

GENERAL NOTES

- The bearing base for this survey originated from Liber 5164, Page 141.
- This property has an area of 35,628 square feet or 0.8179 acres of land.
- This property is designated by the Westchester County Tax Section 37.14, Block 2, Lot 51.
- There was no observable evidence of cemeteries found at the time of this survey.
- This site has access via Saw Mill River Road, being a dedicated public right of way.

SCHEDULE B - TITLE EXCEPTION NOTES

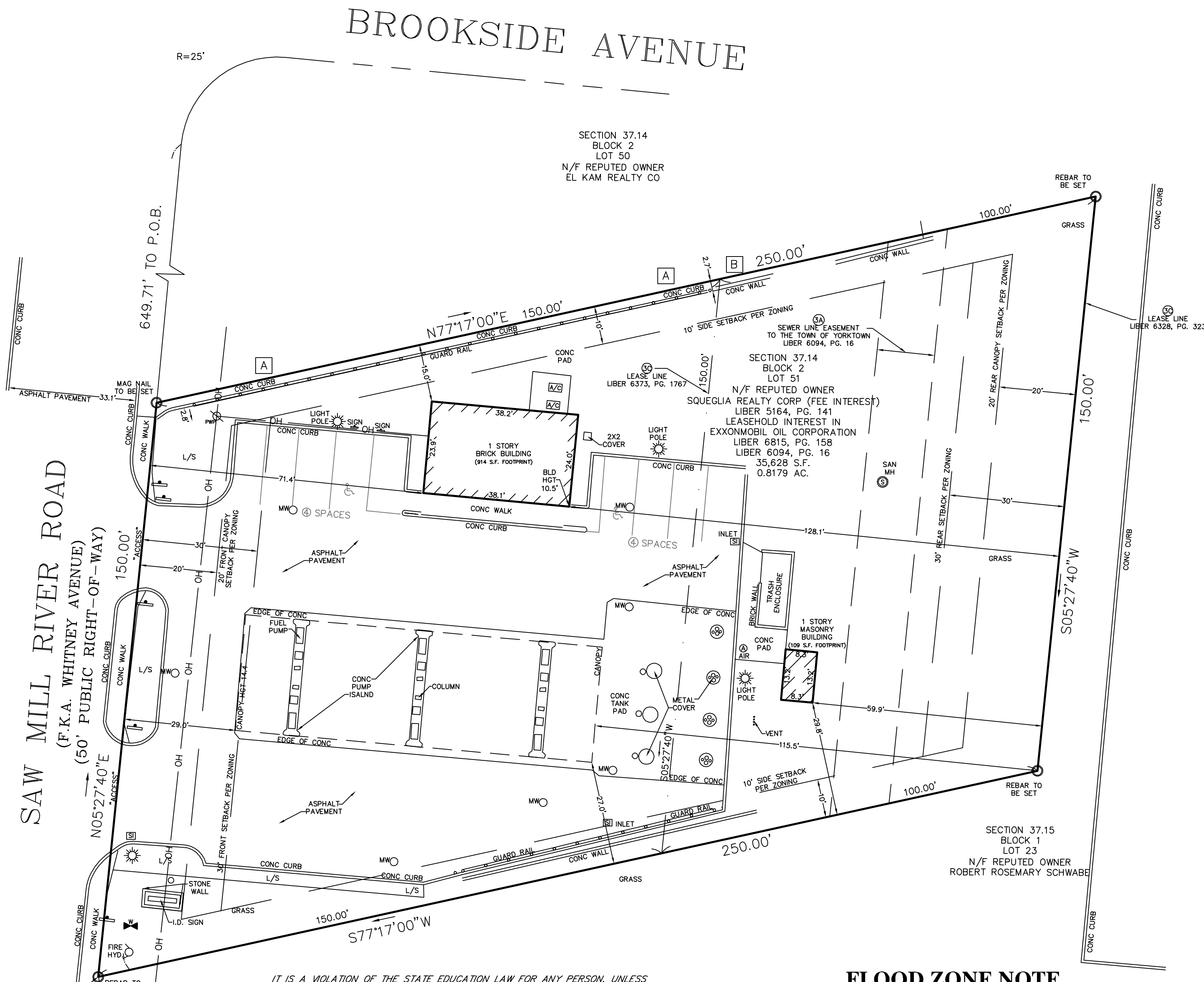
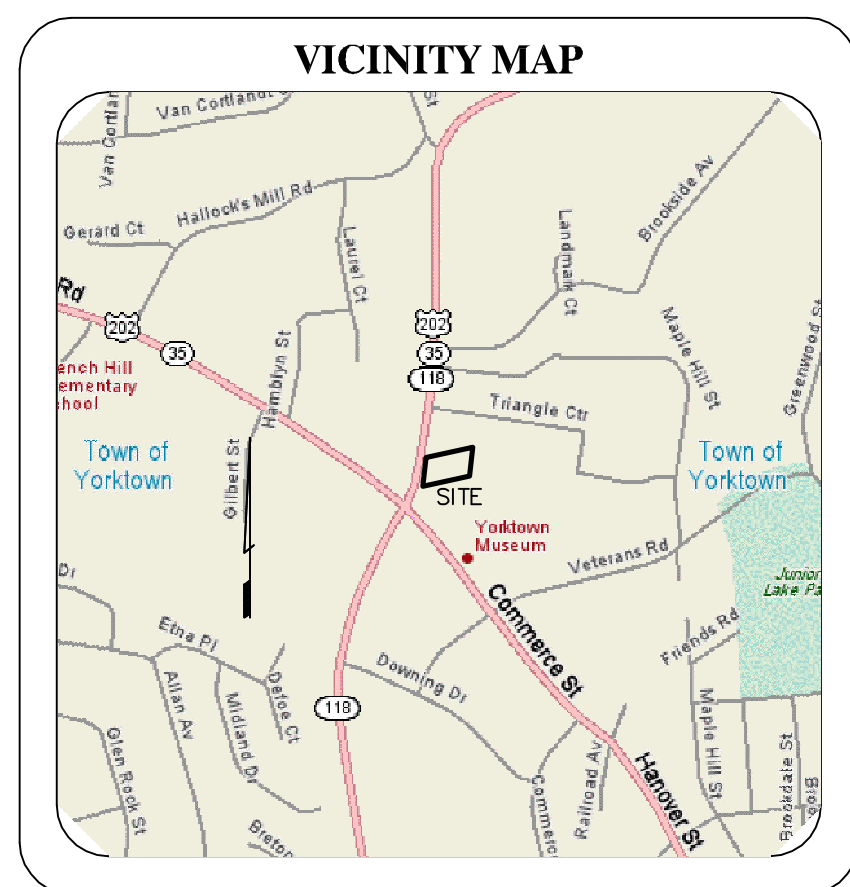
This survey is based on a title report prepared by Stewart Title Insurance Company, Commitment No. ST10-07344, Effective date March 5, 2010.

Items not listed below are standard title exceptions and/or are not matters or issues that pertain to this survey.

- Covenants, conditions, easements, leases, agreements of record as follows:
 - Sewer Line Easement made by Saueglia Realty Corp to Town of Yorktown recorded 3/17/1961 in Liber 6094 Pg. 16 See within: - **AFFECTS PROPERTY AS SHOWN ON SURVEY.**
 - For Information Only: Covenants and Restrictions in Liber 5164 Pg. 141 (Benefit described premises). See within: - **BENEFITS PROPERTY BUT CANNOT BE PLOTTED (BLANKET IN NATURE)**
 - Terms and provisions of the lease dated 3/14/1963 made by Saueglia Realty Corp. to Morton Belove, as evidenced by instrument recorded 8/16/1963 in Liber 6328 Pg. 323, as assigned to Triangle Shopping Centers Inc by Liber 6364 Pg. 483 and amended by Amendment of Lease recorded in Liber 6373 Pg. 176 and further assigned by mesne assignment to Yorktown Associates Company recorded 6/1/1971 in Liber 6990 Pg. 243. Lease to terminate 3/31/2038. ("Master Lease"). **AFFECTS PROPERTY, LEASE LINE SHOWN ON SURVEY.**

LEGEND OF SYMBOLS & ABBREVIATIONS

○ MONUMENT FOUND	⊗ POWER POLE	— SS — SAN SEWER LINE
○ MONUMENT SET	⊗ GUY WIRE	⊗ SEWER MANHOLE
⊗ P.K. NAIL FOUND	⊗ LIGHT POLE	○ CLEAN OUT
⊗ P.K. NAIL SET	⊗ STREET LIGHT POLE	⊗ STORM DRAIN MANHOLE
⊗ FND X MARK	⊗ ELEC. TRANSFORMER	⊗ STORM INLET
⊗ SET X MARK	⊗ AIR CONDITIONER	⊗ CURB INLET
▲ R.R. SPIKE FOUND	— E — BURIED ELECTRIC	⊗ PAY PHONE
△ R.R. SPIKE SET	— OH — OVERHEAD UTILITIES	⊗ TELEPHONE BOX
⊗ BENCHMARK	⊗ ELEC. MANHOLE	⊗ TELEPHONE MANHOLE
⊗ CONC. R/W MARKER	⊗ ELECTRIC METER	⊗ TELEPHONE POLE
(R) RECORD DATA	— W — WATER LINE	— T — TELEPHONE LINE
(M) MEASURED DATA	⊗ WATER MANHOLE	⊗ UNDERGROUND TELEPHONE MARKER
(C) CALCULATED DATA	⊗ WATER VALVE	⊗ UNDERGROUND CABLE MARKER
(S) SURVEYED DATA	⊗ WATER METER	⊗ CABLE TELEVISION
R.O.W. RIGHT OF WAY	⊗ HYDRANT	⊗ CABLE BOX
AKA ALSO KNOWN AS	⊗ GAS VALVE	⊗ TRAFFIC POLES
RCP REINFORCED CONC PIPE	⊗ GAS METER	⊗ TRAFFIC MANHOLE
CMP CORRUGATED METAL PIPE	⊗ UNDERGROUND GAS MARKER	⊗ TRAFFIC SIGNAL BOX
DEP DEPRESSED	⊗ FLAG POLE	⊗ SIGN
MTL METAL	⊗ GAS MANHOLE	⊗ AGL ABOVE GROUND LEVEL
S.F. SQUARE FEET	— G — GAS LINE	⊗ LANDSCAPING
FT. FEET	⊗ MONITORING WELL	⊗ TREE
P.O.B. POINT OF BEGINNING	⊗ MAIL BOX	⊗ HANDICAP PARKING
P.O.C. POINT OF COMMENCEMENT	⊗ UNKNOWN MANHOLE	⊗ BOLLARD
CONC CONCRETE	⊗ SQUARE METAL LID	⊗ AIR COMPRESSOR
BLD BUILDING	⊗ FUEL TANK LID	⊗ VACUUM
HT HEIGHT	⊗ PID PROPERTY ID	⊗ N/F NOW OR FORMERLY
CH BRG CHORD BEARING	⊗ CH DIST CHORD DISTANCE	



POTENTIAL ENCROACHMENT NOTES

- CONCRETE WALL AND ASPHALT PAVEMENT CROSS NORTHERLY PROPERTY LINE BY 2.8 FT.
- CONCRETE WALLS CROSS NORTHERLY PROPERTY LINE BY 2.8 FT.

ZONING NOTES

Zoned: C-2 - LOCAL RETAIL BUSINESS DISTRICT

Permitted Use Classification: Gasoline Filling Station

Observed Use(s): Gasoline Filling Station

Existing site conditions appear (from outside observations) to fall within permitted uses as listed above in the Town of Yorktown Zoning Regulations Section 300-46.

Zoning Regulations are subject to change and interpretation, for further information contact: Town of Yorktown (phone: 914-962-6565)

Site Restrictions:

- Minimum building setbacks:
 - Front: 30' (min. provided: 71.4')
 - Roof edge or Canopy front: 20' (min. provided: 29.0')
 - Side: 10' (min. provided: 15.0')
 - Roof edge or Canopy side: 10' (min. provided: 27.0')
 - Rear: 30' (min. provided: 128.1')
 - Roof edge or Canopy rear: 20' (min. provided: 115.5')
- Minimum lot size: n/a (min. provided: 35,628 S.F.)
- Minimum lot frontage: 100' (min. provided: 150')
- Maximum building height: 35' (max. provided: 10.5')
- Maximum density: n/a
- Maximum floor area ratio: n/a

Parking Tabulation:

- Regular parking space calculations are based on exterior footprint of building at ground level and are further calculated using the formula of: two parking spaces for each service bay. Where a convenience store is located, there shall be a minimum of five parking spaces per 1,000 square feet of gross floor area of convenience store
- Handicap spaces are calculated based on ADA requirements (Total spaces: 1-25, Required ADA spaces = 1)

Total regular spaces provided: 6
Total handicap spaces provided: 2
Total combined spaces provided: 8

Survey Prepared By:
First Order, LLC
1700 Sullivan Trail, Suite 3
Easton, PA 18040
Phone: (610) 438-5840
Fax: (610) 438-0004

Surveyor's Drawing No.	1835-092.dwg
Surveyor's Site Ref:	1835-092
Checked by: JWS	Drawn by: REP

IT IS A VIOLATION OF THE STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW. COPIES FROM THE ORIGINAL OF THIS SURVEY MAP NOT MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE VALID TRUE COPY. CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

FLOOD ZONE NOTE

By graphic plotting only, this property is in Zone "X" of the Flood Insurance Rate Map, Community Panel No. 36119 C 0043 F, which bears an effective date of Sept 28, 2007, and IS NOT in a Special Flood Hazard Area. By telephone call to the National Flood Insurance Program (800-638-6620) we have learned this community DOES currently participate in the program. No field survey was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

LEGAL DESCRIPTION

ALL that certain parcel of land, situate on Saw Mill River Road, Yorktown Heights, Town of Yorktown, County of Westchester, State of New York and bounded and described as follows:

BEGINNING at a point on the easterly side of Saw Mill River Road distant 649.71 feet southerly, as measured along the easterly side of Saw Mill River Road from the southerly end of a curve having a radius of 25 feet connecting the southerly side of Brookside Avenue with the easterly side of Saw Mill River Road; and

THENCE RUNNING along the easterly side of Saw Mill River Road North five degrees twenty seven minutes forty seconds (5° 27' 40") East a distance of one hundred fifty (150) feet to the lands now or formerly of Eugene Hartner; and

THENCE RUNNING along the southerly boundary line of said Hartner land North seventy seven degrees seventeen minutes no seconds (77° 17' 0") East a distance of two hundred fifty (250) feet to a point; and

THENCE RUNNING South five degrees twenty seven minutes forty seconds (5° 27' 40") West a distance of one hundred fifty (150) feet to a point; and

THENCE RUNNING South seventy seven degrees seventeen minutes no seconds (77° 17' 0") West a distance of two hundred fifty (250) feet to the easterly side of Saw Mill River Road, at the point or place of BEGINNING.

Being the same tract of land described in a Title Report prepared by Stewart Title Insurance Company, Commitment No. ST10-07344, Effective date March 5, 2010.

ALTA/ACSM LAND TITLE SURVEY

ExxonMobil
SS#11613
2035 Saw Mill River Road
Yorktown Heights, NY
Surveyor's Certification

The undersigned, being a registered surveyor of the State of New York, certifies to MANUFACTURERS AND TRADERS TRUST COMPANY, individually and in its capacity as an agent for other financial institutions, [Insert CPD Entry - To be Provided], Exxon Mobil Corporation, ExxonMobil Oil Corporation, Stewart Title Guaranty Company, Getty Realty Corp., a Delaware corporation, CTV NY Leasing, Inc., a Delaware corporation, and their respective successors and assigns, and MKAssociates, Inc. as follows:

- This map or plat and the survey on which it is based were made in accordance with the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS in 2005 and includes 1-4, 6, 7(a), 7(b), 7(c), 8, 9, 10, 11(a), 13 and 14 of Table A thereof.
- The survey was made on the ground on May 6, 2010 and correctly shows the area of the subject property, the location and type of all buildings, structures and other improvements situated on the subject property, and any other matters situated on the subject property, including sidewalks, curbs, parking areas, and fences.
- Except as shown on the survey, there are no visible easements or rights of way of which the undersigned has been advised.
- Except as shown on the survey, there are no observable, above ground encroachments (a) by the improvements on the subject property upon adjoining properties, streets or alleys, or (b) by the improvements on adjoining properties, streets or alleys upon the subject property.
- The location of each easement, right of way, servitude, and other matter affecting the subject property and listed in the title insurance commitment dated March 5, 2010, issued by Stewart Title Guaranty Company, with respect to the subject property has been shown on the survey, together with the appropriate recording references, to the extent that such matters can be located. The property shown on the survey is the property described in the above-referenced title commitment. The location of all improvements on the subject property is in accord with minimum setback provisions and restrictions of record referenced in such title commitment.
- The subject property has access to and from a duly dedicated and accepted public street or highway.
- Except as shown on the survey, the subject property does not serve any adjoining property for drainage, utilities, or ingress or egress.
- The metes and bounds description of the subject property forms a mathematically closed figure.
- No portion of the property shown on the survey lies within a Special Flood Hazard Area, as determined by an examination of the document entitled "Department of Housing & Urban Development, Federal Insurance Administration - Special Flood Hazard Area Maps," (Flood Map, No. 36119C0043F).

The parties listed above are entitled to rely on this survey and this certificate as being true and accurate.

Registered Surveyor: Jack W. Sheemaker
Professional Land Surveyor Number: 50495-1
In the State of New York
Date of Last Field Survey: May 06, 2010
Date of Last Revision: December 20, 2010

PROJECT NAME: ExxonMobil MKA PROJECT No.: 1099-10-1924-092R
ADDRESS: 2035 Saw Mill River Road CITY: Yorktown Heights STATE: NY

For Inquiries Concerning This Survey Contact MKA
National Coordinators of Land Survey Services

MKA
A National Land Services Group

6593 Commerce Court - Warrenton, Virginia 20187
Phone: (540) 428-3550 Fax: (540) 428-3560
www.mkassociates.com