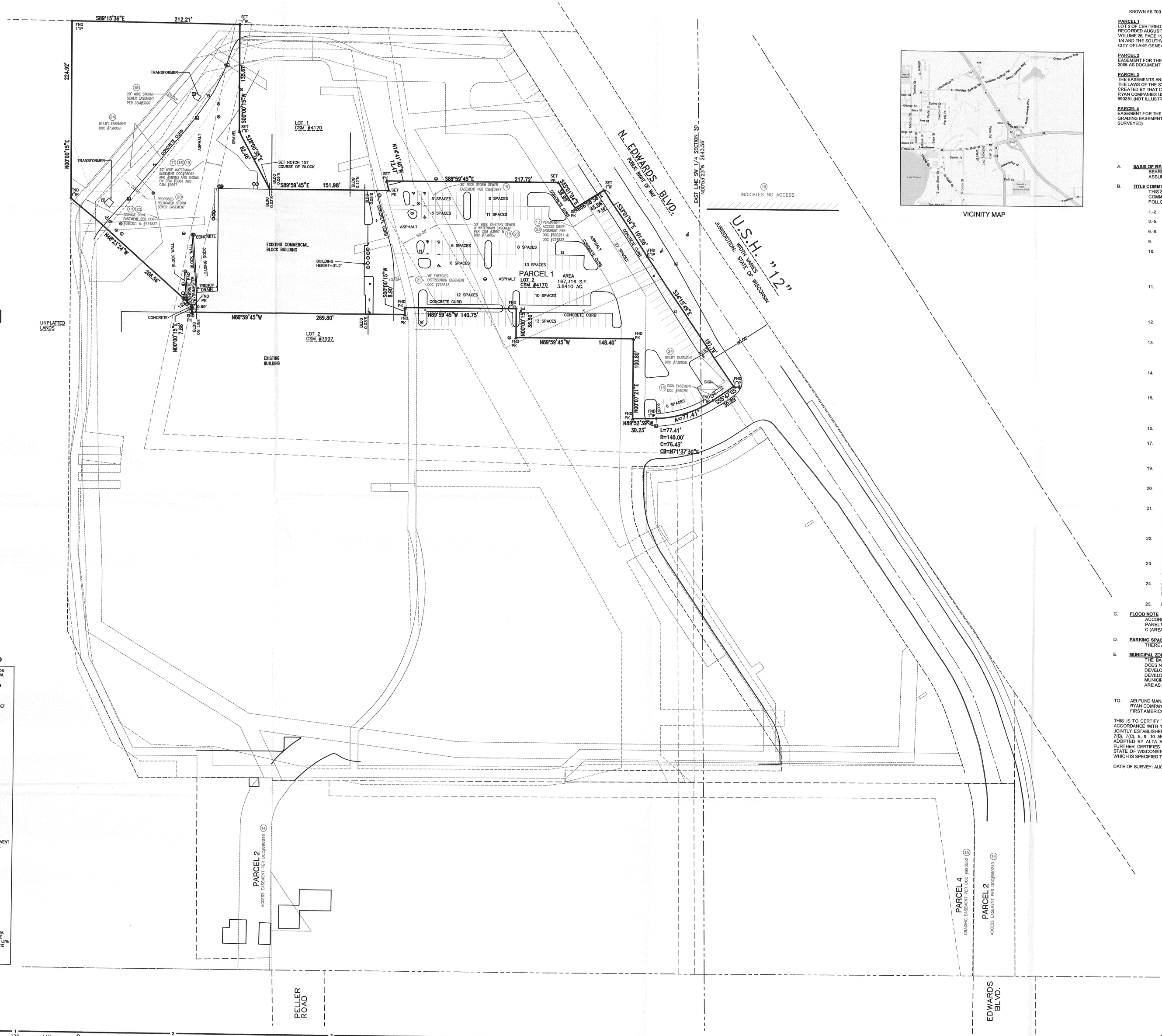
ALTA/ACSM LAND TITLE SURVEY



VICINITY MAP

KNOWN AS 700 N. EDWARDS BOULEVARD, CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN.

PARCEL 1
LOT 2 OF CERTIFIED SURVEY MAP NO. 4170, A DIVISIN OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3997, RECORDED AUGUST 22, 2008 IN THE OFFICE OF THE REGISTER OF DEEDS FOR WALWORTH COUNTY, IN VOLUME 26, PAGE 150 AS DOCUMENT NO. 744108, BEING PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWN 2 NORTH, RANGE 18 EAST, IN THE CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN.

PARCEL 2
EASEMENT FOR THE PURPOSE OF ACCESS AS SHOWN IN AN ACCESS EASEMENT RECORDED ON OCTOBER 6, 2006 AS DOCUMENT NO. 690249.

PARCEL 3
THE EASEMENTS AND SUCH OTHER INTERESTS AS ARE RECOGNIZED AS REAL PROPERTY INTERESTS UNDER THE LAWS OF THE STATE OF WISCONSIN GRANTED TO THE INSURED FOR THE BENEFIT OF PARCEL 1 CREATED BY THAT CERTAIN OPERATION AND EASEMENT AGREEMENT BETWEEN TARGET CORPORATION AND RYAN COMPANIES US, INC. DATED OCTOBER 5, 2006 AND RECORDED OCTOBER 6, 2006 AS DOCUMENT NO. 690251.(NOT ILLUSTRATED ON THIS SURVEY)

PARCEL 4
EASEMENT FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A RETAINING WALL AS SHOWN IN A GRADING EASEMENT RECORDED ON NOVEMBER 13, 2006 AS DOCUMENT NO. 693552. (NOT PART OF LANDS SURVEYED)

A. **BASIS OF BEARINGS**
BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 30 WHICH IS ASSUMED TO BEAR NORTH 89°54'09" EAST

B. **TITLE COMMITMENT**
THIS SURVEY WAS PREPARED BASED ON FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT NO. NCS-364526-MPLS, EFFECTIVE DATE OF AUGUST 21, 2008, WHICH LISTS THE FOLLOWING EASEMENTS AND/OR RESTRICTIONS FROM SCHEDULE B-II:

1.-2. NOT SURVEY RELATED.

3.-5. VISIBLE EVIDENCE, IF ANY, SHOWN.

6.-8. NOT SURVEY RELATED.

9. VISIBLE EVIDENCE, IF ANY, SHOWN.

10. EASEMENT BY AND BETWEEN SWIFT INVESTMENT BUILDERS, INC., A CORPORATION AND THE CITY OF LAKE GENEVA DATED DECEMBER 15, 1983 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WALWORTH COUNTY, WISCONSIN ON DECEMBER 28, 1983 IN VOLUME 315 OF RECORDS, PAGE 934, AS DOCUMENT NO. 98060 AND ALSO DOCUMENT RECORDED IN VOLUME 315 OF RECORDS, PAGE 939, DOCUMENT NO. 98061. DOES NOT AFFECT SITE BY LOCATION – NOT SHOWN

11. EASEMENT BY AND BETWEEN SWIFT INVESTMENT BUILDERS, INC., A CORPORATION AND THE CITY OF LAKE GENEVA DATED DECEMBER 15, 1983 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WALWORTH COUNTY, WISCONSIN ON DECEMBER 28, 1983 IN VOLUME 315 OF RECORDS, PAGE 994, DOCUMENT NO. 98062 AND ALSO DOCUMENT RECORDED IN VOLUME 315 OF RECORDS, PAGE 949, DOCUMENT NO. 98063. AFFECTS SITE BY LOCATION – SHOWN

12. STORM WATER DRAINAGE EASEMENT RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WALWORTH COUNTY, WISCONSIN ON AUGUST 22, 2006 AS DOCUMENT NO. 685925. AFFECTS SITE BY LOCATION – GENERAL IN NATURE, CANNOT BE PLOTTED

13. TERMS AND CONDITIONS CONTAINED IN THE "OEA" BY AND BETWEEN TARGET CORPORATION AND RYAN COMPANIES US, INC. DATED OCTOBER 5, 2006 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WALWORTH COUNTY, WISCONSIN ON OCTOBER 6, 2006 AS DOCUMENT NO. 690251. AFFECTS SITE BY LOCATION – SHOWN

14. ACCESS EASEMENT AGREEMENT BY AND BETWEEN RYAN COMPANIES US, INC. AND PHRE LAKE GENEVA, LLC DATED OCTOBER 5, 2006 AND RECORDED IN THE OFFICE OF DEEDS FOR WALWORTH COUNTY, WISCONSIN ON OCTOBER 6, 2006 AS DOCUMENT NO. 690249. BENEFITS SITE – SHOWN

15. TERMS AND CONDITIONS OF A GRADING EASEMENT BY AND BETWEEN RYAN COMPANIES US, INC. A MINNESOTA CORPORATION AND PHRE LAKE GENEVA, LLC DATED OCTOBER 12, 2006 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WALWORTH COUNTY, WISCONSIN ON NOVEMBER 13, 2006 AS DOCUMENT NO. 693552. BENEFITS SITE – SHOWN

16. TERMS AND CONDITIONS AS SHOWN ON CERTIFIED SURVEY MAP NO. 3981 RECORDED AUGUST 18, 2006 AS DOCUMENT NO. 685693. AFFECTS SITE BY LOCATION – SHOWN

17. TERMS, CONDITIONS AND OBLIGATIONS CONTAINED IN THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF LAKE GENEVA AND RYAN COMPANIES US, INC., DATED AUGUST 28, 2006. AFFECTS SITE BY LOCATION – GENERAL IN NATURE, CANNOT BE PLOTTED

19. TERMS AND CONDITIONS AS SHOWN ON THE CERTIFIED SURVEY NO. 3997 RECORDED ON OCTOBER 6, 2006 AS DOCUMENT NO. 690248. AFFECTS SITE BY LOCATION – SHOWN

20. PROPOSED STORM SEWER AND WATER MAIN EASEMENTS AS DEPICTED ON THE SURVEY BY NATIONAL SURVEY & ENGINEERING DATED DECEMBER 26, 2006 AS SURVEY NUMBER 163277-DAW. AFFECTS SITE BY LOCATION – SHOWN

21. GAS DISTRIBUTION EASEMENT GRANTED BY RYAN COMPANIES US, INC., TO WISCONSIN ELECTRIC POWER COMPANY, A WISCONSIN CORPORATION DBA WE ENERGIES RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WALWORTH COUNTY, WISCONSIN ON MARCH 20, 2007 AS DOCUMENT NO. 703612. AFFECTS SITE BY LOCATION – SHOWN

22. FIRST AMENDMENT TO OPERATION AND EASEMENT AGREEMENT DATED OCTOBER 9, 2007 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WALWORTH COUNTY, WISCONSIN ON DECEMBER 4, 207 AS DOCUMENT NO. 724837. AFFECTS SITE BY LOCATION – SHOWN

23. GRANT OF EASEMENT DATED MAY 14, 2008 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WALWORTH COUNTY, WISCONSIN ON JUNE 16, 2008 AS DOCUMENT NO. 739057. AFFECTS SITE BY LOCATION – SHOWN

24. GRANT OF EASEMENT DATED MAY 14, 2008 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WALWORTH COUNTY, WISCONSIN ON JUNE 16, 2008 AS DOCUMENT NO. 736058. AFFECTS SITE BY LOCATION – SHOWN

25. NOT SURVEY RELATED.

C. **FLOOD NOTE**
ACCORDING TO FLOOD INSURANCE RATE MAP OF THE CITY OF LAKE GENEVA, COMMUNITY PANEL NO. 550466 0002B, EFFECTIVE DATE OF DECEMBER 1, 1982, THIS SITE FALLS IN ZONE C (AREAS OF MINIMAL FLOODING)

D. **PARKING SPACES**
THERE ARE 130 REGULAR AND 6 HANDICAPPED PARKING SPACES MARKED ON THIS SITE.

E. **MUNICIPAL ZONING**
THE BASIC ZONING INFORMATION LISTED BELOW IS TAKEN FROM MUNICIPAL CODES AND DOES NOT REFLECT ALL REGULATIONS THAT MAY APPLY – SITE IS ZONED PD/GDP PLANNED DEVELOPMENT/GENERAL DEVELOPMENT PLAN. THIS SITE IS A DETAILED PLANNED UNIT DEVELOPMENT AND HAS SPECIFIC ZONING REGULATIONS THAT SUPERSEDE REGULAR MUNICIPAL CODE ZONING REGULATIONS. BUILDING SETBACKS AND OFFSET RESTRICTIONS ARE AS APPROVED BY THE CITY OF LAKE GENEVA AT THE TIME OF DEVELOPMENT.

TO: ABI FUND MANAGEMENT, INC. ITS SUCCESSORS AND/OR ASSIGNS
RYAN COMPANIES US, INC.
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 "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005 AND INCLUDES ITEMS 1, 2, 3, 4, 6, 7(A), 7(B), 7(C), 8, 9, 10 AND 11(A) OF TABLE "A" THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF WISCONSIN, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

DATE OF SURVEY: AUGUST 13, 2008

ERIC R. STURM
REGISTERED LAND SURVEYOR
REGISTRATION NO. S-2309

WISCONSIN ERIC R. STURM S-2309 LAND SURVEYOR

RECEIVED OCT 10 2008

LEGEND

- ( ) INDICATES RECORDED DIMENSION WHERE DIFFERENT FROM ACTUAL MEASUREMENT
- OR SECTION OR 1/4 SECTION CORNER AS DESCRIBED
- 1" DIA. IRON PIPE FOUND (UNLESS OTHERWISE NOTED)
- 1" DIA. IRON PIPE, 18" LONG-SET (UNLESS OTHERWISE NOTED)
- BOLLARD
- SOIL BORING/MONITORING WELL
- FLAGPOLE
- MAILBOX
- SIGN
- BILLBOARD
- CONTROL BOX
- TRAFFIC SIGNAL
- RAILROAD CROSSING SIGNAL
- CABLE PEDESTAL
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- SPOT/YARD/PEDESTAL LIGHT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC PEDESTAL
- ELECTRIC METER
- TELEPHONE MANHOLE
- TELEPHONE PEDESTAL
- MARKED FIBER OPTIC
- GAS VALVE
- GAS METER
- GAS WARNING SIGN
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- STORM SEWER END SECTION
- SANITARY MANHOLE
- SANITARY CLEANOUT OR SEPTIC VENT
- SANITARY INTERCEPTOR MANHOLE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- WATER SERVICE CURB STOP
- WATER MANHOLE
- WELL
- WATER SURFACE
- WETLANDS FLAG
- MARSH
- CONIFEROUS TREE
- DECIDUOUS TREE
- SHRUB
- —EDGE OF TREES
- S —SANITARY SEWER
- STO —STORM SEWER
- W —WATERMAIN
- G —MARKED GAS MAIN
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- B —BUREAU ELEC. SERV.
- T —MARKED TELEPHONE
- TV—MARKED CABLE TV LINE
- FO—MARKED FIBER OPTIC
- 780 INDICATES EXISTING CONTOUR ELEVATION
- × 780.55 INDICATES EXISTING SPOT ELEVATION

ZA4170-2

007-3629

DRAWING SCALE: 1 INCH = 40 FEET

SHEET 1 OF 1

R.A. Smith National, Inc.
Beyond Surveying and Engineering
16745 W. Bluemound Road, Brookfield WI 53005-5938
262-781-1009 Fax 262-781-7375, www.rasmithnational.com

S:\S164189\dwg\AS101F40.dwg\AS101F40RED

R.A. Smith National, Inc.

S:\S164189\dwg\AS101F40.dwg, AS101F40RED, 9/3/2008 2:06:35 PM, dcw