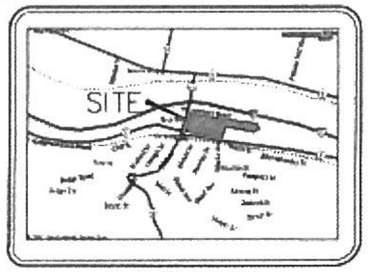


VICINITY MAP
MAP NOT TO SCALE

BASIS OF BEARINGS:
NORTH ARROW AND BEARINGS SHOWN ON THIS SURVEY WERE ESTABLISHED AS DESCRIBED IN BOOK 580 OF DEEDS AT PAGE 193.

ZONING INFORMATION

COMMERCIAL-1 DISTRICT

MIN. FRONT YARD	20
MIN. SIDE YARD	10 FEET (ONE SIDE), 30 FEET (TOTAL)
MIN. REAR YARD	25 FEET
MAX. BUILDING HEIGHT	3 STORIES, 45 FEET
MIN. LOT AREA	NONE LISTED
MAX. TOTAL LOT COVERAGE	NONE LISTED
REQUIRED PARKING	NONE

ZONING INFORMATION OBTAINED FROM
VILLAGE OF CANAJOHARIE ZONING DEPARTMENT
CANAJOHARIE, NEW YORK 673-3512

ZONING INFORMATION

MANUFACTURING-1 DISTRICT

MIN. FRONT YARD	50 FEET
MIN. SIDE YARD	20 FEET (ONE SIDE), 40' (TOTAL)
MIN. REAR YARD	50 FEET
MAX. BUILDING HEIGHT	5 STORIES, 70 FEET
MIN. LOT AREA	NONE LISTED
MAX. TOTAL LOT COVERAGE	NONE LISTED
REQUIRED PARKING	NONE

ZONING INFORMATION OBTAINED FROM
VILLAGE OF CANAJOHARIE ZONING DEPARTMENT
CANAJOHARIE, NEW YORK 673-3512

NOTES CORRESPONDING TO SCHEDULE B SECTION 2 ITEMS

(11) Exception contained in deed from Charles H. Schrader and wife to The Beech-Nut Packing Company dated December 17, 1923 and recorded December 24, 1923 in Book of Deeds 202 at page 37 as follows. Affects subject parcel, but blanket in nature and has not been shown;
Excepting and reserving rights as have been granted to and are still possessed by the State of New York to deposit surplus. Excavation thereon. Affects subject parcel, but blanket in nature and has not been shown;

(12) Conditions and covenants contained in Deed from Village of Canajoharie to The Beech-Nut Packing Company, dated March 22, 1920 and recorded April 5, 1920 in Book of Deeds 185 at page 547, as follows:
This conveyance is made upon condition that the People of the State of New York are released from all obligations for maintenance of any and all structures, located in the section herein conveyed, and all liability on the part of the State for or on account of the maintenance of such structures hereby ceases. Affects subject parcel, but is not plottable in nature and has not been shown;
This conveyance is made upon condition that the grantee herein shall drain the lands herein conveyed when requested to do so by the State Engineer and Surveyor in a manner and according to plans and specification to be drawn up or approved by the State Engineer and Surveyor.
It is hereby covenanted on the part of the grantee herein that the grantee, its successors and/or assigns, will forever release the State of New York of and from any and all claims for damages occasioned by percolation or overflow from the canal, or by the flooding by the waters of the State Canal and waterways, and by any surface water, or other waters, which was accustomed to flow to, upon or over said abandoned canal lands. Affects subject parcel but is not plottable in nature and has not been shown;

(13) Exception contained in deed from New York Power and Light Corporation to The Beech-Nut Packing Company, dated September 18, 1945 and recorded September 17, 1945 in Block 261 of Deeds at page 147. Reserves the right to construct and maintain utility line. exception is blanket in nature and can not be shown;
14. Perpetual easement reserved in Deed from the People of the State of New York to Beech-Nut Packing Company dated November 25, 1946 and recorded December 16, 1946 in Book of Deeds 265 at page 363. Easement for overflowing and flooding is blanket in nature and can not be shown;

(15) Subject to permanent easement and conditions contained in deed from Village of Canajoharie to Beech-Nut Packing Company dated January 5, 1949 and recorded February 10, 1949 in Book of Deeds 274 at page 417. Affects subject parcel and has been shown;

(16) Reservation contained in Quit Claim Deed from the People of the State of New York to Beech-Nut Life Savers, Inc., dated April 8, 1959 and recorded April 23, 1959 in Book of Deeds 317 at page 440. Restricts access to Thruway, affects subject parcel and has been shown;

(17) Reservations contained in deed from the People of the State of New York, acting by and through the New York State Thruway Authority to Beech-Nut Life Savers, Inc., dated March 8, 1966 and recorded May 4, 1966 in Book of Deeds 367 at page 374. Restricts access to Thruway, affects subject parcel and has been shown;

(18) Reservations contained in deed from the People of the State of New York to Beech-Nut, Inc., dated April 24, 1972 and Recorded June 1, 1972 in Book of Deeds 391 at page 800. Restricts access to Thruway, affects subject parcel and has been shown;

(19) Conditions contained in Quit Claim Deed from Village of Canajoharie to Beech-Nut Packing Company dated April 6, 1948 and recorded April 14, 1948 in Book of Deeds 272 at page 51. Affects subject parcel, but are not plottable in nature and have not been shown;

(20) Easement granted by Village of Canajoharie to New York Power and Light Corporation dated September 19, 1930 and recorded April 3, 1931 in Book of Deeds 224 at page 384. Affects subject parcel but blanket in nature and has not been shown;

(21) Easement granted by Village of Canajoharie to New York Power and Light Corporation dated April 20, 1931 and recorded February 18, 1932 in Book of Deeds 226 at page 421. Affects subject parcel but blanket in nature and has not been shown;

(22) Easement granted by The People of the State of New York to Village of August 14, Canajoharie dated January 31, 1963 and recorded August 14, 1963 in Book of Deeds 348 at page 329. Affects subject parcel and has been shown;

(23) Subject to sewer line easement contained in Letters Patent to Beech-Nut Life Savers, Inc., dated March 1, 1983 and recorded March 28, 1983 in Book of Deeds 345 at page 483. Affects subject parcel and has been shown;

(24) Exception contained in Deed from The People of the State of New York to Beech-Nut Life Savers, Inc., dated October 14, 1983 and recorded March 19, 1984 in Book of Deeds 352 at page 280. Restricts access to Thruway, affects subject parcel and has been shown;

(25) Permanent easement from The People of the State of New York to Village of Canajoharie, dated August 5, 1963 and recorded August 14, 1963 in Book of Deeds 348 at page 334; excepting that portion conveyed by the Village of Canajoharie to the People of the State of New York by Quit Claim Deed dated November 30, 1971 and recorded December 30, 1971 in Book of Deeds 390 at page 142. Affects subject parcel and has been shown;

(26) Conditions contained in deed from the People of the State of New York to Beech-Nut Inc., recorded October 10, 1972 in Book of Deeds 393 at page 805. Affects subject parcel, but are not plottable in nature and have not been shown;

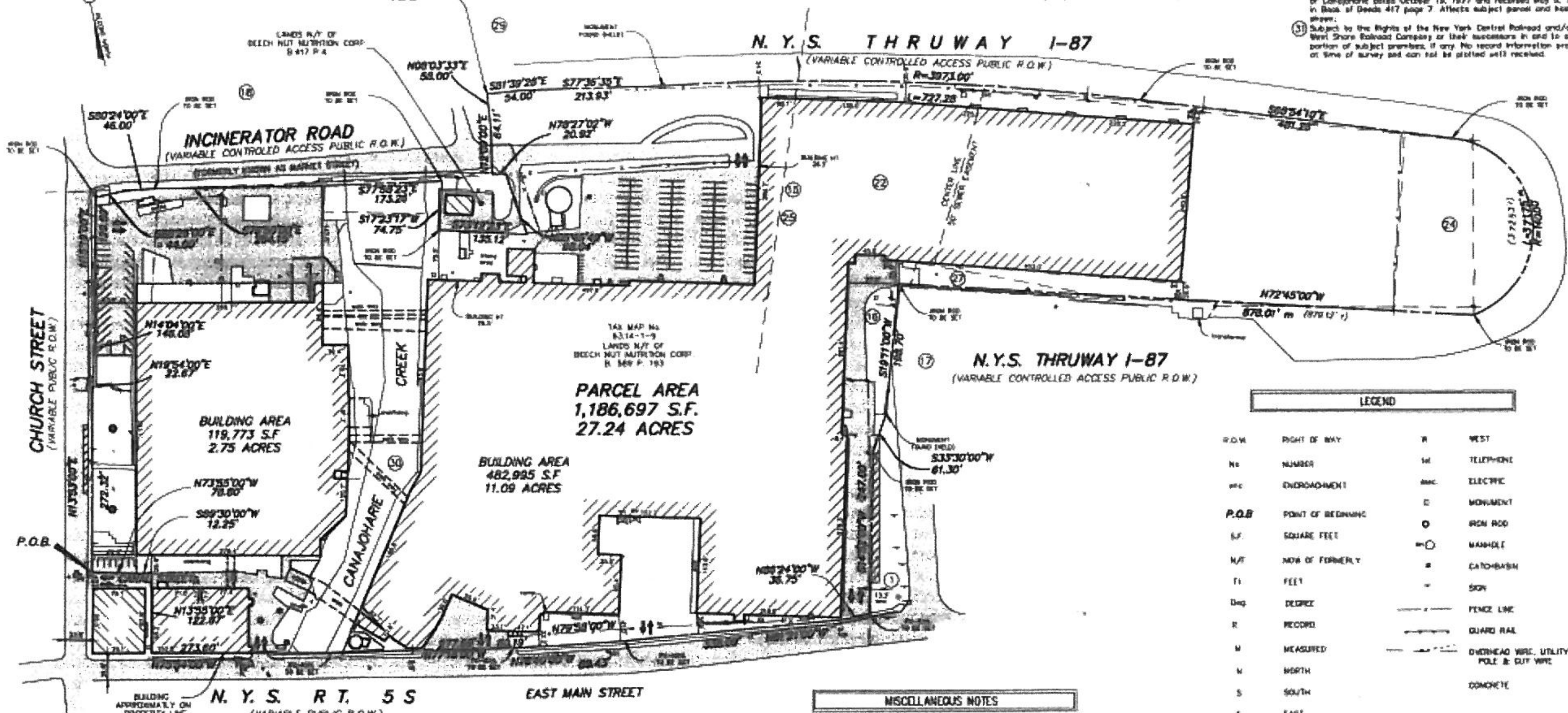
(27) Permanent Easement from Beech-Nut Life Savers, Inc. to People of the State of New York, dated February 9, 1966 recorded March 18, 1966 in Book of Deeds 366 at page 360 Affects subject parcel and has been shown;
28. (a) Wastewater Interception and Treatment contract, between the Village of Canajoharie and Beech-Nut Inc., dated June 20, 1971 and recorded June 28, 1971 in Book of Misc. Records 15 at page 399.

(28b) (b) Supplemental Agreement between the Village of Canajoharie and Beech-Nut, Inc. dated October 21, 1971 and recorded December 3, 1971 in Book 15 of Misc. Records at page 556. Both contract and agreement affect subject parcel's maximum volume of waste discharged. they are not plottable in nature and have not been shown.

(29) Right of Way contained in deed from Beech-Nut Foods Corporation to Village of Canajoharie by deed dated October 19, 1977 and recorded May 9, 1978 in Book of Deeds 417 at page 4. Affects subject parcel and has been shown;

(30) Easement granted by Beech-Nut Foods Corporation to Village of Canajoharie dated October 19, 1977 and recorded May 9, 1978 in Book of Deeds 417 page 7. Affects subject parcel and has been shown;

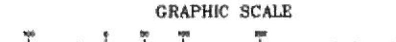
(31) Subject to the Rights of the New York Central Railroad and/or West Shore Railroad Company or their successors in and to any portion of subject premises, if any. No record information provided at time of survey and can not be plotted until received.



LEGEND

R.O.W.	RIGHT OF WAY	W	WEST
No.	NUMBER	tel.	TELEPHONE
enc.	ENCROACHMENT	elec.	ELECTRIC
P.O.B	POINT OF BEGINNING	▫	MONUMENT
S.F.	SQUARE FEET	o	IRON ROD
N/F	NOW OF FORMERLY		MANHOLE
Ft	FEET		CATCHBASIN
Deg	DEGREE		SIGN
R	RECORD		FENCE LINE
M	MEASURED		GUARD RAIL
N	NORTH		OVERHEAD WIRE, UTILITY POLE & GUY WIRE
S	SOUTH		CONCRETE
E	EAST		
⇄	TRAFFIC FLOW ACCESS AREA		PAVEMENT

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

PARKING TABLE

AUTOMOBILE PARKING	145
MOTOR CYCLE PARKING	10
TOTAL PARKING	155

MAP REFERENCE

SURVEY MAP OF LANDS OF BEECH-NUT NUTRITION CORP MAIN PLANT CHURCH STREET & E. MAIN STREET VILLAGE OF CANAJOHARIE, COUNTY OF MONTGOMERY DATED OCTOBER 24, 1989 MADE BY ALFRED A. MAJOR

FLOOD NOTE: By graphic plotting only, this property is in Zone(s) A13, B, C of the Flood Insurance Rate Map Community Panel No. 360443 0005B, which bears an effective date of November 3, 1982 and is in a Special Flood Hazard Area. By telephone call dated August 21, 1998 to the National Flood Insurance Program (800-638-6620) we have learned this community does/does not 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 or apply for a variance from the Federal Emergency Management Agency.

LIST OF ENCROACHMENTS

(1) ASPHALT ENCROACHES ONTO ADJOINERS PROPERTY 13.3'

MISCELLANEOUS NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209-2. OF THE NEW YORK STATE EDUCATION LAW.
2. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH THE LAND SURVEYOR'S SIGNATURE AND AN ORIGINAL EMBOSSED OR INK SEAL SHALL BE CONSIDERED VALID TRUE COPIES.
3. THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE USE BEYOND THE PARTIES OR PURPOSE INDICATED IS EXPRESSLY FORBIDDEN WITHOUT WRITTEN RELEASE OR PERMISSION OF FRANCIS E. McCLOSKEY, LICENSE No. 049441.
4. THERE IS NO VISIBLE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS ON SUBJECT PARCEL.
5. ALL MEASUREMENTS MATCH RECORD DIMENSIONS, EXCEPT WHERE NOTED.

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Record Description

SCHEDULE A

ALL THAT PIECE OR PARCEL OF LAND, situate, lying and being in the Village of Canajoharie, County of Montgomery and State of New York, bounded and described as follows:
Beginning at a point in the easterly margin of Church Street where the east margin of Church Street intersects the northerly margin of Canal Street, said point of beginning also being the southwesterly corner of lands conveyed by the Village of Canajoharie to Beech-Nut Life Savers, Inc., by Deed dated January 2, 1957, and recorded in the Montgomery County Clerk's Office in Book 304 of Deeds at Page 324, and running thence N 13 deg. 53' E along the easterly margin of Church Street for a distance of 272.32 feet to a point; thence continuing along the easterly margin of Church Street N 19 deg. 54' E for a distance of 22.67 feet to a point; thence N 14 deg. 04' E along said Church Street for a distance of 146.08 feet to a point; thence N 15 deg. 19' E along the said easterly margin of Church Street for a distance of 129.89 feet to a point where the easterly margin of Church Street intersects the southerly margin of Market Street; thence running along the southerly margin of Market Street for the following courses; S. 88 deg 25' E, 44.00 feet, S 80 deg 9 24' E, 46.00 feet, S 78 deg 50' E, 264.55 feet and S 77 deg 58' 23" E for a distance of 173.28 feet to a point marking the northeast corner of lands conveyed by Beech Nut Foods, Corporation to the Village of Canajoharie by Deed dated October 19, 1977, and recorded in the Montgomery County Clerk's Office in Book 417 of Deeds at Page 4; thence S 17 deg 23' 17" W., along the west line of said lands of the Village of Canajoharie for a distance of 74.75 feet to a point marking the southeast corner of said lands of the Village of Canajoharie, thence S 73 deg 12' 23" E, for a distance of 135.13 feet to an existing iron pipe marking the southeast corner of said lands of the Village of Canajoharie; thence N 05 deg 45' 49" W along the east line the Village's lands for a distance of 98.04 feet to an existing iron pipe; thence N 78 deg 27' 02" W for a distance of 20.92 feet to a point; thence N 12 deg 09' 00" E for a distance of 64.11 feet to a point; thence N 08 deg 03' 33" E for a distance of 58.00 feet to a point, thence running S 81 deg 39' 28" E along lands of the State of New York for a distance of 54.00 feet to a point; thence S 77 deg 36' 35" E for a distance of 213.93 feet to a canal monument; thence running along a curve to the right having a Radius of 3973 feet and a length of 727.28 feet to a point; thence S 68 deg 54' 10" E continuing along lands of the State of New York on the north for a distance of 481.26 feet to a point, said line passing over a canal monument at a distance of 402.88 feet; thence running along a curve to the right having a radius of 140 feet and a length of 372.53 feet (371.75 feet measured) to a point. thence running N 72 deg 45' W along lands owned by the State of New York on the south for a distance of 879.12 feet (878.01 feet measured) to a point, thence (last described line passing over an existing Canal Monument at 134.06 feet) thence S 19 deg 11' W along lands of the State of New York on the east for a distance of 198.70 feet to an existing concrete highway monument; thence S 33deg 30' W., for a distance of 61.30 feet to a point; thence S 14 deg 52' W along lands of the State of New York on the east for a distance of 247.00 feet to a point in the northerly margin of New York State Highway, Route 5S; thence running in a general westerly direction for the following courses along the said northerly margin of Route 5S. N 88 deg 24' W, 38.75 feet, N 81 deg 21' W, 338.08 feet, N 79 deg 58' W, 89.43 feet N 78 deg 40 W 80.19 feet, N 77 deg 18' W, 277.68 feet, and N 75 deg 54' W for a distance of 273.60 feet to a point in the easterly margin of an alley just east of the "Kelly Block", thence N 13 deg 55' E for a distance of 122.87 feet along the said easterly margin of said alley to a point, thence S 89 deg 30' W for a distance of 12.25 feet to a point, thence N 73 deg 55' W along the northerly margin of Canal Street for a distance of 78.80 feet to the point or place of beginning.

NOTE: THE ABOVE LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS DESCRIBED IN SCHEDULE 'A' OF A TITLE COMMITMENT No. 905-MO-55,291 OF FIRST AMERICAN TITLE INSURANCE COMPANY WITH AN EFFECTIVE DATE OF JULY 20, 1998

ALTA/ACSM LAND TITLE SURVEY

For
MILNOT/BEECH-NUT NUTRITION SURVEYS
CHURCH STREET, CANAJOHARIE
B&C Project No. 980381/Site 1
County of Montgomery, State of New York

Based Upon Title Commitment No. 905-MO-55,291 of First American Title Insurance Company bearing an effective date of July 20, 1998

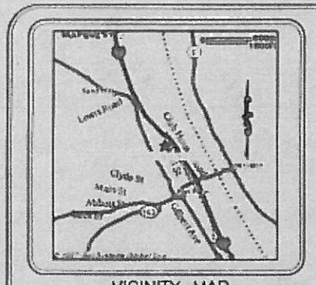
Surveyor's Certification

To: I hereby certify to National Bank, N.A., as Agent, its successors and/or assigns; Beechnut Nutrition Corporation; First American Title Insurance Company; and Bock & Clark that the survey for this plan was made on the ground under my supervision from a recorded description in deed of record in Book 589, Page 193, Records of Montgomery County, State of New York, and that the angular and linear measurements and all other matters shown hereon are correct. I further certify that this survey made under my supervision on August 21, 1998, correctly shows the total area of the property in acreage and in square feet; the exact dimensions and location of improvements, walkways, paved area and parking areas; all other matters on the ground which may adversely affect title to the subject property; the exact relation of buildings and other structures to the property lines of the land indicated hereon; the exact location of visible and recorded easements and other matters of record affecting the subject property. I further certify that there are no encroachments of adjoining buildings or structures onto said land no overlap of buildings or structures from said land other than as shown; that adequate ingress and egress to the subject property are provided by Public R.O.W., as shown on the survey, the same being paved, dedicated public rights of way; that unless otherwise indicated hereon, the subject property does not serve any adjoining property for drainage, ingress and egress or for any other purpose, and that the property is/is not in a flood plain (as shown on Map No. 360443 0005B, of Montgomery County, New York, as dated Nov 3, 1982).

The undersigned certifies that to the best of his professional knowledge, information and belief, this map or plat and the Survey on which it is based were made on the date shown below of the premises specifically described in First American Title Insurance Company's Commitment No. 905-MO-55,291 dated July 20, 1998 and were made: (i) in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and ACSM in 1997; (ii) in accordance with the "AGREEMENT and Survey Requirements for Milnot/Beech-Nut Nutrition Corp. Surveys dated July 7, 1998", and included Items 1, 2, 3, 4, 6, 7(a), 7(c), 7(e), 8, 9, 10, 11, 12, and 13 of Table A specifically defined [illegible] and (iii) pursuant to the Accuracy Standards (as adopted by ALTA and ACSM and [illegible] the date of this certification) of an Urban Survey, with accuracy and precision [illegible] meet current minimum angular and linear tolerance requirements of [illegible] subject property is located.

FRANCIS E. McCLOSKEY, L.S., [illegible]
40 Colvin Avenue, Albany, New York, 12206 ph# [illegible]
Registration No.49441 Within The State Of New York
Date of Survey: 8/21/98
FAX # (518)-459-5683
Dated of Last Revision: 9/4/98
Network Project No. 980381/Site 1
SHEET 1 OF 1

BOCK & CLARK'S NATIONAL SURVEYORS NETWORK
ENGINEERS & SURVEYORS (800-SURVEYS) (800-787-8397) (FAX: 330-666-3608)
537 N. CLEVELAND-MASSILLON RD., AKRON, OHIO 44333



VICINITY MAP
NOT TO SCALE

ZONING INFORMATION

MANUFACTURING - I DISTRICT

MIN. FRONT YARD	(NO YARDS REQUIRED EXCEPT THAT
MIN. SIDE YARD	WHERE PROVIDED THEY SHALL BE LESS
MIN. REAR YARD	THAN 5 FEET. ADJOINING RESIDENTIAL USES.)
MAX. BUILDING HEIGHT	NONE LISTED
MIN. LOT AREA	NONE LISTED
MAX. TOTAL LOT COVERAGE	NONE LISTED
REQUIRED PARKING	NONE

ZONING INFORMATION OBTAINED FROM
TOWN OF FORT PLAIN ZONING DEPARTMENT
FORT PLAIN, NEW YORK 993-4271

MISCELLANEOUS NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209-2, OF THE NEW YORK STATE EDUCATION LAW
2. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH THE LAND SURVEYOR'S SIGNATURE AND AN ORIGINAL EMBOSSED OR INK SEAL SHALL BE CONSIDERED VALID TRUE COPIES.
3. THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE USE BEYOND THE PARTIES OR PURPOSE INDICATED IS EXPRESSLY FORBIDDEN WITHOUT WRITTEN RELEASE OR PERMISSION OF FRANCIS C. MCCLOSKEY, LICENSE No. 049441
4. THERE IS NO OBSERVABLE EVIDENCE OF CEMETERIES OR PUBLIC BURIAL GROUND ON SUBJECT PA
5. ALL FIELD MEASUREMENTS MATCH RECO WHERE NOTED

MAP REFERENCE

1. SURVEY MAP OF LANDS OF BEECH-NUT NUTRITION CORP CANAL STREET, HERKIMER STREET AND WILLETT STREET VILLAGE OF FORT PLAIN, TOWN OF MINDEN COUTY OF MONTGOMERY. PREPARED BY A.A. MAIER, P.L.S. DATED OCTOBER 25, 1989 AND FILED IN THE MONTGOMERY COUNTY CLERKS OFFICE
2. NEW YORK STATE DEPARTMENT OF TRANSPORTATION DESCRIPTION AND MAP FOR THE ACQUISITION OF PROPERTY LITTLE FALLS-FORT PLAIN, PTS. 2 & 3 S.H. No. 8217 MONTGOMERY COUNTY MAP No. 124 PARCEL No. 168 AS FILED IN THE OFFICE OF THE DEPARTMENT OF TRANSPORTATION

NOTES CORRESPONDING TO SCHEDULE B SECTION 2 ITEMS

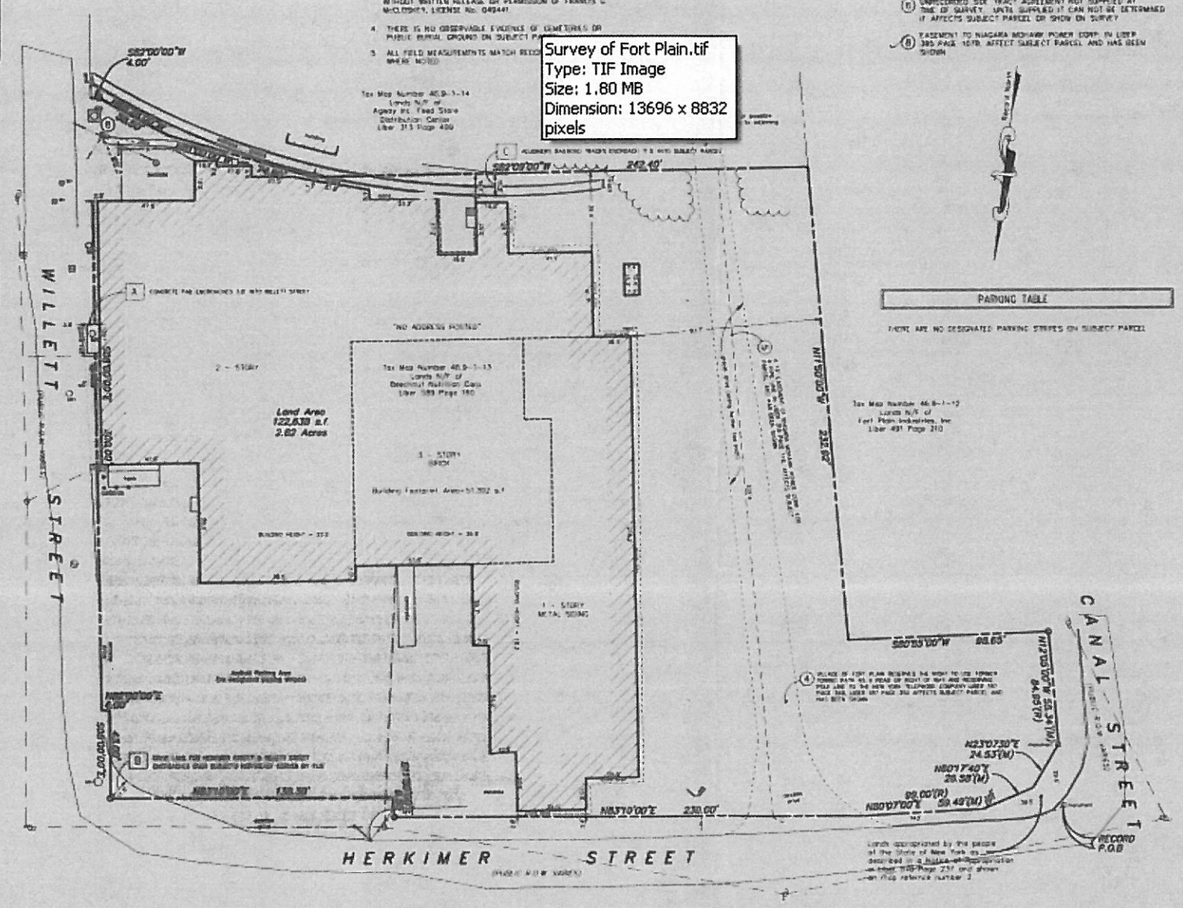
(3) COVENANTS, CONDITIONS, AGREEMENTS AND RESERVATION DESCRIBED IN LIBER 185 PAGE 400 DOES AFFECT SUBJECT PARCEL BUT ARE NOT PLOTTABLE IN NATURE AND HAVE NOT BEEN SHOWN ON SURVEY

(4) VILLAGE OF FORT PLAIN RESERVES THE RIGHT TO USE FORMER TOWING PATH AS A ROAD OR RIGHT OF WAY AND RESERVING POLE LINE TO THE NEW YORK TELEPHONE COMPANY LIBER 187 PAGE 348, LIBER 187 PAGE 350 AFFECTS SUBJECT PARCEL AND HAS BEEN SHOWN

(5) A 10' EASEMENT OF NIAGARA MOHAWK POWER CORP. FOR A POLE LINE IN LIBER 215 PAGE 116, AFFECTS SUBJECT PARCEL AND HAS BEEN SHOWN

(6) UNRECORDED SIDE TRACT AGREEMENT NOT SUPPLIED AT TIME OF SURVEY. UNTIL SUPPLIED IT CAN NOT BE DETERMINED IF AFFECTS SUBJECT PARCEL OR SHOW ON SURVEY

(8) EASEMENT TO NIAGARA MOHAWK POWER CORP. IN LIBER 385 PAGE 167, AFFECT SUBJECT PARCEL AND HAS BEEN SHOWN



LEGEND

R.O.W.	RIGHT OF WAY
No.	NUMBER
enc.	ENCROACHMENT
P.O.B.	POINT OF BEGINNING
S.F.	SQUARE FEET
N/F	NOW OF FORMERLY
Ft.	FEET
Deg.	DEGREE
R	RECORD
M	MEASURED
N	NORTH
S	SOUTH
E	EAST
W	WEST
tel	TELEPHONE
elec.	ELECTRIC
	MONUMENT
	IRON ROD
	MANHOLE
	CATCHBASIN
	SIGN
	FENCE LINE
	GUARD RAIL
	OVERHEAD WIRE, UTILITY POLE & GUY WIRE
	CONCRETE
	PAVEMENT

PARKING TABLE

THERE ARE NO DESIGNATED PARKING STRIPES ON SUBJECT PARCEL

Record Legal Description

ALL THAT PIECE OR PARCEL OF LAND, situate, lying and being in the Village of Fort Plain, Town of Minden, County of Montgomery and State of New York, bounded and described as follows:

BEGINNING at a P.K. nail at the intersection of the easterly margin of Canal Street and the southerly margin of Herkimer Street, and running thence N 80 Deg. 07' E along said southerly margin of Herkimer Street for a distance of 99.00 feet to a point; thence N 83 Deg. 10' E along the said southerly margin of Herkimer Street for a distance of 230.0 feet to an existing iron pipe; thence S 11 Deg. 50' E for a distance of 9.55 feet to a point; thence N 83 Deg. 10' E for a distance of 138.30 feet to an existing P.K. nail marking the intersection of the southerly margin of Herkimer Street and the westerly margin of Willett Street; thence S 8 Deg. 00' E for a distance of 43.00 feet to a point; thence N 82 Deg. 00 E for a distance of 4.00 feet to a point; thence S 8 Deg. 00' E along the westerly margin of Willett Street for a distance of 300.00 feet to a point; thence S 82 Deg. 00' W for a distance of 4.00 feet to an existing P.K. nail which is 3.8 feet northerly of the old railroad spur line; thence N 68 Deg 28' W for a distance of 38.50 feet to a point just northerly of the said spur line; thence N 81 Deg. 00' W for a distance of 74.90 feet to a point; thence S 82 Deg. 09' W for a distance of 242.40' to a point; thence N 11 Deg. 50' W for a distance of 232.92 feet to a point; thence S 80 Deg. 55' W for a distance of 98.65 feet to an existing iron pipe in the easterly margin of Canal Street; thence N 12 Deg. 05' W along the said easterly margin of Canal Street for a distance of 84.95 feet to the point or place of beginning

Excepting that portion of the above described premises that was appropriated by the People of the State of New York as described in a notice of Appropriation recorded in the Montgomery County Clerk's Office in Liber 576 of Deeds, Page 237 on March 25, 1994.

NOTE: THE ABOVE LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS DESCRIBED IN SCHEDULE "A" OF A TITLE COMMITMENT No. 905-MO-55,292 OF FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK WITH AN EFFECTIVE DATE OF 8/20/98

ALTA/ACSM LAND TITLE SURVEY

For
MILNOT/BEECH-NUT NUTRITION SURVEYS
B&C Project No. 98038I/Site 2
Herkimer Street, Minden NY
County of Montgomery, State of New York

Based Upon Title Commitment No. 905-MO-55,292
of First American Title Insurance Company
bearing an effective date of July 20, 1998

Surveyor's Certification

[illegible]

FRANCIS C. MCCLOSKEY ENGINEERS & NEWBERG CONSULTING ENGINEERS AND LAND SURVEYORS
40 Colvin Avenue, Albany, New York, 12206 ph# (518) 459-3000
Registration No.49441 Within The State Of New York

Date of Survey: 8/20/98
Dated of Last Revision: 8/4/98
Network Project No. 98038I/Site 2

FAX # (518)-459-5683

SHEET 1 OF 1

BOCK & CLARK'S NATIONAL SURVEYORS NETWORK
ENGINEERS & SURVEYORS (800-SURVEYS) (800-787-8397) (FAX: 330-666-3608)
537 N. CLEVELAND-MASSILLON RD., AKRON, OHIO 44333

FLOOD NOTE: By graphic plotting only, this property is in Zone [illegible] of the Flood Insurance Rate Map, Community Panel No. [illegible] which bears an effective date of [illegible] and is not in a "Special Flood Hazard Area". By telephone call dated [illegible] to the National Flood Insurance Program (800-638-6620) we have learned this community does/does not 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 or apply for a variance from the Federal Emergency Management Agency. Zone "C" areas of minimal flooding.

LIST OF ENCROACHMENTS

A. CONCRETE PAD ENCROACHES 3.8' INTO WILLETT STREET

B. DRIVE LANE FOR HERKIMER STREET & WILLETT STREET ENCROACHES OVER SUBJECTS NORTHEAST CORNER BY 11.5'

C. ADJOINERS RAILROAD TRACKS ENCROACH 11.5' INTO SUBJECT PARCEL

GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

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