

Exhibit "A"

EXHIBIT A
Legal Description

SITUATED IN SECTION 14, TOWN 2, FRACTIONAL RANGE 2, GREEN TOWNSHIP, HAMILTON COUNTY, OHIO:

AND BEING PART OF LOT 1, WESTERN WOODS SUBDIVISION, BLOCK "C" AS RECORDED IN PLAT BOOK 95, PAGE 4 AND 5 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF SAID LOT 1, SAID CORNER ALSO BEING A CORNER IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF GLENWAY AVENUE,

THENCE ALONG THE WESTERLY LINE OF SAID LOT 1 AND SAID RIGHT-OF-WAY NORTH 46° 48' 30" EAST FOR A DISTANCE OF 10.00 FEET TO A SET 5/8" IRON PIN WITH CAP AND BEING THE REAL PLACE OF BEGINNING;

THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE WESTERLY LINE OF SAID LOT 1 NORTH 46° 48' 30" EAST FOR A DISTANCE OF 135.00 FEET TO A SET 5/8" IRON PIN WITH CAP;

THENCE CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 1 NORTH 3° 48' 00" EAST FOR A DISTANCE OF 9.00 FEET TO A SET 5/8" IRON PIN CAP AT THE SOUTHWESTERLY CORNER OF A TRACT CONVEYED TO WESTERN WOODS MALL, INC AS RECORDED IN DEED BOOK 4348, PAGE 457 OF THE HAMILTON COUNTY, OHIO RECORDS;

THENCE LEAVING THE WESTERLY LINE OF SAID LOT 1 SOUTH 85° 50' 00" EAST FOR A DISTANCE OF 179.14 FEET TO A SET MAG NAIL;

THENCE NORTH 4° 10' 00" EAST FOR A DISTANCE OF 360.00 FEET TO A SET MAG NAIL;

THENCE SOUTH 85° 50' 00" EAST FOR A DISTANCE OF 300.05 FEET TO A SET CROSS NOTCH;

THENCE SOUTH 4° 12' 13" WEST FOR A DISTANCE OF 400.00 FEET TO A POINT REFERENCED BY A FOUND 5/8" IRON PIN WITH CAP 0.94 FEET NORTH AND 0.08 FEET WEST;

THENCE NORTH 85° 50' 00" WEST FOR A DISTANCE OF 453.05 FEET TO A SET MAG NAIL;

THENCE SOUTH 46° 48' 30" WEST FOR A DISTANCE OF 129.69 FEET TO A CORNER IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF GLENWAY AVE.
THENCE ALONG SAID RIGHT-OF-WAY NORTH 43° 11' 30" WEST FOR A DISTANCE OF 40.00 FEET TO THE PLACE OF BEGINNING.

CONTAINING 3.0309 ACRES OF LAND AND BEING SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD. THE ABOVE DESCRIBED TRACT BEING ALL OF THAT TRACT AS CONVEYED TO WESTERN WOODS MALL, INC. IN OFFICIAL RECORD VOLUME 7549, PAGE 1331 OF THE HAMILTON COUNTY, OHIO RECORDS. THIS DESCRIPTION IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED BY AMERICAN LAND SURVEYS, INC. ON SEPTEMBER 24, 1998 UNDER THE SUPERVISION OF WILLIAM J. ELLISON, OHIO REGISTRATION NO. 7612 AND THE BEARING SYSTEM IS BASED ON WESTERN WOODS SUBDIVISION, BLOCK "C" AS RECORDED IN PLAT BOOK 95, PAGES 4 AND 5 OF THE HAMILTON COUNTY, OHIO RECORDS.

TOGETHER WITH THE RIGHTS TO ENCROACH ONTO ADJOINING PROPERTY AND AN EASEMENT TO REPAIR AND MAINTAIN CERTAIN APPURTENANCES AND STRUCTURES WHICH ENCROACH OVER AND UPON THE ADJOINING PROPERTY AS SET FORTH IN ENCROACHMENT AGREEMENT BETWEEN WESTERN WOODS MALL, INC., AGENT AND WESTERN WOODS MALL, INC., AGENT, DATED JULY 9, 1998, RECORDED AS DOCUMENT NO. 98-210817 AND OFFICIAL RECORD 7800 PAGE 1953, HAMILTON COUNTY RECORDS.

TOGETHER WITH EASEMENT RIGHTS SET FORTH IN THE DECLARATION OF RECIPROCAL EASEMENTS AND AGREEMENTS, RECORDED AS DOCUMENT NO. 98-210823 AND OFFICIAL RECORD 7800 PAGE 1973, HAMILTON COUNTY RECORDS; AS AMENDED BY SCRIVENER'S AFFIDAVIT RECORDED AS DOCUMENT OFFICIAL RECORD 10243 PAGE 999, AFORESAID RECORDS; AS AMENDED BY AMENDMENT TO DECLARATION OF RECIPROCAL EASEMENTS AND AGREEMENT RECORDED IN OFFICIAL RECORD OR 10243, PAGE 996 AFORESAID RECORDS; AS SUBSEQUENTLY AMENDED BY ASSIGNMENT AND ASSUMPTION OF DECLARATION OF RECIPROCAL EASEMENTS AND AGREEMENT, ENTERED INTO BY AND BETWEEN COLONY PARK OF WESTERN WOODS MALL, LLC (ASSIGNOR) AND HEG CINCINNATI, L.L.C. (ASSIGNEE), DATED MAY __, 2006, RECORDED MAY __, 2006, IN INSTRUMENT NUMBER _____, AFORESAID RECORDS.

TOGETHER WITH THE RIGHTS CONTAINED IN THAT CERTAIN BI-PARTY AGREEMENT EVIDENCED OF RECORD IN THAT CERTAIN MEMORANDUM OF BI-PARTY AGREEMENT RECORDED AS DOCUMENT NO. 98-210827 AND OFFICIAL RECORD 7800, PAGE 1998; AS SUBSEQUENTLY AMENDED BY ASSIGNMENT AND ASSUMPTION AGREEMENT DATED AS OF MAY __, 2006, RECORDED MAY __, 2006, IN INSTRUMENT NUMBER _____, AFORESAID RECORDS.