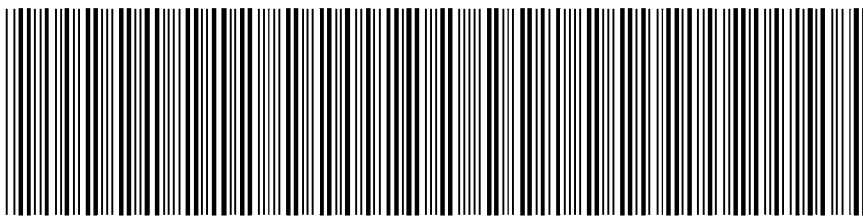


**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



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**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 21**

**Document ID: 2006063002033005**

Document Date: 06-30-2006

Preparation Date: 07-05-2006

Document Type: LEASE

Document Page Count: 20

**PRESENTER:**

ROYAL ABSTRACT OF NEW YORK LLC  
AS AGENT FOR TITLE INSURANCE  
500 5TH AVENUE- SUITE 1540  
NEW YORK, NY 10110  
212-376-0900  
825766

**RETURN TO:**

MICHAEL LEVITT GOLDBERGER &  
RUBINSTEIN  
60 COLUMBUS CIRCLE  
20TH FLOOR  
NEW YORK, NY 10023

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BRONX	2356	2	Entire Lot	65 EAST 149 STREET
<b>Property Type: COMMERCIAL REAL ESTATE</b>				

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or Document ID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**LESSOR/LANDLORD:**

BTM DEVELOPMENT PARTNERS, LLC  
60 COLUMBUS CIRCLE, 19TH FLOOR  
NEW YORK, NY 10023

**LESSEE/TENANT:**

THE CITY OF NEW YORK  
100 CHURCH STREET  
NEW YORK, NY 10007

**FEES AND TAXES**

<b>Mortgage</b>			Recording Fee: \$	137.00
Mortgage Amount:	\$	0.00	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax Filing Fee:	
Exemption:			\$	165.00
<b>TAXES: County (Basic):</b>	\$	0.00	NYS Real Estate Transfer Tax:	
City (Additional):	\$	0.00	\$	0.00
Spec (Additional):	\$	0.00		
TASF:	\$	0.00		
MTA:	\$	0.00		
NYCTA:	\$	0.00		
Additional MRT:	\$	0.00		
<b>TOTAL:</b>	\$	0.00		

**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE  
CITY OF NEW YORK**

Recorded/Filed 07-21-2006 10:08

City Register File No.(CRFN):

**2006000415585**



*Annette McHill*

City Register Official Signature

COUNTY: BRONX  
BLOCK: 2356  
LOT: 2  
65 E. 149 ST

RECORDS + RETURN TO  
MICHAEL LEVITT, GOLDBERGER  
& RUBINSTEIN, LLC  
60 COLUMBUS CIRCLE 20FL  
NY NY 10023

PARTIAL SURRENDER OF LEASE

This Partial Surrender of Lease (this "Partial Surrender"), made as of the 30th day of June 2006, between BTM DEVELOPMENT PARTNERS, LLC, having an office at 60 Columbus Circle, 19<sup>th</sup> Floor, New York, New York 10023 ("Tenant"), and THE CITY OF NEW YORK, a municipal corporation of the State of New York, acting by and through its Commissioner of the Department of Small Business Services, having an office at 110 William Street, New York, New York 10038 ("Landlord").

WHEREAS, by a certain Agreement of Lease (the "Original Lease") dated as of April 2, 2004, Landlord leased unto Tenant, the premises (the "Premises") described on the annexed Exhibit A-1, a memorandum of which Original Lease was recorded in the Bronx County Office of the Register of the City of New York on May 14, 2004, at Document ID No. 2004041201877002; <sup>under CFN 200400307219</sup> and

WHEREAS, the Original Lease was amended and restated in its entirety by Amended and Restated Agreement of Lease (the "Lease"), dated as of July 7, 2005, between Landlord and Tenant, a memorandum of which Lease <sup>To be</sup> was recorded in the Bronx County Office of the Register of the City of New York on <sup>simultaneously by herewith</sup> \_\_\_\_\_, 2006, at Document ID No. 2006 063002033004; and

NOW THESE PRESENTS WITNESSETH, that for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid by Landlord to Tenant, receipt of which is hereby acknowledged, and for the intent and purpose that a certain portion of the Premises as are described on the annexed Exhibit B (the "Surrendered Premises") be released from the Lease, Tenant has given, granted, and surrendered, and by these presents does give, grant, and surrender unto Landlord, and releases from the terms, provisions and obligations of the Lease, the Surrendered Premises, and all the estate, right, title, interest, term of years, property, claim, and demand whatsoever of Tenant, in, to, or out of the said Surrendered Premises, or any part or parcel thereof.

625706  
ROYAL ABSTRACT  
500 Fifth Avenue, Suite 1540  
New York, NY 10110

TO HAVE AND TO HOLD the said Surrendered Premises to Landlord, its successors and assigns, to its own proper use and behoof, forever free, clear, and discharged of and from all lien and claim under and by virtue of the Lease.

And except with respect to the Surrendered Premises as set forth herein, the Lease shall otherwise continue in full force and effect.

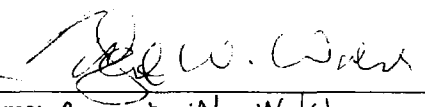
And Landlord does hereby accept possession of the surrender of the Surrendered Premises in their "as is" condition on the date of this Partial Surrender.

IN WITNESS WHEREOF, the parties have executed this Partial Surrender as of the day and year first above written.

APPROVED AS TO FORM:

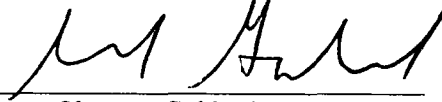
THE CITY OF NEW YORK

By:   
Acting Corporation Counsel

By:   
Name: Robert W. Walsh  
Title: COMMISSIONER, Department of Small Business Services

BTM DEVELOPMENT PARTNERS, LLC

By: Related BTM Development Partners, LLC

By:   
Name: Glenn A. Goldstein  
Title: Vice President

STATE OF NEW YORK     )  
  ) ss:  
COUNTY OF NEW YORK    )

On the 28 day of June, in the year 2006, before me, the undersigned, personally appeared ROBERT W. WALSH, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by this signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

**DAVID D. WEAVER**  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 01WE6137997  
QUALIFIED IN KINGS COUNTY  
MY COMMISSION EXPIRES DEC. 12, 2009

STATE OF NEW YORK    )  
                                  ) ss:  
COUNTY OF NEW YORK    )

On the 30<sup>th</sup> day of June, in the year 2006, before me, the undersigned, personally appeared Glenn A. Goldstein personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by this signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

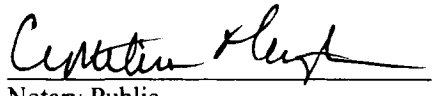
  
Notary Public  
CYNTHIA MARGARETEN  
Notary Public, State of New York  
No. 01MA0694255  
Qualified in New York County  
Commission Expires January 26, 20 07.

EXHIBIT A-1

Description of Premises

[to be attached]

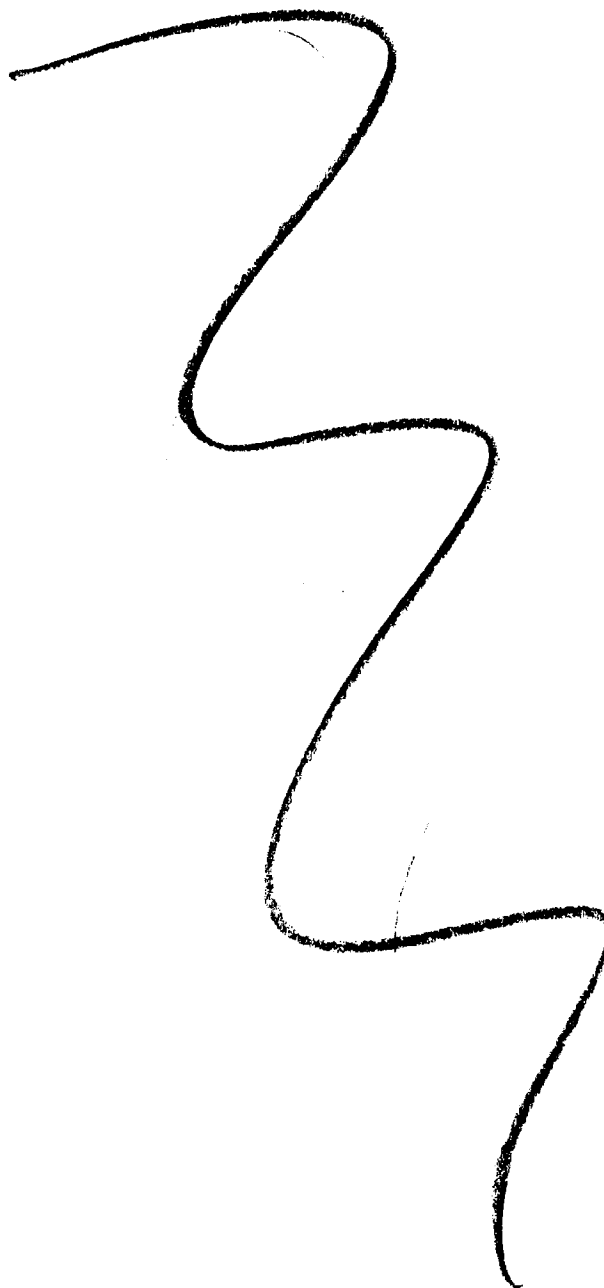
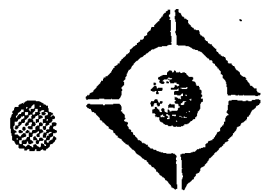


EXHIBIT A-1

LAND

All that certain plot, piece or parcel of land situate, and being in the Borough of The Bronx, City, County and State of The Bronx, described and identified as Block 2356 ~~part of~~ Lot 2, Block 2356 Lot 20, Block 2357 part of Lot 1, Block 2357 Lot 86, Block 2539 part of Lot 2, Block 2539 Lot 32 and Block 2539 <sup>pl</sup>Lot 60, on the Tax Map for said Borough of The Bronx as more particularly described on Schedule A attached hereto.



# CONTROL POINT ASSOCIATES, INC.

BOUNDARY & TOPOGRAPHIC SURVEYS • SUBDIVISIONS • CONSTRUCTION STAKEOUT

776 Mountain Boulevard  
Watchung, NJ 07069  
908.668.0099  
908.668.9595 fax  
www.cpsurvey.com

DECEMBER 17, 2003  
REVISED JANUARY 9, 2004  
REVISED JANUARY 23, 2004  
C03276

### METES & BOUNDS DESCRIPTION NEW MARKET LEASE PARCEL BOROUGH & COUNTY OF BRONX CITY & STATE OF NEW YORK

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE BOROUGH & COUNTY OF BRONX, CITY & STATE OF NEW YORK, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### TITLE REPORT PARCEL "A" LOT 20, BLOCK 2356

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDELINE OF EAST 150<sup>TH</sup> STREET (50 FEET WIDE) AND THE EASTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD (F.K.A. EXTERIOR STREET, 100 FEET WIDE) AND FROM SAID POINT OF BEGINNING RUNNING, THENCE:

1. ALONG THE AFOREMENTIONED SOUTHERLY SIDELINE OF EAST 150<sup>TH</sup> STREET, NORTH 80 DEGREES - 44 MINUTES - 10 SECONDS EAST, A DISTANCE OF 170.51 FEET TO A POINT ON THE WESTERLY SIDELINE OF RIVER AVENUE (75 FEET WIDE), THENCE;
2. ALONG SAID WESTERLY SIDELINE OF RIVER AVENUE, SOUTH 12 DEGREES - 36 MINUTES - 25 SECONDS EAST, A DISTANCE OF 245.09 FEET TO A POINT ON THE NORTHERLY SIDELINE OF EAST 149<sup>TH</sup> STREET, THENCE;
3. ALONG SAID NORTHERLY SIDELINE OF EAST 149<sup>TH</sup> STREET, NORTH 89 DEGREES - 49 MINUTES - 56 SECONDS WEST, A DISTANCE OF 39.00 FEET TO A POINT ON THE EASTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD, THENCE;
4. ALONG SAID EASTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD, NORTH 42 DEGREES - 10 MINUTES - 54 SECONDS WEST, A DISTANCE OF 285.61 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 24,026 SQUARE FEET OR 0.552 ACRE

Other Office Locations:

■ Newark, NJ  
973.241.1111

■ Teaneck, NJ  
201.261.6444

■ Sterling, VA  
703.924.9400





CONTROL POINT  
ASSOCIATES, INC.

DECEMBER 17, 2003  
REVISED JANUARY 8, 2004  
REVISED JANUARY 23, 2004  
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**TITLE REPORT PARCEL "B"**  
**PART OF LOT 1, BLOCK 2357**

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDELINE OF EAST 150<sup>TH</sup> STREET (50 FEET WIDE) AND THE EASTERLY SIDELINE OF CROMWELL AVENUE (60 FEET WIDE) AND FROM SAID POINT OF BEGINNING RUNNING, THENCE;

1. ALONG THE AFOREMENTIONED EASTERLY SIDELINE OF CROMWELL AVENUE, NORTH 12 DEGREES - 36 MINUTES - 25 SECONDS WEST, A DISTANCE OF 658.42 FEET TO A POINT, THENCE;
2. ALONG A LINE RUNNING THROUGH THE INTERIOR OF LOT 1, BLOCK 2357, NORTH 77 DEGREES - 23 MINUTES - 35 SECONDS EAST, A DISTANCE OF 200.00 FEET TO A POINT ON THE WESTERLY SIDELINE OF RIVER AVENUE (75 FEET WIDE), THENCE;
3. ALONG SAID WESTERLY SIDELINE OF RIVER AVENUE, SOUTH 12 DEGREES - 36 MINUTES - 25 SECONDS EAST, A DISTANCE OF 670.11 FEET TO A POINT ON THE NORTHERLY SIDELINE OF EAST 150<sup>TH</sup> STREET (50 FEET WIDE), THENCE;
4. ALONG SAID NORTHERLY SIDELINE OF EAST 150<sup>TH</sup> STREET, SOUTH 80 DEGREES - 44 MINUTES - 10 SECONDS WEST, A DISTANCE OF 200.34 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 132,852 SQUARE FEET OR 3.050 ACRES

**TITLE REPORT PARCEL "C"**  
**LOT 86, BLOCK 2357, LOT 32 & PART OF LOT 60, BLOCK 2539 AND PART OF CROMWELL AVENUE**

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE WESTERLY SIDELINE OF CROMWELL AVENUE (60 FEET WIDE) WITH THE EASTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD (P.K.A. EXTERIOR STREET, 90 FEET WIDE) AND FROM SAID POINT OF BEGINNING RUNNING, THENCE; THE FOLLOWING FIVE (5) COURSES ALONG THE AFOREMENTIONED EASTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD:

1. NORTH 32 DEGREES - 21 MINUTES - 30 SECONDS WEST, A DISTANCE OF 1,041.09 FEET TO A POINT, THENCE;
2. NORTH 32 DEGREES - 48 MINUTES - 20 SECONDS WEST, A DISTANCE OF 497.52 FEET TO A POINT, THENCE;
3. SOUTH 57 DEGREES - 17 MINUTES - 56 SECONDS WEST, A DISTANCE OF 14.82 FEET TO A POINT, THENCE;
4. NORTH 32 DEGREES - 48 MINUTES - 44 SECONDS WEST, A DISTANCE OF 162.66 FEET TO A POINT OF CURVATURE, THENCE;
5. ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 189.11 FEET, A CENTRAL ANGLE OF 26 DEGREES - 29 MINUTES - 10 SECONDS, AN ARC LENGTH OF 87.42 FEET, BEARING A CHORD OF NORTH 19 DEGREES - 34 MINUTES - 09 SECONDS EAST, A CHORD DISTANCE OF 86.64 FEET TO A POINT OF NON-TANGENCY, THENCE;



CONTROL POINT  
ASSOCIATES, INC.

DECEMBER 17, 2003  
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6. ALONG A LINE RUNNING THROUGH THE INTERIOR OF LOTS 32, 50 & 60, BLOCK 2539, NORTH 57 DEGREES - 17 MINUTES - 56 SECONDS EAST, A DISTANCE OF 188.00 FEET TO A POINT ON THE DIVIDING LINE BETWEEN LOTS 60 & 71, BLOCK 2539 (LANDS NOW OR FORMERLY OF METRO-NORTH/MTA, F.K.A. NEW YORK CENTRAL RAILROAD), THENCE;
7. ALONG SAID DIVIDING LINE BETWEEN LOTS 60 & 71, BLOCK 2539; LOTS 50 & 71, BLOCK 2539; AND LOTS 32 & 71, BLOCK 2539 (LANDS NOW OR FORMERLY OF METRO-NORTH/MTA, F.K.A. NEW YORK CENTRAL RAILROAD), SOUTH 58 DEGREES - 32 MINUTES - 38 SECONDS EAST, A DISTANCE OF 488.34 FEET TO A POINT, THENCE;
8. CONTINUING ALONG THE DIVIDING LINE BETWEEN LOTS 32 & 71, BLOCK 2539, ALONG THE NORTHERLY TERMINUS OF CROMWELL AVENUE AND ALONG THE DIVIDING LINE BETWEEN LOTS 86 & 92, BLOCK 2357, SOUTH 58 DEGREES - 17 MINUTES - 19 SECONDS EAST, A DISTANCE OF 476.92 FEET TO A POINT ON THE WESTERLY SIDELINE OF RIVER AVENUE (75 FEET WIDE), THENCE; ALONG SAID WESTERLY SIDELINE OF RIVER AVENUE, THE FOLLOWING TWO (2) COURSES:
  9. SOUTH 04 DEGREES - 56 MINUTES - 47 SECONDS EAST, A DISTANCE OF 12.23 FEET TO A POINT, THENCE;
  10. SOUTH 12 DEGREES - 36 MINUTES - 25 SECONDS EAST, A DISTANCE OF 121.86 FEET TO A POINT FORMED BY THE INTERSECTION OF SAID WESTERLY SIDELINE OF RIVER AVENUE WITH THE NORTHERLY SIDELINE OF EAST 151<sup>ST</sup> STREET (60 FEET WIDE), THENCE;
  11. ALONG SAID NORTHERLY SIDELINE OF EAST 151<sup>ST</sup> STREET, NORTH 58 DEGREES - 17 MINUTES - 19 SECONDS WEST, A DISTANCE OF 279.54 FEET TO A POINT FORMED BY THE INTERSECTION OF SAID NORTHERLY SIDELINE OF EAST 151<sup>ST</sup> STREET WITH THE EASTERLY SIDELINE OF CROMWELL AVENUE, THENCE;
  12. ALONG A LINE RUNNING THROUGH THE BED OF EAST 151<sup>ST</sup> STREET AND CROMWELL AVENUE, SOUTH 12 DEGREES - 36 MINUTES - 25 SECONDS EAST, A DISTANCE OF 119.86 FEET TO A POINT, THENCE;
  13. ALONG A LINE RUNNING THROUGH THE BED OF CROMWELL AVENUE, SOUTH 57 DEGREES - 11 MINUTES - 54 SECONDS WEST, A DISTANCE OF 63.93 FEET TO A POINT ON THE WESTERLY SIDELINE OF CROMWELL AVENUE, THENCE;
  14. ALONG SAID WESTERLY SIDELINE OF CROMWELL AVENUE, SOUTH 12 DEGREES - 36 MINUTES - 25 SECONDS EAST, A DISTANCE OF 990.46 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 104,870 SQUARE FEET OR 11.572 ACRES

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL KNOWN AS PART OF RAMPS "A" & "D", PART OF LOT 50, BLOCK 2539 (A.K.A. PART OF LANDS TRANSFERRED TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION PER MAP NO. 3, PARCEL 4) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT COMMON TO LOTS 32, 50 & 71, BLOCK 2539 (LANDS NOW OR FORMERLY OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION), SAID POINT BEING DISTANT THE FOLLOWING FOUR (4) COURSES FROM A POINT FORMED BY THE INTERSECTION OF THE WESTERLY SIDELINE OF RIVER AVENUE (75 FEET WIDE) WITH THE NORTHERLY SIDELINE OF EAST 151<sup>ST</sup> STREET (60 FEET WIDE):



CONTROL POINT  
ASSOCIATES, INC.

DECEMBER 17, 2003  
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- A) NORTH 12 DEGREES - 36 MINUTES - 25 SECONDS WEST, A DISTANCE OF 121.86 FEET TO A POINT, THENCE;
- B) SOUTH 04 DEGREES - 56 MINUTES - 47 SECONDS EAST, A DISTANCE OF 12.23 FEET TO A POINT, THENCE;
- C) NORTH 58 DEGREES - 17 MINUTES - 19 SECONDS WEST, A DISTANCE OF 476.92 FEET TO A POINT, THENCE;
- D) NORTH 58 DEGREES - 32 MINUTES - 38 SECONDS WEST, A DISTANCE OF 64.84 FEET TO THE POINT AND PLACE OF BEGINNING AND FROM SAID BEGINNING POINT RUNNING, THENCE; THE FOLLOWING TEN (10) COURSES ALONG THE DIVIDING LINE BETWEEN LOTS 32 & 58, BLOCK 2539:
1. SOUTH 57 DEGREES - 35 MINUTES - 49 SECONDS WEST, A DISTANCE OF 13.55 FEET TO A POINT OF NON-TANGENT CURVATURE, THENCE;
  2. ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 873.54 FEET, A CENTRAL ANGLE OF 13 DEGREES - 42 MINUTES - 25 SECONDS, AN ARC LENGTH OF 208.98 FEET, BEARING A CHORD OF SOUTH 64 DEGREES - 16 MINUTES - 30 SECONDS WEST, A CHORD DISTANCE OF 208.48 FEET TO A POINT OF TANGENCY, THENCE;
  3. SOUTH 57 DEGREES - 25 MINUTES - 17 SECONDS WEST, A DISTANCE OF 92.00 FEET TO A POINT, THENCE;
  4. SOUTH 39 DEGREES - 29 MINUTES - 56 SECONDS WEST, A DISTANCE OF 23.26 FEET TO A POINT, THENCE;
  5. SOUTH 57 DEGREES - 25 MINUTES - 17 SECONDS WEST, A DISTANCE OF 18.00 FEET TO A POINT OF NON-TANGENT CURVATURE, THENCE;
  6. ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1,768.54 FEET, A CENTRAL ANGLE OF 03 DEGREES - 01 MINUTE - 00 SECONDS, AN ARC LENGTH OF 93.11 FEET, BEARING A CHORD OF SOUTH 28 DEGREES - 48 MINUTES - 12 SECONDS EAST, A CHORD DISTANCE OF 93.10 FEET TO A POINT OF NON-TANGENCY, THENCE;
  7. NORTH 32 DEGREES - 49 MINUTES - 25 SECONDS WEST, A DISTANCE OF 331.00 FEET TO A POINT, THENCE;
  8. NORTH 57 DEGREES - 10 MINUTES - 36 SECONDS EAST, A DISTANCE OF 6.42 FEET TO A POINT OF NON-TANGENT CURVATURE, THENCE;
  9. ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 906.46 FEET, A CENTRAL ANGLE OF 04 DEGREES - 44 MINUTES - 26 SECONDS, AN ARC LENGTH OF 75.00 FEET, BEARING A CHORD OF NORTH 16 DEGREES - 21 MINUTES - 09 SECONDS WEST, A CHORD DISTANCE OF 74.98 FEET TO A POINT, THENCE;
  10. NORTH 13 DEGREES - 58 MINUTES - 56 SECONDS WEST, A DISTANCE OF 55.89 FEET TO A POINT, THENCE;
  11. ALONG A LINE RUNNING THROUGH THE INTERIOR OF LOT 50, BLOCK 2539, NORTH 57 DEGREES - 17 MINUTES - 36 SECONDS EAST, A DISTANCE OF 40.04 FEET TO A POINT, THENCE; THE FOLLOWING FIVE (5) COURSES ALONG THE DIVIDING LINE BETWEEN LOTS 60 & 50, BLOCK 2539:



CONTROL POINT  
ASSOCIATES, INC.

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PAGE 3

12. SOUTH 13 DEGREES - 58 MINUTES - 56 SECONDS EAST, A DISTANCE OF 68.74 FEET TO A POINT OF CURVATURE, THENCE;
13. ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 868.54 FEET, A CENTRAL ANGLE OF 35 DEGREES - 21 MINUTES - 26 SECONDS, AN ARC LENGTH OF 81.21 FEET, BEARING A CHORD OF SOUTH 16 DEGREES - 39 MINUTES - 38 SECONDS EAST, A CHORD DISTANCE OF 81.18 FEET TO A POINT OF NON-TANGENCY, THENCE;
14. SOUTH 32 DEGREES - 34 MINUTES - 43 SECONDS EAST, A DISTANCE OF 159.50 FEET TO A POINT, THENCE;
15. NORTH 57 DEGREES - 25 MINUTES - 17 SECONDS EAST, A DISTANCE OF 98.50 FEET TO A POINT OF CURVATURE, THENCE;
16. ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 926.46 FEET, A CENTRAL ANGLE OF 11 DEGREES - 59 MINUTES - 29 SECONDS, AN ARC LENGTH OF 193.89 FEET, BEARING A CHORD OF NORTH 63 DEGREES - 25 MINUTES - 32 SECONDS EAST, A CHORD DISTANCE OF 193.54 FEET TO A POINT COMMON TO LOTS 50, 60 & 71, BLOCK 2539, THENCE;
17. ALONG THE DIVIDING LINE BETWEEN LOTS 50 & 71, BLOCK 2539, SOUTH 58 DEGREES - 32 MINUTES - 38 SECONDS EAST, A DISTANCE OF 64.09 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 31,156 SQUARE FEET OR 0.715 ACRE

TITLE REPORT PARCEL "C" CONTAINS A NET AREA OF 472,914 SQUARE FEET OR 10.857 ACRES

**TITLE REPORT PARCEL "D"  
PART OF LOT 2, BLOCK 2539**

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDELINE OF EAST 150<sup>TH</sup> STREET (50 FEET WIDE) WITH THE WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD (F.K.A. EXTERIOR STREET, 80 FEET WIDE) AND FROM SAID POINT OF BEGINNING RUNNING, THENCE:

1. ALONG THE AFOREMENTIONED NORTHERLY SIDELINE OF EAST 150<sup>TH</sup> STREET, SOUTH 80 DEGREES - 44 MINUTES - 10 SECONDS WEST, A DISTANCE OF 380.12 FEET TO A POINT, THENCE; THE FOLLOWING TWENTY-FIVE (25) COURSES ALONG THE EASTERLY LINE OF LANDS TRANSFERRED TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FULL FREIGHT ACCESS PROGRAM SOUTH BRONX-OAK POINT LINK, PER MAP NO. 24, PARCEL 50:
2. NORTH 31 DEGREES - 16 MINUTES - 26 SECONDS WEST, A DISTANCE OF 75.00 FEET TO A POINT, THENCE;
3. NORTH 55 DEGREES - 48 MINUTES - 16 SECONDS EAST, A DISTANCE OF 94.67 FEET TO A POINT, THENCE;
4. NORTH 57 DEGREES - 09 MINUTES - 24 SECONDS EAST, A DISTANCE OF 108.98 FEET TO A POINT, THENCE;
5. NORTH 29 DEGREES - 45 MINUTES - 42 SECONDS WEST, A DISTANCE OF 98.94 FEET TO A POINT, THENCE;

CONTROL POINT  
ASSOCIATES, INC.DECEMBER 17, 2003  
REVISED JANUARY 8, 2004  
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6. SOUTH 55 DEGREES - 28 MINUTES - 42 SECONDS WEST, A DISTANCE OF 189.85 FEET TO A POINT, THENCE;
7. NORTH 31 DEGREES - 40 MINUTES - 28 SECONDS WEST, A DISTANCE OF 35.00 FEET TO A POINT, THENCE;
8. SOUTH 58 DEGREES - 19 MINUTES - 32 SECONDS WEST, A DISTANCE OF 10.00 FEET TO A POINT, THENCE;
9. NORTH 31 DEGREES - 40 MINUTES - 28 SECONDS WEST, A DISTANCE OF 154.50 FEET TO A POINT, THENCE;
10. NORTH 58 DEGREES - 19 MINUTES - 32 SECONDS EAST, A DISTANCE OF 32.00 FEET TO A POINT, THENCE;
11. NORTH 31 DEGREES - 40 MINUTES - 28 SECONDS WEST, A DISTANCE OF 44.00 FEET TO A POINT, THENCE;
12. NORTH 56 DEGREES - 00 MINUTES - 33 SECONDS EAST, A DISTANCE OF 179.48 FEET TO A POINT, THENCE;
13. NORTH 32 DEGREES - 23 MINUTES - 23 SECONDS WEST, A DISTANCE OF 126.40 FEET TO A POINT, THENCE;
14. SOUTH 56 DEGREES - 34 MINUTES - 23 SECONDS WEST, A DISTANCE OF 86.91 FEET TO A POINT, THENCE;
15. SOUTH 58 DEGREES - 37 MINUTES - 38 SECONDS WEST, A DISTANCE OF 65.59 FEET TO A POINT, THENCE;
16. SOUTH 56 DEGREES - 11 MINUTES - 21 SECONDS WEST, A DISTANCE OF 37.87 FEET TO A POINT, THENCE;
17. NORTH 31 DEGREES - 40 MINUTES - 28 SECONDS WEST, A DISTANCE OF 35.00 FEET TO A POINT, THENCE;
18. SOUTH 58 DEGREES - 19 MINUTES - 32 SECONDS WEST, A DISTANCE OF 10.00 FEET TO A POINT, THENCE;
19. NORTH 32 DEGREES - 07 MINUTES - 22 SECONDS WEST, A DISTANCE OF 178.64 FEET TO A POINT, THENCE;
20. NORTH 57 DEGREES - 27 MINUTES - 17 SECONDS EAST, A DISTANCE OF 20.00 FEET TO A POINT, THENCE;
21. NORTH 32 DEGREES - 32 MINUTES - 43 SECONDS WEST, A DISTANCE OF 135.00 FEET TO A POINT, THENCE;
22. NORTH 56 DEGREES - 32 MINUTES - 31 SECONDS EAST, A DISTANCE OF 136.29 FEET TO A POINT, THENCE;
23. NORTH 32 DEGREES - 47 MINUTES - 36 SECONDS WEST, A DISTANCE OF 220.00 FEET TO A POINT, THENCE;



CONTROL POINT  
ASSOCIATES, INC.

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24. NORTH 59 DEGREES - 17 MINUTES - 45 SECONDS EAST, A DISTANCE OF 18.14 FEET TO A POINT, THENCE;
25. NORTH 32 DEGREES - 41 MINUTES - 30 SECONDS WEST, A DISTANCE OF 155.11 FEET TO A POINT, THENCE;
26. SOUTH 57 DEGREES - 16 MINUTES - 50 SECONDS WEST, A DISTANCE OF 45.74 FEET TO A POINT, THENCE;
27. ALONG A LINE RUNNING THROUGH THE INTERIOR OF LOT 2, BLOCK 2539, NORTH 32 DEGREES - 42 MINUTES - 04 SECONDS WEST, A DISTANCE OF 151.16 FEET TO A POINT, THENCE;
28. CONTINUING ALONG A LINE RUNNING THROUGH THE INTERIOR OF LOT 2, BLOCK 2539, NORTH 57 DEGREES - 17 MINUTES - 56 SECONDS EAST, A DISTANCE OF 203.46 FEET TO A POINT ON THE WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD, THENCE; THE FOLLOWING FOUR (4) COURSES ALONG THE WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD:
29. SOUTH 32 DEGREES - 33 MINUTES - 01 SECOND EAST, A DISTANCE OF 324.14 FEET TO A POINT, THENCE;
30. NORTH 57 DEGREES - 26 MINUTES - 59 SECONDS EAST, A DISTANCE OF 6.92 FEET TO A POINT, THENCE;
31. SOUTH 32 DEGREES - 48 MINUTES - 20 SECONDS EAST, A DISTANCE OF 173.30 FEET TO A POINT, THENCE;
32. SOUTH 32 DEGREES - 31 MINUTES - 30 SECONDS EAST, A DISTANCE OF 1,089.83 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 382,384 SQUARE FEET OR 8.778 ACRES

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL KNOWN AS PART OF RAMP "A", PART OF LOT 20, BLOCK 2539 (A.K.A. PART OF LANDS TRANSFERRED TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION PER MAP NO. 3, PARCEL 5) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD (A.K.A. EXTERIOR STREET) WHERE THE SAME IS INTERSECTED WITH THE DIVIDING LINE BETWEEN LOT 2 & THE SOUTHERLY LINE OF LOT 20, BLOCK 2539, SAID POINT BEING DISTANT THE FOLLOWING FOUR (4) COURSES FROM A POINT FORMED BY THE INTERSECTION OF SAID WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD WITH THE NORTHERLY SIDELINE OF EAST 150<sup>TH</sup> STREET (60 FEET WIDE) AND FROM SAID POINT OF BEGINNING RUNNING, THENCE;

- A) NORTH 32 DEGREES - 31 MINUTES - 30 SECONDS WEST, A DISTANCE 1,089.83 FEET TO A POINT, THENCE;
- B) NORTH 32 DEGREES - 48 MINUTES - 20 SECONDS WEST, A DISTANCE OF 173.30 FEET TO A POINT, THENCE;
- C) SOUTH 57 DEGREES - 16 MINUTES - 50 SECONDS WEST, A DISTANCE OF 45.74 FEET TO A POINT, THENCE;

EXHIBIT A  
PGE 7 OF 10



CONTROL POINT  
ASSOCIATES, INC.

DECEMBER 17, 2003  
REVISED JANUARY 8, 2004  
REVISED JANUARY 23, 2004  
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- (D) NORTH 32 DEGREES - 33 MINUTES - 01 SECOND WEST, A DISTANCE OF 215.95 FEET TO THE POINT AND PLACE OF BEGINNING AND FROM SAID POINT OF BEGINNING RUNNING, THENCE; THE FOLLOWING TWO (2) COURSES ALONG THE DIVIDING LINE BETWEEN LOTS 2 & 20, BLOCK 2539:
1. SOUTH 57 DEGREES - 25 MINUTES - 17 SECONDS WEST, A DISTANCE OF 83.32 FEET TO A POINT OF CURVATURE, THENCE;
  2. ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 276.46 FEET, A CENTRAL ANGLE OF 25 DEGREES - 42 MINUTES - 20 SECONDS, AN ARC LENGTH OF 124.03 FEET, BEARING A CHORD OF SOUTH 70 DEGREES - 16 MINUTES - 34 SECONDS WEST, A CHORD DISTANCE OF 123.00 FEET TO A POINT, THENCE;
  3. ALONG A LINE RUNNING THROUGH THE INTERIOR OF LOT 20, BLOCK 2539, NORTH 32 DEGREES - 42 MINUTES - 04 SECONDS WEST, A DISTANCE OF 70.10 FEET TO A POINT OF NON-TANGENT CURVATURE, THENCE; THE FOLLOWING TWO (2) COURSES ALONG THE DIVIDING LINE BETWEEN LOTS 2 & 20, BLOCK 2539:
  4. ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 215.54 FEET, A CENTRAL ANGLE OF 35 DEGREES - 51 MINUTES - 06 SECONDS, AN ARC LENGTH OF 127.35 FEET, BEARING A CHORD OF NORTH 74 DEGREES - 20 MINUTES - 57 SECONDS EAST, A CHORD DISTANCE OF 125.50 FEET TO A POINT OF TANGENCY, THENCE;
  5. NORTH 57 DEGREES - 25 MINUTES - 17 SECONDS EAST, A DISTANCE OF 83.35 FEET TO A POINT ON THE AFOREMENTIONED WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD, THENCE;
  6. ALONG SAID WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD, SOUTH 32 DEGREES - 33 MINUTES - 01 SECOND EAST, A DISTANCE OF 60.92 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 12,720 SQUARE OR 0.292 ACRE

TITLE REPORT PARCEL "D" CONTAINS A NET AREA OF 369,664 SQUARE OR 8.486 ACRES

TITLE REPORT PARCEL "E"  
LOT 2, BLOCK 2356

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDELINE OF EAST 149<sup>TH</sup> STREET (150 FEET WIDE) AND THE WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD (150 FEET WIDE) AND FROM SAID POINT OF BEGINNING RUNNING, THENCE;

1. ALONG THE AFOREMENTIONED EASTERLY SIDELINE OF EAST 149<sup>TH</sup> STREET, SOUTH 67 DEGREES - 54 MINUTES - 03 SECONDS WEST, A DISTANCE OF 426.05 FEET TO A POINT ALONG THE EASTERLY LINE OF LANDS TRANSFERRED TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FULL FREIGHT ACCESS PROGRAM SOUTH BRONX-OAK POINT LINK, PER MAP NO. 14, PARCEL 51, THENCE; THE FOLLOWING EIGHT (8) COURSES ALONG SAID EASTERLY LINE OF LANDS TRANSFERRED TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FULL FREIGHT ACCESS PROGRAM SOUTH BRONX-OAK POINT LINK, PER MAP NO. 14, PARCEL 51:



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ASSOCIATES INC.

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2. NORTH 30 DEGREES - 39 MINUTES - 32 SECONDS WEST, A DISTANCE OF 86.48 FEET TO A POINT, THENCE;
3. NORTH 42 DEGREES - 30 MINUTES - 12 SECONDS WEST, A DISTANCE OF 17.00 FEET TO A POINT, THENCE;
4. NORTH 47 DEGREES - 59 MINUTES - 48 SECONDS EAST, A DISTANCE OF 14.37 FEET TO A POINT, THENCE;
5. NORTH 42 DEGREES - 39 MINUTES - 39 SECONDS WEST, A DISTANCE OF 102.23 FEET TO A POINT, THENCE;
6. SOUTH 48 DEGREES - 13 MINUTES - 47 SECONDS WEST, A DISTANCE OF 1.00 FEET TO A POINT, THENCE;
7. NORTH 41 DEGREES - 46 MINUTES - 13 SECONDS WEST, A DISTANCE OF 86.00 FEET TO A POINT, THENCE;
8. NORTH 48 DEGREES - 13 MINUTES - 47 SECONDS EAST, A DISTANCE OF 27.30 FEET TO A POINT, THENCE;
9. NORTH 30 DEGREES - 39 MINUTES - 32 SECONDS WEST, A DISTANCE OF 131.97 FEET TO A POINT ON THE SOUTHERLY SIDELINE OF EAST 150<sup>TH</sup> STREET, THENCE;
10. ALONG SAID SOUTHERLY SIDELINE OF EAST 150<sup>TH</sup> STREET, NORTH 80 DEGREES - 44 MINUTES - 10 SECONDS EAST, A DISTANCE OF 392.89 FEET TO A POINT ON THE WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD, THENCE;
11. ALONG SAID WESTERLY SIDELINE OF MAJOR DEEGAN BOULEVARD, SOUTH 42 DEGREES - 10 MINUTES - 54 SECONDS EAST, A DISTANCE OF 313.79 FEET TO A POINT, THENCE;
12. CONTINUING ALONG SAID WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD, SOUTH 22 DEGREES - 05 MINUTES - 57 SECONDS EAST, A DISTANCE OF 40.51 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 153,328 SQUARE FEET OR 3.520 ACRES

THESE DESCRIPTIONS ARE SUBJECT TO AERIAL EASEMENTS FOR THE WESTERLY AND EASTERLY OVERHANG OF THE ELEVATED PORTION OF THE MAJOR DEEGAN EXPRESSWAY PER PLANS ON FILE IN THE CITY OF NEW YORK OFFICE OF THE PRESIDENT, BOROUGH OF BRONX TOPOGRAPHICAL DIVISION.

THESE DESCRIPTIONS ARE SUBJECT TO TERMS, CONDITIONS, AGREEMENTS, COVENANTS AND RESTRICTIONS OF AN AERIAL EASEMENT AS RECORDED IN LIBER 1917, PAGE 290.

THESE DESCRIPTIONS ARE SUBJECT TO TERMS, CONDITIONS, AGREEMENTS, COVENANTS AND RESTRICTIONS OF AN EASEMENT FOR THE MAINTENANCE AND USE OF AN ELEVATED HIGHWAY AS RECORDED IN LIBER 1917, PAGE 296.

THESE DESCRIPTIONS ARE SUBJECT TO A PERMANENT EASEMENT TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FULL FREIGHT ACCESS PROGRAM SOUTH BRONX-OAK POINT LINK SEE MAP NO. 23, PARCEL 10.





DECEMBER 17, 2003  
REVISED JANUARY 8, 2004  
REVISED JANUARY 21, 2004  
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THESE DESCRIPTIONS ARE SUBJECT TO A PERMANENT EASEMENT TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FULL FREIGHT ACCESS PROGRAM SOUTH BRONX-OAK POINT LINK PER MAP NO. 53, PARCEL 71.

THESE DESCRIPTIONS ARE SUBJECT TO A FORTY (40) FOOT WIDE SEWER EASEMENT AS ILLUSTRATED ON THE CITY PLANS FOR THE STATE OF NEW YORK.

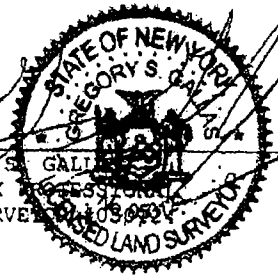
THESE DESCRIPTIONS ARE SUBJECT TO A COMBINED EASEMENT AS ILLUSTRATED ON THE CITY PLANS FOR THE STATE OF NEW YORK.

THESE DESCRIPTIONS ARE SUBJECT TO ADDITIONAL EASEMENTS, COVENANTS AND RESTRICTIONS PER TITLE REPORTS PREPARED BY ROYAL ABSTRACT OF NEW YORK, LLC, AGENTS FOR CHICAGO TITLE INSURANCE COMPANY, TITLE NO. 819830 (3203-10300367) AND COMMONWEALTH LAND TITLE INSURANCE COMPANY, TITLE NO. 819830 (L459257), WITH AN EFFECTIVE DATE OF DECEMBER 1, 2003.

THESE DESCRIPTIONS ARE PREPARED WITH REFERENCE TO A MAP ENTITLED, "BOUNDARY & LOCATION SURVEY, RELATED RETAIL CORPORATION, LOTS 2 & 20, BLOCK 2356, LOT 32 & PART OF LOTS 2 & 60, BLOCK 2539 AND LOT 28 & LOT 1, BLOCK 2357, BOROUGH & COUNTY OF BRONX, CITY & STATE OF NEW YORK", PREPARED BY CONTROL POINT ASSOCIATES, INC. DATED OCTOBER 27, 2003, LAST REVISED JANUARY 21, 2004 AS REVISION NUMBER 3.

CONTROL POINT ASSOCIATES, INC.

GREGORY S. GALLI  
NEW YORK REGISTERED  
LAND SURVEYOR  
1/23/04  
DATE



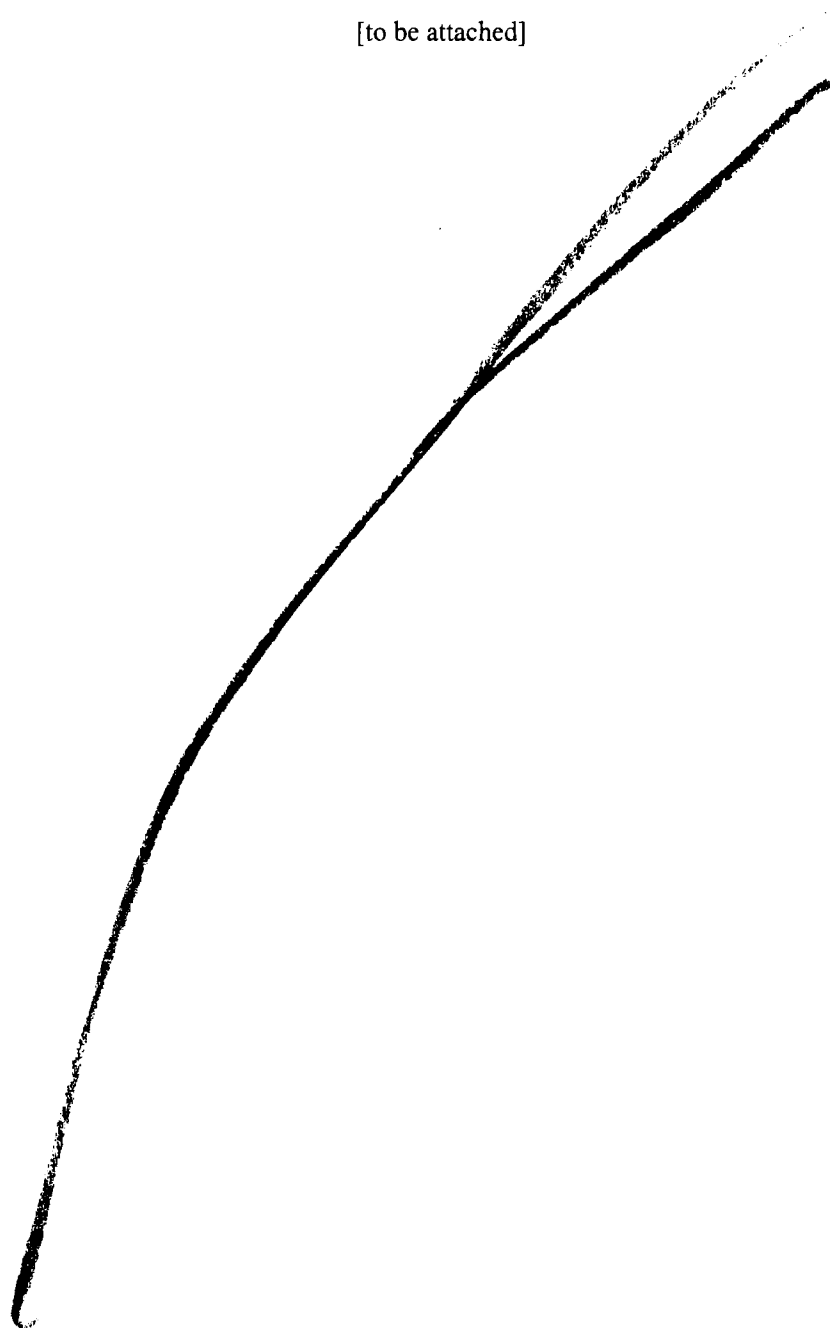
BAR/CC 1-23-04

PREPARED BY \_\_\_\_\_  
REVIEWED BY \_\_\_\_\_

**EXHIBIT B**

Description of Surrendered Premises

[to be attached]





## CONTROL POINT ASSOCIATES, INC.

BOUNDARY & TOPOGRAPHIC SURVEYS • SUBDIVISIONS • CONSTRUCTION STAKEOUT

776 Mountain Boulevard  
Watchung, NJ 07069  
908.668.0099  
908.668.9595 fax  
www.cpasurvey.com

DECEMBER 17, 2003  
REVISED JANUARY 8, 2004  
REVISED JANUARY 23, 2004  
C03276

### METES & BOUNDS DESCRIPTION

#### EXCLUDED PARCEL

LOT 2, BLOCK 2356, PART OF EAST 150<sup>TH</sup> STREET  
AND PART OF LOT 2, BLOCK 2539  
BOROUGH & COUNTY OF BRONX  
CITY & STATE OF NEW YORK

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE BOROUGH & COUNTY OF BRONX, CITY & STATE OF NEW YORK BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE NORTHERLY SIDELINE OF EAST 149<sup>TH</sup> STREET (150 FEET WIDE) WITH THE WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD (F.K.A. EXTERIOR STREET, 100 FEET WIDE) AND FROM SAID POINT OF BEGINNING RUNNING, THENCE;

1. ALONG THE AFOREMENTIONED NORTHERLY SIDELINE OF EAST 149<sup>TH</sup> STREET, SOUTH 67 DEGREES - 54 MINUTES - 03 SECONDS WEST, A DISTANCE OF 426.05 FEET TO A POINT, THENCE; THE FOLLOWING SEVEN (7) COURSES ALONG THE EASTERLY LINE OF LANDS TRANSFERRED TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FULL FREIGHT ACCESS PROGRAM SOUTH BRONX-OAK POINT LINK, PER MAP NO. 24, PARCEL 51:
2. NORTH 30 DEGREES - 39 MINUTES - 32 SECONDS WEST, A DISTANCE OF 86.49 FEET TO A POINT, THENCE;
3. NORTH 42 DEGREES - 00 MINUTES - 12 SECONDS WEST, A DISTANCE OF 17.00 FEET TO A POINT, THENCE;
4. NORTH 47 DEGREES - 59 MINUTES - 48 SECONDS EAST, A DISTANCE OF 14.37 FEET TO A POINT, THENCE;
5. NORTH 42 DEGREES - 35 MINUTES - 39 SECONDS WEST, A DISTANCE OF 102.23 FEET TO A POINT, THENCE;
6. SOUTH 48 DEGREES - 13 MINUTES - 47 SECONDS WEST, A DISTANCE OF 1.00 FEET TO A POINT, THENCE;
7. NORTH 41 DEGREES - 46 MINUTES - 13 SECONDS WEST, A DISTANCE OF 86.00 FEET TO A POINT, THENCE;

#### Other Office Locations:

■ North Wales, PA  
215.412.9055

■ Towson, MD  
410.454.9445

■ Sterling, VA  
703.934.9400

EXHIBIT 8  
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CONTROL POINT  
ASSOCIATES, INC.

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REVISED JANUARY 23, 2004  
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PAGE 2

8. NORTH 48 DEGREES - 13 MINUTES - 47 SECONDS EAST, A DISTANCE OF 27.30 FEET TO A POINT, THENCE;
9. CONTINUING ALONG SAID EASTERLY LINE OF MAP NO. 24, PARCEL 51 AND ALONG A LINE THROUGH THE BED OF EAST 150<sup>TH</sup> STREET (50 FEET WIDE), NORTH 30 DEGREES - 39 MINUTES - 32 SECONDS WEST, A DISTANCE OF 185.20 FEET TO A POINT, THENCE;
10. CONTINUING ALONG A LINE RUNNING THROUGH THE BED OF EAST 150<sup>TH</sup> STREET AND ALONG THE EASTERLY LINE OF LANDS TRANSFERRED TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FULL FREIGHT ACCESS PROGRAM SOUTH BRONX-OAK POINT LINK, MAP NO. 24, PARCEL 50, NORTH 31 DEGREES - 16 MINUTES - 26 SECONDS WEST, A DISTANCE OF 75.47 FEET TO A POINT, THENCE;
11. CONTINUING ALONG SAID EASTERLY LINE OF MAP NO. 24, PARCEL 50, NORTH 35 DEGREES - 45 MINUTES - 36 SECONDS EAST, A DISTANCE OF 94.67 FEET TO A POINT, THENCE;
12. ALONG THE AFOREMENTIONED EASTERLY LINE OF MAP NO. 24, PARCEL 50 AND ALONG A LINE RUNNING THROUGH THE INTERIOR OF LOT 2, BLOCK 2539, NORTH 57 DEGREES - 09 MINUTES - 24 SECONDS EAST, A DISTANCE OF 259.63 FEET TO A POINT ON THE WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD (80 FEET WIDE), THENCE;
13. ALONG SAID WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD, SOUTH 32 DEGREES - 31 MINUTES - 30 SECONDS EAST, A DISTANCE OF 261.57 FEET TO A POINT FORMED BY THE INTERSECTION OF SAID WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD WITH THE NORTHERLY SIDELINE OF EAST 150<sup>TH</sup> STREET, THENCE;
14. ALONG A LINE RUNNING THROUGH THE BED OF EAST 150<sup>TH</sup> STREET AND ALONG THE WESTERLY LINE OF MAJOR WILLIAM DEEGAN BOULEVARD (100 FEET WIDE), SOUTH 42 DEGREES - 10 MINUTES - 54 SECONDS EAST, A DISTANCE OF 373.35 FEET TO A POINT, THENCE;
15. CONTINUING ALONG SAID WESTERLY SIDELINE OF MAJOR WILLIAM DEEGAN BOULEVARD, SOUTH 22 DEGREES - 05 MINUTES - 57 SECONDS EAST, A DISTANCE OF 40.51 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 235,810 SQUARE FEET OR 5.413 ACRES

THIS DESCRIPTION IS SUBJECT TO AERIAL EASEMENTS FOR THE WESTERLY OVERHANG OF THE ELEVATED PORTION OF THE MAJOR DEEGAN EXPRESSWAY PER PLANS ON FILE IN THE CITY OF NEW YORK OFFICE OF THE PRESIDENT, BOROUGH OF BRONX TOPOGRAPHICAL DIVISION.

THIS DESCRIPTION IS SUBJECT TO TERMS, CONDITIONS, AGREEMENTS, COVENANTS AND RESTRICTIONS OF AN AERIAL EASEMENT AS RECORDED IN LIBER 1917, PAGE 290.

THIS DESCRIPTION IS SUBJECT TO TERMS, CONDITIONS, AGREEMENTS, COVENANTS AND RESTRICTIONS OF AN EASEMENT FOR THE MAINTENANCE AND USE OF AN ELEVATED HIGHWAY AS RECORDED IN LIBER 1917, PAGE 296.

THIS DESCRIPTION IS SUBJECT TO A PERMANENT EASEMENT TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FULL FREIGHT ACCESS PROGRAM SOUTH BRONX-OAK POINT LINK PER MAP NO. 53, PARCEL 70.

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DECEMBER 17, 2003  
REVISED JANUARY 8, 2004  
REVISED JANUARY 23, 2004  
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EXCLUDED PARCEL  
CPA PROJECT #C03276  
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THIS DESCRIPTION IS SUBJECT TO A PERMANENT EASEMENT TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FULL FREIGHT ACCESS PROGRAM SOUTH BRONX-OAK POINT LINK PER MAP NO. 53, PARCEL 71.

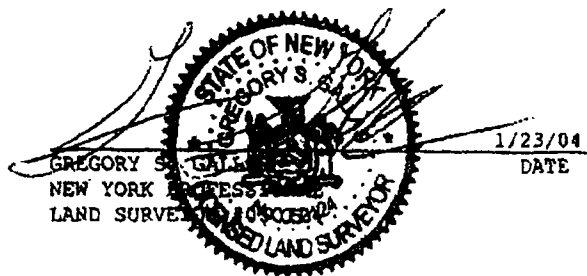
THIS DESCRIPTION IS SUBJECT TO A FORTY (40) FOOT WIDE SEWER EASEMENT AS ILLUSTRATED ON THE CITY PLANS FOR THE STATE OF NEW YORK.

THIS DESCRIPTION IS SUBJECT TO A COMBINED EASEMENT AS ILLUSTRATED ON THE CITY PLANS FOR THE STATE OF NEW YORK.

THIS DESCRIPTION IS SUBJECT TO ADDITIONAL EASEMENTS, COVENANTS AND RESTRICTIONS PER TITLE REPORTS PREPARED BY ROYAL ABSTRACT OF NEW YORK, LLC, AGENTS FOR CHICAGO TITLE INSURANCE COMPANY, TITLE NO. 819830 (3203-10300367) AND COMMONWEALTH LAND TITLE INSURANCE COMPANY, TITLE NO. 819830 (L459257), WITH AN EFFECTIVE DATE OF DECEMBER 1, 2003.

THIS DESCRIPTION IS PREPARED WITH REFERENCE TO A MAP ENTITLED, "BOUNDARY & LOCATION SURVEY, RELATED RETAIL CORPORATION, LOTS 2 & 20, BLOCK 2356, LOT 32 & PART OF LOTS 2 & 60, BLOCK 2539 AND LOT 86 & LOT 1, BLOCK 2357, BOROUGH & COUNTY OF BRONX, CITY & STATE OF NEW YORK", PREPARED BY CONTROL POINT ASSOCIATES, INC. DATED OCTOBER 27, 2003, LAST REVISED JANUARY 21, 2004 AS REVISION NUMBER 3.

CONTROL POINT ASSOCIATES, INC.



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PREPARED BY: \_\_\_\_\_  
REVIEWED BY: \_\_\_\_\_