

**LEGAL DESCRIPTION**

Madison Title Agency, LLC  
Commitment No. MTAOH-162750, Effective April 12, 2021

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Elyria, County of Lorain, State of Ohio.

Situated in the City of Elyria, County of Lorain and State of Ohio: And known as being a part of Original Elyria Township Lot No. 7, East of the River and bounded and described as follows:

Commencing on the centerline of Abbe Road at the Southwesterly corner of lands so conveyed to Doug Gerber, Jr. and Nancy Gerber by deed recorded June 6, 1990, in OR Volume 296, Page 93 of Lorain County Records;

Thence Southerly along the centerline of Abbe Road a distance of 350.00 feet to the Southwesterly corner of land so conveyed to Redco Associates by deed recorded in Deed Volume 995, Page 716 of Lorain County Records;

Thence Southeasterly along the Southerly line of land conveyed to Redco Associates, as aforesaid, a distance of about 317.25 feet to the Southeast corner of said Redco Associates land;

Thence Northerly along the Easterly line of said Redco Associates land a distance of 349.90 feet to the Southeasterly corner of land conveyed to Doug Gerber, Jr. and Nancy Gerber as aforesaid;

Thence Northwesterly along the Southerly line of said Gerber land a distance of about 317.63 feet to the place of beginning;

Containing within said bounds about 2.45 acres of land be the same more or less, but subject to all legal highways.

NOTE FOR INFORMATION: Being Parcel No. 06-25-007-000-176, of the City of Elyria, County of Lorain

**DEED OF RECORD**

Land described to Sunset Abbe Road LLC, an Ohio limited liability company by deed dated August 3, 2015 and recorded in Document No. 2015-0554373 of Lorain County Records.

**SURVEYOR'S LEGAL DESCRIPTION**

Situated in the City of Elyria, County of Lorain and State of Ohio and known as being part of the Original Elyria Township Lot No. 7, East of the River and further bounded and described as follows:

Beginning at a 3/4" iron pipe found on the westerly right of way of South Abbe Road (width varies) at the northeasterly corner of land described to BMA, LLC by the deed dated February 14, 2019 and recorded in Instrument No. 2019-0704540 at the northeasterly corner of Sublot No. 286 in the Overland Gardens Allotment as shown by the plat recorded in Volume 9, Page 32 of Lorain County Records;

Thence South 89°45'00" East, 30.00 feet to a point on the centerline of South Abbe Road;

Thence North 00°15'00" East along the centerline of South Abbe Road, 115.85 feet to the southwesterly corner of land described to WGCB, LLC by the deed dated April 3, 2018 and recorded in Instrument No. 2018-0667033 of Lorain County Records and being the Principal Place of Beginning herein described;

Thence South 74°22'40" East along the southerly line of land so described to WGCB, LLC and passing through a 5/8" iron pin found on the easterly right of way of South Abbe Road at 31.11 feet, 317.83 feet to a 5/8" iron pin found at the northwesterly corner of Parcel 1 of the Lot Consolidation Plat being Lorain County Survey No. 49689 and land described to Doug Gerber, Jr. and Nancy Gerber by the deed dated June 6, 1990 and recorded in Volume 296, Page 91 of Lorain County Records;

Thence South 00°19'59" West along the westerly line of Parcel 1 and land so described to Doug Gerber, Jr. and Nancy Gerber, 349.65 feet to a 5/8" iron pin found at the northeasterly corner of land described to South Mountain Properties, LLC by the deed dated December 30, 2004 and recorded in Instrument No. 2004-0048437 of Lorain County Records;

Thence North 74°24'50" West along the northerly line of land so described to South Mountain Properties, LLC and passing through a 5/8" iron pin found on the easterly right of way of said South Abbe Road at 286.14 feet, 317.25 feet to a point on the centerline of South Abbe Road;

Thence North 00°15'00" East along the centerline of South Abbe Road, 350.00 feet to the Principal Place of Beginning, containing 2.4596 acres (107,140 square feet) of which 0.2410 acres (10,500 square feet) of land is within the right of way of South Abbe Road as described by Edward B. Dudley, P.S. No. 6747 of The Riverstone Company in May of 2021 and subject to all legal highways, restrictions, reservations and easements.

The above described property is the same property as described and insured in the Madison Title Agency, LLC, Commitment No. MTAOH-162750, Effective April 12, 2021 and that the boundary lines of the parcels collectively constituting the Premises are contiguous with each other and contain no gaps, gores or overlaps, as described in their most recent respective legal descriptions of record as provided to the undersigned.

**SCHEDULE B, PART II ITEMS**

Table of Exceptions  
Madison Title Agency, LLC  
Commitment No. MTAOH-162750, Effective April 12, 2021

- 13. Easement granted to The Ohio Fuel Gas Company recorded on March 14, 1949 in Volume 459 Page 344. (BLANKET EASEMENT CAN NOT BE PLOTTED AND NOT SHOWN HEREON)
- 14. Right of Way granted to The Ohio Fuel Gas Company recorded on January 13, 1955 in Volume 617 Page 550. (BLANKET EASEMENT CAN NOT BE PLOTTED AND NOT SHOWN HEREON)
- 15. Terms and provisions of the Lease by and between Bessie Ternes and Harold Ternes and Lorain Kapp Associates, Inc. as evidenced by Oil and Gas Lease dated September 8, 1967 and recorded on September 13, 1967 in Volume 84 Page 685. (BLANKET EASEMENT CAN NOT BE PLOTTED AND NOT SHOWN HEREON)  
  
Note: The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interest that are not listed.
- 16. Roadside Right of Way granted to Columbia Gas of Ohio, Inc. recorded on July 26, 1968 in Volume 968 Page 734. (10' RIGHT OF WAY AND IS SHOWN HEREON)
- 17. Easement granted to Ohio Edison Company recorded on January 26, 1970 in Volume 998 Page 945. (APPROXIMATE LOCATION OF CENTERLINE OF EASEMENT AND RIGHT OF WAY IS SHOWN HEREON.)
- 18. Easement granted to Ohio Edison Company recorded on August 17, 1970 in Volume 1009 Page 15. (APPROXIMATE LOCATION OF CENTERLINE OF EASEMENT AND RIGHT OF WAY IS SHOWN HEREON.)
- 19. Easement granted to The Elyria Telephone Company recorded on September 8, 1978 in Volume 1216, Page 99. (CENTERLINE OF EASEMENT IS 36 FEET EAST OF CENTERLINE OF SOUTH ABBE ROAD IS SHOWN HEREON.)
- 20. Terms, Conditions and Restrictions contained in Land Installment Contract made by and between Redco Associates, a Partnership and Leslie Cappama and Chucha Song dated March 18, 1991 and recorded on March 20, 1991 in Volume 379 Page 44. (NOT A SURVEY MATTER AND NOT SHOWN HEREON.)
- 21. Terms and provisions of the Lease by and between Sunset Townhomes, LLC and Coinmach Corporation as evidenced by Memorandum of Lease of Real Property dated February 24, 2011 and recorded on March 30, 2012 in File No. 2012-0407294 (LEASE AGREEMENT IS NOT A SURVEY MATTER AND IS NOT SHOWN HEREON.)

**PROPERTY AREA**

Area Total	2.4596	Acres	107,140	Sq.Ft.
Within R/W	0.2410	Acres	10,500	Sq.Ft.
Net Area	2.2186	Acres	96,640	Sq.Ft.

**UTILITY PROVIDERS**

OUPS Reference No. A111902836  
Date: April 29, 2021

City of Elyria  
**Plans Received**

Columbia Gas of Ohio  
**Plans Received**

Charter Communications  
**Plans Not Received**

Ohio Edison  
**Plans Not Received - No Underground Lines**

Windstream  
**Plans Not Received**

**UTILITY NOTE**

Utility Provider source information from plans provided by the client, the title company and the utility provider and on ground utility markings will be combined with observed evidence of utilities to develop a view of those underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. The centerline of known utility lines shown hereon do not represent the true width of the utility line.

**FLOOD NOTE**

The Subject property is situated in Zone "X", a minimum flood zone, and is not in a Special Flood Hazard Area as shown on the Federal Flood Map Community Number 390350 and Community Panel No. 39093C-0227D, Effective: August 19, 2008.

NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. APPROXIMATE SCALED LOCATION FROM FEMA FLOOD MAPS.

**ZONING INFORMATION AND NOTES**

CITY OF ELYRIA  
Planning and Development  
131 Court Street  
Elyria, Ohio 44035  
440-326-1491

ZONING REQUIREMENTS ARE SUBJECT TO INTERPRETATION, FOR FURTHER VERIFICATION OF ZONING INFORMATION CONTACT THE CITY OF ELYRIA. THE RIVERSTONE COMPANY WAS NOT PROVIDED A PLANNING AND ZONING REPORT AT THE DATE OF THE SURVEY.

**GENERAL DESCRIPTION**

R-MHL Residential-Multi-Household Low Density District

**ADJACENT PROPERTY ZONING DISTRICT**

B-G Business General District  
POD Professional Office District  
COS Conservation Open Space District

**USES PERMITTED**

REFER TO CHAPTER 1150

**OBSERVED USE**

48 APARTMENT UNITS

**MINIMUM LOT AREA**

REFER TO CHAPTER 1150

**OBSERVED AREA**

2.4596 Acres  
107,140 Sq.Ft.

**HEIGHT RESTRICTIONS**

REFER TO CHAPTER 1150

**OBSERVED HEIGHT**

22.0 Feet

**SETBACK REQUIREMENTS**

REFER TO CHAPTER 1150

**PARKING REQUIREMENTS**

REFER TO CHAPTER 1175

**OBSERVED STRIPED PARKING**

Regular-	96
H/C-	00
Total-	96

**SURVEYORS NOTES**

- All of the various survey monuments shown on this survey as found and/or used are in good condition, undisturbed, unless otherwise noted. 5/8" iron pins shown hereon as set will be set upon closing. (Table A, Item 1)
- The Riverstone Company was not provided a Planning and Zoning Report (PZR) at the date of the survey. (Table A, Item 6a)
- At the time of survey the Riverstone Company did not make any observations to determine the location of party walls or if the walls were plumb. (Table A, Item 10)
- At the time of the field surveying there was no observable evidence of earth moving work, building construction or building additions within recent months. (Table A, Item 16)
- At the time of the field surveying there was no observable evidence of changes in street right of way lines. (Table A, Item 17)
- At the time of the field surveying there was no observable evidence of recent sidewalk construction or repairs. (Table A, Item 17)
- At the time of the field surveying there was no observed evidence of site use as a solid waste dump, sump or sanitary landfill.
- At the time of the field surveying there was no observable evidence of cemeteries or burial grounds.
- Ownership of fences are unknown unless otherwise noted.
- Dimensions on this plat are expressed in feet and decimal parts thereof unless otherwise noted.
- This plat was prepared from a field survey, analysis of recorded plats, recorded deeds, and city survey records. Bearings shown hereon are to an assumed meridian and are intended to indicate angles only. Distances are given in feet and decimal parts thereof. All of which I certify to be correct to the best of my knowledge. I hereby certify I have surveyed the subject premises and prepared this drawing in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code.

**ALTA / NSPS  
LAND TITLE SURVEY**  
OF  
**SUNSET APARTMENTS**  
630 SOUTH ABBE ROAD  
PARCEL No. 06-25-007-000-176  
CITY OF ELYRIA  
COUNTY OF LORAIN  
STATE OF OHIO

FOR

FIRST COMMONWEALTH BANK,  
ITS SUCCESSORS AND/OR ASSIGNS,  
AS THEIR INTERESTS MAY APPEAR

SUNSET ABBE ROAD LLC,  
AN OHIO LIMITED LIABILITY COMPANY

SUNSET TOWNHOMES HOLDING LLC,  
AN OHIO LIMITED LIABILITY COMPANY

PROSPERA VENTURES, LLC

MADISON TITLE AGENCY, LLC

OLD REPUBLIC NATIONAL  
TITLE INSURANCE COMPANY

**2021 ALTA/NSPS CERTIFICATION**

To First Commonwealth Bank, its successors and/or assigns, as their interests may appear, Sunset Abbe Road LLC, an Ohio limited liability company, SUNSET TOWNHOMES HOLDING LLC, an Ohio limited liability company, Prospera Ventures, LLC, Madison Title Agency, LLC and Old Republic National Title Insurance Company;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 7(b), 7(c), 8, 9, 11, 13, 14, 16, 17, 18 and 19 of Table A thereof. The fieldwork was completed on May 1, 2021.

*Edward B. Dudley, III* May 19, 2021  
Edward B. Dudley, III P.S. No. 6747 Date

**VICINITY MAP**

NOT TO SCALE

**DRAWN BY**  
BDK, BS

**SURVEYOR**  
JP, BDK, DC

**APPROVED**  
EBD PS NO. 6747

**RIVERSTONE**  
LAND SURVEYING - ENGINEERING - DESIGN  
3800 LAKEBIDE AVENUE, SUITE 100  
CLEVELAND - OHIO - 44120  
PHONE: (216) 491-2000 FAX: (216) 491-9640  
WWW.RIVERSTONE.SURVEY.COM



# BASIS OF BEARINGS

The centerline of South Abbe Road as North 00°15'00" East is an assumed bearing and is used to indicate angles only.

# ALTA / NSPS LAND TITLE SURVEY

## OF SUNSET APARTMENTS

### 630 SOUTH ABBE ROAD

### PARCEL No. 06-25-007-000-176

### REFERENCE SURVEYS

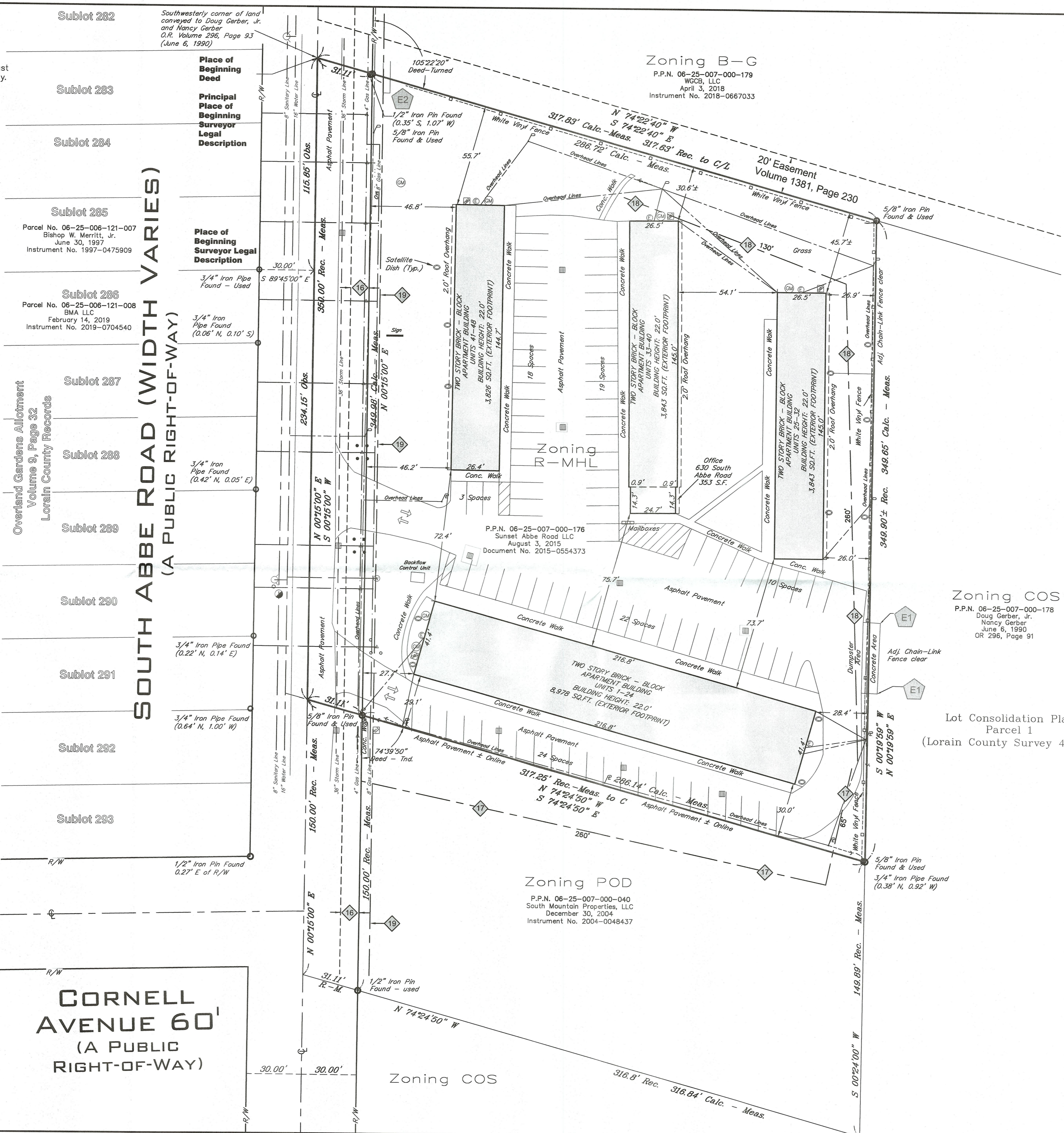
- 1.) ALTA Survey performed by Riverstone Survey in July of 2004.
- 2.) ALTA Survey performed by Riverstone Survey in June of 2007.
- 3.) Lorain County Survey 22360, 22271 and 49689

### APPARENT ENCROACHMENTS

- E1 Subject concrete pavement encroaches property line by 5.1 feet - 6.0 feet
- E2 Public Walk encroaches property line by 8.7 feet.

# LEGEND

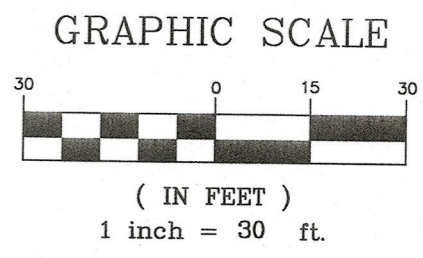
	Monument Box Found		Existing Spot Elevation Tag
	Iron Pin Found		Proposed Spot Elevation Tag
	Iron Pipe Found		Hydrant
	5/8"x30" Iron Pin Set		Stand Pipe
	Drill Hole Set / Found		Water Service Valve
	P.K. Nail Set / Found		Water Line Valve
	Gas Meter		Water Meter
	Gas Valve / Shut Off		Water Manhole
	Utility Pole		Sanitary Manhole
	Light Pole		Clean Out
	Traffic Pole		Unknown Manhole
	Ground Light		Storm Manhole
	Guy Anchor & Line		Catch Basin
	Flag Pole		Yard Basin
	Electric Meter		Trench Drain
	Electric Manhole		Transformer
	Electric Box		Air Conditioning Unit
	Transformer		Telephone Box / Manhole
	Air Conditioning Unit		Cable Box / Manhole
	Telephone Box / Manhole		Handicap Parking
	Cable Box / Manhole		Benchmark
	Handicap Parking		Monitoring Well
	Benchmark		Centerline
	Monitoring Well		Property Line
	Centerline		Easement No.
	Property Line		
	Easement No.		
	Parcel / Sublot line		
	Original Parcel / Sublot line		
	Original Lot / Section line		
	Centerline		
	Subject Property Line		
	Right-of-way Line		
	Easement Line		
	Waterline		
	Gas Line		
	Overhead Utility Line		
	Electric Line		
	Sanitary Sewer		
	Storm Sewer		
	Telephone Line		
	Railroad Tracks		
	Chain Link Fence		
	Ornamental Fence		
	Split Rail Fence		
	Vinyl Fence		
	Wood Fence		
	Guardrail		
	Tree of Brush Line		
	Arc Length		North
	Adjacent		Not Available
	Asphalt Pavement		Ohio Department of Transportation
	Basement Floor		Ohio Utility Protection Service
	Building Number		Original Lot
	Building		Official Record
	Bottom of Wall		Observed
	Chain Link Fence		Ordinance
	Calculated		Point of Curvature
	Catch Basin		Point of Intersection
	Class		Point of Tangency
	Chord		Place of Beginning
	Clears		Parcel
	Clears		Principal Place of Beginning
	Corrugated Metal Pipe		Parcel
	Concrete		Property Line
	Connection		Proposed
	Corrugated Plastic Pipe		Polyvinyl Chloride Pipe
	Drill Hole		Right-of-Way
	Ductile Iron Water Main		Reinforced Concrete Pipe
	Deed Volume		Record
	Document		Residence
	East		South
	Electric		Sublot
	Elevation		Sanitary
	Encroachment		Parking Spaces
	Existing		Square Feet
	Finished Floor		Station
	Garage Floor		Storm
	Garage		Story
	Gutter		Telephone
	House Number		Top of Footer
	Instrument		Top of Curb
	Invert Elevation		Temporary Benchmark
	Limited Common Area		To Be Removed
	Linear Feet		Top of Wall
	Landscape		Typical
	Measured Manhole		Vitrified Clay Pipe
	Manhole		Volume
			West



Zoning COS  
P.P.N. 06-25-007-000-178  
Doug Gerber, Jr.  
Nancy Gerber  
June 6, 1990  
OR 296, Page 91

Lot Consolidation Plat  
Parcel 1  
(Lorain County Survey 49689)

Zoning POD  
P.P.N. 06-25-007-000-040  
South Mountain Properties, LLC  
December 30, 2004  
Instrument No. 2004-0048437



Survey #50309  
APPROVED  
LORAIN CO.  
MAINTENANCE  
DATE 6/22/21  
PAC 06-25-007  
BY D. Adelsberg

STATE OF OHIO  
EDWARD B. DUDLEY, III  
S-6747  
REGISTERED  
PROFESSIONAL SURVEYOR

Edward B. Dudley, III  
P.S. No. 6747  
Date  
May 19, 2021

Note: ● Denotes 5/8"x30" iron pins set and capped "Riverstone Company-PS6747-PS8646"

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