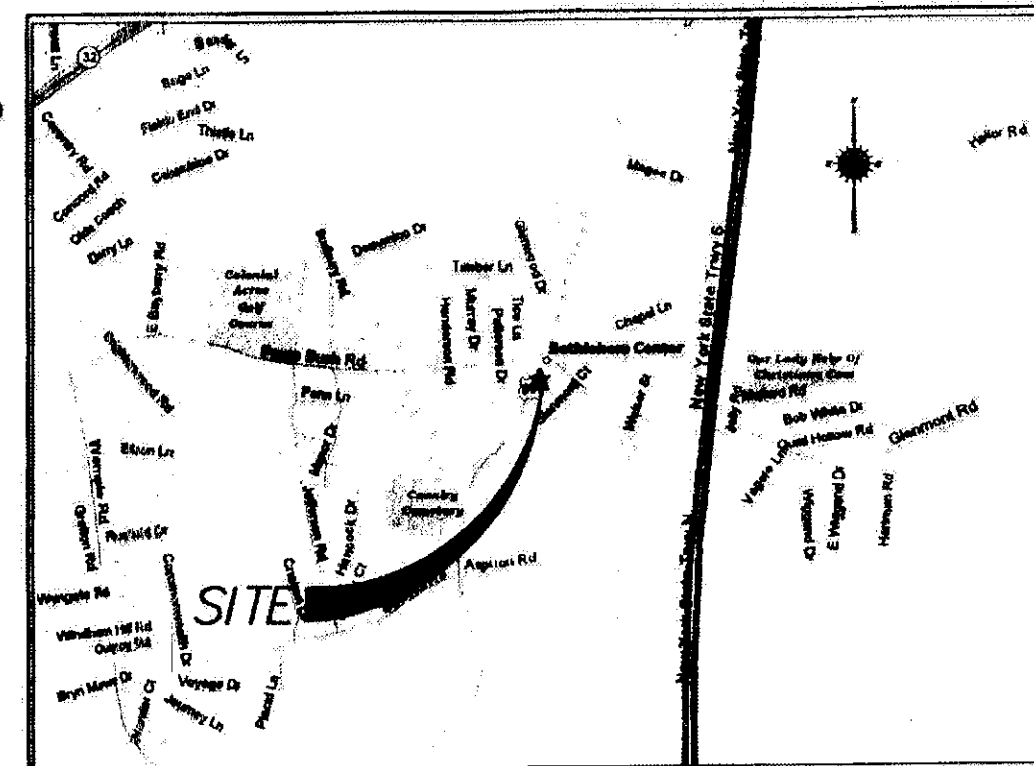


NOTE:  
ALL FIELD MEASUREMENTS MATCHED  
RECORD DIMENSIONS WITHIN THE  
PRECISION REQUIREMENTS OF  
ALTA/ACSM SPECIFICATIONS.



VICINITY MAP  
NO SCALE

### LEGAL DESCRIPTION

All that place or parcel of land situate in the Town of Bethlehem, Albany County, State of New York, with wood frame building used as a gasoline station and post office thereon; and also cement block laboratory thereon; also a two-family wood frame house thereon; also wood frame barn thereon; also 2 wood frame former chicken house buildings thereon; bounded and described as follows:

BEGINNING at an iron pipe on the west side of Route 9W said pipe bears South 23° - 58' West a distance of 85.5 feet from the southeast corner of the Merseles and Comstock houses, on herein described premises and running thence along the west side of Route 9W North 38° - 56' East a distance of 245 feet to a point;

THENCE along the south line of Route #32, Feura Bush Road, on the arc of a curve that is subtended by a chord North 57° - 40' West a chord distance of 43.9 feet to a point;

THENCE North 83° - 23' West a distance of 91.5 feet to a point;

THENCE North 80° - 42' West a distance of 126.8 feet to an iron pipe;

THENCE through the land of Merseles and Comstock South 14° - 20' West a distance of 168.5 feet to an iron pipe;

THENCE South 59° - 49' East a distance of 162.8 feet to the place of beginning.

Note:  
There are minor discrepancies in the legal description, adjoining deed descriptions or in any instruments of record. Most measured distances seem to match current instruments of record.

THE PROPERTY HEREON DESCRIBED IS THE SAME AS THE PERTINENT PROPERTY AS DESCRIBED IN STEWART TITLE INSURANCE COMPANY, COMMITMENT NO. ST - 1037, EFFECTIVE DATE JULY 22, 2006.

### ITEMS CORRESPONDING TO SCHEDULE B:

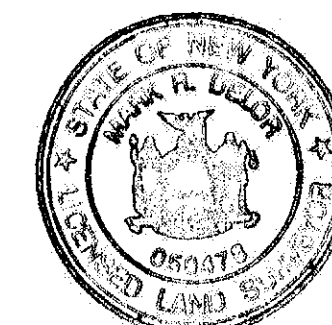
- 4 PUBLIC UTILITY EASEMENTS SERVING, RUNNING THROUGH OR ADJACENT TO SUBJECT PREMISES. GENERAL IN NATURE AND NOT PLOTTABLE, MAY AFFECT PREMISES.
- 5 RIGHTS AND RESERVATIONS CONTAINED IN DEED GIVEN BY HILDA C. MERSELES, JOHN M. COMSTOCK AND WILLIAM J. COMSTOCK TO MOBIL OIL CORPORATION DATED JUNE 5, 1967 AND RECORDED JUNE 5, 1967 IN THE ALBANY COUNTY CLERK'S OFFICE IN BOOK 1906 OF DEEDS AT PAGE 423. GENERAL IN NATURE AND NOT PLOTTABLE, MAY AFFECT PREMISES.

### ALTA/ACSM LAND TITLE SURVEY CERTIFICATION

The undersigned being a registered surveyor of the State of New York hereby certifies to EXXONMOBIL OIL CORPORATION, a New York Corporation, Stewart Title Guaranty Company and each of their respective successors and assigns, as of the date below, as follows:

This print of survey and the property description attached hereto are true and correct and represent the survey that was actually made on the ground on October 10, 2006 in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1990, with accuracy and precision requirements modified to meet the current minimum angular and linear tolerance requirements of the state in which the subject property is located, contains and correctly shows items 2, 3, 4, 7(a), 7(b)(1), 8, 9, 10, 11(a), 13, 14, 15 and 16 of Table A thereto. This survey was conducted under the direct supervision of the undersigned Registered Land Surveyor. The undersigned has received and examined a copy of the Commitment for Title Insurance No. ST - 1037, dated July 22, 2006 issued by First American Title Insurance Company with respect to the Property, as well as a copy of each instrument listed therein. The location of each exception set forth in such Commitment, to the extent it can be located, has (with recording reference and reference to the exception number of the Commitment) been shown hereon. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification, undersigned further certifies that proper field procedures, instrumentation, and adequate survey 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."

DATE: 10/14/06  
Name: [Signature]



NTS# 05331466

### SITE RESTRICTIONS:

Zone: II Hamlet  
MIN. LOT AREA = 5,000 SF min.  
MIN. LOT SIZE = 7,000 SF min.  
MIN. LOT SIZE = 10,000 SF min.  
MIN. WIDTH = 40'  
MIN. DEPTH = 100'  
MIN. FLOOD ELEVATION = 100' 10"  
MIN. FLOOD ELEVATION = 100' 10"  
MAXIMUM HEIGHT = 36 FT.

### FLOOD NOTE

By graphic plotting only, this property appears to be in Zone C of the Flood Insurance Rate Map, Community Panel Number 301640 0013 B panel 13 of 25, which bears an effective date of June 15, 1993 and is not in a Special Flood Hazard Area. By research or phone call to the National Flood Insurance Program (800.658.6628) we have learned that this community does currently participate in the program. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination.

### BASIS OF BEARINGS:

Bearing based on the following:  
As per Deed Description, Liber 1906 Page 423, see vicinity boundary line North 57° - 40' West

### STATEMENT OF ENCROACHMENTS:

(A) CURBED ENTRANCES FOR FEURA BUSH ROAD & ROUTE 9W CROSS INTO RIGHT-OF-WAYS OF ROADS.

### PARKING AND BENCHMARK NOTE

EXISTING PARKING: 1 HANDICAP SPACE

### LAND AREA:

Acres: 0.87  
Square Feet: 37,963

### TRAVERSE CLOSURE:

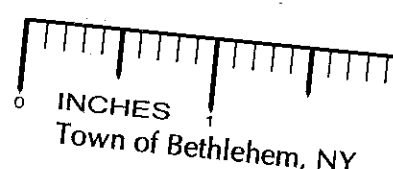
Error of Closure: 1 / 51,567

### LEGEND

- IRON ROD PIN
- POWER POLE
- LIGHT POLE
- 2'x2' CONCRETE PAD
- DENOTES PARKING SPACES
- DENOTES ENCROACHMENTS
- CORRESPONDES TO SCHEDULE B
- POINT OF ENTRY SHOWN AS
- WATER VALVE
- GAS METER
- GAS VALVE
- FENCE

FOR ANY AND ALL INQUIRIES, PLEASE CONTACT HUDSON - RICHARDS, INC.

- NOTES:
- 1) THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS IN RECENT MONTHS.
  - 2) THERE IS NO EVIDENCE IN THAT THE STREET RIGHT-OF-WAY LINES HAVE HAD ANY CHANGES, EXCEPT AS NOTED AND THERE IS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION REPAIRS.
  - 3) THERE IS NO EVIDENCE OF ANY CONSTRUCTION OR REPAIR ON THE STREETS OR SIDEWALKS.
  - 4) THERE IS NO EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.
  - 5) THE SUBJECT PREMISES HAS FRONTAGE AND ACCESS ON A PUBLIC RIGHT OF WAY, FEURA BUSH ROAD AND ROUTE 9W.
  - 6) THERE IS NO VISIBLE EVIDENCE OF A CEMETERY OR A BURIAL GROUND OBSERVED OR RECORDED.
  - 7) UNDERGROUND UTILITIES SHOWN HEREON BASED ON UTILITY EVIDENCE VISIBLE AT GROUND SURFACE AND RECORD DRAWINGS AND ARE SUBJECT TO FIELD VERIFICATION BY EXCAVATION. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. POINT OF ENTRY FOR UTILITIES ARE AS SHOWN. UTILITY ENTRY POINTS NOT SHOWN ARE UNKNOWN.
  - 8) TAX MAP PARCEL: 97-12-1-9



PLACE OF  
BEGINNING  
DEED DESC.