

Knight Barry Title, Inc.  
201 E. Pittsburgh Avenue, Suite 200  
Milwaukee, WI 53204  
(414)727-4545  
Fax: (414)755-7186

Completed on: 09/17/2024 11:18 AM  
Last Revised on: 09/17/24 11:18 AM  
Printed on: 09/17/2024 11:19 AM  
Title Contact: Jennifer van Dernoot (jenl@knightbarry.com)  
Closing Contact: milwaukeeecloser@knightbarry.com

**COMMITMENT DATE**

September 11, 2024 at 12:00 AM

**1. POLICY TO BE ISSUED**

**ALTA LOAN POLICY (06/17/06)**

Loan Policy Amount: \$1,207,000.00  
*(the loan amount)*

Proposed Insured: WBD, Inc. and U.S. Small Business Administration, their successors and/or assigns,  
*(the new lender)* as their interests may appear

**2. TITLE TO THE FEE SIMPLE ESTATE  
OR INTEREST IN THE LAND IS AT THE  
COMMITMENT DATE VESTED IN**  
*(the owner)*

West Allis Brewing Property LLC, a Wisconsin limited liability company

**3. THE LAND IS DESCRIBED AS  
FOLLOWS**  
*(the legal description)*

Lot 1 of Certified Survey Map No. 9316 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on May 11, 2021 as Document No. [11112992](#), being a redivision of part of Lot 1, Lot 2 and Lot 3, Block 2 of Assessor's Plat No. 269, located in the Northeast 1/4 of Section 3, Township 6 North, Range 21 East, in the City of West Allis, County of Milwaukee, State of Wisconsin.

*For informational purposes only:*  
*Property Address: 6751 West National Avenue, West Allis, WI*  
*Tax Key Number: 454-9001-000*

Knight Barry Title, Inc.  
201 E. Pittsburgh Avenue, Suite 200  
Milwaukee, WI 53204  
(414)727-4545  
Fax: (414)755-7186

Completed on: 09/17/2024 11:18 AM  
Last Revised on: 09/17/24 11:18 AM  
Printed on: 09/17/2024 11:19 AM  
Title Contact: Jennifer van Dernoot (jenl@knightbarry.com)  
Closing Contact: milwaukeeecloser@knightbarry.com

**All of the following Requirements must be met:**

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Mortgage from West Allis Brewing Property LLC, a Wisconsin limited liability company to WBD, Inc. and U.S. Small Business Administration.
6. Because West Allis Brewing Property LLC ("LLC") is not a natural person, the Company requires the following documents:
  - i. Operating Agreement of the LLC and all amendments thereto.
  - ii. If the LLC is a member-managed limited liability company, resolutions adopted by all of the members of the LLC approving the conveyance and naming the person, and the person's capacity, authorized to execute the Mortgage.
  - iii. If the LLC is a manager-managed limited liability company, resolutions adopted by all of the managers of the LLC approving the conveyance and naming the person, and the person's capacity, authorized to execute the Mortgage.

Upon receipt and examination of the above the Company may modify these requirements to satisfy the Company that the appropriate person(s) is/are executing the Mortgage for the limited purpose of issuance of the policy(ies) contemplated by this Commitment.

Knight Barry Title, Inc.  
201 E. Pittsburgh Avenue, Suite 200  
Milwaukee, WI 53204  
(414)727-4545  
Fax: (414)755-7186

Completed on: 09/17/2024 11:18 AM  
Last Revised on: 09/17/24 11:18 AM  
Printed on: 09/17/2024 11:19 AM  
Title Contact: Jennifer van Dernoot (jenl@knightbarry.com)  
Closing Contact: milwaukeeecloser@knightbarry.com

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

**The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:**

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date, as set forth on the Commitment for Title Insurance, and the Date of Policy, as set forth on the Policy.
2. Special assessments, special taxes or special charges, if any, payable with the taxes levied or to be levied for the current and subsequent years.
3. Liens, hook-up charges or fees, deferred charges, reserve capacity assessments, impact fees, or other charges or fees and due payable on the development or improvement of the Land, whether assessed or charged before or after the Date of the Policy.
4. 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.
5. Rights or claims of parties in possession not shown by the Public Records.
6. Any encroachments, encumbrance, violation, variation, or adverse circumstance affecting Title that would be disclosed by an accurate and complete land survey of the Land.
7. Easements or claims of easements not shown by the Public Records.
8. Any claim of adverse possession or prescriptive easement.
9. General Taxes for the year 2024 and subsequent years, not yet due or payable.
10. Public or private rights, if any, in such portion of the Land as may be presently used, laid out, or dedicated in any manner whatsoever, for street, highway and/or alley purposes.
11. Rights and easements (if any) in and to any and all railroad switches, sidetracks, spur tracks and rights of way located upon or appurtenant to the Land.
12. Easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company and other matters contained in the instrument recorded December 31, 1963 as Document No. [4074064](#).

This page is only a part of the 2016 ALTA Commitment for Title Insurance underwritten by First American Title Insurance Company. This Commitment is not valid without the Notice, the Commitment to Issue Policy and the Commitment Conditions (located at <https://www.knightbarry.com/cover/fa>); Schedule A; Schedule B, Part 1 Requirements; and Schedule B, Part 2 Exceptions. ***All italicized words in this Commitment are for informational purposes only and for the convenience of the reader and are not part of the ALTA Commitment form.***

Knight Barry Title, Inc.  
201 E. Pittsburgh Avenue, Suite 200  
Milwaukee, WI 53204  
(414)727-4545  
Fax: (414)755-7186

Completed on: 09/17/2024 11:18 AM  
Last Revised on: 09/17/24 11:18 AM  
Printed on: 09/17/2024 11:19 AM  
Title Contact: Jennifer van Dernoot (jenl@knightbarry.com)  
Closing Contact: milwaukeeecloser@knightbarry.com

13. Easement granted to Wisconsin Electric Power Company and other matters contained in the instrument recorded April 30, 1987 as Document No. [6050801](#).
14. Redevelopment Plan for the Six Points/Farmers Market Redevelopment Project and other matters contained in the instrument recorded February 22, 2001 as Document No. [8027619](#). As affected by Amendment to Redevelopment Plan for the Six Points/Farmers Market Redevelopment Project recorded November 26, 2001 as Document No. [8175523](#). And as further affected by Second Amendment to Redevelopment Plan for the Six Points/Farmers Market Redevelopment Project recorded December 17, 2001 as Document No. [8185313](#).
15. Resolution to Approve Certain Lands and Interests for Acquisition in the Six Points/Farmers Market Redevelopment Project Area and other matters contained in the instrument recorded December 21, 2001 as Document No. [8188820](#) and July 12, 2002 as Document No. [8312180](#).
16. Easements, restrictions and other matters shown on Certified Survey Map No. 9316 recorded May 11, 2021 as Document No. [11112992](#).
17. Distribution Easement Overhead and Underground granted to Wisconsin Electric Power Company, a Wisconsin corporation doing business as We Energies and other matters contained in the instrument recorded September 23, 2022 as Document No. [11286383](#).
18. Mortgage from West Allis Brewing Property LLC and Ope Brewing Company LLC to City of West Allis in the amount of \$100,000.00 dated June 17, 2021 and recorded December 1, 2021 as Document No. [11192655](#).
19. Mortgage from West Allis Brewing Property LLC and Ope Brewing Company LLC to City of West Allis in the amount of \$50,000.00 dated October 20, 2021 and recorded December 1, 2021 as Document No. [11192656](#).
20. Mortgage from West Allis Brewing Property LLC to CIBM Bank in the amount of \$1,180,000.00 dated May 30, 2024 and recorded May 31, 2024 as Document No. [11423715](#).
21. Assignment of Rents from West Allis Brewing Property LLC to CIBM Bank recorded May 31, 2024 as Document No. [11423716](#).
22. Mortgage from West Allis Brewing Property LLC to CIBM Bank in the amount of \$1,178,760.00 dated May 30, 2024 and recorded May 31, 2024 as Document No. [11423717](#).
23. Mortgage from West Allis Brewing Property LLC to CIBM Bank in the amount of \$200,000.00 dated May 30, 2024 and recorded May 31, 2024 as Document No. [11423718](#).
24. Assignment of Rents from West Allis Brewing Property LLC to CIBM Bank recorded May 31, 2024 as Document No. [11423719](#).

This page is only a part of the 2016 ALTA Commitment for Title Insurance underwritten by First American Title Insurance Company. This Commitment is not valid without the Notice, the Commitment to Issue Policy and the Commitment Conditions (located at <https://www.knightbarry.com/cover/fa>); Schedule A; Schedule B, Part 1 Requirements; and Schedule B, Part 2 Exceptions. ***All italicized words in this Commitment are for informational purposes only and for the convenience of the reader and are not part of the ALTA Commitment form.***

Knight Barry Title, Inc.  
201 E. Pittsburgh Avenue, Suite 200  
Milwaukee, WI 53204  
(414)727-4545  
Fax: (414)755-7186

Completed on: 09/17/2024 11:18 AM

Last Revised on: 09/17/24 11:18 AM

Printed on: 09/17/2024 11:19 AM

Title Contact: Jennifer van Dernoot (jenl@knightbarry.com)

Closing Contact: milwaukeeecloser@knightbarry.com

25. Subordination of Mortgage entered into by and between the City of West Allis and CIBM Bank dated June 4, 2024 and recorded June 7, 2024 as Document No. [11425598](#).

#### **FOOTNOTES**

*THIS IS FOR INFORMATIONAL PURPOSES ONLY; NOTHING NOTED IN THIS SECTION WILL APPEAR ON THE POLICY.*

- a. Taxes for the Year 2023 in the amount of \$40,660.99, and all prior years are paid.
- b. A copy of the vesting deed recorded October 22, 2021 as Document No. [11178114](#) is included for reference.