

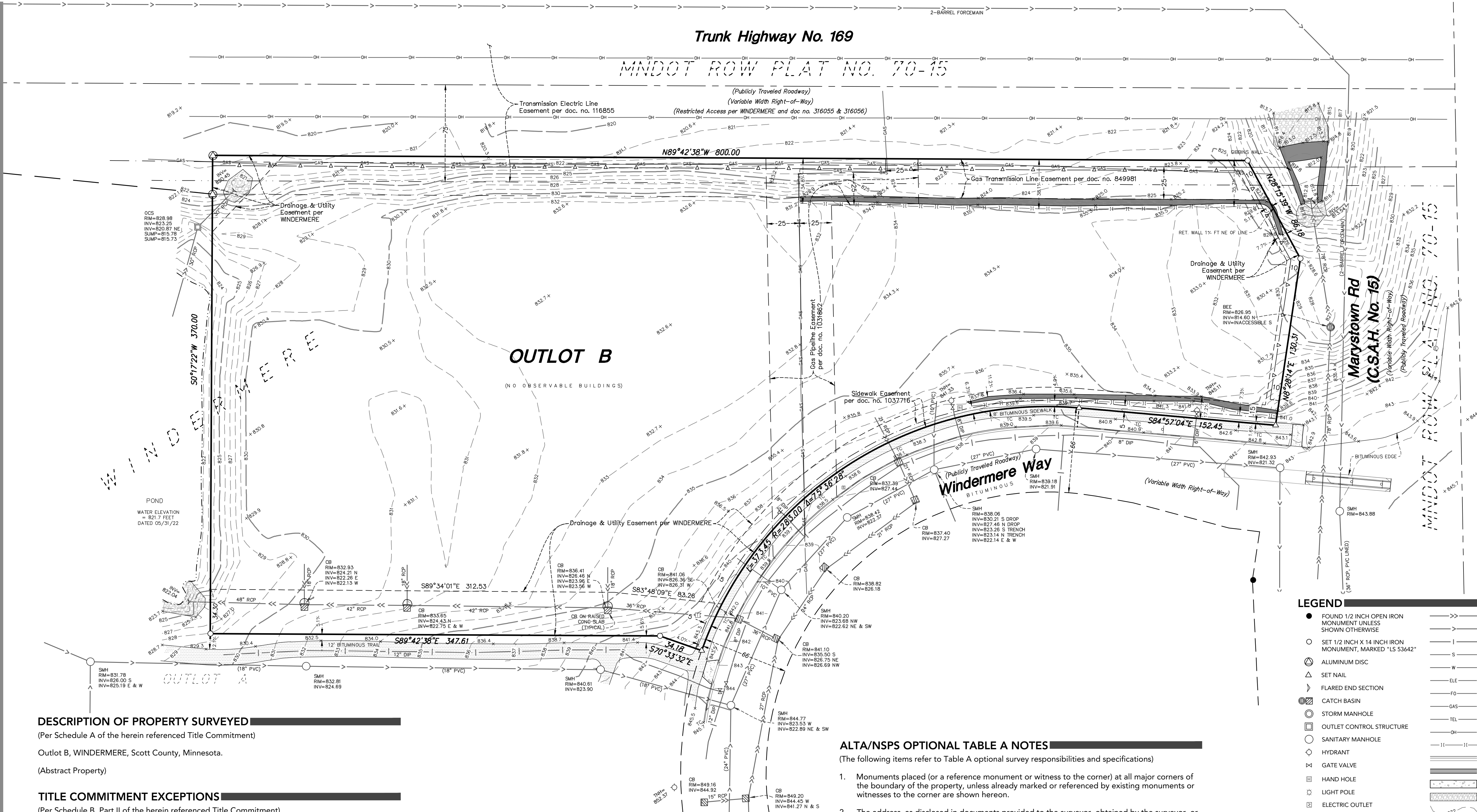
Plotted: 06/28/2022 1:20 PM W:\2022\22246\CADD\DATA\SURVEY_dwg Sheet File: 22246-ALTA

Trunk Highway No. 169

MNDOT ROW PLAT NO. 70-15



0 40 80
SCALE IN FEET



DESCRIPTION OF PROPERTY SURVEYED

(Per Schedule A of the herein referenced Title Commitment)

Outlot B, WINDERMERE, Scott County, Minnesota.

(Abstract Property)

TITLE COMMITMENT EXCEPTIONS

(Per Schedule B, Part II of the herein referenced Title Commitment)

The property depicted on this survey and the easements of record shown hereon are the same as the property and the easements described in the Commitment for Title Insurance issued by Old Republic National Title Insurance Company, File No. 66951, Commitment date April 21, 2022. The numbers below correspond to those in the title commitment.

1-6, 13 & 16 do not require comment.

- Drainage and utility easement(s) and controlled access as shown on the recorded plat of Windermere.
As shown hereon along the north, east and south property lines.
- Transmission electric lines easement(s) over part of the Land in favor of Northern States Power Company, as created in Document No. 116855.
As shown hereon along the north line.
- Highway easement(s) over part of the Land in favor of Minnesota Department of Transportation Right of Way, as created in Document No. Plat No. 70-15.

Right of access over part of the Land in favor of State of Minnesota, as created in Document No. 316055.

Right of access over part of the Land in favor of State of Minnesota, as created in Document No. 316056.
The right of way is shown hereon north and east of and adjacent to the subject property. The restricted access is shown hereon along the north and east lines. Temporary easements over part of the land, expired 12/01/96 per Document Nos. 316055 and 316056 and are not shown hereon. The permanent drainage easement per Document No. 316055 and 316056 is not on or adjacent to the surveyed property and is not shown hereon.
- Pipeline easement(s) over part of the Land in favor of Western Gas Utilities, Inc., as created in Document No. 273464. Exercise of option unknown.

The easement recorded in Document No. 273464 has been subordinated to the rights of the State of Minnesota to construct, maintain, reconstruct and/or maintain Truck Highway 101 by instrument recorded in Document No. 452146.

The easement recorded in Document No. 273464 has been subordinated to the rights of the State of Minnesota to construct, maintain, reconstruct and/or maintain Truck Highway 101 by instrument recorded in Document No. 490723.
These documents are not shown hereon. They were amended by Document No. 1031862. Document No. 1031862 is Exception No. 15 listed below.

- Terms and conditions and reservation of minerals of the Land by document recorded in Document No. 782885, together with the appurtenant rights to use the surface of the land. The Company makes no representation as to the present ownership of this interest.

A Statement of Severed Mineral Interests has been recorded in Document No. 789384.

The above reservation has been amended and restated by Amended and Restated Deed filed as Document No. 1046381.
The easement is blanket in nature and is not shown hereon.
- Trail and sidewalk easement(s) over part of the Land in favor of City of Shakopee, as created in Document No. 1037716.
As shown hereon along the Windermere Way right of way line.
- Groundwater easement(s) over part of the Land as evidenced by Document No(s). 782885.

The above easement has been amended and restated by Amended and Restated Deed filed as Document No. 1046381.
The easement is blanket in nature and is not shown hereon.
- Gas transmission pipeline easement(s) over part of the Land in favor of Northern States Power Company, a Minnesota corporation d/b/a Xcel Energy, as created in Document No. 849981.

Assigned and assumed to Xcel Energy by instrument dated 2/7/2001 and recorded as Document No. 496469.

Ratified and assigned to Northern States Power Company by instrument dated 6/2/2004 and recorded as Document No. 666487.

Modified by instrument dated August 22, 2017 and recorded 1031862.
As shown hereon across the middle part of the property.

ALTA/NSPS OPTIONAL TABLE A NOTES

(The following items refer to Table A optional survey responsibilities and specifications)

- Monuments placed (or a reference monument or witness to the corner) at all major corners of the boundary of the property, unless already marked or referenced by existing monuments or witnesses to the corner are shown hereon.
- The address, as disclosed in documents provided to the surveyor, obtained by the surveyor, or observed while conducting the fieldwork is Unassigned, Marystown Road and Highway 169, Shakopee, MN 55379.
- This property is contained in Zone X (areas determined to be outside the 0.2% annual chance floodplain) per Flood Map No. 27139C0018E, effective date of 2/12/2021.
- The Gross land area is 241,222 +/- square feet or 5.54 +/- acres.
- (a) Zoning information was not provided by the client.
- (a) There are no observable buildings on this site.
- Substantial features observed in the process of conducting fieldwork, are shown hereon.
- There are no striped parking stalls on this site.
- (a) We have shown underground utilities on and/or serving the surveyed property per Gopher State One-Call Ticket Nos. 221371657. The following utilities and municipalities were notified:

COMCAST	(651)493-5143	CITY OF MINNEAPOLIS	(612)673-5600
CENTURYLINK	(612)673-5759	CENTURYLINK	(303)260-4929
MCI	(800)624-9675	METROPOLITAN COUNCIL	(651)602-4511
CENTER POINT ENERGY	(612)321-5200	MINNEAPOLIS PARK AND REC	(612)499-9090
MP NEXLEVEL LLC	(320)963-2400	LEVEL 3 IS NOW CENTURYLINK	(877)366-8344
XCEL ENERGY	(800)895-1999		

- Utility operators do not consistently respond to locate requests through the Gopher State One Call service for surveying purposes such as this. Those utility operators that do respond, often will not locate utilities from their main line to the customer's structure or facility. They consider those utilities "private" installations that are outside their jurisdiction. These "private" utilities on the surveyed property or adjoining properties, may not be located since most operators will not mark such "private" utilities. A private utility locator may be contacted to investigate these utilities further, if requested by the client.
- Maps provided by those notified above, either along with a field location or in lieu of such a location, are very often inaccurate or inconclusive. **EXTREME CAUTION MUST BE EXERCISED BEFORE AN EXCAVATION TAKES PLACE ON OR NEAR THIS SITE. BEFORE DIGGING, YOU ARE REQUIRED BY LAW TO NOTIFY GOPHER STATE ONE CALL AT LEAST 48 HOURS IN ADVANCE AT 811 or (651) 454-0002.**

LEGEND

● FOUND 1/2 INCH OPEN IRON MONUMENT UNLESS SHOWN OTHERWISE	—> STORM SEWER
○ SET 1/2 INCH X 14 INCH IRON MONUMENT, MARKED "LS 53642"	—> SANITARY SEWER
⊙ ALUMINUM DISC	— — WATERMAIN
△ SET NAIL	—S— SANITARY SEWER SERVICE
▶ FLARED END SECTION	—W— WATER SERVICE
⊞ CATCH BASIN	—ELT— UNDERGROUND ELECTRIC
⊙ STORM MANHOLE	—FO— UNDERGROUND FIBER OPTIC
⊞ OUTLET CONTROL STRUCTURE	—GAS— UNDERGROUND GAS
○ SANITARY MANHOLE	—TEL— UNDERGROUND TELEPHONE
⊞ HYDRANT	— — — IRON FENCE
⊞ GATE VALVE	— — — CONCRETE CURB
⊞ HAND HOLE	— — — RETAINING WALL
⊞ LIGHT POLE	— — — CONCRETE
⊞ ELECTRIC OUTLET	— — — RIP-RAP
⊞ ELECTRIC MANHOLE	—972.5— CONTOUR
⊞ TELEPHONE PEDESTAL	—TC— SPOT ELEVATION
⊞ SIGN	—TNH— TOP OF CURB
1 SCHEDULE B II ITEM	—△— TOP NUT HYDRANT
	—△— CONTROLLED ACCESS PER WINDERMERE AND DOC. NOS. 316055 & 316056

SURVEY REPORT

- The Surveyor was not provided utility easement documents for the subject property except for those shown on the Survey.
- The bearings for this survey are based on the Scott County Coordinate System NAD 83 (1986 Adjust).
- Benchmark: 7009 M. At Shakopee, 0.4 mile north along County Road 69 from the junction of County Road 69 and Trunk Highway 169 in Shakopee, 74.0 feet northwest of southbound County Road 69, 98.0 feet north of 115th Street West, 24.0 feet north of a power pole, 1.0 foot south of a witness post.
Elevation = 809.43 (NGVD29)

Site Benchmark: Top nut of hydrant near the southeast corner of subject property.
Elevation = 945.11 feet (NGVD29)

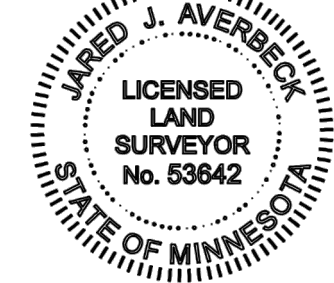
CERTIFICATION

To Roers Acquisitions LLC; D.R. Horton, Inc.; Guaranty Commercial Title, Inc.; and Old Republic National 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 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1 - 4, 6(a), 7(a), 8, 9 and 11(a) of Table A thereof. The field work was completed on June 22, 2022.

Date of Plat or Map: June 27, 2022

Jared J. Averbeck
Jared J. Averbeck, PLS Minnesota License No. 53642
javerbeck@loucksinc.com



HIGHWAY 169 & MARYSTOWN ROAD

SHAKOPEE, MN 55379

ROERS COMPANIES

110 CHESHIRE LANE, SUITE 120
MINNETONKA, MN 55305

LOUCKS

PLANNING
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL

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CADD QUALIFICATION

CADD files prepared by the Consultant for this project are instruments of the Consultant's professional services for use solely with respect to this project. These CADD files shall not be used on other projects, for additions to this project, or for completion of this project by others without written approval by the Consultant. With the Consultant's approval, others may be permitted to obtain copies of the CADD drawing files for information and reference only. All intentional or unintentional revisions, additions, or deletions to these CADD files shall be made at the full risk of that party making such revisions, additions or deletions and that party shall hold harmless and indemnify the Consultant from any & all responsibilities, claims, and liabilities.

SUBMITTAL/REVIEWS

6/27/2022 Survey issued

PROFESSIONAL SIGNATURE

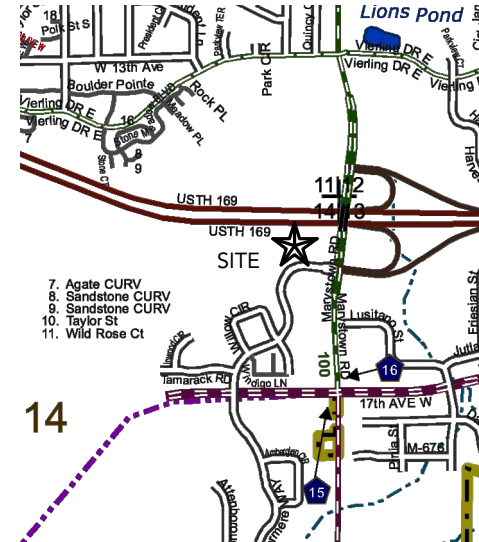
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Jared J. Averbeck
Jared J. Averbeck - PLS
License No. 53642
Date 6/27/2022

QUALITY CONTROL

Loucks Project No. 22246
Project Lead JJA
Drawn By JJA
Checked By MLS
Field Crew SKS

VICINITY MAP



14

ALTA/ NSPS LAND TITLE SURVEY

1 OF 1