



RECORD LEGAL DESCRIPTION

Per Schedule "A" recorded in Liber 14372, Page 1355 recorded in Orange County Clerk's Office as Instrument # 200180017463 on March 9, 2018.

All that tract or parcel of land situate in the Town of New Windsor, County of Orange, State of New York, bounded and described as follows:

BEGINNING at a point on the easterly line of N.Y.S. Route 32, said point being the intersection of the easterly line of N.Y.S. Route 32 with the northerly line of lands now or formerly Kim (L. 2093 P. 692); THENCE along the easterly line of N.Y.S. Route 32, North 38 degrees 25 minutes 15 seconds East 383.82 feet to a point; THENCE along lands now or formerly Borchert (L. 3252 P. 80), South 49 degrees 6 minutes 30 seconds East 182.48 feet, South 42 degrees 39 minutes 30 seconds East 531.65 feet and along a stone wall, South 19 degrees 23 minutes 30 seconds West 400.55 feet to a point; THENCE along lands now or formerly Redl (L. 2667 P. 72) and along lands now or formerly Kim (L. 2093 P. 692), North 45 degrees 48 minutes 50 seconds West 842.41 feet to the point or place of beginning.

Being and intended to be the same premises conveyed to Mainhill & Company, LLC by deed from Gerard T. Impellitteri, Jr., dated March 1, 2005, recorded April 4, 2005 in the orange County Clerk's Office in Liber 11797 Page 1552.



Surveyors Notes:

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- Unauthorized alteration of an item in any way, or addition to a survey map for any person, unless acting under the direction of a licensed land surveyor, is a violation of section 7209, sub-division 2, of the New York State Education Law.
- Only boundary survey maps bearing the surveyor's embossed seal and signature are genuine true and correct copies of the surveyor's original work and opinion. Anything other than copies with an embossed seal and signature may contain unauthorized and undetectable modifications, deletions, additions, and changes, and are not to be relied upon. A copy of this document without a proper application of the surveyor's embossed seal should be assumed to be an unauthorized copy.
- Certifications on this boundary survey map signify that the map was prepared in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS as well as in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. (NYSAPLS). The certification is limited to persons for whom the boundary survey map is prepared, to the title company, to the governmental agency, and to the lending institution listed on this boundary survey map.
- The certifications herein are not transferable.
- The location of underground improvements as shown hereon are based on field observations of paint mark outs and flagging as set by authorized utility representatives in response to a request made to the service provided by "811 Dig Safety New York" (see item # in Refs.). Above ground utilities are per field observations.
- This survey is prepared with reference to a Title Report prepared by Stewart Title Insurance Company, with an effective date of June 20, 2018. Where the following survey related exceptions appear in Schedule B, Number 9:
(A) Right of Way as set forth in Liber 1679 Page 42. **Surveyors Note:** The geometry for said Right of Way was calculated and plotted as shown on Filed Map No. 8011 (see item #3 in Refs.). It was determined that it is not on, and does not touch, nor affect the subject property.
(B) Utility Easements as set forth in Liber 1202 Page 589, and Liber 1466 Page 595.
(C) Drainage Easement made by Samir Patel to Tiarra Royal at Fishkill, LLC. Said Easement was not found on record in the Orange County Clerk's Office. However, a document was provided in the Title Report indicating that an agreement was executed and notarized on August 12, and August 16 of 2013. Said document also contained a Schedule "A" Easement Premises that was prepared by the surveyor of this map on August 3, 2013 and is plotted accordingly. **Surveyors Note:** Said Easement is also shown as a Proposed Drainage Easement on an ALTA/ACSM Survey Map dated April 8, 2013 (see item #5 in Refs.).
- Surveyed as per deeds, prior survey maps, filed sub-division maps and survey right-of-way taking maps discovered in the archives of New York State DOT in the City of Poughkeepsie, physical evidence, and existing monumentation found at the site. (see item #5 in Refs.).
- The field location of monuments, evidence and improvements shown hereon were based on an actual four sided field control traverse, having a total length of 1,625.37 feet, a closing course error of 0.06 feet, resulting in an unadjusted error of closure ratio of 1:27,090. The Relative Positional Precision meets the maximum allowable requirements.
- Subject to any conditions, restrictions, covenants and/or right-of-ways, or easements of record, if any.

LEGEND:

| | |
|------------------------------|---|
| property line (deed) | — |
| property line (adjointer) | — |
| subject property enclosed | — |
| property corner | — |
| electric easement enclosed | — |
| drainage easement enclosed | — |
| storm sewer line | — |
| utility pole | — |
| guy anchor cable tie | — |
| guy anchor | — |
| electric lines (overhead) | — |
| stone wall | — |
| 12 dia. support pole | — |
| rip-rap | — |
| drainage flow line | — |
| inlet (rectangular & square) | — |
| road/parking lot paved area | — |
| direction of traffic flow | — |
| Title Report Exception | — |

References:

- Official Tax Assessors Map for the Town of New Windsor, Orange County, New York, Section 9, Block 1, Lots 24, 25.21, 25.3, & 26.
- Various Deeds of Record, Filed in the Orange County Clerk's Office, located at 4 Glenmere Cove Road, Goshen, NY, Liber and Page as shown hereon.
- A map entitled "Minor Subdivision & Lot Line Change", prepared for Pleasant Acres Nursery, Inc., prepared by Elias D. Grevas, L.S. on August 4, 1986, filed in the Office of the County Clerk on December 15, 1986 as Filed Map #8011.
- Right Of Way taking maps for NYS Route 32 entitled "New York State Public Works Vails Gate-Newburgh City Line S. H. No. 9033, Map No. 29 Parcel No. 37" and "New York State Public Works Vails Gate-Newburgh City Line S. H. No. 9033, Map No. 28 Parcel No. 38" obtained from the New York State DOT Region 8 Office located at 4 Burnett Boulevard, Poughkeepsie, NY.
- A map entitled, "Duffys Driving Range ALTA/ACSM LAND TITLE SURVEY", dated April 8, 2013, and prepared by Automated Construction Enhanced Solutions, Inc.
- A Title Report provided by attorney entitled, "Commitment for Title Insurance" File Number: GA185702-0", prepared by Greenacre Abstract, LLC, dated August 28, 2018.

Jonathan N. Millen, L.L.S.
NOT VALID WITHOUT EMBOSSED SEAL & SIGNATURE
Jonathan N. Millen
NEW YORK STATE LICENSED LAND SURVEYOR
N.Y. Lic. No. 050746

ALTA/NSPS LAND TITLE SURVEY
of the lands of
Duffys Route 32 LLC
Automated Construction Enhanced Solutions, Inc.
Professional Land Surveying
23 Bruyn Tumpike - Suite 101 - Wallkill, NY 12589
Office: 845-569-3330 Fax: 845-569-3339 E-Mail: acesurvey@aecr.com
Prepared For Tax Map Parcel
9-1-25.21
aka 139 Windsor Highway situated in the
Town of New Windsor
County of Orange, New York
SCALE: 1"=30' | DATE: September 21, 2018 | Proj. No. 1803RCNW | DRAWN BY: jmm
N.Y. Lic. No. 050746

CERTIFICATION:

To:
Duffys Route 32 LLC
First National of America
CMBC Markets
CNW Real Estate LLC
Duffys Route 32 LLC
GreenAcre Abstract LLC
Stewart Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes zero items of table A thereof. The field work was completed on September 17, 2018.

SIGNED: _____ DATE: _____

Jonathan N. Millen, LLS - New York State License Number 050746