

**VERMILION COUNTY TITLE, INC.
COMMITMENT NO. 177332 - SCHEDULE A:**

All of that certain tract or parcel of land located in Danville, Vermilion County, Illinois, and being more particularly described as follows: Beginning at the Southeast corner of Lot 23 in Jesse Gilbert's Addition to Danville; thence North 89 degrees 01 minutes West 148.52 feet to a point on the West line of said Lot 23; thence North along the West line of said Lot 23, Lot 22 in said Addition and Lot 13 in said Addition to a point on the West line of said Lot 13, said point being 39.30 feet North of the Southwest corner of said Lot 13; thence South 89 degrees 01 minutes East 148.52 feet to a point on the East line of said Lot 13, said point being 36.25 feet North of the Southeast corner of said Lot 13; thence South along the East line of said Lots 13, 22, and 23 to the point of beginning.

EXCEPT a parcel of land off the East side of the following described property. Starting at the Southeast corner of Lot 13 in Jesse Gilbert's Addition to Danville, thence North along the East line of said Lot 36.25 feet for a place of beginning, thence South 200 feet along the East line of Lots 13, 22, and 23 in said Addition to a point 73 feet South of the Northeast corner of Lot 23 in said Addition; thence North 89 degrees 01 minute West 148.52 feet to a point on the West line of said Lot 23 that is 69.95 feet South of the Northwest corner of Lot 23; thence North 200 feet along the West line of Lots 23, 22, and 13 to a point 39.30 feet North of the Southwest corner of said Lot 13, thence South 89 degrees 01 minute East 148.52 feet to the place of beginning.

The said parcel is more particularly described as follows: That part of the above described property lying Easterly of a line which begins on the South line of above described property at a point 2.91 feet West of the East line of said Lot 23; thence Northerly around a curve to the right, Northeasterly having a radius of 3,859.72 feet for 104.46 feet to the East line of said Lot 22, Lot 23, and the vacated alley, situated in Vermilion County, Illinois.

**VERMILION COUNTY TITLE, INC.
COMMITMENT NO. 177332 - SCHEDULE B, SECTION II:**

Numbers correspond with Schedule B exception items contained in the above referenced Title Commitment.

- That portion of the above described premises lying within the vacated alley is subject to the rights of way, easement, permission, and authority of the Illinois Bell Telephone Company to construct, operate, maintain, renew, reconstruct, or remove its facilities over, under, upon, or across the lands represented by such vacated alley, as shown on Deed Record 818 page 460, in the Recorder's Office of Vermilion County, Illinois. (AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)
- Apparent setback violation along the West line. The rear yard setback is 25 feet, the building on subject site is 21 feet from the property line, as shown by Registered Illinois Land Surveyor #2207, by Survey dated August 6, 1996. (AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)
- Encroachment of 1.0 feet of telephone pedestal along the West line, onto subject property as shown by Registered Illinois Land Surveyor #2207, by Survey dated August 6, 1996. (DOES NOT AFFECT THE SUBJECT PROPERTY)
- Encroachment of .5 feet of utility pole and utility lines along the West line onto subject property as shown by Registered Illinois Land Surveyor #2207, by Survey dated August 6, 1996. (DOES NOT AFFECT THE SUBJECT PROPERTY)
- Encroachment of 4.9 feet of light poles and utility lines along the North line onto subject property as shown by Registered Illinois Land Surveyor #2207, by Survey dated August 6, 1996. (AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)

MISCELLANEOUS NOTES:

- There is direct access to the subject property via South Gilbert Street and a Public Alley, both being public rights-of-way.
- The current zoning classification allows for the subject property to be used as a gas station/convenience store.
- The locations of utilities shown on the survey are from visible evidence.
- The posted address on site is 121 South Gilbert Street.
- At the time of this survey there was no observable surface evidence of earth moving work, building construction or building additions within recent months.
- At the time of this survey, there was no observable evidence of the subject property being used as a solid waste dump, sump or sanitary landfill.
- At the time of this survey, there was no observable evidence of any recent changes in street right-of-way lines either completed or proposed, and available from the controlling jurisdiction.
- At the time of this survey, there was no observable evidence of any recent street or sidewalk construction or repairs.
- The Property surveyed and shown hereon is the same property described in Schedule A of Vermilion County Title, Inc. Title Commitment No. 177332 with an effective date of December 3, 2007.
- Subject property is currently being used as a gas service station and underground petroleum tanks exist on the site. Their locations, size and depth are unknown.

SURVEYOR'S LEGAL DESCRIPTION:

A certain parcel of land situated in the City of Danville, County of Vermilion, State of Illinois. Known as being a portion of Lot's 13, 22 and 23 in Jesse Gilbert's Addition to Danville, recorded in Plat Book C, Page 480 of the Vermilion County Records. Known as being the same land as described in a limited warranty deed to Emro Marketing Company, a Delaware corporation, as recorded in Instrument No. 960009244 of the Vermilion County Records. Known as being the same land as shown on an unrecorded survey by Edward L. Clancy, P.S., Illinois Registered Professional Licensed Surveyor No. 2207, dated August 6, 1996, and being more particularly described as follows:

COMMENCING at the southeast corner of Lot 13, said Jesse Gilbert's Addition to the Danville, said point also being the east line of South Gilbert Street (a.k.a. U.S. Route 150) (Variable Width - Public);

Thence, North 00°48'58" West along said east line of South Gilbert Street, a distance of 36.25 feet to a capped rebar found (fileable) at the Southeast corner of land now or formerly conveyed to William Richards, recording information unavailable, said point being THE POINT OF BEGINNING;

Thence, South 00°48'58" East along said east line, a distance of 95.45 feet to a PK nail set at an angle point, said point also being the arc of a curve;

Thence along the arc of a non-tangent curve to the left having a radius of 3859.72 feet, an arc length of 104.55 feet, a delta of 01°33'07", a chord bearing of South 00°46'54" West and a chord length of 104.54 feet to the northeast corner of land now or formerly conveyed to NPG International, as recorded in Instrument No. 0501685 of the Vermilion County Records, witness a capped rebar found (fileable) South 00°21'11" West at a distance of 0.36 feet;

Thence, North 89°49'30" West along the north line of said land of NPG International, a distance of 145.62 feet to a capped rebar found (fileable) at the northwest corner of said land, said point also being on the west line of aforementioned Lot 23, Jesse Gilbert's Addition to Danville, and also the east line of an alley (16.5' Wide -Public);

Thence, North 00°45'55" West along the east line of Lot's 23, 22 and 13, Jesse Gilbert's Addition to Danville, and along the east line of said alley, a distance of 203.05 feet to a 3/8" iron pipe found at the southwest corner of aforementioned land of William Richards;

Thence, South 88°38'55" East along the south line of said land of Richards, a distance of 148.50 feet to the POINT OF BEGINNING;

Containing 29,743 square feet (0.6828 acres) of land, more or less, as surveyed in April of 2008 by Jayme M. Malone, P.L.S., Illinois License No. 35003697 for and on behalf of Millman Surveying, Inc. and is subject to all legal highways and easements of record.

The basis for all bearings hereon is the west line of the subject property known as being North 00°45'55" West per an unrecorded survey by Edward L. Clancy, P.S., Illinois Registered Professional Licensed Surveyor No. 2207, dated August 6, 1996.

The above described land is the same land as described in the Vermilion County Title, Inc. Title Commitment No. 177332, having an effective date of December 3, 2007.

ENCROACHMENTS:

- The subject property's North adjoiner's light poles and overhead wires encroach upon the subject property at various points shown hereon.
- The subject property's building encroaches upon the 25' Street Side Building Setback by 4.1 feet at its greatest point.

FLOOD ZONE:

By scaled map location and graphic plotting only, the subject property appears to lie entirely in Zone C (Areas of Minimal Flooding) according to the Flood Insurance Rate Map for the County of Vermilion, Community Panel No. 170662 0010C, Effective Date July 18, 1983.

ZONING:

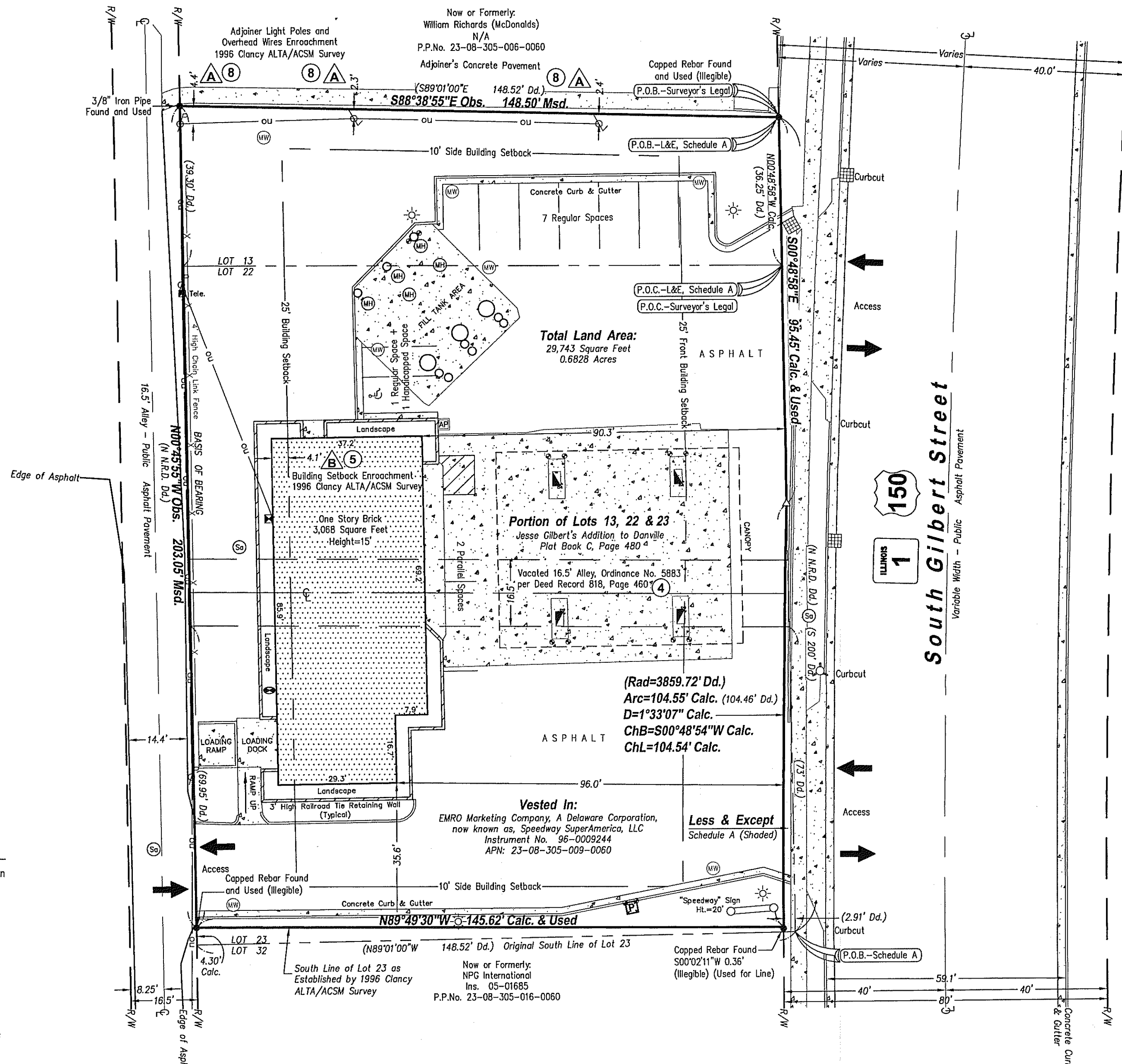
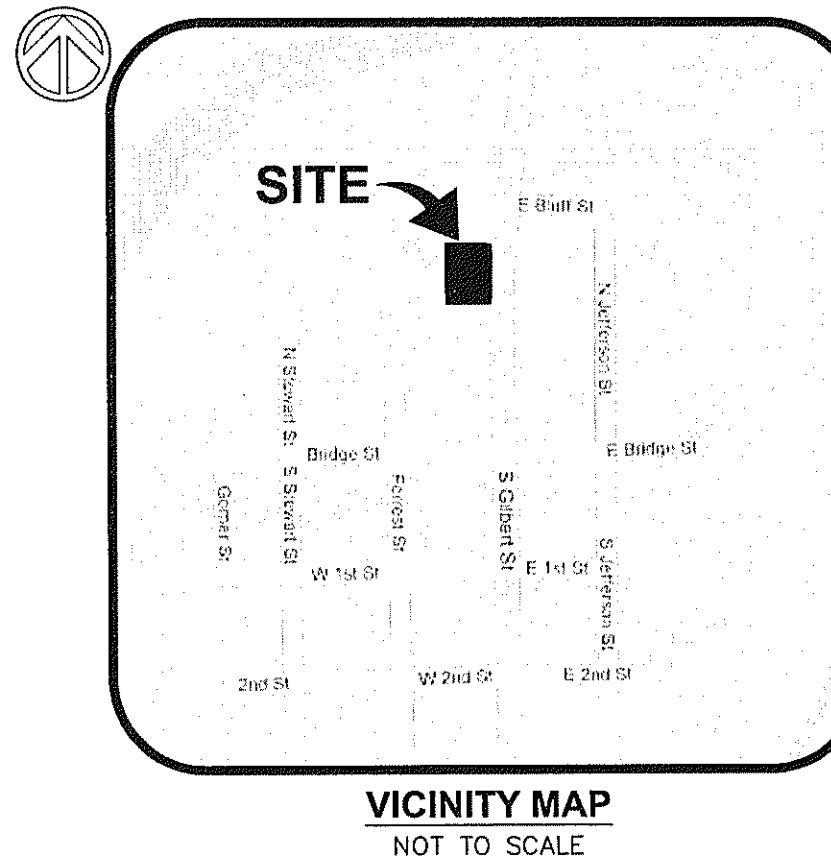
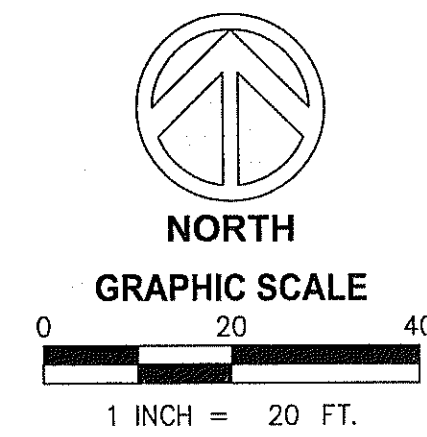
Zoning Classification: B-2 (Highway Business)
Maximum Building Height: 35'
Building Setbacks: Front=25', Side=10', Street Side=25', Rear=25'
Parking Setbacks: None.
Parking Ratio: 1 space per 200 square feet of gross floor area.

BASIS OF BEARING:

The meridian for all bearings shown hereon is the West line of the subject property known as being North 00°45'55" West per an unrecorded ALTA/ACSM survey by Edward L. Clancy, P.S., Illinois Registered Professional Licensed Surveyor No. 2207, dated August 6, 1996.

PARKING:

- 8 Parking Spaces
- 1 Handicapped Spaces
- 2 Parallel Spaces
- 11 Total Parking Spaces



SYMBOL LEGEND

R/W	- Right-of-Way
P/L	- Adjoiner Property Line
C	- Centerline
P.O.B.	- Place/Point of Beginning
P.O.C.	- Place/Point of Commencement
△	- Encroachment/Protrusion
⊗	- Schedule B-Section II Item
No.	- Number
Rad	- Radius
Arc	- Arc Length
D	- Delta Angle
ChL	- Chord Length
ChB	- Chord Bearing
Calc.	- Calculated
Msd.	- Measured
Dd.	- Deed
(Record)	- Actual
N.R.D.	- No Recorded Distance
●	- Monumentation Found as Noted
△	- PK Nail Set
⊗	- Air Pump
⊗	- Manhole
⊗	- Catch Basin
⊗	- Sanitary Manhole
⊗	- Fire Hydrant
⊗	- Gas Meter
⊗	- Utility Pedestal (As Noted)
⊗	- Electric Meter
⊗	- Monitoring Well
⊗	- Ballard Post
⊗	- Handicap Space
⊗	- Wall (As Noted)
⊗	- Utility Pole
⊗	- Power Pole Light Pole
⊗	- Light Pole
⊗	- Guy Wire
⊗	- Fence (As Noted)
⊗	- Overhead Utilities
⊗	- Concrete Area
⊗	- No Parking Area
⊗	- Building Area

**ALTA/ACSM LAND TITLE SURVEY
PREPARED FOR:**

BAKER & DANIELS, LLP
300 North Meridian, Suite 2700
Indianapolis, IN 46204

Mac's

121 South Gilbert Street
City of Danville
County of Vermilion
State of Illinois

Drawn By: RMK	Project Manager: SNS
Date: 4/08/08	Scale: 1"=20'
Checked: JMM	Sheet: 1 of 1

REVISION NOTES

By:	Date:	Comment:
SNS	4/28/08	Updated Surveyor's Legal

National Commercial Division
MSI Site No.: 13458

MILLMAN SURVEYING, Inc.
CORPORATE HEADQUARTERS:
1742 Georgetown Road, Suite H
Hudson, Ohio 44236
www.SURVEYINGAMERICA.com
Phone: (800) 520-1010
Fax: (330) 342-0834

CERTIFICATION:

TO: Mac's Convenience Stores LLC, Speedway SuperAmerica LLC, Baker & Daniels LLP and Chicago 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 "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 2005, and includes items 1, 2, 3, 4, 6, 7(a), 7(b)(1), 7(c), 8, 9, 10, 11(a), 13 and 16-18 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM and in effect on the date of this certification, undersigned further certifies that the survey measurements were made in accordance with the "Minimum Angle, Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."



By: *JMM*
Jayme M. Malone, PLS
Illinois License No. 35003697
License renewal date: 11/30/2008
Sheets covered by this Signature & Seal: Sheet 1 of 1
For and on behalf of Millman Surveying, Inc.
Date of Survey: 4/08/08

Certification Defined: The use of the word "certify" or "certification" by a licensed Professional Land Surveyor, in the practice of land surveying, constitutes an expression of professional opinion regarding those facts of findings which are subject of the certification, and does not constitute a warranty or guaranty, either express or implied. (*per section 6735.5 of the Business and Professional Code)