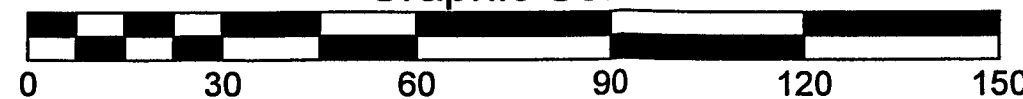


Plat of Survey

Part of Government Lot 3, Section 31, T36N-R13E, City of Crandon, Forest County, Wisconsin.

Graphic Scale

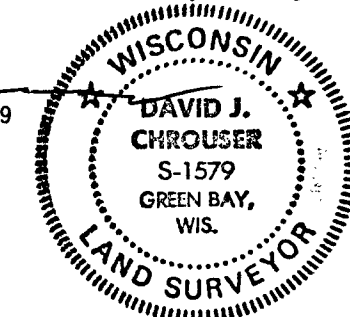


FOREST CO SURVEYOR
FILE # 361331-20160318
DATE BY

SURVEYOR'S CERTIFICATE

I, David J. Chrouser, Professional Land Surveyor, PLS-1579, do hereby certify that the above described property was surveyed and mapped in accordance with AE-7 of the Wisconsin Administrative Code and is correct to the best of my knowledge and belief.

David J. Chrouser
March 18, 2016
PLS-1579



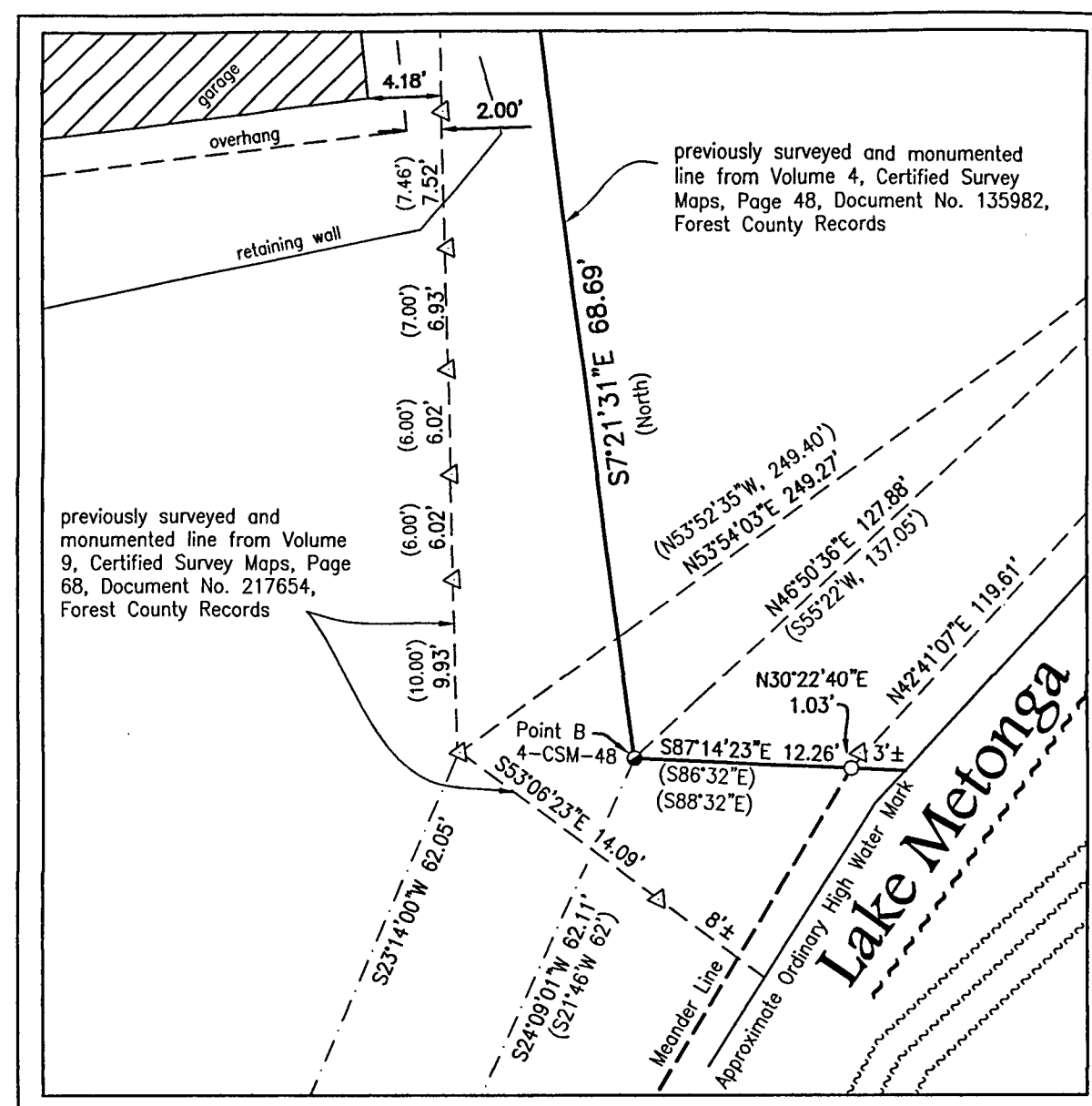
LEGAL DESCRIPTION

Part of Government Lot 3, Section 31, T36N-R13E, City of Crandon, Forest County, Wisconsin, more fully described as follows:

Commencing at the North 1/4 corner of Section 31, T36N-R13E; thence N87°32'08"W, 25.00 feet along the North line of the Northwest 1/4 of said Section 31; thence S1°23'18"E, 961.21 feet; thence N65°32'33"W, 169.63 feet; thence N80°02'50"W, 118.94 feet along the North line of Lot 3, Volume 4, Certified Survey Maps, Page 48, Document No. 135982, Forest County Records to the point of beginning; thence S1°24'50"E, 137.87 feet along the West line of Volume 4, Certified Survey Maps, Page 48, Document No. 135982, Forest County Records; thence S2°13'54"E, 182.64 feet along said West line; thence S72°21'31"E, 68.69 feet along said West line; thence S87°14'23"E, 12.26 feet along the South line of said Certified Survey Map to the start of a meander line; thence S30°25'22"W, 82.81 feet along said meander line to the North line of Volume 8, Certified Survey Maps, Page 65, Document No. 200243, Forest County Records and the end of said meander line; thence N87°14'23"W, 227.88 feet along said North line to the East right of way of Risser Road; thence N6°42'28"E, 483.95 feet along said East right of way; thence S80°02'30"E, 167.22 feet to the point of beginning. Including all lands lying between the meander line and the waters of Lake Metonga.

Parcel contains 98,584 square feet / 2.26 acres more or less to the Meander Line. Parcel subject to easements and restrictions of record.

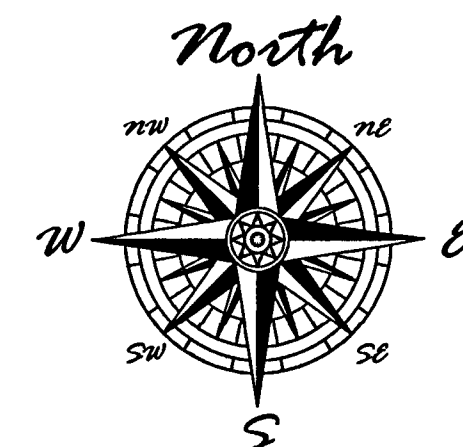
Detail
Scale: 1"=10'



Risser Road
Vol. 112, Page 612

Parcel A
98,584 sq. ft.
2.26 ac.

211-1556
003.004



Bearings referenced to the North line of the Northwest 1/4 of Section 31, T36N-R13E, assumed to be S87°32'08"E

Legend

- 1.32" (o.d.) x 18" iron pipe with cap weighing 1.68 lbs/lin ft set
- 1" (o.d.) iron pipe found
- rebar found
- 1" (o.d.) iron pipe found set by Timothy Rusch Volume 9 CSM 68
- 3/4" iron rod found set by Hess Volume 4 CSM 48
- 1 1/4" iron pipe found
- Forest County monument - type noted
- () recorded as bearing / distance

SCALE
1"=30'

DRAWN BY
MRA

Plat of Survey

Mau & Associates
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

Dennis Aerts

PROJECT NO.
S-16715

SHEET NO.
1 of 1

DRAWING NO.
S-2609

SURVEY REPORT
Dennis Aerts, Lake Metonga

SURVEY & BOUNDARY BACKGROUND

The entire property, encompassing 4 CSM 48, 4 CSM 59, Vol.148 Pg.9 (Risser to Bryant) and Vol.152 Pg.787 (Risser to Siebers, all Forest County records, was developed by Ethel Risser into 7 lots and 2 parcels. I found this very important in making determinations and professional judgement decisions on the boundary issues presented.

The purpose of this survey was to establish the boundary of the parcel Ethel Risser sold to the Bryant's in Vol.148 Pg.9, now owned by the Aerts, as described in Vol.323 Pg.659, and the northerly 15 feet of Lot 1 of 4 CSM 59 described in Vol.341 Pg.749 (Risser Trust to Aerts). With the main focus being the east line of said parcel being the area of dispute. 4 CSM 48, was recorded in September of 1988, by Michael Hess (Surveyor) that created 3 lots, all east of the Bryant/Aerts parcel. This was the first record survey on file I could find of this area. The second being 4 CSM 59 recorded in December of 1988, creating 4 Lots south of the Bryant/Aerts parcel. What was interesting is both surveys call out found pins at corners of the Bryant/Aerts property but no survey map of this property was found on file. However, when reading the legal description in Vol.148 Pg.9 (Risser to Bryant) being the same as Vol.323 Pg.659 (Bryant to Aerts) it left little doubt the legal description was written by a surveyor, and most likely Mr. Hess. The fact that the bearing system matches Mr. Hess's subsequent surveys also lends credence to this assumption. It is clear someone surveyed this parcel around the time Bryant purchased this parcel from Risser, which is again supported by the fact that Mr. Hess states he found these corners, on 4 CSM 48 and 4 CSM 59.

In 2015, a resurvey was performed on Lot 1 of said 4 CSM 48 by Timothy Rusch and recorded in 9 CSM 68, indicating a variety of discrepancies, the main issues arising at the southwest area of the property where computed lines from 4 CSM 48 failed to match existing monumentation.

My findings when mathematically recreating 4 CSM 48 and comparing this with the actual lot pins in place, suggests that pins were set along the meander line in locations accessible through the shoreline vegetation and not necessarily at the locations indicated on the survey. I have found this to be common, although not proper practice, along meander lines of older lake front properties. However I do believe the 3/4" iron rods found within this survey and the lots created by said survey were set by Mr Hess during the course of said survey.

Mr. Hess also performed a survey to the south of the Aerts property recorded in 4 CSM 59. This survey failed to close by over 5 feet. When resurveyed by Mr. Rusch, in Vol.8 Pg.65, existing pins were accepted, rightfully so, as surveyed and monumented, with some missing mapped positions up to as much as 19 feet, much the same as the found pins accepted Mr. Rusch on 9 CSM 68, vs 4 CSM 48, with the exception of the found 1 1/4" pipe at the disputed southwest corner between 9 CSM 68 and 4 CSM 48.

DETERMINATION

In making a determination of the east line of the Aerts property, also being the west line of the Prezioso property, it requires taking all this information and weighing its value to the intent of what was conveyed and what has been accepted for over the last 25+ years.

I would place a lot of weight on the found 1 1/4" pipe at the disputed southwest corner of Lot 1, 4 CSM 48, being the northerly-southeast corner of the Bryant/Aerts property, for a number of reasons:

- 1) I believe it's safe to assume that Mr. Hess surveyed the Bryant parcel and prepared the legal description for the sale and that he was responsible for the location of the property pins around this boundary.
- 2) The fact that all the surrounding property was all owned by Ethel Risser who was responsible for the surveying and mapping of the lots and parcels.
- 3) That even though the position of the 1 1/4" pipe does not match the mapped position, neither does the pin at the southeasterly corner of Lot 1 of 4 CSM 48. Leaving me to believe Mr. Hess never closed his traverse along the meander line of said Lot 1 of 4 CSM 48.
- 4) That the 1 1/4" at the southwest corner of Lot 1 of 4 CSM 48 also being the northerly-southeasterly corner of the Bryant/Aerts property, matches within reason, the distance from the northwest corner pipe as found by Mr. Hess, Mr. Rusch and myself.
- 5) The fact that the location of the 1 1/4" pipe at the presently disputed southeast corner has been in place and accepted for some 25+ years.
- 6) The found 1 1/4" iron pipe at the disputed corner is also supported by the 1 1/2" pipe 62 feet to the southwest as located by Timothy Rusch on 9 CSM 68.

Weighing all this information I believe that Mr. Hess did survey and set pipe at the Bryant/Aerts property corners sometime prior to February 1985, and prepared the legal description. I found no drawing on file.

When surveying the Bryant/Aerts property, I believe, Mr. Hess erroneously set the southerly and northerly-southeast corners at the water. So I tried to determine how Mr. Hess would have set the two pins 62 feet apart at the water for the Bryant/Aerts property. I believe he surveyed along the south line of the Bryant/Aerts parcel and somehow errored in the distance by 9-10 feet, and from this erroneous location, set the 1 1/4" iron pipe in question, at the northerly-southeast corner of the Bryant/Aerts property. I believe he pulled the distance to the northeast corner of the Bryant/Aerts property and that checked, within reason, but not being able to see between the corners never turned the angle between them which would have revealed the error.

In September of 1988, Mr. Hess surveyed and recorded 4 CSM 48. I believe Mr. Hess did survey the north line of said CSM and partially re-surveyed the west line of said CSM to the north corner of Lot 1 (Prezioso Lot). From here I cannot determine how/if Mr. Hess tied back into the southwesterly corner of the Prezioso property marked by the 1 1/4" pipe, except to guess he pulled the distance through and

around trees to check the distance and called it good distance wise from the north. He could not have pulled the distance along the meander line or this would have revealed a 10' error. To sum it up, it was good north-south, distance wise, but not east-west by about 10 feet. The fact that the corners Mr. Hess set along the meander line of 4 CSM 48 didn't match the recorded locations of his CSM reinforces this hypothesis.

When staking 4 CSM 59 to the south of the Bryant/Aerts property, Mr Hess set the pin at the northeasterly corner of 4 CSM 59 which did not match the pin at the southerly-southeast corner, by 9+ feet, he had set for the Bryant/Aerts parcel that I believe was surveyed 1985. These double pins have stood as is for 25+years.

I cannot explain the found pin a little over 68' northerly of the disputed corner, near the new garage but this pin matches the physical characteristics of every pin Mr Hess describes in 4 CSM 48. I also believe this to be set by Mr. Hess based on visual observations, but no record of it being placed was found.

QUIT CLAIM DOC.#213478

I highly question the validity of this document. At the time Ethel Risser sold Lot 1 of 4 CSM 48 to Ronald Sadofsky in Doc.#136800 it stated, very clearly, that the south line of the lot be run from "Point B", being the found 1 1/4" Iron pipe at the southwest corner of 4 CSM 48, S86°32'E to the shore of Lake Metonga, even though it was clearly shown as such on said CSM. This deliberate call leaves little to be disputed. This also came into question at trial for the access easement and Mr. Hess testified that this portion was purposely left off of the Sadofsky/Prezioso property. Now, at the time it should have been deeded to the Bryant/Aerts property and other than believing that Ethel Risser didn't think she needed to, I believe the intent is quite clear it was meant to be part of the Bryant/Aerts parcel. The only question that could be raised is if the bearing from "Point B" is S86° 32'E as stated in the deed or S88°32'E as shown on the 4 CSM 48 which equates to 0.5' extending out 15'+-. The line should be extended to the ordinary high water mark (lakes edge) at which point it projects out to the median line of Lake Metonga.

This Survey report was done as a supplement to the boundary survey preformed for Dennis Aerts labeled as drawing # S-2609 Dated Mar. 18th.

