

JC PENNEY OVERALL LEGAL DESCRIPTION:

The following legal description is as shown on First American Title Insurance Company Commitment No. NCS-586059-11-SNAT, dated January 13, 2013.

That part of the West 1/2 of Section 27, and the East 1/2 of Section 28, Township 8 North, Range 10 East, in the City of Madison, bounded and described as follows:

Commencing at the Southwest corner of said Section 27; thence North 89°00'12" East along the South line of Section 27, 1440.44 feet; thence North 87°24'44" West, 1270.60 feet; thence North 45°50'00" West 504.24 feet; thence North 21°49'30" East, 277.01 feet; thence North 45°50'00" West 488.50 feet to the line of the lot beginning; thence South 47°17'31" West, 381.15 feet; thence South 80°30'00" West, 547.71 feet; thence North 69°50'00" West, 584.22 feet; thence Northeastly 17.46 feet along the arc of a curve to the right whose radius is 326.97 feet and whose chord is 17.46 feet and bears North 44°27'14" East; thence North 45°50'00" East, 336.53 feet; thence Northwesterly 127.34 feet along the arc of a curve to the right whose radius is 603.56 feet and whose chord is 127.17 feet and bears North 52°01'51" East; thence North 58°04'41" East, 150.00 feet; thence Northwesterly 144.22 feet along the arc of a curve to the right whose radius is 683.56 feet and whose chord is 144.03 feet and bears North 52°01'51" East; thence North 45°50'00" East, 262.14 feet; thence Easterly 38.41 feet along the arc of a curve to the right whose radius is 25.00 feet and whose chord is 24.74 feet and bears North 89°59'58" East; thence South 45°50'00" East, 763.23 feet to the point of beginning.

**TOPOGRAPHY AND IMPROVEMENT LOCATION OVER THOSE PORTIONS OF THE SUBJECT PROPERTY INTENDED FOR SALE AND FUTURE PLATTING. SEE SHEET 2 OF 3 SHEETS.

PROPOSED FIRESTONE PARCEL: (SUBJECT PROPERTY)

(THE FOLLOWING LEGAL DESCRIPTION IS NOT OF RECORD. BEARINGS SYSTEM NOTED TO MATCH CURRENT COUNTY COORDINATE SYSTEM. MATHEMATICAL ANGLES ARE THE SAME AS IN THE DESCRIPTION OF RECORD FOR THE OVERALL JC. PENNEY PARCEL.)

That part of the West 1/2 of Section 27, and the East 1/2 of Section 28, Township 8 North, Range 10 East, in the City of Madison, bounded and described as follows:

Commencing at the southwest corner of said Section 27; thence on an assumed bearing of North 89°00'12" East along the south line of said Section 27, 1440.44 feet; thence North 09°03'40" West, 1270.60 feet; thence North 45°50'00" West 504.24 feet; thence North 21°49'30" East, 277.01 feet; thence North 45°50'00" West 488.50 feet; thence South 47°17'31" West, 381.15 feet; thence South 80°30'00" West, 547.71 feet; thence North 69°50'00" West 584.22 feet; thence Northeastly 17.46 feet along a non-tangential curve concave to the southeast having a radius of 326.97 feet and a chord which bears North 44°27'14" East, 17.46 feet; thence North 46°22'04" East, 336.55 feet; thence Northwesterly 127.41 feet along a tangential curve concave to the southeast having a radius of 603.56 feet and a chord which bears North 52°01'51" East, 127.17 feet; thence North 58°04'41" East, 150.00 feet; thence Northwesterly 144.22 feet along a tangential curve concave to the southeast having a radius of 683.56 feet and a chord which bears North 52°01'51" East, 144.03 feet; thence North 45°50'00" East, 262.14 feet; thence Easterly 38.41 feet along a tangential curve concave to the south having a radius of 25.00 feet and a chord which bears North 89°59'58" East, 24.74 feet; thence South 45°50'00" East, 162.12 feet; thence Southwesterly 158.10 feet along a non-tangential curve concave to the southeast having a radius of 235.79 feet and a chord which bears South 72°22'47" West, 155.15 feet; thence Southwesterly along a reverse curve concave to the northwest having a radius of 40.50 feet and a chord which bears South 43°11'12" West, 40.14 feet; thence westerly along a reverse curve concave to the south having a radius of 1,023.19 feet and a chord which bears South 73°13'34" West, 236.71 feet; thence westerly along a reverse curve concave to the north having a radius of 40.50 feet and a chord which bears North 72°22'47" West, 53.12 feet; thence North 31°27'44" West, 106.26 feet to the POINT OF BEGINNING.

SCHEDULE B-2 NOTES:

The following easements are as shown on First American Title Insurance Company Commitment No. NCS-586059-11-SNAT, dated January 13, 2013.

12. Easement to Wisconsin Power & Light Company per Document No. 921554, (NOT SHOWN ON SURVEY) (EASEMENT GENERAL IN NATURE, AFFECTS SUBJECT PROPERTY)
13. Declaration of Restrictions and Future Annexation per Volume 156, Page 191 as Document No. 1281441, (NOT SHOWN ON SURVEY) (EASEMENT GENERAL IN NATURE, AFFECTS SUBJECT PROPERTY)
14. Road Agreement per Volume 164, Page 73 as Document No. 1260543, (ROAD LOCATION AS SHOWN ON SURVEY)
15. Terms, provisions, conditions and limitations of an agreement per Volume 164, Page 90 through 107 as Document No. 1260545, (ROAD LOCATION AS SHOWN ON SURVEY)
16. Terms, provisions, conditions and limitations of Easement, Restriction and Operating Agreement per Volume 164, Page 125, as Document No. 1260550, Volume 182, Page 78 as Document No. 1260561, Volume 426, Page 57 as Document No. 1331544, Volume 478, Page 134 as Document No. 1381340, Volume 1761, Page 19 as Document No. 1060342, Volume 4235, Page 74 as Document No. 1769638, Volume 4383, Page 87 as Document No. 1971321 and per Document No. 7862573, (EASEMENTS AS SHOWN ON SURVEY, OTHER CONDITIONS AND LIMITATIONS NOT SHOWN)
17. Easement Agreement Madison Gas & Electric Company per Volume 224, Page 239 as Document No. 1281541, (DOES NOT AFFECT SUBJECT PROPERTY)
18. Terms, provisions, conditions, and limitations of United Warranty Deed to Madison Gas & Electric Company per Volume 224, Page 315 as Document No. 1281542, (DOES NOT AFFECT SUBJECT PROPERTY)
19. Sanitary Sewer Easement per Volume 307, Page 230 as Document No. 1131067, (AS SHOWN ON SURVEY)
20. Sanitary Sewer Easement per Volume 226, Page 19 as Document No. 1131067, (DOES NOT AFFECT SUBJECT PROPERTY)
21. Terms, provisions, conditions and limitations per Volume 226, Page 118 as Document No. 1282103, (DOES NOT AFFECT SUBJECT PROPERTY)
22. Declaration of Restriction per Volume 478, Page 440 as Document No. 1381550 and Volume 4235, Page 68 as Document No. 1769557, (NOT SHOWN ON SURVEY)
23. Easement per Volume 588, Page 375 as Document No. 1432746, (AS SHOWN ON SURVEY)
24. Right of Way Grant to Madison Gas & Electric Company per Volume 6225, Page 92 as Document No. 1850819, (AS SHOWN ON SURVEY)
25. Permanent Limited Easement for Public Pedestrian Walk/Path Purposes per Document No. 4081766, (DOES NOT AFFECT SUBJECT PROPERTY)
26. Electric Transmission Line Easement per Document No. 4802540, (DOES NOT AFFECT SUBJECT PROPERTY)
27. Electric Transmission Line Easement per Document No. 4802541, (DOES NOT AFFECT SUBJECT PROPERTY)

AREAS:

OVERALL JC PENNEYS PARCEL AREA = 653,476.50 FT. / 15.00 ACRES
PROPOSED FIRESTONE AREA = 83,627 SQ. FT. / 1.92 ACRES
REMAINING JC PENNEYS AREA = 569,799 SQ. FT. / 12.98 ACRES

ALTA NOTES:

16. THERE WAS NO EVIDENCE OF CURRENT CONSTRUCTION ON THE SITE.
17. THERE WAS NO EVIDENCE OF RIGHT OF WAY CHANGE.
18. THERE WAS NO VISIBLE EVIDENCE THAT THIS SITE WAS USED AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.
19. NO WETLANDS WERE DELINEATED ON THE SUBJECT PARCELS.

CERTIFICATION:

To: Bridgestone Retail Operations, LLC, a Delaware limited liability company, J. C. Penney Corporation, Inc., a Delaware Corporation, J. C. Penney Properties, Inc., a Delaware Corporation, First American Title Insurance Company and SMC Leasing and Finance, Inc., a Delaware corporation, and each of their respective successors and assigns.

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 1, 2, 3, 4, 5 (on a separate sheet), 6 (a) and 6 (b), 7 (a)-(d), 8, 9, 10, 11(a), 12, 13, 14, 16, 17, 18, 19, 20, 21, 22 (a-b) of Table A thereof. The field work was completed on 03-19-2013.

CORNERSTONE LAND SURVEYING, INC.
Dated: 4-10-13

By: *[Signature]*
Daniel L. Thuermer
Minnesota License No. 25716

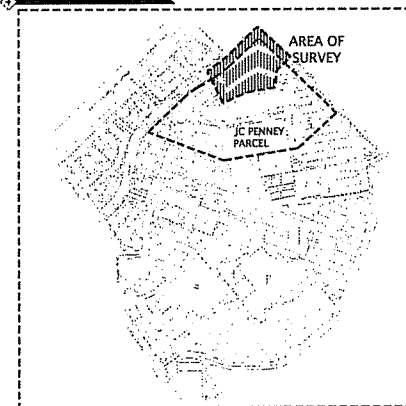
the First American Title Insurance Company Commitment No. NCS-586059-11-SNAT, dated January 13, 2013 as this survey was relied upon for matters of record. Other easements may exist that were not shown in this commitment and are not shown on this survey.

"NO ZONING ENDORSEMENTS OR INFORMATION WAS PROVIDED BY THE TITLE COMPANY."

"NO INFORMATION REGARDING ADJOINING DEEDS WAS RECEIVED FROM THE TITLE COMPANY."

**TOPOGRAPHY AND IMPROVEMENT LOCATION OVER THOSE PORTIONS OF THE SUBJECT PROPERTY INTENDED FOR SALE AND FUTURE PLATTING.

VICINITY MAP:



EAST TOWN MALL FIRESTONE

MADISON WISCONSIN

CONTACT:

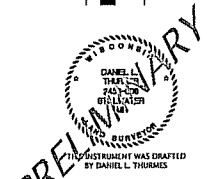
CHARLES ASHLEY
CEI
3715 Northside Parkway
100 North Creek, Suite 100
Atlanta, GA 30327
Phone: 404-816-6800
Cell: 770-365-1073

COUNTY:

DANE COUNTY

REVISIONS:

DATE: 4-10-13
REVISION: PRELIMINARY ISSUE



PROJECT LOCATION:

135
EAST TOWN MALL
PID#081027300970

Sheet #1
6750 Sunwater Blvd. N.
Shower, MN 55082
Phone 651-275-2909
Fax 651-275-8970
dan@csurvey.net

CORNERSTONE LAND SURVEYING, INC.

FILE NAME: SURVEY39
PROJECT NO. CE130519
CERTIFICATE OF SURVEY

SHEET 1 OF 3 SHEETS

LEGEND:

- DETONATES MONUMENT TO BE SET AS NOTED
- SURVEY POINTS FOUND
- MONUMENT AS MARKED
- WELL
- WATER VALVES
- HYDRANT
- CATCH BASIN/STORM OH
- CURB/LEAK
- SANITARY MANHOLE
- CLEAN OUT
- SIGN
- LIGHT POLE
- UTILITY POLE
- HAND HOLE
- TELEPHONE BOX
- ELECTRIC METRIC/GAS METER
- GAS VALVE
- ELECTRICAL LINE
- TELEPHONE LINE
- FIBER OPTIC LINE
- WATER LINE
- STORM SEWER LINE
- SANITARY SEWER LINE
- FENCE
- CONCRETE
- 1' FOOT CONTOUR INTERVAL

FLOOD INFORMATION:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY FALLS WITHIN ZONE "C", COMMUNITY NUMBER 55025. INFORMATION PER: FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 55025C0266, DATED JANUARY 2, 2009.

SURVEY NOTES:

1. FIELDWORK PERFORMED MARCH 14, 2013.
2. BEARINGS AND DISTANCE COORDINATES ARE BASED ON THE WCCS DANE ZONE 1991.
3. ELEVATIONS BASED ON MAD 83 (1991) NAVD 83 BENCH MARK AT THE W/4 CORNER OF SEC 27. ELEVATION = 879.53 AS SHOWN ON US PUBLIC LAND SURVEY RECORD.

PARKING INFO:

SEE SHEET 2 OF 3 SHEETS

SUBJECT PROPERTY

DETAIL OF SUBJECT PROPERTY ON SHEET 2 OF 3 SHEETS

ZONING:

AS SHOWN ON TELEPHONE FEASIBILITY REPORT BY CEI DATED 11/17/2013.

ZONING: CIL - COMMERCIAL SERVICE AND DISTRIBUTION CENTER

"THIS INFORMATION HAS NOT BEEN VERIFIED AND IS FOR INFORMATIONAL PURPOSES ONLY. NO ZONING INFORMATION OR ENDORSEMENTS WERE PROVIDED BY THE TITLE COMPANY AND AS SUCH MAY NOT BE CERTIFIED ON THIS SURVEY."

UNDERGROUND UTILITY NOTES:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THIS SURVEY HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. A DIGGERS HOTLINE LOCATE LOCATE WAS INITIATED WITH A TICKET #2013100144. SOME HITS WERE RECEIVED, WHILE OTHER UTILITIES DID NOT RESPOND TO THE LOCATE REQUEST. ADDITIONAL UTILITIES OF WHICH WE ARE UNAWARE MAY EXIST.

DIGGERS HOTLINE
MILWAUKEE: 414-259-1181
TOLL FREE: 1-800-242-8511

BRASS CAP AT THE W1/4 CORNER OF SEC. 27. ELEVATION = 879.55 AS SHOWN ON US PUBLIC LAND SURVEY RECORD. HAD 83 (1991) NAVD 88

SEVERAL AREAS WERE COVERED BY LARGE SNOW PILES. ELEVATIONS AND IMPROVEMENTS WILL BE ADDED FOR FINAL SURVEY UPON SPRING MELT.

- DENOTES ADJUNCTION TO BE SET AS NOTED
- DENOTES IF MARKED ADJUNCTION IS REQUIRED
- WELL
- WATER VALVES
- HYDRANT
- CATCH BASIN/STORM MIT
- CATCH U.S.
- SANITARY MANHOLE
- CLEAN OUT
- SIGN
- UTILITY POLE
- LIGHT POLE
- HANG HOLE
- TELEPHONE BOX
- ELECTRIC METER/GAS METER
- GAS VALVE
- TELEPHONE LINE
- FIBER OPTIC LINE
- WATER LINE
- STORM SEWER LINE
- SANITARY SEWER LINE
- FENCE
- CURB
- CONCRETE
- 1.00 FT. CONTIGUOUS INTERVAL

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY FALLS WITHIN
ZONE "X". COMMUNITY NUMBER 55025. INFORMATION FOR
FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO.
55025C0268G DATED JANUARY 2, 2009.

1. FIELDWORK PERFORMED MARCH 14, 2013.
2. BEARINGS AND PROJECT COORDINATES ARE BASED ON THE WCCS DANE ZONE 1991.
3. ELEVATIONS BASED ON NAD 83 (1991) NAVD 88 BRASS CAP AT THE W1/4 CORNER OF SEC. 27. ELEVATION = 879.55 AS SHOWN ON US PUBLIC LAND SURVEY RECORD.

63 PARKING STALLS, INCLUDING 2
HANDICAP STALLS ARE STRIPED ON THE
PORTION OF THE SUBJECT PARCEL
INTENDED FOR SALE.

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN CORRESPOND TO THE ACTUAL UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTAINLY BELIEVE THAT THE LOCATION IS AS CLOSE AS POSSIBLE FROM THE INFORMATION AVAILABLE. THIS SURVEY HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. A DIGGERS HOTLINE LOCATE LOCATE LOCATE WAS INITIATED WITH A TICKET #20131003574. SOME MAPS WERE RECEIVED, WHILE OTHER UTILITIES DID NOT RESPOND TO LOCATE REQUEST. ADDITIONAL UTILITIES OF WHICH WE ARE UNAWARE MAY EXIST.

MILWAUKEE: 414-259-1181
TOLL FREE: 1-800-242-8511

◆ **AS FLIGHT ON LEADWING BEGINS IN COLDATO 111413Z**

- 16. THERE WAS NO EVIDENCE OF CURRENT CONSTRUCTION ON THE SITE.
- 17. THERE WAS NO EVIDENCE OF RIGHT OF WAY CHANGES.
- 18. THERE WAS NO VISIBLE EVIDENCE THAT THIS SITE WAS USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- 19. NO WETLANDS WERE DELINEATED ON THE SUBJECT PARCELS.

AS SHOWN ON TELEPHONE FEASIBILITY REPORT BY CLI
DATED 1/14/2013.

ALL PROPERTY ADJACENT TO THE SUBJECT PARCEL
IS SHOWN GRAPHICALLY ON SHEET 1 OF 3 SHEETS.

DATE	REVISION
4-10-13	PRELIMINARY ISSUE



0

SEAL



PROJECT LOCATION

135
EAST TOWN MALL
PID#081027300970

CORNERSTONE
LAND SURVEYING, INC.

 THE NAME _____ SUBJECT _____

FILE TOTAL	SURVEYS
PROJECT NO	CELLS

CERTIFICATE OF

SURVEY

SHEET 2 OF 3 SHEETS

MADISON
WISCONSIN

CHARLES ASHLEY
CEI
3715 Northside Parkway
100 North Creek, Suite 100
Atlanta, GA 30327
Phone: 404-816-6800
Cell: 770-365-1073

DANE
COUNTY

DATE	REVISION
4-10-13	PRELIMINARY ISSUE



PROJECT LOCATION:
135
EAST TOWN MALL
PID#081027300970

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DIGGERS HOTLINE
MILWAUKEE: 414-259-1181
TOLL FREE: 1-800-242-8511

AS SHOWN ON FEASIBILITY REPORT BY CEI DATED 1/14/11

CITY OF MADISON - WATER UTILITY
AMY JONES - 608-266-4646

SANITARY/STORM SEWER - CITY OF MADISON
ELIS ACOSTA - ENGINEERING - TEL: 608264-9275

MADISON GAS AND ELECTRIC
MYRA MEDRANO - TEL: 608-252-7267

ALLIANCE ENERGY
JEFF MCCARTHY - TEL: 608-845-1112

- 16. THERE WAS NO EVIDENCE OF CURRENT CONSTRUCTION ON THE SITE.
- 17. THERE WAS NO EVIDENCE OF RIGHT OF WAY CHANGES.
- 18. THERE WAS NO VISIBLE EVIDENCE THAT THIS SITE WAS USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- 19. NO WETLANDS WERE DELINEATED ON THE SUBJECT PARCELS.

AS SHOWN ON TELEPHONE FEASIBILITY REPORT BY CEI
DATED 1/14/2013.

ZONING: C3L - COMMERCIAL SERVICE AND DISTRIBUTION
CENTER

*THIS INFORMATION HAS NOT BEEN VERIFIED AND IS FOR
INFORMATIONAL PURPOSES ONLY. NO ZONING
INFORMATION OR ENDORSEMENTS WERE PROVIDED BY
THE TITLE COMPANY AND AS SUCH MAY NOT BE
CERTIFIED ON THIS SURVEY.

OVERALL PROPERTY:
ALL PROPERTY ADJACENT TO THE SUBJECT PARCEL
IS SHOWN GRAPHICALLY ON SHEET 1 OF 3 SHEETS.

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY FALLS WITHIN
ZONE "X". COMMUNITY NUMBER 55025. INFORMATION PER
FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO.
55025C0268C DATED JANUARY 2, 2009.

1. FIELDWORK PERFORMED MARCH 14, 2013.
2. BEARINGS AND PROJECT COORDINATES ARE BASED ON THE WCCS DANE ZONE 1991.
3. ELEVATIONS BASED ON NAD 83 (1991) NAVD 88 BRASS CAP AT THE W1/4 CORNER OF SEC. 27. ELEVATION = 879.55 AS SHOWN ON US PUBLIC LAND SURVEY RECORD.

57 PARKING STALLS, INCLUDING 2 HANDICAP STALLS ARE STRIPED ON THE PORTION OF THE SUBJECT PARCEL INTENDED FOR SALE.

