

**LEGAL DESCRIPTION
(From Title Exam)**

Situated in the Township of Painesville, County of Lake and State of Ohio, and known as being part of Lot 51, Tract 4, Township 11 North, Range 8 West of the Connecticut Western Reserve Survey;

Beginning in the east line of land of August H. Gilman and at a point North 64°02' West, a distance of 714.79 feet measured along the said line of land of W.G. Hawkins and said Gilman from the centerline of Mentor Avenue. Thence following the east line of land of said Gilman North 64°02' West, a distance of 564.94 feet to the centerline of Jackson Street. Thence following the centerline of Jackson Street North 48°27' East, a distance of 3.93 feet to the south right of way line of the N.Y.C. & S.L. R.R. Thence following said right of way line North 63°14' East, a distance of 783.86 feet to the west line of land of Fred Lyons. Thence following the west line of said Lyons land South 46°37' East, a distance of 464.40 feet. Thence by a line which bears South 64°50' West, a distance of 686.46 feet to the Place of Beginning and containing 7.90 acres, be the same, more or less, but subject to all legal highways.

Excepting from the foregoing the following described property:

Situated in the Township of Painesville, County of Lake and State of Ohio and known as being part of Original Lot No. 51, Tract No. 4 and is further bounded and described as follows:

Beginning in the easterly side line at Hurst Road, 50 feet wide, at its intersection with the southerly line of land conveyed to Living Monroe, Inc. by deed in Volume 758, Page 813 of the Lake County Deed Records, being also the northerly line of Sublot No. 30 in the Urbanhurst Addition as recorded in Volume 151, Page 8 of Lake County Plat Records;

COURSE I Thence North 62°12'30" East, 109.13 feet to a point that is located 5.00 feet northerly, by normal measurement from said line of said allotment;

COURSE II Thence North 64°50'00" East, along a line parallel with said line of said allotment, 145.48 feet to the prolongation northerly of the easterly line of Sublot No. 29 in said allotment;

COURSE III Thence South 25°10'00" East, along said prolongation 5.00 feet to the northeasterly corner of said Sublot No. 29;

COURSE IV Thence 64°50'00" West, along the northerly line of said Sublot No. 29, and along the northerly line of said Sublot No. 30, 294.51 feet to the Place of Beginning, containing 1.123 acres (1100 square feet) land as calculated and described, June 1975, by Debevec Salo & Associates, Inc.

Also excepting the following:

PT Lake County Condominium Phase 1, filed in Volume Y, Page 18; Phase 2 filed in Volume Z, Page 6 and Phase 2A, filed in Volume 1, Page 18 of Lake County Plat Records.

Notes Regarding Background Base Mapping:

Planimetric Mapping Based on
O.S.P.C.S North Zone NAD83
Vertical Datum NAVD88
Date of Mapping April 2000

Aerial Ortho Photo Mapping 2007

UTILITY INFO:

THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN HEREON, HAVE BEEN OBTAINED BY A SEARCH OF AVAILABLE RECORDS. VERIFICATION BY FIELD OBSERVATION HAS BEEN CONDUCTED WHERE PRACTICAL. HOWEVER, LDC INC. DOES NOT GUARANTEE THE COMPLETENESS NOR ACCURACY THEREOF. THIS SURVEY SUBJECT TO CHANGE UPON RECEIPT OF ANY ADDITIONAL AVAILABLE UNDERGROUND UTILITY INFORMATION.

SURVEY LEGEND

Meas. = Measured
Plat = Subdivision Plat
D.M. = Deed & Measured

Dd. = Deed
Rec. = Record
Act. = Actual

ENCROACHMENTS

Fences over easterly Property Line See Survey

UTILITY LEGEND

- Clean Out, Catch Basin, Curb Inlet, Yard Drain, Manhole, Sanitary Manhole, Storm Manhole, Storm Inlet MH, Rise Down Spout, Water Valve, Water Meter, Fire Hydrant, Well, Gas Valve, Gas Meter, Mailbox, Guard Post, Sign, Guide Wire, Power Pole, Light Power Pole, Traffic Signal Pole, Traffic Signal Box, Electrical Box, Telephone (SAC) Box, Tree, Pinus Tree, Bush, Power Trans.

SCHEDULE "B" ITEMS

- 1. Easement of record in Volume 660, Page 455, Recorder's Office, Lake County, Ohio. (PLOTTED)
- 2. Easement of record in Volume 971, Page 1085, Recorder's Office, Lake County, Ohio. (PLOTTED)
- 3. Easement of record in Volume 1028, Page 716, Recorder's Office, Lake County, Ohio. (PLOTTED)
- 4. Easement of record in Volume 1029, Page 506, Recorder's Office, Lake County, Ohio. (PLOTTED)
- 5. Easement of record in Volume 1029, Page 149, Recorder's Office, Lake County, Ohio. (PLOTTED)
- 17. Notice of Order and Judgment Affecting Interest in Real Estate, Doc. #02050018783 (Recorder's Office, Lake County, Dated 05-10-2005. Not Plotted - Applies to Norfolk Southern Railway)

ZONING:

R-4 Residential Multi-Unit Dwelling

BASIS OF BEARINGS

PER RECORD DEED OF SUBJECT PROPERTY

FLOOD NOTE

SUBJECT PROPERTY IS LOCATED IN "ZONE - C" A MINIMUM FLOOD ZONE AS SHOWN ON THE FEDERAL FLOOD MAPS COMMUNITY PLAN NO. 390771-0047C, Dated 01/02/81

PIN: 11-A-016-C-03-001-0
404 MENTOR AV
HANLEY GLEN & LOBI
DOCUMENT: 2002R034421

PIN: 11-A-016-D-00-043-0
PEPPER TREE LTD
ACREAGE: 4.28
DOCUMENT: 1998R059278

PIN: 11-A-016-D-00-043-0
PEPPER TREE LTD
ACREAGE: 4.28
DOCUMENT: 1998R059278

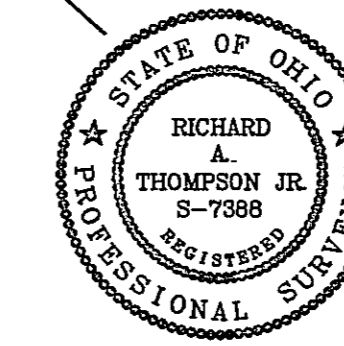
CERTIFICATION

TO: Chicago Title Insurance Company, AG Real Estate Group Inc., Citizens Bank and RG Apartments, LLC

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Maximum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that as a professional surveyor, as a land surveyor registered in the State of Ohio, the Professional Accuracy of this survey does not exceed that which is specified therein.

Richard A. Thompson, Jr., P.E., Registered Professional Surveyor, State of Ohio, No. 7388

6.19.08
DATE: RICHARD A. THOMPSON JR., P.E. 7388



**ALTA - ACSM Land Title Survey
of Pepper Tree Apartments**

SITUATED IN THE TOWNSHIP OF PAINESVILLE, COUNTY OF LAKE AND STATE OF OHIO AND KNOWN AS BEING PART OF LOT 51, TRACT 4, TOWNSHIP 11 NORTH, RANGE 8 WEST OF THE CONNECTICUT WESTERN RESERVE SURVEY.

April 2008 SCALE 1"=40'

LAND DESIGN consultants
ENGINEERS PLANNERS SURVEYORS
8655 East Avenue Mentor, Ohio 44060
TEL: (440) 255-8463 (440) 951-LAND
(440) 354-6938 FAX: (440) 255-9575

DATE: 6/18/08
SCALE: HOR. 1"=40'
VERT. 1"=40'
FILENAME: ALTA
COMPUTER: S
TAB NAME: ALTA

SHEET 1 OF 1
CONTRACT No. AGREA1-0801

**LEGAL DESCRIPTION
(From Survey)**

LEGAL DESCRIPTION OF A 0.9768 ACRE PARCEL

Situated in the Township of Painesville, County of Lake and State of Ohio, and known as being part of Lot 51, Tract 4, Township 11 North, Range 8 West of the Connecticut Western Reserve Survey;

Beginning at the intersection of the centerline of Jackson Street, 50 (fifty) feet wide, and the southerly line of land conveyed to Norfolk Southern Combined Railroad (PIN: 11-B-999-0-00-300-A) and being the Principal Place of Beginning;

THENCE North 68°06'46" East, along the south line of said Norfolk Southern Combined Railroad, 783.86 feet to an angle point thereon, said point being 0.04 feet South and 0.41 feet East of a 1/2 inch iron pin set;

COURSE I Thence North 68°06'46" East, along the southerly line of said Norfolk Southern Combined Railroad, 783.86 feet to a southerly corner of said Norfolk Southern Combined Railroad, said corner being 0.04 feet South and 0.41 feet East of a 1/2 inch iron pin set;

COURSE II Thence South 45°41'07" East, along a westerly line of said Norfolk Southern Combined Railroad, 153.40 feet to a 5/8 inch iron pin set (D. "LDC,INC.") at a northeasterly corner of land conveyed to Pepper Tree Village Condominium Phase II as recorded in Volume Z, Page 6 of Lake County Plat Records;

COURSE III Thence South 46°41'07" East, along the south line of said Pepper Tree Village Condominium Phase II and land conveyed to Pepper Tree Village Condominium as recorded in Volume Y, Page 18 of Lake County Plat Records, 499.23 feet to a 5/8 inch iron pin set (D. "LDC,INC.") at a northeasterly corner of land conveyed to Pepper Tree Village Condominium;

COURSE IV Thence South 54°43'57" East, along the west line of said Pepper Tree Village Condominium, 55.84 feet to a 5/8 inch iron pin set (D. "LDC,INC.") at an angle point thereon;

COURSE V Thence South 39°10'07" West, continuing along the west line of said Pepper Tree Village Condominium, 33.82 feet to a 5/8 inch iron pin set (D. "LDC,INC.") at an angle point thereon;

COURSE VI Thence South 19°21'47" East, continuing along the west line of said Pepper Tree Village Condominium, 227.12 feet to a 5/8 inch iron pin set (D. "LDC,INC.") at the southwest corner of land conveyed to Pepper Tree Village Condominium Phase II as recorded in Volume Z, Page 6 of Lake County Plat Records;

COURSE VII Thence North 70°38'13" East, along a south line of said Pepper Tree Village Condominium Phase II-A, 60.60 feet to a 5/8 inch iron pin set (D. "LDC,INC.");

COURSE VIII Thence North 70°38'13" East, along a south line of said Pepper Tree Village Condominium Phase II-A, 118.97 feet to the Principal Place of Beginning and containing 0.5760 acres (50,000 square feet) of land according to a survey performed by Richard A. Thompson, Jr., P.E., No. 7388 of LDC, Inc. in April of 2008, subject to all legal highways and easements of record

LEGAL DESCRIPTION OF A 3.4623 ACRE PARCEL

Situated in the Township of Painesville, County of Lake and State of Ohio, and known as being part of Lot 51, Tract 4, Township 11 North, Range 8 West of the Connecticut Western Reserve Survey;

Beginning at the intersection of the centerline of Jackson Street, 50 (fifty) feet wide, and the southerly line of land conveyed to Norfolk Southern Combined Railroad (PIN: 11-B-999-0-00-300-A) and being the Principal Place of Beginning;

COURSE I Thence North 68°06'46" East, along the southerly line of said Norfolk Southern Combined Railroad, 783.86 feet to a southerly corner of said Norfolk Southern Combined Railroad, said corner being 0.04 feet South and 0.41 feet East of a 1/2 inch iron pin set;

COURSE II Thence South 45°41'07" East, along a westerly line of said Norfolk Southern Combined Railroad, 153.40 feet to a 5/8 inch iron pin set (D. "LDC,INC.") at a northeasterly corner of land conveyed to Pepper Tree Village Condominium Phase II as recorded in Volume Z, Page 6 of Lake County Plat Records;

COURSE III Thence South 46°41'07" East, along the south line of said Pepper Tree Village Condominium Phase II and land conveyed to Pepper Tree Village Condominium as recorded in Volume Y, Page 18 of Lake County Plat Records, 499.23 feet to a 5/8 inch iron pin set (D. "LDC,INC.") at a northeasterly corner of land conveyed to Pepper Tree Village Condominium;

COURSE IV Thence South 54°43'57" East, along the west line of said Pepper Tree Village Condominium, 55.84 feet to a 5/8 inch iron pin set (D. "LDC,INC.") at an angle point thereon;

COURSE V Thence South 39°10'07" West, continuing along the west line of said Pepper Tree Village Condominium, 33.82 feet to a 5/8 inch iron pin set (D. "LDC,INC.") at an angle point thereon;

COURSE VI Thence South 19°21'47" East, continuing along the west line of said Pepper Tree Village Condominium, 227.12 feet to a 5/8 inch iron pin set (D. "LDC,INC.") at the southwest corner of land conveyed to Pepper Tree Village Condominium Phase II as recorded in Volume Z, Page 6 of Lake County Plat Records;

COURSE VII Thence North 70°38'13" East, along a south line of said Pepper Tree Village Condominium Phase II-A, 60.60 feet to a 5/8 inch iron pin set (D. "LDC,INC.");

COURSE VIII Thence North 70°38'13" East, along a south line of said Pepper Tree Village Condominium Phase II-A, 118.97 feet to the Principal Place of Beginning and containing 0.5760 acres (50,000 square feet) of land according to a survey performed by Richard A. Thompson, Jr., P.E., No. 7388 of LDC, Inc. in April of 2008, subject to all legal highways and easements of record

COURSE IX Thence North 48°24'49" East, along the centerline of said Jackson Street, 3.84 feet to the Principal Place of Beginning and containing 1.423 acres (150,817 square feet) of land as surveyed by Richard A. Thompson, Jr., P.E., No. 7388 of LDC, Inc. in April of 2008, subject to all legal highways and easements of record

