

STATEMENT OF ENCROACHMENTS

1) WALL CROSSES PROPERTY LINE AS SHOWN.

NOTES CORRESPONDING TO SCHEDULE B

10) Plot of Springfield Commons Section Three, recorded in Plat Book 17, Page 272 of Clark County Records, shows a 15 foot utility easement along the westerly line; an easement reserved for a distance of 1 foot around each plot corner, lot corner of point of curvature; and a 20 foot building setback restrictions for premises described in Schedule A, as shown on Survey prepared by Gilbert M. Barish of Geodetic Designs, Inc., under supervision of The Matthews Company, Inc., identified as J.N. 38098, dated April 9, 2012, last revised May 11, 2012, these easements do affect this parcel and are shown hereon.

11) Declaration of Restrictive Covenants imposed by Bechtle Avenue Properties Limited Liability Company, dated as of June 7, 2000, filed for record June 7, 2000 and recorded in OR Volume 1432, Page 860 of Clark County Records these restrictions do affect this parcel as to what types of business are not allowed, there are no plottable easements to show hereon.

12) Restrictions as shown on the Warranty Deed from Vandercar Holdings, Inc. to Frisch's Restaurants, Inc., filed October 4, 2000 as OR Volume 1444, Page 466 of Clark County Records, there are no plottable easements to show hereon.

13) The terms, conditions and easement contained in Reciprocal, Non-Exclusive Joint Driveway Easement and Maintenance Agreement by and between Ohio Valley Bistros, Inc. and Bechtle Avenue Properties Limited Liability Company, dated October 2, 2000, filed for record October 4, 2000 and recorded in OR Volume 1444, Page 453 of Clark County Records, as shown on Survey prepared by Gilbert M. Barish of Geodetic Designs, Inc., under supervision of The Matthews Company, Inc., identified as J.N. 38098, dated April 9, 2012, last revised May 11, 2012, this does affect this parcel and is shown hereon.

LEGAL DESCRIPTION: (AS SURVEYED)

Situated in the State of Ohio, County of Clark and in the City of Springfield:

Being a portion of Lot No. 18854 of Springfield Commons, Section Three, as the same is numbered and delineated upon the recorded plat thereof, recorded in Plat Book 17, Page 272, Recorder's Office, Clark County, Ohio and described as follows:

Beginning at a found pipe and cap #7424 at the Southwest corner of Lot 18854 of Springfield Commons Section Three, Plat of record in Plat Book 17, Page 272, all of the aforementioned references being to Records Office, Clark County, Ohio.

Thence Northeasterly, 145.31 feet (measured as 145.22 feet) along the arc of a curve to the right on the westerly line of said Lot 18854, also being along the easterly line of Bechtle Avenue, said curve having a radius of 450.00 feet, a delta angle of 18°30'06" (measured as 18°29'24"), and a chord bearing N26°44'57"E, 144.68 feet (measured as N26°44'47"E, 144.59 feet) to a found pipe and cap #7424.

Thence continuing along said westerly line of said lot 18854, also being the easterly line of Bechtle Avenue, N36°00'00"E, 108.41 feet (measured as 108.40 feet) to a found pipe and cap #7424 at the Northwest corner of said Lot 18854;

Thence S68°20'41"E, 470.79 feet (measured as S68°21'14"E) along the north line of said Lot 18854 to a found pipe and cap #7561 at the Northeast corner of said Lot 18854;

Thence S05°27'01"W, 114.82 feet (measured as S05°27'17"W, 114.85 feet) along the east line of said Lot 18854 to a found pipe & cap #7424, said point being 40.22 feet, N05°23'47"W from a found pipe and cap #7424 at the Southeast corner of Lot 18854;

Thence N84°32'49"W, 386.93 feet (measured as N84°33'29"W, 386.91 feet) to a found pipe & cap #7424 on the south line of said Lot 18854, said point being 389.02 feet, N78°36'46"W from a found pipe and cap #7424 at the Southeast corner of Lot 18854;

Thence N78°36'46"W, 173.75 feet (measured as N78°33'21"W, 173.74 feet) along said south line of Lot 18854 to the point of beginning, containing 2.206 acres, more or less.

The Basis of Bearing for this description is the Westerly line of said Lot 18854, Springfield Commons, Section three, as being N. 36° 00'00" E, as shown of record in Plat Book 17, Page 272, Recorder's Office, Clark County, Ohio.

This description is based upon a survey by Gilbert M. Barish, P.S. #8203 made on the ground in April 2012.

The property described and shown hereon is the same property as described in First American Title Insurance Company commitment number NCS-5384800H13-PHX1, dated April 16, 2012.

LEGEND:

Power Pole	Flag Pole	Storm Manhole
Power Pole w/Light	Sign (As Noted)	Storm Catchbasin
Light Pole	Well Head	Deciduous Tree
Telephone Pole	Satellite Dish	Coniferous Tree
Guy Wire	Tower	Sanitary Manhole
Transformer	Water Valve	Sanitary Clean Out
Electric Manhole	Fire Hydrant	Gas Valve
Telephone Manhole	Water Manhole	Gas Manhole
Telephone Pedestal	Water Meter Pit	Gas Meter
Electric Meter	Water Meter	Gas Marker
Cable Box	Indicates Handicapped	Section Corner
Air Conditioner Unit	Parking	Set 5/8"x30" B&C #8203
	Mailbox	Fd. Property Corner

ABBREVIATIONS:

DIAM. = DIAMETER	M = MEASURED
FD. = FOUND	R = RECORDED
SEC. = SECTION	C. = CALCULATED
NE = NORTHEAST	SQ. FT. = SQUARE FEET
NW = NORTHWEST	ID = IDENTIFICATION
N = NORTH	E = EAST
BLDG. = BUILDING	T6N = TOWN 6 NORTH
VOL. = VOLUME	R3E = RANGE 3 EAST



Registration No. 8203.
Within the State of Ohio

Gilbert M. Barish
GILBERT M. BARISH, P.S. #8203

GENERAL NOTES:

- 1) THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
- 2) THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED TO THE BEST OF OUR KNOWLEDGE, AND AVAILABLE FROM THE CONTROLLING JURISDICTION.
- 3) THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- 4) THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL OR CEMETERY.
- 5) THIS PARCEL HAS LEGAL ACCESS TO BECHTLE AVENUE.
- 6) THIS SURVEY MAP CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.
- 7) THERE ARE NO DISCREPANCIES BETWEEN THE BOUNDARY LINES OF THE PROPERTY AS SHOWN ON THIS SURVEY MAP AND AS DESCRIBED IN THE LEGAL DESCRIPTION PRESENTED IN THE TITLE COMMITMENT.
- 8) THE BOUNDARY LINE DIMENSIONS AS SHOWN ON THIS SURVEY MAP FORM A MATHEMATICALLY CLOSED FIGURE WITHIN +/-0.1 FOOT.
- 9) THE BOUNDARY LINES OF THE PROPERTY ARE CONTIGUOUS WITH THE BOUNDARY LINES OF ALL ADJOINING STREETS, HIGHWAYS, RIGHTS OF WAY AND EASEMENTS, PUBLIC OR PRIVATE, AS DESCRIBED IN THEIR MOST RECENT RESPECTIVE LEGAL DESCRIPTIONS OF RECORD.
- 10) EXCEPT AS OTHERWISE NOTED BELOW, IF THE PROPERTY CONSISTS OF TWO OR MORE PARCELS, THERE ARE NO GAPS OR GORES BETWEEN SAID PARCELS.
- 11) IN ACCORDANCE WITH ALTA/ACSM LAND TITLE SURVEY STANDARDS, SECTION 5, G1, THERE IS NO OBSERVED EVIDENCE OF ANY SPRINGS, PONDS, LAKES, STREAMS AND RIVERS BORDERING ON OR RUNNING THROUGH THE SURVEYED PROPERTY.

LEGAL DESCRIPTION: (AS PROVIDED)

Situated in the City of Springfield, County of Clark, State of Ohio, described as follows:
Situate in the State of Ohio, County of Clark and in the City of Springfield:

Tract 1:
Being Lot No. 18854 of Springfield Commons, Section Three, as the same is numbered and delineated upon the recorded plat thereof, recorded in Plat Book 17, Page 272, Recorder's Office, Clark County, Ohio.

EXCEPTING THEREFROM the following tract of land:

Situate in the State of Ohio, County of Clark, City of Springfield, being part Township 4, Range 9, Section 6, B.M.R.S., being a part of land as conveyed to Bechtle Avenue Properties, Limited Liability Company by deed of record in Official Record 1402, Page 1685 and being also part of Lot 18854 of Springfield Commons Section Three, Plat of record in Plat Book 17, Page 272, all of the aforementioned references being to Records Office, Clark County, Ohio.

Commencing at a point of reference at the southeast corner of the said Springfield Commons Section Three, being the southeast corner of Lot 18856, of the said Springfield Commons Section Three, and being also in the north line of Rolling Fields Estates Section One, plat of record in Plat Book 10, Page 89, Records Office, Clark County, Ohio.

thence North 84 degrees 28 minutes 09 seconds West, a distance of 320.43 feet to an angle point, said angle point being in the south line of the said Lot 18856, said angle point being the northwest corner of the said Rolling Fields Estates Section One, and said angle point being also the northeast corner of Springfield Commons Section Two, plat of record in Plat Book 16, Page 310, Records Office, Clark County, Ohio;

thence North 84 degrees 32 minutes 49 seconds West, a distance of 179.57 feet to a 3/4" iron pin (set), said iron pin being the southeast corner of the said Lot 18856, said iron pin being the southeast corner of Lot 18853, of the said Springfield Commons Section Three, and said iron pin being also in the north line of the said Springfield Commons Section Two;

thence North 5 degrees 27 minutes 01 seconds East, a distance of 153.27 feet along the east line of the said Lot 18853, along the west line of the said lot 18856, to a 3/4" iron pin (set), said iron pin being the northeast corner of the said Lot 18853, said iron pin being the west line of the said Lot 18856, said iron pin being the southeast corner of the said Lot 18854, and said iron pin being also the true point of beginning of the herein described tract of land;

thence North 78 degrees 36 minutes 46 seconds West, a distance of 389.02 feet along the north line of the said Lot 18853, along the south line of the said Lot 18854 to a 3/4" iron pin (set), said iron pin being in the north line of the said Lot 18853, and said iron pin being also in the south line of the said Lot 18854;

thence South 84 degrees 32 minutes 49 seconds East, a distance of 386.93 feet, cross the said Lot 18854, to a 3/4" iron pin (set), said iron pin being in the east line of the said Lot 18854, and said iron pin being also in the west line of the said Lot 18856; thence South 5 degrees 27 minutes 01 seconds West, a distance of 40.22 feet, to the true point of beginning, containing 0.180 acres, more or less.

The Basis of Bearing for this description is the North line of Springfield Commons Section Three as being S. 84° 37' 52" E, as shown of record in Plat Book 17, Page 272, Recorder's Office, Clark County, Ohio.

Tract 2:
Non-exclusive joint-driveway easement for vehicular and pedestrian ingress and egress set forth in Reciprocal, Non-Exclusive Joint Driveway Easement and Maintenance Agreement by and between Ohio Valley Bistros, Inc. and Bechtle Avenue Properties Limited Liability Company, dated October 2, 2000, filed for record October 4, 2000 and recorded in OR Volume 1444, Page 453 of Clark County Records, this is shown on the survey with the same label as schedule B note 13.

Tract 3:
Non-exclusive easements over, through, in, on and around a storm drainage facility for storm water runoff set forth in Easement and Maintenance Agreement by and between Bechtle Avenue Properties, LLC and Frisch's, Inc., dated October 3, 2000, filed for record October 13, 2000 and recorded in OR Volume 1445, Page 1233 of Clark County Records. (The location of these easements are shown on the site location map.

The property described and shown hereon is the same property as described in First American Title Insurance Company commitment number NCS-5680230H10-PHX1, dated September 27, 2012.

FLOOD NOTE:

By graphic plotting only, this property is in Zone X of the Flood Insurance Rate Map, Community Panel No. 3802300179E, which bears an effective date of February 17, 2010 and is not in a Special Flood Hazard Area. By telephone call dated April 13, 2012 to the National Flood Insurance Program (800-638-6620) we have learned this community does currently participate in the program. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

REFERENCE SURVEYS:

- 1) SURVEY PLAT OF SPRINGFIELD COMMONS BY TERRY A. HOPPES, P.S. #6352, AS RECORDED IN INST. #20000006788, PLAT BOOK 17, PAGE 272, DATED 3-20-2000.

SURVEYOR'S CERTIFICATE

TO: Cole GC Springfield OH, LLC, and its successors and assigns; Golden Corral Corporation, a North Carolina corporation, its successors and/or assigns; Series C, LLC, and its successors and assigns; Cole CPT III Acquisitions, LLC, and its successors and assigns; First American Title Insurance Company; WELLS FARGO BANK, NATIONAL ASSOCIATION, its successors and assigns;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 11(a), 13, 14, 16, 17, 18 and 21 of Table A thereof. The field work was completed on April 9, 2012.

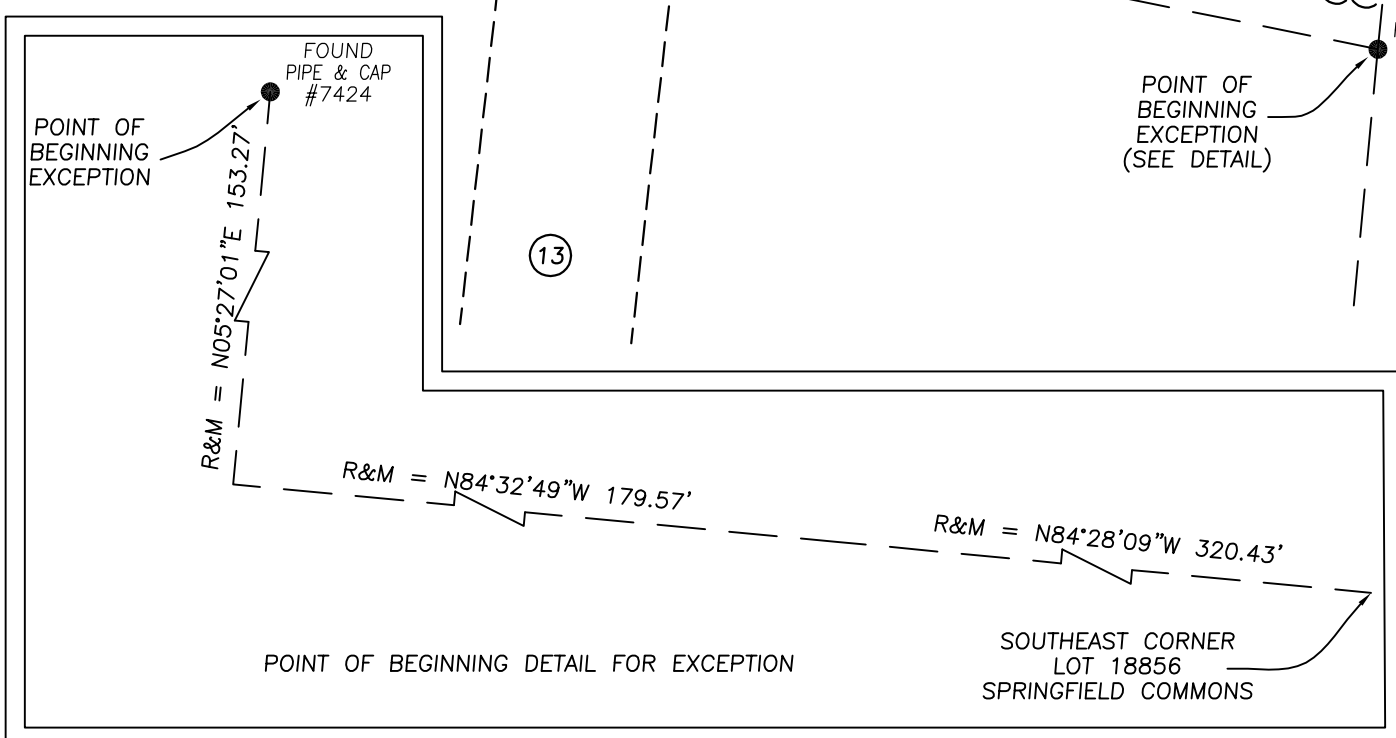
BEARING BASIS:

BEARINGS ALONG THE EAST LINE OF BECHTLE AVENUE ARE BASED ON THE PROVIDED LEGAL DESCRIPTION WHICH BEARS N36°00'00"E, AS RECORDED IN SPRINGFIELD COMMONS SECTION THREE, P.B. 17, PG. 272.

SURVEY PREPARED BY:



GEODETIC DESIGNS, INC.
2300 N. GRAND RIVER AVE.
LANSING, MI 48906
PHONE: (517) 908-0008
FAX: (517) 908-0009
WWW.GEODETICDESIGNS.COM



This Survey has been prepared solely for the benefit of the parties set forth in this Surveyor's Certification and may not be quoted or relied upon by, nor may copies be delivered to, any other party or used for any other purpose including, without limitation, the preparation of zoning reports or any other third party reports, without The Matthews Company, Inc. and Geodetic Designs Incorporated's prior written consent. The Matthews Company, Inc. and Geodetic Designs Incorporated expressly disclaims any duty or obligation towards any party that is not identified in this Surveyor's Certification.

Please be advised that The Matthews Company, Inc. and Geodetic Designs Incorporated will not include the providers of any third party reports in the Surveyor's Certification.

"ALTA/ACSM LAND TITLE SURVEY"

PREPARED FOR:

THE MATTHEWS COMPANY
National ALTA Survey Management

17220 Newhope Street, Suites 108-110, Fountain Valley, CA 92708
Tel: (714) 979-7181 Fax: (714) 641-2840
www.themathewscountry.com

10/11/12	UPDATED TITLE	RW	GMB
5/11/12	REVISED PARKING COUNT	DV	
5/9/12	GENERAL COMMENTS	DV	
MARK	DATE	REVISION	BY

COLE REAL ESTATE INVESTMENTS

1740 North Bechtle Avenue
Springfield, OH
(Golden Corral)

SCALE: 1" = 30'	CHKD./AP'VD: DJV
DATE: April 9, 2012	APPROVED: GMB
DWN. BY: RJW	GDI J.N.: S054-2012
CHKD.BY: DJV	Unit No.: 260

J.N.: 38098