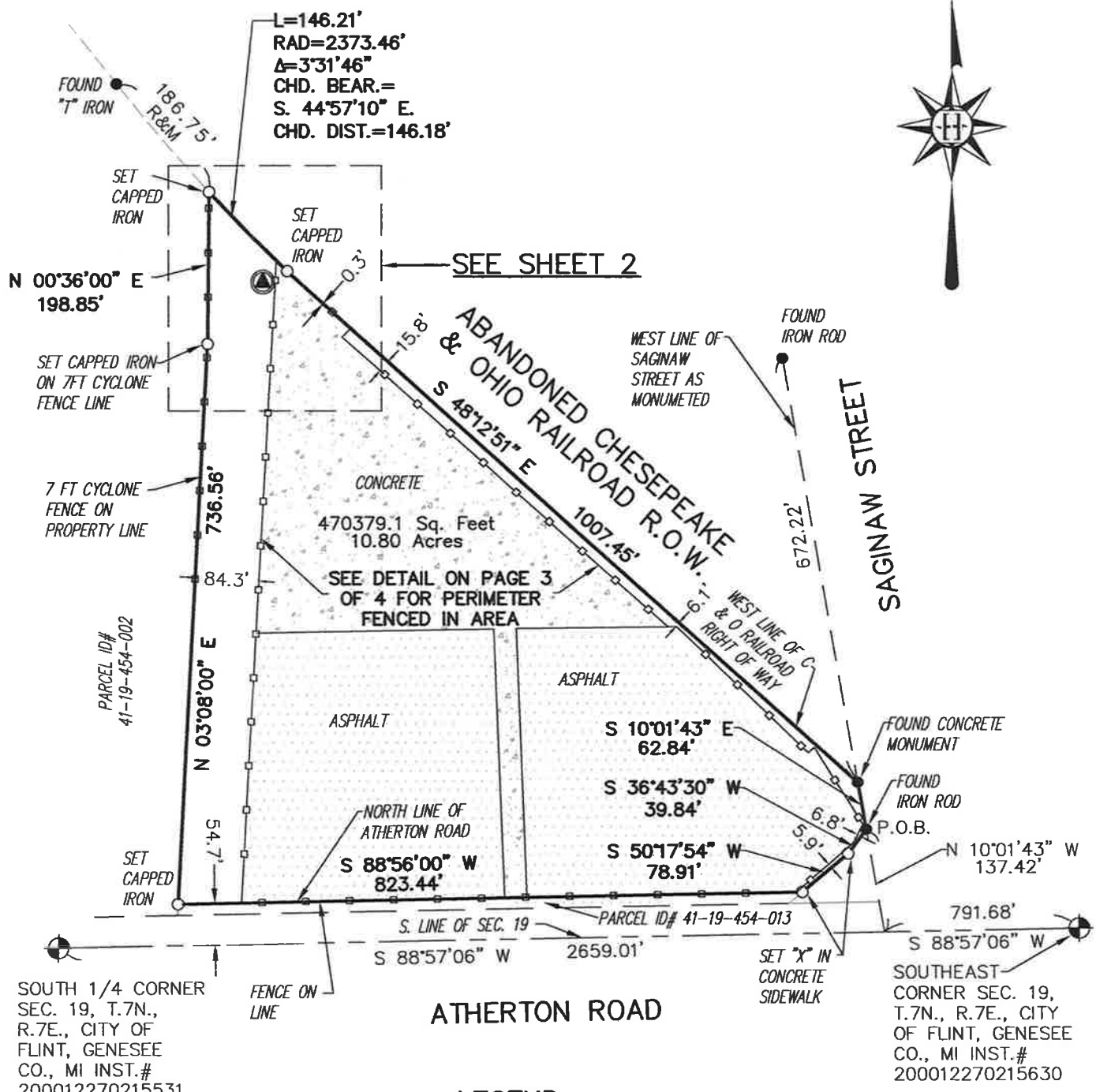


# CERTIFICATE OF SURVEY



### LEGEND

- PROPERTY LINE
- SECTION LINE
- EASEMENT LINE
- PARCEL LINE
- FENCE LINE
- FOUND IRON
- SET IRON
- SEC. COR.
- ASPHALT PVMT.
- CONCRETE
- NEW WELL

**LEGAL DESCRIPTIONS**  
SEE ATTACHED SHEET 4



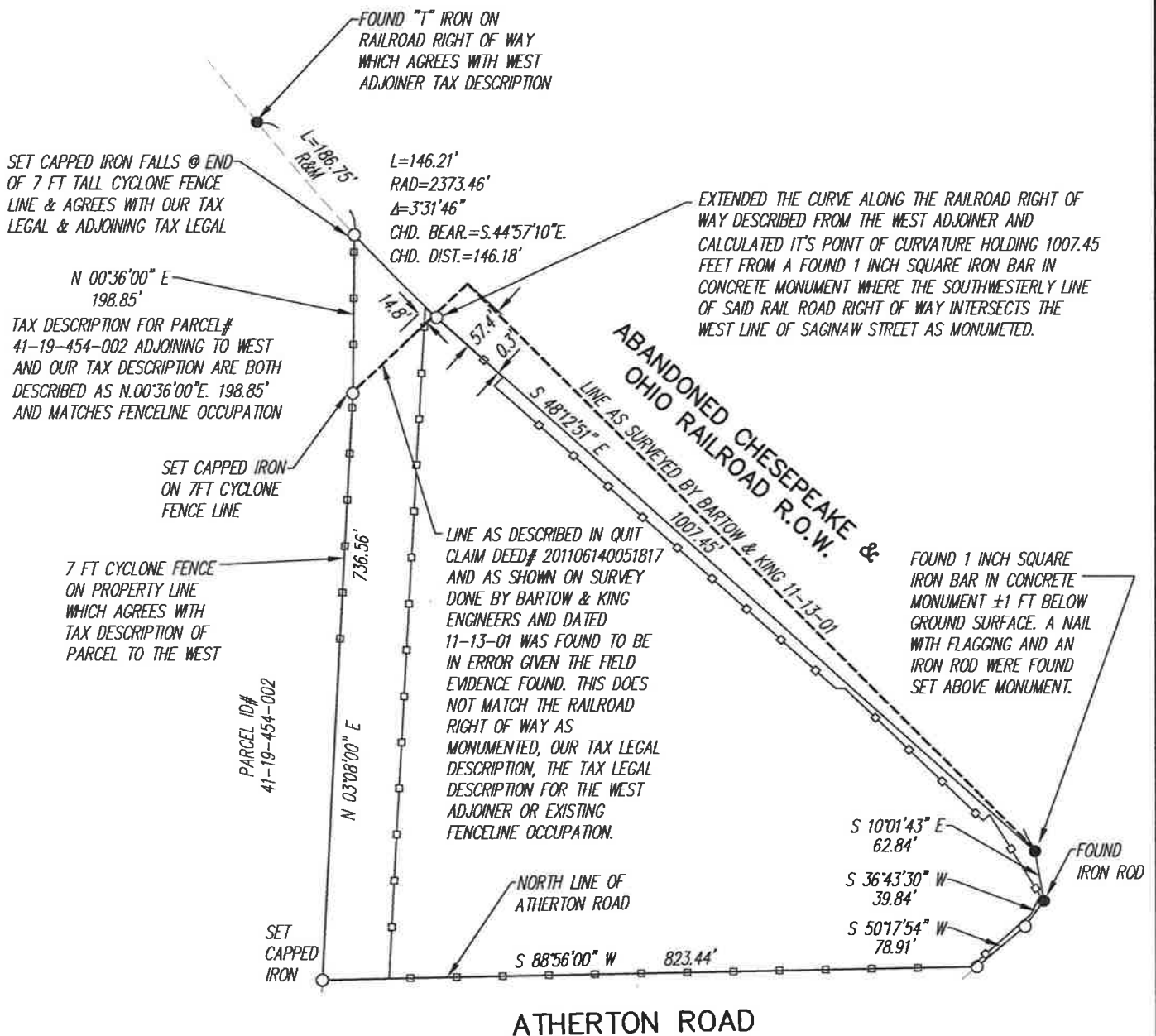
I, Michael J. Nowry, a Professional Surveyor in the State of Michigan do hereby Certify that the parcel of land described and delineated hereon has been surveyed under my supervision, that the plat hereon is a true representation of the survey as performed and that there are no encroachments other than as shown hereon, that said survey was performed with an error of closure no greater than 1 in 5000 and that I have fully complied with the requirements of Section 3, Public Act 132 of 1970.

MICHAEL J. NOWRY  
PROFESSIONAL SURVEYOR, 52472

<p><b>Nowry &amp; Hale Land Surveying LLC</b> 192 N Main, Suite D, Plymouth, MI, 48170 ph. 734.446.5501 email. info@nowryandhalelandsurveying.com</p>	DATE:	10/18/2012	<b>CLIENT:</b> <b>O'BRIEN &amp; GERE ENGINEERS INC.</b> <b>37000 GRAND RIVER AVE., SUITE 260, FARMINGTON HILLS, MI 48335</b>
	PROJ. #	012-133	
	DWG BY:	GAV	
	CHKD BY:	MJN	
	SCALE:	1" = 200'	
	FB#-PG#	002-042	

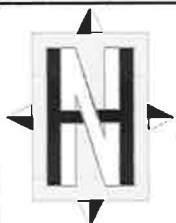
# CERTIFICATE OF SURVEY

## DETAIL OF NORTHWEST AREA OF PROPERTY



### LEGEND

- PROPERTY LINE
- SECTION LINE
- EASEMENT LINE
- PARCEL LINE
- FENCE
- FOUND IRON
- SET IRON
- SEC. COR.



**Nowry & Hale  
Land Surveying LLC**

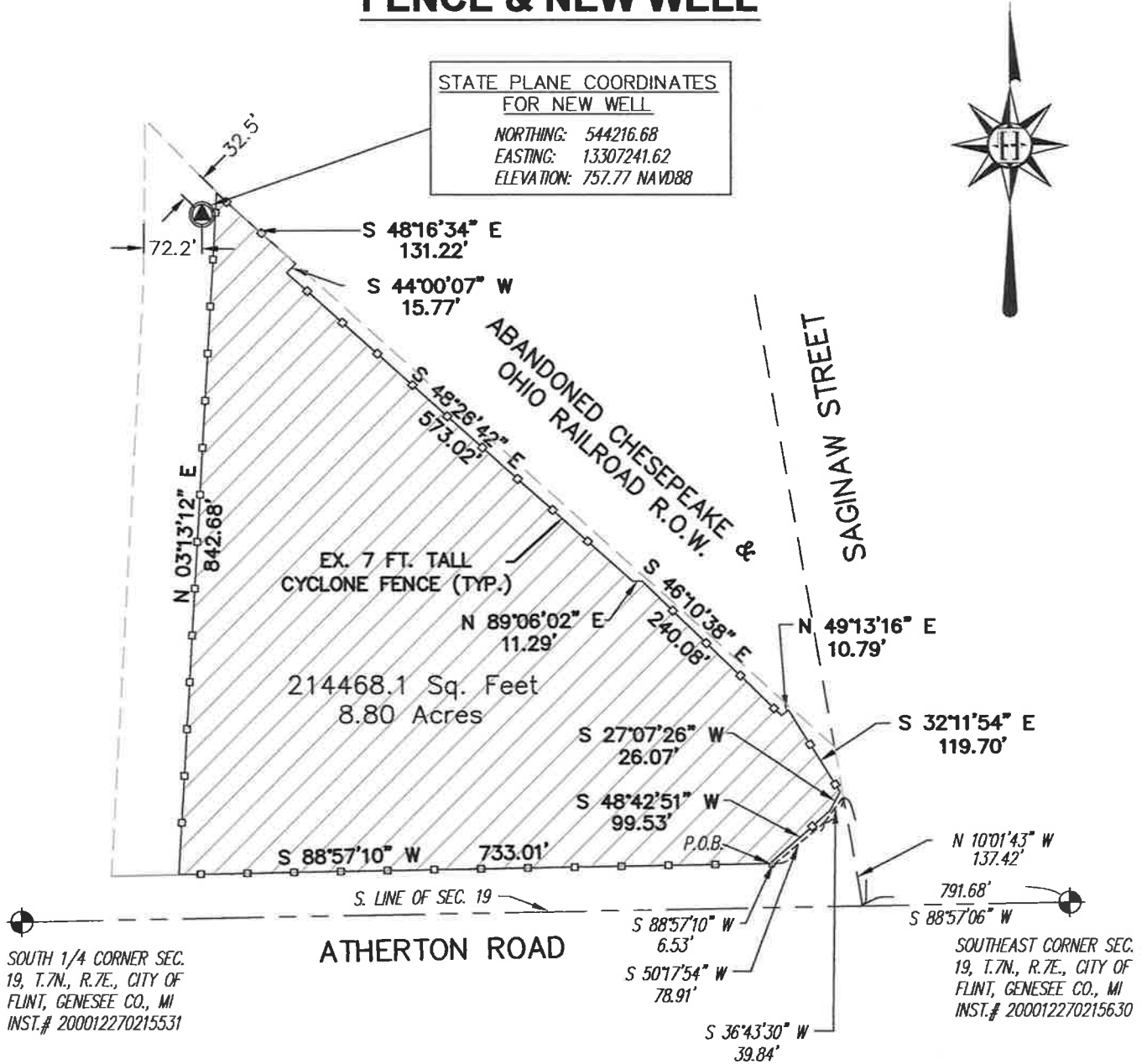
192 N Main, Suite D, Plymouth, MI, 48170  
ph. 734.446.5501 email. info@nowryandhalelandsurveying.com

DATE:	10/18/2012
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**CLIENT:**  
**O'BRIEN & GERE  
ENGINEERS INC.  
37000 GRAND  
RIVER AVE., SUITE  
260, FARMINGTON  
HILLS, MI 48335**

# CERTIFICATE OF SURVEY

## DETAIL OF PERIMETER FENCE & NEW WELL



### LEGAL DESCRIPTION OF FENCED IN AREA

PART OF THE SOUTHEAST 1/4 OF SECTION 19, TOWN 7 NORTH, RANGE 7 EAST, CITY OF FLINT, GENESSEE COUNTY, MICHIGAN. BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 19; THENCE S. 88°57'06" W. 791.68 FEET ALONG THE SOUTH LINE OF SAID SECTION; THENCE N. 10°01'43" W. 137.42 FEET; THENCE S. 36°43'30" W. 39.84 FEET; THENCE S. 50°17'54" W. 78.91 FEET; THENCE S. 88°57'10" W. 6.53 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S. 88°57'10" W. 733.01 FEET; THENCE N. 03°13'12" E. 842.68 FEET; THENCE S. 48°16'34" E. 131.22 FEET; THENCE S. 44°00'07" W. 15.77 FEET; THENCE S. 48°26'42" E. 573.02 FEET; THENCE N. 89°06'02" E. 11.29 FEET; THENCE S. 46°10'38" E. 240.08 FEET; THENCE N. 49°13'16" E. 10.79 FEET; THENCE S. 32°11'54" E. 119.70 FEET; THENCE S. 27°07'26" W. 26.07 FEET; AND THENCE S. 48°42'51" W. 99.53 FEET TO THE POINT OF BEGINNING. CONTAINING 8.8 ACRES OF LAND, MORE OR LESS.

**Nowry & Hale  
Land Surveying LLC**

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 ph. 734.446.5501 email. info@nowryandhalelandsurveying.com

DATE:	10-18-2012	CLIENT:
PROJ. #	012-133	O'BRIEN & GERE ENGINEERS INC.
DWG BY:	GAV	37000 GRAND RIVER AVE., SUITE 260, FARMINGTON HILLS, MI 48335
CHKD BY:	MJN	
SCALE:	1" = 200'	
FB#-PG#	002-042	

# LEGAL DESCRIPTIONS

## LEGAL DESCRIPTION OF PARCEL AS PROVIDED

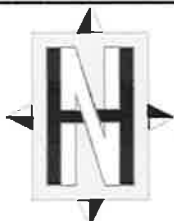
PART OF THE SOUTH 1/2 OF SECTION 19, TOWNSHIP 7 NORTH, RANGE 7 EAST. BEGINNING AT A POINT ON WESTERLY LINE OF SOUTH SAGINAW STREET, 97 FEET NORTH 9 DEGREES 21 MINUTES 30 SECONDS WEST FROM ITS INTERSECTION WITH NORTHERLY LINE OF ATHERTON ROAD; THENCE SOUTH 39 DEGREES 14 MINUTES WEST 40 FEET; THENCE SOUTH 50 DEGREES 17 MINUTES 54 SECONDS WEST, 78.91 FEET; THENCE SOUTH 88 DEGREES 56 MINUTES WEST, 823.44 FEET; THENCE NORTH 3 DEGREES 08 MINUTES WEST, 736.56 FEET; THENCE NORTH 50 DEGREES 36 MINUTES EAST, 198.85 FEET TO THE SOUTHWESTERLY LINE OF C & O RAILROAD RIGHT OF WAY; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE, 1007.45 FEET TO WESTERLY LINE OF SAGINAW STREET; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, 68.18 FEET TO PLACE OF BEGINNING

## LEGAL DESCRIPTION OF PARCEL AS SURVEYED

PART OF THE SOUTHEAST 1/4 OF SECTION 19, TOWN 7 NORTH, RANGE 7 EAST, CITY OF FLINT, GENESEE COUNTY, MICHIGAN. BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 19; THENCE S. 88°57'06" W. 791.68 FEET ALONG THE SOUTH LINE OF SAID SECTION 19 TO THE POINT OF INTERSECTION OF SAID SOUTH LINE OF SECTION 19 WITH THE WEST LINE OF SAGINAW STREET AS EXTENDED AND MONUMENTED; THENCE N. 10°01'43" W. 137.42 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING; THENCE S. 36°43'30" W. 39.84 FEET ALONG SAID WEST LINE OF SAGINAW STREET AS WIDENED; THENCE CONTINUING S. 50°17'54" W. 78.91 FEET ALONG SAID WEST LINE TO A POINT ON THE NORTH LINE OF ATHERTON ROAD; THENCE S. 88°56'00" W. 823.44 FEET ALONG SAID NORTH LINE OF ATHERTON ROAD; THENCE N. 03°08'00" E. 736.56 FEET; THENCE N. 00°36'00" E. 198.85 FEET TO A POINT ON THE SOUTH LINE OF ABANDONED CHESEPEAKE AND OHIO RAILROAD RIGHT OF WAY; THENCE 146.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2373.46 FEET, A CENTRAL ANGLE OF 3°31'46" AND A CHORD WHICH BEARS S. 44°57'10" E. 146.18 FEET ALONG SAID SOUTH LINE; THENCE CONTINUING S. 48°12'51" E. 1007.45 FEET ALONG SAID SOUTH LINE TO A POINT ON THE WEST LINE OF SAGINAW STREET, AS MONUMENTED; AND THENCE S. 10°01'43" E. 62.84 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING. CONTAINING 10.80 ACRES OF LAND, MORE OR LESS. SUBJECT TO ANY AND ALL EASEMENTS OR RIGHTS OF WAY, IF ANY.

## LEGAL DESCRIPTION OF FENCED IN AREA

PART OF THE SOUTHEAST 1/4 OF SECTION 19, TOWN 7 NORTH, RANGE 7 EAST, CITY OF FLINT, GENESEE COUNTY, MICHIGAN. BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 19; THENCE S. 88°57'06" W. 791.68 FEET ALONG THE SOUTH LINE OF SAID SECTION; THENCE N. 10°01'43" W. 137.42 FEET; THENCE S. 36°43'30" W. 39.84 FEET; THENCE S. 50°17'54" W. 78.91 FEET; THENCE S. 88°57'10" W. 6.53 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S. 88°57'10" W. 733.01 FEET; THENCE N. 03°13'12" E. 842.68 FEET; THENCE S. 48°16'34" E. 131.22 FEET; THENCE S. 44°00'07" W. 15.77 FEET; THENCE S. 48°26'42" E. 573.02 FEET; THENCE N. 89°06'02" E. 11.29 FEET; THENCE S. 46°10'38" E. 240.08 FEET; THENCE N. 49°13'16" E. 10.79 FEET; THENCE S. 32°11'54" E. 119.70 FEET; THENCE S. 27°07'26" W. 26.07 FEET; AND THENCE S. 48°42'51" W. 99.53 FEET TO THE POINT OF BEGINNING. CONTAINING 8.8 ACRES OF LAND, MORE OR LESS.



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DWG BY:	GAV	
CHKED BY:	MJN	
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FB#-PG#	002-042	

SUMMARY OF NEED FOR CORRECTIVE DEED  
AT RACER TRUST SITE IN FLINT, MICHIGAN

February 21, 2016

The Revitalizing Auto Communities Environmental Response (RACER) Trust was conveyed a 10.80+/- acre industrially-zoned parcel of land (Tax ID 14-19-454-014) situated at the northwest corner of South Saginaw Street and West Atherton Road in the City of Flint, Michigan. The legal description contained within this transfer's quitclaim deed ([RACER's 2011 QC Deed](#)), recorded by the Genesee County Register of Deeds on June 14, 2011 as Instrument No. 201106140051817, erroneously excludes the northern-most triangular corner of said parcel and therefore requires correcting.

This error was concluded after review by O'Brien & Gere, CTI and Associates, Inc., Warner, Norcross, and Judd, LLP, Nowry and Hale Land Surveying, LLC and internally by RACER Trust. Public records from the City of Flint and County of Genesee support this. These reviews found the following oversight to be true in the legal description of said quitclaim deed:

While said legal description currently calls-out, "thence North **50** degrees 36 minutes East, 198.85 feet to Southwesterly line of C & O Railroad right-of-way," it should call-out, "thence North **00** degrees 36 minutes East, 198.85 feet to Southwesterly line of C & O Railroad right-of-way." This simple error orients this particular linear segment 50+ degrees to the northeast instead of correctly orienting it virtually due north, and results in the exclusion of 0.35+/- acres of the parcel's total 10.80+/- acres.

Nowry and Hale Land Surveying, LLC supports Page 1 of their October 2012 Certificate of Survey ([2012 Certificate of Survey](#)) with:

- Page 2: *Detail of Northwest Area of Property*
- Page 3: *Detail of Perimeter Fence & New Well*
- Page 4: *Legal Descriptions*
  - *Of Parcel as Provided* (provided to show error)
  - *Of Parcel as Surveyed* (provided to show correction)
  - *Of Fenced In Area*

Further supporting the above survey is the legal description of the 2011 Warranty Deed ([2011 Word of Life Christian Church of Flint Warranty Deed](#)) held by the neighboring parcel (Tax ID 41-19-454-002) owner adjacent to the west. This deed was recorded on April 5, 2011 by the Genesee County Register of Deeds as Instrument No. 201104050034622 and pertains to an address commonly known as 460 West Atherton Road, Flint, Michigan 48507. Following the coincident edge of RACER's western-most boundary, the Word of Life's legal description uses the correct call-out, "thence North **00** degrees 36 minutes East, 198.85 feet to Southwesterly line of Chesapeake & Ohio Railroad right-of-way."

While a November 2012 search of the City of Flint's *Parcel/Real Property LookUp* also correctly describes RACER's parcel boundary ([Parcel/Real Property LookUp](#)), please note that Settlement Agreement Attachment C, Exhibit A, Page 231 ([SA Attachment C, Exhibit A, Page 231](#)) and a February 2009 Title Search Report agented by Title Source, Inc. ([2009 Title Search Report](#)) both incorrectly describe the boundary.



***RACER Trust's  
Great Lakes Technology Center Site***



**S Saginaw St**

**W Atherton Rd**

-  Area Excluded Incorrectly: 0.35+/- Acres
-  Correct RACER Trust Parcel: 10.80+/- Acres

This map is intended for illustrative purposes only and does not claim any legal warranty of its features. This map was created in color. Reproduction in B/W may not portray data as intended. Created: February 21, 2016.

0 100 200 Feet

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community