

NOTES CORRESPONDING TO SCHEDULE B

- ① THE 30 FOOT WIDE RIGHT OF WAY AND EASEMENT FOR SANITARY SEWER RECORDED IN VOLUME 442 OF RECORDS ON PAGE 625. IS PLOTTED AND DOES AFFECT SUBJECT PROPERTY.

ZONING DATA

ZONING CLASSIFICATION: THE PROPERTY IS ZONED B-3, HIGHWAY BUSINESS DISTRICT

HEIGHT: ZONING REQUIREMENT IS A MAXIMUM OF 35 FEET FOR THE PRINCIPAL BUILDING

SETBACK AND YARDS: MINIMUM BUILDING SETBACK OF 25 FEET FROM THE RIGHT-OF-WAY OF ALL STREETS. SIDE YARD SETBACK ON EACH SIDE OF ALL BUILDINGS NOT LESS THAN 20 FEET IN WIDTH AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 25 FEET.

PARKING RATIO: ONE (1) PARKING SPACE FOR EACH ONE-HUNDRED AND FIFTY (150) SQUARE FEET OF PRIMARY FLOOR AREA.

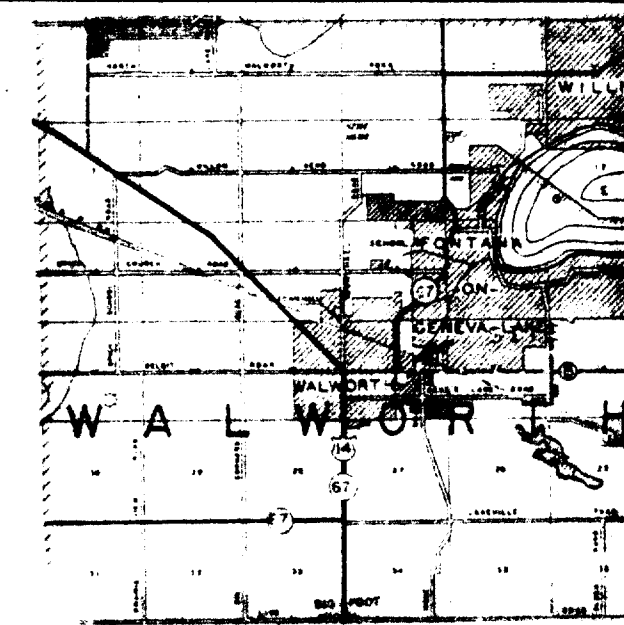
SOURCE: OBTAINED COPY OF ZONING ORDINANCE FROM KELLY HAYDEN VILLAGE CLERK VILLAGE OF WALWORTH.

STATEMENT OF ENCROACHMENTS

NOTE: NO ENCROACHMENTS ON SUBJECT PROPERTY.

SCALE: 1" = 40'

0' 20' 40' 80'



VICINITY MAP

NOTE: BEARINGS REFERENCED TO CERTIFIED SURVEY MAP NO. 996 AS RECORDED IN VOLUME 4 OF CERTIFIED SURVEY MAPS PAGE 254. SOUTH LINE OF THE NORTH EAST 1/4 OF SECTION 22, T1N, R16E TAKEN TO BE SOUTH 89°36'10" EAST.

LEGEND

- ⊕ FOUND CONCRETE MONUMENT
- FOUND IRON PIPE
- POWER POLE
- ⊠ SIGN
- ♿ HANDICAP PARKING SPACE
- LIGHT POLE
- x— FENCE
- OE— OVER HEAD ELECTRIC
- ⊠ ELECTRIC METER
- ⊠ GAS METER
- ⊠ FIRE HYDRANT
- ⊠ ELECTRICAL TRANSFORMER
- (XXXX) RECORDED AS

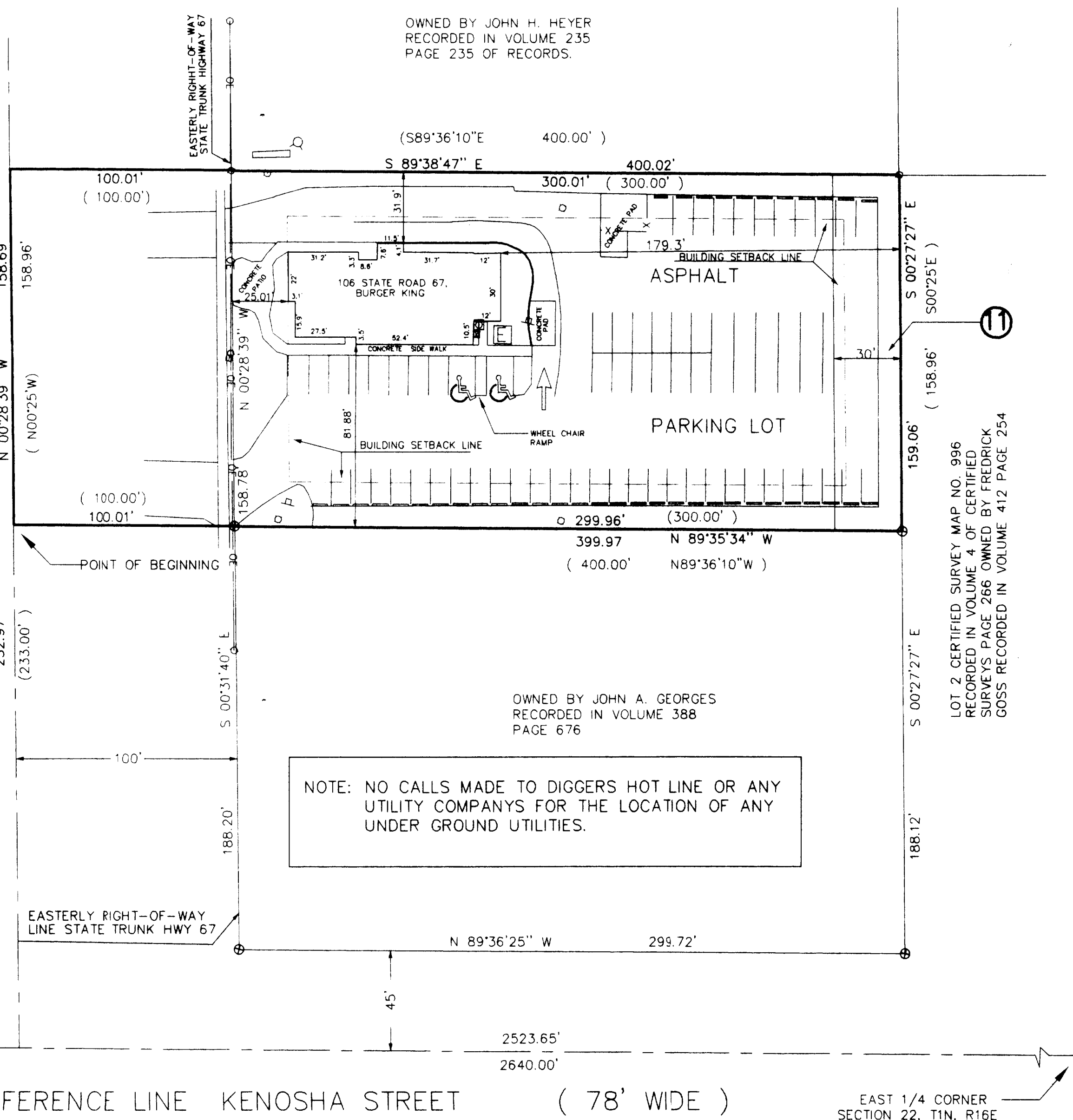
PARKING SPACES TABLE

TYPE	NUMBER
REGULAR	60
HANDICAPPED	2
TRUCK	5

NOTE: ALL STRIPING IS YELLOW PAINT

REFERENCE LINE STATE TRUNK HIGHWAY 67 (185' WIDE)

REFERENCE LINE KENOSHA STREET (78' WIDE)



NOTE: NO CALLS MADE TO DIGGERS HOT LINE OR ANY UTILITY COMPANYS FOR THE LOCATION OF ANY UNDER GROUND UTILITIES.

FLOOD NOTE: By graphic plotting only, this property is in Zone(s) of the Flood Insurance Rate Map, Community Panel No. which bears an effective date of and is/is not in a Special Flood Hazard Area. By telephone call dated 11-17-1997 to the National Flood Insurance Program (800-638-6620) we have learned this community does not currently participate in the program. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

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LEGAL DESCRIPTION

SITUATED IN THE STATE OF WISCONSIN, COUNTY OF WALWORTH, VILLAGE OF WALWORTH, BEING IN THE NORTHEAST 1/4 OF SECTION 22, TOWN 1 NORTH RANGE 16 EAST, FUTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT AT THE CENTER OF SAID SECTION 22

THENCE ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 22 SOUTH 89°36'10" EAST A DISTANCE OF 116.35 FEET (FORMERLY A RECORD DISTANCE OF 115.5 FEET) TO THE CENTER LINE OF STATE TRUNK HIGHWAY 67

THENCE ALONG THE CENTER LINE OF SAID STATE TRUNK HIGHWAY 67 NORTH 00°28'39" WEST A DISTANCE OF 232.97 FEET (FORMERLY A RECORD DISTANCE OF 233.00 FEET) TO THE POINT OF BEGINNING

THENCE CONTINUE ALONG THE CENTER LINE OF SAID STATE TRUNK HIGHWAY 67 NORTH 00°28'39" WEST A DISTANCE OF 158.69 FEET (FORMERLY A RECORD DISTANCE OF 158.96 FEET) TO A POINT.

THENCE SOUTH 89°38'47" EAST A DISTANCE OF 100.01 FEET (FORMERLY A RECORD DISTANCE OF 100.00 FEET) TO A IRON PIPE.

THENCE CONTINUE SOUTH 89°38'47" EAST ALONG THE SOUTH LINE OF LANDS NOW OWNED BY JOHN H. HEYER AS RECORDED IN VOL. 235 PAGE 235 OF RECORDS. A RECORD DISTANCE OF 300.01 FEET (FORMERLY A DISTANCE OF 300.00 FEET) TO A CONCRETE MONUMENT.

THENCE SOUTH 00°27'27" EAST ALONG THE WEST LINE OF LOT 2 CERTIFIED SURVEY MAP NO. 996 AS RECORDED IN VOL. 4 PAGE 266 OF CERTIFIED SURVEY MAPS NOW OWNED BY FREDRICK GOSS AS RECORDED IN VOL. 412 PAGE 254 OF RECORDS A DISTANCE OF 159.06 FEET (FORMERLY A RECORD DISTANCE OF 158.96 FEET) TO A CONCRETE MONUMENT.

THENCE NORTH 89°35'34" WEST ALONG THE NORTH LINE OF LANDS NOW OWNED BY JOHN A. GEORGES AS RECORDED IN VOL. 388 PAGE 676 OF RECORDS. A DISTANCE OF 299.96 FEET (FORMERLY A RECORD DISTANCE OF 300.00 FEET) TO A CONCRETE MONUMENT.

THENCE CONTINUE NORTH 89°35'34" WEST A DISTANCE OF 100.01 FEET (FORMERLY A RECORD DISTANCE OF 100.00 FEET) TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1.4587 ACRES, 63541 SQUARE FEET, AS CALCULATED.

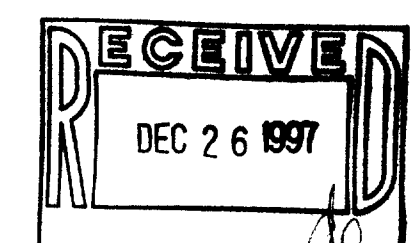
NOTE: THE ABOVE LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS PARCEL IN SCHEDULE A OF TITLE COMMITMENT NO. 63513 OF THE CHICAGO TITLE INSURANCE COMPANY BEARING AN EFFECTIVE DATE OF OCTOBER 13, 1997.

ALTA/ACSM LAND TITLE SURVEY

SOUTHERN WISCONSIN FOODS TRANSACTION
Burger King Store No. 9844
106 State Road 67, Walworth, WI. 53184

I hereby certify and represent to Southern Wisconsin Foods, Inc., CNL Financial I, Inc., a Florida corporation, CNL Financial III, LLC, a Delaware limited liability company, their affiliates, and their successors, and/or assigns, including Magenta Capital Corporation, and The Chase Manhattan Bank, as Magenta Trustee, and its or their affiliates, and successors, and/or assigns, Chicago Title Insurance Company, and Bock & Clark that (a) this is a true and correct map of survey made under my responsible supervision and direction in accordance with the Minimum Standard Detail Requirements of Wisconsin; (b) this map of survey correctly and completely shows the location of all substantial (i) visible improvements and structures, (ii) easements and rights-of-way, (iii) encroachments, overlaps, and boundary line disputes, (iv) areas devoted or restricted in reciprocal easements agreements, and all other matters visible on the ground or of record (as reflected in the referenced title commitment), of which undersigned has otherwise been advised as located on, encumbering or appurtenant to the property; (c) as shown on this map of survey, ingress and egress to the land described in this map of survey is provided by STATE OF WISCONSIN, the same being a paved and dedicated right of way maintained by WALWORTH COUNTY; (d) the land described in this map of survey does not serve the adjoining property for drainage, ingress, egress, or any other purpose; (e) I have consulted the applicable Federal Flood Insurance Map, Panel No. dated and found that the land described in this map of survey is not situated within a federally designated Special Flood Hazard Area; (f) the land described in this map of survey is not subject to any setback, or height restrictions of record or disclosed by applicable zoning or building codes or subdivision maps except as shown on this map of survey; (g) the land described in this map of survey is the same property as that described in Chicago Title Insurance Commitment No. 63513 with an effective date of OCT. 13, 1997; and (h) all utility services to the land described in this map of survey, either enter to such land through adjoining public streets or this survey shows the point of entry, and location of any utilities which pass through or are located on adjoining private land.

Furthermore, this survey was (i) in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and ACSM in 1992; (ii) in accordance with the "Survey Requirements for Southern Wisconsin Foods Transaction Surveys Dated Oct 15, 1997," includes items 2.3.4, 6.7(a), 8.9.10.11.17, and 18 of Table A specifically defined therein, and (iii) pursuant to the accuracy Standards (as adopted by ALTA and ACSM and in effect on the date of this certification) of an urban Survey.



John P. Krott
John P. Krott
Registration No. 2258
within the state of Wisconsin
Date of Survey 10/29/1997
date of last Revision 11/17/1997

SURVEY PERFORMED BY
PATHFINDER SURVEYING
929 Williams Street
Lake Geneva, WI 53147
414-248-3697



Network Project No. 97984-9844

BOCK & CLARK'S NATIONAL SURVEYORS NETWORK

phone: 1-800-SURVEYS, fax: 330-666-3608, email: webmaster@1800surveys.com
537 N. Cleveland - Massillon Road, Akron, Ohio 44333 http://www.1800surveys.com

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