

# ALTA/NSPS LAND TITLE SURVEY

## TITLE COMMITMENT

This survey was prepared based on Knight Barry Title Services, LLC, Commitment No. 2237266 effective date of September 21, 2023 which lists the following easements and/or restrictions from schedule B-II:

- Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date, as set forth on the Commitment for Title Insurance, and the Date of Policy, as set forth on the Policy. **(Not Survey Related)**
- Special assessments, special taxes or special charges, if any, payable with the taxes levied or to be levied for the current and subsequent years. **(Not Survey Related)**
- Liens, hook-up charges or fees, deferred charges, reserve capacity assessments, impact fees, or other charges or fees and due payable on the development or improvement of the Land, whether assessed or charged before or after the Date of the Policy. **(Not Survey Related)**
- Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records. **(Not Survey Related)**
- Rights or claims of parties in possession not shown by the Public Records. **(None apparent, none shown)**
- Any encroachments, encumbrance, violation, variation, or adverse circumstance affecting Title that would be disclosed by an accurate and complete land survey of the Land. **(None apparent, none shown)**
- Easements or claims of easements not shown by the Public Records. **(Affects parcel as shown)**
- Any claim of adverse possession or prescriptive easement. **(None apparent, none shown)**
- General Taxes for the year 2023 and subsequent years, not yet due or payable. In the event that the transaction to be insured under this Commitment occurs in December of 2023 or later, then please contact the Company for an update as to the status of taxes. Failure to do so will result in the following appearing as an exception on the final title insurance policy to be issued pursuant to this Commitment: "General Taxes for the year 2023 and subsequent years." **(Not Survey Related)**
- Public or private rights, if any, in such portion of the Land as may be presently used, laid out, or dedicated in any manner whatsoever, for street, highway and/or alley purposes. **(None apparent, none shown)**
- Easements, restrictions and other matters shown on Certified Survey Map No. 5843 recorded January 10, 2006 as Document No. 1384826. **(Affects parcel, restrictions listed below)**
- Easements, restrictions and other matters shown on Certified Survey Map No. 5231 recorded April 11, 2003 as Document No. 1241991. **(Affects parcel, restrictions listed below)**
- Deed Restriction and other matters contained in the instrument recorded November 25, 2020 as Document No. 1835850. **(Not Survey Related)**
- Vision Corner Easement and other matters contained in the instrument recorded November 3, 2006 as Document No. 1416368. **(Affects parcel as shown)**
- Restrictions as contained on Quit Claim Deed and other matters contained in the instrument recorded January 22, 2003 as Document No. 1226157. **(Does not affect parcel)**
- Resolution 1997-3 Sanitary District and other matters contained in the instrument recorded February 2, 1998 as Document No. 0996424. Resolution 1997-3 re-recorded on January 13, 1999 as Document No. 1042764. **(Not Survey Related)**
- Terms and conditions of Award of Damages and other matters contained in the instrument recorded December 17, 1987 as Document No. 6935568. **(Does not affect parcel)**
- Terms and conditions as contained in Quit Claim Deed and other matters contained in the instrument recorded December 27, 2002 as Document No. 1221483. **(May affect parcel, description is vague, can't plot)**
- Mortgage from Joshua J. Neitzke, a single person, and Kristi A. Salentine, a single person to Fortifi Bank in the amount of \$80,000.00 dated April 1, 2021 and recorded April 5, 2021 as Document No. 1847416. **(Not Survey Related)**

## CSM NO. 5231 RESTRICTIONS:

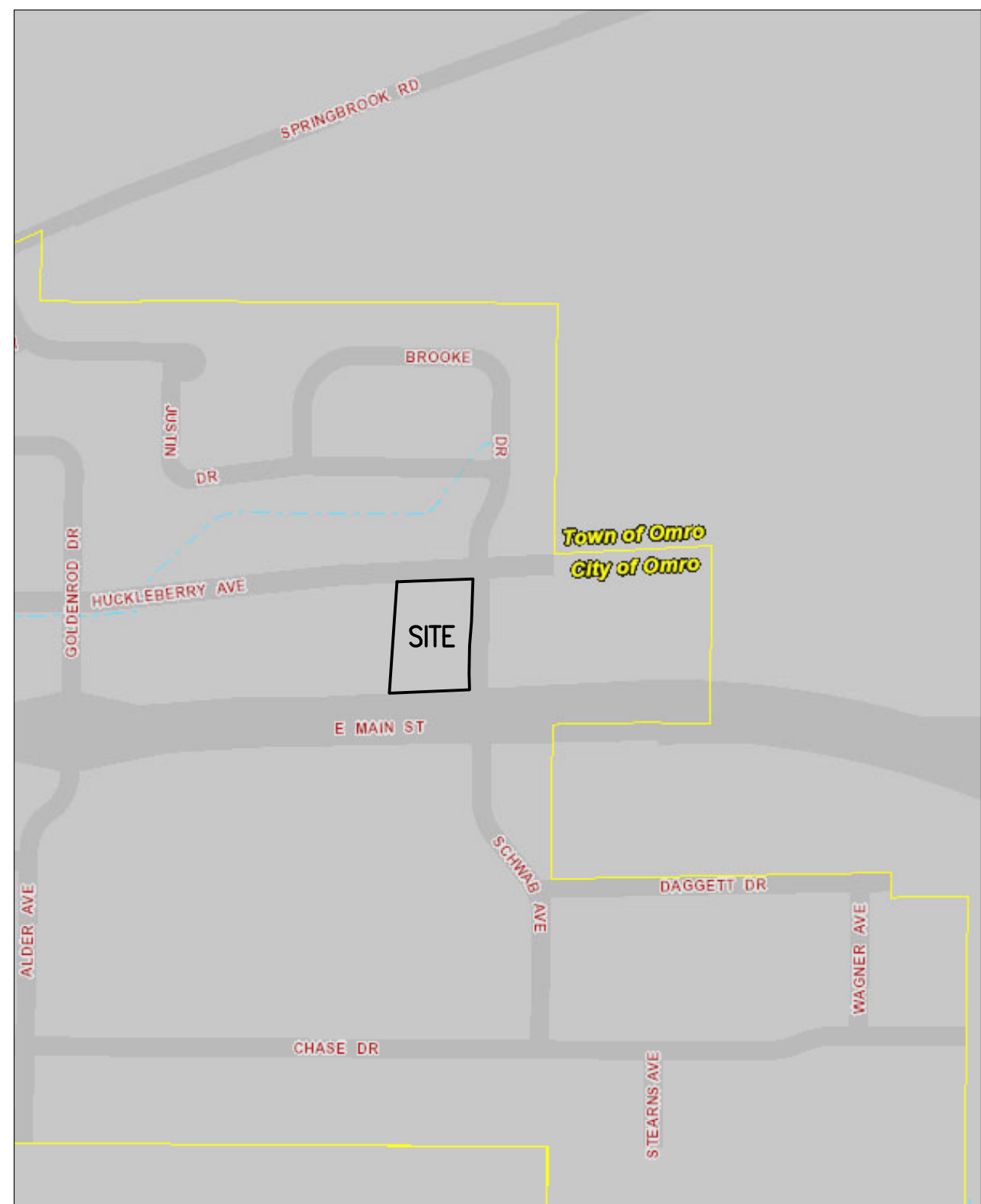
NO IMPROVEMENTS OR STRUCTURES ARE ALLOWED BETWEEN THE RIGHT-OF-WAY LINE AND THE HIGHWAY SETBACK LINE. IMPROVEMENTS AND STRUCTURES INCLUDE, BUT ARE NOT LIMITED TO, SIGNS, PARKING AREAS, DRIVEWAYS, WELLS, SEPTIC SYSTEMS, DRAINAGE FACILITIES, BUILDINGS AND RETAINING WALLS. IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION IS FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN SECTION 236.293, WISCONSIN STATUTES, AND SHALL BE ENFORCEABLE BY THE WISCONSIN DEPARTMENT OF TRANSPORTATION OR ITS ASSIGNS. CONTACT THE WISCONSIN DEPARTMENT OF TRANSPORTATION FOR MORE INFORMATION. THE PHONE NUMBER MAY BE OBTAINED BY CONTACTING THE COUNTY HIGHWAY DEPARTMENT.

THE OWNER OF LAND THAT DIRECTLY OR INDIRECTLY DISCHARGES STORM WATER UPON A STATE TRUNK HIGHWAY OR CONNECTING HIGHWAY SHALL SUBMIT TO THE DEPARTMENT A DRAINAGE PLAN THAT ENSURES THAT THE ANTICIPATED DISCHARGE OF STORM WATER UPON A STATE TRUNK HIGHWAY OR CONNECTING HIGHWAY FOLLOWING THE DEVELOPMENT OF THE LAND IS LESS THAN OR EQUAL TO THE DISCHARGE PRECEDING THE DEVELOPMENT AND THAT THE ANTICIPATED DISCHARGE WILL NOT ENDANGER OR HARM THE TRAVELING PUBLIC, DOWNSTREAM PROPERTIES OR TRANSPORTATION FACILITIES.

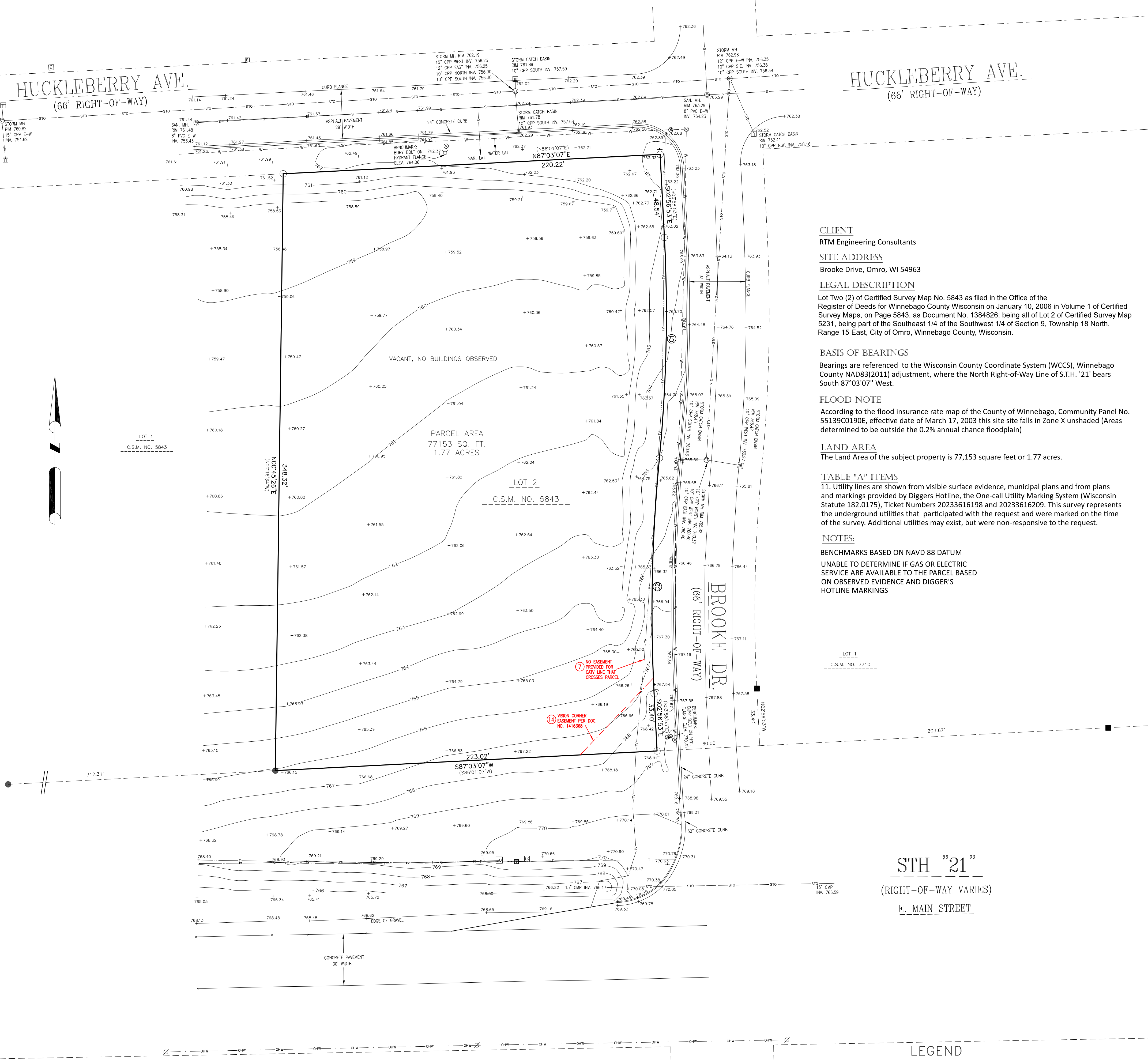
THE LOTS OF THIS LAND DIVISION MAY EXPERIENCE NOISE LEVELS EXCEEDING THE LEVELS IN S. TRANS 405.04, TABLE 1. THESE LEVELS ARE BASED ON FEDERAL STANDARDS. OWNERS OF THESE LOTS ARE RESPONSIBLE FOR ABATING NOISE SUFFICIENT TO PROTECT THESE LOTS.

## CSM NO. 5231 AND 5843 RESTRICTIONS:

H-B DEVELOPMENTS INC., A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, HEREBY CERTIFY THAT WE CAUSED THE LAND ABOVE DESCRIBED TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THIS MAP. AS OWNERS, WE HEREBY RESTRICT ALL LOTS AND BLOCKS ARE HEREBY RESTRICTED SO THAT NO OWNER, POSSESSOR, USER, LICENSEE OR OTHER PERSON MAY HAVE ANY RIGHT OF DIRECT VEHICULAR INGRESS FROM OR EGRESS TO ANY HIGHWAY LYING WITHIN THE RIGHT-OF-WAY OF S.T.H. "21", IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC AS PROVIDED INS. 236.293, STATS., AND SHALL BE ENFORCEABLE BY THE DEPARTMENT OR ITS ASSIGNS. ANY ACCESS SHALL BE ALLOWED ONLY BE SPECIAL EXCEPTION. ANY ACCESS ALLOWED BY SPECIAL EXCEPTION SHALL BE CONFIRMED AND GRANTED ONLY THROUGH THE DRIVEWAY PERMITTING PROCESS AND ALL PERMITS ARE REVOCABLE. ALL DRIVEWAYS ARE SUBJECT TO THE PROVISIONS OF SECTION 86.07 (2) STATS., AND SHALL BE EVALUATED UNDER THE CRITERIA ESTABLISHED IN SECTION TRANS 231, WISCONSIN ADMINISTRATIVE CODE.



VICINITY MAP  
(NOT TO SCALE)



## CLIENT

RTM Engineering Consultants

## SITE ADDRESS

Brooke Drive, Omro, WI 54963

## LEGAL DESCRIPTION

Lot Two (2) of Certified Survey Map No. 5843 as filed in the Office of the Register of Deeds for Winnebago County Wisconsin on January 10, 2006 in Volume 1 of Certified Survey Maps, on Page 5843, as Document No. 1384826; being all of Lot 2 of Certified Survey Map 5231, being part of the Southeast 1/4 of the Southwest 1/4 of Section 9, Township 18 North, Range 15 East, City of Omro, Winnebago County, Wisconsin.

## BASIS OF BEARINGS

Bearings are referenced to the Wisconsin County Coordinate System (WCCS), Winnebago County NAD83(2011) adjustment, where the North Right-of-Way Line of S.T.H. '21' bears South 87°03'07" West.

## FLOOD NOTE

According to the flood insurance rate map of the County of Winnebago, Community Panel No. 55139C0190E, effective date of March 17, 2003 this site falls in Zone X unshaded (Areas determined to be outside the 0.2% annual chance floodplain)

## LAND AREA

The Land Area of the subject property is 77,153 square feet or 1.77 acres.

## TABLE "A" ITEMS

11. Utility lines are shown from visible surface evidence, municipal plans and from plans and markings provided by Diggers Hotline, the One-call Utility Marking System (Wisconsin Statute 182.0175), Ticket Numbers 20233616198 and 20233616209. This survey represents the underground utilities that participated with the request and were marked on the time of the survey. Additional utilities may exist, but were non-responsive to the request.

## NOTES:

BENCHMARKS BASED ON NAVD 88 DATUM  
UNABLE TO DETERMINE IF GAS OR ELECTRIC  
SERVICE ARE AVAILABLE TO THE PARCEL BASED  
ON OBSERVED EVIDENCE AND DIGGER'S  
HOTLINE MARKINGS

## STH "21"

(RIGHT-OF-WAY VARIES)

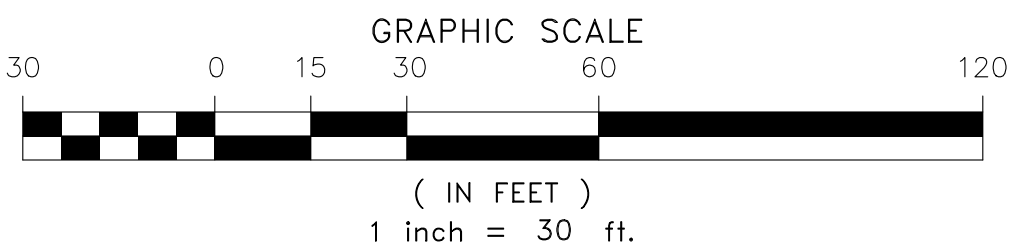
## E. MAIN STREET

## LEGEND

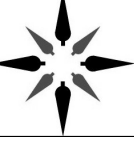
● INDICATES FOUND 1" IRON PIPE	⚡ POST INDICATOR VALVE	▲ MARSH
■ INDICATES FOUND 3/4" IRON REBAR	⚡ LIGHT POLE	▲ FLAGPOLE
▲ INDICATES FOUND MAG NAIL	⚡ SPOT/YARD LIGHT	▲ SIGN
○ INDICATES SET 1" IRON PIPE	⚡ UTILITY POLE	✉ MAILBOX
△ INDICATES SET MAG NAIL	⚡ GUY POLE	✉ RAILROAD CROSSING SIGNAL
○ SANITARY MANHOLE	⚡ GUY WIRE	✉ HANDICAP SPACE
◇ STORM LATERAL	⚡ ELECTRIC MANHOLE	★ CONIFEROUS TREE
⊙ SANITARY LATERAL	⚡ ELECTRIC PEDESTAL	⊙ DECIDUOUS TREE
⊙ UNKNOWN MANHOLE	⚡ ELECTRIC METER	
⊙ STORM MANHOLE	⚡ TELEPHONE MANHOLE	
⊙ INLET (ROUND)	⚡ TELEPHONE PEDESTAL	
⊙ INLET (SQUARE)	⚡ CABLE PEDESTAL	
⊙ STORM SEWER END SECTION	⚡ CONTROL BOX	
⊙ GAS VALVE	⚡ FIBER OPTIC PED	
⊙ PIPELINE MARKER	⚡ TRAFFIC LIGHT	
⊙ WATER VALVE	⊙ COMMUNICATION MANHOLE	
⊙ WATER MANHOLE	⊙ BOLLARD	
⊙ WATER SERVICE CURB STOP	⊙ SOIL BORING/MONITORING WELL	
	⊙ WETLANDS FLAG	

— S —	SANITARY SEWER
— S —	STORM SEWER
— W —	WATERLINE
— G —	MARKED GAS MAIN
— E —	MARKED ELECTRIC
— T —	MARKED TELEPHONE
— C —	MARKED CABLE LINE
— F —	MARKED FIBER OPTIC
— X —	FENCE

CURVE	RADIUS	ARC LENGTH	CH LENGTH	CH BEAR	DELTA ANGLE	TAN-BEAR-IN	TAN-BEAR-OUT
C1	870.00	128.87	128.75	S011°17'43"W	8°29'13"	N06°02'19"E	N02°56'53"W
C2	930.00	137.76	137.63	S011°17'43"W	8°29'13"	S08°32'19"W	S02°56'54"E



10/19/2023  
PROJECT 5947  
SHEET 1 OF 1  
5020 LEONARD POINT RD. OSHKOSH, WI 54904  
www.wisconsinlandsurveying.com (920) 410-7744



**WISCONSIN**  
LAND SURVEYING INC.  
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THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.  
(P) INDICATES PIPE SIZES PER RECORD PLANS. OTHER PIPE SIZES ARE ESTIMATED. NO PIPE SIZES SHOULD BE RELIED UPON WITHOUT FURTHER VERIFICATION.

## 2021 ALTA/NSPS LAND TITLE SURVEY

TO: Main Brooke Investors, LLC;  
Knight Barry Title Services, LLC,

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 8, 9 and 19 of Table A thereof. The field work was completed on October 16, 2023

Date of Plat or Map: October 19, 2023

Andrew L. Hunter  
Professional Land Surveyor  
No. S-2835-8

