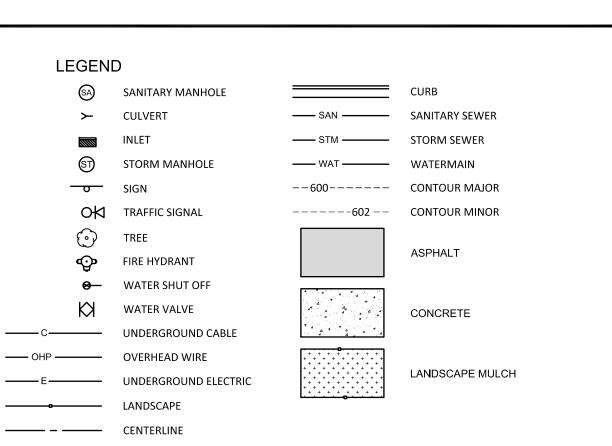
# ALTA/NSPS

# LAND TITLE SURVEY



LEGEND

(°)

CULVER1

1" IRON PIPE FOUND

CHISELED CROSS FOUND

CHISELED NOTCH FOUND

SAW CROSS SET

CABLE PEDESTAL

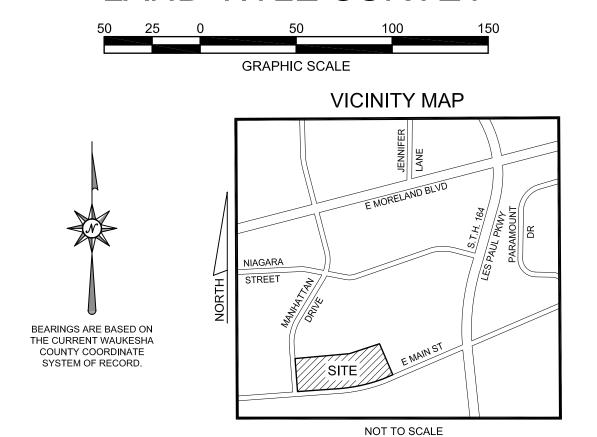
ELECTRIC MANHOL

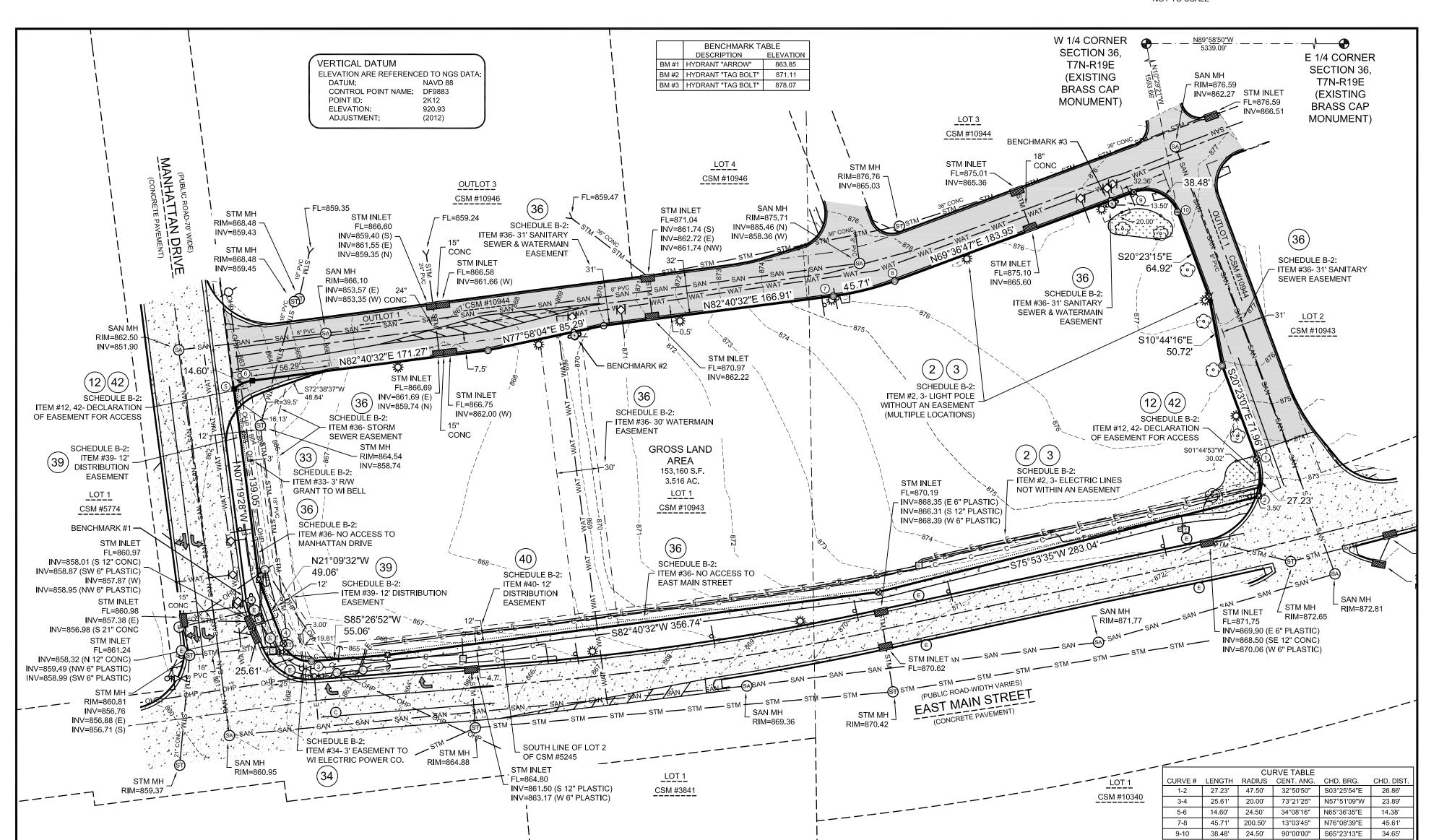
ELECTRIC METER

LIGHT POLE

POWER POLE

GAS VALVE





## SURVEYOR'S NOTES-TITLE COMMITMENT FILE #NCS-927241-MAD

THE PROPERTY DOES NOT HAVE DIRECT PHYSICAL ACCESS TO EAST MAIN STREET OR MANHATTAN DRIVE, PUBLIC RIGHT OF WAYS. THE PROPERTY HAS PHYSICAL ACCESS TO THE OUTLOT 1 OF CSM #10944, WHICH PROVIDES AN EASEMENT FOR INGRESS-EGRESS TO THE ADJOINING LOTS.

THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND WAS MADE IN ACCORDANCE WITH LAWS AND/OR MINIMUM STANDARDS OF THE STATE OF WISCONSIN.

3. THE PROPERTY DESCRIBED HEREON HAS THE STREET ADDRESS AS FOLLOWS: LOT 1 CSM #10943, I. THE PREMISES IS MADE UP OF TAX PARCEL NUMBER WAKC1007041 AND COVERS THE PREMISES IN ITS

5. THERE ARE A TOTAL OF 0 STRIPED PARKING STALLS ON THE PROPERTY.

6. UTILITIES SHOWN PER DIGGERS HOTLINE TICKET #20185004461.

ENTIRETY AND DOES NOT INCLUDE ANY OTHER LAND.

THERE WAS NO EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR ADDITIONS AT THE TIME OF THE FIELD WORK.

### SURVEYOR CERTIFICATION THIS BEING THE SAME PROPERTY AS DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-927241-MAD, DATED OCTOBER 02, 2018. BDP WAUKESHA LLC; WOODMAN'S FOOD MARKET, INC.;

/ RANDALE J.

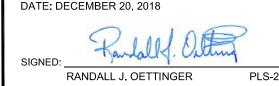
OETTINGER

\$-2349

Green Bay.

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

INCLUDESITEMS 1, 2, 4, 5, 8, 9, 11 & 16 OF TABLE THEREOF. THE FIELD WORK WAS COMPLETED ON DECEMBER 19, 2018.



# SCHEDULE B-2ITEM 36 (EASEMENT NOTES FROM CSM #10943)

NO BUILDING OR FENCE SHALL BE CONSTRUCTED IN SANITARY, STORM SEWER, DRAINAGE AND WATERMAIN EASEMENTS. NO TREES OR BUSHES WHICH WOULD GROW TO MORE THAN 4' IN HEIGHT SHALL BE PLANTED WITHIN SAID EASEMENTS WITHOUT THE APPROVAL OF THE CITY OF WAUKESHA ENGINEERING DEPARTMENT AND THE WAUKESHA

IN THE EVENT THE WATER UTILITY FINDS IT NECESSARY TO DISTURB THE PREMISES IN THE EXERCISE OF ITS DUTIES AND RESPONSIBILITIES (FUTURE REPAIRS, IF NECESSARY) THE UTILITY AGREES TO RESTORE THE PREMISES OF THE GRANTOR. AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH DISTURBANCE, HOWEVER, NOT INCLUDING THE REPLACEMENT OF PAVEMENT, TREES, SHRUBBERY AND OTHERITEMS EXISTING ON OR WITHIN THE DESCRIBED EASEMENT.

GRADE CHANGES WITHIN THE PERMANENT WATER MAIN EASEMENTS WHICH EXCEED 12" (ONE FOOT) SHALL NOT BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE WAUKESHA WATER UTILITY.

THERE SHALL BE A 10' WIDE TEMPORARY SLOPE EASEMENT ACROSS THE STREET FRONTAGE ON ALL LOTS. SAID EASEMENT NOT TO BE PERMANENTLY IMPROVED AND TO BE IN EFFECT UNTIL SIDEWALK IS INSTALLED.

#### TITLE DESCRIPTION-TITLE COMMITMENT NO. NCS-927241-MAD

LOT ONE (1), CERTIFIED SURVEY MAP NO. 10943 RECORDED ON FEBRUARY 3, 2012 IN VOLUME 106 AT PAGE 283-291 AS DOCUMENT NO. 3891684, BEING A DIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 5245 AND LANDS, LOCATED IN THE SOUTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35 AND THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 19 EAST, CITY OF WAUKESHA.

TOGETHER WITH THE FASEMENTS, COVENANTS AND RESTRICTIONS CONTAINED IN DECLARATION RECORDED JULY 6, 2012 AS DOCUMENT NO. 3931254 AS AMENDED IN AMENDED & RESTATED DECLARATION OF EASEMENTS, COVENANTS & RESTRICTIONS RECORDED SEPTEMBER 13, 2013 AS DOCUMENT NO. 4042116.

TAX PARCEL NO. WAKC1007041 PROPERTY ADDRESS: LOT 1 CSM 10943, WAUKESHA, WI

#### SURVEY DESCRIPTION

SAME AS THE TITLE DESCRIPTION.

#### SCHEDULE B, PART TWO EXCEPTIONS (TITLE COMMITMENT #NCS-927241-MAD)

- ү 1) ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS THAT ARE NOT SHOWN BY THE PUBLIC RECORDS BUT THAT COULD BE ASCERTAINED BY AN INSPECTION ert ert OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION OF THE LAND. (NONE OBSERVED)
- 2) EASEMENTS, CLAIMS OF EASEMENTS OR ENCUMBRANCES THAT ARE NOT SHOWN BY THE PUBLIC RECORDS. (AFFECTS AS SHOWN)
- 3) ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE, INCLUDING DISCREPANCIES, (3) CONFLICTS IN BOUNDARY LINES, SHORTAGE 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. (AFFECTS AS SHOWN)
- (11) 11) RIGHTS OF WAY FOR DRAINAGE DITCHES, TILES, FEEDERS AND LATERALS, IF ANY. (NONE OBSERVED)
- 12) PUBLIC OR PRIVATE RIGHTS IN SUCH PORTION OF THE SUBJECT PREMISES AS MAY BE PRESENTLY USED, LAID OUT OR DEDICATED IN ANY MANNER WHATSOEVER, FOR STREET, HIGHWAY, AND/OR ALLEY PURPOSES. (AFFECTS AS SHOWN)
- 13) TERMS, PROVISIONS AND CONDITIONS SET FORTH IN AGREEMENT DATED DECEMBER 19, 1957 AND RECORDED ON JANUARY 7, 1958, IN VOLUME 760,
- 13) TERMS, PROVISIONS AND CONDITIONS SET FORTH TO PAGE 364, AS DOCUMENT NO. 471461. (DOES NOT AFFECT) 14) CONVEYANCE OF ACCESS RIGHTS SET FORTH IN AWARD OF DAMAGES DATED AUGUST 21, 1962 AND RECORDED ON OCTOBER 31, 1962, IN VOLUME 931, PAGE 1661, AS DOCUMENT NO. 576445. (DOES NOT AFFECT)
- 15) CONVEYANCE OF ACCESS RIGHTS SET FORTH IN INSTRUMENT DATED DECEMBER 4, 1962 AND RECORDED ON JANUARY 30, 1963, IN VOLUME 938, PAGE 517, AS DOCUMENT NO. 581209. (DOES NOT AFFECT)
- 16) CONVEYANCE OF ACCESS RIGHTS SET FORTH IN AWARD OF DAMAGES DATED MAY 25, 1967 AND RECORDED ON FEBRUARY 2, 1968, IN VOLUME 1110,
- 17) EASEMENT GRANTED TO WISCONSIN ELECTRIC POWER COMPANY BY INSTRUMENT DATED FEBRUARY 10, 1969 AND RECORDED ON MARCH 7, 1969, IN 17) VOLUME 1153, PAGE 97, AS DOCUMENT NO. 733816. (DOES NOT AFFECT-SUPERSEDED BY DOCUMENT #2988930,ITEM 24)
- (18) 18) RIGHT OF ACCESS EXCEPTION SET FORTH IN QUIT CLAIM DEED DATED MAY 22, 1969 AND RECORDED ON SEPTEMBER 18, 1969. (DOES NOT AFFECT)
- 19) EASEMENT GRANTED TO WISCONSIN ELECTRIC POWER COMPANY BY INSTRUMENT DATED MARCH 25, 1972 AND RECORDED ON APRIL 17, 1972, IN REEL
- 002, IMAGE 1453, AS DOCUMENT NO. 813302, (DOES NOT AFFECT)
- 20) STORM SEWER & DRAINAGE FACILITY EASEMENT GRANTED TO THE CITY OF WAUKESHA BY INSTRUMENT DATED FEBRUARY 17, 1999 AND RECORDED ON MARCH 31, 1999, IN REEL 2873, IMAGE 115, AS DOCUMENT NO. 2442359. (DOES NOT AFFECT) - FIRST AMENDMENT TO STORM SEWER & DRAINAGE FACILITY EASEMENT RECORDED OCTOBER 28, 2013 AS DOCUMENT NO. 4050876. (DOES NOT AFFECT)
- 21) STORM SEWER EASEMENT DATED JULY 8, 1999 AND RECORDED ON JULY 20, 1999, IN REEL 2942, IMAGE 718, AS DOCUMENT NO. 2485676. (DOES NOT AFFECT)
- AMENDED AND RESTATED ACCESS EASEMENT AGREEMENT RECORDED JUNE 28, 2016 AS DOCUMENT NO. 4214950. (DOES NOT AFFECT) - REALLOCATION OF MAINTENANCE COSTS FOR AMENDED & RESTATED ACCESS EASEMENT AGREEMENT RECORDED SEPTEMBER 19, 2016 AS DOCUMENT NO. 4232213. (AFFECTS PROPERTY-NOT PLOTTABLE)

(22) 22) STORM SEWER EASEMENT DATED JULY 8, 1999 AND RECORDED ON JULY 20, 1999, IN REEL 2942, IMAGE 726, AS DOCUMENT NO. 2485677.

- 23) ACCESS AND DRAINAGE EASEMENT RECORDED ON AUGUST 4, 1999, IN REEL 2953, IMAGE 19, AS DOCUMENT NO. 2490231. (DOES NOT AFFECT)
- 24) DISTRIBUTION EASEMENT OVERHEAD JOINT GRANTED TO WISCONSIN ELECTRIC POWER COMPANY D/B/A WE ENERGIES, AN D/B/A SBC WISCONSIN, DATED MAY 12, 2003 AND RECORDED ON MAY 15, 2003, AS DOCUMENT NO. 2988930. (DOES NOT AFFECT) 24) DISTRIBUTION EASEMENT OVERHEAD JOINT GRANTED TO WISCONSIN ELECTRIC POWER COMPANY D/B/A WE ENERGIES, AND WISCONSIN BELL, INC.,
- 25) TERMS AND PROVISIONS OF AGREEMENT SET FORTH IN INSTRUMENT RECORDED ON FEBRUARY 9, 1949, IN VOLUME 486, PAGE 562, AS DOCUMENT NO. 322740. (DOES NOT AFFECT)
- 26) 5' EASEMENT FOR SIDEWALK AND 15' WIDE TEMPORARY SLOPE EASEMENT AS SET FORTH ON CERTIFIED SURVEY MAP NO. 5245. (DOES NOT AFFECT-EASEMENT FALLS WITHIN THE AREA DEDICATED TO THE CITY OF WAUKESHA FOR PUBLIC ROAD PURPOSES.)
- 27) EASEMENT GRANTED TO WISCONSIN ELECTRIC POWER COMPANY AND WISCONSIN TELEPHONE COMPANY BY INSTRUMENT DATED FEBRUARY 16, 1965 (🛂) AND RECORDED ON MARCH 22, 1965, IN VOLUME 1008, PAGE 491, AS DOCUMENT NO. 631250. (LOCATION CANNOT BE DETERMINED FROM THE RECORD DOCUMENT-REQUIRES ADDITIONAL DOCUMENTS)
- 28) EASEMENT GRANTED TO WISCONSIN ELECTRIC POWER COMPANY AND WISCONSIN TELEPHONE COMPANY BY INSTRUMENT DATED FEBRUARY 16, 1965 (28) AND RECORDED ON MARCH 22, 1965, IN VOLUME 1008, PAGE 506, AS DOCUMENT NO. 631255. (LOCATION CANNOT BE DETERMINED FROM THE RECORD
- 29) EASEMENT GRANTED TO WISCONSIN NATURAL GAS COMPANY BY INSTRUMENT DATED APRIL 6, 1976 AND RECORDED ON APRIL 8, 1976, AS DOCUMENT NO. 945777. (DOES NOT AFFECT)
- 30) EASEMENT GRANTED TO WISCONSIN NATURAL GAS COMPANY BY INSTRUMENT DATED MAY 24, 1976 AND RECORDED ON MAY 25, 1976, AS DOCUMENT NO. 951606. (DOES NOT AFFECT)
- 31) RIGHT OF INGRESS AND EGRESS EXCEPTED TO AND RESERVED IN DEED DATED FEBRUARY 9, 1976 AND RECORDED ON JUNE 2, 1976, I VOLUME 179, 31 PAGE 786, AS DOCUMENT NO. 952570. (DOES NOT AFFECT)
- 32) STORM SEWER EASEMENT GRANTED TO CITY OF WAUKESHA BY INSTRUMENT DATED APRIL 5, 1989 AND RECORDED ON APRIL 20, 1989, IN REEL 1101, IMAGE 95, AS DOCUMENT NO. 1531384. (DOES NOT AFFECT)
- 33) RIGHT-OF-WAY GRANT TO WISCONSIN BELL, INC. SET FORTH IN INSTRUMENT DATED AUGUST 30, 1991 AND RECORDED ON OCTOBER 1, 1991, IN REEL 1355, IMAGE 1073, AS DOCUMENT NO. 1676434. (AFFECTS PROPERTY AS SHOWN)
- 34) EASEMENT GRANTED TO WISCONSIN ELECTRIC FOWER COOKS AND THE SECOND TO SECOND THE SECO ү 34) EASEMENT GRANTED TO WISCONSIN ELECTRIC POWER COMPANY SET FORTH IN INSTRUMENT DATED MARCH 6, 1995 AND RECORDED ON MARCH 30,
- 35) NOTICE OF ACCESS EASEMENT BY PRESCRIPTIVE RIGHTS DATED NOVEMBER 10, 2011 AND RECORDED ON NOVEMBER 10, 2011, AS DOCUMENT NO. 3870852. (DOES NOT AFFECT)
- (36) 36) NOTES, COMMENTS AND EASEMENTS AS SHOWN BY CSM 10943.

PROPERTY-NOT PLOTTABLE)

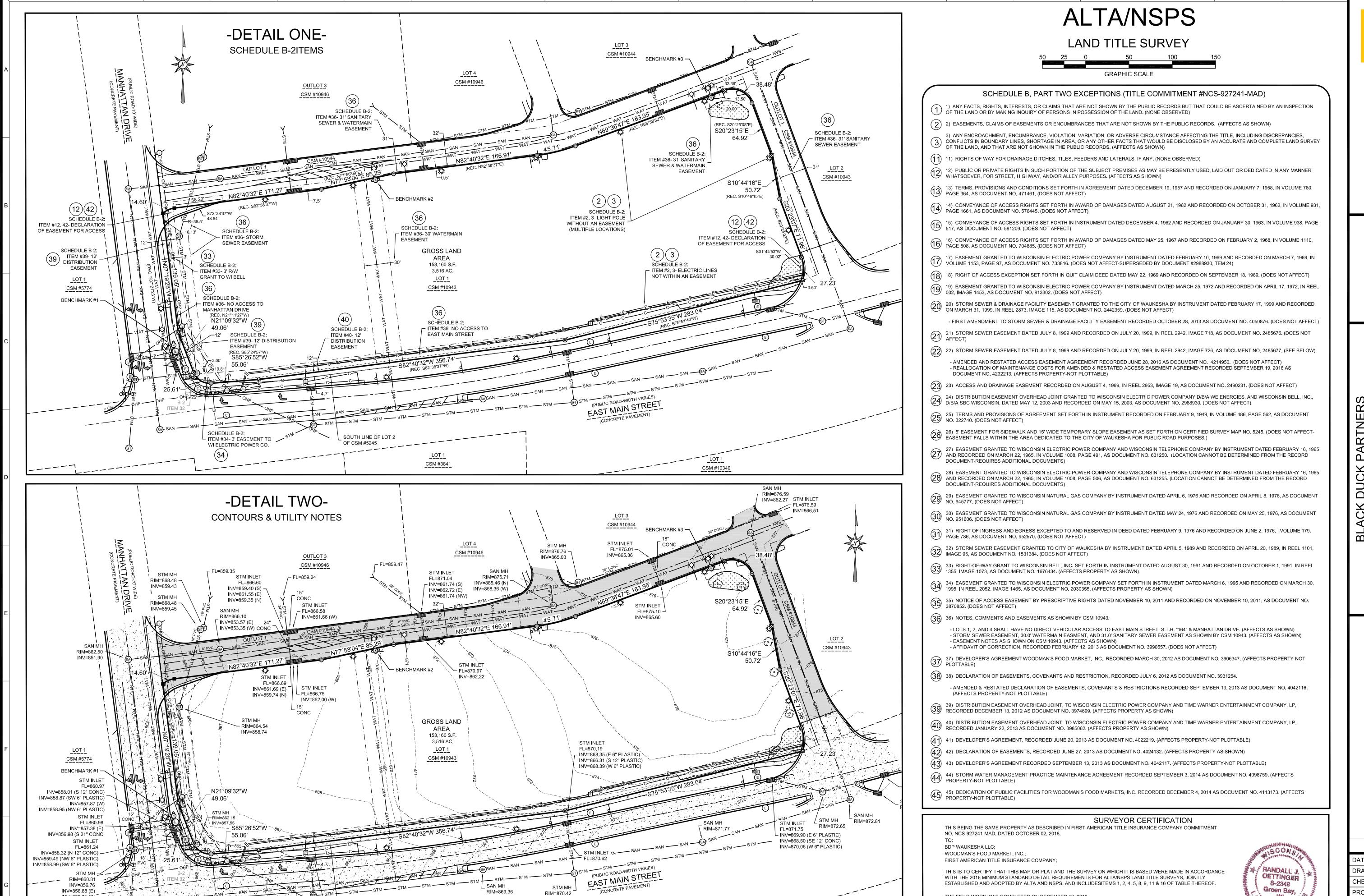
- LOTS 1, 2, AND 4 SHALL HAVE NO DIRECT VEHICULAR ACCESS TO EAST MAIN STREET, S.T.H. "164" & MANHATTAN DRIVE. (AFFECTS AS SHOWN) - STORM SEWER EASEMENT, 30.0' WATERMAIN EASMENT, AND 31.0' SANITARY SEWER EASEMENT AS SHOWN BY CSM 10943. (AFFECTS AS SHOWN) - EASEMENT NOTES AS SHOWN ON CSM 10943. (AFFECTS AS SHOWN) - AFFIDAVIT OF CORRECTION, RECORDED FEBRUARY 12, 2013 AS DOCUMENT NO. 3990557. (DOES NOT AFFECT)
- 37) DEVELOPER'S AGREEMENT WOODMAN'S FOOD MARKET, INC., RECORDED MARCH 30, 2012 AS DOCUMENT NO. 3906347. (AFFECTS PROPERTY-NOT PLOTTABLE)
- (38) 38) DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTION, RECORDED JULY 6, 2012 AS DOCUMENT NO. 3931254.
- · AMENDED & RESTATED DECLARATION OF EASEMENTS, COVENANTS & RESTRICTIONS RECORDED SEPTEMBER 13, 2013 AS DOCUMENT NO. 4042116. (AFFECTS PROPERTY-NOT PLOTTABLE)
- 39) DISTRIBUTION EASEMENT OVERHEAD JOINT, TO WISCONSIN ELECTRIC POWER COMPANY AND TIME WARNER ENTERTAINMENT COMPANY, LP, RECORDED DECEMBER 13, 2012 AS DOCUMENT NO. 3974699. (AFFECTS PROPERTY AS SHOWN)
- 40) DISTRIBUTION EASEMENT OVERHEAD JOINT, TO WISCONSIN ELECTRIC POWER COMPANY AND TIME WARNER ENTERTAINMENT COMPANY, LP,
- 40) DISTRIBUTION EASEMENT OVERHEAD JOINT, TO WISCONSIN ELECTRIC POWER COMPANY RECORDED JANUARY 22, 2013 AS DOCUMENT NO. 3985062. (AFFECTS PROPERTY AS SHOWN)
- (41) 41) DEVELOPER'S AGREEMENT, RECORDED JUNE 20, 2013 AS DOCUMENT NO. 4022219. (AFFECTS PROPERTY-NOT PLOTTABLE)
- (42) 42) DECLARATION OF EASEMENTS, RECORDED JUNE 27, 2013 AS DOCUMENT NO. 4024132. (AFFECTS PROPERTY AS SHOWN)
- (43) 43) DEVELOPER'S AGREEMENT RECORDED SEPTEMBER 13, 2013 AS DOCUMENT NO. 4042117. (AFFECTS PROPERTY-NOT PLOTTABLE) 44) STORM WATER MANAGEMENT PRACTICE MAINTENANCE AGREEMENT RECORDED SEPTEMBER 3, 2014 AS DOCUMENT NO. 4098759. (AFFECTS
- 45) DEDICATION OF PUBLIC FACILITIES FOR WOODMAN'S FOOD MARKETS, INC. RECORDED DECEMBER 4, 2014 AS DOCUMENT NO. 4113173. (AFFECTS PROPERTY-NOT PLOTTABLE)

DATE: DECEMBER 20, 2018

DRAFTED BY: RJO CHECKED BY: BRW PROJECT NO.: 1554-05-18

DRAWING NUMBER

SHEET NUMBER



SOUTH LINE OF LOT 2

INV=861.50 (S 12" PLASTIC)

INV=863.17 (W 6" PLASTIC)

CSM #3841

FL=864.80

STM MH

DATE: DECEMBER 20, 2018

DRAFTED BY: RJO CHECKED BY: BRW PROJECT NO.: 1554-05-18

THE FIELD WORK WAS COMPLETED ON DECEMBER 19, 2018.

PLS-2349

RANDALL J. OETTINGER

HYDRANT "TAG BOLT" 871.11

BM #3 HYDRANT "TAG BOLT" 878.07

CSM #10340

DRAWING NUMBER

SHEET NUMBER