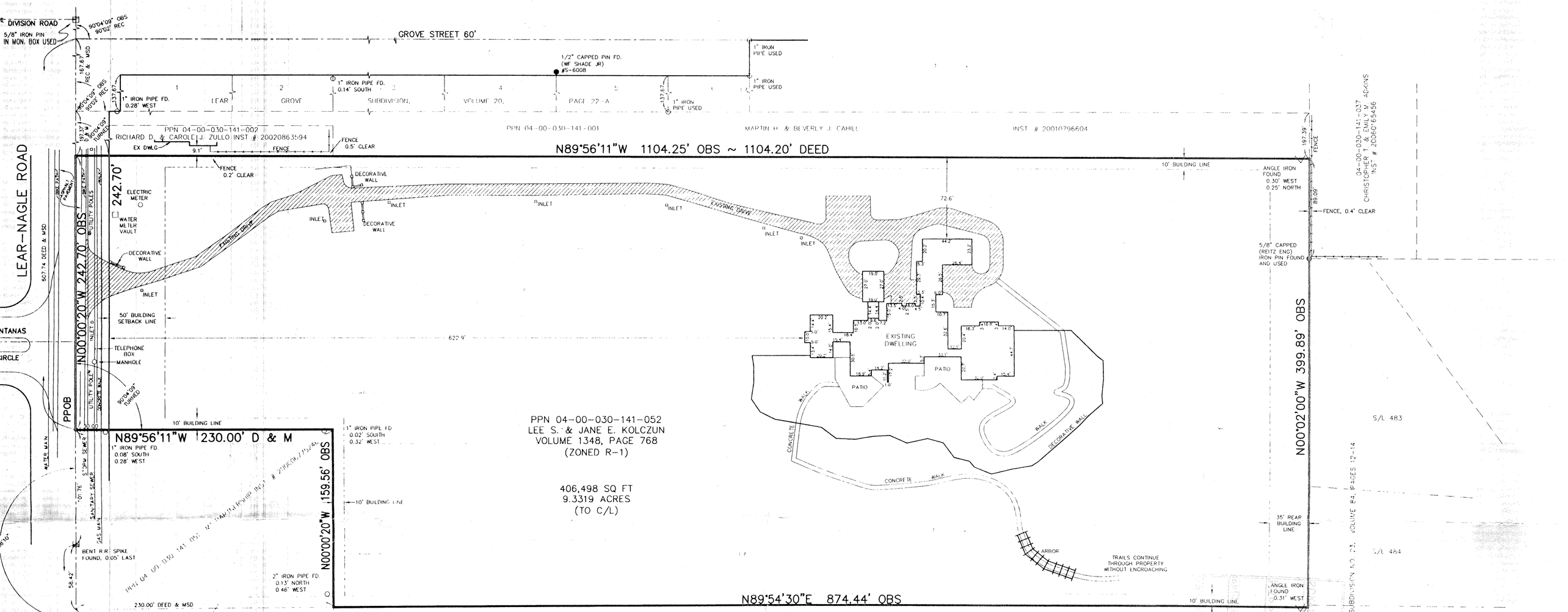


SURVEYOR'S CERTIFICATE:

THE UNDERSIGNED HEREBY CERTIFIES TO SKY BANK, NAPOLIGAM DEVELOPMENT, INC., AND COMMONWEALTH LAND TITLE INSURANCE COMPANY.

1. THE DRAWING ON WHICH THIS CERTIFICATE IS CONTAINED WHICH WAS PREPARED BY THE UNDERSIGNED FROM A SURVEY MADE ON JULY 3, 2007, (HEREIN THE "DRAWING"), IS A TRUE AND ACCURATE SURVEY OF THE REAL ESTATE DESCRIBED BY METES AND BOUNDS DESCRIPTION CONTAINED ON SAID DRAWING (THE "PROPERTY") AND EACH PARCEL IDENTIFIED THEREON (THE "PARCEL").
2. THE BOUNDARIES OF THE PROPERTY AND EACH PARCEL AS DEPICTED ON THE DRAWING WERE ESTABLISHED BY ACTUAL FIELD MEASUREMENTS AND THE PINS, MONUMENTS OR OTHER MARKERS WERE SET OR FOUND AS SHOWN THEREON. THE DRAWING ACCURATELY SETS FORTH THE AREA OF THE PROPERTY AND EACH PARCEL IN ACRES AND SQUARE FEET.
3. THE PROPERTY AS SURVEYED AND DESCRIBED IN THE DRAWING IS CONTINUOUS ALONG ITS ENTIRE BOUNDARIES AND IS ENCLOSED WITH THE PERIMETERS THEREOF.
4. THE PARCELS ARE COMPLETELY CONTIGUOUS WITH ONE ANOTHER AND THERE ARE NO GAPS OR GORES BETWEEN OR AMONG ANY OF THE PARCELS.
5. THE RIGHTS-OF-WAY LINES FOR LEAR NAGLE ROAD IS COMPLETELY CONTIGUOUS TO THE PERIMETER LINES OF THE PROPERTY ALONG THE ENTIRE RIGHTS-OF-WAY AS SHOWN ON THE DRAWING.
6. EACH OF THE STREETS IDENTIFIED IN PARAGRAPH 5, IS A DULY DEDICATED PUBLIC ROAD.
7. VEHICULAR INGRESS AND EGRESS TO AND FROM THE PROPERTY IS AFFORDED VIA THE CURB CUTS SHOWN ON THE DRAWING, WHICH CURB CUTS HAVE BEEN DULY APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION OVER THE PROPERTY.
8. THERE ARE NO ENCROACHMENTS, OVERLAPS, OR OVERHANGS BY ANY IMPROVEMENTS ON THE PROPERTY ONTO OTHER PROPERTY OR ANY EASEMENT. THERE ARE NO ENCROACHMENTS, OVERLAPS OR OVERHANGS BY ANY IMPROVEMENTS ON OTHER PROPERTY ON, OVER OR ACROSS THE PROPERTY.
9. ALL BUILDINGS, RAILROAD TRACKS, DRIVES, PARKING AREAS AND OTHER IMPROVEMENTS LOCATED ON THE PROPERTY AND EXISTING ON THE DATE OF THIS CERTIFICATION TOGETHER WITH THE SIZE, LOCATION AND TYPE OF IMPROVEMENTS HAVE BEEN ACCURATELY DEPICTED ON THE DRAWING, INCLUDING THE DIMENSIONS THEREOF AND THE RELATIONSHIP THEREOF TO THE BOUNDARY LINES OF THE PROPERTY. ALL SUCH IMPROVEMENTS ARE WITH THE BOUNDARIES OF THE PROPERTY AND MEET ALL APPLICABLE FRONT, SIDE AND REAR SETBACK REQUIREMENTS.
10. THERE ARE NO DITCHES, STREAMS, RIVERS, GRAVEL PITS OR OTHER FORMS OF EXCAVATION (ACTIVE OR INACTIVE) OR DRILLING (ACTIVE OR INACTIVE) FOR MINERALS, OIL OR GAS APPARENT ON THE PROPERTY OR EVIDENCE OF ANY PRIOR USE OF THE PROPERTY FOR ANY OF THE FOREGOING.
11. THERE IS NO VISIBLE EVIDENCE THAT ANY PORTION OF THE PROPERTY IS BEING OR WAS PREVIOUSLY USED FOR THE DUMPING OF DISPOSAL OF WASTE MATERIALS OF ANY NATURE OR SORT. THERE IS NO EVIDENCE THAT THERE EXISTS ANY TOXIC OR HAZARDOUS MATERIAL ON THE PROPERTY.
12. A COPY OF THE COMMONWEALTH LAND TITLE INSURANCE COMPANY'S TILE COMMITMENT, (COMMITMENT NO. 700070949) HAVING A DATE OF JULY 27, 2007, HAS BEEN RECEIVED AND REVIEWED, AND ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING ON THE EFFECTIVE DATE OF SAID COMMITMENT AFFECTING THE PROPERTY ARE ACCURATELY DEPICTED ON THE DRAWING WITH CORRESPONDING RECORDING REFERENCES TO THE INSTRUMENTS CREATING THE EASEMENT OR RIGHT-OF-WAY. OTHER THAN AS SHOWN ON THE DRAWING, NO OTHER EASEMENT OR RIGHT-OF-WAY, WHICH MAY BE DISCLOSED IN THE AFORESAID COMMITMENT, AFFECTS THE PROPERTY.
13. A PHYSICAL EXAMINATION OF THE PROPERTY REVEALS NO APPARENT USE OF THE PROPERTY FOR PATHWAYS, DRIVEWAYS OR ROADWAYS FOR WHICH THERE ARE NO RECORDED EASEMENTS.
14. ALL BUILDING SETBACK LINES CREATED, RESERVED OR IMPOSED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION OVER THE PROPERTY OR BY ANY OF THE INSTRUMENTS REFERRED TO IN THE COMMITMENT HAVE BEEN GRAPHICALLY DEPICTED ON THE DRAWING.
15. THERE ARE NO OVERHEAD ELECTRIC OR TELEPHONE WIRES OR STRUCTURES OR SUPPORTS THEREFORE, INCLUDING POLES, ANCHOR AND GUY WIRES ON OR OVER THE PROPERTY, EXCEPT AS SHOWN.
16. STORM SEWER, SANITARY SEWER, ELECTRIC SERVICE, TELEPHONE SERVICE, GAS SERVICE AND PUBLIC WATER SERVICE ARE AVAILABLE ON THE PROPERTY AND ALL OF SAID SERVICES ARE PROVIDED VIA PUBLIC RIGHTS-OF-WAY OR RECORDED PERMANENT EASEMENTS THEREFORE (WHICH EASEMENTS ARE GRAPHICALLY DEPICTED ON THE DRAWING) AS TO LINES FOR SAID SERVICES WHICH ARE OFF THE PROPERTY.
17. THE PROPERTY IS NOT LOCATED IN A FLOOD PRONE AREA, FLOOD HAZARD AREA OR IN A FLOOD PLAIN OR FLOODWAY DISTRICT, INCLUDING, BUT NOT LIMITED TO: (A) A FLOOD PRONE AREA OR FLOOD HAZARD AREA AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE FLOOD DISASTER PROTECTION ACT OF 1973; OR (B) WITHIN AN AREA SHOWN ON MAPS ENTITLED "FLOOD INSURANCE RATE MAP", "FLOOD HAZARD FLOODWAY BOUNDARY MAP", "FLOOD INSURANCE BOUNDARY MAP", "FLOOD BOUNDARY AND FLOODWAY MAP" OR ANY OTHER MAP OR LISTING PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OR THE UNITED STATES ARMY CORPS OF ENGINEERS.
18. THE SURVEY OF THE PROPERTY AND DRAWING REFLECTING SAME HAVE BEEN MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY THE AMERICAN LAND TITLE ASSOCIATION AND AMERICAN CONGRESS ON SURVEYING AND MAPPING.
19. THE PROPERTY IS LOCATED WITH THE CITY OF AVON LAKE, LORAIN COUNTY, OHIO.
20. ALL OTHER INFORMATION SET FORTH ON THE DRAWING IS TRUE AND CORRECT.

JAMES T. SAYLER, OHIO REGISTERED SURVEYOR NO. S-7425

DATE

SCHEDULE B SECTION II
EXCEPTIONS TO COMMITMENT NUMBER 700070949

DATED JUNE 27, 2007

THERE ARE NO EXCEPTIONS

NOTES:

1. LEAR NAGLE ROAD IS A DEDICATED PUBLIC RIGHT-OF-WAY.
2. UNDERGROUND INFORMATION TAKEN FROM RECORDS IS NOT GUARANTEED.
3. THE PROPERTY SURVEYED AND SHOWN ON THIS MAP LIES IN ZONE C, (AREAS OUTSIDE 500-YEAR FLOOD) PER THE "NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAP" COMMUNITY NUMBER 390602B, HAVING AN EFFECTIVE DATE OF NOVEMBER 2, 1977.
4. PROPERTY ADDRESS NUMBER IS 299 LEAR NAGLE ROAD

PROPERTY DESCRIPTION:

SITUATED IN THE CITY OF AVON LAKE, COUNTY OF LORAIN AND STATE OF OHIO, AND KNOWN AS BEING PART OF ORIGINAL AVON TOWNSHIP SECTION NO. 30, AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON PIN IN A MONUMENT BOX FOUND ON THE CENTERLINE OF WALKER ROAD AT ITS INTERSECTION WITH THE CENTERLINE OF LEAR-NAGLE ROAD, WHICH POINT IS ALSO THE SOUTHWESTERLY CORNER OF SAID ORIGINAL SECTION NO. 30;

THENCE N. 0° 01' 30" E., ALONG THE CENTERLINE OF LEAR-NAGLE ROAD, WHICH LINE IS ALSO THE WESTERLY LINE OF SAID ORIGINAL SECTION NO. 30, A DISTANCE OF 2349.94 FEET TO AN ANGLE POINT THEREIN;

THENCE N. 0° 00' 20" W., ALONG THE CENTERLINE OF LEAR-NAGLE ROAD, A DISTANCE OF 101.76 FEET TO THE NORTHWESTERLY CORNER OF A PARCEL OF LAND CONVEYED TO MT PARTNERSHIP, BY DEED RECORDED IN INSTRUMENT NO. 200006775246 OF LORAIN COUNTY RECORDS AND THE PRINCIPAL PLACE OF BEGINNING;

THENCE CONTINUING N. 0° 00' 20" W., ALONG THE CENTERLINE OF LEAR-NAGLE ROAD, A DISTANCE OF 242.70 FEET TO THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND CONVEYED TO RICHARD D. ZULLO AND CAROLE J. ZULLO, BY DEED RECORDED IN INSTRUMENT NO. 20020863594 OF LORAIN COUNTY RECORDS;

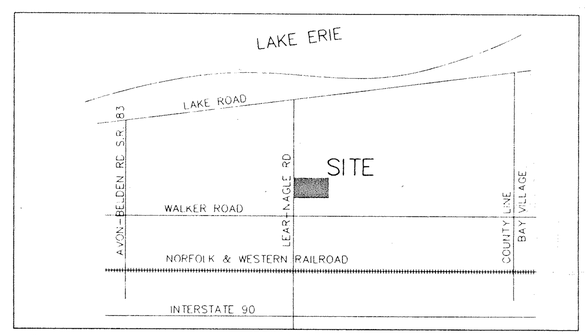
THENCE S. 89° 56' 11" E., ALONG THE SOUTHERLY LINE OF LAND SO CONVEYED TO RICHARD D. AND CAROLE J. ZULLO AND ALONG THE SOUTHERLY LINE OF A PARCEL OF LAND CONVEYED TO MARTIN H. CAHILL AND BEVERLY J. CAHILL, BY DEED RECORDED IN INSTRUMENT NO. 20010796604 OF LORAIN COUNTY RECORDS, A DISTANCE OF 1104.25 FEET TO THE WESTERLY LINE OF A PARCEL OF LAND CONVEYED TO CHRISTOPHER T. ADKINS AND EMILY M. ADKINS, BY DEED RECORDED IN INSTRUMENT NO. 20060765456 OF LORAIN COUNTY RECORDS;

THENCE S. 0° 02' 00" E., ALONG THE WESTERLY LINE OF LAND SO CONVEYED TO JULIET A. AND TREVOR WHITE AND ALONG THE WESTERLY LINE OF THE WESTWINDS SUBDIVISION NO. 23, AS SHOWN BY THE RECORDED PLAT IN VOLUME 84 OF PLATS, PAGES 12-14 OF LORAIN COUNTY RECORDS, PASSING THROUGH A 5/8" CAPPED (REITZ ENG) IRON PIN FOUND AT 89.09 FEET, A DISTANCE OF 399.89 FEET TO THE NORTHEASTERLY CORNER OF PARCEL 1 OF LAND CONVEYED TO THE FIRST BAPTIST CHURCH OF SHEFFIELD LAKE, BY DEED RECORDED IN VOLUME 1422, PAGE 626 OF LORAIN COUNTY RECORDS OF DEEDS;

THENCE S. 89° 54' 30" W., ALONG THE NORTHERLY LINE OF SAID PARCEL 1, A DISTANCE OF 874.44 FEET TO THE EASTERY LINE OF A PARCEL OF LAND CONVEYED TO PAMELA GRAPATIN, BY DEED RECORDED IN INSTRUMENT NO. 20050116430 OF LORAIN COUNTY RECORDS;

THENCE N. 0° 00' 20" W., ALONG THE EASTERLY LINE OF LAND SO CONVEYED TO PAMELA GRAPATIN AND ALONG THE EASTERLY LINE OF A PARCEL OF LAND CONVEYED TO MT PARTNERSHIP, AS AFORESAID, A DISTANCE OF 159.56 FEET TO THE NORTHEASTERLY CORNER THEREOF;

THENCE N. 89° 56' 11" W., ALONG THE NORTHERLY LINE OF LAND SO CONVEYED TO MT PARTNERSHIP, A DISTANCE OF 230.00 FEET TO THE PRINCIPAL PLACE OF BEGINNING, BE THE SAME MORE OR LESS, BUT SUBJECT TO ALL LEGAL HIGHWAYS.



VICINITY MAP
NTS

N

BASED ON LEAR-NAGLE RD. BEARING N 0°01'30"E INITIALLY N. OF WALKER

ALTA/ACSM LAND TITLE SURVEY
OF A
9.3319 ACRE PARCEL
ON
LEAR ROAD
PART OF
AVON TOWNSHIP SECTION NO. 30
IN THE CITY OF
AVON LAKE, LORAIN COUNTY, OHIO
FOR
SKY BANK
COMMONWEALTH LAND TITLE INSURANCE COMPANY
NAPOLIGAM DEVELOPMENT, INC
BY
THE HENRY G. REITZ ENGINEERING CO.
4214 ROCKY RIVER DR., CLEVELAND, OHIO, 44135

STATE OF OHIO — JAMES T. SAYLER S-7425 — REGISTERED PROFESSIONAL SURVEYOR

BY 7-6-07 VICE PRESIDENT
JAMES T. SAYLER, REG. SURVEYOR NO. S-7425
SCALE: 1"=40' JULY, 2007