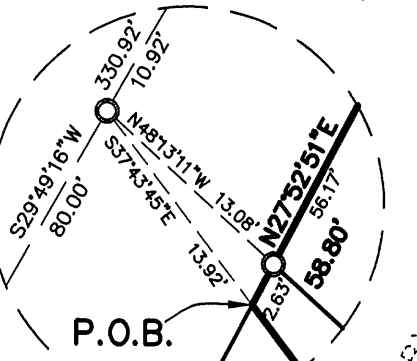


LEGEND

- ③ SURVEYOR'S REPORT ITEM REFERENCE NUMBER
- 3/4" x 24" IRON REBAR SET WEIGHING 1.50 LBS/LIN FT.
- 1-1/4" IRON PIPE FOUND (UNLESS OTHERWISE NOTED)
- 1" AXLE SHAFT FOUND
- 1-1/2" IRON PIPE FOUND (UNLESS OTHERWISE NOTED)
- ONEIDA COUNTY ALUMINUM MONUMENT FOUND (UNLESS OTHERWISE NOTED)
- ◆ FORMER POSITION OF MONUMENT PER 1986 GENISOT SURVEY NOW MISSING
- APPARENT WETLAND (LOW AREA)
- RECORD DIMENSIONS
- PROPERTY BOUNDARY
- POSSIBLE LINE BY AGREEMENT
- SECTIONAL SUBDIVISION LINE
- PLATTED OR PREVIOUSLY SURVEYED LINE
- DEED LINE
- MEANDER LINE
- RIGHT-OF-WAY LINE

DETAIL "A" (NOT TO SCALE)



SEE
DETAIL "A"

PLAT OF SURVEY BY GENISOT & ASSOCIATES DATED 8/23/1988 (B5825)

"LAKEVIEW" PLAT DATED 8/30/1918

PLAT OF SURVEY BY TODD LOFTUS 10/1982 (L348)

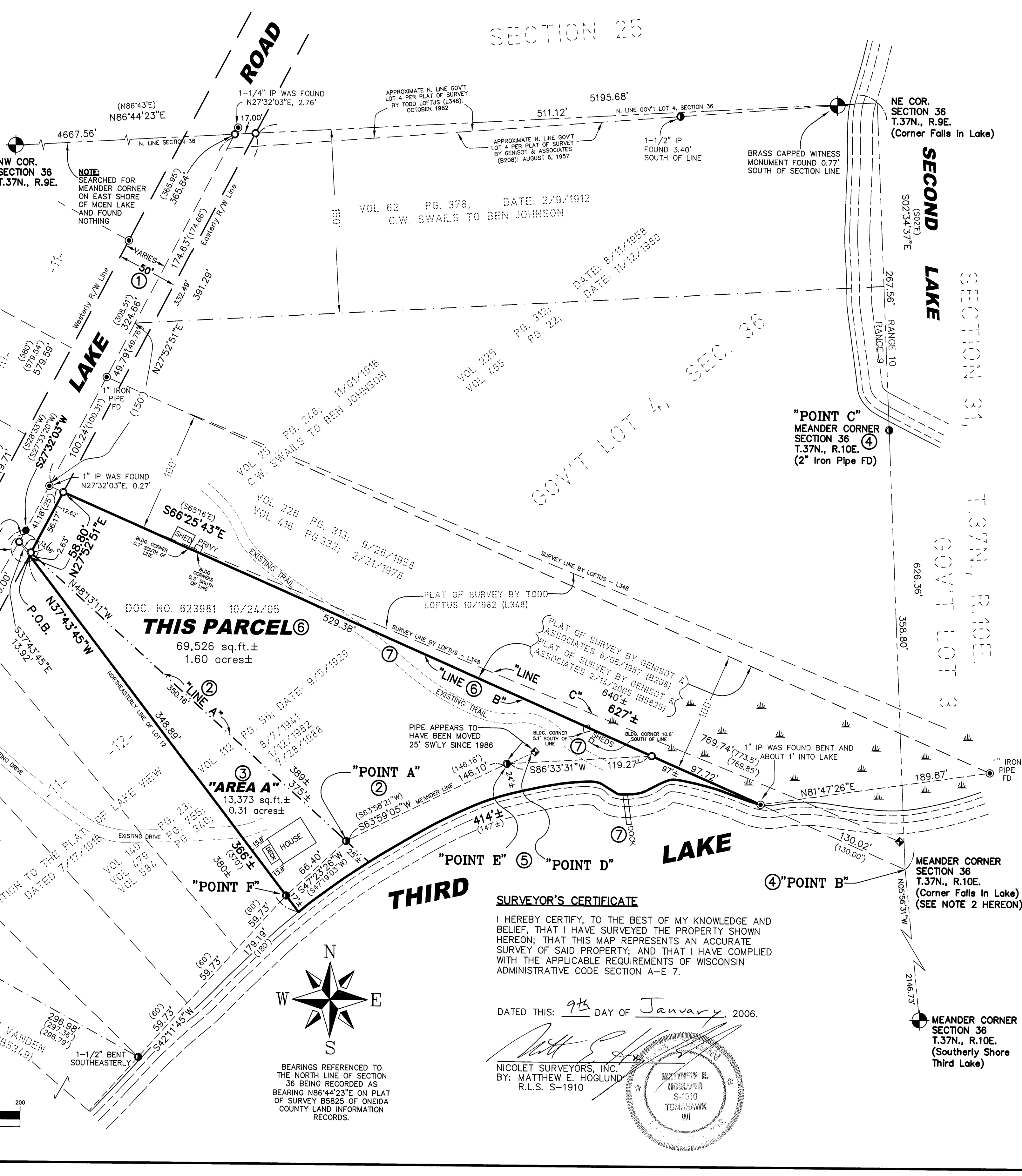
PLAT OF SURVEY BY DEVON VANDER HEUVEL DATED 8/05/2003 (B5348)

PLAT OF SURVEY BY GENISOT & ASSOCIATES DATED 8/06/1987 (B5208)

PLAT OF SURVEY BY GENISOT & ASSOCIATES DATED 8/06/1987 (B5208)

GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft.

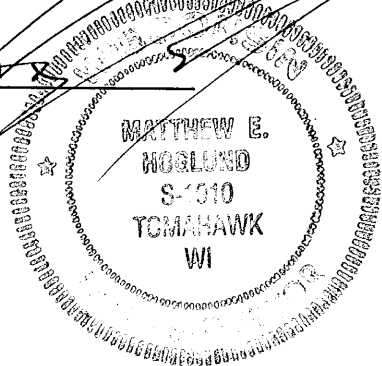


SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON; THAT THIS MAP REPRESENTS AN ACCURATE SURVEY OF SAID PROPERTY; AND THAT I HAVE COMPLIED WITH THE APPLICABLE REQUIREMENTS OF WISCONSIN ADMINISTRATIVE CODE SECTION A-E 7.

DATED THIS: 9th DAY OF January, 2006.

NICOLET SURVEYORS, INC.
BY: MATTHEW E. HOGUND
R.L.S. S-1910



PLAT OF SURVEY

PART OF GOVERNMENT LOT 4 OF SECTION 36, T.37N., R.09E., TOWN OF PINE LAKE, ONEIDA COUNTY, WISCONSIN

SURVEYOR'S REPORT

I, Matthew E. Hoglund, Registered Land Surveyor of the State of Wisconsin, offer the following report to further explain the details of the evidence evaluation I used in preparation of this survey. As a Registered Land Surveyor I am charged with using the law of evidence to evaluate and prove that a "preponderance of evidence" exists to support my professional opinion of a property's location. In order to better relate how the following items relate to the map shown hereon, circled items are indicated on the map in the general location they occur:

① "Lakeview" was platted in 1910 by Charles W. Swails, prior to other areas Easterly of Moens Lake Road being deeded to others by him. The plat shows a 50-foot wide right-of-way and a duly signed and notarized Owner's Certificate that certifies, "as being owned by me to be surveyed and mapped as represented on this map". The subsequent plat of "1st Addition to Lake View" in 1916 does not show the road location or width but appears to have been platted and monumented westerly into the previously platted 50-foot road right-of-way. Found monuments on the apparent Northwestern line of "1st Addition to Lake View" were held for direction of the side lot or deed lines running Southeasterly from this line, but the new monuments were placed at the original platted 50-foot wide right-of-way line.

② "Point A" is an existing iron pipe that, by testimony of Mrs. Lorraine Frederick (the former owner), was thought to be the lakeside iron on the Northernly line of Lot 12 of the plat of "1st Addition to Lake View" when she and her husband bought the property from her father-in-law, Lester G. Frederick, when in fact it lies N47°23'26"E, 66.40' from the lakeside iron ("Point F" shown hereon) on the actual Northernly line of Lot 12. By testimony of Mrs. Frederick this iron was the lakeside iron on the Southernly line ("Line A" of this map) of the parcel sold to Mr. Greg Oettinger and was her understanding of the intent of the conveyance to Mr. Oettinger recorded as Document No. 623981 on October 24, 2005.

③ "Area A" is the area within the existing description of the property per Document No. 623981 (and previous documents listed in Item 6 below) that Mrs. Frederick said was not intended to be transferred to Mr. Oettinger due to the reason explained in Item Number 2 above and the fact that this is the property where Mrs. Frederick's home is located, which she and her husband built and has paid taxes on for decades. A new legal description was provided to the client, on a separate sheet, for "Area A" in the event Mr. Oettinger reaches an agreement with Mrs. Frederick and wishes to Quitclaim this area to her.

④ "Point B" was established Southernly 358.80 feet from the Meander Corner at "Point C", as originally shown on the August 6, 1957 survey (Oneida County Map file No. B208) by Joseph C. Kirby of Genisot Engineering Co. for Earl F. Bleimel, the former owner of the northernly adjoining parcel. This corner position for "Point B" was also used by Russell Brown of Genisot and Associates, Inc. on his February 14, 2005 survey (Oneida County Map file No. B5825) to establish the Southernly boundary line for Alex Mankoski, the current owner of the northernly adjoining parcel. This is the oldest available evidence (over 48 years) of the position of this corner and was accepted as the corner position for this survey. This corner position was known, and acquiesced to, for at least 21 years (counting from the date of the 1957 survey) by the former adjoining property owners, Lester G. Frederick and Earl F. Bleimel, prior to the Bleimel parcel being sold to Alex Mankoski.

⑤ "Point D" is the position that a 1-1/2" iron pipe was found in 1986 by Genisot and Associates for Mr. Alex Mankoski. This pipe appears to have somehow been moved 25 feet Southwest to the position of "Point E" sometime between 1986 and 2005.

⑥ "This Parcel" shown hereon was originally deeded from C.W. and Ella Swails to Charles and Matilda Gibbon in Volume 112 of Deeds on Page 56 on September 5, 1929. This description has been used for all subsequent conveyances including Volume 140 of Deeds on Page 7 of Deeds on 1941, Volume 479 of Records on Page 755 on January 12, 1982, and Volume 584 of Records on Page 340 on July 28, 1988 and Document Number 623981 on October 24, 2005. While in most cases where the legal description is not based on a survey and has ambiguities in it, where the surveyor must try to ascertain the intent of the deed by evaluating extrinsic evidence, these deeds clearly state the intent in writing within the deeds themselves as follows: "it being the intention of the Grantor to convey to the Grantees all of the land owned by the Grantor lying between Lot 12 of the First Addition to the Plat of Lakeview and the land heretofore deeded by C.W. Swails and wife to Ben Johnson and now owned by the Grantor, all of said land being in Government Lot 4 of Section 36-37-9 East." This prior conveyance from C.W. Swails and wife to Ben Johnson was recorded in Volume 75 of Deeds on Page 246 on November 1, 1916, the Southernly line of which is "Line B" shown hereon. This results in the Northernly line of "This Parcel" being said "Line B".

Russell Brown of Genisot and Associates, Inc., on his February 14, 2005 survey (Oneida County Map file No. B5825), shows a "Gap Area" on his survey Southernly of "Line B". Based on the clear intent stated above, it is my professional opinion that no deed gap currently exists or ever existed. Also Mr. Mankoski (and Mr. Bleimel, his predecessor in title) only has title to the 100-foot wide parcel shown, the boundaries of which were known at least since the August 6, 1957 survey (referenced in Item 4 above) that was done for Mr. Bleimel.

⑦ By testimony taken from Mrs. Lorraine T. Frederick, former owner of said land, her father-in-law, Lester G. Frederick, who acquired title on August 7, 1941 per Volume 140 of Deeds on Page 23, was aware of the Northernly line of "This Parcel" and was, as a friend to Earl F. Bleimel, the northernly adjoining property owner at that time, had permitted him to create a walking trail to the lake, erect sheds for his fishing equipment and put out a dock on his property, as Mr. Bleimel's water frontage was very swampy and having the storage sheds would alleviate him having to carry everything to and from the lake every time he went fishing. The fact that Mr. Bleimel knew his property line location, based on the evidence that he was the one that had his property surveyed and monumented in 1957, supports the testimony of Mrs. Frederick that the property line location was known and the use by Mr. Bleimel was permissive.

Mrs. Frederick further testified that Alex J. Mankoski, the current owner of the Northernly adjoining parcel who obtained title in 1978, was informed verbally shortly after purchasing the property that the trail, sheds and dock were on the Fredericks' property and "No Trespassing" were posted. To further document that Alex J. Mankoski was informed of the encroachment, the Fredericks had this common lot line surveyed by T.J. Loftus in October 1982 and the line was monumented and marked at that time (note that, as shown on the map hereon as "Line C", this line appears to have been incorrect and did increasingly encroach on Mr. Mankoski's property as it approached the lake). Also on July 16, 1985, Attorney Jack F. Owen, attorney for C.W. Frederick, informed Mr. C. Gordon Paulson, Attorney for Alex Mankoski, in writing of the encroachment and granted temporary permission for use of the driveway, dock and shed for the remainder of that season and requested that the "No Trespassing" signs not be disturbed. In addition, on August 6, 1987, Attorney Owen notified Mr. Mankoski directly in writing regarding the continued encroachment when Mr. Mankoski rebuilt the dock on the Frederick property.

8. Mr. Oettinger requested I review the evidence regarding the Northernly line of "This Parcel", the existing structures and improvements in this area, and the Wisconsin Statutes regarding Adverse Possession and render a professional opinion on whether the evidence appears to support or refute a potential adverse claim that the northernly adjoining property owner may make on the northernly portion of "This Parcel". It is my opinion that the preponderance of evidence refutes an adverse claim of ownership against this property, based on the following:

a) Per Wisconsin Statute 893.25 a period of 20 years of undisputed adverse use must exist to claim property. Since Mr. Bleimel, the previous owner of the northernly adjoining property who had the survey done in 1957, was in a verbal permissive use agreement with a prior owner, Mr. Lester Frederick, and the property line was known until the property passed title to Mr. Mankoski in 1978 (a period of 21 years) the "locking on" of adverse use by Mr. Bleimel does not appear to apply.

b) The fact that surveys were performed and marked on the ground mandates a 20 year adverse use requirement per the Judicial Council Committee's Note (of 1979) that states as follows:

"Where a survey established that disputed lands were not within the calls of the possessor's deed, the possessor's claim to property was not under color of title by a written instrument." Seeley vs. Konecny, 87 Wis 2d 233, 275 N.W.2d 634 (1978)

c) The time period (which appears can only be claimed to have started in 1978 at the earliest) was severed well short of the required 20 years by:

1) Verbal notification of Mr. Mankoski by the Fredericks and by placement of no trespassing signs (1978-1982)
2) Survey and marking of the property line in 1982 and again placement of no trespassing signs
3) Written notification to Mr. Mankoski or his Attorney(s) in 1985 and 1987

d) "This Parcel" is included in the legal description of Mr. Oettinger (and previously in the Frederick family) who paid taxes on it going back to 1941.

Again, the above statements are my opinion of the situation based on the evidence I have knowledge of. As this is a legal matter that may involve the existence of unwritten property rights, Mr. Oettinger is advised to seek the counsel of an attorney regarding this situation. My first recommendation in these instances is to attempt to reach a line by agreement with the adjoining owner(s) to avoid costly litigation that can result in a court decision that neither party may be happy with.

9. A new legal description for "This Parcel", based on this survey, was prepared and delivered to client in a separate document. So as to not further propagate future ambiguities regarding the legal description of "This Parcel", if a boundary line agreement is reached with the adjoining property owner(s), it is advised that the new line be surveyed and monumented, this survey map be revised, and a new legal description written and recorded to document the agreement.

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PLAT OF SURVEY

PART OF GOVERNMENT LOT 4 OF
SECTION 36, T.37N., R.9E., TOWN
OF PINE LAKE, ONEIDA COUNTY,
WISCONSIN

NICOLET SURVEYORS, INC.

1222 LINCOLN STREET, RHINELANDER, WI 54501

715-362-2808

715-362-4114 (FAX)

DRAWN BY: JMD

CHECKED BY: MEH

F.B. 33

DATE: JANUARY 9, 2006

SCALE: 1" = 50'

PROJ: 637

CLIENT: GREG OETTINGER

RHINELANDER, WI 54501