ALTA/ACSM LAND TITLE SURVEY

LEGAL DESCRIPTION

Situated in the City of Lorain, County of Lorain, State of Ohio, described as follows:

PARCEL 1:

A parcel of land situated in the City of Lorain, County of Lorain and State of Ohio, being part of Original Lot 6, Tract 2 of Black River Township, and being more particularly described as follows:

Beginning at the intersection of the North line of West 44th Street (60 feet wide) and the West line of Oberlin Avenue (70 feet wide);

Thence Northerly N. 0° 45' E. in said West line of Oberlin Avenue, a distance of 654.24 feet to an iron pin found;

Thence Westerly N. 89° 15' W. in a line, a distance of 220 feet to an iron pin set, said pin hereafter referred to as the principal place of beginning;

Thence continuing Westerly N. 89° 15' W. in a line, a distance of 230 feet to an iron pin set;

Thence Southerly S. 0° 45' W. in a line, a distance of 220 feet to an iron pin set;

Thence Easterly S. 89° 15' E. in a line, a distance of 230 feet to an iron pin set;

Thence Northerly N. 0° 45' E. and parallel to the West line of Oberlin Avenue, a distance of 220 feet to an iron pin, being the principal place of beginning, and containing, within said bounds 1.16 acres of land to be the same more or less, as was surveyed by Paul R. Stulsby, Registered Surveyor (5845).

Together with an easement for ingress and egress and the installation and maintenance of utilities over, upon and under the following described premises as more fully set forth in that certain Easement Agreement entered into by and between Albert DeSantis and Barbara DeSantis, husband and wife, and The Union Savings Association, the within Grantor dated November 20, 1973 and filed for record with the Recorder of Lorain County, Ohio in Volume 1136, page 276:

Situated in the City of Lorain, County of Lorain and State of Ohio and being part of Original Lot 6, Tract 2 of Black River Township and more definitely described as follows:

Beginning at a point in a line parallel with the center line of Oberlin Avenue and 40 feet Westerly therefrom, said point being on the North of the Southeasterly corner of land conveyed to the Cassell Realty Co., by Deed dated August 14, 1969 and recorded in Volume 991, Page 431 of Lorain County Deed Records;

Thence Westerly and parallel with the Southerly line of land so conveyed to the Cassell Realty Co., a distance of 220 feet;

Thence Northerly, along the Westerly line of land so conveyed to the Cassell Realty Co., a distance of 20 feet;

Thence Easterly and parallel with the Southerly line of land so conveyed to the Cassell Realty Co., a distance of 220 feet;

Thence Southerly in a line parallel with the center line of Oberlin Avenue and 40 feet Westerly therefrom, a distance of 20 feet to the place of beginning, be the same more or less.

NOTE: EASEMENT SAME AS SCHEDULE B-II ITEM 16

PARCEL 2:

A parcel of land situated in the State of Ohio, County of Lorain, City of Lorain and being part of Original Black River Township Lot 6, Tract 2 and being more particularly bounded and described a follows:

Commencing for reference at the intersection of the centerline of Tower Boulevard (118 foot right-of-way) with the centerline of Oberlin Avenue (variable width right-of-way);

Thence, along the centerline of said Avenue, S 00° 27' 25" W 370.60 feet;

Thence, leaving said Centerline, N 89° 32' 35" W 40.00 feet to an iron pin set at the Northeast corner of land now or formerly conveyed to RML Companies of Lorain County LLC by instrument No. 199709090822 and Instrument No. 199709090823 of the Lorain County Records, same being the West line of said Avenue and the Principal Place of Beginning for the parcel of land herein to be described;

Thence, leaving said Avenue along the North line of said RML lands, N 89° 32' 35" W 225.00 feet to an iron pin set at the Northwest corner of said RML Companies lands;

Thence, along the West line of said RML lands, S 00° 27' 25" W 130.00 feet to an iron pin set at the Southwest corner of said RML lands and the North line of land now or formerly conveyed to MDR Properties, Inc. by Instrument No. 199101310 of the aforesaid County Records;

Thence, leaving said RML lands along the North line of said MDR lands, N 89° 32' 35" W 120.00 feet to a iron pipe found at the Northwest corner of said MDR lands and the Southeast corner of lands now or formerly conveyed to Susan Smith by Deed Volume 1083, Page 622 of the aforesaid County Records of Deeds;

Thence, leaving said MDR lands along the East line of said Smith lands, N 00° 27' 25" E 265.83 feet to an iron pin set at the Northeast corner of said Smith lands in the Southerly line of aforesaid Tower Boulevard;

Thence, leaving the Smith lands along the Southerly line of said Boulevard, N 75° 09' 25" E 336.94 feet to an iron pin set at the Northwest corner of land now or formerly conveyed to Premier Bank by Volume 1402, Page 28 of the aforesaid Records of Deeds;

Thence, leaving said Boulevard along the West line of said Bank lands, S 00° 27' 25" W 89.81 feet to an iron pin set at the Southwest corner thereof;

Thence, S 89° 32' 35" E 120.00 feet to an iron pin set at the Southeast corner thereof and the West line of the aforesaid Avenue;

Thence, leaving said Bank lands along the West line of said Avenue, S 00° 27' 25" W 3.22 feet to an iron pin set at an angle point in the West line of said Avenue;

Thence, continuing along the West line of said Avenue, S 01° 12' 40" E 171.79 feet to the Principal Place of Beginning and containing 2.7552 acres (120,014.58 square feet) of land, as surveyed by Deran J. Millman, P.S. No. S-7717 for and on behalf of Millman Surveying, Inc. in March of 2003.

The meridian for all bearings stated herein is the centerline of Oberlin Avenue known as being S 00° 27' 25" W, per Volume 1069, Page 291 of the Lorain County Records of Deeds.

All iron pins set are 1/2" x 30" steel rebar with plastic yellow identification cap stamped "MILLMAN".

NOTES CORRESPONDING TO SCHEDULE B

AS PER FILE NO. 729052 DATED FEBRUARY 2, 2016

(11) 11. Easement Agreement, recorded in Volume 933, page 59. (BENEFITS SUBJECT PROPERTY AS APPROXIMATED HEREON)

(12) 12. Easement granted to Ohio Edison Company, recorded in Volume 933, page 467. (AFFECTS SUBJECT PROPERTY AS SHOWN HEREON)

(13) 13. Reservation of right of ingress and egress set forth in deed recorded in Volume 1069, page 291. (ESTABLISHES WEST RIGHT OF WAY LINE OF OBERLIN AVENUE AS SHOWN HEREON)

(14) 14. Easement granted to City of Lorain, recorded in Volume 1069, page 293. (CAN NOT PLOT WITH DOCUMENTS PROVIDED, CALLS REFERENCE STATIONS IN AN UNNAMED SURVEY BY THE CITY OF LORAIN, SAID SURVEY NOT PROVIDED)

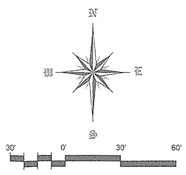
(15) 15. Joint Driveway Easement, recorded in Volume 991, page 433. (CAN NOT LOCATE WITH DOCUMENTS PROVIDED, COMMENCEMENT POINT NOT SURVEYED)

(16) 16. Easement Agreement, recorded in Volume 1138, page 276. (BENEFITS SUBJECT PROPERTY AS APPROXIMATED HEREON) (SAME AS EASEMENT IN TITLE PARCEL 1)

(17) 17. Easements, reservations, restrictions, covenants and conditions and any other terms, set forth in deed recorded in Volume 1138, page 278. (AFFECTS PARCEL 2 OF SUBJECT PROPERTY AS SHOWN HEREON)

(18) 18. Easements, reservations, restrictions, covenants and conditions and any other terms, set forth in deed recorded in Volume 1138, page 280. (AFFECTS PARCEL 2 OF SUBJECT PROPERTY, BLANKET IN NATURE)

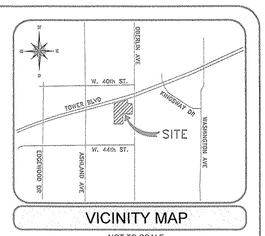
PARCEL 1 EASEMENT DETAIL
SCALE: 1" = 50'



SCALE: 1" = 30'

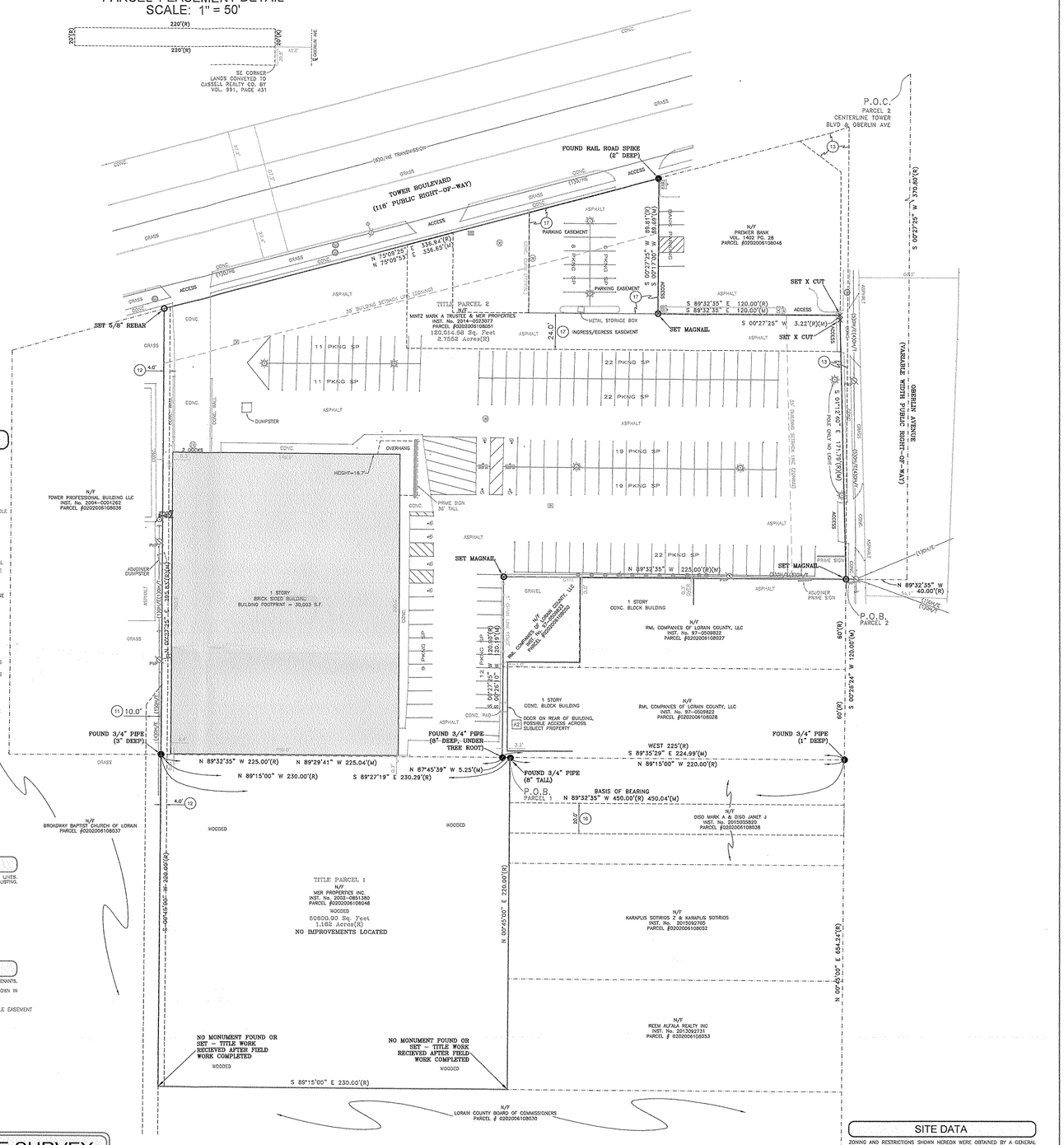
THIS DRAWING WAS CREATED TO BE VIEWED IN ONLY FORMAT. IT IS REPRODUCED OR VIEWED IN ANY OR ANY OTHER ELECTRONIC FORMAT, IT MAY NOT BE TO SCALE

NORTH INDEX IS
PER INST. No. 2014-0523077



VICINITY MAP

NOT TO SCALE



STANDARD LEGEND

MONUMENT FOUND	POWERPOLE	SAN. SEWER LINE	
MONUMENT SET	GUY WIRE	SEWER MANHOLE	
P.K. NAIL FOUND	LIGHT POLE	GREASE TRAP	
P.K. NAIL SET	GROUND LIGHT	FORCE MAIN	
MAG NAIL FOUND	STREET LIGHT POLE	CLEAN OUT	
MAG NAIL SET	ELEC. TRANSFORMER	STORM DRAIN LINE	
FOUND X MARK	AIR CONDITIONER	STORM DRAIN MANHOLE	
SET X MARK	BURIED ELECTRIC	STORM INLET	
R.R. SPIKE FOUND	OVERHEAD ELECTRIC	CATCH BASIN	
R.R. SPIKE SET	ELECTRIC MANHOLE	CURB INLET	
BENCHMARK	ELECTRIC BOX	PAY PHONE	
CONC. R/W MARKER	GENERATOR	TELEPHONE BOX	
(R) RECORD DATA	ELECTRICAL VAULT	TELEPHONE PEDESTAL	
(M) MEASURED DATA	ELECTRICAL PEDESTAL	TELEPHONE MANHOLE	
(C) CALCULATED DATA	WATER LINE	TELEPHONE POLE	
R/W RIGHT OF WAY	WATER MANHOLE	TELEPHONE LINE	
BSL BACK SET LINE	WATER VALVE	OVERHEAD TELEPHONE	
RCP REINFORCED CONC PIPE	WATER METER	UNDERGROUND TELEPHONE MARKER	
CMP CORRUGATED METAL PIPE	HYDRANT	CABLE TELEVISION	
PVC PLASTIC PIPE	BACK FLOW PREVENTOR	FIBER OPTIC CABLE	
MTL METAL	FIRE DEPARTMENT CONNECTION	OVERHEAD CABLE	
AGL ABOVE GROUND LEVEL	FIRE PROTECTION VALVE	CABLE BOX	
F.P. FOOTPRINT	HOSE BIBB	CABLE PEDESTAL	
DECIDUOUS TREE	CONTROL VALVE	UNDERGROUND CABLE MARKER	
L/S LANDSCAPING	IRRIGATION CONTROL VALVE	TELECOMMUNICATIONS MANHOLE	
CONIFER TREE	RECLAIMED WATER VALVE	TELECOMMUNICATIONS PEDESTAL	
SQUARE METAL LID	WATER VAULT	TRAFFIC POLE	
FUEL TANK LID	GAS VALVE	TRAFFIC SIGNAL	
PLUG POLE	GAS METER	TRAFFIC MANHOLE	
UNKNOWN MANHOLE	GAS MARKER	TRAFFIC SIGNAL BOX	
FROZEN MANHOLE	GAS PEDESTAL	TRAFFIC VAULT	
UNKNOWN VAULT	GAS MANHOLE	STOP SIGN	
UNKNOWN VAULT METAL	GAS LINE	SIGN	
UNKNOWN VALVE	PROPANE TANK	GUARD RAIL	
MAIL BOX	UNDERGROUND OIL MARKER	FENCE	
BOLLARD			
BORE HOLE			
MONITORING WELL			

IMPROVEMENT NOTES

THIS IS A LISTING OF OBSERVED IMPROVEMENTS THAT CROSS DEED LINES. STATEMENT OF OWNERSHIP OR POSSESSION IS NOT THE INTENT OF THIS LISTING.

A1 NONE PRESENT AT TIME OF SURVEY

SURVEYOR NOTES

THIS SURVEY IS SUBJECT TO ANY AND ALL ENFORCEABLE RESTRICTIVE COVENANTS.

ITEMS LISTED BELOW MAY REPRESENT AN EASEMENT THAT WAS NOT SHOWN IN SCHEDULE B DOCUMENTS

A2 DOOR AT REAR OF ADJOINING BUILDING SUGGESTS POSSIBLE EASEMENT

SITE DATA

ZONING AND RESTRICTIONS SHOWN HEREON WERE OBTAINED BY A GENERAL REQUEST TO THE PUBLIC COUNTER OF THE LOCAL ZONING AUTHORITY. NO REPRESENTATION IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THIRD PARTY INFORMATION. THIS FIRM IS NOT AN EXPERT IN THE INTERPRETATION OF COMPLEX ZONING ORDINANCES, COMPLIANCE IS BEYOND THE SCOPE OF THIS SURVEY. ANY USER OF SAID INFORMATION IS URGED TO CONTACT THE LOCAL AGENCY DIRECTLY.

1. ZONING: (B1) GENERAL BUSINESS DISTRICT
   SETBACKS–
   –FRONT= 35'
   –SIDE= 0'
   –REAR= 0'
   HEIGHT RESTRICTIONS– NOT TO EXCEED 4 STORIES OR 45'
   PARKING REQUIRED– 1 SPACE PER 200 SQUARE FEET OF RETAIL FLOOR AREA
   PARKING PROVIDED–
   –REGULAR= 159 SPACES
   –HANDICAP= 8 SPACES
   TOTAL SPACES PROVIDED= 167
2. NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
3. NO OBSERVABLE CHANGES IN STREET RIGHT-OF-WAY LINES, RECENT STREET OR SIDEWALK REPAIRS.

P.O.C. PARCEL 1
NORTH LINE OF W 44TH ST & WEST LINE OF OVERLIN AVE

ALTA/ACSM LAND TITLE SURVEY

SURVEYOR'S CERTIFICATION

TO: AGREE LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP & FIRST AMERICAN TITLE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6a, 6b, 7a, 7b(1), 7c, 8, 9, 11a, 13, 16, & 17 OF TABLE A THEREOF.

I, Michael F. Feldbusch, P.S. have conducted a survey of the above named property on February 9th, 2016. The results of that survey are contained herein.
The words "I" and "my" as used herein are to mean that either myself or someone working under my direct supervision.All of my work contained herein was conducted in accordance with the Ohio Administrative Code Chapter 4733–37 Standards for Boundary Surveys unless so noted.
FIELD SURVEY: Michael J. Feldbusch, Surveyor

For inquiries, questions or concerns about this survey contact dking@ussurveyor.com or call 1-800-867-8783 ext. 207

U.S. SURVEYOR®
4929 Riverwind Pointe Drive
Evansville, Indiana 47715
"America's Land Surveyor"
1-800- TO SURV

PREPARED FOR:
AGREE REALTY

PROJECT LOCATION:
LORAIN COUNTY, STATE OF OHIO

PROJECT ADDRESS:
1211 TOWER BLVD.
LORAIN, OH 44053

PROJECT TYPE:
ALTA/ACSM LAND TITLE SURVEY

STATE OF OHIO
MICHAEL F. FELDBUSCH
S 7761
PROFESSIONAL SURVEYOR

NOT VALID WITHOUT ORIGINAL SIGNATURE

MICHAEL F. FELDBUSCH, P.S.
OHIO REGISTRATION NO. 7761
DATE OF CERTIFICATION 02/23/16

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SHEET 1 OF 1

JOB NUMBER:
SS50653.DWG_MJF_DJ

NOTE:
THIS SURVEY SHALL NOT BE USED WITH AN AFFIDAVIT OR LETTER OF ANY KIND FOR REVISE INCLUDING, BUT NOT LIMITED TO, FUTURE CLOSINGS, MORTGAGES, PUD PLANS, CONSTRUCTION, LANDSCAPING, PERMITTING, ETC. IS D. S. VIOLATION OF THE COPYRIGHT LAWS. U.S. SURVEYOR DEPARTMENT SEAL OR COPY OF SURVEY MAY BE USED BEYOND THE ORIGINAL DATE SHOWN. U.S. SURVEYOR AND/OR AGENTS SHALL NOT BE LIABLE FOR USE OF THIS SURVEY BY ANY OTHER ENTITIES OR PERSONS FOR ANY PURPOSE BEYOND THE ORIGINAL DATE, SCOPE.

FLOOD DATA: This property is in Zone X of the Flood Insurance Rate Maps, Community Panel No. 39093C0116D which has an effective date of AUGUST 19, 2008 and IS NOT in a Special Flood Hazard Area. Field surveying was not performed to determine this zone. An elevation certificate may be needed to verify this determination or apply for an amendment from the Federal Emergency Management Agency.

APPROVED
AS SUBMITTED
DATE 4-7-16
PAGE 2-02-0006
BY R. MAINES
16-03415-x

02-02-0006-108-051
-048

IT IS THE CONTRACTORS RESPONSIBILITY TO LOCATE ALL UTILITIES, WHETHER SHOWN ON THIS SURVEY OR NOT PRIOR TO COMMENCEMENT OF WORK. THIS SURVEY HAS BEEN PREPARED USING AVAILABLE UTILITY DATA. THIS SURVEYOR DOES NOT MAKE STATEMENTS OF ACCURACY BASED UPON MAPS AND UTILITY LOCATES OF OTHERS.

PRIOR TO CONSTRUCTION FOR UNDERGROUND UTILITY LOCATION

QUALITY CONTROL	BY
.DWG REVIEWED BY FIELD SURVEYOR	☐
LEGAL DESCRIPTION PROOF READ	☐
PROFORMA REVIEWED BY SIGNING PLS, RY	☐
RECORD CLOSURE 1:199,911.1 PDF REVIEWED BY SIGNING PLS, RY	☐
MEASURED CLOSURE 1:500,000 FINAL DRAWING REVIEWED BY RY	☐

CERTIFICATION IS ONLY TO THE PARTIES HEREIN NAMED.
THIS SURVEY IS NOT VALID FOR ANY FUTURE TRANSACTIONS OF THIS PROPERTY.

DATE OF ORIGINAL:	FEBRUARY 22 , 2016	
REVISION: ⚠ PER CLIENT COMMENTS_DJ	DATE: FEBRUARY 25 , 2016	
REVISION: ⚠ PER CLIENT COMMENTS_RY	DATE: FEBRUARY 29 , 2016	
REVISION: ⚠ PER CLIENT COMMENTS_DJ	DATE: MARCH 2 , 2016	
REVISION: ⚠ PER CLIENT COMMENTS_RY	DATE: MARCH 22 , 2016	