

Description per Exhibit A of Commitment Number 3167321, Issuing Office File Number 3167321, Issued by First American <u>Title Insurance Company - Evans Title Division, Commitment date September 08, 2023 at 8:00 a.m.:</u>

Lot One (1), Certified Survey Map No. 7042 filed in the Office of the Register of Deeds for Winnebago County, Wisconsin on December 21, 2015, in Volume 1 on Page 7042, as Document No. 1703900, being all of Lots Two (2) and Three (3) of Certified Survey Map No. 6232, as recorded in Volume 1 of Maps on Page 6232, as Document No. 1472410, located in the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 8, Township 20 North, Range 17 East, Village of Fox Crossing, Winnebago County, Wisconsin.

APN: 121-0236-03-01

Address: 1265 West American Drive, Neenah, WI 54956

Items 11-27 of Schedule B, Part II-Exceptions of Commitment Number 3167321, Issuing Office File Number 3167321, Issued by First American Title Insurance Company — Evans Title Division, Commitment date September 08, 2023 at 8:00 a.m.:

- 11. Easement for public utilities disclosed by instrument recorded on August 4, 2021 as Document No. 1859256. [AFFECTS SUBJECT PROPERTY - LOCATION SHOWN ON SURVEY MAP]
- 12. Development Improvement Agreement recorded on May 11, 2005 as Document No. 1354463.
- [AFFECTS A PORTION OF SUBJECT PROPERTY LYING WITHIN LOT 3 CSM No. 5588-PARCEL 1 OF DOCUMENT]
- 13. Development Improvement Agreement Recorded: January 5, 2000 As Document No. 1083344. [AFFECTS A PORTION OF SUBJECT PROPERTY LYING WITHIN CSM No. 5588]
- 14. Resolution: Special Assessment for the Construction of Olde Buggy Drive Extension and Alex Court Construction Recorded: November 27, 2000 Document No. 1112451. [DOES NOT AFFECT SUBJECT PROPERTY]
- 15. Resolution: Final Special Assessment Construction of Olde Buggy Drive Extension Recorded: November 27, 2000 Document No. 1112453. [DOES NOT AFFECT SUBJECT PROPERTY]
- 16. Utility Easement to Wisconsin Telephone Company and The American Telephone and Telegraph Company of Wisconsin Recorded: March 4, 1930 Volume/Jacket/Reel: 382 Page/Image: 230.
- [BLANKET TYPE EASEMENT, COULD NOT BE SPECIFICALLY LOCATED] 17. Easement for public utilities disclosed by instrument recorded November 11, 2002 as Document No. 1212004.
- As shown on ALTA/ACSM Survey prepared November 17, 2015 by David M. Schmalz surveyor for McMahon, Project No. M0018 9-15-00592.04. [AFFECTS SUBJECT PROPERTY - LOCATION SHOWN ON SURVEY MAP]
- 18. The following Notes on Certified Survey Map No. 5588:
 - "Shared or regional stormwater facilities may be required for Lot 2. The stormwater facilities shall meet Town of Menasha Municipal Code Chapter 31 in its entirety. A 5' wide concrete sidewalk shall be required in Town right—of—way along the West American Drive frontages of Lots 1, 2 and 3 per Town of Menasha Municipal Code Chapter 6.28". [AFFECTS A PORTION OF SUBJECT PROPERTY LYING WITHIN LOT 3 CSM No. 5588]
- 19. Right of way for drainage ditches, feeders, laterals, and underground drain tile or pipes, if any.
- 20. Reservations for easements, building setback lines and other matters shown on the recorded plat or certified survey map of the subject property referred to in Schedule A herein. [AFFECTS SUBJECT PROPERTY - LOCATION SHOWN ON SURVEY MAP]
- 21. Use and maintenance of Detention Pond designated on CSM No. 6232 As shown on ALTA/ACSM Survey prepared November 17, 2015 by David M. Schmalz surveyor for McMahon, Project No. M00189-15-00592.04. [AFFECTS SUBJECT PROPERTY, LOCATION SHOWN ON SURVEY MAP]
- 22. The Plat of Survey prepared by David M. Schmalz WI Professional Land Surveyor (S-1284) of McMahon Engineers/Architects, dated November 17, 2015 as Project No. M0018 9-15-00592.04, discloses the following:
 - a) Easement rights, if any, for buried Fiber Optic Cable;
 - b) Easement rights, if any, for buried Electric Cable;
 - c) Easement rights, if any, for buried Telephone Cable; d) Easement rights, if any, for existing Water Main;
 - e) Easement rights, if any, for existing Sanitary Sewer and Manholes.
 - [AFFECTS SUBJECT PROPERTY-LOCATION SHOWN ON SURVEY MAP]
- 23. The policy when issued will contain a stipulation to the effect that it guarantees nothing with respect to any changes which may have been made in the location of fences or improvements since November 17, 2015, unless the plat of survey in our possession prepared by David M. Schmalz under said date is recertified down to date and shows no changes.
- 24. Terms, covenants and conditions as set forth in instrument recorded December 23, 2015 as Document No. 1704037. [AFFECTS SUBJECT PROPERTY - LOCATION SHOWN ON SURVEY MAP]
- 25. Terms, covenants and conditions as set forth in instrument recorded December 23, 2015 as Document No. 1704038. [AFFECTS SUBJECT PROPERTY - LOCATION SHOWN ON SURVEY MAP]
- 26. Ingress Egress Easement Agreement recorded on February 7, 2017 as Document No. 1733496. [BENEFITS SUBJECT PROPERTY - LOCATION SHOWN ON SURVEY MAP]
- 27. Sanitary Sewer and Water Line Easement Agreement recorded on February 7, 2017 as Document No. 1733497. [BENEFITS SUBJECT PROPERTY - LOCATION SHOWN ON SURVEY MAP]

TABLE A NOTES:

- MONUMENTS SET OR FOUND AS SHOWN ON THE SURVEY MAP.
- ADDRESS OF SURVEYED PROPERTY: 1265 WEST AMERICAN DRIVE NEENAH, WI 54956
- 3. THE SUBJECT PROPERTY IS MAPPED WITHIN ZONE X (UNSHADED) PER F.E.M.A. MAP NUMBER 55139C0105E, COMMUNITY NAME -WINNEBAGO COUNTY (550537) [NOW KNOWN AS THE VILLAGE OF FOX CROSSING (550638)] WITH AN EFFECTIVE DATE OF MARCH 17, 2003.
- GROSS LAND AREA SHOWN ON SURVEY MAP.
- 6a. THE PROPERTY IS CURRENTLY ZONED M-1: MIXED-USE DISTRICT PER THE PROVIDED ZONING VERIFICATION LETTER FROM THE VILLAGE
- OF FOX CROSSING. 7(a) EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL SHOWN ON THE SURVEY MAP.
- 7(b)(1) SQUARE FOOTAGE OF THE EXTERIOR FOOTPRINT OF ALL BUILDINGS AT GROUND LEVEL SHOWN ON THE SURVEY MAP.
- 7(C) THE MEASURED HEIGHT OF ALL BUILDINGS SHOWN ON THE SURVEY MAP.
- SUBSTANTIAL VISIBLE GROUND FEATURES SHOWN ON THE SURVEY MAP.
- PARKING STALLS OBSERVED WITHIN THE BOUNDARIES OF THE PROPERTY: 145 REGULAR STALLS & 16 HANDICAP STALLS.
- 10. NO DIVISION OR PARTY WALLS DESIGNATED BY THE CLIENT.
- 11(a) NO PLANS AND/OR REPORTS OF UNDERGROUND UTILITIES WERE PROVIDED BY THE CLIENT.
- 11(b) UNDERGROUND UTILITIES SHOWN HEREON WERE LOCATED FROM FIELD MARKINGS PROVIDED BY DIGGERS HOTLINE. DIGGERS HOTLINE 3 DAY LOCATE WAS REQUESTED ON 09/07/2023 BY TICKET NUMBER 2023613115, SEE NOTES.
- 13. NAMES OF ADJOINING OWNERS PER WINNEBAGO COUNTY GIS MAPPING SHOWN ON SURVEY MAP.
- 14. CHRISTOPHER DRIVE IS THE NEAREST INTERSECTING STREET WHICH IS APPROXIMATELY 80 FEET NORTH OF THE NORTHEAST CORNER OF THE SUBJECT PROPERTY.
- 16. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
- 18. PLOTTABLE OFFSITE EASEMENTS DISCLOSED IN DOCUMENTS WITHIN COMMITMENT NUMBER 3167321. ISSUING OFFICE FILE NUMBER 3167321, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY — EVANS TITLE DIVISION, COMMITMENT DATE SEPTEMBER 08, 2023 AT 8:00 A.M. ARE SHOWN ON THE SURVEY MAP. NO VISIBLE SITE FEATURES WERE FIELD LOCATED OR SHOWN ON THIS MAP FOR OFFSITE EASEMENTS.

NOTES:

- 1. THE BOLD TEXT SHOWN IN PARENTHESES AS "IXXXXXXXXI" ON THIS SURVEY MAP WITHIN THE EXCEPTIONS FROM COVERAGE ARE ADDITIONAL NOTES ADDED BY THE LAND SURVEYOR.
- 2. UNDERGROUND UTILITY INFORMATION AS SHOWN ON THIS SURVEY HAS BEEN OBTAINED FROM PREVIOUS SURVEY WORK AND ACTUAL FIELD VISUAL LOCATION, MARKINGS BY DIGGERS HOTLINE 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. (DIGGERS HOTLINE 3 DAY LOCATE WAS REQUESTED ON 09/07/2023 BY TICKET NUMBER 2023613115). NO OTHER DIGGERS TICKETS OR FIELD LOCATES FOR UNDERGROUND FACILITIES WERE PERFORMED FOR THIS SURVEY.
- 3. EXCEPTIONS FROM COVERAGE PER SCHEDULE B, PART II-EXCEPTIONS OF COMMITMENT NUMBER 3167321, ISSUING OFFICE FILE NUMBER 3167321, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY - EVANS TITLE DIVISION, COMMITMENT DATE SEPTEMBER 08, 2023 AT 8:00 A.M. SHOWN ON SURVEY MAP. THERE MAY BE ADDITIONAL ITEMS AFFECTING THE SUBJECT PROPERTY RECORDED AFTER THE COMMITMENT DATE WHICH ARE NOT BEING SHOWN ON THIS SURVEY MAP.

ZONING NOTES FROM ALTA/ACSM LAND TITLE BY McMAHON ASSOCIATES, INC. DATED NOVEMBER 17, 2015:

M-1 Mixed-use district

Lot size, minimum: 15,000 sq. ft. for a sewered lot; 30,000 sq. ft. for an unsewered lot

Lot size, maximum none Lot width, minimum: 85 ft. for a sewered lot; 100 ft. for an unsewered lot Road frontage, minimum: 75 ft. for a sewered lot; 100 ft. for an unsewered lot

Floor area ratio, maximum: none Separation between detached buildings, minimum: 10 ft.

<u>Yard setback</u> Street yard, minimum: 30 ft., except where corner lot, then 30 ft. on one side and 15 ft. on the other Side yard, minimum: 7 ft. on one side and 10 ft. on the other for a principal building; 3 ft. for a detached accessory building or 5 ft. from an alley

Rear yard minimum: 25 ft. for a principal building; 3 feet for a detached

accessory building or 5 ft. from an alley Building height Principal building, maximum: 45 ft. Accessory building, maximum: 18 ft. <u>Floor area</u> Principal building, minimum: none Accessory buildings, maximum: none

Number of accessory buildings, maximum: none



ALTA/NSPS LAND TITLE SURVEY VILLAGE OF FOX CROSSING, WINNEBAGO COUNTY, WI WIU HOLDINGS, LLC - 1265 WEST AMERICAN DRIVE

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