

## SCHEDULE B

- (3) The legal description set forth in Tract I of Schedule C includes a reservoir site and pipeline easement, the same to the property on conveyed to General Electric Co. a New York corporation, by Mary Bessie McDonald and J. Clark McDonald, her husband, by warranty deed filed for record September 4, 1959, at 11:44 a.m. in Volume 489, page 77, Deed Records of Muskingum County. These items are plotted and shown hereon.

## ENCROACHMENTS

- (A) Overhead utility lines pass over and through the subject property without the benefit of a known easement or right of way.

## GENERAL NOTES

- (GN1) All bearings and distances shown hereon match record information within this ALTA/ACSM Land Title Survey requirements, unless otherwise noted.
- (GN2) The basis of bearings for the subject property is S 26°59'32" W, which is located along the centerline of County Road 55.
- (GN3) At the time of this survey there were 266 regular parking spaces on the subject property and no handicapped spaces were observed.

## FLOOD NOTE

By graphic plotting only, this property is in Zone X\* of the Flood Insurance Rate Map, Community Panel No. 390425 0150 C, which bears an effective date of 06/03/88. By telephone call dated 10/17/97 to the National Flood Insurance Program (800-638-6620) we have learned this community does participate in the program.

\* The subject property is PARTIALLY WITHIN a Special Flood Hazard Area. The STRUCTURE, however, is not affected and is not in the floodplain.

## LEGEND

- ⊙ - Utility Pole
- - Manhole
- ☆ - Light Standard
- - Sign
- ⊠ - Fire Hydrant
- - Catch Basin

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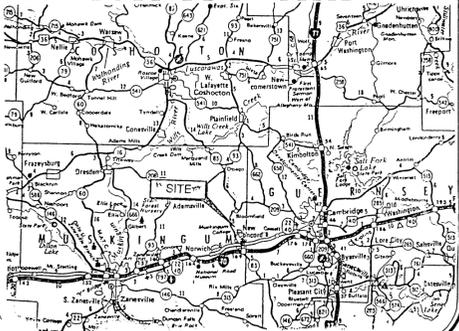
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## ZONING DATA

There are no zoning requirements for Union Township.

Bill Wilfong (614) 826-7034

## VICINITY MAP



## COMMITMENT LEGAL DESCRIPTION

Situated in the County of Muskingum in the State of Ohio, and in the Township of Union and bounded and described as follows:

TRACT ONE

Being at a mine spike in County Road No. 55 (formerly known as Rix Mills Road), said mine spike being the Southeast corner of a 4.51 acre tract of land now owned by the Village of New Concord, Ohio, as recorded in Record Book No. 439, page 539, Recorder's Office, Muskingum County, Ohio; thence South 26 degrees 59 minutes 32 seconds West 1038.56 feet along the County Road to a mine spike; thence North 70 degrees 23 minutes 11 seconds West 2005.24 feet to an iron pin in the half section line passing over iron pins at 15.72 feet, 1206.54 feet and 1630.24 feet respectively; thence North 3 degrees 52 minutes 54 seconds West, 410.79 feet, along the half section line, to an iron pin in the South property line of the Baltimore and Ohio Railroad; thence North 71 degrees 17 minutes 33 seconds East, 112.62 feet along said Railroad property line to an angle iron pin in the North Section line of section 9; thence North 71 degrees 25 minutes 47 seconds East, 723.90 feet along said Railroad property line to an iron pin; thence North 71 degrees 46 minutes 35 seconds East, 821.00 feet along the chord of a curve to the right having a radius of 11,808 feet to an iron pin in the South property line of the Baltimore and Ohio Railroad (the property line is the arc of a curve); thence South 19 degrees 51 minutes 16 seconds East, 255.31 feet to an iron pin; thence South 16 degrees 51 minutes 01 seconds West, 430.29 feet to an iron pin; thence 63 degrees 26 minutes 00 seconds East, 425.35 feet to the point of beginning, passing over an iron pin in the line at 403.35 feet. The above tract contains 55.38 acres, more or less, which includes that portion of land in County Road No. 55, subject to the highway rights of the public. Of the above 55.38 acres, approximately 6.81 acres lie in Section 2 and 48.57 acres lie in Section 9, of Union Township, Muskingum County, Ohio.

The following parcel is conveyed for reservoir site and pipe line easement:

Situated in the Township of Union, County of Muskingum and State of Ohio, bounded and described as follows: Land in the Northeast Quarter of Section 9, of Union Township 1, Range 5, Muskingum County, Ohio, bounded and described as follows:

Beginning at an iron pin in the southeast corner of the above described parcel; thence North 70 degrees 23 minutes 11 seconds East, 476.00 feet to an iron pin in the south line of said above described parcel; said iron pin being the point of beginning of the herein described tract of land; thence South 31 degrees 36 minutes 49 seconds West, 500.00 feet along the center line of an easement 100.00 feet wide to an iron pin in the north line of a 100.00 foot square parcel; thence South 58 degrees 23 minutes 11 seconds East, 50.00 feet to an iron pin; thence South 31 degrees 36 minutes 49 seconds West, 500.00 feet to an iron pin; thence North 58 degrees 23 minutes 11 seconds West, 100.00 feet to an iron pin; thence North 31 degrees 36 minutes 49 seconds East, 100.00 feet to an iron pin; thence South 58 degrees 23 minutes 11 seconds East, 50 feet to the aforementioned iron pin in the north line of a 100.00 foot square parcel.

The area of the 100.00 foot easement being 0.115 acres plus/minus and the 100.00 foot square parcel being 0.23 acres plus/minus.

TRACT TWO

Land in the Northeast Quarter of Section Nine (9) and the Southeast Quarter of Section Two (2) of Union Township, Township (1), Range Five (5), Muskingum County, Ohio, bounded and described as follows:

Beginning at a mine spike in County Road No. 55 (formerly known as Rix Mills Road), said mine spike being the Southeast corner of a Four and Fifty-one hundredths (4.51) acre tract of land now owned by the Village of New Concord, Ohio, as recorded in Record Book No. 439, Page 539, Recorder's Office, Muskingum County, Ohio; thence North Sixty-Three Degrees (63) Twenty-Six Minutes (26) Zero-Zero Seconds (00) West, Four Hundred Twenty Five and Thirty Five Hundredths (425.35) feet to an iron pin; thence North Twenty-Two (22) degrees (22) minutes (00) seconds (00) East, Four Hundred Thirty and Twenty-Nine Hundredths (430.29) feet to an iron pin; thence North Seventy-Two Degrees (72) Fifty-Three Minutes (53) Forty-Three Seconds (43) East, Four Hundred Sixty-One and Twenty-One Hundredths (461.21) feet to a point in the County Road and the East line of Sections Nos. Two (2) and Nine (9), passing over an iron pin at Four Hundred Forty-One and Twenty-one Hundredths (441.21) feet; thence South Four Degrees (04) Nineteen Minutes (19) Forty Seconds (40) East, Three Hundred Thirty-Three and Sixty-Seven Hundredths (333.67) feet along the aforementioned Section Line and County Road to a stake, passing the Section corner of Section Nos. One (1), Two (2), Nine (9) and Ten (10) of Two Hundred Forty-Three and sixty-seven (243.67) hundredths feet; thence South Twenty-seven degrees (27) Twenty-Six minutes (26) Twenty-Four Seconds (24) West, Four Hundred Fifty-Six and Thirty-Two Hundredths (456.32) feet along the County Road and to the point of beginning, containing Six and Forty-Four Hundredths (6.44) acres, more or less, which includes that portion of land in County Road No. 55 subject to the highway rights of the public. Of the above Six and Forty-Four Hundredths (6.44) acres, Four and Fifty-One Hundredths (4.51) acre + lie in Section Nine (9) and One Ninety-Three Hundredths (1.93) acre + lie in Section Two (2) of the above mentioned Township.

Excepting from the above described Tracts the following:

Situated in the State of Ohio, County of Muskingum, Township of Union, in the Northeast Quarter of Section 9 and the Southeast Quarter of Section 2, Township 1 North, Range 5 West, U.S. Military Lands and more particularly described as follows:

Beginning at a point in the southerly property line of the Baltimore and Ohio Railroad Company, said point being S. 72° 58'02" W, 330.15 feet from an iron pin at the northeast corner of a 55.38 acre tract formerly owned by Mary Bessie McDonald; thence, S. 17° 52' 28" E, parallel to and 40 feet distant easterly from the centerline of Relocated County Road 55, 1038.56 feet to a point; thence, S. 19° 44' 37" E, 81.97 feet to a point 40 feet distant from said centerline; thence, S. 26° 18' 56" E, 58.54 feet to a point of curve; thence, with a curve to the left having a radius of 278.31 feet, 40 feet distant from the centerline of an 18' curve, a length of 64.93 feet and whose chord bears S. 38° 03' 28" E, 64.78 feet to a point; thence, S. 49° 06' 37" E, 49.33 feet to a point 40 feet distant from said centerline; thence, S. 56° 28' 13" E, 91.17 feet to a point of tangent; thence, S. 58° 14' 28" E, parallel to and 40 feet distant easterly from said centerline, 182.49 feet to a point; thence, S. 49° 06' 37" E, 49.33 feet to a point 40 feet distant from said centerline; thence, S. 49° 06' 37" E, 49.33 feet to a point of curve; thence, with a curve to the right, having a radius of 358.31 feet, 40 feet distant from the centerline of an 18' curve, a length of 284.19 feet and whose chord bears S. 22° 01' 08" E, 278.80 feet to a point existing County Road 55 and in the easterly line of the above mentioned 55.38 acre tract, said point being further referenced as S. 26° 59' 32" W, 71.39 feet from a Mine Spike set at a Northeasterly corner of said 55.38 acre tract; thence, S. 26° 59' 32" W, with said easterly line and said County Road 55, 233.56 feet to a point; thence, N. 63° 00' 28" W, 30.00 feet to a point; thence, N. 25° 34' 14" E, 82.71 feet to a point 30 feet distant westerly from the centerline of Relocated County Road 55; thence, N. 18° 31' 53" E, 60.13 feet to a point of curve; thence, with a curve to the left having a radius of 288.31 feet, 30 feet distant from the centerline of an 18' curve, a length of 293.03 feet, and whose chord bears N. 15° 37' 28" W, 280.58 feet to a point; thence, N. 49° 45' 29" W, 60.14 feet to a point 30 feet distant from said centerline; thence, N. 56° 43' 15" E, 82.70 feet to a point of tangent; N. 58° 12' 28" W, parallel to and 30 feet distant westerly from said centerline, 182.49 feet to a point; thence, N. 56° 24' 21" W, 97.79 feet to a point 30 feet distant from said centerline; thence, N. 49° 03' 46" W, 59.18 feet to a point of curve; thence, with a curve to the right having a radius of 348.31 feet, 30 feet distant from the centerline of an 18' curve, a length 81.26 feet and whose chord bears N. 38° 03' 28" W, 81.07 feet to a point; thence, N. 26° 23' 19" W, 69.73 feet to a point 30 feet distant from said centerline; thence, N. 19° 45' 58" W, 87.26 feet to a point of tangent; thence, S. 72° 07' 32" W, 10 feet to a point; thence, N. 17° 52' 28" W, parallel to and 40 feet distant westerly from said centerline, 103.61 feet to a point in the southerly property line of the Baltimore and Ohio Railroad Line with a curve to the right having a radius of 288.31 feet, a length of 135.86 feet and whose chord bears S. 12° 07' 23" E, 134.61 feet to the point of beginning, containing 0.201 acres and being part of a 55.38 acre tract described in a deed from Mary Bessie McDonald to the General Electric Company of record in the Recorder's Office, Muskingum County, Ohio.

## GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.

## GENERAL ELECTRIC COMPANY

WAREHOUSE - NEW CONCORD, OHIO

BOCK & CLARK PROJECT NO. 11206

## SURVEY LEGAL DESCRIPTION

Situated in the County of Muskingum in the State of Ohio, and in the Township of Union bounded and described as follows:

TRACT ONE

Land in the Northeast Quarter of Section (9) and the Southeast Quarter of Section (2) of Union Township, Township (1), Range five (5), Muskingum County, Ohio, bounded and described as follows;

Beginning at a Reference point at the center of Sections 1, 2, 9 & 10 of Union Township, Range 5, Muskingum County, Ohio, thence along the dividing line of Sections 9 & 10, S 4°19'40" E, a distance of 90.00 feet to a point in County Road No. 55 (formerly known as Rix Mills Road); thence S 27°26'24" W, a distance of 456.32 feet to a point; thence S 26°59'32" W, a distance of 304.98 feet to a point on the westerly right of way of Rix Mills Road as now located; said point also being the TRUE POINT OF BEGINNING; thence from said point S 26°59'32" W, a distance of 733.58 feet along County Road 55 to a point; thence N 70°23'11" W, a distance of 2005.24 feet to an iron pin in the half section line; thence N 03°52'54" W, a distance of 410.79 feet, along the half section line, to an iron pin in the South property line of the Baltimore and Ohio Railroad; thence N 71°11'45" E, a distance of 612.26 feet to a point; thence N 71°25'47" E, a distance of 723.90 feet to a point; thence by a curve to the right having a radius of 11,808.00 feet, for an arc length of 411.11' (Ch = N 70°46'53" E, 411.09'); thence along the westerly right of way of Rix Mills Road as now located S 17°52'28" E, a distance of 103.82 feet; thence N 72°07'32" E, a distance of 10.00 feet to a point; thence S 19°45'58" E, a distance of 87.26 feet; thence S 26°23'19" E, a distance of 69.73 feet; thence by a curve to the left having a radius of 348.31 feet for an arc length of 81.26 feet (Ch = S 38°03'28" E, 81.07'); thence S 49°03'46" E, a distance of 59.18 feet; thence S 56°24'21" E, a distance of 97.79 feet; thence S 58°12'28" E, a distance of 182.49 feet; thence S 56°49'16" E, a distance of 82.70 feet; thence S 49°46'29" E, a distance of 60.14 feet; thence by a curve to the right having a radius of 288.31 feet for an arc length of 96.18 feet (Ch = S 35°11'05" E, 95.73'); thence S 64°22'36" W, a distance of 69.96 feet; thence S 12°07'23" E, a distance of 101.93 feet; thence S 88°37'24" E, a distance of 69.97 feet; thence by a curve to the right having a radius of 288.31 feet for an arc length of 61.00 feet (Ch = S 07°25'52" W, 60.89 feet); thence S 18°32'53" W, a distance of 60.13 feet; thence S 25°34'14" W, a distance of 82.71 feet; thence S 63°00'28" E, a distance of 30.01 feet to a point in County Road 55, said point also being the POINT OF BEGINNING.

THE ABOVE described Tract of land contains a total area of 2,234,253.29 square feet or 51.2914 acres. Of this 172,238.80 square feet or 3,954.1 acres of land are located in Section 2 and is a part of Parcel No. 66-24-03-02 and 2,062,014.49 square feet or 47,337.3 acres of land are located in Section 9. Of this 47,337.3 square feet or 2,062,014.49 square feet located in Section 9, 2,047,133.70 square feet or 46,995.7 acres are located in Parcel No. 66-20-09-02 and 14,880.80 square feet or 0.3416 acres are located in Parcel No. 66-20-09-01.

TRACT TWO

Land in the Northeast Quarter of Section (9) and the Southeast Quarter of Section (2) of Union Township, Township (1), Range five (5), Muskingum County, Ohio, bounded and described as follows;

Beginning at a Reference point at the center of Sections 1, 2, 9 & 10 of Union Township, Range 5, Muskingum County, Ohio, thence along the dividing line of Sections 9 & 10, N 4°19'40" W, a distance of 243.67 feet to a point; thence S 72°53'43" W, a distance of 109.08 feet to a point on the westerly right of way of Old Rix Mills Road to the True Point of Beginning; thence from said point S 72°53'43" W, a distance of 352.13 feet to a point; thence N 19°51'16" W, a distance of 255.31 feet to a point on the southerly right of way of the Baltimore and Ohio Railroad; thence by a curve to the left having a radius of 11,808.00 feet for an arc length of 330.20' (Ch = S 72°58'03" W, 330.19') to a point on the easterly right of way line of Rix Mills Road as now located; thence S 17°52'28" E, a distance of 103.82 feet; thence S 19°44'37" E, a distance of 81.97 feet; thence S 26°18'56" E, a distance of 58.54 feet; thence by a curve to the left having a radius of 278.31 feet for an arc length of 64.93 feet (Ch = S 38°03'28" E, 64.78 feet); thence S 49°06'37" E, a distance of 49.33 feet; thence S 56°28'13" E, a distance of 91.17 feet; thence S 58°14'28" E, a distance of 182.49 feet; thence S 56°46'20" E, a distance of 88.00 feet; thence S 49°42'51" E, a distance of 71.33 feet; thence by a curve the right having a radius of 358.31 feet for an arc length of 128.56 feet (Ch = S 34°27'43" E, 127.87') to a point on the northerly right of way line of Old Rix Mills Road; thence N 27°25'24" E, a distance of 170.30 feet; thence by a curve to the left having a radius of 676.20 feet for an arc length of 374.92 feet (Ch = N 11°33'22" E, a distance of 370.14 feet); thence N 04°19'40" W, a distance of 104.57 feet to a point also known as the POINT OF BEGINNING.

THE ABOVE described Tract of land contains a total area of 286,773.72 square feet or 6.5834 acres. Of this 176,745.99 square feet or 4.0575 acres of land are located in Section 2 and 110,027.73 square feet or 2.5259 acres of land are located in Section 9. Of that portion located in Section 2, 111,950.08 square feet or 2.5700 acres are a part of Parcel No. 66-24-03-02 and 64,795.91 square feet or 1.4875 acres are a part of Parcel No. 66-24-03-03. Of that portion located in Section 9, 13,445.01 square feet or 0.3087 acres are a part of Parcel No. 66-20-09-02, 96 and 582.72 square feet or 2.2172 acres are a part of Parcel No. 66-20-09-01.

## SURVEY LEGAL DESCRIPTION CONTINUED

TRACT THREE

Land in the Northeast Quarter of Section (9) and the Southeast Quarter of Section (2) of Union Township, Township (1), Range five (5), Muskingum County, Ohio, bounded and described as follows;

Beginning at a Reference point at the center of Sections 1, 2, 9 & 10 of Union Township, Range 5, Muskingum County, Ohio, thence along the dividing line of Sections 9 & 10, S 4°19'40" E, a distance of 90.00 feet to a point in County Road No. 55 (formerly known as Rix Mills Road), also being the POINT OF BEGINNING; thence S 27°26'24" W, a distance of 456.32 feet to a point on the easterly right of way of Rix Mills Road as now located; thence along said right of way line S 26°59'32" W, a distance of 71.45 feet; thence by a curve to the left having a radius of 358.31 feet for an arc length of 70.38 (Ch = N 04°55'08" W, 70.27'); thence N 27°26'24" E, a distance of 230.67 feet to a point; thence by a curve to the left having a radius of 736.20 feet for an arc length of 408.19 feet (Ch = N 11°33'22" E, 402.98'); thence N 04°19'40" W, a distance of 118.18 feet to a point; thence N 72°53'43" E, a distance of 47.55 feet to a point; thence S 04°19'40" E, a distance of 333.67 feet to the POINT OF BEGINNING.

THE ABOVE described Tract of land contains a total area of 37,158.81 square feet or 0.8530 acres. Of this 11,391.96 square feet or 0.2615 acres of land are located in Section 2 and is a part of Parcel No. 66-24-03-03 and 25,766.85 square feet or 0.5915 acres of land in Section 9. Of this 0.5915 acres located in Section 9, 24,307.23 square feet or 0.5580 acres are located within Parcel No. 66-20-09-01 and 1,459.61 square feet or 0.0335 acres are located within Parcel No. 66-20-09-02.

THE ABOVE tracts of land are intended to describe all that property known as Parcel Nos. 66-20-09-01 & 66-20-09-02 and that property described in Chicago Title Insurance Company's commitment no. C-100,496 which bears an effective date of 09/24/97.

DESCRIPTION ATTACHED FOR AUDITORS REFERENCE  
BY: *Bill Wilfong*  
12-18-97  
New survey in three tracts only

OFFICE COPY NOT RECORABLE

ALTA/ACSM LAND TITLE SURVEY for GENERAL ELECTRIC COMPANY B&C Site No. 11206

Union, Ohio Muskingum County

Based upon Title Commitment Case No. C-100,496 of Chicago Title Insurance Company, bearing an effective date of 12/17/97

Surveyor's Certification

To: General Electric Company, New Concord, Ohio, Inc., an Illinois corporation; LaSalle National Bank, its successors or assigns, and Chicago Title Insurance Company.

I hereby certify that on the 15th day of October, 1997 (a) an accurate, "as-built" of the ground instrument survey entitled "General Electric Company, Warehouse" the ("Survey") of the premises (the "Property") known by street address 35 Rix Mills Road was conducted under my direction according to local professional practices; (b) the Survey and the information, courses and distances shown thereon are correct; (c) all monuments shown on the survey actually exist, and the location, size and type of materials thereof are correctly shown; (d) the title and lines of actual possession of the Property are the same; (e) the size, location and type of all buildings and improvements, if any, on the Property are shown on the Survey; (f) the Property has direct access to County Road 55, which is a dedicated public way; (g) there are no easements, rights of way, old highways or abandoned roads, lanes or driveways affecting the Property appearing from a careful physical inspection of the same, other than those shown and depicted on the Survey or those which may be discovered by a complete title exam of the subject property and all adjoining; (h) there are no visible boundary line conflicts; (i) all recorded easements, as noted in Title Company Commitment No. C-100,496, dated 9/24/97, and issued by Chicago Title Insurance Company, and all building lines and setback lines, have been correctly plotted or noted on the Survey; (j) except as shown on the Survey, there are no improvements on the Property upon any easement, right of way or adjacent land or encroachments of improvements located on adjacent land upon the property; (k) there were no cemeteries or burying grounds observed on the property; (l) the Survey shows the location of any visible telephone, telegraph, electrical or other power lines, wires and poles on the property; (m) the Survey shows the location of all surface drainage located on the property; (n) the parcel(s) described on the Survey do not lie within flood areas in accordance with maps entitled (Flood Insurance Rate Map), which such map covers the area in which the Property is situated; (o) the Property is made up of more than one parcel, each of which constitutes a separate tax lot and none of which constitutes a portion of any other tax lot; (p) the Premises is separately subdivided into (a) all utilities for the operation of the Premises are available at the lot lines, enter said tract through adjoining public street and do not run through or under any buildings or improvements; (r) that there are no violations of zoning ordinances, restrictions or other rules or regulations with reference to the location of all buildings, structures and improvements situated on the Premises and the number and configuration of parking spaces. This survey/plot is intended to conform to the requirements as set forth in the Requirements and Provisions of Chapter 711 in the Ohio Revised Code and Sections 315.251 and 319.203 and the Minimum Standards for Boundary Surveying in the State of Ohio, Administrative Code Chapter 4733-37, any township zoning and requirements for all instruments of Conveyance in Muskingum County, Ohio.

I further certify that this map or plot and the survey on which it is based were made (i) in accordance with Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys jointly established and adopted by ALTA and ACSM in 1992 and includes Items 2, 3, 4, 6, 7, 8, 9, 10, 11 and 13 of Table A thereof and (ii) pursuant to the Accuracy Standards (as adopted by ALTA and ACSM and in effect on the date of this Certification) of an urban survey.

James R. Bock  
Registration No. 6051  
within the State of Ohio  
Date of Survey 10-15-97  
Date of Last Revision 12-17-97  
Pittsburgh Project No. 11206

SHEET 1 OF 2

BOCK & CLARK'S NATIONAL SURVEYORS NETWORK  
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