ALTA/NSPS LAND TITLE SURVEY

AGREEMENTS, CONDITIONS, COVENANTS, EASEMENTS AND RESTRICTIONS CONTAINED IN SCHEDULE A, OF FIRST AMERICAN TITLE INSURANCE COMPANY LOAN POLICY NO. 2895829 AND ENDORSEMENT

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.

2. Easements, claims of easements or encumbrances that are not shown in the Public Records.

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.

4. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the public records. (NOT A SURVEY MATTER)

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.

6. The lien of the general real estate taxes for the year 2017 and thereafter. (NOT A SURVEY MATTER)

7. The lien of any special assessments, special taxes or special charges. (NOT A SURVEY MATTER)

8. Mortgage between The Highlands at Mahler Park II LLC, as mortgagor, and United Properties II LLC, as mortgagee, in the original stated principal amount of $4,000,000.00 dated December 22, 2015, recorded January 4, 2016 as Document No. 1704543. (NOT A SURVEY MATTER)

9. Easements and rights incidental thereto in connection with the continued use and right of entrance, maintenance, construction and repair of municipal or utility facilities as may exist underground or overground in or on that portion of the subject premises which were formerly a part of Venetian Way now partially vacated and Dickenson Court now vacated. (SHOWN ON SURVEY)

10. Easement for ingress and egress contained in Easement Agreement by and between Associated Bank, National Association as Trustee of the Ernst Mahler Trust f/b/o Carol Lyon Mahler and as Trustee of the Carol Lyon Grandchildren Trust and VNA Apartments, Inc. recorded June 18, 1997, as Document No. 973353. (SHOWN ON SURVEY)

WISCONSIN
MICHAEL J. FRANK
S-2123
HORTONVILLE, WI
LAND SURVEYOR

12/18/17

11. Covenants, conditions and restrictions contained in Restrictive Covenant executed by Paul J. Hoffman recorded August 17, 1998, as Document No. 1022151. (AFFECTS SUBJECT PROPERTY)

12. Covenants, conditions, restrictions, easements and setback lines contained in Declaration of Covenants and Restrictions for 209 East Bell Street and 1555 Lyon Drive executed by Valley VNA Health Systems, Inc. recorded December 15, 2004, as Document No. 1338735. (AFFECTS SUBJECT PROPERTY)

    Amended by instrument recorded as Document No. 1542308.

13. Drainage Easement Agreement contained in instrument by and between VNA Assisted Living, Inc., a Wisconsin non-profit Corporation, VNA Apartments, Inc., a Wisconsin non-profit Corporation and Valley VNA Health Systems, Inc., a Wisconsin non-stock corporation dated October 5, 2005 and recorded October 7, 2005 as Document No. 1373786. (SHOWN ON SURVEY)

14. The following and other matters shown on Certified Survey Map No. 3185, filed in Volume I of CSM on Page 3185, as Document No. 907388:

    a. Watermain, sanitary sewer and storm sewer easement; (SHOWN ON SURVEY)
    b. Note: Future sidewalks per the City of Neenah Subdivision Ordinance will be required along the South and East sides of Lyon Drive.

    Release of Recorded Easements recorded on June 18, 2010 as Document No. 1542304. (SHOWN ON SURVEY)

15. The following and other matters shown on Certified Survey Map No. 3732, filed in Volume I of CSM on Page 3732, as Document No 974080:

    a. Utility easements; (SHOWN ON SURVEY)
    b. 50' ingress/egress easement to VNA and assigns: (SHOWN ON SURVEY)
    c. Note: Future sidewalks per the City of Neenah Subdivision Ordinance will be required along the South and East sides of Lyon Drive;
    d. Utility Easement Provisions

    Release of Easement recorded on June 18, 2010 as Document No. 1542306. (SHOWN ON SURVEY)

16. Matters as shown on Certified Survey Map No. 5834 and as shown on Certified survey Map No. 6421 and as shown on Certified Survey Map No. 7187. (SHOWN ON SURVEY)

17. Shared Driveway Agreement for Mutual Access by and between The Highlands at Mahler Park LLC, Valley VNA Health Systems, Inc., VNA Apartments, Inc. and VNA Assisted Living, Inc. recorded December 20, 2005 as Document No. 1382079. (SHOWN ON SURVEY)

18. Restrictive Covenant recorded December 20, 2005 as Document No. 1382080. (AFFECTS SUBJECT PROPERTY)

19. Detention Pond Easement and Cost Sharing Agreement recorded December 20, 2005 as Document No. 1382081. (SHOWN ON SURVEY)

20. Easement to Accommodate Zero Lot Line Variance recorded December 1, 2009 as Document No. 1525713. (SHOWN ON SURVEY)

21. Term and provision of Easement Agreement recorded December 1, 2009 as Document No. 1525714. (SHOWN ON SURVEY)

22. Easement for public utilities disclosed by instrument recorded on December 9, 2015 as Document No. 1702995. (SHOWN ON SURVEY)

23. NOTE: Prior year 2016 tax data: General Tax $22,945.00; Lottery Credit $0.00; 1st Dollar Credit $53.92; Special Assessment $0.00; Total Net General and Special Taxes $22,891.08 --- "PAID" (as to 809-1708-03). (NOT A SURVEY MATTER)

24. NOTE: Prior year 2016 tax data: General Tax $2,608.44; Lottery Credit $0.00; 1st Dollar Credit $0.00; Special Assessment $0.00; Total Net General and Special Taxes $2,608.44 --- "PAID" (as to 809-1708-04) (NOT A SURVEY MATTER)

REVISIONS

SCHULER & ASSOCIATES, INC.
LAND SURVEYORS & ENGINEERS
2711 N. MASON STREET, Suite F APPLETON, WI 54914-2126 (920) 734-9107

ALTA/NSPS LAND TITLE SURVEY
THE HIGHLANDS AT MAHLER PARK LLC
1555 LYON DRIVE, NEENAH, WI 54956
CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN
OWNER/POSSESSOR: THE HIGHLANDS AT MAHLER PARK LLC
860 W. Ridgeview Drive, Appleton, WI 54911

DRAWN MJF
DATE 11/28/17
SCALE 1"=40'
JOB NO. 34971ALTA-1
SHEET 2 OF 2 SHEET

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