



Commercial Real Estate
Due Diligence Management

4125 State Route 43
Kent, OH 44240

Phone 866-290-8121
www.amnational.net

ALTA/ACSM Land Title Survey

Pep Boys 29 Portfolio
Surveyor Certification
SUPERCENTER 193 - Greece
1181 North Greece Road
Greece, NY
County of Monroe

The undersigned, being a registered surveyor of the State of New York, certifies to (i) Bina Realty, LLC, (ii) Bank of New Jersey, its successors and/or assigns as their respective interests may appear, (iii) First American Title Insurance Company, and (iv) American National, LLC as follows:

This map or plat 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 the American Congress on Surveying and Mapping in 2005 and meets the accuracy requirements as defined therein.

The survey was made on the ground on January 22, 2005, December 13, 2007 and again on December 11, 2010 by me or under my supervision and correctly shows the areas and bounds description and the land area of the subject property, the location and type of all buildings, structures and other improvements (including sidewalks, curbs, parking areas and space and fences) situated on the subject property, and any other matters situated on the subject property.

Except as shown on the survey, there are no visible easements or rights of way of which the undersigned has been advised.

There are no visible party walls and no observable, above ground encroachments (e) by the improvements on the subject property upon adjoining properties, streets, alleys, easements, or rights of way, or (b) by the improvements on any adjoining properties, streets, or alleys upon the subject property.

The location of each easement, right of way, servitude, and other matter (above or below ground) affecting the subject property and listed in the title insurance commitment no. NCS-363522-LA2 dated November 24, 2010 and amended December 20, 2010, issued by First American Title Insurance Company with respect to the subject property, has been shown on the survey, together with appropriate recording references, to the extent that such matters have been located. The property shown on the survey is the property described in that title commitment. The location of all visible improvements on the subject property is in accord with minimum setback, side yard and rear yard lines, provisions and restrictions of record for the subject property referenced in such title commitment.

The subject property has direct access to and from a duly dedicated and accepted public street or highway known as North Greece Road (County Route #144) and Creekhouse Drive.

The subject property does not visibly serve any adjoining property for drainage, utilities, structural support or ingress or egress.

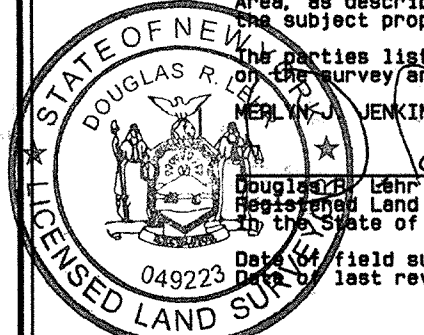
The record description of the subject property forms a mathematically closed figure.

No portion of the 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.

The parties listed above and their successors and assigns are entitled to rely on this certificate as being true and accurate.

Merlyn J. Jenkins & Associates, Inc.

DATED: December 28, 2010



Registration No.: 049223
Registered Land Surveyor No.: 049223
in the State of New York

Date of field survey: January 22, 2005, December 13, 2007, December 11, 2010
Date of last revision: May 28, 2005
January 21, 2006
July 28, 2006
December 14, 2010
December 22, 2010

Date of this Printing:

Ref: 20100238/1

Survey Performed By:
Merlyn J. Jenkins & Associates, Inc.
PO Box 207
412 West Market Street
Pottsville, PA 17854
Phone: 570-622-7708
Fax: 570-622-1116

The property described and shown hereon is the same property described in First American Title Insurance Company title commitment no. NCS-363522-LA2, dated November 24, 2010 and amended December 20, 2010.

Legal Description

PEP BOYS

All that tract or parcel of land, situated in Lot 140, Township 1, 20.000 Acre Tract, Shore Range, Town of Greece, County of Monroe and State of New York, being more particularly described as Parcel 3880 of the Subdivision of the Talco Contractors, Inc. Property 3880 & 3880 West Ridge Road, as shown on a Subdivision Map filed on September 21, 1992 in the Monroe County Clerk's Office in Liber 272 of Maps, Page 92.

AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

All that certain lot or parcel of ground situate in the Town of Greece, County of Monroe, State of New York, bounded and described as follows:
Beginning at a point located on the West right-of-way line of North Greece Road (County Route #144), said point being situate North six degrees four minutes and twenty seconds West (N 06°04'20" W) a distance of three hundred forty-five and seventy-four hundredths feet (345.74') from a point located at the intersection of the centerline of West Ridge Road (N.Y. Route #104) with the centerline of aforementioned North Greece Road (County Route #144); THENCE FROM THE PLACE OF BEGINNING, South eighty-nine degrees forty-seven minutes and forty seconds West (S 89°47'40" W) for a distance of two hundred sixty-one and eighty-seven hundredths feet (261.87') to an old iron pin; thence, North zero degrees twelve minutes and twenty seconds West (N 00°12'20" W) for a distance of four hundred twenty-eight and forty-nine hundredths feet (428.49') to a point; thence, South eighty-nine degrees forty-five minutes and one second East (S 89°45'01" E) for a distance of ninety-five and thirty-eight hundredths feet (95.38') to a point; thence along the aforementioned West right-of-way line of North Greece Road (County Route #144), around a curve having an angle of thirty-four degrees fifty-four minutes and fifty-three seconds (34°54'53"), a radius of seven hundred sixty-five and no hundredths feet (765.00'), a tangent of two hundred forty and fifty-eight hundredths feet (240.58'), an arc of four hundred sixty-six and seventeen hundredths feet (466.17'), for a chord course of South twenty-one degrees twenty-eight minutes and twenty-six seconds East (S 21°28'26" E) for a chord distance of four hundred fifty-eight and ninety-nine hundredths feet (458.99') to the place of beginning.
Containing 87,271.63 Square Feet (2.003 Acres).

The property described and shown hereon is the same property described in First American Title Insurance Company title commitment no. NCS-363522-LA2, dated November 24, 2010 and amended December 20, 2010.

Notes Corresponding to Schedule B

PEP BOYS
TOWN OF GREECE, MONROE COUNTY, NEW YORK
EXCEPTIONS

APPLICABLE EXCEPTIONS SHOWN ON FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO. NCS-363522-LA2 - SCHEDULE B-11
DATED NOVEMBER 24, 2010 AND AMENDED DECEMBER 20, 2010

- 4 Liber 8092 cp. 460
Grantee: Rochester Gas and Electric Corporation and Rochester Telephone Corporation
Easement: Plotted.
- 5 Liber 8253 cp. 546
Declaration of Access, Ingress Easements made by Talco Contractors, Inc. Plotted.
- 6 Liber 8253 cp. 560
Grantee: Town of Greece
Sanitary Sewer Easement made by Talco Contractors, Inc. Plotted.
- 7 Liber 8253 cp. 568
Grantee: 84 Development Company
Storm Sewer Easement made by Talco Contractors, Inc. Plotted.
- 8 Liber 1198 of Appropriation Maps at page 248
Rights, interests and easements. Plotted; adjacent to but not located on this property.

Encroachment Statement

A BUILDING ENCROACHES INTO BUILDING SETBACK LINE 16.95'.

Utility Notes

1. LOCATION OF UTILITIES SHOWN HEREON WERE DETERMINED BY OBSERVATION OF ABOVE GROUND EVIDENCE.

General Notes

NOTES:

1. SURVEY MERIDIAN FROM PREVIOUS PROPERTY SURVEYS.
2. BEARINGS DERIVED FROM NORTH GREECE ROAD (COUNTY ROUTE #144).
3. NOTICE: FROM INSPECTION ON THE SITE THERE ARE NO CEMETERIES OR BURIAL GROUNDS LOCATED WITHIN THE TRACT AREA.
4. THE SITE HAS ACCESS TO NORTH GREECE ROAD (COUNTY ROUTE #144) AND CREEKHOUSE DRIVE, WHICH RIGHT-OF-WAY LINES EXTEND TO THE PROPERTY LINE AT THE POINT OF ACCESS INDICATED HEREON.
5. THERE ARE 87 STRIPED PARKING SPACES ON THE SITE; INCLUDES 3 HANDICAPPED SPACES. TOWN REQUIRES 3 SPACES PER SERVICE BAY PLUS 1 SPACE PER EMPLOYEE.
6. ALL DIMENSIONS ARE IN ALTA/ACSM REQUIREMENT DIMENSIONS.
7. ZONING INFORMATION DERIVED FROM THE TOWN OF GREECE ZONING ORDINANCE DATED JULY 20, 2010. CURRENT ZONING ALLOWS FOR THE CURRENT USE.
8. THIS PLAN HAS BEEN PREPARED FOR TITLE PURPOSES ONLY.
9. GROSS BUILDING AREA = 20,695.51 SQUARE FEET
10. BUILDING HEIGHT = 1 STORY (21.75' HIGH)
11. TOTAL LOT AREA = 87,271.63 SQUARE FEET (2.003 ACRES)
12. BUILDING COVERAGE ON LOT = 24%
13. THERE IS NO OBSERVABLE EVIDENCE OF EARTHMOVING WORK, BUILDING CONSTRUCTION OR ADDITIONS WITHIN RECENT MONTHS ON THIS PROPERTY.
14. THERE IS NO EVIDENCE OF ANY CHANGES IN STREET RIGHT-OF-WAY LINES; NOR ARE ANY SUCH RIGHT-OF-WAY CHANGES PROPOSED AT THIS TIME.
15. THERE IS NO OBSERVABLE EVIDENCE THAT THIS SITE HAS BEEN, OR IS BEING USED, AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
16. ALL FIELD MEASUREMENTS MATCH RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/ACSM SPECIFICATIONS UNLESS OTHERWISE SHOWN.
17. ALL PARCELS ARE CONTIGUOUS AND DO NOT CONTAIN ANY GAPS, GORES OR STRIPS.
18. NOTICE: AT THE TIME OF FIELD SURVEY THE SNOW COVER ON THIS SITE WAS 10" TO 12" PLUS ON THE GROUND WITH SNOW PILES FROM 6' TO 8' IN MANY AREAS, AND IT WAS NOT POSSIBLE TO LOCATE MANY FEATURES, UTILITIES AND/OR MONUMENTS.

Zoning Notes

DATA:

ZONED: B6 (BUSINESS) DISTRICT

Minimum lot size
Minimum lot width
Minimum front yard setback
(North Greece Road & West Ridge Road)

Minimum side yard
Minimum rear yard setback
Maximum building height
Maximum building coverage
Corner setback

24,000 square feet
100 feet
100 feet from Property Line for the Gasoline Station/104 feet from center line of North Greece Road for the Pep Boys Auto Service and Retail Center (Per Variance)
20 feet
20 feet
none
15%
30 feet

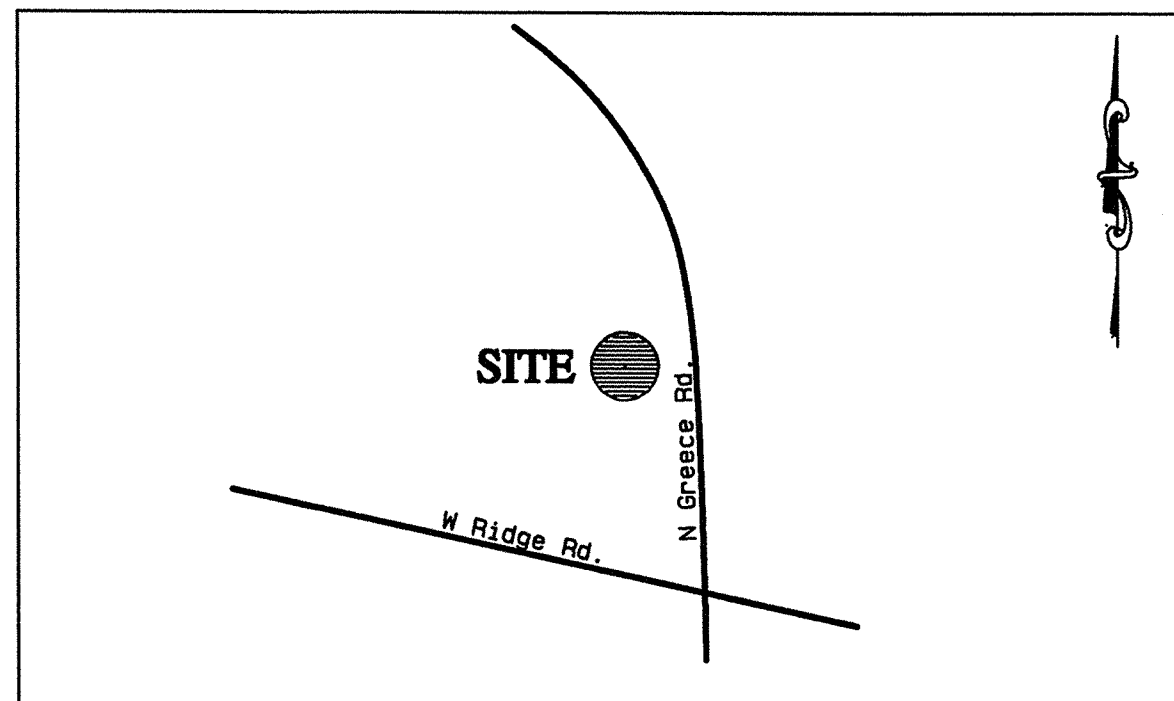
SOURCE OF DATA:

TOWN OF GREECE
1 VINCE TOFANY BOULEVARD
ROCHESTER, NY 14612
(585) 225-2000

NOTICE: AT THE TIME OF FIELD SURVEY THE SNOW COVER ON THIS SITE WAS 10" TO 12" PLUS ON THE GROUND WITH SNOW PILES FROM 6' TO 8' IN MANY AREAS, AND IT WAS NOT POSSIBLE TO LOCATE MANY FEATURES, UTILITIES AND/OR MONUMENTS.

PREPARED BY:
Merlyn J. Jenkins & Associates, Inc.
ENGINEERS & SURVEYORS
412 West Market Street,
Pottsville, PA 17854
Telephone: (570) 622-7708

FLOOD NOTE: By graphic plotting only, this property is in Zone(s) _____ of the Flood Insurance Rate Map, Community Panel No. 35055C 01786, which bears an effective date of 8/28/08 and is not in a Special Flood Hazard Area.



Vicinity Map

