

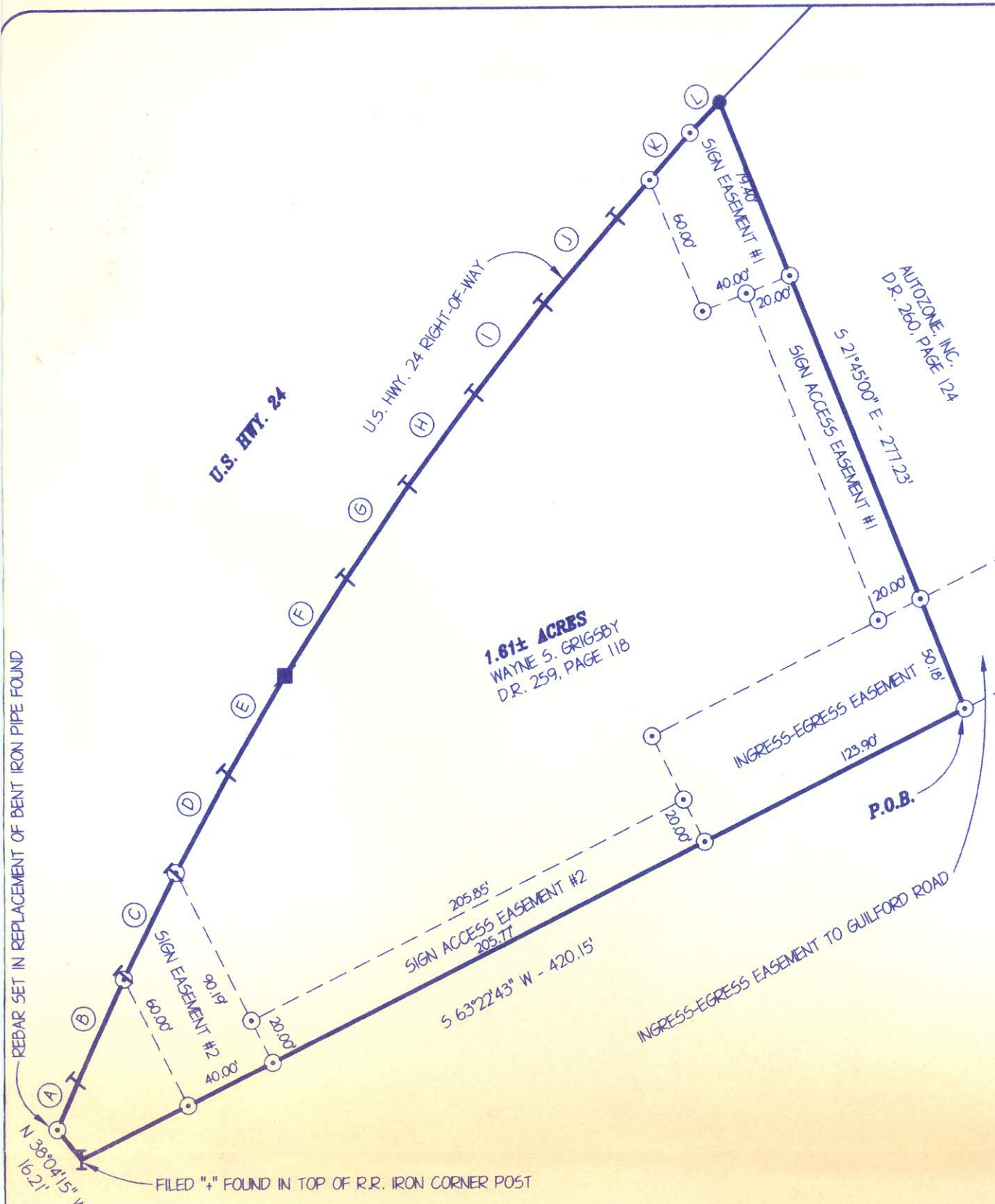
**LEGAL DESCR**

A TRACT OF LAND L...  
SECTIONS, TOWNSHIP 2...  
COUNTY, THE STATE OF...  
FOLLOWS:

BEGINNING AT THE S...  
CONVEYED TO AUTOZO...  
BOOK 260, PAGE 124, ...  
S 63°22'43"W (\*), ALON...  
LAND CONVEYED TO WA...  
RECORD BOOK 259, PA...  
CORNER POST FOUND...  
THE WESTERLY LINE OF...  
16.21 FEET TO A REBAR...  
ALONG THE SOUTHEAST...  
FOLLOWING TWELVE BE...  
22.49 FEET TO A "T" S...  
N 24°16'58"E FOR 48.2...  
FOUND THIS SURVEY; N...  
STEEL FENCE POST FO...  
47.65 FEET TO A "T" S...  
N 29°49'09"E FOR 48.1...  
FOUND THIS SURVEY; N...  
STEEL FENCE POST FO...  
47.80 FEET TO A "T" S...  
N 36°35'26"E FOR 47.7...  
FOUND THIS SURVEY; N...  
STEEL FENCE POST FO...  
47.90 FEET TO A "T" S...  
N 41°00'37"E FOR 47.3...  
N 44°22'27"E FOR 18.14...  
THENCE S 21°45'00"E, ...  
TRACT CONVEYED TO ...  
POINT OF BEGINNING, S...  
LESS, AND BEING SUBJ...  
EASEMENTS OF RECOR...  
BENEFITTED BY AN INGR...  
DESCRIBED AS FOLLO...  
OF A TRACT OF LAND ...  
COUNTY DEED RECORD...  
TRACT OF LAND IS AL...  
THAT ARE MORE FULLY

(1) INGRESS - EGR...  
SOUTHWEST CORNER O...  
PER HUNTINGTON COUN...  
BY A REBAR SET THIS...  
ALONG THE SOUTHERLY...  
S. GRIGSBY PER HUN...  
118, FOR 123.90 FEET...  
N 26°23'51"W FOR 50.0...  
THENCE N 63°22'43"E...  
SAID TRACT CONVEY...  
SET THIS SURVEY; THE...  
LINE OF SAID TRACT O...  
TO THE POINT OF BEG...  
ACRES, MORE OR LESS...  
RIGHT-OF-WAYS AND A

(2) SIGN EASEMEN...  
OF A TRACT OF LAND...  
COUNTY DEED RECORD...  
THIS SURVEY; THENCE...  
LINE OF SAID TRACT O...  
FEET TO THE POINT OF...  
SURVEY; THENCE CONT...  
WESTERLY LINE OF SA...  
79.40 FEET TO A REB...  
SOUTHEASTERLY RIGH...  
TWO BEARINGS AND LE...  
A REBAR SET THIS SU...  
REBAR SET THIS SURV...  
AND 40.00 FEET WEST...  
CONVEYED TO AUTOZO...  
THIS SURVEY; THENCE...  
WESTERLY LINE OF SA...  
ALSO ALONG A PORTIO...  
#1 AS DESCRIBED BE



**LINE CHART**

A	N 23°21'00" E	22.49'
B	N 24°16'58" E	48.21'
C	N 26°21'30" E	48.21'
D	N 28°21'56" E	47.65'
E	N 29°49'09" E	48.19'
F	N 32°37'57" E	48.14'
G	N 34°17'54" E	47.80'

REBAR SET IN REPLACEMENT OF BENT IRON PIPE FOUND

FILED "4" FOUND IN TOP OF R.R. IRON CORNER POST

**1.61± ACRES**  
WAYNE S. GRIGSBY  
D.R. 259, PAGE 118

AUTOZONE, INC.  
D.R. 260, PAGE 124

**P.O.B.**

## LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN TRACT #18 OF THE RESERVE OF TEN SECTIONS, TOWNSHIP 28 NORTH, RANGE 9 EAST, IN HUNTINGTON COUNTY, THE STATE OF INDIANA, MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO AUTOZONE, INC. PER HUNTINGTON COUNTY DEED RECORD BOOK 260, PAGE 124, MARKED BY A REBAR SET THIS SURVEY; THENCE S 63°22'43"W (\*) ALONG THE SOUTHERLY LINE OF A TRACT OF LAND CONVEYED TO WAYNE S. GRIGSBY PER HUNTINGTON COUNTY DEED RECORD BOOK 259, PAGE 118, FOR 420.15 FEET TO A RAILROAD IRON CORNER POST FOUND THIS SURVEY; THENCE N 38°04'15"E, ALONG THE WESTERLY LINE OF SAID TRACT CONVEYED TO GRIGSBY, FOR 16.21 FEET TO A REBAR SET THIS SURVEY; THENCE ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF US #24 FOR THE FOLLOWING TWELVE BEARINGS AND LENGTHS: N 23°21'00"E FOR 22.49 FEET TO A "T" STEEL FENCE POST FOUND THIS SURVEY; N 24°16'58"E FOR 48.21 FEET TO A "T" STEEL FENCE POST FOUND THIS SURVEY; N 26°21'30"E FOR 48.21 FEET TO A "T" STEEL FENCE POST FOUND THIS SURVEY; N 28°21'56"E FOR 47.65 FEET TO A "T" STEEL FENCE POST FOUND THIS SURVEY; N 29°49'09"E FOR 48.19 FEET TO A "T" STEEL FENCE POST FOUND THIS SURVEY; N 32°37'57"E FOR 48.14 FEET TO A "T" STEEL FENCE POST FOUND THIS SURVEY; N 34°17'54"E FOR 47.80 FEET TO A "T" STEEL FENCE POST FOUND THIS SURVEY; N 36°35'26"E FOR 47.72 FEET TO A "T" STEEL FENCE POST FOUND THIS SURVEY; N 37°52'53"E FOR 48.43 FEET TO A "T" STEEL FENCE POST FOUND THIS SURVEY; N 40°50'30"E FOR 47.90 FEET TO A "T" STEEL FENCE POST FOUND THIS SURVEY; N 41°00'37"E FOR 47.30 FEET TO A REBAR SET THIS SURVEY; N 44°22'27"E FOR 18.14 FEET TO A REBAR FOUND THIS SURVEY; THENCE S 21°45'00"E, ALONG THE WESTERLY LINE OF SAID TRACT CONVEYED TO AUTOZONE, INC., FOR 277.23 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 1.61 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL ROAD RIGHT-OF-WAYS AND ALL EASEMENTS OF RECORD. THE ABOVE DESCRIBED TRACT OF LAND IS BENEFITTED BY AN INGRESS - EGRESS EASEMENT MORE FULLY DESCRIBED AS FOLLOWS: THE SOUTH 50.00 FEET BY PARALLEL LINES OF A TRACT OF LAND CONVEYED TO AUTOZONE, INC. PER HUNTINGTON COUNTY DEED RECORD BOOK 260, PAGE 124. THE ABOVE DESCRIBED TRACT OF LAND IS ALSO SUBJECT TO THE FOLLOWING FIVE EASEMENTS THAT ARE MORE FULLY DESCRIBED AS FOLLOWS:

(1) INGRESS - EGRESS EASEMENT: BEGINNING AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO AUTOZONE INC. PER HUNTINGTON COUNTY DEED RECORD BOOK 260, PAGE 124, MARKED BY A REBAR SET THIS SURVEY; THENCE S 63°22'43"W (\*), ALONG THE SOUTHERLY LINE OF A TRACT OF LAND CONVEYED TO WAYNE S. GRIGSBY PER HUNTINGTON COUNTY DEED RECORD BOOK 259, PAGE 118, FOR 123.90 FEET TO A REBAR SET THIS SURVEY; THENCE N 26°23'51"W FOR 50.00 FEET TO A REBAR SET THIS SURVEY; THENCE N 63°22'43"E, PARALLEL TO THE SOUTHERLY LINE OF SAID TRACT CONVEYED TO GRIGSBY, FOR 127.97 FEET TO A REBAR SET THIS SURVEY; THENCE S 21°45'00"E, ALONG THE WESTERLY LINE OF SAID TRACT CONVEYED TO AUTOZONE, INC., FOR 50.18 FEET TO THE POINT OF BEGINNING, SAID EASEMENT CONTAINING 0.14 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL PUBLIC ROAD RIGHT-OF-WAYS AND ALL OTHER EASEMENTS.

(2) SIGN EASEMENT #1: COMMENCING AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO AUTOZONE, INC. PER HUNTINGTON COUNTY DEED RECORD BOOK 260, PAGE 124, MARKED BY A REBAR SET THIS SURVEY; THENCE N 21°45'00"W (\*), ALONG THE WESTERLY LINE OF SAID TRACT CONVEYED TO AUTOZONE, INC., FOR 197.84 FEET TO THE POINT OF BEGINNING MARKED BY A REBAR SET THIS SURVEY; THENCE CONTINUING N 21°45'00"W, ALONG THE WESTERLY LINE OF SAID TRACT CONVEYED TO AUTOZONE, INC., FOR 79.40 FEET TO A REBAR FOUND THIS SURVEY; THENCE ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF US #24, FOR THE FOLLOWING TWO BEARINGS AND LENGTHS: S 44°22'27"W FOR 18.14 FEET TO A REBAR SET THIS SURVEY; S 41°00'37"W FOR 26.33 FEET TO A REBAR SET THIS SURVEY; THENCE S 21°45'00"E, PARALLEL TO AND 40.00 FEET WESTERLY FROM THE WESTERLY LINE OF SAID TRACT CONVEYED TO AUTOZONE, INC., FOR 60.00 FEET TO A REBAR SET THIS SURVEY; THENCE N 68°15'00"E, PERPENDICULAR TO THE WESTERLY LINE OF SAID TRACT CONVEYED TO AUTOZONE INC. AND ALSO ALONG A PORTION OF THE NORTHERLY LINE OF ACCESS EASEMENT

## LEGAL DESCRIPTION (CONT.)

(3) SIGN ACCESS EASEMENT #1: COMMENCING AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO AUTOZONE, INC., MARKED BY A REBAR SET THIS SURVEY; THENCE N 21°45'00"W, ALONG THE WESTERLY LINE OF SAID TRACT CONVEYED TO AUTOZONE, INC., FOR 50.18 FEET TO THE POINT OF BEGINNING MARKED BY A REBAR SET THIS SURVEY; THENCE CONTINUING N 21°45'00"W, ALONG THE WESTERLY LINE OF SAID TRACT CONVEYED TO AUTOZONE, INC., FOR 147.66 FEET TO A REBAR SET THIS SURVEY; THENCE S 68°15'00"W, ALONG THE SOUTHERLY LINE OF THE ABOVE DESCRIBED SIGN EASEMENT #1, FOR 20.00 FEET TO A REBAR SET THIS SURVEY; THENCE S 21°45'00"E, PARALLEL TO AND 20.00 FEET WESTERLY OF THE WESTERLY LINE OF SAID TRACT CONVEYED TO AUTOZONE, INC., FOR 149.36 FEET TO A REBAR SET THIS SURVEY; THENCE N 63°22'42"E, ALONG THE NORTHERLY LINE OF THE ABOVE DESCRIBED INGRESS - EGRESS EASEMENT, FOR 20.07 FEET TO THE POINT OF BEGINNING, SAID EASEMENT CONTAINING 0.07 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL PUBLIC ROAD RIGHT-OF-WAYS AND ALL OTHER EASEMENTS OF RECORD.

(4) SIGN EASEMENT #2: COMMENCING AT THE SOUTHWEST CORNER OF A TRACT CONVEYED TO AUTOZONE, INC. PER HUNTINGTON COUNTY DEED RECORD BOOK 260, PAGE 124, MARKED BY A REBAR SET THIS SURVEY; THENCE S 63°22'43"W (\*), ALONG THE SOUTHERLY LINE OF A TRACT OF LAND CONVEYED TO WAYNE S. GRIGSBY PER HUNTINGTON COUNTY DEED RECORD BOOK 259, PAGE 118, FOR 329.67 FEET TO THE POINT OF BEGINNING MARKED BY A REBAR SET THIS SURVEY; THENCE CONTINUING S 63°22'43"W, ALONG THE SOUTHERLY LINE OF SAID TRACT CONVEYED TO GRIGSBY, FOR 40.00 FEET TO A REBAR SET THIS SURVEY; THENCE N 26°37'17"W, PERPENDICULAR TO THE SOUTHERLY LINE OF SAID TRACT CONVEYED TO GRIGSBY, FOR 60.00 FEET TO A REBAR SET THIS SURVEY; THENCE ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF US #24, FOR THE FOLLOWING TWO BEARINGS AND LENGTHS: N 24°16'58"E FOR 1.20 FEET TO A "T" STEEL FENCE POST FOUND THIS SURVEY; THENCE N 26°23'14"E FOR 48.91 FEET TO A REBAR SET THIS SURVEY; THENCE S 26°37'17"E, PERPENDICULAR TO THE SOUTHERLY LINE OF SAID TRACT CONVEYED TO GRIGSBY, FOR 90.19 FEET TO THE POINT OF BEGINNING, SAID EASEMENT CONTAINING 0.07 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL PUBLIC ROAD RIGHT-OF-WAYS AND ALL OTHER EASEMENTS OF RECORD.

(5) ACCESS EASEMENT #2: COMMENCING AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO AUTOZONE, INC. PER HUNTINGTON COUNTY DEED RECORD BOOK 260, PAGE 124, MARKED BY A REBAR SET THIS SURVEY; THENCE S 63°22'43"W (\*), ALONG THE SOUTHERLY LINE OF A TRACT OF LAND CONVEYED TO WAYNE S. GRIGSBY PER HUNTINGTON COUNTY DEED RECORD BOOK 159, PAGE 118, FOR 123.90 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING S 63°22'43"W, ALONG THE SOUTHERLY LINE OF SAID TRACT CONVEYED TO GRIGSBY, FOR 205.77 FEET TO A REBAR SET THIS SURVEY; THENCE N 26°37'17"W, PERPENDICULAR TO SOUTHERLY LINE OF SAID TRACT CONVEYED TO GRIGSBY AND ALONG THE EASTERLY LINE OF THE ABOVE DESCRIBED ACCESS EASEMENT #2, FOR 20.00 FEET TO A REBAR SET THIS SURVEY; THENCE N 63°22'43"E, PARALLEL TO AND 20 FEET NORTHERLY OF THE SOUTHERLY LINE OF SAID TRACT CONVEYED TO GRIGSBY, FOR 205.85 FEET TO A REBAR SET THIS SURVEY; THENCE S 26°23'51"E, ALONG THE WESTERLY LINE OF THE ABOVE DESCRIBED INGRESS - EGRESS EASEMENT, FOR 20.00 FEET TO THE POINT OF BEGINNING, SAID EASEMENT CONTAINING 0.09 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL PUBLIC ROAD RIGHT-OF-WAYS AND ALL OTHER EASEMENTS OF RECORD.

(\*) THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED BY HOLDING THE SOUTH LINE OF TRACT #5 IN THE RESERVE OF TEN SECTIONS TO BE EAST - WEST.

A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND EASEMENTS IS REPRESENTED BY PLAT OF SURVEY #28-09-18-001 AS PREPARED BY SEXTON AND ASSOCIATES; 108 EAST MAIN STREET; ALBION, INDIANA 46701. ANY APPARENT ENCROACHMENTS AFFECTING SAID TRACT ARE AS SHOWN ON THE PLAT OF SURVEY. THE ABOVE DESCRIBED TRACT OF LAND IS NOT LOCATED WITHIN ZONE A FLOOD HAZARD BOUNDARY AS SHOWN ON THE FLOOD INSURANCE RATE MAP AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

# SURVEYOR'S REPORT

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, RULE 12, SECTION 1 THROUGH 29 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

- A) VARIANCES IN THE REFERENCED MONUMENTS;
- B) DISCREPANCIES IN RECORD DESCRIPTIONS AND PLATS;
- C) INCONSISTENCIES IN LINES OF OCCUPATION AND;
- D) RANDOM ERROR IN MEASUREMENT (THEORETICAL UNCERTAINTY)

THE THEORETICAL UNCERTAINTY (DUE TO RANDOM ERRORS IN MEASUREMENT) OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED THIS SURVEY IS WITHIN THE SPECIFICATIONS FOR A CLASS C (0.50 FEET) AS DEFINED IN IAC 865.

THE PURPOSE OF THIS SURVEY IS TO COMPLETE A PERIMETER SURVEY OF THE REMAINDER OF THE LAND THAT IS OWNED BY WAYNE S. GRIGSBY PER HUNTINGTON COUNTY DEED RECORD BOOK 259, PAGE 118. ORIGINALLY THE TRACT CONTAINED 3.009 ACRES. THEN 1.45 ACRES OF LAND OFF OF THE EAST SIDE OF THE TRACT WAS CONVEYED TO AUTOZONE, INC. PER HUNTINGTON COUNTY DEED RECORD BOOK 260, PAGE 124. IT IS MY UNDERSTANDING ACCORDING TO THE SURVEY FOR THE AUTOZONE TRACT THAT THERE IS A 50 FOOT INGRESS - EGRESS EASEMENT ALONG THE SOUTH LINE OF THE TRACT OF LAND CONVEYED TO AUTOZONE. THE SURVEY WAS COMPLETED ON DECEMBER 2, 1996 BY H. DOUGLAS PEIRCE LS#20710. THIS SURVEY IS SUBJECT TO AND BENEFITTED BY SAID EASEMENT. SEE THE PLAT OF SURVEY FOR THE CONFIGURATION OF THE TRACT OF LAND BEING SURVEYED IN RELATIONSHIP TO THE ADJOINING TRACTS AND PUBLIC ROAD RIGHT-OF-WAYS. ALL OF THE LAND IS LOCATED IN TRACT #18 OF THE RESERVE OF TEN SECTIONS GRANTED TO JOHN B. RICHARDVILLE AT THE FORKS OF THE WABASH RIVER, IN TOWNSHIP 28 NORTH, RANGE 9 EAST, IN HUNTINGTON COUNTY, INDIANA.

THE THEORY OF LOCATION THAT WAS USED TO DETERMINE THE PERIMETER OF SAID TRACT WAS FROM THE FOLLOWING INFORMATION: THE GRIGSBY DEED AND THE AUTOZONE, INC. DEED (REFERENCED ABOVE), THE ABOVE DESCRIBED SURVEY COMPLETED BY PEIRCE, THE SURVEY OF THE RESERVE OF TEN SECTIONS, AND THE PHYSICAL EVIDENCE FOUND IN THE FIELD. SEE THE PLAT OF SURVEY FOR THE LOCATION OF THE FOUND AND SET MONUMENTATION. I WAS NOT ABLE TO ESTABLISH THE COMMENCING POINT OF THE PREVIOUS SURVEYS, HOWEVER I WAS ABLE TO PRECISELY LOCATE THE PERIMETER OF THE TRACT OF LAND CONVEYED TO AUTOZONE, INC. SO THIS IS WHY ALL OF THE LEGAL DESCRIPTIONS START FROM THE SOUTHWEST CORNER OF SAID TRACT CONVEYED TO AUTOZONE.

FIELD WORK FOR THIS PROJECT WAS COMPLETED ON OR BEFORE THE DATE OF CERTIFICATION OF THIS SURVEY. ALL FIELD NOTES ARE LOCATED WITHIN THE OFFICE OF SEXTON AND ASSOCIATES AND CROSS-REFERENCED TO THE PLAT OF SURVEY NUMBER OF THE ATTACHED SURVEY.

THIS SURVEY AND ANY POSSIBLE NEWLY CREATED BUILDING SITES ARE SUBJECT TO ALL ROAD RIGHT-OF-WAYS AND ALL EASEMENTS OF RECORD. IT IS THE RESPONSIBILITY OF THE LAND OWNERS AND THEIR AGENTS TO ADHERE TO ALL REGULATIONS AND RECORD EASEMENTS IN DETERMINING THE PLACEMENT OF ANY AND ALL IMPROVEMENTS ON SAID TRACT OF LAND. IT IS THE RESPONSIBILITY OF THE LANDOWNER TO OBTAIN ALL NECESSARY ZONING CHANGES, MEET ALL PLATTING REQUIREMENTS PRIOR TO THE INSTALLATION OF ANY AND ALL IMPROVEMENTS.

AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS MY OPINION THAT THE UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY ARE AS FOLLOWS:

DUE TO VARIANCES IN RECORD MONUMENTS: 5 FEET AT ALL GOVERNMENTAL SECTION CORNERS AND LINES AFFECTED BY SAID CORNERS.

DUE TO DISCREPANCIES IN THE RECORD DESCRIPTION: SEE THE PLAT OF SURVEY AND THE ABOVE EXPLANATION.

DUE TO INCONSISTENCIES IN LINES OF OCCUPATION: SEE THE PLAT OF SURVEY AND THE EXPLANATION GIVEN WITHIN THIS REPORT.

PREPARED BY:

**SEXTON AND ASSOCIATES**  
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PREPARED FOR:

**WAYNE S. GRIGSBY**  
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