

SURVEYOR'S CERTIFICATE

ERIC R. STURM, A REGISTERED LAND SURVEYOR, LICENSE NO. 2309, IN AND FOR THE STATE OF WISCONSIN AND LEGALLY DOING BUSINESS IN WALKESHA COUNTY, DOES HEREBY CERTIFY TO NOMURA CREDIT & CAPITAL, INC., CONTINENTAL 143 FUND, LLC, CHICAGO TITLE INSURANCE COMPANY AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS:

- THE ACCOMPANYING SURVEY REPRESENTS A TRUE AND CORRECT SURVEY MADE BY ME ON JUNE 20, 2005 OF THE LAND THEREIN PARTICULARLY DESCRIBED;
- THE SURVEY AND THE INFORMATION, COURSES AND DISTANCES SHOWN THEREON ARE CORRECT;
- THE TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME;
- THE LAND DESCRIBED IN THE SURVEY IS THE SAME AS DESCRIBED IN THE TITLE INSURANCE COMMITMENT DESCRIBED BELOW;
- THE AREA OF THE SUBJECT PROPERTY AND THE SIZE, LOCATION AND TYPE OF BUILDINGS AND IMPROVEMENTS AND ANY OTHER MATTERS SITUATED ON SAID DESCRIBED PROPERTY ARE AS SHOWN AND ALL BUILDINGS AND IMPROVEMENTS ARE WITHIN THE BOUNDARY LINES AND APPLICABLE MUNICIPAL SET-BACK LINES AS REPORTED BY THE CITY OF MONROE OF THE PROPERTY AND SETBACKS SPECIFIED BY CERTIFIED SURVEY MAP, IF ANY;
- THE REPORTED ZONING ORDINANCE, RESTRICTIONS OR OTHER RULES AND REGULATIONS WITH REFERENCE TO THE LOCATION OF SAID BUILDINGS AND IMPROVEMENTS ARE SHOWN;
- THERE ARE NO APPARENT EASEMENTS OR USES AFFECTING THIS PROPERTY APPEARING FROM A CAREFUL PHYSICAL INSPECTION OF THE SAME, OTHER THAN THOSE SHOWN AND DEPICTED ON THE SURVEY;
- THERE ARE NO ENCROACHMENTS ON THE ADJOINING PROPERTIES, STREETS, OR ALLEYS BY ANY OF SAID BUILDINGS, STRUCTURES OR IMPROVEMENTS, OTHER THAN AS SHOWN ON THE SURVEY;
- THERE ARE NO PARTY WALLS OR VISIBLE ENCROACHMENTS ON SAID DESCRIBED PROPERTY BY STREETS, ALLEYS OR BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PROPERTY, EXCEPT AS SHOWN ON THE SURVEY;
- VISIBLE UTILITIES REQUIRED FOR THE OPERATION OF THE PREMISES EITHER ENTER THE PREMISES THROUGH ADJOINING PUBLIC STREETS, OR THE SURVEY SHOWS THE POINT OF ENTRY AND LOCATION OF ANY VISIBLE UTILITIES THAT PASS THROUGH OR ARE LOCATED ON ADJOINING LAND;
- THE SURVEY SHOWS THE LOCATION AND DIRECTION OF ALL VISIBLE STORM DRAINAGE STRUCTURES FOR THE COLLECTION AND DISPOSAL OF SURFACE DRAINAGE;
- ANY VISIBLE DISCHARGE INTO STREAMS, RIVERS OR OTHER CONVEYANCE SYSTEM ON SITE OR ON ADJACENT PROPERTY IS SHOWN ON THE SURVEY;
- THE SUBJECT PROPERTY DOES NOT LIE IN PART WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THE PROPERTY LINES WITHIN ZONES A-3 (AREAS OF 100 YEAR FLOOD), B (AREAS BETWEEN LIMITS OF 100 YEAR FLOOD AND 500 YEAR FLOOD) AND C (AREAS OF MINIMAL FLOODING), OF THE FLOOD INSURANCE RATE MAP IDENTIFIED AS COMMUNITY PANEL NO. 550162 0001C, BEARING AN EFFECTIVE DATE OF DECEMBER 1, 1982;
- THE SUBJECT PROPERTY HAS TO AND FROM A DULY DEDICATED AND ACCEPTED PUBLIC STREET OR HIGHWAY;
- EXCEPT AS SHOWN, THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR VISIBLE DRAINAGE, UTILITIES OR INGRESS OR EGRESS; AND
- THE RECORD DESCRIPTION OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE.

THE UNDERSIGNED HAS RECEIVED AND EXAMINED A COPY OF CHICAGO TITLE INSURANCE COMPANY'S COMMITMENT NO. 65500, AND THE LOCATION OF ANY MATTER SHOWN THEREON, TO THE EXTENT IT CAN BE LOCATED, HAS BEEN SHOWN ON THIS SURVEY WITH THE APPROPRIATE RECORDING REFERENCE.

THE PARTIES LISTED ABOVE ARE ENTITLED TO REPLY ON THE SURVEY AND THIS CERTIFICATE AS BEING TRUE AND ACCURATE.

THIS SURVEY IS MADE IN ACCORDANCE WITH THE 1999 "MINIMUM STANDARD DETAIL REQUIREMENTS FOR LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY AMERICAN LAND TITLE ASSOCIATION (ALTA) AND AMERICAN CONGRESS ON SURVEYING AND MAPPING (ACSM) AND MEETS THE REQUIREMENTS OF AN URBAN SURVEY, AS DEFINED IN THE CURRENT ACCURACY STANDARDS JOINTLY ADOPTED BY ALTA AND ACSM AND INDICATED IN TABLES 2, 3, 4, 5, 6, 7(A), 8, 9, 10, 11 AND 13 OF TABLE A THEREOF.

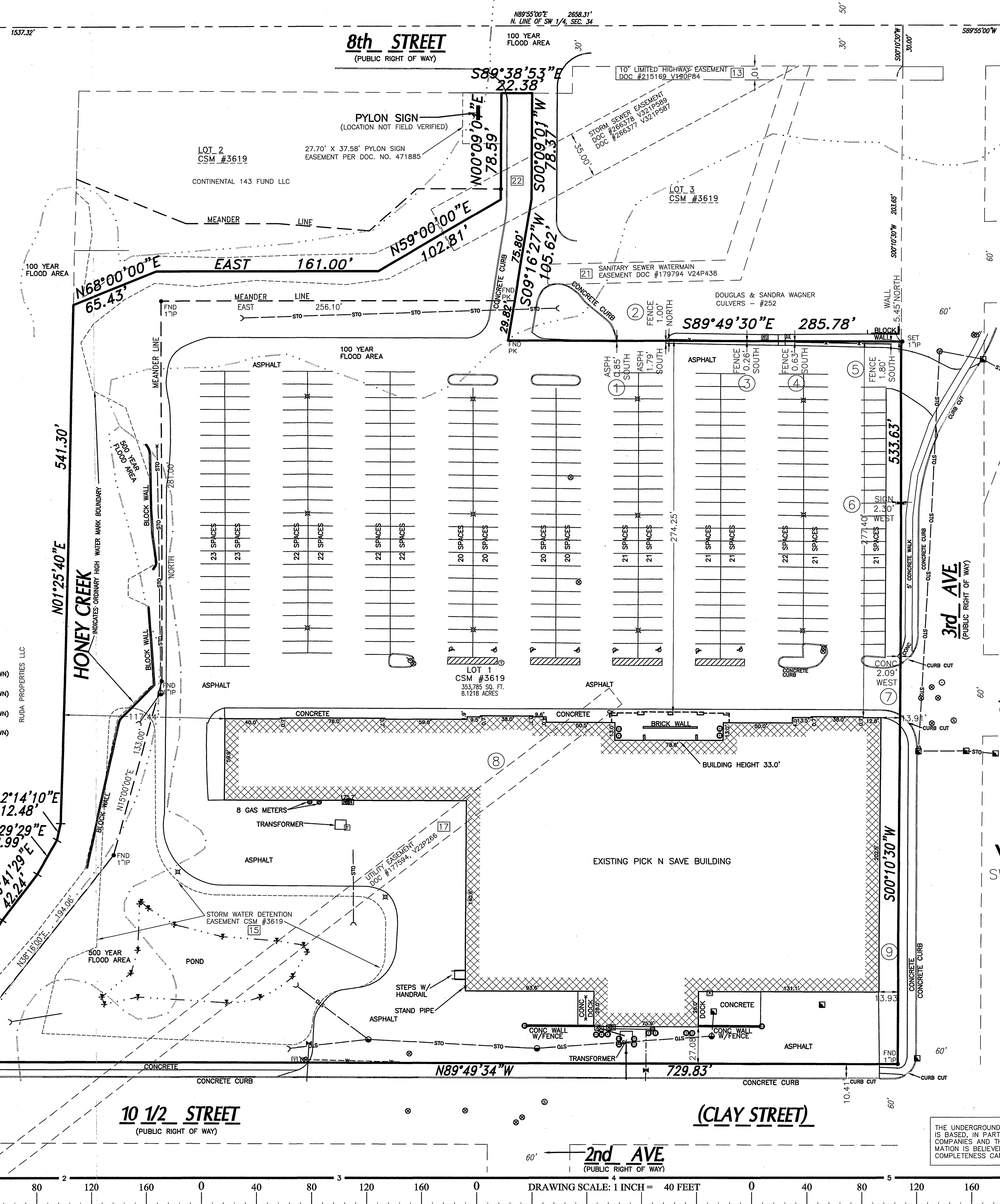
JUNE 20, 2005

ERIC R. STURM
REGISTERED LAND SURVEYOR
REGISTRATION NO. 2309

OF ENCROACHMENTS

- END OF CONCRETE CURB 0.85' SOUTH OF P/L
- FENCE 1.00' NORTH OF P/L (OWNERSHIP UNKNOWN)
- FENCE 0.26' SOUTH OF P/L (OWNERSHIP UNKNOWN)
- FENCE 0.63' SOUTH OF P/L (OWNERSHIP UNKNOWN)
- FENCE 1.80' SOUTH OF P/L (OWNERSHIP UNKNOWN)
- SIGN 2.30' WEST OF P/L
- CONCRETE WALK 2.09' WEST OF P/L
- BUILDING OVER UTILITY EASEMENT 177994
- BUILDING WITHIN 20' SIDE SETBACK (ZONING)

- LEGEND**
- ▲ BENCHMARK
 - SECTION CORNER
 - IRON PIPE FOUND
 - IRON PIPE SET
 - DOLLARD
 - ⊕ SOIL BORING/MONITORING WELL
 - ⊕ FLAGPOLE
 - ⊕ MAILBOX
 - ⊕ SIGN
 - ⊕ BILLBOARD
 - ⊕ CONTROL BOX
 - ⊕ TRAFFIC SIGNAL
 - ⊕ RAILROAD CROSSING SIGNAL
 - ⊕ CABLE PEDESTAL
 - ⊕ POWER POLE
 - ⊕ GUY POLE
 - ⊕ GUY WIRE
 - ⊕ LIGHT POLE
 - ⊕ SPOT/YARD/PEDESTAL LIGHT
 - ⊕ GROUND OR OTHER SPOT SHOT
 - ⊕ HANDICAPPED PARKING
 - ⊕ ELECTRIC MANHOLE
 - ⊕ ELECTRIC PEDESTAL
 - ⊕ ELECTRIC METER
 - ⊕ TELEPHONE MANHOLE
 - ⊕ TELEPHONE PEDESTAL
 - ⊕ MARKED FIBER OPTIC
 - ⊕ GAS VALVE
 - ⊕ GAS METER
 - ⊕ GAS WARNING SIGN
 - ⊕ STORM MANHOLE
 - ⊕ ROUND INLET
 - ⊕ SQUARE INLET
 - ⊕ STORM SEWER END SECTION
 - ⊕ SANITARY MANHOLE
 - ⊕ SANITARY CLEANOUT OR SEPTIC VENT
 - ⊕ SANITARY INTERCEPTOR MANHOLE
 - ⊕ MISCELLANEOUS MANHOLE
 - ⊕ WATER VALVE
 - ⊕ HYDRANT
 - ⊕ WATER SERVICE CURB STOP
 - ⊕ WATER MANHOLE
 - ⊕ WELL
 - ⊕ WATER SURFACE
 - ⊕ WETLANDS FLAG
 - ⊕ MARSH
 - ⊕ CONIFEROUS TREE
 - ⊕ DECIDUOUS TREE
 - ⊕ SHRUB
 - EDGE OF TREES
 - SANITARY SEWER
 - STORM SEWER
 - WATERMAIN
 - MARKED GAS MAIN
 - MARKED ELECTRIC
 - OVERHEAD WIRES
 - BUREAU ELEC. SERV.
 - MARKED TELEPHONE
 - MARKED CABLE TV LINE
 - MARKED FIBER OPTIC



ALTA/ACSM LAND TITLE SURVEY

KNOWN AS 246 WEST 8TH STREET, CITY OF MONROE, GREEN COUNTY, WISCONSIN

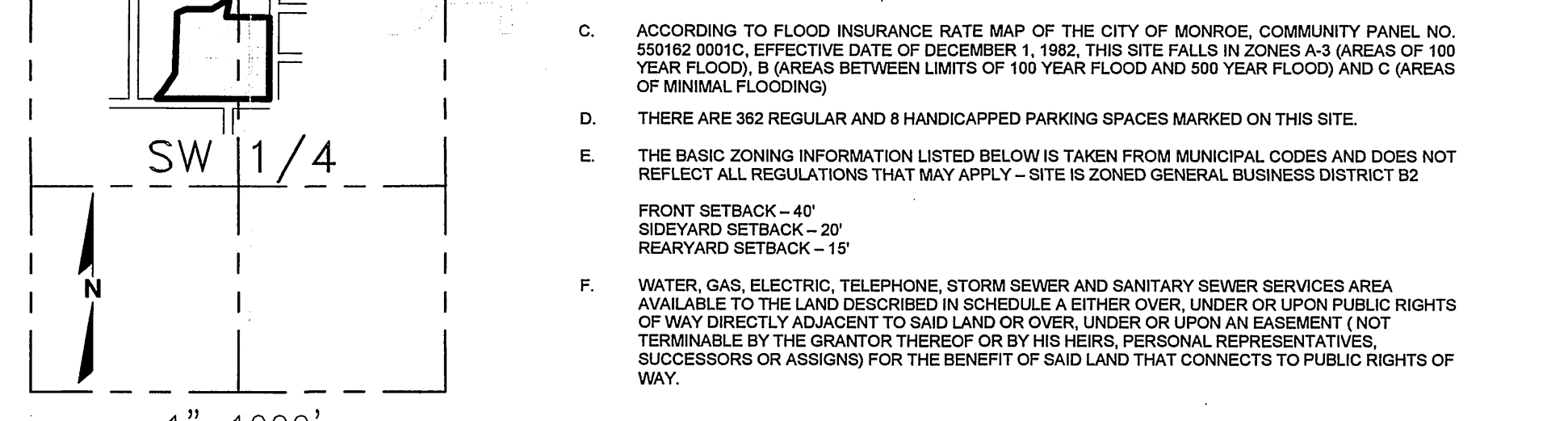
LOT ONE OF CERTIFIED SURVEY MAP NO. 3619AS RECORDED IN VOLUME 13 OF CERTIFIED SURVEY MAPS OF GREEN COUNTY ON PAGE 297 THROUGH 300, BEING IN THE CITY OF MONROE, GREEN COUNTY, WISCONSIN. ALSO KNOWN AS: LOT ONE OF CERTIFIED SURVEY MAP NO. 3619 AS RECORDED IN VOLUME 13 OF CERTIFIED SURVEY MAPS OF GREEN COUNTY ON PAGE 297 THROUGH 300, BEING PART OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWN 2 NORTH, RANGE 7 EAST, IN THE CITY OF MONROE, GREEN COUNTY, WISCONSIN.

JUNE 20, 2005

LORKE DEVELOPMENT CO
REVISED ADDRESS, SIGN EASE, CURB
NOTES:

REVISION NO. 2-ERS

- BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 34 WHICH IS ASSUMED TO BEAR NORTH 89°50'00" EAST
- THIS SURVEY WAS PREPARED BASED ON CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT NO. 65500, EFFECTIVE DATE OF MARCH 10, 2005, WHICH LISTS THE FOLLOWING EASEMENTS AND/OR RESTRICTIONS:
 - EASEMENTS FROM MILES C. DURFEE, DIVORCED AND NOT REMARRIED AND PHILIP DURFEE AND KAY DURFEE, HIS WIFE TO THE CITY OF MONROE DATED MARCH 10, 1985 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON MARCH 18, 1985 IN VOL. 190 OF RECORDS, PAGE 84 AS DOC. NO. 241589. OVER THE ABOVE INSURED REAL ESTATE. DOES NOT AFFECT SITE BY LOCATION - SHOWN
 - EASEMENT FROM ARTHUR P. STAUFFACHER AND WIFE, GORDON STAUFFACHER, SINGLE, CHARLES J. STAUFFACHER AND WIFE, BY ARTHUR P. STAUFFACHER, TORRENTI, IN FACT TO THE CITY OF MONROE DATED APRIL 25, 1931 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON MAY 20, 1931 IN VOL. 6 MISC. PAGE 543 AND FROM BEATRICE BROOK, SPECIAL GUARDIAN OF MARSHALL STAUFFACHER, INFANT HEIR OF PETER STAUFFACHER, DEC'D. TO THE CITY OF MONROE DATED JUNE 30, 1931 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON JULY 1, 1931 IN VOL. 104 OF RECORDS, PAGE 222. TO CONSTRUCT AND MAINTAIN POLES, ETC. OVER LAND OWNED IN SECTION 34, TOWN 2 NORTH, RANGE 7 EAST, ALONG A LINE APPROXIMATELY PARALLEL WITH THE CREEK. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED
 - STORM WATER DETENTION EASEMENT AS DEPICTED ON CERTIFIED SURVEY MAP NO. 3619 REVISED ON AUGUST 15, 2003 AND PREPARED BY NATIONAL SURVEY & ENGINEERING, ERIC R. STURM. AFFECTS SITE BY LOCATION - SHOWN
 - RIGHTS OF THE PUBLIC IN ANY PORTION OF THE SUBJECT PREMISES LYING BELOW THE ORDINARY HIGH WATER MARK OF HONEY CREEK AND RIGHTS OF THE GOVERNMENT TO REGULATE THE USE OF THE SHORE AND RIPARIAN RIGHTS. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED
 - EASEMENT FROM LETHA THORP TO THE CITY OF MONROE, WISCONSIN BY AN INSTRUMENT DATED DECEMBER 2, 1949 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON DECEMBER 5, 1949 IN VOL. 22 MISC., PAGE 286. PERPETUAL RIGHT TO INSTALL, OPERATE AND MAINTAIN UNDERGROUND UTILITY, CONSISTING OF WATER MAIN & WATER LINES, OVER THE INSURED REAL ESTATE. AFFECTS SITE BY LOCATION - SHOWN
 - UTILITY EASEMENT FROM JOHN J. FLANNERY & WIFE TO WISCONSIN UTILITIES CO. BY AN INSTRUMENT DATED MAY 5, 1924 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON MAY 20, 1924 IN VOL. 65, PAGE 435. OVER THE INSURED REAL ESTATE. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED
 - AGREEMENT TO CONSTRUCT SEWER FROM VERENA M. CROW, SPECIAL GUARDIAN OF ROBERT RAY CROW TO THE CITY OF MONROE DATED MAY 29, 1903 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON JUNE 2, 1903 IN VOL. 83 DEEDS, PAGE 392. OVER THE SW 1/4 OF SEC 34-2-7, GREEN COUNTY, WI. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED
 - AGREEMENT FROM THE CITY OF MONROE TO ORPHA A. CROW, VERA M. CROW, ROBERT RAY CROW AS DATED MAY 29, 1903 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON APRIL 13, 1908 IN VOL. 2 MISC., PAGE 337. OVER THE SW 1/4 OF SEC 34-2-7, GREEN COUNTY, WISCONSIN. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED
 - EASEMENT FROM LETHA THORP TO THE CITY OF MONROE DATED NOVEMBER 3, 1950 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON NOVEMBER 4, 1950 IN VOL. 34 MISC., PAGE 438 AS DOC. NO. 179784. OVER THE SW 1/4 OF SEC 34-2-7, GREEN COUNTY, WI. DOES NOT AFFECT SITE BY LOCATION - SHOWN
 - EASEMENT FROM VERA CRANDALL TO THE CITY OF MONROE DATED MARCH 8, 1978 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON MARCH 24, 1978 IN VOL. 321 RECORDS, PAGE 587 AS DOC. NO. 206377. AND ALSO FROM CRANDALL, INC. TO CITY OF MONROE DATED MARCH 8, 1978 AND RECORDED ON MARCH 24, 1978 IN VOL. 321 RECORDS, PAGE 589 AS DOC. NO. 206378. A 35 FOOT WIDE STRIP TO BE USED FOR A STORM SEWER EASEMENT. AFFECTS SITE BY LOCATION - SHOWN
 - EASEMENT FROM OZORA H. THORP AND LETHA THORP, HIS WIFE TO CITY OF MONROE BY INSTRUMENT DATED APRIL 29, 1931 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON MAY 20, 1931 IN VOL. 6 MISC., PAGE 543. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED
 - AGREEMENT BETWEEN ORPHA A. CROW AND MARIA CROW TO THE CITY OF MONROE DATED JULY 17, 1904 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON OCTOBER 8, 1904 IN VOL. 79 ON PAGE 212. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED
 - 500 YEAR FLOOD AREA, 100 YEAR FLOOD AREA AND ORDINARY HIGH WATER MARK (CHWM) AND WETLANDS BOUNDARY AS SHOWN ON ALTA/ACSM LAND TITLE SURVEY BY FRANCIS R. THOUSAND, SURVEYOR DATED FEBRUARY 19, 2003. AFFECTS SITE BY LOCATION - SHOWN
 - APPARENT EASEMENTS OF BURIED WATER MAIN, BURIED GAS MAIN, BURIED ELECTRIC, BURIED TELEPHONE, SANITARY SEWER, STORM SEWER AND BURIED WIRES AND BURIED CABLE TV LINE AS SHOWN ON ALTA/ACSM LAND TITLE SURVEY BY FRANCIS R. THOUSAND, SURVEYOR DATED FEBRUARY 19, 2003. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED
 - TERMS AND CONDITIONS WITHIN FLOWAGE EASEMENT BY AND BETWEEN RUDA PROPERTIES LLC AND CONTINENTAL 143 LIMITED PARTNERSHIP BY AN INSTRUMENT DATED JUNE 2, 2003 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON AUGUST 29, 2003 IN VOL. 835 RECORDS, PAGE 953 AS DOC. NO. 451723. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED
 - TERMS AND CONDITIONS WITHIN AFFIDAVIT OF CONTRACT TERMS REDEVELOPMENT PROJECT CONTRACT AS NOTICED ON AUGUST 25, 2003 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON AUGUST 28, 2003 IN VOL. 835 RECORDS, PAGE 84 AS DOC. NO. 451532. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED
 - TERMS AND CONDITIONS WITHIN DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS BY CONTINENTAL 143 FUND LLC TO THE PUBLIC DATED OCTOBER 1, 2003 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON OCTOBER 6, 2003 IN VOL. 842 OF RECORDS, PAGE 822 AS DOC. NO. 453375. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED
 - TERMS AND CONDITIONS WITHIN MEMORANDUM OF LEASE BY AND BETWEEN CONTINENTAL 143 FUND LLC, A LANDLORD AND ROUNDRY'S INC., AS TENANT DATED JUNE 30, 2004 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREEN COUNTY, WI ON AUGUST 2, 2004 IN VOL. 884 OF RECORDS, PAGE 431 AS DOC. NO. 484307. AFFECTS SITE BY LOCATION - GENERAL IN NATURE. CANNOT BE PLOTTED



THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY, WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

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