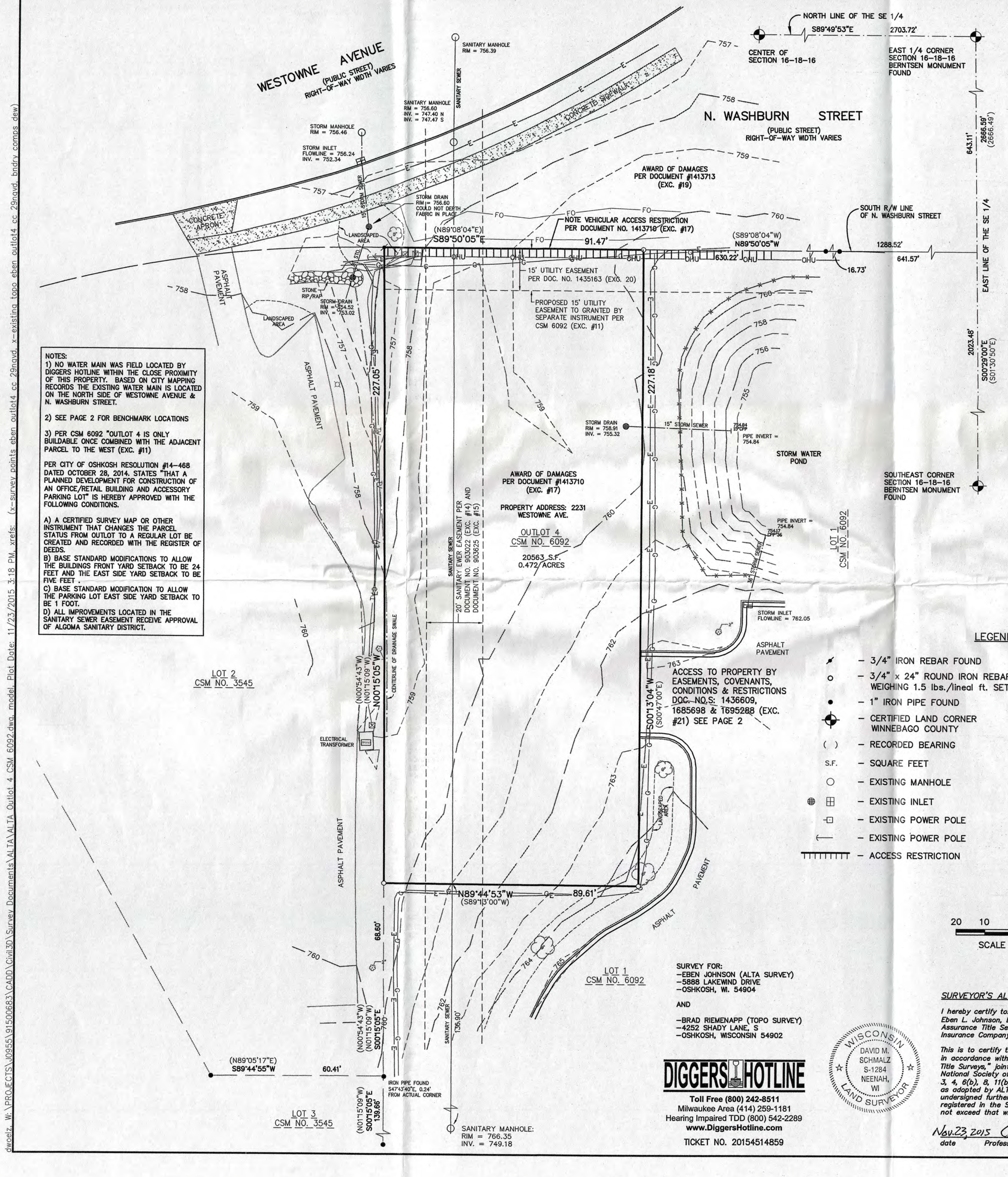

NOTES:
1) NO WATER MAIN WAS FIELD LOCATED BY DIGGERS HOTLINE WITHIN THE CLOSE PROXIMITY OF THIS PROPERTY. BASED ON CITY MAPPING RECORDS THE EXISTING WATER MAIN IS LOCATED ON THE NORTH SIDE OF WESTOWNE AVENUE & N. WASHBURN STREET.

2) SEE PAGE 2 FOR BENCHMARK LOCATIONS

3) PER CSM 6092 "OUTLOT 4 IS ONLY BUILDABLE ONCE COMBINED WITH THE ADJACENT PARCEL TO THE WEST (EXC. #11)

PER CITY OF OSHKOSH RESOLUTION #14-468 DATED OCTOBER 28, 2014, STATES "THAT A PLANNED DEVELOPMENT FOR CONSTRUCTION OF AN OFFICE/RETAIL BUILDING AND ACCESSORY PARKING LOT" IS HEREBY APPROVED WITH THE FOLLOWING CONDITIONS.

A) A CERTIFIED SURVEY MAP OR OTHER INSTRUMENT THAT CHANGES THE PARCEL STATUS FROM OUTLOT TO A REGULAR LOT BE CREATED AND RECORDED WITH THE REGISTER OF DEEDS.
B) BASE STANDARD MODIFICATIONS TO ALLOW THE BUILDINGS FRONT YARD SETBACK TO BE 24 FEET AND THE EAST SIDE YARD SETBACK TO BE FIVE FEET .
C) BASE STANDARD MODIFICATION TO ALLOW THE PARKING LOT EAST SIDE YARD SETBACK TO BE 1 FOOT.
D) ALL IMPROVEMENTS LOCATED IN THE SANITARY SEWER EASEMENT RECEIVE APPROVAL OF ALGOMA SANITARY DISTRICT.

ACCESS TO PROPERTY BY EASEMENTS, COVENANTS, CONDITIONS & RESTRICTIONS DOC. NO.S: 1436609, 1685698 & 1695288 (EXC. #21) SEE PAGE 2

LEGEND

- 3/4" IRON REBAR FOUND
- 3/4" x 24" ROUND IRON REBAR WEIGHING 1.5 lbs./lineal ft. SET
- 1" IRON PIPE FOUND
- CERTIFIED LAND CORNER WINNEBAGO COUNTY
- ( ) – RECORDED BEARING
- S.F. – SQUARE FEET
- EXISTING MANHOLE
- EXISTING INLET
- EXISTING POWER POLE
- EXISTING POWER POLE
- ACCESS RESTRICTION
- EXISTING CURB & GUTTER
- EXISTING STORM SEWER
- EXISTING SANITARY
- G – UNDERGROUND GAS
- FO – UNDERGROUND FIBRE OPTIC
- OHU – OVERHEAD UTILITIES
- E – UNDERGROUND ELECTRIC
- TELEPHONE PED
- TREE
- LIGHT POLE
- EXISTING CONCRETE

20 10 0 20
SCALE – FEET

BEARING ARE REFERENCED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 16-18-16 WHICH BEARS S00°29'00"E PER THE WINNEBAGO COUNTY COORDINATE SYSTEM, RECORDED AS BEARINGS ARE REFERENCED TO CERTIFIED SURVEY MAP No. 6092.

SURVEY FOR:
-EBEN JOHNSON (ALTA SURVEY)
-5888 LAKEWIND DRIVE
-OSHKOSH, WI. 54904

AND

-BRAD RIEMENAPP (TOPO SURVEY)
-4252 SHADY LANE, S
-OSHKOSH, WISCONSIN 54902

DIGGERS HOTLINE
Toll Free (800) 242-8511
Milwaukee Area (414) 259-1181
Hearing Impaired TDD (800) 542-2289
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TICKET NO. 20154514859

WISCONSIN DAVID M. SCHMALZ S-1284 NEENAH, WI LAND SURVEYOR

SURVEYOR'S ALTA CERTIFICATE:

I hereby certify to:
Eben L. Johnson, Bradley W. Riemenapp, Choice Bank, its successors and/or assigns and Assurance Title Services, Inc. an authorized agent for Commonwealth Land Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by American Land Title Association and National Society of Professional Surveyors on Feb. 23rd, 2011, and includes Items 1, 2, 3, 4, 6(b), 8, 11(b) and 20(a) of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Wisconsin, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Nov. 23, 2015 *David M. Schmalz*
date Professional Land Surveyor (S-1284)

LEGAL DESCRIPTION PER TITLE COMMITMENT File No. 15-6004 WITH AN EFFECTIVE DATE OF OCTOBER 15, 2015, AT 8:00 A.M.: PREPARED BY ASSURANCE TITLE SERVICES, INC. TITLE INSURANCE COMPANY OF COMMONWEALTH LAND TITLE INSURANCE COMPANY:

Outlot Four (4) according to CERTIFIED SURVEY MAP filed in Volume 1 of Survey Maps on Page 6092 as Document No. 1436397; being part of the South East 1/4 of Section Sixteen (16), Township Eighteen (18) North, of Range Sixteen (16) East, in the Sixteenth Ward, City of Oshkosh, Winnebago County, Wisconsin.

For Informational Purposes Only.
Property Address: Westowne Avenue, Oshkosh, WI 54904
Tax Key Number: 916-2150-01

SCHEDULE B-PART II PER TITLE COMMITMENT File No. 15-6004 WITH AN EFFECTIVE DATE OF OCTOBER 15, 2015, AT 8:00 A.M.: PREPARED BY ASSURANCE TITLE SERVICES, INC. TITLE INSURANCE COMPANY OF COMMONWEALTH LAND TITLE INSURANCE COMPANY:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Liens, hook-up charges or fees, deferred charges, reserve capacity assessments, impact fees, or other charges or fees due and payable on the development or improvement of the Land, whether assessed or charged before or after the Date of Policy. The Company assures the priority of the lien of the insured mortgage over any such lien, charge or fee.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.
4. 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.
5. Rights or claims of parties in possession not shown by the public records.
6. Easements, or claims of easements, not shown by the public records.
7. Any claim of adverse possession or prescriptive easement.
8. General real estate taxes and/or special assessments and special taxes, if any, payable with the taxes levied or to be levied for the year 2015 and subsequent years, not yet due or payable.
9. Mortgage from Eben L Johnson, a married person to Peoples State Bank, showing an original principal amount of $30,000.00, dated November 14, 2014 and recorded in the Office of the Register of Deeds for Winnebago County, Wisconsin on November 18, 2014 at 2:22 P.M. as Document No. 1676542.
10. Rights of the public in and to that portion of the within described premises lying within the limits of public roads and public rights of way.
11. Ingress and Egress Restrictions, Proposed Fifteen (15) foot Utility Easement, Access Easement and Restrictions, Sanitary Sewer Easement, Outlot 4 is only buildable once combined with the adjacent parcel to the West, Notes and any other matters disclosed on Certified Survey Map No. 6092. [AFFECTS PROPERTY - NOTES SHOWN ON SURVEY MAP]
12. Right-of-Way Grant dated June 27, 1956 and recorded in said Register's Office on July 13, 1956 at 9:02 A.M. in Volume 813 on Page 431 as Document No. 235961. [DOES NOT AFFECT THE SUBJECT PROPERTY]

Amending Right of Way Agreement dated May 10, 2007 and recorded in said Register's Office on May 31, 2007 at 2:49 P.M. as Document No. 1436395. [DOES NOT AFFECT THE SUBJECT PROPERTY]

Amending Right of Way Agreement dated March 20, 2009 and recorded in said Register's Office on December 2, 2009 at 11:22 A.M. as Document No. 1525984. [DOES NOT AFFECT THE SUBJECT PROPERTY]

13. Easement, Terms and Conditions as contained in Land Contract dated July 1, 1965 and recorded in said Register's Office on July 28, 1965 at 9:40 A.M. in Volume 1113 on Page 76 as Document No. 336794. [ASSUMED LAND CONTRACT HAS BEEN SATISFIED AND NO LONGER AFFECTS THE SUBJECT PROPERTY]
14. Easement dated April 20, 1995 and recorded in said Register's Office on April 26, 1995 at 11:38 A.M. as Document No. 903022. [AFFECTS PROPERTY-LOCATION SHOWN ON SURVEY MAP]
15. Easement dated April 26, 1995 and recorded in said Register's Office on May 2, 1995 at 3:34 P.M. as Document No. 903625. [AFFECTS PROPERTY-LOCATION SHOWN ON SURVEY MAP]
16. Relocation Order dated December 13, 2005 and recorded in said Register's Office on December 27, 2005 at 11:13 A.M. as Document No. 1382746.

Revised Relocation Order dated February 1, 2006 and recorded in said Register's Office on February 27, 2006 at 10:30 A.M. as Document No. 1389188.

17. Terms, Conditions, Rights, Easements and Restrictions as contained in Award of Damages dated October 5, 2006 and recorded in said Register's Office on October 10,2006 at 8:58 A.M. as Document No. 1413710. [AFFECTS THE PROPERTY - NO VEHICULAR ACCESS TO N. WASHBURN STREET & WESTOWNE AVENUE - LOCATION SHOWN ON SURVEY MAP]
18. Terms, Conditions, Rights, Easements and Restrictions as contained in Award of Damages dated October 5, 2006 and recorded in said Register's Office on October 10, 2006 at 8:58 A.M. as Document No. 1413712. [DOES NOT AFFECT THE SUBJECT PROPERTY]
19. Terms, Conditions, Rights, Easements and Restrictions as contained in Award of Damages dated October 5, 2006 and recorded in said Register's Office on October 10, 2006 at 8:58 A.M. as Document No. 1413713. [DOES NOT AFFECT THE SUBJECT PROPERTY - NOW R/W OF N. WASHBURN STREET & WESTOWNE AVENUE]
20. Utility Easement/Corporation dated May 10, 2007 and recorded in said Register's Office on May 18, 2007 at 9:37 A.M. as Document No. 1435163. [AFFECTS THE PROPERTY - LOCATION SHOWN ON SURVEY MAP].
21. Easements, Covenants, Conditions and Restrictions dated June 1, 2007 and recorded in said Register's Office on June 1, 2007 at 2:16 P.M. as Document No. 1436609. [AFFECTS THE PROPERTY - LOCATION SHOWN ON SURVEY MAP].
Amendment to Easements, Covenants, Conditions and Restrictions dated March 12, 2015 and recorded in said Register's Office on April 22, 2015 at 3:22 P.M. as Document No. 1685698. [AFFECTS THE PROPERTY - LOCATION SHOWN ON SURVEY MAP] .
Second Amendment to Easements, Covenants, Conditions and Restrictions dated June 17, 2015 and recorded in said Register's Office on August 20, 2015 at 2:29 P.M. as Document No. 1695288. [AFFECTS THE PROPERTY - LOCATION SHOWN ON SURVEY MAP]
22. Terms and conditions as contained in Conveyance of Rights in Land dated January 15, 2009 and recorded in said Register's Office on January 19, 2009 at 9:19 A.M. as Document No. 1491962. [DOES NOT AFFECT THE PROPERTY - RELEASE OF RIGHTS FOR UTILITIES NOW LOCATED IN THE R/W OF N. WASHBURN STREET].

LEGEND FOR ABOVE
[ ] – SURVEYOR'S COMMENTS

NOTES:

-UNDERGROUND UTILITY INFORMATION AS SHOWN ON THIS SURVEY HAS BEEN OBTAINED FROM ACTUAL FIELD LOCATION AND/OR MAPPING FROM THE RESPECTIVE UTILITY COMPANIES, OTHER UNDERGROUND UTILITIES MAY EXIST THAT ARE NOT SHOWN OR THE EXACT LOCATION MAY NOT BE SHOWN. PRIOR TO ANY CONSTRUCTION DIGGERS HOTLINE MUST BE CALLED FOR FIELD LOCATING.

-SUBJECT PROPERTY IS MAPPED WITHIN ZONE X PER F.E.M.A. MAP NUMBER 55139C0215E, COMMUNITY NAME – CITY OF OSHKOSH (550511) WITH AN EFFECTIVE DATE OF MARCH 17, 2003.

-SUBJECT PROPERTY IS ZONED: C-2 PD (GENERAL COMMERCIAL-PLANNED DEVELOPMENT) & HIGHWAY 41 CORRIDOR OVERLAY DISTRICT PER THE CITY OF OSHKOSH ZONING MAP

STANDARDS PER C-2 (GENERAL COMMERCIAL DISTRICT) SECTION 30-25(B)
PRINCIPAL COMMERCIAL STRUCTURES
HEIGHT: FORTY-FIVE (45) FEET MAXIMUM.
SIDE YARD SETBACK: TEN (10) FEET MINIMUM.
FRONT YARD SETBACK: TWENTY-FIVE (25) FEET MINIMUM.
REAR YARD SETBACK: TWENTY-FIVE (25) FEET MINIMUM, HOWEVER, PARKING SHALL BE ALLOWED WITH A FIVE (5) FOOT MINIMUM SETBACK, PROVIDED A FIVE (5) FOOT LANDSCAPED BUFFER IS PROVIDED.
OFF-STREET PARKING: IN ACCORDANCE WITH SECTION 30-36 OFF-STREET PARKING AND LOADING FACILITIES.

PLANNED DEVELOPMENT DISTRICT (PD OVERLAY) SECTION 30-33
(A)(3) ZONING CLASSIFICATION
THE PLANNED DEVELOPMENT (PD) DISTRICT SHALL BE APPLIED AS AN OVERLAY ZONING DISTRICT. WHEN APPLIED TO A SPECIFIC GEOGRAPHIC AREA, THE PD SHALL HAVE THE EFFECT OF ALLOWING DEVELOPMENT TO BE DESIGNED, REVIEWED, APPROVED, CONSTRUCTED AND MANAGED ACCORDING TO THE PROVISIONS OF THIS SECTION, RATHER THAN IS REQUIRED BY THE UNDERLYING ZONING DISTRICT. HOWEVER, THE UNDERLYING ZONING DISTRICT SHALL PREVAIL IN DETERMINING PERMITTED AND CONDITIONAL USES OF LAND WITHIN THE PD AS WELL AS THE MAXIMUM PERMITTED PROJECT DENSITY OR INTENSITY OF LAND USE, EXCEPT AS OTHERWISE PROVIDED HEREIN.
BENEFIT
(A) IT IS NOT INTENDED THAT THE CITY WILL AUTOMATICALLY GRANT EXCEPTIONS FOR A PLANNED DEVELOPMENT OVERLAY DISTRICT, BUT IT IS EXPECTED THE CITY SHALL GRANT ONLY SUCH EXCEPTIONS WHICH ARE DEEMED CONSISTENT WITH BENEFITS ACCRUING TO THE CITY AS A RESULT OF THE PLANNED DEVELOPMENT. THE CITY MAY REQUIRE AS A CONDITION OF APPROVAL ANY REASONABLE CONDITION, LIMITATION, OR DESIGN FACTOR WHICH WILL PROMOTE DEVELOPMENT IN THE PLANNED DEVELOPMENT OVERLAY DISTRICT CONSISTENT WITH THE INTENT OF THIS SECTION.

(C) PLANNED COMMERCIAL DISTRICT
(1) PERMITTED USES:
ANY USES PERMITTED IN THE UNDERLYING COMMERCIAL ZONE, INCLUDING THE ALLOWED ACCESSORY STRUCTURES.

(2) STANDARDS:
EACH PLANNED DISTRICT SHALL HAVE AN AREA OF AT LEAST ONE AND ONE-HALF (1 14) ACRES. NOT LESS THAN TEN (10) PERCENT OF THE TOTAL AREA OF THE DISTRICT SHALL BE DEVOTED TO LANDSCAPED OPEN SPACE.
THE COMMERCIAL UNITS OF THE PLANNED DISTRICT SHALL NOT EXCEED THE STANDARD DENSITY OF THE UNDERLYING ZONED AREA.

HIGHWAY 41 CORRIDOR OVERLAY DISTRICT:

PURPOSE
THE PURPOSE OF THIS DISTRICT IS TO PROVIDE STANDARDS OF DEVELOPMENT THAT RELATE TO THE SPECIAL CHARACTER OF LANDS LYING ON EITHER SIDE OF THE MAJOR TRANSPORTATION CORRIDOR ALONG U.S. HIGHWAY 41.

OVERLAY AREA DEFINED
THE OVERLAY DISTRICT IS APPLIED TO ALL PARCELS ABUTTING THE RIGHT-OF-WAY OF U.S. HIGHWAY 41 AND/OR THE U.S. HIGHWAY 41 FRONTAGE ROADS, BUT EXCLUDING ANY PORTION OF ABUTTING PARCELS LYING MORE THAN ONE THOUSAND THREE HUNDRED TWENTY (1,320) FEET BEYOND THE MOST WESTERLY AND EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 41 AND/OR THE U.S. HIGHWAY 41 FRONTAGE ROADS, AS SHOWN ON THE HIGHWAY 41 CORRIDOR DISTRICT OVERLAY MAP (SEE APPENDIX). THE FRONTAGE ROADS INCLUDE: WASHBURN STREET FROM U.S. HIGHWAY 21 TO PLANEVIEW DRIVE; PLANEVIEW DRIVE TO THE SOUTHERN CITY LIMITS; THAT SEGMENT OF OSHKOSH AVENUE LYING WEST OF THE INTERSECTION OF OMRO ROAD; KOELLER STREET FROM OSHKOSH AVENUE ON THE NORTH TO KNAPP STREET ROAD ON THE SOUTH; KNAPP STREET ROAD SOUTH OF SOUTH PARK AVENUE TO POBERENZY ROAD; AND POBERENZY ROAD SOUTH TO THE CITY LIMITS.

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NO.	DATE	REVISION

ALTA/ACSM LAND TITLE SURVEY
OUTLOT 4 OF CSM 6092
CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN

DESIGNED	DRAWN
	DEW

PROJECT NO.
J0955 91500683.02

DATE
NOV., 2015

SHEET NO.
1 OF 2

dwoelz- W:\PROJECTS\J0955\91500683\CADD\Civil3D\Survey Documents\ALTA\ALTA Outlot 4 CSM 6092.dwg, model. Plot Date: 11/23/2015 3:18 PM, xrefs: (x-survey points eben outlot4 cc 29navd, x-existing topo eben outlot4 cc 29navd, bndry comps dew)