

EXHIBIT "A" LEGAL DESCRIPTION

(FROM TITLE COMMITMENT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NUMBER: NCS-1138446-AKR, WITH A COMMITMENT DATE OF JULY 11, 2022 AT 7:30 A.M.)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MONTGOMERY, STATE OF OHIO, AND IS DESCRIBED AS FOLLOWS: SITUATED IN THE CITY OF WEST CARROLLTON, COUNTY OF MONTGOMERY, STATE OF OHIO, AND KNOWN AS BEING LOTS 2303, 2304 AND 2305 OF THE CONSECUTIVE LOT NUMBERS OF SAID CITY OF WEST CARROLLTON, AND BEING A TRACT OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A SPIKE AT THE INTERSECTION OF THE CENTERLINE OF WATER TOWER LANE WITH THE EAST RIGHT-OF-WAY LINE OF ALEX ROAD; THENCE FROM SAID POINT OF BEGINNING, SOUTH 80 DEG. 04' 29" EAST WITH SAID CENTERLINE A DISTANCE OF 681.78 FEET TO AN IRON PIN AT THE NORTHWEST CORNER OF CITY LOT NO. 2302; THENCE SOUTH 6 DEG. 04' 31" WEST WITH THE WEST LINE OF SAID LOT 2302 A DISTANCE OF 199.92 FEET TO AN IRON PIN AT THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTH 84 DEG. 25' 00" EAST WITH THE SOUTH LINE OF SAID LOT A DISTANCE OF 135.00 FEET TO AN IRON PIN AT A CORNER OF CITY LOT NO. 4106; THENCE SOUTH 6 DEG. 11' 42" WEST WITH THE WEST LINE OF SAID LOT 4106 A DISTANCE OF 182.55 FEET TO AN IRON PIN ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 725; THENCE WITH SAID RIGHT-OF-WAY ON THE FOLLOWING COURSES: NORTH 83 DEG. 54' 59" WEST A DISTANCE OF 67.46 FEET TO A POINT; THENCE NORTH 6 DEG. 01' 51" WEST A DISTANCE OF 101.77 FEET TO A POINT; THENCE NORTH 84 DEG. 16' 59" WEST A DISTANCE OF 32.00 FEET TO A POINT; THENCE SOUTH 84 DEG. 28' 18" WEST A DISTANCE OF 40.08 FEET TO A POINT; THENCE SOUTH 19 DEG. 58' 27" WEST A DISTANCE OF 74.17 FEET TO A POINT; THENCE NORTH 80 DEG. 56' 59" WEST A DISTANCE OF 102.92 FEET TO A POINT; THENCE NORTH 83 DEG. 03' 55" EAST A DISTANCE OF 148.39 FEET TO A POINT; THENCE NORTH 86 DEG. 33' 29" WEST A DISTANCE OF 302.67 FEET TO AN IRON PIN ON THE SAID RIGHT-OF-WAY LINE OF ALEX ROAD; THENCE WITH SAID RIGHT-OF-WAY ON THE FOLLOWING COURSES: NORTH 6 DEG. 17' 29" WEST A DISTANCE OF 174.03 FEET TO AN IRON PIN; THENCE NORTH 3 DEG. 56' 54" EAST A DISTANCE OF 270.91 FEET TO THE PLACE OF BEGINNING, CONTAINING 6.663 ACRES, MORE OR LESS, THE FOREGOING IS A NEW DESCRIPTION PREPARED BY THOMAS MCDUGALL, REGISTERED SURVEYOR, STATE OF OHIO NO. 6568. PPN: K48-00415-0027

SCHEDULE BII ITEMS:

(FROM TITLE COMMITMENT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NUMBER: NCS-1138446-AKR, WITH A COMMITMENT DATE OF JULY 11, 2022 AT 7:30 A.M.)

ITEMS 1-8, AND 20-22 ARE NOT SURVEY RELATED.

SCHEDULE BII ITEMS:

- LEASE AND THE TERMS, COVENANTS AND CONDITIONS THEREOF BETWEEN IMPERIAL SQUARE, AN OHIO PARTNERSHIP, AS LESSOR AND THE FIRST NATIONAL BANK, MIAMISBURG, OHIO, A NATIONAL BANKING CORPORATION, AS LESSEE, DISCLOSED BY MEMORANDUM OF LEASE, RECORDED JULY 30, 1975, AS MICROFICHE NO. 75-00611 E05 OF MONTGOMERY COUNTY RECORDS. ABOVE LEASE TERM OF 25 YEARS INCLUDING TWO (2) SUCCESSIVE 25-YEAR OPTIONS TO EXTEND THE LEASE.
- RESERVATION OF EASEMENT FOR ROAD PURPOSES IN DEED, GRANTEE: SCOTT-RAND COMPANY DATED APRIL 19, 1966 RECORDED, SEPTEMBER 16, 1966 IN DEED BOOK 2329, PAGE 296 OF MONTGOMERY COUNTY RECORDS. **EASEMENT IS NOT PART OF SURVEYED PROPERTY AND SHOWN HEREON**
- RESERVATION OF EASEMENTS IN DEED, GRANTEE: IMPERIAL SQUARE, A PARTNERSHIP CONSISTING OF SIDNEY F. WEINER, KENNETH E. LEBENSBURGER, W. TERRY LYONS AND THOMAS V. LYONS DATED: DECEMBER 24, 1973 RECORDED, DECEMBER 27, 1973 AS MICROFICHE NO. 73-657 D12 OF MONTGOMERY COUNTY RECORDS. **PART OF SURVEYED PROPERTY IS DESCRIBED. NO EASEMENTS DESCRIBED IN THE PROVIDED DOCUMENT.**
- RESERVATION OF EASEMENTS, CONDITIONS AND RESTRICTIONS IN DEED, GRANTEE: IMPERIAL SQUARE, A PARTNERSHIP CONSISTING OF SIDNEY F. WEINER, KENNETH E. LEBENSBURGER, W. TERRY LYONS AND THOMAS LYONS DATED, DECEMBER 24, 1973 RECORDED, DECEMBER 27, 1973 AS MICROFICHE NO. 73-657 E03 OF MONTGOMERY COUNTY RECORDS. **PART OF SURVEYED PROPERTY IS DESCRIBED. NO EASEMENTS DESCRIBED IN THE PROVIDED DOCUMENT.**
- RIGHT OF WAY EASEMENT IN FAVOR OF BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO FILED FOR RECORD AS MICROFICHE NO. 75-298 B09 OF MONTGOMERY COUNTY RECORDS. SUBJECT TO THE TERMS AND CONDITIONS THEREOF. **EASEMENT IS NOT ON SURVEYED PROPERTY AND SHOWN HEREON**
- RIGHT OF WAY EASEMENT IN FAVOR OF CITY OF MIAMISBURG, OHIO FILED FOR RECORD AUGUST 12, 1975, AS MICROFICHE NO. 75-367 D09 OF MONTGOMERY COUNTY RECORDS. SUBJECT TO THE TERMS AND CONDITIONS THEREOF. **EASEMENT IS ON SURVEYED PROPERTY AND SHOWN HEREON**
- RIGHT OF WAY EASEMENT IN FAVOR OF THE DAYTON POWER AND LIGHT COMPANY FILED FOR RECORD OCTOBER 15, 1976, AS MICROFICHE NO. 76-534 D01 OF MONTGOMERY COUNTY RECORDS. SUBJECT TO THE TERMS AND CONDITIONS THEREOF. **EASEMENT IS NOT ON SURVEYED PROPERTY AND SHOWN HEREON**
- RESERVATIONS, RESTRICTIONS, COVENANTS, LIMITATIONS, EASEMENTS, AND/OR CONDITIONS IN DEED, RECORDED, AUGUST 11, 1977 AS MICROFICHE NO. 77-445 B04 OF MONTGOMERY COUNTY RECORDS. **PART OF SURVEYED PROPERTY IS DESCRIBED. NO EASEMENTS DESCRIBED IN THE PROVIDED DOCUMENT.**
- RIGHT OF WAY EASEMENT IN FAVOR OF BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO FILED FOR RECORD AUGUST 31, 1977, AS MICROFICHE NO. 77-496 A12 OF MONTGOMERY COUNTY RECORDS. SUBJECT TO THE TERMS AND CONDITIONS THEREOF. **EASEMENT IS NOT ON SURVEYED PROPERTY AND SHOWN HEREON**
- RIGHT OF WAY EASEMENT IN FAVOR OF THE DAYTON POWER AND LIGHT COMPANY FILED FOR RECORD MARCH 28, 1980, AS MICROFICHE NO. 80-127 C12 OF MONTGOMERY COUNTY RECORDS. SUBJECT TO THE TERMS AND CONDITIONS THEREOF. **EASEMENT IS NOT ON SURVEYED PROPERTY AND SHOWN HEREON**
- LEASE AND THE TERMS, COVENANTS AND CONDITIONS THEREOF BETWEEN IMPERIAL SQUARE, AN OHIO PARTNERSHIP, AS LESSOR AND LOJO III, INC., AN OHIO CORPORATION, AS LESSEE, DISCLOSED BY MEMORANDUM OF LEASE, RECORDED JANUARY 23, 1977, AS MICROFICHE NO. 77-71 A02 OF MONTGOMERY COUNTY RECORDS. ASSIGNED TO LONG JOHN SILVER'S, INC. BY INSTRUMENT RECORDED APRIL 18, 2001 IN AS INSTRUMENT NO. ALE-01-040318 OF MONTGOMERY COUNTY RECORDS. ASSIGNED TO AFFINITY FLETCHER 102, INC. BY INSTRUMENT RECORDED JULY 23, 2008 IN AS INSTRUMENT NO. ALE-08-052796 OF MONTGOMERY COUNTY RECORDS. **SURVEYED PROPERTY IS DESCRIBED. NO EASEMENTS DESCRIBED IN THE PROVIDED DOCUMENT.**

ALTA / NSPS LAND TITLE SURVEY

3856 MIAMISBURG-CENTERVILLE ROAD
LOTS 2303, 2304, & 2305 OF CONSECUTIVE LOTS OF CITY OF WEST CARROLLTON
WEST CARROLLTON, MONTGOMERY COUNTY, OHIO

BENCHMARKS:

BM "A" - BENCH TIE SET IN A LIGHT POLE LOCATED ON THE WEST SIDE OF THE SITE APPROXIMATELY 3' EAST OF THE EAST CURB OF ALEX ROAD AND 13' NORTH OF A CONCRETE ENTRANCEWAY TO THE SHOPPING CENTER.
ELEV. = 974.86 (NAVD 88)

BM "B" - CROSS NOTCH SET ON A LIGHT POLE LOCATED IN A PARKING LOT NEAR THE CENTER OF THE SITE.
ELEV. = 975.87 (NAVD 88)

BM "C" - CROSS NOTCH SET ON A HYDRANT LOCATED ON THE NORTH SIDE OF THE SITE, APPROXIMATELY 4 FEET SOUTH OF THE CURB ALONG THE SOUTH RIGHT-OF-WAY LINE OF WATERTOWER LANE AND 22' EAST OF A 35 MPH SIGN.
ELEV. = 972.48 (NAVD 88)

FLOOD ZONE STATEMENT:

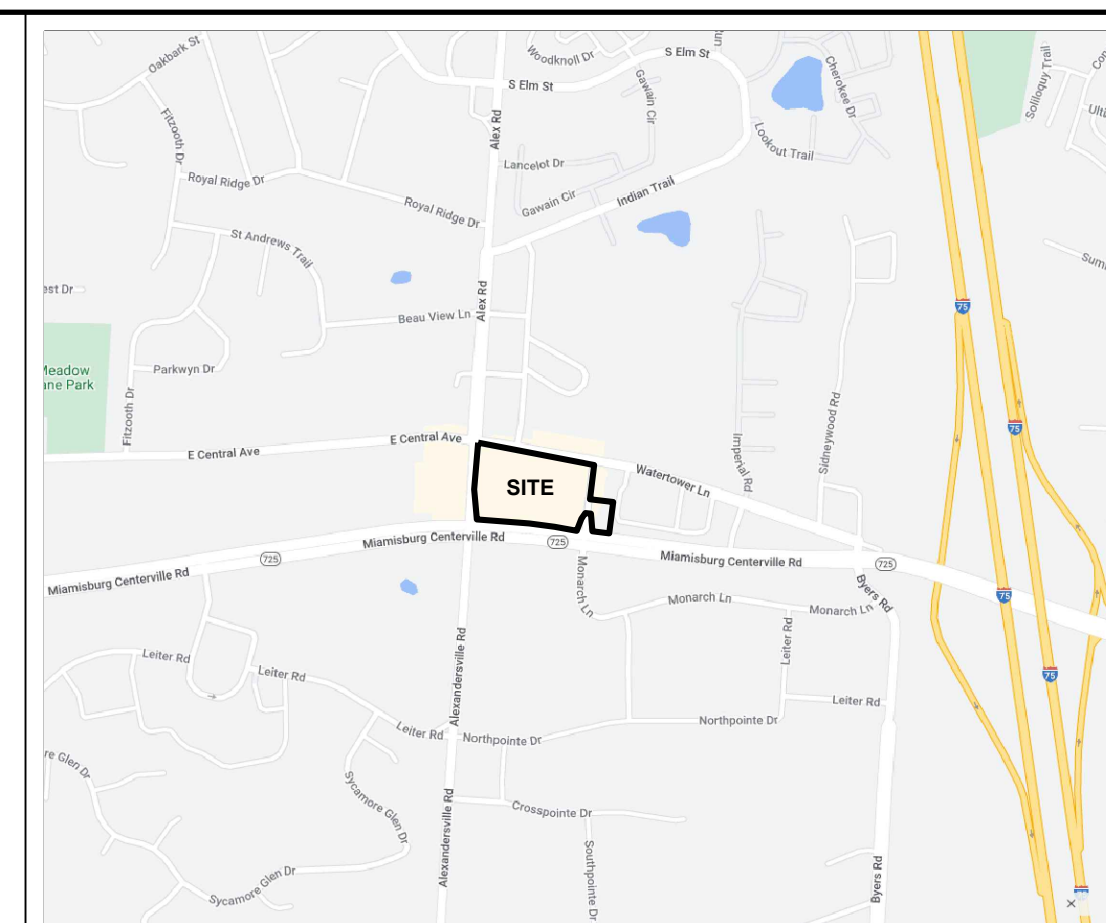
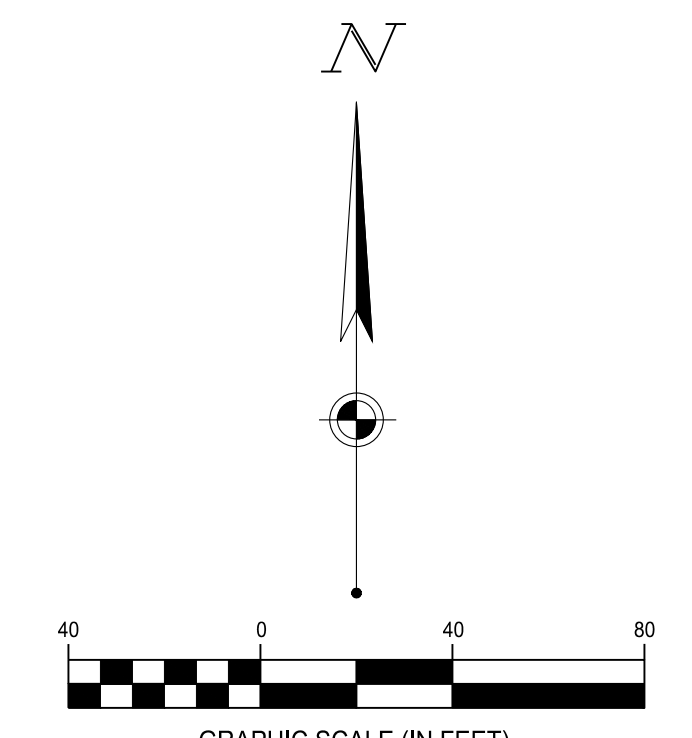
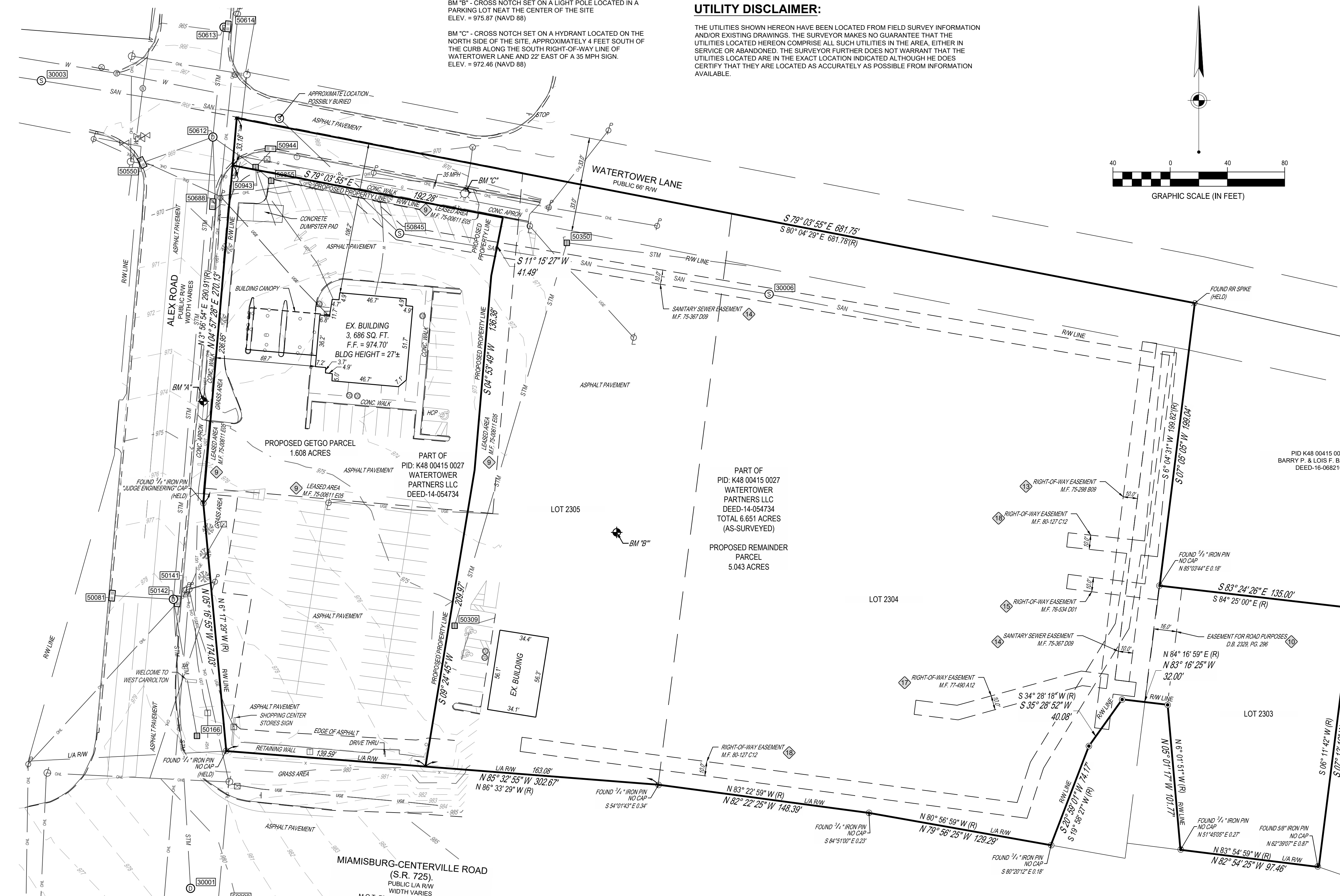
BY INFORMATION PROVIDED BY FEMA FLOOD MAP SERVICE CENTER, THIS PROPERTY WAS FOUND TO BE LOCATED WITHIN FLOOD ZONE X, AREA OF MINIMAL FLOOD HAZARD, BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 3913C0265E, WHICH BEARS AN EFFECTIVE DATE OF JANUARY 6, 2005.

UTILITY DISCLAIMER:

THE UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES LOCATED HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES LOCATED ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.

ZONING REPORT:

NO ZONING REPORT PROVIDED



VICINITY MAP:
NOT TO SCALE

MONUMENT LEGEND:

- MONUMENT FOUND AS NOTED
- 5/8"x3/8" IRON PIN WITH "CESO" CAP SET
- FOUND MAG NAIL
- SET MAG NAIL

LEGEND:

- BENCHMARK
- RECORD DATA
- EXISTING DECIDUOUS / CONIFEROUS TREE
- EXISTING SIGN
- EXISTING BOLLARD
- EXISTING CATCH BASIN / CURB INLET
- EXISTING STORM SEWER MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING CLEANOUT
- EXISTING FIRE HYDRANT
- EXISTING WATER METER / WATER VALVE
- EXISTING LIGHT POLE
- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING ELECTRIC METER / ELECTRIC BOX
- EXISTING ELECTRIC TRANSFORMER
- EXISTING CABLE / TELEPHONE BOX
- PROPERTY BOUNDARY
- ADJOINER PROPERTY LINE
- RIGHT-OF-WAY LINE
- EASEMENT LINE
- EXISTING FENCE LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING STORM SEWER
- EXISTING SANITARY SEWER
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING UNDERGROUND ELECTRIC
- EXISTING OVERHEAD ELECTRIC
- EXISTING UNDERGROUND TELEPHONE
- EXISTING OVERHEAD TELEPHONE
- EXISTING OVERHEAD UTILITY WIRES

SURVEYOR'S NOTES:

- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO THE PARCEL SHOWN HEREON WERE OBTAINED THROUGH A CERTIFIED TITLE COMMITMENT CONDUCTED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NUMBER: NCS-1138446-AKR, WITH A COMMITMENT DATE OF JULY 11, 2022 AT 7:30 A.M.
- ALL DATA SOURCES, DOCUMENTS AND RECORDS SHOWN HEREON ARE ON FILE IN THE MONTGOMERY COUNTY RECORDERS OFFICE LOCATED IN DAYTON, OHIO.
- OCCUPATION IN GENERAL MATCHED THE SURVEY.
- HORIZONTAL DATUM: U.S. STATE PLANE, MAD83 OHIO SOUTH (3402) ESTABLISHED FROM UTILIZING THE OHIO REAL TIME NETWORK (RTN) PROVIDED BY THE OHIO DEPARTMENT OF TRANSPORTATION COORDINATES TAKEN TO GROUND AT LATITUDE N39°38'31.85140", LONGITUDE W84°14'33.66882", PROJECT HEIGHT 860.754' GROUND SCALE FACTOR 1.00009516155015.
- THERE ARE A TOTAL OF 98 PARKING SPACES OF WHICH 1 ARE ADA ACCESSIBLE.
- NO DIVISION OR PARTY WALLS OBSERVED ON THE SURVEYED PROPERTY.
- NO EVIDENCE OF RECENT EARTH MOVEMENT, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED ON THE SURVEY PROPERTY AT THE TIME OF THE FIELDWORK.
- NO CHANGES OF STREET RIGHT-OF-WAY LINES WERE PROVIDED TO THE SURVEYOR AT THE TIME OF THIS SURVEY.

STORM				
STRUCTURE	T/RIM	PIPE SIZE & TYPE	INVERT	BEARING
50550	968.53	12" RCP	966.08	
CURB INLET		12" RCP		
50612	968.71	12" RCP	963.21	SOUTHWEST
MANHOLE		12" RCP	963.41	SOUTH
		12" RCP	963.31	SOUTHEAST
		18" RCP	964.11	SOUTH
		18" RCP	962.56	NORTH
50613	964.91	18" RCP	959.71	SOUTH
MANHOLE				
50943	969.29	6" PVC	967.05	SOUTHEAST
CATCH BASIN		4" PVC	966.85	SOUTH
		6" PVC	967.03	NORTHEAST
		12" RCP	965.03	NORTHWEST
50855	969.24	6" PVC	967.57	NORTHWEST
CATCH BASIN				
50944	968.87	6" PVC	967.45	SOUTHWEST
CURB INLET				
50688	969.40	12" RCP	965.79	NORTH
CURB INLET				

SANITARY				
STRUCTURE	T/RIM	PIPE SIZE & TYPE	INVERT	BEARING
50142	978.01	12" RCP	974.01	EAST
MANHOLE		12" RCP	973.01	WEST
		12" RCP	973.01	SOUTHEAST
		18" RCP	972.91	NORTH
		18" RCP	972.91	SOUTH
50081	977.58	12" RCP	974.26	EAST
CURB INLET				
50141	977.72	12" RCP	978.34	WEST
CURB INLET				
50166	978.01	12" RCP	974.75	NORTHWEST
CATCH BASIN				
30001	979.26	18" RCP		NORTH
MANHOLE				
50309	974.23	18" RCP	970.41	NORTHEAST
CATCH BASIN				
50350	969.94	18" RCP	966.36	SOUTHWEST
CATCH BASIN		18" RCP	966.43	EAST

SURVEYORS CERTIFICATION

TO: WATERTOWER PARTNERS, LLC, A COLORADO LIMITED LIABILITY COMPANY, FIRST AMERICAN TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 8(A), 6(B), 7(A), 7(B)(1), 7(C), 8, 9, 11(A), 13, 14, 16, AND 17, OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED IN NOVEMBER, 2022.



SEAN T. BROOKS, P.S.
STATE PROFESSIONAL SURVEYOR #8828

11/11/2022
DATE

REVISIONS		
NO.	DATE	DESCRIPTION

ALTA/NSPS LAND TITLE SURVEY

GETGO WEST CARROLLTON

3856 MIAMISBURG-CENTERVILLE ROAD
CITY OF WEST CARROLLTON

LOTS 2303, 2304, & 2305
MONTGOMERY COUNTY, OHIO

SCALE: 1" = 40'
DATE: 11/11/2022

DESIGN: N/A
DRAWN: DAS
CHECKED: STB

JOB NO.: 761711
SHEET NO.: 1 OF 1

CESO
WWW.CESOINC.COM

SURVEYOR:
CESO, INC.
3601 RIGBY ROAD, SUITE 300
MIAMISBURG, OHIO 45342
(937) 435-8584