SURVEY AND LEGAL DESCRIPTION

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SCALE: 1" = 40'

0 40 80 120

NOTE:

–PARCEL "A", PARCEL "B" & PARCEL "C" COMBINED TOTAL ACREAGE IS 6.42.

–PARCEL "D" & PARCEL "E" COMBINED TOTAL ACREAGE IS 0.88.

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees 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 the surveyor does certify that they are located as accurately as possible from the information available.

LEGEND

- EXIST. CONTOUR
- EXIST. SPOT ELEVATION
- EXIST. UTILITY POLE
- EXIST. UTILITY POLE W/ TRANS.
- EXIST. GUY POLE
- GUY WIRE
- ELEC. TRANSFORMER
- EXIST. OVERHEAD UTILITY LINE
- EXIST. LIGHT POLE
- EXIST. TELEPHONE LINE
- EXIST. ELECTRIC LINE
- EXIST. GAS LINE
- EXIST. GAS VALVE
- EXIST. FIBER OPTIC LINE
- EXIST. WATER MAIN
- EXIST. HYDRANT
- EXIST. GATE VALVE IN BOX
- EXIST. GATE VALVE IN WELL
- EXIST. STORM SEWER
- EXIST. CATCH BASIN OR INLET
- EXIST. SANITARY SEWER
- (R) RECORDED
- SIGN
- TELEPHONE RISER
- ELECTRIC METER
- GAS METER
- POST
- MONITORING WELL
- FENCE
- FOUND IRON PIPE
- FOUND MONUMENT
- SET P.K.
- FOUND P.K.
- SET IRON ROD
- FOUND IRON ROD
- C/L CENTERLINE
- GPR GROUND PENETRATING RADAR FLAG
- SECTION CORNER
- APPROXIMATE LOCATION OF ZONE AE TAKEN FROM FEMA MAP
- APPROXIMATE LOCATION OF FLOODWAY TAKEN FROM FEMA MAP

MIDWESTERN CONSULTING
3815 Plaza Drive, Ann Arbor, Michigan 48108
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MORNINGSIDE
223 WEST ERIE ST., THIRD FLOOR,
CHICAGO, ILLINOIS 60654

LOWERTOWN

ALTA/NSPS LAND TITLE SURVEY OF LAND LOCATED IN THE SW 1/4 OF SECTION 21, T2S, R6E, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN

1

JOB No. 16196

REVISIONS:
Revised per Miller, Canfield comments 10/17/16

DATE: 10/03/16
SHEET 1 OF 2
CADD:
ENG:
PM:
TECH: KMW
16196_ALTA
FB# 480

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LEGAL DESCRIPTION OF A LAND LOCATED IN THE CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN

PARCEL A:

Commencing at the Northwest corner of Lot 30 of ASSESSOR'S PLAT NO. 32, as recorded in Liber 9, Page 45 of Plats, Washtenaw County Records; thence North 57 degrees 48 minutes 00 seconds East 15.86 feet along the Southerly right-of-way line of Broadway Street (variable width) to the point of beginning; thence continuing along said Southerly right-of-way line in the following two (2) courses: (1) North 57 degrees 48 minutes 00 seconds East 10.02 feet and (2) North 58 degrees 18 minutes 42 seconds East 33.55 feet (recorded as North 58 degrees 18 minutes 00 seconds East); thence along the centerline of Traver's Creek in the following four (4) courses: (1) South 22 degrees 41 minutes 48 seconds East 13.78 feet (recorded as South 22 degrees 42 minutes 30 seconds East), (2) South 52 degrees 07 minutes 48 seconds East 51.77 feet (recorded as South 52 degrees 08 minutes 30 seconds East, (3) South 65 degrees 43 minutes 18 seconds East 29.31 feet (recorded as South 65 degrees 44 minutes 00 seconds East and (4) South 73 degrees 04 minutes 18 seconds East 50.81 feet (recorded as South 73 degrees 06 minutes 00 seconds East); thence North 37 degrees 31 minutes 42 seconds East 25.40 feet (recorded as North 37 degrees 31 minutes 00 seconds East); thence South 79 degrees 25 minutes 00 seconds East 177.53 feet along the Northeasterly line of Lot 25 of ASSESSOR'S PLAT NO. 32; thence South 31 degrees 16 minutes 00 seconds West 107.37 feet along the Northwesterly line of Ross Maiden Lane Apartments; thence North 58 degrees 44 minutes 00 seconds West 116.74 feet; thence South 76 degrees 16 minutes 00 seconds West 120.49 feet; thence North 32 degrees 12 minutes 00 seconds West 142.55 feet to the point of beginning. Being a part of Lots 25 and 30 of said ASSESSOR'S PLAT NO. 32, as recorded in Liber 9, Page 45 of Plats, Washtenaw County Records.

PARCEL B:

Commencing at the Westerly corner of Lot 78, ASSESSOR'S PLAT NO. 33, as recorded in Liber 9, Page 46 of Plats, Washtenaw County Records; thence South 58 degrees 44 minutes 00 seconds East 653.70 feet along the Northerly right-of-way line of Maiden Lane (50 feet wide); thence North 31 degrees 16 minutes 00 seconds East 255.50 feet; thence North 58 degrees 44 minutes 00 seconds West 75.00 feet; thence North 31 degrees 16 minutes 00 seconds East 234.63 feet along the Northwesterly line of Ross Maiden Lane Apartments to the point of beginning; thence North 58 degrees 44 minutes 00 seconds West 13.39 feet to a point on the outside foundation line of a proposed parking garage; thence along said outside foundation line in the following eight (8) courses; (1) South 31 degrees 16 minutes 00 seconds West 225.17 feet, (2) South 58 degrees 44 minutes 00 seconds East 6.00 feet, (3) South 31 degrees 16 minutes 00 seconds West 9.50 feet, (4) North 58 degrees 44 minutes 00 seconds West 6.00 feet, (5) South 31 degrees 16 minutes 00 seconds West 93.46 feet, (6) North 58 degrees 44 minutes 00 seconds West 129.42 feet, (7) North 31 degrees 16 minutes 00 seconds East 90.29 feet and (8) South 58 degrees 44 minutes 00 seconds East 3.51 feet; thence along a common outside foundation line of said proposed parking garage with a proposed building in the following three (3) courses: (1) North 31 degrees 16 minutes 00 seconds East 219.90 feet, (2) North 76 degrees 16 minutes 00 seconds East 47.16 feet and (3) South 58 degrees 44 minutes 00 seconds East 94.44 feet; thence North 31 degrees 16 minutes 00 seconds East 53.16 feet; thence South 58 degrees 44 minutes 00 seconds East 11.50 feet; thence South 31 degrees 16 minutes 00 seconds West 68.57 feet along the Northwesterly line of said Ross Maiden Lane Apartments to the point of beginning. Being a part of Lot 83 of said ASSESSOR'S PLAT NO. 33, as recorded in Liber 9, Page 46 of Plats, and a part of Lot 25 and 28 of said ASSESSOR'S PLAT NO. 32, as recorded in Liber 9, Page 45 of Plats, Washtenaw County Records.

PARCEL C:

Beginning at the Westerly corner of Lot 78 of ASSESSOR'S PLAT NO. 33, as recorded in Liber 9, Page 46 of Plats, Washtenaw County Records; thence Northeasterly along the Southerly right-of-way line of Broadway Street in the following three courses: North 57 degrees 48 minutes 00 seconds East 564.63 feet, North 01 degrees 45 minutes 27 seconds East 20.50 feet and North 57 degrees 48 minutes 00 seconds East 15.86 feet; thence South 32 degrees 12 minutes 00 seconds East 142.55 feet; thence North 76 degrees 16 minutes 00 seconds East 120.49 feet; thence South 58 degrees 44 minutes 00 seconds East 105.24 feet; thence South 31 degrees 16 minutes 00 seconds West 53.16 feet to a point on the outside foundation line of a proposed parking garage common with the foundation line of a proposed building; thence along said common foundation line in the following three courses: North 58 degrees 44 minutes 00 seconds West 94.44 feet; South 76 degrees 16 minutes 00 seconds West 47.16 feet and South 31 degrees 16 minutes 00 seconds West 219.90 feet; thence along the outside foundation line of said proposed garage in the following eight courses: North 58 degrees 44 minutes 00 seconds West 3.51 feet, South 31 degrees 16 minutes 00 seconds West 90.29 feet, South 58 degrees 44 minutes 00 seconds East 129.42 feet, North 31 degrees 16 minutes 00 seconds East 93.46 feet, South 58 degrees 44 minutes 00 seconds East 6.00 feet, North 31 degrees 16 minutes 00 seconds East 9.50 feet, North 58 degrees 44 minutes 00 seconds West 6.00 feet, and North 31 degrees 16 minutes 00 seconds East 225.17 feet; thence South 58 degrees 44 minutes 00 seconds East 13.39 feet; thence South 31 degrees 16 minutes 00 seconds West 234.63 feet along the Northwesterly line of Ross Maiden Lane Apartments; thence South 58 degrees 44 minutes 00 seconds East 75.00 feet; thence South 31 degrees 16 minutes 00 seconds West 255.50 feet along the West right-of-way line of Nielsen Court; thence North 58 degrees 44 minutes 00 seconds West 653.70 feet along the Northerly right-of-way line of Maiden Lane to the point of beginning. Being Lots 26, 27 and 29 and a portion of Lots 25, 28 and 30 of ASSESSOR'S PLAT NO. 32, as recorded in Liber 9, Page 45 of Plats,
Washtenaw County Records and Lots 72 through 82, inclusive, Lots 84 through 87, inclusive, and a part of Lot 83 and a vacated alley of ASSESSOR'S PLAT NO. 33, as recorded in Liber 9, Page 46 of Plats, Washtenaw County Records.

PARCEL D:

Lots 70 through 72, ASSESSOR'S PLAT NO. 48, as recorded in Liber 16, Page 55 of Plats, Washtenaw County Records. EXCEPT that part of Lot 70 deeded to the City of Ann Arbor in Liber 1832, Page 131.

PARCEL E:

Lot 73, ASSESSOR'S PLAT NO. 48, as recorded in Liber 16, Page 55 of Plats, Washtenaw County Records.

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees 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 the surveyor does certify that they are located as accurately as possible from the information available.

BEING SUBJECT TO:

3. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a document:
   In favor of: City of Ann Arbor
   Purposes: storm and sanitary sewers
   Recording No: Liber 628, Page 226 (PLOTTED)
4. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a deed:
   Purpose: to establish, use and repair drain
   Recording No: Liber 903, Page 111 (PLOTTED)
5. Resolution to vacate alley as set forth below:
   Recording No: Liber 935, Page 629 (as to Parcels B and C) (PLOTTED)
6. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a deed:
   Recording No: Liber 1074, Page 67 (LOCATION CANNOT BE DETERMINED FROM THE RECORD DOCUMENT)
7. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in documents:
   Entitled: Declaration of Taking
   Recording Nos: Liber 1712, Page 253, and Liber 1730, Page 456 (PLOTTED)
8. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in document:
   Entitled: Right of Way Agreement
   Purpose: Public Utilities
   Recording Nos: Liber 1756, Page 994 (PLOTTED)
9. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a document:
   In favor of: City of Ann Arbor
   Purposes: water mains, storm sewers, sanitary sewers and appurtenances
   Recording No: Liber 1791, Page 160 (PLOTTED)
10. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a document:
   In favor of: City of Ann Arbor
   Purposes: water mains, storm sewers, sanitary sewers and appurtenances
   Recording No: Liber 1857, Page 620 (PLOTTED)
11. Right(s) of Way and/or Easement(s) and rights incidental thereto as granted in a document:
   Granted to: Michigan Bell Telephone Company
   Recording Nos: Liber 1925, Pages 652, 653 and 654 (as to Parcel C) (PLOTTED)
12. Right(s) of Way and/or Easement(s) and rights incidental thereto as granted in a document:
   Granted to: Detroit Edison Company
   Recording Nos: Liber 1968, Page 152; Liber 1973, Page 649; and Liber 1978, Page 121 (as to Parcel C) (PLOTTED)
13. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a deed:
   Recording No: Liber 2197, Page 958 (as to Parcels A and C) (PLOTTED)
14. Reciprocal easement and parking agreement, as shown below and rights incidental thereto as created by the following document:
   Recording No: Liber 3881, Page 698 (PLOTTED)
15. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a deed:
   Recording No: Liber 3938, Page 309 (as to Parcels A and C) (PLOTTED)
16. Terms, Covenants, and Conditions of Broadway Village at Lower Town Development Agreement as set forth below:
   Recording No: Liber 4664, Page 171 (DOCUMENT BLANKET IN NATURE)
   An agreement to modify the terms and provisions of said agreement as therein provided
   Entitled: First Amendment
   Recording No: Liber 4664, Page 172 (DOCUMENT BLANKET IN NATURE)
17. Fee Simple Interest of Raab Broadway Development, L.L.C., a Michigan limited liability company, as to Parcel D; and Commerce Development Company, Inc., a Michigan corporation, as to Parcel E and the terms, covenants, conditions and provisions as contained in said lease, as revealed by:
   Entitled: Memorandum of Lease
   Lessor: Raab Broadway DEevelopment, LLC and Commerce Development Company, Inc.
   Lessee Lower Town Project, LLC
   Recording Date: December 19, 2007
   Recording No: Liber 4658, Page 560 (as to Parcels D and E) (Document Blanket in Nature)
19. Rights and interests of the United States of America, the State of Michigan, other governmental entities, the public and riparian owners, in that part of the lands tying within the bounds of Traver Creek and Traver Drain as established by its mean high water mark.
20. Rights of the public to any portion of the Land lying within the bounds of any street, road, alley or highway.

NOTES:

1)THIS SURVEY WAS PREPARED USING FIRST CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT No. 811003110NTS WITH AN EFFECTIVE DATE OF JUNE 27, 2016.

2)THE LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS INSURED IN THE TITLE COMMITMENT AND ANY EXCEPTIONS HAVE BEEN NOTED HEREIN.

3)SAID DESCRIBED PROPERTY IS LOCATED WITHIN A 100-YEAR FLOOD PLANE ZONE PER FLOOD INSURANCE RATE MAP NO. 26161C0261E WITH AN EFFECTIVE DATE OF APRIL 3, 2012, FOR COMMUNITY NUMBER 260213, IN WASHTENAW COUNTY, STATE OF MICHIGAN, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

4)THERE IS NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.

5)THERE IS NO OBSERVED EVIDENCE OF THIS BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

8)THE PARCEL HEREIN DESCRIBED HAS 36 REGULAR STRIPPED PARKING SPACES AND 3 HANDICAP SPACES.

9)SITE ADDRESS: 943, 923, 915, 959 MAIDEN LANE, 1120, 1140, 1156, 1160 BROADWAY STREET, 1133, 1135, 1149 BROADWAY STREET, ANN ARBOR, MICHIGAN 48105.

To: Morningside Lower Town, LLC, a Michigan limited liability company, (Chicago Title of Michigan, Inc.), (Lower Town Project LLC, a Delaware limited liability company):

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7a, 8, 9 and 16 of Table A thereof. The fieldwork was completed on October 2, 2016.

MIDWESTERN CONSULTING, LLC

By: ______________________________
Patrick L. Hastings, P.S. No. 37277

Date: October 4, 2016

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C O N S U L T I N G
3815 Plaza Drive Ann Arbor, Michigan 48108
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223 WEST ERIE ST., THIRD FLOOR,
CHICAGO, ILLINOIS 60654

LOWERTOWN

ALTA/NSPS LAND TITLE SURVEY OF LAND LOCATED IN THE SW 1/4 OF SECTION 21, T2S, R6E, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN

2

DATE: 10/04/16
SHEET 2 OF 2
CADD:
ENG: TC
PM: PLH
TECH: KMW
16196_ALTA
FB#:460

JOB No. **16196**

REVISIONS:	REV. DATE
Revised per Miller Canfield comments	10/11/16

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M:\Civil3d_Proj\16196\Survey\16196_ALTA.dwg, 10/11/2016 8:07 AM, Pat Hastings, None

CONCEPTUAL SITE PLAN

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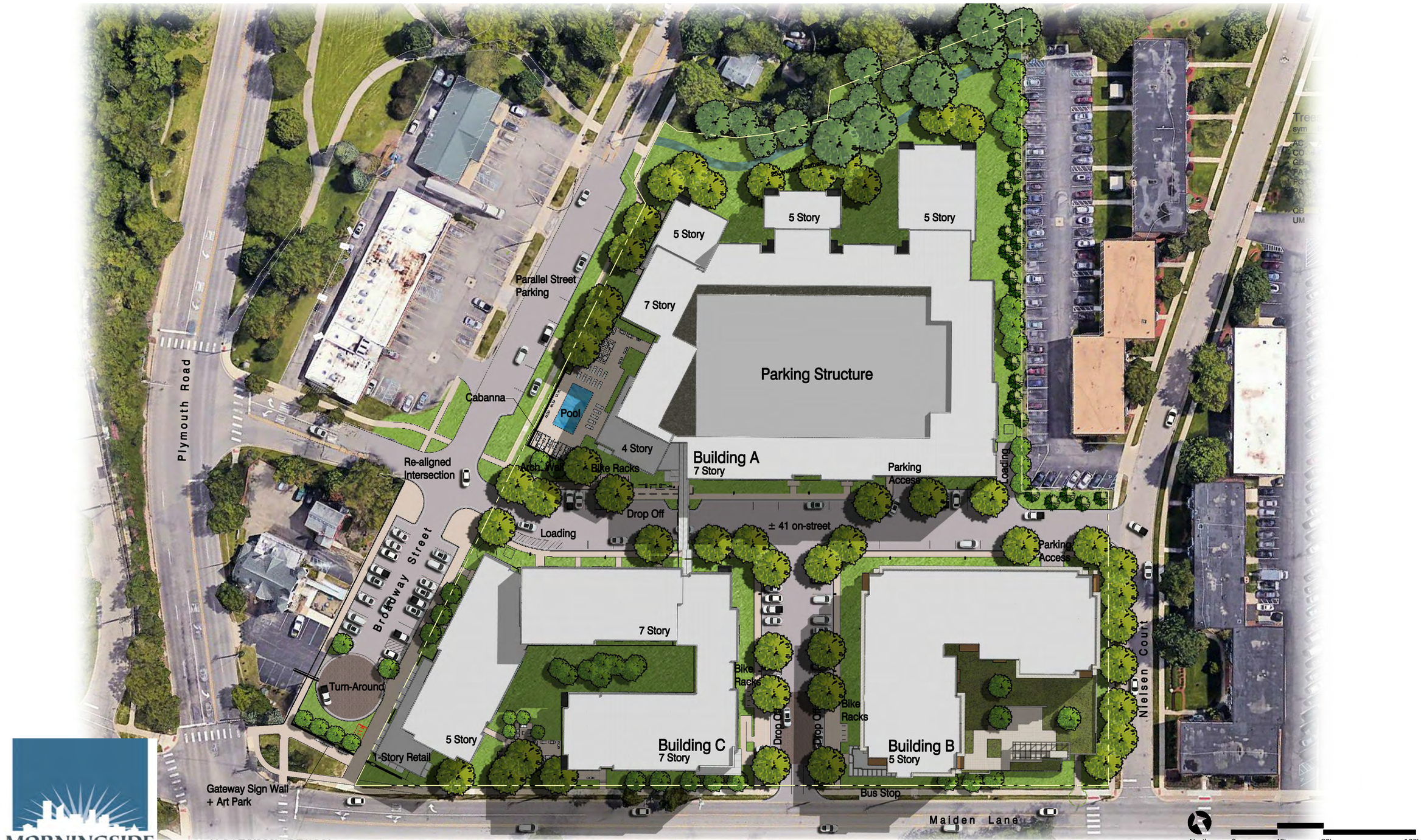

MORNINGSIDE

1140 Broadway
Ann Arbor, Michigan

Site Plan

43 South Vail Avenue
Arlington Heights, Illinois 60005
Job No. 16020 © 2017

February 7, 2017

HKM ARCHITECTS + PLANNERS, INC.