

ONEIDA CO. SURVEYOR'S OFFICE

VICINITY MAP RHINELANDER, WI E. DAVENPORT STREE W. KING ST

REVISION	01.26.15 MISC. MCD COMMENTS	TITLE COMMITMENT REVISION B				
DATE	01.26.15	01.11.16				
REV.#	-	2				

LEGAL DESCRIPTION

PER EXHIBIT "A" OF CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. CO-2235, REVISION B, HAVING AN EFFECTIVE DATE OF OCTOBER 15, 2015:

ALL OF LOT 3 AND PART OF LOTS 2, 4, 11, 12 AND 13, BLOCK 26, OF THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF RHINELANDER, ACCORDING TO THE RECORDED PLAT THEREOF, COUNTY OF ONEIDA, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 26; THENCE SOUTH 00° 00' WEST, 186.53 FEET ALONG THE WEST LINE OF SAID BLOCK 26 TO THE POINT OF BEGINNING; THENCE SOUTH 88' 45' 57" EAST, 195.00 FEET; THENCE SOUTH 00' 00' 00" WEST, 117.00 FEET; THENCE SOUTH 44° 42' 59" WEST, 45.47 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 20 FEET OF LOT 2, SAID BLOCK 26; THENCE NORTH 88° 45' 57" EAST, 163.00 FEET ALONG SAID EXTENSION AND ALONG THE NORTH LINE OF THE SOUTH 20 FEET OF LOT 2, SAID BLOCK 26 TO THE WEST LINE OF SAID BLOCK 26; THENCE NORTH 00° 00' 00" EAST, 150.00 FEET ALONG SAID WEST LINE

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THAT PART OF LOTS 4, 5, 6, 7 AND 10, BLOCK 26 OF THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF RHINELANDER, ACCORDING TO THE RECORDED PLAT THEREOF, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 26; THENCE SOUTH 00° 00' 00" WEST, 143.85 FEET ALONG THE WEST LINE OF SAID BLOCK 26 TO THE POINT OF BEGINNING; THENCE NORTH 89° 57' 16" EAST, 66.00 FEET; THENCE NORTH 00° 00' 00" EAST, 143.88 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF DAVENPORT STREET; THENCE NORTH 89' 55' 57" EAST, 24.00 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 00° 00' 00" WEST, 141.94 FEET; THENCE NORTH 89° 57' 16" EAST, 210.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF PELHAM STREET; THENCE SOUTH 00° 00' 00" WEST, 24.00 FEET; THENCE SOUTH 89° 57' 16" WEST, 254.02 FEET; THENCE SOUTH 00° 02' 44" EAST, 21.65 FEET TO A POINT ON THE NORTH LINE OF THE NEW MCDONALD'S PARCEL; THENCE NORTH 88' 45' 57" WEST, 24.01 FEET ALONG SAID NORTH LINE; THENCE NORTH 00° 02' 44" WEST 10.00 FEET; THENCE NORTH 44° 59' 27" WEST, 15.95 FEET; THENCE SOUTH 89° 57' 16" WEST, 10.71 FEET TO THE EAST RIGHT-OF-WAY LINE OF STEVENS STREET; THENCE NORTH 00° 00' 00" EAST, 21.88 FEET ALONG SAID EAST LINE TO THE POINT OF

TOGETHER WITH AN EASEMENT/LICENSE FOR STORM SEWER OVER THAT PART OF LOTS 10 AND 11, BLOCK 26, OF THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF RHINELANDER, ACCORDING TO THE RECORDED PLAT THEREOF, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 26; THENCE SOUTH 00' 00' 00" WEST, 186.53 FEET ALONG THE WEST LINE OF SAID BLOCK 26 TO THE NORTH LINE OF THE NEW MCDONALD'S PARCEL; THENCE SOUTH 88' 45' 57" EAST, 171.92 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING; THENCE NORTH 00° 02' 44" WEST, 39.46 FEET; THENCE NORTH 89° 57' 16" EAST, 128.15 FEET TO THE WEST RIGHT-OF-WAY LINE OF PELHAM STREET: THENCE SOUTH 00' 00' 00" WEST, 15.00 FEET ALONG SAID WEST LINE; THENCE SOUTH 89' 57' 16" WEST, 113.14 FEET; THENCE SOUTH 00° 02' 44" EAST, 24.80 FEET TO A POINT ON THE NORTH LINE OF THE NEW MCDONALD'S PARCEL; THENCE NORTH 88° 45' 57" WEST, 15.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

TOGETHER WITH A SIGN AND CONDUIT EASEMENT ON AND UNDER THAT PART OF LOTS 4, 5, 6 AND 7, BLOCK 26, OF THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF RHINELANDER, ACCORDING TO THE RECORDED PLAT THEREOF, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 26; THENCE NORTH 89° 55' 57" EAST, 66.00 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF DAVENPORT STREET; THENCE SOUTH 00° 00' 00" WEST, 5.00 FEET; THENCE SOUTH 89° 55' 57" WEST, 61.00 FEET; THENCE SOUTH 00° 00' 00" WEST, 181.64 FEET TO THE NORTH LINE OF THE NEW MCDONALD'S PARCEL; THENCE NORTH 88' 45' 57" WEST, 5.00 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STEVENS STREET; THENCE NORTH 00° 00' 00" EAST, 186.53 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

BEING IN ONEIDA COUNTY, WISCONSIN

TOGETHER WITH A PROPOSED EASEMENT FOR ELECTRICAL UTILITY PURPOSES OVER, UNDER AND ACROSS THAT PART OF LOT 13. BLOCK 26 OF THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF RHINELANDER, ACCORDING TO THE RECORDED PLAT THEREOF, COUNTY OF ONEIDA, STATE OF

WISCONSIN PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 26; THENCE SOUTH OO DEGREES OO MINUTES DO SECONDS WEST, ASSUMED BEARING, 336.53 FEET ALONG THE WEST LINE OF SAID BLOCK 26: THENCE SOUTH 88 DEGREES 45 MINUTES 57 SECONDS EAST, A DISTANCE OF 163.00 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 20 FEET OF LOT 2 OF SAID BLOCK 26, SAID POINT BEING THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED. THENCE NORTH 44 DEGREES 42 MINUTES 59 SECONDS EAST, A DISTANCE OF 9.43 FEET THENCE NORTH 83 DEGREES 24 MINUTES OO SECONDS EAST, A DISTANCE OF 131.27 FEET TO THE EAST LINE OF SAID LOT 13: THENCE SOUTH OO DEGREES OO MINUTES OO SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 10.07 FEET; THENCE SOUTH 83 DEGREES 24 MINUTES OO SECONDS WEST, A DISTANCE OF 151.00 FEET TO THE WEST LINE OF SAID LOT 13; THENCE NORTH OO DEGREES OO MINUTES OO SECONDS EAST ALONG THE WEST LINE OR SAID LOT 13, A DISTANCE OF 5.91 FEET; THENCE SOUTH 88 DEGREES 45 MINUTES 57 SECONDS EAST A DISTANCE OF 12.97 FEET TO A POINT OF BEGINNING.

TOGETHER WITH A PROPOSED PARKING AND ACCESS EASEMENT, OVER UNDER AND ACROSS THAT PART OF LOTS 10 THROUGH 16, BLOCK 26 OF THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF RHINELANDER. ACCORDING TO THE RECORDED PLAT THEREOF, COUNTY OF ONEIDA, STATE OF WISCONSIN PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 26: THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ASSUMED BEARING, 336.53 FEET ALONG THE WEST LINE OF SAID BLOCK 26; THENCE SOUTH 88 DEGREES 45 MINUTES 57 SECONDS EAST, A DISTANCE OF 163.00 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 20 FEET OF LOT 2 OF SAID BLOCK 26, SAID POINT BEING THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED; THENCE NORTH 44 DEGREES 42 MINUTES 59 SECONDS EAST, A DISTANCE OF 45.47 FEET; THENCE NORTH OO DEGREES OO MINUTES OO SECONDS EAST, A DISTANCE OF 117.00 FEET; THENCE NORTH 88 DEGREES 45 MINUTES 57 SECOND'S WEST, A DISTANCE OF 44.97 FEET TO THE WEST LINE OF SAID LOT 11, THENCE NORTH OO DEGREES OO MINUTES OO SECONDS WEST ALONG THE WEST LINES OF LOTS 11 AND 10, A DISTANCE OF 69.73 FEET TO THE NORTHWEST CORNER OF SAID LOT 10; THENCE SOUTH 89 DEGREES 59 MINUTES 20 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 10, A DISTANCE OF 150.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 10; THENCE SOUTH 00 DEGREES 00 MINUTES 03 SECONDS WEST ALONG THE EAST LINE OF SAID BLOCK 26, A DISTANCE OF 242.93 FEET; THENCE SOUTH 42 DEGREES 01 MINUTES 56 SECONDS WEST, ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 26, A DISTANCE OF 223.68 FEET TO A SOUTHERLY CORNER OF SAID BLOCK 26; THENCE NORTH 48 DECREES 03 MINUTES 46 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 26, A DISTANCE OF 124.28 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14, THENCE NORTH 43 DEGREES 51 MINUTES 01 SECONDS EAST, ALONG THE NORTHWEST LINE OF SAID LOT 14, A DISTANCE OF 119.32 FEET TO THE SOUTH LINE OF SAID LOT 2: THENCE SOUTH 89 DEGREES 59 MINUTES 20 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 9.55 FEET TO THE SOUTHWEST CORNER OF SAID LOT 13; THENCE NORTH OO DEGREES OO MINUTES OO SECONDS EAST ALONG THE WEST LINE OF SAID LOT 13, A DISTANCE OF

20.27 FEET; THENCE SOUTH 88 DEGREES 45 MINUTES 57 SECONDS EAST, A DISTANCE OF 12.97 FEET TO THE POINT OF BEGINNING.

NOTES

- 1. FOR THE PURPOSES OF THIS SURVEY THE WESTERLY RIGHT OF WAY LINE OF SOUTH STEVENS STREET IS ASSUMED TO BEAR NORTH OD
- 2. THE UTILITIES SERVING THIS PROPERTY HAVE BEEN LOCATED TO THE BEST OF THE SURVEYOR'S ABILITY USING THE SERVICES OF WISCONSIN DIGGERS HOTLINE - TICKET NOS. 20143716993 AND 20146717007 AND AVAILABLE MAPS. THE SURVEYOR DOES NOT GUARANTEE, IN WRITING OR ASSUMED, THAT UTILITIES AS SHOWN ARE IN THE EXACT LOCATION. NO EXCAVATION WAS PERFORMED TO LOCATE THE UNDERGROUND
- 3. THE PROPERTY HAS ACCESS TO SOUTH STEVENS STREET, WA DIRECT ACCESS AND TO SOUTH STEVENS STREET, EAST DAVENPORT STREET AND SOUTH PELHAM STREET VIA INGRESS AND EGRESS EASEMENT PER DOC. NO. 516003. ALL STREETS AND AVENUES BEING PUBLICLY DEDICATED STREETS AND AVENUES.
- 4. AT THE TIME OF THE SURVEY, THERE WAS NO EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR LANDFILL.
- 5. AT THE TIME OF THE SURVEY, THERE WAS NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
- 6. THERE APPEARS TO BE IN ISSUE WITH THE LEGAL DESCRIPTIONS BETWEEN THE SUBJECT PROPERTY AND THE ADJACENT PROPERTY TO THE NORTH. THE DEED CONTAINED IN DOC. NO. 516002 DESCRIBES WHAT IS INTENDED TO BE THE "NEW MCDONALD'S SITE"; HOWEVER, DEBYLE'S INC. DEEDED A PORTION OF SAID "NEW McDONALD'S SITE" PROPERTY TO THE CITY OF RHINELANDER IN WARRANTY DEED PER DOC. NO. 566234. THE PORTION DEEDED TO THE CITY IS SHOWN HEREON BY A CROSSHATCHED PATTERN LYING OVER THE NORTHERLY PARKING STALLS FOR THE MCDONALD'S PROPERTY. SUBSEQUENTLY, THE SIGN AND CONDUIT EASEMENT AND THE INGRESS AND EGRESS EASEMENT DO NOT ABUT THE ACTUAL MCDONALD'S PARCEL.

TITLE ITEMS

PER SCHEDULE B - SECTION II OF CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. CO-2235 HAVING AN EFFECTIVE DATE OF SEPTEMBER 9, 2014:

ITEMS 1 THROUGH 9 ARE NOT SURVEY RELATED

- ITEM 10 PROPERTY SUBJECT TO EASEMENT(S) FOR THE PURPOSE(S) AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT, GRANTED TO WISCONSIN PUBLIC SERVICE CORPORATION, FOR UTILITY, RECORDED ON JUNE 9, 1964, AS DOCUMENT NO. 200368, AFFECTS EASEMENT PARCELS. (AFFECTS SUBJECT PROPERTY - AS SHOWN)
- ITEM 11 PROPERTY SUBJECT TO EASEMENT(S) FOR THE PURPOSE(S) AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT, GRANTED TO WISCONSIN PUBLIC SERVICE CORPORATION, FOR UTILITY, RECORDED ON JUNE 9, 1964, AS DOCUMENT NO. 200369, AFFECTS EASEMENT PARCELS. (AFFECTS SUBJECT PROPERTY - AS SHOWN)
- ITEM 12 PROPERTY SUBJECT TO EASEMENT AGREEMENT RECORDED AS DOCUMENT NO. 516003. (AFFECTS SUBJECT PROPERTY - AS SHOWN)
- ITEM 13 PROPERTY SUBJECT TO LICENSE AGREEMENT FOR STORM SEWER RECORDED AS DOCUMENT NO. 516183. (AFFECTS SUBJECT PROPERTY - AS SHOWN)
- ITEM 14 PROPERTY SUBJECT TO COVENANT NOT TO COMPETE RECORDED AS DOCUMENT NO. 516274. (AFFECTS SUBJECT PROPERTY - NOT SHOWN)
- ITEM 15 PROPERTY SUBJECT TO EASEMENT(S) FOR THE PURPOSE(S) AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT, GRANTED TO WISCONSIN PUBLIC SERVICE CORPORATION, FOR UTILITY, RECORDED ON JUNE 9, 2010, AS DOCUMENT NO. 690686, AFFECTS EASEMENT PARCELS.
- ITEM 16 PROPERTY SUBJECT TO A LEASEHOLD AS CREATED BY THAT CERTAIN LEASE DATED MARCH 30, 2000, EXECUTED BY DEBYLES, INC., A WISCONSIN CORPORATION, AS LESSOR, AND MCDONALD'S CORPORATION, AS LESSEE, AS REFERENCED IN THE DOCUMENT ENTITLED MEMORANDUM OF LEASE, WHICH WAS RECORDED APRIL 13, 2000 AS DOCUMENT NO. 516184, FOR THE TERM, UPON AND SUBJECT TO ALL THE PROVISIONS CONTAINED IN SAID DOCUMENT, AND IN SAID LEASE. (AFFECTS SUBJECT PROPERTY - NOT SHOWN)

ITEMS 17 THROUGH 20 ARE NOT SURVEY RELATED

(AFFECTS SUBJECT PROPERTY - AS SHOWN)

- ITEM 21 PROPERTY SUBJECT TO EASEMENT AGREEMENT RECORDED AS DOCUMENT NO. ______ (AFFECTS SUBJECT PROPERY - AS SHOWN)
- ITEM 22 PROPERTY SUBJECT TO AMENDED AND RESTATED LICENSE AGREEMENT FOR STORM SEWER RECORDED AS DOC. NO. ______ (AFFECTS SUBJECT PROPERY - AS SHOWN)
- ITEM 23 PROPERY SUBJECT TO ACCESS AND PARKING EASEMENT AGREEMENT RECORDED AS DOC. NO. ______ (AFFECTS SUBJECT PROPERY - AS SHOWN)

METES AND BOUNDS PROPERTY DESCRIPTION

ALL OF LOT 3 AND PART OF LOTS 2, 4, 11, 12 AND 13, BLOCK 26, OF THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF RHINELANDER, ACCORDING TO THE RECORDED PLAT THEREOF, COUNTY OF ONEIDA, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 26; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ASSUMED BEARING ALONG THE WEST LINE OF SAID BLOCK 26, A DISTANCE OF 186.53 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 59 MINUTES 20 SECONDS EAST, A DISTANCE OF 190.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 117.00 FEET; THENCE SOUTH 44 DEGREES 42 MINUTES 59 SECONDS WEST, A DISTANCE OF 45.47 FEET; THENCE NORTH 88 DEGREES 45 MINUTES 57 SECONDS WEST, A DISTANCE OF 163.00 FEET TO SAID WEST LINE OF BLOCK 26; THENCE NORTH OO DEGREES OO MINUTES OO SECONDS EAST, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

PARKING SUMMARY

REGULAR PARKING STALLS HANDICAP ACCESSIBLE STALLS RESERVED DRIVE THRU STALLS

AREA SUMMARY TOTAL PARCEL AREA: 28,715 SQ. FT. OR 0.66 ACRES **ZONING AND SETBACKS**

ACCORDING TO THE CITY OF RHINELANDER, WI

BUILDING SETBACKS: MINIMUM FRONT YARD:

ZONING: B-2 - CENTRAL BUSINESS DISTRICT

MINIMUM SIDE YARD: 10 FEET MINIMUM REAR YARD: 10 FEET

DUE TO THE COMPLEXITY OF THE CITY OF RHINELANDER, WI ZONING REGULATIONS, IT IS RECOMMENDED THE CITY OF RHINELANDER BE CONTACTED AT 715-365-8606 TO INQUIRE ABOUT ZONING REGULATIONS.

BENCHMARK

BENCHMARK: MAG NAIL LOCATED IN E. DAVENPORT STREET, JUST EAST OF THE ACCESS DRIVE FOR MCDONALD'S AND ADJACENT BUSINESSES. - PROVIDED BY GENISOT & ASSOCIATES, INC. TO COINCIDE WITH CITY OF RHINE STREETSCAPE PROJECT

ELEVATION = 1550.03 (UNKNOWN DATUM)

FEMA INFORMATION

SUBJECT PROPERTY DOES NOT LIE IN A SPECIAL FLOOD HAZARD AREA PER PER FLOOD INSURANCE MAP PANEL 593 OF 1000, MAP NUMBER 55085C 0593 C HAVING AN EFFECTIVE DATE OF MAY 16, 2013.

CERTIFICATION

TO CHICAGO TITLE GUARANTY COMPANY; MCDONALD'S USA, LLC, A DELAWARE LIMITED LIABILITY COMPANY; MCDONALD'S CORPORATION, A DELAWARE CORPORATION; TO MCDONALD'S REAL ESTATE COMPANY, A DELAWARE CORPORATION; AND TO DEBYLES, INC. A WISCONSIN

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(b), 7(a), 7(c), 8, 9, 11(b) AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON OCTOBER 24, 2014 WITH A SUBSEQUENT SITE VISIT ON NOVEMBER 30, 2015.

DATE OF SURVEY: JANUARY 26, 2015 REVISED: JANUARY 11, 2016

Sout True

SCOTT C. TROSEN WISCONSIN LAND SURVEYOR LICENSE NO. 2873

TROSEN LAND SURVEYING, LLC 236 LEWIS STREET SOUTH SHAKOPEE, MN 55379 PH: 612-990-1182 LAND SURVEYING WWW.TROSENLANDSURVEYING.COM

SHEET 1 OF 2

 $\mathbf{c.2890}$

FILE NAME: alta-MCD06 PROJECT NO.: MCD1406