

EASEMENTS

EASEMENT FOR HIGHWAY PURPOSES TO THE STATE OF OHIO AS FILED FOR RECORD JUNE 4, 1930 AND RECORDED IN VOLUME 196, PAGE 268.

EASEMENT TO OHIO Edison COMPANY, AN OHIO CORPORATION ALONG AND OUTSIDE THE EASTERN LIMITS OF LEXINGTON AVE. AND ALONG THE SOUTH PROPERTY LINE FOR THE DISTRIBUTION OF LINES FOR ELECTRIC CURRENT AS FILED FOR RECORD ON JULY 9, 1956 AND RECORDED IN VOLUME 424, PAGE 25.

EASEMENT TO OHIO BELL TELEPHONE CO., ITS SUCCESSORS AND ASSIGNS FOR THE RIGHT TO SET, OPERATE AND MAINTAIN ONE OR MORE TELEPHONE LINES AS FOR RECORD ON APRIL 18, 1921 AND RECORDED IN CONTRACT #44192 OF VOLUME 1, PAGE 297.

EASEMENT TO OHIO BELL TELEPHONE CO., ITS SUCCESSORS AND ASSIGNS FOR THE RIGHT TO SET, OPERATE AND MAINTAIN ONE OR MORE TELEPHONE LINES AS FOR RECORD ON APRIL 18, 1921 AND RECORDED IN CONTRACT #44192 OF VOLUME 1, PAGE 297.

LEASE TO THE LOGAN NATURAL GAS AND FUEL COMPANY COVERING THE ENTIRE PROPERTY AND AS FILED FOR RECORD MAY 5, 1906 AND RECORDED IN OIL AND GAS LEASE #37646 OF VOLUME 4, PAGE 430.

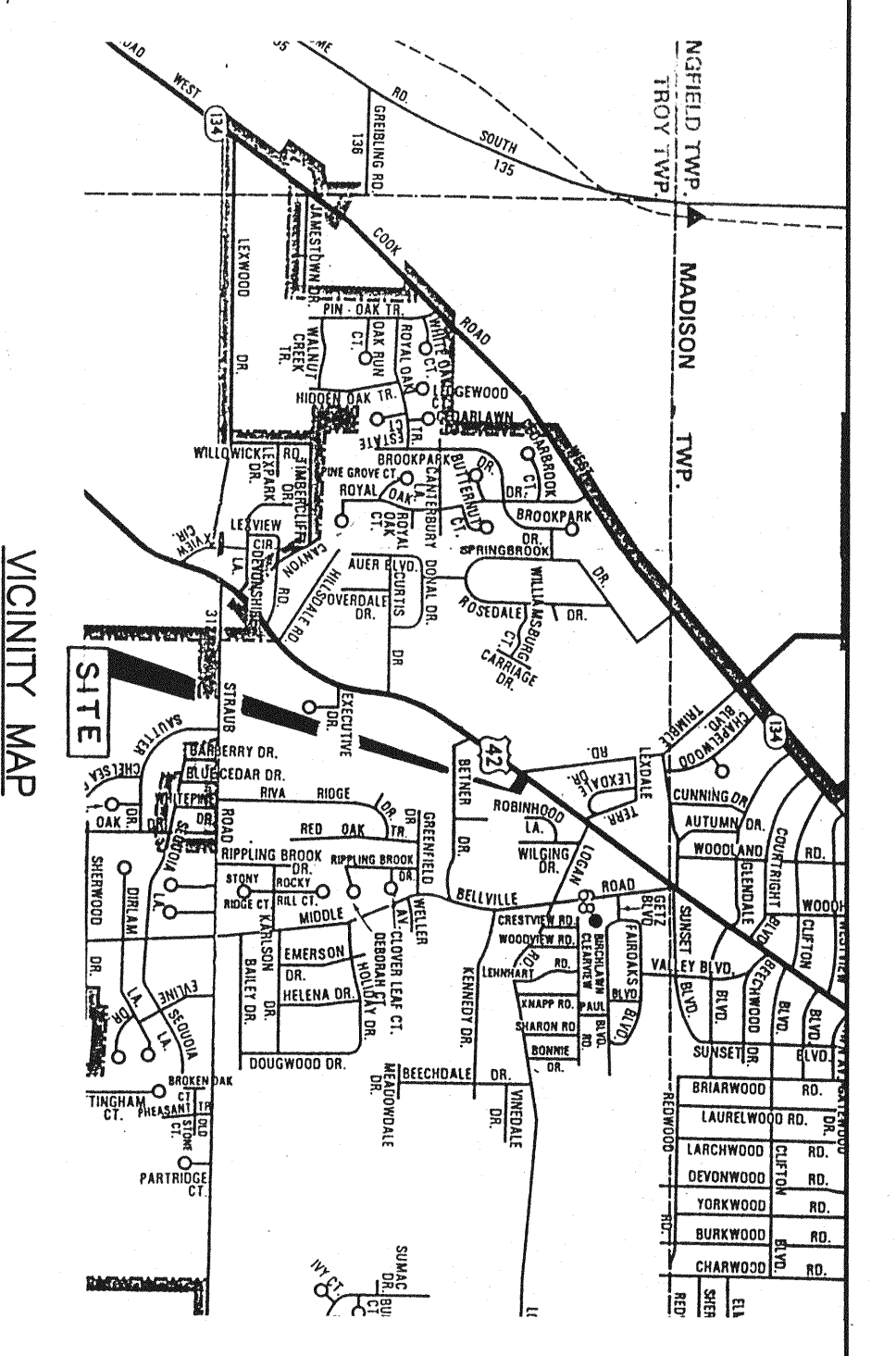
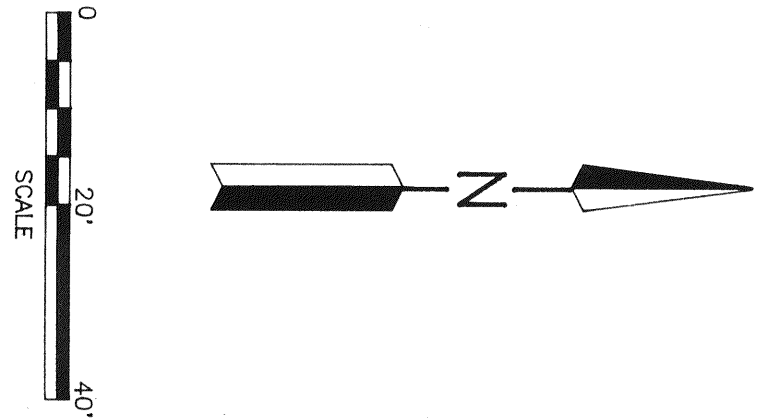
EASEMENT FOR SANITARY SEWER AND APPURTENANCES TO THE CITY OF MANSFIELD AS FILED FOR RECORD JANUARY 22, 1968 AND RECORDED IN VOLUME 600, PAGES 336-337.

RECIPROCAL EASEMENT AGREEMENT FOR INGRESS, EGRESS AND PARKING EASEMENTS BETWEEN PERFORMANCE FOODS, INC., AND PAUL E. HOFFMAN AND BETTY M. HOFFMAN AND NEW LIFE FITNESS CENTER AS FILED FOR RECORD MAY 26, 1988 AND RECORDED IN VOLUME 907, PAGES 793-804.

NOTES

ZONING: B-2 (GENERAL BUSINESS DISTRICT)

LEXINGTON AVENUE IS A PUBLIC STREET MAINTAINED BY THE CITY OF MANSFIELD, HAVING A RIGHT OF WAY WIDTH OF 60'. THE PROPERTY IS CONTIGUOUS WITH THE CENTERLINE OF LEXINGTON AVENUE AND THERE ARE NO GAPS OR GORES. THERE ARE 28 TOTAL PARKING SPACES INCLUDING 4 HANDICAP SPACES.



ALTA/ACSM LAND TITLE SURVEY CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES TO CONSECO MORTGAGE CAPITAL, INC., 1411 LEXINGTON AVENUE CO. LLC (BORROWER) AND MAKINLEY TITLE AGENCY, INC., AS FOLLOWS:

1. THE DRAWING ON WHICH THIS CERTIFICATE IS CONTAINED, WHICH WAS PREPARED BY THE UNDERSIGNED FROM THE REAL ESTATE MADE IN MAY 1998 (HEREIN THE "DRAWING"), IS A TRUE AND ACCURATE SURVEY OF THE REAL ESTATE DESCRIBED BY METES AND BOUNDS DESCRIPTION CONTAINED WITH SAID DRAWING (THE "PROPERTY").
2. THE BOUNDARIES OF THE PROPERTY 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 IN ACRES AND SQUARE FEET.
3. THE PROPERTY AS SURVEYED AND DESCRIBED IN THE DRAWING IS CONTIGUOUS ALONG ITS ENTIRE BOUNDARIES AND IS ENCLOSED WITHIN THE PERIMETERS THEREOF.
4. LEXINGTON AVENUE IS A DULY DEDICATED PUBLIC STREET.
5. 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.
6. 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.
7. 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 WITHIN THE BOUNDARIES OF THE PROPERTY AND MEET ALL APPLICABLE FRONT SIDE AND REAR SETBACK REQUIREMENTS.
8. THERE ARE NO DITCHES, STREAMS, RIVERS, GRAVEL PITS OR OTHER FORMS OF EXCAVATION (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.
9. A COPY OF MAKINLEY TITLE AGENCY, INC.'S COMMITMENT FOR TITLE INSURANCE NO. 0171795 (THE "COMMITMENT") HAS BEEN RECEIVED, AND REVIEWED AND ALL EASEMENTS AND ENCUMBRANCES SHOWN 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.
10. 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.
11. ALL BUILDING SET BACK 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.
12. 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 THEREFOR (WHICH EASEMENTS ARE GRAPHICALLY DEPICTED ON THE DRAWING).
13. THE PROPERTY IS NOT LOCATED IN A FLOOD PRONE AREA, FLOOD HAZARD AREA OR IN A FLOOD PLAIN AREA AS DENIED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S "FLOOD INSURANCE RATE MAP" OR "FLOOD HAZARD FLOODWAY BOUNDARY 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.
14. "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.
15. THE PROPERTY IS LOCATED WITHIN THE CITY OF MANSFIELD, RICHLAND COUNTY, OHIO.
16. ALL OTHER INFORMATION SET FORTH ON THE DRAWING IS TRUE AND CORRECT.

DATE: 5-5-98

ROGER L. STEVENS
SURVEYOR NO. 7052

SHAFFER JOHNSON LICHTENMALTER & ASSOCIATES, INC.
CONSULTING ENGINEERS - SURVEYORS
MANSFIELD OHIO

ALTA SURVEY FOR CVS/PHARMACY STORE #6169

1411 LEXINGTON AVENUE
CITY OF MANSFIELD
COUNTY OF RICHLAND, STATE OF OHIO

DRAWN BY: RLS
CHECKED BY: TJS
JOB NO: EM1377AL

1" = 20'
5-5-98
SHEET 1 OF 1

Distances shown hereon are expressed in feet and decimal parts thereof. Bearings are to an assumed meridian and are used to express angles only.

BEING ALL OF LOT NUMBER 14375 IN THE CITY OF MANSFIELD, COUNTY OF RICHLAND, STATE OF OHIO.