

CERTIFICATE OF SURVEY

situate and being in the Township of Pere Marquette in Mason County and State of Michigan, and described as follows to-wit:

LEGAL DESCRIPTION PROVIDED BY CLIENT:

PARCEL 1:

That part of Lot One (1), Section Twenty-four (24), Township 18 North, Range 18 West, bounded as follows: Commencing at a point 217 feet East of the one-quarter (1/4) post common to Sections Twenty-three (23) and Twenty-four (24), in Township 18 North, Range 18 West, thence East on the 1/4 line 533.08 feet to the intersection of the county highway with U.S. #31, thence South 3°49' West 624 feet to a point of beginning, thence South 89°58' West a distance of 524.80 feet, thence North 3°01' East a distance of 309.44 feet, thence North 89°58' East a distance of 529.09 feet, thence South 3°49' West a distance of 309.70 feet to the point of beginning, excepting therefrom a parcel of land, heretofore sold to Rinebolt, and described as follows: commencing at a point on the East side of the one-quarter (1/4) post, common to Sections 23 and 24, in Township 18 North, Range 18 West, thence East on the 1/4 line 533.08 feet to the intersection of the county highway with U.S. #31, thence South 3°49' West along the center line of said highway a distance of 384 feet to the point of beginning, thence South 3°49' West a distance of 240 feet, thence South 89°58' West a distance of 120 feet, thence North 3°49' East a distance of 140 feet, thence Northeasterly a distance of 161.41 feet to point of beginning. Both said foregoing described parcels being subject to the right-of-way of U.S. Highway #31 along the entire East side thereof.

PARCEL 2:

A parcel of land described as commencing at a point on the East and West Quarter line 318.58 feet West of the one-quarter (1/4) post common to Sections 23 and 24 in Township 18 North, Range 18 West, thence South 3°25' West a distance of 618.55 feet, thence South 3°21' West a distance of 688.38 feet, thence North 78°43' West a distance of 170.94 feet, thence North 3°25' East a distance of 1267.68 feet, thence North 88°00' East a distance of 169.29 feet to the place of beginning, subject to a right-of-way to the Dow Chemical Company, recorded in Liber 137 of Deeds, Page 253, Mason County records for a pipeline over and across, along and parallel with the East line and within 6 feet of the East line of the property and subject to a right-of-way for county highway purposes along the entire North side of said property.

PARCEL 3:

Commencing at the one-quarter post common to Sections 23 and 24, in Township 18 North, Range 18 West, running thence South 89°32' East along the quarter line 750.4 feet, more or less, to the center of the trunkline highway U.S. 31, thence South 3°49' West along the center line of the highway a distance of 624.0 feet, to a point hereafter to be known as and referred to as the point of beginning, thence running South 89°58' West 1084.3 feet, thence South 3°25' West 689.0 feet, thence South 79°26' East 325.5 feet to the North edge of the Pere Marquette Railroad spur track, said point being about 33 feet distant from the center line of the railroad tracks, thence running East and Northeast along the North edge of the said spur track, and approximately 33 feet distant from the center line of track, a distance of 814.8 feet to the center line of trunk line U.S. Highway 31, thence North 3°49' East along the center line of the highway a distance of 524.0 feet to the point of beginning; and being a part of Government Lot Four (4) of Section Twenty-three (23) and also Government Lot One (1) of Section Twenty-four (24), all in Township Eighteen (18) North of Range Eighteen (18) West, Pere Marquette Township, Mason County, Michigan, contained in said parcel 17.3 acres, more or less, according to Government Survey thereof, and subject to the right-of-way of U. S. Highway #31 along the entire East side thereof.

SAVING AND EXCEPTING OUT OF THIS CONVEYANCE as reserved unto the Dow Chemical Company, its successors and assigns, the easement and right to have any and all smoke, gases, brine, odor or things which may at any time escape or pass from the properties of Dow, herein called the dominant estate, to enter and pass upon and over the lands, tenements and appurtenances herein conveyed and called the servient estate, with entire immunity and freedom from any and all liability, either in law

PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Part of the Southwest quarter of Section 24, and part of the Southeast quarter of Section 23, of Township 18 North, Range 18 West, Pere Marquette Township, Mason County, Michigan, described as follows:
 Commencing at the quarter corner common to Sections 23 and 24, being the point of beginning, thence South 87°52'35" East along the east-west quarter line 217.00 feet, being recorded as South 89°32' East 217.0 feet;
 thence South 04°43'05" West 318.72 feet;
 thence South 88°22'30" East 529.80 feet, being recorded as South 89°58' East 529.09 feet;
 thence South 05°23'40" West along the centerline of Pere Marquette Highway 830.11 feet, being recorded as South 03°49' West 833.7 feet;
 thence South 62°57'45" West along the northerly side of C&O Railroad right of way 121.32 feet;
 thence Westerly along the northerly side of C&O Railroad right of way along a curve to the right having a radius of 1399.68 feet and an arc length of 665.99 feet, being subtended by a chord of South 76°35'35" West 659.73 feet;
 thence North 85°43'50" West 27.89 feet;
 thence South 89°48'30" West 324.21 feet, being recorded as South 88°47' West 323.21 feet;
 thence North 05°00'45" East 70.67 feet, being recorded as North 03°21' West 70.67 feet;
 thence North 76°35'50" West 170.07 feet, being recorded as North 78°43' West 170.94 feet;
 thence North 77°04'30" West 541.36 feet, being recorded as 539.88 feet;
 thence North 00°12'40" West 145.86 feet, being recorded as North 145.86 feet;
 thence North 88°57'40" East 65.92 feet, being recorded as East 66 feet;
 thence North 20°51'35" East 13.29 feet, being recorded as North 21°13'30" East 13.29 feet;
 thence North 10°14'45" East 647.89 feet, being recorded as North 10°36'40" East 647.89 feet;
 thence North 34°26'55" East 52.00 feet, being recorded as North 34°48'50" East 52.00 feet;
 thence North 00°22'00" West 297.94 feet, being recorded as North 00°00'00" East 297.95 feet;
 thence North 89°39'45" East along the east-west quarter line 933.73 feet, being recorded as South 89°58'20" East 933.73 feet to the point of beginning.
 46.62 acres.

PARCEL 4:

Commencing at a point in the East and West quarter line of Section 23, Township 18 North, Range 18 West, 3.56 chains East of the one-eighth corner common to Section line, thence South magnetic variation 3°15' East 15 chains, thence West magnetic variation 3°45' East 1 chain, thence South magnetic variation 3°15' East 2.21 chains, thence South magnetic variation 89°30' East 8.18 chains, thence North variation 1°38' West 19.16 chains, thence West along quarter line to point of beginning, according to Government Survey thereof. Subject to a 33 foot right-of-way for county highway purposes on the entire north boundary thereof.

PARCEL 5:

Commencing at a point on the East-West (E/W) Quarter line 318.58 feet West of the One-quarter (1/4) post common to Sections Twenty-three (23) and Twenty-four (24), Township Eighteen (18) North, Range Eighteen (18) West; thence South 3°25' West a distance of 618.55 feet; thence South 3°21' West a distance of 688.38 feet to a point hereafter to be known and referred to as the point of beginning; thence South 78°39' East a distance of 325.50 feet to an existing concrete monument; thence South 89°58' West a distance of 529.21 feet; thence North 3°21' East a distance of 70.67 feet to the point of beginning, consisting of a triangular piece of land bounded on the South by the spur track of the C. & O. Railroad, on the North by a piece of property previously conveyed to Harbison-Walker Refractories Company and described in a Warranty Deed dated August 6, 1956 and recorded in Liber 361 of Deeds, Page 530, and bounded on the West by a line described as an extension of the West line of the property described in the above-mentioned deed.

SAVING AND EXCEPTING OUT OF THIS CONVEYANCE as reserved unto the Dow Chemical Company, its successors and assigns, the easement and right to have any and all smoke, gases, brine, odor or things which may at any time escape or pass from the properties of Dow, herein called the dominant estate, to enter and pass upon and over the lands, tenements and appurtenances herein conveyed and called the servient estate, with entire immunity and freedom from any and all liability, either in law or equity.

PARCEL 6:

The West Eight (8) acres of the North three-fourths (N 3/4) of the following described land: Commencing at the quarter post on the West side of Section Twenty-four (24), Township Eighteen (18) North, Range Eighteen (18) West, running thence East variation 2°4' East 10.87 chains; thence South variation 55° West 12.50 chains; thence West 2°4' East 16 chains; thence North variation 55° East 12.50 chains; thence East 5.12 chains to the place of beginning; and being a part of Government Lot One (1) of Section Twenty-four (24) and Government Lot Four (4) of Section Twenty-three (23), Township Eighteen (18) North, Range Eighteen (18) West, Mason County, Michigan.

PARCEL 7:

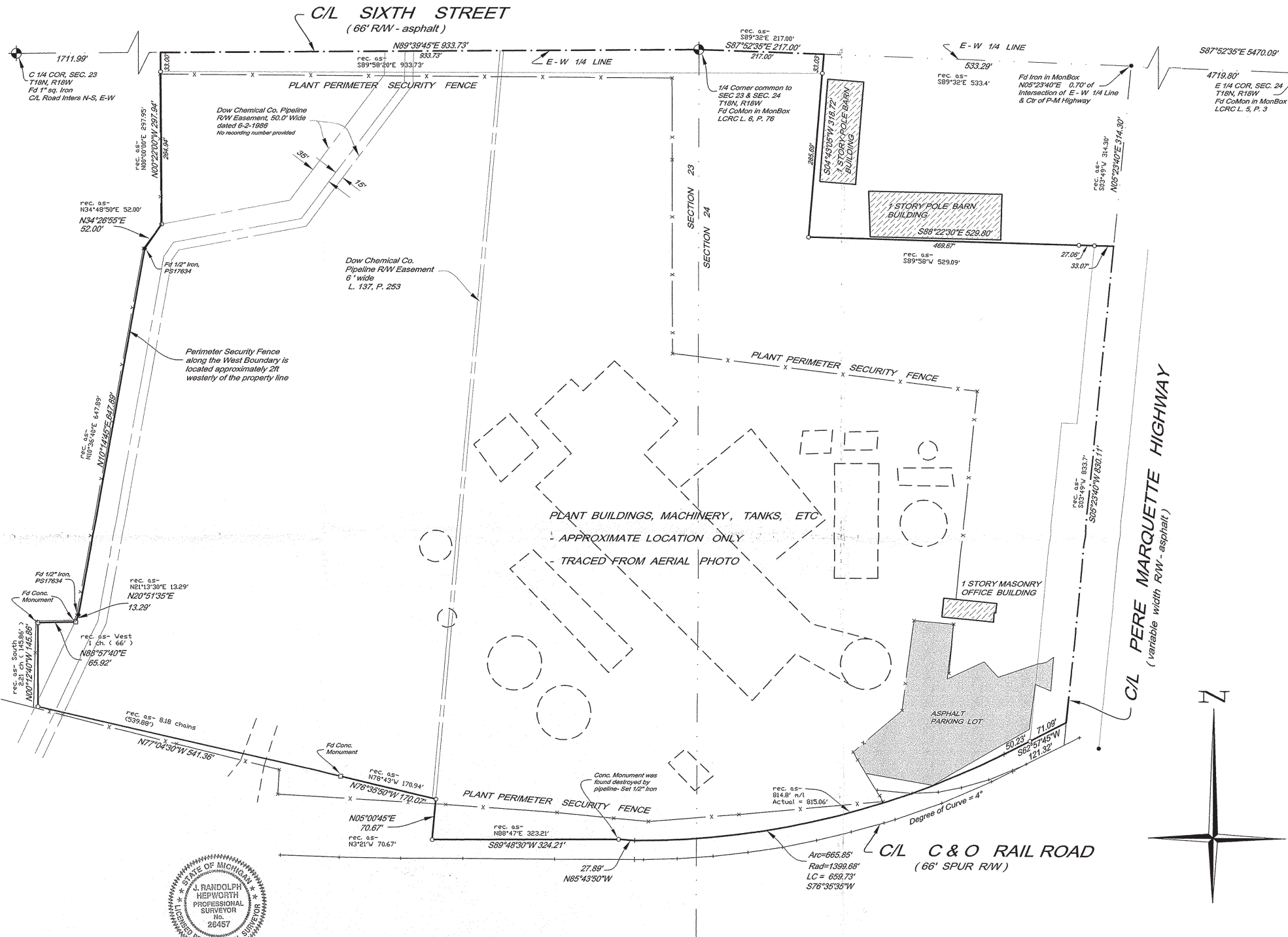
Commencing at a point 750.4 feet East on quarter line of quarter corner common to Sections 23 and 24, in Township 18 North, Range 18 West, Mason County, Michigan, (said point being also at the intersection of the U.S. Highway #31 and #31A), thence South 3°25' West 383.75 feet along center line of U.S. Highway #31 to the point of beginning of the tract herein described; thence South along the center line of U.S. Highway #31, 240 feet, thence Westerly at right angles to U.S. Highway #31, 120 feet; thence Northerly parallel to the center line of U.S. Highway #31, 140 feet; thence Northeasterly to beginning.

EXCEPT all that certain piece or parcel of land situate and being in the Township of Pere Marquette, County of Mason, and State of Michigan, and described as follows, to-wit:

Part of the SE 1/4 of Section 23, T18N, R18W, Pere Marquette Township, Mason County, Michigan, described as follows: Commencing at the E 1/4 line corner of Section 23, thence N 89°58'19" W 151.14 feet, thence S 00°09'14" W 989.91 feet, thence N 21°13'29" E 13.28 feet, thence N 10°36'40" W 647.89 feet, thence N 34°48'50" E 52.00 feet, thence N 00°00'00" E 297.95 feet to the point of beginning. Parcel is subject to the right-of-way of Sixth Street across the entire North side (2.101 acres)

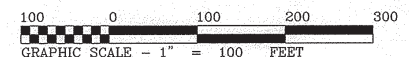
AND EXCEPT:

All of the land in Section 23, T18N, R18W, Pere Marquette Township, Mason County, Michigan, that lies West of the following described line: Commencing at the E 1/4 corner of said Section 23, thence N89°58'19" W along the East-West 1/4 line 1084.87 feet to the point of beginning, thence S00°00'14" W 989.91 feet to the point of ending.



BEARING BASIS - MICHIGAN STATE PLANE GRID, CENTRAL ZONE

- o = SET 1/2" X 24" IRON
- = FOUND IRON AS SHOWN
- = FOUND CONC. MONUMENT



To Harbison Walker Refractories Co. :

I hereby certify that to the best of my knowledge, information and belief I have surveyed and mapped the property as described and platted herein; that the ratio of closure of such survey was less than one part in 5000; and that I have substantially complied with the requirements of PA 132 of 1970 as amended, except for drawing size requirements.

Furthermore, if the Surveyor's signature is not purple colored, the plan is a copy that should be assumed to contain unauthorized alterations. This certification shall not apply to any copies.

J. Randolph Hepworth
 J. Randolph Hepworth, PS 26457

SURVEY OF:
HARBISON-WALKER REFRACTORIES CO. PLANT
 921 S. Pere Marquette Hwy, Ludington, MI
 PART OF SW 1/4 OF SECTION 24, AND
 PART OF SE 1/4 OF SECTION 23, T18N, R18W,
 PERE MARQUETTE TOWNSHIP, MASON COUNTY, MICHIGAN

FOR: HARBISON WALKER REFRACTORIES CO.	HEPWORTH LAND SURVEYING, LLC 5774 WAYNE AVE PENTWATER, MI 49449 TEL 231-869-2391 FAX 231-869-4061	DISK: 2006 CRD: 506091 SCR: 506091 DATE: MAY 20, 2006 JOB NO.: 06091 SHEET 1 of 1
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