

# **ALTA/NSPS Land Title Survey**

Part of Parcels 36 and 37 of Transportation Project Plat 1517-07-21-4.11, Amendment No. 3, recorded as Document No. 1708643, Winnebago County records, and part of Lot 1, Volume 1 of Certified Survey Maps, Page 2875 as Document No. 869871, Winnebago County Records; being located in part of the Southeast 1/4 of the Southeast 1/4, Section 10, T20N-R17E; formerly the Town of Menasha, now being part of the City of Menasha and part of the Village of Fox Crossing, Winnebago County, Wisconsin, more fully described below.

#### LEGAL DESCRIPTION PER TITLE COMMITMENT

#### Parcel 1:

That part of the Southeast 1/4 of the Southeast 1/4 of Section Ten (10), Township Twenty (20) North, Range Seventeen (17) East, City of Menasha (formerly Town of Menasha), Winnebago County, Wisconsin, described as follows, viz: commencing at a point that is 538 feet North and 660 feet West of the Southeast corner of said Section 10, the place of beginning; thence North 146 feet; thence East to the Westerly line of County Trunk Highway "P"; thence Southwesterly along the Westerly line of said Highway to a point due East of the point of beginning; thence due West to the place of beginning.

For informational purposes only: tax parcel no. 710078202

#### Parcel 2:

Lot 1 of Certified Survey Map No. 2875 recorded in the office of the Register of Deeds for Winnebago County, Wisconsin on March 15, 1994, in Volume 1 of Certified Survey Maps, Page 2875 as Document No. 869871, said Certified Survey Map being a part of the Southeast 1/4 of the Southeast 1/4 of Section 10, Township 20 North, Range 17 East, in the City of Menasha (formerly Town of Menasha), Winnebago County, Wisconsin. For informational purposes only: tax parcel no. 710078600

#### Daroal 3:

All that part of the Southeast 1/4 of the Southeast 1/4 of Section 10, Township 20 North, Range 17 East, in the City of Menasha (formerly Town of Menasha), Winnebago County, Wisconsin, described as follows:

Beginning at a point 377 feet North and 660 feet West of the Southeast corner of Section 10; thence North 161 feet; thence East to the West line of County Trunk Highway "P" (formerly Highway No. 41); thence Southwesterly along the Westerly line of said Highway 113.6 feet; thence West 172.45 feet; thence South 75 feet; thence West 176.8 feet to the place of beginning.

For informational purposes only: tax parcel no. 121032902

# LEGAL DESCRIPTION PER SURVEY

#### PARCEL 1

Part of Parcel 37 of Transportation Project Plat 1517-07-21-4.11, Amendment No. 3, recorded as Document No. 1708643, Winnebago County records; being located in part of the Southeast 1/4 of the Southeast 1/4, Section 10, T20N-R17E; formerly the Town of Menasha, now being part of the City of Menasha, Winnebago County, Wisconsin, more fully described as follows:

Commencing at the Southeast Corner of Section 10, T20N-R17E; thence N88°50'48"W, 660.00 feet along the South Line of the Southeast 1/4 of the Southeast 1/4 of said Section 10 to the Southwest Corner of the East 1/2 of said Southeast 1/4 of said Southeast 1/4; thence N0°25'19"E, 679.96 feet along the West Line of said East 1/2 to a found iron rod and the Point of Beginning; thence S89°33'42"E, 0.86 feet to a found iron rod and the Southwest Corner of Lot 1, Volume 1, Certified Survey Maps, Page 2875, Map Number 2875, Document Number 869871, Winnebago County Records; thence S88°51'14"E, 219.81 feet to the Westerly Right-of-Way of Racine Road; thence S5°24'30"W, 143.80 feet along said Right-of-Way; thence N89°33'32"W, 208.16 feet to said West Line of said East 1/2; thence N0°25'19"E, 145.97 feet along said West Line to the Point of

# Parcel contains 31,017 square feet / 0.71 acres, more or less. Parcel subject to easements and restrictions of record.

# PARCEL 2 (LOT 1 CSM 2875)

Part of Parcel 37 of Transportation Project Plat 1517-07-21-4.11, Amendment No. 3, recorded as Document No. 1708643, Winnebago County records, and part of Lot 1, Volume 1 of Certified Survey Maps, Page 2875 as Document No. 869871, Winnebago County Records; being located in part of the Southeast 1/4 of the Southeast 1/4, Section 10, T20N-R17E; formerly the Town of Menasha, now being part of the City of Menasha, Winnebago County, Wisconsin, more fully described as follows:

Commencing at the Southeast Corner of Section 10, T20N-R17E; thence N88°50'48"W, 660.00 feet along the South Line of the Southeast 1/4 of the Southeast 1/4 of said Section 10 to the Southwest Corner of the East 1/2 of said Southeast 1/4 of said Southeast 1/4; thence N0°25'19"E, 679.96 feet along the West Line of said East 1/2 to a found iron rod; thence S89°33'42"E, 0.86 feet to a found iron rod and the Southwest Corner of Lot 1, Volume 1, Certified Survey Maps, Page 2875, Map Number 2875, Document Number 869871, Winnebago County Records, and the Point of Beginning; thence N0°46'23"E, 230.95 feet along the West Line of said Lot 1 to a found iron rod and the Northwest Corner of said Lot 1, also being the Southern Right-of-Way of U.S.H. 10 and S.T.H. 441 entrance/exit ramps; thence S88°51'14"E, 87.78 feet along the North Line of said Lot 1 and said Southern Right-of-Way to a found iron pipe; thence S57°21'16"E, 102.26 feet along the Southerly Right-of-Way of Racine Road to a found iron pipe; thence S22°53'01"E, 125.34 feet along said Westerly Right-of-Way of Racine Road to the South Line of said Lot 1; thence N88°51'14"W, 219.81 feet along said South Line to the Point of Beginning.

Parcel contains 43,898 square feet / 1.01 acres, more or less. Parcel subject to easements and restrictions of record.

#### (LEGAL DESCRIPTION PER SURVEY, CONTINUED)

#### PARCEL 3

Part of Parcel 36 of Transportation Project Plat 1517-07-21-4.11, Amendment No. 3, recorded as Document No. 1708643, Winnebago County records; being located in part of the Southeast 1/4 of the Southeast 1/4, Section 10, T20N-R17E; formerly the Town of Menasha, now being part of the Village of Fox Crossing, Winnebago County, Wisconsin, more fully described as follows:

Commencing at the Southeast Corner of Section 10, T20N-R17E; thence N88°50'48"W, 660.00 feet along the South Line of the Southeast 1/4 of the Southeast 1/4 of said Section 10 to the Southwest Corner of the East 1/2 of said Southeast 1/4 of said Southeast 1/4; thence N0°25'19"E, 372.96 feet along the West Line of said East 1/2 to a found iron pipe and found iron rod and the Point of Beginning; thence continuing N0°25'19"E, 161.03 feet along said West Line; thence S89°33'32"E, 208.16 feet to the Westerly Right-of-Way of Racine Road; thence S5°24'30"W, 16.00 feet along said Right-of-Way to a found iron pipe; thence S6°36'41"W, 70.49 feet along said Right-of-Way; thence N89°33'47"W, 22.30 feet; thence S0°26'17"W, 75.00 feet; thence N89°33'43"W, 176.85 feet to the Point of Beginning.

Parcel contains 30,798 square feet / 0.71 acres, more or less. Parcel subject to easements and restrictions of record.

This being the same property as described in First American Title Insurance Company, Title Commitment Number NCS-1154780-MKE, dated November 8, 2022.

To: Bravehart Development, LLC; First American Title Insurance Company National Commercial Services; State of Wisconsin, Department of Transportation:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 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, 11(b), and 16 of Table A thereof.

The field work was completed on January 20, 2023.

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## GENERAL NOTES

- Bearings referenced to the West Line of the Southwest 1/4, Section 20, T23N-R22E, assumed to be N0°32'23"W.
- 2) The County Monuments used in this survey are shown and their ties have been found and verified and/or Winnebago County Planning and Zoning Department has been notified of any discrepancies.

## TABLE A NOTES

- Major corners of boundary are marked as shown on the survey.
- 2) The address of the subject parcel is listed as 976 Racine Road and 493 Green Acres Drive, Menasha, Wisconsin, according to the Commitment for Title Insurance as provided to the Surveyor.
- 3) According to FEMA FIRM Map Number 55139C0105E, dated March 17, 2003, the property is located in Food Zone "X" (areas of minimal flooding).
- Parcel contains 105,713 square feet / 2.43 acres, more or less, to the Southern and Western Right-of-Ways.
- 11(b) Diggers Hotline had been called on this project on December 21, 2022, with ticket numbers 20225202877, 20225202884, and 20225202894; and planning-prints ticket numbers 20225202878, 20225202886, and 20225202895. Mau & Associates, LLP accepts no responsibility for existing utilities not marked by Diggers Hotline.
- 16) Evidence of recent earth moving work, building construction, or building additions have not been observed while conducting fieldwork.

#### SCHEDULE B-II NOTES

- 10) Easements, dedications, reservations, provisions, relinquishments, recitals, certificates, and any other matters as provided for or delineated on Certified Survey Map No. 2875 recorded March 15, 1994 in Volume 1, Page 2875 as Document No. 869871 referenced in the legal description contained herein. Reference is hereby made to said plat for particulars. (affects Parcel 2) (as shown on Survey)
- Utility Easement to Wisconsin Electric Power Company, dated March 10, 1987, recorded/filed April 03, 1987 as Document No. 676614. (as shown on Survey)
- 12) Covenants, Conditions and Restrictions as set forth in Warranty Deed recorded in March 21, 2001 as Document No. 1122276 of Official Records, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c). (Affects Parcels 1 and 2) (subject property not to be used as a convenience store and/or gas station unless specific events occur as listed in Document 1122276)
- Holding Tank Agreement upon the terms, conditions and provisions contained therein: Dated: November 01, 2001

Parties: James C. Appleton Recorded: December 20, 2001

Instrument No.: 1160729
(Affects Parcel 3) (Holding tank and water meter must be properly maintained and serviced until parcel is served by municipal sewer system)

- 14) Utility Easement to Menasha Utilities, dated September 25, 2007, recorded/filed September 27, 2007 as Document No. 1449329. (Affects Parcel 1) (as shown on Survey)
- 15) Transportation Project Plat No. 1517-07-21 4.11 recorded February 10, 2014 as Document No. 1657786.

Modification and/or amendment by instrument: Transportation Project Plat No. 1517-07-21 - 4.11

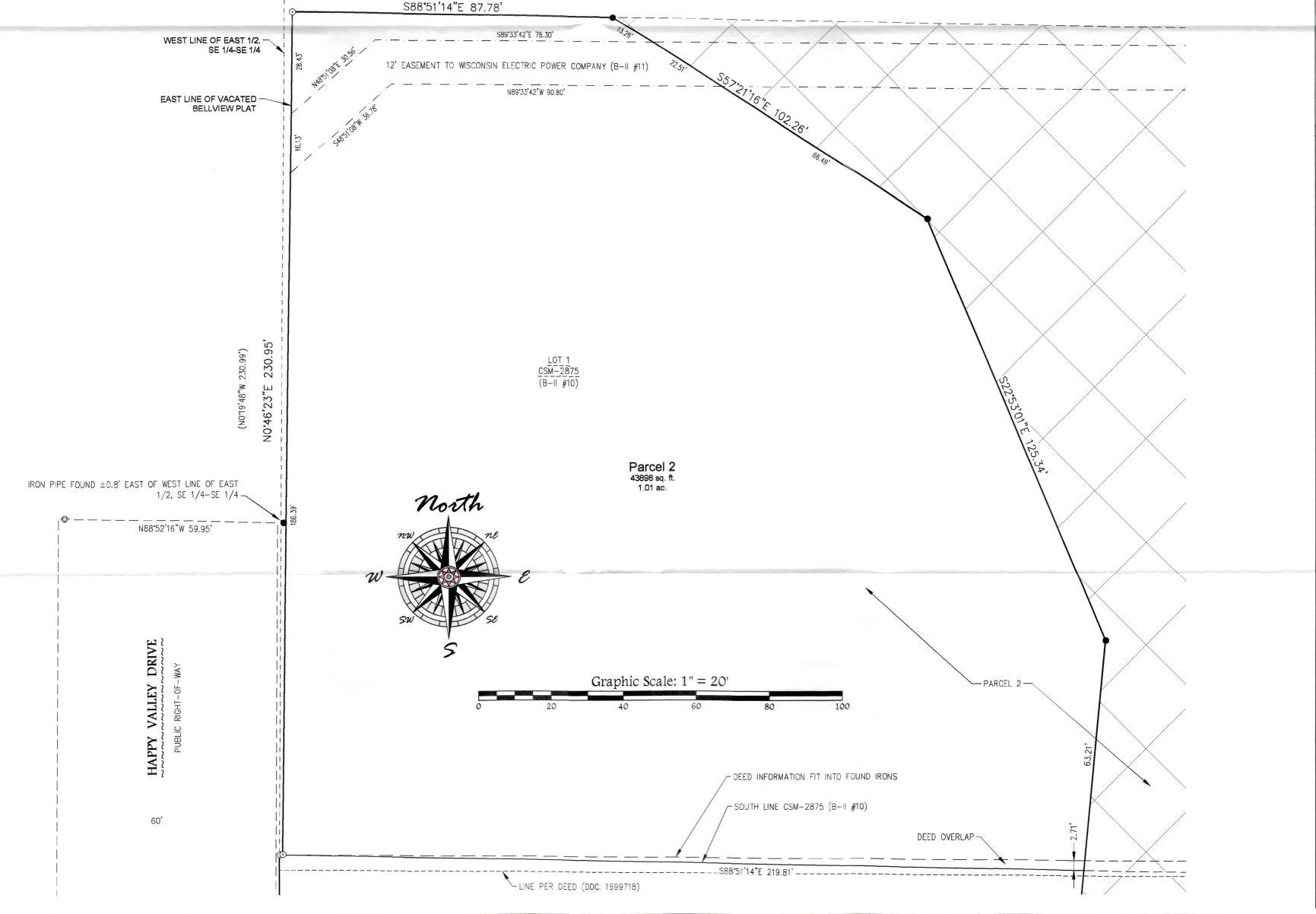
Amendment No. 1, Recording Information: April 23, 2015 as Document No.

1685801
Modification and/or amendment by instrument: Transportation Project Plat No. 1517-07-21 - 4.11
Amendment No. 3, Recording Information: March 10, 2016 as Document

No. 1708643
Affidavit of Correction Transportation Project Plat recorded July 16, 2020 as Document No. 1822569.

(as shown on Survey)

- 16) Easement as set forth in Quit Claim Deed by Utility recorded September 15, 2014 as Document No. 1671977. (as shown on Survey)
- 17) Conveyance of Rights in Land recorded December 19, 2014 as Document No. 1678302. (as shown on Survey)
- 18) Conveyance of Rights in Land recorded September 14, 2015 as Document No. 1696991. (as shown on Survey)
- 19) Ordinance to Accomplish Boundary Line Change Referenced in Intergovernmental Cooperation Agreement entered into on August 17, 2016 recorded October 28, 2016 as Document No. 1726562. (Affects Parcel 3) (municipal boundaries shown on Survey)



# SHEET NO. 2 of 2 DRAWING NO. P-2541

File: B-19422ALTA 011323.dwg

TAX PARCEL NOS. 710078202,710078600, 121032902