

Parcel #
10-08-51-05
Comm. of
1.1226

DESCRIPTION OF 9.487 ACRE PARCEL

**OFFICE COPY
NOT RECORDABLE**

Situated in the State of Ohio, County of Muskingum, Township of Cass, being a part of Lot 6 located in the 1st Quarter, Township-3, Range-8, United States Military Lands, and being a part of that 49.510 acre tract, known as Parcel No. 10-08-51-07 and part of that 15.659 acre tract, known as Parcel No. 10-08-51-05 as conveyed to The Longaberger Company by deed of record in Deed Book 1139, Page 97, all references being to those of record in the Recorder's Office, Muskingum County, Ohio, said 9.487 acres being more particularly bounded and described as follows:

Beginning at a stone found marking the northeasterly corner of Lot 15, said stone being 577.16 feet right of centerline station 1305+15.98 of State Route 16 as shown on the Ohio Department of Transportation right-of-way plans for State Route 16 entitled "MUS-16-7.16" of record in Plat Book 18, Page 15;

thence along the easterly line of Lot 15, **South 00°03'58" West, 775.76 feet** to an iron pin found marking the northeasterly corner of that 7.50 acre tract, known as Parcel No. 10-08-51-06, as conveyed to Shelly and Sands, Inc. as recorded in Deed Book 566, Page 543;

thence along the northerly line of said Shelly and Sands, Inc. tract the following two (2) courses and distances;

North 79°05'35" West, 328.68 feet to an iron pin found marking the point of curvature;
and ...

northwesterly, along the arc of a curve to the right (**Radius= 622.37 feet, Delta= 38°57'28"**), a chord bearing and distance of **North 59°36'51" West, 415.07 feet** to an iron pin found in the easterly right-of-way line of State Route 60, also known as Frazeyburg Road, said iron pin found being 195.23 feet right of centerline station 596+85.20 of State Route 60;

thence along said easterly right-of-way line, **North 23°26'59" East, 162.18 feet** to a point in the easterly Limited Access right-of-way line of State Route 60, said point being 195.00 feet right of centerline station 598+50;

thence along said Limited Access right-of-way line, **North 24°00'12" East, 461.46 feet** to a point in the southerly Limited Access right-of-way line of State Route 16, said point being 560.00 feet right of centerline station 1301+00 of State Route 16, passing an iron pin found at 457.46 feet;

DESCRIPTION OF 9.487 ACRE PARCEL

Page 2

thence along the southerly Limited Access right-of-way line of State Route 16 the following two (2) courses and distances;

South 69°49'24" East, 346.80 feet to a point, said point being 640.00 feet right of centerline station 1304+25; and . . .

North 63°01'23" East, 116.61 feet to the **Point of Beginning** and containing **9.487 acres**, (which 9.361 acres lies within Lot 15 and 0.126 acres lies within Lot 6), more or less, according to a survey made by Jobes Henderson & Associates, Inc., during March of 2004.

All iron pins set are rebar, 5/8" in diameter by 30" in length, with red identification caps marked "J&H, PS#7900".

The bearings in the above description are based on bearings taken from the description of that 65.169 acre tract as conveyed to The Longaberger Company by deed of record in Deed Book 1139, Page 97.

Subject to all valid and existing easements, restrictions, and conditions of record.

March 23, 2004

S:/04/04-023/legals/04-023-9.487acres



**OFFICE COPY
NOT RECORDABLE**

[Signature]
Steven L. Mullaney, P.S.
Reg. Surveyor No. 7900

STA. 1293+89.41
234.77 RT
POC
5.392 ACRES

2.937 ACRES- LOT 6
2.455 ACRES- LOT 15
5.392 Acres

POB 9.487 ACRES
S.E. CORNER OF LOT 6 AND
N.E. CORNER OF LOT 15
STA. 1305+15.98
577.16 RT

C. STOTTS
D.B. 1127, PG. 391
34.38 AC.
10-08-41-22

THE LONGBERGER COMPANY
D.B. 1139, PG. 97
T.D. 65.169 AC.

(15.659 Ac.)
10-08-51-05

0.126 ACRES- LOT 6
9.361 ACRES- LOT 15
9.487 Acres

**OFFICE COPY
NOT RECORDABLE**

C. CRAWFORD
D.B. 819, PG. 163
T.D. 14.36 AC.
10-08-51-25

(REF)
CH=S30°37'00"E
92.88'
RAD= 922.37'
DELTA= 5°45'18"

SHELLY & SANDS, INC.
D.B. 1139, PG. 97

POC : I
POB : I
M : A
A : A
S : S
O.L.R.F. : R
O.R.F. : R
I.P.S. : R
REI

BASES OF BEARINGS:
BEARINGS HEREIN ARE BASED ON
THE DESCRIPTION OF THAT 65.1
ACRES IN DEED BOOK 1139.

General Warranty Deed

THE LONGABERGER COMPANY, a corporation organized and existing under the laws of the State of Ohio, for valuable consideration paid, grants with general warranty covenants, to

whose tax mailing address is **JNK LAND COMPANY**
3685 RAIDERS ROAD
DRESDEN OH 43821

the following real property:

Situated in the State of Ohio; County of Muskingum, Township of Cass, being a part of Lots 6 and 15 located in the 1st Quarter, Township 3, Range 8, United States Military Lands, and being a part of that 49.510 acre tract, known as Parcel No. 10-08-51-07 and part of that 15.659 acre tract, known as Parcel No. 10-08-51-05 as conveyed to The Longaberger Company by deed of record in Deed Book 1139, Page 97; all references being to those of record in the Recorder's Office, Muskingum County, Ohio, said 5.392 acres being more particularly bounded and described as follows:

Commencing at a point marking the intersection of the southerly Limited Access right-of-way line of State Route 16 with the westerly line of Lot 6, said point being 234.77 feet right of centerline station 1292+89.41 of State Route 16 as shown on the Ohio Department of Transportation right-of-way plans for State Route 16 entitled "MUS-16-7.16" of record in Plat Book 18, Page 15;

thence along said southerly Limited Access right-of-way line, South 72°19'07" East, 137.56 feet to an iron pipe found in the easterly line of said 49.510 acre, The Longaberger Company tract, and being the Point of Beginning for the 5.392 acre parcel herein to be described;

thence continuing along said southerly Limited Access right-of-way line, South 64°27'16" East, 427.26 feet to a point in the westerly Limited Access right-of-way line of State Route 60, also known as Frazesburg Road, said point being 121.88 feet left of centerline station 603+87.44 of State Route 60;

thence along said westerly Limited Access right-of-way line the following two (2) courses and distances;

South 24°51'20" West, 393.76 feet to a point, said point being 117.79 feet left of centerline station 599+96.31; and . . .

South 21°14'15" West, 147.87 feet to a point in the westerly right-of-way line of State Route 60; said point being 110.00 feet left of centerline station 598+50;

thence along said westerly right-of-way line, South 22°48'25" West, 325.93 feet to a point in the easterly line of the formerly P. O. & D. Railroad right-of-way (now abandoned), presently being that 5.21 acre tract, known as Parcel No. 10-08-51-08, as conveyed to Kenneth W. Moore, Jr. and Jerilee E. Moore by deed of record in Deed Book 580, Page 287, the same being the westerly line of said 15.659 acre, The Longaberger Company tract, said point referenced from an iron pin found being southeasterly along an arc of a curve to the right (Radius= 922.37 feet, Delta= 05°46'18"), a chord bearing and distance of South 30°37'00" East, 92.88 feet from said iron pin found;

thence along the easterly line of said Moore tract the following two (2) courses and distances;

northwesterly, along the arc of a curve to the right (Radius= 922.37 feet, Delta= 35°24'18"), a chord bearing and distance of North 10°01'42" West, 560.94 feet to an iron pin found marking a point of tangency; and . . .

North 07°40'28" East, 431.31 feet to the Point of Beginning and containing 5.392 acres (which 2.455 acres lies within Lot 15 and 2.937 acres lies within Lot 6), more or less, according to a survey made by Jobes Henderson & Associates, Inc., during March of 2004.

All iron pins set are rebar, 5/8" in diameter by 30" in length, with red identification caps marked "J&H, PS#7900".

The bearings in the above description are based on bearings taken from the description of that 65.169 acre tract as conveyed to The Longaberger Company by deed of record in Deed Book 1139, Page 97.

Subject to all easements, leases, conditions and restrictions of record, if any, and real estate taxes for the current year and thereafter.

Auditor's Parcel Number: 10-08-51-05 (Part)
10-08-51-07 (Part)

APPROVED FOR CLOSURE

Prior Instrument Reference: Deed Book 1139, Page 97

A-L Sewerant
2-16-2006 h

DESCRIPTION APPROVED
FOR AUDITOR'S TRANSFER
BY A-L Sewerant
2-16-2006 h

RESTRICTION ON USE

In consideration of this conveyance, Grantee, as evidenced by Grantee's acceptance of this deed, hereby agrees that the above-described premises shall be subject to the following restrictions, which shall remain in full force and effect for a period of seven years:

No filling station, service station, convenience store, or carry out store shall be constructed or operated on the above-described premises.

Said restriction shall run with the property owned by Schmidty's LTD described in Instrument Number 200504190011511, Licking County, Ohio, Recorder's Office, and shall be enforceable by the current and all future owner or owners of said land Grantee hereby stipulates, contracts, and agrees that the same restrictions shall be made a part of and attach to all leases, transfers, assignments by him made of said property.

Executed this 29 day of Dec 2005.

THE LONGABERGER COMPANY

REPORT FROM
PLANNING COMMISSION

A-L Sewerant
2-16-2006 h

By: Russell W. Deaton
Its: V.P., Treasury Management

State of Ohio,
County of Licking, ss:

The foregoing instrument was acknowledged before me this 29 day of Dec 2005, by Russell W. Deaton (title)
of THE LONGABERGER COMPANY, an Ohio corporation, on behalf of the corporation.

Rollin O. Burns
Notary Public, State of Ohio



ROLLIN O. BURNS
Notary Public State of Ohio
My Commission Expires Feb 21, 2007

This Instrument Prepared By:
Philip S. Phillips, Attorney at Law
320 Main Street, P. O. Box 190
Zanesville, Ohio 43702-0190
Phone: (740) 452-7555
Fax: (740) 452-2257

BOUNDARY SURVEY

5.392 ACRE TRACT

BEING A PART OF LOT 6 AND LOT 15 LOCATED IN THE 1ST QUARTER, TOWNSHIP-3, RANGE-8, UNITED STATES MILITARY LANDS, CASS TOWNSHIP, MUSKINGUM COUNTY, OHIO

Not to be used as a separate building site nor transferred as an independent parcel in the future with ~~POB~~ out planning commission approval.

STATE ROUTE 16

STATE OF OHIO
MUS-16-7.16
PLAT BOOK 18, PAGE 15

POC
STA. 1292+89.41
234.77 RT
T.D. 77.53 Ac.
10-08-51-12

FLOOD ZONE INFORMATION
COMMUNITY PANEL NO. 390425 0030 C
FLOOD ZONE: 'X' (NON-FLOOD)
EFFECTIVE DATE: JUNE 3, 1988

LEGEND
POC : POINT OF COMMENCEMENT
POB : POINT OF BEGINNING
O.P.F. : IRON PIPE FOUND
O.L.R.F. : IRON PIN FOUND
O.L.P.S. : IRON PIN SET 5/8" REBAR WITH RED L.D. CAP 1/2" 15#7000

THE LONGABERGER COMPANY
D.B. 1139, PG. 97
T.D. 65.169 AC.

(49.510 AC.)
10-10-08-51-07-000

5.392 Acres
2.937 ACRES- LOT 6
2.455 ACRES- LOT 15

(15.659 AC.)
10-10-08-51-05-000

CH=N10°01'42"W
560.94'
RAD= 922.37'
DELTA= 35°24'18"

STA. 598+50
110.00 LT

STA. 595+26.94
107.98 LT

(REF)
CH=S30°37'00"E
92.88'
RAD= 922.37'
DELTA= 5°46'18"

BASIS OF BEARINGS:
BEARINGS HEREIN ARE BASED ON BEARINGS TAKEN FROM THE DESCRIPTION OF THAT 65.169 ACRE TRACT AS CONVEYED TO THE LONGABERGER COMPANY BY DEED OF RECORD IN DEED BOOK 1139, PAGE 97.

SCALE 1"=120'

0 120' 240'

KENNETH W. MOORE, JR. &
JERILEE E. MOORE
D.B. 580, PG. 287
T.D. 5.00 AC.
10-08-51-11

APPROVED FOR CLOSURE
A.L. Swartz
2-16-2006

LOT 14
T.D. 3.00 AC.
10-08-51-10

Formerly P. O. & D. Railroad (abandoned)
N07°40'28"E
431.31'

STATE ROUTE 60
FRAZEYBURG ROAD

DESCRIPTION APPROVED
FOR AUDITOR'S TRANSFER
BY A.L. Swartz
2-16-2006

CINDY STOTTS
D.B. 1931, PG. 21
9.487 AC.

STA. 596+85.20
195.23 RT

PERTINENT DOCUMENTS USED
MUSKINGUM COUNTY TAX MAPS
OHIO DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY DRAWINGS
ALL RECORDED INFORMATION SHOWN
ON PLAT WERE USED AS SOURCE
DOCUMENTS.

EXISTING LA R/W

This Survey Prepared For **THE LONGABERGER COMPANY**

OFFICE COPY
NOT RECORDED
STEVEN L. MULLANEY
REGISTERED
2/26/06

RECEIVED	
Foundation Survey	Final Survey
Ord. No.	Ord. No.
Date:	Date:
Drawing	
S:/06/06-006/dwg/5ACRE-SPLIT.dwg	
REVISED	
DRAWN: JLK	CHECKED: SLM
F.B.	

59 GRANT STREET
NEWARK, OHIO 43055

**JOES
HENDERSON &
ASSOCIATES INC.**
CIVIL ENGINEERING & LAND SURVEYING

TEL. (740)344-5451
FAX (740)344-5746

DATE: 02-03-06 ORDER NO. 06-006

Parcel #
10-08-51-05
10-08-51-07

**DESCRIPTION OF
65.169 ACRE PARCEL**

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Situated in the State of Ohio, County of Muskingum, Township of Cass, being a part of Lot 6 and Lot 15 located in the 1st Quarter, Township-3, Range-8, United States Military Lands, and being a parcel of land containing 65.169 acres, said parcel being a resurvey of that 52.15 acre tract (Tax Duplicate), known as Parcel No. 10-08-51-07, and that 17.5 acre tract (Tax Duplicate), known as Parcel No. 10-08-51-05, as conveyed to Ernest and Ethel G. Lake by deed of record in Deed Book 632, Page 22, all references being to those of record in the Recorder's Office, Muskingum County, Ohio, said 65.169 acres being more particularly bounded and described as follows:

Beginning at a stone found marking the southeasterly corner of Lot 6 and the northeasterly corner of Lot 15;

thence South $00^{\circ}03'58''$ West, along the easterly line of Lot 15, a distance of 775.76 feet to an iron pin set marking the northeasterly corner of that 7.50 acre tract, known as Parcel No. 10-08-51-06, as conveyed to Shelly and Sands, Inc. as recorded in Deed Book 566, Page 543;

thence along the northerly line of said Shelly and Sands, Inc. tract the following two (2) courses and distances;

North $79^{\circ}05'35''$ West, a distance of 328.68 feet to an iron pin set marking the point of curvature to the right; and...

northwesterly, along the arc of said curve to the right (Radius= 622.37 feet, Delta= $62^{\circ}29'29''$), a chord bearing and distance of North $47^{\circ}50'51''$ West, 645.66 feet to a point in the arc of a curve to the left of the centerline of State Route 60, also known as Frazeyburg Road, said point being located, a chord bearing of South $20^{\circ}30'39''$ East, a distance of 84.86 feet from an iron pin set in said arc to the right in the easterly right-of-way line of State Route 60;

thence southwesterly, along the arc of said curve to the left of the centerline of State Route 60 (Radius= 5730.00 feet, Delta= $3^{\circ}55'11''$), a chord bearing and distance of South $22^{\circ}49'37''$ West, 391.91 feet to a point in the arc of a curve to the right of the easterly line of the formerly P. O. & D. Railroad (now abandoned), presently being that 5.21 acre tract, known as Parcel No. 10-08-51-08, as conveyed to Kenneth W. Moore, Jr. by deed of record in Deed Book 580, Page 287;

**DESCRIPTION OF
65.169 ACRE PARCEL**
Page 2

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NOT RECORDABLE

thence leaving said centerline of State Route 60, along the easterly line of said Moore, 5.21 acre tract the following two (2) courses and distances;

+ northwesterly, along the arc of said curve to the right (Radius= 922.37 feet, Delta= 43°21'54"), a chord bearing and distance of North 14°04'43" West, 681.56 feet to an iron pin set at point of tangency, passing an iron pin set in said arc to the right in the westerly right-of-way of State Route 60, a chord bearing of South 34°37'55" East, a distance of 36.36 feet; and...

North 07°36'14" East, a distance of 2712.35 feet to an iron pin set in the northerly line of Lot 6, the same being the Muskingum - Coshocton County line;

thence South 89°02'04" East, along the northerly line of Lot 6 and the Muskingum - Coshocton County line, passing an iron pin set at 428.38 feet, a total distance of 461.56 feet to a point in the centerline of State Route 60;

thence along the centerline of State Route 60 the following six (6) courses and distances;

South 24°18'50" East, a distance of 86.07 feet to a point of curvature to the right;

+ southeasterly, along the arc of said curve to the right (Radius= 1146.00 feet, Delta= 25°00'52"), a chord bearing and distance of South 11°48'19" East, 496.36 feet to a point of tangency;

South 00°42'10" West, a distance of 358.50 feet to a point of curvature to the right;

+ southwesterly, along the arc of said curve to the right (Radius= 636.60 feet, Delta= 27°22'13"), a chord bearing and distance of South 14°23'07" West, 301.22 feet to a point of tangency;

South 28°04'10" West, a distance of 271.60 feet to a point of curvature to the left; and...

— southwesterly, along the arc of said curve to the left (Radius= 573.00 feet, Delta= 21°36'46"), a chord bearing and distance of South 17°16'00" West, 214.86 feet to the point marking the southwesterly corner of that 4.46 acre tract, known as Parcel No.10-08-51-02, as conveyed to Howard J. Siegrist et al by deed of record in Deed Book 849, Page 251;

thence leaving said centerline of State Route 60, South 89°59'07" East, along the southerly line of said Siegrist tract, passing an iron pin set at 35.24 feet, a total distance of 457.66 feet to an iron pin set in the easterly line of Lot 6;

**DESCRIPTION OF
65.169 ACRE PARCEL**
Page 3

thence South 01°19'35" West, along the easterly line of Lot 6, a distance of 1041.11 feet to the Point of Beginning and containing 65.169 acres (which 15.659 acres lies within Lot 15 and 49.510 acres lies within Lot 6), more or less, according to a survey made by Jobes Henderson & Associates, Inc., during October of 1997.

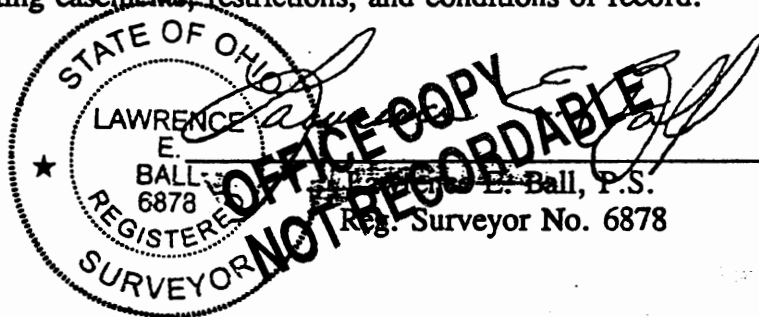
All iron pins set are rebar, 5/8" in diameter by 30" in length, with red identification caps marked "J&H, PS#6878".

The bearings in the above description are based on the Ohio State Plain Coordinate System, South Zone NAD 84.

Subject to all valid and existing easements, restrictions, and conditions of record.

October 21, 1997

L115/L07-17



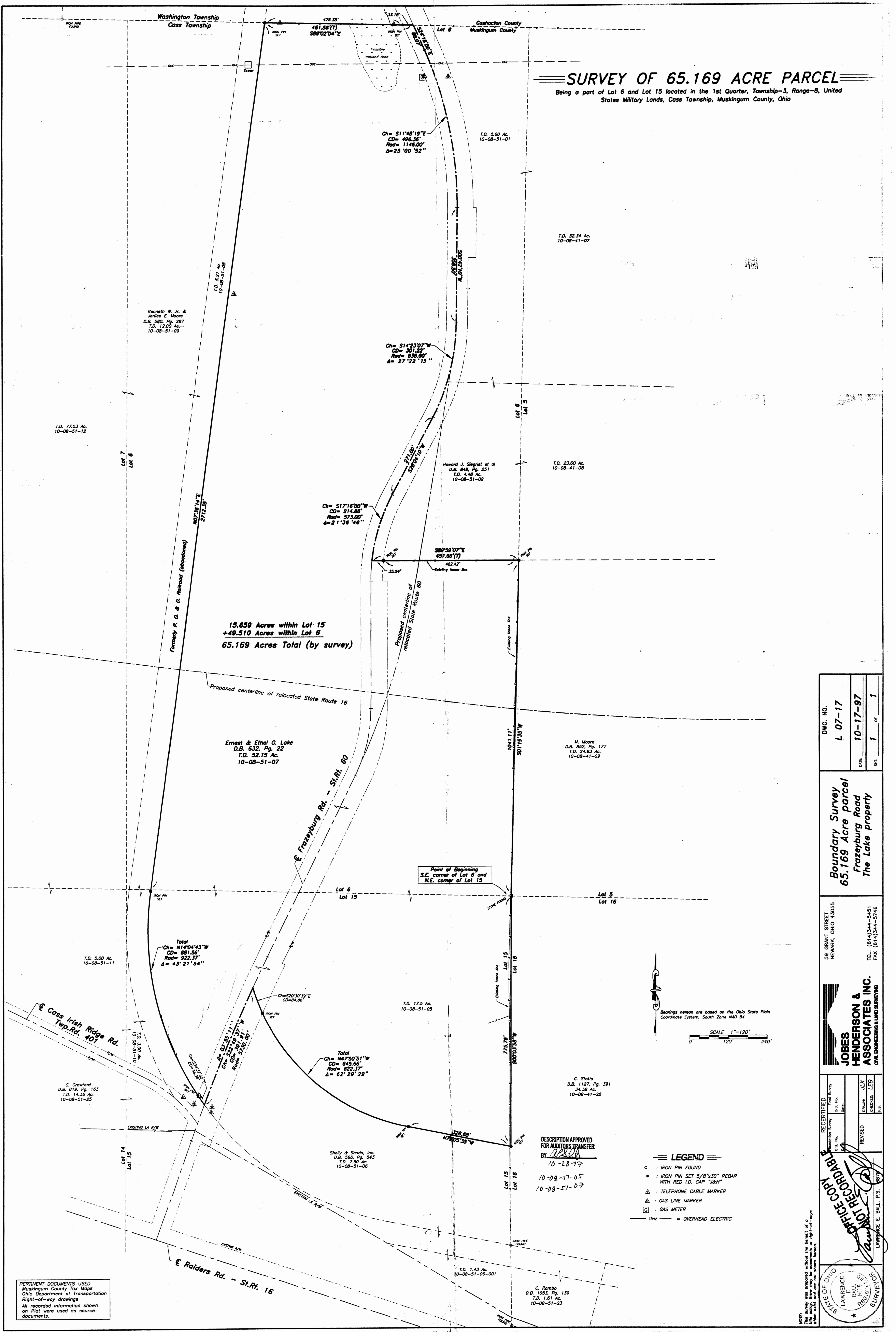
DESCRIPTION APPROVED
FOR AUDITORS TRANSFER

BY ALSD

10-28-97

10-08-51-05

10-08-51-07



DWG. NO.
L 07-17

DATE
10-17-97

SHEET
1 OF **1**

Boundary Survey
65.169 Acre parcel
Frazeyburg Road
The Lake property

58 GRANT STREET
NEWARK, OHIO 43055

JOHNS HENDERSON & ASSOCIATES INC.
CIVIL ENGINEERING & LAND SURVEYING

TEL: (614) 344-5451
FAX: (614) 344-5746

RECEIVED
10-28-97

RECEIVED
10-28-97

RECEIVED
10-28-97

STATE OF OHIO
LAWRENCE E. BALL, P.S. 6071

REGISTERED
SURVEYOR

NOTE: This survey was prepared without the benefit of a title search. The surveyor is not responsible for any errors or omissions which may appear hereon.