# ALTA/ACSM Land Title Survey

A parcel of land described in Title Commitment NBU No. 21402467 prepared by Chicago Title Insurance Company, dated July 18, 2014, as shown below:

Parcel 1:
Lot 1 of Certified Survey Map No. 3569 as recorded in Volume 21 of Certified Surveys in Page 83 as Document No. 563570 and located in the SW 1/4 of Sections 16, T2N, R16E, City of Delavan, Walworth County, Wisconsin. Tax Key No.: XA356900001
Parcel 2:
Lot 2 of Certified Survey Map No. 3569 as recorded in Volume 21 of Certified Surveys in Page 83 as Document No. 563570 and located in the SW 1/4 of Sections 16, T2N, R16E, City of Delavan, Walworth County, Wisconsin. Tax Key No.: XA356900002
Parcel 3:
Lot 3 in Delavan Crossings, a subdivision of part of the Southwest quarter and part of the Southeast quarter of Section 16, all in Township 2 N., Range 16 E., City of Delavan, County of Walworth, State of Wisconsin pursuant to the plat thereof recorded as Document No. 489594 with the Recorder of Walworth County, Wisconsin. Tax Key No: XDC00003
Parcel 4:
Non exclusive Easements for Ingress and Egress, f/b/o parcels 1, 2 and 3, as set forth in Easements with Covenants recorded December 20, 2001 as Document No. 493771, as amended by First Amendment to Easements with Covenants and Restrictions affecting Land ("ECR") recorded July 1, 2003 as Document No. 563742, and further amended by Second Amendment to Easements with Covenants and Restrictions Affecting Land ("ECR") recorded November 11, 2003 as Document No. 583408, and Third Amendment to Easements with Covenants and Restrictions Affecting Land ("ECR") recorded January 31, 2005 as Document No. 630012.
Parcel 5:
Non exclusive easements for ingress & egress f/b/o Parcels 1 and 2, as set forth in Reciprical Easement Agreement recorded July 1, 2003 as Document No. 563773.
Parcel 6:
Non exclusive easements for, Ingress & Egress f/b/o Parcels 1 and 3, as set forth in Reciprical Easement Agreement recorded September 16, 2003 as Document No. 575831.

Schedule B - II of Title Commitment NBU No. 21402467 prepared by Chicago Title Insurance Company, dated July 18, 2014, lists the following easements and restrictions.

10. Easement from Airport 43 Limited Partnership, an Illinois limited partnership to Walworth County Metropolitan Sewerage District, a municipal corporation dated March 6, 1991 and recorded in the office of the Register of Deeds for Walworth County, Wisconsin on March 20, 1991 in Vol. 514 of Records on page 191 as Document No. 208357. SHOWN

11. Easement from Airport 43 Limited Partnership, an Illinois limited partnership to Wisconsin Bell, Inc., dated June 17, 1992 and recorded in the office of the Register of Deeds for Walworth County, on January 8, 1993 in Volume 606 of Records on page 800 as Document No. 249310. SHOWN

12. Terms and conditions contained in the "ECR" recorded as Document No. 493771, and First Amendment to Easements with Covenants and Restrictions Affecting Land ("ECR") recorded Document No. 563742, and Second Amendment to Easements with Covenants and Restrictions Affecting Land ("ECR") recorded as Document No. 583408, and Third Amendment to Easements with Covenants and Restrictions Affecting Land ("ECR") recorded as Document No. 630012. Existing improvements & drives on and adjacent to subject parcels SHOWN

13. Easements and Restrictions as Set Forth on Certified Survey Map No. 3569 recorded in Volume 21 of Certified Surveys on Page 83 as Document No. 563570. SHOWN

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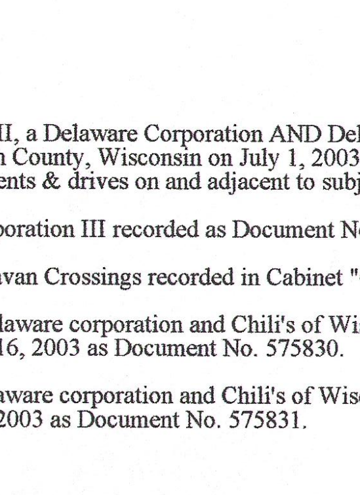
14. Reciprocal Easement Agreement by and between Household Finance Corporation III, a Delaware Corporation AND Delavan Retail, LLC, a Wisconsin limited liability company dated June 30, 2003 and recorded in the office of the Register of Deeds of Walworth County, Wisconsin on July 1, 2003 as Document No. 563773. Existing improvements & drives on and adjacent to subject parcels SHOWN

15. Development Agreement between the City of Delavan and Household Finance Corporation III recorded as Document No. 490207. Existing improvements & drives on and adjacent to subject parcels SHOWN

16. Easements, building lines and access restrictions as shown on the Final Plat of Delavan Crossings recorded in Cabinet "C" of Plats of Slide 103 as Document No. 489594. SHOWN

17. Restrictive Covenant Agreement between Household Finance Corporation III, a Delaware corporation and Chili's of Wiscsonsin, Inc., a Wisconsin corporation, recorded in the office of the Register of Deeds for Walworth County, Wisconsin on September 16, 2003 as Document No. 575830. NOT PLOTTABLE

18. Reciprocal Easment Agreement between Household Finance Corporation III, a Delaware corporation and Chili's of Wisconsin, Inc., a Wisconsin corporation, recorded in the office of the Register of Deeds for Walworth County, Wisconsin on September 16, 2003 as Document No. 575831. Existing drives on and adjacent to subject parcels SHOWN



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Notes:

1. According to Flood Insurance Rate Map (FIRM) No. 55127C0190D for the City of Delavan, Effective date: October 2, 2009, this site falls in Zone X: Areas determined to be outside the 0.2% annual chance floodplain.

2. There are 242 regular and 12 handicapped marked parking spaces on this site.
   - There are 59 regular and 3 handicapped marked parking spaces on Parcel 1.
   - There are 106 regular and 4 handicapped marked parking spaces on Parcel 2.
   - There are 77 regular and 5 handicapped marked parking spaces on Parcel 3.

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3. Site is zoned BR Business Regional District which lists the following basic requirements.
Area, height and yard requirements.
   - Lot area: minimum 1 acre (20,000 sq.ft. permitted with a conditional use.
   - Lot width: 150'
   - Yards
     Street: 25'
     Rear: 25 feet
     Side: 10 feet: 25 feet when abutting a residential district.
   Pavement: 10'

Minimum building separation 20'
- Building Height: 50 feet maximum
Minimum Landscape Surface Ratio: .250
Maximum Floor Area Ratio: .250
Maximum Building Size: na

4. Visible evidence of water, gas, electric, telephone and sewer utilities were observed on and serving Parcels 1, 2 & 3. The site was not marked by diggers hotline to identify the location of buried utility lines.

5. The legal description describes the same property as insured in such title commitment or any exceptions have been noted herein.

6. Table A item 19* - There was no observed evidence of a wetland delineation on Parcels 1, 2 or 3.

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7. Table A item 20** - The location of improvements within offsite easements has been limited to an area immediatly adjacent to the subject parcels and does not include the location of improvements within offsite easements throughout the entire retail development.

To: Delevan Equities I, LLC, Delevan Equities II, LLC, Delevan Equities III, LLC,
MC-FIVE MILE COMMERCIAL MORTGAGE FINANCE LLC and its successors and/or assigns
Chicago 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, and includes items 1, 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 11(a), 13, 14, 16, 17, 18, 19*, 20(a)** and 21 of Table A thereof.
The field work was completed on August 25, 2014.

September 2, 2014.

Douglas G. Olson
Wisconsin Registered Land Surveyor - 2093

xdc-3 XA3569-1 XA3569-2 002-2578

Sheet 1 of 1 Sheets

Drawing Name:

Job Reference Number
2014.072

**Legend**
- ■ Found County Section Corner
- ● Found Iron Rod
- ✕ Found Chisseled Crosscut
- ( ) Recorded Information
- ☒ Utility Pole
- ▣ Utility Pedestal or Transformer
- ▣ Catch Basin
- ◇ Fire Hydrant
- ▨ Asphalt Surface
- ▨ Concrete Surface
- ▨ Brick Pavers
- ☒ Stand Pipe
- M.U.E. Municipal Utility Easement
- P.U.E. Public Utility Easement
- ¤ Light Pole
- ○ Manhole
- ◇ Water Valve
- ⊐ Culvert
- ⊙ Bollard
- ▫ Utility Sign

**Jensen & Olson Land Surveying, LLC**
45 South Wisconsin Street * P.O. Box 322 * Elkhorn, Wisconsin. 53121
Telephone: (262) 723-3434 * Facsimile: (262) 723-8044
Email: jensen.olson@elknet.net

Scale in Feet
1" = 30'
0' 15' 30' 60' 90'

Survey date: August 25, 2014.
Revisions: No. 1 - Misc. Notes

2014.072