



EXCEPTIONS PER FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT NO. 564396, DATED DECEMBER 8, 2011

- INTEREST OF UNITED STATES OF AMERICA AND ITS REPRESENTATIVE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, AS EVIDENCED BY INSTRUMENT RECORDED IN LIBER 1382, PAGE 32
 QUIT CLAIM DEED FROM THE CITY OF BAY CITY TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY INCLUDES ALL OF PARCELS A & B AS SHOWN HEREIN.
- INTEREST OF THE CITY OF BAY CITY, A MICHIGAN PUBLIC BODY CORPORATE, AS EVIDENCED BY INSTRUMENT RECORDED IN LIBER 1852, PAGE 404
 QUIT CLAIM DEED FROM PORT FISHER LLC TO THE CITY OF BAY CITY INCLUDES ALL OF PARCELS A & B AS SHOWN HEREIN.
- MORTGAGE IN THE ORIGINAL AMOUNT OF \$500,000.00 DEED BY CONSUMERS POWER COMPANY TO CITY BANK FARMERS TRUST COMPANY, TRUSTEE, DATED SEPTEMBER 1, 1945, RECORDED SEPTEMBER 24, 1945, IN LIBER 201, PAGE 21, AS AMENDED BY MESH SUPPLEMENTAL INDENTURES.
 THE SUBJECT SITE IS NOT SPECIFICALLY INCLUDED IN THIS INSTRUMENT; HOWEVER SECTIONS XV "MISCELLANEOUS PROPERTY" AND XVI "DETERMINED PROPERTY" MAY INCLUDE BOTH PARCELS A & B AS SHOWN HEREIN AND ANY PROPERTY CONTAINED ON THOSE PARCELS.
- TERMS AND CONDITIONS CONTAINED IN AFFIDAVIT AS DISCLOSED BY INSTRUMENT RECORDED IN LIBER 2904, PAGE 292
 THIS DOCUMENT DOES NOT CONTAIN A SPECIFIC DESCRIPTION TYPING IT TO THE SUBJECT PROPERTY.
- 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.
- 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.
- INTEREST OF OTHERS IN OIL, GAS AND MINERAL RIGHTS, IF ANY, RECORDED IN THE PUBLIC RECORDS OR UNRECORDED.
 NO SPECIFIC DOCUMENTS WERE PROVIDED IN THE TITLE POLICY AND WE DID NOT OBSERVE ANY EVIDENCE OF UNRECORDED INTEREST OF OTHERS IN OIL, GAS AND MINERAL RIGHTS AT THE TIME OF THIS SURVEY.
- RIGHTS OF TENANTS, IF ANY, UNDER ANY UNRECORDED LEASES.
 NO SPECIFIC DOCUMENTS WERE PROVIDED IN THE TITLE POLICY AND WE WERE NOT AWARE OF ANY UNRECORDED LEASES AT THE TIME OF THIS SURVEY.
- LIEN FOR OUTSTANDING WATER OR SEWER CHARGES, IF ANY.
 NO SPECIFIC DOCUMENTS WERE PROVIDED IN THE TITLE POLICY AND WE WERE NOT AWARE OF ANY OUTSTANDING WATER OR SEWER CHARGES AT THE TIME OF THIS SURVEY.
- ALL TAXES PAID TO AND INCLUDING 2010, 2011 SUMMER TAXES PAID IN THE AMOUNT OF \$968.40, 2011 WINTER TAXES DUE IN THE AMOUNT OF \$811.15, TAX ITEM NO. 100-109-101-003-00

LEGAL DESCRIPTION

PARCEL A
 PART OF LOTS 5, 6, AND 7 OF BLOCK 111 OF THE PLAT OF LOWER SAGINAW, AS RECORDED IN LIBER 1, PAGE 4, BAY COUNTY RECORDS, LOCATED IN SECTION 28, TOWN 14 NORTH, RANGE 5 EAST, CITY OF BAY CITY, BAY COUNTY, MICHIGAN. DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 5 WHICH IS S00°21'47"W, ALONG THE WESTERLY LINE OF WATER STREET, 585.81 FEET FROM THE NORTHEAST CORNER OF BLOCK 110 OF SAID PLAT OF LOWER SAGINAW; THENCE CONTINUING S06°21'47"W, ALONG SAID WESTERLY LINE OF WATER STREET, 150.62 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7; THENCE N83°47'16"W, ALONG THE SOUTH LINE OF SAID LOT 7, 145.00 FEET; THENCE N00°21'47"W, PARALLEL WITH SAID WESTERLY LINE OF WATER STREET, 150.99 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 5; THENCE S83°39'44"E, ALONG SAID NORTH LINE OF LOT 5, 165.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.57 ACRES OF LAND, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.

PARCEL B
 PART OF LOTS 5, 6, AND 7 OF BLOCK 111 OF THE PLAT OF LOWER SAGINAW, AS RECORDED IN LIBER 1, PAGE 4, BAY COUNTY RECORDS, LOCATED IN SECTION 28, TOWN 14 NORTH, RANGE 5 EAST, CITY OF BAY CITY, BAY COUNTY, MICHIGAN. DESCRIBED AS BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 7 WHICH IS S00°21'47"W, ALONG THE WESTERLY LINE OF WATER STREET, 732.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7 AND N83°47'16"W, ALONG THE SOUTH LINE OF SAID LOT 7, 165.00 FEET FROM THE NORTHEAST CORNER OF BLOCK 110 OF SAID PLAT OF LOWER SAGINAW; THENCE CONTINUING N83°47'16"W, ALONG SAID SOUTH LINE OF LOT 7, 595.58 FEET TO A POINT ON AN INTERMEDIATE SHORE TRAVERSE SURVEY LINE OF THE SAGINAW RIVER; THENCE N12°29'39"E, ALONG SAID TRAVERSE SURVEY LINE, 153.17 FEET TO A POINT ON THE NORTH LINE OF LOT 5 OF SAID BLOCK 111; THENCE S83°39'44"E, ALONG SAID NORTH LINE OF LOT 5, 579.20 FEET; THENCE S00°21'47"W, PARALLEL WITH THE WESTERLY LINE OF WATER STREET, 150.99 FEET TO THE POINT OF BEGINNING, CONTAINING 2.08 ACRES OF LAND WITHIN THE INTERMEDIATE SHORE TRAVERSE SURVEY LINE AND ALSO INCLUDING ALL LANDS EXTENDING WESTERLY FROM THE INTERMEDIATE SHORE TRAVERSE SURVEY LINE TO THE WATERS EDGE BETWEEN THE WESTERLY EXTENSION OF THE NORTH AND SOUTH PROPERTY LINES AND SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.

NOTE:
 BEARINGS BASED ON WESTERLY LINE OF WATER STREET BEING S02°21'47"W AS PER PREVIOUS SURVEYS AND A DESCRIPTION RECORDED IN WARRANTY DEED LIBER 1852, PAGE 410, BAY COUNTY RECORDS

- LEGEND**
- FOUND IRON
 - SET IRON
 - PARCEL BOUNDARY
 - RECORD PLAT LINES
 - EXISTING GRAY LINES
 - EXISTING DISTRIBUTION LINES
 - FENCE LINES

PLAN DATE: 01-02-12
 PROJECT MGR: JHR
 REVIEWER: JHR
 SCALE: 1"=80'

PREPARED FOR
CITY OF BAY CITY
 CONSUMERS ENERGY SALE PARCEL

ROWE PROFESSIONAL SERVICES COMPANY

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REV:
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 JOB No: 11M0021

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