

SCALE : 1" = 60'

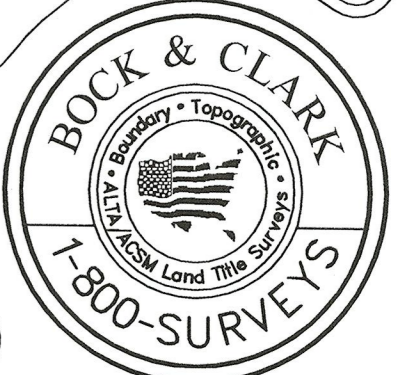
Legend of Symbols & Abbreviations

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> ⊕ Power Pole ⊕ Power Pole w/ Light ⊕ Light Pole ⊕ Utility Pole ⊕ Traffic Pole ⊕ Guy Wire ⊕ Sight Light ⊕ Ground Light ⊕ Electric Transformer ⊕ Telephone Manhole ⊕ Telephone Pedestal ⊕ Electric Meter ⊕ Cable Box ⊕ Air Conditioner ⊕ Found Iron Pin ⊕ Found Conc Monument ⊕ Found PK | <ul style="list-style-type: none"> ⊕ Flag Pole ⊕ Sign (As Noted) ⊕ Monitoring Well ⊕ Satellite Dish ⊕ Tower ⊕ Water Valve ⊕ Fire Hydrant ⊕ Slaness Fire Hydrant ⊕ Water Manhole ⊕ Water Meter Pit ⊕ Water Meter ⊕ Sprinkler Head ⊕ Ind. Handicap Park ⊕ Set Iron Pin ⊕ Found Conc Monument ⊕ Found RR Spike | <ul style="list-style-type: none"> ⊕ Storm Manhole ⊕ Catch Basin (Square) ⊕ Catch Basin (Round) ⊕ Curb Storm Inlet ⊕ Storm Pipe ⊕ Bollard ⊕ Sanitary Manhole ⊕ Sanitary Clean Out ⊕ Gas Valve ⊕ Gas Manhole ⊕ Gas Meter ⊕ Gas Marker ⊕ Centerline ⊕ Right-of-Way ⊕ Indicates Mutual Ownership |
|--|---|--|

50612

APPROVED
LORAIN CO.
MAP DEPT.
DATE 11/10/09
BY T. SAULMAN
10/10/09

ALTA/ACSM LAND TITLE SURVEY
PREPARED FOR:
Value City-Elyria Project
Date: February 12, 2009
Project No. 200900124-1



Bock & Clark's National Surveyors Network
National Coordinators of ALTA/ACSM Land Title Surveys
537 North Cleveland-Massillon Road Akron, Ohio 44333
Phone: (800) Surveys, Fax: (330) 666-3608 www.1800surveys.com

As-Surveyed Description

As a result of this survey, the property is also described as follows:

Situated in the Township of Carlisle, County of Lorain, State of Ohio, and being known as part of Original Carlisle Township, Section No. 3, and described as follows:

Beginning of a point in the centerline of Oberlin-Elyria Road (U.S. Route 20) where it intersects with the Eastern line of The Baltimore and Ohio Railway Company lands, said point also being the true place of beginning of the parcel herein described; thence North 39°42'22" East, along the centerline of said Oberlin-Elyria Road, a distance of 213.730 feet to a point; thence South 89°15'59" East, along the South line of the lands now or formerly owned by National Equipment Rental, LTD. (D.V. 955, Page 216), Thomas & Lynn Newell (D.V. 1056, Page 715), Brenda S. Lee (Instrument No. 2000-0685226), and partly along the South line of the lands now or formerly owned by the Board of Education of The Elyria City School District Board of Education (Instrument No. 2004-0991769), a distance of 939.593 feet to a set 5/8" iron pin; thence South 00°52'00" West, along the West line of the lands now or formerly owned by The Ohio Public Service Company (D.V. 460, Page 482), and The Board of Education of the Elyria City School District (D.V. 756, Page 531) and Virginia A. Behner (Instrument No. 2003-0854755) a distance of 1645.717 feet to a 5/8" iron pin set in the North line of the lands now or formerly owned by Melvin & Elizabeth Nelson (D.V. 751, Page 163); thence North 89°15'59" East, along the North line of said Nelson lands, and the North line of the lands now or formerly owned by Stephen W. & Alice Ann Benko (D.V. 1354, Page 536), a distance of 475.150 feet to a 5/8" iron pin set in the Eastern line of The Baltimore and Ohio Railroad; thence North 21°48'21" West, along the Eastern line of said railroad line, a distance of 1804.538 feet to the true place of beginning, and containing 30.588 acres, excepting therefrom so much of the above described premises as was conveyed to the Elyria-Oberlin Electric Railway Company by deed dated August 15, 1891 and recorded in Volume 77, Page 346 of Lorain County Records, and intending to convey 30.500 acres of land as surveyed in February 2009 by David J. Kuehne, Professional Surveyor No. 7911. All pins set are 5/8 inch diameter by 30 inches in length rebar with a plastic cap bearing the number 7911. The basis of bearing for this survey is the centerline of Oberlin-Elyria Road bearing North 39°42'22" East as recorded in Instrument No. 19970505672 of the Lorain County Records.

Statement of Encroachments

At the time of this survey there were no encroachments

Utility Notes

- UN1 The location of the utilities shown hereon are from observed evidence of above ground appurtenances only. The surveyor was not provided with underground plans or surface ground markings to determine the location of subterranean uses.
- UN2 From observed above ground appurtenances only as shown hereon, gas, electric, storm sewer, sanitary sewer and water lines and/or service is available for the subject property.
- UN3 Except as shown on survey all utilities appear to be underground.

Miscellaneous Notes

- MN1 Some features on this plot may be shown out of scale for clarity.
- MN2 Dimensions on this plot are expressed in feet and decimal parts thereof unless otherwise noted. Monuments were found or set of points indicated.
- MN3 The basis of bearings for this survey is the centerline of Oberlin Road bearing N39°42'22"E as recorded in Instrument No. 19970505672 of the Lorain County Records.
- MN4 All field measurements matched record dimensions within the precise requirements of ALTA/ACSM specifications unless otherwise noted.
- MN5 The posted address of the subject property is 430 Oberlin Road Elyria, Ohio 44035.
- MN6 All of the various survey monuments shown on this plot as found are in good condition, apparently undisturbed, unless otherwise noted.
- MN7 No evidence of earth moving work, building construction or building additions were observed.
- MN8 No evidence of changes in the right of way lines or recent street or sidewalk construction were observed.
- MN9 No evidence of the site being used as a solid waste dump, sump or sanitary landfill was observed.
- MN10 No evidence of the site being used as a cemetery was observed.
- MN11 The subject property has direct access to Oberlin Road which is an accepted and dedicated public R/W.
- MN12 All pins set are 5/8 inch diameter x 30 inches in length rebar with a plastic cap bearing the number 7911.
- MN13 The Traverse of the subject property has an unadjusted mathematical closure of 1:82,561. The dimensions and results of the survey are based on a Compass Rule adjusted mathematically closed traverse.
- MN14 TOTAL AREA: 30.500 Acres (1,326,601 Sq.Ft.)

Items Corresponding to Schedule B

- 8. Covenants and conditions contained in the Deed from Harvey M. Prantico, et al, to The Elyria and Oberlin Electric Railway Company, dated August 13, 1891, filed for record September 4, 1897 and recorded in Volume 77, Page 346 of Lorain County Records. ITEM DOES NOT AFFECT SUBJECT PROPERTY.
- 9. Conditions and right of way contained in the Deed from E. A. Nye and Eva Y. Nye, et al, to Harold Nixon Collins, dated January 12, 1906, filed for record February 14, 1908 and recorded in Volume 99, Page 156 of Lorain County Records. ITEM DOES NOT AFFECT SUBJECT PROPERTY.
- 10. Right of Way from Harold N. Collins to The Berea Pipe Line Company, dated May 25, 1915 and recorded in Volume 135, Page 567 of Lorain County Records. CANNOT DETERMINE ITEMS AFFECT ON SUBJECT PROPERTY, NO WAY TO THE EASEMENT TO CURRENT PROPERTY FROM LEGAL DESCRIPTION.
- 11. Easement from National Equipment Rental, Ltd. to Joe Harban of Elyria, Inc., dated April 30, 1962, filed for record May 22, 1962 and recorded in Volume 822, Page 285 of Lorain County Records. ITEM AFFECTS SUBJECT PROPERTY AND IS DEPICTED GRAPHICALLY HEREON.
- 12. Easement from National Equipment Rental, Ltd. to The Great Atlantic and Pacific Tea Company, Inc., dated July 27, 1962, filed for record August 14, 1962 and recorded in Volume 825, Page 120 of Lorain County Records. CANNOT DETERMINE ITEMS AFFECT ON SUBJECT PROPERTY, CANNOT DETERMINE LOCATION OF EASEMENTS FROM SAID ITEM.
- 13. Easement from National Equipment Rental, Ltd. to Ohio Edison Company, dated December 21, 1965, filed for record January 4, 1966 and recorded in Volume 920, Page 44 of Lorain County Records. ITEM AFFECTS SUBJECT PROPERTY AND IS DEPICTED GRAPHICALLY HEREON.
- 14. Easement from National Equipment Rental, Ltd. to Ohio Edison Company, dated July 30, 1979, filed for record August 22, 1979 and recorded in Volume 1242, Page 716 of Lorain County Records. ITEM AFFECTS SUBJECT PROPERTY AND IS DEPICTED GRAPHICALLY HEREON.
- 15. Underground Corporation Easement from Elyria City Incorporated to Ohio Edison Company, dated June 1, 1988, filed for record June 21, 1988 and recorded in OR Volume 80, Page 534 of Lorain County Records. CANNOT DETERMINE ITEMS AFFECT ON SUBJECT PROPERTY, CANNOT DETERMINE LOCATION OF EASEMENTS FROM SAID ITEM.
- 26. Easement contained in Lorain County Common Pleas Court Case No. 99CV124545, filed for record February 9, 2000 and recorded as Lorain County Document No. 2000066717. CANNOT DETERMINE ITEMS AFFECT ON SUBJECT PROPERTY, CANNOT DETERMINE LOCATION OF EASEMENTS FROM SAID ITEM.
- 27. Permanent and Temporary Easement Agreement for Sewer Line by and between Downtown Associates - Elyria LLC and The City of Elyria, Ohio, dated February 5, 2000, filed for record March 6, 2000 and recorded as Lorain County Recorder's Document No. 20000672039. ITEM AFFECTS SUBJECT PROPERTY AND IS DEPICTED GRAPHICALLY HEREON.

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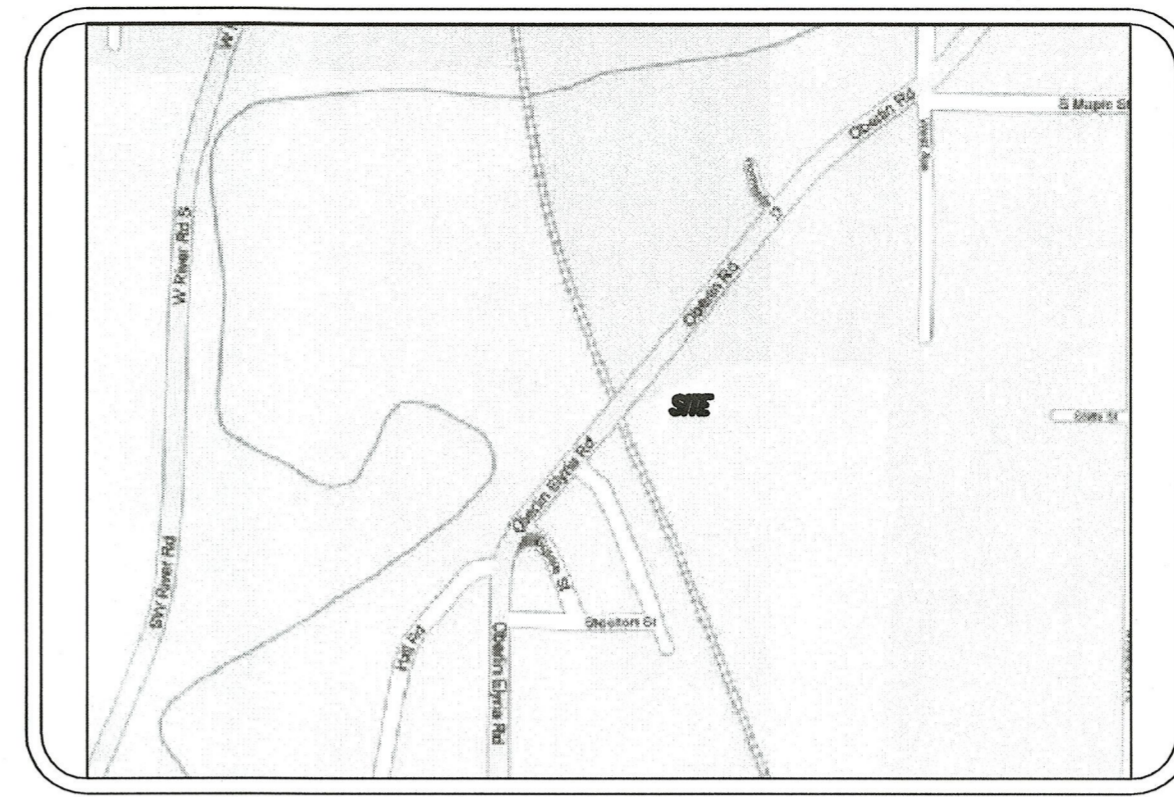
Flood Note: By graphic plotting only, this property is in Zone(s) X of the Flood Insurance Rate Map, Community Panel No. 39093C0228D, which bears an effective date of August 19, 2008, and is not in a Special Flood Hazard Area. By telephone call dated February 19, 2009 to the National Flood Insurance Program (800-638-6620) we have learned this community does currently participate in the program. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

Zoning Information			
Status	Zoned L1-1 (Light Industrial District) February 23, 2007		Status
Item	Required	Observed	Contact Info:
Permitted Use	as per L1-1	Non-Conforming Retail	Carlisle Township Zoning Department
Min. Lot Area	No Restriction	30,500 Acres	11969 LaGrange Rd
Min. Frontage	No Restriction	213.73'	LaGrange, OH 44050
Min. Lot Width	No Restriction	See Survey	440-458-4700
Max. Building Coverage	No Restriction	See Survey	
Min. Front Setback	20 Feet	462.4'	Notes Because there may be a need for interpretation of the applicable zoning codes, we refer you to the Carlisle Township Area Planning Commission and the applicable zoning codes.
Min. Side Setback	15 Feet	77.4'	
Min. Rear Setback	20 Feet	1023.0'	
Max. Building Height	40 Feet	28.8'	
Parking Regular	One Space for every 150 Sq.Ft. of gross floor area		
		431	
Parking Handicap	No Requirement	10	
Parking Total		441	

Bock & Clark Project No. 200900124-1

Project Record:	Date:
Emailed for B&C Review	2/19/09
Revised per B&C Comments	2/23/09
Revised per DJK Comments	2/26/09
Revised per client Comments	10/30/09
Revised per client Comments	11/4/09
Revised As-Surveyed Desc.	11/10/09

Drawn By: ACL Field By: GP
Checked By: DJK



Vicinity Map

Record Description

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

Parcel No. 1
Situating in the Township of Carlisle, County of Lorain, State of Ohio, and being a part of Section 3, and being more particularly described as follows:

Beginning of a point on the center line of the Elyria-Oberlin Road where it intersects with the Eastern line of the Baltimore and Ohio Railway Company property; thence Northwesterly along the center line of the Elyria-Oberlin Road to the Southwesterly corner of land conveyed to Frank B. Squire by deed dated January 18, 1921 and recorded in Volume 174, Page 54 of Lorain County Deed Records; thence South 89 deg. 12' East along the Southwesterly line of land conveyed to Frank B. Squire as aforesaid a distance of 902.11 feet to a point of the Northwesterly corner of the 0.852 acre tract owned by The Ohio Public Service Company and shown of record in Deed Book 400, Page 482; thence South 0 deg. 52' West along the East line, a distance of 1645.79 feet to a point of the Southwesterly corner of the 6.96 acre tract owned by Albert L. Sherman and shown of record in Deed Book 1086, Page 754; thence North 89 deg. 23' West along the South line, a distance of 475.15 feet to a point on the East line of the said Baltimore and Ohio Railway Company property of the Northwesterly corner of the 24.1 acre tract owned by Steve Benko and Alice A. Benko and shown of record in Deed Book 417, Page 98; thence North 21 deg. 50' West along the East line of the said B. & O. R. R. to the place of beginning, excepting therefrom so much of the above described premises as was conveyed to the Elyria-Oberlin Electric Railway Company by deed dated August 15, 1891 and recorded in Volume 77, Page 346 of Lorain County Records, and containing about 30.64 acres of land.

Also being the same premises as described as follows as a result of a survey prepared by John David Jones and Associates in July of 1997:

Situated in the Township of Carlisle, County of Lorain, State of Ohio, and being known as part of Original Carlisle Township, Section No.3, and described as follows:

Beginning of a point in the centerline of Oberlin-Elyria Road (U.S. Route 20) where it intersects with the Eastern line of The Baltimore and Ohio Railway Company lands, said point also being the true place of beginning of the parcel herein described; thence North 39 deg. 42' 21.8" East, along the centerline of said Oberlin-Elyria Road, a distance of 213.730 feet to a point; thence South 89 deg. 15' 59" East, along the South line of the lands now or formerly owned by National Equipment Rental, LTD. (D.V. 955, Page 216), Thomas & Lynn Newell (D.V. 1066, Page 715), Dawn & Corey Staschofer (OR. 1478-00800), and partly along the South line of the lands now or formerly owned by Richard A. Reaser (D.V. 0426, Page 100), a distance of 959.593 feet to a 1" iron pipe found; thence South 00 deg. 52' 00" West, along the West line of the lands now or formerly owned by The Ohio Public Service Company (D.V. 460, Page 482), The Board of Education of The Elyria City School District, Lorain County, Ohio (D.V. 756, Page 531), and Marlene R. Brooks (OR. 1124000392), a distance of 1645.717 feet to a 1" iron pipe found in the North line of the lands now or formerly owned by Melvin & Elizabeth Nelson (D.V. 751, Page 163); thence North 89 deg. 33' 32" West, along the North line of said Nelson lands, and the North line of the lands now or formerly owned by Stephen W. & Alice Ann Benko (D.V. 1354, Page 536), a distance of 475.150 feet to a 5/8" rebar set in the Eastern line of The Baltimore and Ohio Railroad; thence North 21 deg. 48' 21.4" West, along the Eastern line of said railroad line, a distance of 1804.538 feet to the true place of beginning and containing 30.588 acres of land as surveyed in July of 1997 by John David Jones, Professional Surveyor No. 4362. All 5/8" rebar set are marked with a yellow plastic cap stamped "The JDJ Corp Ohio 4362". The basis of bearing for this survey is South 00 deg. 52' 00" West, as the East line of the lands owned by The Elyria City, Inc., the same shown on D.V. 1257, Page 607 of Lorain County Records.

The above legal description describes all of the land listed in the Schedule A of First American Title Insurance Company Commitment No. NCS-382874-DC72, bearing an effective date of January 28, 2009.

ALTA/ACSM Land Title Survey

Value City-Elyria Project
430 Oberlin Road, Elyria, OH 44035

Surveyor's Certification

To: Bank of America, N.A. as successor by merger to LaSalle Bank National Association as Trustee for the registered holders of Nomura Asset Securities Corporation, Commercial Mortgage Pass-Through Certificates, Series 1988-B; CWCapital Asset Management LLC; First American Title Insurance Company and Bock & Clark Corporation.

The undersigned certifies that to the best of my professional knowledge, information and belief that this map or plot and the survey on which it is based were made on the date shown below on the premises specifically described in First American Title Insurance Company Commitment No. NCS-382874-DC72 dated January 28, 2009 and were made (i) in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and (ii) in accordance with the "Survey Requirements for Value City-Elyria Project dated 2/4/2009," and includes items 2, 3, 4, 5, 7(a), 7(b)(1), 7(c), 8, 9, 10, 11(a), 13 and 18 of Table A Hereof, Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, the undersigned further certifies that in my professional opinion as a land surveyor registered in the State of Ohio, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

David J. Kuehne
Registration No. 7911
in the State of Ohio
Date of Survey: February 12, 2009
Date of Last Revision: November 10, 2009

Bock & Clark NSH Project No. 200900124-1

Survey Performed By:
Bock & Clark Corporation
7370 Kingsgate Way, Suite H
West Chester, OH 45389
Phone: 800-787-8392



Bock & Clark's National Surveyors Network
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