

**SCHEDULE A LEGAL DESCRIPTION**

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Buffalo, County of Erie and State of New York, being part of Block 49 and more further bounded and described as follows:

BEGINNING at a point on the intersection of the southwestern line of Niagara Street (66 foot Right of Way) and the northwesterly line of Virginia Street (66 foot Right of Way);

RUNNING THENCE northwesterly along the southwestern line of Niagara Street a distance of 235.41 feet to a point;

THENCE northwesterly along a bearing of north 00 degrees 03 minutes 49 seconds east, a distance of 59.05 feet to a point;

THENCE southwesterly along a bearing of south 89 degrees 53 minutes 59 seconds east, a distance of 99.00 feet to a point on the northwesterly line of Virginia Street (66 foot Right of Way);

THENCE northwesterly and along the northwesterly line of Virginia Street along a bearing of north 00 degrees 03 minutes 47 seconds east, a distance of 124.00 feet to the point or piece of BEGINNING.

**Notes**

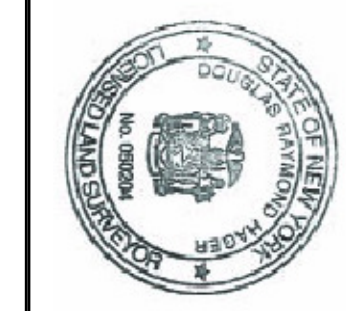
- 1 - Survey prepared with the benefit of Stewart Title Insurance Company, Title No. M1ANV-092910A dated October 31, 2013.
- 2 - Easements are located in Flood Zone X as shown on Flood Insurance Rate Map 3602030 0020 D dated September 26, 2008.
- 3 - Property is zoned CM General Commercial District.
- 4 - Zoning, lot, area, and yard requirements for the horizontal distance from the building portion to the opposite side of the street as described in the City of Buffalo zoning ordinance Section 511-41.
- 5 - The total number of parking spaces is 72 including 68 regular and 4 handicap.
- 6 - All bearings based on an assumed system.
- 7 - No observed party wells exist on premises.
- 8 - No observed evidence of earthwork.
- 9 - No changes in street lines or street/sidewalk repairs.
- 10 - No evidence of site use as a solid waste dump or landfill.

**ALTA/ACSM LAND TITLE SURVEY**  
**350 NIAGARA STREET, BUFFALO, NY**

To:  
 Rita Watt Partners LLC  
 Fidelity National Title Insurance Company  
 One Erie Boulevard East  
 Buffalo, New York 14203

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT AND THE SURVEYING AND MAPPING REGULATIONS OF THE STATE OF NEW YORK AND INCLUDES ITEMS 2, 3, 4, 6(D), 7(G), 7(G)(1), 7(G), 8, 9, 10, 11(G), 13, 14, 16, 17 AND 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON NOVEMBER 15, 2013.

*Donald S. R. Harker*  
 DONALD S. R. HARKER  
 PROFESSIONAL LAND SURVEYOR N.Y.S.P.L.S. NO. 050204



Certification language modified on August 8, 2014 by KHEC'S Architecture, Engineering and Survey, D.P.C. KHEC'S accepts no responsibility or liability for any modifications or changes to this property or any title information discovered since the original date of the survey.

PART OF BLOCK 49		DATE	
1	5	11/21/2013	11/21/2013
DRAWN BY: <i>MMW</i>		SCALE: 1"=20'	
CHECKED BY: <i>DMH</i>		JOB NO: 2013-08292-02	
BOOK: 360		PAGE: 97	
MAP: 55147		FIELD DATE: 11/21/2013	
		OFFICE DATE: 11/21/2013	