

SURVEYOR'S CERTIFICATION

TO: WAL-MART REAL ESTATE BUSINESS TRUST, WAL-MART STORES, INC., WAL-MART STORES EAST, LP, WAL-MART STORES EAST, INC., FIDELITY NATIONAL TITLE INSURANCE COMPANY, CHICAGO TITLE INSURANCE COMPANY, STEWART TITLE GUARANTY COMPANY, MURPHY OIL USA, INC.

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, 6, 8, 9, 10, 11A, 13, 19A, 19B, 19C, AND 19D 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.

DAVID N. YOUNG, PLS S-8179

DATE

LAND DESCRIPTION (AS PER TITLE)

SITUATED IN THE TOWNSHIP OF MADISON, COUNTY OF LAKE, STATE OF OHIO AND KNOWN AS BEING PART OF ORIGINAL MADISON TOWNSHIP LOT NO. 10, TRACT 3; ALSO, BEING ALL OF THE LAND CONVEYED TO WAL-MART STORES EAST LP AS RECORDED IN INSTRUMENT NO. 2006R003294, PPN# 01-B-112-0-00-022-0, OF THE LAKE COUNTY LAND RECORDS, BEING MORE DEFINITELY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1" IRON PIN IN A MONUMENT BOX AT THE INTERSECTION OF THE ORIGINAL CENTER LINE OF NORTH RIDGE ROAD (U.S. ROUTE 20) AND THE CENTERLINE OF GREEN ROAD;

THENCE WITH THE SAID CENTERLINE OF NORTH RIDGE ROAD NORTH 64 DEGREES 40 MINUTES 33 SECONDS EAST A DISTANCE OF 779.76 FEET TO A PK NAIL SET, SAID PK NAIL SET BEING **THE TRUE POINT OF BEGINNING** OF THIS TRACT;

THENCE LEAVING SAID CENTERLINE WITH THE EAST LINE OF THE FORUM SHOPS MADISON LLC PROPERTY RECORDED IN INSTRUMENT NUMBER 2006R003364 & 2006R003292, BEING PPN# 01-B-112-0-00-021-0, NORTH 21 DEGREES 07 MINUTES 12 SECONDS WEST A DISTANCE OF 386.77 FEET TO A 5/8" IRON PIN FOUND (ID: 8179) TOTAL AND (PASSING THROUGH AN 5/8" IRON PIN FOUND NO ID AT 42.76 FEET NORTHERLY OF SAID ORIGINAL CENTERLINE) IN THE SOUTH LINE OF WAL-MART REAL ESTATE BUSINESS TRUST PROPERTY OF RECORD IN INSTRUMENT NO. 2006R021972 & 2006R003297, BEING PPN# 01-B-112-0-00-019-0, SAID PIN ALSO BEING THE NORTHEAST CORNER OF SAID FORUM SHOPS PROPERTY;

THENCE LEAVING SAID FORUM SHOPS PROPERTY WITH SAID WAL-MART PROPERTY AS FOLLOWS:

NORTH 88 DEGREES 36 MINUTES 51 SECONDS EAST A DISTANCE OF 88.21 FEET TO A 5/8" IRON PIN FOUND SOUTH 0.06' AND EAST 0.24' OFFLINE (ID: K&S);

THENCE NORTH 64 DEGREES 48 MINUTES 04 SECONDS EAST A DISTANCE OF 82.75 FEET TO A 5/8" IRON PIN FOUND (ID: 8179);

THENCE SOUTH 21 DEGREES 07 MINUTES 12 SECONDS EAST A DISTANCE OF 265.36 FEET TO A 5/8" IRON PIN FOUND (ID: 8179);

THENCE SOUTH 68 DEGREES 52 MINUTES 48 SECONDS WEST A DISTANCE OF 21.00 FEET TO A 5/8" IRON PIN FOUND (ID: 8179);

THENCE SOUTH 21 DEGREES 07 MINUTES 12 SECONDS EAST A DISTANCE OF 86.88 FEET TO A PK NAIL SET IN THE SAID ORIGINAL CENTERLINE OF SAID NORTHRIDGE ROAD AND PASSING THROUGH AN IRON PIN SET AT 36.79 FEET NORTHERLY OF SAID ORIGINAL CENTERLINE;

THENCE LEAVING SAID WAL-MART PROPERTY WITH SAID ORIGINAL CENTERLINE OF NORTH RIDGE ROAD SOUTH 64 DEGREES 40 MINUTES 33 SECONDS WEST A DISTANCE OF 144.96 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING AN AREA OF 57,769 SF, OR 1.326 ACRES (INCLUDING R/W AREA FOR US ROUTE 20). OR 1.193 ACRES OR 51,975 SF. EXCLUSIVE OF RIGHT OF WAY.

ACCORDING TO A SURVEY BY DAVID N. YOUNG, PLS S-8179 OF YOUNG, HOBBS, AND ASSOCIATES, 1202 CROSSLAND AVENUE, CLARKSVILLE, TN 37040, DATED 3/12/2009.

BASIS OF BEARINGS FOR THIS SURVEY NORTH LINE OF THE WAL-MART PROPERTY BEING N 77°08'37" E AS PER INSTRUMENT NO. 2006R003297.

UNLESS STATED OTHERWISE, ANY MONUMENT REFERRED TO HEREIN AS AN "IRON PIN SET" IS A SET 5/8" DIAMETER, REBAR 30" IN LENGTH, WITH A RED PLASTIC CAP STAMPED "D.N. YOUNG S-8179".

SCHEDULE B-II (EXCEPTIONS)

STEWART TITLE GUARANTY COMPANY
COMMITMENT NO. 83365
EFFECTIVE DATE OF MARCH 4, 2008 AT 7:29 A.M.

6. THE WARRANTY DEED FROM JOSEPH R. GREEN AND LINDA GREEN, HIS WIFE, AND W. LOWELL GREEN, A SINGLE MAN, TO WAL-MART STORES, EAST, L.P., RECORDED AS LAKE COUNTY RECORDER'S NO. 20058009987, CONVEYING PREMISES DESCRIBED IN ITEM 4 OF SCHEDULE A IS SUBJECT TO THE FOLLOWING RESTRICTIONS:

"A DEED RESTRICTION ESTABLISHED BY THIS DEED FOR PERPETUAL WETLAND RESOURCE PRESERVATION WHICH COVERS ONLY THE AREA SHOWN IN THE ATTACHED SITE PLAN AS EXHIBIT "C", ACCORDING TO THE REQUIREMENTS OF THE OHIO ENVIRONMENTAL PROTECTION AGENCY (EPA) ID NO. 042169 (THE "DEED RESTRICTED AREA"). THE DEED RESTRICTED AREA IS NOT TO BE ADVERSELY IMPACTED. THERE SHALL BE NO DISTURBANCE OR ENCROACHMENT OF ANY SORT WITHIN THE DEED RESTRICTED AREA WITHOUT WRITTEN PERMISSION FROM OHIO EPA AND/OR U.S. ARMY CORPS OF ENGINEERS (USAGE). THERE SHALL BE NO CONSTRUCTION OR PLACING OF BUILDINGS, CAMPING ACCOMMODATIONS OR MOBILE HOMES, FENCES, SIGNS, BILLBOARDS OR OTHER ADVERTISING MATERIAL, OR OTHER STRUCTURES WITHIN THE LIMITS OF THE DEED RESTRICTED AREA. THERE SHALL BE NO FILLING, EXCAVATING, DREDGING, MINING OR DRILLING, REMOVAL OF TOPSOIL, SAND, GRAVEL, ROCK, MINERALS OR OTHER MATERIALS, REMOVAL OR CUTTING OF VEGETATION, NOR ANY BUILDING OF ROADS OR CHANGE IN THE TOPOGRAPHY OF THE LAND IN ANY MANNER EXCEPT AS MAY BE REQUIRED FOR SAFETY OF PERSONS OR BUILDINGS OR IN THE MAINTENANCE OF FOOT TRAILS WITHIN THE DEED RESTRICTED AREA WITHOUT FIRST OBTAINING OHIO EPA AND/OR USAGE AUTHORIZATION. USE OF ALL TERRAIN VEHICLES (ATV) SHALL BE PROHIBITED IN THIS DEED RESTRICTED AREA". (DOES NOT AFFECT)

7. EASEMENT AGREEMENT FOR ROADWAY MAINTENANCE AND PUBLIC UTILITIES FROM WAL-MART STORES EAST, LP, A DELAWARE LIMITED PARTNERSHIP TO BOARD OF LAKE COUNTY COMMISSIONERS DATED SEPTEMBER 13, 2005, FILED FOR RECORD SEPTEMBER 21, 2005 AND RECORDED AS LAKE COUNTY RECORDER'S NO. 2005R041073. (DOES NOT AFFECT)

8. STORM WATER DRAINAGE, TELEPHONE, ELECTRIC AND WATER UTILITY EASEMENT BY AND BETWEEN WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST AND MURPHY OIL USA, INC. DATED MARCH 20, 2006, FILED FOR RECORD APRIL 5, 2006 AND RECORDED AS LAKE COUNTY RECORDER'S NO. 2006R013060. (AFFECT, SHOWN HEREON)

9. SIGN EASEMENT BY AND BETWEEN FORUM SHOPS MADISON, LLC, A GEORGIA CORPORATION, AND WAL-MART REAL ESTATE BUSINESS TRUST, DATED SEPTEMBER 8, 2006, FILED FOR RECORD SEPTEMBER 20, 2006 AND RECORDED AS LAKE COUNTY RECORDER'S NO. 2006R03826. (DOES NOT AFFECT)

10. ACCESS EASEMENT BY AND BETWEEN WAL-MART REAL ESTATE BUSINESS TRUST AND FORUM SHOPS MADISON, LLC, A GEORGIA LIMITED LIABILITY COMPANY, DATED SEPTEMBER 8, 2006, FILED FOR RECORD SEPTEMBER 20, 2006 AND RECORDED AS LAKE COUNTY RECORDER'S NO. 200611038727. (DOES NOT AFFECT)

11. THE 2006 TREASURER'S TAX DUPLICATE SHOWS:
2006 TAXES FOR THE FIRST HALF OF THE YEAR ARE PAID IN THE AMOUNT OF \$1,347.23.
2006 TAXES FOR THE LAST HALF OF THE YEAR ARE A LIEN NOT YET DUE AND PAYABLE IN THE AMOUNT OF \$1,347.23. 2007 TAXES FOR THE YEAR ARE A LIEN, NOT YET DUE AND PAYABLE.

LISTED IN THE NAME OF: WAL-MART STORES EAST LP
PERMANENT PARCEL NO. 01-B-112-0-00-022-0

SAID PREMISES ARE SUBJECT TO SPECIAL ASSESSMENTS, IF ANY, PAYABLE WITH THE ABOVE TAXES AND TO ANY TAX ADDITIONS HEREAFTER ENTERED ON THE TREASURER'S TAX DUPLICATE.

ADDITIONS OR ABATEMENTS WHICH MAY HEREAFTER BE MADE BY LEGALLY CONSTITUTED AUTHORITIES ON ACCOUNT OF ERRORS, OMISSIONS OR CHANGES IN THE VALUATION.

(NOT SURVEYING RELATED)

12. ANYTHING HEREIN NOT WITHSTANDING; THIS POLICY DOES NOT INSURE THE AMOUNT OR QUANTITY OF ACREAGE. (SHOWN ON SURVEY)

SURVEY NOTES:

INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES IS SHOWN HEREON. THIS INFORMATION HAS BEEN SHOWN BASED ON THE LOCATION ABOVE GROUND APPURTENANCES, AVAILABLE DESIGN PLANS, AND FLAGS AND PAINT PLACED BY THE UNDERGROUND PROTECTION SERVICE. NO CERTIFICATION IS MADE AS TO THE ACCURACY OF THOROUGHNESS OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON. (OUPS 1-800-362-2764).

CONTACT PROPER AUTHORITIES BEFORE BUILDING NEAR UTILITY LINES, FOR EASEMENT WIDTH AND RESTRICTIONS. UTILITIES ARE APPROXIMATE AND SHOULD BE VERIFIED PRIOR TO ANY CONSTRUCTION.

I HEREBY CERTIFY TO MURPHY OIL USA INC., AND WAL-MART STORE INC., THAT THIS SURVEY HAS BEEN MADE USING THE RECORDED INFORMATION SHOWN, AND THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS LOT IS SUBJECT TO ANY RELATED RECORDED MATTERS AND THE FINDINGS OF AN ACCURATE TITLE SEARCH.

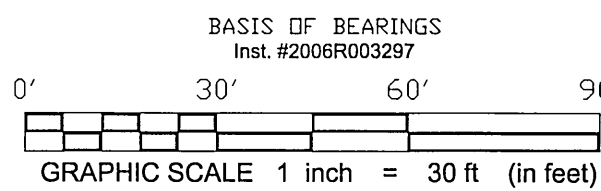
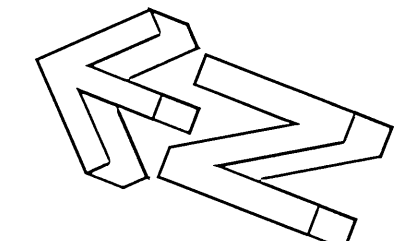
UNLESS STATED OTHERWISE, ANY MONUMENT REFERRED TO HEREIN AS AN "IRON PIN SET" IS A SET 5/8" DIAMETER, REBAR 30" IN LENGTH, WITH A RED PLASTIC CAP STAMPED "D.N. YOUNG S-8179".

THIS PROPERTY IS DETERMINED TO IN "ZONE C", AS SHOWN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP FOR THE PANEL NUMBER 390771 00013 C, EFFECTIVE DATE: JANUARY 2, 1981.

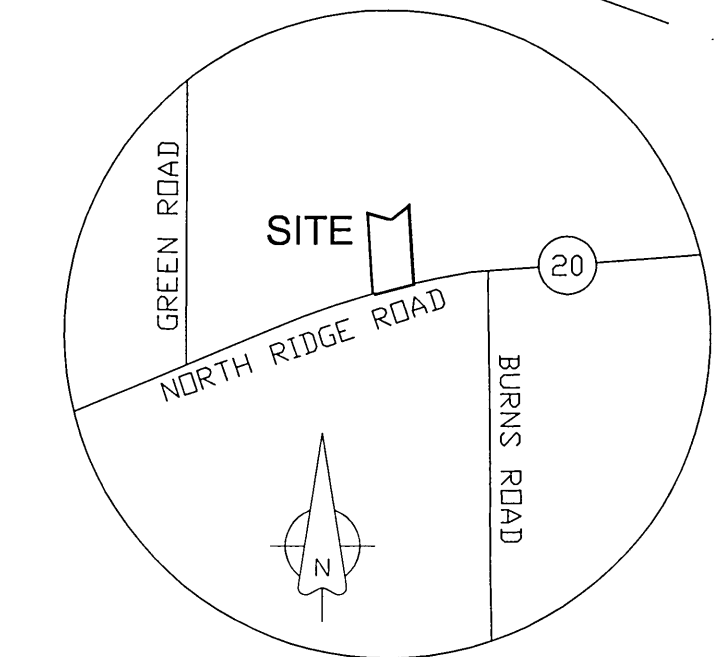
I DO HEREBY STATE THAT THIS IS A TRUE, COMPLETE AND CORRECT SURVEY OF THE DESCRIBED REAL PROPERTY SITUATED IN LAKE COUNTY, OHIO AND THAT THE MINIMUM LATITUDE AND DEPARTURE CLOSURE ERROR OF 1:20,000 HAS BEEN COMPLIED WITH.

LIST OF ENCROACHMENTS: NONE, THE OWNERSHIP OF CURB, UTILITIES, FENCES, AND/OR PERIMETER WALLS SHOWN HEREON ARE NOT KNOWN AND THUS ARE NOT LISTED AS ENCROACHMENTS. CURB, UTILITIES, FENCES, AND/OR PERIMETER WALLS ARE SHOWN IN THEIR RELATIVE POSITION TO THE BOUNDARY.

AT THE TIME OF THIS SURVEY, I NOTICED OBSERVABLE EVIDENCE OF THE FOLLOWING UTILITIES: ELECTRIC, TELEPHONE, WATER, AND SEWER.



3/8" IRON PIN FOUND
ID: K&S (HELD)



LOCATION MAP NTS

MURPHY PARKING	
REGULAR	H/C
2	1
TOTAL	3

ZONING DATA

DISTRICT: B-2 (GENERAL BUSINESS)

BUILDING SETBACK REQUIREMENTS

FRONT: 75'

SIDE: 20'

REAR: 10'

ZONING DATA OBTAINED FROM: CITY OF MADISON.

LEGEND

POC	POINT OF COMMENCEMENT	PROPERTY LINE
POB	POINT OF BEGINNING	EASEMENT LINE
ST	STORM SEWER PIPE, AS NOTED	SETBACK LINES
IE	INVERT ELEVATION	SS SS SANITARY SEWER, AS NOTED
○	IRON PIN SET (IPS)	W W WATER LINE, AS NOTED
⊕	P. K. NAIL SET (PKS)	STORM SEWER PIPE, AS NOTED
⊕	BENCHMARK, AS NOTED	G G GAS LINE, AS NOTED
⊕	FIRE HYDRANT	2" FOC FIBER OPTIC CABLE
⊕	WATER VALVE	x x x FENCE
⊕	WATER METER	DHW DHW OVERHEAD WIRE
⊕	CURB INLET	UGT UGT UNDERGROUND TELEPHONE
⊕	SPOT ELEVATION	UGE UGE UNDERGROUND ELECTRIC
⊕	SIGN, AS NOTED	⊕ SANITARY SEWER MANHOLE
⊕	GAS VALVE	
⊕	TREE	
⊕	LIGHT POLE	
⊕	LIGHT POLE(2-WAY)	

