



Shovel Ready Site Designation Program  
for the  
General Manufacturing Sector



## Step 2 – Detailed Shovel-Ready Site Designation Form

Ownership Information	
1.	Provide the name, address, phone number and email of the legal property owner of record – Beloit Economic Development Corporation, Andrew Janke, Executive Director, 100 State St., Beloit, WI 53511, 608.364.6748, <a href="mailto:jankea@ci.beloit.wi.us">jankea@ci.beloit.wi.us</a> .
2.	Include evidence of clear title to property owner, or certification from the property owner, include copy of Certificate of Title (attach as an exhibit) – See <u>attached</u> exhibit #1.
3.	Include tax map and parcel number with site outlined (Attach as an exhibit) – See <u>attached</u> exhibit #2.
4.	Include a dated letter from the property owner stating sales or lease price, (stated in dollars per acre) and term of stated price, or document with a current Real Estate Broker listing , including terms of listing (Attach as exhibit) – See <u>attached</u> exhibit #3.
5.	Provide a Voluntary Real Property Disclosure Form from the owner (Attach as an exhibit) – See <u>attached</u> exhibit #4.
6.	Name of individual or group marketing site for development – NAI/MLG Commercial, John Henderson, 13400 Bishop's Lane Suite 100, Brookfield, WI 53005, 262.938.4430, <a href="mailto:jhenderson@mlgcommercial.com">jhenderson@mlgcommercial.com</a> and Greater Beloit Economic Development Corporation, Andrew Janke, 500 Public Ave., Beloit, WI 53511, 608-364-6748, <a href="mailto:jankea@ci.beloit.wi.us">jankea@ci.beloit.wi.us</a> .
7.	Proper documentation if economic development entity has right of first refusal (Attach as exhibit) – N/A

# THE TITLE TEAM

Agent for  
**Chicago Title Insurance Company**

## COMMITMENT FOR TITLE INSURANCE

### Schedule A

1. Effective Date: **June 17, 2010 at 7:59 a.m.** Commitment No. 00102494
  
2. Policy or policies to be issued:
  - (a) ALTA Owner's Policy (6-17-06) Amount \$15,000.00  
Proposed Insured:  
**Greater Beloit Economic Development Corporation, a non-profit Wisconsin Corporation f/k/a Beloit Economic Development Corporation, a non-profit Wisconsin Corporation**
  
  - (b) ALTA Loan Policy (6-17-06) Amount \$ \_\_\_\_\_  
Proposed Insured:
  
  - (c) None Amount \$ \_\_\_\_\_  
Proposed Insured:
  
3. Record title to the fee simple estate or interest in the land described or referred to in this Commitment is at the effective date hereof in:  
**Greater Beloit Economic Development Corporation, a non-profit Wisconsin Corporation f/k/a Beloit Economic Development Corporation, a non-profit Wisconsin Corporation**
  
4. The land referred to in this Commitment is described as follows:  
**See Exhibit A attached hereto and made a part hereof.**

Property Address: Gateway Business Park, , Wisconsin

# COMMITMENT FOR TITLE INSURANCE

## Schedule B - Part I (Requirements)

Commitment No. 00102494

The following are the requirements to be complied with:

- A. Payment to or for the account of the grantors or mortgage of the full consideration for the estate or interest to be insured.
- B. Payment to the Company of the premiums, fees and charges for the policy.
- C. Property Instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to wit:
  - 1. The amount of insurance shown in Paragraph 2 of Schedule A hereof must be increased in an amount equivalent to the full value of the subject premises before the policy will be issued. At such time an additional charge will be made in conformity with established rates.

**\*\*NOTE: If the property is to be used for rental purposes, a Department of Commerce Stipulation must accompany the deed to be recorded. \*\***

# COMMITMENT FOR TITLE INSURANCE

## Schedule B - Part II (Exceptions)

Commitment No. 00102494

Schedule B of the policy or policies to be issued will contain the exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

1. a.) Defects, liens, encumbrances, adverse claims, or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. a.) Special taxes or assessments, if any, payable with the taxes levied or to be levied for the current and subsequent years.

*Note: Exception 2(a) of Schedule B - Part II will be removed only if the Company receives written evidence from the municipality that there are no special assessments against the land, or that all such items have been paid in full.*

- b.) Liens, hook-up charges or fees, deferred charges, reserve capacity assessments, impact fees, or other charges or fees due payable on the development or improvement of the Land, whether assessed or charged before or after the Date of Policy.

*Note: Exception 2(b) of Schedule B - Part II will be removed only if the Company receives (1) written evidence from the municipality that there are no deferred charges, hookup fees or other fees or charges attaching to the property; (2) evidence that the Land contains a completed building; and (3) a statement showing that the Land has a water and sewer use account. If the Land is vacant, this exception will not be removed.*

3. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

*Note: Exception 3 of Schedule B - Part II will be removed only if the Company receives a Construction Work and Tenants Affidavit on a form prepared by the Company and the following is true:*

*No work done: the Affidavit must establish that there has been no lienable construction work in the previous six months*

*Repair work done: if repair work has been done on an existing structure in the last six months, the Affidavit must accurately disclose all parties who have done lienable work in the last six months and have attached to it original full waivers of lien from each person or company.*

*New construction: if the property contains a newly-built structure, the Affidavit must incorporate a complete list of all parties who have done lienable work in the last six months and have attached to it original full waivers of lien from each person or company. If Exception 3 is removed, it will be replaced by the following exception: "Any construction lien claim by a party not shown on the Construction Work and Tenants Affidavit supplied to the Company".*

4. Rights or claims of parties in possession not shown by the public records.

*Note: Exception 4 of Schedule B - Part II will be removed only if the Company receives a Construction Work and Tenants Affidavit on a form prepared by the Company. If the affidavit shows that there are tenants, Exception 4 will be replaced by an exception for the rights of tenants disclosed by the Affidavit.*

5. Any encroachments, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
6. Easements or claims of easements not shown by the public records.

This commitment is invalid unless the insuring provisions and Schedules A and B are attached.

## SCHEDULE B-Part II - continued

Commitment No. 00102494

7. Any claim of adverse possession or prescriptive easement.

*Note: Exception 5,6 and 7 of Schedule B - Part II will be removed only if the Company receives an original survey which (1) has a current date, (2) is satisfactory to the Company and (3) complies with current ALTA/ACSM Minimum Survey Standards or Wisconsin Administrative Code AE-7. If the survey shows matters which affect the title to the property, Exceptions 5,6 and 7 will be replaced by exceptions describing those matters.*

8. Taxes, general and special for the year 2010 and subsequent years.
9. Right of Way Easement from S. K. Blodgett and Hattie H. Blodgett, his wife to Rock County Electric Cooperative Association dated November 3, 1936 and recorded on March 23, 1937 in Volume 1 of REA on Page 165 as Document No. 397319.
10. Easement from Lester D. Wallace and Elizabeth B. Wallace, his wife to Wisconsin Power & Light Company dated September 9, 1988 and recorded on November 7, 1988 on Card 372, Image 757 as Document No. 1081919.
11. Right of Way Easement from Lester Wallace to Rock County Electric Cooperative Association dated November 13, 1989 and recorded on November 30, 1989 on Card 417, Image 50 as Document No. 1102943.
12. Memorandum of Lease Agreement from Lester Wallace to U.S. Outdoor Advertising Company, Inc., a Tennessee corporation dated January 5, 1990 and recorded on February 9, 1990 on Card 424, Image 720 as Document No. 1106532.
- Signed Rental Agreement by and between Lester Wallace and U.S. Outdoor Advertising Company dated February 1, 1996 and recorded on May 29, 1996 on Card 853, Image 942 as Document No. 1296014.
- Lease Amendment by and between the Beloit Economic Development Corporation and The Lamar Companies recorded on October 7, 2005 as Document No. 1725922.
13. Security Agreement and Assignment of Leases and Rents by and between U.S. Outdoor Advertising Company, Inc., a Tennessee corporation and First American National Bank, a national banking association dated December 24, 1996 and recorded on February 10, 1997 as Document No. 1320562.
14. Protective Covenants, whenever recorded as provided in section 15.1 of the Development Agreement by and among the City of Beloit, the Community Development Authority of the City of Beloit, and the Beloit Economic Development Corporation and MLG Investments 2000, LLC, dated October 16, 2000 as amended from time to time ("Development Agreement"), and as set forth in Memorandum of Agreement between the City of Beloit, a Wisconsin municipal corporation, the Community Development Authority of the City of Beloit, the Beloit Economic Development Corporation, and MLG Investments 2000 LLC, a Wisconsin limited liability company, dated December 27, 2000 and recorded December 27, 2000 as Document No. 1478645.
15. Terms, conditions, and provisions as set forth in Memorandum of Agreement between the City of Beloit, a Wisconsin municipal corporation; the Community Development Authority of the City of Beloit; the Beloit Economic Development Corporation; and MLG Investments 2000 LLC, a Wisconsin limited liability company dated December 27, 2000 and recorded on December 27, 2000 as Document No. 1478645.
16. Option to Purchase granted by the City of Beloit to MLG Investments 2000, LLC in the Development Agreement as recorded in Memorandum of Agreement between the City of Beloit, a Wisconsin municipal corporation; the Community Development Authority of the City of Beloit; the Beloit Economic Development Corporation; and MLG Investments 2000 LLC, a Wisconsin limited liability company dated December 27, 2000 and recorded on December 27, 2000 as Document No. 1478645.
17. Mortgage from Beloit Economic Development Corporation to MLG Investments 2000 LLC dated December 27, 2000 and recorded on December 27, 2000 as Document No. 1478652.

## SCHEDULE B-Part II - continued

Commitment No. 00102494

18. Public or private rights, if any, in such portion of the premises described in Schedule A hereof as may be laid out, used or dedicated for street, highway or alley purposes.
19. Easement from S. K. Blodgett & Hattie H. Blodgett to Wisconsin Power and Light Company, dated October 29, 1958, recorded November 12, 1958 in Vol. 58 of Misc. on Page 351 as Document No. 604434. (affects Parcels 1, 2, 3 and 4)
20. Easement from Lester D. Wallace and Elizabeth B. Wallace, husband and wife to Wisconsin Power and Light Company dated July 19, 1995, recorded August 10, 1995 on Card 791, Image 48 as Document No. 1269506. Said Easement was re-recorded on August 29, 1995 on Card 795, Image 85 as Document No. 1271234.
21. Limitations imposed upon ingress to and egress from the subject premises to interstate highway 90, including ramps and connection roads on the right of way thereof. Said highway is designated as a controlled access highway under the provisions of Section 84.25 of the Wisconsin Statutes.
22. Lease Agreement with Primeco Personal Communications, Inc. for cell tower, including access easement.
23. Lease Agreement with Vivid, Inc. for sign lease.
24. Mortgage from Beloit Economic Development Corporation to MLG Investments 2000 LLC, dated December 27, 2000 and recorded December 27, 2000 at 2:57 p.m. as Document No. 1478652.
25. Memorandum of Series 2000A Bonds Lease by and between the Beloit Economic Development Corporation, as agent for the Community Authority of the City of Beloit, a Wisconsin municipal corporation and political subdivision, and the City of Beloit, Wisconsin, a Wisconsin municipal corporation and political subdivision, dated December 27, 2000 and recorded December 27, 2000 as Document No. 1478653.
26. Easement Assignment by and between Wisconsin Power & Light Company and American Transmission Company, LLC, a Wisconsin Liability Company, dated December 7, 2000 and recorded January 9, 2001 as Document No. 1479802.
27. Mortgage from Beloit Economic Development Corporation to MLG Investments 2000 LLC dated July 26, 2002 and recorded on August 14, 2002 as Document No. 1557787.
28. Memorandum of Agreement by and between City of Beloit, a Wisconsin Municipal corporation, the Community Development Authority of the City of Beloit, the Beloit Economic Development Corporation and MLG Investments 2000 LLC, a Wisconsin Limited Liability Company dated July 26, 2002 and recorded August 14, 2002 as Document No. 1557788.
29. Declaration of Protective Covenants for the Gateway Business Park dated May 15, 2001 and recorded on November 12, 2003 as Document No. 1641607. Said Covenants were re-recorded by Affidavit of Correction recorded on December 9, 2003 as Document No. 1644851.
30. Declaration of Protective Covenants for the Gateway Business Park dated May 15, 2001 and recorded on November 12, 2003 as Document No. 1641607. Said Covenants were re-recorded by Affidavit of Correction recorded on December 9, 2003 as Document No. 1644852.
31. Reservation for Utility Easement, Drainage, Sanitary Sewer and High Pressure gas main Easement as designated on the recorded Certified Survey Map recorded in Volume 24 of Certified Survey Maps on Pages 247 to 257, as Document No. 1503761. Said Certified Survey Map also indicates a building setback line and limited access. Affidavit of Correction recorded December 20, 2005 as Document No. 1734268.
32. Notations as set forth on the recorded Certified Survey Map recorded in Volume 24 of Certified Survey Maps on Pages 247 to 257, as Document No. 1503761 states as follows:  
NOTE: all existing easements effecting the parcel are not shown hereon. An ALTA/ACSM Survey of the parcel by R.H. Batterman & Co., Inc. has been performed for the City of Beloit.  
NOTE: A high pressure gas main is situated within the easement shown on this page and along a line +/- 10 feet from the Easterly Right-of-Way line of interstate 90 for the entire length of this C.S.M.

## SCHEDULE B-Part II - continued

Commitment No. 00102494

NOTE: An agreement exists between the City of Beloit and R.H.Batterman & Co., Inc. to have all monuments North of Colley Road set in the fall of 2001 after the crops have been harvested

NOTE: TRANS 233 Notes (State of Wisconsin, Department of Transportation) All lots and blocks are hereby restricted so that no owner, possessor, user, licensee or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of I-90. It is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in Section 236.293, Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation or its assigns. Any access shall be allowed only by special exception. Any access allowed by special exception shall be confirmed and granted only through the driveway permitting process and all permits are revocable.

The lots of this land division may experience noise at levels exceeding the levels in S. Trans 405.04, Table I. These levels are based on federal standards. The Wisconsin Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of an increase by the Department of the highway's through-lane capacity.

No improvements or structures are allowed between the right-of-way line and the highway setback line. Improvements and structures include, but are not limited to signs, parking areas, driveways, wells, septic systems, drainage facilities, buildings and retaining walls. It is expressly intended that this restriction is for the benefit of the public as provided in Section 236.293, Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation or its assigns. Contact the Wisconsin Department of Transportation for more information. The phone number may be obtained by contacting the County Highway Department.

33. Reservation for Utility Easement, Gas Main Easement and Drainage Easement as designated on the recorded Certified Survey Map recorded in Volume 29 of Certified Survey Maps on Pages 200 to 205, as Document No. 1733897. Said Certified Survey Map also indicates a building setback line and limited access.
34. Reservation for utility easement, drainage easement, sanitary easement and sign easement as designated on the plat of Gateway Business Park Plat No. 1, recorded on September 13, 2005 as Document No. 1722549.
35. Notation as set forth on the plat of Gateway Business Park Plat No. 1, recorded September 13, 2005 as Document No. 1722549, states as follows:  
NOTE: Restricted Access to Gateway Boulevard from Lots 1, 20, 21 and 22. Lots 1 and 22 may only have access to Gateway Boulevard north of the existing median in Gateway Boulevard. Lots 20 and 21 may only have access to Gateway Boulevard at the existing median opening located in Gateway Boulevard between Cranston and Colley Roads, and the lot line between Lots 20 and 21 is centered on this existing median opening.  
NOTE: Building Set Back Lines.  
NOTE: Restricted Access to Gateway Boulevard.
36. Renewal Amendment by and between Beloit Economic Development Corporation and Lamar Companies dated November 7, 2003 and recorded October 7, 2005 as Document No. 1725922.
37. Renewal Lease by and between the Beloit Economic Development Corporation and The Lamar Companies dated October 23, 2003 and recorded October 7, 2005 as Document No. 1725923.
38. Reservation of Drainage Easements dated December 19, 2005 and recorded January 25, 2006, as Document No. 1738116.
39. Reservation for Utility Easement dated December 19, 2005 and recorded January 25, 2006, as Document No. 1738117.
40. Reservation for Utility easement as designated on the plat of Gateway Business Park Plat No. 2, recorded on April 24, 2006 as Document No. 1747898. Partial release of Utility Easements dated April 23, 2009 and recorded April 27, 2009 as Document No. 1861088. Partial release of Utility Easements dated April 1, 2009 and recorded August 7, 2009 as Document No. 1871708. Partial release of Utility Easements dated July 20, 2009 and recorded August 7, 2009, as Document No. 1871709. Partial release of Utility Easements dated July 21, 2009 and recorded August 7, 2009, as Document No. 1871710.
41. Notation as set forth on the plat of Gateway Business Park Plat No. 2, on April 24, 2006 as Document No. 1747898, states as follows:



## SCHEDULE B-Part II - continued

Commitment No. 00102494

NOTE: No access to Gateway Boulevard from Lots 30, 31, 41, 42 and 46.

NO TE: Building Set Back Lines.

42. Reservation for Utility Easement, Drainage and Stormwater Drainage Easement as designated on the recorded Certified Survey Map recorded in Volume 33 of Certified Survey Maps on Pages 115 to 117, as Document No.1870306. Said Certified Survey Map also indicates a building setback line. Access to Lot 1 of Certified Survey Map not clear.
43. Reservation for Underground Utility Easement dated April 6, 2005 and recorded May 2, 2006 as Document No. 1748940.

This Report is for informational purposes only. The liability of Ticor Title Insurance Company/Chicago Title Insurance Company (hereinafter "The Company") in issuing this report is limited to a maximum amount of \$1,000.00. Such liability is for reasonable care in making this search. This report is not an abstract of title or a title insurance commitment or policy and should not be relied upon in place of such. It is not the intention of the company to provide any type of express or implied warranty, guaranty, or indemnity with respect to the accuracy or completeness of the information contained in the report. If this report is to be used by the customer as the search required in order for the customer to issue a title insurance commitment or policy, or if the information contained in this report is resold, the customer does so at their own risk. In order to obtain information from the company which will carry the full liability of a title insurance commitment or policy, the company will issue, if requested, a commitment of title insurance and will charge a fee in compliance with rates filed with the appropriate state offices.

**NOTE:** The following is an exception to title if the subject premise is being converted from **Agricultural:** Possible lien or reassessment pursuant to Section 74.485 Wis.Stats. for conversion of the land's use from Agricultural.

**Exhibit A**

**Parcel 1:**

**Lots 1 through 24 and Outlot 1 in Gateway Business Park Plat No. 1, City of Beloit, County of Rock, State of Wisconsin.**

**Parcel 2:**

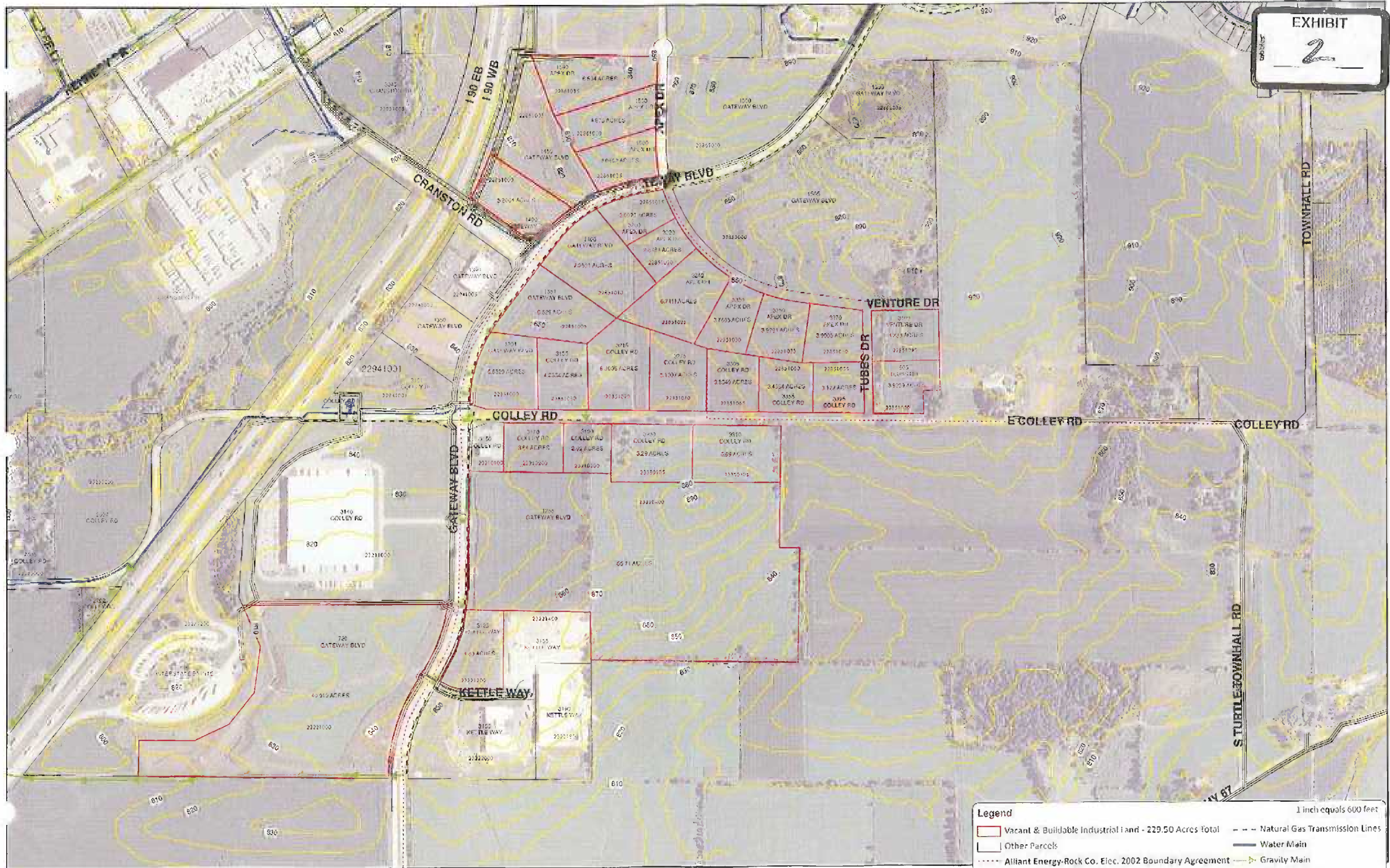
**Lots 28, 29 and 42 in Gateway Business Park Plat No. 2, City of Beloit, County of Rock, State of Wisconsin.**

**Parcel 3:**

**Lots 1, 2 and 3 of Certified Survey Map recorded July 22, 2009 in Volume 33 of Certified Survey Maps on Pages 115, 116 and 117 as Document No.1870306 and being part of Lots 25, 26, 27, Lots 31 through 41 and Outlot 2 of Gateway Business Park Plat No. 2, City of Beloit, County of Rock, State of Wisconsin.**

**Parcel 4:**

**Lot 2 of Certified Survey Map recorded December 15, 2005 in Volume 29 of Certified Survey Maps on Pages 200-205 as Document No. 1733897, being part of Lot 1 of Certified Survey Maps Document No. 1503761 as recorded in Volume 24, Pages 247-257 of Rock County Certified Survey Maps, being a part of the North 1/2 of Section 32, T.1N., R.13E., of the 4th P.M., City of Beloit, Rock County, Wisconsin.**



Legend

1 inch equals 600 feet

- Vacant & Buildable Industrial Land - 229.50 Acres Total
- Other Parcels
- Natural Gas Transmission Lines
- Water Main
- Alliant Energy-Rock Co. Elec. 2002 Boundary Agreement
- Gravity Main
- Electrical Transmission Lines
- 10 Foot Contours

# MLG Development

Commercial and Industrial

Exhibit

3

Brokerage  
Management  
Investment  
Development  
Advisors

13400 Bishop's Lane  
Suite 100  
Brookfield, WI 53005  
Office: 262-797-9400  
Fax: 262-797-8940  
[www.mlgdevelopment.com](http://www.mlgdevelopment.com)

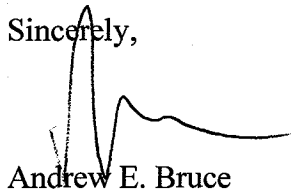
May 5, 2010

Andrew L. Janke, CPM  
Economic Development Director  
City of Beloit  
100 State St.  
Beloit, WI 53511

Dear Andrew

As you know, the land within the Gateway business park is owned by the Greater Beloit Economic Development Corporation, with MLG Investments 2000 LLC (MLG) controlling the land via a long-term option contained in a developer agreement. MLG is currently listing the Gateway land with an affiliate, NAI/MLG Commercial LLC. Industrial land sites are listed for \$49,900 to \$54,900 per acre. Multi-family land is listed at \$60,000 per acre. Prices are subject to change at any time and the term of the listing is year to year. A brochure is available at [www.mlgcommercial.com](http://www.mlgcommercial.com) (follow link to "business parks" and then to "Gateway").

Sincerely,



Andrew E. Bruce  
Executive Vice President  
MLG Investments 2000 LLC

### Voluntary Real Property Disclosure Form

The purpose of this form is to allow property owners to fully disclose certain conditions associated with the development site to the buyer. The Real Property Disclosure Form is a statement from a seller to a buyer as to conditions at an identified site at a specific time represented by the date of this form. Condition is defined as a characteristic of the property that would have a substantial adverse effect on the value or liability of the real property or impair the use of the property by future owners. The seller may inform the prospective buyer of changes in the property that have taken place proceeding the date of this form. Statements made on this form are not warranties but may be accepted as reliable and true. This is not a legal document and has no legal effect but is a voluntary statement by the seller.

The seller discloses, to the best of his or her knowledge, that the items listed below are identified and marked accurately:

Seller's Legal Name: Greater Beloit Economic Development Corporation

Seller's Legal Address: 500 Public Ave.  
Beloit, WI 53511

Property Address: 1301 Gateway Boulevard  
Beloit, WI 53511

Seller is aware of the current conditions of the property. Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Property is in a flood plain. Yes \_\_\_\_\_ No  N/A \_\_\_\_\_

Property owner currently has flood insurance. Yes \_\_\_\_\_ No  N/A \_\_\_\_\_

Seller is aware of unsafe levels of radon on the property. Yes \_\_\_\_\_ No  N/A \_\_\_\_\_

Seller is aware of unsafe concentrations or conditions relating to lead paint, lead water pipes or lead in the soil on the premise. Yes \_\_\_\_\_ No  N/A \_\_\_\_\_

Seller is aware of mine subsidence, underground pits, settlement, sliding, upheaval, or other earth stability defects on the premise. Yes \_\_\_\_\_ No  N/A \_\_\_\_\_

**Real Property**

Seller is aware of underground fuel storage tanks on the property. Yes \_\_\_\_\_ No  N/A \_\_\_\_\_

Seller is aware of boundary or lot line disputes. Yes \_\_\_\_\_ No  N/A \_\_\_\_\_

Seller has received notice of violation of local, State or Federal laws or regulations relating to this property, which violation has not been corrected. Yes \_\_\_\_\_ No  N/A \_\_\_\_\_

Explanations or comments on any of the items marked above or concerning the property in general.

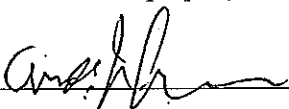
A full Phase I environmental study is available.

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The Seller certifies that the above information is true and correct based on actual notice or actual knowledge of the seller without specific investigation on the part of the seller. The Seller authorizes any person representing the Seller to provide a copy of this statement and to disclose any information in this statement, to any person in connection with any actual or anticipated sale of the property.

Seller:  Date: 5/4/10

Seller: \_\_\_\_\_ Date: \_\_\_\_\_