ALTA/NSPS LAND TITLE SURVEY

TOTAL AREA: 444,113 SQ. FT. - 10.20 ACRES

LIST OF EASEMENTS & PROVISIONS FROM TITLE COMMITMENT

(FROM COMMITMENT NO. NCS-863692-PHX1 – SCHEDULE B – SECTION TWO)

11. FINDING, DETERMINATION, AND DECLARATION BY THE STATE HIGHWAY COMMISSION OF WISCONSIN AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED JANUARY 2, 1952 IN VOLUME 678 ON PAGE 593. (AFFECTS PROPERTY, ABUTS WEST SIDE OF SOUTH KOELLER STREET, A GENERAL REQUIREMENT FOR ACCESS)

12. RIGHT-OF-WAY GRANT AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED NOVEMBER 12, 1949 IN VOLUME 623 ON PAGE 537 AS DOCUMENT NO. 168660.PARTIAL RELEASE OF EASEMENT ABOVE WAS RECORDED SEPTEMBER 15, 1981 AS DOCUMENT NO. 568246. (AFFECTS PROPERTY, AS PLOTTED)

13. RIGHT-OF-WAY GRANT AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED JULY 5, 1956 IN VOLUME 813 ON PAGE 359 AS DOCUMENT NO. 235645. PARTIAL RELEASE OF EASEMENT ABOVE WAS RECORDED SEPTEMBER 15, 1981 AS DOCUMENT NO. 568246. (AFFECTS PROPERTY, AS PLOTTED)

14. TRANSMISSION LINE EASEMENT AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED NOVEMBER 4, 1963 IN VOLUME 1054 ON PAGE 270 AS DOCUMENT NO. 315550. (AFFECTS PROPERTY, AS PLOTTED)

15. TRANSMISSION LINE EASEMENT AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED FEBRUARY 9, 1967 IN VOLUME 1166 ON PAGE 138 AS DOCUMENT NO. 355425. SAID EASEMENT WAS ASSIGNED TO AMERICAN TRANSMISSION COMPANY, LLC BY DOCUMENT RECORDED JANUARY 3, 2001, AS DOCUMENT NO. 1115349. (AFFECTS PROPERTY, AS PLOTTED)

16. EASEMENT AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED OCTOBER 19, 1979 AS DOCUMENT NO. 541908. (AFFECTS PROPERTY, AS PLOTTED)

17. EASEMENT AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED APRIL 2, 1980 AS DOCUMENT NO. 547786. (AFFECTS PROPERTY, AS PLOTTED)

18. COVENANTS, CONDITIONS, RESTRICTIONS, TERMS AND PROVISIONS CONTAINED IN EASEMENT AGREEMENT AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED JULY 3, 1981 AS DOCUMENT NO. 565656. (AFFECTS PROPERTY, AS PLOTTED)

19. NATURAL GAS TRANSMISSION LINE EASEMENT AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED MARCH 27, 1984 AS DOCUMENT NO. 607707. (DOES NOT AFFECT PROPERTY, AS PLOTTED)

20. WATERMAIN EASEMENT AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED MARCH 27, 1984 AS DOCUMENT NO. 607708. (DOES NOT AFFECT PROPERTY)

21. WATERMAIN EASEMENT AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED NOVEMBER 14, 1984 AS DOCUMENT NO. 621840. (DOES NOT AFFECT PROPERTY)

22. WATERMAIN EASEMENT AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED NOVEMBER 14, 1984 AS DOCUMENT NO. 621841. (DOES NOT AFFECT PROPERTY)

23. TERMS, CONDITIONS, RESTRICTIONS AND PROVISIONS AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED APRIL2, 1980 AS DOCUMENT NO. 547786. SAID DOCUMENT WAS UPHELD IN FINDINGS OF FACT, CONCLUSION OF LAW AND JUDGMENT FILED AS CASE NUMBER 87CV235 AND RECORDED AS DOCUMENT NO. 888105 ON OCTOBER 3, 1994. (BENEFITS PROPERTY, AS PLOTTED)

24. COVENANTS, CONDITIONS, RESTRICTIONS AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED DECEMBER 20, 2002 AS DOCUMENT NO. 1220486. (AFFECTS PROPERTY, BLANKET IN NATURE)

25. DRAINAGE RIGHT AND RIGHTS OF WAY BY REASON OF ANY DRAINAGE DITCHES, FEEDERS, LATERALS AND UNDERGROUND DRAIN TILE OR PIPES THAT MAY BE LOCATED ON THE SUBJECT PREMISES. (AFFECTS PROPERTY, BLANKET IN NATURE)

26. TERMS, CONDITIONS, PROVISIONS AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED NOVEMBER 16, 2009 AS DOCUMENT NO. 1524423. (DOES NOT AFFECT PROPERTY)

27. EASEMENT FOR PUBLIC UTILITIES DISCLOSED BY INSTRUMENT RECORDED ON APRIL 15, 2015 AS DOCUMENT NO. 1685175. (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 SOUTH KOELLER STREET AND "DIRECT" TO MENARD DRIVE, PUBLIC RIGHT OF WAYS AS SHOWN.

POSSIBLE ENCROACHMENTS

1. BUILDING IN UTILITY EASEMENT
2. TRASH ENCLOSURE 0.9' EAST OF LOT LINE
3. BUILDING IN SETBACK
4. CURB 4.7' WEST OF LOT LINE
5. BUILDING IN UTILITY EASEMENT

ZONING INFORMATION

SOURCE OF ZONING INFORMATION: PER JEFF NAU CITY OF OSHKOSH ASSOCIATE PLANNER, PHONE NO. 920-236-5122

CURRENT ZONING CLASSIFICATION IS SMU-PU SURBURBAN MIXED USE WITH PLANNED DEVELOPMENT OVERLAY AND ALLOWS FOR CURRENT USE.

BUILDING SETBACK REQUIREMENTS:
FRONT = 25 FEET
SIDE = 10 FEET
REAR = 25 FEET

BUILDING HEIGHT RESTRICTIONS: 45 FEET

FLOOR SPACE RESTRICTIONS: NONE

PARKING:
REGULAR PARKING SPACES = 349
HANDICAP PARKING SPACES = 14
TOTAL PARKING SPACES = 363

CURRENT PARKING REQUIREMENT IS:
ONE SPACE PER 300 SQ.FT. OF GROSS FLOOR MINIMUM AREA.
1.25 SPACES PER 300 SQ.FT. OF GROSS FLOOR MAXIMUM 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 STEVE GOHDE ASSISTANT DIRECTOR OF PUBLIC WORKS, CITY OF OSHKOSH. PHONE NO. 920-236-5065

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 ON OBSERVED EVIDENCE AND 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. UNDERGROUND UTILITIES WERE NOT MARKED BY A 811 UTILITY LOCATE AT TIME OF SURVEY.

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.

NOTE: THIS SURVEY MAP CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.

NOTE: THERE ARE NO DISCREPANCIES BETWEEN THE BOUNDARY LINES OF THE PROPERTY AS SHOWN ON THIS SURVEY MAP AND AS DESCRIBED IN THE LEGAL DESCRIPTION PRESENTED IN THE TITLE COMMITMENT.

NOTE: THE BOUNDARY LINE DIMENSIONS AS SHOWN ON THIS SURVEY MAP FORM A MATHEMATICALLY CLOSED FIGURE WITHIN +/- 0.1 FOOT.

NOTE: THE BOUNDARY LINES OF THE SUBJECT PROPERTY ARE CONTIGUOUS WITH THE BOUNDARY LINES OF ALL ADJOINING STREETS, HIGHWAYS, RIGHT-OF-WAYS AND EASEMENTS, PUBLIC OR PRIVATE, AS DESCRIBED IN THEIR MOST RECENT RESPECTIVE LEGAL DESCRIPTIONS OF RECORD.

NOTE: IF THE SUBJECT PROPERTY IS COMPRISED OF MULTIPLE PARCELS, THE PARCELS ARE CONTIGUOUS ALONG THEIR COMMON BOUNDARIES AS SHOWN ON THIS SURVEY, AND THAT THERE ARE NO GAPS, STRIPS OR GORES IN SAID PROPERTY.

NOTE: THE POSTED ADDRESS OF 1508, 1510, 1512, 1522, 1530, 1550 & 1564 S. KOELLER STREET WAS OBSERVED AT THE SUBJECT PROPERTY.

SURVEYOR'S CERTIFICATE

To: VEREIT Acquisitions, LLC and its successors and assigns
Cole MT Oshkosh WI, LLC and its successors and assigns
Capital Realty, 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 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 13, 14, 16, 17** and **20** of **Table A** thereof. The field work was completed on **August 24, 2017.**

Date of Plat or Map: August 31, 2017

By: _____
JAMES R. GROTHMAN
Professional Land Surveyor No. 1321
Date: August 31, 2017
~~G.F.A.File: 817-440~~

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

The property described and shown hereon is the same property described in **First American Title Insurance Company, Commitment No. NCS- 863692-PHX1** dated **August 4, 2017.**

LEGAL DESCRIPTION

A part of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 18 North, Range16 East, City of Oshkosh, Winnebago County, Wisconsin, described as follows:

Commencing at the West 1/4 corner of said Section 27; thence South 89°00'49" East along the East - West 1/4 line, 237.00 feet to the point of beginning; thence South 89°00'49" East, continuing along the East - West 1/4 line, 1,086.82 feet; thence North 00°42'03" East, 92.5.58 feet; thence North 88°51'16" West, 1,079.95 feet; thence South 03°22'26" West, 153.01 feet; thence South 00°41'00" West, 12.08 feet; thence South 88°51'16" East, 585.48 feet; thence South 01°08'44" West, 60.00 feet; thence North 88°51'16" West, 398.03 feet; thence South 00°41'00" West, 219.28 feet; thence North 89°19'00" West, 186.96 feet; thence South 00°41'00" West, 482.84 feet to the point of beginning, excepting therefrom that part conveyed in warranty deed recorded October 29, 1982 as Document No. 581967 and less and excepting therefrom those lands described in Document Nos. 1628885 and 1657155.

Being more particularly described as follow:

Commencing at the West Quarter of Section 27;
thence South 89°00'49" East, 237.00 feet to a point in the East right-of-way line of South Koehler Street and the point of beginning;
thence North 00°41'00" East along the East right-of-way line of South Koehler Street, 482.84 feet to the Southwest corner of Parcel 1, Certified Survey Map, No. 919;
thence South 89°19'00" East along the South line of said Parcel 1, 186.96 feet to the Southeast corner thereof;
thence North 00°41'00" East along the East line of said Parcel 1, 219.28 feet to the Northeast corner of said Parcel 1, said point being in the South right-of-way line of Menard Drive;
thence South 88°51'16" East along the South right-of-way line of Menard Drive, 398.03 feet;
thence South 21°18'33" East, 374.54 feet;
thence South 00°43'12" West, 355.46 feet to a point in the East - West Quarter line of said Section 27;
thence North 89°00'49" West along the East - West Quarter line of said Section 27, 725.02 feet to the point of beginning.
Containing 444,113 square feet, (10.20 acres), more or less.

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.

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 SAUK: (608) 644-8877
FAX: (608) 742-0434 E-MAIL: surveying@grothman.com
(RED LOGO REPRESENTS THE ORIGINAL MAP)
DWG: 817-440 FILE NO. 817-440

"ALTA/NSPS LAND TITLE SURVEY"

PREPARED FOR:

THE MATTHEWS COMPANY Inc.®

17220 Newhope Street, Suites 108-110, Fountain Valley, CA 92708
Tel: (714)979-7181 Fax: (714)641-2840
www.thematthewscompany.com

DATE	REVISION	BY
9/8/17	Items 11, 17 & 23 Notations	ALM

VEREIT, Inc.

1508 S. Koeller Street
Oshkosh, WI
(Shops at Market Fair)

SCALE: 1" = 40'	CHKD./AP'VD:
DATE: August 31, 2017	APPROVED:
DWN. BY: A. MAST	STORE NO.
CHKD.BY: J. GROTHMAN	SHEET 2 OF 2

J.N.: 17-08-01-10002