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COMMITMENT FOR TITLE COMMITMENT

FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NUMBER: 2010-3280344CT
DATED DECEMBER 7, 2007

SCHEDULE B—SECTION 2 EXCEPTIONS:

(#9) RIGHTS OF THE UNITED STATES OF AMERICA, THE STATE OF MAINE AND THE RIPARIAN RIGHTS OF THE PUBLIC GENERALLY IN AND TO THAT PORTION OF THE PREMISES LYING BELOW THE MEAN HIGH WATER MARK OF THE PRESUMPSCOT RIVER.
SURVEY FINDINGS: THE PRESUMPSCOT RIVER TIDAL SHEER IS SHOWN HEREON AND AFFECTS THE SOUTHERLY PORTION OF THE LOCUS PROPERTY.

(#9) RIGHTS OF OTHERS IN AND TO THE APPURTENANT RIGHT-OF-WAY INSURED HEREIN, DESCRIBED IN A DEED FROM CANADIAN NATIONAL RAILWAY COMPANY TO ST. LAWRENCE CEMENT, INC., DATED SEPTEMBER 30, 1999 AND RECORDED ON OCTOBER 6, 1999 IN BOOK 4676 PAGE 142.
SURVEY FINDINGS: AN APPROXIMATELY 40' WIDE PAVED DRIVEWAY EXISTS WITHIN THE 50 FOOT WIDE EGRESS/INGRESS EASEMENT LYING BETWEEN PRESUMPSCOT STREET AND THE LOCUS PROPERTY.

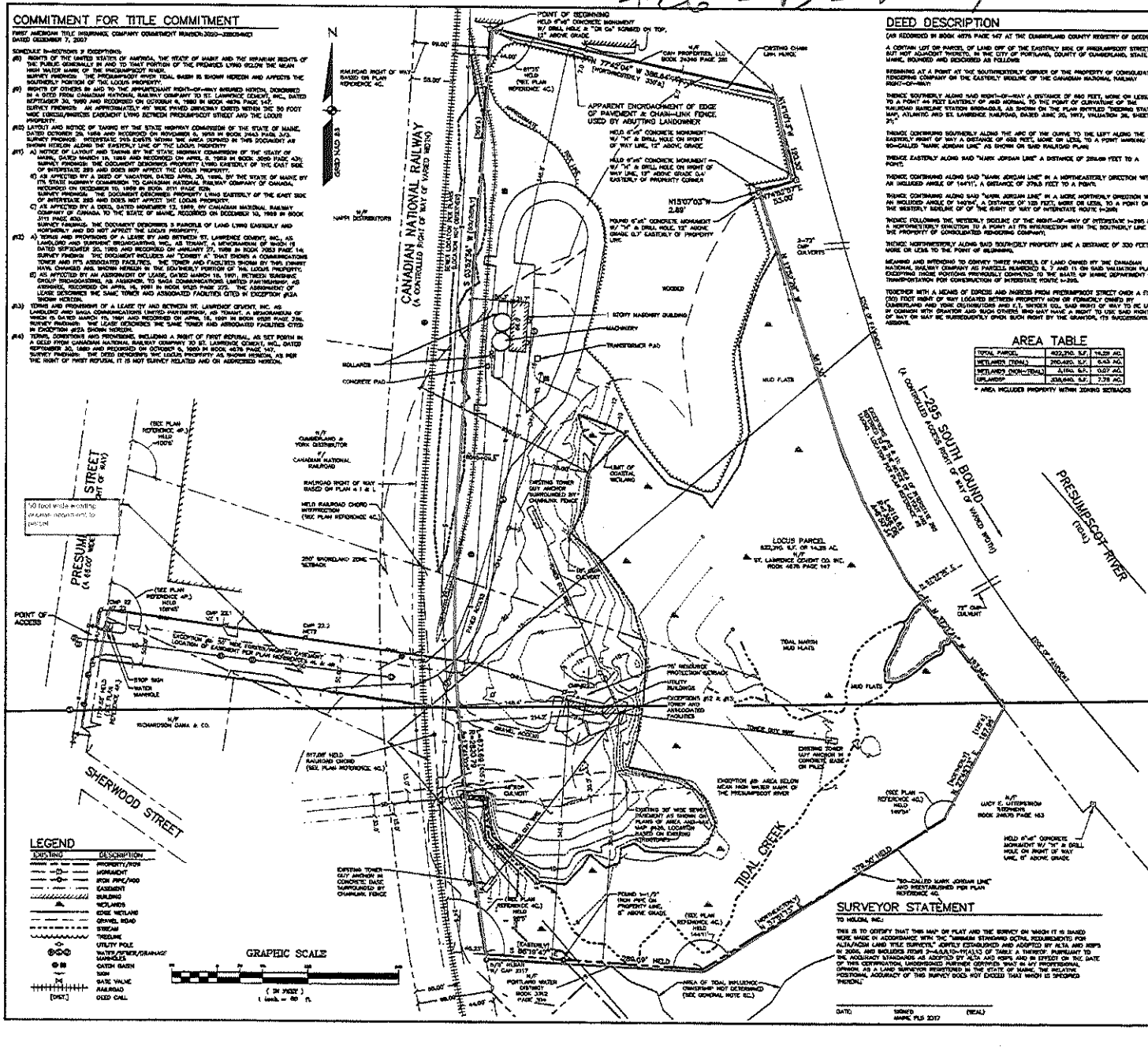
(#10) LAYOUT AND NOTICE OF TAKING BY THE STATE HIGHWAY COMMISSION OF THE STATE OF MAINE, DATED OCTOBER 29, 1958 AND RECORDED ON NOVEMBER 6, 1958 IN BOOK 2463 PAGE 373.
SURVEY FINDINGS: INTERSTATE 295 EXISTS WITHIN THE AREA DEPICTED IN THIS DOCUMENT AS SHOWN HEREON ALONG THE EASTERLY LINE OF THE LOCUS PROPERTY.

(#11) A) NOTICE OF LAYOUT AND TAKING BY THE STATE HIGHWAY COMMISSION OF THE STATE OF MAINE, DATED MARCH 19, 1969 AND RECORDED ON APRIL 8, 1969 IN BOOK 3050 PAGE 43;
SURVEY FINDINGS: THE DOCUMENT DESCRIBES PROPERTY LYING EASTERLY OF THE EAST SIDE OF INTERSTATE 295 AND DOES NOT AFFECT THE LOCUS PROPERTY.
B) AS AFFECTED BY A DEED OF VACATION, DATED APRIL 20, 1999, BY THE STATE OF MAINE BY ITS STATE HIGHWAY COMMISSION, TO CANADIAN NATIONAL RAILWAY COMPANY OF CANADA, RECORDED ON DECEMBER 10, 1999 IN BOOK 5111 PAGE 109.
SURVEY FINDINGS: THE DOCUMENT DESCRIBES PROPERTY LYING EASTERLY OF THE EAST SIDE OF INTERSTATE 295 AND DOES NOT AFFECT THE LOCUS PROPERTY.
C) AS AFFECTED BY A DEED, DATED NOVEMBER 13, 1998, BY CANADIAN NATIONAL RAILWAY COMPANY OF CANADA TO THE STATE OF MAINE, RECORDED ON DECEMBER 10, 1999 IN BOOK 5111 PAGE 103.
SURVEY FINDINGS: THE DOCUMENT DESCRIBES 3 PARCELS OF LAND LYING EASTERLY AND NORTHERLY AND DO NOT AFFECT THE LOCUS PROPERTY.

(#12) A) TERMS AND PROVISIONS OF A LEASE BY AND BETWEEN ST. LAWRENCE CEMENT, INC., AS LANDLORD AND SUNMENT BROADCASTING, INC., AS TENANT, A MEMORANDUM OF WHICH IS DATED SEPTEMBER 30, 1999 AND RECORDED ON JANUARY 27, 1999 IN BOOK 7053 PAGE 146.
SURVEY FINDING: THE DOCUMENT INCLUDES AN "EXHIBIT A" THAT SHOWS A COMMUNICATIONS TOWER AND IT'S ASSOCIATED FACILITIES. THE TOWER AND FACILITIES SHOWN BY THIS EXHIBIT HAVE CHANGED AND SHOWN HEREON IN THE SOUTHERLY PORTION OF THE LOCUS PROPERTY.
B) AS AFFECTED BY AN ASSIGNMENT OF LEASE, DATED MARCH 18, 1901, BETWEEN SUNSHINE GROUP COMMUNICATIONS, AS ASSIGNOR, AND SAGA COMMUNICATIONS LIMITED PARTNERSHIP, AS ASSIGNEE, RECORDED ON APRIL 16, 1901 IN BOOK 9123 PAGE 272. THE ASSIGNMENT OF LEASE DESCRIBES THE SAME TOWER AND ASSOCIATED FACILITIES CITED IN EXCEPTION #12A SHOWN HEREON.

(#13) TERMS AND PROVISIONS OF A LEASE BY AND BETWEEN ST. LAWRENCE CEMENT, INC. AS LANDLORD AND SAGA COMMUNICATIONS LIMITED PARTNERSHIP, AS TENANT, A MEMORANDUM OF WHICH IS DATED MARCH 21, 1900 AND RECORDED ON JANUARY 30, 1901 IN BOOK 9320 PAGE 296.
SURVEY FINDING: THE LEASE DESCRIBES THE SAME TOWER AND ASSOCIATED FACILITIES CITED IN EXCEPTION #12A SHOWN HEREON.

(#14) TERMS, CONDITIONS AND PROVISIONS, INCLUDING A RIGHT OF FIRST REFUSAL, AS SET FORTH IN A DEED FROM CANADIAN NATIONAL RAILWAY COMPANY TO ST. LAWRENCE CEMENT, INC., DATED SEPTEMBER 30, 1999 AND RECORDED ON OCTOBER 6, 1999 IN BOOK 4676 PAGE 147.
SURVEY FINDING: THE DEED DESCRIBES THE LOCUS PROPERTY AS SHOWN HEREON, AS PER THE RIGHT OF FIRST REFUSAL IT IS NOT SURVEY RELATED AND ON ADDRESSED HEREON.



DEED DESCRIPTION

(AS RECORDED IN BOOK 4676 PAGE 147 AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS)

A CERTAIN LOT OR PARCEL OF LAND OFF OF THE EASTERLY SIDE OF PRESUMPSCOT STREET BUT NOT ADJACENT THERETO, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE SOUTHWESTERLY CORNER OF THE PROPERTY OF CONSOLIDATED RENDERING COMPANY ON THE EASTERLY SIDELINE OF THE CANADIAN NATIONAL RAILWAY RIGHT-OF-WAY;

THENCE, SOUTHERLY ALONG SAID RIGHT-OF-WAY A DISTANCE OF 660 FEET, MORE OR LESS, TO A POINT 44 FEET EASTERLY OF AND NORMAL TO THE POINT OF CURVATURE OF THE RAILROAD BARGAIN STATION 699+00.45, AS SHOWN ON THE PLAN ENTITLED "RIDGING STATION MAP, ATLANTIC AND ST. LAWRENCE RAILROAD, DATED MARC 20, 1917, VALUATION 26, SHEET 21;"

THENCE CONTINUING SOUTHERLY ALONG THE ARC OF THE CURVE TO THE LEFT ALONG THE EASTERLY RIGHT OF WAY A DISTANCE OF 1000 FEET, MORE OR LESS, TO A POINT MARKING THE SO-CALLED "MARK JORDAN LINE" AS SHOWN ON SAID RAILROAD PLAN;

THENCE EASTERLY ALONG SAID "MARK JORDAN LINE" A DISTANCE OF 2814.00 FEET TO A POINT;

THENCE CONTINUING ALONG SAID "MARK JORDAN LINE" IN A NORTHEASTERLY DIRECTION WITH AN INCLUDED ANGLE OF 134°11', A DISTANCE OF 376.5 FEET TO A POINT;

THENCE, CONTINUING ALONG SAID "MARK JORDAN LINE" IN A MORE NORTHERLY DIRECTION WITH AN INCLUDED ANGLE OF 146°01', A DISTANCE OF 125 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY SIDELINE OF OF THE RIGHT OF WAY OF INTERSTATE ROUTE I=295;

THENCE FOLLOWING THE WESTERLY SIDELINE OF THE RIGHT-OF-WAY OF INTERSTATE I=295 IN A NORTHWESTERLY DIRECTION TO A POINT AT ITS INTERSECTION WITH THE SOUTHERLY LINE OF THE PROPERTY OF CONSOLIDATED RENDERING COMPANY;

THENCE NORTHWESTERLY ALONG SAID SOUTHERLY PROPERTY LINE A DISTANCE OF 330 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY THREE PARCELS OF LAND OWNED BY THE CANADIAN NATIONAL RAILWAY COMPANY AS PARCELS NUMBERED 6, 7 AND 11 ON SAID VALUATION PLAN EXCEPTING THOSE PORTIONS PREVIOUSLY CONVEYED TO THE STATE OF MAINE DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF INTERSTATE ROUTE I=295.

TOGETHER WITH A MEANS OF EGRESS AND INGRESS FROM PRESUMPSCOT STREET OVER A FIFTY (50) FOOT RIGHT OF WAY LOCATED BETWEEN PROPERTY NOW OR FORMERLY OWNED BY CUMBERLAND AND YORK DISTRIBUTORS AND E.T. WORDEN CO., SAID RIGHT OF WAY TO BE USED IN COMMON WITH GRANTOR AND SUCH OTHERS WHO MAY HAVE A RIGHT TO USE SAID RIGHT OF WAY OR MAY BE SUBSEQUENTLY GIVEN SUCH RIGHT BY THE GRANTOR, ITS SUCCESSORS OR ASSIGNS.

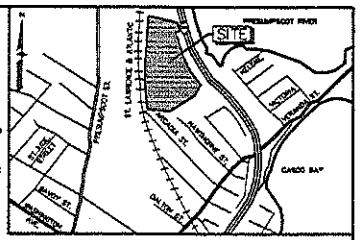
AREA TABLE

TOTAL PARCEL	622,250 S.F.	14.28 AC.
WETLANDS (TIDAL)	260,480 S.F.	5.43 AC.
WETLANDS (NON-TIDAL)	4,164 S.F.	0.07 AC.
UPLANDS*	338,640 S.F.	7.78 AC.

* AREA INCLUDED PROPERTY WITHIN ZONING SETBACKS

LOCATION MAP

N.T.S.



GENERAL NOTES

1) THE RECORD OWNER OF THE PROPERTY IS ST. LAWRENCE CEMENT INC. AS DESCRIBED IN BOOK 4676 PAGE 147 AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CCRD).

SUBJECT TO LEASE TO SAGA COMMUNICATIONS LIMITED PARTNERSHIP AS DESCRIBED IN A DEED RECORDED IN BOOK 9123 PAGE 299.

2) THIS PROPERTY IS DEPICTED AS LOT 5 1/07 MAP 421 AND LOT 2 586 MAP 426.

3) THIS LOT IS LOCATED IN THE MODERATE IMPACT INDUSTRIAL (I-M) & SHORELAND ZONING DISTRICT.

AREAS WITHIN 250 FT. OF TIDAL MARSH/MUD FLATS ARE SUBJECT TO SHORELAND ZONING. SEE CITY OF PORTLAND ZONING ORDINANCE FOR ADDITIONAL LAND USE REQUIREMENTS FOR STRUCTURES, CLEARING AND IMPERVIOUS AREAS. STATE AND LOCAL REGULATIONS SHOULD BE REVIEWED FOR FURTHER INFORMATION.

SPACE AND BULK REQUIREMENTS: (I-M ZONE)

MIN. LOT SIZE: 10,000 S.F.
MIN. FRONTAGE: 65 FT.
FRONT SETBACK: EACH STRUCTURE SHALL BE SETBACK 1 FOOT FROM THE FRONT PROPERTY LINE FOR EACH FOOT OF BUILDING HEIGHT UP TO 35 FEET.
SIDE SETBACK: EACH STRUCTURE SHALL BE SET BACK 1 FOOT FROM EACH SIDE PROPERTY LINE FOR EACH FOOT OF BUILDING HEIGHT UP TO 35 FEET, EXCEPT THAT THE MINIMUM SIDE YARD SHALL BE 20 FEET WHEN THE SIDE PROPERTY LINE ABUTS A RESIDENTIAL ZONE.
REAR SETBACK: EACH STRUCTURE SHALL BE SET BACK 1 FOOT FROM EACH REAR PROPERTY LINE FOR EACH FOOT OF BUILDING HEIGHT UP TO 35 FEET, EXCEPT THAT THE MINIMUM SIDE YARD SHALL BE 20 FEET WHEN THE SIDE PROPERTY LINE ABUTS A RESIDENTIAL ZONE.
RESOURCE SETBACK: 75 FT (to SHORELAND ZONE)
MAX. BUILDING HEIGHT: 75 FT.
MAX. IMPERVIOUS SURFACE RATIO: 75% (I-M ZONE)

4) PLAN REFERENCES:
A) PLAN ENTITLED "LAND IN PORTLAND, MAINE BELONGING TO EDWIN F. SMITH AND RUDOLPH L. VOLETTE" PREPARED BY A.W.L. ENGINEERING CO. DATED NOVEMBER 1894.
B) PLAN ENTITLED "RIGHT OF WAY MAP STATE HIGHWAY 295" PREPARED BY THE MAINE STATE HIGHWAY COMMISSION DATED OCTOBER 1958, SHEET 5 OF 18 STC FILE 3—132
C) PLAN ENTITLED " RIDGING STATION MAP, ATLANTIC & ST. LAWRENCE RAILROAD" VALUATION 26, SHEET 21 DATED MARC 20, 1917.
D) PLAN ENTITLED "PLAN OF LOTS ARCADIA FARM, EAST DEERING DISTRICT FOR F.A. NORMAN & CO. BY L.H. WHITE & CO. DATED JUNE 1909" IN THE CCRD PLAN BOOK 10 PAGE 101.
E) PLAN ENTITLED "FOUNDATION BASES FOR TRIPOD AND TUBULAR TOWER" DRAWING/NOTED NOT DATED.
F) PLAN ENTITLED "TOPOGRAPHIC SURVEY FOR HASCALL & HALL" BY OWEN HASKELL, INC. DATED OCTOBER 13, 1994.
G) PLAN ENTITLED "DOMINY DISTRIBUTION FACILITY, PORTLAND, MAINE" PREPARED FOR THE ST. LAWRENCE CEMENT CO. BY E.C. JORDAN CO., INC. DATED JULY 23, 1960.
H) PLAN ENTITLED "TANK TOWER BY LAY ENGINEERING DATED SEPTEMBER 19, 1972.
I) PLAN ENTITLED "SITE PLAN FOR MAINE BEVERAGE COMPANY SERVICE INC., CUMBERLAND & YORK DISTRIBUTING WAREHOUSE ADDITION" PREPARED BY BROWN CONSTRUCTION, INC. DATED OCTOBER 17, 1977.
J) CITY OF PORTLAND TAX MAPS 421, 426 AND 427.
K) PLAN ENTITLED "PORTLAND WATER DISTRICT ARCADIA STATTY PUMP STATION", PREPARED BY HJ & E.C. JORDAN, DATED NOVEMBER 18, 1972.
L) PLAN ENTITLED "CUMBERLAND & YORK DISTRIBUTORS", PREPARED BY HJ & E.C. JORDAN, DATED MAY 13, 1970.
M) EXISTING CONDITION PLAN—OCTOBER CORPORATION INTERMODAL TRANSFER FACILITY PRESUMPSCOT STREET BY SEBAGO & ASSOC ENGINEERS, INC. DATED MAY 4, 2001.
N) TOWER ORIENTATION SURVEY FOR TRIDY RADIO TOWER BY EDGAR BAY CORP., DATED MARCH, 1994.
O) PLAN OF NORMAN PARK BY FREDERICK PARK CO. DATED JANUARY 30, 1904 AND RECORDED IN THE CCRD IN PLAN BOOK 10, PAGE 101.
P) PLAN OF PRESUMPSCOT STREET, GILL GRAVEL PIT LOT ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS PLAN #17/26.
Q) PORTLAND DEPARTMENT OF PUBLIC WORKS — BLUE SHEETS OF PRESUMPSCOT STREET PLAN OF PROPERTY, MADE FOR FORE STREET ASSOCIATES, BY ROBERT P. TITCOMB, INC., DATED NOVEMBER 1, 1983 AS JOB # 7903/8344 WITH THE SAME.

5. THIS LOCUS PROPERTY IS SUBJECT TO AND BENEFITED BY:
A) REFERENCE IS MADE TO A CERTAIN FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT, NO. 2020—3280344CT, DATED DECEMBER 7, 2007.
B) AN EASEMENT GRANTED TO CENTRAL MAINE POWER COMPANY AND NEW ENGLAND TELEPHONE & TELEGRAPH DATED SEPTEMBER 22, 1993, RECORDED IN BOOK 11105 PAGE 317, SAID EASEMENT INCLUDES POLES 22.2, 22.4, 22.5, PAD MOUNT TRANSFORMER 22.8 AND FROM POLE 22.3 TO POLE 22.31.
C) OWNERSHIP OF TIDAL AREAS LYING SOUTHERLY OF THE "MARK JORDAN LINE" AS SHOWN HEREON ARE NOT SURVEY RELATED AND NOT DETERMINED BY THIS SURVEY, AREAS SOUTH OF THE "MARK JORDAN LINE" AS SHOWN HEREON ARE NOT SURVEY RELATED AND NOT DETERMINED BY SEBAGO TECHNICS, INC. SURVEYOR'S LEGAL COUNSEL IS SUBMIT TO ABSORTIAN THIS OWNERSHIP.
D) A SEWER OVERFLOW OUTFALL EXISTS IN CLOSE PROXIMITY TO THE SOUTHERLY PROPERTY LINE. THIS OUTFALL DRAINS OVER THE LOCUS PROPERTY AND IS SHOWN HEREON.

6. NATURAL RESOURCE INVENTORY
A WETLAND DELINEATION WAS PERFORMED ON THIS PROJECT SITE DURING OCTOBER, 2008 BY GARY FOLLERTON AND MICHAEL GUERRETTE, SEBAGO TECHNICS, INC. THE DELINEATION CONFORMS TO THE 1987 U.S. ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL AUTHORIZED AND PUBLISHED BY THE U.S. ARMY CORPS OF ENGINEERS, AND THE NEW ENGLAND REGIONAL SUPPLEMENT. THE DELINEATION METHODS ARE CONSISTENT WITH THE