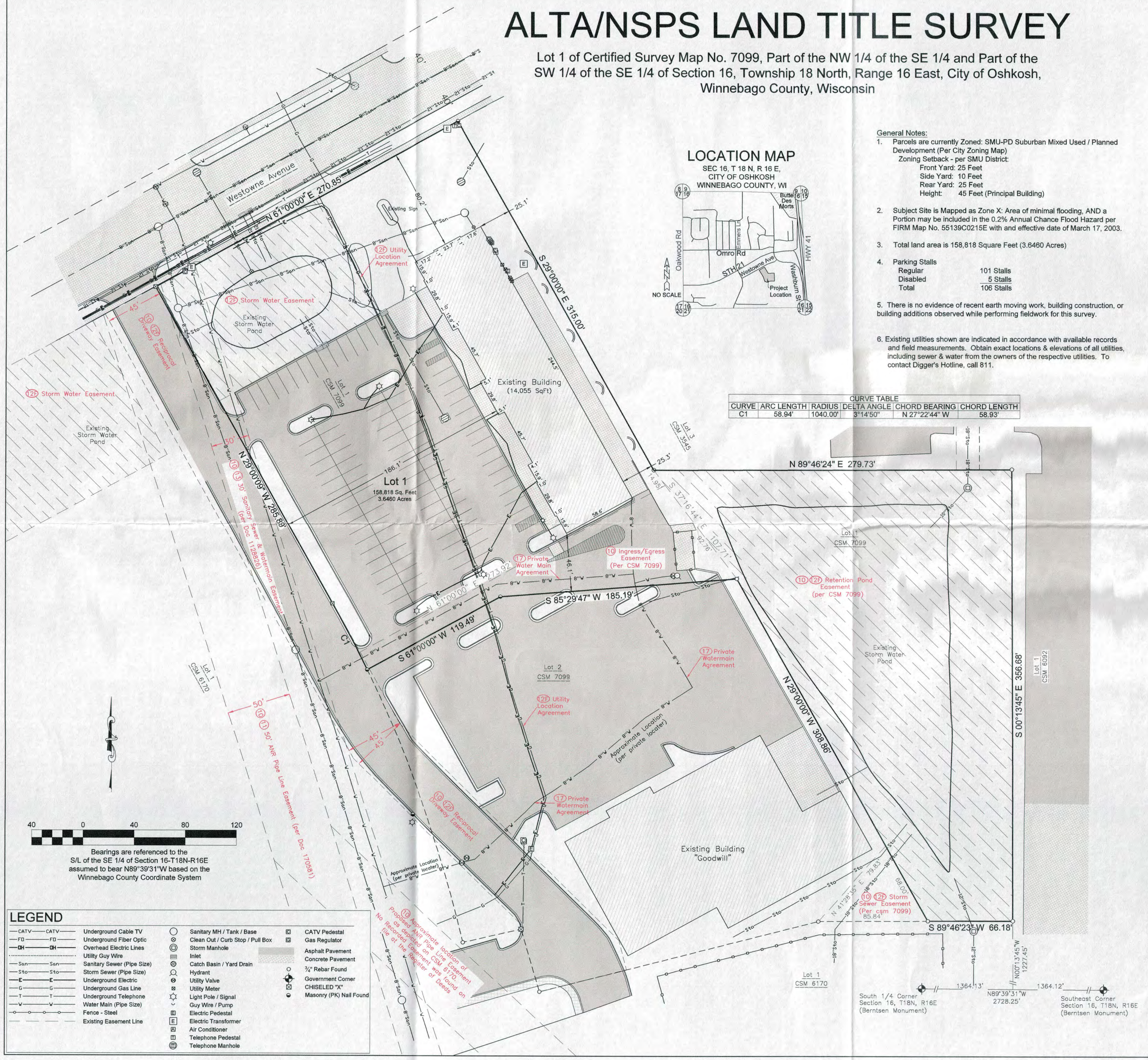
ALTA/NSPS LAND TITLE SURVEY

Lot 1 of Certified Survey Map No. 7099, Part of the NW 1/4 of the SE 1/4 and Part of the SW 1/4 of the SE 1/4 of Section 16, Township 18 North, Range 16 East, City of Oshkosh, Winnebago County, Wisconsin



Bearings are referenced to the S/L of the SE 1/4 of Section 16-T18N-R16E assumed to bear N89°39'31"W based on the Winnebago County Coordinate System

LOCATION MAP

SEC 16, T 18 N, R 16 E,
CITY OF OSHKOSH
WINNEBAGO COUNTY, WI

General Notes:

1. Parcels are currently Zoned: SMU-PD Suburban Mixed Used / Planned Development (Per City Zoning Map)
   Zoning Setback - per SMU District:
   Front Yard: 25 Feet
   Side Yard: 10 Feet
   Rear Yard: 25 Feet
   Height: 45 Feet (Principal Building)
2. Subject Site is Mapped as Zone X: Area of minimal flooding, AND a Portion may be included in the 0.2% Annual Chance Flood Hazard per FIRM Map No. 55139C0215E with and effective date of March 17, 2003.
3. Total land area is 158,818 Square Feet (3.6460 Acres)
4. Parking Stalls

Regular	101 Stalls
Disabled	5 Stalls
Total	106 Stalls

5. There is no evidence of recent earth moving work, building construction, or building additions observed while performing fieldwork for this survey.
6. Existing utilities shown are indicated in accordance with available records and field measurements. Obtain exact locations & elevations of all utilities, including sewer & water from the owners of the respective utilities. To contact Digger's Hotline, call 811.

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	58.94'	1040.00'	3°14'50"	N 27°22'44" W	58.93'

LEGEND

CATV Underground Cable TV	Sanitary MH / Tank / Base	CATV Pedestal	
FD Underground Fiber Optic	Clean Out / Curb Stop / Pull Box	Gas Regulator	
OH Overhead Electric Lines	Storm Manhole	Asphalt Pavement	
Utility Guy Wire	Inlet	Concrete Pavement	
San Sanitary Sewer (Pipe Size)	Catch Basin / Yard Drain	¾" Rebar Found	
Sto Storm Sewer (Pipe Size)	Hydrant	Government Corner	
E Underground Electric	Utility Valve	CHISELED "X"	
G Underground Gas Line	Utility Meter	Masonry (PK) Nail Found	
T Underground Telephone	Light Pole / Signal		
V Water Main (Pipe Size)	Guy Wire / Pump		
Fence - Steel	Electric Pedestal		
Existing Easement Line	Electric Transformer		
	Air Conditioner		
	Telephone Pedestal		
	Telephone Manhole		

First AmericanTitle Insurance Company
File No. NCS-983705-MKE - Notes to Schedule B - II

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

4, 6-9, and 18-23 = **items that cannot be shown on a map.**

1) Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or by making inquiry of persons in possession of the Land.
(No Observed Burden to Subject Parcel)

2) Easements, claims of easements or encumbrances that are not shown by the Public Records.
(No Observed Burden to Subject Parcel)

3) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflict in boundary lines, shortages in area, or any other facts that would be disclosed by an accurate and complete land survey of the Land, and that are not shown in the Public Records.
(No Observed Burden to Subject Parcel)

5) 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.
(No Observed Land Survey Related Items Burden Subject Parcel)

10) Easements, dedications, reservations, provisions, relinquishments, recitals, certificates, and any other matters as provided for or delineated on Certified Survey Map No. 7099 recorded June 13, 2016 as Document No. 1715161; Certified Survey Map No. 6170 recorded October 25, 2007 as Document No. 1451893, referenced in the legal description contained herein. Reference is hereby made to said plat for particulars.
(Items Mapped and Labeled on this Instrument)

11) Utility Easement to Michigan-Wisconsin Pipe Line Company, a Corporation organized and existing under and by reason of the laws of the State of Delaware, dated December 30, 1949, recorded/filed February 7, 1950 in Volume 624, page 295-296 as Document No. 170581.
(Items Mapped and Labeled on this Instrument)

12) A) Terms, conditions, restrictions and provisions relating to the use and maintenance of the Declaration of Reciprocal Easements and Restrictive Covenants recorded on August 29, 2000, as Document No. 1104564.
B) Modification and/or amendment by instrument: First Amendment to Declaration of Reciprocal Easements and Restrictive Covenants
Recording Information: May 09, 2001 as Document No. 1128825.
C) Modification and/or amendment by instrument: Second Amendment to Declaration of Reciprocal Easements and Restrictive Covenants
Recording Information: June 8, 2001 as Document No. 1132848.
D) Modification and/or amendment by instrument: Third Amendment to Declaration of Reciprocal Easements and Restrictive Covenants
Recording Information: October 25, 2001 as Document No. 1151612.
E) Modification and/or amendment by instrument: Fourth Amendment to Declaration of Reciprocal Easements and Restrictive Covenants
Recording Information: October 25, 2007 as Document No. 1451888.
F) Modification and/or amendment by instrument: Easement Agreement (With Releases and Amendment of Prior Easements)
Recording Information: June 20, 2016 as Document No. 1715826
(Items Mapped and Labeled "12F" on this Instrument)

13) Easement for sanitary sewer and watermain granted to The Sanitary District #1 of the Town of Algoma, Wisconsin and The City of Oshkosh, Wisconsin by Instrument recorded in May 9, 2001 as Document No. 1128826.
(Items Mapped and Labeled on this Instrument)

14) Terms, conditions, restrictions and provisions relating to the use and maintenance of the Declaration of Restrictions and Easements recorded on May 09, 2001, as Document No. 1129828.
Modification and/or amendment by instrument: First Amendment to Declaration of Restrictions and Easements; Recording Information: October 25, 2007 as Document No. 1451887.
(Easement, for both pedestrian and vehicular uses, ingress, egress, passage and parking of all portions of the parking areas, driveways, approaches, entrances, sidewalks as noted as "common areas" within Declaration)

15) Storm Water Drainage Easement Agreement upon the terms, conditions and provisions contained therein:
Dated: June 6, 2001
Parties: Midwest Real Estate Development Co., Inc., a Wisconsin corporation, Westowne Shoppes LLC, a Wisconsin limited liability company, and Oshkosh Grocers, LLC, a Wisconsin limited liability company and Menard, Inc., a Wisconsin corporation
Recorded: June 8, 2001
Instrument No.: 1132850
(Item is an offsite Easement and is NOT Mapped and Labeled on this Instrument as Table "A" Item 19 was not requested.)

16) Terms, conditions, restrictions and provisions relating to the use and maintenance of the Easement Agreement (With Releases and Amendment of Prior Easements) recorded on June 20, 2016, as Document No. 1715826.
(Items Mapped and Labeled "12F" on this Instrument)

17) Private Water Main Agreement upon the terms, conditions and provisions contained therein: Dated: August 18, 2016
Parties: Menard, Inc., a Wisconsin corporation, Westowne Shoppes LLC, a Wisconsin limited Liability Company and City of Oshkosh
Recorded: August 25, 2016
Instrument No.: 1721388
(Items Mapped and Labeled on this Instrument)

Legal Description

(Per Commitment File No.: NCS-983705-MKE with an effective date of Oct. 10, 2019)

Lot 1 of Certified Survey Map No. 7099, recorded June 13, 2016, in Volume 1, page 7099, as Document No. 1715161, being a redivision of all of Lot 2 of Certified Survey Map No. 6170 being part of the Northwest 1/4 of the Southeast 1/4, and the Southwest 1/4 of the Southeast 1/4 of Section 16, Township 18 North, Range 16 East, City of Oshkosh, Winnebago County, Wisconsin.

Tax Parcel No. 916-2165

Property Address: 2265 Westowne Ave., Oshkosh, WI 53904 (for informational purposes only)

Surveyor's Certificate

To: James H. Lang Properties, Inc; and First American 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 "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(a), 6(b), 7(a), 7(b)(1), 8, 9, 11, and 16 Table A thereof. The field work was completed on Nov. 05, 2019. 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 Professional in the State of Wisconsin, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Date of Map: 11/6/19

SCOTT R. ANDERSEN S-3169 SURVEYOR

Scott R. Andersen PLS 3169
scott@davel.pro

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
Civil Engineers and Land Surveyors
1164 Province Terrace, Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro

Nov. 06, 2019 - 06:11 PM J:\Projects\5909\cam\dwg\Carlson\5909ALTA.dwg

ALTA / NSPS Land Title Survey
(2265 Westowne Avenue)

Lot 1 CSM 7099
City of Oshkosh, Winnebago County, WI
For: James H. Lang Properties Inc.

Date:	11/6/2019
Filename:	5909ALTA.dwg
Author:	SRA
Last Saved by:	scott
Page	1 of 1