

# ALTA/ACSM LAND TITLE SURVEY

TOTAL AREA: 304,211 SQ. FT. - 6.98 ACRES

## LIST OF EASEMENTS & PROVISIONS FROM TITLE COMMITMENT (FROM COMMITMENT NO. CO-2708 - SCHEDULE B - SECTION II)

- 1 GRANT OF EASEMENTS RECORDED MARCH 15, 1993 AS DOCUMENT NO. 341580. (AFFECTS PROPERTY, AS PLOTTED)
- 2 COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, SOURCE OF INCOME, GENDER, GENDER IDENTITY, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH IN DECLARATION OF CROSS-EASEMENTS AND COVENANTS & RESTRICTIONS AFFECTING LAND RECORDED ON JUNE 25, 1997, AS DOCUMENT NO. 375898, AMENDED BY FIRST AMENDMENT TO DECLARATION OF CROSS-EASEMENTS AND COVENANTS AND RESTRICTIONS AFFECTING LAND RECORDED JULY 21, 2000 AS DOCUMENT NO. 407638. (AFFECTS PROPERTY, BLANKET IN NATURE)
- 3 RECITALS AS SHOWN ON THAT CERTAIN MAP/PLAT RECORDED ON JUNE 18, 1993, AS DOCUMENT NO. 343874, WHICH AMONG OTHER THINGS RECITES EASEMENTS. REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS. (AFFECTS PROPERTY, AS PLOTTED)
- 4 TERMS, CONDITIONS AND PROVISIONS RELATING TO THE USE AND MAINTENANCE OF THE EASEMENT DESCRIBED AS PARCEL B OF THE SUBJECT PREMISES. (AFFECTS PROPERTY, BLANKET IN NATURE)
- 5 ASSIGNMENT AND ASSUMPTION OF OPERATING AGREEMENTS RECORDED FEBRUARY 3, 2006 AS DOCUMENT NO. 481605. (AFFECTS PROPERTY, NOT AN EASEMENT)
- 6 SUBORDINATION, NONDISTURBANCE AND ATTORNMENET AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF, BARCLAYS CAPITAL REAL ESTATE INC., A DELAWARE CORPORATION AND CITIGROUP GLOBAL MARKETS REALTY CORP., A NEW YORK CORPORATION, LENDER, SHOPKO STORES OPERATING CO., LLC, TENANT, SPIRIT SPE PORTFOLIO 2006-1, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND SPIRIT SPE PORTFOLIO 2006-2, LLC, A DELAWARE LIMITED LIABILITY COMPANY, LANDLORD, RECORDED ON JUNE 13, 2006, AS DOCUMENT NO. 485487. (AFFECTS PROPERTY, NOT AN EASEMENT)
- 7 A LEASEHOLD AS CREATED BY THAT CERTAIN LEASE DATED MAY 31, 2006, EXECUTED BY SPIRIT SPE PORTFOLIO 2006-1, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND SPIRIT SPE PORTFOLIO 2006-2, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS LESSOR, AND SHOPKO STORES OPERATING CO., LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS LESSEE, AS REFERENCED IN THE DOCUMENT ENTITLED MEMORANDUM OF LEASE, WHICH WAS RECORDED JUNE 13, 2006 AS DOCUMENT NO. 485488, FOR THE TERM, UPON AND SUBJECT TO ALL THE PROVISIONS CONTAINED IN SAID DOCUMENT, AND IN SAID LEASE. (AFFECTS PROPERTY, NOT AN EASEMENT)
- 8 A MORTGAGE TO SECURE AN INDEBTEDNESS AS SHOWN HEREIN, IN THE AMOUNT OF \$700,000,000.00, DATED JANUARY 27, 2006, SHOPKO SPE REAL ESTATE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, MORTGAGOR, BARCLAYS CAPITAL REAL ESTATE INC., A DELAWARE CORPORATION, MORTGAGEE, RECORDED ON FEBRUARY 3, 2006, AS DOCUMENT NO. 481606. AN ASSIGNMENT OF THE MORTGAGEE'S INTEREST THEREUNDER WHICH NAMES, CITIGROUP GLOBAL MARKETS REALTY CORP., A NEW YORK CORPORATION AND BARCLAYS CAPITAL REAL ESTATE INC., A DELAWARE CORPORATION, ASSIGNEE, RECORDED ON JUNE 13, 2006, AS DOCUMENT NO. 485483. (AFFECTS PROPERTY, NOT AN EASEMENT)
- 9 A MORTGAGE TO SECURE AN INDEBTEDNESS AS SHOWN HEREIN, IN THE AMOUNT OF \$545,655,010.00, DATED MAY 31, 2006, SPIRIT SPE PORTFOLIO 2006-1, LLC (FORMERLY KNOWN AS SHOPKO SPE REAL ESTATE, LLC), A DELAWARE LIMITED LIABILITY COMPANY, MORTGAGOR, BARCLAYS CAPITAL REAL ESTATE INC., A DELAWARE CORPORATION AND CITIGROUP GLOBAL MARKETS REALTY CORP., A NEW YORK CORPORATION, MORTGAGEE, RECORDED ON JUNE 13, 2006, AS DOCUMENT NO. 485484. AN ASSIGNMENT OF THE MORTGAGEE'S INTEREST THEREUNDER WHICH NAMES, LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE REGISTERED HOLDERS OF CITIGROUP COMMERCIAL MORTGAGE TRUST 2006-C4, COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-C4, ASSIGNEE, RECORDED ON DECEMBER 4, 2007, AS DOCUMENT NO. 502215. (AFFECTS PROPERTY, NOT AN EASEMENT)

## FLOOD ZONE

THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP NO. 55045C0281G WITH A DATE OF IDENTIFICATION OF MAY 18, 2009 FOR COMMUNITY NO. 550162 IN GREEN COUNTY, STATE OF WISCONSIN, WHICH IS THE CURRENT FLOOD RATE INSURANCE MAP FOR THE COMMUNITY AT TIME OF SURVEY.

## ACCESS STATEMENT

ACCESS TO AND FROM SUBJECT PROPERTY "DIRECT" AND "INDIRECT" TO WEST 8TH STREET AND 4TH AVENUE WEST PUBLIC RIGHT OF WAYS AS SHOWN.

## POSSIBLE ENCROACHMENTS

- 1 SPICKET 2.0' EAST OF LOT LINE
- 2 SHOPKO SIGN 0.5' SOUTH OF LOT LINE

## ZONING INFORMATION

SOURCE OF ZONING INFORMATION: PER RYAN LINDSEY CITY OF MONROE BUILDING INSPECTOR/ZONING ADMINISTRATOR PHONE NO. 608-329-2518

CURRENT ZONING CLASSIFICATION IS GBD GENERAL BUSINESS DISTRICT AND ALLOWS FOR CURRENT USE.

PARKING:  
REGULAR PARKING SPACES = 359  
HANDICAP PARKING SPACES = 9  
TOTAL PARKING SPACES = 368

CURRENT PARKING REQUIREMENT IS:  
ONE (1) STALL FOR EACH 200 SQ.FT. OF NET FLOOR AREA

BUILDING SETBACK REQUIREMENTS:  
FRONT = 40 FEET  
SIDE = 20 FEET INCLUDING 4TH AVE WEST  
REAR = 15 FEET

BUILDING HEIGHT RESTRICTIONS: NONE STATED IN CODE

FLOOR SPACE RESTRICTIONS: NONE STATED IN CODE

**NOTE:** NO EVIDENCE OF POTENTIAL WETLANDS WAS OBSERVED ON THE SUBJECT PROPERTY AT THE TIME THE SURVEY WAS CONDUCTED, NOR HAVE WE RECEIVED ANY DOCUMENTATION OF ANY WETLANDS BEING LOCATED ON THE SUBJECT PROPERTY.

**NOTE:** THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, PER AL GERBER CITY OF MONROE DEPARTMENT ENGINEERING PHONE NO. 608-329-2532

**NOTE:** THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

**NOTE:** THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.

**NOTE:** THERE IS NO OBSERVABLE EVIDENCE OF SITE USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

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

**NOTE:** THE ADJACENT LAND INFORMATION SHOWN HEREON WAS ACQUIRED FROM COUNTY LAND RECORDS AT THE TIME OF SURVEY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.


**NOTE:** THE SITE WAS SNOW COVERED AT TIME OF SURVEY.

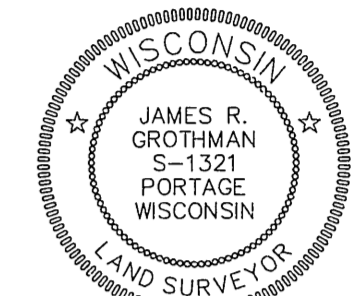
## SURVEYOR'S CERTIFICATE

**TO:** Spirit SPE Portfolio 2006-1, LLC, a Delaware limited liability company  
Spirit SPE Portfolio 2006-2, LLC, a Delaware limited liability company  
Spirit Realty, L.P., a Delaware limited liability partnership, and their respective affiliates and Lenders, and each of the foregoing's respective successors and assigns  
Fidelity National Title Insurance Company  
Chicago Title Company  
The Matthews Company, Inc.

This is to certify that this map or plat 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, and includes items 1, 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 11(a), 13, 14, 16, 17, 18 and 21 of Table A thereof. The field work was completed on March 2, 2015.

Date of Plat or Map: March 13, 2015

By:   
**JAMES R. GROTHMAN**  
Professional Land Surveyor No. 1321  
Date: March 13, 2015  
S & A No: 115-16



The property described and shown hereon is the same property described in Chicago Title Insurance Company, Commitment No.: CO-2708 dated January 12, 2015.

## LEGAL DESCRIPTION

### PARCEL A:

Lot 1 of Certified Survey Map No. 1487 recorded June 18, 1993, in Volume 4 of Certified Survey Maps of Green County on pages 468 and 469, as Document No. 343874, being part of the Southeast 1/4 of the Northeast 1/4 of Section 33, in Township 2 North, Range 7 East, of the Fourth Principal Meridian, in the City of Monroe, County of Green, State of Wisconsin.

**EXCEPTING** that portion conveyed by deed recorded as Document No. 407637 and further described as a portion of Lot 1 of Certified Survey Map No. 1487, recorded in Volume 4 of Certified Survey Maps of Green County on pages 468 and 469, being part of the Southeast 1/4 of the Northeast 1/4 of Section 33, in Township 2 North, Range 7 East of the Fourth Principal Meridian, in the City of Monroe, Green County, Wisconsin, described as follows: Commencing at the Northeast corner of Lot 2 of Certified Survey Map No. 1487, thence South 89 degrees 47 minutes 25 seconds West 231.00 feet; thence North 0 degrees 00 minutes 00 seconds East, 16.5 feet; thence North 89 degrees 47 minutes 25 seconds East 231.00 feet; thence South 0 degrees 00 minutes 00 seconds West 16.5 feet to the point of beginning.

### PARCEL B:

Non-exclusive easement for the benefit of Parcel A created by an instrument recorded June 25, 1997 as Document No. 375898, amended by instrument recorded as Document No. 407638, for ingress and egress as provided for therein.

Being more particularly described as follows:

Beginning at the Southwest corner of Lot 1, Certified Survey Map, No. 1487, said point being in the North right-of-way line of West 8th Street;  
thence North 0°00'00" East along the West line of said Lot 1, 900.00 feet to the Northwest corner of said Lot 1;  
thence North 89°47'25" East along the North line of said Lot 1, 400.00 feet to the Northeast corner of said Lot 1, said point being in the West right-of-way line of 4th Avenue West;  
thence South 0°00'00" West along the East line of said Lot 1 and the West right-of-way line of 4th Avenue West, 658.50 feet;  
thence South 89°47'25" West, 231.00 feet;  
thence South 0°00'00" West along the East line of said Lot 1 and the Northerly extension thereof, 241.50 feet to a point in the North right-of-way line of West 8th Street;  
thence South 89°47'25" West along the North right-of-way line of West 8th Street and the South line of said Lot 1, 169.00 feet to the point of beginning.  
Containing 304,211 square feet, (6.98 acres), more or less.

AS PREPARED BY:  
**James R. Grothman**



"ALTA/ACSM LAND TITLE SURVEY"

PREPARED FOR:



17220 Newhope Street, Suites 108-110, Fountain Valley, CA 92708  
Tel: (714) 979-7181 Fax: (714) 641-2840  
www.themathewscompany.com

MARK	DATE	REVISION	BY	AP'VD

Spirit Realty Capital, Inc.

405 West 8th Street  
Monroe, WI  
(ShopKo)

SCALE: 1" = 40'	CHKD./AP'VD:
DATE: March 13, 2015	APPROVED:
DWN. BY: A. L. HOEL	PROPERTY ID# P01460
CHKD. BY: J. GROTHMAN	SHEET 2 OF 2

This Survey has been prepared solely for the benefit of the parties set forth in this Surveyor's Certification and may not be quoted or relied upon by, nor may copies be delivered to, any other party or used for any other purpose including, without limitation, the preparation of zoning reports or any other third party reports, without The Matthews Company, Inc. and Grothman & Associates, S.C.'s prior written consent. The Matthews Company, Inc. and Grothman & Associates, S.C. expressly disclaims any duty or obligation towards any party that is not identified in this Surveyor's Certification.

Please be advised that The Matthews Company, Inc. and Grothman & Associates, S.C. will not include the providers of any third party reports in the Surveyor's Certification.