

# **ALTA/NSPS LAND TITLE SURVEY**

SEDGEMEADOW CONDOMINIUM ADDENDUM NO. 1, CABINET "A", SLIDE 576 DOCUMENT NO. 695323 LOCATED IN THE SE1/4 OF THE SE1/4, SECTION 35, T.3N., R.16E., CITY OF ELKHORN, WALWORTH COUNTY, WISCONSIN

#### LEGAL DESCRIPTION

#### Parcel I:

Building/Unit No. One (1) and so much of the undivided interest in the common areas and facilities appurtenant to such unit in the percentage specified and established in the hereinafter-mentioned Declaration, in a Condominium commonly known as SEDGEMEADOW CONDOMINIUM created under the Condominium Ownership Act of the State of Wisconsin by Declaration recorded on November 4, 2003 in the Office of the Register of Deeds for Walworth County, Wisconsin, as Document No. 0582578, located in the City of Elkhorn, Walworth County, Wisconsin.

#### MORE PARTICULARLY DESCRIBED AS FOLLOWS:

All of Unit One (1) of Sedgemeadow Condominium Addendum No. 1 as recorded in Cabinet "A" on Slide 576 as Document No. 695323 of Walworth County records, being located in the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section Thirty-Five (35), Township Three (3) North, Range Sixteen (16) East, City of Elkhorn, Walworth County, Wisconsin containing 98,829 square feet (2.268 acres) of land and being described by:

Commencing at the Southeast Corner of said Section 35; thence N01°-41'-47"W 129.50 feet along the east line of the SE1/4 of said Section 35; thence S88°-07'-27"W 16.50 feet to a point on the west line of N. West Street; thence N01°-41'-47"W 180.63 feet along said west line of N. West Street to the point of beginning; thence S73°-04'-12"W 531.75 feet to a point on the east line of Oak Park Place; thence N19°-22'-46"W 168.26 feet along said east line of Oak Park Place; thence N63°-44'-38"E 288.15 feet; thence S86°-41'-47"E 201.76 feet; thence N88°-18'-13"E 101.09 feet to a point on the west line of N. West Street; thence S01°-41'-47"E 122.77 feet along said west line of N. West Street to the point of beginning, being subject to any and all easements and restrictions of record.

## Parcel II:

Easement for ingress and egress set forth in Reciprocal Easement Agreement for Access, Egress and Utilities recorded December 6, 2006 as Document No. 695320.

## TITLE REPORT REVIEW

Title Report: First American Title Insurance Company

Commitment No. NCS-964358-MAD

Effective Date: September 17, 2019

Fee Simple Title Vested In: Elkhorn Sedgemeadow I Limited Partnership, a Wisconsin Limited Partnership

NOTE: The Statement of Applicability refers to the Parcel. Where Specific Encumbrances affect the Parcels they are identified as such.

Schedule B-II

(1-8) These are general statements and not specific encumbrances.

- (9) Notice of pending assessment recorded March 7, 2008 as Document No. 731272. This is not a survey related item.
- (10) Note shown on the recorded plat of Elkhorn West, providing as follows: "Standard Building setbacks shall be accordance with Section 17.4 of the Municipal Code of the City of Elkhorn." **Setback information to be provided upon receipt of Zoning Report.**
- (11) Condition Use Permit recorded on January 21, 2000 in Volume 669 of Records at page 1724, as Document No. 435903. This is not a survey related item.
- (12) Restrictions, conditions, covenants and provisions contained in Elkhorn West Multi-Family Planned Unit Development Agreement recorded on January 21, 2000 in Volume 669 of Records at page 1731, as Document No. 435904. This is not a survey related item.
- (13) Easement recorded on May 28, 1999 in Volume 664 of Deeds at page 328, as Document No. 417088. Applies and is plotted and shown.
- (14) Affidavit of Recording recorded on September 26, 2002, as Document No. 524651. This is not a survey related item.
- (15) Declaration of Condominium

Recorded: November 4, 2003 as Document No. 582578. This is the original Condominium Declaration and has since been amended per "Sedgemeadow Codominium Addendum No. 1" recorded as Document No. 695323 which is plotted and shown.

Agreement to Remove a portion of the property that is part of Sedgemeadow Condominium from the provisions of Chapter 703 of the Wisconsin Statutes and First Amendment to the Declaration of Sedgemeadow Condominium recorded December 6, 2006 as Document NO. 695322 The portion removed is north of the subject property and does not apply.

- (16) Land Use Restriction Agreement For Low-Income Housing Tax Credit recorded on June 18, 2004, as Document No. 607548. This is not a survey related item.
- (17) Retention/Repayment Agreement for Rental Projects using Low Income Housing Tax Credit Recorded: September 3, 2004 as Document No. 615894 **This is not a survey related item.**

Amendment to Repayment Agreement recorded January 15, 2013 as Document No. 855251. This is not a survey related item.

- Second Amendment to Repayment Agreement recorded October 8, 2013 as Document No. 872753. This is not a survey related item.

  (18) Reciprocal Easement Agreement for Access, Egress and Utilities recorded December 6, 2006 as Document No. 695320. Applies and is
- plotted and shown.

(19) Nonexclusive Installation and Service Agreement recorded April 16, 2015 as Document No. 902777. This is not a survey related item.

- (20-24)Mortgages/Financial Statements and not survey related items.
- (25) Assignment of Interest in Real Estate recorded June 16, 2006 as Document No. 665602. This is not a survey related item.
- (26) Easements and all other matters disclosed by Sedgemeadow Condominium Addendum No. 1 recorded in Cabinet "A" on Slide 576 as Document No. 695323. **Does apply. Two utility easements are plotted and shown.**

-Utilities servicing land of others run through the Land without apparent recorded easement -Utilities servicing Land run through the land of others without apparent recorded easement

-Encroachment of 8 Parking Stalls into Reciprocal Easement Agreement for Access, Egress and Utilities

(South of northerly perimeter)

-Encroachment of 8 Parking Stalls that appear to be used by the Land into Reciprocal Easement Agreement for Access, Egress and Utilities (North of northwesterly perimeter)

-Apparent use by the land of Parking Stalls encroaching over northwesterly perimeter

### CERTIFICATION

The undersigned, being a Professional Land Surveyor of the State of Wisconsin certifies to:

First American Title Insurance Company; Elkhorn Sedgemeadow I Limited Partnership; Wisconsin Housing and Economic Development Authority, its successors and assigns (WHEDA); construction lender; appraiser, equity investor, lenders, title company, and others with an interest in the property.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6a, 7a, 7b1, 7c, 8, 9, 10a, 10b, 11, 12, 13, 14, 16, 17, 18, 19, and 20 of Table A thereof and Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of WHEDA's Exhibit B Land Title Survey Requirements. The fieldwork was completed on May 30, 2019.

The survey was made on the ground on May 30, 2019 and correctly shows the area of the subject property, the location and type of all buildings, structures and other improvements situated on the subject property, and any other matters situated on the subject property.

Except as shown on the survey, there are no visible easements or rights of way of which the undersigned has been advised.

Except as shown on the survey, there are no observable, above ground encroachments

(a) by the improvements on the subject property upon adjoining properties, streets or alleys, or (b) by the improvements on adjoining properties, streets or alleys upon the subject property.

The location of each easement, right of way, servitude, and other matter affecting the subject property and listed in the title insurance commitment dated July 26, 2019, issued by First American Title Insurance Company with respect to the subject property, has been shown on the survey, together with appropriate recording references, to the extent that such matters can be located. The property shown on the survey is the property described in that title commitment. The location of all improvements on the subject property is in accord with minimum setback provisions and restrictions of record referenced in such title commitment.

The subject property has access to and from duly dedicated and accepted public streets, known as Oak Park Place and N. West Street.

Except as shown on the survey, the subject property does not serve any adjoining property for drainage, utilities, or ingress or egress.

There are no bodies of water on the property

The record description of the subject property forms a mathematically closed figure.

There was no evidence of a cemetery or burial grounds on this property.

The subject property lies within flood zone X as identified on FIRM MAP PANEL NO. 55127C0195D and 55127C0190D with an effective date of October 2, 2009 and except as specifically noted on the survey, no part of the subject property lies within any area designated as "flood prone area," "special flood hazard area" or 100-year flood plain by the Federal Emergency Management Agency, the United States Army Corps of Engineers, the U.S. Department of Housing and Urban Development, the State of Wisconsin, Walworth County, City of Elkhorn or any other governmental agency or authority having jurisdiction over the subject property nor is any portion of the subject property located within any lake or any creek, stream, river or other watercourse required to be undisturbed by an appropriate governmental agency or authority.

The parties listed above are entitled to rely on the survey and this certificate as being true and accurate.

Dated this the 24<sup>TH</sup> day of September 2019

Steven C. DeJong, Wisconsin Professional Land Surveyor S-2791



MERIDIAN					DRAWN BY:	J.D.	FIELD WORK 5-30-19
SURVEYING, LLC		0 00 10	Hadahad Titla Day			C.A.K.	W 0V 50 V
		9-08-19	Updated Title Report	JD	CHECKED BY:	0.71.71.	FIELD BOOK: M-2X, PG. X
N9637 Friendship Drive Office: 920-993		6-03-19	Preliminary Survey	JD		11100	2
Kaukauna, WI 54130 Fax: 920-273	-6037 NO.	DATE	DESCRIPTION	BY	JOB NO.:	11168	SHEET 2 OF 2