

### Notes Corresponding to Schedule B-II

- (11) EASEMENT FOR HIGHWAY PURPOSES IN FAVOR OF THE STATE OF OHIO, RECORDED 09/08/1955, AS BOOK 639, PAGE 229 OF THE LORAIN COUNTY RECORDS. AFFECTS SURVEYED PROPERTY. PLOTTED HEREON.
- (15) REAL ESTATE LEASE, BY AND BETWEEN ELFRIDA ALDER, AND PATRICK MEDIA GROUP, INC., RECORDED 06/27/1990, IN BOOK 302, PAGE 578 OF THE LORAIN COUNTY RECORDS. AFFECTS SURVEYED PROPERTY. ITEM IS BLANKET IN NATURE AND LESSEE IS GRANTED RIGHT TO ERECT ADVERTISING SIGNS AND APPURTENANCES.
- (17) REAL ESTATE LEASE, BY AND BETWEEN MARTHA J. KOLBE, AND PATRICK MEDIA GROUP, INC., RECORDED 01/27/1995, IN BOOK 1035, PAGE 804 OF THE LORAIN COUNTY RECORDS. AFFECTS SURVEYED PROPERTY. ITEM IS BLANKET IN NATURE AND LESSEE IS GRANTED RIGHT TO ERECT ADVERTISING SIGNS AND APPURTENANCES.

### Statement of Encroachments

- A. OVERHEAD POWER AND TELEPHONE LINES ENCR OACH SOUTHERLY ONTO SURVEYED PROPERTY FROM 0 FEET EASTERLY TO 5.1 FEET OVER A DISTANCE OF 185.1 FEET WITHOUT THE BENEFIT OF AN EASEMENT OF RECORD.
- B. GUY ANCHOR ENCR OACHES SOUTHERLY ONTO SURVEYED PROPERTY A DISTANCE OF 17.1 FEET WITHOUT THE BENEFIT OF AN EASEMENT OF RECORD.
- C. ADJOINER'S GRAVEL DRIVEWAY ENCR OACHES EASTERLY ONTO SURVEYED PROPERTY FROM 10.4 FEET NORTHERLY TO 13.7 FEET OVER A DISTANCE OF 181.2 FEET.

### ALTA/ACSM Land Title Survey

Based Upon Title Commitment No. 01-1407681-01T  
 OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
 bearing an effective date of January 5, 2015.

Surveyor's Certification

To Lorain DG, LLC, a Delaware limited liability company, its participants, successors and assigns, Old Republic National Title Insurance Company, and Baker, Donelson, Bearman, Caldwell & Berkowitz, PC:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the Minimum Standards for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS in 2011, and includes items 1, 2, 3, 4, 6, 7(b)(1), 7(c), 8, 9, 10, 11(a), 13, 14, and 17 of Table A thereof. The field work was completed on November 14, 2014.

11/28/14  
 Date of Plat or Map

**MATTHEW MOKANYK**  
 S-8066  
 REGISTERED PROFESSIONAL SURVEYOR

Matthew T. Mokanyk, P.S., P.E.  
 Ohio P.S. No. S-8066

### Legal Description of Record

PROPERTY DESCRIBED IN SCHEDULE 'A' OF OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY TITLE COMMITMENT NO. 01-1407681-01T.

SITUATED IN THE TOWNSHIP OF BLACK RIVER, COUNTY OF LORAIN, STATE OF OHIO; BEING KNOWN AS PART OF ORIGINAL LOT NO. 1, TRACT NO. 3 OF SAID TOWNSHIP AND MORE DEFINITELY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF THE LAKE ROAD AND THE EAST LINE OF THE KOLBE ESTATE AND THE WEST LINE OF LAND NOW OR FORMERLY OWNED BY THE STATE DRIVE-IN THEATRES, INC.; THENCE SOUTH 52° 28' WEST IN THE CENTER OF THE OLD LAKE ROAD AS ESTABLISHED BEFORE THE 1959 RECONSTRUCTION, A DISTANCE OF 501.45 FEET TO THE NORTHEAST CORNER OF LAND OWNED BY THE SUN OIL COMPANY, THENCE SOUTH 2° 25' EAST IN THE SUN OIL COMPANY EAST LINE, A DISTANCE OF 359.14 FEET TO THE SOUTH EAST CORNER OF THE SUN OIL COMPANY LAND, THENCE SOUTH 89° 55' EAST IN THE GRANTOR'S SOUTH LINE TO THE ABOVE MENTIONED STATE DRIVE-IN THEATRES, INC. WEST LINE, THENCE NORTH 0° 13' EAST IN THE STATE DRIVE-IN THEATRES, INC. WEST LINE, A DISTANCE OF ABOUT 666.05 FEET TO THE PLACE OF BEGINNING, BUT SUBJECT TO ALL LEGAL HIGHWAYS.

TAX I.D. NUMBER: 02-03-001-105-015

BEING THE SAME PROPERTY CONVEYED TO DANIEL D. SHOTTER AND JEAN A. SHOTTER, HUSBAND AND WIFE, FOR THEIR JOINT LIVES OF TO THE SURVIVOR OF THEM, GRANTEE, FROM DOUGLAS A DARCH, WIDOWED, GRANTOR, BY DEED RECORDED 07/02/2014, AS DOCUMENT NO. 2014-0510274, OF THE LORAIN COUNTY RECORDS.

BEING THE SAME PROPERTY CONVEYED TO DANIEL D. SHOTTER AND JEAN A. SHOTTER, HUSBAND AND WIFE, FOR THEIR JOINT LIVES OF TO THE SURVIVOR OF THEM, GRANTEE, FROM MARTHA A. HISEY, SUCCESSOR TRUSTEE OF THE HISEY FAMILY PROPERTY TRUST DATED APRIL 3, 2002, GRANTOR, BY DEED RECORDED 07/02/2014, AS DOCUMENT NO. 2014-0510273, OF THE LORAIN COUNTY RECORDS.

BEING THE SAME PROPERTY CONVEYED TO BARBARA A. MULLER, SUSAN E. WOLFE, GRANTEE, FROM JEAN A. SHOTTER, SUCCESSOR TRUSTEE OF THE ADELAIDE PRESCOTT, ELFRIDA ADLER AND HAROLD A. KOLBE TRUST DATED APRIL 15, 1957, GRANTOR, BY DEED RECORDED 03/31/2011, AS DOCUMENT NO. 2011-0369005, OF THE LORAIN COUNTY RECORDS.

### Survey Description

THIS SURVEY DESCRIPTION IS THE SAME PROPERTY AS THAT DESCRIBED IN SCHEDULE 'A', OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY TITLE COMMITMENT NO. 01-1407681-01T, BEARING AN EFFECTIVE DATE OF JANUARY 5, 2015:

SITUATED IN THE CITY OF LORAIN, COUNTY OF LORAIN, STATE OF OHIO; BEING KNOWN AS PART OF ORIGINAL LOT NO. 1, TRACT NO. 3, BLACK RIVER TOWNSHIP, MORE FULLY DESCRIBED AS:

COMMENCING AT A SET MAG NAIL AT THE INTERSECTION OF THE SURVEY CENTERLINE OF ERIE AVENUE (US-6), AS DEFINED IN PLAT BOOK 18, PAGES 6, 6A, 6B, AND 6C, LORAIN COUNTY RECORDS, AND THE CENTERLINE OF KOLBE ROAD (60 FEET WIDE, PUBLIC); THENCE S01°56'48"E ALONG THE CENTERLINE OF KOLBE ROAD A DISTANCE OF 220.98 FEET TO A SET MAG NAIL;

THENCE S89°20'01"E A DISTANCE OF 30.03 FEET EASTERLY LINE OF KOLBE ROAD AND THE NORTHEAST CORNER OF A 1.30-ACRE TRACT CONVEYED TO OMA SMITH, INSTRUMENT NO 2005-0109838, LORAIN COUNTY RECORDS;

THENCE CONTINUING S89°20'01"E ALONG THE NORTH LINE OF SAID 1.30-ACRE TRACT A DISTANCE OF 164.33 FEET TO A FOUND 1" PIPE AND THE POINT OF BEGINNING;

THENCE N02°03'43"W ALONG THE EAST LINE OF A 1.60-ACRE TRACT CONVEYED TO AKSHARVINAY, LLC, INSTRUMENT NO. 2014-0512618, LORAIN COUNTY RECORDS, A DISTANCE OF 358.86 FEET (RECORDED AS S02°25'E 359.14 FEET) TO A SET MAG NAIL IN THE CENTER OF OLD LAKE ROAD, PASSING A SET 5/8" REBAR WITH "S-8066" CAP AT THE SOUTHERLY RIGHT-OF-WAY OF WEST ERIE AVENUE (VARIABLE WIDTH, PUBLIC) AT 276.02 FEET;

THENCE N53°02'59"E ALONG THE CENTERLINE OF OLD LAKE ROAD A DISTANCE OF 500.71 FEET (RECORDED AS S62°28'W 501.45 FEET) TO A SET MAG NAIL;

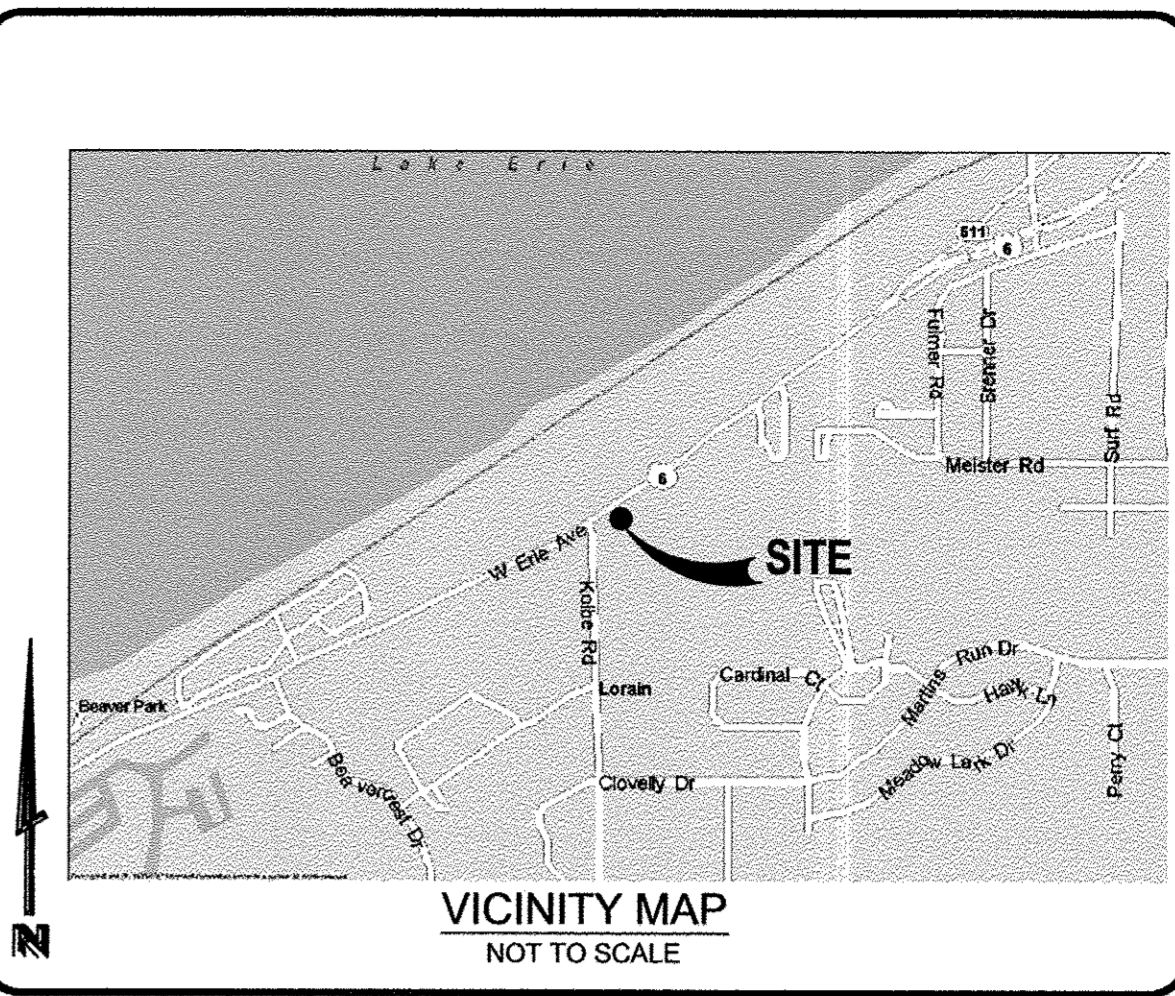
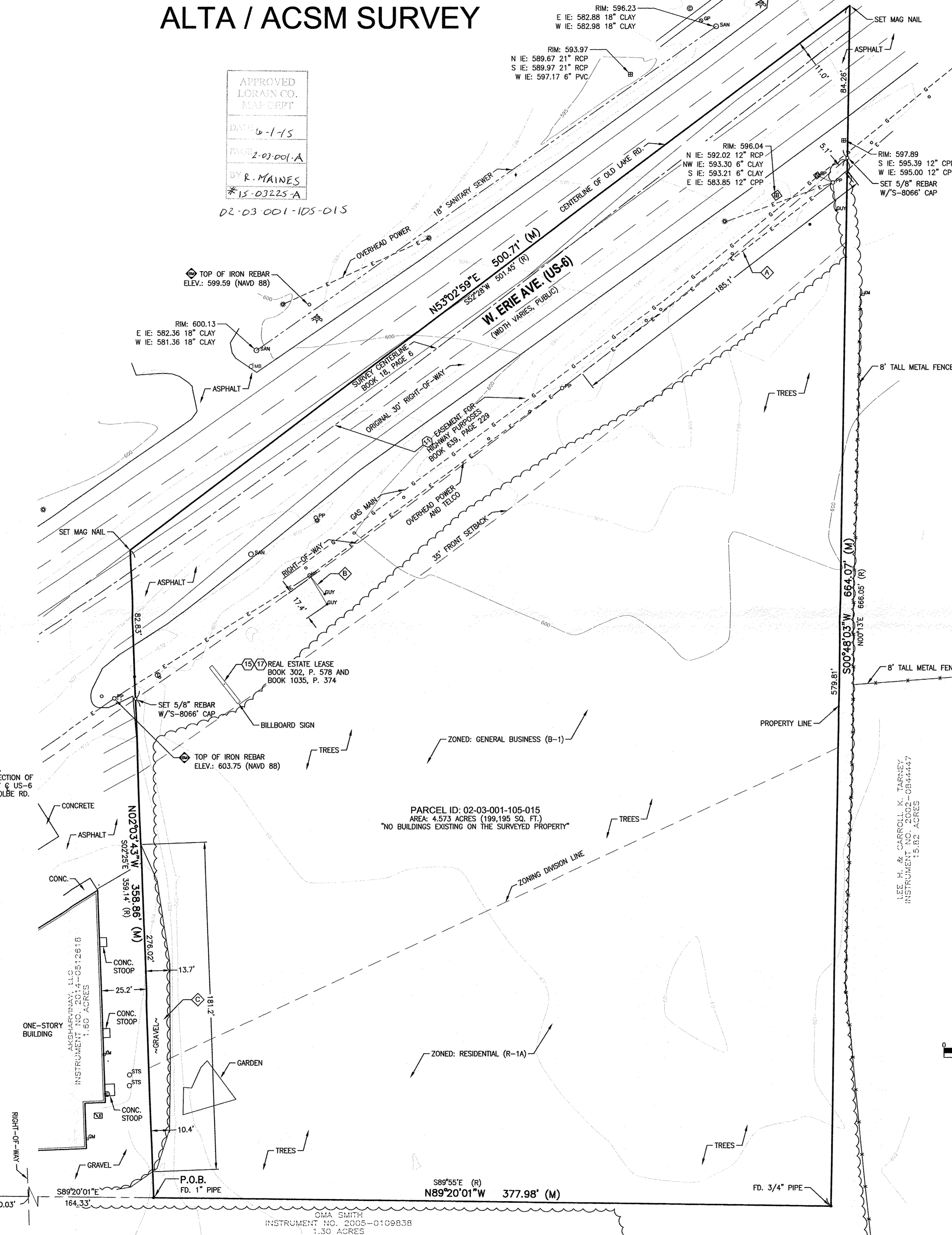
THENCE S00°48'03"W A DISTANCE OF 664.07 FEET (RECORDED AS N00°13'E 666.05 FEET) ALONG A 15.82-ACRE TRACT CONVEYED TO LEE H. AND CARROLL K. TARNEY, INSTRUMENT NO. 2002-0844447, LORAIN COUNTY RECORDS, TO A FOUND 3/4" PIPE, PASSING A SET 5/8" REBAR WITH "S-8066" CAP AT THE SOUTHERLY RIGHT-OF-WAY OF WEST ERIE AVENUE (VARIABLE WIDTH, PUBLIC) AT 84.26 FEET;

THENCE N89°20'01"W (RECORDED AS S89°55'E) ALONG THE NORTHERLY LINE OF AFORESAID 1.30-ACRE TRACT A DISTANCE OF 377.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 199,195 SQUARE FEET OR 4.573 ACRES.

**FLOOD NOTE:**  
 By graphic plotting only, this property is in Zone(s) "X" of the Flood Insurance Rate Map, Community Panel No. 39039C0103D, which bears an effective date of 08/19/08 and is NOT in a Special Flood Hazard Area.

# ALTA / ACSM SURVEY



### Legend of Symbols & Abbreviations

---PP---	POWER POLE	●	IRON FOUND
---	GUY	○	IRON SET
---	LIGHT POLE	●	P.K. NAIL FOUND
---	ELECTRIC TRANSFORMER	○	P.K. NAIL SET
---	ELECTRIC METER	⊙	GPS MONUMENT
---	ELECTRIC HANDHOLE	⊙	MONUMENT BOX FOUND
---	WATER VALVE	⊙	MONUMENT FOUND
---	HYDRANT	⊙	MONUMENT SET
---	GAS METER	(R)	RECORD
---	GAS MARKER	(M)	MEASURED
---	GAS VALVE	○ <sup>STS</sup>	STORM MANHOLE
---	TELEPHONE PEDESTAL	⊙ <sup>SMS</sup>	SANITARY MANHOLE
---	SIGN POST	⊙	SANITARY CLEAN-OUT
---	FENCE LINE	⊙	MONITOR WELL
---	BENCHMARK	⊙	TELCO. MANHOLE

### Surveyor's Notes

SUBJECT PROPERTY HAS DIRECT PEDESTRIAN AND VEHICULAR ACCESS TO WEST ERIE AVENUE (US-6) A DULY DEDICATED AND ACCEPTED PUBLIC HIGHWAY AS SHOWN HEREON.

ALL FIELD MEASUREMENTS MATCHED RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/ACSM SPECIFICATIONS UNLESS OTHERWISE SHOWN.

BEARING BASIS: OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 83.

ELEVATION OF THIS SURVEY ARE BASED ON NAVD 88.

SURVEYOR IS NOT AWARE OF ANY CURRENT OR FUTURE RIGHT OF WAY CHANGES. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WERE OBSERVED AT TIME OF SURVEY.

NO CEMETERIES, GRAVESITES, OR BURIAL GROUNDS WERE DISCLOSED IN THE RECORD DOCUMENTS OR OBSERVED ON THE SURVEYED PROPERTY AT TIME OF SURVEY.

NO ADDRESS OBSERVED AT TIME OF SURVEY.

NO PUBLIC ACCESS POINT OBSERVED AT TIME OF SURVEY.

PROPERTY HAS SPLIT ZONING. THE ZONING DIVISION SHOWN HEREON IS BASED ON THE CURRENT CITY OF LORAIN ZONING MAP, WHICH GRAPHICALLY DEPICTS THE ZONING DISTRICTS. NO DIMENSIONS ARE SHOWN ON SAID MAP. THE ZONING DIVISION SHOWN HEREON WAS GRAPHICALLY PLOTTED BASED ON THE ZONING MAP AND IS APPROXIMATE.

### Site Information

ZONING CONTACT: RICHARD KLINAR  
 CITY OF LORAIN  
 (440) 204-2034 PHONE  
 200 WEST ERIE AVENUE  
 LORAIN, OH 44052

TAX ID NO.: 02-03-001-105-015

SUBJECT SITE ZONING: GENERAL BUSINESS (B-1) / RESIDENTIAL (R-1A)

SUBJECT SITE AREA: 4.573 ACRES OR 199,195 SQ. FT.

PARKING REQUIREMENTS: 1 SPACE PER 200 S.F. OF RETAIL FLOOR AREA

EXISTING PARKINGS: NONE

NO PARKING SPACES OBSERVED ON SURVEYED PROPERTY AT TIME OF SURVEY

SETBACKS:  
 FRONT: 35' REAR: NONE (20' ABUTTING RESIDENTIAL)  
 SIDE: NONE (10' ABUTTING RESIDENTIAL)

HEIGHT RESTRICTIONS: 45' MAXIMUM HEIGHT

DENSITY RESTRICTIONS: N/A

SCALE: 1"=30'

811 Know what's below. Call before you dig.

ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

PLANS PREPARED BY:

Professional Surveying & Engineering  
 MI-OH-IN-IL-VA-TN-NE-PA-WI-MN-MO-SO-KS-OK  
 231-943-0050 PH 231-943-0051 FAX TOLL FREE: 877-520-LAND  
 www.landtechps.com www.towersurveyors.com

DRAWN BY: J.W.U.  
 CHECKED BY: M.T.M.

### SUBMITTALS

REV	DATE	DESCRIPTION
0	11/28/14	PRELIMINARY DRAWING
1	12/02/14	ADDED SCHEDULE B-II NOTATION TO BILLBOARD SIGN
2	12/23/14	CERTIFIED PARTIES
3	03/12/15	UPDATED PER REVISED TITLE COMMITMENT
4	05/27/15	LORAIN COUNTY REVIEW

CLIENT  
**Lorain DG, LLC.**  
 361 Summit Blvd.,  
 Suite 110  
 Birmingham, AL 35243

THIS DRAWING HAS BEEN PREPARED BY LANDTECH PROFESSIONAL SURVEYING & ENGINEERING, LLC. ALL PATENTED AND PATENTABLE FEATURES AND/OR CONFIDENTIAL INFORMATION AND ITS USE IS CONDITIONED UPON THE USER'S AGREEMENT NOT TO REPRODUCE THE DRAWING, IN WHOLE OR IN PART, NOR THE MATERIAL DESCRIBED THEREON, NOR TO USE THE DRAWING FOR ANY PURPOSE OTHER THAN AS SPECIFICALLY PERMITTED IN WRITING BY LANDTECH PROFESSIONAL SURVEYING & ENGINEERING, LLC.

HURLEY & STEWART, LLC  
 2800 S 11TH STREET  
 KALAMAZOO, MICHIGAN 49009  
 269.552.4900 FAX 552.4961  
 www.hurleystewart.com

SHEET TITLE  
**ALTA SURVEY**

SHEET NUMBER: **S-1**  
 JOB NO.: 1444453