

ALTA / ACSM LAND TITLE SURVEY

THAT PART OF THE NE & SE 1/4s OF THE SE 1/4 OF SECTION 34 AND PART OF THE NW & SW 1/4s OF THE SW 1/4 OF SECTION 35, TOWN 2 NORTH, RANGE 7 EAST, CITY OF MONROE, GREEN COUNTY, WISCONSIN.

TITLE COMMITMENT NUMBER: GR2379

SCHEDULE "C" LEGAL DESCRIPTION:

Lot 102 except the East 45.7 feet thereof, AND ALSO Lot 151, all in Lybrand's Donation to Green County, City of Monroe, Green County, Wisconsin.

The South 45 feet of the North 97.83 feet of Lots 152 and 153 of Lybrand's Donation to Green County in the City of Monroe, and that part of vacated alley lying West thereof.

Lot 1 of Mill Block of Emerson and Moulton's Addition to the City of Monroe, Green County Wisconsin, said Lot being platted 54 feet North and South by 100 feet East and West. Also, that part of vacated 13th street lying North of said parcel. Commencing at a point 97.83 feet South and 14 feet West of the Northwest corner of Lot 152, Lybrand's Donation, thence South along the East line of 14th Avenue or alley, said line being a projection of the curb from the Avenue directly North and 6 inches East from said line, also being the new East line of 14th Avenue after vacating procedure dated June 17, 1958, a distance of 137.17 feet to the South line of Block 1, Emerson and Moulton's Addition & North line of 13th Street; thence East along North line of 13th Street, a distance of 122.02 feet to edge of sidewalk; said point being 3 feet East of designated West line of 14th Avenue as platted in 1861 and described in Book of Plats Number 2 page 10: thence Northwesterly along West edge of sidewalk a distance of 137.27 feet thence West 112.67 feet to point of beginning, being a part and parcel of Lot 1, Mill Block and part of Lots 152 and 153 of Lybrand's Donation and including that part of Emerson Street now 14th Avenue lying West of present sidewalk and also that vacant land between land owned by Joseph Huber Brewing Company and that part of 14th Avenue lying East of Lot 1, Mill Block, and 153, Lybrand's Donation to the City of Monroe WI. Also the North one-half of vacated 13th Street lying South of the above parcel.

All that part of Block 5 of Russell's Donation to Green County, Wisconsin and part of Outlot 13 of Block 1 of Emerson & Moulton's Addition to the City of Monroe described as follows: Commencing at the Southeast intersection of Clinton and Racine Streets in said city, said point of intersection being taken as the intersection of the inner line of the sidewalk on the East side of said Clinton Street with the inner line of the sidewalk on the South side of Racine Street, running thence South on the East line of said Clinton Street, 115 feet, thence East to the Northwesterly line of the I.C.R.R. Co. right of way, thence in a Northeasterly direction along the Northwesterly line of said right of way to a point where the same crosses a line parallel with and 85 feet West of the East line of said Block 5, thence North to the North line of said Block 5, thence West on said North line to the place of beginning, being in the City of Monroe, Green County, Wisconsin.

The South 20 feet of Outlot 13, except the East 87 feet thereof; and all of Outlot 11, all in Mill Block of Emerson & Moulton's Addition to the City of Monroe, Green County, Wisconsin.

Lots 1 and 4 of Block 34; Lots 1, 2, 3 and 4 of Block 33 and vacated alley lying East of Lots 1 and 4 and West of Lots 2 and 3 of said Block 33 of Rattan's Addition to New Mexico in the City of Monroe, Green County, Wisconsin.

Lots 154, 155, 156, 157, 158 and 159 of Lybrand's Donation to Green County in the City of Monroe and vacated portion of Monroe Street, now 15th Avenue lying between said Lots 155 and 156 of said Lybrand's Donation.

Lot 3 of Mill Block of Emerson & Moulton's Addition to the City of Monroe, Green County, Wisconsin.

The North 52.83 feet of Lots 152 and 153 of Lybrand's Donation except the East 78 feet of Lots 152 and 153, Lybrand's Donation to Green County, City of Monroe, Green County, Wisconsin.

All of that portion of 14th Avenue (also known as 14th Ave Alley) extended south of the south right-of-way line of 12th street lying East of the East line of Block 5 of Russell's Donation to the City of Monroe, Green County, Wisconsin, and lying East of Outlots 12 and 13 of Section 34, Town 2 North, Range 7 East, and lying West of the West line of Lot 152 of Lybrand's Donation to the City of Monroe, Green County, Wisconsin and West of land previously vacated as described in Resolutions recorded in Vol. 41 of Miscellaneous Records, on Page 352, Vol. 49 of Miscellaneous Records, on Page 44, Vol. 233 of Records, Page 609, and in Vol. 233 of Records, Page 611 all of the Green County Register of Deeds Office, Green County, Wisconsin.

ALSO, All of Outlot 12 in Mill Block of Emerson and Moulton's Addition to the City of Monroe, Green County, Wisconsin, being 60 feet in width and 260 feet in length and being dedicated to the City of Monroe for street purposes.

ALSO the East Eighty (80) feet of Lot Five (5) of Russell's Donation in the City of Monroe, Green County, Wisconsin, according to the recorded plat thereof. The East Eighty-Seven (87) feet of Outlot 13 of Mill Block, Emerson and Moulton's Addition to the City of Monroe, Green County, Wisconsin.

ALSO Commencing at a point one hundred fifteen (115) feet South of the Northwest corner of Block number five (5) of Russell's Donation to Green County, in the City of Monroe, thence East and parallel to the South line of said Block number five (5) and across the right-of-way of the Illinois Central Railroad to the Easterly line of said right-of-way, thence in a Northeasterly direction along the Easterly line of said right-of-way to a point where said Easterly line intersects a line eighty (80) feet West of the East line of said block number five (5), thence South and parallel to the East line of said block number five (5), and the East line of outlot number thirteen (13) to a point twenty (20) feet North of the South line of said outlot number thirteen (13), thence West and parallel to the South line of said outlot number thirteen (13), to the West line of said outlot number thirteen (13), thence North one hundred (100) feet to the place of beginning.

Excepting therefrom the right-of-way of the Illinois Central Railroad across said described land.

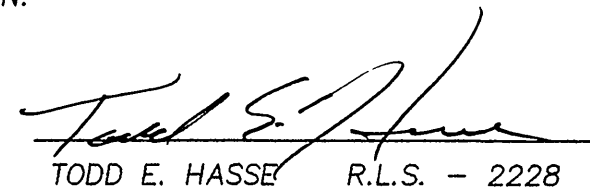
Said parcel being part and parcel of block number five (5) of Russell's Donation to Green County and of outlot number thirteen of Mill Block of Emerson and Moulton's Addition, all being in the City of Monroe, Green County, Wisconsin, according to the recorded plat thereof.

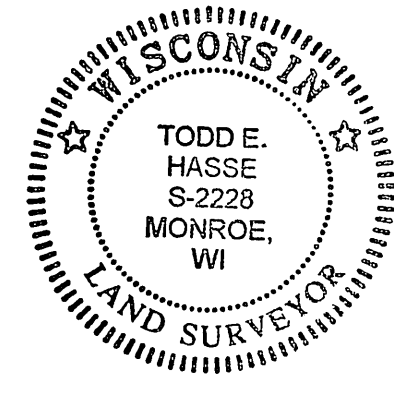
SURVEYOR'S CERTIFICATE:

TO: JOSEPH HUBER BREWING CO., INC. / BERGHOFF BREWERY, INC., CHICAGO TITLE INSURANCE COMPANY AND MINHAS CRAFT BREWERY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA / ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF WISCONSIN, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

NOVEMBER 6TH, 2006


TODD E. HASSE R.L.S. - 2228



TAX PARCEL NUMBERS:

23-251-139.0
23-251-196.0
23-251-199.0
23-251-201.0
23-251-202.0
23-251-203.0
23-251-559.0
23-251-560.0
23-251-562.0
23-251-1582.0
23-251-1620.0
23-251-1621.0
23-251-2374.0

TITLE COMMITMENT NUMBER: GR2379

SCHEDULE "B" ITEMS:

- 11 PARTY-WALL RIGHTS of the owner of the premises adjoining the subject premises, with respect to a wall on the subject premises as stated in an Agreement by an between Leland L. Lamboley and Orene Lamboley, his wife to Wisconsin Power and Light Company by an instrument dated November 16, 1951 and recorded in the office of the Register of Deeds for Green County, WI on November 26, 1951 in Vol. 26 Misc., Page 613 as Doc. No. 182174....constructing a wall along the West 90 feet of the North line of Lot 102 of Lybrand's Donation.
- 12 EASEMENT from Henry Premoli, a single man to City of Monroe by an instrument dated July 6, 1953 and recorded in the office of the Register of Deeds for Green County, WI on July 29, 1953 in Vol. 30 Misc., Page 625 as Doc. No. 186073.....over the East 50 feet of Outlot 11, Section 34, Town 2 North, Range 7 East, Green County, Wisconsin.
- 13 EASEMENT from Wisconsin Hydro Electric Company by R. M. Hauger, Pres. & E. H. Nelson, Chief Engineer to City of Monroe by an instrument dated July 10, 1953 and recorded in the office of the Register of Deeds for Green County, WI on July 29, 1953 in Vol. 30 Misc., Page 627 as Doc. No. 186074 over part of Outlot 11, 12, 13 of Section 34, Town 2 North, Range 7 East, City of Monroe, Green County, Wisconsin.
- 14 EASEMENT from C. E. Bingham to The City of Monroe by an instrument dated July 12, 1894 recorded in the office of the Register of Deeds for Green County, WI on October 8, 1894 in Vol. 70 Deeds, Page 213 as Doc. No. 74953aover part of Block 5 of Russells Donation and Outlot 11 of Section 34, Town 2 North, Range 7 East, City of Monroe, Green County, Wisconsin.
- 17 UTILITY EASEMENT from Diane M. Smith to United Telephone Company by an instrument dated October 14, 1979 and recorded in the office of the Register of Deeds for Green County, WI on December 5, 1979 in Vol. 340 of Records, Page 438 as Doc. No. 275909over the West 10 feet of Lot 3 of Mill Block Emerson and Moulton's Addition, City of Monroe, Green County, Wisconsin.
- 18 UTILITY EASEMENT from Fred W. Huber to Wisconsin Gas Company by an instrument dated August 22, 1979 and recorded in the office of the Register of Deeds for Green County, WI on August 29, 1979 in Vol. 337 of Records, Page 620 as doc. No. 274450 a strip of land 6 feet in width and part Lot 152 and Lot 153 of Lybrand's Donation, City of Monroe, Green County, Wisconsin.
- 19 UTILITY EASEMENT from Jos. Huber Brewing Company, inc. and the City of Monroe by an instrument dated March 27, 1995 and recorded in the office of the Register of Deeds for Green County, WI on March 30, 1995 in Vol. 512 of Records, Page 778 as Doc. No. 357137....grant to the party of the second part or its successors, the perpetual right to install, maintain and repair sewers, water mains and construct a street with the necessary appurtenances, through and under the insured read estate.
- 20 ONE OR MORE TENANTS will stay after this sale is closed. Their names are: School District of Monroe pursuant to Parking Lot Lease Agreement dated 2/1/05, as depicted on the Owners Affidavit signed October 2, 2006 by Steven R. Preston..

GENERAL NOTES AND POSSIBLE ENCROACHMENTS:

- 1 THE FOLLOWING MEASUREMENTS AND COMMENTS ARE OF THE NEIGHBORS GARAGE WHICH IS LOCATED ON LOT 2, OF EMERSON & MOULTEN'S ADDITION: THE SE CORNER OF THE GARAGE IS .27' SOUTH OF THE SOUTH PROPERTY LINE OF LOT 2; THE SW CORNER OF THE GARAGE IS LOCATED .03' NORTH OF THE SOUTH PROPERTY LINE AND IS .74' EAST OF THE WEST PROPERTY LINE OF SAID LOT 2; THE NW CORNER IS .95' EAST OF THE WEST PROPERTY LINE OF SAID LOT 2. THE GARAGE HAS AN OVERHANG OF .9' ON ALL 4 SIDES. THE GRAVEL DRIVEWAY WHICH IS SHOWN ON LOT 2, ENCLOSED IN LOT 3 BY 4.1' IN THE MIDDLE.
- 2 THE CONCRETE RETAINING WALL ENCLOSED NORTH OF THE SOUTH PROPERTY LINE BY 1.1' ON THE EAST AND 1.6' ON THE WEST.
- 3 THE 2 STORY BARN ENCLOSED NORTH OF THE SOUTH PROPERTY LINE BY 1.0' AT THE NE CORNER AND .9' AT THE NW CORNER. THE BARN HAS AN OVERHANG OF .1' ON THE EAST AND WEST SIDES AND 1.0' ON THE NORTH AND SOUTH SIDES. A WOODEN FENCE ENCLOSED THE SOUTH PROPERTY LINE BY 8.1' AT THE NE CORNER AND 7.1' AT THE NW CORNER OF THE FENCE.
- 4 THE CHAINLINK FENCE IS .3' EAST OF THE WEST PROPERTY LINE.
- 5 THE CHAINLINK FENCE IS EAST OF THE WEST PROPERTY LINE BY .6' ON THE SOUTH SIDE AND .3' ON THE NORTH SIDE.
- 6 A BILLBOARD SIGN WITH THE NAME OF LAMAR EXISTS ON PARCEL E OF THIS SURVEY. NO LEASE AGREEMENT OR EASEMENT WAS SUPPLIED.
- 7 AN EASEMENT WAS GRANTED TO THE ILLINOIS CENTRAL RAILROAD BY CAROLINE BINGHAM ON FEBRUARY 7TH, 1906 AND IS RECORDED IN VOLUME 89 OF DEEDS, ON PAGES 6 & 7.
- 8 PARCEL D OF THIS SURVEY CONTAINS A PORTION OF THE JAIL HOUSE TAP BUILDING LOCATED AT 1404 12TH STREET. SURVEYOR RICHARD TALARCZYK MADE A NOTE OF THIS ENCROACHMENT AS WELL ON HIS PLAT OF SURVEY DATED 3-8-1986. SURVEYOR TALARCZYKS NOTE #1 MADE MENTION OF A PROBABLE ERROR IN THE ORIGINAL LEGAL DESCRIPTION WHICH I FEEL MAY HAVE BEEN THE ORIGINAL INTENT AS WELL.
- 9 THE BUILDING ENCLOSED INTO THE WESTERLY RIGHT-OF-WAY OF 14TH AVENUE BY 5.1' AT THE NORTH END AND 5.8' ON THE SOUTH END.
- 10 THE BUILDING ENCLOSED INTO THE WESTERLY RIGHT-OF-WAY OF 14TH AVENUE BY 1.1' ON THE NORTH END AND .9' ON THE SOUTH END.
- 11 THE BUILDING CORNER IS .3' WEST OF THE WEST PROPERTY LINE AND .3' NORTH OF THE NORTH PROPERTY LINE. 1 SET (2) DRILL HOLES WITH CHISELED CROSS OFFSETS IN THE CONCRETE SIDEWALK 2' WEST AND 2' NORTH OF THE PROPERTY CORNER.
- 12 THIS PORTION OF LOTS 1 & 4 OF BLOCK 34 IS BEING USED BY THE PUBLIC FOR THE RIGHT-OF-WAY OF 16TH AVENUE. RECORDED IN VOLUME 1 ON PAGES 53 & 54 OF THE CITY OF MONROE COUNCIL MINUTES, NORMAN CHURCHILL AGREED AND CONSENTED TO THE USE OF THE EAST 44' OF SAID LOTS TO BE USED AS A PUBLIC STREET. FEE TITLE STILL EXISTS IN THE CURRENT LAND OWNERS NAME.
- 13 A CONCRETE RETAINING WALL ENCLOSED NORTH OF THE SOUTH PROPERTY LINE BY .3' ON THE EAST AND IS ON THE PROPERTY LINE AT THE WEST END.
- 14 THE SE BUILDING CORNER IS LOCATED 1.2' NORTH OF THE SOUTH PROPERTY LINE AND THE SW BUILDING CORNER IS .8' NORTH OF THE SOUTH PROPERTY LINE AND IS 1.7' EAST OF THE WEST PROPERTY LINE.
- 15 THE FOLLOWING MEASUREMENTS AND COMMENTS ARE OF THE BUILDING LOCATED ON PARCEL B OF THIS SURVEY: THE NE CORNER OF THE BUILDING IS LOCATED 1.8' SOUTH OF THE NORTH PROPERTY LINE AND .4' EAST OF THE EAST PROPERTY LINE; THE SE CORNER OF THE BUILDING IS LOCATED .3' WEST OF THE EAST PROPERTY LINE AND 1.5' NORTH OF THE SOUTH PROPERTY LINE; THE SW CORNER OF THE BUILDING IS LOCATED 1.2' NORTH OF THE SOUTH PROPERTY LINE AND 1.9' EAST OF THE WEST PROPERTY LINE; THE NW CORNER OF THE BUILDING IS LOCATED 1.0' EAST OF THE WEST PROPERTY LINE AND 1.9' SOUTH OF THE NORTH PROPERTY LINE. THE BUILDING HAS THE FOLLOWING OVERHANGS: .3' ON THE SOUTH SIDE AND 1.0' ON THE WEST, NORTH AND EAST SIDES.
- 16 THE FOLLOWING MEASUREMENTS AND COMMENTS ARE OF THE BUILDING LOCATED ON PARCEL A OF THIS SURVEY: THE NE CORNER OF THE BUILDING IS LOCATED .1' NORTH OF THE NORTH PROPERTY LINE AND .7' WEST OF THE EAST PROPERTY LINE; THE SE CORNER OF THE BUILDING IS LOCATED .2' WEST OF THE EAST PROPERTY LINE AND 1.0' NORTH OF THE SOUTH PROPERTY LINE; THE SW CORNER OF THE BUILDING IS LOCATED .8' NORTH OF THE SOUTH PROPERTY LINE; THE NW CORNER OF THE BUILDING IS LOCATED .2' SOUTH OF THE NORTH PROPERTY LINE. A CONCRETE RETAINING WALL EXISTS ON THE NORTH SIDE OF THIS ENTIRE PARCEL AND IS NORTH OF THE NORTH PROPERTY LINE BY .8' AT THE EAST END AND .6' AT THE WEST END.