

**SCHEDULE B SECTION II EXCEPTIONS**

REFERENCE IS MADE TO FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE COMMITMENT NO. 11012004-01 FILE NO. 04010212 EFFECTIVE DATE 11-01-04.

**SCHEDULE B SECTION II**

- A. NON-SURVEY
- B. 1. NON-SURVEY
- 2. EASEMENTS ETC AS SHOWN
- 3. NON-SURVEY
- C. 1. NON-SURVEY
- 2. NON-SURVEY
- 3. AREAS AS SHOWN
- 4. STREETS AS SHOWN
- 5. PLAN REFERENCE 1
  - A. 1. BRICK SIDEWALKS AS SHOWN
  - 2. UTILITIES AS SHOWN
  - 3. WOOD RETAINING WALL AS SHOWN
- B. NOT LOCUS 1, UTILITIES AS SHOWN
- 6. NON-LOCUS
- 7. NON-LOCUS
- 8. NON-LOCUS
- 9. NON-LOCUS
- 10. NON-LOCUS
- 11. NON-LOCUS
- 12. NON-LOCUS
- 13. EASEMENT BOOK 4472 PAGE 297 AS SHOWN

**LEGAL DESCRIPTION**

A CERTAIN LOT OR PARCEL OF LAND AND THE BUILDINGS THEREON, SITUATED IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY SIDELINE OF DEERING STREET AND THE WESTERLY SIDELINE OF STATE STREET AT AN IRON PIPE;

THENCE S 01° 50' 00" W ALONG SAID WESTERLY SIDELINE OF STATE STREET 97.82 FEET TO IRON PIPE AND LAND NOW OR FORMERLY OF MASADA TRUST;

THENCE N 85° 47' 00" W ALONG SAID LAND NOW OR FORMERLY OF MASADA TRUST 100.00 FEET TO LAND FORMERLY OF EBEN STEELE;

THENCE N 01° 50' 00" E ALONG LAND NOW OR FORMERLY OF DONALD F. FILES 100.00 FEET TO SAID SOUTHERLY SIDELINE OF DEERING STREET AND A DRILL HOLE;

THENCE S 04° 32' 00" E ALONG SAID SOUTHERLY SIDELINE OF DEERING STREET 100.12 FEET TO THE POINT OF BEGINNING.

**NOTES**

1. OWNER OF RECORD: BUTLER PAYSON COMPANY  
100 STATE STREET, PORTLAND, MAINE 04101  
BOOK 3979 PAGE 343
  2. PARCEL IS SHOWN AS LOT 39, BLOCK C, ON THE CITY OF PORTLAND'S ASSESSORS MAP 47.
  3. BEARINGS ARE BASED ON MARKERS FOUND AS SHOWN ON PLAN REFERENCE 1 AND ARE MAGNETIC 1976.
  4. THE PARCEL IS LOCATED, BY SCALING METHODS, WITHIN ZONE C (AREAS OF MINIMAL FLOODING) AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE CITY OF PORTLAND, MAINE COMMUNITY PANEL NO. 230051-0013B EFFECTIVE DATE JULY 17, 1986.
  5. THE PARCEL IS LOCATED WITHIN THE R-6 (RESIDENTIAL 6) ZONE WITH THE FOLLOWING CURRENT DIMENSIONAL REQUIREMENTS:  
MINIMUM LOT SIZE: 4,500 SF  
MINIMUM DWELLING UNIT: 1,000 SF PER UNIT  
MINIMUM STREET FRONTAGE: 40'  
SETBACKS: FRONT 10'; REAR 20'; SIDE 10'  
MAXIMUM HEIGHT: 45'
- REFERENCE IS MADE TO THE LAND USE ORDINANCE FOR THE CITY OF PORTLAND FOR ADDITIONAL DIMENSIONAL REQUIREMENTS.
- THE SETBACKS SHOWN HEREON ARE AN INTERPRETATION BY THIS SURVEYOR OF THE CURRENT ORDINANCE. THE FINAL DETERMINATION IS MADE BY THE CODES ENFORCEMENT OFFICER AND MAY DIFFER FROM WHAT IS SHOWN.
6. THERE ARE 5 DELINEATED PARKING SPACES.
  7. THIS SURVEY COMPLETED WITHOUT BENEFIT OF CURRENT TITLE COMMITMENT.

**PLAN REFERENCES**

1. PLAN OF LAND IN PORTLAND, MAINE FOR BUTLER-PAYSON CO. DATED NOVEMBER 17, 1976 REVISED THROUGH 8-25-99 BY OWEN HASKELL, INC.
2. ALTA/ACSM LAND TITLE SURVEY AT 218 STATE ST., PORTLAND, CUMBERLAND COUNTY MAINE MADE FOR MALLIKEN MANAGEMENT DATED NOV. 2, 2004, REV. 1 11-16-04 BY OWEN HASKELL, INC.

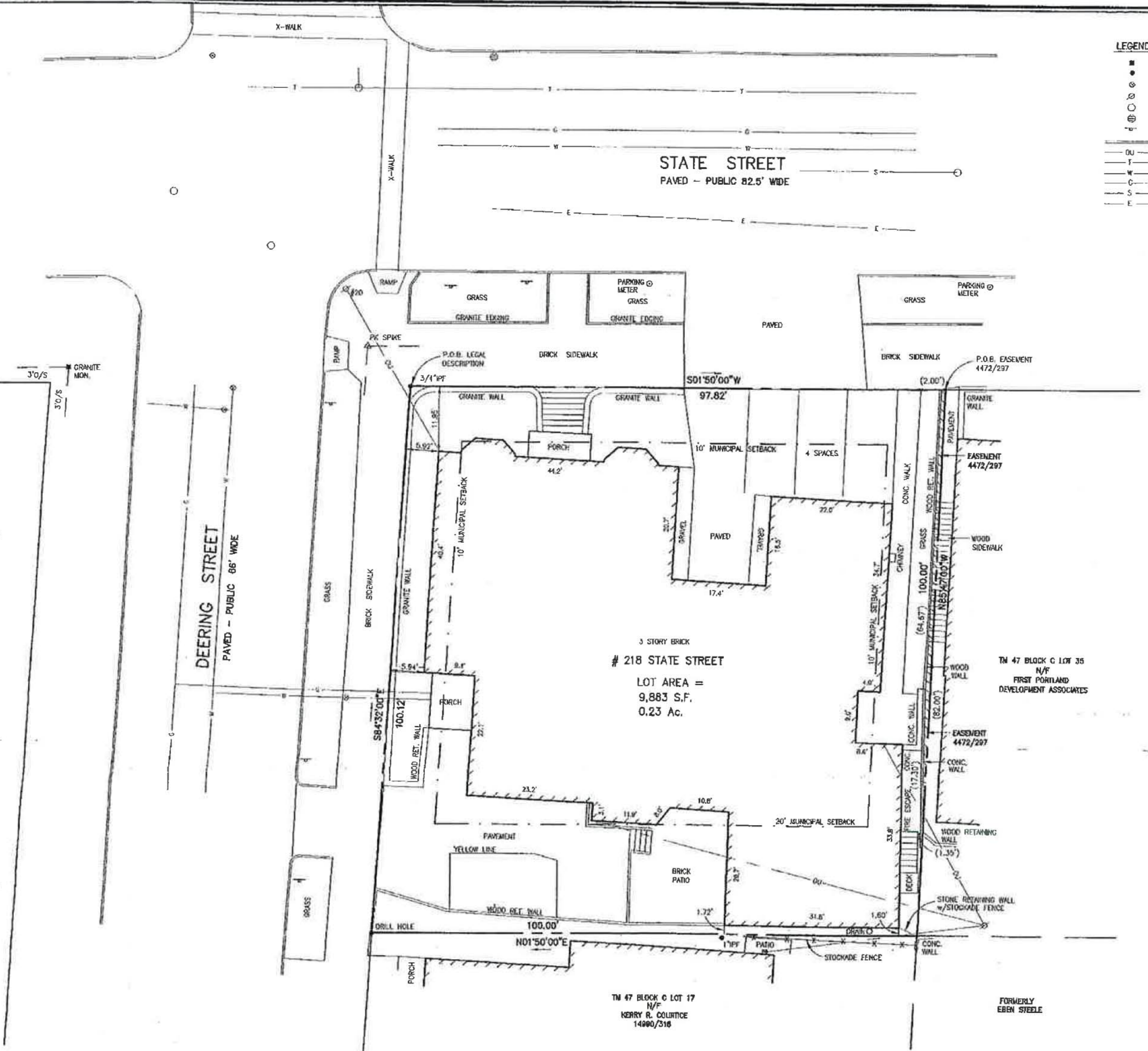
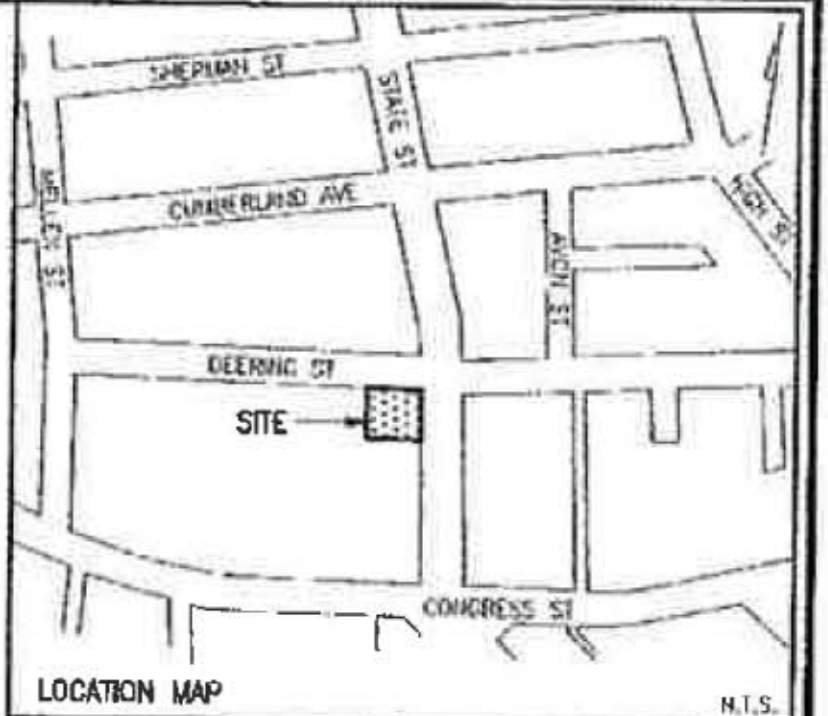
**UTILITY NOTE:**

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION.



**LEGEND:**

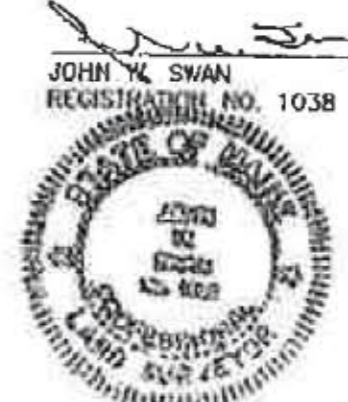
- MONUMENT FOUND
- IRON PIPE OR ROD FOUND
- WATER VALVE
- UTILITY POLE
- MANHOLE
- CATCH BASIN
- SIGN
- CURB
- OVERHEAD UTILITIES
- TELEPHONE
- WATER LINE
- GAS LINE
- SANITARY SEWER
- ELECTRIC



**CERTIFICATION:**

THE UNDERSIGNED, BEING A REGISTERED SURVEYOR OF THE STATE OF MAINE CERTIFIES TO (i) WELLS FARGO BANK, NATIONAL ASSOCIATION, (ii) FANNIE MAE, THEIR SUCCESSORS AND ASSIGNS, (iii) BUTLER PAYSON COMPANY, A MAINE LIMITED PARTNERSHIP, AND (iv) \_\_\_\_\_ TITLE COMPANY AS FOLLOWS:

1. THIS MAP OR PLAN 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 THE AMERICAN LAND TITLE ASSOCIATION AND NSPS IN 2005, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 7(A), 8, 9, 10 AND 11 (AND 13) OF TABLE A THEREOF, AND (ii) PURSUANT TO THE ACCURACY STANDARDS, AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF MAINE, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.
2. THE SURVEY WAS MADE ON THE GROUND ON JUNE 21, 2010, AND CORRECTLY SHOWS THE AREA OF THE SUBJECT PROPERTY, THE LOCATION, TYPE AND DIMENSIONS OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SUBJECT PROPERTY, THE NUMBER AND TYPE OF PARKING SPACES, THE LOCATION OF UTILITIES OBSERVED OR SHOWN ON RECORD DOCUMENTS AS SERVING THE SUBJECT PROPERTY AND ANY OTHER MATTERS SITUATED ON THE SUBJECT PROPERTY.
3. EXCEPT AS SHOWN ON THE SURVEY, THERE ARE NO WRITABLE EASEMENTS OR RIGHTS OF WAY OF WHICH THE UNDERSIGNED HAS BEEN ADVISED.
4. 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 UPON EASEMENTS LOCATED ON THE SUBJECT PROPERTY, OR (B) BY THE IMPROVEMENTS ON ADJOINING PROPERTIES, STREETS OR ALLEYS UPON THE SUBJECT PROPERTY.
5. THE LOCATION OF EACH EASEMENT, RIGHT OF WAY, SERVITUDE, AND OTHER MATTER AFFECTING THE SUBJECT PROPERTY AND LISTED IN THE TITLE INSURANCE COMMITMENT DATED \_\_\_\_\_, 20\_\_\_\_, ISSUED BY \_\_\_\_\_ WITH RESPECT TO THE SUBJECT PROPERTY, HAS BEEN SHOWN ON THE SURVEY, TOGETHER WITH APPROPRIATE RECORDING REFERENCES, TO THE EXTENT THAT SUCH MATTERS CAN BE LOCATED.
6. THE PROPERTY SHOWN AND DESCRIBED ON THE SURVEY IS THE SAME PROPERTY DESCRIBED IN THAT 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.
7. THE SUBJECT PROPERTY HAS ACCESS TO AND FROM A DEDICATED AND ACCEPTED PUBLIC STREET OR HIGHWAY AS INDICATED ON THE SURVEY.
8. THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, OR INGRESS OR EGRESS.
9. THE RECORD DESCRIPTION OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED POLYGON.
10. NO PORTION OF THE SUBJECT PROPERTY SHOWN ON THE SURVEY LIES WITHIN A SPECIAL HAZARD AREA, AS DESCRIBED ON THE FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH THE SUBJECT PROPERTY IS LOCATED.
11. THIS CERTIFICATE RELATES TO THAT CERTAIN SURVEY NUMBERED 2010-072P AND DATED JUNE 21, 2010, MADE BY OWEN HASKELL, INC., COVERING THE BUTLER-PAYSON APARTMENT PROJECT, AS USED HEREIN, THE TERM "SUBJECT PROPERTY" INCLUDES ANY APPURTENANT EASEMENT.
12. THE PARTIES LISTED ABOVE ARE ENTITLED TO RELY ON THE SURVEY AND THIS CERTIFICATE AS BEING TRUE AND ACCURATE.



DATE: 6/21/2010

**ALTA/ACSM LAND TITLE SURVEY**  
AT  
218 STATE ST., PORTLAND, CUMBERLAND COUNTY MAINE  
UPDATED FOR  
**BUTLER PAYSON COMPANY**  
100 STATE STREET, PORTLAND, MAINE

**OWEN HASKELL, INC.**  
390 U.S. ROUTE ONE, BILMOUTH, ME 04108 (207)774-0424  
PROFESSIONAL LAND SURVEYORS

Drawn By: JEL	Date: JUNE 21, 2010	Job No.: 2010-072P
Trace By: JLV	Scale: 1" = 10'	Drwg. No.: 1
Check By: JWS		
Book No.: 1004		

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