" ALTA/ACSM LAND TITLE SURVEY "

PREPARED FOR AND AT THE INSTANCE OF FIRST-ENERGY CORP., THE CLEVELAND ELECTRIC ILLUMINATING COMPANY, DUQUESNE LIGHT COMPANY, AND CHICAGO TITLE INSURANCE COMPANY

SITUATED IN THE CITY OF AVON LAKE, COUNTY OF LORAIN, AND STATE OF OHIO, KNOWN AS BEING A PART OF SECTION 6 IN THE CITY OF AVON LAKE, TOWNSHIP OF AVON LAKE, FORMERLY A PART OF AVON TOWNSHIP.

NORTH

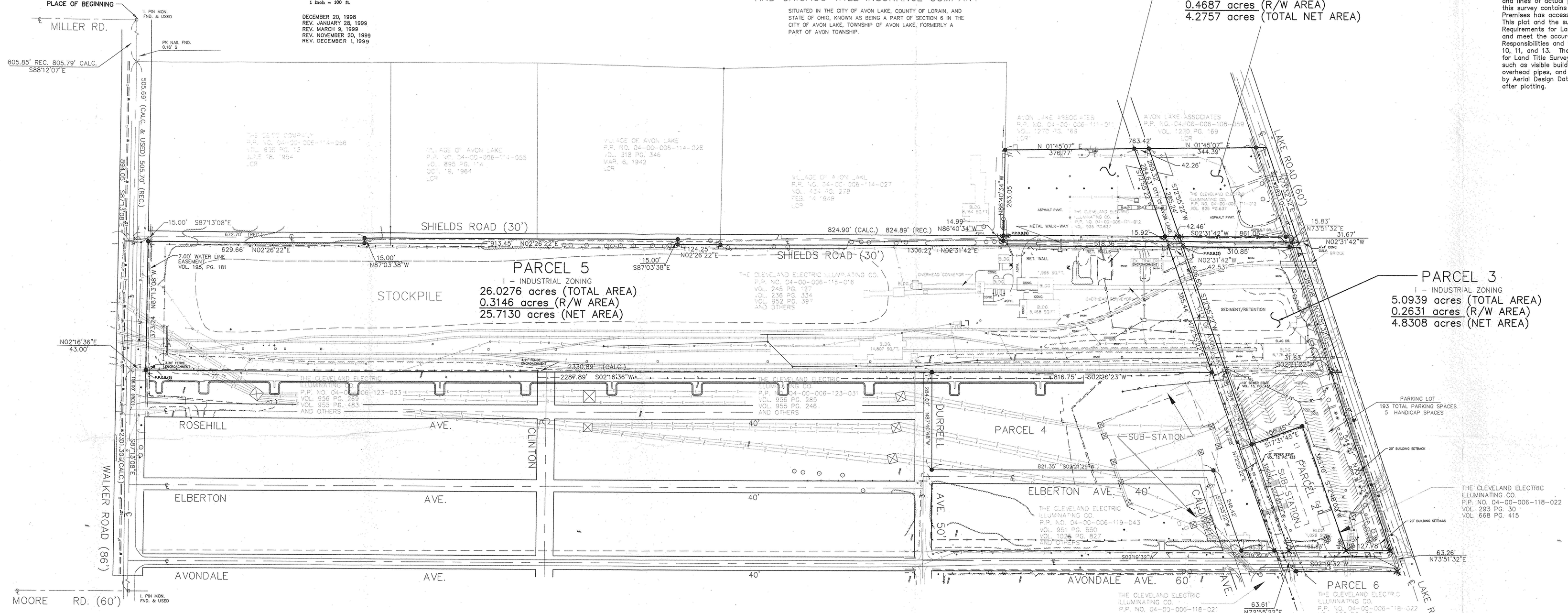
GRAPHIC SCALE

100 0 100 200 400

(IN FEET)
1 inch = 100 ft.

BASIS OF BEARING
LAKE ERIE SUBMERGED LAND LEASE
FILE NO. SUB-556-LO AS RECORDED
IN VOLUME 530 PG. 415 (1991)

DECEMBER 20, 1998
REV. JANUARY 28, 1999
REV. MARCH 9, 1999
REV. NOVEMBER 20, 1999
REV. DECEMBER 1, 1999



SURVEY CERTIFICATION

This survey was made at the request of FirstEnergy Corp., The Cleveland Electric Illuminating Company, Duquesne Light Company, Chicago Title Insurance Company, and their respective successors and assigns, and was made on December 20, 1998 of the premises of Parcels 3, 5, 9A & 9B specifically described in the Title Company's Commitment for Title Insurance No. 123027A dated November 18, 1998 . I hereby certify to FirstEnergy Corp., The Cleveland Electric Illuminating Company, Duquesne Light Company, Chicago Title Insurance Company, and their respective successors and assigns, as follows: (a) that the above survey print is an accurate representation of the Premises based on a survey made upon the ground, showing (i) that their are no gaps, gores, overlaps or encroachments of the Premises or on the Premises, (ii) the location of all easements (including all appurtenant easements), roadways or rights-of-way and setback lines, either of record as set forth in the Commitment or visible on the ground, except the items indicated in the Property Exceptions Table which are not plottable, (iii) all dedicated highways providing access to the Premises, (iv) that the Premises lie within Zone C as depicted on Community Panel No. 390602B, H&I-01, effective November 2, 1977 , on the National Flood Insurance Program rate maps, and (v) the size, type and location of all buildings and/or structures or improvements on the Premises; (b) that the title lines and lines of actual possession are the same, except as shown herein, (c) that the area bounded by this survey contains 34.8193 acres of net land exclusive of the public right of way to which the Premises has access, as shown hereon and (d) that no encroachments exist except as shown hereon. This plat and the survey on which it is based are made in accordance with the "Minimum Standard Detail Requirements for Land Title Surveys" jointly established and adopted by ACSM and by ALTA in October, 1997 and meet the accuracy requirements of an "Urban Survey" as defined therein and the "Optional Survey Responsibilities and Specifications" set forth in Table A thereof as Items 1, 2, 3, 4, 6, 7(b)(1), 8, 9, 10, 11, and 13. The exception to the above statement concerning the " Minimum Standard Detail Requirements for Land Title Surveys" includes the location, size and dimensions of all the above ground physical features such as visible buildings, structures, catch basins, manholes, above ground tanks, utility/light poles, overhead pipes, and pavements which have been plotted hereon based on a Planometric Aerial Survey provided by Aerial Design Data on November 18, 1998. These above ground features were visually verified in the field after plotting.

STATE OF OHIO JOSEPH R. CIUNI 7394 REGISTERED PROFESSIONAL SURVEYOR

11/29/99
Joseph R. Ciuni, P.S. Date
Registered Surveyor No. 7394

LEGEND

- 5/8" I.PIN SET W/CAP "CIUNI 7394"
- MON. FOUND
- I.PIN FOUND
- PK. NAIL FND.
- POWER/LIGHT POLE
- GUY WIRE
- MANHOLE
- LIGHT POLE
- ELECTRICAL BOX
- CONCRETE VAULT
- SIGN
- CATCH BASIN
- CEI MANHOLE
- WATERVALVE
- SUPPORT STRUCTURE
- PRINCIPAL PLACE OF BEGINNING
- GUARDRAIL
- CEI TOWER
- CONCRETE BASE
- AUTO SPRINKLER
- STEEL POLE
- WATERLINE
- STORM SEWER
- SANITARY SEWER
- GAS LINE
- COAL DISCHARGE
- PK NAIL FOUND
- DRILL HOLE SET IN CONCRETE
- OBJECT ON PROPERTY CORNER (NOTHING SET)
- HYDRANT
- HANDICAP PARKING SPACE
- RAILROAD TRACKS

LEGAL DESCRIPTION OF PARCEL 3

Situated in the City of Avon Lake, County of Lorain and State of Ohio and known as being a part of Section Number 6 in the City of Avon Lake, Township of Avon Lake, formerly a part of Avon Township and further bounded and described as follows:

Beginning at an iron pin monument at the centerline of intersection of Walker Road (86 feet wide) and Miller Road (60 feet wide), thence South 88° 12' 07" East along the centerline of said Walker Road, a distance of 805.79 feet to a PK nail found 0.16 feet South at an angle point;

Thence South 87° 13' 08" East along the centerline of said Walker Road, a distance of 894.05 feet to a point, said point being South 87° 13' 08" East along the centerline of said Walker Road, a distance of 2301.30 feet from an iron pin monument found at the centerline intersection of Moore Road (60 feet wide);

Thence North 02° 16' 36" East a distance of 43.00 feet to an iron pin set on the northerly line of said Walker Road and the southwest corner of lands conveyed to the Cleveland Electric Illuminating Company as recorded in Volume 958, Page 839 of the Lorain County Records;

Thence North 87° 13' 08" West along the northerly line of said Walker Road, a distance of 373.24 feet to an iron pin set on the easterly line of Shields Road (30 feet wide);

Thence North 02° 26' 22" East along the easterly line of said Shields Road, a distance of 629.66 feet to an iron pin set;

Thence North 87° 03' 38" West a distance of 15.00 feet to a point on the centerline of said Shields Road;

Thence North 02° 26' 22" East along the centerline of said Shields Road, a distance of 913.45 feet to a point;

Thence South 87° 03' 38" East a distance of 15.00 feet to an iron pin set on the easterly line of said Shields Road;

Thence North 02° 26' 22" East along the east right-of-way of said Shields Road, a distance of 124.25 feet to an iron pin set at an angle point in said right-of-way;

Thence North 02° 31' 42" East along the easterly line of said Shields Road, a distance of 1306.27 feet to a point on the southerly line of the lands conveyed to the City of Avon Lake as recorded in Volume 394, Page 433 of the Lorain County Records.

Thence North 02° 31' 42" East along the easterly line of said Shields Road, distance of 42.53 feet to a point on the northerly line of said City of Avon Lake Lands and the Principal Place of Beginning for the parcel of land described herein;

Thence North 02° 31' 42" East a distance of 342.52 feet to a point on the centerline of Lake Road (60 feet wide) passing over an iron pin set on the southerly line of said Lake Road a distance of 310.85 feet;

Thence North 73° 51' 32" East along the centerline of said Lake Road a distance of 382.08 feet to a point;

Thence South 02° 21' 22" West a distance of 31.63 feet to a drill hole set on the southerly line of said Lake Road;

Thence North 73° 51' 32" East along the southerly line of said Lake Road a distance of 544.61 feet to a drill hole set on the westerly line of Avondale Avenue (60 feet wide);

Thence South 02° 19' 32" West along the westerly line of said Avondale Avenue a distance of 127.78 feet to a drill hole set;

Thence South 72° 48' 00" West a distance of 383.10 feet to an iron pin set;

Thence South 17° 31' 45" East a distance of 156.35 feet to an iron pin set on the northerly line of said City of Avon Lake lands;

Thence South 72° 55' 22" West along the northerly line of said City of Avon Lake a distance of 606.65 feet to the Principal Place of Beginning for the parcel of land described herein, containing 5.0939 acres of land according to a survey by Adache Ciuni Lynn Associates in December, 1998, Joseph R. Ciuni, Registered Surveyor No. 7394, be the same more or less but subject to easements, restrictions and highways.

LEGAL DESCRIPTION OF PARCEL 5

Situated in the City of Avon Lake, County of Lorain and State of Ohio and known as being a part of Section Number 6 in the City of Avon Lake, Township of Avon Lake, formerly a part of Avon Township and further bounded and described as follows:

Beginning at an iron pin monument at the centerline of intersection of Walker Road (86 feet wide) and Miller Road (60 feet wide), thence South 88° 12' 07" East along the centerline of said Walker Road, a distance of 805.79 feet to a PK nail found 0.16 feet South at an angle point;

Thence South 87° 13' 08" East along the centerline of said Walker Road, a distance of 894.05 feet to a point, said point being South 87° 13' 08" East along the centerline of said Walker Road, a distance of 2301.30 feet from an iron pin monument found at the centerline intersection of Moore Road (60 feet wide);

Thence North 02° 16' 36" East a distance of 43.00 feet to an iron pin set on the northerly line of said Walker Road and the southwest corner of lands conveyed to the Cleveland Electric Illuminating Company as recorded in Volume 958, Page 839 of the Lorain County Records, said point also being the Principal Place of Beginning for the parcel of land described herein;

Thence North 87° 13' 08" West along the northerly line of said Walker Road, a distance of 373.24 feet to an iron pin set on the easterly line of Shields Road (30 feet wide);

Thence North 02° 26' 22" East along the easterly line of said Shields Road, a distance of 629.66 feet to an iron pin set;

Thence North 87° 03' 38" West a distance of 15.00 feet to a point on the centerline of said Shields Road;

Thence North 02° 26' 22" East along the centerline of said Shields Road, a distance of 913.45 feet to a point;

Thence North 87° 03' 38" East a distance of 15.00 feet to an iron pin set on the easterly line of said Shields Road;

Thence North 02° 26' 22" East along the easterly line of said Shields Road, a distance of 124.25 feet to an iron pin set at an angle point;

Thence North 02° 31' 42" East continuing along the easterly line of said Shields Road, a distance of 1306.27 feet to a point on the southerly line of the lands conveyed to the City of Avon Lake as recorded in Volume 394, Page 433 of the Lorain County Official Records.

Thence North 72° 55' 22" East along the southerly line of said City of Avon Lake Lands a distance of 385.44 feet to an iron pin set;

Thence South 02° 20' 23" West a distance of 816.75 feet to an iron pin set on the northerly line of Durrell Avenue (50 feet wide);

Thence South 02° 16' 36" West along the westerly line of lands owned by the Cleveland Electric Illuminating Company (P.P. No. 04-00-006-123-031 and 04-00-006-123-033) a distance of 2287.89 feet to the Principal Place of Beginning for the parcel of land described herein, containing 26.0276 acres of land according to a survey by Adache Ciuni Lynn Associates in December, 1998, Joseph R. Ciuni, Registered Surveyor No. 7394, be the same more or less but subject to all legal easements, restrictions and highways.

LEGAL DESCRIPTION OF PARCEL 9

Situated in the City of Avon Lake, County of Lorain and State of Ohio and known as being a part of Section Number 6 in the City of Avon Lake, Township of Avon Lake, formerly a part of Avon Township and further bounded and described as follows:

Beginning at an iron pin monument at the centerline of intersection of Walker Road (86 feet wide) and Miller Road (60 feet wide), thence South 88° 12' 07" East along the centerline of said Walker Road, a distance of 805.79 feet to a PK nail found 0.16 feet South at an angle point;

Thence South 87° 13' 08" East along the centerline of said Walker Road, a distance of 894.05 feet to a point, said point being South 87° 13' 08" East along the centerline of said Walker Road, a distance of 2301.30 feet from an iron pin monument found at the centerline intersection of Moore Road (60 feet wide);

Thence North 02° 16' 36" East a distance of 43.00 feet to an iron pin set on the northerly line of said Walker Road and the southwest corner of lands conveyed to The Cleveland Electric Illuminating Company as recorded in Volume 958, Page 839 of the Lorain County Records;

Thence North 87° 13' 08" West along the northerly line of said Walker Road, a distance of 373.24 feet to an iron pin set on the easterly line of Shields Road (30 feet wide);

Thence North 02° 26' 22" East along the easterly line of said Shields Road, a distance of 629.66 feet to an iron pin set;

Thence North 87° 03' 38" West a distance of 15.00 feet to a point on the centerline of said Shields Road;

Thence North 02° 26' 22" East along the centerline of said Shields Road, a distance of 913.45 feet to a point;

Thence South 87° 03' 38" East a distance of 15.00 feet to an iron pin set on the easterly line of said Shields Road;

Thence North 02° 26' 22" East along the easterly line of said Shields Road, a distance of 124.25 feet to an iron pin set at angle point;

Thence North 02° 31' 42" East along the easterly line of said Shields Road, a distance of 824.90 feet to a point;

Thence North 86° 40' 34" West a distance of 14.99 feet to a point on center line of said Shields Road and the Principal Place of Beginning for the parcel of land described herein;

Thence North 86° 40' 34" West along the northerly line of lands conveyed to the Village of Avon Lake as recorded in Volume 434, Page 278 a distance of 263.05 feet to an iron pin set at the southeasterly corner of lands conveyed to the Avon Lake Associates as recorded in Volume 1270, Page 169;

Thence North 01° 45' 07" East along the easterly line of said lands owned by Avon Lake Associates a distance of 763.42 feet to a **point set on the centerline of Lake Road (60' feet wide),**

Thence North 73° 32' 32" East along the centerline of said Lake Road a distance of 289.10 feet to a point at the centerline of said Shields Road.

Thence South 02° 31' 42" West along the centerline of said Shields Road a distance of 861.06 feet to the Principal Place of Beginning for the parcel of land described herein, containing 5.0060 total acres of land according to a survey by Adache Ciuni Lynn Associates in December, 1998, Joseph R. Ciuni, Registered Surveyor No. 7394, be the same more or less but subject to all legal highways and easements of record.

Excepting therefrom a parcel of land owned by the City of Avon Lake described as follows:

Beginning at an iron pin set at the southeasterly corner of lands conveyed to the Avon Lake Associates as recorded in Volume 1270, Page 169;

LEGAL DESCRIPTION OF PARCEL 9(Con't)

Thence North 01° 45' 07" East along the easterly line of said lands owned by Avon Lake Associates a distance of 376.77 feet to an iron pin set at the Principal Place of Beginning for the parcel of land described herein;

Thence North 01° 45' 07" East a distance of 42.26 feet to an iron pin set therein;

Thence North 72° 55' 22" East a distance of 285.24 feet to a point therein on the centerline of said Shields, passing over an iron pin set on the westerly line of said Shields Road a distance of 269.32 feet;

Thence South 02° 31' 42" West along the centerline of said Shields Road a distance of 42.46 feet to a point therein;

Thence South 72° 55' 22" West a distance of 284.53 feet to the Principal Place of Beginning for the parcel of land described herein, passing over an iron pin set on the westerly line of said Shields Road a distance of 15.92 feet; said parcel containing 0.2616 acres of land according to a survey by Adache-Ciuni-Lynn Associates in December of 1998, Joseph R. Ciuni, Registered Surveyor No. 7394, be the same more or less but subject to all legal highways and easements of record;

Said Parcel 9 contains 4.7444 net acres of land including the excepted City of Avon Lake parcel of land, be the same more or less but subject to all legal highways and easement of record;

PROPERTY EXCEPTIONS (SEE SCHEDULE "B" OF THE TITLE COMMITMENT)

EASEMENTS

PARCEL 9A & 9B
NO. 28 VOLUME 0205, PAGE 588

PARCEL 5
NO. 31 VOLUME 0030, PAGE 181
NO. 32 VOLUME 0031, PAGE 378
NO. 33 VOLUME 0091, PAGE 590
NO. 35 VOLUME 1204, PAGE 714
* NO. 36 VOLUME 0195, PAGE 696

PARCEL 3
NO. 31 VOLUME 0030, PAGE 181
NO. 32 VOLUME 0031, PAGE 378
NO. 33 VOLUME 0091, PAGE 590
*NO. 34 VOLUME 0013, PAGE 433
NO. 35 VOLUME 1204, PAGE 714

RESTRICTIONS/SETBACKS

PARCEL 3
NO. 30 VOLUME 0198, PAGE 066
*NO. 29 20' FRONT BUILDING SETBACK

PARCEL 5
NO. 30 VOLUME 0198, PAGE 066

* PLOTTED EXCEPTION

PREPARED BY:
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