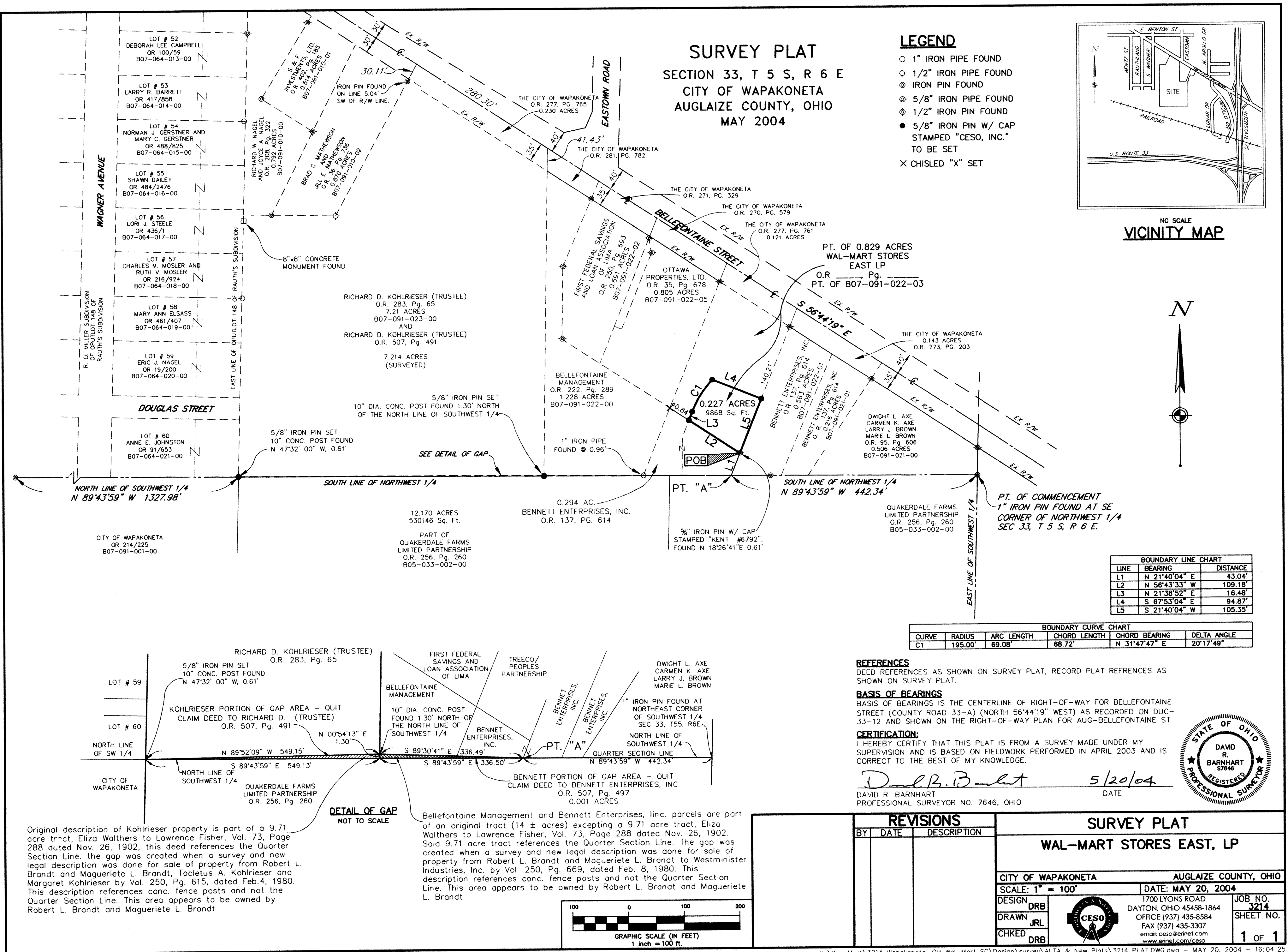


Duc-33-25



Legal Description for 0.227 Acres
Wal-Mart Stores East, LP to Bennett Enterprises, Inc.
City of Wapakoneta, Auglaize County, Ohio
May 20, 2004

Part of the NW Quarter of Section 33, Township 5 South, Range 6 East, City of Wapakoneta, Ohio and being part of a 0.829 acre tract (Parcel No. B07-091-022-03) of land conveyed to Wal-Mart Stores East, LP as recorded in Official Record _____, Page _____ (all references to deed books, official records, volumes, survey records and plats refer to the Auglaize County Recorder's Office, Auglaize County, Ohio) and being more particularly described as follows;

Commencing from a 1" iron pin found at the southeast corner of the northwest quarter of said Section 33, thence along the south line of said northwest quarter North 89°43'59" West, 442.34 feet to the southeast corner of a 0.294 acre tract of land conveyed to Bennett Enterprises, Inc. as recorded in Volume 137, Page 614;

thence along the east line of said 0.294 acre tract North 21°40'04" East, 43.04 feet to the southeast corner of said 0.829 acre tract, witness a found a 5/8" iron pin with a cap stamped "Kent #6792", being North 18°26'41" East, 0.61 feet from said corner and being the **Point of Beginning** of the following described tract of land;

thence along the south line of said 0.829 acre tract North 56°43'33" West, 109.18 feet to a set 5/8" iron pin with a cap stamped "CESO INC";

thence along a new division line the following three (3) courses;

1) North 21°38'52" East, 16.48 feet to a set 5/8" iron pin with a cap stamped "CESO INC";

2) along a curve to the right with an arc length of 69.08 feet, a radius of 195.00 feet, a delta angle of 20°17'49", a chord bearing and distance of North 31°47'47" East, 68.72 feet to a set 5/8" iron pin with a cap stamped "CESO INC";

3) South 67°53'04" East, 94.87 feet to a 5/8" iron pin with a cap stamped "CESO INC" set on the east line of said 0.829 acre tract, also being the west line of a 0.563 acre tract of land conveyed to Bennett Enterprises, Inc. as recorded in Volume 137, Page 614;

thence along said common line South 21°40'04" West, 105.35 feet to the **Point of Beginning**, containing 0.227 acres (9868 square feet), subject however to all covenants, conditions, restrictions and easements contained in any instrument of record pertaining to the above described tract of land.

Basis of bearings is the centerline of Right-of-Way for Bellefontaine Street (County Road 33-A) (North 56°44'19" West) as recorded on DUC-33-12 and shown on the Right-of-Way Plan for Aug-Bellefontaine St.

This description was prepared by David R. Barnhart, P.S., #7646, Ohio, CESO, Inc., 1700 Lyons Road, Centerville, Ohio 45458 and is based on field survey made in July 2003.

David R. Barnhart 05/20/04
David R. Barnhart, P.S., #7646, Ohio Date
CESO, Inc.

