



### LEGAL DESCRIPTION

PER: STEWART TITLE COMPANY FILE NO.: 106240 DATED 7-7-2000  
LOT 2, NELSON SUBDIVISION, IN MONTGOMERY COUNTY, IOWA.

### LAND SURVEYOR'S CERTIFICATE

TO: SAND SPRINGS, L.L.C. A NEW YORK LIMITED LIABILITY COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE (1) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM IN 1999, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 7, 7A, 7B, 8, 10, 11 (LESS UNDERGROUND), 13 OF TABLE A THEREOF, AND (2) PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION OF A URBAN SURVEY.

**LAND SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

DATE: 8/9/00 LICENSE NO. 11416  
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2000.

LICENSED LAND SURVEYOR  
MARK E. EHRHART  
11416 LS  
IOWA

SCALE: 1" = 30'

### ALTA/ACSM LAND TITLE SURVEY

## K MART (2000-07-0412)

2501 NORTH BROADWAY STREET  
RED OAK, IOWA

**VICINITY MAP**  
(NOT TO A SCALE)

THIS SURVEY PREPARED FOR LANDATA SITE SERVICES, INC. BY: EHRHART/GRIFFIN AND ASSOCIATES  
3915 CUMING STREET  
OMAHA, NEBRASKA 68131  
(402)-551-0631  
EGA PROJECT NO.: EGA001260

- #### MISCELLANEOUS NOTES
- SUBJECT PROPERTY IS ZONED "M"-INDUSTRIAL DISTRICT  
FRONT YARD SET BACK: (CONDITIONAL)  
STREET SIDE YARD SET BACK: (CONDITIONAL)  
INTERIOR SIDE YARD SET BACK: (CONDITIONAL)  
REAR YARD SET BACK: (CONDITIONAL)
  - THERE MAY BE SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS THAT APPLY TO THE SHOWN BUILDING SET BACK LINES. PLEASE VERIFY WITH CITY OR COUNTY PLANNING.
  - SUBJECT PROPERTY CONTAINS 232,984.15 SQUARE FEET OR 5.35 ACRES, MORE OR LESS.
  - SUBJECT PROPERTY HAS 278 STANDARD PARKING STALLS AND 9 HANDICAP PARKING STALLS.
  - THE UTILITY LOCATIONS ON THIS PLAN ARE THE RESULT OF A COMBINATION OF FIELD LOCATED POSITIONS AND/OR AS-BUILT DRAWINGS PROVIDED BY THE UTILITY COMPANIES AT OUR REQUEST AND ARE THEREFORE SUBJECT TO INTERPRETATION. THE LOCATIONS ARE APPROXIMATE AND NO GUARANTEE IS MADE OR IMPLIED AS TO THEIR ACCURACY. FURTHER VERIFICATION MAY BE REQUIRED TO IDENTIFY UTILITIES NOT SHOWN HEREIN. CONTACT DIGGERS HOTLINE OF NEBRASKA AT 1-800-331-5666.
  - MID-AMERICA ENERGY, SUPPLIERS OF NATURAL GAS REPORTED THERE IS NO GAS SERVICE TO THE SURVEYED SITE. PER: BOB BECKLE PHONE 1-800-329-8261 DATE: 7-31-2000.
  - SEWERS AS SHOWN NO ADDITIONAL RECORD SANITARY OR STORM SEWER INFORMATION WAS AVAILABLE FOR THE SURVEYED SITE.  
PER: KATHY POWER, MONTGOMERY COUNTY ENVIRONMENTALIST PHONE (712)-623-6543 DATED: 7-28-2000.
  - MONTGOMERY COUNTY DOES NOT REQUIRE PROPERTY OWNERS TO HAVE FLOOD INSURANCE BECAUSE MONTGOMERY COUNTY DOES NOT PARTICIPATE IN ANY FLOOD MAPPING. PER: PETER MUTUTUWA, MONTGOMERY COUNTY ENGINEER PHONE (712)-623-5197 DATED: 7-27-2000.
  - PLAT OF NELSON SUBDIVISION INDICATES A 75' BUILDING SET-BACK AT THE SOUTH, EAST AND WEST. \*SOUTH BUILDING LINE IS 60.3' (EXISTING).

#### LEGEND

▲ - SET SURVEY POINT	— T - UNDERGROUND TELEPHONE
● - FOUND SURVEY POINT	— TD - TELEPHONE CONDUIT
△ - TEMPORARY CONTROL POINT (T.C.P.) (12" LANDSCAPE SPIKE TYP.)	— TMH - TELEPHONE MANHOLE
C.T.P. - CRIMPED TOP PIPE	— WMH - WATER MANHOLE
O.T.P. - OPEN TOP PIPE	— W - WATER
S.D.H. - STAR DRILL HOLE	— WV - WATER VALVE
— CHISELED "X" IN CONCRETE	— FH - FIRE HYDRANT
P - PLAT DISTANCE	— G - GAS
A - ACTUAL DISTANCE	— GV - GAS VALVE
R - RECORDED DISTANCE	— GMH - GAS MANHOLE
CA - CALCULATED DISTANCE	— C - CABLE TELEVISION
RC - RADIUS OF CURVE	— S - SIGN
PM - PROJECT BENCH MARK	— TS - TRAFFIC SIGNAL
SMH - SANITARY MANHOLE	— SE - SPOT ELEVATION
DMH - STORM DRAIN MANHOLE	— FFE - FINISHED FLOOR ELEVATION
CE - COVER ELEVATION	— L - LANDSCAPING
IE - INVERT ELEVATION	— T.L. - TREE LINE
S - SANITARY SEWER	— D - DECIDUOUS TREE
DS - STORM DRAIN SEWER	— C.T. - CONIFEROUS TREE
OHE - OVERHEAD ELECTRIC	
EMH - ELECTRIC MANHOLE	
— E - UNDERGROUND ELECTRIC	
— P - POWER POLE	
— GUY WIRE	
— LIGHT POLE	
— STREET LAMP	
— SPOT LIGHT	
— OHT - OVERHEAD TELEPHONE	
— TRANSFORMER	

(OWNERS)  
4 WAY STOP INC. (AMPRIDE GAS STATION)

THE EAST 1/2 OF THE NORTHEAST 1/4 OF PARCEL "A" OF PARCEL "B" IN SECTION 20, TOWNSHIP 72 NORTH, RANGE 38 EAST OF THE 5TH P.M., MONTGOMERY COUNTY, IOWA



NOTE: UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8989 PRIOR TO DIGGING.

- #### ITEMS CORRESPONDING TO SCHEDULE B
- BUILDING SETBACK LINE OF 75 FEET (FROM THE EAST, WEST AND SOUTH LOT LINE) AS SHOWN ON PLAT OF NELSON SUBDIVISION RECORDED AS DOCUMENT NO. 1517 IN BOOK 129 AT PAGE 380.
  - EASEMENT 10 FEET IN WIDTH FOR PUBLIC UTILITIES AND DRAINAGE OVER, UPON AND UNDER THE REAR AND SIDE LOT LINES OF THE LAND AS SHOWN ON THE PLAT OF NELSON SUBDIVISION RECORDED AS DOCUMENT NO. 1517 IN BOOK 129 AT PAGE 380.
  - EASEMENT FOR DRAINAGE DITCH AS DISCLOSED BY DRAINAGE CHANNELS ALONG THE NORTH AND WEST LINE OF THE SUBJECT PREMISES. (NO DOCUMENTATION PROVIDED)
  - GRANT OF EASEMENT TO IOWA POWER AND LIGHT COMPANY FILED JULY 13, 1978 AS DOCUMENT NUMBER 124 IN BOOK 131, PAGE 500, TO LAY, MAINTAIN, OPERATE REPAIR AND REMOVE UNDERGROUND CONDUIT, WIRES AND OTHER NECESSARY EQUIPMENT THERETO THROUGH AND ACROSS THE FOLLOWING DESCRIBED PORTION OF SUBJECT PREMISES TOGETHER WITH INGRESS AND EGRESS TO AND FROM THE SAME AND ALL RIGHTS AND PRIVILEGES INCIDENT AND NECESSARY TO ENJOYMENT OF THE GRANT.
  - EASEMENT IN FAVOR OF CITY OF RED OAK FILED JULY 29, 1982 AS DOCUMENT NO. 167 IN BOOK 144 AT PAGE 676 FOR INGRESS AND EGRESS TO SURVEY, ERECT, CONSTRUCT, INSPECT REBUILD AND MAINTAIN A LEVEE AND ALL APPURTENANCES THERETO, OVER AND ON THE SUBJECT PROPERTY.
- #### STATEMENT OF ENCROACHMENTS
- NONE

**LANDATA SITE SERVICES**

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