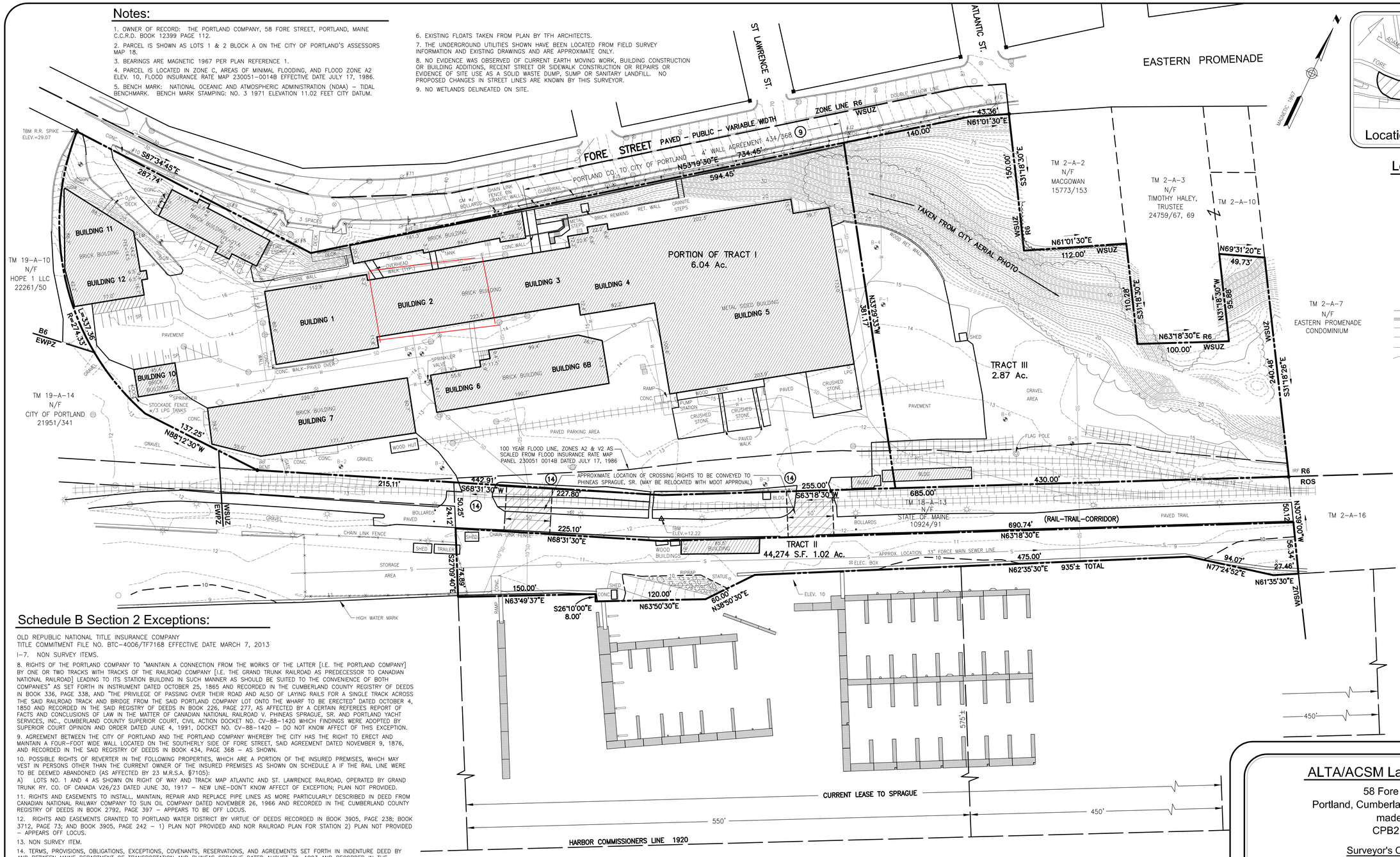
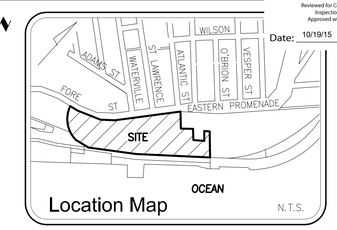
Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 10/19/15

Notes:

1. OWNER OF RECORD: THE PORTLAND COMPANY, 58 FORE STREET, PORTLAND, MAINE C.C.R.D. BOOK 12399 PAGE 112.
2. PARCEL IS SHOWN AS LOTS 1 & 2 BLOCK A ON THE CITY OF PORTLAND'S ASSESSORS MAP 18.
3. BEARINGS ARE MAGNETIC 1967 PER PLAN REFERENCE 1.
4. PARCEL IS LOCATED IN ZONE C, AREAS OF MINIMAL FLOODING, AND FLOOD ZONE A2 ELEV. 10, FLOOD INSURANCE RATE MAP 230051–0014B EFFECTIVE DATE JULY 17, 1986.
5. BENCH MARK: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) – TIDAL BENCHMARK. BENCH MARK STAMPING: NO. 3 1971 ELEVATION 11.02 FEET CITY DATUM.
6. EXISTING FLOATS TAKEN FROM PLAN BY TFH ARCHITECTS.
7. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS AND ARE APPROXIMATE ONLY.
8. NO EVIDENCE WAS OBSERVED OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS, RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OR EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL. NO PROPOSED CHANGES IN STREET LINES ARE KNOWN BY THIS SURVEYOR.
9. NO WETLANDS DELINEATED ON SITE.





Legend:

- IRON PIPE OR ROD FOUND
- GAS VALVE
- WATER VALVE
- HYDRANT
- UTILITY POLE
- LIGHT POLE
- MANHOLE
- CATCH BASIN
- SIGN
- ELECTRIC OR GAS METER
- BOLLARD
- MONITORING WELL
- B–2 S.W. COLE BORING LOCATION (APPROXIMATE LOCATION)
- FENCE
- CURB
- OVERHEAD WIRES
- SS SANITARY SEWER
- W WATER LINE
- 20 1' CONTOUR
- N/F NOW OR FORMERLY
- O/H OVERHANG
- CONC. CONCRETE
- (1) SCHEDULE B EXCEPTION

Schedule B Section 2 Exceptions:

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
TITLE COMMITMENT FILE NO. BTC–4006/TF7168 EFFECTIVE DATE MARCH 7, 2013

1–7. NON SURVEY ITEMS.

8. RIGHTS OF THE PORTLAND COMPANY TO "MAINTAIN A CONNECTION FROM THE WORKS OF THE LATTER [I.E. THE PORTLAND COMPANY] BY ONE OR TWO TRACKS WITH TRACKS OF THE RAILROAD COMPANY [I.E. THE GRAND TRUNK RAILROAD AS PREDECESSOR TO CANADIAN NATIONAL RAILROAD] LEADING TO ITS STATION BUILDING IN SUCH MANNER AS SHOULD BE SUITED TO THE CONVENIENCE OF BOTH COMPANIES" AS SET FORTH IN INSTRUMENT DATED OCTOBER 25, 1865 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 336, PAGE 338, AND "THE PRIVILEGE OF PASSING OVER THEIR ROAD AND ALSO OF LAYING RAILS FOR A SINGLE TRACK ACROSS THE SAID RAILROAD TRACK AND BRIDGE FROM THE SAID PORTLAND COMPANY LOT ONTO THE WHARF TO BE ERECTED" DATED OCTOBER 4, 1850 AND RECORDED IN THE SAID REGISTRY OF DEEDS IN BOOK 226, PAGE 277, AS AFFECTED BY A CERTAIN REFEREES REPORT OF FACTS AND CONCLUSIONS OF LAW IN THE MATTER OF CANADIAN NATIONAL RAILROAD V. PHINEAS SPRAGUE, SR. AND PORTLAND YACHT SERVICES, INC., CUMBERLAND COUNTY SUPERIOR COURT, CIVIL ACTION DOCKET NO. CV–88–1420 WHICH FINDINGS WERE ADOPTED BY SUPERIOR COURT OPINION AND ORDER DATED JUNE 4, 1991, DOCKET NO. CV–88–1420 – DO NOT KNOW AFFECT OF THIS EXCEPTION.

9. AGREEMENT BETWEEN THE CITY OF PORTLAND AND THE PORTLAND COMPANY WHEREBY THE CITY HAS THE RIGHT TO ERECT AND MAINTAIN A FOUR–FOOT WIDE WALL LOCATED ON THE SOUTHERLY SIDE OF FORE STREET, SAID AGREEMENT DATED NOVEMBER 9, 1876, AND RECORDED IN THE SAID REGISTRY OF DEEDS IN BOOK 434, PAGE 368 – AS SHOWN.

10. POSSIBLE RIGHTS OF REVERTER IN THE FOLLOWING PROPERTIES, WHICH ARE A PORTION OF THE INSURED PREMISES, WHICH MAY VEST IN PERSONS OTHER THAN THE CURRENT OWNER OF THE INSURED PREMISES AS SHOWN ON SCHEDULE A IF THE RAIL LINE WERE TO BE DEEMED ABANDONED (AS AFFECTED BY 23 M.R.S.A. §7105):
A) LOTS NO. 1 AND 4 AS SHOWN ON RIGHT OF WAY AND TRACK MAP ATLANTIC AND ST. LAWRENCE RAILROAD, OPERATED BY GRAND TRUNK RY. CO. OF CANADA V26/23 DATED JUNE 30, 1917 – NEW LINE–DON'T KNOW AFFECT OF EXCEPTION; PLAN NOT PROVIDED.

11. RIGHTS AND EASEMENTS TO INSTALL, MAINTAIN, REPAIR AND REPLACE PIPE LINES AS MORE PARTICULARLY DESCRIBED IN DEED FROM CANADIAN NATIONAL RAILWAY COMPANY TO SUN OIL COMPANY DATED NOVEMBER 26, 1966 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 2792, PAGE 397 – APPEARS TO BE OFF LOCUS.

12. RIGHTS AND EASEMENTS GRANTED TO PORTLAND WATER DISTRICT BY VIRTUE OF DEEDS RECORDED IN BOOK 3905, PAGE 238; BOOK 3712, PAGE 73; AND BOOK 3905, PAGE 242 – 1) PLAN NOT PROVIDED AND NOR RAILROAD PLAN FOR STATION 2) PLAN NOT PROVIDED – APPEARS OFF LOCUS.

13. NON SURVEY ITEM.

14. TERMS, PROVISIONS, OBLIGATIONS, EXCEPTIONS, COVENANTS, RESERVATIONS, AND AGREEMENTS SET FORTH IN INDENTURE DEED BY AND BETWEEN MAINE DEPARTMENT OF TRANSPORTATION AND PHINEAS SPRAGUE DATED AUGUST 30, 1993 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 10924, PAGE 97 – AS SHOWN ON PLAN.

15. CERTIFICATE OF TAKING BY THE CITY OF PORTLAND DATED JULY 19, 2005 AND RECORDED IN THE SAID REGISTRY OF DEEDS IN BOOK 22908, PAGE 82, AS AFFECTED BY CLERK'S CERTIFICATE IN THE MATTER OF THE PORTLAND COMPANY V. CITY OF PORTLAND, CUMBERLAND COUNTY SUPERIOR COURT, CIVIL ACTION, DOCKET NO. RE–05–85 DATED JULY 7, 2005 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 22853, PAGE 17, AS AFFECTED BY RELEASE DEEDS FROM THE PORTLAND COMPANY TO THE CITY OF PORTLAND DATED AUGUST 16, 2005 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 23849, PAGE 186 AND PAGE 189 – OFF LOCUS.

16–17. NON SURVEY ITEM.

18. SUCH STATE OF FACTS AS DISCLOSED ON SURVEY ENTITLED: LAND TITLE SURVEY AND SUBDIVISION PLAN IN PORTLAND, MAINE, U.S.A. BY OWEN HASKELL, INC. DATED FEBRUARY 19, 1993 AS LAST REVISED JUNE 28, 1993 SHEET 2 OF 7 RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 193, PAGES 187 THROUGH 193 AND RECORDING PLAT SHEET 1 OF 3 OCEAN GATEWAY PREPARED BY OWEN HASKELL, INC. RECORDED IN THE SAID REGISTRY OF DEEDS IN PLAN BOOK 204, PAGE 622 – SEE PLAN.

19. NON SURVEY ITEM.

20. SUCH STATE OF FACTS DISCLOSED ON PLAN ENTITLED "PLAN OF PROPERTY IN PORTLAND, MAINE, MADE FOR THE PORTLAND COMPANY" PREPARED BY H.I. & E.C. JORDAN DATED MARCH 26, 1985, LAST REVISED MARCH 21, 1996 – SEE PLAN.

21–23. NON SURVEY ITEMS.

Plan References:

1. "LAND TITLE SURVEY & SUBDIVISION PLAN IN PORTLAND, MAINE U.S.A. MADE FOR THE TRUST FOR PUBLIC LAND, THE CITY OF PORTLAND, THE MAINE DEPARTMENT OF TRANSPORTATION, THE CANADIAN NATIONAL RAILWAY COMPANY FEB. 19, 1993 REV. 6 6/28/93" BY OWEN HASKELL, INC.
2. "PLAN OF PROPERTY LINE PORTLAND, MAINE MADE FOR WM. FARLEY MARCH 1985" BY E.C. JORDAN CO.
3. "PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR THE PORTLAND COMPANY 26 MARCH 1985 REVISED MARCH 21, 1996" BY OWEN HASKELL, INC.
4. "EXISTING CONDITIONS PLAN ON FORE STREET, PORTLAND, MAINE MADE FOR THE PORTLAND COMPANY NOV. 13, 2007" REV. 2 12/18/12 BY OWEN HASKELL, INC.
5. CONCEPT UTILITY PLAN, PORTLAND COMPANY SITE DATED NOVEMBER 2007 BY DELUCA HOFFMAN ASSOCIATES, INC.

Zoning:

NONE PROVIDED BY TITLE INSURER.

SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 U.S. Route One, Unit #10
Falmouth, Maine 04105
Tel. (207)774–0424 Fax (207)774–0511
www.owenhaskell.com

ALTA/ACSM Land Title Survey

58 Fore Street
Portland, Cumberland County, Maine
made for
CPB2 LLC

Surveyor's Certification

TO: CPB2 LLC, AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(a), 8, 11(b), 13, 14, 16, 17, 18, 19, 20(a), AND 22 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MAY 2013.

JOHN W. SWAN
PROFESSIONAL LAND SURVEYOR NO. 1038
IN THE STATE OF MAINE

DATE OF PLAN: MAY 22, 2013
REVISION DATE:
OHI JOB NO. 2013–078P