

LEGEND

- EXISTING EASEMENT
- PROPERTY LINES (SUBJECT)
- PROPERTY LINES (ADJACENT)
- R/W R/W ROAD RIGHT-OF-WAY
- MAJOR CONTOUR (5 FOOT INTERVALS)
- MINOR CONTOUR (1 FOOT INTERVALS)
- ASPHALT (PAVEMENT)

SYMBOL DESCRIPTION

- ⊠ DISK MONUMENT FOUND
- ⊙ RAILROAD SPIKE FOUND
- ⊙ IRON REBAR FOUND
- ⊙ IRON PIPE FOUND
- ⊗ POST (SEE LABELS)
- ⊗ MAG NAIL SET
- ⊗ IRON REBAR SET
- ⊗ 5/8"x 30" CAPPED "SAM LLC"

ABBREVIATIONS

- P.O.C. POINT OF COMMENCEMENT
- T.P.O.B. TRUE POINT OF BEGINNING
- D.V. DEED VOLUME
- O.R. OFFICIAL RECORD
- PIN PARCEL IDENTIFICATION NUMBER
- R/W RIGHT-OF-WAY

TITLE INFORMATION

THE TITLE COMMITMENT AND SCHEDULE B ITEMS HEREON ARE FROM:
 FIRST AMERICAN TITLE INSURANCE COMPANY
 COMMITMENT NUMBER: NCS-1150433-COL (EFFECTIVE DATE: OCTOBER 13, 2022)

FLOOD STATEMENT

ACCORDING TO THE F.E.M.A. MAP No. 39097C0275D, DATED 6/17/2010, THE SUBJECT PROPERTY SHOWN HEREON DOES NOT LIE WITHIN SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD. THIS STATEMENT IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THE PROPERTY WILL OR WILL NOT FLOOD.

BASIS OF BEARINGS / SURVEY DATA

HORIZONTAL DATUM - BASED UPON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83 2011 ADJUSTMENT, US SURVEY FEET. SAID BEARINGS ORIGINATED FROM SAID COORDINATE SYSTEM BY GNSS-RTK OBSERVATIONS AND OBSERVATIONS OF SELECTED STATIONS IN THE NATIONAL GEODETIC SURVEY CONTINUOUSLY OPERATING REFERENCE STATION (NGS CORS) NETWORK.

VERTICAL DATUM - GROUND SURVEY MAPPING BASED UPON ELEVATION OF "IRONMAN 2021" BENCHMARK PER McCARTY ASSOCIATES, LLC SURVEY 29-18 (MARCH 13, 2018).

UTILITIES

NO EXCAVATIONS WERE MADE TO VERIFY UNDERGROUND UTILITY LOCATIONS. UNDERGROUND EXCAVATION WILL NEED TO BE COORDINATED WITH 811 - "OHIO ONE CALL SYSTEM" AT THE TIME OF EXCAVATION.

PROPERTY ADDRESS:

PARCEL 13-00119.000: 3475 JOHNSTON ROAD, PER MADISON COUNTY GIS <<https://auditor.co.madison.oh.us/Map>>

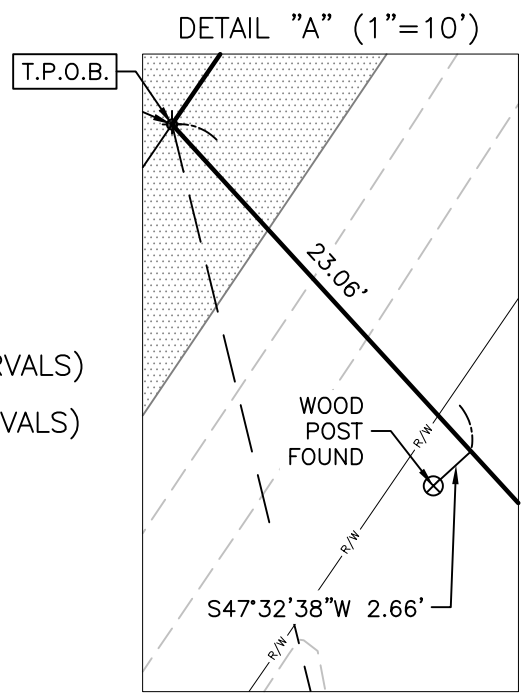
OTHER ALTA/NSPS TABLE "A" NOTES:

- 7. NO BUILDINGS WERE FOUND ON SITE DURING THIS SURVEY.
- 8. NO SUBSTANTIAL FEATURES OTHER THAN WHAT IS SHOWN ON SHEET 1 OF 2, WERE FOUND DURING THIS SURVEY.
- 16. NO EVIDENCE OF CURRENT EARTH MOVING WORK OR BUILDING ACTIVITIES WAS OBSERVED DURING THIS SURVEY.
- 18. NO EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL WAS OBSERVED DURING THIS SURVEY.

TO: AMERICAN ELECTRIC POWER

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 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, 7(A,B,C), 8, 11(A,B), 13, 16, 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON DECEMBER 13, 2022.

D. Neer
 DANIEL A. NEER
 PROFESSIONAL SURVEYOR NO. 8533
 DATE 12/13/2022



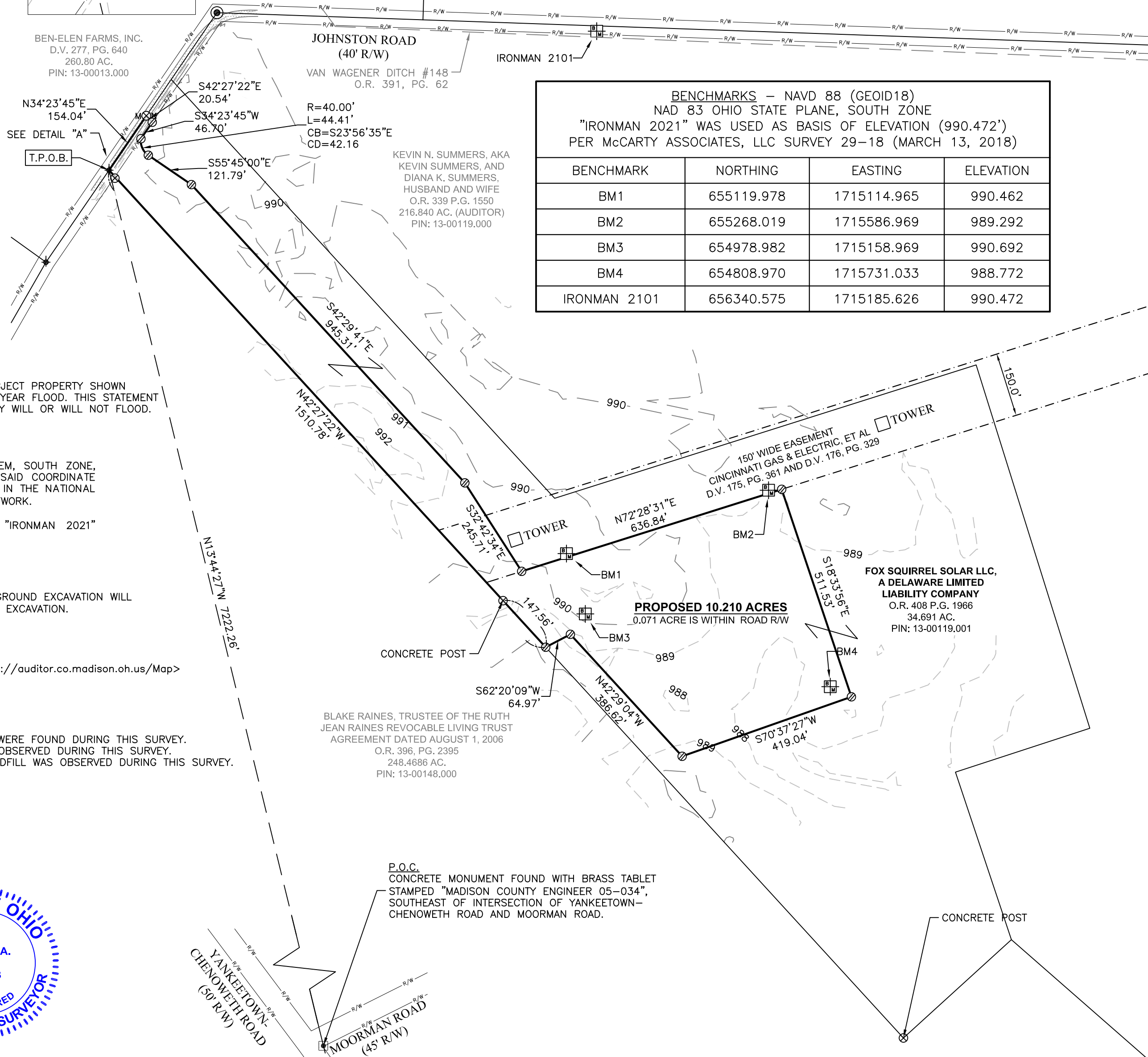
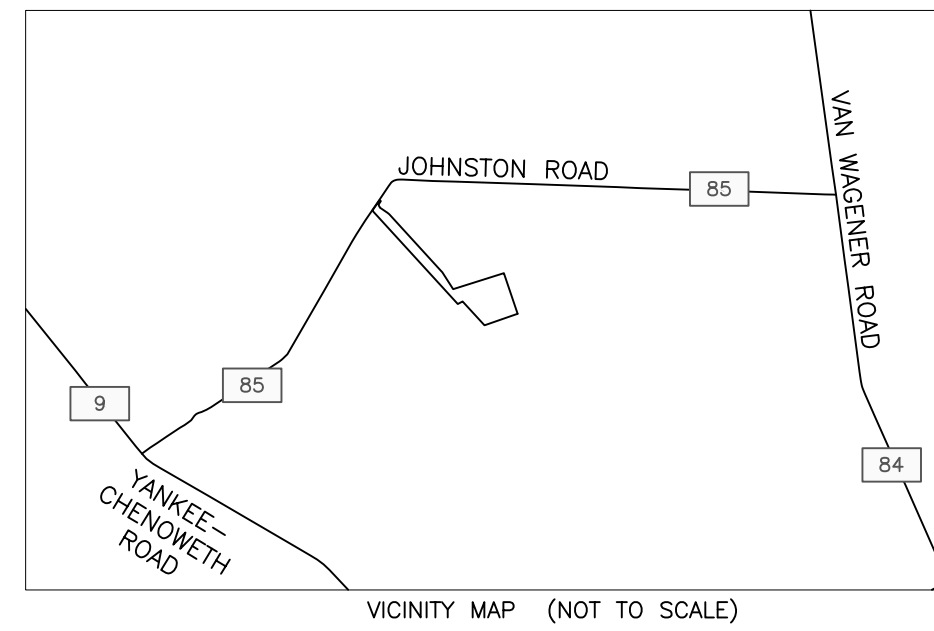
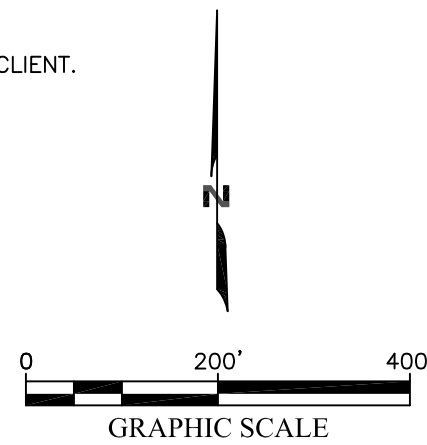
REFERENCE DOCUMENTS:

TITLE REPORT AS LISTED AND PROVIDED BY CLIENT.

- DEEDS:**
- D.V. 277, PG. 640
 - D.V. 175, PG. 361
 - O.R. 399, PG. 1550
 - O.R. 396, PG. 2369
 - O.R. 396, PG. 2378
 - O.R. 396, PG. 2387
 - O.R. 396, PG. 2395
 - O.R. 396, PG. 2404
 - O.R. 408, PG. 1966

- SURVEYS:**
- 12-22
 - 29-18
 - 0A-9B
 - 0A-12A

ROAD RIGHT-OF-WAY:
 JOHNSTON ROAD RIGHT-OF-WAY SHOWN PER SURVEYS LISTED ABOVE



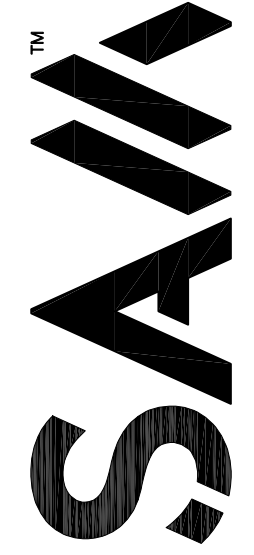
BENCHMARKS - NAVD 88 (GEOID18)
 NAD 83 OHIO STATE PLANE, SOUTH ZONE
 "IRONMAN 2021" WAS USED AS BASIS OF ELEVATION (990.472')
 PER McCARTY ASSOCIATES, LLC SURVEY 29-18 (MARCH 13, 2018)

BENCHMARK	NORTHING	EASTING	ELEVATION
BM1	655119.978	1715114.965	990.462
BM2	655268.019	1715586.969	989.292
BM3	654978.982	1715158.969	990.692
BM4	654808.970	1715731.033	988.772
IRONMAN 2101	656340.575	1715185.626	990.472

AEP CHENOWETH STATION
OAK RUN TOWNSHIP,
MADISON COUNTY, OHIO
VMS SURVEY Nos. 8044 AND 8058

PROJECT: CHENOWETH SUBSTATION
 JOB NUMBER: 76376
 DATE: 12/13/2022
 SCALE: 1" = 200'
 SURVEYOR: D. NEER
 TECHNICIAN: T. SIPES, S. SEESE
 DRAWING: 76376-ALTA
 TRACT ID: 13-00119.0000
 PARTY/CHIEF: K. RAUCH, A. SINE
 FIELDBOOKS: 4029

929 Eastwind Drive, Suite 201
 Westerville, Ohio 43081
 O/c: 614.898.3179
 Fax: 614.898.3175
 email: info@sam.biz



LEGAL DESCRIPTION OF 10.210 ACRES, BEING OUT OF:
FOX SQUIRREL SOLAR LLC,
A DELAWARE LIMITED LIABILITY COMPANY

SITUATED IN THE STATE OF OHIO, COUNTY OF MADISON, TOWNSHIP OF OAK RUN, LOCATED IN VIRGINIA MILITARY SURVEY NUMBERS 8044 AND 8058, AND BEING OUT OF AN EXISTING 34.691 ACRE PARCEL (TAX PARCEL 13-0019.001) DEEDED TO FOX SQUIRREL SOLAR LLC, A DELAWARE LIMITED LIABILITY COMPANY, IN OFFICIAL RECORD 408, PAGE 1966 (ALL DEED RECORDS, REFERENCED HEREIN, REFER TO THE OFFICE OF THE RECORDER, MADISON COUNTY, OHIO).

COMMENCING AT A CONCRETE MONUMENT WITH BRASS TABLET STAMPED "MADISON COUNTY ENGINEER 05-034" FOUND SOUTHEAST OF THE INTERSECTION OF YANKEE-CHENOWETH ROAD AND MOORMAN ROAD;

THENCE NORTH 13°44'27" WEST, A TOTAL DISTANCE OF 7,222.26 FEET TO A RAILROAD SPIKE FOUND ON THE CENTERLINE OF JOHNSTON ROAD (40 FOOT WIDE RIGHT-OF-WAY) AND AT THE COMMON NORTHWESTERLY CORNER TO SAID 34.691 ACRE PARCEL AND A 248.4686 ACRE PARCEL DEEDED TO BLAKE RAINES, TRUSTEE OF THE RUTH JEAN RAINES REVOCABLE LIVING TRUST AGREEMENT DATED AUGUST 1, 2006 IN OFFICIAL RECORD 396, PAGE 2395, AND BEING THE TRUE POINT OF BEGINNING;

THENCE, NORTH 34°23'45" EAST, ALONG SAID CENTERLINE OF SAID JOHNSTON ROAD AND THE NORTHWESTERLY LINE OF SAID 34.691 ACRE PARCEL, A DISTANCE OF 154.04 FEET TO A MAG NAIL SET;

THENCE ALONG NEW DIVISION LINES THROUGH SAID 34.691 ACRE PARCEL, THE FOLLOWING ELEVEN (11) COURSES:

- 1) SOUTH 42°27'22" EAST, A DISTANCE OF 20.54 FEET TO AN IRON REBAR SET ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID JOHNSTON ROAD;
- 2) SOUTH 34°23'45" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 46.70 FEET TO AN IRON REBAR SET;
- 3) LEAVING SAID RIGHT-OF-WAY LINE, AND ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET, AN ARC LENGTH OF 44.41 FEET, A CHORD BEARING OF SOUTH 23°56'35" EAST, AND A CHORD LENGTH OF 42.16 FEET TO AN IRON REBAR SET;
- 4) SOUTH 55°45'00" EAST, A DISTANCE OF 121.79 FEET TO AN IRON REBAR SET;
- 5) SOUTH 42°29'41" EAST, A DISTANCE OF 945.31 FEET TO AN IRON REBAR SET;
- 6) SOUTH 32°42'34" EAST, A DISTANCE OF 245.71 FEET TO AN IRON REBAR SET ON THE SOUTHEASTERLY LINE OF A 150 FOOT WIDE EASEMENT GRANTED TO CINCINNATI GAS & ELECTRIC, ET AL BY DEED VOLUME 176, PAGE 329;
- 7) NORTH 72°28'31" EAST, ALONG SAID EASEMENT LINE, A DISTANCE OF 636.84 FEET TO AN IRON REBAR SET;
- 8) SOUTH 18°33'56" EAST, LEAVING SAID EASEMENT LINE, A DISTANCE OF 511.53 FEET TO AN IRON REBAR SET;
- 9) SOUTH 70°37'27" WEST, A DISTANCE OF 419.04 FEET TO AN IRON REBAR SET;
- 10) NORTH 42°29'04" WEST, A DISTANCE OF 386.62 FEET TO AN IRON REBAR SET;
- 11) SOUTH 62°20'09" WEST, A DISTANCE OF 64.97 FEET TO AN IRON REBAR SET ON A COMMON LINE TO THE SOUTHWESTERLY LINE OF SAID 34.691 ACRE PARCEL AND THE NORTHEASTERLY LINE OF SAID 248.4686 ACRE PARCEL;

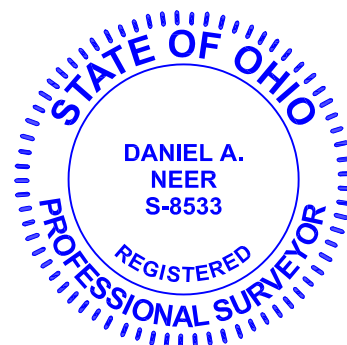
THENCE NORTH 42°27'22" WEST, ALONG SAID COMMON LINE, PASSING A CONCRETE POST FOUND AT A DISTANCE OF 147.56 FEET AND A WOOD POST FOUND AT A DISTANCE OF 1,487.72 FEET, SAID POST BEARING SOUTH 47°32'38" WEST, 2.66 FEET OF SAID COMMON LINE, A TOTAL DISTANCE OF 1,510.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.210 ACRES, OF WHICH 0.071 ACRE IS WITHIN ROAD RIGHT-OF-WAY.

PROPERTY IS SUBJECT TO ANY AND ALL PREVIOUS EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES, DESCRIBED HEREIN, WERE DERIVED FROM GPS OBSERVATIONS BASED ON GRID NORTH, OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83 (2011), U.S. SURVEY FEET.

THIS DESCRIPTION WAS WRITTEN BY DANIEL A. NEER, PROFESSIONAL LAND SURVEYOR #8533, BASED ON A FIELD SURVEY COMPLETED ON DECEMBER 13, 2022. ALL IRON REBAR SET ARE 5/8-INCH X 30-INCHES, CAPPED WITH A YELLOW IDENTIFICATION CAP, INSCRIBED "SAM, LLC".



D. Neer

DANIEL A. NEER
PROFESSIONAL SURVEYOR NO. 8533

12/13/2022
DATE

SURVEY NOTES FOR SCHEDULE B - II
COMMITMENT #NCS-1150433-COL
(EFFECTIVE DATE OF OCTOBER 13, 2022 AT 7:30 A.M.)
(UNDERLINED TEXT ITEMS BELOW ARE NOTES ADDED BY SURVEYOR)

THE POLICY WILL NOT INSURE AGAINST LOSS OR DAMAGE RESULTING FROM THE TERMS AND PROVISIONS OF ANY LEASE OR EASEMENT IDENTIFIED IN SCHEDULE A, AND WILL INCLUDE THE FOLLOWING EXCEPTIONS UNLESS CLEARED TO THE SATISFACTION OF THE COMPANY:

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I-REQUIREMENTS ARE MET.
2. ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS THAT ARE NOT SHOWN IN THE PUBLIC RECORDS BUT THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION OF THE LAND.
3. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE INCLUDING DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, OR ANY OTHER FACTS THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND, AND THAT ARE NOT SHOWN IN THE PUBLIC RECORDS.
4. ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR, MATERIAL OR EQUIPMENT, UNLESS SUCH LIEN IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY AND NOT OTHERWISE EXCEPTED FROM COVERAGE HEREIN.
5. RIGHTS OF PARTIES IN POSSESSION OF ALL OR ANY PART OF THE LAND, INCLUDING, BUT NOT LIMITED TO, EASEMENTS, CLAIMS OF EASEMENTS OR ENCUMBRANCES THAT ARE NOT SHOWN IN THE PUBLIC RECORDS.
6. THE FOLLOWING EXCEPTION WILL APPEAR IN ANY LOAN POLICY TO BE ISSUED PURSUANT TO THIS COMMITMENT: OIL AND GAS LEASES, PIPELINE AGREEMENTS, OR ANY OTHER INSTRUMENT RELATED TO THE PRODUCTION OR SALE OF OIL OR NATURAL GAS WHICH MAY ARISE SUBSEQUENT TO THE DATE OF POLICY, PURSUANT TO OHIO REVISED CODE SECTION 1509.31(D).
7. COAL, OIL, NATURAL GAS, OR OTHER MINERAL INTERESTS AND ALL RIGHTS INCIDENT THERETO NOW OR PREVIOUSLY CONVEYED, TRANSFERRED, LEASED, EXCEPTED OR RESERVED.
8. TAXES OR ASSESSMENTS APPROVED, LEVIED OR ENACTED BY THE STATE, COUNTY, MUNICIPALITY, TOWNSHIP OR SIMILAR TAXING AUTHORITY, BUT NOT YET CERTIFIED TO THE TAX DUPLICATE OF THE COUNTY IN WHICH THE LAND IS SITUATED, INCLUDING BUT NOT LIMITED TO ANY RETROACTIVE INCREASES IN TAXES OR ASSESSMENTS RESULTING FROM ANY RETROACTIVE INCREASE IN THE VALUATION OF THE LAND BY THE STATE, COUNTY, MUNICIPALITY, TOWNSHIP, OR OTHER TAXING AUTHORITY.
9. TAXES AND ASSESSMENTS FOR THE YEAR 2021: ASSESSED IN THE NAME OF: SUMMERS KEVIN N. PARCEL NO.: 13-00119.000. FIRST HALF TAXES IN THE AMOUNT OF \$2,578.82, INCLUDING CURRENT ASSESSMENTS, IF ANY, IS PAID. LAST HALF TAXES IN THE AMOUNT OF \$2,578.82, INCLUDING CURRENT ASSESSMENTS, IF ANY, IS PAID. TOTAL DUE TO BRING TAXES CURRENT, INCLUDING CURRENT TAX DUE, ASSESSMENTS, DELINQUENCIES, PENALTIES AND INTEREST, IF ANY, IS \$0.00. EXEMPTION AMOUNT: \$0.00 LAND: \$725,310.00. IMPROVEMENTS: \$0.00 TOTAL: \$725,310.00. TAXES AND ASSESSMENTS FOR THE YEAR 2022 AND SUBSEQUENT YEARS ARE A LIEN, NOT YET DUE OR PAYABLE

NOTE: THE ABOVE PARCEL IS SUBJECT TO CURRENT AGRICULTURAL USE VALUATION RECOUPMENT. CAUV VALUE \$138,040.00.

10. ESTATE OF DANIEL B. FOSTER RECORDED IN VOLUME 11, PAGE 380 OF MADISON COUNTY RECORDS. (NOT PLOTTABLE)
11. ESTATE OF ALICE DOWNING RECORDED IN VOLUME 1, PAGE 326 OF MADISON COUNTY RECORDS. (NOT PLOTTABLE)
12. BOUNDARY DEED RECORDED MAY 19, 1941 IN VOLUME 129, PAGE 203 OF MADISON COUNTY RECORDS. (SITUATED IN UNION TOWNSHIP, NOT RELEVANT TO THIS SURVEY)
13. OUTSALE DEED RECORDED JUNE 14, 1948 IN VOLUME 143, PAGE 250 OF MADISON COUNTY RECORDS. (SITUATED EAST OF VAN WAGENER ROAD, NOT RELEVANT TO THIS SURVEY)
14. OUTSALE DEED RECORDED OCTOBER 21, 1957 IN VOLUME 154, PAGE 410 OF MADISON COUNTY RECORDS. (SITUATED IN CITY OF LONDON, NOT RELEVANT TO THIS SURVEY)
15. RIGHT OF WAY EASEMENT IN FAVOR OF OHIO EDISON COMPANY RECORDED: APRIL 18, 1958 AS VOLUME 155, PAGE 99. SUBJECT TO THE TERMS AND CONDITIONS THEREOF. (SITUATED IN UNION TOWNSHIP, NOT RELEVANT TO THIS SURVEY)
16. RIGHT OF WAY EASEMENT IN FAVOR OF OHIO EDISON COMPANY RECORDED: FEBRUARY 16, 1961 AS VOLUME 158, PAGE 482. SUBJECT TO THE TERMS AND CONDITIONS THEREOF. (SITUATED IN UNION TOWNSHIP, NOT RELEVANT TO THIS SURVEY)
17. RIGHT OF WAY EASEMENT IN FAVOR OF OHIO EDISON COMPANY RECORDED: MAY 11, 1962 AS VOLUME 160, PAGE 266. SUBJECT TO THE TERMS AND CONDITIONS THEREOF. (SITUATED IN UNION TOWNSHIP, NOT RELEVANT TO THIS SURVEY)
18. OUTSALE DEED RECORDED DECEMBER 10, 1963 IN VOLUME 162, PAGE 347 OF MADISON COUNTY RECORDS. (SITUATED IN CITY OF LONDON, NOT RELEVANT TO THIS SURVEY)
19. OUTSALE DEED RECORDED SEPTEMBER 15, 1967 IN VOLUME 180, PAGE 389 OF MADISON COUNTY RECORDS. (AFFECTS ADJOINING TAX PARCEL 21-00276.000)
20. RIGHT OF WAY EASEMENT IN FAVOR OF CINCINNATI, COLUMBUS AND DAYTON RECORDED: SEPTEMBER 20, 1966 AS VOLUME 175, PAGE 361. SUBJECT TO THE TERMS AND CONDITIONS THEREOF. (150' EASEMENT, AS SHOWN ON SURVEY)
21. ESTATE OF HELEN CHRISTOPHER RECORDED 9, PAGE 65 OF MADISON COUNTY RECORDS. (NOT PLOTTABLE)
22. RIGHT OF WAY EASEMENT IN FAVOR OF CINCINNATI, COLUMBUS AND DAYTON RECORDED: NOVEMBER 29, 1966 AS VOLUME 176, PAGE 329. SUBJECT TO THE TERMS AND CONDITIONS THEREOF. (150' EASEMENT, AS SHOWN ON SURVEY)
23. CERTIFICATE OF TRANSFER RELATED TO BOUNDARY RECORDED SEPTEMBER 16, 1977 IN VOLUME 238, PAGE 405 OF MADISON COUNTY RECORDS. (PART OF TAX PARCELS 13-00110.000, 21-00225.000, 13-00110.000, 13-00110.000, AND 13-00006.000; NOT RELEVANT TO THIS SURVEY)
24. RIGHT OF WAY IN FAVOR OF AMERICAN ENERGEX CORPORATION RECORDED IN VOLUME 3, PAGE 861 OF MADISON COUNTY RECORDS. (LOCATION OF PIPELINE NOT SPECIFIED, NO PIPELINE UTILITY RESPONSE FROM 811, AND NO PIPELINE SHOWN ON N.P.M.S. PUBLIC GIS)

25. BOUNDARY DEED RECORDED DECEMBER 13, 1995 IN VOLUME 28, PAGE 155 OF MADISON COUNTY RECORDS. (ADJOINING TAX PARCELS 13-00148.000 AND 13-00149.000)

26. CERTIFICATE OF TRANSFER RELATED TO BOUNDARY RECORDED NOVEMBER 07, 2003 IN VOLUME 174, PAGE 2395 OF MADISON COUNTY RECORDS. (ADJOINING TAX PARCEL 21-00276.000)

27. DEED OF CORRECTION OF BOUNDARY RECORDED JUNE 24, 2008 IN OR BOOK 240, PAGE 1841 OF MADISON COUNTY RECORDS. (SEE EXCEPTION 25)

28. BOUNDARY DEED RECORDED JUNE 13, 1979 IN VOLUME 248, PAGE 217 OF MADISON COUNTY RECORDS. (NOT RELEVANT TO THIS SURVEY - TAX PARCEL 14-00207.000)

29. BOUNDARY DEED RECORDED DECEMBER 30, 2011 IN VOLUME 273, PAGE 388 OF MADISON COUNTY RECORDS. (ADJOINING TAX PARCELS 13-00079.000 AND 21-00152.000)

30. BOUNDARY DEED RECORDED MAY 05, 2014 IN VOLUME 297, PAGE 2396 OF MADISON COUNTY RECORDS. (ADJOINING TAX PARCEL 13-00110.000 AND OTHERS NOT ADJOINING)

31. BOUNDARY DEED RECORDED APRIL 09, 2015 IN VOLUME 306, PAGE 2123 OF MADISON COUNTY RECORDS. (SEE EXCEPTION 25)

32. BOUNDARY DEED RECORDED JUNE 07, 2017 IN VOLUME 330, PAGE 455 OF MADISON COUNTY RECORDS. (CITY OF LONDON, NOT RELEVANT TO THIS SURVEY)

33. ASSIGNMENT OF UNDIVIDED INTERESTS IN EASEMENTS AND RIGHTS-OF-WAY IN FAVOR OF DUKE ENERGY OHIO, INC. FORMERLY NAMED THE CINCINNATI GAS & ELECTRIC COMPANY AND THE DAYTON POWER AND LIGHT COMPANY DATED: JUNE 30, 2018 RECORDED: JULY 19, 2018 AS OR BOOK 342, PAGE 1744. SUBJECT TO THE TERMS AND CONDITIONS THEREOF. (SEE EXCEPTIONS 20 AND 22)

34. TERMS AND PROVISIONS OF AN UNRECORDED LEASE DATED MARCH 16, 2020, BY AND BETWEEN KEVIN N. SUMMERS AND DIANA K. SUMMERS AS LESSOR AND FOX SQUIRREL SOLAR LLC AS LESSEE, AS DISCLOSED BY A MEMORANDUM OF SOLAR GROUND LEASE AGREEMENT RECORDED AUGUST 20, 2020 AS OR BOOK 369, PAGE 2421 OF OFFICIAL RECORDS. MEMORANDUM OF FIRST AMENDMENT TO SOLAR GROUND LEASE AGREEMENT RECORDED IN OR BOOK 387, PAGE 2105 OF MADISON COUNTY RECORDS. MEMORANDUM OF SECOND AMENDMENT TO SOLAR GROUND LEASE AGREEMENT RECORDED JANUARY 06, 2022 IN OR BOOK 395, PAGE 2416 OF MADISON COUNTY RECORDS. DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS ARE NOT SHOWN HEREIN. (RELEVANT TO ENTIRE PARENT TRACT, TAX PARCELS 13-00119.000 AND 21-00236.000)

35. AFFIDAVIT REGARDING PERMANENT DRAINAGE EASEMENT RECORDED SEPTEMBER 28, 2021 IN OR BOOK 390, PAGE 1515 OF MADISON COUNTY RECORDS. (MADDEN DITCH IS ON ADJOINING PARCELS - NOT RELEVANT TO THIS SURVEY)

36. AFFIDAVIT REGARDING PERMANENT DRAINAGE EASEMENT RECORDED OCTOBER 06, 2021 IN OR BOOK 391, PAGE 62 OF MADISON COUNTY RECORDS. (VAN WAGENER DITCH #148 - SEE LOCATION ON SHEET 1 OF 2)

37. MEMORANDUM OF FIRST AMENDMENT TO OPTION AGREEMENT, ORIGINALLY UNRECORDED OPTION AGREEMENT DATED MARCH 16, 2020 RECORDED JANUARY 06, 2022 IN OR BOOK 395, PAGE 2409 OF MADISON COUNTY RECORDS. MEMORANDUM OF SECOND AMENDMENT TO OPTION AGREEMENT RECORDED SEPTEMBER 15, 2022 IN OR BOOK 405, PAGE 1904 OF MADISON COUNTY RECORDS. (OPTION AREA [UP TO 35 ACRES] AFFECTS THE SURVEY AREA BUT IS NOT PLOTTABLE)

38. MORTGAGE DATED SEPTEMBER 2, 2010 AND RECORDED SEPTEMBER 08, 2010 AS BOOK 260, PAGE 235, MADE BY RAY-NOR FARMS, INC., TO FARM CREDIT SERVICES OF MID-AMERICA, FLCA, TO SECURE AN INDEBTEDNESS IN THE AMOUNT OF \$510,131.00, AND THE TERMS AND CONDITIONS THEREOF. RE-RECORDED MARCH 02, 2011 IN OR BOOK 264, PAGE 2563 OF MADISON COUNTY RECORDS. PARTIAL RELEASE OF REAL ESTATE MORTGAGE RECORDED AUGUST 29, 2011 IN OR BOOK 269, PAGE 1016 OF MADISON COUNTY RECORDS. AFFECTS: THE LAND AND OTHER PROPERTY. (MORTGAGE PARCEL ONE IS THE 142.678 ACRE NORTHWESTERLY PORTION OF PARENT TRACT; THIS PARCEL WAS NOT RELEASED BY OR BOOK 269, PG 1016)

39. COMMERCIAL OPEN-END MORTGAGE FUTURE ADVANCES AND FUTURE OBLIGATIONS ARE SECURED BY THIS REAL ESTATE MORTGAGE DATED AUGUST 19, 2020 AND RECORDED AUGUST 24, 2020 AS BOOK 369, PAGE 2589, MADE BY KEVIN N. SUMMERS AND DIANA K. SUMMERS, TO FARM CREDIT MID-AMERICA, FLCA, TO SECURE AN INDEBTEDNESS IN THE AMOUNT OF \$1,960,842.92, AND THE TERMS AND CONDITIONS THEREOF. AFFECTS: THE LAND AND OTHER PROPERTY. (RELEVANT TO ENTIRE PARENT TRACT, TAX PARCELS 13-00119.000 AND 21-00236.000, AND ANOTHER TRACT, 27-00011.000, UNRELATED TO THIS SURVEY)

40. DOWER RIGHTS OF ANY SPOUSE OF KEVIN N. SUMMERS, AKA KEVIN SUMMERS, AND DIANA K. SUMMERS. (NOT A SURVEY ITEM)

41. RIGHTS OF UPPER AND LOWER AND ABUTTING RIPARIAN OWNERS AND OF THE STATE OF OHIO AND THE COUNTY OF MADISON AND THE PUBLIC GENERALLY IN AND TO THE WATERS OF BRADFORD CREEK AND TO THE UNINTERRUPTED NATURAL FLOW THEREOF FREE OF POLLUTION FROM INSURED PREMISES AND SUBJECT TO THE POSSIBILITY OF ACCRETION OR AVULSION WHICH MIGHT CHANGE BOUNDARIES ESTABLISHED BY SAID BRADFORD CREEK.

42. RIGHTS OF UPPER AND LOWER AND ABUTTING RIPARIAN OWNERS, THE UNITED STATES OF AMERICA, STATE OF OHIO, (THE TOWNSHIP OF OAK RUN), AND THE PUBLIC IN GENERAL IN AND TO THE WATERS OF BRADFORD CREEK AND THE UNINTERRUPTED FLOW THEREOF: (1) FREE OF POLLUTION FROM THE INSURED PREMISES; (2) SUBJECT TO THE USE FOR NAVIGATION, COMMERCE AND FISHERY IN ANY PORTION OF THE LAND COMPRISING THE BED OR WATERS OF SAID RIVER INCLUDING LAND WHICH WAS FORMERLY THE BED OF THAT RIVER AND WAS CREATED BY FILLS, MANMADE JETTIES, BULKHEADS OR ARTIFICIAL ACCRETION; (3) SUBJECT TO THE POSSIBILITY OF EROSION, AVULSION AND ACCRETION.

43. RIGHTS OF PUBLIC AND OTHERS ENTITLED THERETO IN AND TO THE USE OF THAT PART OF THE INSURED PREMISES WITHIN THE BOUNDS OF JOHNSTON ROAD (COUNTY ROAD NO. 85) AND VAN WAGNER ROAD (COUNTY ROAD NO. 84). (JOHNSTON ROAD HAS A 40' WIDE TOTAL RIGHT-OF-WAY PER COUNTY ENGINEER)

44. ANY REFERENCE TO ACREAGE OR AREA IN THE DESCRIPTION OF THE LAND IN SCHEDULE A IS FOR INFORMATIONAL PURPOSES ONLY AND THE ACCURACY OF THE AREA STATED IS NOT INSURED.

45. ANY CLAIM THAT THE TITLE IS SUBJECT TO A TRUST OR LIEN CREATED UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930 (7 U.S.C. §§499A, ET SEQ.) OR THE PACKERS AND STOCKYARDS ACT (7 U.S.C. §§181 ET SEQ.) OR UNDER SIMILAR STATE LAWS.

CONSIDERATION FOR THE DELETION OF THIS EXCEPTION IS HIGHLY FACT INTENSIVE. PLEASE CONTACT THE UNDERWRITER ASSIGNED TO YOUR FILE AS SOON AS POSSIBLE TO DISCUSS.

46. EXISTING UNRECORDED LEASES, IF ANY, AND RIGHTS OF ALL PARTIES CLAIMING THEREUNDER.

SHEET 2
OF 2

AEP CHENOWETH STATION
OAK RUN TOWNSHIP,
MADISON COUNTY, OHIO
VMS SURVEY Nos. 8044 AND 8058

PROJECT: CHENOWETH SUBSTATION

JOB NUMBER: 76376

DATE: 12/13/2022

SCALE: 1" = 200'

SURVEYOR: D. NEER

TECHNICIAN: T. SIPES, S. SEESE

DRAWING: 76376-ALTA

TRACT ID: 13-00119.0000

PARTY/CHIEF: K. RAUCH, A. SINE

FIELDBOOKS: 4029

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SAM



**LEGAL DESCRIPTION OF 10.210 ACRES, BEING OUT OF:
FOX SQUIRREL SOLAR LLC, A DELAWARE LIMITED LIABILITY COMPANY**

SITUATED IN THE STATE OF OHIO, COUNTY OF MADISON, TOWNSHIP OF OAK RUN, LOCATED IN VIRGINIA MILITARY SURVEY NUMBERS 8044 AND 8058, AND BEING OUT OF AN EXISTING 34.691 ACRE PARCEL (TAX PARCEL 13-00119.001) DEEDED TO FOX SQUIRREL SOLAR LLC, A DELAWARE LIMITED LIABILITY COMPANY, IN OFFICIAL RECORD 408, PAGE 1966 (ALL DEED RECORDS, REFERENCED HEREIN, REFER TO THE OFFICE OF THE RECORDER, MADISON COUNTY, OHIO).

COMMENCING AT A CONCRETE MONUMENT WITH BRASS TABLET STAMPED "MADISON COUNTY ENGINEER 05-034" FOUND SOUTHEAST OF THE INTERSECTION OF YANKEE-CHENOWETH ROAD AND MOORMAN ROAD;

THENCE **NORTH 13°44'27" WEST**, A TOTAL DISTANCE OF **7,222.26 FEET** TO A RAILROAD SPIKE FOUND ON THE CENTERLINE OF JOHNSTON ROAD (40 FOOT WIDE RIGHT-OF-WAY) AND AT THE COMMON NORTHWESTERLY CORNER TO SAID 34.691 ACRE PARCEL AND A 248.4686 ACRE PARCEL DEEDED TO BLAKE RAINES, TRUSTEE OF THE RUTH JEAN RAINES REVOCABLE LIVING TRUST AGREEMENT DATED AUGUST 1, 2006 IN OFFICIAL RECORD 396, PAGE 2395, AND BEING THE **TRUE POINT OF BEGINNING**;

THENCE, **NORTH 34°23'45" EAST**, ALONG SAID CENTERLINE OF SAID JOHNSTON ROAD AND THE NORTHWESTERLY LINE OF SAID 34.691 ACRE PARCEL, A DISTANCE OF **154.04 FEET** TO A MAG NAIL SET;

THENCE ALONG NEW DIVISION LINES THROUGH SAID 34.691 ACRE PARCEL, THE FOLLOWING ELEVEN (11) COURSES:

- 1) **SOUTH 42°27'22" EAST**, A DISTANCE OF **20.54 FEET** TO AN IRON REBAR SET ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID JOHNSTON ROAD;
- 2) **SOUTH 34°23'45" WEST**, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF **46.70 FEET** TO AN IRON REBAR SET;
- 3) LEAVING SAID RIGHT-OF-WAY LINE, AND ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A **RADIUS OF 40.00 FEET**, AN **ARC LENGTH OF 44.41 FEET**, A **CHORD BEARING OF SOUTH 23°56'35" EAST**, AND A **CHORD LENGTH OF 42.16 FEET** TO AN IRON REBAR SET;
- 4) **SOUTH 55°45'00" EAST**, A DISTANCE OF **121.79 FEET** TO AN IRON REBAR SET;
- 5) **SOUTH 42°29'41" EAST**, A DISTANCE OF **945.31 FEET** TO AN IRON REBAR SET;
- 6) **SOUTH 32°42'34" EAST**, A DISTANCE OF **245.71 FEET** TO AN IRON REBAR SET ON THE SOUTHEASTERLY LINE OF A 150 FOOT WIDE EASEMENT GRANTED TO CINCINNATI GAS & ELECTRIC, ET AL BY DEED VOLUME 176, PAGE 329;
- 7) **NORTH 72°28'31" EAST**, ALONG SAID EASEMENT LINE, A DISTANCE OF **636.84 FEET** TO AN IRON REBAR SET;
- 8) **SOUTH 18°33'56" EAST**, LEAVING SAID EASEMENT LINE, A DISTANCE OF **511.53 FEET** TO AN IRON REBAR SET;
- 9) **SOUTH 70°37'27" WEST**, A DISTANCE OF **419.04 FEET** TO AN IRON REBAR SET;
- 10) **NORTH 42°29'04" WEST**, A DISTANCE OF **386.62 FEET** TO AN IRON REBAR SET;

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11) **SOUTH 62°20'09" WEST**, A DISTANCE OF **64.97 FEET** TO AN IRON REBAR SET ON A COMMON LINE TO THE SOUTHWESTERLY LINE OF SAID 34.691 ACRE PARCEL AND THE NORTHEASTERLY LINE OF SAID 248.4686 ACRE PARCEL;

THENCE **NORTH 42°27'22" WEST**, ALONG SAID COMMON LINE, PASSING A CONCRETE POST FOUND AT A DISTANCE OF 147.56 FEET AND A WOOD POST FOUND AT A DISTANCE OF 1,487.72 FEET, SAID POST BEARING SOUTH 47°32'38" WEST, 2.66 FEET OF SAID COMMON LINE, A TOTAL DISTANCE OF **1,510.78 FEET** TO THE POINT OF BEGINNING.

CONTAINING **10.210 ACRES**, OF WHICH 0.071 ACRE IS WITHIN ROAD RIGHT-OF-WAY.

PROPERTY IS SUBJECT TO ANY AND ALL PREVIOUS EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES, DESCRIBED HEREIN, WERE DERIVED FROM GPS OBSERVATIONS BASED ON GRID NORTH, OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83 (2011), U.S. SURVEY FEET.

THIS DESCRIPTION WAS WRITTEN BY DANIEL A. NEER, PROFESSIONAL LAND SURVEYOR #8533, BASED ON A FIELD SURVEY COMPLETED ON DECEMBER 13, 2022. ALL IRON REBAR SET ARE 5/8-INCH X 30-INCHES, CAPPED WITH A YELLOW IDENTIFICATION CAP, INSCRIBED "SAM, LLC".

Daniel A. Neer P.S. #8533

10/12/2023

Date



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