

ALTA/ACSM Land Title Survey

Part of
GOV'T LOT 3
and part of the
SW 1/4 of the SW 1/4
SECTION 1
and part of
GOV'T. LOT 2
and part of the
NW 1/4 of the NW 1/4
SECTION 12
T36N, R8E

City of Rhinelander
and in
Crescent Township
Oneida County, Wisconsin

SURVEYOR'S CERTIFICATION

The undersigned hereby certifies to Foster & Smith Inc., a Wisconsin Corporation, M & L Marshall & Hsley Bank, and its successors or assigns, Quarles & Brady, LLP, First American Title Insurance, Northern Title & Abstract Corp. that (a) this plat of survey and the survey on which it was based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by the American Land Title Association, the American Congress on Surveying and Mapping and the National Society of Professional Surveyors in 1999 meets the accuracy requirements of a survey of real property, as defined therein, with accuracy and precision requirements modified to meet current minimum angular and linear tolerance requirements of the state in which the subject property is located, and includes items 2, 3, 5, 7, 8, 10, 11a & 11b of Table A thereof, and (b) this plat of survey and the property description set forth hereon ("Property") was prepared by me, a registered land surveyor in the State of Wisconsin and was actually made upon the ground. In addition, the undersigned hereby certifies that (1) the information, courses and distances shown on this survey are correct, (2) the size, location and type of improvements are shown hereon and all are located within the boundaries of the Property and set back from the Property lines the distances indicated, (3) the existing access to Airport Road and River Road is as shown, (4) there are no easements or encumbrances (including utility lines) affecting the Property other than as shown and depicted on this survey, (5) there are no encroachments of any improvements on this Property over any easements or encumbrances, or onto adjoining property other than as shown and depicted on this survey, (6) there are no encroachments of any improvements or adjoining property onto the Property other than as shown and depicted on this survey, (7) all recorded easements and other exceptions, as noted in the Northern Title & Abstract Corp. Commitment for Title Insurance No TP16676 dated December 2nd, 2002, have been correctly plotted hereon, (8) the Property constitutes one contiguous parcel without gaps or pores, (9) except as shown there are no visible easements or rights of way across said Property.

Date: 2/6/03
Rev: 1
Land Surveyor No S 2335

Notes Corresponding to Schedule B Items

- Taxes for the year 2002 and subsequent years, not yet due and payable. TAX PARCEL CR 166-3 RH 9012 0501 2001 taxes are \$58,445.57 (RH9012 0501) 11 276.96 (CR 166 3) Paid in full
- Special assessments, if any, payable with the taxes for the year 2002 and subsequent years
- Deferred assessments, if any, for installation of public improvements or connection thereto, not shown on the tax roll
- Public or Private rights, if any, in such portion of the subject premises as may be presently used, laid out, or dedicated in any manner whatsoever, for highway purposes
- Rights of easements, if any, in and to any and all railroad switches, sidetracks, spur tracks and rights of way located upon or appurtenant to the premises described in Schedule A
- Railroad right of way described in Warranty Deed dated November 8, 1887 recorded November 14, 1887 in Volume 1 Deeds, page 169 to Minneapolis, Sault Ste. Marie & Atlantic Railway (Pertains to G.L. 2, 12-36-8) Deed conveys an entire interest in A strip, piece or parcel of land 250 feet in width being a part and extending through the land of the party of the first part, hereafter described, and included between lines parallel with, one on each side of, and each distant 75 feet from the center line of railroad of said Company as same is now located and as the same may hereafter be constructed, across NE NW, Section 12 36-8 (Possible deed overlap area)
- Right of Way Deed dated June 11, 1901, recorded September 7, 1901 in Volume 31 Deeds, page 612 to Wisconsin Telephone Company (Pertains to NW NW and G.L. 2, 12-36-8)
- Railroad Right of Way described in Warranty Deed dated and recorded October 11, 1888 in Volume 9 Misc., page 385, Document No. 2268 to Minneapolis St. Paul, and Sault Ste. Marie Railway Company, conveying "all that certain strip or piece or parcel of land one hundred feet in width being a part of and extending through the lands of the parties of the first part hereinafter described and included between two lines parallel with one on each side of, and each distant fifty feet from the center line of the railroad of said company, as the same is now surveyed, staked out and located and as the same may hereafter be constructed" (Pertains to NW NW, 12 36 8)
- Distribution Line Easement dated June 18, 1984, recorded July 9, 1984 in Volume 513 Records, page 463, Document No. 334575
- Easement reserved in Warranty Deed dated October 8, 1991, recorded October 14, 1991 in Volume 648 Records, page 486, Document No. 398510 (No evidence of road, siding or loading facility)
- Development Agreement dated October 8, 1991, recorded October 15, 1991 in Volume 648 Records, page 482, Document No. 398509
- Mortgage from Foster & Smith, Inc. to M&I Merchants Bank in the originally stated amount of \$960,000.00, dated January 19, 1994, recorded January 21, 1994 at 10 21 AM in Volume 724 Records, page 619, Document No. 427387
- Title Company does not insure access (Pertains to Parcel 2 only)
- First Amendment to Real Estate Mortgage dated October 9, 1995 and recorded October 16, 1995 at 1 29 PM in Volume 778 Records, page 285, Document No. 449133 by and between Foster & Smith, Inc. and M&I Merchants Bank
- Mortgage from Foster & Smith, Inc. to M&I Merchants Bank in the originally stated amount of \$2,800,000.00, dated July 27, 1995, recorded August 21, 1995 at 3 48 PM in Volume 773 Records, pages 175-178, Document No. 447167

Dr's Foster and Smith (Map No 02-263)

A parcel of land in Government Lot 3, and in the Southwest Quarter of the Southwest Quarter, Section 1, and part of Government Lot 2, and part of the Northwest Quarter of the Northwest Quarter, Section 12, Township 36 North, Range 8 East, City of Rhinelander, and Crescent Township, Oneida County, Wisconsin, being shown on Map No. 02-263 by Wilderness Surveying, Inc., dated January 31, 2003, more particularly described as follows:

Commencing at the corner common to Section 1, Section 2, Section 11 and Section 12, marked by a P.K. Nail in the pavement of North River Road, thence North 76 degrees 43 minutes 02 seconds East for a distance of 32 90 feet to an iron pipe on the southerly right of way line of Airport Road, thence North 88 degrees 08 minutes 31 seconds East for a distance of 559 60 feet along said right of way line to the place of beginning, marked by an iron pipe.

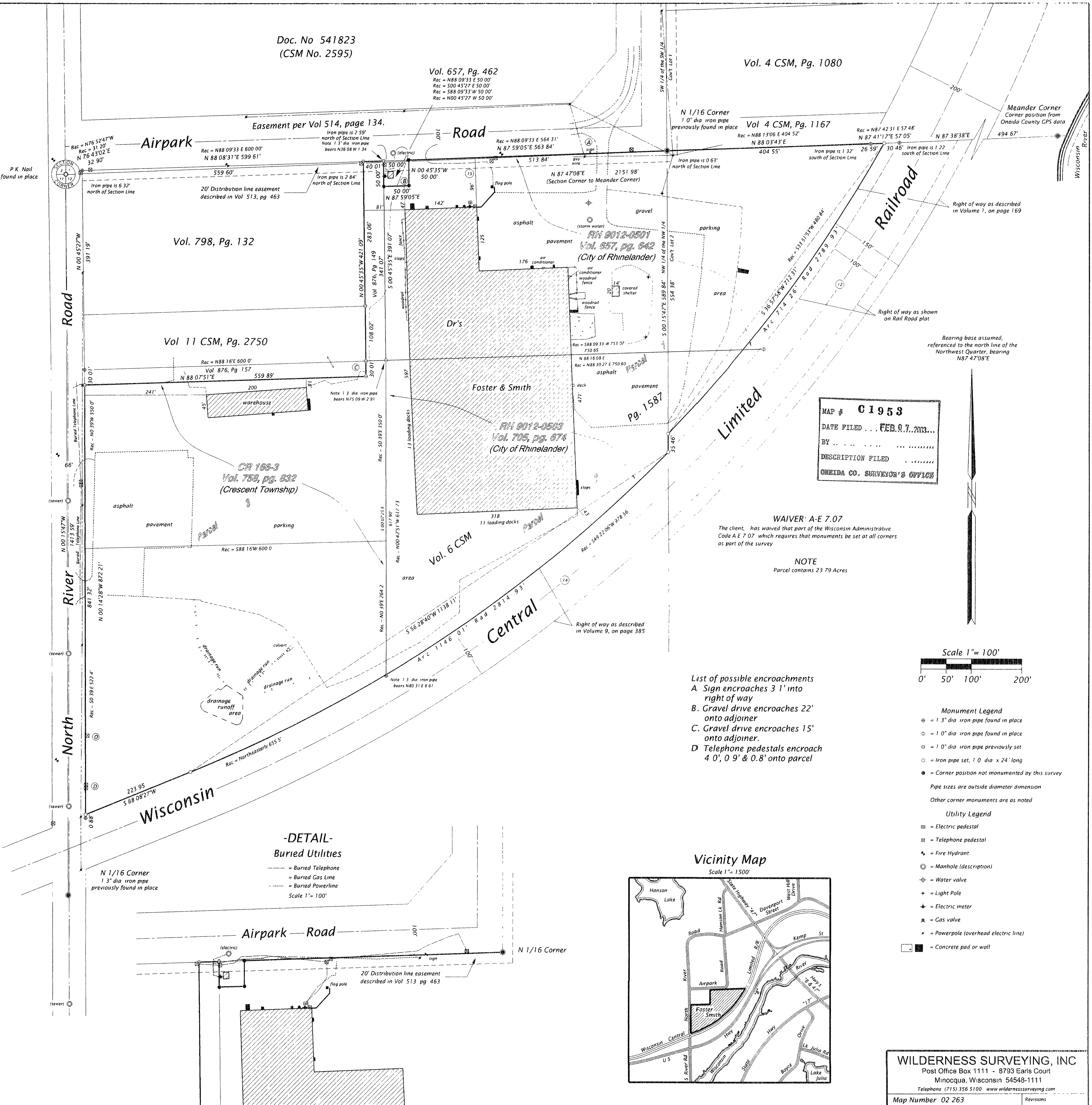
Thence continuing along said right of way line North 88 degrees 08 minutes 31 seconds East for a distance of 40 01 feet to the northwest corner of that parcel of land described in Volume 657, on page 462, marked by an iron pipe, thence South 00 degrees 45 minutes 35 seconds East for a distance of 50 00 feet to the southwest corner of that parcel of land described in Volume 657, on page 462, thence North 87 degrees 59 minutes 05 seconds East for a distance of 513 84 feet along said southerly right of way line to the North Sixteenth Corner, marked by an iron pipe, thence North 88 degrees 03 minutes 43 seconds East for a distance of 404 55 feet to an iron pipe, thence North 87 degrees 41 minutes 17 seconds East for a distance of 26 59 feet to an iron pipe on the northwesterly right of way line of Wisconsin Central Railroad, thence along said right of way line, along a curve to the right, having a radius of 27 89 93 feet and an arc length of 714 26 feet, being subtended by a chord of South 36 degrees 57 minutes 58 seconds West for a distance of 712 31 feet to an iron pipe on the east line of the Northwest Quarter of the Northwest Quarter, thence continuing along said right of way line and the west line of the Northwest Quarter of the Northwest Quarter South 00 degrees 15 minutes 47 seconds East for a distance of 35 46 feet to an iron pipe, thence continuing along said right of way line, along a curve to the right having a radius of 2814 93 feet and an arc length of 1146 01 feet, being subtended by a chord of South 58 degrees 28 minutes 40 seconds West for a distance of 1138 11 feet to an iron pipe, thence continuing along said right of way line South 08 degrees 08 minutes 27 seconds West for a distance of 223 95 feet to an intersection with the easterly right of way line of North River Road, marked by an iron pipe, thence North 00 degrees 14 minutes 28 seconds West for a distance of 841 32 feet along the easterly right of way line of North River Road to the southwest corner of Volume 11 of Certified Surveys, page 2750, marked by an iron pipe, thence North 88 degrees 07 minutes 51 seconds East for a distance of 559 60 feet to southeast corner of Volume 11 of Certified Surveys, page 2750, marked by an iron pipe, thence North 00 degrees 45 minutes 35 seconds West for a distance of 421 09 feet to the place of beginning.

Together with and subject to covenants, easements, and restrictions of record

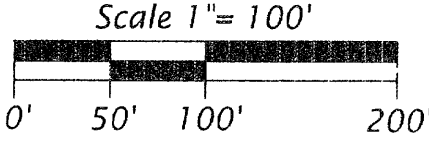
Said property contains 23.79 acres more or less

ALTA/ACSM OPTION TABLE "A" NOTES

- Vicinity Map showing the property surveyed in reference to nearby highways or major street intersections
- Flood zone designation (with proper annotation based on Federal Flood Insurance Rate Maps or the state or local equivalent, by scale map location and graphic plotting only) Does not affect property, per National Flood Insurance Program, Map No. 550850000
- Identify and show, if possible, setback, height, floor space area restrictions of record or disclosed by applicable zoning or building codes in addition to those in recorded subdivision maps (If none so state MUNICIPAL CODE City of RHINELANDER WISCONSIN CHAPTER 19 ZONING CODE 19.16 LIGHT INDUSTRIAL DISTRICT (3) FRONT YARD In the L-1 District, there shall be provided a front yard of not less than 20 feet in depth along every front lot line (4) CORNER SIDE YARD In the L-1 District there shall be provided a side yard of not less than 20 feet in depth in every instance where the side property line is adjacent to a public street (5) REAR YARD Every building or structure shall provide a rear yard of not less than 10 feet in depth (6) TRANSITIONAL YARDS Where a side of rear lot line in an industrial district coincides with a side or rear lot line in an adjacent residence or business district, a yard shall be provided along such side or rear lot line on the industrial lot. Such yard shall be not less than 20 feet in depth (8) HEIGHT LIMITATIONS Buildings hereafter erected or structurally altered shall not exceed 2 stories or 35 feet in height, unless otherwise allowed by conditional use permit
- Exterior dimensions of all buildings at ground level
- Substantial, visible improvements (in addition to buildings) such as signs, parking areas or structures, swimming pools, etc.
- Indication of access to a public way such as curb cuts and driveways
- Location of utilities (representative examples of which are shown below) existing on or serving the surveyed property as determined by:
 - Observed evidence
 - Observed evidence together with plans and markings provided by the client, utility companies, and other appropriate sources (with reference to the source information) Locations based upon Digger's Hotline locate Ticket No. 8379475



- List of possible encroachments
- A. Sign encroaches 3' into right of way
 - B. Gravel drive encroaches 22' onto adjoiner
 - C. Gravel drive encroaches 15' onto adjoiner.
 - D. Telephone pedestals encroach 4' 0", 0' 9" & 0.8' onto parcel



- Monument Legend
- 1" 3" dia iron pipe found in place
 - 1" 0" dia iron pipe found in place
 - 1" 0" dia iron pipe previously set
 - Iron pipe set, 1 0 dia x 24' long
 - Corner position not monumented by this survey
- Pipe sizes are outside diameter dimension
- Other corner monuments are as noted
- Utility Legend
- Electric pedestal
 - Telephone pedestal
 - Fire Hydrant
 - Manhole (description)
 - Water valve
 - Light Pole
 - Electric meter
 - Gas valve
 - Powerpole (overhead electric line)
 - Concrete pad or wall

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Map Number 02 263
File Number 1 & 12-368
Drafted by M Oestreich