

ALTA/NSPS LAND TITLE SURVEY

The Legal Description as contained within the ALTA Commitment for Title Insurance issued by First American Title Insurance provided to the Surveyor.

Commitment Number NCS-965784-MAD (Lot 3) & NCS-965776-MAD (Lot 4)

Commitment Date: June 18, 2019 at 8:00 AM (Lot 3) & June 24, 2019 at 8:00 AM (Lot 4)

Tax Parcel No.: /A40540003 (Lot 3) & /A40540004 (Lot 4)

EXHIBIT A LEGAL DESCRIPTION (LOT 3)

Lot 3 of Certified Survey Map No. 4054 dated June 11, 2007 and recorded on June 14, 2007 in Volume 25 of Certified Survey Maps on pages 149 through 153 as Document No. 711118, being a revision of Lot 1 of Certified Survey Map No. 2599, located in the Southeast 1/4 of the Southwest 1/4, part of said Southeast 1/4 of the Southwest 1/4, Northeast 1/4 of the Southwest 1/4, Northwest 1/4 of the Southeast 1/4, Southwest 1/4 of the Southeast 1/4, all in Section 3, Township 4 North, Range 15 East. Said land being located in the City of Whitewater, County of Walworth, State of Wisconsin.

EXHIBIT A LEGAL DESCRIPTION (LOT 4)

Lot 4 of Certified Survey Map No. 4054, recorded June 14, 2007 in Volume 25, Page 149, as Document No. 711118, being a revision of Lot 1 of Certified Survey Map No. 2599, being part of the Southeast 1/4 of the Southwest 1/4, the Northeast 1/4 of the Southwest 1/4, the Northwest 1/4 of the Southeast 1/4 and the Southwest 1/4 of the Southeast 1/4 in Section 3, Town 4 North, Range 15 East. Said land being in the City of Whitewater, County of Walworth, State of Wisconsin.

NOTES CORRESPONDING TO SCHEDULE B, PART II ITEMS (LOT 3)

ITEMS 1-8 AND 18-20 ARE CONSIDERED GENERAL IN NATURE OR NON-SURVEYED RELATED AND ARE NOT LISTED

9.(L.3) Easements, dedications, reservations, provisions, relinquishments, recitals, certificates, and any other matters as provided for or delineated on Certified Survey Map No. 4054 recorded June 14, 2007 as Document No. 711118 referenced in the legal description contained herein. Reference is hereby made to said plat for particulars. PLOTTED HEREON. NOTE ON CERTIFIED SURVEY MAP NO. 4054: ALL DRAINAGE EASEMENTS TO REMAIN IN PRIVATE OWNERSHIP. ROUTINE CARE AND MAINTENANCE OF DRAINAGE EASEMENT AREA AND LANDSCAPING IN DRAINAGE EASEMENT AREA IS THE RESPONSIBILITY OF THE OWNER OF THE LOT ON WHICH EASEMENT LIES. NON-ROUTINE REPAIR OR MAINTENANCE TO STORMWATER MANAGEMENT FACILITIES SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE LOT ON WHICH THE STORMWATER MANAGEMENT FACILITY/DRAINAGE EASEMENT IS LOCATED, UNLESS AND UNTIL OTHERWISE ESTABLISHED BY SEPARATE AGREEMENT BY THE OWNERS OF ALL LOTS AND APPROVED BY THE DIRECTOR OF PUBLIC WORKS FOR THE CITY OF WHITEWATER.

10.(L.3) Redevelopment Agreement dated January 26, 2007 by and between the City of Whitewater, a Wisconsin municipal corporation and Elkhorn Road Venture, L.L.C., a Wisconsin limited liability company, and any and all amendments, addendums and supplements thereto, recorded December 17, 2008 as Document No. 751216. NOT PLOTTABLE, NON-SURVEY RELATED ITEM

11.(L.3) Easement for vision corner granted to City of Whitewater, Wisconsin, a municipal corporation by Vision Corner Easement recorded June 23, 2008 as Document No. 739738. PLOTTED HEREON.

12.(L.3) Grant of Easements for Sanitary Sewer Main, Water Main and Utilities granted to City of Whitewater, Wisconsin, a municipal corporation recorded June 23, 2008 as Document No. 739739. PLOTTED HEREON (SEE GENERAL NOTE O).

13.(L.3) Easement for stormwater granted to City of Whitewater, Wisconsin, a municipal corporation by Stormwater Easement to City of Whitewater recorded June 23, 2008 as Document No. 739740. PLOTTED HEREON. GRANTS TO THE CITY OF WHITEWATER A PERMANENT NON-EXCLUSIVE EASEMENT TO DISCHARGE STORMWATERS FROM THE RELOCATED BLUFF ROAD RIGHT OF WAY, AND THROUGH LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 4054 (OPPOSITE). ALSO GRANTS TO THE CITY OF WHITEWATER A MAINTENANCE REPAIR RIGHTS AND AN ACCESS EASEMENT TO THE DRAINAGE EASEMENTS IDENTIFIED HEREON SHOULD THE OWNERS OF LOTS 3 AND 4 FAIL TO TIMELY UNDERTAKE AND PERFORM SUCH REPAIR AND MAINTENANCE.

14.(L.3) Matters in a document entitled "Declaration of Easements, Covenants and Restrictions", executed by Elkhorn Road Venture, L.L.C., a Wisconsin limited liability company, recorded June 23, 2008 as Document No. 739741 of Official Records, including but not limited to covenants, conditions, restrictions, terms, conditions, restrictions and provisions relating to the use and maintenance of easements, assessments, liens and charges. PLOTTED HEREON.

15.(L.3) Terms, conditions, restrictions and provisions relating to the use and maintenance of the Declaration of Easement for Joint Drive (Lots 3 and 4) recorded on June 23, 2008, as Document No. 739742. PLOTTED HEREON.

16.(L.3) Terms, provisions and restrictions as set forth in Warranty Deed recorded June 25, 2008 as Document No. 739990. NOT PLOTTABLE, REFERENCES DOCUMENT NUMBERS 711118, 739738, 739739, 739740, 739741 AND 739742 ABOVE.

17.(L.3) Highway easement as evidenced by Transportation Project Plat No. 3110-02-21-4.03 recorded January 7, 2016 as Document No. 918305 and Highway Easement recorded February 29, 2016 as Document No. 920919. PLOTTED HEREON.

NOTES CORRESPONDING TO SCHEDULE B, PART II ITEMS (LOT 4)

ITEMS 1-8 AND 10-18 ARE CONSIDERED GENERAL IN NATURE OR NON-SURVEYED RELATED AND ARE NOT LISTED

9.(L.4) Easements, dedications, reservations, provisions, relinquishments, recitals, certificates, and any other matters as provided for or delineated on Certified Survey Map No. 4054 recorded June 14, 2007 in Volume 25, Page 149 as Document No. 711118 referenced in the legal description contained herein. Reference is hereby made to said plat for particulars. PLOTTED HEREON (SEE ITEM 9.(L.3) ABOVE)

10.(L.4) Easement for sanitary sewer main, water main and utilities granted to City of Whitewater by Grant of Easements for Sanitary Sewer Main, Water Main and Utilities recorded in June 23, 2008 as Document No. 739739. PLOTTED HEREON (SEE GENERAL NOTE O).

11.(L.4) Easement for stormwater granted to City of Whitewater by Stormwater Easement to City of Whitewater recorded in June 23, 2008 as Document No. 739740. PLOTTED HEREON (SEE ITEM 13.(L.3) ABOVE).

12.(L.4) Matters in a document entitled "Declaration of Easements, Covenants and Restrictions", executed by Elkhorn Road Venture, L.L.C., a Wisconsin limited liability company, recorded June 23, 2008 as Document No. 739741 of Official Records, including but not limited to covenants, conditions, restrictions, easements, assessments, liens and charges. NOT PLOTTABLE.

13.(L.4) Terms, conditions, restrictions and provisions relating to the use and maintenance of the Declaration of Easement for Joint Drive (Lots 3 and 4) recorded on June 23, 2008, as Document No. 739742. PLOTTED HEREON.

14.(L.4) Redevelopment Agreement Between City of Whitewater and Elkhorn Road Venture and Amendment to Redevelopment Agreement upon the terms, conditions, obligations, restrictions and provisions contained therein:

Dated: May 31, 2007
Parties: City of Whitewater, a Wisconsin municipal corporation and Elkhorn Road Venture, L.L.C., a Wisconsin limited liability company
Recorded: December 17, 2008
Instrument No.: 751216
NOT PLOTTABLE, NON-SURVEY RELATED ITEM (SEE ITEM 10.(L.3) ABOVE)

15.(L.4) Highway easement as evidenced by Transportation Project Plat No. 3110-02-21-4.03 recorded January 07, 2016 as Document No. 918305. PLOTTED HEREON.

SURVEYOR'S CERTIFICATE

To: KT Real Estate Holdings, LLC, a Delaware limited liability company
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 the 2016 Minimum Standards Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 6(a), 7(a), 8, 9, 11, 14, 17, 18, 19, 21 and 22 of Table A thereof.

The field work was completed on July 26, 2019.
Kristin J. Belongia
Kristin J. Belongia, P.L.S.
Wisconsin Professional Land Surveyor S-2943
Dated this 12th day of August, 2019.



DIGGERS HOTLINE TICKET
NUMBER 20192806397 (LOT 3)
NUMBER 20192806398 (LOT 4)
START DATE: 7/11/2019

MONUMENT KEY

- Iron Rebar Set
- 3/4" x 24" (1.5 Lbs./Ft.)
- 3/4" Iron Rebar with Cap Found
- ⊗ Cut Cross Found
- ⊙ 1" Iron Pipe Found
- Mag Nail Set
- ⊗ Record Information

LEGEND

- Existing Telephone
- Existing Telephone Pedestal
- Existing Overhead Power
- Existing Utility Pole
- Existing Guy Wire
- Existing Electric
- Existing Light Pole
- Existing Cable Television
- Existing Gas Main
- Existing Watermain
- Existing Water Valve
- Existing Fire Hydrant
- Existing Storm Sewer
- Existing Sanitary Sewer
- Existing Sanitary Manhole
- Existing Sign

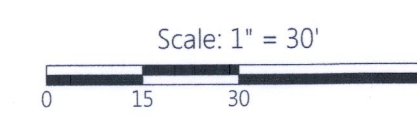
GENERAL NOTES

- A EXHIBIT A LEGAL DESCRIPTION AND SCHEDULE B, PART II ITEMS ARE REPRODUCED EXACTLY FROM THE TITLE COMMITMENTS PROVIDED FOR THIS SURVEY.
- B LOTS 3 AND 4 OF CERTIFIED SURVEY MAP NO. 4054 ARE SEPARATE LOTS IN SEPARATE OWNERSHIP AS OF THE DATE OF THIS SURVEY.
- C LOT 3 HAS DIRECT ACCESS TO EAST BLUFF ROAD BY A SHARED DRIVEWAY CONNECTION. LOT 4 HAS INDIRECT ACCESS TO EAST BLUFF ROAD BY CROSS EASEMENT SHOWN HEREON.
- D NO ADDRESSES FOR LOTS 3 AND 4 HAVE BEEN PROVIDED TO THE SURVEYOR.
- E LOTS 3 AND 4 FLOOD ZONE CLASSIFICATION IS ZONE X (AREA OF MINIMAL FLOODING) PER FEMA FIRM NO. 55127C002E DATED SEPTEMBER 3, 2014.
- F GROSS LAND AREA LOT 3 = 83,703 SQUARE FEET (1.922 ACRES).
GROSS LAND AREA LOT 4 = 65,554 SQUARE FEET (1.505 ACRES).
- G PER THE CITY ATTORNEY IN AN E-MAIL DATED JULY 23rd, 2019, THE CURRENT ZONING CLASSIFICATION IS PLANNED DEVELOPMENT (PD) FROM A PRIOR SPECIFIC DEVELOPMENT. THE SURVEYOR HAS BEEN TOLD THAT THE ZONING DESIGNATION IS IN LIMBO AND WOULD REQUIRE AN AMENDED PLANNED DEVELOPMENT OR REZONE.
- H NO BUILDINGS OBSERVED ON SURVEYED LOTS AS OF THE DATE OF THIS SURVEY.
- I NO PARKING SPACES OBSERVED ON SURVEYED LOTS AS OF THE DATE OF THIS SURVEY.
- J LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY HAVE BEEN DETERMINED BY OBSERVED EVIDENCE AND MARKINGS REQUESTED BY THE SURVEYOR. LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FACILITIES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. IN ADDITION, UTILITY LOCATED REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE.
- K THE NEAREST INTERSECTING STREET IS S.T.H. 59 AT THE NORTHWEST CORNER OF THE PROPERTY.
- L PER THE CITY PUBLIC WORKS DIRECTOR IN AN E-MAIL DATED JULY 23rd, 2019, CRACKFILLING WORK WILL BE DONE ON BLUFF ROAD THIS YEAR AND ELKHORN ROAD (S.T.H. 59) WILL BE UNDER CONSTRUCTION NEXT YEAR AS THE DEPARTMENT OF TRANSPORTATION WILL BE RECONSTRUCTING THE STRETCH FROM THE ROUNDABOUT TO HIGHWAY 12. NO OTHER INFORMATION AS TO ANY PROPOSED CHANGES IN STREET RIGHT OF WAY LINES HAVE BEEN MADE AVAILABLE TO THE SURVEYOR.
- M NO EVIDENCE OF FIELD DELINEATION OF WETLANDS HAS BEEN CONDUCTED.
- N NO DOCUMENTS OF OFFSITE EASEMENTS OR SERVITUDES PROVIDED TO SURVEYOR.
- O THE COURSE DISTANCE FOR THE LINE INDICATED ON THE SURVEY APPEARS TO BE IN ERROR IN THE LEGAL DESCRIPTIONS AS PART OF DOCUMENT NO. 739739.
- P A HYDRANT AND PORTION OF WATER MAIN LOCATED OUTSIDE OF WATERMAIN EASEMENT AS SHOWN HEREON.
- Q A PORTION OF THE STORMWATER BASIN IS LOCATED OUTSIDE OF THE DRAINAGE EASEMENT AS SHOWN HEREON.
- R A PORTION OF THE PUBLIC SIDEWALK IS LOCATED SOUTHEASTERLY INTO LOT 3 ABOUT 1.7'. A PORTION OF THE RADIUS OF THE ACCESS DRIVE STUB IS LOCATED ABOUT 4.0' NORTHEAST OF THE EDGE OF THE CROSS ACCESS EASEMENT.
- S A FLAGGED CABLE TV LINE IS LOCATED WITHIN LOT 3 AS SHOWN HEREON. NO EASEMENT PROVISIONS PROVIDED TO SURVEYOR.
- T NO EVIDENCE OF THE WATER OR SEWER SERVICE LATERALS WERE FLAGGED OR PAINTED AS PART OF THE DIGGERS HOTLINE UTILITY LOCATE. THE WATER AND SEWER SERVICE LATERALS SHOWN HEREON HAVE BEEN DEPICTED FROM ALTA/NSPS LAND TITLE SURVEY DATED DECEMBER 18, 2007, FOR REFERENCE PURPOSES ONLY.
- U STORM, SANITARY AND WATER MAIN PIPE SIZES WERE OBSERVED OR TAKEN FROM UTILITY MAPPING PROVIDED BY THE CITY OF WHITEWATER D.P.W.
- V ON JULY 24th, 2019, INTERCOM WAS ON SITE PREPARING TO RELOCATE OVERHEAD WIRES.
- W THE INDICATED LINE OF THE DRAINAGE EASEMENT WAS NOT DIMENSIONED ON CERTIFIED SURVEY MAP NO. 4054 AND CANNOT BE ASCERTAINED TO MATHEMATICALLY CLOSE.
- X A STORM MAIN STUB IS MAPPED ON THE SKETCH PROVIDED BY THE CITY OF WHITEWATER. NO EVIDENCE OF STUB IS OBSERVED. NO EASEMENT PROVISIONS PROVIDED TO SURVEYOR.

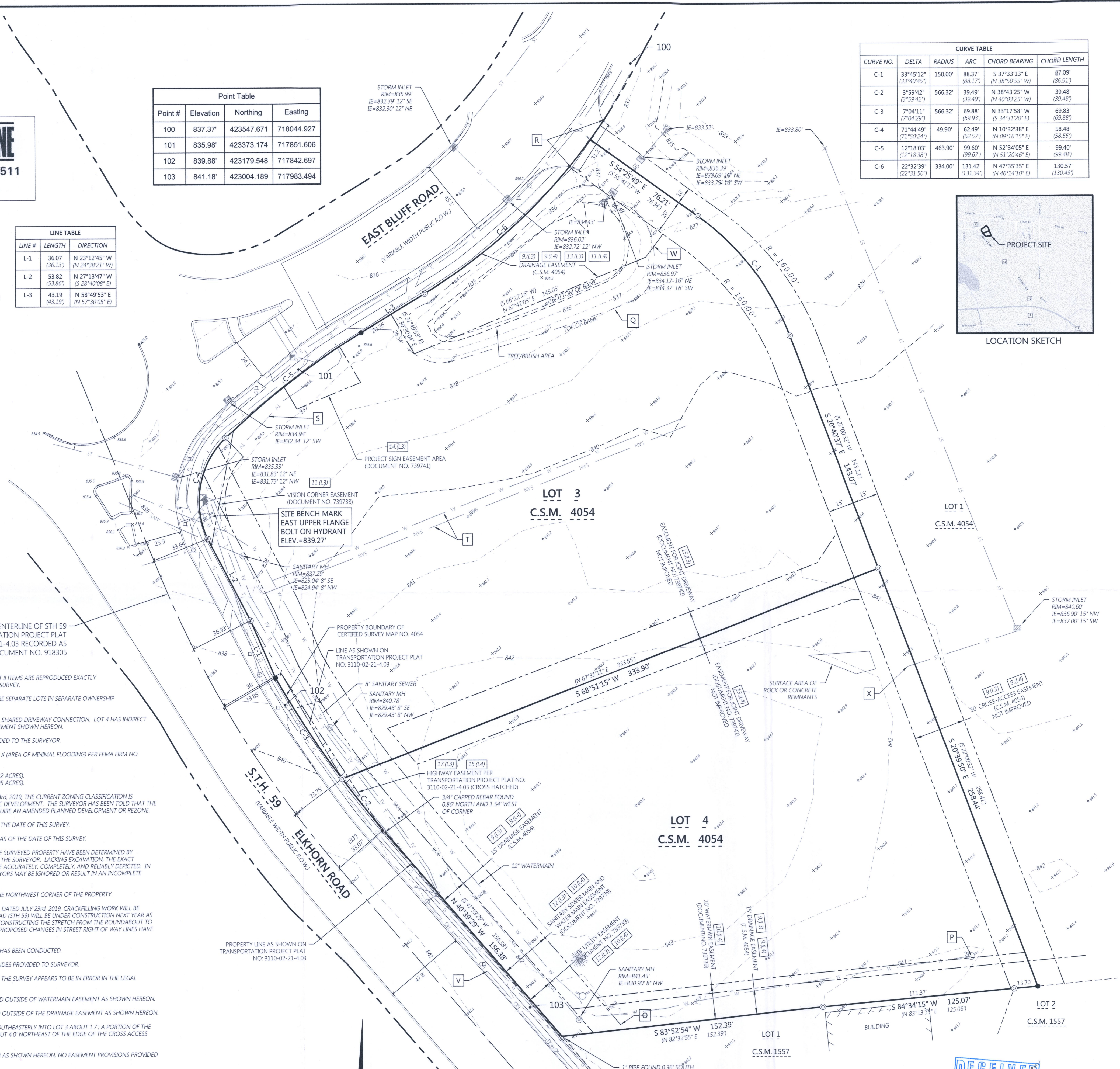
Point #	Elevation	Northing	Easting
100	837.37'	423547.671	718044.927
101	835.98'	423373.174	717851.606
102	839.88'	423179.548	717842.697
103	841.18'	423004.189	717983.494

LINE #	LENGTH	DIRECTION
L-1	36.07 (36.13)	N 23°12'45" W (N 24°28'21" W)
L-2	53.82 (53.86)	N 27°13'47" W (S 28°40'08" E)
L-3	43.19 (43.19)	N 58°49'53" E (N 57°30'05" E)

BEARINGS BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, WALWORTH ZONE. THE EAST LINE OF THE SOUTHEAST QUARTER BEARING S 0°52'23" E.
VERTICAL DATUM IS NAVD 88.
STARTING BENCHMARK: NGS
MONUMENT DTD# DF9995 = 844.16 FEET.



CURVE NO.	DELTA	RADIUS	ARC	CHORD BEARING	CHORD LENGTH
C-1	33°45'12" (33°40'45")	150.00'	88.37' (88.17')	S 37°33'13" E (N 38°50'55" W)	87.09' (86.91')
C-2	3°59'42" (3°59'42")	566.32'	39.49' (39.49')	N 38°43'25" W (N 40°09'25" W)	39.48' (39.48')
C-3	7°04'11" (7°04'29")	566.32'	69.88' (69.93')	N 33°17'58" W (S 34°31'20" E)	69.83' (69.88')
C-4	71°44'49" (71°50'24")	49.90'	62.49' (62.57')	N 10°32'38" E (N 09°16'15" E)	58.48' (58.55')
C-5	12°18'03" (12°18'38")	463.90'	99.60' (99.67')	N 52°34'05" E (N 51°20'46" E)	99.40' (99.48')
C-6	22°32'39" (22°31'50")	334.00'	131.42' (131.34')	N 47°35'55" E (N 46°14'10" E)	130.57' (130.49')



1A4054-3
1A4054-4
010-1067

Batterman
engineers surveyors planners

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Beloit, Wisconsin 53511
608.365.5464
www.batterman.com

2016 Standard ALTA / NSPS Land Title Survey

FOR THE EXCLUSIVE USE OF:
KWIK TRIP, INC.
PO BOX 2107
LA CROSSE, WI 54602

ORDER NO: 33347
BOOK SEE FILE
FIELD CREW: DJE
DRAWN BY: DJE/GB
DATE: JULY 11, 2019