

PROPERTY ADDRESS:
1839 MADISON AVENUE, COUNCIL BLUFFS, IOWA

LAND AREA:
87,119 SQUARE FEET OR 2.00 ACRES, MORE OR LESS.

REFERENCE PLAT:
NO REFERENCE PLAT PROVIDED FOR THIS SURVEY.

ENCROACHMENT:
1. CONCRETE WALL ENCROACHES OVER THE EAST PROPERTY LINE BY 3.6 FEET.
2. PHILLIPS 66 SIGN ENCROACHES OVER THE EAST PROPERTY LINE BY 2.0 FEET.

- NOTES:**
- PER THE CITY OF COUNCIL BLUFFS, IOWA ZONING REGULATIONS, THIS PROPERTY IS ZONED "C-2" - COMMERCIAL DISTRICT.
 - "C-2" ZONING REQUIREMENTS:
SETBACKS:
FRONT: 15 FEET
SIDE: 5 FEET (INTERIOR); 10 FEET (EXTERIOR)
REAR: 10 FEET
MAXIMUM BUILDING HEIGHT: 50 FEET
MAXIMUM BUILDING COVERAGE: 60%
MINIMUM LOT SIZE: 5000 SQUARE FEET
MINIMUM LOT WIDTH: 50 FEET
MINIMUM LOT DEPTH: 100 FEET
PARKING REQUIREMENTS: ONE SPACE FOR EACH 750 SQUARE FEET OF FLOOR AREA (PER AUTOMOBILE SERVICE ESTABLISHMENT)
 - THERE EXISTS A TOTAL OF 5 STRIPED PARKING STALLS ON THE SUBJECT PROPERTY (5 REGULAR + 0 HANDICAPPED).
 - THE SUBJECT PROPERTY IS LOCATED IN AN AREA LABELED ZONE "AE" (BASE FLOOD ELEVATIONS DETERMINED) AS DETERMINED BY FEMA FLOOD INSURANCE RATE MAP NUMBER 05069C0025D EFFECTIVE DATE MARCH 16, 2009.
 - ACCESS TO THE SUBJECT PROPERTY TO AND FROM RUE STREET, A PUBLICLY DEDICATED ROAD.
 - THE BASIS OF BEARING USED FOR THIS SURVEY WAS S16°23'40"W ON THE EASTERLY LINE OF THE SUBJECT PROPERTY.
 - UNDER THE CURRENT ZONING THE SUBJECT PROPERTY ALLOWS FOR A GAS STATION/CONVENIENCE STORE.
 - DRAINAGE APPEARS TO DRAIN INTO PUBLIC RIGHT-OF-WAYS BASED ON OBSERVATIONS, UNABLE TO DETERMINE DRAINAGE DIRECTION.
 - ALL UTILITIES APPEAR TO ENTER THE PROPERTY VIA A PUBLIC RIGHT-OF-WAY OR VIA A UTILITY EASEMENT.
 - THERE IS NO OBSERVABLE EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.
 - THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
 - THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION.
 - THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OF BUILDING ADDITIONS WITHIN RECENT MONTHS.
 - NO EVIDENCE OF POTENTIAL WETLANDS WERE OBSERVED ON THE SUBJECT PROPERTY AT THE TIME THE SURVEY WAS CONDUCTED, NOR HAVE WE RECEIVED ANY DOCUMENTATION OF ANY WETLANDS BEING LOCATED ON THE SUBJECT PROPERTY.
 - THIS SURVEY MAP CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.
 - THERE ARE NO DISCREPANCIES BETWEEN THE BOUNDARY LINES OF THE PROPERTY AS SHOWN ON THIS SURVEY MAP AND AS DESCRIBED IN THE LEGAL DESCRIPTION PRESENTED IN THE TITLE COMMITMENT.
 - THE BOUNDARY LINE DIMENSIONS AS SHOWN ON THIS SURVEY MAP FORM A MATHEMATICALLY CLOSED FIGURE WITHIN +/-0.1 FOOT.
 - THE BOUNDARY LINES OF THE PROPERTY ARE CONTIGUOUS WITH THE BOUNDARY LINES OF ALL ADJOINING STREETS, HIGHWAYS, RIGHTS OF WAY AND EASEMENTS, PUBLIC OR PRIVATE, WITHOUT GORES, GAPS OR OVERLAPS, AS DESCRIBED IN THEIR MOST RECENT RESPECTIVE LEGAL DESCRIPTIONS OF RECORD.
 - EXCEPT AS OTHERWISE NOTED BELOW, IF THE PROPERTY CONSISTS OF TWO OR MORE PARCELS, THERE ARE NO GAPS OR GORES BETWEEN SAID PARCELS.

SURVEY REFERENCE:
PROPERTY REPORT OWNERS & ENCUMBRANCES NO.: 20000330073
EFFECTIVE DATE: JANUARY 21, 2020 AT 8:00 A.M.
STEWART TITLE GUARANTY COMPANY

4. PROCEEDINGS PENDING ON A COMPLAINT FILED ON OCTOBER 9, 2017, AS CASE NO. SCSC115034, DISTRICT COURT OF POTTAWATTAMIE COUNTY, BY DOUG REISZ, PLAINTIFF, AND BUCK'S INC, DEFENDANT. (AFFECTS THE SUBJECT PROPERTY AND IS BLANKET IN NATURE)

DESCRIPTION:
PART 1:
A TRACT OF LAND, BEING A PORTION OF LOT 6 AND A PORTION OF THE ABANDONED RAILROAD RIGHT-OF-WAY, IN THE SOUTHWEST QUARTER NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 74, RANGE 43 IN POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING FROM THE WEST QUARTER CORNER OF SECTION 5, TOWNSHIP 74, RANGE 43 AND ASSUMING THE WEST LINE OF SAID SECTION 5 TO BEAR DUE NORTH AND SOUTH; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 519.22 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE OF SECTION 5, TOWNSHIP 74, RANGE 43 WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF MADISON AVENUE EXTENDED WEST FROM LOT 6; THENCE NORTH 85 DEGREES 43 MINUTES 30 SECONDS EAST ALONG SAID SOUTHERLY LINE FOR A DISTANCE OF 301.35 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 85 DEGREES 43 MINUTES 30 SECONDS EAST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF MADISON AVENUE FOR A DISTANCE OF 143.89 FEET TO THE POINT OF INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY LINE WITH THE WESTERLY RIGHT-OF-WAY LINE OF THE C.M. & ST. P RAILROAD; THENCE SOUTH 16 DEGREES 56 MINUTES 38 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 249.83 FEET; THENCE SOUTH 85 DEGREES 43 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 249.51 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE RELOCATED COUNTY ROAD; THENCE ALONG ID EASTERLY RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT: WITH A LONG CHORD OF 208.58 FEET BEARING NORTH 38 DEGREES 10 MINUTES 11 SECONDS EAST FOR AN ARC DISTANCE OF 209.17 FEET TO THE POINT OF TANGENCY; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 30 DEGREES 42 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 96.40 FEET TO THE POINT OF BEGINNING, TOGETHER WITH;

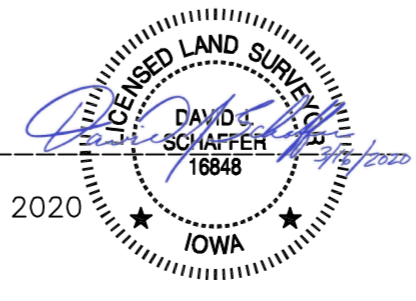
PART 2:
A PART OF THE ABANDONED RIGHT-OF-WAY OF THE CHICAGO ROCK ISLAND AND PACIFIC RAILROAD AND A PART OF THE AUDITOR'S SUBDIVISION LOT 6: ALL IN THE SOUTHWEST QUARTER NORTHWEST QUARTER SECTION, 5, TOWNSHIP 74, RANGE 43 IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 5, THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 197.18 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF A RELOCATED COUNTY ROAD; THENCE ALONG SAID RIGHT-OF-WAY NORTH 49 DEGREES 49 MINUTES 00 SECONDS EAST, 68.67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 49 DEGREES 49 MINUTES 00 SECONDS EAST, 21.72 FEET; THENCE NORTHEASTERLY 58.29 FEET ON A 804.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTH 85 DEGREES 43 MINUTES 30 SECONDS EAST, 249.92 FEET; THENCE SOUTH 16 DEGREES 23 MINUTES 40 SECONDS WEST, 271.72 FEET; THENCE NORTH 50 DEGREES 53 MINUTES 05 SECONDS WEST, 299.3 FEET TO THE POINT OF BEGINNING. (NOTE: THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5 IS ASSUMED TO BEAR DUE NORTH AND SOUTH)

SURVEYOR'S CERTIFICATE:
TO: BUCK'S INC., BUCHANAN ENERGY N, LLC, BUCHANAN ENERGY S, LLC, STEWART TITLE COMPANY, STEWART TITLE GUARANTY COMPANY AND THE MATTHEWS COMPANY, INC.:

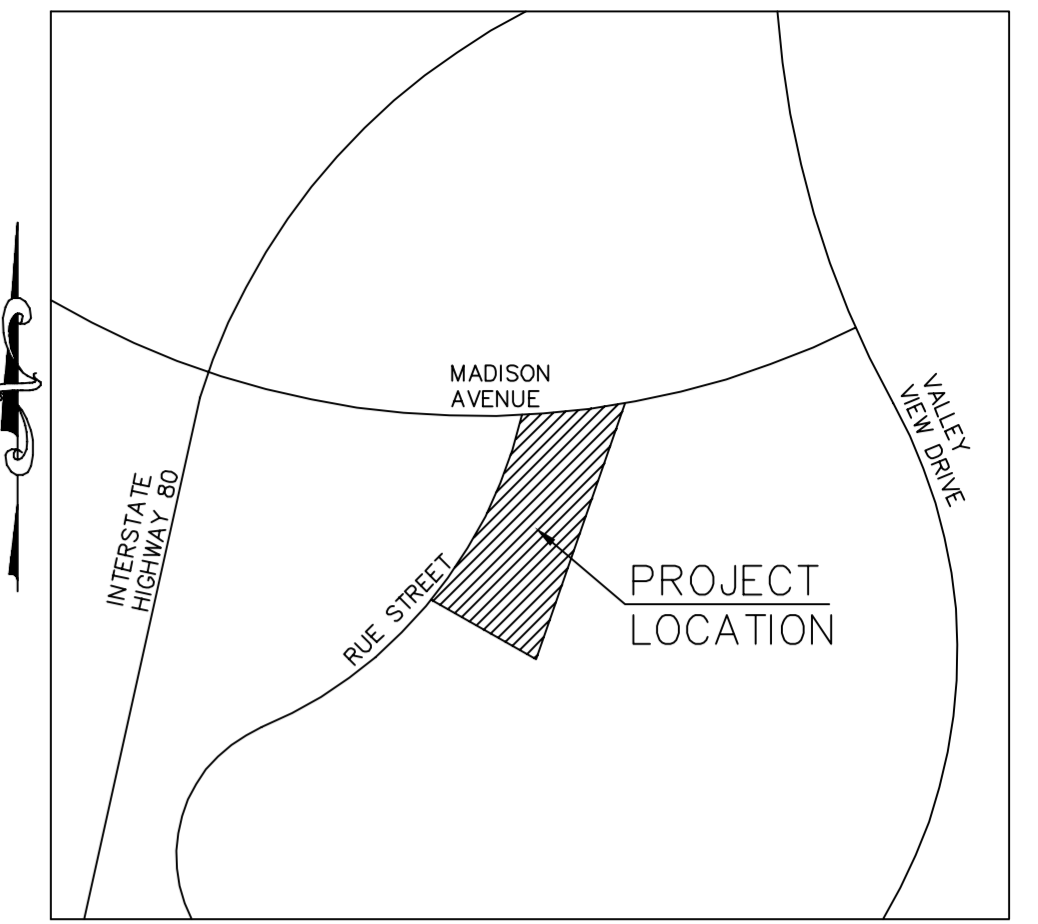
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6A, 6B, 7A, 7B, 7C, 8, 9, 10A, 13, 14, 16, 17, AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON FEBRUARY 26, 2020.

DATE OF PLAT OR MAP: MARCH 16, 2020

DAVID J. SCHAFFER
IOWA LS-16848
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020
IOWA CERTIFICATE OF AUTHORITY NO. 478180
EFFECTIVE DATE: FEBRUARY 5, 2012

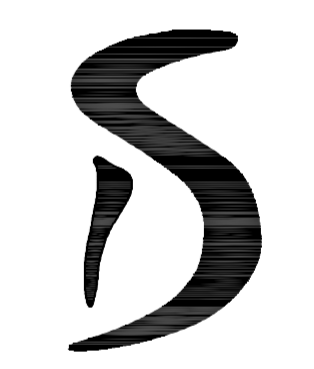


THE PROPERTY DESCRIBED AND SHOWN HEREON IS THE SAME PROPERTY DESCRIBED IN STEWART TITLE GUARANTY COMPANY TITLE PROPERTY REPORT OWNERS & ENCUMBRANCES NO. 20000330073 DATED JANUARY 21, 2020.



VICINITY MAP:
NOT TO SCALE

UTILITY NOTE:
"THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS, THE SURVEYOR MAKES NO GUARANTEE 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 EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES."



DESIGN SURVEYS, LLC
1237 SPRUCE STREET
EUDORA, KANSAS 66025
(785) 727-5531

"ALTA/NSPS LAND TITLE SURVEY"
PREPARED FOR:



17220 Newhope Street, Suites 108-110, Fountain Valley, CA 92708
Tel: (714) 979-7181 Fax: (714) 641-2840
www.themathewscosurvey.com

MARK	DATE	REVISION	BY	APVD

Buchanan Energy

1839 Madison Avenue
Council Bluffs, Iowa

SCALE: 1"=30'	CHKD./APVD:
DATE: 03/16/20	APPROVED:
DWN. BY: JMT	STORE NO. 119
CHKD BY:	