.5050 acres within the right-of-ways of Rathmell Road and Groveport Road, leaving a net acreage of 2.8720 acres of land.

Subject to all legal highways, easements and restrictions of record.
The bearings in the above tract are based on record bearings found in Official Record Volume 34504, page A03.

The property described herein is the same property as described in Title Commitment number 98-1456-43, dated April 12, 1998, as prepared by Lawyers Title Insurance Corporation.

The above description is taken from and in accordance with a field survey and plat by Paul Byrnside, Ohio Registered Surveyor No. 4391, dated November 15, 1997.

PRELIMINARY LEGAL DESCRIPTION OF (CUT-OUT)

SITUATED IN THE STATE OF OHIO, FRANKLIN COUNTY, VILLAGE OF OBETZ, IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 4, RANGE 22, CONGRESS LANDS AND BEING A PART OF A 5.413 ACRE TRACT CONVEYED TO JAMES K. HUNTER, III, TRUSTEE, BY DEED RECORDED IN OFFICIAL RECORD VOLUME 34504, PAGE A03 OF THE FRANKLIN COUNTY RECORDERS OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE FOUND IN THE CENTERLINE OF RATHMELL ROAD AT ITS INTERSECTION WITH THE OLD CENTERLINE OF GROVEPORT ROAD, NOW BEING NORTH OF THE EXISTING GROVEPORT ROAD AS IMPROVED; SAID SPIKE ALSO BEING THE SOUTHEAST CORNER OF SAID 5.413 ACRE TRACT OF SAID JAMES K. HUNTER, III, TRUSTEE;
THENCE, WITH THE OLD CENTERLINE OF GROVEPORT ROAD, NOW ON A LINE NORTH OF THE IMPROVED GROVEPORT ROAD, N 6°46'50" E, 275.40 FEET TO A POINT WITNESSED BY A 1/2" IRON PIN FOUND, BEARING N 19°49'50" E, A DISTANCE OF 25.07 FEET;
THENCE, WITH THE LINE OF B.P. EXPLORATION & OIL, INC., AS RECORDED IN OFFICIAL RECORD VOLUME 34500, PAGE 104, N 19°49'50" E, PASSING SAID 1/2" IRON PIN FOUND AT 25.07 FEET, A TOTAL DISTANCE OF 208.99 FEET TO A POINT;
THENCE, ON A NEW DIVISION LINE, S 68°40'35" E, 233.81 FEET TO A POINT ON THE EAST SIDE OF RATHMELL ROAD;
THENCE, CONTINUING ALONG RATHMELL ROAD, S 09°48'11" W, 232.33 FEET TO A RAILROAD SPIKE AND THE PLACE OF BEGINNING, CONTAINING 1.269 ACRES OF LAND.
SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

SURVEYOR'S CERTIFICATION

TO: FRANCHISE FINANCE CORPORATION OF AMERICA, FFCA ACQUISITION CORPORATION, A DELAWARE CORPORATION AND ITS SUCCESSORS OR ASSIGNS, RTM ACQUISITION COMPANY, L.L.C. AND LAWYERS TITLE INSURANCE CORPORATION.

This is to certify that this map or plat of survey (this "Survey Map") of the premises specifically described in Lawyers Title Insurance Corporation Title Commitment No. 98-1456-43 dated 04-12-98 (1) is based on a field survey made on November 15, 1997 by me or directly under my supervision in accordance with the most recently adopted Minimum Standards Detail Requirements and Classifications for ALTA/ACSM Land Title Surveys, and meets the accuracy requirements for an "Urban" survey as defined therein; (2) was prepared in accordance with and includes all items and information required by the document titled "Survey Requirements for Franchise Finance Corporation of America, FFCA Acquisition Corporation and FFCA Mortgage Corporation dated September 15, 1993, revised October 3, 1996", and (3) to the best of my professional knowledge, information and belief,

- (a) This Survey Map correctly represents the facts found at the time of the survey;
- (b) There are no discrepancies between the boundary lines of the subject property as shown on this Survey Map and as described in the legal description presented in the above-referenced Title Commitment.
- (c) The boundary line dimensions as shown on this Survey Map form a mathematically closed figure within +/- 0.1 foot; and
- (d) The boundary lines of the Subject Property are contiguous with the boundary lines of all adjoining parcels, roads, highways, streets or alleys as described in their most recent respective legal descriptions of record.

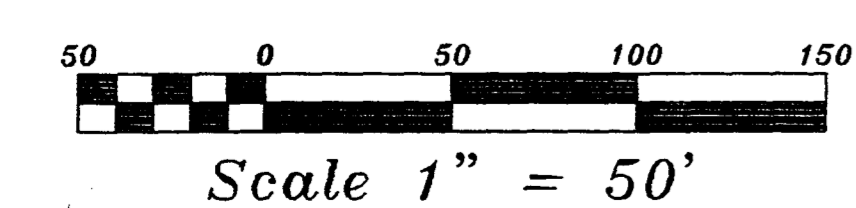
The undersigned understands and agrees that the parties to whom this certification is addressed will be relying upon this certification in incurring financial obligations with respect to the subject property and that this Survey Map has been prepared for their respective benefits in anticipation of their reliance thereon.

Registration No. 4391
Within the State of Ohio
Paul Byrnside



SURVEY PREPARED BY:
PAUL BYRNSIDE SURVEYING
1971 EIGHT MILE ROAD
CINCINNATI, OHIO 45255
(513) 474-6020, FAX 474-6121

- LEGEND
- SANITARY SEWER MANHOLE
 - UTILITY POLE
 - FOUND 1/2" IRON PIN UNLESS NOTED
 - TEE
 - ▲ FIRE HYDRANT
 - ⊕ CENTERLINE OF ROADWAY
 - R/W RIGHT-OF-WAY
 - LA FENCE LIMITED ACCESS FENCE
 - EM ELECTRIC METER
 - W WATER VALVE
 - * 2" WHITE PINE
 - LIGHT POLE
 - TELEPHONE BOX
 - 2" BURNING BUSH
 - STROM DRAIN
 - EB ELECTRIC BOX
 - CO CLEAN-OUT MR
 - ICV



DRAWN BY: WP DATE: 11-15-97 DWG. NO.: 97601 / 49603	APPROVED BY: PROJ. NO.: DWG.	REVISIONS 11-26-97, 12-23-97, 01-06-98, 03-23-98, 05-04-99, 6-23-99 07-21-99, 09-02-99, 10-13-99	"ALTA/ACSM" SURVEY OF: ARBYS RESTURANT	PROJECT:	SHT. NAME:	SHT. NO.:
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