ALTA/NSPS LAND TITLE SURVEY

TOTAL AREA: 207,479 SQ. FT. - 4.76 ACRES

LIST OF EASEMENTS & PROVISIONS FROM TITLE COMMITMENT

(FROM COMMITMENT NO. NCS-787837-PHX1 – SCHEDULE B – SECTION TWO)

9. RIGHT OF WAY GRANTED IN WARRANTY DEED BY AND BETWEEN CHARLES WOJAHN AND CLARA WOJAHN, HIS WIFE AND WILLIAM W. WOJAHN AND VIOLA WOJAHN, HUSBAND AND WIFE OR THE SURVIVOR OF EITHER OF THEM, DATED DECEMBER 1, 1952 AND RECORDED DECEMBER 4, 1952 IN VOLUME 704 ON PAGE 641 AS DOCUMENT NO. 198357. (DOES NOT AFFECT PROPERTY)

10. RIGHT-OF-WAY GRANT BY AND BETWEEN GANEM E. WASHBURN AND PEARL C. WASHBURN AND MICHIGAN WISCONSIN PIPE LINE COMPANY, A DELAWARE CORPORATION, ITS SUCCESSORS AND ASSIGNS DATED JUNE 27, 1956 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WINNEBAGO COUNTY, WISCONSIN ON JULY 13, 1956 IN VOLUME 813 ON PAGE 431 AS DOCUMENT NO. 235961. AMENDING RIGHT OF WAY AGREEMENT DATED MAY 10, 2007 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WINNEBAGO COUNTY, WISCONSIN ON MAY 31, 2007 AS DOCUMENT NO. 1436395. AMENDING RIGHT OF WAY AGREEMENT DATED MARCH 20, 2009 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WINNEBAGO COUNTY, WISCONSIN ON DECEMBER 2, 2009 AS DOCUMENT NO. 1525984. (AFFECTS PROPERTY, AS PLOTTED)

11. RIGHT-OF-WAY GRANT BY AND BETWEEN CHARLES WOJAHN AND CLARA WOJAHN AND MICHIGAN WISCONSIN PIPE LINE COMPANY, A DELAWARE CORPORATION, ITS SUCCESSORS AND ASSIGNS, DATED JULY 2, 1956 AND RECORDED AUGUST 9, 1956 IN VOLUME 813 ON PAGE 639 AS DOCUMENT NO. 236970. AMENDING RIGHT OF WAY AGREEMENT DATED MAY 10, 2007 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WINNEBAGO COUNTY, WISCONSIN ON MAY 31, 2007 AS DOCUMENT NO. 1436396. (AFFECTS PROPERTY, AS PLOTTED)

12. EASEMENT FOR SANITARY SEWER GRANTED TO DISTRICT #1 OF THE TOWN OF ALGOMA DATED JANUARY 3, 1987 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WINNEBAGO COUNTY, WISCONSIN ON JANUARY 6, 1987 AS DOCUMENT NO. 670411. (AFFECTS PROPERTY, AS PLOTTED)

13. EASEMENT AGREEMENT BY AND BETWEEN SUPREME VIDEO, INC., A WISCONSIN CORPORATION AND RONALD K. HACKBARTH AND MARY E. HACKBARTH, HUSBAND AND WIFE, DATED APRIL 17, 1991 AND RECORDED APRIL 29, 1991 AS DOCUMENT NO. 765002. (AFFECTS PROPERTY, AS PLOTTED) (THE BUILDING REFERRED TO IN THIS DOCUMENT IS NO LONGER EXISTING.)

14. ACCESS RESTRICTIONS CONTAINED IN AWARD OF DAMAGES DATED OCTOBER 5, 2006 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WINNEBAGO COUNTY, WISCONSIN ON OCTOBER 10, 2006 AS DOCUMENT NO. 1413710. (AFFECTS PROPERTY, AS PLOTTED)

15. UTILITY EASEMENT/CORPORATION GRANTED TO WISCONSIN PUBLIC SERVICE CORPORATION, A WISCONSIN CORPORATION, ITS SUCCESSORS AND ASSIGNS AND AT&T, TIME WARNER DATED MAY 10, 2007 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WINNEBAGO COUNTY, WISCONSIN ON MAY 18, 2007 AS DOCUMENT NO. 1435163. (AFFECTS PROPERTY, AS PLOTTED)

16. TERMS, CONDITIONS, RESTRICTIONS AND PROVISIONS RELATING TO THE USE AND MAINTENANCE OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS BY AND BETWEEN SHORELAND DEVELOPMENT CORP., A WISCONSIN CORPORATION AND LOWE'S HOME CENTERS, INC., A NORTH CAROLINA CORPORATION DATED JUNE 1, 2007 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WINNEBAGO COUNTY, WISCONSIN ON JUNE 1, 2007 AS DOCUMENT NO. 1436609. AMENDMENT TO EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS DATED MARCH 12, 2015 AND RECORDED APRIL 22, 2015 AS DOCUMENT NO. 1685698. SECOND AMENDMENT TO EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS DATED JUNE 17, 2015 AND RECORDED AUGUST 20, 2015 AS DOCUMENT NO. 1695288. (AFFECTS PROPERTY, BLANKET IN NATURE)

17. SANITARY SEWER EASEMENT AGREEMENT BY AND BETWEEN SHORELAND DEVELOPMENT CORP., A WISCONSIN CORPORATION AND THE TOWN OF ALGOMA SANITARY DISTRICT NO. 1 DATED AUGUST 10, 2007 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WINNEBAGO COUNTY, WISCONSIN ON AUGUST 17, 2007 AS DOCUMENT NO. 1444940. (AFFECTS PROPERTY, AS PLOTTED)

18. RESTRICTIONS CONTAINED IN QUIT CLAIM DEED BY AND BETWEEN STALE OF WISCONSIN, DEPARTMENT OF TRANSPORTATION AND OSHKOSH CAPITAL, LLC, DATED MARCH 16, 2015 AND RECORDED APRIL 23, 2015 AS DOCUMENT NO. 1685730. (AFFECTS PROPERTY, AS PLOTTED)

19. DECLARATION OF RESTRICTIONS AND EASEMENTS BY OC DEVELOPMENT 1, LLC AND OC DEVELOPMENT 2, LLC, DATED APRIL 27, 2015 AND RECORDED APRIL 27, 2015 AS DOCUMENT NO. 1686014. (AFFECTS PROPERTY, BLANKET IN NATURE)

20. EASEMENT ENCROACHMENT AGREEMENT BY AND BETWEEN ANR PIPELINE COMPANY AND OC DEVELOPMENT 1, LLC DATED MAY 5, 2015 AND RECORDED MAY 18, 2015 AS DOCUMENT NO. 1687624. (AFFECTS PROPERTY, AS PLOTTED)

21. UTILITY EASEMENT/CORPORATION GRANTED TO WISCONSIN PUBLIC SERVICE CORPORATION, WISCONSIN BELL INC. DBA AT&T-WISCONSIN AND TIME WARNER CABLE MIDWEST LLC DATED JUNE 16, 2015 AND RECORDED JULY 2, 2015 AS DOCUMENT NO. 1691222. (AFFECTS PROPERTY, AS PLOTTED)

22. UTILITY EASEMENT/CORPORATION GRANTED TO WISCONSIN PUBLIC SERVICE CORPORATION, WISCONSIN BELL INC. DBA AT&T-WISCONSIN AND TIME WARNER CABLE MIDWEST LLC DATED JUNE 16, 2015 AND RECORDED JULY 2, 2015 AS DOCUMENT NO. 1691223. (AFFECTS PROPERTY, AS PLOTTED)

24. CROSS ACCESS EASEMENT, GAS EASEMENT, TOWN OF ALGOMA EASEMENTS, UTILITY EASEMENT AND ACCESS RESTRICTIONS NOTED ON CERTIFIED SURVEY MAP 7001. (AFFECTS PROPERTY, AS PLOTTED)

FLOOD ZONE

THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP NO. 55139C0215E WITH A DATE OF IDENTIFICATION OF MARCH 17, 2003 FOR COMMUNITY NO. 550511 IN WINNEBAGO COUNTY, STATE OF WISCONSIN, WHICH IS THE CURRENT FLOOD RATE INSURANCE MAP FOR THE COMMUNITY AT TIME OF SURVEY.

ACCESS STATEMENT

ACCESS TO AND FROM SUBJECT PROPERTY "DIRECT" AND "INDIRECT" TO N. WASHBURN STREET A PUBLIC RIGHT OF WAY AS SHOWN.

POSSIBLE ENCROACHMENTS

1. PARKING LOT WITHIN EASEMENT
2. STONE WALL 0.5' SOUTH OF LOT LINE
3. OVERHEAD UTILITY LINE WITH NO APPARENT EASEMENT

ZONING INFORMATION

SOURCE OF ZONING INFORMATION: PER JEFFREY NAU
CITY OF OSHKOSH ASSOCIATE PLANNER,
PHONE NO. 920-236-5059

CURRENT ZONING CLASSIFICATION IS C-2PD
GENERAL COMMERCIAL WITH PLANNED DEVELOPMENT OVERLAY AND ALLOWS FOR CURRENT USE.

BUILDING SETBACK REQUIREMENTS:
FRONT = 20 FEET
SIDE = 15 FEET
REAR = 25 FEET

BUILDING HEIGHT RESTRICTIONS: 45 FEET

FLOOR SPACE RESTRICTIONS: NONE

PARKING:
REGULAR PARKING SPACES = 207
HANDICAP PARKING SPACES = 8
TOTAL PARKING SPACES = 215

CURRENT PARKING REQUIREMENT IS:
MINIMUM: 1 SPACE FOR EACH 300 SQ.FT. OF SALES OR DISPLAY AREA.
MAXIMUM: 1 SPACE FOR EACH 200 SQ.FT. OF SALES OR DISPLAY AREA.

NOTE: NO EVIDENCE OF POTENTIAL WETLANDS WAS OBSERVED ON THE SUBJECT PROPERTY AT THE TIME THE SURVEY WAS CONDUCTED, NOR HAVE WE RECEIVED ANY DOCUMENTATION OF ANY WETLANDS BEING LOCATED ON THE SUBJECT PROPERTY.

NOTE: THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, PER MIKE FISHER CITY OF OSHKOSH CIVIL ENGINEERING TECHNICIAN, PHONE NO. 920-236-5095.

NOTE: THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

NOTE: THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.

NOTE: THERE IS NO OBSERVABLE EVIDENCE OF SITE USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

NOTE: THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

NOTE: THE ADJACENT LAND INFORMATION SHOWN HEREON WAS ACQUIRED FROM COUNTY LAND RECORDS AT THE TIME OF SURVEY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

SURVEYOR'S CERTIFICATE

TO: VEREIT Acquisitions, LLC, its successors and assigns,
VEREIT MT Oshkosh WI, LLC,
OC Development 1, LLC,
First American Title Insurance Company,
The Matthews Company, Inc.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 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, 6a, 6b, 7a, 7b1, 7c, 8, 9, 10a, 13, 14, 16, 17 and 20 of Table A** thereof. The field work was completed on **April 26, 2016.**

Date of Plat or Map: May 2, 2016

By: _____
JAMES R. GROTHMAN
Professional Land Surveyor No. 1321
Date: May 2, 2016
~~D & A No.~~ 416-181

WISCONSIN
JAMES R. GROTHMAN
S-1321
PORTAGE
WISCONSIN
LAND SURVEYOR

LEGAL DESCRIPTION

The property described and shown hereon is the same property described in First American Title Insurance Company, **Title Commitment No.: NCS-787837-PHX-1** dated April 19, 2016.

Parcel 1:

Lot 1 of Certified Survey Map No. 7001 recorded in the office of the Register of Deads for Winnebago County, Wisconsin on September 4, 2015 in Volume 1 of Certified Survey Maps on Page 7001 as Document No. 1696524, being a redivision of Lot 3 of Certified Survey Map No. 6002 and part of the Southeast ¼ of the Southeast 1/4 of Section 16, Township 18 North, Range 16 East, City of Oshkosh, Winnebago County, Wisconsin.

Parcel 2:

Together with non-exclusive easement for ingress and egress, utility facilities and signage as set forth in Easements, Covenants, Conditions and Restrictions by and between Shoreland Development Corp. and Lowe's Home Centers, Inc. dated and recorded on June 1, 2007 as Document No. 1436609 and as amended by instrument dated March 12, 2015 and recorded April 22, 2015 as Document No. 1685698

AS PREPARED BY:
James R. Grothman
GROTHMAN & ASSOCIATES S.C.
LAND SURVEYORS
625 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI. 53901
PHONE: PORTAGE: (608) 742-7788 BARK: (608) 644-8877
FAX: (608) 742-5434 E-MAIL: surveying@grothman.com
(RED LOGO REPRESENTS THE ORIGINAL MAP)
DWG: 416-181 FILE NO. 414-181

"ALTA/NSPS LAND TITLE SURVEY"

PREPARED FOR:

THE MATTHEWS COMPANY Inc.®

17220 Newhope Street, Suites 108-110, Fountain Valley, CA 92708
Tel: (714)979-7161 Fax: (714)641-2840
www.thematthewscompany.com

MARK	DATE	REVISION	BY	AP'VD

VEREIT, INC.

1005 N. Washburn Street
Oshkosh, WI
(Dick's Petsmart Center)

SCALE: 1" = 30'	CHKD./AP'VD:
DATE: May 2, 2016	APPROVED:
DWN. BY: A. L. HOEL	
CHKD.BY: J. GROTHMAN	SHEET 2 OF 2

This Survey has been prepared solely for the benefit of the parties set forth in this Surveyor's Certification and may not be quoted or relied upon by, nor may copies be delivered to, any other party or used for any other purpose including, without limitation, the preparation of zoning reports or any other third party reports, without The Matthews Company, Inc. and Grothman & Associates, S.C.'s prior written consent. The Matthews Company, Inc. and Grothman & Associates, S.C. expressly disclaims any duty or obligation towards any party that is not identified in this Surveyor's Certification.

Please be advised that The Matthews Company, Inc. and Grothman & Associates, S.C. will not include the providers of any third party reports in the Surveyor's Certification.

J.N.: 16-04-01-13001