

ALTA/ACSM LAND TITLE SURVEY

For
**Ampler Development LLC,
 Xanate Properties I LLC,
 Ampler Burgers Ohio LLC,**
 and

**Fidelity National Title Insurance Company
 Of a 0.845 ACRE PROPERTY**

In the Name of
Ampler Development LLC
 a Delaware Limited Liability Company
 Located in Virginia Military Survey 5802
 City of London, Madison County, Ohio

ADDRESS 234 Lafayette Street, London, Ohio
OWNER: Ampler Development LLC.
AUDITOR'S PARCEL 31-01226.003, Madison County Auditor
DEED REFERENCE Official Records 376, Page 2373, Madison County Recorder
ACCESS TO THE PUBLIC ROAD, Lafayette Street, is provided indirectly by a common drive and parking lot through a *Reciprocal Easement and Operating Agreement* (Deed Book 291, Page 863) as noted in Item 3 and Item 15 of the Table BII Responses below.
BASIS OF BEARING N45°42'09"E along the centerline of Lafayette Street (U.S. 42 R/W varies - see MADISON-42-7.55 R/W PLANS) between Station 406+55.40 to Station 412+01.31, as established by GPS data corrected to State Plane Coordinates 3401 OHIO NORTH (NAD83(2011)).
ZONING The property is zoned B-1
SURVEYOR Casey Elliott, PS 7759, State of Ohio
 212 West High Street
 London, Ohio 43140
 (740)852-1300

TABLE BII Responses

- Encroachments -
 - The original 0.845 acre Property was created in Deed Book 292, Page 60. The Property description includes 0.035 acres within *Parcel 13/WV-2*, the 0.325 acre tract owned by the State of Ohio through D.B. 285, Page 291. The effective area of the Property is 0.810 acres.
 - The northwest parking lot and the southeast drive through lane extends onto the adjacent 15.851 acre property. This may be permitted under D.B. 291, Page 863 - **Reciprocal Easement & Operating Agreement** amended in O.R. 46, Page 22. (See Item 18)
 - The sanitary service line extends across the corner of the adjacent 15.851 acre property. This may be permitted under D.B. 291, Page 863 - **Reciprocal Easement & Operating Agreement** amended in O.R. 46, Page 22. (See Item 18)
- The original 0.845 acre Property was created in Deed Book 292, Page 60. The Property description includes 0.035 acres within *Parcel 13/WV-2*, the 0.325 acre tract owned by the State of Ohio through D.B. 285, Page 291. The effective area of the Property is 0.810 acres.
- D.B. 291, Page 856 - **Declaration of Building Restrictions - 'Parcel B'** is the Property described.
- D.B. 291, Page 863 - **Reciprocal Easement & Operating Agreement** - applies to the Property (Parcel B) and the adjacent 15.851 acre (Parcel A).
Amended in O.R. 46, Page 22
- D.B. 292, Page 63 - **Sanitary Sewer Easement** serves the Property over the adjacent 15.851 acre property and is shown on the Plat.
- D.B. 292, Page 931 - **Gas Line Easement** to provide service to the adjacent 15.851 acre property. Shown on the Plat along the southeast property line
- O.R. 288, Page 1327 - **Permanent Water Main Easement** - Easement granted for a new public water main. Shown on the plat along Lafayette Street.
- See Item 3.
- D.B. 252, Page 383 - created a 14.4756 acre property with a **Drainage Easement and a Sewer Easement** to service the property. The 0.845 acre was split from the 14.4756 acre property and benefits from the easements by D.B. 291, Page 863.
- D.B. 253, Page 120 - **Easement to Ohio Edison Co.** granted by D.G.M. Development Co. - Does not apply to the Property.
- D.B. 256, Page 723 - **Sanitary Sewer Easement** to the City of London - does not affect the surveyed property.
- D.B. 257, Page 29 - does not apply to the Property
- D.B. 291, Page 174 - does not apply to the Property
- D.B. 291, Page 185 - **Water Main Easement** - does not apply to the Property
- D.B. 291, Page 850 - **Water Main Easement** - does not apply to the Property
- See Item 17.
- See Item 18.

CERTIFICATION I certify that this plat and description meets the MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN OHIO, as described in Chapter 4733-37 of the Ohio Administrative Code. This plat and the description were developed from an actual field survey performed in November 2020.

The property description prepared with this drawing is the same land as described in the current deed (Official Records 103, Page 1475, Madison County Recorder's Office)

To **Ampler Development LLC, Ampler Burgers Ohio LLC, Xanate Properties I LLC,** and **Fidelity National Title Insurance Company;** this is to certify that this plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for **ALTA/NSPS Land Title Surveys** as adopted by ALTA and NSPS.



Casey C. Elliott
 Casey C. Elliott, PS 7759, State of Ohio
 22148

10/25/2022
 Date

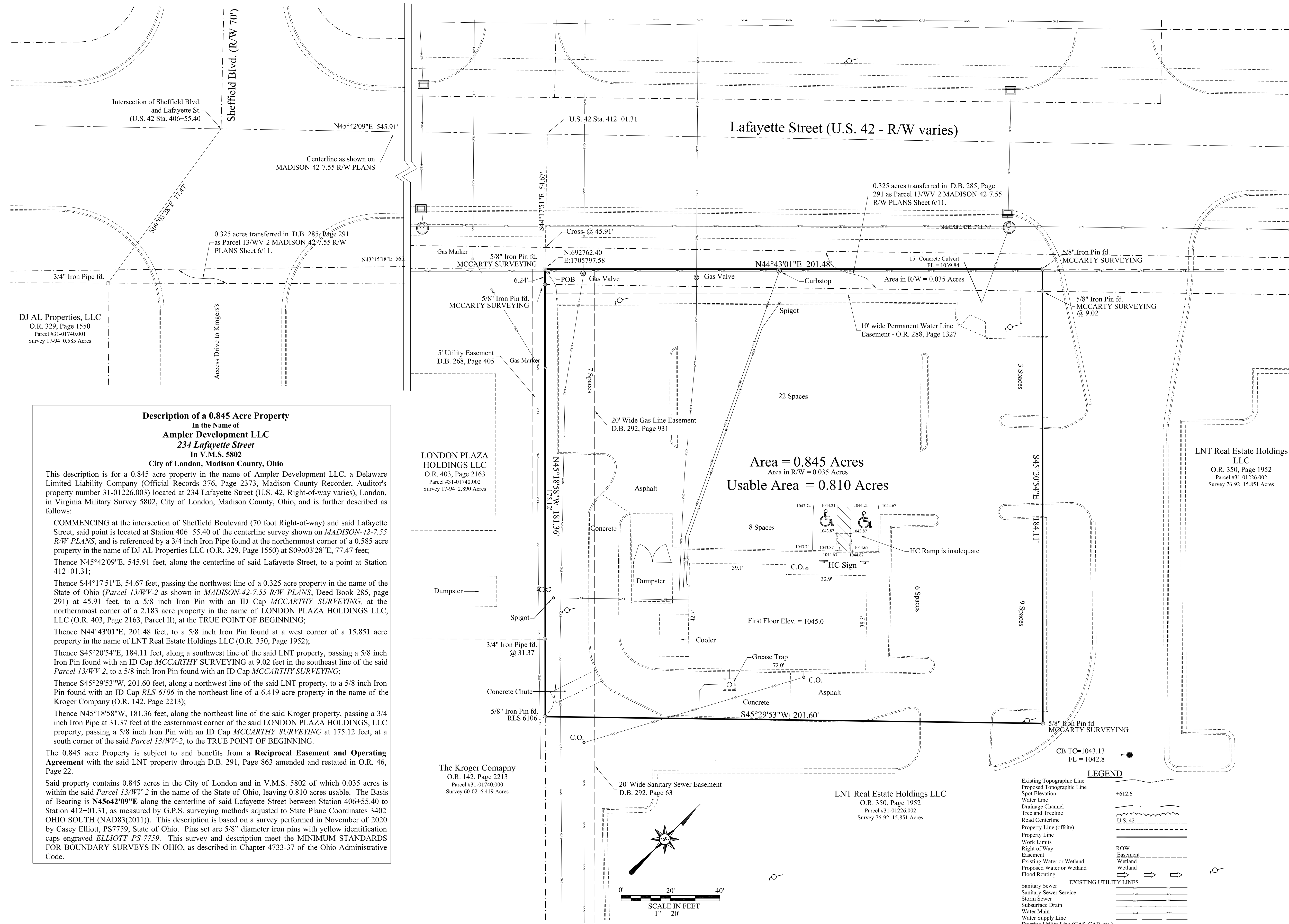


EXHIBIT A

Description of a 0.845 Acre Property

In the Name of

Ampler Development LLC

234 Lafayette Street

In V.M.S. 5802

City of London, Madison County, Ohio

This description is for a 0.845 acre property in the name of Ampler Development LLC, a Delaware Limited Liability Company (Official Records 376, Page 2373, Madison County Recorder, Auditor's property number 31-01226.003) located at 234 Lafayette Street (U.S. 42, Right-of-way varies), London, in Virginia Military Survey 5802, City of London, Madison County, Ohio, and is further described as follows:

COMMENCING at the intersection of Sheffield Boulevard (70 foot Right-of-way) and said Lafayette Street, said point is located at Station 406+55.40 of the centerline survey shown on *MADISON-42-7.55 R/W PLANS*, and is referenced by a 3/4 inch Iron Pipe found at the northernmost corner of a 0.585 acre property in the name of DJ AL Properties LLC (O.R. 329, Page 1550) at S09°03'28"E, 77.47 feet;

Thence N45°42'09"E, 545.91 feet, along the centerline of said Lafayette Street, to a point at Station 412+01.31;

Thence S44°17'51"E, 54.67 feet, passing the northwest line of a 0.325 acre property in the name of the State of Ohio (*Parcel 13/WV-2* as shown in *MADISON-42-7.55 R/W PLANS*, Deed Book 285, page 291) at 45.91 feet, to a 5/8 inch Iron Pin with an ID Cap *MCCARTHY SURVEYING*, at the northernmost corner of a 2.183 acre property in the name of LONDON PLAZA HOLDINGS LLC, LLC (O.R. 403, Page 2163, Parcel II), at the TRUE POINT OF BEGINNING;

Thence N44°43'01"E, 201.48 feet, to a 5/8 inch Iron Pin found at a west corner of a 15.851 acre property in the name of LNT Real Estate Holdings LLC (O.R. 350, Page 1952);


Thence S45°20'54"E, 184.11 feet, along a southwest line of the said LNT property, passing a 5/8 inch Iron Pin found with an ID Cap *MCCARTHY SURVEYING* at 9.02 feet in the southeast line of the said *Parcel 13/WV-2*, to a 5/8 inch Iron Pin found with an ID Cap *MCCARTHY SURVEYING*;

Thence S45°29'53"W, 201.60 feet, along a northwest line of the said LNT property, to a 5/8 inch Iron Pin found with an ID Cap *RLS 6106* in the northeast line of a 6.419 acre property in the name of the Kroger Company (O.R. 142, Page 2213);

Thence N45°18'58"W, 181.36 feet, along the northeast line of the said Kroger property, passing a 3/4 inch Iron Pipe at 31.37 feet at the easternmost corner of the said LONDON PLAZA HOLDINGS, LLC property, passing a 5/8 inch Iron Pin with an ID Cap *MCCARTHY SURVEYING* at 175.12 feet, at a south corner of the said *Parcel 13/WV-2*, to the TRUE POINT OF BEGINNING.

The 0.845 acre Property is subject to and benefits from a **Reciprocal Easement and Operating Agreement** with the said LNT property through D.B. 291, Page 863 amended and restated in O.R. 46, Page 22.

Said property contains 0.845 acres in the City of London and in V.M.S. 5802 of which 0.035 acres is within the said *Parcel 13/WV-2* in the name of the State of Ohio, leaving 0.810 acres usable. The Basis of Bearing is **N45°42'09"E** along the centerline of said Lafayette Street between Station 406+55.40 to Station 412+01.31, as measured by G.P.S. surveying methods adjusted to State Plane Coordinates 3402 OHIO SOUTH (NAD83(2011)). This description is based on a survey performed in November of 2020 by Casey Elliott, PS7759, State of Ohio. Pins set are 5/8" diameter iron pins with yellow identification caps engraved *ELLIOTT PS-7759*. This survey and description meet the MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN OHIO, as described in Chapter 4733-37 of the Ohio Administrative Code.


Casey C. Elliott, PS 7759

10/25/2022

Date