

2/2016

New hot water heater
Refinished wood floors 1st floor
Refinished wood floors 2nd floor
Refinished wood stairs
Installed 9 chandeliers & 3 vintage light fixtures
Installed closet on 1st floor
Installed wood shiplap on 1st & 2nd floor
Installed ceiling fans on 2nd floor
Installed ceiling tiles on 2nd floor

7/2017

Installed new carpet on mid floor
New Awnings Front & back

7/2019

New roof installed 25 year warranty -Great Lakes Roofing Company

9/2019

Installed 2 Mitsubishi system & Air handler w/heater
Installed A/C unit

6/2023

Installed ceiling fans 1st floor

2/2025

Installed new toilet in Women's bathroom

SELLER DISCLOSURE REPORT - COMMERCIAL

THIS DISCLOSURE REPORT CONCERNS THE REAL PROPERTY LOCATED AT 811 Oregon St

IN THE _____
City (CITY) (VILLAGE) (TOWN) OF Oshkosh, COUNTY OF _____
Winnebago STATE OF WISCONSIN. THIS REPORT IS A DISCLOSURE OF THE CONDITION OF THAT
PROPERTY AS OF March (MONTH) 23rd (DAY) 2026 (YEAR).

When listing a property Wis. Admin. Code § REEB 24.07(1)(b) requires licensees to inspect the property and to “make inquiries of the seller on the condition of the structure, mechanical systems and other relevant aspects of the property. The licensee shall request that the seller provide a written response to the licensee's inquiry.” This Seller Disclosure Report is a tool designed to help the licensee fulfill this license law duty.

This is not a warranty of any kind by the owner or any agents representing any party in this transaction and is not a substitute for any inspections, testing or warranties that the parties may wish to obtain. This is not a disclosure report required by Wis. Stat. Ch. 709 and the owner is voluntarily providing this information.

NOTICE TO PARTIES REGARDING ADVICE OR INSPECTIONS

Real estate licensees may not provide advice or opinions concerning whether or not an item is a defect for the purposes of this report or concerning the legal rights or obligations of parties to a transaction. The parties may wish to obtain professional advice or inspections of the property and to include appropriate provisions in a contract between them with respect to any advice, inspections, defects, or warranties.

A. OWNER'S INFORMATION

- A1. In this form, “aware” means the “owner(s)” have notice or knowledge.
- A2. In this form, “defect” means a condition that would have a significant adverse effect on the value of the property; that would significantly impair the health or safety of future occupants of the property; or that if not repaired, removed, or replaced would significantly shorten or adversely affect the expected normal life of the premises.
- A3. In this form, “owner” means the person or persons, entity, or organization that owns the above-described real property.
- A4. The owner represents that to the best of the owner's knowledge, the responses to the following questions have been accurately checked as “yes,” “no,” or “not applicable (N/A)” to the property being sold. If the owner responds to any question with “yes,” the owner shall provide an explanation of the reason why the response to the question is “yes” in the area provided following each group of questions.
- A5. The owner discloses the following information with the knowledge that, even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the property. The owner hereby authorizes the owner's agents and the agents of any prospective buyer to provide a copy of this report, and to disclose any information in the report, to any person in connection with any actual or anticipated sale of the property.

B. STRUCTURAL AND MECHANICAL

	YES	NO	N/A
B1. Are you aware of defects in the roof?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B2. Are you aware of defects in the electrical system, including defects in solar panels and systems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B3. Are you aware of defects in part of the plumbing system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B4. Are you aware of defects in the heating and air conditioning system (including the air filters and humidifiers), fire safety, security or lighting?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B5. Are you aware of defects in the basement or foundation (including cracks, seepage, and bulges)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B6. Are you aware of defects in any structure or structural components on the property (including walls)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B7. Are you aware of defects in mechanical equipment included in the sale either as fixtures or personal property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B8. Are you aware of rented items located on the property or items affixed to or closely associated with the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B9. Explanation of “yes” responses			

During the Oregon Street construction the neighboring building (John's Hobbies) the city forgot to hook up their storm drain lines. This lead to their basement flooding and mine. During winter if the parking lot is not plowed having the snow moved away from the side of the building,(if there is a large amount of snow) once it melts it will melt into the basement. This happened March 2026.

C. ENVIRONMENTAL

	YES	NO	N/A
C1. Are you aware of the presence of unsafe levels of mold?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C2. Are you aware of a defect caused by unsafe concentrations of, or unsafe conditions relating to, radon, radium in water supplies, high voltage electric (100 KV or greater) or steel natural gas transmission lines located on but not directly serving the property, lead in paint, lead in soil, pesticides, or other potentially hazardous or toxic substances on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C3. Are you aware of the presence of asbestos or asbestos-containing materials on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C4. Are you aware of the presence of or a defect caused by unsafe concentrations of, unsafe conditions relating to, or the storage of hazardous or toxic substances on neighboring properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C5. Are you aware of current or previous termite, powder post beetle, or carpenter ant infestations or defects caused by animal, reptile, or insect infestations, including infestations impacting trees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C6. Are you aware of water quality issues caused by unsafe concentrations of or unsafe conditions relating to lead?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C7. Are you aware of the manufacture of methamphetamine or other hazardous or toxic substances on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C8. Are you aware of governmental investigation or private assessment/audit (of environmental matters) ever being conducted?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C9. Explanation of "yes" responses			

D. STORAGE TANKS

	YES	NO	N/A
D1. Are you aware of underground or aboveground fuel storage tanks on or previously located on the property for storage of flammable or combustible liquids, including but not limited to gasoline and heating oil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D2. Are you aware of defects in the underground or aboveground fuel storage tanks on or previously located on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D3. Explanation of "yes" responses			

E. TAXES, SPECIAL ASSESSMENTS, PERMITS, ETC.

	YES	NO	N/A
E1. Have you received notice of property tax increases, other than normal annual increases, or are you aware of a pending property reassessment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E2. Are you aware that remodeling was done that may increase the property's assessed value?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E3. Are you aware of pending special assessments?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E4. Are you aware that the property is located within a special purpose district, such as a drainage district, that has the authority to impose assessments against the real property located within the district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E5. Are you aware of any proposed construction of a public project that may affect the use of the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E6. Are you aware of any remodeling, replacements, or repairs affecting the property's structure or mechanical systems that were done or additions to this property that were made during your period of ownership without the required permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E7. Are you aware of any land division involving the property for which a required state or local permit was not obtained?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E8. Explanation of "yes" responses			

F. LAND USE

	YES	NO	N/A
F1. Are you aware of any zoning code violations with respect to the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F2. Are you aware of the property or any portion of the property being located in a floodplain, wetland, or shoreland zoning area, or of flooding, drainage problems, standing water or other water problems affecting the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F3. Are you aware of nonconforming uses of the property or nonconforming structures on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F4. Are you aware of conservation easements on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F5. Are you aware of restrictive covenants or deed restrictions on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F6. Are you aware of nonowners having rights to use part of the property, including, but not limited to, rights-of-way and easements other than recorded utility easements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | YES | NO | N/A |
|--|--------------------------|-------------------------------------|--------------------------|
| F7. Are you aware of the property being subject to a mitigation plan required under administrative rules of the Wisconsin Department of Natural Resources related to county shoreland zoning ordinances? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F8. <u>Use Value.</u> | | | |
| a. Are you aware of all or part of the property having been assessed as agricultural land under Wis. Stat. s. 70.32 (2r) (use value assessment)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Are you aware of the property having been assessed a use-value assessment conversion charge relating to this property? (Wis. Stat. s. 74.485 (2)) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Are you aware of the payment of a use-value assessment conversion charge having been deferred relating to this property? (Wis. Stat. s. 74.485 (4)) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F9. Is all or part of the property subject to or in violation of a farmland preservation agreement? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F10. Is all or part of the property subject to, enrolled in, or in violation of the Forest Crop Law, Managed Forest Law, the Conservation Reserve Program, or a comparable program? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F11. Are you aware of a dam that is totally or partially located on the property or that an ownership in a dam that is not located on the property will be transferred with the property because it is owned collectively by members of a homeowners' association, lake district, or similar group? (If "yes," contact the Wisconsin Department of Natural Resources to find out if dam transfer requirements or agency orders apply.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F12. Are you aware of boundary or lot line disputes, encroachments, or encumbrances affecting the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F12a. Are you aware of any private road agreements or shared driveway agreements relating to the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F13. Are you aware there is not legal access to the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F14. Are you aware of federal, state, or local regulations requiring repairs, alterations, or corrections of an existing condition? This may include items such as orders to correct building code violations. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F15. Are you aware of a pier attached to the property that is not in compliance with state or local pier regulations? See http://dnr.wi.gov/topic/waterways for more information. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F16. Are you aware of one or more burial sites or archeological artifacts on the property? (For information regarding the presence, preservation, and potential disturbance of burial sites, contact the Wisconsin Historical Society at 800-342-7834 or www.wihist.org/burial-information). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F17. Explanation of "yes" responses | | | |

G. ADDITIONAL INFORMATION

- | | YES | NO | N/A |
|---|-------------------------------------|-------------------------------------|--------------------------|
| G1. Are you aware of a structure on the property that is designated as a historic building or that all or any part of the property is in a historic district? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G2. Are you aware of any agreements that bind subsequent owners of the property, such as a lease agreement or an extension of credit from an electric cooperative? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G2a. Are you aware of any right of first refusal, recorded or not, on all or any portion of the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G3. Are you aware of defects in a well on the property or in a well that serves the property, including unsafe well water? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G4. Are you aware of a joint well serving the property including any defect related to a joint well serving the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G5. Are you aware that a septic system or other private sanitary disposal system serves the property including defects in the septic system or other private sanitary disposal system on the property or any out-of-service septic system that serves the property and that is not closed or abandoned according to applicable regulations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G6. Are you aware of an "LP" tank on the property, including defects? (If "yes," specify in the additional information space whether the owner of the property either owns or leases the tank.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G7. Are you aware of material damage from fire, wind, floods, earthquake, expansive soils, erosion or landslides? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G8. Are you aware of nearby airports, freeways, railroads or landfills, or significant odor, noise, water intrusion or other irritants emanating from neighboring property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G9. Are you aware of any shared usages such as shared fences, walls, driveways, or signage, or any defect relating to the shared use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| G10. Are you aware of leased parking? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G10a. Does the property currently have internet service?
If so, who is your provider? <u>Spectrum</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| G10b. Does the property have an electric vehicle charging system and station or installed wiring for a future system or station?
Is the system or station affixed to the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G10c. Does the property have accessibility features? See https://www.ada.gov/resources/title-iii-primer/ . | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G11. Are you aware of other defects affecting the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G12. The owner has owned the property for <u>10</u> years. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

G13. Explanation of "yes" responses

There is an easement for the parking lot to get to the buildings parking spots.

Note: Any sales contract provision requiring inspection of a residential dumbwaiter or elevator must be performed by a state-licensed elevator inspector.

OWNER'S CERTIFICATION

The owner certifies that the information in this report is true and correct to the best of the owner's knowledge as of the date on which the owner signs this report.

Entity Name (if any): Fabulous Finds LLC

Name & Title of Authorized Representative Signing for Entity: Sandra Ziebell of Fabulous Finds LLC

Authorized Signature for Entity: [Signature] Date 03/23/2026

Table with 2 columns: Owner, Date. Contains 5 rows for owner certification.

CERTIFICATION BY PERSON SUPPLYING INFORMATION

A person other than the owner certifies that the person supplied information on which the owner relied for this report and that the information is true and correct to the best of the person's knowledge as of the date on which the person signs this report.

Table with 3 columns: Person, Items, Date. Contains 2 rows for person certification.

BUYER'S ACKNOWLEDGEMENT

The prospective buyer acknowledges that technical knowledge such as that acquired by professional inspectors may be required to detect certain defects such as the presence of asbestos, building code violations, and floodplain status.

I acknowledge receipt of a copy of this statement.

Entity Name (if any):

Name & Title of Authorized Representative Signing for Entity:

Authorized Signature for Entity: [Signature] Date

Table with 2 columns: Prospective buyer, Date. Contains 5 rows for buyer acknowledgment.

DECLARATION OF EASEMENTS

1229139

REGISTER'S OFFICE
WINNEBAGO COUNTY, WI
RECORDED ON

02/05/2003 01:42PM

SUSAN WINNINGHOFF
REGISTER OF DEEDS

RECORDING FEE 23.00
TRANSFER FEE
OF PAGES 7

DOCUMENT NO.

Document Title

THIS DECLARATION is made this 22nd day of January 2003, by ROHNER'S, INC., a Wisconsin corporation (the "Declarant"):

I. RECITALS

1.01 Declarant is the owner of the following described real estate:

Lot 1, Lot 2 and Lot 3 of Certified Survey Map No. 5192 recorded in Volume 1 of Certified Survey Maps on Page 5192 as Document No. 1225704 of the Winnebago County Registry, being Lot 10, Lot 22 and parts of Lots 11, 12, 23 and 24 in Block 52 of the Plat of the Original Third Ward, Per Leach's Map of 1894, now in the 9th Ward, City of Oshkosh, Winnebago County, Wisconsin (said Lots are hereinafter referred to as "Lot 1", "Lot 2" and "Lot 3").

Recording Area

NAME AND RETURN ADDRESS

ATTORNEY RUSSELL J. REFF
P.O. BOX 1190
OSHKOSH, WI 54903-1190

A copy of Certified Survey Map No. 5192 is attached as Exhibit "1" of this Declaration.

Parcel Identification Number (PIN)

1.02 The Declarant desires to subject Lot 1 to certain easements for the purpose of providing access to and parking for the benefit of Lot 2 and Lot 3. The Declarant is executing this Declaration for the purpose of dedicating the aforementioned easements and setting forth the rights and obligations of the owners of the Lots subject to and benefitted by said easements.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

2.01 Recitals. The foregoing recitals are adopted by the parties and made a part of this Agreement.

2.02 Dedications of Easements for the Benefit of Lot 2. The Declarant hereby dedicates and subjects the existing parking lot currently occupying the Southwest portion of Lot 1 (the "Parking Lot") to the following perpetual, non-exclusive easements for the benefits of Lot 2:

- A. An easement for ingress and egress from West Ninth Avenue to the rear of Lot 2.
- B. An easement for the use of two (2) standard size vehicular parking stalls at the rear of Lot 2, together with ingress and egress from West Ninth Avenue to said parking stalls.

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes 59.517. WRDA 2/96

T-2637

SECTION NO. # 14

7

- 2.03 Dedication of Easement for the Benefit of Lot 3. The Declarant hereby dedicates and subjects the Parking Lot to a perpetual, non-exclusive easement for ingress and egress from West Ninth Avenue to Lot 3.
- 2.04 Location of Easements for Ingress and Egress. The easements for ingress and egress granted hereunder shall be limited to the then existing driveways, parking lot aisles and other portions of the Parking Lot designed and constructed for the ingress and egress of motor vehicles and shall specifically exclude designated parking stalls. The owner of Lot 1 shall have the right to reconfigure the Parking Lot; provided that any reconfiguration does not unreasonably interfere with the easement rights granted hereunder.
- 2.05 General Maintenance, Repair and Replacement of Parking Lot. The owner of Lot 1 shall maintain the Parking Lot in a good, safe and serviceable condition at all times and shall promptly remove accumulations of ice and snow from the Parking Lot. The owners of Lot 2 and Lot 3 shall pay a proportionate share of all reasonable and necessary costs incurred for the maintenance, repair and replacement of the Parking Lot, including the removal of ice and snow. The proportionate share of the costs to be paid by the owners of Lot 2 and Lot 3 shall be determined by dividing the number of parking spots owned by or available to the owner of each Lot by easement and accessed via the Parking Lot by the total number of parking spaces located within or accessed via the Parking Lot. Any amount due from the owners of Lot 2 or Lot 3 pursuant to this Section shall be due and payable within thirty (30) days of the receipt of a written invoice from the owner of Lot 1. Any amount not paid when due shall bear interest at the rate of twelve percent (12%) per annum, until paid. Any dispute between the owners of the Lots concerning the necessity of any maintenance, repair or replacement shall be resolved by binding arbitration as hereinafter provided.
- 2.06 Failure to Perform. In the event the owner of Lot 1 fails to: (a) promptly remove ice or snow from the Parking Lot within forty-eight (48) hours of the time of accumulation; (b) properly maintain, repair or replace the pavement in the Parking Lot within thirty (30) days of the owner's receipt of a written request from the owner of one of the other Lots; (c) or perform any other obligation under this Agreement within thirty (30) days of a written request from the owner of one of the other Lots, the owners of the other Lots shall have the right, but not the obligation, to perform such obligation and charge the reasonable costs thereof, together with interest at the rate of twelve percent (12%) per annum until payment is received, to the owner of Lot 1. The easement rights granted hereunder shall specifically include the right to perform the maintenance, repairs and replacements authorized by this Section.
- 2.07 Responsibility for Damage. Notwithstanding anything contained herein to the contrary, the owner of each Lot shall be responsible for any damage to the Parking Lot caused by the negligent or willful acts of the owner or others exercising the easement rights granted to the owner, including without limitation, damage to the pavement caused by vehicles using the Parking Lot in connection with the construction of improvements on the Lot of the owner. All such damage shall be promptly repaired by the responsible Lot owner.

- 2.08 Insurance. The owner of each Lot shall secure and at all times maintain a policy of public liability insurance with an aggregate policy limit of not less than One Million and no/100 Dollars (\$1,000,000.00) providing liability coverage for any portion of the Parking Lot on the owner's Lot and the owner's use of any portion of the Parking Lot on any other Lot pursuant to the easement rights granted hereunder.
- 2.09 Reasonable Use. The owner of each Lot agrees to take such actions as may be reasonably necessary to avoid any unnecessary interference with the use of the Parking Lot for ingress and egress by the owners and occupants of the other Lots and their respective guests and invitees. The owner of each Lot shall also be obligated to take such other actions as may be reasonably necessary to prevent the parking of vehicles or the placement of other temporary obstructions in areas subject to the easement rights granted hereunder.
- 2.10 Prohibition of Obstructions. The owner of Lot 1 shall not cause or permit the construction of any structure or erection of any improvement that would have a material adverse effect on the easement rights granted hereunder. It is the intention of this Declaration that there be free and unobstructed access to and from the rear of Lot 2 and Lot 3 to West Ninth Avenue.
- 2.11 Arbitration. Any dispute between the owners of the Lots with respect to the interpretation or implementation of the provisions of this Agreement shall be submitted to binding arbitration in accordance with the rules of the American Arbitration Association. The prevailing party in any arbitration proceeding shall be entitled to recover the costs of the proceeding, including such party's reasonable attorney's fees, from the non-prevailing party. In the event there is no prevailing party, the arbitrator shall assess responsibility for the costs of the proceeding. The final arbitration award shall be binding upon all parties and may be enforced by a court of competent jurisdiction.
- 2.12 Interpretation. When the context in which words are used in this Declaration indicates that such is the intent, words in the singular shall include the plural, and vice versa, and pronouns in the masculine shall include the feminine and neuter, and vice versa.
- 2.13 Binding Effect. The provisions of this Declaration, including all easements granted hereunder, shall run with the land and be binding upon and inure to the benefit of the owners of the Lots and their respective successors, transferees and assigns.

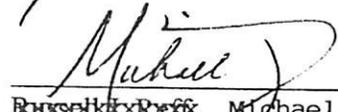
IN WITNESS WHEREOF, the Declarant has executed this Declaration on the day and year first written above.

ROHNER'S, INC.

By: Tom R Rohner, Pres.
Tom R. Rohner, President

AUTHENTICATION

Signature of Tom R. Rohner authenticated this 27 day of January, 2003.



~~Russell J. Reff~~ Michael Lim
TITLE: Member State Bar of Wis.

This document was drafted by:
Russell J. Reff, Attorney at Law
Reff, Baivier, Bermingham & Lim, S.C.
217 Ceape Avenue, P.O. Box 1190
Oshkosh, WI 54903-1190

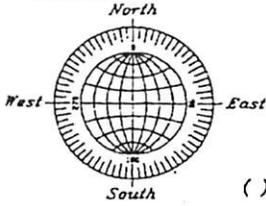
Exhibit "1"

NO. 3931

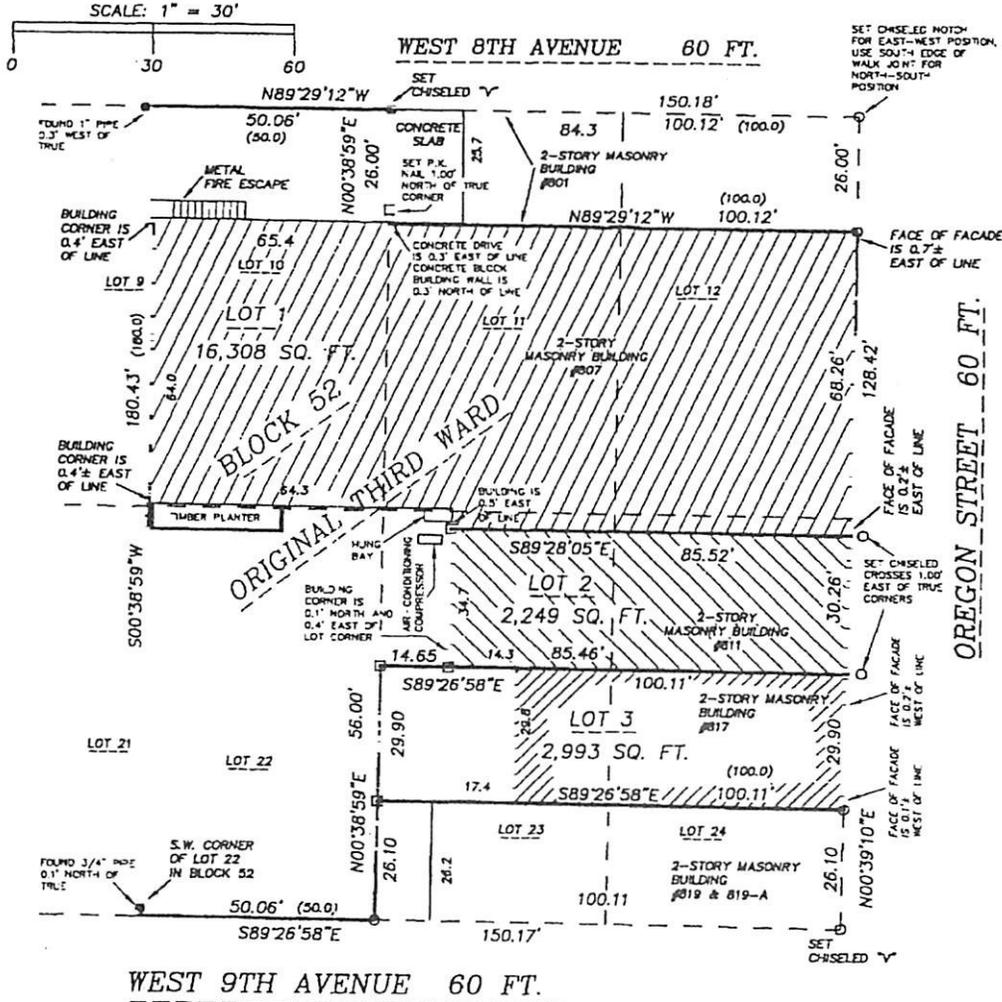
CERTIFIED SURVEY MAP NO. 5192

SHEET 1 OF 3

LOT 10, LOT 22 AND PARTS OF LOTS 11, 12, 23 AND 24 IN BLOCK 52 OF THE PLAT OF THE ORIGINAL THIRD WARD, PER LEACH'S MAP OF 1894, NOW IN THE 9TH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.



- DENOTES MONUMENTATION FOUND AS DESCRIBED.
 - DENOTES CHISELED NOTCH OR CHISELED CROSS SET IN CONCRETE.
 - DENOTES P.K. MASONRY NAIL SET (UNLESS OTHERWISE NOTED).
- DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
 BEARINGS ARE REFERENCED TO THE WEST LINE OF OREGON STREET, WHICH IS ASSUMED TO BEAR NORTH 00°39'10" EAST.
 () DENOTES RECORDED DIMENSION WHERE DIFFERENT FROM ACTUAL MEASUREMENT.



WEST 9TH AVENUE 60 FT.



JANUARY 17, 2003

ROEHLIG
 LAND SURVEYING
 &
 CONSULTING LTD.

A Division of R.A. Smith and Associates
 2880 Universal Street • Oshkosh WI • 54904
 (920) 233-2584

NO. 3931

NO. 3931

CERTIFIED SURVEY MAP NO. 5192

SHEET 2 OF 3

LOT 10, LOT 22 AND PARTS OF LOTS 11, 12, 23 AND 24 IN BLOCK 52 OF THE PLAT OF THE ORIGINAL THIRD WARD, PER LEACHS MAP OF 1894, NOW IN THE 9TH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.

SURVEYORS CERTIFICATE
STATE OF WISCONSIN)
:SS
WINNEBAGO COUNTY)

I, REINHARD ROEHLIG, Wisconsin Registered Land Surveyor do hereby certify:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED LOT 10, LOT 22 AND PARTS OF LOTS 11, 12, 23 AND 24 IN BLOCK 52 OF THE PLAT OF THE ORIGINAL THIRD WARD, PER LEACHS MAP OF 1894, NOW IN THE 9TH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

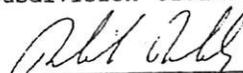
BEGINNING AT THE S.W. CORNER OF SAID LOT 22, THENCE SOUTH 89°26'58" EAST ALONG THE SOUTH LINE OF SAID LOT AND THE NORTH LINE OF WEST 9TH AVENUE 50.06 FT., THENCE NORTH 00°38'59" EAST ALONG THE EAST LINE OF SAID LOT, THENCE SOUTH 89°26'58" EAST ALONG THE WESTERLY EXTENSION OF THE NORTH FACE OF A MASONRY WALL AND ALONG THE NORTHERLY FACE OF SAID WALL 100.11 FT. TO A POINT ON THE EAST LINE OF SAID BLOCK AND THE WEST LINE OF OREGON STREET, THENCE NORTH 00°39'10" EAST ALONG SAID LINE 128.42 FT., THENCE NORTH 89°29'12" WEST ALONG THE SOUTH LINE OF THE NORTH 26.00 FT. OF SAID LOTS 11 AND 12 AFORESAID 100.12 FT., THENCE NORTH 00°38'59" EAST ALONG THE EAST LINE OF SAID LOT 10 AFORESAID 26.00 FT. TO THE N.E. CORNER OF SAID LOT, THENCE NORTH 89°29'12" WEST ALONG THE NORTH LINE OF SAID LOT AND THE SOUTH LINE OF WEST 8TH AVENUE 50.06 FT. TO THE N.W. CORNER OF SAID LOT 10, THENCE SOUTH 00°38'59" WEST ALONG THE WEST LINES OF SAID LOTS 10 AND 22 AFORESAID 180.43 FT. TO THE POINT OF BEGINNING.

THAT I have made this survey by the direction of Tom R. Rohner, a representative of Rohner's, Inc., owner of said land.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Land Subdivision Ordinance of the City of Oshkosh.

Date 1-13-03


Reinhard Roehlig, Registered
Wisconsin Land Surveyor S-1368



CERTIFIED SURVEY MAP NO. 5192

LOT 10, LOT 22 AND PARTS OF LOTS 11, 12, 23 AND 24 IN BLOCK 52 OF THE PLAT OF THE ORIGINAL THIRD WARD, PER LEACHS MAP OF 1894, NOW IN THE 9TH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.

OWNERS CERTIFICATE

AS A REPRESENTATIVE OF Rohner's, Inc., owner, I hereby certify that I caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the City of Oshkosh Ordinance.

WITNESS the hand and seal of said representative this 15 day of January, 2003.

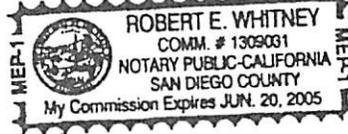
Tom R. Rohner
Tom R. Rohner

STATE OF California
:SS
San Diego COUNTY)

PERSONALLY came before me this 15th day of January 2003 the aforementioned Tom R. Rohner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Robert E. Whitney
Notary Public, San Diego
County, State of California

My Commission Expires June 20, 2005



CITY OF OSHKOSH PLANNING COMMISSION
CERTIFICATE OF APPROVAL

THIS CERTIFIED SURVEY MAP OF LOT 10, LOT 22 AND PARTS OF LOTS 11, 12, 23 AND 24 IN BLOCK 52 OF THE PLAT OF THE ORIGINAL THIRD WARD, PER LEACHS MAP OF 1894, NOW IN THE 9TH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, IS HEREBY APPROVED.

Date 1/20/03

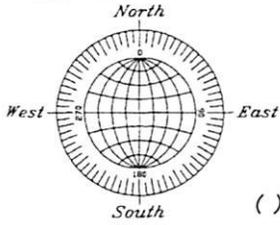
Thomas Bunn
Oshkosh Planning Commission
Representative

THIS DOCUMENT WAS DRAFTED BY
REINHARD ROEHLIG



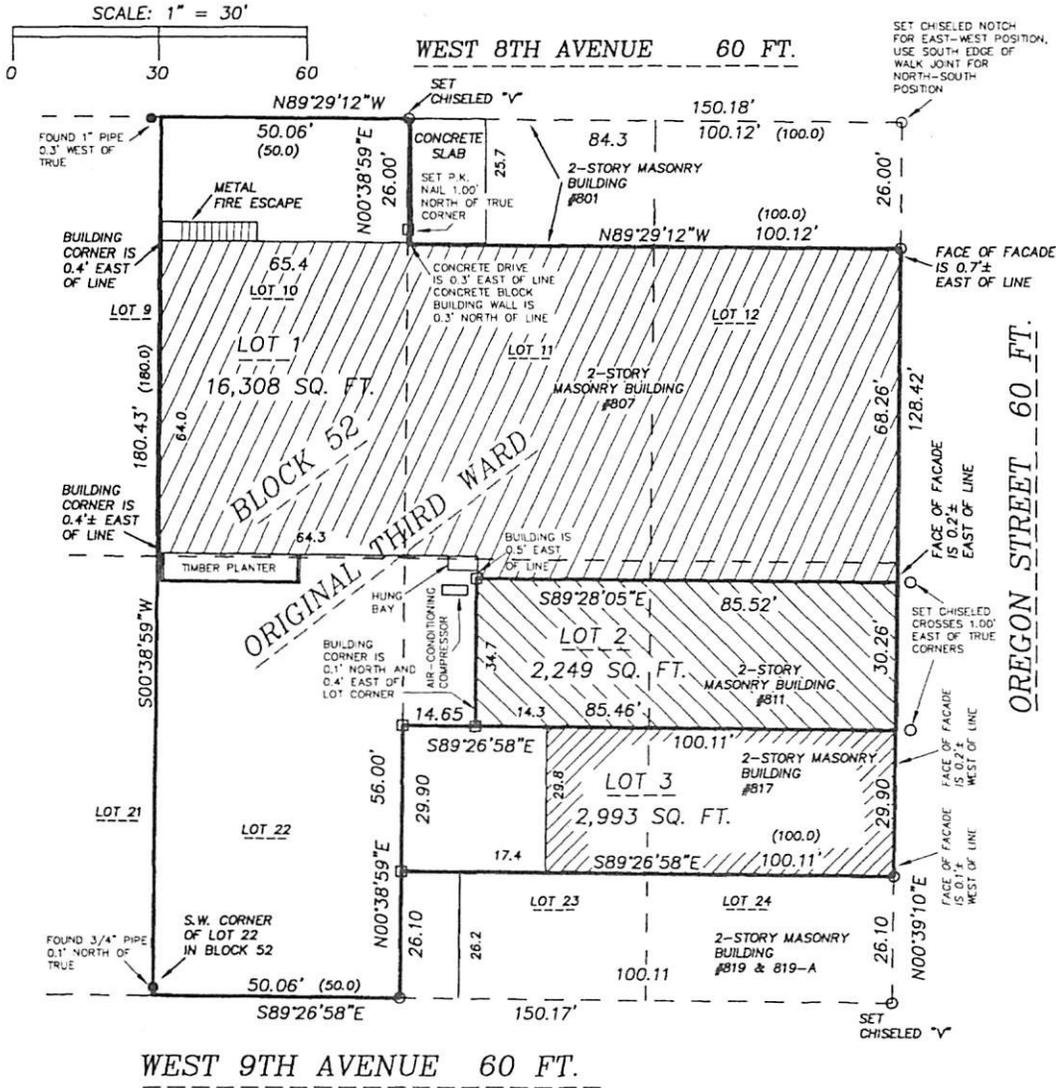
Edward
1 2 2 5 7 0 4
REGISTER'S OFFICE
WINNEBAGO COUNTY, WI
RECORDED ON
01/20/2003 01:06PM
SUSAN WINNINGHOFF
REGISTER OF DEEDS
RECORDING FEE 15.00
TRANSFER FEE 3
OF PAGES

LOT 10, LOT 22 AND PARTS OF LOTS 11, 12, 23 AND 24 IN BLOCK 52 OF THE PLAT OF THE ORIGINAL THIRD WARD, PER LEACH'S MAP OF 1894, NOW IN THE 9TH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.



- DENOTES MONUMENTATION FOUND AS DESCRIBED.
 - DENOTES CHISELED NOTCH OR CHISELED CROSS SET IN CONCRETE.
 - DENOTES P.K. MASONRY NAIL SET (UNLESS OTHERWISE NOTED).
- DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
 BEARINGS ARE REFERENCED TO THE WEST LINE OF OREGON STREET, WHICH IS ASSUMED TO BEAR NORTH 00°39'10" EAST.

() DENOTES RECORDED DIMENSION WHERE DIFFERENT FROM ACTUAL MEASUREMENT.



WEST 9TH AVENUE 60 FT.



JANUARY 17, 2003

ROEHLIG
 LAND SURVEYING
 &
 CONSULTING LTD.
 A Division of R.A. Smith and Associates
 2850 Universal Street • Oshkosh WI • 54904
 (920) 233-2884

EXEMPTED FROM RECORDATION

NO. 3931

CERTIFIED SURVEY MAP NO. 5192

SHEET 2 OF 3

LOT 10, LOT 22 AND PARTS OF LOTS 11, 12, 23 AND 24 IN BLOCK 52 OF THE PLAT OF THE ORIGINAL THIRD WARD, PER LEACHS MAP OF 1894, NOW IN THE 9TH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.

**SURVEYORS CERTIFICATE
STATE OF WISCONSIN)**

**:SS
WINNEBAGO COUNTY)**

I, REINHARD ROEHLIG, Wisconsin Registered Land Surveyor do hereby certify;

THAT I HAVE SURVEYED, DIVIDED AND MAPPED LOT 10, LOT 22 AND PARTS OF LOTS 11, 12, 23 AND 24 IN BLOCK 52 OF THE PLAT OF THE ORIGINAL THIRD WARD, PER LEACHS MAP OF 1894, NOW IN THE 9TH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

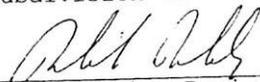
BEGINNING AT THE S.W. CORNER OF SAID LOT 22, THENCE SOUTH 89°26'58" EAST ALONG THE SOUTH LINE OF SAID LOT AND THE NORTH LINE OF WEST 9TH AVENUE 50.06 FT., THENCE NORTH 00°38'59" EAST ALONG THE EAST LINE OF SAID LOT, THENCE SOUTH 89°26'58" EAST ALONG THE WESTERLY EXTENSION OF THE NORTH FACE OF A MASONRY WALL AND ALONG THE NORTHERLY FACE OF SAID WALL 100.11 FT. TO A POINT ON THE EAST LINE OF SAID BLOCK AND THE WEST LINE OF OREGON STREET, THENCE NORTH 00°39'10" EAST ALONG SAID LINE 128.42 FT., THENCE NORTH 89°29'12" WEST ALONG THE SOUTH LINE OF THE NORTH 26.00 FT. OF SAID LOTS 11 AND 12 AFORESAID 100.12 FT., THENCE NORTH 00°38'59" EAST ALONG THE EAST LINE OF SAID LOT 10 AFORESAID 26.00 FT. TO THE N.E. CORNER OF SAID LOT, THENCE NORTH 89°29'12" WEST ALONG THE NORTH LINE OF SAID LOT AND THE SOUTH LINE OF WEST 8TH AVENUE 50.06 FT. TO THE N.W. CORNER OF SAID LOT 10, THENCE SOUTH 00°38'59" WEST ALONG THE WEST LINES OF SAID LOTS 10 AND 22 AFORESAID 180.43 FT. TO THE POINT OF BEGINNING.

THAT I have made this survey by the direction of Tom R. Rohner, a representative of Rohner's, Inc., owner of said land.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Land Subdivision Ordinance of the City of Oshkosh.

1-13-03
Date


Reinhard Roehlig, Registered
Wisconsin Land Surveyor S-1368



CERTIFIED SURVEY MAP NO. 5192

LOT 10, LOT 22 AND PARTS OF LOTS 11, 12, 23 AND 24 IN BLOCK 52 OF THE PLAT OF THE ORIGINAL THIRD WARD, PER LEACHS MAP OF 1894, NOW IN THE 9TH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.

OWNERS CERTIFICATE

AS A REPRESENTATIVE OF Rohner's, Inc., owner, I hereby certify that I caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the City of Oshkosh Ordinance.

WITNESS the hand and seal of said representative this 15 day of January, 2003.

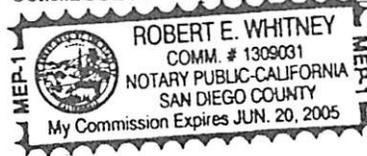
Tom R. Rohner (signature)
Tom R. Rohner

STATE OF California)
San Diego COUNTY) :SS

PERSONALLY came before me this 15th day of January 2003 the aforementioned Tom R. Rohner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Robert E. Whitney (signature)
Notary Public, San Diego County, State of California

My Commission Expires June 20, 2005



CITY OF OSHKOSH PLANNING COMMISSION CERTIFICATE OF APPROVAL

THIS CERTIFIED SURVEY MAP OF LOT 10, LOT 22 AND PARTS OF LOTS 11, 12, 23 AND 24 IN BLOCK 52 OF THE PLAT OF THE ORIGINAL THIRD WARD, PER LEACHS MAP OF 1894, NOW IN THE 9TH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, IS HEREBY APPROVED.

Date 1/20/03

James Buehl (signature)
Oshkosh Planning Commission Representative

THIS DOCUMENT WAS DRAFTED BY REINHARD ROEHLIG



1225704
REGISTER'S OFFICE
WINNEBAGO COUNTY, WI
RECORDED ON
01/20/2003 01:06PM
SUSAN WINKINGHOFF
REGISTER OF DEEDS
RECORDING FEE 15.00
TRANSFER FEE 3
OF PAGES 3

1301241

REGISTER'S OFFICE
WINNEBAGO COUNTY, WI
RECORDED ON

03/09/2004 03:52PM

SUSAN WINNINGHOFF
REGISTER OF DEEDS

RECORDING FEE 13.00
TRANSFER FEE
OF PAGES 2

Return to:
R.A. Smith and Associates, Inc.
2850 Universal Street
Oshkosh, Wi 54904

AFFIDAVIT
RE: CERTIFIED SURVEY MAP NO. 5192
(DOCUMENT NO. 1225704)

Escrow

I, Reinhard Roehlig, Registered Wisconsin Land Surveyor hereby certify that:

The area of Lot 2 in the above captioned map which now reads 2,249 sq. ft. must be changed to read 2,586 sq. ft.

The west line of Lot 2 in the above captioned map has the following dimension: S00°32'26"W 30.23'.

Reinhard Roehlig

Reinhard Roehlig, Registered
Land Surveyor S-1368

3-9-04
Date Signed

State of Wisconsin)

:SS

Winnebago County)

PERSONALLY came before me this 9th day of MARCH, 2004 the aforementioned Reinhard Roehlig, to me known to be the person who executed the foregoing affidavit of correction and acknowledged the same.

Ken Mahan
Notary Public, Winnebago
County, State of Wisconsin

My Commission: Is Permanent
Expires 7-24-05

THIS DOCUMENT WAS DRAFTED BY

Reinhard Roehlig

EXCEPTION NO. # _____