NOTES:

1. THE UTILITIES AND TOPOGRAPHIC FEATURES SHOWN ARE BASED UPON VISIBLE EVIDENCE, FIELD LOCATED SURFACE STRUCTURES AND VARIOUS UTILITY RECORDS. SINCE WEATHER AND PHYSICAL GROUND IMPROVEMENTS ARE UNCONTROLLABLE, WE DO NOT WARRANT THE LOCATION OF UNSEEN TOPOGRAPHICAL FEATURES. SINCE A COMPLETE RECORD OF ALL UTILITIES IS DIFFICULT TO OBTAIN, WE DO NOT WARRANT THE LOCATION OF THE UNDERGROUND PORTION OF THE UTILITIES AS PLOTTED FROM UTILITY RECORDS. CONSEQUENTLY, MISS DIG SHOULD BE CONTACTED PRIOR TO ANY CONSTRUCTION.
   i. UTILITIES SHOWN ARE BASED UPON RECORDS PROVIDED BY THE CITY OF BAY CITY.
   ii. CONSUMERS ENERGY RECORDS INDICATE NO POWER ONSITE OTHER THAN THAT TO THE SUBSTATION AS SHOWN.
   iii. PHONE RECORDS REQUESTED HAVE NOT BEEN RECIEVED AS OF APRIL 29, 2011.

2. VERTICAL DATUM= NGVD29

3. HORIZONTAL DATUM= BEARINGS REFERENCED TO THE RECORD DESCRIPTION RECORDED IN WARRANTY DEED LIBER 1852, PAGE 410, BAY COUNTY RECORDS

4. FLOOD ZONE AE–FLOOD PLAIN ELEVATION=585.70 FIRM MAP#26017C0175 D, EFFECTIVE DATE: JUNE 18, 1996

5. EXCEPTIONS PER FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 538199, DATED MARCH 30, 2011, 8:00 AM
   i. INTERST OF RIVERSEDGE DEVELOPMENT CORPORATION, INC. A NON–PROFIT CORPORATION, AS EVIDENCED BY MEMORANDUM OF OPTION RECORDED IN LIBER 2560, PAGE 871. THIS ITEM IS LEGAL IN NATURE AND NOT A MATTER OF SURVEYING.
   ii. FUTURE ADVANCE MORTGAGE IN THE ORIGINAL AMOUNT OF $1,200,000.00 EXECUTED BY I.B. INDUSTRIAL PARK, INC., A MICHIGAN CORPORATION TO SECOND NATIONAL BANK OF BAY CITY, DATED DECEMBER 29, 1995, RECORDED JANUARY 18, 1996, IN LIBER 1390, PAGE 577, AS TO A PORTION OF SUBJECT PROPERTY. THIS ITEM IS LEGAL IN NATURE AND NOT A MATTER OF SURVEYING.
   iii. ASSIGNMENT OF RENTS FROM I.B. INDUSTRIAL PARK, INC., A MICHIGAN CORPORATION TO SECOND NATIONAL BANK OF BAY CITY, DATED DECEMBER 29, 1995, RECORDED JANUARY 18, 1996, IN LIBER 1390, PAGE 586, AS TO A PORTION OF SUBJECT PROPERTY. THIS ITEM IS LEGAL IN NATURE AND NOT A MATTER OF SURVEYING.
   iv. TERMS AND CONDITIONS CONTAINED IN QUIT CLAIM DEED AS DISCLOSED BY INSTRUMENT RECORDED IN LIBER 42, PAGE 634. DETERMINATION OF WHETHER THE REQUIREMENTS CONTAINED IN THIS DOCUMENT WERE MET IS NOT A MATTER OF SURVEYING. EASEMENT IS PLOTTED AS DESCRIBED.
   v. TERMS AND CONDITIONS CONTAINED IN INDENTURE AS DISCLOSED BY INSTRUMENT RECORDED IN LIBER 153, PAGE 479. VACATION OF WATER STREET AND ELEVENTH STREET AND EASEMENT TO THE CITY OF BAY CITY TO MAINTAIN PUBLIC UTILITY RIGHTS AS RECORDED IN LIBER 153, PAGE 479.(SEE NOTE vii) EASEMENT IS PLOTTED AS DESCRIBED.
   vi. TERMS AND CONDITIONS CONTAINED IN INDENTURE AS DISCLOSED BY INSTRUMENT RECORDED IN LIBER 159, PAGE 550. THIS ITEM IS LEGAL IN NATURE AND NOT A MATTER OF SURVEYING. THE PORTION OF THIS INDENTURE AFFECTING SUBJECT PROPERTY IS PLOTTED AS DESCRIBED NEAR THE SW CORNER OF THE PARCEL.
   vii. EASEMENT FOR PUBLIC UTILITIES OVER THAT PORTION OF LAND INCLUDED IN THE VACATED WATER STREET, ELEVENTH STREET AND ALLEYS AS EVIDENCED BY INSTRUMENT RECORDED IN LIBER 321, PAGE 501 THROUGH 509 DATED JANUARY 29, 1943, LIBER 431, PAGE 229 DATED JULY 1, 1953, AND LIBER 607, PAGE 170 DATED FEBRUARY 10, 1969.(SEE NOTE v) EASEMENT PLOTTED AS DESCRIBED.
   viii. EASEMENTS, TERMS AND CONDITIONS CONTAINED IN QUITCLAIM DEED AS DISCLOSED BY INSTRUMENT RECORDED IN LIBER 888, PAGE 951. EASEMENT TO CONSUMERS POWER COMPANY FOR UTILITIES AS EXISTED JUNE 1980.
   CLAIM OF INTEREST IN OIL AND GAS EXCEPTED AND RESERVED BY CONSUMERS ENERGY COMPANY OF LOT 1 & LOT "A" OF BLOCK 130 ADDITION TO LOWER SAGINAW, AND LOT 8 OF BLOCK 111 OF LOWER SAGINAW. AS RECORDED IN LIBER 1649, PAGE 152. EASEMENTS PLOTTED AS DESCRIBED.
   ix. TERMS AND CONDITIONS CONTAINED IN ENCROACHMENT AGREEMENT AS DISCLOSED BY INSTRUMENT RECORDED IN LIBER 996, PAGE 370. AUTHORIZED ENCROACHMENT FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF LOW–VOLTAGE COMMUNICATIONS LINE ACROSS THE ALLEY BETWEEN SAGINAW AND WATER STREETS, SOUTH OF TENTH STREET. THIS AGREEMENT IS SUBJECT TO THE LOCATION OF A BODY SHOP AND A RECONDITIONING BUILDING AND CAN NOT BE PLOTTED WITHOUT KNOWLEDGE OF THE LOCATION OF THESE TWO BUILDINGS AT THE TIME OF THE AGREEMENT.
   x. EASEMENT FOR ACCESS AND UTILITIES AS DISCLOSED BY LIBER 1181, PAGE 117 DATED JULY 31, 1991, AND LIBER 1181, PAGE 122 DATED JULY 29, 1991. EASEMENT IS PLOTTED AS DESCRIBED.
   xi. TERMS AND CONDITIONS CONTAINED IN PROPOSED AMENDMENT TO THE BAY CITY MASTER PLAN FOR THE COLUMBUS RIVERFRONT AS DISCLOSED BY INSTRUMENT RECORDED IN LIBER 1416, PAGE 47. AFFECTS THE ENTIRE PARCEL.
   xii. TERMS AND CONDITIONS CONTAINED IN NOTICE AND ORDER OF BUILDING OFFICIAL AS DISCLOSED BY INSTRUMENT RECORDED IN LIBER 1532, PAGE 971 DATED MAY 26, 1998. THIS IS LEGAL IN NATURE AND NOT A MATTER OF SURVEYING.
   xiii. EASEMENT FOR GUY STUB POLE, GUY WIRES AND ANCHORS IN FAVOR OF CONSUMERS ENERGY COMPANY AND THE COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN INSTRUMENT RECORDED IN LIBER 1902, PAGE 77. EASEMENT IS PLOTTED AS DESCRIBED.
   xiv. RIGHTS AND EASEMENTS (IF ANY) IN AND TO ANY AND ALL RAILROAD SWITCHES, SIDETRACKS, SPUR TRACKS AND RIGHTS OF WAY LOCATED UPON PREMISES DESCRIBED HEREIN. VISIBLE EVIDENCE OF RAILROAD TRACKS HAS BEEN SHOWN ON THE DRAWING.
   xv. RIGHTS OF THE UNITED STATES, STATE OF MICHIGAN AND THE PUBLIC FOR COMMERCE, NAVIGATION, RECREATION AND FISHERY, IN ANY PORTION OF THE LAND COMPRISING THE BED OF SAGINAW RIVER, OR LAND CREATED BY FILL OR ARTIFICIAL ACCRETION. WE DID NOT OBSERVE ANY EVIDENCE OF LAND CREATED IN ANY PORTION OF THE BED OF THE SAGINAW RIVER ADJACENT TO THE SITE BY FILL OR ACCRETION DURING THE COURSE OF THE SURVEY.
   xvi. THE NATURE, EXTENT OR LACK OF RIPARIAN RIGHTS OR THE RIPARIAN RIGHTS OF RIPARIAN OWNERS AND THE PUBLIC IN AND TO THE USE OF THE WATERS OF SAGINAW RIVER. WE DID NOT OBSERVE ANY PHYSICAL INTERFERENCE WITH RIPARIAN RIGHTS DURING THE COURSE OF THE SURVEY.
   xvii. RIGHTS OF TENANTS, IF ANY, UNDER ANY UNRECORDED LEASES. THIS ITEM IS LEGAL IN NATURE AND NOT A MATTER OF SURVEYING.
   xviii. LIEN FOR OUTSTANDING WATER OR SEWER CHARGES, IF ANY. THIS ITEM IS LEGAL IN NATURE AND NOT A MATTER OF SURVEYING.

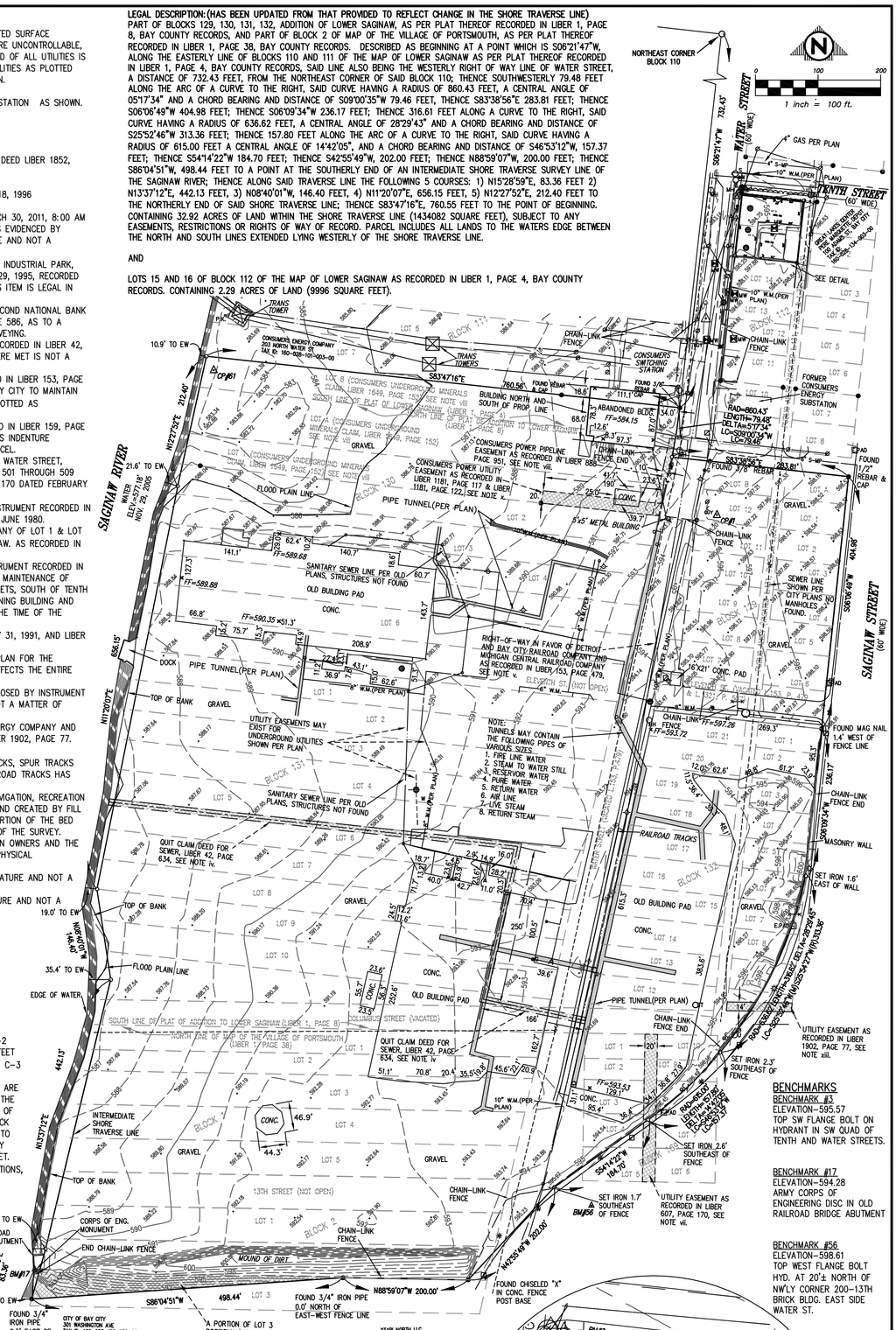
6. ZONING INFORMATION–
   BAY CITY
   C–3, CENTRAL BUSINESS DISTRICT
   MINIMUM LOT WIDTH– NONE
   MINIMUM LOT AREA (SQ. FT.)– NONE
   MAXIMUM BUILDING HEIGHT– 100 FT (ANY NUMBER OF STORIES)
   MINIMUM FRONT YARD SETBACK– 0
   MAXIMUM FRONT SETBACK– NONE
   SIDE & REAR SETBACKS–
   A. BUILDINGS, EXCLUDING BOATHOUSES, ERECTED ON LOTS IN THE O–1, C–1 AND C–2 WHICH HAVE FRONTAGE ON THE SAGINAW RIVER SHALL BE SET BACK AT LEAST 25 FEET FROM THE WATER'S EDGE. THIS REGULATION DOES NOT APPLY TO SUCH LOTS IN THE C–3 OR WF ZONING DISTRICTS.
   B. IF BUILDINGS ON BOTH WATERFRONT LOTS ADJOINING A VACANT WATERFRONT LOT ARE SET BACK LESS THAN TWENTY BUT MORE THAN TEN FEET FROM THE WATERS EDGE, THE SETBACK MAY BE REDUCED TO THE AVERAGE SETBACK OF THOSE BUILDINGS. IF ONE OF THOSE LOTS IS VACANT AND THE OTHER OCCUPIED BY A BUILDING WHICH IS SET BACK LESS THAN TWENTY FEET FROM THE WATERS EDGE, THE SETBACK MAY BE REDUCED TO THE AVERAGE SETBACK OF THAT DWELLING AND TWENTY FOOT SETBACK REQUIRED BY THIS SECTION, THOUGH IN NO INSTANCE SHALL THE SETBACK BE LESS THAN TEN FEET.
   C. MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ) FLOOD PLAIN REGULATIONS, ARMY CORPS OF ENGINEERS REGULATIONS AND STANDARDS APPLICABLE TO THE CONSTRUCTION OF BUILDINGS AND ESTABLISHMENT OF USES IN COASTAL ZONE MANAGEMENT AREAS ADMINISTERED BY THE MDEQ LAND AND WATER MANAGEMENT DIVISION AND OTHER STATE AND FEDERAL REGULATIONS MAY REQUIRE GREATER SETBACKS THAN REQUIRED BY THIS SECTION ABOVE. IN SUCH CASES, THOSE AGENCIES' REGULATIONS AND STANDARDS SHALL APPLY.
   D. BUILDINGS ON LOTS ADJOINING ANY RESIDENTIAL ZONING DISTRICT OR RESIDENTIAL USE SHALL PROVIDE A TEN–FOOT SETBACK FROM COMMON LOT LINES SEPARATING SUCH LOTS FROM SUCH ZONING DISTRICTS OR USES. WHEN AN ALLEY SEPARATES A LOT FROM AN ADJOINING RESIDENTIAL ZONING DISTRICT OR RESIDENTIAL USE, SETBACKS ARE NOT REQUIRED.
   MINIMUM FLOOR AREA– NONE
   MAXIMUM LOT COVERAGE– NONE

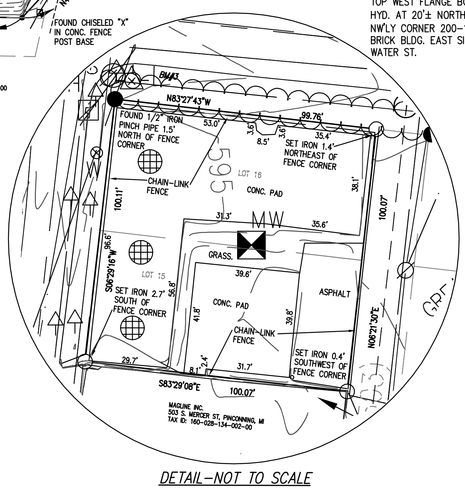
7. SURVEY NOTES:
   i. UTILITY RECORDS INDICATE A PIPE TUNNEL AND OTHER UNDERGROUND UTILITIES MAY EXIST ACROSS THE PROPERTY. UNDERGROUND EASEMENTS MAY EXIST THAT WERE NOT DISCLOSED IN THE TITLE COMMITMENTS OR RECORD DOCUMENTS PROVIDED.
   ii. FIELD BOUNDARY SURVEY WORK WAS COMPLETED MARCH 29, 2011. THE WESTERLY BOUNDARY RUNNING ALONG THE SAGINAW RIVER IS SUBJECT TO CHANGE DUE TO NATURAL FLUCTUATION OF THE WATER LEVEL. THIS BOUNDARY LINE HAS BEEN DESCRIBED AND LOCATED WITH REFERENCE TO AN INTERMEDIATE SHORE TRAVERSE LINE RUN ALONG THE EASTERLY TOP OF BANK OF THE SAGINAW RIVER.
   iii. AT THE TIME OF SURVEY WE WERE NOT AWARE OF ANY PLANS TO CHANGE STREET RIGHT OF WAY LINES OR RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIR.
   iv. THE CONTOURS ON THIS MAP WERE GENERATED BY GROUND SURVEY AT ONE FOOT INTERVALS, BASED ON FEMA BENCHMARKS RM138 AND RM140 FOUND ON THE FIRM MAP.
   v. NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WAS OBSERVED AT THE TIME OF THIS SURVEY.
   vi. PARCELS CONTAIN 35.21 ACRES OF GROSS LAND AREA WITHIN THE SHORE TRAVERSE, 31.11 ACRES OF LAND EXCLUSIVE OF LAND LYING WITHIN WETLANDS, FLOOD PLAINS AND ROADWAYS, STREETS, HIGHWAYS, EASEMENTS OR RIGHTS OF WAY. WE WERE NOT AWARE OF ANY EXISTING WETLANDS DETERMINATION AT THE TIME OF THE SURVEY.
   vii. ITEMS REQUESTED UNDER TABLE A ITEM 22:
      1. LOCATE AND DEPICT TRANSMISSION TOWERS AND SUBSTATIONS.
      2. LOCATE AND DEPICT PARTS OF SEA WALL, BROKEN CONCRETE AND OLD DOCK ALONG THE SHORELINE OF THE RIVER.
      3. LOCATE AND DEPICT THE MOUND AT THE SOUTH END OF THE SITE AND THE OLD RAIL–ROAD ABUTMENT ON THE SHORELINE OF THE RIVER.

LEGAL DESCRIPTION:(HAS BEEN UPDATED FROM THAT PROVIDED TO REFLECT CHANGE IN THE SHORE TRAVERSE LINE)
PART OF BLOCKS 129, 130, 131, 132, ADDITION OF LOWER SAGINAW, AS PER PLAT THEREOF RECORDED IN LIBER 1, PAGE 8, BAY COUNTY RECORDS, AND PART OF BLOCK 2 OF MAP OF THE VILLAGE OF PORTSMOUTH, AS PER PLAT THEREOF RECORDED IN LIBER 1, PAGE 38, BAY COUNTY RECORDS. DESCRIBED AS BEGINNING AT A POINT WHICH IS S06°21'47"W, ALONG THE EASTERLY LINE OF BLOCKS 110 AND 111 OF THE MAP OF LOWER SAGINAW AS PER PLAT THEREOF RECORDED IN LIBER 1, PAGE 4, BAY COUNTY RECORDS, SAID LINE ALSO BEING THE WESTERLY RIGHT OF WAY LINE OF WATER STREET, A DISTANCE OF 732.43 FEET, FROM THE NORTHEAST CORNER OF SAID BLOCK 110; THENCE SOUTHWESTERLY 79.48 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 860.43 FEET, A CENTRAL ANGLE OF 05°17'34" AND A CHORD BEARING AND DISTANCE OF S09°00'35"W 79.46 FEET, THENCE S83°38'56"E 283.81 FEET; THENCE S06°06'49"W 404.98 FEET; THENCE S06°09'34"W 236.17 FEET; THENCE 316.61 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 636.62 FEET, A CENTRAL ANGLE OF 28°29'43" AND A CHORD BEARING AND DISTANCE OF S25°52'46"W 313.36 FEET; THENCE 157.80 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 615.00 FEET A CENTRAL ANGLE OF 14°42'05", AND A CHORD BEARING AND DISTANCE OF S46°53'12"W, 157.37 FEET; THENCE S54°14'22"W 184.70 FEET; THENCE S42°55'49"W, 202.00 FEET; THENCE N88°59'07"W, 200.00 FEET; THENCE S86°04'51"W, 498.44 FEET TO A POINT AT THE SOUTHERLY END OF AN INTERMEDIATE SHORE TRAVERSE SURVEY LINE OF THE SAGINAW RIVER; THENCE ALONG SAID TRAVERSE LINE THE FOLLOWING 5 COURSES: 1) N15°28'59"E, 83.36 FEET 2) N13°37'12"E, 442.13 FEET, 3) N08°40'01"W, 146.40 FEET, 4) N11°20'07"E, 656.15 FEET, 5) N12°27'52"E, 212.40 FEET TO THE NORTHERLY END OF SAID SHORE TRAVERSE LINE; THENCE S83°47'16"E, 760.55 FEET TO THE POINT OF BEGINNING. CONTAINING 32.92 ACRES OF LAND WITHIN THE SHORE TRAVERSE LINE (1434082 SQUARE FEET), SUBJECT TO ANY EASEMENTS, RESTRICTIONS OR RIGHTS OF WAY OF RECORD. PARCEL INCLUDES ALL LANDS TO THE WATERS EDGE BETWEEN THE NORTH AND SOUTH LINES EXTENDED LYING WESTERLY OF THE SHORE TRAVERSE LINE.

AND

LOTS 15 AND 16 OF BLOCK 112 OF THE MAP OF LOWER SAGINAW AS RECORDED IN LIBER 1, PAGE 4, BAY COUNTY RECORDS. CONTAINING 2.29 ACRES OF LAND (9996 SQUARE FEET).





DETAIL–NOT TO SCALE

LEGEND

- ○ = SET 1/2" IRON & CAP
- MON = FOUND MONUMENT
- PK = SET PK NAIL
- ● = FOUND IRON
- ☼ = LIGHT POLE
- ø = POWER POLE
- = MANHOLE
- = HANDHOLE
- = MAIL BOX
- GUY = GUY WIRE
- = ROAD SIGN
- = GAS METER
- = HYDRANT
- WV = WATER VALVE BOX
- = SPRINKLER HEAD
- MW = MONITORING WELL
- = ROUND CATCH BASIN
- = INLET
- = TELEPHONE RISER
- = AIR CONDITION UNIT
- = METAL LIGHT POLE
- = FLOOD LIGHT
- = ELECTRICAL OUTLET
- = POWER POLE
- AD = ELECTRICAL PAD
- = ELECTRICAL METER
- PANEL = ELECTRICAL PANELS
- = FLAG "UNDERGROUND UTILITY"
- = STUMP
- EW = EDGE OF WATER
- = WELL
- WF = WATER FAUCET
- = DOWN SPOUT
- = CLEAN OUT
- = SIGN
- FP = FLAG POLE
- = ROCK
- FF = FIRST FLOOR ELEVATION
- = GRAVEL
- = CENTERLINE OF ROAD
- = WATER MAIN
- = STORM SEWER
- = SANITARY SEWER
- = TELEPHONE (UNDERGROUND)
- = ELECTRIC (UNDERGROUND)
- = GAS
- = OVERHEAD
- = EX. FENCE
- = DECIDUOUS TREE
- = CONIFEROUS TREE
- = MULTISTEM TREE
- = CONIFEROUS SHRUB
- = DECIDUOUS SHRUB
- = EX. TREE LINE

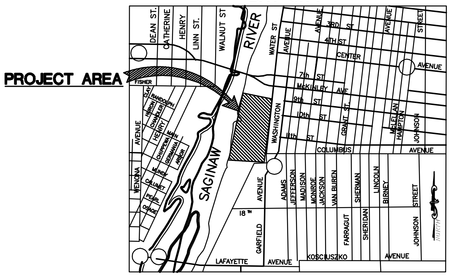
TO THE CITY OF BAY CITY; SSP ASSOCIATES, INC.; WARNER NORCROSS & JUDD LLP; AND FIRST AMERICAN TITLE INSURANCE COMPANY,

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 3, 4, 5, 6A, 6B, 7A, 8, 11b, 13, 14, 16, 17 AND 22 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 29, 2011.

JONATHAN RICK, PS #55562

DATE

BAY CITY



LOCATION MAP
NOT TO SCALE

PREPARED FOR

CITY OF BAY CITY
ALTA/ACSM LAND TITLE SURVEY
UPTOWN SITE

ROWE PROFESSIONAL SERVICES COMPANY
127 S. Main Street
Mt. Pleasant, MI 48858
O: (989) 772-2138
F: (989) 773-7757
www.rowepsc.com

PLAN DATE: MARCH 29, 2011
PROJECT MGR: JHR
REVIEWER: JHR
SCALE: 1"=100'
E-MAIL: JRICK@ROWEPSC.COM

JOB No: 11M0021 | SHT# 1 OF 1 | REV: 5-3-11 5-9-11

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