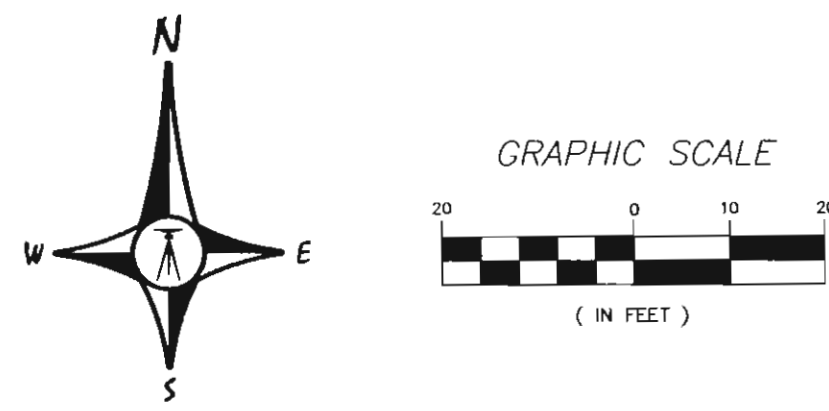


# CERTIFICATE OF SURVEY

prepared for:  
**FIDELITY NATIONAL TITLE INSURANCE CORPORATION  
 AND O'REILLY AUTOMOTIVE STORES, INC.**  
 of  
**N 4th St  
 Tomahawk, WI**



## LEGEND

- DENOTES FOUND IRON PIPE
- DENOTES SET 1/2" IRON REBAR
- DENOTES SET PK NAIL
- DENOTES SANITARY MANHOLE
- DENOTES WATER VALVE
- DENOTES POWER POLE AND GUY WIRE
- DENOTES LIGHT POLE
- DENOTES UNDERGROUND SANITARY SEWER
- DENOTES UNDERGROUND WATER MAIN
- DENOTES UNDERGROUND GAS LINE
- DENOTES UNDERGROUND TELEPHONE LINE
- DENOTES UNDERGROUND FIBER OPTIC LINE
- DENOTES OVERHEAD ELECTRIC, PHONE, CABLE (UNLESS NOTED)
- × 999.9 DENOTES EXISTING GROUND ELEVATION
- × 999.9 DENOTES EXISTING GUTTER LINE ELEVATION

## BEARING NOTE

FOR THE PURPOSES OF THIS SURVEY THE SOUTH LINE OF LOT 3, OF CERTIFIED SURVEY MAP NO. 2068, IS ASSUMED TO BEAR NORTH 89 DEGREES 40 MINUTES 17 SECONDS EAST.

## ZONING

THIS PROPERTY IS WITHIN THE CITY OF TOMAHAWK CITY LIMITS AND IS LOCATED IN THE FOLLOWING ZONING DISTRICT:

BI: COMMERCIAL DISTRICT  
 SETBACKS:  
 FRONT YARD: 25 FEET  
 SIDE YARD: 6 FEET  
 REAR YARD: 15 FEET (PLUS 5 FEET PER ADDITIONAL STORY OVER 1)

## SITE AREA

66,903 sq. ft.  
 1.536 acres

## SITE BENCHMARK

TOP OF 1/2" IRON REBAR: SOUTHWEST PROPERTY CORNER—1459.79 (TOMAHAWK, CITY DATUM)

## PRESENT OWNERS

(PER TITLE COMMITMENT NO 1110549CTN)  
 Crockett Properties, LLC, a Wisconsin Limited Liability Company

## LEGAL DESCRIPTION

Lot 3 of Certified Survey Map No. 2068 dated July 5, 2007, recorded August 7, 2007 in Volume 11 of Certified Survey Maps on page 68 as Document No. 461157; being a part of Assessor's Plot No. 15 of the Assessor's Plot of the City of Tomahawk, Lincoln County, Wisconsin.

Non-exclusive easement for the benefit of Parcel 1, created in Warranty Deed from Paul A. Nelson, as Trustee of the Paul A. Nelson Trust dated March 7, 2000; Dean R. Hussong and Ann M. Hussong, as Trustees of the Hussong Revocable Trust dated November 7, 2001 and Ronda C. and Lollie M. Plantenberg, Trustees of the Randal C. and Lollie M. Plantenberg Living Trust dated August 25, 2005, to Arthur R. Zietlow and Robert E. Zietlow, dated August 30, 2007, recorded September 5, 2007 as Document No. 461998, for ingress and egress.

Being in Lincoln County, Wisconsin.

## METES AND BOUNDS DESCRIPTION

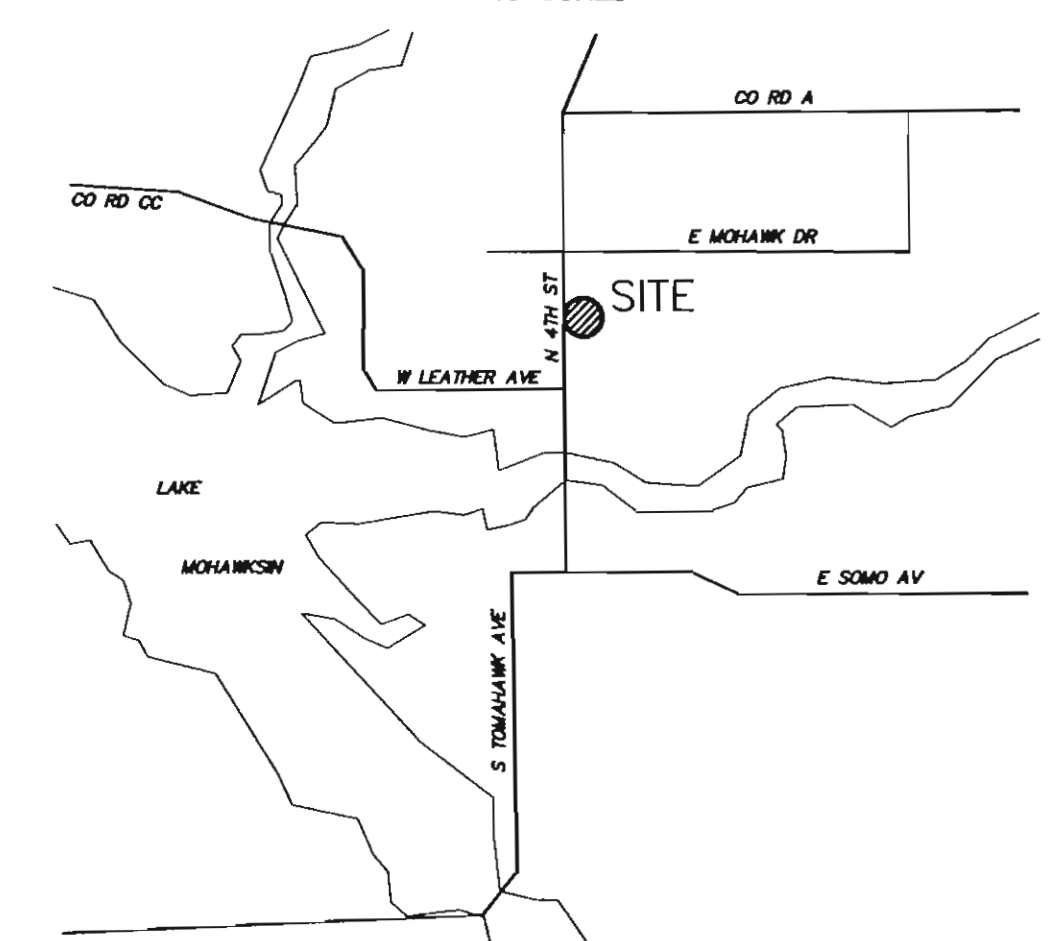
All of Lot 3 of Certified Survey Map No. 2068, Lincoln County, Wisconsin, described by Metes and Bounds as follows:

Beginning at the southwest corner of said Lot 3; thence North 89 degrees 40 minutes 17 seconds East, assumed bearing along the south line of said Lot 3, a distance of 609.49 feet to the southeast corner of said Lot 3; thence North 00 degrees 04 minutes 24 seconds West, a distance of 113.43 feet to the northeast corner of said Lot 3; thence South 88 degrees 54 minutes 00 seconds West, a distance of 615.02 feet to the northwest corner of said Lot 3; thence southerly on a non-tangential curve concave to the west, said curve having a radius of 5774.58 feet, a central angle of 1 degree 02 minutes 40 seconds and a Chord Bearing of South 03 degrees 01 minute 57 seconds East, for a distance of 105.27 feet to the point of beginning and there terminating.

Said parcel contains 69,903 square feet or 1.536 acres.

Subject to any assessments, restrictions, or reservations of record, if any.

## VICINITY MAP

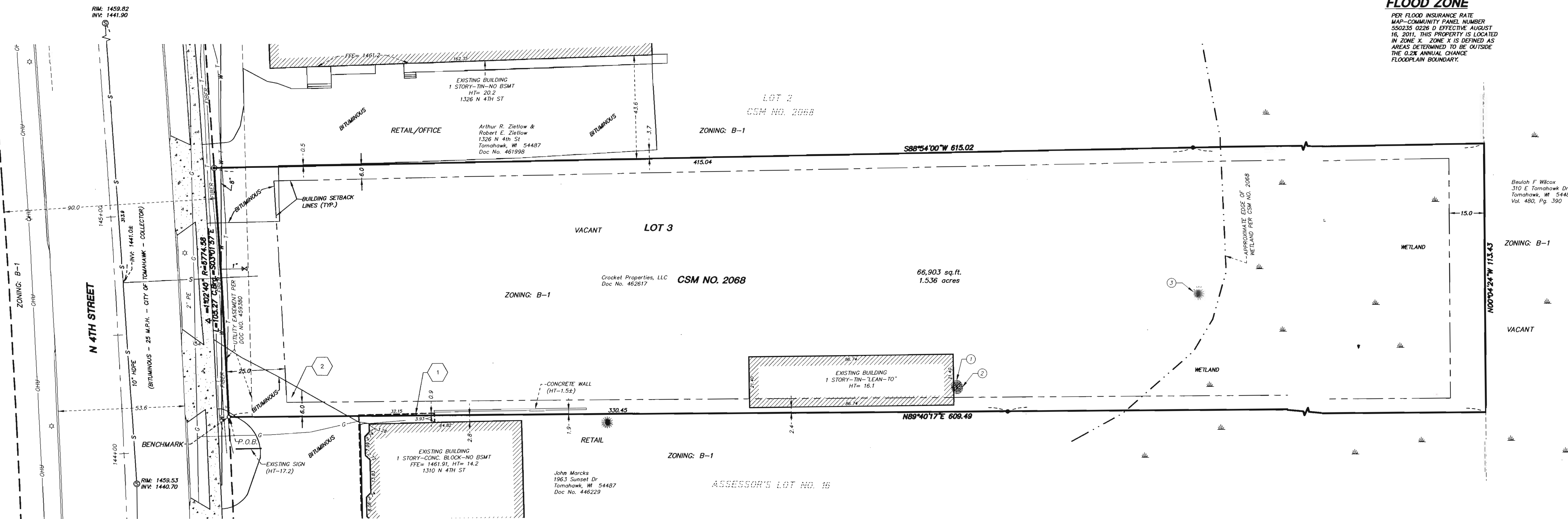


## STATEMENT OF APPARENT ENCROACHMENTS

- 1 THE OVERHANG OF THE BUILDING ON THE PROPERTY TO THE SOUTH LIES BETWEEN 0.5 AND 0.9 FEET NORTH OF THE SOUTHERLY PROPERTY LINE.
- 2 THE ENTRANCE TO THE PROPERTY LOCATED NEAR THE SOUTHWEST CORNER APPEARS TO BE IN USE BY THE PROPERTY LOCATED SOUTH OF THE SUBJECT PROPERTY.

## FLOOD ZONE

PER FLOOD INSURANCE RATE MAP—COMMUNITY PANEL NUMBER 550235 0226 D EFFECTIVE AUGUST 16, 2011, THIS PROPERTY IS LOCATED IN ZONE X. ZONE X IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN BOUNDARY.



## SURVEYOR'S CERTIFICATION

To O'Reilly Automotive Stores, Inc. and Fidelity National Title Insurance Company.

This is to certify that this map or plot 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. The field work was completed on December 27th, 2011.

Dated this 13<sup>th</sup> day of January, 2012.

*Kyle J. Roddy*  
 Kyle J. Roddy, Land Surveyor  
 Wisconsin License Number 2907-008  
 200 Third Avenue NE, Suite 100  
 Cambridge, Minn. 55008



## REVISIONS

## NOTES

1. THE DEPTH OF THE WATERLINES IS BETWEEN 8 AND 8.5 FEET ACCORDING TO RECORD DRAWINGS.
2. THE CLOSEST FIRE HYDRANT TO THE SUBJECT PROPERTY IS APPROXIMATELY 70 FEET NORTH OF THE SITE, ON THE EAST SIDE OF NORTH 4TH ST.
3. HIGHWAY STATIONING SHOWN HEREON IS APPROXIMATE AND SHOULD NOT BE RELIED UPON FOR EXACT LOCATION.
4. THERE ARE NO PLANS TO EITHER WIDEN THE DRIVING SURFACE OR ACQUIRE ANY ADDITIONAL RIGHT OF WAY ALONG N 4TH ST ADJACENT TO THE PROPERTY AT THIS TIME PER MIKE TOLVSTAD, WITH THE CITY OF TOMAHAWK ENGINEERING DEPARTMENT (715-453-3654).
5. THE CLOSEST CITY STORM SEWER PER AVAILABLE RECORD DRAWINGS IS A MANHOLE LOCATED NEAR THE CENTERLINE OF N 4TH STREET, APPROXIMATELY 230 FEET NORTH OF THE SITE. THE MANHOLE HAS A RIM ELEVATION OF 1459.71, AN INVERT ELEVATION OF 1454.2, AND IS A 30" RCP PIPE.
9. Rights of the public in any portion of the subject premises lying below the ordinary high water mark of WETLANDS, SWAMP, and MARSHLAND, all rights of the government to regulate the use of the shore and riparian rights. COMMENT: THE APPROXIMATE LOCATION OF THE WETLANDS AS SHOWN ON CSM NO. 2068 ARE SHOWN HEREON. NO OFFICIAL WETLAND DELINEATION WAS DONE AT THE TIME OF SURVEY.
10. Rights of the public in any portion of the subject premises lying within the limits of North Fourth Street. COMMENT: THE SUBJECT PROPERTY DOES NOT INCLUDE ANY PUBLIC RIGHT OF WAY.
11. Terms, conditions, restrictions and provisions relating to the use and maintenance of the easement described in Schedule A herein as contained in Warranty Deed executed by Paul A. Nelson, as Trustee of the Paul A. Nelson Trust, dated March 7, 2000, et al to Arthur R. Zietlow and Robert E. Zietlow, as tenants in common, dated August 30, 2007, and recorded September 5, 2007, as Document No. 461998. COMMENT: THIS DOCUMENT AFFECTS THE SUBJECT PROPERTY.
14. Utility Easement executed by George Bartel, Jr. to City of Tomahawk recorded October 29, 1980, in Vol. 369 of Records on page 641 as Document No. 263095 and Amendment executed by and between Crockett Properties, LLC and City of Tomahawk, dated May 10, 2007 and recorded May 22, 2007, as Document No. 459380. COMMENT: THE LOCATION OF SAID EASEMENT AS DESCRIBED IN DOC NO. 459380 IS SHOWN HEREON.
15. Encroachment of Overhang as delineated on Certified Survey Map No. 2068. COMMENT: THE LOCATION OF SAID ENCROACHMENT IS SHOWN HEREON.
16. Easement as disclosed in Temporary Limited Easement executed by Crockett Properties, LLC to City of Tomahawk, dated November 15, 2010, and recorded December 23, 2010, as Document No. 498254. COMMENT: THIS DOCUMENT APPEARS TO NO LONGER AFFECT THE SUBJECT PROPERTY, AS THE RESURFACING OF NORTH 4TH STREET APPEARS TO BE COMPLETE.

NOTES CORRESPONDING TO TITLE INSURANCE COMPANY SCHEDULE B - SECTION II EXCEPTIONS  
 COMMITMENT NUMBER: 1110549CTN  
 COMMITMENT DATE: October 23, 2011 at 8:00 AM

## UTILITY COMPANY CONTACT INFO

- |  |                |
|--|----------------|
| Tomahawk Public Works:<br>Mike Tolvstad<br>415 W Spirit Ave<br>Tomahawk, WI 54487                | (715) 453-3654 |
| Wisconsin Public Service Corp (Gas/Elec):<br>Tim Hintz<br>9427 County Rd J<br>Minocqua, WI 54548 | (715) 493-3388 |
| Frontier (Phone):<br>Glenn Lafabvre<br>53 N Stevens St<br>Rhinelander, WI 54501                  | (715) 493-0017 |

## UTILITIES NOTE

The location of underground utilities shown hereon are approximate and are based on field locations of visible structures or markings at the time of our survey and compiling information furnished by various utility companies and governmental agencies. The markings shown on the face of this survey are per Digger's Hotline ticket number 2011520255.

#	SPECIES	SIZE
1	BIRCH	6"
2	BIRCH	10"
3	SPRUCE	14"

RECEIVED BY LINCOLN COUNTY SURVEYOR THIS 13<sup>TH</sup> DAY OF February 20 12  
*Tommy Duff*  
 COUNTY SURVEYOR

**ANDERSON PASSE**  
 & ASSOCIATES

CAMBRIDGE, MN 200 THIRD AVENUE NE, SUITE 100  
 MINNEAPOLIS, MN CAMBRIDGE, MN 55008  
 (763)689-4042 PH. (763)689-6681 FAX

CIVIL ENGINEERS LAND SURVEYORS PLANNERS

SV1

2489A