

LOCATION SKETCH NOT TO SCALE

RESURVEY:

All that certain lot, piece or parcel of land situate in the Town of Newburgh, County of Orange and the State of New York, lying on the northwesterly side of New York State Route No. 32 and being more accurately bounded and depicted as follows:

Beginning at the northwesterly line of New York State Route No. 32 at a westerly corner of lands conveyed to Mid-Valley Oil Company by deed dated June 3, 1967 and recorded in the Orange County Clerk's Office in Book of Deeds 4601 of page 153, thence along the northwesterly line of New York State Route No. 32 the following lines (1) courses and distances:

1. N82°02'30"W 145.22' to an iron pipe found;
2. N82°02'30"W 12.65' to an iron pipe found;
3. N82°02'30"W 160.12' to the southeast corner of the lands conveyed to FTCA Acquisition Corp. by deed recorded in the Orange County Clerk's Office in Book of Deeds 4242 of page 151, thence along FTCA Acquisition Corp. N43°21'30"E 278.00' to the lands conveyed to Ralph and Cleo Yozzo, thence along lines N45°02'00"E 126.30' to the southeast corner of lands of Joan A. Sylos, thence the following lines (2) courses and distances:
1. S88°16'00"E 210.00' to a point;
2. S74°16'00"E 63.74' to an iron pipe found;
3. S88°16'00"E 210.00' to a point;
4. S88°16'00"E 63.74' to an iron pipe found;

thence along the lands of Yozzo and Sylos the following lines (2) courses and distances:

1. S33°00'00"W 182.00' to a point;
2. S47°06'25"E 55.20' to the lands of Pavilion Holdings, LLC, thence along Pavilion Holdings, LLC S00°17'45"W 192.20' to an iron pipe found, thence the following lines (3) courses and distances along the lands of Mid-Valley Oil Company:
1. N63°30'00"W 64.74'
2. S14°30'00"W 94.16'
3. S66°20'55"W 31.95' to the point and place of beginning;

will described parcel containing 2.565 Acres.

EASEMENT:

Subject to a 30.00' wide utility easement, said easement runs parallel to the most westerly line of the above described parcel and is more particularly bounded and described as follows:

Beginning at a point on the northwesterly line of New York State Route No. 32, and going the southeast corner of the above described parcel, thence N32°24'30"E 278.00' FTCA Acquisition Corp., thence S43°40'50"E 30.00' along the lands of Yozzo, thence S32°24'30"E 278.11' through the above described parcel, thence N60°42'45"W 30.11' along the northwesterly line of N.Y.S. Route No. 32 to the point and place of beginning.

- NOTES:**
1. This survey was prepared for the sole purpose of having Loversley Title Insurance Corporation, a Delaware Corporation, issue a title insurance policy and shall not be used for any other purpose except to obtain, for issuance of a title insurance policy, survey or other public officials, municipalities, corporations, and future holders of title or any other use not intended by or expressly stated herein.
 2. Certifications indicated herein signify that the plat was prepared from an actual field survey conducted in accordance with the standards set forth in the Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, as last revised on January 23, 1983.
 3. This survey and the certification herein shall be valid only to the party or parties herein named and are not transferable to additional parties or subsequent owners, other than as may be or expressly stated herein.
 4. The search of the public record was made for easements, agreements or restrictions that may affect the surveyed parcel but may not have been contained in this Report as stated herein.
 5. Subject to any subsurface condition, improvement and/or encroachment, if any, no visible surface evidence of same was observed at the time of this field survey.
 6. Unless expressly noted the surveyor is not responsible for identifying features which are under the jurisdiction of governmental agencies, including but not limited to, adopted methods, flood plain, flooding, dams, levees, hazardous waste sites, protected or unimproved air- and waterways, pipelines, cables, etc., if it does not the surveyor's responsibility to determine if the proposed use of the parcel or the location of existing structures conform to the current local zoning ordinance or if said uses or locations conform to the zoning ordinance in effect at the time of construction or occupancy, if any, of any structure on said parcel.
 7. See Deed of Record Liber 4160 P. 113.
 8. Parcel is as shown on Map No. 225 for the Town of Newburgh Community Plan #2002-10025.
 9. See "MAX MAP CONSOLIDATION MAP (LANDS OF F.C.E. PROPERTIES, INC.)" dated 5/17/76, prepared by Mount & Cook and filed in the Newburgh County Clerk's Office as map 4225.
 10. See "SERVEY FOR CARROLLS DEVELOPMENT CORP." dated March 25, 1971, revised April 17, 1978 and prepared by Hartung Associates, P.C., Map No. 142.
 11. See "MAP OF PROPERTY FOR TEXACO, INC." dated March 28, 1973, prepared by Hartung Associates, P.C. and recorded in Liber 2942 of page 98.

- LEGEND:**
- Survey Methods
 - Station Markers
 - Telephone Markers
 - Electric Markers
 - Water Valve
 - Fire Hydrant
 - Gas Valve
 - Catch Basin
 - Deciduous Tree
 - Coniferous Tree
 - Fire Line
 - Sewer Line
 - Water Line
 - Gas Line
 - Storm Sewer Line
 - Spot Elevation
 - Existing Contour
 - Internal
 - Overhead Wire

"ALTA / ACSM LAND TITLE SURVEY"

PREPARED UNDER THE SUPERVISION OF:

HAYES & MATTHEWS, INC.
 1120 Hudson Street, Newburgh, N.Y. 12550
 Telephone: 714/797-2500
 FAX: 714/611-2500

NOTE: This map was prepared by the Surveyor and is not a legal document. It is subject to the provisions of the Surveyor's Code of Ethics and the rules of the New York State Board of Surveyors.

DATE	REVISION	BY	APPROVED

FRANCHISE FINANCE CORPORATION OF AMERICA

N. PLANK ROAD, ROUTE 32
 NEWBURGH, NEW YORK
 (BURGER KING)

Plot # 301

SCALE: 1" = 30'	DATE: December 16, 1997	CHKD: JMW
DATE: 12/16/97	APPROVED:	
CHKD: JMW		

ZONING DATA:

• ZONE: B Business District
 Minimum Lot Area = 10,000 Sft.
 Minimum Lot Width = 100' Minimum Lot Depth = 125'
 Minimum Height = 30'
 Minimum Front Yard = 40'
 Minimum Side Yard = 15'
 Minimum Rear Yard = 30'
 Parking Requirements = 1 Space Per 4 Sells

ACCESS NOTE:

Access to property and public right-of-way:
 N.Y.S. Route #32 @ N. Plank Road

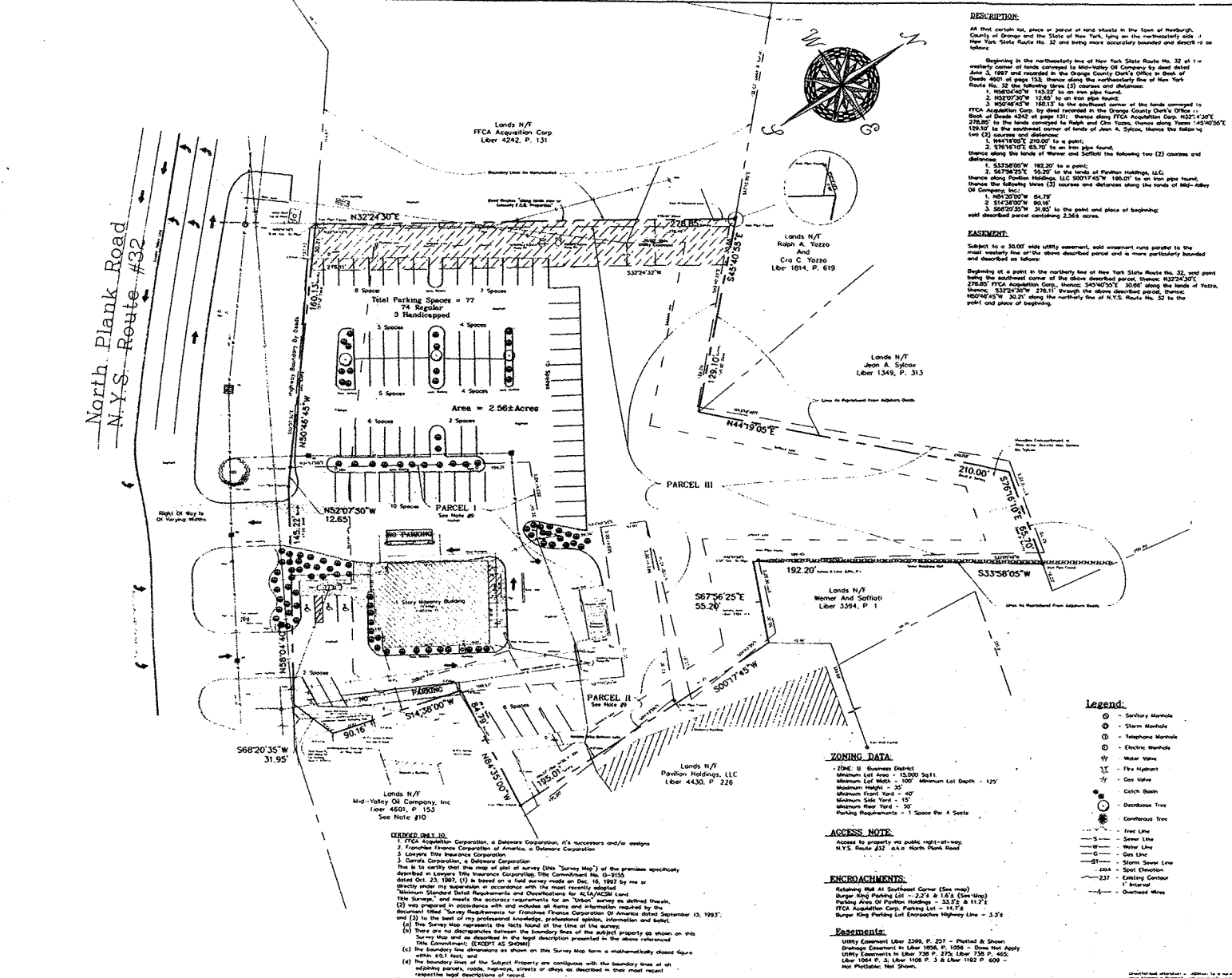
ENCROACHMENTS:

Relating to All Southeast Corner (See Map)
 Burger King Parking Lot = 274 x 165 (See Map)
 Parking Area of Pavilion Holdings = 337.8 x 117.7
 FTCA Acquisition Corp. Parking Lot = 147.8
 Burger King Parking Lot Encroaches Highway Line = 37.8

EASEMENTS:

Utility Easement Liber 2399, P. 237 - Partial & Shown
 Drainage Easement in Liber 1026, P. 1008 - Does Not Apply
 Utility Easements in Liber 728 P. 275, Liber 738 P. 400
 Liber 1084 P. 3, Liber 1106 P. 3 & Liber 1192 P. 609 - Not Shown, See Deeds.

GRAPHIC SCALE



RDM
 SURVEYING CONSULTANTS

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