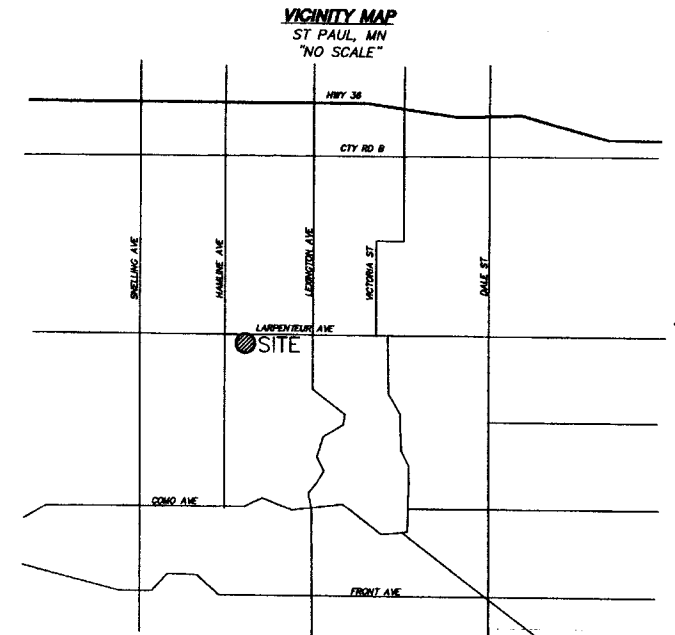


# CERTIFICATE OF SURVEY

prepared for:  
**FIDELITY NATIONAL TITLE INSURANCE CORPORATION  
 AND O'REILLY AUTOMOTIVE STORES, INC.**  
 of  
**1318 Larpenteur Ave  
 St. Paul, Minnesota**

**PRESENT OWNERS**  
 (PER TITLE COMMITMENT NO. 233014)  
 Lora, Inc., a Minnesota Corporation



**SITE/PROJECT BENCHMARK**  
 TOP NUT HYDRANT: NE CORNER OF THE SITE -  
 242.12 (CITY OF SAINT PAUL DATUM)  
 [936.36-NAVD 88]

**BEARING NOTE**  
 FOR THE PURPOSES OF THIS SURVEY THE WEST LINE OF LOTS 1-6, OF BLOCK 3, CHELSEA HEIGHTS, IS ASSUMED TO BEAR NORTH 00 DEGREES 31 MINUTES 02 SECONDS EAST.

**FLOOD ZONE**  
 THE SUBJECT PROPERTY IS WITHIN A PANEL THAT HAS NOT BEEN PRINTED BY FEMA, AS OF THE TIME OF THIS SURVEY.

**ZONING**  
 THIS PROPERTY IS WITHIN THE CITY OF ST. PAUL CITY LIMITS AND IS LOCATED IN THE FOLLOWING ZONING DISTRICTS:

- B2: COMMUNITY BUSINESS DISTRICT (LOTS 1-3)  
 SETBACKS:  
 FRONT, SIDE, REAR: 0 FEET  
 MINIMUM 6 FOOT SETBACK REQUIRED FROM INTERIOR LOT LINES WHEN BUILDING WALL FACING SUCH LINE CONTAINS WINDOWS OR OTHER OPENINGS.
- VP: VEHICULAR PARKING (LOTS 4-6)  
 SETBACKS:  
 FRONT, SIDE, REAR: 4 FEET

**SITE AREA**  
 35,052 sq. ft.  
 0.805 acres

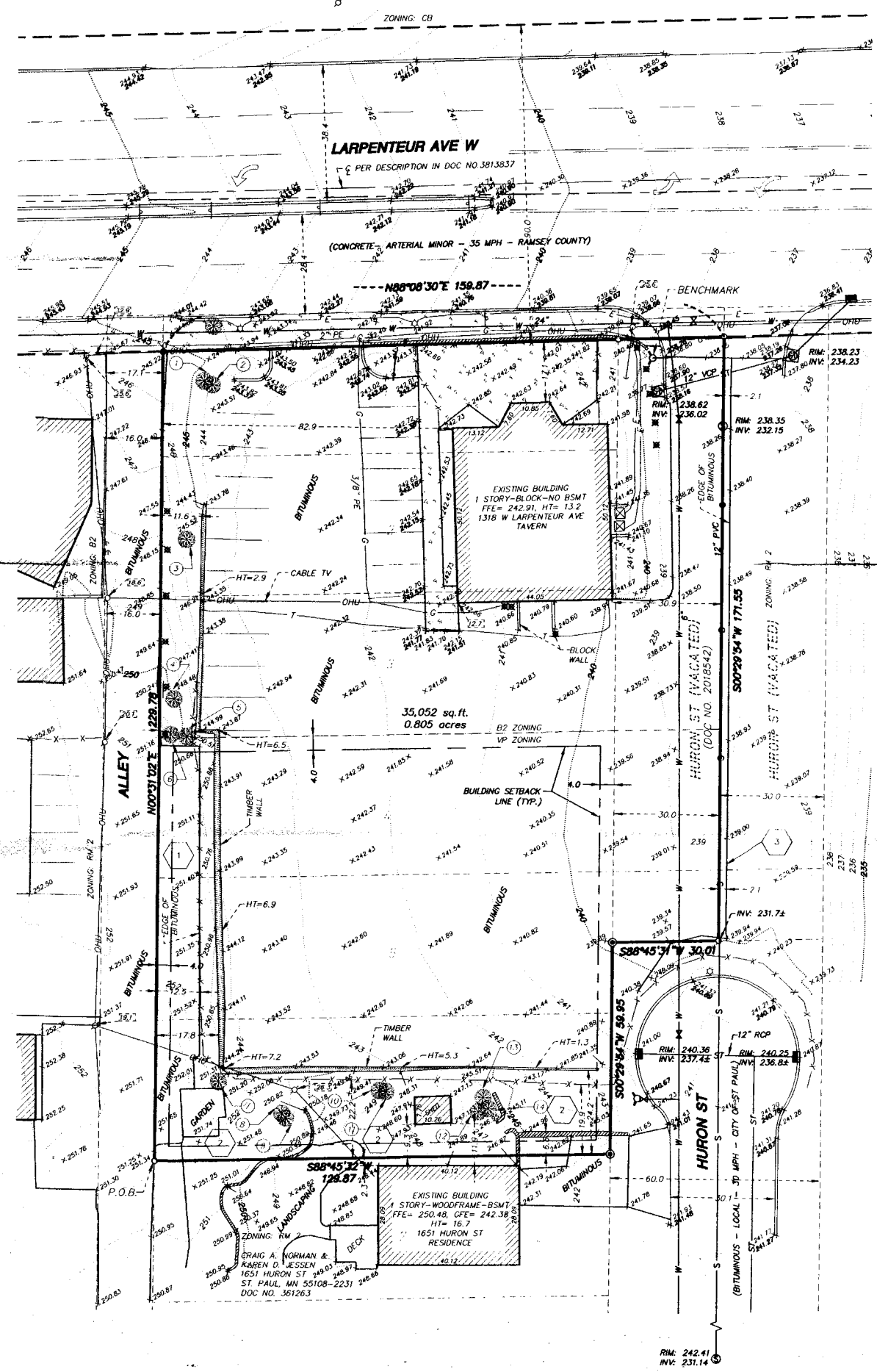
#	SPECIES	SIZE ("")
1	ELM	4
2	ELM	4
3	ASH	20
4	ASH	18
5	ELM	20
6	ELM	20
7	COTTONWOOD	12
8	COTTONWOOD	20
9	COTTONWOOD	14
10	COTTONWOOD	22
11	COTTONWOOD	30
12	COTTONWOOD	24
13	COTTONWOOD	18
14	COTTONWOOD	24

**UTILITY COMPANY CONTACT INFO**

- St. Paul Public Works (Storm/Sanitary): (651) 266-6237  
 Anca Sema  
 700 City Hall Annex  
 25 West Fourth Street  
 St. Paul, MN 55102
- St. Paul Regional Water Services (Water): (651) 266-6270  
 Engineering Division  
 1900 Rice Street  
 St. Paul, MN 55113
- Xcel Energy (Gas/Elec): (612) 337-2343  
 Shone Peterson  
 1518 Chestnut Ave North  
 Minneapolis, MN 55403
- West (Phone): (612) 861-8158  
 John Cesare  
 6244 Cedar Avenue South  
 Richfield, MN 55423

**NOTE REGARDING UTILITIES**

The location of underground utilities shown hereon are approximate and are based on field locations of visible structures or markings at the time of our survey and complying information furnished by various utility companies and governmental agencies. The markings shown on the face of this survey are per Gopher State One Call ticket number 121772653.



**LEGAL DESCRIPTION (PER TITLE COMMITMENT)**

Lots 1, 2, 3, 4, 5, and 6, Block 3, Chelsea Heights

**METES AND BOUNDS DESCRIPTION**

All of Lots 1-6 Inclusive, Block 3, CHELSEA HEIGHTS, Ramsey County, Minnesota, subject to Larpenteur Avenue AND the West Half of that part of Huron Street, vacated in Document No. 2018542, described by Metes and Bounds as follows:

Beginning at the southwest corner of said Lot 6; thence North 00 degrees 02 minutes 02 seconds East, assumed bearing along the west line of said Lots 1-6 Inclusive, a distance of 229.78 feet to the southerly right of way line of Larpenteur Avenue; thence North 88 degrees 08 minutes 30 seconds East, along said right of way line a distance of 158.87 feet to the east line of the West Half of vacated Huron Street; thence South 00 degrees 29 minutes 54 seconds West, along said east line, a distance of 171.55 feet to a line lying 20.00 feet southerly and parallel to the easterly extension of the north line of said Lot 5; thence South 88 degrees 45 minutes 31 seconds West, along said line lying 20.00 feet southerly and parallel to the easterly extension of the north line of Lot 5, a distance of 30.01 feet to the east line of said Block 3; thence South 00 degrees 29 minutes 54 seconds West along said east line of Block 3, a distance of 59.95 feet to the southeast corner of said Lot 6, Block 3; thence South 88 degrees 45 minutes 32 seconds West, along the south line of said Lot 6, a distance of 129.87 feet to the point of beginning and there terminating.

Said parcel contains 35,052 square feet or 0.805 acres.

Subject to any assessments, restrictions, or reservations of record, if any.

**NOTES CORRESPONDING TO TITLE INSURANCE COMPANY SCHEDULE B - SECTION II EXCEPTIONS COMMITMENT NUMBER: 233014 COMMITMENT DATE: May 29, 2012 at 8:00 AM**

- 12. Subject to restrictions contained in Document No. 151278 (Covers Lots 1, 2 and 3) (Recital on Certificate). COMMENT: THIS DOCUMENT AFFECTS THE SUBJECT PROPERTY.
- 13. Condemnation of certain lands for addition to Larpenteur Avenue as contained in Final Certificate recorded April 1, 1958 as Document No. 3813837. COMMENT: THIS DOCUMENT AFFECTS THE SUBJECT PROPERTY.
- 14. Easement for slopes, cuts and fills in the grading of alley adjoining as contained in Final order of Condemnation recorded November 17, 1958 as Document No. 397365. COMMENT: LEGIBLE DOCUMENT NOT PROVIDED.
- 15. Easement for slopes, cuts and fills in the grading of alley adjoining as contained in Final order of Condemnation recorded November 16, 1959 as Document No. 410712. COMMENT: LEGIBLE DOCUMENT NOT PROVIDED.
- 16. Condemnation of certain lands for addition to Larpenteur Avenue as contained in Petition recorded March 28, 1990 as Document No. 918490. COMMENT: LEGIBLE DOCUMENT NOT PROVIDED.
- 17. Resolution vacating street right of way, but reserving utility easements and imposing restrictions, recorded September 24, 2007 as Document No. 2018542. COMMENT: THIS DOCUMENT AFFECTS THE SUBJECT PROPERTY. THE LOCATION OF THE VACATED RIGHT OF WAY IS SHOWN HEREON.

**SURVEYOR'S NOTE**

DUE TO THE ILLIABILITY OF THE DOCUMENTS PROVIDED FOR EXCEPTIONS 14, 15, 16, THE SURVEYOR RESERVES THE RIGHT TO MAKE FUTURE CHANGES TO THIS SURVEY UNTIL LEGIBLE DOCUMENTS ARE PROVIDED.

**NOTES**

- 1. THERE IS NO HIGHWAY STATIONING AVAILABLE ADJACENT TO THE SITE.
- 2. THE TYPICAL AMOUNT OF WATERMAIN COVER IS BETWEEN 6 AND 8 FEET. THE CITY STANDARD FOR MINIMUM AMOUNT OF COVER IS DEPENDENT ON THE SIZE OF PIPE.
- 3. THERE ARE NO PLANS TO EITHER WIDEN THE DRIVING SURFACE OR ACQUIRE ANY ADDITIONAL RIGHT OF WAY ALONG LARPENTEUR AVE (CITY RD 30), ADJACENT TO THE SITE, AT THIS TIME PER JOE LUX (651-266-7141), PLANNING SPECIALIST WITH RAMSEY COUNTY PUBLIC WORKS.
- 4. THERE ARE NO PLANS TO EITHER WIDEN THE DRIVING SURFACE OR ACQUIRE ANY ADDITIONAL RIGHT OF WAY ALONG HURON STREET AND THE ALLEY, ADJACENT TO THE SITE, AT THIS TIME PER DAN HANK (651-266-6084), MANAGER, STREET DESIGN AND CONSTRUCTION DIVISION FOR THE CITY OF ST. PAUL.

**LEGEND**

- DENOTES FOUND IRON PIPE
- DENOTES SET PK NAIL
- DENOTES SET 1/2" IRON PIPE
- DENOTES SANITARY MANHOLE
- DENOTES STORM SEWER CATCH BASIN
- DENOTES STORM SEWER MANHOLE
- DENOTES WATER VALVE
- DENOTES POWER POLE AND GUY WIRE
- DENOTES LIGHT POLE
- DENOTES GUARD POST
- DENOTES ELECTRIC PEDESTAL
- DENOTES KEYSTONE BLOCK RETAINING WALL
- DENOTES WOODEN FENCE
- DENOTES UNDERGROUND STORM SEWER
- DENOTES UNDERGROUND SANITARY SEWER
- DENOTES UNDERGROUND WATER MAIN
- DENOTES UNDERGROUND GAS LINE
- DENOTES UNDERGROUND TELEPHONE LINE
- DENOTES UNDERGROUND ELECTRIC LINE
- DENOTES OVERHEAD ELECTRIC, PHONE, CABLE (UNLESS NOTED)
- DENOTES EXISTING GROUND ELEVATION
- DENOTES EXISTING GUTTER LINE ELEVATION

**STATEMENT OF APPARENT ENCROACHMENTS**

- 1 THE WEST 12.54' OF THE SOUTH 1154' FEET OF THE SUBJECT PROPERTY APPEARS TO BE CURRENTLY USED AS PARKING ADJACENT TO THE ALLEY.
- 2 THE SOUTHERLY 20.00 FEET OF THE SUBJECT PROPERTY APPEARS TO BE OCCUPIED BY THE ADJACENT PROPERTY OWNER. THERE ARE NUMEROUS ENCROACHMENTS IN THIS AREA WHICH ARE SHOWN ON THE SURVEY, INCLUDING, BUT NOT LIMITED TO, RETAINING WALLS, A DRIVEWAY, A GARDEN SHED, AND AN OVERHEAD UTILITY LINE.
- 3 THE EDGE OF THE EXISTING BITUMINOUS PARKING AREA LIES 2.14 FEET EAST OF THE EAST PROPERTY LINE.

**SURVEYOR'S CERTIFICATION**

To O'Reilly Automotive Stores, Inc. and Fidelity 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 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS. The field work was completed on July 9, 2012.  
 Dated this 1st day of August, 2012.  
 [Signature]  
 Patricia J. Donahue, Land Surveyor  
 Minnesota License Number 48313  
 200 Third Avenue NE, Suite 100  
 Cambridge, Minn. 55008

**ANDERSON PASSE & ASSOCIATES**  
 CAMBRIDGE, MN 55008  
 200 THIRD AVENUE NE, SUITE 100  
 CAMBRIDGE, MN 55008  
 (763)689-4042 PH. (763)689-6681 FAX  
 CIVIL ENGINEERS LAND SURVEYORS PLANNERS

**SV1**