

Symbol Legend

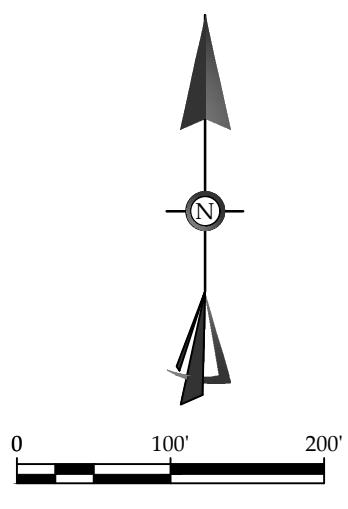
	DECIDUOUS TREE (SIZE AS NOTED)
	CONIFEROUS TREE (SIZE AS NOTED)
	ELECTRIC MANHOLE
	INVERT VALVE
	STORM SEWER MANHOLE
	CURB INLET
	SANITARY SEWER MANHOLE
	POWER POLE
	BRIDGE POLE
	GUY WIRE
	LIGHT POLE (SINGLE LUMINARY)

Linetype Legend

	CHAIN LINK FENCE (AS NOTED)
	WOOD FENCE (AS NOTED)
	WIRE FENCE (AS NOTED)
	GRASS/VEGETATION LINE (AS NOTED)
	TREE/BUSH LINE (AS NOTED)

Abbreviation Legend

SRF	STEEL REBAR FOUND (SIZE NOTED)
SRS	STEEL REBAR SET (W/D, CAP)
IPF	IRON PIPE FOUND (SIZE NOTED)
PIPF	PINCHED IRON PIPE FOUND (SIZE NOTED)
IPNF	IRON PIN FOUND
SPNF	BRASS PIN FOUND
MNSB	MONUMENT BOX
MNF	MAG NAIL FOUND
MNS	MAG NAIL SET (W/D, WASHER)
PKF	PK NAIL FOUND
RRSF	RAILROAD SPIKE FOUND
RRSS	RAILROAD SPIKE SET
SCP	STEEL CORNER POST (SIZE NOTED)
WCP	WOOD CORNER POST (SIZE NOTED)
D	DIAMETER
±	PLUS OR MINUS
APPRX.	APPROXIMATE
APP.	APPARENT
R/W	RIGHT-OF-WAY
POB	POINT OF BEGINNING
(M)	MEASURED
(C)	CALCULATED
(R)	RECORD
CL	CENTER LINE
T/L	TITLE LINE
T/C	TITLE CORNER
W/C	WITNESS CORNER
INST.	INSTRUMENT
D.R.	DEED RECORD
BK	BOOK
PG.	PAGE
C.S.	COUNTY SURVEYOR
REF.	REFERENCES
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
PI	POINT OF TANGENT INTERSECTION

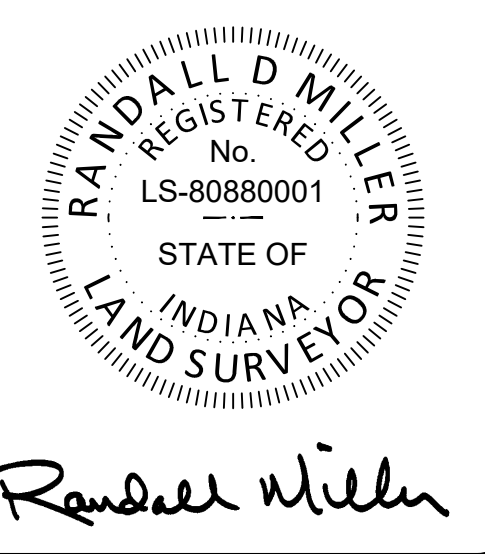


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monticello@rmsurveying.com



JOB NO: 23-0210
CREW: TR
DRAWN BY: RM
CHECKED BY: RV
DATE: October 16, 2023

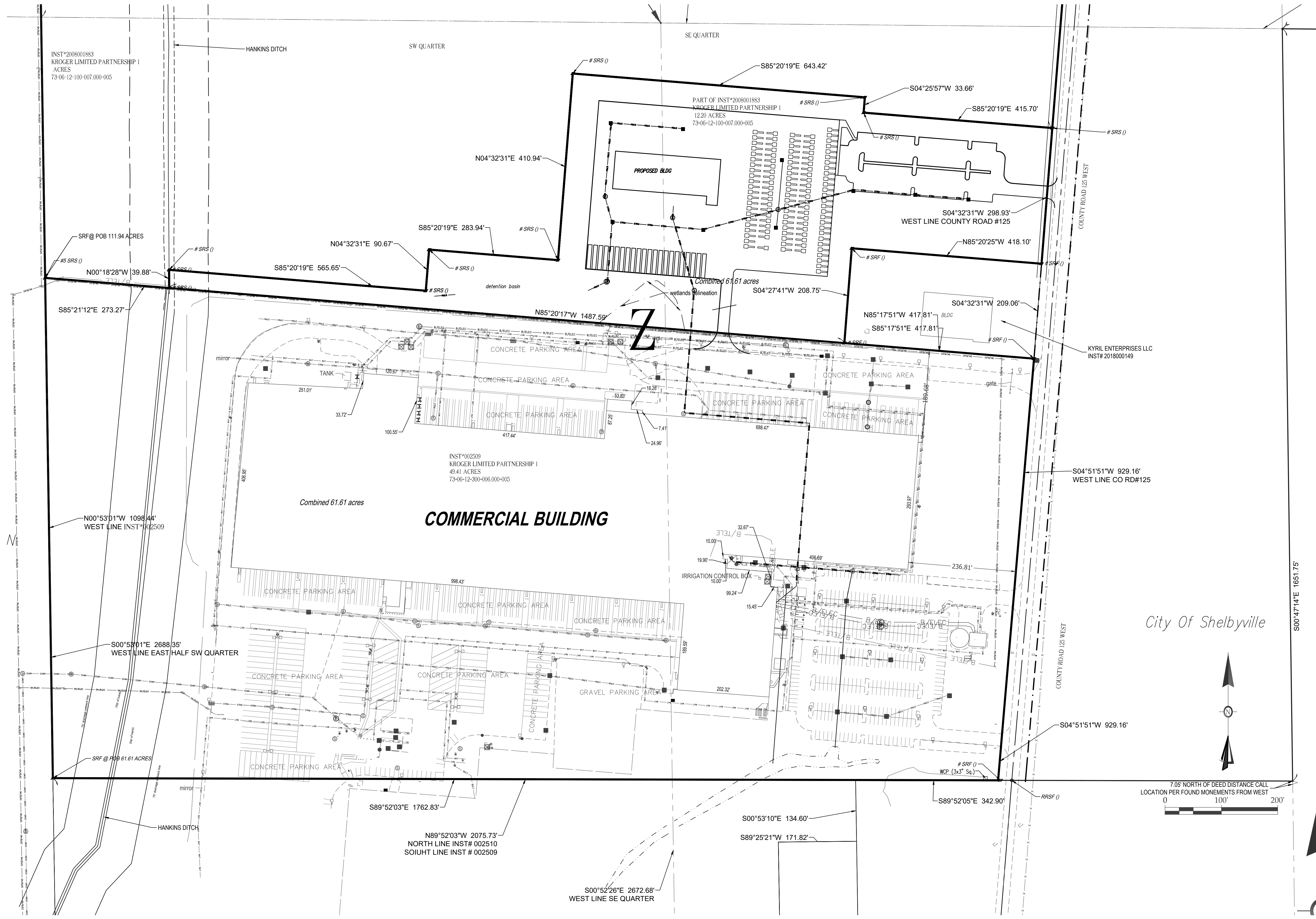
KROGER
SEC 12 TWP 13N, R 6 E
SHELBY COUNTY,
INDIANA

ALTA/ACSM LAND
TITLE SURVEY

HORIZONTAL SCALE
100
VERTICAL SCALE

SHEET
1 of 4

Z:\SECTIONS\13-61-12.DWG\1230210\KROGER_ALTA_11-13-2023.DWG

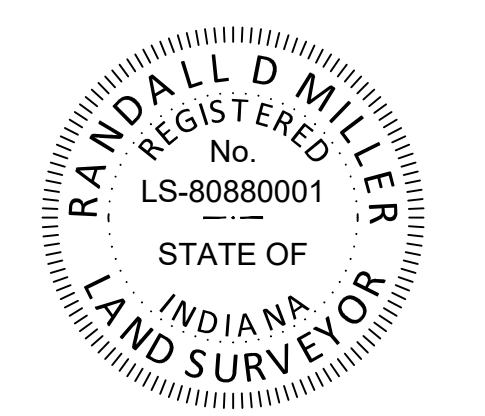


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Randall Miller

JOB NO: 23-0210
 CREW: TR
 DRAWN BY: RM
 CHECKED BY: RV
 DATE: October 16, 2023

KROGER
 SEC 12 TWP 13N, R 6 E
 SHELBY COUNTY,
 INDIANA

ALTA/ACSM LAND
 TITLE SURVEY

HORIZONTAL SCALE

 VERTICAL SCALE

SHEET
 2 of 4

Z:\SECTIONS\13-41-15.DWG\12502D\KROGER ALTA 11-15-2023.DWG

FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT NO. Order Number: GLW2301211 July 25, 2023
- SCHEDULE A:

Part of the East Half of the West Half of Section 12; also part of the East Half of said Section 12; all in Township 13 North, Range 6 East in Shelby County, Indiana, more particularly described as follows: Beginning at the northeast corner of the Southeast Quarter of said Section 12; thence north 87 degrees 46 minutes 14 seconds west 1361.69 feet along the north line of said Quarter Section to an iron pin; thence south 00 degrees 38 minutes 10 seconds west 1658.80 feet to an iron pin; thence north 88 degrees 32 minutes 49 seconds west 2722.20 feet to an iron pin on the west line of said East Half of said West Half of said Section 12; thence north 00 degrees 27 minutes 27 seconds East 2347.96 feet along said west line to a road nail; thence north 00 degrees 23 minutes 38 seconds west 1352.73 feet along said west line to an iron pin; thence south 89 degrees 14 minutes 13 seconds East 1355.25 feet to a road nail on the east line of said East Half of said West Half of said Section 12; thence south 00 degrees 00 minutes 00 seconds 687.05 feet along said East line to a road nail; thence south 87 degrees 26 minutes 23 seconds east 2751.52 feet to a road nail on the east line of the Northeast Quarter of said Section 12; thence south 00 degrees 33 minutes 20 seconds west 1335.94 feet along said east line to the point of beginning; containing 252.20 acres, more or less, and subject to all existing legal highway rights of way and easements of record.

EXCEPT THEREFROM THE FOLLOWING:
A 76.68 acre tract consisting of a part of the East Half of Section 12, Township 13 North, Range 6 East in Brandywine Township, Shelby County, Indiana, and more particularly described as follows:
Beginning at the southeast corner of the northeast quarter of said section marked by an existing railroad spike in the center of County Road 100W; thence North 88 degrees 19 minutes 50 seconds West 1362.29 feet along the south line of the southeast quarter of said northeast quarter of an existing 5/8" rebar beside an existing stone marking the southwest corner thereof; thence South 00 degrees 03 minutes 40 seconds West 1659.24 feet, along the east line of the west half of the southeast quarter of said section, to an existing 5/8" rebar marking the northeast corner of that 23 acre +/- parcel of ground as described in Deed Record 290 Page 915; thence North 89 degrees 04 minutes 54 seconds West 645.74 feet along the north line of said 23 acre +/- parcel and along, or near, an existing fence line, to a 5/8" capped rebar; thence North 05 degrees 23 minutes 40 seconds East 3017.63 feet to a 5/8" capped rebar in the south line of the northwest quarter of the northeast quarter of said section; thence South 87 degrees 48 minutes 10 seconds East 359.00 feet along the south quarter and along, or near, an existing fence line, to a 5/8" rebar marking the southeast corner thereof; thence South 88 degrees 02 minutes 43 seconds East 1367.50 feet along the south line of the northeast quarter of the northeast quarter, and along, or near, an existing fence line, to an existing railroad spike marking the southeast corner thereof; thence south 00 degrees 00 minutes 00 seconds West 1334.65 feet, along the east line of the southeast quarter of the northeast quarter and along the center of County Road 100 West, to the point of beginning, containing 76.68 acres, subject to right-of-way for County Road 100 West running along the east side of tract and all other legal easements of record.

ALSO EXCEPT:
A part of the Northwest Quarter of the Southeast Quarter of Section 12, Township 13 North, Range 6 East of the Second Principal Meridian situated in Brandywine Township, Shelby County, Indiana, more particularly described as follows:
Commencing at the Southwest Quarter aforesaid; thence South 88 degrees, 49 minutes 55 seconds East (an assumed bearing) along the South line of the Southeast Quarter and also approximately along the centerline of County Road 400 North, 402.84 feet; thence North 00 degrees, 03 minutes 28 seconds East, along the East line of a tract conveyed to William Ritchie in Deed Record 314, Page 134-137, 1021.21 feet; thence South 88 degrees, 57 minutes, 13 seconds East 317.74 feet to the West right of way line of County Road 125 West; thence North 05 degrees, 26 minutes, 40 seconds East, along said West right of way line, 928.32 feet to a 5/8 inch capped rebar, said rebar being the point of Beginning of this description; from said Point of Beginning, thence North 84 degrees, 24 minutes, 54 seconds West 418.00 feet to a 5/8 inch capped rebar; thence North 05 degrees, 26 minutes 40 seconds East 209.00 feet to a 5/8 inch capped rebar; thence South 84 degrees, 24 minutes, 54 seconds East 418 feet to a 5/8 inch capped rebar, thence South 05 degrees, 26 minutes, 40 seconds West 209.00 feet to the Point of Beginning, containing 2.001 acres, more or less.

ALSO EXCEPT:
A part of the Southwest Quarter of Section 12, Township 13 North, Range 6 East, also a part of the Southeast Quarter of Section 12, Township 13 North, Range 6 East of the Second Principal Meridian situated in Brandywine Township, Shelby County, Indiana, more particularly described as follows:
Commencing at the Southwest corner of the Southwest quarter aforesaid; thence South 88 degrees, 49 minutes, 55 seconds East, along the South line of the Southwest Quarter and also along the approximate centerline of County Road 400 North and its extension thereof, 1359.13 feet; thence North 0 degrees, 05 minutes, 17 seconds East, along the East line of a tract described in Deed Record 295, Pages 717-718, 1017.46 feet to a found rebar, said rebar being the Point of Beginning of this description; thence continuing North 00 degrees, 05 minutes, 17 seconds East, along said East line 1098.02 feet to a 5/8 inch capped rebar; thence South 84 degrees, 24 minutes, 54 seconds East 2177.28 feet to a 5/8 inch capped rebar on the west right of way line of County Road 125 West; thence South 05 degrees, 26 minutes, 40 seconds West along said right of way line, 928.32 feet to a 5/8 inch capped rebar; thence North 88 degrees, 57 minutes, 13 seconds West, passing through a found rebar at 317.74 feet, 2080.91 feet to the Point of Beginning, Containing 49.423 acres, more or less.

A Modernized Legal Description of the above described Real Estate is as follows:
That portion of land situate in Section 12, Township 13 North, Range 6 East of the Second Principal Meridian in Shelby County, Indiana being more particularly described as follows: Considering the East line of the Northwest Quarter as bearing South 05 degrees 29 minutes 40 seconds East with all other bearings herein contained relative thereto; Commencing at a found monument at the Northeast corner of the Northwest Quarter; thence on the East line of the Northwest Quarter South 05 degrees 29 minutes 40 seconds East 686.70 feet to a set mag nail on the East line of the land described in Instrument #2006000066 and Instrument #2006008208; thence on said East line South 05 degrees 29 minutes 40 seconds East 687.86 feet to a set mag nail on the North line of said Instruments; thence on said North line North 86 degrees 14 minutes 54 seconds East 997.55 feet to a set rebar; thence South 00 degrees 21 minutes 27 seconds East 1870.23 feet to a set rebar on the North line of the land described in Instrument #0206578; thence on said North line North 89 degrees 56 minutes 32 seconds West 419.67 feet to a set rebar on the West line of the land described in said Instrument; thence on said West line South 00 degrees 04 minutes 58 seconds East 213.88 feet to a set rebar; thence South 89 degrees 23 minutes 21 seconds West 1758.50 feet to a set rebar on the West line of the land described in Instrument #2006000066 and Instrument #2006008208, also being the West line of the East Half of the Southwest Quarter; thence on said West line North 05 degrees 30 minutes 29 seconds West 2602.23 feet to a set rebar on the North line of the land described in said Instruments; thence on said North line North 84 degrees 27 minutes 04 seconds East 1360.90 feet to the Place of Beginning, Containing 123.76 acres and being subject to all easements and rights-of-w

FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT NO. Order Number: GLW2301211 July 25, 2023
- SCHEDULE B, SECTION II:

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

SCHEDULE B ITEMS

- Rights or claims of parties in possession not shown by the Public Records.
- Easements, or claims of easements, not shown by the Public Records.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.
- Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.(Not a survey matter.)
- Taxes or special assessments which are not shown as existing liens by the Public Records.(Not a survey matter.)
- 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.(Not a survey matter.)
- Property Taxes are as follows: (Not a survey matter)
Tax Year: 2022
Due and Payable: 2023
May installment amount \$3,002.51
Penalty: \$0.00 Status: Paid
November installment amount \$3,002.51
Penalty: \$0.00 Status: Unpaid
Name of Taxpayer:
Land \$174,200.00
Improvements: \$121,800.00
Exemptions: None
Taxing Unit: Brandywine Township
State Parcel No: 73-06-12-100-007.000-005
Description: NE & SE NW & NE SW & NW & SW NE & NW SE 12-13-6 (98.90 27.85) 123.76AC
- Property taxes for the year 2023 due in 2024 are a lien not yet due and payable.(Not a survey matter.)
- Rights of way for drainage tiles, ditches, feeders and laterals, if any.As shown on the plat of survey and discussed in the surveyor's report, if applicable.
- Rights of the public, the State of Indiana and/or the municipality, and others entitled thereto, in and to that part of the Land taken or used for road purposes. (AS SHOWN ON THE PLAT OF SURVEY)
- The acreage indicated in the legal description, and/or the address shown on Schedule A, is solely for the purposes of identifying said tract and should not be construed as insuring the quantity of land, and/or the address as set forth in the description of the property.
- Rights of tenants in possession as tenants only under unrecorded leases.(Not a survey matter.)
- Severed Easement, granted to City of Shelbyville, Indiana, its successors and assigns from John R. Kelley, recorded on December 19, 1996 as Book 325 Page 762 of the Shelby County, Indiana Records (N/A)

DESCRIPTIONS OF REAL ESTATE (this survey):

*DESCRIPTION OF REAL ESTATE:
That portion of land situate in the Southwest and Southeast Quarters of Section 12, Township 13 North, Range 6 East of the Second Principal Meridian in Shelby County, Indiana being described as follows:
Considering the South line of the Southwest Quarter as bearing North 89°52'41" East with all other bearings herein contained relative thereto:
Commencing at the Southwest corner of the Southwest Quarter; thence on said South line North 89°54'41" East 1360.20 feet to the West line of the land described in Instrument #002510 thence; on said West line North 00°53'01" West 1017.29 feet to a found rebar at the southwest corner of the land described in Instrument 002509 being the Place of Beginning; thence on the West line of the land described in Instrument #002509 North 00°53'01" West 1098.44 feet to a found rebar on the North line of the land described in Instrument # 002509; thence on the West line of said Instrument North 00°53'01" West 1017.29 feet to a found rebar at the Southwest corner of the land described in Instrument # 002509; thence on the West line of said Instrument North 00°53'01" West 1098.44 feet to a found rebar on the North line of the land described in Instrument # 002509 and the South line of land described in Instrument # 2008001883; thence on said North line South 85°20'19" East 415.70 feet to a set rebar; thence North 04°32'31" East 401.94 feet to a set rebar; thence South 85°20'19" East 643.42 feet to a set rebar; thence South 04°25'57" West 33.86 feet to a set rebar; thence South 85°20'19" East 415.70 feet to a set rebar; thence South 04°25'57" West 33.8 feet to a set rebar; thence South 85°20'19" East 415.70 feet to a set rebar on the West line of County Road # 125 West; thence on said West line South 04°32'31" West 288.93 feet to a found rebar on the North line of the land described in Instrument # 2018000149; thence on said North line North 85°20'25" West 418.10 feet to a found rebar on the West line of the land described in said Instrument; thence on said West line South 04°27'41" West 208.75 feet to a found rebar on the South line of the land described in said Instrument; thence on said South line South 04°27'41" West 208.75 feet to a found rebar on the South line of the land described in Instrument # 002508; thence on said South line North 89°52'03" West 2073.73 feet to the Place of Beginning, containing 61.61 Acres and being subject to all easements and rights of way.*

DESCRIPTIONS OF REAL ESTATE (this survey for new area): inside 61.61 acres description

*That portion of land situate in Section 12, Township 13 North, Range 6 East of the Second Principal Meridian in Shelby County, Indiana being described as follows:
Considering the South line of the Southwest Quarter as bearing North 89°52'41" East with all other bearings herein contained relative thereto: Beginning at the Southwest corner of Section 1; thence on the South line of the Southwest Quarter North 89°52'41" East 1360.20 feet to a found spike at the Southwest corner of the land described in Instrument # 002510; thence on the West line of said Instrument North 00°53'01" West 1017.29 feet to a found rebar at the Southwest corner of the land described in Instrument # 002509; thence on the West line of said Instrument North 00°53'01" West 1098.44 feet to a found rebar on the North line of the land described in Instrument # 002509 and the South line of land described in Instrument # 2008001883; thence on said North line South 85°21'12" East 273.27 feet to a set rebar at the Place of Beginning; thence North 00°18'28" West 39.88 feet to a set rebar; thence South 85°20'19" East 565.65 feet to a set rebar; thence North 04°32'31" East 410.94 feet to a set rebar; thence South 85°20'19" East 643.42 feet to a set rebar; thence South 04°25'57" West 33.66 feet to a set rebar; thence South 85°20'19" East 415.70 feet to a set rebar on the West right of way line of County Road 125 West; thence on said West line South 04°32'31" East 238.93 feet to a found rebar on the North line of the land described in Instrument # 2018000149; thence on said North line North 85°20'25" West 418.10 feet to a found rebar on the West line of the land described in Instrument # 2018000149; thence on said West line South 04°27'41" West 208.75 feet to a found rebar on the North line of the land described in Instrument # 002509 and the South line of land described in Instrument # 2008001883; thence on said North line North 85°20'17" West 1487.59 feet to the Place of Beginning, containing 12.20 Acres and being subject to all easements of record and rights of way*

*DESCRIPTION OF REAL ESTATE:
That portion of land situate in the Southwest and Southeast Quarters of Section 12, Township 13 North, Range 6 East of the Second Principal Meridian in Shelby County, Indiana being described as follows:
Considering the South line of the Southwest Quarter as bearing North 89°52'41" East with all other bearings herein contained relative thereto:
Commencing at the Southwest corner of the Southwest Quarter; thence on said South line North 89°54'41" East 1360.20 feet to the West line of the land described in Instrument #002510; thence on said West line North 00°53'01" West 1017.29 feet to a found rebar at the southwest corner of the land described in Instrument #002509; thence on the West line of the land described in Instrument # 002509 North 00°53'01" West 1098.44 feet to a found rebar on the North line of the land described in Instrument # 002509 being the Place of Beginning; thence on the West line of the land described in Instrument # 2008001883 North 00°53'01" West 1098.44 feet to a found rebar on the North line of the land described in said Instrument; thence on said North line North 89°15'57" East 1588.45 feet to a set mag nail on an East line of the land described in said Instrument being the center line of County Road # 150 West; thence on said center line and East line South 00°46'38" East 687.05 feet to a set mag nail on a North line of the land described in said Instrument; thence South 88°48'16" East 1009.53 feet to a set rebar on the West line of County Road # 125 West; thence on said West line South 04°33'53" West 1582.11 feet to a set rebar; thence North 85°20'19" East 415.70 feet to a set rebar; thence North 04°25'57" West 33.86 feet to a set rebar; thence North 85°20'19" West 565.65 feet to a set rebar; thence North 04°32'31" East 410.94 feet to a set rebar; thence North 85°21'12" West 283.94 feet to a set rebar; thence South 04°32'31" West 80.67 feet to a set rebar; thence North 85°20'19" West 565.65 feet to a set rebar; thence South 00°18'28" East 39.88 feet to a set rebar on the North line of the land described in Instrument # 002509; thence on said North line North 85°21'12" West 273.27 feet to the Place of Beginning, containing 111.94 Acres and being subject to all easements and rights of way.*

FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT NO.

Issuing Office File Number: GLW2301318
Order No. (TW): 102300650

- SCHEDULE A:

A part of the Southwest Quarter of Section 12, Township 13 North, Range 6 East, also a part of the Southeast Quarter of Section 12, Township 13 North, Range 6 East of the Second Principal Meridian, situated in Brandywine Township, Shelby County, Indiana, more particularly described as follows: Commencing at the Southwest corner of the Southwest Quarter aforesaid; thence South 88 degrees 49 minutes 55 seconds East, along the South line of the Southwest Quarter and also along the approximate centerline of County Road 400 North and its extension thereof, 1359.13 feet; thence North 00 degrees 05 minutes 17 seconds East, along the East line of a tract described in Deed Record 295, Page 717-718, 1017.46 feet to a found rebar, said rebar being the Point of Beginning of this description; thence continuing North 00 degrees 05 minutes 17 seconds East along the East line 1098.02 feet to a 5/8 inch capped rebar; thence South 84 degrees 24 minutes 54 seconds East 2177.28 feet to a 5/8 inch capped rebar on the West right of way line of County Road 125 West; thence South 05 degrees 26 minutes 40 seconds West, along said right of way line, 928.32 feet to a 5/8 inch capped rebar; thence North 88 degrees 57 minutes 13 seconds West, passing through a found rebar at 317.74 feet, 2080.91 feet to the Point of Beginning; containing 49.423 acres, more or less

FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT NO.

Issuing Office File Number: GLW2301318
Order No. (TW): 102300650

- SCHEDULE B SECTION 2:

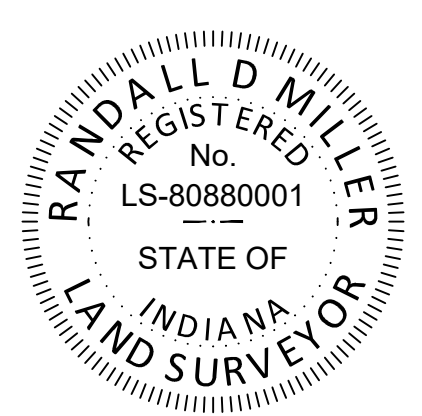
- Rights or claims of parties in possession not shown by the Public Records.
- Easements, or claims of easements, not shown by the Public Records.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.
- Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.(Not a survey matter.)
- Taxes or special assessments which are not shown as existing liens by the Public Records.(Not a survey matter.)
- 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.
- Property taxes for tax year 2022 are due and payable 2023, \$303,019.11 May installment, PAID, and \$303,019.11, UNPAID, for the November installment, Name of Taxpayer Kroger Limited Partnership I An Ohio Limited Partnership, Land \$2,450,000.00, Improvements \$20,428,000.00, Exemptions \$0.00, Tax Identification No. 73-06-12-300-006.000-005, description NE NW SW & SE 12 13 6 49.42 AC.(Not a survey matter.)
- Property taxes for the year 2023 due in 2024 are a lien not yet due and payable.(Not a survey matter.)
- Rights of way for drainage tiles, ditches, feeders and laterals, if any.
- Rights of the public, the State of Indiana and/or the municipality, and others entitled thereto, in and to that part of the Land taken or used for road purposes.
- Rights of tenants in possession as tenants only under unrecorded leases.(Not a survey matter.)
- Utility Easement, granted to Indiana Bell Telephone Company, Incorporated d/b/a Ameritech Indiana, its successors and assigns, by the Board of Directors of Shelbyville Airport Authority, recorded August 22, 1995 in Deed Book 320, Page 679 of the Shelby County, Indiana Records. AS SHOWN ON THE PLAT OF SURVEY
- Permanent right-of-way and easement for Sanitary Sewer, granted to the City of Shelbyville, Indiana, by the City of Shelbyville, dated October 22, 1997 and recorded October 27, 1997 in Deed Book 329, Page 14 of the Shelby County, Indiana Records. (AS SHOWN ON SURVEY) DESCRIPTION NEEDS REVISED.
- Right-of-Way and Easement Grant, granted to Indiana-American Water Company by the City of Shelbyville, recorded December 18, 1997 in Deed Book 329 Page 709 of the Shelby County, Indiana Records.(AS SHOWN ON SURVEY) DESCRIPTION NEEDS REVISED.
- Matters shown on the ALTA/ACSM Land Title Survey prepared by MTA, Inc. and recorded July 29, 1999 as Instrument No. 9906946 in the Shelby County, Indiana Records(AS SHOWN ON SURVEY) DESCRIPTION NEEDS REVISED.
- ITEMS NOT PROVIDED ARE RITCHIE DRB330-170 AND 173

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Randall Miller

JOB NO: 23-0210
CREW: TR
DRAWN BY: RM
CHECKED BY: RV
DATE: November 16, 2023

KROGER
SEC 12 TWP 13N, R 6 E
SHELBY COUNTY,
INDIANA

ALTA/ACSM LAND
TITLE SURVEY

HORIZONTAL SCALE

VERTICAL SCALE

SHEET

3 OF 4

CERTIFICATION:

I, Randall Miller, hereby certify that a survey was made by me and under my direct supervision on November 13, 2023 for Kroger Limited Partnership 1. The survey was completed to the best of my knowledge and belief and complies with the rules and regulations governing land surveyors, specifically those listed under Title 865 I.A.C. 1-1-12 et seq. The attached plat of survey shows the above ground improvements. The attached plat of survey is according to the recorded deeds in the office of the Shelby County Recorder.

To: Kroger Limited Partnership1, Fidelity National Title Insurance Company and their successors and assigns:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6, 7(a), 8, 9, 10, 11(a), 13, 14, 16, and 17 of Table A thereof. The field work was completed on Nov 2023.

Date of Plat of Map: November 13,2023

Randall Miller

By: _____
RANDALL MILLER

Indiana Registration No.: 880001

The above real estate is situate at:
4301 N 125 West, Shelbyville, Indiana

FLOOD HAZARD STATEMENT:

The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced flood insurance rate map. The above real estate is situate in Zone "X" as said land plots by scale on Community Panel #18145C00110C of the Flood Insurance Rate Maps for SHELBY County dated 11-5-2014

ZONING:

ZONING:
Zoning Classification: LIGHT INDUSTRIAL AND IN AN AIRPORT OVERLAY DISTRICT

Building Setbacks:
Front Yard - There shall be a front yard of not less than FIFTY (50) feet measured from the right-of-way line to the front wall of the building.
Side Yard - There shall be a front yard of not less than TWENTY-FIVE (25) feet measured from the right-of-way line to the front wall of the building.
Rear Yard - There shall be a rear yard of not less than twenty-five (25) feet measured from the right-of-way line to the front wall of the building
Zoning and restrictions per City of Shelbyville, Indiana Plan Commission and Unified Development Ordinance

"This subdivision is subject to all drainage system design and construction standards within the Unified Development Ordinance, all other applicable adopted standards of the City of Shelbyville, and the requirements of the City Engineer that provide for the repair and maintenance of the system." All drainage easements shall run to the "City of Shelbyville."

CERTIFICATE OF APPROVAL FOR DEDICATION OF STREETS AND UTILITIES
I hereby certify that the streets and utilities and other improvements shown on this plat, entitled _____, may be presented to the City for Dedication upon the completion of construction in accordance with the City Specifications and Standards. A performance bond, or irrevocable letter of credit, in accordance with City of Shelbyville Ordinance _____ in the amount of _____ has been posted with the Clerk-Treasurer to assure completion of all required improvements.

Presented and approval granted this _____ day of _____, 20 ____.

President, Board of Public Works and Safety

CERTIFICATE OF APPROVAL OF THE FINAL PIAT
I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Shelbyville, Indiana, with the exception of such variances, if any, as noted in the minutes of the Plan Commission, and that it has been approved for recording in the office of the City and County Clerks.

_____, 20 ____

Printed Name

Chair, Plan Commission

Printed Name

Secretary, Plan Commission

SURVEYOR'S REPORT:

In accordance with the Indiana survey standards as defined in Title 865 I.A.C. 1.1-12 et. seq., the following opinions and observations are submitted regarding uncertainties in the location of the title lines and corners established this survey as a result of:

A) AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS:

The area was thoroughly searched, yielding only those monuments denoted on the attached plat of survey and enlargement detail and listed in the table below.

#5 steel rebars with identification caps stamped "RMA Firm #0074" were set at the corners of the subject tract indicated on the attached plat of survey in accordance with the area monuments, the recorded plat and deeds, and the client's instructions.

REFERENCE TO FOUND MONUMENTS

LOCATION	SIZE/TYPE	DEPTH	AGE/HISTORY	HELD/NOT HELD
NORTHEAST CORNER SOUTHEAST QUARTER	SPIKE	2" BELOW	(UNKNOWN ORIGIN) 20 + YRS	(PER C.S. REF.) HELD
SOUTHEAST CORNER SOUTHEAST QUARTER	SPIKE	2" BELOW	(UNKNOWN ORIGIN) 20 + YRS	(PER C.S. REF.) HELD
SOUTHWEST CORNER SOUTHEAST QUARTER	MAG NAIL	SURFACE	(UNKNOWN ORIGIN) 20+ YRS	(PER C.S. REF.) HELD
NORTHWEST CORNER NORTHWEST QUARTER	DISK	SURFACE	(UNKNOWN ORIGIN) 20+ YRS	(PER C.S. REF.) HELD
NW COR INST# 002509/002510	REBAR	1" BELOW	(UNKNOWN ORIGIN) 20+ YRS	(ORIGINAL) HELD
W LINE EAST HALF IN CO RD 450 N	SPIKE	1" BELOW	(UNKNOWN ORIGIN) 20+ YRS	HELD
KYRIL PROPERTY CORNERS	REBAR	1" BELOW	(UNKNOWN ORIGIN) 10+ YRS	HELD

(C.S. REF. = COUNTY SURVEYOR'S REFERENCES)

B) OCCUPATION OR POSSESSION LINES:

In regard to uncertainties of lines of occupation or possession, occupation refers to lines which are marked by visible, obvious, well defined and maintained, man-made or placed objects, such as, but not limited to, fences, hedges, and retaining walls. The uncertainty cited for a line of occupation is general in nature and is NOT intended to be specific for every point along the line, due to the meandering nature of these objects. Therefore, portions of the occupation line may vary from the surveyed line by a distance greater than the uncertainty cited in this report or on the attached plat of survey.

The possession is a shown on the plat of survey.
The North line of Inst # 2008001883 is to a removed fence marked by a West end "T" post and a East end "T" post
The West line of Inst Numbers 002509 and 002510 is to a fence line

Any uncertainties in possession may result in unwritten title rights and should be reviewed with a title company, a real estate attorney and RMA.

C) CLARITY OR AMBIGUITY OF RECORD DESCRIPTIONS:

There are no gaps or overlaps between the subject parcel and its contiguous parcels per the geometry, intent, and controlling calls of the record descriptions.

The descriptions of the new parcels of the subject tract, created by this survey, produces a mathematically closed figure.

D) RELATIVE POSITIONAL ACCURACY OF MEASUREMENTS:

"Relative Positional Accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the ninety-five percent (95%) confidence level. This survey met the requirements of an Rural survey according to title 865 IAC 1-12-7. The acceptable Relative Positional Accuracy is 0.26 feet plus 200 parts-per-million.

THEORY OF LOCATION:

This is a Retracement and an Original Survey of a 2 tracts of land situate in Section 13, Township 12 North, Range 6 East in Shelby County, Indiana. A "Retracement Survey" means a survey of real property that has been previously described in documents conveying an interest in the real property [per 865 IAC 1-12-2(i)]. An "Original Survey" means a survey that is executed for the purpose of locating and describing real property that has not been previously described in documents conveying an interest in the real property [per 865 IAC 1-12-2(f)]. The purpose of this survey is to establish and locate the title lines and corners and to add a new portion from 1 description to another as noted in the New Parcel
The basis of this survey for the locations of the lines and corners was the record description of the subject parcel, and the recorded deeds. The found and held evidence was applied to the geometry of the record description and the recorded deeds for the determined locations of the lines and corners. The basis of bearings for this survey was derived from Real Time Kinematic (RTK) GPS session with Indiana State Plane coordinate system.

Any significant variances in measurements observed upon reconstruction of the record geometry, the positional uncertainties of the monuments found that were not held, and any apparent uncertainties relative to the existing possession lines are as shown on the plat of survey and enlargement details.

THEORY OF LOCATION FOR SECTION CORNERS:

The United States Bureau of Land Management (under the Department of the Interior) instructions of 1815 made no reference for establishing the center of section by any other means other than at the intersection of lines connecting opposite quarter corners. After the original government survey of the Township, local county deputy surveyors continued more permanent perpetuation of the quarter corners, center of sections and various partition boundaries. These local records and perpetuated monumentation of the corners were held as controlling evidence for this survey even though these methods may be in conflict with the original instructions regarding the establishment of the center of section.
"SEE THE MONUMENTS REPORT"
THE SOUTHWEST CORNER IS OBLITERATED AND WILL NEED TO BE SET FROM EXTRINSIC INFORMATION
THE WEST QUARTER CORNER WOULD BE SET ACCORDING TO THE BLM RULES OF RESTORATION OF OBLITERATED CORNERS
THE CENTER OF SECTION WAS NOT FOUND. A SPIKE NORTH OF THE CENTER AT 450 N WAS FOUND AND HELD TO ASSIST IN THE LOCATION OF THE CENTER OF SECTION

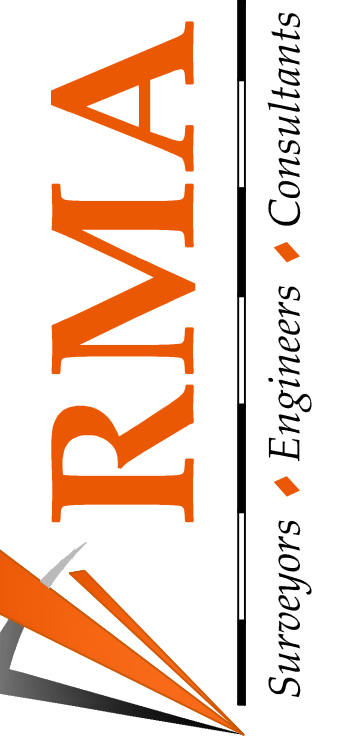
MISCELLANEOUS NOTES:

- Measurements of this survey are based on Real Time Kinematic (RTK) GPS and E.T.S. measurements.
- No county regulated drains in the form of open ditches or drainage tiles were observed on or near the subject parcel, unless otherwise shown, upon visual inspection of the premises. No warranty is explicit or implied. The county surveyor should be consulted.
- This survey plat has been prepared for use on this particular project and for the exclusive use of the person(s) or entity hereon named and is not certified to or to be used by any other party. The evidence, possession, ownership, conditions, etc. could change constantly and the use of this survey is limited only to the date indicated herein.
- The location of the title lines and corners are subject to the evidence found in the performance of this survey. Additional evidence presented to R.M.A. may alter the location of the title lines and corners.
- No documents have been provided to RMA, except as shown and/or described, that establishes the right of way through formal dedication, acquisition, grant, eminent domain, etc. A prescriptive easement from the edge of paving (shown or not shown on this survey) exists per Indiana Case Law. No representations of the right of way width(s) is/are herein made by RMA.
- Any possible US Army Corps of Engineers (USACOE) flowage easement or other USACOE easement affecting the subject property is not shown on this survey. A search was not completed for any such easement nor was the property inspected for visible signs of such easement. The USACOE should be consulted to identify whether any flowage or other easements exist. This survey is subject to any documents identifying any flowage or other easements related to the USACOE.
- The current zoning classification allows for the existing use of the subject property to be used for the current operations
- The location of utilities and structures, on the surface are shown on the survey from observed evidence at the time of survey and are not necessarily complete or correct.
- At the time of this survey there was observable surface evidence of earth moving work, building construction or building additions
- 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 described and shown herein is shown on the plat of survey new description
- The location of each easement, right-of-way, servitude, and and other matter (above or below ground) affecting the subject property and listed in the Title Insurance Commitment No. **GLW2301211** dated July 25, 2023, issued by **FIDELITY NATIONAL TITLE INSURANCE COMPANY** with respect to the subject property, has been shown on the survey, together with appropriate recording references, to the extent that such matters can be located.
- There is direct access to the subject property from 40 North, a public right-of-way, and 150 West and 125 West, a public right-of-way.
- The posted address on site is 4301 N 125W, Shelbyville, Indiana

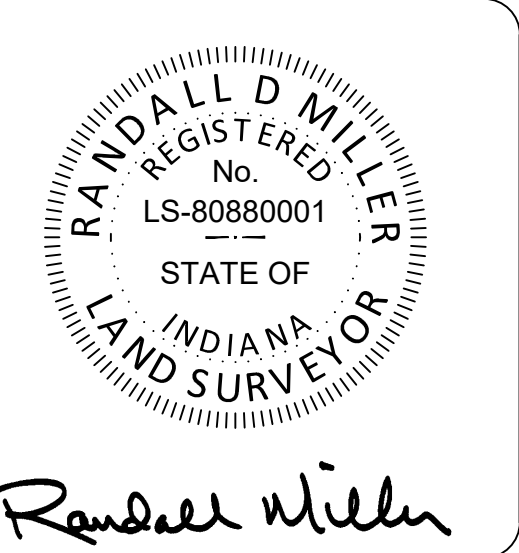
REFERENCE TO SURVEYS (RECORDED AND/OR KNOWN UNRECORDED):

A prior survey performed by RMA, Mid States Engineering, MTA AND Hanson Engineers, were utilized as a reference for this survey.

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Surveyors • Engineers • Consultants
www.rmasurveying.com



Randall Miller

JOB NO: 23-0210
CREW: TR
DRAWN BY: RM
CHECKED BY: RV
DATE: November 16, 2023

KROGER
SEC 12 TWP 13N, R 6 E
SHELBY COUNTY,
INDIANA

ALTA/ACSM LAND
TITLE SURVEY

HORIZONTAL SCALE

VERTICAL SCALE

SHEET

40 OF 4