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EISENHOWER PARKWAY (VARIABLE WIDTH) NE CORNER SECTION 8, T3S, R6E N 1/4 CORNER SECTION 8, 13S, R6E POINT OF COMMENCEMENT PARCELS II & III-WIDTH) SOUTH RIGHT-OF-WAY LINE bg-12-08-100 09-12-08-100 09-12-08-100 09-12-08-100 BRIARWOOD SUBDIVISI EXCEPTION BRIARWOOD SUBDIVISION (VARIABLE LOT 3 LOT 7 PAGES 66-751 LOT 4 5 LOT16 LOT 8 PLAZA LOT 9 LOT 10 BRIARWOOD CIRCLE PARCEL V LOT 5 BEGINNING NO1°39'00"W 面 N87° 39'00" w 100.24' 09-12-08-100-022 FEDERATED RETAIL HOLDINGS <u>~</u> 09-12-08-100-055 555 INVESTMENTS, L.L.C. CIO CHURCH RE 09-12-08-100-021 J. C. PENNEY CORP. S PARCEL IV MACYS \* 09-12-08-100-BENNIGANS PARCEL SITE BRIARWOOD CIRCLE ELLSWORTH RD. 4 09-12-08-100-052 BALLY TOTAL FIRNESS CORP.  $\vdash$ LOT 1 S PARCEL I VICINITY SKETCH 09-12-08-100-053 PAN INVESTMENTS, L.L.C. ARC=297.50 R=892.43' Δ=19°06'00" CH=S77°52'00" S87°25'00"W 233.94' N. R.O.W. LINE SEARSHILTON BLVD. S21° 41'00"E PARCEL I 09-12-08-100-062 ANN ARBOR CROWNE PLAZA VON MAUR R=831.43 8 LOT 11 △=21°42'00" CH=S57°28'00"W 313.01" PARCEL 1 BRIARWOOD CIRCLE LOT 12 R=887.43′ △=06°36'00″ CH=S49°55'00″W LOT 13 09-12-08-200-008 BRIARWOOD II, L.L.C. 09-12-08-100-049 BRIARWOOD II, L.L.C. 102.17 LOT 16 BRIARWOOD SUBDIVISION LIBER 22 OF PLATS, PAGES 66-75/ LOT 14 50.81 ARC=836.27 LOT 15 09-12-08-100-067 CSS-ANN, ARBOR-CANTON, L.L.C. R=893.38 Δ=53°38'00"\_\_\_ CH=S80°02'00"W 806.07' -POINT OF BEGINNING E 1/4 CORNER SECTION 8, T3S, R6E

LEGAL DESCRIPTION

Land in the North  $\frac{1}{2}$  of Section 8, Town 3 South, Range 6 East, City of Ann Arbor, Washtenaw Caunty, Michigan, described as:

Land in the North ½ of Section 8, Town 3 South, Range 6 East, City of Ann Arbor, Washtenow County, Michigan, described as:

Parcel 1 — Fee Simple:

Commencing at the North 1/4 corner, Section 8, Township 3 South, Range 6 East, Pittsfield Township, now City of Ann Arbor, Washtenow County, Michigan, Thence South 00 deg. 55: 55: East 150:13 feet olong the North and South 1/4 line of said section; Thence North 66 deg. 38: 10' East 41.0 feet along the South line of the Eisenhower Parkway; Thence Southhy 55.13 feet olong the arc of a circular curve to the left, radius 30.0 feet, chord South 14 deg. 12' 37' West 54.43 feet; Thence South 10 deg. 35' East 117.95 feet; Thence Southesterly 47.64 feet along the arc of a circular curve to the left, radius 30.0 feet, chord South 14 deg. 12' 37' West 54.43 feet; Thence North 87 deg. 25' 50' East 175.00 feet; Thence South 10' deg. 34' 10' East 56.00 feet; Thence North 87 deg. 25' 50' East 48.96 feet; Thence South 10' deg. 34' 10' East 56.00 feet; Thence North 87 deg. 25' 50' East 48.96; 56' feet; Thence South 10' deg. 51' West 44.64' feet for a POINT OF BEGINNING; Thence South 73' deg. 09' East 175.50 feet; Thence Easterly 22.06 feet along the arc of a circular curve to the left, radius 56.00 feet; Thence South 73' deg. 09' East 170.00' feet; Thence South 16' deg. 51' West 43.55' of Feet; Thence South 73' deg. 09' East 170.00' feet; Thence South 16' deg. 51' West 43.55' of Feet; Thence South 73' deg. 09' East 170.00' feet; Thence North 16' South 16' deg. 51' West 33.55' of Feet; Thence South 73' deg. 09' East 170.00' feet; Thence North 16' deg. 31' East 52.46' feet; Thence South 73' deg. 09' East 170.00' feet; Thence North 16' deg. 31' East 52.46' feet; Thence South 73' deg. 09' East 170.00' feet; Thence North 16' deg. 31' East 52.46' feet; Thence South 73' deg. 09' East 170.00' feet; Thence North 16' deg. 31' East 52.54' feet; Thence North 6' deg. 3 Parcel 1 - Fee Simple:

Parcel 2 — Fee Simple:

Commencing at the Northeast corner of Section 8, Township 3 South, Range 6 East, Pittsfield Township, now City of Ann Arbor, Washtenow County, Michigan; Thence South 01 deg. 39' 00' East 82.558 feet; Thence North 87 deg. 39' West 100.24 feet; Thence North 01 deg. 39' West 25.24 feet along the West line of South State Street to the POINT OF BEGINNING; Thence Westerly 26.12 feet along the arc of a circular curve to the left, radius 70.00 feet, chord North 78 deg. 57' 40' West 25.97 feet; Thence North 78 deg. 39' West 466.08 feet; Thence South South 65 deg. 31' West 26.84 feet; Thence South 39 deg. 21' West 24.47 red.

South 05 deg. 39' East 42.43 feet; Thence North 50 deg. 30' West 33.88 feet; Things South 65 deg. 51' East 56.0 feet; Thence North 79 deg. 00' West 137.50 feet; Thence North 79 deg. 20' West 25.00 feet; Thence North 79 deg. 30' West 33.88 feet; Thence North 79 deg. 20' East 55.00 feet; Thence North 79 deg. 30' East 55.00 feet; Thence North 79 deg. 20' East 56.00 feet; Thence South 50 deg. 39' East 56.00 feet; Thence North 79 deg. 21' East 56.00 feet; Thence South 50 deg. 39' East 56.00 feet; Thence North 79 deg. 21' East 56.00 feet; Thence North 79 deg. 31' East 56.00 feet; Thence South 50 deg. 39' East 56.00 feet; Thence South 60 deg. 36' East 56.00 feet; Thence South 60 deg

PARCEL III

Parcel 3 — Fee Simple:

Commencing at the Northeast corner of Section 8, Township 3 South, Range 6 East, City of Ann Arbor, Washtenow County, Michigan; Thence South 01 deg, 39' 00' East 1518,95' feet along the East line of soil Section; Thence South 87 deg, 25' 00' West 233,94' feet along the Northery fight-of-way line of Hillton Boulevard; Thence continuing soid right-of-way line 297,50' feet along the arc of an 892,43-feat rodius circular curve to the left through o central ongle of 19 deg, 06' 00' howing a chard which beres South 77 deg, 52' 00' West 296,13 feet; Thence South 21 deg, 41' 00' East 61.00 feet; Thence along the Southerty fight-of-way line of Brianwood Circle Drive in the fallowing courses: 314.89 feet along the Southerty fight-of-way line of Brianwood Circle Drive in the fallowing courses: 37,489 feet along the southerty fight-of-way line of Brianwood Circle Drive in the fallowing courses: 37,50' 00' West 50.81,50' feet; Thence along the arc of an 83,14,3-foot radius circular curve to the left through a central angle of 21 deg, 42' 00' howing a chord which bears South 46' deg, 57' 00' West 50.81,50' feet; Thence South 50' deg, 50' 00' West 50.81,50' feet; Thence South 46' deg, 55' 00' West 50.81,50' feet; Thence South 46' deg, 50' 00' West 50.81,50' feet; Thence South 46' deg, 50' 00' West 50.81,50' feet; Thence South 46' deg, 50' 00' West 50.81,50' feet; Thence South 46' deg, 50' 00' West 50.81,50' feet; Thence South 46' deg, 50' 00' West 50.81,50' feet; Thence South 46' deg, 50' 00' West 50.81 feet; Thence South 57 deg, 10' 10' East 218.45 feet; Thence South 57 deg, 10' 10' East 218.45 feet; Thence South 57 deg, 00' 00' West 50.81 feet; Chard North 77 deg, 00' 00' West 50.81 feet; Chard North 78 deg, 00' 00' West 50.81 feet; Chard North 78 deg, 00' 00' West 50.81 feet; Chard North 78 deg, 00' 00' West 50.81 feet; Chard North 78 deg, 00' 00' West 50.81 feet; Chard North 78 deg, 00' 00' West 50.81 feet; Chard North 78 deg, 00' 00' West 50.81 feet; Chard North 78 deg, 00' 00' West 50.81 feet; Ch

Parcel 4 – Fee Simple:

A port of Lot 2 of BRARWOOD SUBDINSION, as recorded in Liber 22, Pages 66 through 75, inclusive of Prots, Washlenow County Records, more particularly described as: Beginning at the Northecaterly corner of Lot 2, there 5 south 3 degree 39 minutes 00 seconds East 325.22 feet along the Easterly corner of Lot 2, there 5 south 3 degree 39 minutes 00 seconds East 325.22 feet along the Easterly corner of Lot 2, the control of the Caterly line of sold Lot 2 and the Northerly line of Britaneous Circle 14.43 feet along a curve to the right, sold curve having a radius of 50.00 feet, a central angle of 16 degrees 32 minutes 09 seconds and a chord bearing and distance of South 79 degrees 08 minutes 50 seconds West 14.38 feet; thence South 87 degrees 25 minutes 00 seconds West 271.30 feet along the Southerly line of sold Lot 2, and the Northerly line of Bridaneous Circle; thence North 02 degrees 35 minutes 00 seconds West 271.00 feet; thence North 87 degrees 25 minutes 00 seconds East 14.00 feet; thence North 97 degrees 25 minutes 00 seconds East 14.00 feet; thence North 97 degrees 25 minutes 00 seconds East 14.00 feet; thence North 97 degrees 25 minutes 00 seconds East 14.00 feet; thence North 97 degrees 25 minutes 00 seconds East 14.00 feet; thence North 97 degrees 25 minutes 00 seconds East 134.07 feet along the Northerly line of sold both 97 degrees 25 minutes 03 seconds East 134.07 feet along the Northerly line of sold Moll Drive; thence sold had be 10 and 10 feet along the Northerly line of sold Moll Drive 56.12 feet along a curve to the right, sold curve having a radius of 70.00 feet, a central angle of 21 degrees 25 minutes 50 seconds and a chord bearing and distance of South 76 degrees 57 minutes 33 seconds and a chord bearing and distance of South 76 degrees 57 minutes 33 seconds and a chord bearing and distance of South 76 degrees 57 minutes 33 seconds and a chord bearing and distance of South 76 degrees 57 minutes 33 seconds and a chord bearing and distance of South 76 degrees 57 minutes 3

Porcel 5 — Fee Simple:

Lot 3 of BRMRWOOD SUBDIMSION, as recorded in Liber 22, Pages 86 through 75, inclusive of Plots, Washlenow County Records, Excepting therefrom the following described parcel: Beginning at the Northeast conner of Lot 3, BRMRWOOD SUBDIMSION, as recorded in Liber 22, Pages 66 through 75, inclusive of Plots, Washlenow County Records; thence South 01 degrees 39 minutes 00 seconds East 195,91 fect olong the Westerly right-of-way line of State Road; thence South 88 degrees 21 minutes 20 seconds West 6.00 faet; thence North 01 degrees 38 minutes 40 seconds West 7.31 feet; thence South 80 degrees 21 minutes 20 seconds West 16.00 feet; thence North 01 degrees 38 minutes 20 seconds West 16.00 feet; thence South 80 degrees 21 minutes 20 seconds West 16.00 feet; thence South 80 degrees 21 minutes 20 seconds West 16.00 feet; thence South 88 degrees 21 minutes 20 seconds West 16.00 feet; thence South 88 degrees 21 minutes 20 seconds West 16.00 feet; thence South 68 degrees 21 minutes 20 seconds West 16.00 feet; thence South 68 degrees 25 minutes 20 seconds West 17.00 feet to a point on the Easterly right-of-way line 10 feet was 10 feet 10 f

NOTES: 1. FLOOD ZONE

Portions of Parceis II, IV and VI are currently in zone 'AE' Flood Hazard Area and was scaled from the Flood Insurance Rate Map — Community Ponel Number 260213 0010 C, with a revised date of January 2, 1992. ('AE' = the 100 year flood zone and is shown on sheet 4 of this survey) The remainder portions lie in zone 'X', on area determined to be outside the 5000 year flood plain per the above mentioned rote map.

- utside of said building is zoned P (
  guildions:

  1. Minimum Yard Setbacks;
  a. Front 40 feet
  b. Side None
  c. Rear None
  2. Moximum usable floor space;
  200% of lot orea
  3. Moximum building height:
  4. 60 feet
  4. 60 feet
  4. 60 feet
  guarding floor guarding feet
  proced L. I and III living outside.

- Parcel i, II and III lying outside the building is zoned P (Parking) and is subject to the following

- Parcel I, II and III lying outside the building is zoned P (Porking) and is subject to the following regulations:

  II. In and III lying outside the building is zoned P (Porking) and is subject to the following regulations:

  II. In a consider the proof of the proof
- 3. LEGAL DESCRIPTION TAKEN FROM FIDELITY NATIONAL TITLE COMPANY, COMMITMENT NO. 38322/11684514, REVISED DATE SEPTEMBER 23, 2009.
- BEARINGS BASED ON BRIARWOOD SUBDIVISION, AS RECORDED IN LIBER 22 OF PLATS, PAGES 66 THROUGH 75, WASHTENAW COUNTY RECORDS.

The Reciprocal and non-exclusive rights, easements, privileges of use, ingress and egress, parking, utilities and other purposes, in, on, over, upon and under certain adjoining real property, with all rights, power, privileges and benefits incidental thereto, and rights in the use of Briancead Circle Drive, Sauth Main Street, Praza Road, Market Piace, Moil Drive and Brian-bood Circle, as private road dedicated to the lat owners of BRANNOOD SIDBNIStON, as recorded in Liber 22, Pages 60 through 75, inclusive Plots, and commence of Court Process, which provise uninterrupted scores to public streets and roadways, all created and granted as apparent on the Process 1, 2, and 3 above, in and by the following.

Operating Agreement dated February 2, 1972 by and amang Briarwaad, a Michigan co-portnership, Sears Roebuck and Co., a New York corporation, J.C. Penney Properties, Inc., a Delaware corporation and J.L. Hudson Campagny, a Michigan Corporation, accarded Morch 28, 1972 in Liber 1309, Pages 729 through 856, Washtenow County Records, with Guaranty of J.C. Penney Campany, Inc., recorded March 28, 1972 in Liber 1309, Pages 867, Woshtenow County Records.

First Amendment to Operating Agreement among Briorwood, Sears Roebuck and Co., J.C. Penny Properties, Inc., and the J.L. Hudson Company add as of April 13, 1973 and recorded June 6, 1973 in Liber 1441, Pages 48B through 546, Washkerdow County Records.

Second Amendment to Operating Agreement among Briorwood, Sears Roebuck and Co., J.C. Penney Properties, Inc., and the J.L. Hudson Company dated as of July 2, 1973 and recorded August 13, 1973 in Liber 1453, Page 420, and also recorded September 24, 1973 in Liber 1456, Page 54, Washten

Fourth Amendment to Operating Agreement dated November 16, 1976 and recorded in Liber 1576, Page 799, Washtenaw County Records.

Fifth Amendment to Operating Agreement dated Morch 14, 1978 and recorded June 30, 1978 in Liber 1558, Page 1, Washtenow County Records.

Sixth Amendment to Operating Agreement dated January 8, 1979 and recorded June 13, 1979 in Libe 1711, Page 369, Washtenow County Records.

Supplemental Agreement dated February 2, 1972 between Briarwood and J.C. Penney Properties, Inc., with Guaranty of J.C. Penney Company, Inc. recorded March 28, 1972 in Liber 1390, Page 867, Washtenaw County Records.

Second Supplemental Agreement dated February 2, 1972 between Briarwood and J.C. Penney Properties Inc., with Guaranty of J.C. Penney Company, Inc. recorded Morch 28, 1972 in Liber 1390, Page 877, Washteaw County Records.

Seventh Amendment to Operating Agreement dated January 20, 1993 and recorded January 20, 1994 in Liber 2927, Page 1, Washtenaw County Records.

Third Supplemental Agreement recorded October 19, 2002 in Liber 4173, Page 441, Washtenaw County

SEE SHEET 6 FOR EXCEPTIONS

# SURVEY CERTIFICATION

To METROPOLITAN LIFE INSURANCE COMPANY, a New York corporation its succeand ossigns. BRIARWOOD LLC, a Delaware limited liability company, FIDELITY ITTLE INSURANCE COMPANY, CHICAGO TITLE INSURANCE COMPANY, and FIRST ITTLE INSURANCE COMPANY.

This to certify that this mop or plot and the survey on which it is based was made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land TIME Surveys" jointly established and adopted by ALTA and NSPS in 2005, includes items I through 4, 6 through 11a, and 13 and 14 of Table A thereof and includes the Metropolitan Requirements. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the add to this and the Accuracy of this survey does not exceed that which is specified therein.



