

CERTIFICATE OF SURVEY

prepared for:
**FIDELITY NATIONAL TITLE INSURANCE CORPORATION
AND O'REILLY AUTOMOTIVE STORES, INC.**

of
**8783 Hwy 51
Minocqua, WI**

TOWN LINE ROAD

PRESENT OWNERS

(PER TITLE COMMITMENT NO. ON-40325):
George W. Van Beynen, III and
Phyllis A. Van Beynen, his wife

LEGAL DESCRIPTION (PER TITLE COMMITMENT)

That part of the Northwest 1/4 of the Northeast 1/4 of Section 11, Township 39 North, Range 6 East, bounded and described as follows, to-wit: Commencing at a point 496.2 feet East and 121.2 feet South of the Northwest corner of said 1/4 Section, said point being the Southwest corner of lands described in Volume 338 of Deeds, page 180; thence South 1/2 degree 17' 2" East, 240 feet more or less to the Southwest corner of lands described in Volume 211 of Deeds, page 84; thence East along the South line of the last mentioned deed, 240 feet more or less to the Westerly line of U.S. Highway 51; thence Northeast along said Westerly line to a point 129.1 feet South 29° 04' West of the North line of said 1/4 Section, said point being the Southeast corner of lands described in Volume 338 of Deeds, page 180 aforesaid; thence North 83° 37' West, 182.5 feet; thence South 0° 31' East, 30.5 feet; thence South 89° 51' West 150 feet to the point of beginning.

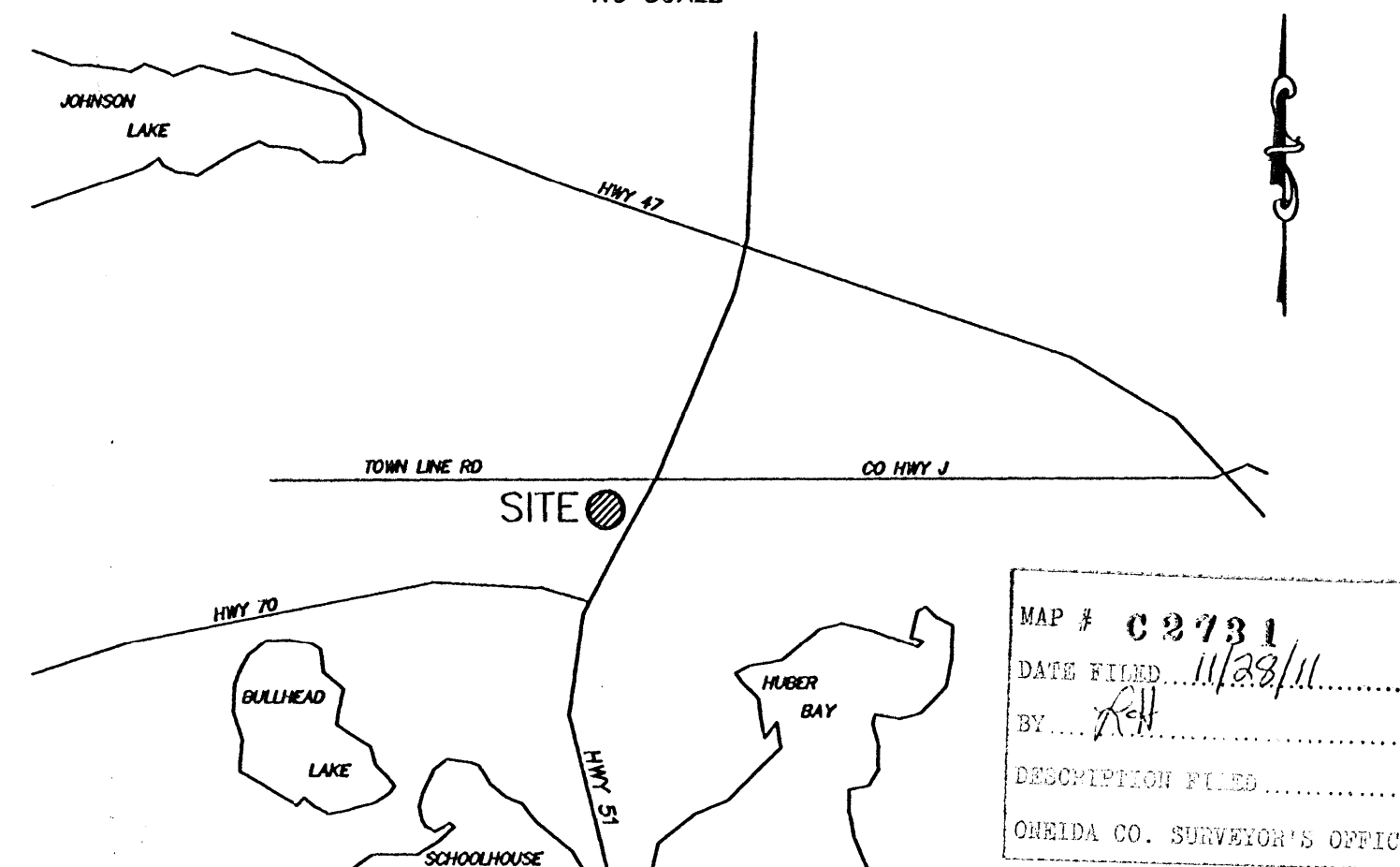
And

A parcel of land in the NW 1/4 of the NE 1/4 of Section 11, Township 39 North, Range 6 East, and more particularly described as follows: Commencing at the one-quarter corner common to Sections 2 and 11, marked by an iron pipe, witnessed by a 17 inch White Pine stump bearing N 83° 37' 18" E, 9.7 feet; by a 6 inch Maple bearing S 52° 30' 31.6" E, 17.6 feet and by a 19 inch Norway Pine bearing S 18° 14' 49.1" E, 49.1 feet; thence N 89° 57' 03" E, 496.04 feet along the North line of Section 11 to the Northeast corner of that parcel of land described in Volume 237 Deeds, page 112; thence S 1° 11' 30" E, 24.75 feet to the PLACE OF BEGINNING, marked by an iron pipe on the Southerly right-of-way line of Town Line Road. Thence N 89° 57' 03" E, 225.00 feet along the Southerly right-of-way line of Town Line Road to an iron pipe; thence S 0° 02' 57" E, 75.05 feet to an iron pipe on the Northerly line of that parcel of land described in Volume 364 of Deeds, page 330; thence along the Northerly line of said parcel of land described in Volume 364 Deeds, page 330, N 83° 24' 05" W, 75.61 feet to an iron pipe; thence continuing along said parcel of land described in Volume 364 of Deeds, page 330, S 0° 24' 47" E, 30.39 feet to an iron pipe; thence continuing along said parcel of land described in Volume 364 Deeds, page 330, N 89° 59' 31" W, 149.88 feet to an iron pipe on the Easterly line of that parcel of land described in Volume 237 Deeds, page 112; thence N 0° 11' 30" W, 96.50 feet along the Easterly line of that parcel of land described in Volume 237 Deeds, page 112 to the PLACE OF BEGINNING. Except that part used for highway purposes.

Less and except that part conveyed as described in Warranty Deed recorded as Document No. 321644.

Being in Oneida County, Wisconsin.

VICINITY MAP
TOWN OF MINOCQUA, WI
"NO SCALE"



BEARING NOTE

FOR THE PURPOSES OF THIS SURVEY THE NORTH LINE OF THE NW 1/4 OF THE NE 1/4, SEC. 11, TWP. 39N, RANG. 6E, IS ASSUMED TO BEAR NORTH 89° 29' 47" E, 494.94 FEET.

NOTE REGARDING UTILITIES

The location of underground utilities shown hereon are approximate and are based on field locations of visible structures or markings at the time of our survey and compiling information furnished by various utility companies and governmental agencies. The markings shown on the face of this survey are per Digger's Hotline ticket number 20110802355.

METES AND BOUNDS DESCRIPTION

That part of the Northwest Quarter of the Northeast Quarter of Section 11, Township 39 North, Range 6 East, Oneida County, Wisconsin, described as follows: Commencing at the North Quarter Corner of said Section 11; thence North 89 degrees 29 minutes 47 seconds East, assumed bearing along the north line of said Northwest Quarter of the Northeast Quarter, a distance of 494.94 feet; thence North 00 degrees 37 minutes 37 seconds East, a distance of 121.25 feet to the southwest corner of lands described in Volume 338 of Deeds, page 180 and the point of beginning of the parcel to be described; thence South 00 degrees 38 minutes 08 seconds East, a distance of 171.34 feet to the southeast corner of lands described in Volume 211 of Deeds, page 84; thence North 89 degrees 30 minutes 00 seconds East, a distance of 228.22 feet to the westerly right of way of U.S. Highway 51; thence North 31 degrees 05 minutes 44 seconds East, along said right of way, a distance of 17.03 feet; thence continuing along said right of way on a nontangential curve concave to the northwest, said curve having a radius of 582.58 feet, a central angle of 1 degree 56 minutes 17 seconds, and a chord bearing of North 30 degrees 07 minutes 35 seconds East, for a distance of 192.12 feet to the southeast corner of lands described in Volume 338 of Deeds, page 180; thence North 83 degrees 43 minutes 30 seconds West, a distance of 102.41 feet to the southeast corner of lands described in Volume 464 of Deeds, page 201; thence North 00 degrees 29 minutes 31 seconds West, a distance of 75.13 feet to the northeast corner of said lands; thence South 89 degrees 29 minutes 47 seconds West, a distance of 25.00 feet to the northeast corner of lands described in Document No. 321644; thence South 00 degrees 31 minutes 54 seconds East, a distance of 72.16 feet to the north line of lands described in Volume 364 of Deeds, page 330; thence North 83 degrees 43 minutes 30 seconds West, a distance of 50.47 feet; thence South 00 degrees 47 minutes 04 seconds East, a distance of 30.48 feet; thence South 89 degrees 33 minutes 59 seconds West, a distance of 149.88 feet to the point of beginning and there terminating.

Said parcel contains 53,010 square feet or 1.217 acres.

Subject to any easements, restrictions, or reservations of record, if any.

NOTES CORRESPONDING TO TITLE INSURANCE COMPANY SCHEDULE B - SECTION II EXCEPTIONS

COMMITMENT NUMBER: ON-40325
COMMITMENT DATE: December 16, 2010 at 8:00 AM

11. Covenants, conditions and restrictions as disclosed in Conveyance of Lands from E.D. Lindgren and Ida Rose Lindgren, his wife, to Oneida County, Wisconsin, dated May 24, 1950 and recorded May 25, 1950, in Vol. 172 of Deeds on page 460, as Document No. 143168.
COMMENT: DOES NOT AFFECT THE SUBJECT PROPERTY. THE RECORDED DEED ONLY COVERS LAND UP TO THE RIGHT OF WAY OF U.S. HWY 51.

12. Covenants, conditions and restrictions as disclosed in Conveyance of Lands from Edwin W. Hunter and Mayme M. Hunter, his wife, to Oneida County, Wisconsin, dated May 15, 1950 and recorded May 17, 1950, in Vol. 181 of Deeds on page 622, as Document No. 143064.
COMMENT: DOES NOT AFFECT THE SUBJECT PROPERTY. THE RECORDED DEED ONLY COVERS LAND UP TO THE RIGHT OF WAY OF U.S. HWY 51.

13. Covenants, conditions and restrictions as disclosed in Conveyance of Lands from Hugo F. Kahlberg and Loretta Kahlberg, his wife, and Woodruff State Bank to Oneida County, Wisconsin, dated April 28, 1950 and recorded May 18, 1950, in Vol. 161 of Deeds on page 632 as Document No. 143072.
COMMENT: DOES NOT AFFECT THE SUBJECT PROPERTY. THE RECORDED DEED ONLY COVERS LAND UP TO THE RIGHT OF WAY OF U.S. HWY 51.

14. Covenants, conditions and restrictions as disclosed in Warranty Deed executed by Hugo F. Kahlberg and Loretta A. Kahlberg, individuals and as husband and wife, to E.D. Lindgren dated April 30, 1949 and recorded May 7, 1949 in Vol. 171 of Deeds on page 632 as Document No. 143072.
COMMENT: THE AREA DESCRIBED IN SAID DOCUMENT APPEARS TO BE A PORTION OF THE SUBJECT PROPERTY.

15. Right of Way Easement executed by George William Van Beynen, III and Phyllis A. Van Beynen, his wife, to Lakeland Sanitary District No. 1 dated November 2, 1992 and recorded November 13, 1992 in Vol. 681 of Records on page 688 as Document No. 411704.
COMMENT: THE LOCATION OF SAID EASEMENT IS SHOWN HEREON.

16. Subject to easement for existing utilities as disclosed in Warranty Deed executed by Donald E. Brill and Joan H. Brill, his wife, as tenants in common and not as joint tenants to George William Van Beynen III and Phyllis A. Van Beynen, his wife dated September 12, 1980 and recorded October 27, 1980 in Vol. 464 of Records on page 201 as Document No. 308965.
COMMENT: THIS DOCUMENT AFFECTS THE SUBJECT PROPERTY ALTHOUGH NO SPECIFIC EASEMENT AREA IS DEFINED.

SURVEYOR'S CERTIFICATION

To O'Reilly Automotive Stores, Inc. and Fidelity National 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 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS. The field work was completed on February 23, 2011.

Dated this 23 day of May, 2011.

Kyle J. Rydberg, Land Surveyor
Wisconsin License Number 2500-008
200 Third Avenue NE, Suite 100
Cambridge, Minn. 55008

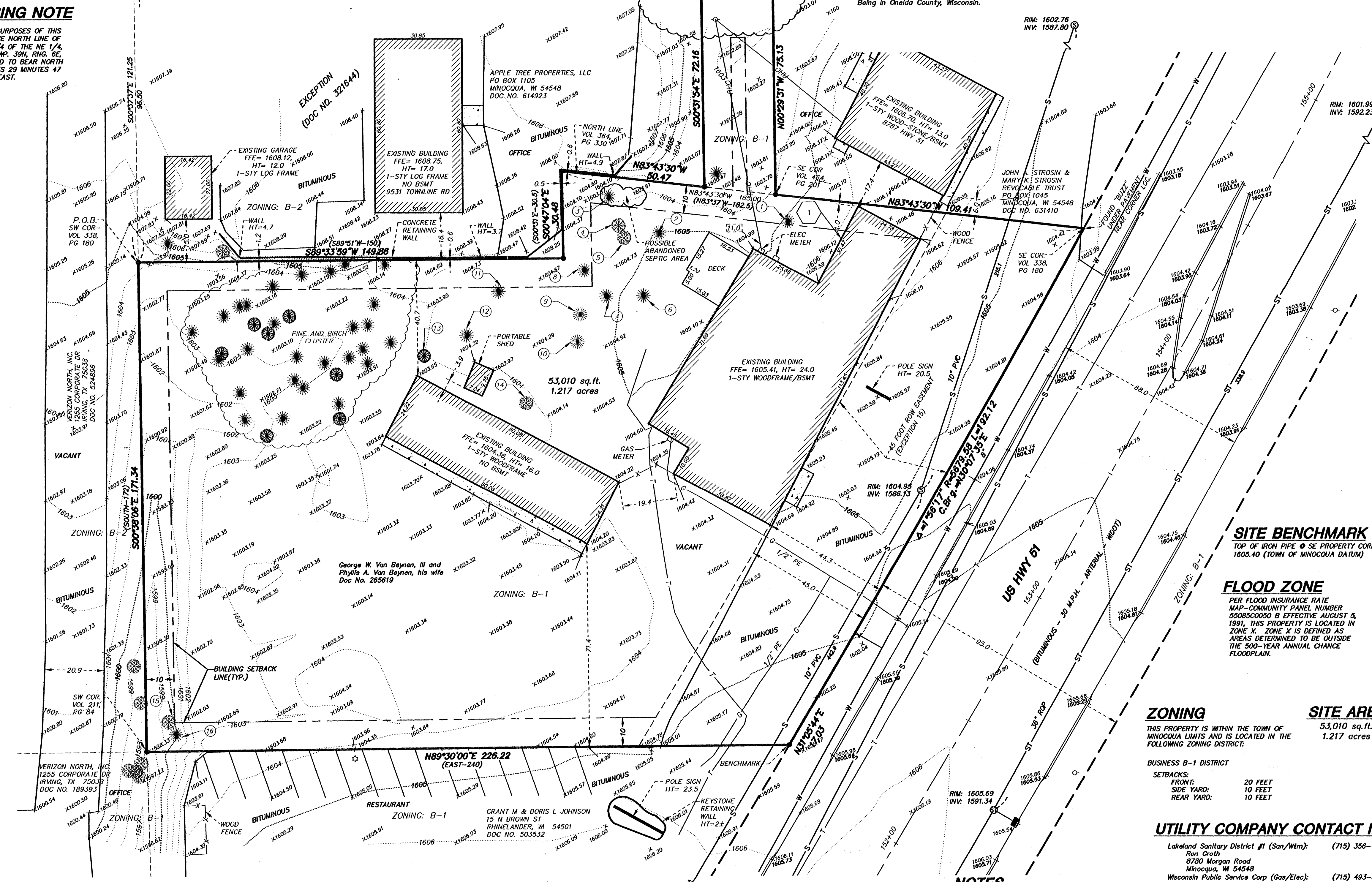


ANDERSON PASSE & ASSOCIATES

CAMBRIDGE, MN 200 THIRD AVENUE NE, SUITE 100
MINNEAPOLIS, MN CAMBRIDGE, MN 55008
(763)689-4042 PH. (763)689-6681 FAX

CIVIL ENGINEERS LAND SURVEYORS PLANNERS

SV1



STATEMENT OF APPARENT ENCROACHMENTS

1 EXISTING BUILDING LIES WITHIN BUILDING SETBACK.

LEGEND

(S89°51'W-150)

— ST ——— DENOTES UNDERGROUND STORM SEWER
— S ——— DENOTES UNDERGROUND SANITARY SEWER
— W ——— DENOTES UNDERGROUND WATER MAIN
— G ——— DENOTES UNDERGROUND GAS LINE
— T ——— DENOTES UNDERGROUND TELEPHONE LINE
— OHU ——— DENOTES OVERHEAD ELECTRIC
× 999.9 DENOTES EXISTING GROUND ELEVATION
× 999.9 DENOTES EXISTING GUTTER LINE ELEVATION
P4 DENOTES POWER POLE
Q DENOTES LIGHT POLE

— ST ——— DENOTES UNDERGROUND STORM SEWER
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P4 DENOTES POWER POLE
Q DENOTES LIGHT POLE

TREE LIST

#	SPECIES	SIZE	#	SPECIES	SIZE
1	PINE	38"	9	SPRUCE	8"
2	PINE	20"	10	SPRUCE	10"
3	PINE	12"	11	PINE	26"
4	BOX ELDER	8"	12	PINE	36"
5	PINE	6" 10"	13	BIRCH	13"
6	PINE	18"	14	BOX ELDER	8" (3)
7	PINE	4"	15	DOTYWOOD	8" (3)
8	PINE	24"	16	PINE	4"

NOTES

- HIGHWAY STATIONING SHOWN HEREON IS SHOWN PER ROW PLAT (PROJECT 10 1172-21, SHEET 4.7) AND IS APPROXIMATE AND SHOULD NOT BE RELIED UPON FOR EXACT LOCATION.
- THERE ARE NO PLANS TO ACQUIRE ADDITIONAL ROW ALONG HWY 51 AT THIS TIME, HOWEVER A PROJECT IS SCHEDULED FOR SPRING 2014 THAT WILL WIDEN THE DRIVING SURFACE, PER FRED MCCUE, WDOT 715-385-5742.
- THE CLOSEST FIRE HYDRANT TO THE SUBJECT PROPERTY IS APPROXIMATELY 95 FEET NORTHEAST OF THE SITE, AT THE SE QUAD OF TOWN LINE RD AND HWY 51.
- THE STANDARD AMOUNT OF WATERMAIN COVER IS 7 FEET PER ROW GROWTH WITH THE LAKELAND SANITARY DISTRICT.

ZONING

THIS PROPERTY IS WITHIN THE TOWN OF MINOCQUA LIMITS AND IS LOCATED IN THE FOLLOWING ZONING DISTRICT:

BUSINESS B-1 DISTRICT

SETBACKS:
FRONT: 20 FEET
SIDE YARD: 10 FEET
REAR YARD: 10 FEET

SITE AREA

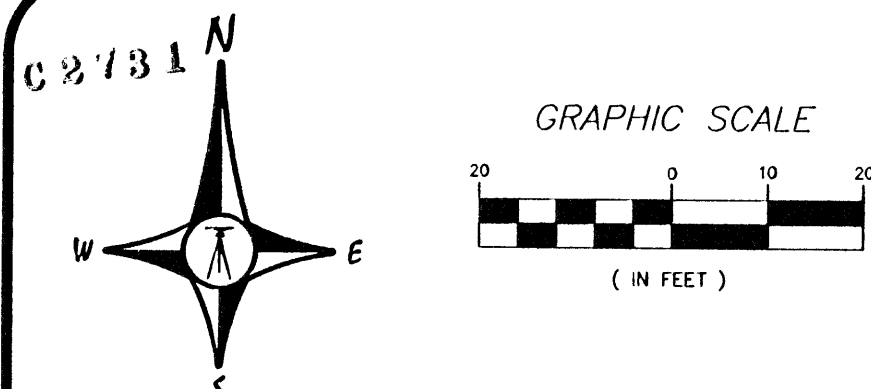
53,010 sq.ft.
1.217 acres

UTILITY COMPANY CONTACT INFO

Lakeland Sanitary District #1 (San/Wtm): (715) 358-4454
Ron Groh
8700 Morgan Road
Minocqua, WI 54548
Wisconsin Public Service Corp (Gas/Elec): (715) 493-3388
Tim Hiltz
9427 County Rd J
Minocqua, WI 54548
Frontier (Phone): (715) 493-0017
Grant LeGrove
53 N Stevens St
Rhinelander, WI 54501
Wisconsin DOT (Storm): (715) 365-3490
Don Grasser, Director
510 N Hanson Lake Rd
Rhinelander, WI 54501

REVISIONS

3/10/11- REVISIONS PER DSP
5/03/11- REVISIONS PER LEGAL REVIEW



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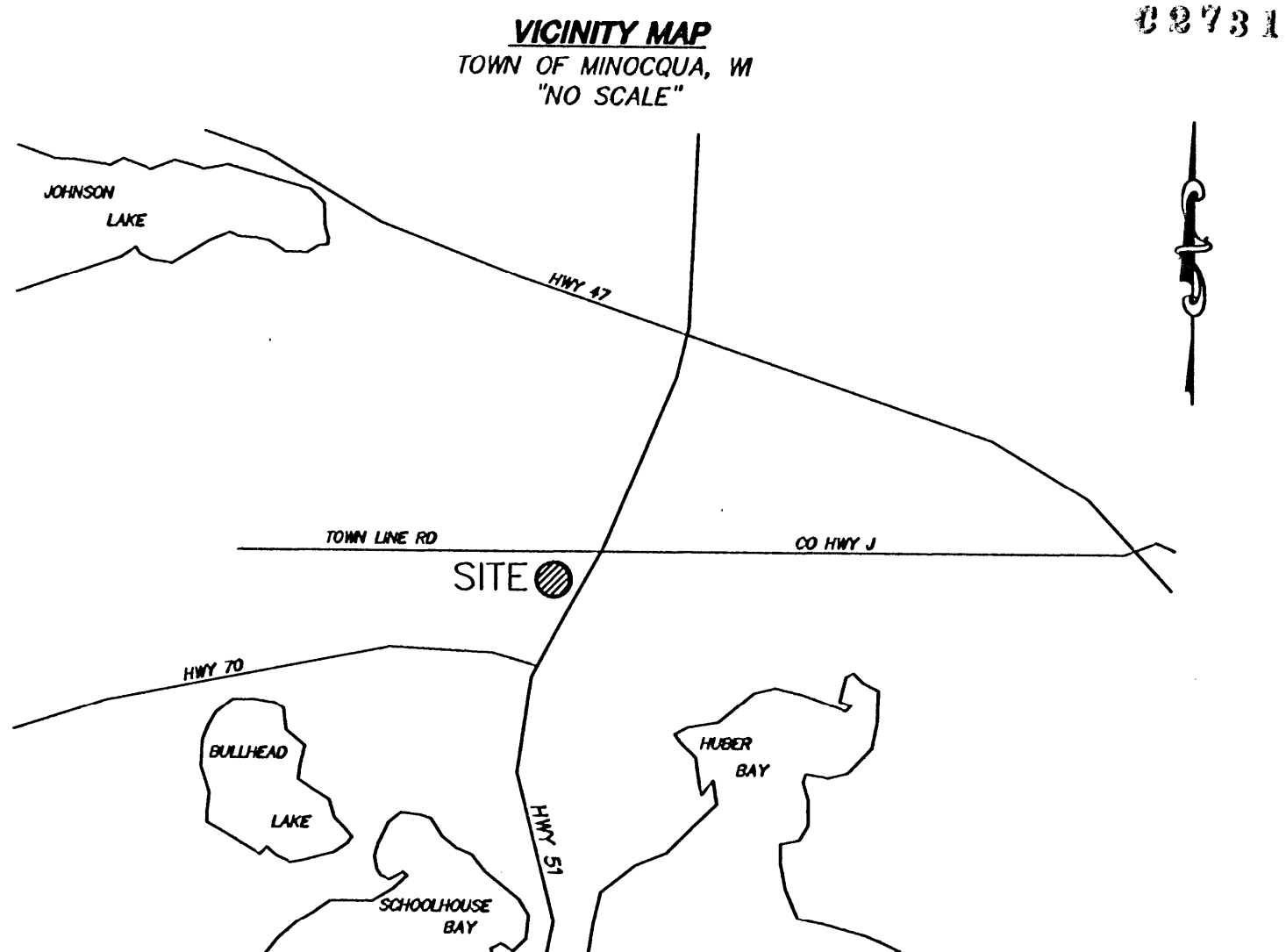
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That part of the Northwest 1/4 of the Northeast 1/4 of Section 11, Township 39 North, Range 6 East, bounded and described as follows, to-wit:
Commencing at a point 486.2 feet East and 121.2 feet more or less South of the Northwest corner of said 1/4 Section, said point being the Southwest corner of lands described in Volume 338 of Deeds, page 180; thence South 172 feet more or less to the Southwest corner of lands described in Volume 211 of Deeds, page 84; thence East along the South line of the last mentioned deed, 240 feet more or less to the Westerly line of U.S. Highway 51; thence Northeast along said Westerly line to a point 129.1 feet South 29°04' West of the North line of said 1/4 Section, said point being the Southwest corner of lands described in Volume 338 of Deeds, page 180 aforesaid; thence North 83°37' West, 182.5 feet; thence South 0°31' East, 30.5 feet; thence South 89°31' West 150 feet to the point of beginning.

And
A parcel of land in the NW 1/4 of the NE 1/4 of Section 11, Township 39 North, Range 6 East, and more particularly described as follows:
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Less and except that part conveyed as described in Warranty Deed recorded as Document No. 321644.

Being in Oneida County, Wisconsin.



NOTE REGARDING UTILITIES

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COMMENT: DOES NOT AFFECT THE SUBJECT PROPERTY. THE RECORDED DEED ONLY COVERS LAND UP TO THE RIGHT OF WAY OF U.S. HWY 51.
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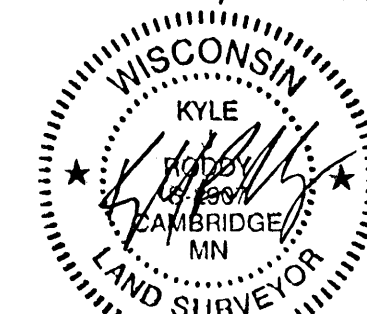
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Dated this 5th day of May, 2011.

Kyle J. Roddy, Land Surveyor
Wisconsin License Number 2907-008
200 Third Avenue NE, Suite 100
Cambridge, Minn. 55008



ANDERSON PASSE & ASSOCIATES

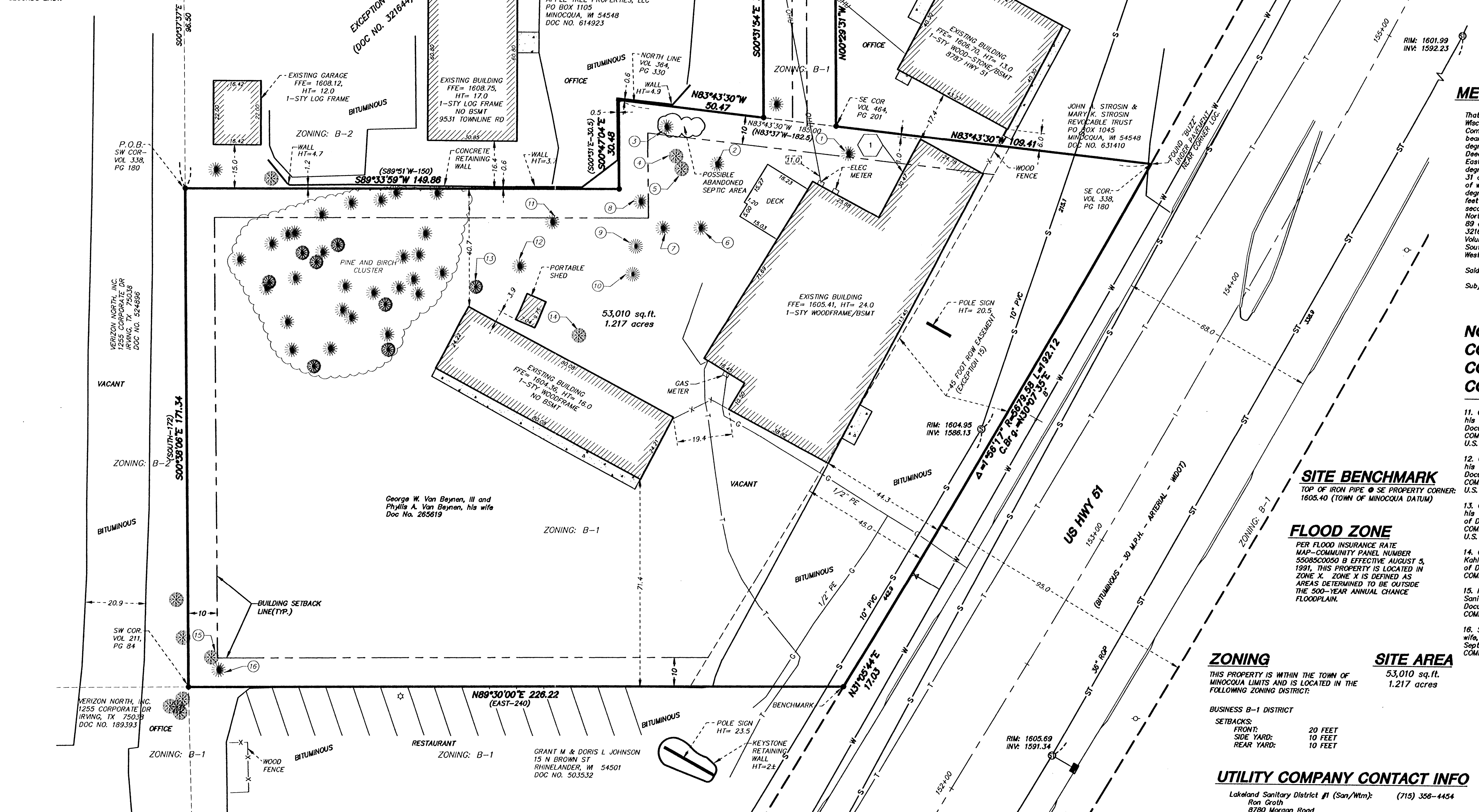
CAMBRIDGE, MN 55008
200 THIRD AVENUE NE, SUITE 100
CAMBRIDGE, MN 55008
(763) 689-4042 PH. (763) 689-6681 FAX

CIVIL ENGINEERS LAND SURVEYORS PLANNERS

SV1

BEARING NOTE

FOR THE PURPOSES OF THIS SURVEY THE NORTH LINE OF THE NW 1/4 OF THE NE 1/4, SEC. 11, TWP. 39N, RANG. 6E, IS ASSUMED TO BEAR NORTH 89 DEGREES 29 MINUTES 47 SECONDS EAST.



STATEMENT OF APPARENT ENCROACHMENTS

1 EXISTING BUILDING LIES WITHIN BUILDING SETBACK.

LEGEND

(S89°31'W-150)

● DENOTES DEED BEARING AND DISTANCE
○ DENOTES SANITARY MANHOLE
○ DENOTES STORM SEWER CATCH BASIN
○ DENOTES STORM SEWER MANHOLE
○ DENOTES WATER VALVE
○ DENOTES POWER POLE
○ DENOTES LIGHT POLE

— ST — DENOTES UNDERGROUND STORM SEWER
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x 999.9 DENOTES EXISTING GROUND ELEVATION
x 999.9 DENOTES EXISTING GUTTER LINE ELEVATION
○ DENOTES OVERHEAD UTILITY HEIGHT

TREE LIST					
#	SPECIES	SIZE	#	SPECIES	SIZE
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REVISIONS

3/10/11- REVISIONS PER DSR
5/03/11- REVISIONS PER LEGAL REVIEW