WGR

LEGEND

- IRON PIN FOUND
- BERNTSEN MONUMENT FOUND
- LIGHT POLE
- 2'X2' CONC. PAD
- CHISEL ARROW FOUND
- 9" CONC. FILLED PIPE 5' HIGH
- LOAD — LOADING DOCK
- CMP — CORRUGATED METAL PIPE
- WATER VALVE
- GAS METER
- GAS VALVE
- POWER POLE
- TELEPHONE PEDESTAL
- ELECTRIC METER
- FENCE
- GUARDRAIL

STATEMENT OF ENCROACHMENTS

A SOUTHWEST CORNER OF GRAVEL PARKING LOT ENCROACHES 1.7 FEET MORE OR LESS ONTO ADJOINING PROPERTY TO THE SOUTH OWNED BY ROBERT ALBRIGHT.

B SOUTH DIRT PILE ENCROACHES 9'± FEET MORE OR LESS ONTO ADJOINING PROPERTY TO THE SOUTH OWNED BY ROBERT ALBRIGHT.

NOTES CORRESPONDING TO SCHEDULE B

(7) HOLDING TANK AGREEMENT AS RECORDED IN DOCUMENT NUMBER 838667 IS PLOTTED HEREON.

(9) DRAINAGE RIGHTS AND RIGHTS OF WAY BY REASON OF ANY DRAINAGE DITCHES, LATERALS AND UNDERGROUND DRAIN TILE IN PIPES THAT MAY BE LOCATED ON SUBJECT PROPERTY IS SHOWN HEREON.

ZONING DATA:

ZONING CLASSIFICATION: THE SUBJECT PROPERTY IS ZONED M-2 HEAVY INDUSTRIAL DISTRICT.

HEIGHT: THERE ARE NO HEIGHT RESTRICTIONS AS PER ZONING CODE.

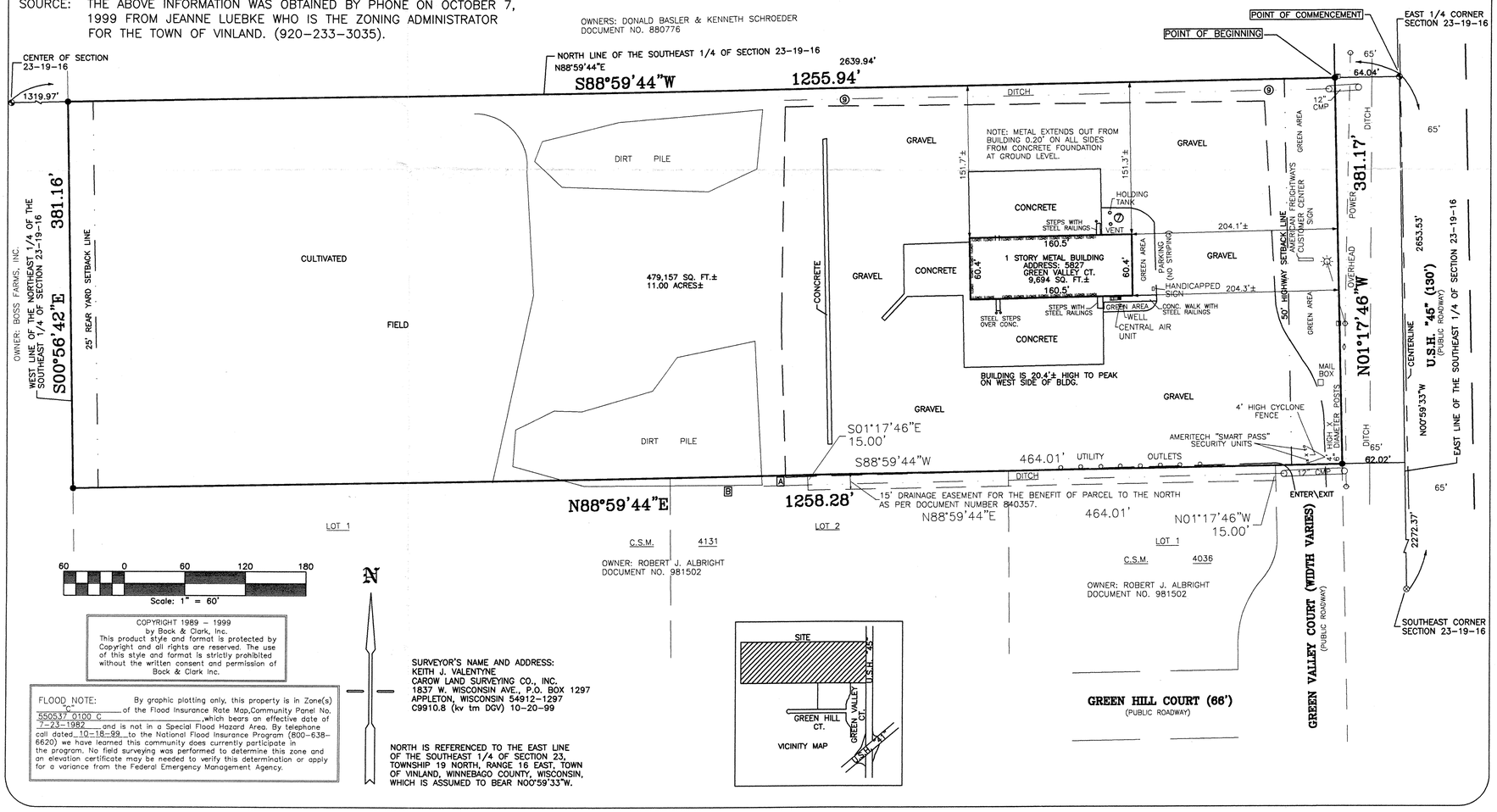
SETBACKS: THE ZONING CODE REQUIRES A 30 FOOT FRONT YARD SETBACK, A 25 FOOT REAR YARD SETBACK AND A 7 FOOT MINIMUM SIDE YARD SETBACK ON ONE SIDE AND AN AGGREGATE 17 FOOT MINIMUM SIDE YARD SETBACK. STATE OF WISCONSIN HIGHWAY DEPARTMENT REQUIRES A 50 FOOT SETBACK FROM THE HIGHWAY RIGHT-OF-WAY LINE. SEE ZONING CODE FOR THE TOWN OF VINLAND FOR DETAILS .

BULK RESTRICTIONS: THE ZONING CODE REQUIRES ONE PARKING STALL FOR EACH 2 EMPLOYEES DURING ANY 12 HOUR PERIOD. DRIVEWAYS SHALL BE AT LEAST TEN (10) FEET WIDE FOR ONE AND TWO FAMILY DWELLINGS AND A MINIMUM OF TWENTY-FOUR (24) FEET FOR ALL OTHER USES. EACH PARKING SPACE SHALL NOT BE LESS THAN NINE (9) FEET IN WIDTH AND NOT LESS THAN ONE HUNDRED EIGHTY (180) SQUARE FEET IN AREA EXCLUSIVE OF THE SPACE REQUIRED FOR INGRESS AND EGRESS.
THERE IS NO PARKING LOT STRIPING ON SUBJECT PROPERTY.
THERE ARE NO BULK ZONING RESTRICTIONS PERTAINING TO THE MAXIMUM LAND COVERAGE OF BUILDINGS AND/OR IMPERVIOUS AREAS.

SOURCE: THE ABOVE INFORMATION WAS OBTAINED BY PHONE ON OCTOBER 7, 1999 FROM JEANNE LUEBKE WHO IS THE ZONING ADMINISTRATOR FOR THE TOWN OF VINLAND. (920-233-3035).

AMERICAN FREIGHTWAYS
5827 GREEN VALLEY CT.
CITY OF OSHKOSH
WINNEBAGO COUNTY, WISCONSIN.

NOTES:
ALL FIELD MEASUREMENTS MATCHED RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/ACSM SPECIFICATIONS.



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FLOOD NOTE: By graphic plotting only, this property is in Zone(s) C of the Flood Insurance Rate Map,Community Panel No. 550537 0100 C, which bears an effective date of 7-23-1982 and is not in a Special Flood Hazard Area. By telephone call dated 10-18-99 to the National Flood Insurance Program (800-638-6620) we have learned this community does currently participate in the program. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

SURVEYOR'S NAME AND ADDRESS:
KEITH J. VALENTYNE
CAROW LAND SURVEYING CO., INC.
1837 W. WISCONSIN AVE., P.O. BOX 1297
APPLETON, WISCONSIN 54912-1297
C9910.8 (kv tm DGV) 10-20-99

NORTH IS REFERENCED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 16 EAST, TOWN OF VINLAND, WINNEBAGO COUNTY, WISCONSIN, WHICH IS ASSUMED TO BEAR N00°59'33"W.

LEGAL DESCRIPTION

Parcel 1

That part of the North East 1/4 of the SOUTH EAST 1/4 OF Section Twenty-Three (23), Township Nineteen (19) North, of Range Sixteen (16) East, in the Town of Vinland, Winnebago County, Wisconsin, described as Follows, viz:-

Commencing at the East Quarter corner of said Section; thence South 88 degrees 59 minutes 44 seconds West, along the North line of the South East 1/4 of said Section, 64.04 feet, to a point on the West line U.S. Highway No. 45 and the place of beginning; Thence continuing South 88 degrees 59 minutes 44 seconds West, 1255.94 feet, to the Northwest corner of the North East 1/4 of the South East 1/4 of said Section; thence South 0 degrees 56 minutes 42 seconds East, 381.16 feet, along the West line of the North East 1/4 of the South East 1/4 of said Section; thence North 88 degrees 59 minutes 44 seconds East, 1258.28 feet, to a point on the West line of said Highway; thence North 1 degree 17 minutes 46 seconds West, along said West line, 381.17 feet, to the place of beginning.

Together with an easement for the benefit of Parcel 1 for a 15 foot wide drainage easement over and across that part of the North East 1/4 of the SOUTH EAST 1/4 of Section Twenty-three (23), Township Nineteen 19) North, of Range Sixteen (16) East, in the Town of Vinland, Winnebago County, Wisconsin, described as follows, viz:-

Commencing at the East Quarter Corner of said Section; thence South 88 degrees 59 minutes 44 seconds West, along the North line of the South East 1/4 of said Section, 64.04 feet, to a point on the West line of U.S. Highway No. 45; thence South 1 degree 17 minutes 46 seconds East, along the West line of said Highway, 381.17 feet; thence South 88 degrees 59 minutes 44 seconds West, 66.00 feet, to the place of beginning; thence continuing South 88 degrees 59 minutes 44 seconds West, 464.01 feet; thence South 1 degree 17 minutes 46 seconds East, 15.00 feet; thence North 88 degrees 59 minutes 44 seconds East, 464.01 feet; thence North 1 degree 17 minutes 46 seconds West, 15.00 feet, to the place of beginning.

The above described parcel contains 479,157 square feet (11.00 acres) of land more or less. Subject to all legal easements and restrictions of record according to a survey performed by Keith J. Valentyne, Registered Wisconsin Land Surveyor no. 2198, on October 11, 1999.

Note: The above legal description describes the same property as Schedule A of the Title Commitment No. 996046 of The Commonwealth Land Title Insurance Company bearing an effective date of November 24, 1999.

Tax Parcel No. 026-0502-01

ALTA/ACSM LAND TITLE SURVEY
For
NorthAmerican Terminals Project
Site No. 8

5827 Green Valley Court
Oshkosh, WI.
P.O. #2520

Based Upon Title Commitment No. 996046
Of Commonwealth Land Title Ins. Co.
Bearing an effective date of 9-16-1999

Surveyor's Certification

With respect to this survey, the undersigned, a registered land surveyor, in and for the state of Wisconsin, hereby certifies as follows to (a) NorthAmerican Terminals, L.P.; it's partners, subsidiaries, and affiliates, and their respective successors and assigns, and its or their lenders; (b) Commonwealth Land Title Insurance Company, and (c) Bock & Clark Corporation, each of whom may rely on this certification;

(1) this survey was prepared by the undersigned and actually made on the ground on October, 1999 and is correct according to the record description of the land which is the same as described in that certain title insurance commitment from Assurance Title & Abstract services, Inc.,dated September 16, 1999;

(2) this survey correctly and accurately shows (i) the type, gross square footage, dimensions, bulk and location of all buildings, structures and other improvements; the number, size, kind and layout of all loading docks, if any; the number, size and kind of parking spaces required under applicable law; the number, size kind and layout of all parking spaces at the property; and the distances of all of the foregoing from the applicable property lines, none of which violate any applicable building or zoning requirements, (ii) all set back, height and other building restriction lines disclosed by recorded subdivision plans and documents or set forth in any applicable zoning or building code and the buildings, structures and other improvements lie within the boundary lines of the subject property and within such set back, height and other building restriction lines, (iii) the location of all utilities servicing the subject property and such utility services required for the operation of the property either enter the subject property through adjoining public streets or the survey shows the point of entry and location of any utilities that pass through or are located on adjoining private land, (iv) the location of all water courses, water bodies, lot lines and monuments; (v) all storm drainage systems for the collection and disposal of roof and surface drainage; (vi) all easements, rights-of-way, servitudes and covenants and restrictions referenced in the title commitment have been plotted hereon or otherwise noted as to their effect on the property; and (vii) any applicable zoning districts in which the property is located and the boundaries thereof;

(3) the property is contiguous along its entire common boundaries and is enclosed within the perimeters thereof; all component parcels of the property are contiguous and there are no gaps or gores;
(4) except as shown hereon, there are no (i) easements or uses benefiting or burdening the property; (ii) rights of way across the land (iii) any other easement or right of way of which the undersigned has been advised, (iv) no party walls, (v) no encroachments upon adjoining property, streets, alleys, by any of the buildings, structures, or other improvements on the property, (vi) no encroachment on the land by building, structures or improvements situated on adjoining property; and (vii) buildings, structures or improvements situated on the property that are located over or on any easements or utility lines; (viii) cemeteries or family burial grounds; or (ix) railroad tracks and siding;
(5) unless specifically noted hereon, the property does not lie within any area designated under any federal, state or municipal regulations as a flood plain, wetland or aquifer district or any other special district such as, but not limited to, any historical, parking or conservancy district or any area subject to a moratorium or rationing of water, sewer or other utility services;
(6) the property is located within an area having a flood zone designation "C" by the Secretary of Housing and Urban Development (which is not a special flood hazardous area inundated by 100 year flood) on Flood Insurance Rate Map no.550537C0100C with a date of identification of 7-23-1982 for Winnebago County, which is the current Flood Insurance Rate Map for the community in which the property is situated;
(7) all access to and egress from the property is shown and (i) the property has direct access to and from Green Valley Court, which is a duly dedicated and accepted paved public street or highway with right-of-way lines that are completely contiguous to the perimeter lines of the property along the entire right-of-way as shown, (ii) are in accordance with applicable governmental requirements, and (iii) all necessary approvals thereof have been obtained;
(8) there are no violations of any setback, height or building line requirements created by applicable zoning laws or recorded restrictive covenants;
(9) drainage of surface or other water; municipal water service, sanitary sewer, storm sewer, and telephone, electric and gas services are available to the property at the lot lines and in the locations indicated hereon and are adequate to serve the current and proposed use of the improvements without the need for easements across the land of others;
(10) the boundary line dimensions as shown hereon form a mathematically closed figure within 0.1 foot;
(11) the property does not constitute an illegal subdivision of land under applicable laws;
(12) the property does not serve any adjoining property for drainage, utilities or egress or ingress;
(13) the street address of the subject property is: 5827 Green Valley Court; and
(14) this survey was made in accordance with (i) the minimum standard detail requirements for ALTA/ACSM land title surveys established by ALTA, ASCM and NSPS in 1997 and (ii) the accuracy standards of ALTA and ASCM for an Urban Survey and includes items 2, 3, 4, 6, 7(a), 7(b) (1), 7(c), 8, 9, 10, 11, 13, and 14 in Table A of such standards.

Keith J. Valentyne (seal)
(Name of Surveyor) 2198
Registration No.
In the State of WI
Date of Survey: 10-20-99
Date of Last Revision: 11-11-99 (DGV)
12-13-99 (DGV)

WISCONSIN KEITH J. VALENTYNE S-2198 APPLETON WI REGISTERED LAND SURVEYOR

Network Project No. 990594-8

SHEET 1 OF 1 SHEET

BOCK & CLARK INC.'S NATIONAL SURVEYORS NETWORK
phone: 1-800-SURVEYS, fax: 330-666-3608, email: webmaster@1800surveys.com
537 N. Cleveland - Massillon Road, Akron, Ohio 44333 http://www.1800surveys.com