

Surveyor's & Title Legal

Situate in the State of Ohio, County of Franklin, City of Hilliard, lying in Virginia Military Survey Number 1335, and being a 2.919 acre tract containing a 2.024 acre tract, a 0.576 acre tract, (Tract 1), and a 0.298 acre tract (Tract 2), conveyed to Hilliard Shopping Center, LLC, by deed of record in Instrument Number 199909300246310, which 2.024 acres being part of Reserve "A" of Constance L. Conklin Subdivision, by a subdivision of record in Plat Book 26, Page 45, and 0.895 acres being part of Reserve "B" of Mary K. Conklin Subdivision, by subdivision of record in Plat Book 26, Page 25, all records herein are from the Recorder's Office, Franklin County, Ohio, said 2.919 acre tract being more particularly described as follows:

Beginning with the TRUE POINT OF BEGINNING at a point located at the northeast corner of said Reserve "A" and the southeast corner of said Reserve "B", also being the common line between said subdivisions;

Thence South 06°21'00" East, a distance of 324.73 feet, along the common line of said Reserve "A" and Lots 56 through 59 of said Constance L. Conklin Subdivision, to a found 3/4" iron pipe with no id cap at an angle point on the easterly line of said Reserve "A" and the common corner of said 2.024 acre tract and a 3.050 acre tract conveyed to Mid-States Development, Corporation, by deed of record in 199905270135213;

Thence South 83°39'00" West, a distance of 259.93 feet, across said Reserve "A" and along the common line of said 2.024 acre tract and said 3.050 acre tract, to a found 3/4" iron pipe with no id cap located at the common corner of said 2.024 acre tract and said 3.050 acre tract, said iron pipe also being on the easterly right-of-way line of Hilliard-Rome Road by a subdivision of record in Plat Book 26, Page 45;

Thence North 06°21'00" West, a distance of 489.18 feet, along the common line of Hilliard-Rome Road, by a subdivision of record in Plat Book 26, Page 45, and Plat Book 26, Page 25, and said 2.024 acre tract, 0.576 acre tract, and 0.298 acre tract, passing the line between said Reserve A and Reserve B, to a found 3/4" iron pipe with an id cap stamped Vance 6553 at the common corner of said 0.298 acre tract and a 1.503 acre tract conveyed to Burger King Corporation, by deed of record in Official Record 11667, Page A08 and on the easterly right-of-way line of Hilliard-Rome Road;

Thence North 83°39'00" East, a distance of 259.93 feet, across said Reserve "B" and along the common line of said 0.298 acre tract and said 1.503 acre tract, to a found 3/4" iron pipe with an id cap stamped Vance 6553 at the common corner of said 0.298 acre tract and a 1.503 acre tract conveyed to Burger King Corporation, and on the common line of said 0.298 acre tract and Lot 48 of said Mary K. Conklin Subdivision;

Thence South 06°21'00" East, a distance of 164.45 feet, along the common line of Lots 48 through 51 and Reserve "B" of said Mary K. Conklin Subdivision and said 0.0298 acre tract, 0.576 acre tract, and part of 2.024 acre tract, to the TRUE POINT OF BEGINNING, containing 2.919 acres, more or less. Being subject to all easements, restrictions, and rights-of-way of record.

The bearings shown above are based on the centerline of Hilliard-Rome Road as being North 06°21'00" West as shown in Plat Book 26, Page 25, in the Franklin County Recorder's Office.

This description was based on an actual field survey by Civil & Environmental Consultants, Inc. in August, 2005.

Surveyor's Certification

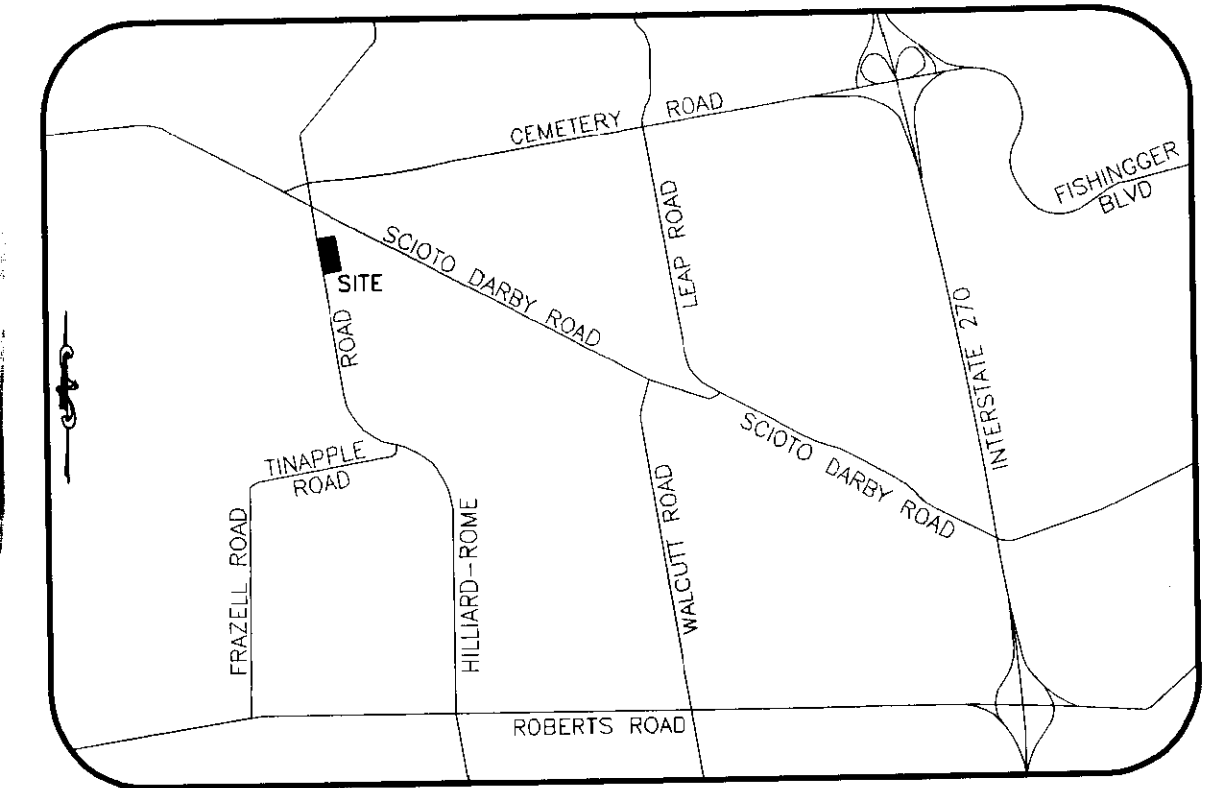
To: First American Title Insurance Company, Lorraine Investments, LLC and Sun Life Assurance Company of Canada.

The undersigned hereby certifies that on the 25 day of August, 2005:

- This survey was prepared by the undersigned or under the undersigned's supervision and was made on the ground as per the field notes shown on this survey and correctly shows (i) the courses and measured distances of the exterior property lines, all discrepancies between the property lines of the Premises as shown on the survey and as described in the legal description and includes the street address and legal description of the Premises; (ii) encroachments from the Premises onto adjoining properties, as well as any encroachments onto the Premises and the extent of such encroachments in feet and inches; (iii) the location and identification of any sanitary sewers, storm sewers, water, gas and electrical easements as shown on the current title commitment (each identified with recording data); (iv) the location and identification of all easements, roadways, rights-of-way and fences (which are visible through an inspection of the Premises or of record in Franklin County) affecting the Premises and that, if applicable, the easements shown on the survey permit the Premises unencumbered access to a public roadway(s) (each identified with recording data, as applicable); (v) that the Premises have adequate access (ingress and egress) to a publicly dedicated roadway and further shows the lines of the public streets abutting the Premises; (vi) that necessary utilities are available at the perimeter in order to serve the Premises, identifying the location of all necessary utilities lines as they serve the Premises and their connections to public/private utility systems located off-site, and the location and direction of all storm drainage systems for the collection and disposal of all surface drainage; (vii) the location of buildings, fences, signs, parking areas, foundations, structures and other improvements within the property lines at ground surface level and the distance there from to the nearest facing exterior property lines of said Premises and that such buildings and foundations have been constructed in accordance with the latest plat recorded for the entire development within any set-back requirements unless otherwise shown or noted, free and clear of all easements as provided in the current title commitment; (viii) the square footage of the land, building and parking areas, as well as the number and type of parking spaces; (ix) that no portion of the Premises is located within a "Special Flood Hazard Area" as defined by the National Flood Protection Act (such determination having been made from a personal review of flood map number 390175 0120 G, which is the latest available flood map for the Premises) with the flood zone designation noted thereon; (xi) applicable building set-back, height, bulk and other restrictions of record whether imposed by zoning ordinances, building codes, subdivision maps or restrictive covenants; (xii) the scale, the north direction, the beginning point, the distance to the nearest intersection street and point of reference from which the Premises are measured, the width of the street or streets on which the Premises abut, the lot and block number shown on any field map to which reference is made in the legal description together with the filing date of such map; (xiii) if the Premises is described as being on a filed or recorded map, a legend relating this survey to such map; (xiv) that the property lines of the Premises are contiguous with the property lines of all adjoining parcels, roads, highways, streets or alleys described in their most recent respective legal descriptions of record, and (xv) areas denoted or restricted in reciprocal easement agreements; (xvi) the zoning classification for the Premises with permitted uses, and non-conforming permitted uses noted thereon as applicable; and (xvii) other physical matters on the ground which may affect the Premises or title thereof or use thereof.
- All streets abutting the Premises and all means of ingress and egress for said Premises have been completed, dedicated and accepted for public maintenance and use by the said County of Franklin, State of Ohio.
- This survey was prepared in accordance with "Minimum Standard Detailed Requirements for ALTA/ACSM Land Title Surveys" (1999) (or latest revision date) and includes Items 1, 2, 3, 4, 6, 7, 8, 9, 10, 11 and 13 of Table "A" thereof and meets or exceeds the minimum requirements for a Category of the survey measurements were made in accordance with the "Minimum Angle Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."

Encroachments:

The rear yard setback is encroached upon as shown on the attached exhibit by 5.9'±, per the City of Hilliard, Ohio Zoning Code for B-2, Business District.



VICINITY MAP NOT TO SCALE



Anthony W. Williams
 Registered Surveyor: Anthony W. Williams
 Registered Land Surveyor No.: 7726
 in the State of Ohio

Date: 9/15/05

ALTA/ACSM Land Title Survey

for
**Sun Life Assurance
 Company of Canada**
 City of Hilliard, Ohio
 Based upon Title Commitment No. HTA-7894
 by First American Insurance Company
 bearing an effective date of July, 27, 2005 @ 7:59 a.m.

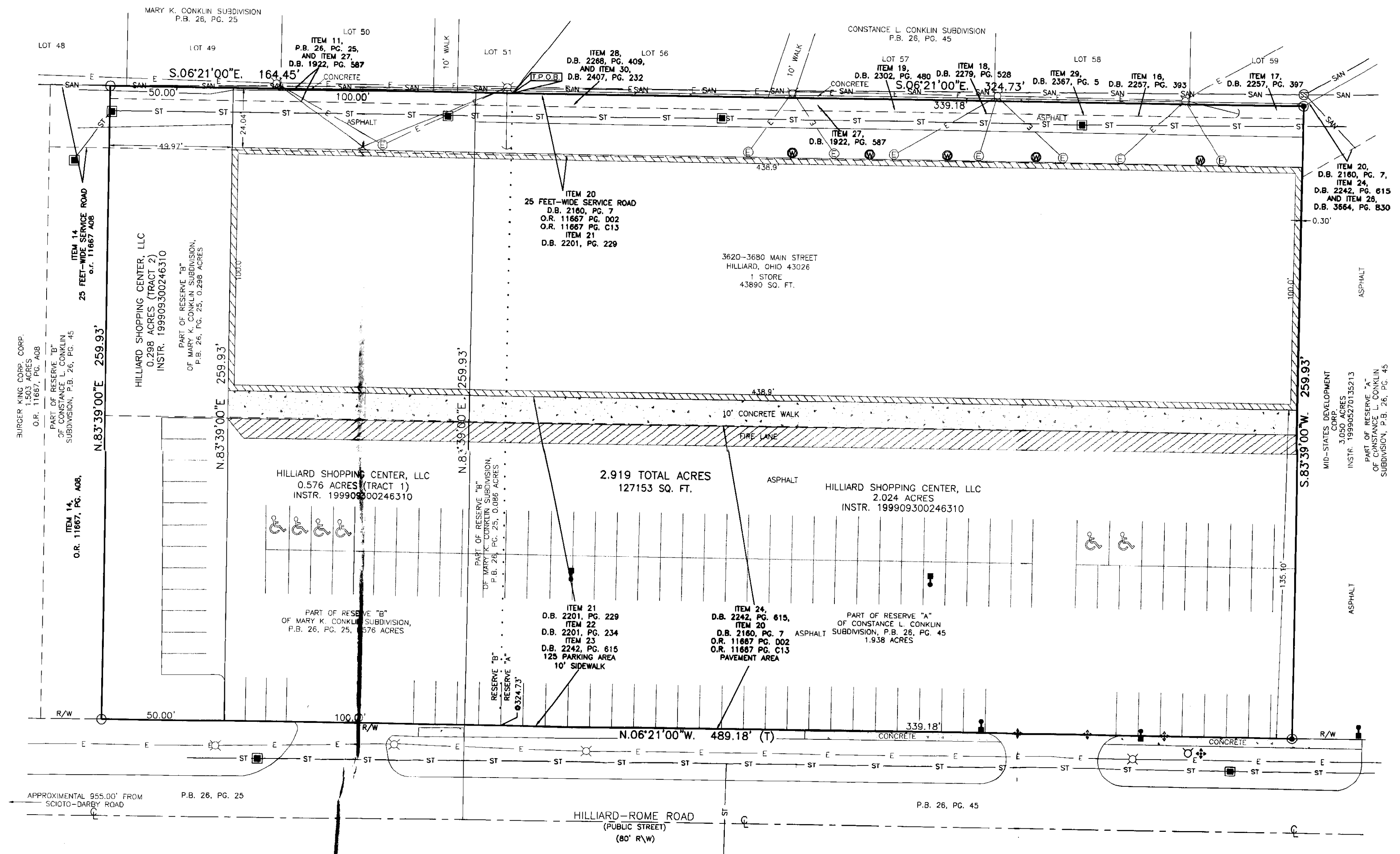
Civil & Environmental Consultants, Inc.
 8740 Orion Place, Suite 100
 Columbus, Oh. 43240
 (614) 540-6633 (888)598-6808 FAX (614)540-6638
 CHICAGO, IL - CINCINNATI, OH - EXPORT, PA - INDIANAPOLIS, IN.
 NASHVILLE, TN - PITTSBURGH, PA - ST. LOUIS, MO.

DRAWN BY: NW	JOB NUMBER 051601
FIELD WORK BY: LN / MJ	
DATE: 8-26-05	
SCALE: N/A SHEET 1 OF 2	

REVISION RECORD	
DATE	DESCRIPTION

RECEIVED
 SEP 16 2005
 Franklin County Engineer
 Dean C. Ringle, PE, PS.

S:\proj\051601\ALTA.dwg by blue printed 09/15/2005 @ 11:37:04 am ~ last modified 09/14/2005 @ 03:58:05 pm - CEC, Inc.



Schedule B - Section II

ITEM 10 - a Blanket Right of Way Easement to The Ohio Fuel Gas Co. of record in Deed Volume 946, page 483, assigned to Columbia Gas of Ohio, Inc. of record in Deed Volume 2548, Page 90, does not affect the subject tract and not plotted.

ITEM 11 - Easements of record in Plat Book 26, Page 25, does affect the subject tract and is shown on the attached exhibit.

ITEM 12 - A Blanket Right-of-Way Easement to The Ohio Fuel Gas Co., of record in Deed Volume 945, Page 587, assigned to Columbia Gas of Ohio, Inc. of record in Deed Volume 2548, Page 90, does affect the subject tract but is not plottable since said easement is a blanket easement.

ITEM 13 - A 10 feet-wide gas easement to The Ohio Fuel Gas Co. of record in Deed Volume 1948, Page 390, assigned to Columbia Gas of Ohio, Inc. of record in Deed Volume 2548, Page 90, does not affect and is not shown since said easement is located to the east of said subject tract.

ITEM 14 - Easements and Restrictions created by Warranty Deed of record in Official Record Volume 11667, Page A08, does affect the subject tract and is shown on the attached exhibit.

ITEM 15 - Easements of a Warranty Deed of record in Deed Volume 2201, Page 242, amended in Official Record Volume 11667, Page C13 and further amended in Official Record Volume 11667, Page D02, does not affect the subject tract since said item 15 is for the 1.503 acre tract shown on the attached exhibit.

ITEM 16 - A 5 feet-wide Easement and Restrictions created by a Warranty Deed of record in Deed Volume 2257, Page 393, does affect the subject tract, the 5 feet-wide easement is shown on the attached exhibit.

ITEM 17 - A 5 feet-wide Easement and Restrictions created by a Warranty Deed of record in Deed Volume 2257, Page 397, does affect the subject tract, the 5 feet-wide easement is shown on the attached exhibit.

ITEM 18 - A 5 feet-wide Easement and Restrictions created by a Warranty Deed of record in Deed Volume 2279, Page 528, does affect the subject tract, the 5 feet-wide easement is shown on the attached exhibit.

ITEM 19 - A 5 feet-wide Easement and Restrictions created by a Warranty Deed of record in Deed Volume 2302, Page 480, does affect the subject tract, the 5 feet-wide easement is shown on the attached exhibit.

ITEM 20 - A 25 feet-wide Easement and Restrictions created of record in Deed Volume 2160, Page 7, amended in Official Record Volume 11667, Page C13 and further Amended in Official Record Volume 11667, Page D02, does affect the subject tract and is shown on the attached exhibit.

ITEM 21 - A Release, Abandonment and Waiver of Restrictions as to Certain Real Estate, of record in Deed Volume 2201, Page 229, amended in Official Record Volume 11667, Page C13 and further amended in Official Record Volume 11667, Page D02, does affect the subject tract and is shown on the attached exhibit.

ITEM 22 - Easements and Restrictions created by Consent of Restrictions of record in Deed Volume 2201, Page 234, does affect the subject tract and is shown on the attached exhibit.

ITEM 23 - Easements and Restrictions created by Consent to Restrictions of record in Deed Volume 2201, Page 238, does affect the subject tract and is shown on the attached exhibit.

ITEM 24 - A 125 feet-wide Parking Area created by a Warranty Deed of record in Deed Volume 2242, Page 615, amended in Official Record Volume 11667, Page C13 and further amended in Official Record Volume 11667, Page D02, does affect the subject tract and is shown on the attached exhibit.

ITEM 25 - Easements and Restrictions created by Warranty Deed of record in Deed Volume 2243, Page 637, does not affect the subject tract since said deed is located to the north of said subject tract.

ITEM 26 - Easements created by a Quit-Claim Deed of record in Deed Volume 3664, Page 830, amended in Official Record Volume 11667, Page C13 and further amended in Official Record Volume 11667, Page D02, does not affect the subject tract since said easement is for the 3.05 acre tract to the south, but is shown on the attached exhibit.

ITEM 27 - Easements and Restrictions created by Warranty Deed of record in Deed Volume 1922, Page 587, does affect the subject tract and is shown on the attached exhibit. Easements as shown on Constance L. Conklin Subdivision, P.B. 26, Pg. 45 & Mary K. Conklin Subdivision, P.B. 26, Pg. 25.

ITEM 28 - Easements and Restrictions created by Warranty Deed of record in Deed Volume 2268, Page 409, amended in Deed Volume 2302, Page 484, does affect the subject tract and is shown on the attached exhibit.

ITEM 29 - Easements and Restrictions created by Warranty Deed of record in Deed Volume 2367, Page 5, does affect the subject tract and is shown on the attached exhibit.

ITEM 30 - Easements and Restrictions created by Warranty Deed of record in Deed Volume 2407, Page 232, does affect the subject tract and is shown on the attached exhibit.

FLOOD NOTE
By graphic plotting only, this property is in Zone "X" of the Flood Insurance Rate Maps, Community Panel No. 390175 0120 G, which Bears an Effective Date of Aug. 2, 1995 and is not in a special flood hazard area. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance.

Legend of Symbols & Abbreviations

⊗ Sanitary Manhole	— Guy Wire
⊠ Catch Basin	⊗ Handicap Parking
⊙ Water Meter	○ Found 3/4" iron pipe, with an id cap stamped Vance 6553
⊕ Fire Hydrant	⊙ Found 3/4" Iron Pipe with No ID Cap
⊕ Water Valve	— Sanitary Sewer Line
⊗ Power Pole	— Storm Sewer Line
⊕ Light Pole	— Electric Line
⊙ Elec. Meter	--- Easement Line

Zoning Information
Zoning information shown is per City of Hilliard Zoning Code for B-2 Business District.
"B-2" Community Shopping Center, Shopping centers of an integrated design which provide adequate parking and servicing areas. They shall be located along major thoroughfares, have restricted points of access, and be screened or fenced from surrounding areas.
B-2, Business District
Front Yard - 50'
Back Yard - 30'
Height - 2 Stories, 35 Feet

Boundary Survey Note
This plat constitutes a boundary survey as set forth in the minimum standards for boundary surveying in the State of Ohio, Administrative Code Chapter 4733-37 and promulgated by the Board of Registration for Professional Engineers and Surveyors of the State of Ohio pursuant to Chapter 4733.

Utility Notes
The Utility information shown hereon either on or above ground was physically located in the field and is accurate.

Parking Table
Parking Spaces = 132
Handicap Parking Spaces = 6
Total Parking Spaces = 138
Parking Area = 57569 Sq. Ft.

ALTA/ACSM Land Title Survey
for
Sun Life Assurance Company of Canada
City of Hilliard, Ohio
Based upon Title Commitment No. HTA-7894 by First American Insurance Company bearing an effective date of July, 27, 2005 @ 7:59 a.m.

Civil & Environmental Consultants, Inc.
8740 Orion Place, Suite 100
Columbus, Oh. 43240
(614) 540-6633 (888)598-6808 FAX (614)540-6638
CHICAGO, IL • CINCINNATI, OH • EXPORT, PA • INDIANAPOLIS, IN
NASHVILLE, TN • PITTSBURGH, PA • ST. LOUIS, MO.

DRAWN BY: NW	JOB NUMBER 051601
FIELD WORK BY: LN / MJ	
DATE: 8-26-05	
SCALE: 1"=30'	SHEET 2 OF 2

REVISION RECORD

DATE	DESCRIPTION
09/13/05	Revisions from Client

RECEIVED
SEP 16 2005
Franklin County Engineer
Dean C. Ringle, P.E.