# ALTA / NSPS LAND TITLE SURVEY

SURVEYOR'S CERTIFICATE
ALTA / NSPS Land Title Survey

To:
(i) First American Title Insurance Company
(ii) CH Lake Geneva LLC
(iii) Emagine Holdings, LLC
(iv) 30 West Pershing, LLC, a Missouri limited liability company
(v) EPR Properties

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, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 13, 16, 17, 18 & 20 of Table A thereof. The field work was completed on February 6, 2020.

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Excel Engineering, Inc.
Fond du Lac, Wisconsin 54935
Project Number: 2008720

WISCONSIN RYAN J. WILGREEN S-2647 FOND DU LAC WI LAND SURVEYOR

Date of Plat or Map: 2/24/2020

**LANDS DESCRIBED IN COMMITMENT NO. 3013097 PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY WITH AN EFFECTIVE DATE OF JANUARY 1, 2020:**

Unit One (1) in Showboat of Lyons Condominium, being a condominium created under the Condominium Ownership Act of the State of Wisconsin by a "Declaration of Condominium for Showboat of Lyons Condominium", dated the 13th day of January, 1997 and recorded the 15th day of January, 1997 in the Office of the Register of Deeds for Walworth County, Wisconsin, in Volume 645 of Records at Pages 2378 through 2398, as Document No. 346835 in the Town of Lyons, Walworth County, Wisconsin, and by a Condominium Plat therefore;

Together with all appurtenant rights, title and interests, including (without limitation):

a) the undivided percentage interest in all Common Elements as specified for such Unit in the aforementioned Declaration;

b) the right to use of the areas and/or facilities, if any, specified in the aforementioned Declaration, as Limited Common Elements for such Unit; and

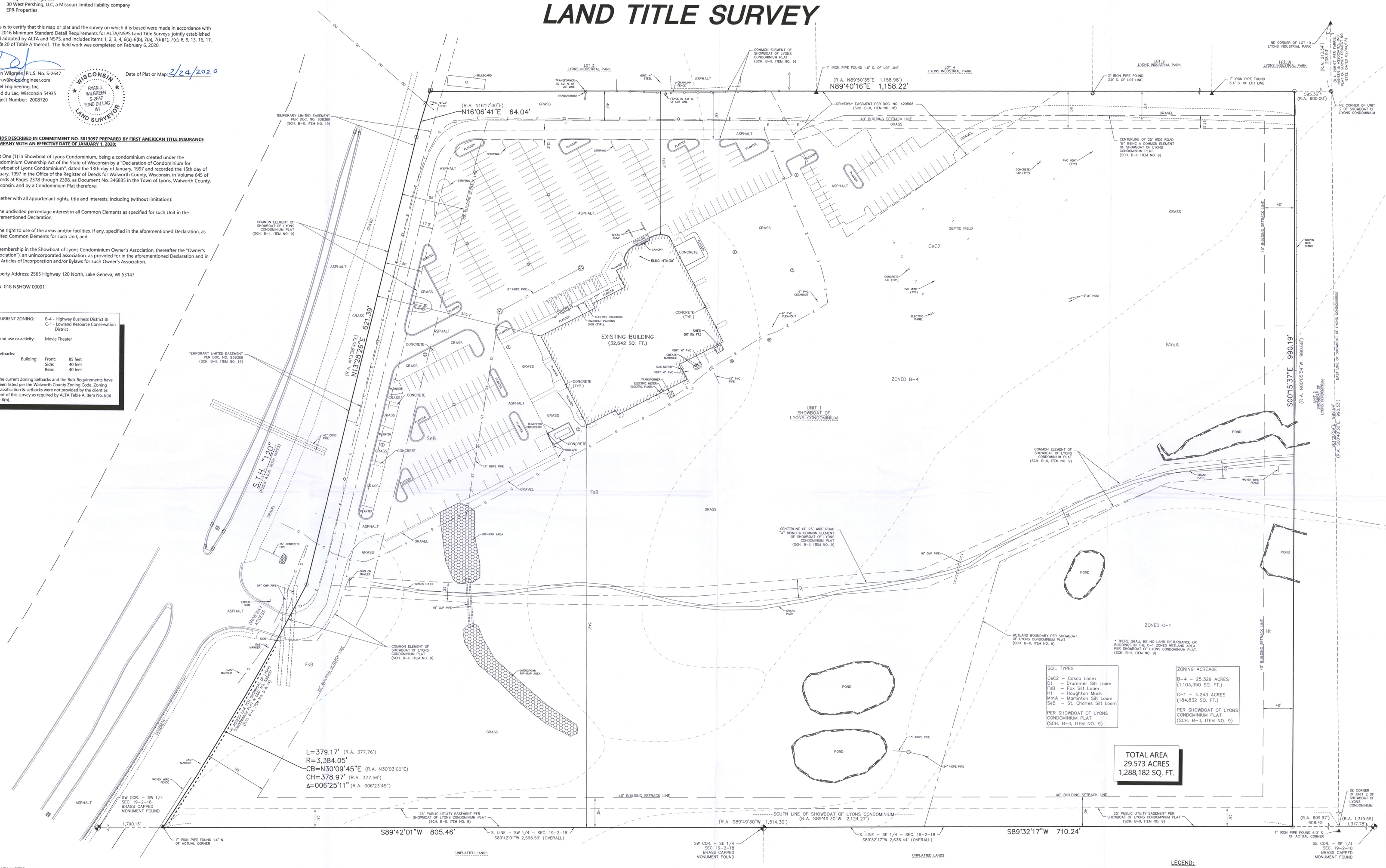
c) membership in the Showboat of Lyons Condominium Owner's Association, (hereafter the "Owner's Association"), an unincorporated association, as provided for in the aforementioned Declaration and in any Articles of Incorporation and/or Bylaws for such Owner's Association.

Property Address: 2565 Highway 120 North, Lake Geneva, WI 53147

APN: 018 NSHOW 00001

| | | | |
|---|---|---|---|
| CURRENT ZONING: | B-4 - Highway Business District & C-1 - Lowland Resource Conservation District | | |
| Land use or activity: | Movie Theater | | |
| Setbacks: | | | |
| | Building: | Front: | 85 feet |
| | | Side: | 40 feet |
| | | Rear: | 40 feet |

The current Zoning Setbacks and the Bulk Requirements have been listed per the Walworth County Zoning Code. Zoning classification & setbacks were not provided by the client as part of this survey as required by ALTA Table A, Item No. 6(a) & 6(b).




| SOIL TYPES |
|---|
| CeC2 – Casco Loam |
| Dl – Drummer Silt Loam |
| FsB – Fox Silt Loam |
| Ht – Houghton Muck |
| MmA – Martinton Silt Loam |
| SeB – St. Charles Silt Loam |
| PER SHOWBOAT OF LYONS CONDOMINIUM PLAT (SCH. B–II, ITEM NO. 9) |

| ZONING ACREAGE |
|---|
| B–4 – 25.329 ACRES (1,103,350 SQ. FT.) |
| C–1 – 4.243 ACRES (184,832 SQ. FT.) |
| PER SHOWBOAT OF LYONS CONDOMINIUM PLAT (SCH. B–II, ITEM NO. 9) |

ALTA NOTES:

1. Bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone. The South line of Southwest 1/4 of Section 19-2-18, has a bearing of South 89°-42'-01" West.
2. Only the improvements that were visible from above ground at time of survey and through a normal search and walk through of the site are shown on the face of this plat. Lawn sprinkler systems, if any, are not shown on this survey.
3. Surface indications of utilities along with Digger's Hotline markings on the surveyed parcel have been shown. Offsite observations have not been made to determine the extent of utilities serving or existing on the property. Public records have not been provided for additional information. Controlled underground exploratory effort together with Digger's Hotline markings is recommended to determine the full extent of underground service and utility lines. Contact Digger's Hotline at 1-800-242-8511.
4. This survey may not reflect all utilities, or improvements, if such items are hidden by landscaping, or areas covered by such items as dumpsters, trailers or snow. Portions of the subject property outside of the improved area (area around existing building) are overgrown. This survey may not reflect items hidden by vegetation. At the time of the survey site visit portions of the site were covered in approx. 4-6 inches of snow along with areas of stockpiled snow. The survey may not reflect items hidden by snow.
5. The locations of the property lines shown on the face of this plat are based on the description and information furnished by the client, together with the title commitment. The parcel that is defined may not reflect actual ownership, but reflects what was surveyed. For ownership, consult your title company.
6. Based upon a review of the Federal Emergency Management Agency Flood Insurance Rate Map community panel 55127C0331D with an effective date of October 02, 2009, the property falls within Zone "X" (Unshaded-areas determined to be outside the 0.2% annual chance floodplain).

N SHOW-1

7. The property described hereon contains 29.573 acres (1,288,182 sq. ft.) of land, more or less.
8. **First American Title Insurance Company, Commitment No. 3013097, with an effective date of January 1, 2020 has been reviewed in conjunction with the preparation of this survey. Notes related to the review of this title policy, Schedule B-II Exceptions are as follows:**

#9 Reservations for easements, building setback lines and other matters shown on the recorded plat, Plat of Showboat of Lyons Condominium recorded January 15, 1997 in Cabinet A, Slide 299 as Document No. 346834, referred to in Schedule A herein. **25' public utility easement, no access line, common elements, wetland boundary, zoning and soil types have been depicted on this survey.**

#11 Right of way granted by Fred Foltz and Pauline Foltz, his wife, to Wisconsin Telephone Co., recorded October 6, 1911 in Volume 105 of Mortgages on page 448, as Document No. 190087. **This document is a general easement for utility poles along the highway (S.T.H. "120" f/k/a HWY "36"). There is no specific width or location to depict on this survey.**

#12 Easement granted by Fred Foltz and Pauline Foltz, his wife, to Wisconsin Gas and Electric Company, recorded September 26, 1914 in Volume 117 of Mortgages on page 533, as Document No. 201563. **This document is a general easement for utility poles along the highway once known as Springfield Geneva Road. There is no specific width or location to depict on this survey.**

#13 Easement granted by George Foltz to Wisconsin Southern Gas Company, recorded December 10, 1964 in Volume 614 of Deeds on page 203 as Document No. 566214, as modified by Document No. 951947. **This document is a general ingress/egress easement to construct and maintain pipe lines on lands lying east of S.T.H. "120" (f/k/a HWY "36"). There is no specific width or location to depict on this survey. Document No. 951947 conveys the rights of the above easement from Wisconsin Electric Power Company to the Wisconsin Department of Transportation.**

#14 Lack of a right of access to State Trunk Highway #36 from part of the premises described at Schedule A hereof, as defined in deed from George Foltz and Mildred Foltz, his wife, to State of Wisconsin recorded June 11, 1962 in Volume 578 of Deeds on page 247 as Document No. 539407. **No access line is depicted on this survey.**

#15 Terms, provisions, options, right of first refusal, if any, covenants, conditions, restrictions, easements, charges, assessments, and liens provided by applicable condominium law or the Condominium Declaration and Bylaws recorded January 15, 1997, in Volume 645, on Page 2378, as Document No. 346835. **The property is subject to a general easement for utility repair across all common areas of the Showboat of Lyons Condominium. There is no specific width or location to depict on this survey.**

#17 Restrictive Agreement recorded January 15, 1997 in Volume 645, Page 2401 as Document No. 346837. **This item is not survey related and was not reviewed as part of this survey.**

#18 Driveway Easement recorded October 22, 1999 in Volume 667, Page 4554 as Document No. 429568. **Easement is depicted on this survey.**

#19 Temporary Limited Easement recorded December 21, 2016 as Document No. 938369. **Temporary limited easement is depicted on this survey.**

9. Other commitment items not specified hereon may not have been considered relevant to an ALTA/NSPS Land Title Survey, and have not been reviewed in conjunction with preparation of this plat (i.e. Annexation agreements, Leases, Mortgages, Liens, special assessments, covenants, trusts, unspecified or unrecorded rights).
10. In regards to ALTA/NSPS "Table A", Item No. 9, the subject property contains 312 regular striped parking stalls and 8 handicap accessible striped parking stalls for a total of 320 striped parking stalls.

VICINITY MAP

LEGEND:

| | |
|---|---|
| EXISTING SANITARY MANHOLE | EXISTING STORM SEWER AND MANHOLE |
| EXISTING ROUND CATCH BASIN | EXISTING UNDERGROUND ELECTRIC CABLE |
| EXISTING SQUARE CATCH BASIN | EXISTING OVERHEAD UTILITY LINE |
| EXISTING CURB INLET | EXISTING UNDERGROUND GAS LINE |
| UTILITY POLE WITH GUY WIRE | EXISTING CURB AND GUTTER |
| TELEPHONE PEDESTAL | PROPERTY LINE |
| ELECTRIC TRANSFORMER | RIGHT–OF–WAY LINE |
| WELL | ADJACENT PROPERTY LINE |
| EXISTING LIGHT POLE | EXISTING CHAINLINK FENCE |
| EXISTING SIGN | EXISTING WOOD FENCE |
| HANDICAP PARKING STALL | EXISTING WOVEN WIRE FENCE |
| 3/4" REBAR FOUND | SOIL TYPE BOUNDARY |
| 2" IRON PIPE FOUND | |
| 1" IRON PIPE FOUND | |
| MONUMENT FOUND | |

1"= 50' SCALE 50' 0 50' 100' FEET

NOTE:
SURFACE INDICATIONS OF UTILITIES ALONG WITH DIGGER'S HOTLINE MARKINGS ON THE SURVEYED PARCEL HAVE BEEN SHOWN. SIZES AND ELEVATION OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON FIELD MEASUREMENTS OF VISIBLE STRUCTURES IN COMBINATION WITH AVAILABLE DATA PROVIDED TO EXCEL ENGINEERING. EXCEL ENGINEERING MAKES NO GUARANTEE THAT ALL THE EXISTING UTILITIES IN THE SURVEYED AREA HAVE BEEN SHOWN NOR THAT THEY ARE IN THE EXACT LOCATION INDICATED. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES CRITICAL TO CONSTRUCTION.

218-2070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PROJECT INFORMATION

RECEIVED FEB 28 2020 By

EMAGINE GENEVA LAKES
**ALTA/NSPS LAND TITLE SURVEY**
LAKE GENEVA, WI

PROFESSIONAL SEAL

SHEET DATES

| | |
|---|---|
| ISSUE DATE | FEB. 21, 2020 |
| REVISIONS | |

JOB NUMBER
2008720

SHEET NUMBER
**AL**

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