ALTA / NSPS LAND TITLE SURVEY

TOTAL AREA
0.783 ACRES
34,116 SQ. FT.

NOTES:

THE LEASE AREA HAS INDIRECT ACCESS TO N. WASHBURN STREET VIA ACCESS ROADS LOCATED WEST AND SOUTH OF THE LEASE AREA.

POSSIBLE VISIBLE ENCROACHMENTS HAVE BEEN DEPICTED ON THIS SURVEY.

Site Utilities:
Sanitary Sewer/Water/
Storm Drainage/Traffic Engineering
Agency: City of Oshkosh Public Works
Address: 215 Church Avenue
Oshkosh, WI 54903
Contact: James Rabe
Phone: (920) 236-5065

Service Utilities: Gas & Electric Utility
Agency: Wisconsin Public Service
Address: 2850 S. Ashland Avenue
Green Bay, WI 54304
Phone: (800) 450-7260

LEGEND:

- WATER VALVE IN BOX
- WATER VALVE IN MANHOLE
- EXISTING SQUARE CATCH BASIN
- EXISTING ROUND CATCH BASIN
- EXISTING CURB INLET
- UTILITY POLE WITH GUY WIRE
- EXISTING LIGHT POLE
- 1" IRON PIPE FOUND
- MAG NAIL FOUND
- EXISTING STORM SEWER AND MANHOLE
- EXISTING SANITARY SEWER AND MANHOLE
- EXISTING WATER LINE AND HYDRANT
- EXISTING OVERHEAD UTILITY LINE
- EXISTING UNDERGROUND FIBER OPTIC LINE
- EXISTING UNDERGROUND ELECTRIC CABLE
- EXISTING UNDERGROUND GAS LINE
- EXISTING CURB AND GUTTER
- EXISTING SILT FENCE
- LEASE LINE
- RIGHT-OF-WAY LINE
- ADJACENT PROPERTY LINE
- ACCESS RESTRICTION LINE

1" = 20' SCALE 20' 0 20' 40' FEET

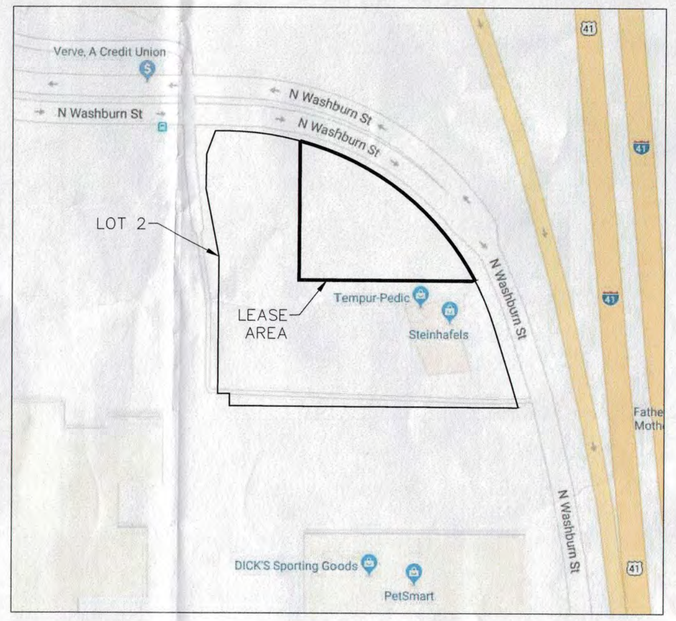
NOTE:
SURFACE INDICATIONS OF UTILITIES ALONG WITH DIGGER'S HOTLINE MARKINGS ON THE SURVEYED PARCEL HAVE BEEN SHOWN. SIZES AND ELEVATION OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON FIELD MEASUREMENTS OF VISIBLE STRUCTURES IN COMBINATION WITH AVAILABLE DATA PROVIDED TO EXCEL ENGINEERING. EXCEL ENGINEERING MAKES NO GUARANTEE THAT ALL THE EXISTING UTILITIES IN THE SURVEYED AREA HAVE BEEN SHOWN NOR THAT THEY ARE IN THE EXACT LOCATION INDICATED. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES CRITICAL TO CONSTRUCTION.

CURRENT ZONING: Suburban Mixed Use PD

Building Setbacks:

Front: 25 feet
Side: 10 feet
Rear: 25 feet

The current Zoning Setbacks and the Bulk Requirements have been listed per the City of Oshkosh Zoning Code. Zoning classification was not provided by the client as part of this survey as required by ALTA Table A, Item No. 6(b).



VICINITY MAP
NOT TO SCALE

SURVEYOR'S CERTIFICATE
ALTA / NSPS Land Title Survey

To:
(i) Fidelity National Title Insurance Company
(ii) Chick-fil-A, Inc. (Lessee)
(iii) OC Development 2 LLC, a Wisconsin limited liability company

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, 6(b), 7(a), 7(b)(1), 8, 9, 11, 13, 16, 17, 20 & 21(a) of Table A thereof. The field work was completed on August 13, 2019.

Ryan Wilgreen, P.L.S. No. S-2647
ryan.w@excelengineer.com
Excel Engineering, Inc.
Fond du Lac, Wisconsin 54935
Project Number: 1947740

WISCONSIN RYAN J. WILGREEN S-2647 FOND DU LAC WI LAND SURVEYOR

Date of Plat or Map: 7/30/2020

LANDS DESCRIBED IN COMMITMENT NO. F-356810-REVISION NO. 5, PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY WITH A COMMITMENT DATE OF JULY 28, 2020:

PARCEL I
Part of Lot Two (2) of CERTIFIED SURVEY MAP NO. 6092 filed in Volume 1 of Certified Survey Maps on Page 6092 as Document No. 1436397, being a part of the Northeast 1/4 of the Southeast 1/4 of Section Sixteen (16), Township Eighteen (18) North, Range Sixteen (16) East, City of Oshkosh, Winnebago County, Wisconsin being more particularly described as follows: Commencing at the Southeast corner of said Lot 2; thence Northwesterly 43.86 feet along the Westerly right-of-way line of N. Washburn Street, on a curve to the left having a radius of 1,960.00 feet, the chord of said curve bears North 16°-25'-40" West, a chord distance of 43.86 feet; thence North 17°-04'-08" West, along said Westerly right-of-way line a distance of 81.48 feet; thence Northwesterly 73.40 feet along said Westerly right-of-way line, on a curve to the left having a radius of 410.00 feet, the chord of said curve bears North 22°-11'-51" West, a chord distance of 73.30 feet to the point of beginning; thence Northwesterly 338.95 feet along said Westerly right-of-way line, on a curve to the left having a radius of 410.00 feet, the chord of said curve bears North 51°-00'-35" West, a chord distance of 329.38 feet; thence South 00°-13'-03" West, a distance of 206.14 feet; thence South 89°-45'-11" East, a distance of 256.79 feet to the point of beginning.

PARCEL II
Non-exclusive easement rights for the benefit of Parcel I as contained in document titled "Easements, Covenants, Conditions and Restrictions" executed by and between Shoreland Development Corp. and Lowe's Flome Centers, Inc. dated and recorded on June 1, 2007 as Document No. 1436609 and as amended by instruments dated March 12, 2015 and recorded on April 22, 2015 as Document No. 1685698, and dated June 17, 2015 and recorded on August 20, 2015 as Document No. 1695288, for the purposes of ingress/egress, utility facilities and signage.

PARCEL III
Intentionally Deleted.

PARCEL IV
Non-exclusive easement rights as contained in Declaration of Restrictions and Easements recorded April 27, 2015 as Document No. 1686014.

PARCEL V
Easements for the benefit of Tenant as contained in Declaration of Easements and Restrictions and Short Form Lease dated February 26, 2019 and recorded November 20, 2019 as Document No. 1804166.

ALTA NOTES:

1. Bearings are referenced to the Wisconsin County Coordinate System, Winnebago County. The East line of the Southeast 1/4 of Section 16-18-16 has a bearing of South 00°-29'-00" East.
2. Only the improvements that were visible from above ground at time of survey and through a normal search and walk through of the site are shown on the face of this plat. Lawn sprinkler systems, if any, are not shown on this survey.
3. Surface indications of utilities along with Digger's Hotline markings on the surveyed parcel have been shown. Offsite observations have not been made to determine the extent of utilities serving or existing on the property. Public records have not been provided for additional information. Controlled underground exploratory effort together with Digger's Hotline markings is recommended to determine the full extent of underground service and utility lines. Contact Digger's Hotline at 1-800-242-8511.
4. This survey may not reflect all utilities, or improvements, if such items are hidden by landscaping, or areas covered by such items as dumpsters or trailers.
5. The locations of the property lines shown on the face of this plat are based on the description and information furnished by the client, together with the title commitment. The parcel that is defined may not reflect actual ownership, but reflects what was surveyed. For ownership, consult your title company.
6. Based upon a review of the Federal Emergency Management Agency Flood Insurance Rate Map No. 55139C0215E with an effective date of March 17, 2003, the property falls within Zone "X" (Unshaded-areas determined to be outside the 0.2% annual chance flood hazard).
7. The property described hereon contains 0.783 acres (34,116 sq. ft.) of land, more or less.
8. **Fidelity National Title Insurance Company, Commitment No. F-356810-Revision No. 5, with a commitment date of July 28, 2020 has been reviewed in conjunction with the preparation of this survey. Notes related to the review of this title policy, Schedule B-II Exceptions are as follows:**

   #14 Right-Of-Way Grant to Michigan Wisconsin Pipe Line Company, recorded in the Office of the Register of Deeds for Winnebago County, Wisconsin on July 13, 1956 in Vol. 813 on Page 431 as Document No. 235961; Amending Right of Way Agreement recorded on May 31, 2007 as Document No. 1436395, further Amending Right of Way Agreement recorded on December 2, 2009 as Document No. 1525984. **Easement is depicted on this survey.**

   #15 Terms, conditions and provisions in Easement 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. **Easement is depicted on this survey.**

   #16 Intentionally Deleted.

   #17 Intentionally Deleted.

   #18 Terms, provisions, conditions contained in Easements, Covenants, Conditions and Restrictions 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 recorded April 22, 2015 as Document No. 1685698; Second Amendment to Easements, Covenants, Conditions and Restrictions recorded August 20, 2015 as Document No. 1695288. **This document affects the lease area and contains general easements for the use of common areas, access roads, utilities, construction, self-help and signage.**

   #19 Proposed 10' Sanitary Sewer Easement, 50' Gas Pipeline Easement and 15' Utility Easement as shown on Certified Survey Map No. 6092 filed in the office of the Register of Deeds for Winnebago County Wisconsin on May 31, 2007 in Volume 1 of CSM on Page 6092 as Document No. 1436397. **50' Gas Pipeline Easement and Access Restriction have been depicted on this survey.**

   #20 Sanitary Sewer Easement Agreement contained in Instrument 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 1444940. **Easement is depicted on this survey.**

   #21 Declaration of Restrictions and Easements recorded April 27, 2015 as Document No. 1686014. **This document affects the lease area and contains general easements for the use of common areas, cross-access and cross-parking, storm water and utilities.**

   #22 Easement Encroachment Agreement by and between ANR Pipeline Company, a Delaware Corporation and OC Development 1, LLC, recorded May 18, 2015 as Document No. 1687624. **This document affects the lease area but does not contain any easements to depict on this survey.**

   #23 Intentionally Deleted.

   #24 Right of Dick's Sporting Goods, Inc., a Delaware corporation, as tenant only, as set forth in Memorandum of Lease by and between OC Development 1, LLC, a Wisconsin limited liability company and Dick's Sporting Goods, Inc., a Delaware corporation, dated June 2, 2016 and recorded June 2, 2016 as Document No. 1714431. **This document affects the lease area but does not contain any easements or restrictions to graphically depict on this survey within the lease area.**

   #25 Intentionally Deleted.

   #26 Intentionally Deleted.

   #27 Terms, provisions conditions and easements as contained in Declaration of Easements and Restrictions and Short Form Lease dated February 26, 2019 and recorded on November 20, 2019 as Document No. 1804166. **This document contains general easements over common areas for vehicular and pedestrian access and parking, utilities, construction and maintenance of the drive-thru and dumpster areas, the installation and maintenance of a sign, and the maintenance of the landscaped areas. This document also contains specific vehicular and pedestrian access over protected drives as well as an exclusive easement for parking. The Protected Drives and a portion of the Exclusive Parking Area have been depicted on this survey. The portion of the Exclusive Parking Area located in the lease area has not been constructed at the time of this survey and is not depicted on this survey.**

   #28 A leasehold as created by that certain lease dated February 26, 2019, executed by OC Development 2, LLC, a Wisconsin limited liability company, as lessor, and Chick-Fil-A, Inc., a Georgia corporation, as lessee, as referenced in the document entitled Declaration of Easements and Restrictions and Short Form Lease, which was recorded November 20, 2019 as Document No. 1804166, for the term, upon and subject to all the provisions contained in said document, and in said lease. **Easements found in this document have been reviewed as part of Schedule B-II, Item No. 27. Items specific to the lease terms have not been reviewed as part of this survey.**

9. Other commitment items not specified hereon may not have been considered relevant to an ALTA/NSPS Land Title Survey, and have not been reviewed in conjunction with preparation of this plat (i.e. Annexation agreements, Leases, Mortgages, Liens, special assessments, covenants, trusts, unspecified or unrecorded rights).
10. In regards to ALTA/NSPS "Table A", Item No. 9, the subject property contains 0 regular striped parking stalls and 0 handicap accesible striped parking stalls for a total of 0 striped parking stalls.
11. In regards to ALTA/NSPS "Table A", Item No. 13, adjacent owner information was taken from the Winnebago County GIS Website on the sheet issue date of this survey.
12. In regards to ALTA/NSPS "Table A", Item No. 16, at the time of this survey there was no visible sign of earth moving work, building construction, or building additions.
13. In regards to ALTA/NSPS "Table A", Item No. 17, no proposed changes to the street right-of-way lines have been disclosed by the City of Oshkosh or the current Title Commitment.
14. In regards to ALTA/NSPS "Table A", Item No. 20, Excel Engineering, Inc. carries a $2,000,000 Professional Liability Insurance Policy. Certificate of Insurance will be provided upon request.
15. In regards to ALTA/NSPS "Table A", Item No. 21(a), through the normal course of conducting a survey, there was no visible evidence of the subject property being used as a solid water dump, sump or sanitary landfill.
16. All matters shown on recorded plats provided to the Surveyor are shown on the Survey.
17. The legal description for Parcel I referenced on this survey was provided by Excel Engineering.

EXCEL
ARCHITECTS • ENGINEERS • SURVEYORS
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PROJECT INFORMATION

ALTA/NSPS LAND TITLE SURVEY
N. WASHBURN STREET • OSHKOSH, WI 54904

PROFESSIONAL SEAL

SHEET DATES

ISSUE DATE: AUG. 22, 2019

REVISIONS:
JULY 22, 2020
JULY 28, 2020
JULY 30, 2020

JOB NUMBER
1947740

SHEET NUMBER
AL

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