SPECIAL FLOOD HAZARD AREA.

AGENCY.

NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR

72 HOURS
BEFORE YOU DIG
CALL INDIANA 811
(800-382-5544)

APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT

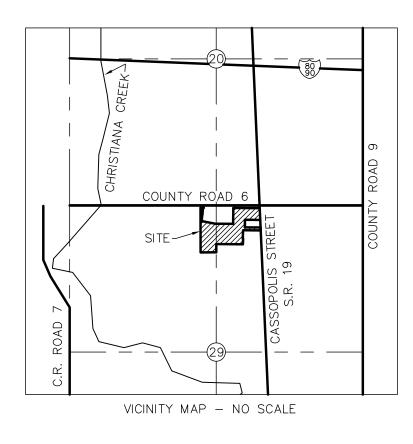
RECORD LEGAL DESCRIPTION

LAND SITUATED IN THE CITY OF ELKHART, COUNTY OF ELKHART, STATE OF INDIANA, AND IS DESCRIBED AS FOLLOWS:

TRACT 1:

LOTS 3A1 AND 7 OF SHOPPES ON SIX SUBDIVISION PHASE II AS PER PLAT THEREOF RECORDED JULY 31, 2014 IN PLAT BOOK 35, PAGE 40 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA.

LOT 4A2 IN THE REPLAT OF LOTS 4A1 AND 5A1 OF SHOPPES ON SIX SUBDIVISION PHASE II AS PER PLAT THEREOF RECORDED APRIL 13, 2015 IN PLAT BOOK 35, PAGE 68 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA.



ALTA/NSPS LAND TITLE SURVEY

FC

205, 335, & 405 COUNTY ROAD 6 EAST ELKHART, INDIANA

BASED UPON TITLE COMMITMENT NO. CTIN1704597 AS PREPARED BY CHICAGO TITLE INSURANCE COMPANY BEARING A COMMITMENT DATE OF DECEMBER 3, 2017

SURVEYOR'S CERTIFICATION

TO: ELKHART HOLDINGS, LLC, WELLS FARGO BANK, NATIONAL ASSOCIATION, ITS SUCCESSORS AND /OR ASSIGNS, MILLER, CANFIELD, PADDOCK AND STONE, P.L.C. & CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 7(a), 7(b)1, 9, & 11 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 5, 2018.

THOMAS A. STEPHENSON
PROFESSIONAL SURVEYOR NO. LS20900185
IN THE STATE OF INDIANA
DATE OF SURVEY: JANUARY 5, 2018
DATE OF LAST REVISION: FEBRUARY 23, 2018
JOB #: 17648



SHEET 1 OF 3 SHEETS

EPHENSON LA

ALTA/NSPS LAND TITLE SURVEY

PART OF SHOPPES ON SIX SUBDIVISION PHASE II AND PART OF REPLAT OF LOTS 4A1 AND 5A1 OF SHOPPES ON SIX SUBDIVISION PHASE II BEING A PART OF THE NORTH HALF OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 5 EAST CITY OF ELKHART, ELKHART COUNTY, INDIANA

EASEMENT DETAIL PAGE

22. COVENANTS, CONDITIONS, RESTRICTIONS AND DRAINAGE MAINTENANCE AS SET OUT IN PLAT OF SHOPPES ON SIX SUBDIVISION

RECORDED OCTOBER 11, 2011 IN PLAT BOOK 33 PAGE 91 AS INSTRUMENT NUMBER 2011—18770. (TRACTS I AND II) (NOT

23. DECLARATIÓN OF EASEMENTS AND PROTECTIVE COVENANTS DATED OCTOBER 21, 2011 AND RECORDED OCTOBER 21, 2011 AS

25. APPURTENANT DRAINAGE UTILITY EASEMENT DATED SEPTEMBER 20, 2011 AND RECORDED OCTOBER 19, 2011 AS INSTRUMENT

RECORDED OCTOBER 7, 2011 AS INSTRUMENT NUMBER 2011-18774. (TRACTS I AND II) (SHOWN HEREON ALONG THE NORTH

28. TERMS, CONDITIONS AND PROVISIONS OF AN EASEMENT AND RIGHT OF WAY IN FAVOR OF INDIANA MICHIGAN POWER COMPANY

DATED JANUARY 11, 2012 AND RECORDED JANUARY 27, 2012 AS INSTRUMENT NUMBER 2012001899. (TRACT I) **(SHOWN**

29. COVENANTS, CONDITIONS, AND RESTRICTIONS CONTAINED IN THE PLAT OF SHOPPES SIX SUBDIVISION, REPLAT OF LOTS 3-5.

STATE OR FEDERAL LAWS. EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.

RECORDED NOVEMBER 5. 2013 IN PLAT BOOK 34 PAGE 84 AS INSTRUMENT NUMBER 2013-26775. BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS. MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE

(TRACTS | AND ||) (ALL EASEMENTS REFLECTED ON THE MOST RECENT PLAT REVISION HAVE BEEN PLACED)

26. EASEMENT FOR GAS MAINS GRANTED TO NORTHERN INDIANA PUBLIC SERVICE COMPANY DATED SEPTEMBER 28, 2011 AND

27. ACCESS EASEMENT GRANTED TO THE CITY OF ELKHART DATED SEPTEMBER 22, 2011 AND RECORDED OCTOBER 3, 2001 AS

24. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS CONTAINED IN AMENDED AND RESTATED DECLARATION OF EASEMENTS

AND PROTECTIVE COVENANTS, DATED MAY 29, 2015 AND RECORDED JUNE 8, 2015 AS INSTRUMENT NO. 2015-11006 (TRACTS I

INSTRUMENT NUMBER 2011-19781. (TRACTS I AND II) (AMENDED IN EXC. 24, INST. NO. 2015-11006)

AND II) (ACCESS ESMT. SHOWN HEREON APPROXIMATELY - SITE PLAN COPY IS ILLEGIBLE)

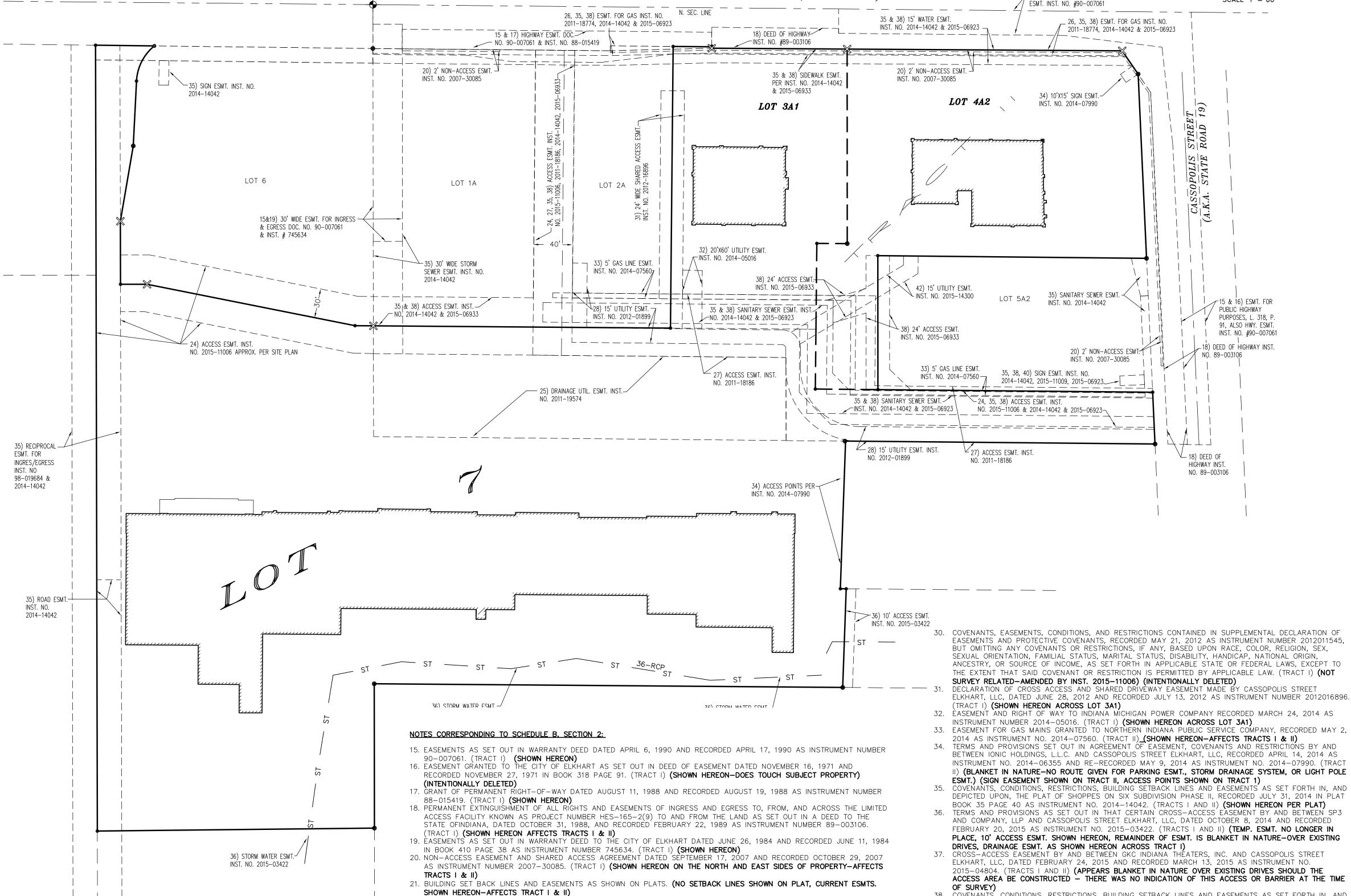
NUMBER 2011-19574. (TRACT I) (SHOWN HEREON ON LOT 7)

INSTRUMENT NUMBER 2011-18186. (TRACT I) (SHOWN HEREON)

SIDE OF THE PROPERTY)

COUNTY ROAD 6

(WIDTH VARIES)



_NW CORNER NE 1/4

SEC. 29, T38N-R5E

A.K.A. N. 1/4 CORNER

30. COVENANTS, EASEMENTS, CONDITIONS, AND RESTRICTIONS CONTAINED IN SUPPLEMENTAL DECLARATION OF EASEMENTS AND PROTECTIVE COVENANTS, RECORDED MAY 21, 2012 AS INSTRUMENT NUMBER 2012011545, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW. (TRACT I) (NOT SURVEY RELATED-AMENDED BY INST. 2015-11006) (INTENTIONALLY DELETED) DECLARATION OF CROSS ACCESS AND SHARED DRIVÈWAY EASEMENT MADE BY CASSOPOLIS STREET

15 & 16) ESMT. FOR PUBLIC HIGHWAY

PURPOSÉS, L. 318, P. 91, ALSO HWY.

26. 35. 38) FSMT. FOR GAS INST. NO.

2011-18774, 2014-14042 & 2015-06923

ESMT. INST. NO. #90-007061

34) 10'X15' SIGN ESMT. -

35) SANITARY SEWER ESMT.

20) 2' NON-ACCESS ESMT.

INST. NO. 2007-30085

INST. NO. 2014-14042

LOT 5A2

∠27) ACCESS ESMT. INST.

NO. 2011-18186

35, 38, 40) SIGN ESMT. INST. NO.

24, 35, 38) ACCESS ESMT. INST.

2014-14042, 2015-11009, 2015-06923

INST. NO. 2014-07990

SCALE 1"= 60'

15 & 16) ESMT. FOR

PUBLIC HIGHWAY

PURPOSES, L. 318, P.

91. ALSO HWY. ESMT

-18) DEED OF HIGHWAY INST.

NO. 89-003106

— 18) DEED OF

HIĞHWAY INST. NO. 89-003106

INST. NO. #90-007061

 $\frac{STRE}{ROAD}$

ELKHART, LLC, DATED JUNE 28, 2012 AND RECORDED JULY 13, 2012 AS INSTRUMENT NUMBER 2012016896. (TRACT I) (SHOWN HEREON ACROSS LOT 3A1) 32. ÈASEMENT AND RIGHT OF WAY TO INDIANA MICHIGAN POWER COMPANY RECORDED MARCH 24, 2014 AS INSTRUMENT NUMBER 2014-05016. (TRACT I) (SHOWN HEREON ACROSS LOT 3A1)

2014 AS INSTRUMENT NO. 2014-07560. (TRACT II)_(SHOWN HEREON-AFFECTS TRACTS I & II) 34. TERMS AND PROVISIONS SET OUT IN AGREEMENT OF EASEMENT, COVENANTS AND RESTRICTIONS BY AND BETWEEN IONIC HOLDINGS, L.L.C. AND CASSOPOLIS STREET ELKHART, LLC, RECORDED APRIL 14, 2014 AS INSTRUMENT NO. 2014-06355 AND RE-RECORDED MAY 9, 2014 AS INSTRUMENT NO. 2014-07990. (TRACT II) (BLANKET IN NATURE-NO ROUTE GIVEN FOR PARKING ESMT., STORM DRAINAGE SYSTEM, OR LIGHT POLE ESMT.) (SIGN EASEMENT SHOWN ON TRACT II, ACCESS POINTS SHOWN ON TRACT 1)

35. COVENANTS, CONDITIONS, RESTRICTIONS, BUILDING SETBACK LINES AND EASEMENTS AS SET FORTH IN, AND DEPICTED UPON, THE PLAT OF SHOPPES ON SIX SUBDIVISION PHASE II, RECORDED JULY 31, 2014 IN PLAT BOOK 35 PAGE 40 AS INSTRUMENT NO. 2014-14042. (TRACTS I AND II) (SHOWN HEREON PER PLAT) 36. TERMS AND PROVISIONS AS SET OUT IN THAT CERTAIN CROSS—ACCESS EASEMENT BY AND BETWEEN SP3

AND COMPANY, LLP AND CASSOPOLIS STREET ELKHART, LLC, DATED OCTOBER 8, 2014 AND RECORDED

FEBRUARY 20, 2015 AS INSTRUMENT NO. 2015-03422. (TRACTS I AND II) (TEMP. ESMT. NO LONGER IN PLACE, 10' ACCESS ESMT. SHOWN HEREON, REMAINDER OF ESMT. IS BLANKET IN NATURE-OVER EXISTING DRIVES, DRAINAGE ESMT. AS SHOWN HEREON ACROSS TRACT I) 37. CROSS-ACCESS EASEMENT BY AND BETWEEN GKC INDIANA THEATERS, INC. AND CASSOPOLIS STREET ELKHART, LLC, DATED FEBRUARY 24, 2015 AND RECORDED MARCH 13, 2015 AS INSTRUMENT NO.

2015-04804. (TRACTS | AND ||) (APPEARS BLANKET IN NATURE OVER EXISTING DRIVES SHOULD THE ACCESS AREA BE CONSTRUCTED - THERE WAS NO INDICATION OF THIS ACCESS OR BARRIER AT THE TIME OF SURVEY) 38. COVENANTS, CONDITIONS, RESTRICTIONS, BUILDING SETBACK LINES AND EASEMENTS AS SET FORTH IN, AND DEPICTED UPON, THE REPLAT OF LOTS 4A1 AND 5A1 OF SHOPPES ON SIX SUBDIVISION PHASE II, RECORDED APRIL13, 2015 IN PLAT BOOK 35 PAGE 68 AS INSTRUMENT NO. 2015-06923. (TRACT II) (SHOWN HEREON

PER PLAT-AFFECTS TRACT | & II) 39. GRANT OF EASEMENT FOR A VIEW CORRIDOR BY AND BETWEEN CASSOPOLIS STREET ELKHART, LLC AND CFT NV DEVELOPMENTS, LLC, DATED MAY 29, 2015 AND RECORDED JUNE 8, 2015 AS INSTRUMENT NO.

2015-11008. (TRACT II) (NOT PLOTTABLE-NO SPECIFIC ROUTE GIVEN) 40. GRANT OF EASEMENT FOR SHOPPING CENTER SIGN BY AND BETWEEN CFT NV DEVELOPMENTS, LLC AND

CASSOPOLIS STREET ELKHART, LLC, DATED MAY 29, 2015 AND RECORDED JUNE 8, 2015 AS INSTRUMENT NO. 2015-11009. (TRACTS | AND ||) (SHOWN HEREON ON TRACT 5A2)

41. DECLARATION OF RESTRICTIVE COVENANT BY CASSOPOLIS STREET ELKHART, LLC, DATED OCTOBER 20, 2014 AND RECORDED JUNE 8, 2015 AS INSTRUMENT NO. 2015—11010. (TRACTS I AND II) (NOT SURVEY RELATED-UNPLOTTABLE)

42. EASEMENT AND RIGHT OF WAY GRANTED TO INDIANA MICHIGAN POWER COMPANY, RECORDED JULY 16, 2015 AS INSTRUMENT NO. 2015-14300. (TRACT II) (SHOWN HEREON OVER TRACTS I & II) 43. TERMS AND PROVISIONS SET OUT IN STORM DRAINAGE MAINTENANCE AGREEMENT BY AND BETWEEN MGR 227, LLC AND CASSOPOLIS STREET ELKHART, LLC, RECORDED NOVEMBER 3, 2015 AS INSTRUMENT NO.

2015-22719. (TRACTS | AND ||) (NOT PLOTTABLE) 44. PERPETUAL ACCESS EASEMENT GRANTED TO THE CITY OF ELKHART, INDIANA, RECORDED NOVEMBER 19, 2015 AS INSTRUMENT NO. 2015-23844. (TRACT II) (BLANKET IN NATURE)

NOTE: ALL OTHER ITEMS IN SCHEDULE B SECTION II ARE NON-SURVEY RELATED OR DO NOT AFFECT THE SUBJECT PROPERTY.

LEGEND

---- EASEMENT LINE (SEE PAGE 2) —— SAN —— SANITARY SEWER ----ST ---- STORM SEWER — W — WATER MAIN —— G —— GAS LINE ----U/C --- UNDERGROUND CABLES --- O/L --- OVERHEAD LINES ——T—— UNDERGROUND TELEPHONE ---X---- FENCE MANHOLE SANITARY MANHOLE STORM $\equiv \equiv$ CATCH BASIN CATCH BASIN YARD BASIN CLEANOUT IRRIGATION FIRE HYDRANT UTILITY POLE GUY WIRE SIGN WATER VALVE GAS LINE MARKER GAS VALVE GAS METER ELECTRIC METER ELECTRIC TRANSFORMER TELEPHONE PEDESTAL TRAFFIC SIGNALIZATION LIGHT POLE POST MAILBOX IRON PIN SET IRON PIN FOUND FOUND MAG NAIL FLUSH SET MAG NAIL FOUND CROSS FLUSH SECTION CORNER RECORD HANDICAPPED



ASPHALT

CONCRETE

ALTA/NSPS LAND TITLE SURVEY

205, 335, & 405 COUNTY ROAD 6 EAST ELKHART, INDIANA

BASED UPON TITLE COMMITMENT NO. CTIN1704597 AS PREPARED BY CHICAGO TITLE INSURANCE COMPANY BEARING A COMMITMENT DATE OF DECEMBER 3, 2017

SURVEYOR'S CERTIFICATION

TO: ELKHART HOLDINGS, LLC, WELLS FARGO BANK, NATIONAL ASSOCIATION, ITS SUCCESSORS AND /OR ASSIGNS, MILLER, CANFIELD, PADDOCK AND STONE, P.L.C. & CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 7(a), 7(b)1, 9, & 11 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 5, 2018.

THOMAS A. STEPHENSON PROFESSIONAL SURVEYOR NO. LS20900185 IN THE STATE OF INDIANA DATE OF SURVEY: JANUARY 5, 2018 DATE OF LAST REVISION: FEBRUARY 23, 2018 JOB #: 17648



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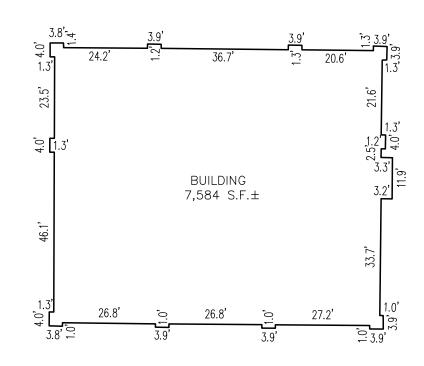
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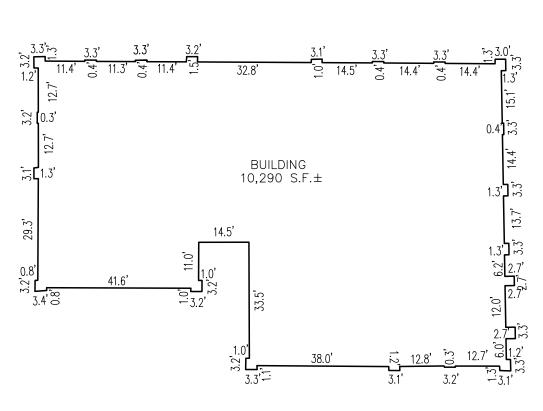
SHEET 2 OF 3 SHEETS

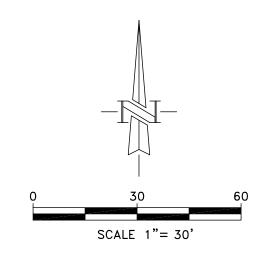
ALTA/NSPS LAND TITLE SURVEY

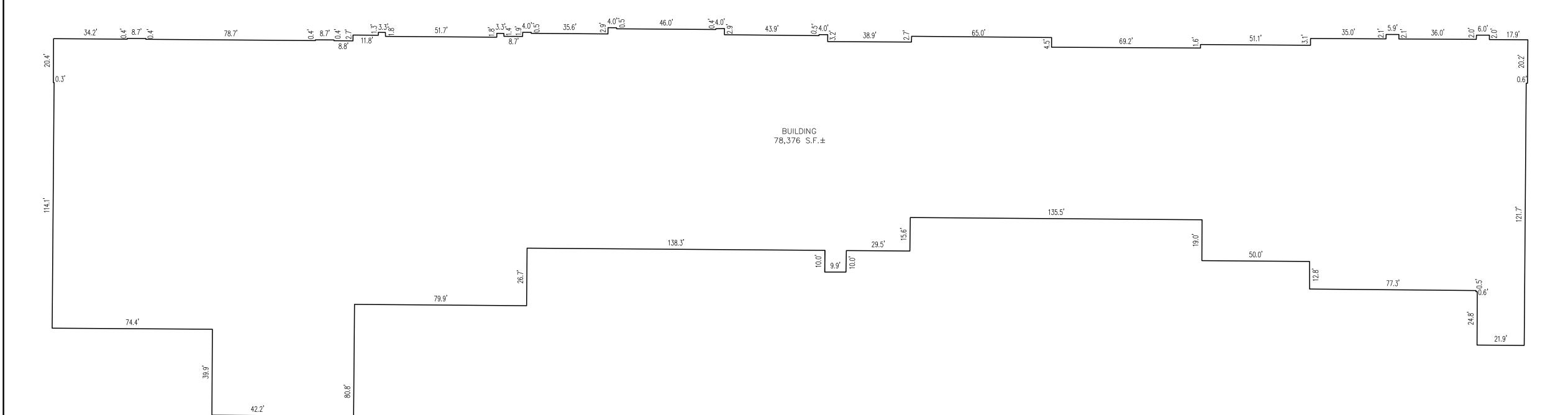
PART OF SHOPPES ON SIX SUBDIVISION PHASE II AND
PART OF REPLAT OF LOTS 4A1 AND 5A1 OF SHOPPES ON SIX SUBDIVISION PHASE II
BEING A PART OF THE NORTH HALF OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 5 EAST
OSOLO TOWNSHIP, ELKHART COUNTY, INDIANA











SURVEYOR'S REPORT

IN ACCORDANCE WITH TITLE 865 ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 29 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATION OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

A) VARIANCES IN THE REFERENCE MONUMENTS;

B) DISCREPANCIES IN RECORD DESCRIPTION AND PLATS;

C) INCONSISTENCIES IN LINES OF OCCUPATION;D) RANDOM ERROR IN MEASUREMENT (THEORETICAL UNCERTAINTY)

THERE MAY BE UNWRITTEN RIGHTS ASSOCIATED WITH THESE UNCERTAINTIES.

THIS SURVEY IS WITHIN THE GUIDELINES FOR A URBAN SURVEY OF 0.07 PLUS 50 PARTS PER MILLION AS DEFINED IN IAC $865\ 1-12-7$.

UNLESS SPECIFICALLY SHOWN HEREON, THIS SURVEY DOES NOT PURPORT TO INDICATE THE PRESENCE OR ABSENCE OF WETLANDS, STORAGE TANKS, ASBESTOS, CONTAMINANTS, OR ENVIRONMENTALLY INJURIOUS MATERIALS; AND THE SURVEYOR EXPRESSLY DISCLAIMS ANY RESPONSIBILITY OR LIABILITY FOR THE SAME.

AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS MY OPINION THAT THE UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY ARE AS

DUE TO VARIANCES IN REFERENCE MONUMENTS:

DUE TO DISCREPANCIES IN THE RECORD DESCRIPTION:
DUE TO INCONSISTENCIES IN LINES OF OCCUPATION:

THE PROPERTY CORNERS WERE ALL FOUND AND MATCHED EXISTING RECORD MONUMENTATION AND SURVEY INFORMATION PROVIDED AND RESEARCHED.

ALTA/NSPS LAND TITLE SURVEY

FOF

205, 335, & 405 COUNTY ROAD 6 ELKHART, INDIANA

ELKHART, INDIANA

BASED UPON TITLE COMMITMENT NO. CTIN1704597 AS PREPARED BY CHICAGO TITLE INSURANCE COMPANY BEARING A COMMITMENT DATE OF DECEMBER 3, 2017

SURVEYOR'S CERTIFICATION

TO: ELKHART HOLDINGS, LLC, WELLS FARGO BANK, NATIONAL ASSOCIATION, ITS SUCCESSORS AND /OR ASSIGNS, MILLER, CANFIELD, PADDOCK AND STONE, P.L.C. & CHICAGO TITLE INSURANCE COMPANY

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THOMAS A. STEPHENSON
PROFESSIONAL SURVEYOR NO. LS20900185
IN THE STATE OF INDIANA
DATE OF SURVEY: JANUARY 5, 2018
DATE OF LAST REVISION: FEBRUARY 23, 2018
JOB #: 17648



SHEET 3 OF 3 SHEETS

FAX: 269-445-8510 E-mail: sls@stephensonls.com T, CASSOPOLIS, MICHIGAN, 49031

: 269-445-8903 FAX: 269-873 White Street, cassopol