



***SMART* ENGINEERING & SURVEYING, INC.**

210 NORTHTOWNE COURT * NEWARK, OHIO 43055 * PHONE: (740) 345-4700 * FAX: (740) 522-4706

LEGAL DESCRIPTION OF A 178.083 ACRE PARCEL FOR COUNTRYME, INC.

April 15, 1999

Page 1 of 2
30595S

Situated in the State of Ohio, County of Muskingum, being a part of the East Half of Section 21, Township-3, Range-9, in Jackson Township, and being the Southwest Quarter of Lot 16, Township 3, Range 8, in Jackson Township, and being a part of the Southeast Quarter of Lot 16, Township 3, Range 8, in Cass Township, and being a part of the Northwest Quarter of Lot 25, Township 3, Range 8, in Jackson Township, United States Military Lands, and being the property conveyed to John H. McCann and Leona G. McCann by Deed Volume 548, Page 394, Deed Volume 558, Page 707, Deed Volume 558, Page 709, and Deed Volume 1107, Page 514, of the Muskingum County Recorder's Office;

Beginning at a stone found in the easterly line of Section 21 and the westerly line of Lot 16, said stone marks the southeast corner of the property conveyed to Paul E. and Nancy L. Crozier by Deed Volume 1114, Page 446;

Thence along said east line of Section 21, South 00 degrees 16 minutes 32 seconds West, 898.92 feet to an iron pin set marking the northwest corner of the southwest quarter of said Lot 16 and the southwesterly corner of the property conveyed to John F. Shaw, Jr. by Deed Volume 451, Page 409;

Thence along the northerly line of the southwest quarter of said Lot 16 and the southerly line of said "Shaw" property, South 88 degrees 58 minutes 40 seconds East, 1321.15 feet to an iron pin set at the northeast corner of the southwest quarter of said Lot 16, said point being in the easterly line of Jackson Township and in the westerly line of Cass Township;

Thence along the northerly line of the southeast quarter of said Lot 16 and southerly line of the property conveyed to John F. Shaw, Jr. by Deed Volume 732, Page 148, South 89 degrees 26 minutes 36 seconds East, 694.34 feet to a point in the centerline of Township Road 312 (Dutch School Road), passing an iron pin set at 669.34 feet;

Thence along the centerline of Township Road 312 the following five (5) courses:

- South 00 degrees 56 minutes 25 seconds West, 240.15 feet to a point;
- South 02 degrees 57 minutes 02 seconds West, 669.70 feet to a point;
- South 05 degrees 00 minutes 51 seconds West, 186.03 feet to a point;
- South 13 degrees 43 minutes 56 seconds West, 95.52 feet to a point;
- South 19 degrees 49 minutes 27 seconds West, 139.39 feet to a point in the southerly line of said Lot 16;

Thence along the southerly line of said Lot 16 and the northerly line of the property conveyed to John Max Frazier Testamentary trust, North 89 degrees 54 minutes 04 seconds West, 1237.36 feet to a 3/4" pipe found, passing an iron pin set at 25.00 feet and a 3/4" pipe found at the southwest corner of the southeast quarter of Lot 16 at 577.23 feet;

Thence along the westerly line of said "Frazier" property, South 00 degrees 09 minutes 37 seconds West, 816.46 feet to an iron pin set;

ADDRESS N/A

**LEGAL DESCRIPTION
OF A 178.083 ACRE PARCEL
FOR COUNTRYTME, INC.**

April 15, 1999

Page 2 of 2.
30595S

Thence along a northerly line of said "Frazier" property, North 87 degrees 26 minutes 48 seconds West, 125.68 feet to a point in the centerline of Township Road 312 (Shannon Road), passing a 3/4" pipe found at 95.54 feet;

Thence along said Shannon Road the following four (4) courses:

North 21 degrees 40 minutes 23 seconds West, 171.34 feet to a point;
North 28 degrees 34 minutes 45 seconds West, 275.44 feet to a point;
North 38 degrees 40 minutes 24 seconds West, 269.27 feet to a point;
North 40 degrees 02 minutes 11 seconds West, 262.09 feet to a point in the easterly line of Section 21 and at the southwest corner of Lot 16, passing a railroad spike found at 99.56 feet;

Thence along said easterly line of Section 21, North 00 degrees 16 minutes 32 seconds East, 40.47 feet to an iron pin set at the southerly corner of the property conveyed to the Muskingum County Commissioners by Deed Volume 223, Page 82;

Thence along the westerly line of said Muskingum Co. Comm. property, North 35 degrees 11 minutes 29 seconds West, 505.00 feet to a 1/2" rebar found;

Thence along the northerly line of said Muskingum Co. Comm. property and the property conveyed to Randy F. and Sandra E. Bollinger by Deed Volume 1129, Page 67, North 89 degrees 57 minutes 08 seconds West, 2370.53 feet to a 5/8" rebar found in the north-south mid line of Section 21, passing the centerline of said Shannon Road at 61.71 feet and a 3/4" pipe found at 80.04 feet;

Thence along the north-south mid line of Section 21, North 00 degrees 01 minutes 37 seconds West, 1782.16 feet to a point marking the northwest corner of said "McCann" property and the southwest corner of the property conveyed to Cindy A. & Lewis A. Linscott, Jr. by Deed Volume 1114, Page 443, passing through the centerline of said Shannon Road at 787.76 feet, passing a 5/8" rebar at 817.59 feet and passing a 1" angle iron at 1657.38 feet;

Thence along the northerly line of said "McCann" property, North 89 degrees 51 minutes 15 seconds East, 2673.01 feet to the True Point of Beginning, passing a 5/8" rebar found at 28.72 feet, containing 157.889 acres in Jackson Township and 20.194 acres in Cass Township, for a total of 178.083 acres, more or less. Subject to any and all easements, rights of way, conditions and restrictions of record, all legal highways, zoning ordinances, rules and regulations. The bearings shown above are based upon the northerly line of said "McCann" property as being North 89 degrees 51 minutes 15 seconds East. This description was prepared by Smart Engineering & Surveying, Inc. in April 1999, and is based upon actual field measurements.

OFFICE COPY

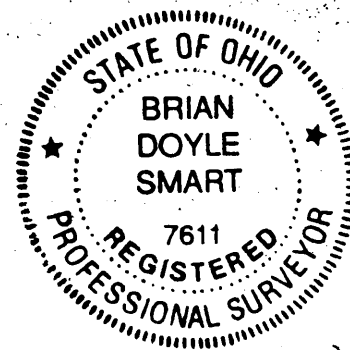
NOT RECORDABLE

BRIAN D. SMART
REG. SURVEYOR NO. 7611

10-30-61-06 PS

29-90-21-23

24 } combined to 23
25 }
27 }
32 }



DESCRIPTION APPROVED
FOR AUDITOR'S TRANSFER
BY MSD
5-24-99

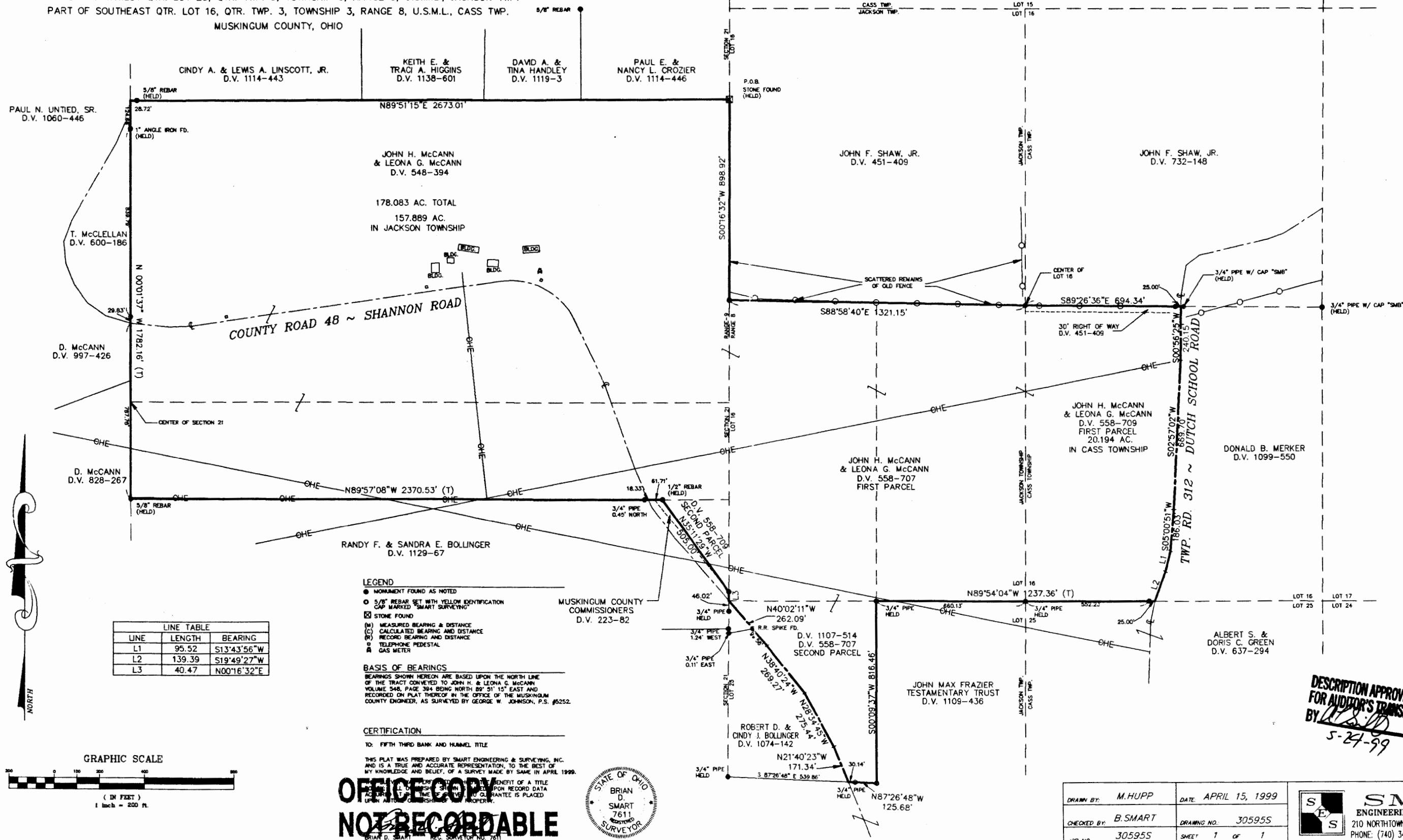
PLAT OF SURVEY

OF THE

JOHN H. AND LEONA G. McCANN PROPERTY

D.V. 548-394, D.V. 558-707, D.V. 558-709 AND D.V. 1107-514

PART OF THE EAST HALF OF SECTION 21, TOWNSHIP 3, RANGE 9, U.S.M.L., JACKSON TWP.
SOUTHWEST QTR. OF LOT 16, QTR. TWP. 3, TOWNSHIP 3, RANGE 8, U.S.M.L., JACKSON TWP.
PART OF NORTHWEST QTR. LOT 25, QTR. TWP. 3, TOWNSHIP 3, RANGE 8, U.S.M.L., JACKSON TWP.
PART OF SOUTHEAST QTR. LOT 16, QTR. TWP. 3, TOWNSHIP 3, RANGE 8, U.S.M.L., CASS TWP.
MUSKINGUM COUNTY, OHIO



PS

ADDRESS N/A

SHANNON ROAD

PROTECTIVE COVENANTS

LINE	LENGTH	BEARING
L2	95.52	S13°43'56"W
L4	40.47	N00°16'32"E
L5	125.68	N87°26'48"W
L8	47.68	N40°02'11"W
L17	63.86	S05°00'51"W
L18	85.39	S02°57'02"W
L20	14.76	N38°40'24"W
L21	38.40	N24°01'33"W
L22	48.26	N24°01'33"W
L23	102.53	N23°59'38"W
L24	101.00	N19°21'03"W
L29	95.54	N87°26'48"W

D.V. 548-394, D.V. 558-707, D.V. 558-709 AND D.V. 1107-514
 PART OF THE EAST HALF OF SECTION 21, TOWNSHIP 3, RANGE 9, U.S.M.L., JACKSON TWP.
 SOUTHWEST QTR. OF LOT 16, QTR. TWP. 3, TOWNSHIP 3, RANGE 8, U.S.M.L., JACKSON TWP.
 PART OF NORTHWEST QTR. LOT 25, QTR. TWP. 3, TOWNSHIP 3, RANGE 8, U.S.M.L., JACKSON TWP.
 PART OF SOUTHEAST QTR. LOT 16, QTR. TWP. 3, TOWNSHIP 3, RANGE 8, U.S.M.L., CASS TWP.
 MUSKINGUM COUNTY, OHIO

ACREAGE
 157.887 Acres JACKSON TWP.
 20.194 Acres CASS TWP.
 178.085 Acres TOTAL

JOHN F. SHAW, JR.
 D.V. 451-409

JOHN F. SHAW, JR.
 D.V. 732-148

COUNTRYTME GROVE CITY LTD.
 D.V. 1156 PAGE 154
 Par. # 21-90-25-32

30' RIGHT OF WAY
 D.V. 451-409
 LOT 27
 5.194 AC.

LOT 22
 9.933 AC.

LOT 28
 5.000 AC.
 Par. # 10-30-61-06

DONALD B. MERKER
 D.V. 1099-550

LOT 29
 5.000 AC.

LOT 30
 5.000 AC.

LOT 25
 9.123 AC.

JOHN MAX FRAZIER
 TESTAMENTARY TRUST
 D.V. 1109-436

ALBERT S. &
 DORIS C. GREEN
 D.V. 637-294

Approved For Transfer
 On Lot Sewage Proposed
 Date 8-2-99
 Michael J. Kirsch
 Zanesville-Muskingum County
 Health Department

GRAPHIC SCALE



(IN FEET)
 1 inch = 200 ft

DESCRIPTION APPROVED
 FOR AUDITOR'S TRANSFER
 BY 10/2/98

8-16-99
 178.085 ac. total

RESIDENTIAL USE:

- 1) All lots at Shannon Road to be used exclusively for single family, private residential, farming or religious purposes.
- 2) All dwellings shall be Site/Stick Built, HUD Doublewide Manufactured Home or Ohio Basic Building Code Industrialized Units.

Any dwelling constructed or placed on the premises shall meet the following conditions:

- a) Ranch style home containing at least 1,350 square feet of finished living area.
- b) Two story home containing at least 1,850 square feet of finished living area.
- c) All other style homes shall have at least 1,650 square feet of finished living area.
- d) Living areas are exclusive of porches, breezeways, basements, and garages.
- e) All dwellings shall have at least a two-car garage constructed of similar material and style as the dwelling.
- f) HUD Doublewide Manufactured Homes shall be less than four years old.

- 3) No garage or unfinished single family dwelling, travel-trailer, barn, tent, basement or other outbuilding shall at any time be occupied or used as a temporary or permanent residence.

- 4) Singlewide Manufactured homes shall not be placed on the property for any reason. Travel Trailers may be stored on the property only after a permanent residence is completed.

- 5) Construction of both the dwelling and garage must be completed within 12 months of beginning construction.

- 6) Driveways shall be well maintained with gravel or other suitable surface, and dust shall be controlled.

- 7) No nuisance or obnoxious condition shall be maintained on the property, including but not limited to junk, scrap, paper or debris of any kind or other unsightly condition. Property shall be kept reasonably trim and neat at all times. No lot shall be used or maintained as a dumping ground for rubbish or trash. Garbage, trash or other waste shall be kept in sanitary containers and all incinerators or other devices for the storage or disposal of such materials shall be kept in a clean and sanitary conditions. Automotive and farm equipment in inoperable condition shall be properly licensed and not exposed to public view.

CONSTRUCTION PERMITS:

- 1) Prior to any construction, each lot owner must obtain the following:
 - a) Sewage disposal and well permit from the County Health Department.
 - b) Building permit from the County Building Department.

ANIMALS:

- 1) With the exception of 4-H projects, no swine shall be permitted on any lot. Foul are permitted, but shall be limited to twelve (12) fowl per lot. Large domestic farm animals (including but not limited to horses, cattle, sheep, goats and llamas) are permitted, but shall be limited to one (1) per one (1) acre of fenced pasture. The pasture shall not be overgrazed, but shall be healthy and thick, and weeds shall be controlled. Noise and odors from any animal shall be controlled so that neither shall be offensive to adjoining neighbors.

- 2) Dogs, cats and other household pets shall not be raised, bred or maintained for commercial purposes.

BUSINESS / TRADE:

- 1) No noxious or offensive trade shall be carried on upon any lot. Professional and quasi-professional occupants may use a residence constructed on a lot as an auxiliary or secondary facility to an office established elsewhere. An occupant maintaining a personal or professional library, keeping personal business or professional records or accounts, or conducting personal business or professional telephone calls or correspondence, in or from a residence constructed on a lot is engaging in a use expressly declared customarily incidental to principal residential use and is not in violation of these restrictions.

EASEMENTS:

- 1) Subject to oil lease, crop lease, utility easements, road right-of-way easements, or drainage easements, if any, the buyer, his heirs and assigns, agrees to grant a drainage easement (at no monetary value or any other consideration) for the purpose of providing a certain drain outlet for storm water to any owner(s) of any lot of this development. Buyer shall comply with all requests from the County Health Department and County Engineer to ensure the health and welfare of each owner of any lot of this development. The buyer agrees to grant utility easements to serve any lot of this development.

- 2) Existing drainage tile waterways shall be maintained. Drainage tiles broken during construction shall be re-routed to allow drainage of adjacent properties.

DURATION AND AMENDMENTS:

- 1) Countrytyme reserves the right to subdivide or combine all or parts of any unsold lot without the consent of any other lot owner.
- 2) These restrictions shall be deemed to run with the land and shall continue in full force and effect for a period of thirty-five years from the date hereof, and shall be automatically renewed for successive thirty-five year periods.

ENFORCEMENT:

- 1) Countrytyme shall not be obligated to enforce these covenants.
- 2) Any lot owner within Shannon Road shall have the right to enforce by any proceeding at law or in equity, any and all of these protective covenants and restrictions now or hereafter amended. Failure to enforce any provision hereof shall in no event be deemed a waiver of the right to do so hereafter. Invalidity of any one of the provisions hereof by judgment or Court order shall in no way affect any other provision which shall remain in full force and effect. Countrytyme shall not be obligated to join or assist in any suit brought by any lot owner or owners to enforce these restrictions.

THIS INSTRUMENT PREPARED BY:
SMART ENGINEERING & SURVEYING, INC.
 210 NORTHTOWNE COURT
 NEWARK, OHIO 43055
 (740) 345-4700

DEDICATION

SITUATED IN THE STATE OF OHIO, COUNTY OF MUSKINGUM, AND BEING A PART OF JACKSON TOWNSHIP, IN THE EAST HALF OF SECTION 21, AND A PART OF THE WEST HALF OF LOT 16, T-3, R-9, ALSO BEING A PART OF THE TOWNSHIP OF CASS, THE WEST HALF OF LOT 16, T-3, R-8 OF THE UNITED STATES MILITARY LAND, AND BEING THE PROPERTY CONVEYED TO COUNTRYTYME GROVE CITY LTD., AN OHIO LIMITED LIABILITY COMPANY, AS RECORDED IN DEED VOLUME 1156, PAGE 154 OF THE RECORDER'S OFFICE, MUSKINGUM COUNTY, OHIO.

I, THE UNDERSIGNED, MICHAEL R. LINDER, OF COUNTRYTYME GROVE CITY LTD., HAVING ALL RIGHT, TITLE OR INTEREST IN THE REAL ESTATE SHOWN, HEREBY CERTIFY THAT I HAVE CAUSED THE SAME TO BE SURVEYED, DIVIDED, MAPPED DEDICATED, AND ACCESS RIGHTS RESERVED AS REPRESENTED ON THE PLAT, THAT SAID LOTS ARE NUMBERED 1 THROUGH 30, THAT THE FOREGOING SUBDIVISION HAS BEEN NAMED SHANNON ROAD, AND I, MICHAEL R. LINDER, OF COUNTRYTYME GROVE CITY LTD., DO HEREBY ACCEPT THIS ROADWAYS DEDICATION TO THE PUBLIC FOR USE AS SUCH, THE ROADWAYS SHOWN HEREON AND NOT HERETOFORE DEDICATED. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD.

IN WITNESS THEREOF THIS 26th DAY OF July 1999.

John C. Levally
WITNESS
JOHN C. LEVALLY
Michael R. Linder
MICHAEL R. LINDER
COUNTRYTYME GROVE CITY LTD.

STATE OF OHIO, COUNTY OF MUSKINGUM

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY APPEARED MICHAEL R. LINDER, OF COUNTRYTYME GROVE CITY LTD., WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE DID SIGN THE SAME AND THAT IT WAS HIS FREE ACT AND DEED. IN TESTIMONY THEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT

Grove City, OH
THIS 26th DAY OF July, 1999. BY *Angela K. Hushman*
My COMMISSION EXPIRES 9-14-2001
T. McCLELLAN
D.V. 600-186

CERTIFICATE OF ACCURACY

ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF. WE DO HEREBY STATE THAT WE HAVE SURVEYED THE PREMISES, PREPARED THE ATTACHED PLAT AND THAT SAID PLAT IS CORRECT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF. ALL LOT CORNERS ARE MARKED BY A 5/8 INCH DIAMETER REBAR, 30 INCHES LONG WITH YELLOW SURVEYORS IDENTIFICATION CAP STAMPED "SMART SURVEYING", UNLESS NOTED OTHERWISE.

Brian D. Smart
BRIAN D. SMART OHIO REG. SURVEYOR NO. 7611 DATE 7-24-99

CERTIFICATE OF RECORD

TRANSFERRED, DATE _____

MUSKINGUM COUNTY AUDITOR _____

FEE _____

STATE OF OHIO, MUSKINGUM COUNTY
RECEIVED FOR RECORD ON THE _____ DAY OF _____, 1999

AT _____ O'CLOCK _____ M.

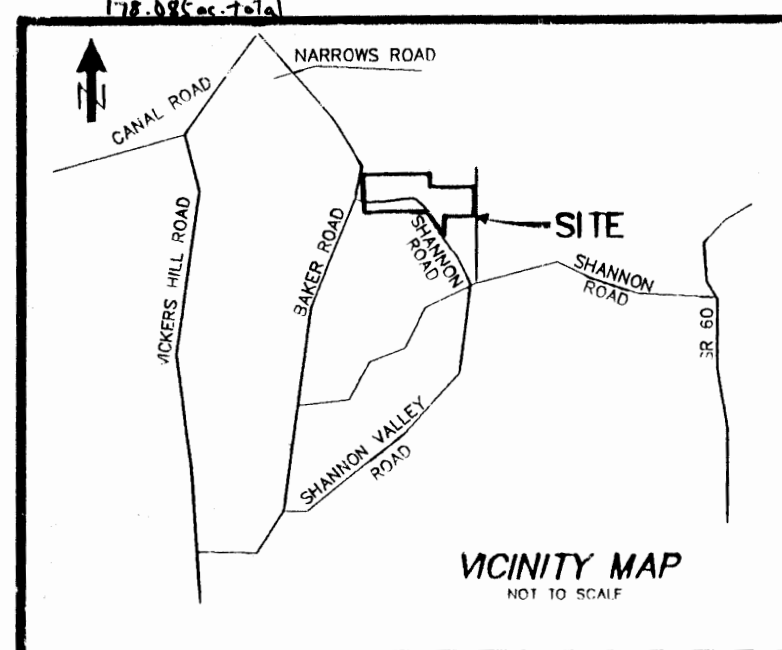
RECORDED _____, 1999

IN PLAT BOOK _____, PAGE _____, 1999

FEE \$ _____

MUSKINGUM COUNTY RECORDER _____

DESCRIPTION APPROVED
FOR AUDITOR'S TRANSFER
BY *ASB*
8-16-99
178.085 Acres Total

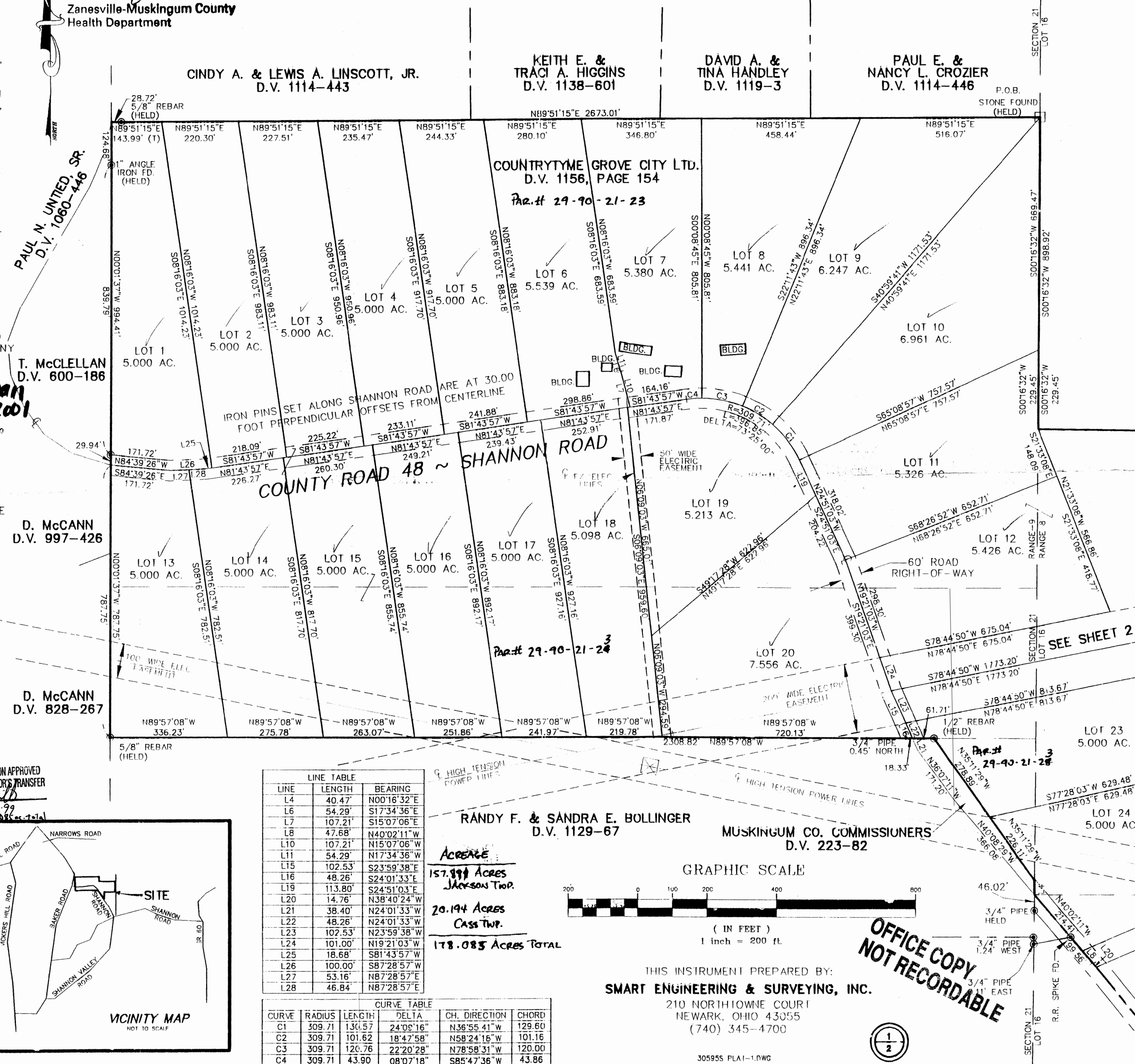


LINE	LENGTH	BEARING
L4	40.47'	N00°16'32"E
L6	54.29'	S17°34'36"E
L7	107.21'	S15°07'06"E
L8	47.68'	N40°02'11"W
L10	107.21'	N15°07'06"W
L11	54.29'	N17°34'36"W
L15	102.53'	S23°58'38"E
L16	48.26'	S24°01'33"E
L19	113.80'	S24°51'03"E
L20	14.76'	N38°40'24"W
L21	38.40'	N24°01'33"W
L22	48.26'	N24°01'33"W
L23	102.53'	N23°59'38"W
L24	101.00'	N19°21'03"W
L25	18.68'	S81°43'57"W
L26	100.00'	S87°28'57"W
L27	53.16'	N87°28'57"E
L28	46.84'	N87°28'57"E

CURVE	RADIUS	LENGTH	DELTA	CH. DIRECTION	CHORD
C1	309.71	130.57	24°09'16"	N36°55'41"W	129.60
C2	309.71	101.62	18°47'58"	N58°24'16"W	101.16
C3	309.71	120.76	22°20'28"	N78°58'31"W	120.00
C4	309.71	43.90	08°07'18"	S85°47'36"W	43.86

SHANNON ROAD

PART OF THE EAST HALF OF SECTION 21, TOWNSHIP 3, RANGE 9, U.S.M.L., JACKSON TWP.
SOUTHWEST QTR. OF LOT 16, QTR. TWP. 3, TOWNSHIP 3, RANGE 8, U.S.M.L., JACKSON TWP.
PART OF NORTHWEST QTR. LOT 25, QTR. TWP. 3, TOWNSHIP 3, RANGE 8, U.S.M.L., JACKSON TWP.
PART OF SOUTHEAST QTR. LOT 16, QTR. TWP. 3, TOWNSHIP 3, RANGE 8, U.S.M.L., CASS TWP.
MUSKINGUM COUNTY, OHIO



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