

ALTA/ACSM LAND TITLE SURVEY

CITY OF CHARDON, COUNTY OF GEAGA

Situated in the City of Chardon, County of Geauga, and State of Ohio, and known as being a part of Original Lot Numbers 147 & 153.

PREPARED FOR AND AT THE INSTANCE OF

HOME DEPOT U.S.A., INC.
 Home Depot 8981
 City of Chardon, State of Ohio
 OHIO TITLE CORPORATION N.E. AGENCY, INC.
 FIRST AMERICAN TITLE INSURANCE COMPANY
 CHARDON DE BARTOLO, LLC
 a Delaware limited liability company

Surveyor's Certificate
 March 22, 2004
 This survey is made for the benefit of:
 The Home Depot U.S.A., Inc.,
 Store Number 8981
 Ohio Title Corporation N.E. Agency, Inc.
 First American Title Insurance Company
 Chardon De Bartolo, LLC
 a Delaware limited liability company

I, Joseph R. Cini, registered land surveyor, do hereby certify to the aforesaid parties, as of the date set forth above, that I have made a careful survey of a tract of land described as follows:

LEGAL DESCRIPTION
 OF
 TRACT 3
 11.1039 ACRE PARCEL OF LAND

Situated in the City of Chardon, County of Geauga, and State of Ohio, and known as being a part of Original Lot Numbers 147 and 153.

Beginning at a drill hole in stone monument found at the centerline intersection of Seventh Avenue, and Center Street, (S.R. 44), width varies;

Thence North 54° 26' 30" West along the center line of Center Street, a distance of 285.04 feet to a point therein, and the Principal Place of Beginning;

Thence South 35° 33' 19" West and passing over a one inch galvanized pin to be set in concrete on the southerly line of said Center Street, 40.00 feet therefrom, a total distance of 280.02 feet to a one inch galvanized pin to be set in concrete, at an angle point;

Thence South 54° 26' 41" East, a distance of 250.04 feet to a one inch galvanized pin to be set in concrete on the future westerly line of Meadowslands Drive Extension, 70 feet wide;

Thence South 35° 33' 19" West along the future westerly line of Meadowslands Drive, a distance of 148.03 feet to a one inch galvanized pin to be set in concrete, at a point of curvature;

Thence continuing along said westerly line of future Meadowslands Drive, and along the arc of a curve deflecting to the left, and having a radius of 835.00 feet, a central angle of 15° 03' 45", a tangent of 110.39 feet, a chord of 218.88 feet which bears South 28° 01' 27" West, a distance of 219.51 feet to a one inch galvanized pin to be set in concrete;

Thence North 66° 57' 42" West, a distance of 107.36 feet to a one inch galvanized pin to be set in concrete, at an angle point;

Thence South 36° 05' 22" West, a distance of 53.25 feet to a one inch galvanized pin to be set in concrete, at an angle point;

Thence North 53° 48' 20" West, a distance of 325.94 feet to a one inch galvanized pin to be set in concrete, at an angle point;

Thence South 36° 11' 40" West, a distance of 33.68 feet to a one inch galvanized pin to be set in concrete, at an angle point;

Thence North 53° 48' 20" West, a distance of 359.18 feet to a one inch galvanized pin to be set in concrete, on the easterly line of land now or formerly owned by Carter Jones Lumber Company, as recorded in Volume 975, Page 810 of Geauga County Deed Records;

Thence North 36° 11' 40" East along the easterly line of Carter Jones Lumber Company, and passing over a 5/8 inch iron pin found with cap, #6250 (Jay T. Dunlap), on the southerly line of aforementioned Center Street, (S.R. 44) width varies, 707.67 feet therefrom, a total distance of 747.67 feet to the center line of said Center Street;

Thence South 54° 26' 30" East along the center line of said Center Street, a distance of 503.69 feet to the Principal Place of Beginning, and containing 11.1039 acres of land, be the same more or less.

Deeds of Record -
 P.P. No. 10-108300 Chardon Debartolo, LLC. 2.5731 Ac. out of Vol. 1697, Page 0660
 P.P. No. 10-090500 Chardon Debartolo, LLC. 3.8730 Ac. out of Vol. 1697, Page 0656
 P.P. No. 10-047600 Chardon Debartolo, LLC. 4.6578 Ac. out of Vol. 1715, Page 634-638

I further certify that:

The accompanying survey was made on the ground and correctly shows the location of all buildings, structures and other improvements situated on the above premises; and that the property described herein is the same as the property described in First American Title Insurance Company Commitment No. C03-513, dated April 05, 2004 and that all easements, covenants and restrictions referred to in said title commitment have been plotted hereon or otherwise noted as to their effect on the subject property; that there are no building encroachments on the subject property or upon adjacent land abutting said property unless shown hereon.

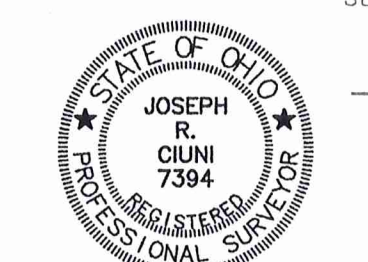
This map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for Alta/Acsm Land Title Surveys", jointly established and adopted by Alta, Acsm, and NSPS in 1999 and meet the accuracy requirements of an urban class survey, as defined therein, and including items 1-16 in Table A contained therein.

Said described property is located within an area having a Zone Designation C (area of minimal flooding) by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map with a date of identification of January 04, 1985, for the Village of Chardon Community No. 390191.0005 C, in Geauga County, State of Ohio, which is current flood insurance rate map for the community in which said premises is situated.

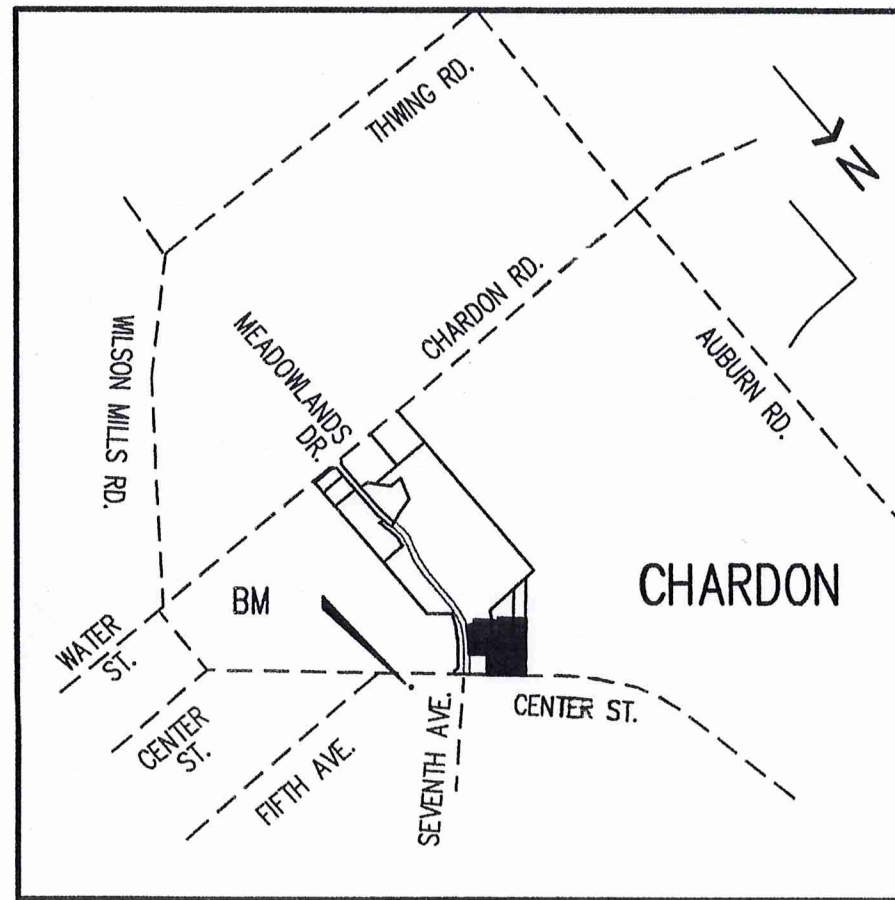
All setback, side yard and rear yard lines shown on the recorded plat or set forth in the applicable zoning ordinances are shown on the survey.

The property has direct access to a dedicated public street or highway.

Joseph R. Cini, R.L.S. #7394
 Attyche Cini Lynn Associates
 8/18/04 date



SURVEY PLAT & LEGAL DESCRIPTION
 APPROVED PER R.C. 315.251
 P.A.K. 9/21/04
 OFFICE OF THE REGISTRAR
 GEAGA COUNTY ENGINEER



SCALE IN FEET
 JUNE 27, 2003
 REVISED OCTOBER 21, 2003
 REVISED MARCH 30, 2004
 REVISED APRIL 13, 2004
 REV. MAY 07, 2004
 REV. JULY 12, 2004
 REV. JULY 23, 2004
 REV. AUGUST 19, 2004

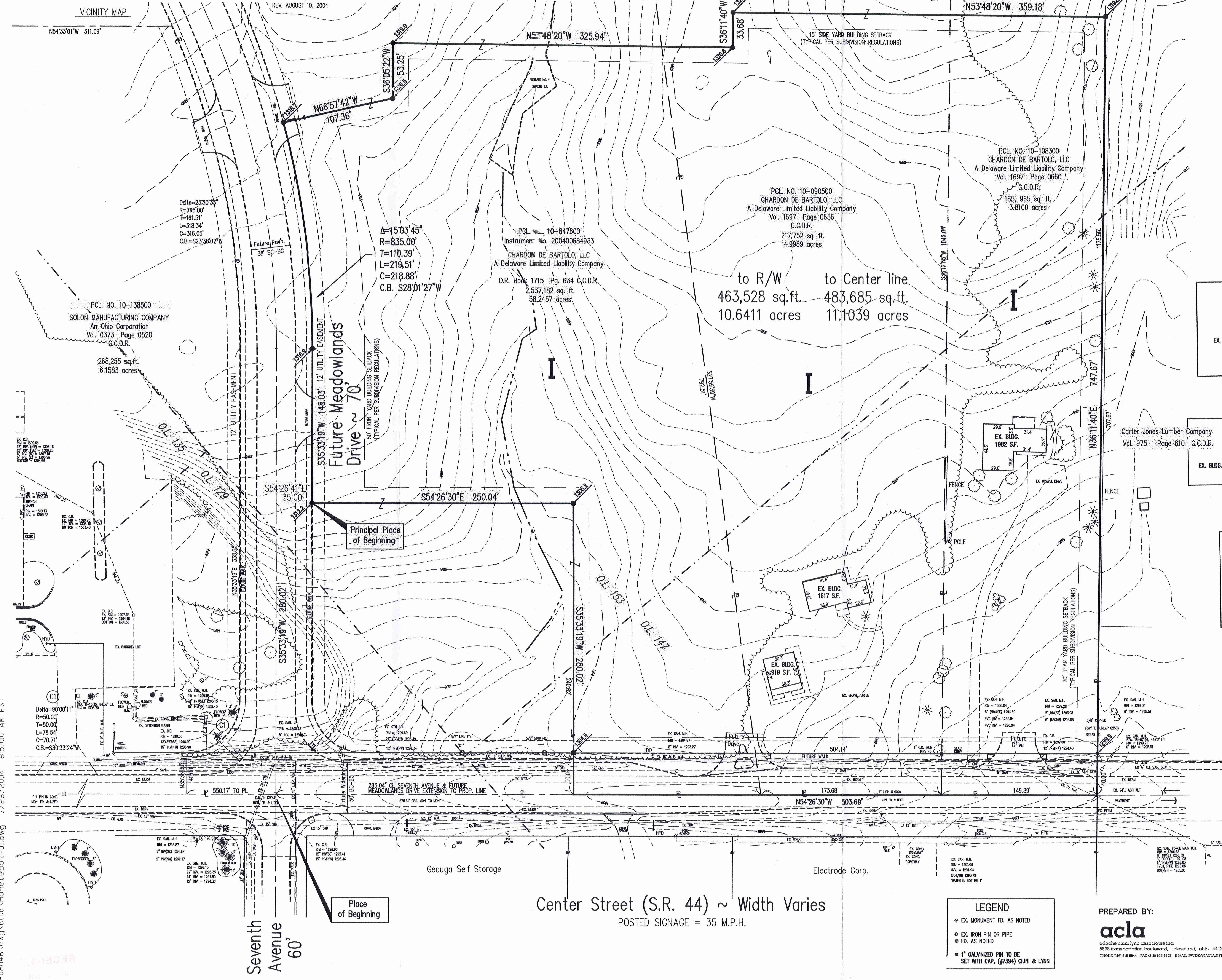
BENCHMARK NO. 1 :
 TOP OF BOLT ON FIRST HYDRANT NORTH OF FIFTH AVENUE ON EAST SIDE OF CENTER STREET IN FRONT OF HEINEN'S SUPERMARKET STORE.
 ELEVATION : 1288.92

BENCHMARK NO. 2 :
 "M" IN MUELLER ON HYDRANT 700 FEET ± NORTH OF WATER TOWER.
 ELEVATION : 1326.13

BASIS OF BEARING
 MINOR SUBDIVISION PREPARED BY FORESIGHT ENGINEERING GROUP, ENGINEERS & SURVEYORS, 320 CENTER STREET, UNIT F, CHARDON, OHIO, 44024. TEL (440) 286-1010, FAX (440) 286-1034, AS DATED AUGUST 23, 2001, AND RECORDED IN PLAT VOLUME 34, PAGE 114 OF GEAGA COUNTY RECORDS.

SUMMARY		
Existing Parcel	Existing Acreage to center line	Area to be Obtained to R/W
P.P. No. 10-047600	58.2457 acres	2.5731 acres
P.P. No. 10-090500	4.9989 acres	3.8730 acres
P.P. No. 10-0108300	3.8100 acres	4.6578 acres
Home Depot Parcel - Total Acreage		11.1039 acres

STATE PLANE REFERENCE
 C.R.G.S. MON. N 697070.4656 E 2325280.1493
 MB 1069
 C.R.G.S. MON. N 698094.2272 E 2335539.9057
 MB 3098
 STATE PLANE LOCAL 16°58'28"



G:\202046.dwg to \to\HomeDepot-01.dwg 7/26/2004 8:51:00 AM EST

Center Street (S.R. 44) ~ Width Varies
 POSTED SIGNAGE = 35 M.P.H.

- LEGEND
- EX. MONUMENT FD. AS NOTED
 - EX. IRON PIN OR PIPE
 - FD. AS NOTED
 - 1" GALVANIZED PIN TO BE SET WITH CAP, (#7394) CINI & LYNN

PREPARED BY:
acla
 attyche cini lynn associates inc.
 5595 transportation boulevard, cleveland, ohio 44125
 PHONE (216) 518-0644 FAX (216) 518-0545 EMAIL: PLYNN@ACLA.NET

CHC00027

Home depot
Pick up date
9/8/04

**LEGAL DESCRIPTION
OF
TRACT 3
11.1039 ACRE PARCEL OF LAND**

Situated in the City of Chardon, County of Geauga, and State of Ohio, and known as being a part of Original Lot Numbers 147 and 153.

Beginning at a drill hole in stone monument found at the centerline intersection of Seventh Avenue, and Center Street, (S.R. 44), width varies;

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2005 8 30 PM
GEAUGA COUNTY
ENGINEERS

Legal Description
11.1039 Acre Parcel
Page 2

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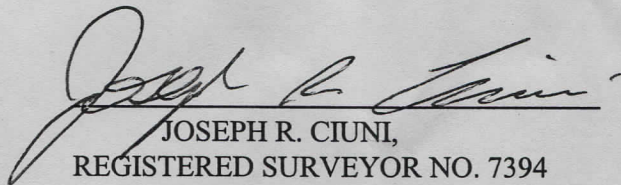
Thence South 54° 26' 30" East along the center line of said Center Street, a distance of 503.69 feet to the Principal Place of Beginning, and containing 11.1039 acres of land, be the same more or less, but subject to all legal highways and easements of record.

Basis of Bearing is taken from Minor Subdivision Plat as recorded in Volume 34, Page 114 of Geauga County Map Records.

Deeds of Record -

- P.P. No. 10-108300 Chardon Debartolo, LLC. 2.5731 Ac. out of Vol. 1697, Page 0660
- P.P. No. 10-090500 Chardon Debartolo, LLC. 3.8730 Ac. out of Vol. 1697, Page 0656
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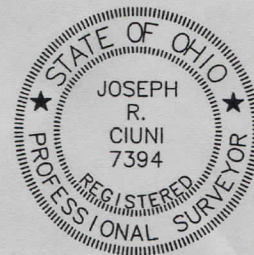
Prepared by:
Adache Ciuni Lynn Associates, Inc.
Project No.: 202046-2
February 3, 2004
Revised June 25, 2004
Revised July 12, 2004
Revised July 26, 2004
Revised August 18, 2004


JOSEPH R. CIUNI,
REGISTERED SURVEYOR NO. 7394

8/18/04
DATE

SURVEY PLAT & LEGAL DESCRIPTION
APPROVED PER R.C. 315.251

PAK 917104
OFFICE OF THE *Revised*
GEAUGA COUNTY ENGINEER



RECEIVED
SEP 08 2004
ENGINEERS
GEAUGA COUNTY