SURVEYOR'S CERTIFICATE:

I hereby certify to FIDELITY NATIONAL TITLE INSURANCE COMPANY (title commitment number 20080826, dated August 21, 2008) and O'REILLY AUTOMOTIVE, INC. that:

1. The plat of survey prepared by me entitled "ALTA\ACSM LAND TITLE SURVEY" was actually made upon the ground and that it and the information, courses and distances shown thereon are correct;
2. The title lines and lines of actual possession are the same;
3. The size, location and type of visible buildings and visible improvements (if any) are as shown and all are within the boundary lines of the property, unless shown hereon;
4. There are no visible violations of zoning ordinances, restrictions or other rules and regulations with reference to the location of said buildings and improvements, unless shown hereon;
5. There are no visible discrepancies, conflicts, shortages in area or boundary line conflicts, easements, visible encroachments, driveways, visible cemeteries, visible burial grounds or any visible uses affecting this property appearing from a careful visible physical inspection of the same, other than those shown and depicted thereon;
6. All monuments shown actually exist, or will be placed and the location, size and type of materials are correctly shown hereon;
7. The nearest existing intersecting street is S.R. #30 which is approximately 300 ± feet southwest of subject property.
8. All utility services required for the operation of the property either enter the property through adjoining public streets or the survey shows the point of entry and location of any visible utilities that pass through or are on adjoining private land;
9. The parcel described hereon is located within Flood Zone "X" as graphically interpolated from Community Panel 390476 0100 B, of the FIRM Map (Federal Insurance Rate Map) dated April 2, 1991.
10. This is to certify that this map or plat and the survey on which it is based were made 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 includes items 1, 2, 3, 4, 5, 6, 8, 10, 11(a), 11(b), 13, 16, & 18 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, 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.

Signed: Todd K Turner Date: 10/13/08

Todd K. Turner
Registration #7684
State of Ohio

STATE OF OHIO — Todd K. Turner S-7684 — REGISTERED PROFESSIONAL SURVEYOR

NEW SURVEY
OF EXISTING PARCEL
RICHLAND COUNTY
TAX MAP OFFICE

INITIAL DATE

LEGAL DESCRIPTION per Title Commitment 20080809:

The land referred to herein below is situated in the County of Richland, State of Ohio, and is described as follows.

Starting at the intersection of the centerline of U.S. Route 30 and Mansfield-Ashland Road (U.S.42)

Thence North 55°51'20 East along the centerline of said Mansfield-Ashland Road (U.S.42) a distance of 498.71 feet to a point of inflection:

Thence North 53°32'35 East along the centerline of Mansfield-Ashland Road (U.S.42) a distance of 452.53 feet to the Northeast corner of the St. Timothy Lutheran Church property, also being the point of beginning of the lands herein described;

Thence continuing North 53°32'35 East along the centerline of said Mansfield Ashland Road (U.S.42) a distance of 138.29 feet to a point; Thence South 2°31'19 West a distance of 361.51 feet to a painting the South easement line of said Mansfield-Ashland Road (U.S.42);
Thence continuing South 2°31'19 West a distance of 313.82 feet to a point; Thence North 87°18'57 West a distance of 104.91 feet to a point in the East line of said Church property;
Thence North 1°58'19 East along the East line of said Church property a distance of 183.30 feet to a point in the South easement line of said Mansfield-Ashland Road (U.S.42);
Thence continuing North 1°58'19 East a distance of 81.78 feet to the point of beginning, containing 0.755 acres of land, more or less, of which 0.124 acres are in the highway easement of said Mansfield-Ashland Road (U.S.42) leaving a net area of 0.631 acres, but subject to all legal highways, easements and use restrictions of record.

Also known as Lot #2 of the Adams Subdivision

Parcel No.: 025-07-002-01-002

Address: 1278 Ashland Road
Mansfield, Ohio

The land referred to herein below is situated in the County of Richland, State of Ohio, and is described as follows.

Situated in the Township of Madison, County of Richland and State of Ohio, and being a part of the Northwest Quarter of Section 13, Township 21, Range 18 and being further described as follows: Starting at the intersection of the centerline of U.S. Route 30 and Mansfield-Ashland Road (U.S.42); Thence North 55°51'20 East along the centerline of said Mansfield-Ashland Road (U.S.42) a distance of 498.71 feet to a point of inflection, Thence North 53°32'35 East along the centerline of Mansfield-Ashland Road (U.S.42) a distance of 590.82 feet to the point of beginning of the lands herein described; Thence continuing North 53°32'35 East along the centerline of Mansfield-Ashland Road (U.S.42) a distance of 122.21 feet to a existing property corner, Thence South 2°31'19 West a distance of 361.51 feet to a point in the South easement line of said Mansfield-Ashland Road (U.S.42), Thence continuing South 2°31'19 West a distance of 356.86 feet to an existing property corner, Thence North 87°18'57 West a distance of 45.00 feet to a point, Thence South 2°29'42 West a distance of 34.00 feet to a Point, Thence North 87°18'57 West a distance of 50.02 feet to a point, Thence North 2°31' 19 East a distance of 313.82 feet to a point in the South easement line of said Mansfield-Ashland Road (U.S.42), Thence continuing North 2°31'19 East a distance of 361.51 feet to the point of beginning, containing 0.818 Acres of land, more or less of which 0.084 Acres are in the highway easement of said Mansfield-Ashland Road (U.S.42), leaving a net area of 0.734 Acres, but subject to all legal highways, easements and use restriction of record. Also known as Lot #1 (one) of the Adams Subdivision

LEGAL DESCRIPTION per SURVEY:

Situated in the N.W. Quarter of Section 13, Town 21, Range 18, Madison Township, Richland County, Ohio and being entire Lots #1 & #2 of Adams Subdivision as recorded in Volume 24, Page 142 of the Richland County Ohio records and being further described as follows;

Beginning at a found 1/2" iron pin at the southwest corner of Lot #2 of Adams Subdivision as recorded in Volume 24, Page 142 of the Richland County Ohio records, said point being on the easterly line of the lands of The Synod of Ohio United Lutheran Church in America as recorded in Deed Volume 364, Page 147 of the Richland County Ohio records;

thence along the easterly line of the lands of said The Synod of Ohio United Lutheran Church in America, North 00°11'01" West, passing a found 1/2" iron pin on the southerly line of an existing highway easement as recorded in Volume 24, Page 142 of the Richland County Ohio records at 183.13 feet, 263.76 feet to a point at the northeast corner of said lands of The Synod of Ohio United Lutheran Church in America, said point also being the northwest corner of said Lot #2;
thence leaving the easterly line of said lands, along the northerly line of said Lot #2 extended, North 51°38'21" East, 261.66 feet to a point at the northeast corner of Lot #1 of said Adams Subdivision, said point being the westerly line of the lands of Fred Jr. and Ruth Ann Pasheilich as recorded in Official Record 351, Page 96 of the Richland County Ohio Records;
thence leaving said northerly line extended, along the westerly line of said lands and the easterly line of said Lot #1, South 00°43'21" West, passing a found 1/2" bent iron pin on the southerly line of an existing highway easement as recorded in Volume 24, Page 142 of the Richland County Ohio records at 38.51 feet, 385.16 feet to a found fence t-post on the northerly line of Lot #4 of Adams Subdivision;
thence leaving the westerly line of the lands of Fred Jr. and Ruth Ann Pasheilich and the easterly line of said Lot #1, along the northerly line of said Lot #4, North 89°24'15" West, 44.13 feet to a found 1/2" iron pin at the northwest corner of said Lot #4;
thence leaving said northerly line of said Lot #4, along the westerly line said Lot #4, South 00°34'43" West, 34.27 feet to a found 1/2" iron pin at the northeast corner of Lot #3 of Adams Subdivision;
thence leaving said westerly line of said Lot #4, along the northerly line of said Lot #3, North 88°57'52" West, passing a found 1/2" iron pin at 50.03, 154.89 feet to the point of beginning containing 68,355.98 square feet or 1.569 acres of land and being subject to all easements and rights-of-way of record. (Lot #1 containing 0.756 Acres and Lot #2 containing 0.813 Acres)

SURVEY NOTES:

Basis of Bearings: GPS observations, Ohio North Zone (NAD-83) 3401

Benchmark was produced by GPS observations, Ohio North Zone (NAVD-88) 3401.

Subject Property has frontage Ashland Road (U.S. Rt.#42) as shown hereon.

There is no visible evidence of earth moving work on subject property at time of survey.

There is no visible evidence of a solid waste dump, sump or sanitary landfill on subject property at time of survey.

All utilities are visibly located (above ground) by O.U.P.S. at time of Survey unless otherwise shown hereon.

All properties shown hereon are located within the limits of Madison Township, Richland County Ohio.

All visible utilities are shown hereon:

SCHEDULE B – SECTION 2 EXCEPTIONS:

COMMITMENT NUMBER: 20080826
COMMITMENT DATE: August 21, 2008

9. Property is not subject to Easements found in Deed Book 645, Page 180 of the Richland County, Ohio Recorder's Office.

10. Property is subject to a Easement to Mansfield Telephone Company as recorded in Deed 437, Page 315 of the Richland County, Ohio Recorder's Office and shown hereon.

ZONING:

Madison Township, Zoned "B-3" (Highway Business)

MAXIMUM HEIGHT OF BUILDING:
None Listed on the Schedule of Regulations in section 410 of the Zoning Code.

MINIMUM YARD SETBACK:

Front Yard: 40(g)
Each Side Yard: (h,i)
Rear Yard: 40(j,l)

(g) Off-street parking shall be permitted to occupy part of the required front yard after approval of the parking plan layout and points of ingress and egress by the Township Zoning Commission.

(h) No side yards are required along the interior side lot lines of the District. On an exterior side yard abutting a residential district, there shall be provided a minimum side yard setback of thirty (30) feet.

(i) Off-street loading space shall be provided in the rear yard in accordance with the provisions of Section 800.4 of this Resolution and shall be provided in addition to any required off-street parking facilities.

(j) An obscuring fence or obscuring greenbelt six (6) feet in height shall be provided along those side and rear lot lines abutting a R-Residential District.

The complete Zoning Resolution can be viewed at http://www.madisontwp.us/resolutions.htm.

SURVEY NOTES:

Speed Limit on Ashland Road is 35 mph. and is located within the limits of Madison Township, Richland County Ohio. (Jurisdiction is Madison Township). Roadway is a Principal Arterial Street per the ODOT Classification Map Dated October 5, 2004 as shown on the ODOT web site as provided. http://www.dot.state.oh.us/Divisions/Planning/ProgramMgt/functionalclass/Pages/FunctionalClassificationMaps.aspx

O.D.O.T. has identified a project to improve the U.S. #30 and U.S. #42 interchange, from Stewart Road to McElroy Road. This improvement will be along the frontage of these parcels. At this present time they do not know when this project will start due to funding. (Per Kenneth Wright, Planning Administrator, O.D.O.T. Dist. #3 (419) 207-7180)

UTILITY INFORMATION:

Utilities shown are as marked or flagged by its Utility in response to a request to O.U.P.S. reference Tickets #A825-401-089825-401-985 (physical markings) & #A (planning info.) on August 10, 2008.

Columbia Gas of Ohio (Gas)
1120 W 4th Street
Mansfield, OH 44906
Tiffany Fritchley
(419) 528-1137

Ohio Edison (Electric):
1717 Ashland Road
Mansfield, OH 44906
Kirk Gardner, Area Manager
(419) 521-6219

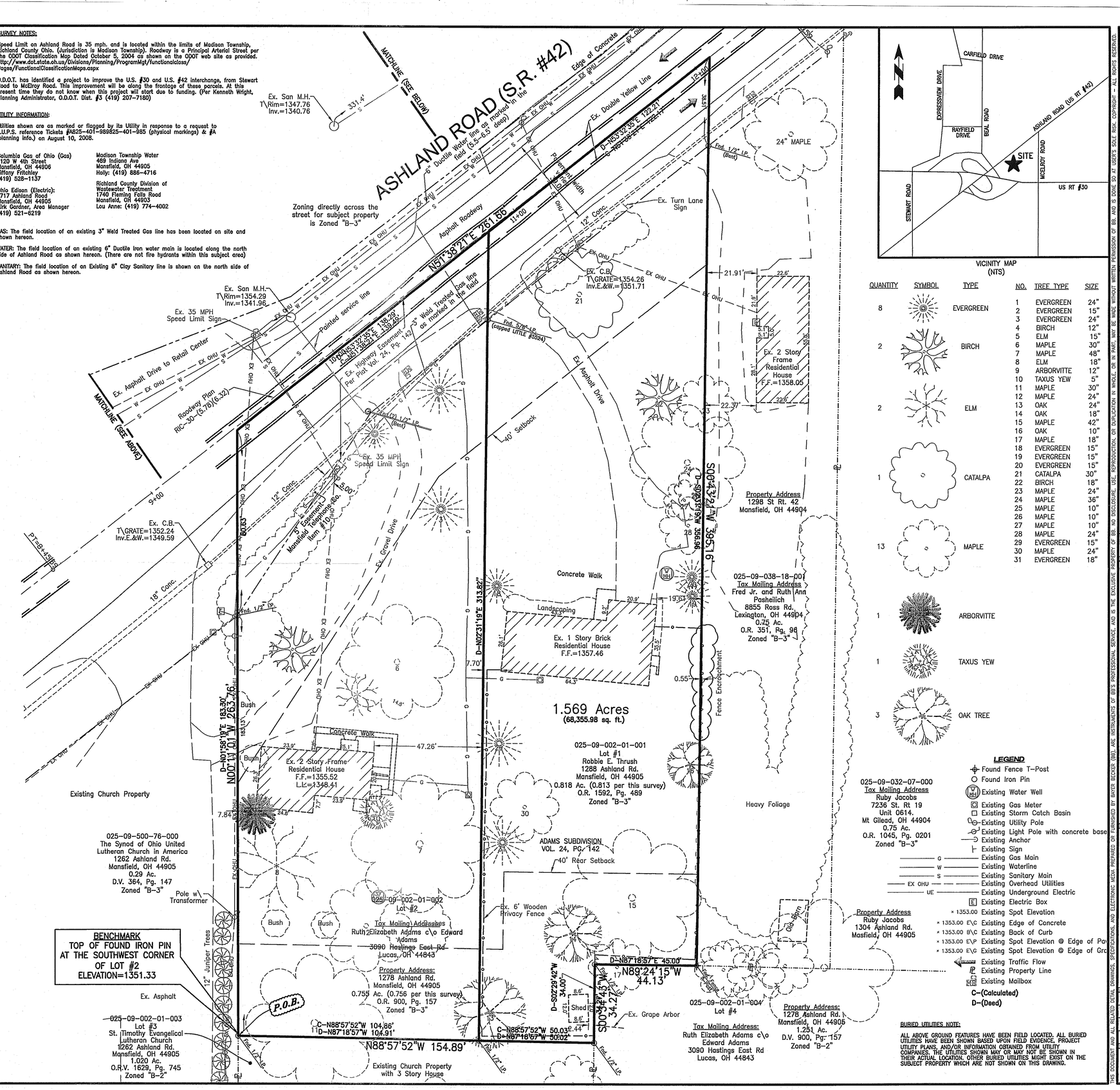
Madison Township Water
489 Indiana Ave
Mansfield, OH 44905
Holly: (419) 886-4716

Richland County Division of
Wastewater Treatment
1740 Fleming Falls Road
Mansfield, OH 44903
Lou Anne: (419) 774-4002

GAS: The field location of an existing 3" Weld Treated Gas line has been located on site and shown hereon.

WATER: The field location of an existing 6" Ductile Iron water main is located along the north side of Ashland Road as shown hereon. (There are not fire hydrants within this subject area)

SANITARY: The field location of an Existing 8" Clay Sanitary line is shown on the north side of Ashland Road as shown hereon.







VICINITY MAP (NTS)

| QUANTITY | SYMBOL | TYPE | NO. | TREE TYPE | SIZE |
|---|---|---|---|---|---|
| 8 | | EVERGREEN | 1 | EVERGREEN | 24" |
| | | | 2 | EVERGREEN | 15" |
| | | | 3 | EVERGREEN | 24" |
| | | | 4 | BIRCH | 12" |
| | | | 5 | ELM | 15" |
| 2 | | BIRCH | 6 | MAPLE | 30" |
| | | | 7 | MAPLE | 48" |
| | | | 8 | ELM | 18" |
| | | | 9 | ARBORVITTE | 12" |
| | | | 10 | TAXUS YEW | 5" |
| | | | 11 | MAPLE | 30" |
| | | | 12 | MAPLE | 24" |
| 2 | | ELM | 13 | OAK | 24" |
| | | | 14 | OAK | 18" |
| | | | 15 | MAPLE | 42" |
| | | | 16 | OAK | 10" |
| | | | 17 | MAPLE | 18" |
| | | | 18 | EVERGREEN | 15" |
| | | | 19 | EVERGREEN | 15" |
| | | | 20 | EVERGREEN | 15" |
| 1 | | CATALPA | 21 | CATALPA | 30" |
| | | | 22 | BIRCH | 18" |
| | | | 23 | MAPLE | 24" |
| | | | 24 | MAPLE | 36" |
| | | | 25 | MAPLE | 10" |
| | | | 26 | MAPLE | 10" |
| | | | 27 | MAPLE | 10" |
| | | | 28 | MAPLE | 24" |
| 13 | | MAPLE | 29 | EVERGREEN | 15" |
| | | | 30 | MAPLE | 24" |
| | | | 31 | EVERGREEN | 18" |
| 1 | | ARBORVITTE | | | |
| 1 | | TAXUS YEW | | | |
| 3 | | OAK TREE | | | |

LEGEND

- Found Fence T-Post
- Found Iron Pin
- Existing Water Well
- Existing Gas Meter
- Existing Storm Catch Basin
- Existing Utility Pole
- Existing Light Pole with concrete base
- Existing Anchor
- Existing Sign
- G — Existing Gas Main
- W — Existing Waterline
- S — Existing Sanitary Main
- EX OHU — Existing Overhead Utilities
- UE — Existing Underground Electric
- E — Existing Electric Box
- × 1353.00 — Existing Spot Elevation
- × 1353.00 E\C — Existing Edge of Concrete
- × 1353.00 B\C — Existing Back of Curb
- × 1353.00 E\P — Existing Spot Elevation @ Edge of Pa
- × 1353.00 E\G — Existing Spot Elevation @ Edge of Gra
- Existing Traffic Flow
- Existing Property Line
- Existing Mailbox

C-(Calculated)
D-(Deed)

BURIED UTILITIES NOTE:

ALL ABOVE GROUND FEATURES HAVE BEEN FIELD LOCATED. ALL BURIED UTILITIES HAVE BEEN SHOWN BASED UPON FIELD EVIDENCE, PROJECT UTILITY PLANS, AND/OR INFORMATION OBTAINED FROM UTILITY COMPANIES. THE UTILITIES SHOWN MAY OR MAY NOT BE SHOWN IN THEIR ACTUAL LOCATION. OTHER BURIED UTILITIES MIGHT EXIST ON THE SUBJECT PROPERTY WHICH ARE NOT SHOWN ON THIS DRAWING.

| Item | Revision Description | Date | Drwn: | Chk: |
|---|---|---|---|---|
| 1 | Revision Per Comments | 10-10-08 | B.R.J. | T.K.T. |
| 2 | Revision Per Richland County Tax Map | 10-13-08 | B.R.J. | T.K.T. |

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# 1.569 ACRE TRACT
# O'REILLY AUTO PARTS
1278 & 1288 ASHLAND ROAD
N.W. QUARTER OF SECTION 13, TOWN 21, RANGE 18
MADISON TOWNSHIP, RICHLAND COUNTY, OHIO
ADAMS SUBDIVISION, RICHLAND COUNTY, OHIO
ALTA\ACSM LAND TITLE SURVEY

bayer becker
www.bayerbecker.com
8401 Datapoint Drive, Suite A
Mason, OH 45040 • 513.336.6600

Drawing: 08C077-000 AL
Drawn by: B.R.J.
Checked By: T.K.T.
Issue Date: 10-02-08
Sheet: SV1

Plot time: Oct 13, 2008 – 1:35pm – Login Name: brianjohnson
Drawing name: J:\2008\08C077-000\SV\DWG\08C077-000 AL.dwg – Layout Tab: ALTA