

ALTA/ACSM LAND TITLE SURVEY

FOR: PDG, INC.
FLYING J - WHITEFORD, MICHIGAN

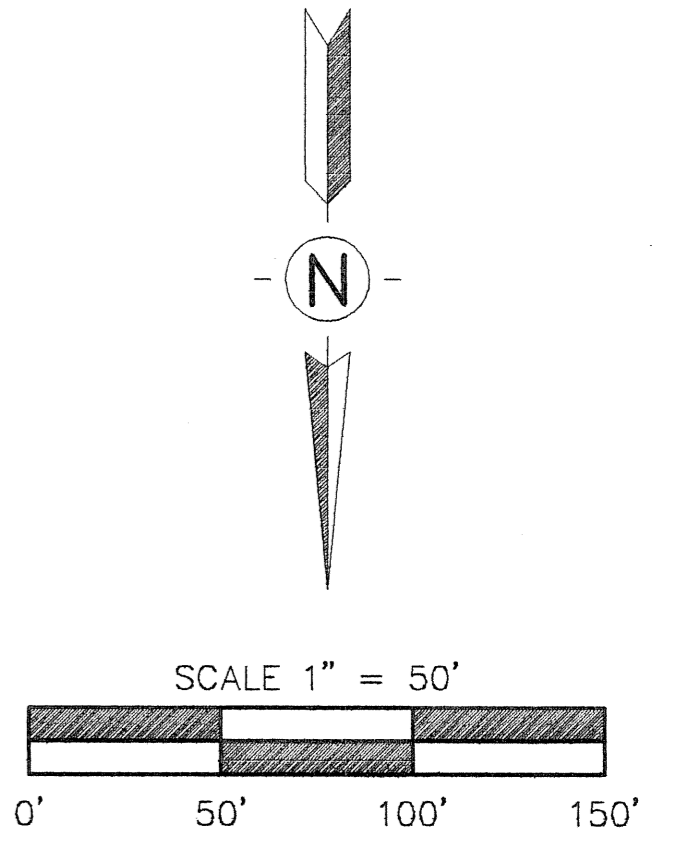


BENCHMARK #2
"X" ON NW CORNER OF CATCHBASIN ON WEST SIDE SCHNIPKE ROAD & ±355' SOUTH OF STEARNS ROAD ELEVATION = 667.51

BENCHMARK #3
MAG NAIL SOUTH SIDE OF UTILITY POLE ON NORTH SIDE OF STEARNS ROAD & ±365' WEST OF SCHNIPKE ROAD ELEVATION = 667.51

BENCHMARK #4
"X" ON NORTH END OF CONCRETE HEADWALL ON WEST SIDE OF WEST DRIVE TO FIREWORKS STORE ON SOUTH SIDE OF STEARNS ROAD ELEVATION = 669.62

- LEGEND**
- = SET 5/8" "KEBS" BAR & CAP
 - = FOUND IRON AS NOTED
 - = DEED LINE
 - = DISTANCE NOT TO SCALE
 - - - - = FENCE
 - ▨ = ASPHALT
 - ▩ = CONCRETE
 - ▧ = WETLANDS
 - = EXISTING SPOT ELEVATION
 - = EXISTING CONTOUR ELEVATION
 - = SANITARY SEWER
 - = STORM SEWER
 - = WATER LINE
 - = GAS LINE
 - = UNDERGROUND TELEPHONE
 - C — = UNDERGROUND ELECTRIC
 - = UNDERGROUND TELEVISION
 - = OVERHEAD WIRES
 - ⊙ = SANITARY MANHOLE
 - ⊕ = DRAINAGE MANHOLE
 - ⊗ = CATCHBASIN
 - ⊘ = WELL
 - ⊙ = UTILITY POLE
 - ⊙ = LIGHT POLE
 - ⊙ = GUY WIRE
 - ⊙ = SOIL BORING
 - ⊙ = SIGN
 - ⊙ = FLAG POLE



SANITARY MANHOLE #1
TOC 669.4
6" EAST 662.9
12" SOUTH 662.2

SANITARY MANHOLE #2
TOC 667.8
12" NORTH 661.8
6" EAST 662.1
12" SSE 661.7

SANITARY MANHOLE #3
TOC 670.4
6" EAST 661.1
12" SSE 660.5
12" NNW 660.7

SANITARY MANHOLE #4
TOC 669.9
6" EAST 660.3
12" SSE 659.9
12" NNW 660.0

STORM MANHOLE #2
TOC 669.8
8" EAST 664.4
36" SSE 663.3
24" WEST 665.4
36" NNW 663.3

STORM MANHOLE #3
TOC 670.0
36" SSE 663.2
36" NNW 663.1

STORM MANHOLE #4
TOC 668.4
36" EAST 661.9
36" SSE 662.8
18" NNW 661.9

STORM MANHOLE #5
TOC 667.7
8" EAST 662.7
18" SSE 662.3
18" NW 662.2

STORM MANHOLE #6
TOC 668.9
48" NE 661.4
48" WEST 661.3

CATCH BASIN #1
INLET EL. 667.5
18" SE 662.7
12" WEST 662.7

CATCH BASIN #2
INLET EL. 667.3
12" EAST 662.7
6" SOUTH 664.5
8" WEST 662.9

CURVE DATA
R=1910.00'
D=141°19'04"
L=475.63'
CH=S12°21'27"E
474.40'

REVISDED DEDICATED HIGHWAY AND UTILITY EASEMENT TO THE BOARD OF COUNTY ROAD COMMISSIONERS FOR THE COUNTY OF MONROE, L. 1823, P. 568 80 FEET WIDE

LAURENCE LEWIS SANITARY SEWER EASEMENT TO WHITEFORD TOWNSHIP, L. 1704, P. 464-466 19.69 FEET WIDE

APPROXIMATE LINE OF ZONE A 100 YEAR FLOOD

NORTHEAST CORNER SECTION 34 T8S, R6E

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KEBS, INC. ENGINEERING AND LAND SURVEYING
13432 PRESTON DRIVE, MARSHALL, MI 48068
PH. 269-781-9800 FAX. 269-781-9805

Charlotte Office Ph. 517-543-7076 Haslett Office Ph. 517-336-8047

DRAWN BY: BEB SECTION 34, T8S, R6E
FIELD WORK BY: MJG JOB NUMBER: 77296
FIELD WORK DATE: 2/23/06 SHEET 1 OF 2

ALTA/ACSM LAND TITLE SURVEY

FOR: **PDG, INC.**
FLYING J - WHITEFORD, MICHIGAN

LEGAL DESCRIPTION

Situated in Whiteford Township, Monroe County, Michigan. Part of the Northeast 1/4 of Section 34, Town 8 South, Range 6 East, described as:
Commencing at the North 1/4 corner of said Section 34, monumented by a 5/8 inch rebar found which replaced a destroyed 1 inch pipe with brass Remonumentation cap in monument box (LORC L. 4, P. 182); thence North 84°46'31" East 561.01 feet measured (recorded as North 84°42'22" East in Quit Claim Deed, Liber 1583, Page 0178, Monroe County Register of Deeds Office) on the North line of said Section 34, centerline of Sterns Road (variable width) to the intersection of the East right-of-way line of U.S. 23 as recorded in Warranty Deed, Liber 467, Page 292, Monroe County Register of Deeds Office, for the point of beginning, said point also being the Northwest corner of a parcel described in a Warranty Deed recorded in Liber 886, Pages 26-27, Monroe County Register of Deeds Office; thence continuing on said North line, North 84°46'31" East 943.78 feet to a mag nail & washer found at the intersection of the centerline of Schnipke Drive (80 feet wide), as dedicated in a Monroe County Road Commission resolution recorded in Liber 1880, Page 0758, Monroe County Register of Deeds Office; thence on the centerline of said Schnipke Drive the following three (3) courses: 1) South 05°13'25" East 200.04 feet to the point of curvature; 2) on a curve to the left said curve having a radius of 1910.00 feet, a central angle of 14°16'04", an arc length of 475.63 feet, and a chord bearing and distance of South 12°21'27" East 474.40 feet to the point of tangency 3) South 19°29'29" East 273.86 feet; thence South 84°46'32" West 1387.64 feet to a capped 1/2 inch rebar set in the east line of U.S. 23 as described in Quit Claim Deed recorded in Liber 497, Page 181, Monroe County Register of Deeds Office; thence on the east line of U.S. 23 the following two (2) courses: 1) North 02°00'18" West 23.00 feet to a capped (19474) 1/2 inch rebar found; 2) on the East line of said Warranty Deed, Liber 467, Page 292, North 13°52'20" East 966.40 feet to the point of beginning. Containing 24.540 acres of total land, more or less (20.039 acres of Net land more or less excepting right-of-ways). Subject to highway, easements and restrictions of record.

SURVEYOR'S CERTIFICATE

This is to certify to First American Title Company, and Flying J Inc., a Utah corporation that this plat and survey on which it is based were made in (i) accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys", jointly established and adopted by ALTA, ACSM and NSPS in 1999 and includes items 1, 2, 3, 4, 5, 6, 7a, 7b, 7c, 8, 9, 10, 11b, 13, 14, 15 and 16 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. The undersigned further certifies that proper field procedures, instrumentation, and adequate survey personnel were employed in order to achieve results comparable to those outlined in the "Minimum Angle, Distance, and Closure Requirements for Survey Measurements which Control Land Boundaries for ALTA/ACSM Land Title Surveys."

M.A. Groat 4/27/06

Name: Michael A. Groat, Licensed Professional Surveyor No. 39079
Address: KEBS, Inc.
13432 Preston Drive
Marshall, MI 49068
Phone: (269) 781-9800

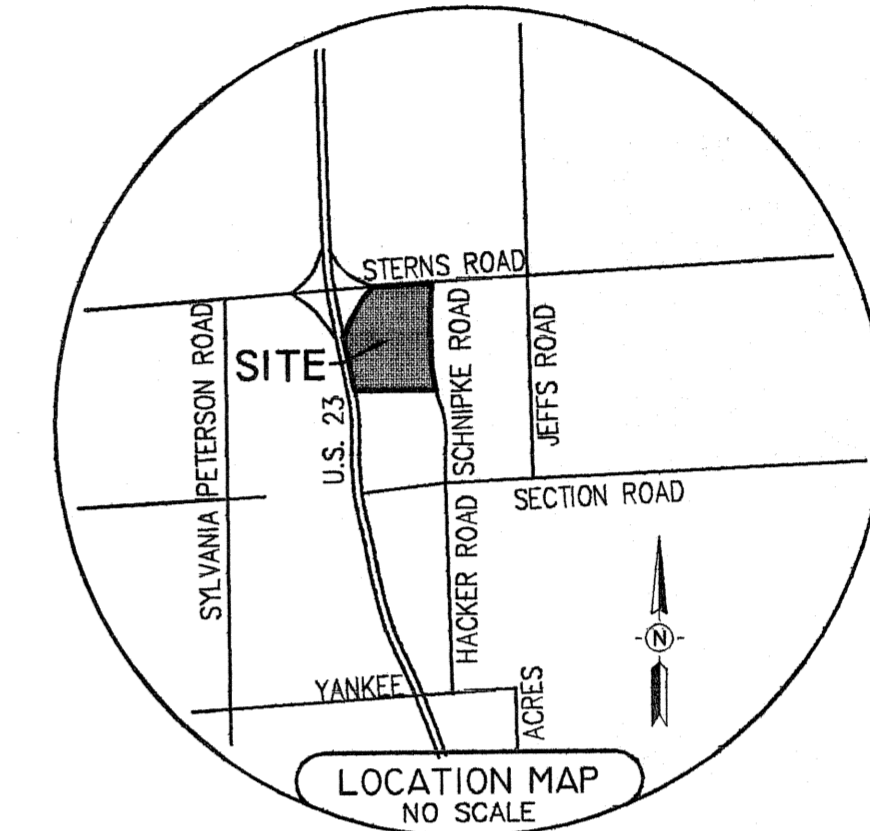


NOTES:

- 1) Address: Vacant land
Sterns Road
Ottawa Lake, MI 49267
- 2) All bearings are derived from the bearing of N84°46'31"E given for the North line of Section 34 as shown on the Boundary Survey by G.B. Warnke & Associates, Inc. drawing and description of Job No. 04-0121-1.
- 3) The parcel has existing frontage onto Sterns Road and Schnipke Drive, the site currently does have a drive on to Sterns Road.
- 4) A portion of the parcel in the vicinity of Dally Drain that crosses the Northerly portion of the property is in Flood Zone "A", an area of 100 year flood hazard (no base elevation has been determined). The remainder of the property is located in "Flood Zone X", an area determined to be outside a 500 year floodplain. These areas were derived from scaled approximate location from National Flood Insurance Program - Flood Insurance Rate Map of Whiteford Township, Monroe County, Michigan, Community Panel Number 26115 C0452 D, with an effective date of April 20, 2000.
- 5) The parcel contains 24.54 acres (1,068,962 S.F.).
- 6) No observable evidence of recent earth moving or construction on site. No observable evidence of use of site as a solid waste dump, sump or sanitary landfill.
- 7) Elevations are referenced to North American Vertical Datum of 1988 (NAVD88).
- 8) The parking lot contained no striping to indicate parking space locations.

NOTES CORRESPONDING TO SCHEDULE B - SECTION II:

- 9) Easement granted to The Citizens Light and Power Company, disclosed by instrument recorded in Liber 273, page 281, does not affect the subject and is not graphically depicted on this survey drawing.
- 10) Easement granted to Consumer Energy Company, disclosed by instrument in Liber 294, page 80, does not affect the subject and is not graphically depicted on this survey drawing.
- 11) Highway easement granted to the State of Michigan, easement disclosed by instrument recorded in Liber 467, pages 234-235, is graphically depicted on this survey drawing.
- 12) Easement granted to the State of Michigan, disclosed by instrument recorded in Liber 471, pages 379-380, is graphically depicted on this survey drawing.
- 13) Terms, covenants and conditions as set forth in instrument recorded in Liber 886, page 26-27.
- 14) Revised Dedicated Highway and Utility Easement in favor of the Board of County Road Commissioners for the County of Monroe as recorded in Liber 1623, pages 568-569, is graphically depicted on this survey drawing.
- 15) Dedicated Highway and Utility Easements in favor of Whiteford Township as recorded in Liber 1675, pages 68-69, does not affect the subject property. Dedicated Highway and Utility Easements in favor of Whiteford Township as recorded in Liber 1675, page 70-71, and in Liber 1704, pages 464-466, are graphically depicted on this survey drawing.
- 18) Terms and conditions of Land Restriction Agreement recorded in Liber 3027, pages 891-900.
- 19) Terms and conditions of the Declaration of Restrictions/Site Development Standards for Whiteford Gateway Pointe as recorded in Liber 2992, pages 513-525.
- 20) Temporary Highway and Utility Easement as recorded in Liber 1678, pages 981-983.
- 21) Land Contract and the terms, covenants and conditions thereof between Laurence Lewis ("Seller"), as Vendor and Sweet River Associates 1, LLC ("Purchaser"), as Vendee, disclosed by Memorandum of Land Contract recorded in Liber 1903, page 824.
(NOTE: The interest of Sweet River Associates 1, LLC was assigned to Whiteford Gateway Pointe, LLC, in the Assignment and Assumption of Land Contract recorded in Liber 2992, Page 499 Monroe County Records.)



ZONING INFORMATION:

- 1) Parcel is within the following three zoning districts.
General Business (B-2)
Highway Business (B-3)
Hazardous Materials (BH)
- 2) Yard and Setbacks Requirements:
General Business (B-2)
Front: 75 feet
Side: See Twp. Ordinance for details
Rear: 50 feet
Reference Township Ordinance for further details

Highway Business (B-3)
Front: 40 feet
Side: See Twp. Ordinance for details
Rear: 50 feet
Reference Township Ordinance for further details

Hazardous Materials (BH)
Reference Township Ordinance for details
- 2) Building Height and Area Requirements:
General Business (B-2)
Height: 3 story, 45 feet
Area: N/A

Highway Business (B-3)
Height: 3 story, 45 feet
Area: N/A

Hazardous Materials (BH)
Reference Township Ordinance for details

KEBS, INC. ENGINEERING AND LAND SURVEYING	
13432 PRESTON DRIVE, MARSHALL, MI 49068 PH. 269-781-9800 FAX. 269-781-9805	
Charlotte Office Ph. 517-543-7076	Holland Office Ph. 517-338-8047
DRAWN BY: BEB	SECTION 34, T8S, R6E
FIELD WORK BY: MJG	JOB NUMBER: 77296
FIELD WORK DATE: 2/23/06	SHEET 2 OF 2