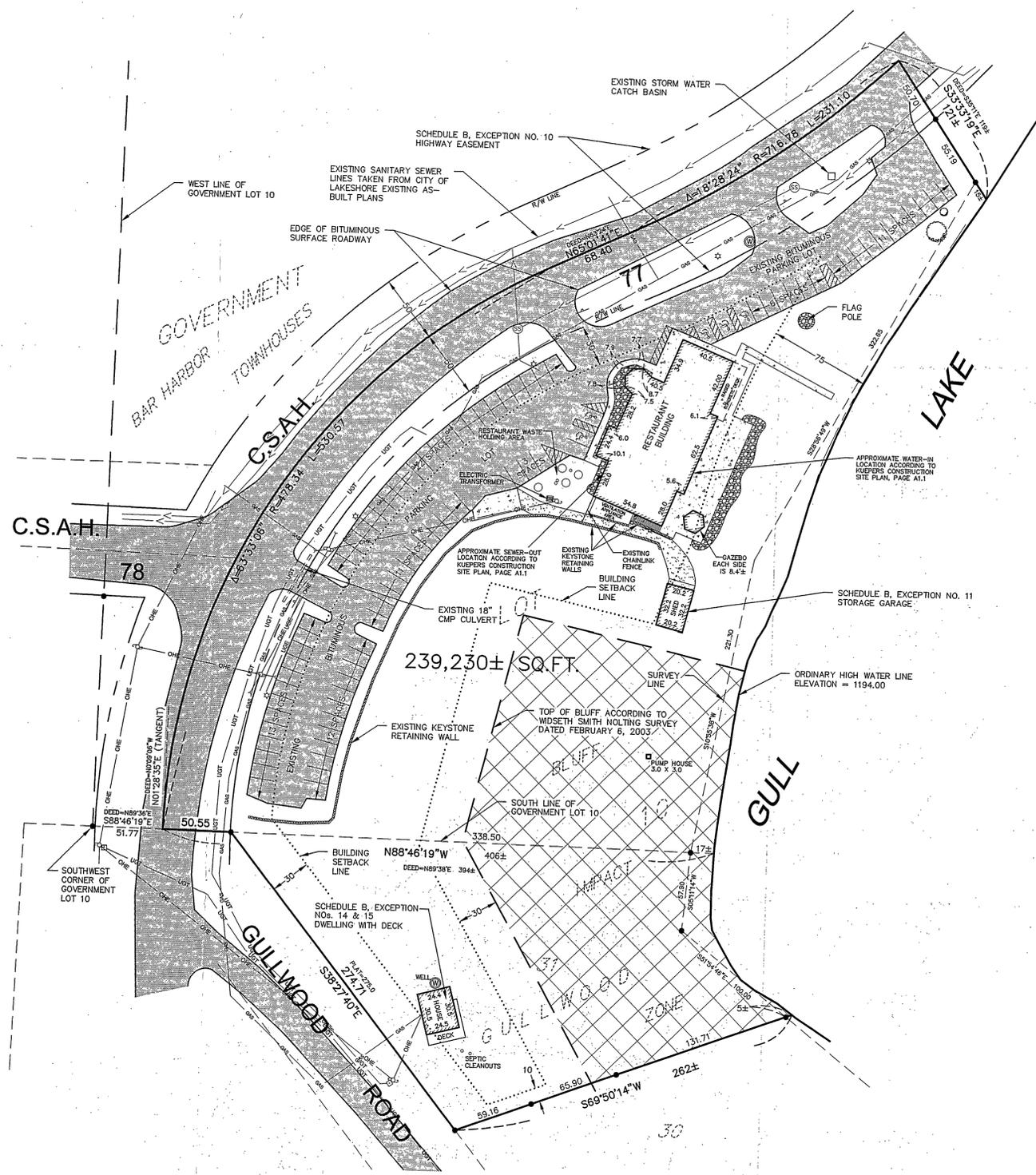


# ALTA/ACSM LAND TITLE SURVEY

PART OF GOVERNMENT LOT 10 AND LOT 31, GULLWOOD,  
SECTION 16, TOWNSHIP 135, RANGE 29,  
CASS COUNTY, MINNESOTA



LEGAL DESCRIPTION (According to LandAmerica Lawyers Title Commitment No. BRD0301249R):  
(Abstract) Cass County, Minnesota

Parcel 1:  
Lot Thirty-one (31), Plat of Gullwood.

Parcel 2:  
That part of Government Lot 10, Section 16, Township 135, Range 29 described as follows: Commencing at the southwest corner of said Lot 10; thence North 89 degrees 36 minutes East 51.77 feet along the south line of said Lot 10 to a point on the centerline of County State Aid Highway 77, the point of beginning of the tract to be described, said point being on a curve, Radius 478.34 feet, concave to the southeast, the tangent to which at this point bears North 0 degrees 09 minutes 06 seconds West; thence northerly and northeasterly along said curve a distance of 530.57 feet, central angle 63 degrees 33 minutes 06 seconds, along said centerline to point of tangency; thence North 63 degrees 24 minutes East 68.40 feet along said centerline to a point of tangential curve to the left, radius 716.78 feet; thence northeasterly along said curve a distance of 231.10 feet, central angle 18 degrees 28 minutes 24 seconds, along said centerline; thence South 35 degrees 11 minutes East 119 feet, more or less, to the shore of Gull Lake; thence southwesterly along said shore to the south line of said Lot 10; thence South 89 degrees 38 minutes West 394 feet, more or less, along the south line of said Lot 10 to the point of beginning. Subject to the highway easement for said County State Aid Highway 77.

Surveyor's Note:

The following Schedule B items could not be shown on the drawing:

- Schedule B, Exception No. 10:  
- The Highway Easement for County State Aid Highway 77 as recorded in Document No. 202381 was meant to supercede and correct the Highway Easements recorded in Book 3 of Miscellaneous, page 409 and Book Y of Miscellaneous, page 428.
- Schedule B, Exception No. 11:  
- Order of Variance Document No. 278444 for the installation of a leaching field - Property now utilizes City of Lakeshore sanitary sewer facilities.  
- Order of Variance Document No. 306396 - The patio as referenced in this Document no longer exists.
- Schedule B, Exception No. 12:  
- Order of Conditional Use Document No. 320806 - The area of fill described in this Document was not visible at the time of this survey.
- Schedule B, Exception No. 13:  
- Lot 31, GULLWOOD, is subject to the restrictive covenants as outlined in Document No. 253434.

Orders of Variance and Condition Use as outlined in Schedule B, Exception Nos. 11 and 12 applied to the previous restaurant facilities prior to the construction of the new restaurant facilities.

A Conditional Use Permit for the new restaurant facilities was granted in 2003.

According to the City of Lakeshore, the Flood Zone Elevation for this area has not been determined.

Underground utilities shown are as located by Gopher One, ticket no. 40517097 and from existing as-built plans from the City of Lakeshore. Widseth Smith Nolting assumes no responsibility for the completeness and accuracies of these locations. Further locations and verifications are recommended before any construction or excavation.

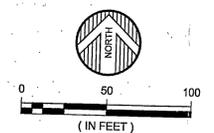
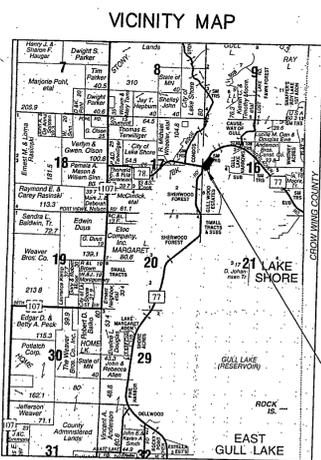
The undersigned hereby certifies to Wells Fargo Bank, National Association (the Lender); Bar Harbor Enterprises, Inc., a Minnesota Corporation, Steven C. Anderson and Deanna R. Anderson, husband and wife (the Borrower); and Complete Title Services, LLC (the Title Company); that this is a true and correct representation of a survey of the above-described real property showing:

- a The location of visible buildings or structures thereon.
- b The location of easements and encroachments onto or from such real property that are visible on the real property, known to the undersigned or as shown in said Title Commitment
- c The location of building set-back lines according to the City of Lakeshore Commercial Waterfront zone at the time of this survey;
- d The location of utilities serving such real property (and tie-in points with respect thereto);
- e Any flood hazard areas; and
- f All service roads, highways, bicycle paths, walkways, and parking areas on or serving the Project.

The undersigned hereby certifies to the Lender, the Borrower and the Title Company that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by the American Land Title Association, the American Congress on Surveying & Mapping, and the National Society of Professional Surveyors in 1999, and includes Items 1, 2, 3, 4, 6, 7(a), 8, 9, 10, 11, and 14 of Table A thereof. Pursuant to the certification, undersigned further certifies that proper field procedures, instrumentation and adequate field personnel were employed in order to achieve results comparable to those outlined in the "Minimum Angle, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys".

Dated: 6 Oct 2004, 2004

*Randy A. Quile*  
Randy A. Quile, Minnesota L.S., No. 42630



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON AN ASSUMED DATUM

- DENOTES FOUND IRON MONUMENT
- DENOTES EXISTING POWER POLE
- ☆ DENOTES EXISTING LIGHT POLE
- ⊕ DENOTES EXISTING TELEPHONE PEDESTAL
- ⊙ DENOTES EXISTING POWER POLE ANCHOR
- ⊖ DENOTES EXISTING SIGN POST

- DENOTES EXISTING CONCRETE SURFACE
- ▨ DENOTES EXISTING GRAVEL SURFACE
- ▩ DENOTES EXISTING LANDSCAPE ROCK
- GAS — DENOTES UNDERGROUND GAS LINE
- UST — DENOTES UNDERGROUND TELEPHONE LINE
- OHE — DENOTES OVERHEAD ELECTRIC LINE
- UEL — DENOTES UNDERGROUND ELECTRIC LINE
- ⊕ DENOTES EXISTING TELEPHONE PEDESTAL
- ⊙ DENOTES EXISTING SANITARY SEWER MANHOLE
- ⊖ DENOTES EXISTING WELL

DATE:	OCTOBER 6, 2004	DATE:		AMENDMENTS:	BY:	PREPARED FOR:	BAR HARBOR ENTERPRISES, INC.
SCALE:	AS SHOWN						
DRAWN BY:	RAQ						
CHECKED BY:	JWM						
FILE NUMBER:	6687L						

**WIDSETH SMITH NOLTING**  
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LAND SURVEYORS  
ENVIRONMENTAL SERVICES

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