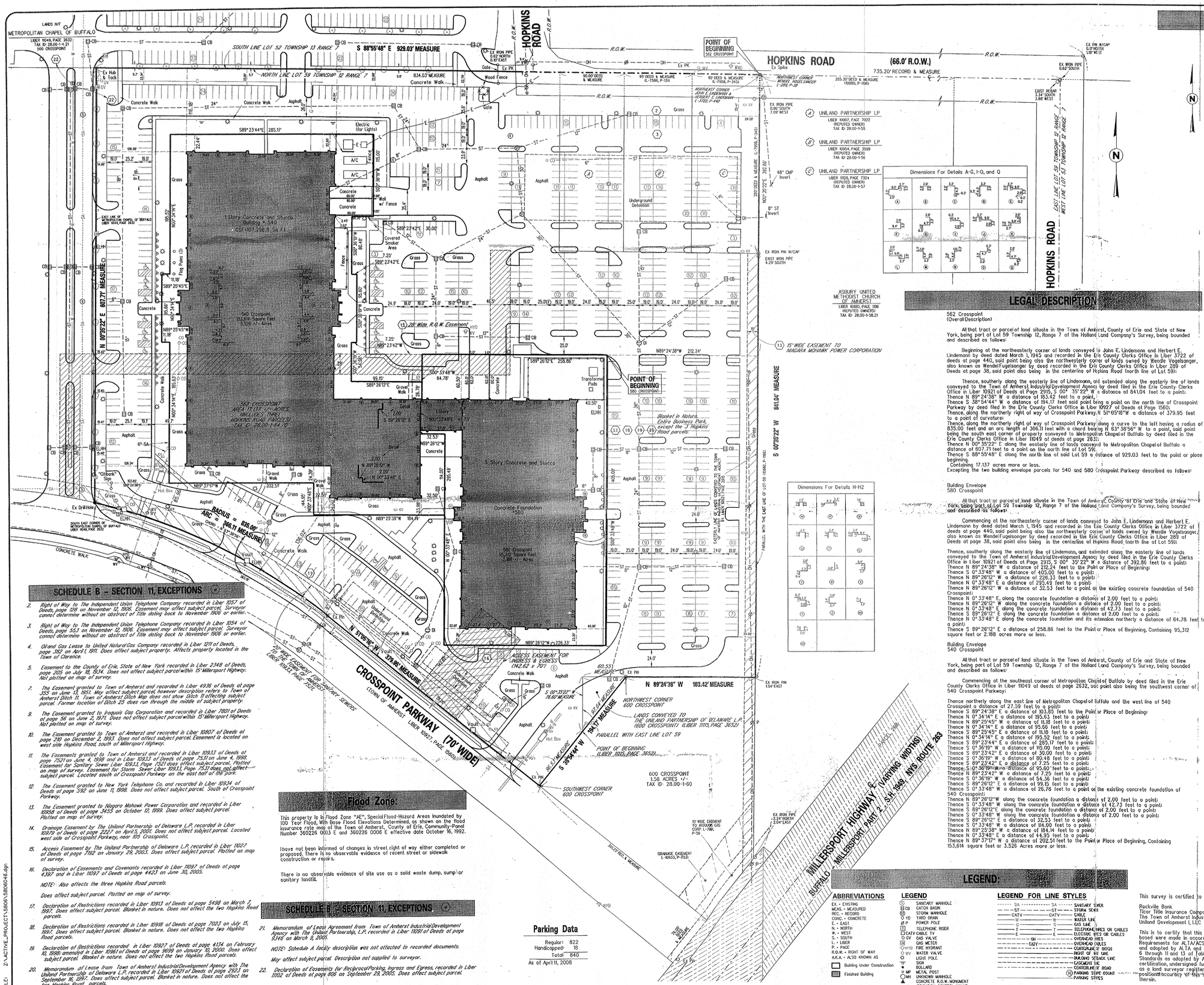

SCHEDULE B - SECTION 11, EXCEPTIONS

2. Right of Way to The Independent Union Telephone Company recorded in Liber 1057 of Deeds, page 128 on November 12, 1906. Easement may affect subject parcel. Surveyor cannot determine without an abstract of Title dating back to November 1906 or earlier.

3. Right of Way to The Independent Union Telephone Company recorded in Liber 1054 of Deeds, page 553 on November 12, 1906. Easement may affect subject parcel. Surveyor cannot determine without an abstract of Title dating back to November 1906 or earlier.

4. Oil and Gas Lease to United Natural Gas Company recorded in Liber 1211 of Deeds, page 382 on April 1, 1911. Does affect subject property. Affects property located in the Town of Clarence.

5. Easement to the County of Erie, State of New York recorded in Liber 2348 of Deeds, page 205 on July 18, 1934. Does not affect subject parcel within 15' Millersport Highway. Not plotted on map of survey.

7. The Easement granted to Town of Amherst and recorded in Liber 4936 of Deeds at page 1355 on June 13, 1951. May affect subject parcel, however description refers to Town of Amherst Ditch 11. Town of Amherst Ditch Map does not show Ditch 11 affecting subject parcel. Former location of Ditch 25 does run through the middle of subject property.

9. The Easement granted to Iroquois Gas Corporation and recorded in Liber 7801 of Deeds at page 56 on June 25, 1971. Does not affect subject parcel within 15' Millersport Highway. Not plotted on map of survey.

10. The Easement granted to Town of Amherst and recorded in Liber 10807 of Deeds at page 210 on December 2, 1993. Does not affect subject parcel. Easement is located on west side Hopkins Road, south of Millersport Highway.

11. The Easements granted to Town of Amherst and recorded in Liber 10933 of Deeds at page 7521 on June 4, 1998 and in Liber 10933 of Deeds at page 7531 on June 4, 1998. Easement for Sanitary Sewer Liber 10933, Page 7521 does affect subject parcel. Plotted on map of survey. Easement for Storm Sewer Liber 10933, Page 7531 does not affect subject parcel. Located south of Crosspoint Parkway on the east half of the park.

12. The Easement granted to New York Telephone Co. and recorded in Liber 10934 of Deeds at page 592 on June 11, 1998. Does not affect subject parcel. South of Crosspoint Parkway.

13. The Easement granted to Niagara Mohawk Power Corporation and recorded in Liber 10658 of Deeds at page 3425 on October 21, 1992. Does affect subject parcel. Plotted on map of survey.

14. Drainage Easement by The Uniland Partnership of Delaware L.P. recorded in Liber 10979 of Deeds at page 2227 on April 5, 2001. Does not affect subject parcel. Located west side of Crosspoint Parkway, near 155 Crosspoint.

15. Access Easement by The Uniland Partnership of Delaware L.P. recorded in Liber 11027 of Deeds at page 7192 on January 29, 2003. Does affect subject parcel. Plotted on map of survey.

16. Declaration of Easements and Covenants recorded in Liber 11097 of Deeds at page 4397 and in Liber 11097 of Deeds at page 4423 on June 30, 2005.

NOTE: Also affects the three Hopkins Road parcels.

Does affect subject parcel. Plotted on map of survey.

17. Declaration of Restrictions recorded in Liber 10913 of Deeds at page 5498 on March 7, 1997. Does affect subject parcel. Blanket in nature. Does not affect the two Hopkins Road parcels.

18. Declaration of Restrictions recorded in Liber 10919 of Deeds at page 7023 on July 15, 1997. Does affect subject parcel. Blanket in nature. Does not affect the two Hopkins Road parcels.

19. Declaration of Restrictions recorded in Liber 10927 of Deeds at page 4134 on February 10, 1998; amended in Liber 10961 of Deeds at page 9699 on January 10, 2000. Does affect subject parcel. Blanket in nature. Does not affect the two Hopkins Road parcels.

20. Memorandum of Lease from Town of Amherst Industrial Development Agency with The Uniland Partnership of Delaware L.P. recorded in Liber 10927 of Deeds at page 2323 on September 16, 1997. Does affect subject parcel. Blanket in nature. Does not affect the two Hopkins Road parcels.

Flood Zone:

This property is in Flood Zone "AE", Special Flood-Hazard Areas inundated by 100 Year Flood, With Base Flood Elevations Determined, as shown on the flood insurance rate map of the Town of Amherst, County of Erie, Community-Panel Number 360226 0003 E and 360226 0006 E effective date October 16, 1992.

I have not been informed of changes in street right of way either completed or proposed. There is no observable evidence of recent street or sidewalk construction or repairs.

There is no observable evidence of site use as a solid waste dump, sump or sanitary landfill.

SCHEDULE B - SECTION 11, EXCEPTIONS

21. Memorandum of Lease Agreement from Town of Amherst Industrial Development Agency with The Uniland Partnership, L.P. recorded in Liber 11091 of Deeds at page 9346 on March 9, 2005.

NOTE: Schedule A locally description was not attached to recorded documents.

May affect subject parcel. Description not supplied to surveyor.

22. Declaration of Easements for Reciprocal Parking, Ingress and Egress, recorded in Liber 11102 of Deeds at page 806 on September 29, 2005. Does affect subject parcel.

Parking Data

Regular:	822
Handicapped:	18
Total:	840

As of April 11, 2008

LEGAL DESCRIPTION

562 Crosspoint
(Overall Description)

All that tract or parcel of land situate in the Town of Amherst, County of Erie and State of New York, being part of Lot 59 Township 12, Range 7 of the Holland Land Company's Survey, being bounded and described as follows:

Beginning at the northeasterly corner of lands conveyed to John E. Lindemann and Herbert E. Lindemann by deed dated March 1, 1945 and recorded in the Erie County Clerks Office in Liber 3722 of deeds at page 440, said point being also the northwesterly corner of lands owned by Wendie Vogelsanger, also known as WendelFugelsonger by deed recorded in the Erie County Clerks Office in Liber 289 of Deeds at page 38, said point also being in the centerline of Hopkins Road (north line of Lot 59);

Thence, southerly along the easterly line of Lindemann, and extended along the easterly line of lands conveyed to the Town of Amherst Industrial Development Agency by deed filed in the Erie County Clerks Office in Liber 10921 of Deeds at Page 2915, S 00° 35'22" W a distance of 841.04 feet to a point;
Thence N 89°24'38" W a distance of 183.42 feet to a point,
Thence S 38°54'44" W a distance of 194.17 feet said point being a point on the north line of Crosspoint Parkway by deed filed in the Erie County Clerks Office in Liber 10927 of Deeds at Page 1560;
Thence, along the northerly right of way of Crosspoint Parkway, N 51°05'16"W a distance of 379.95 feet to a point of curvature;
Thence, along the northerly right of way of Crosspoint Parkway along a curve to the left having a radius of 835.00 feet and an arc length of 366.11 feet with a chord bearing N 63°38'56" W to a point, said point being the south east corner of property conveyed to Metropolitan Chapel of Buffalo by deed filed in the Erie County Clerks Office in Liber 11049 of deeds at page 2632;
Thence N 00°35'22" E along the easterly line of lands conveyed to Metropolitan Chapel of Buffalo a distance of 607.71 feet to a point on the north line of Lot 59;
Thence S 88°55'48" E along the north line of said Lot 59 a distance of 929.03 feet to the point or place of beginning.
Containing 17.137 acres more or less.
Excepting the two building envelope parcels for 540 and 580 Crosspoint Parkway described as follows:

Building Envelope
580 Crosspoint

All that tract or parcel of land situate in the Town of Amherst, County of Erie and State of New York, being part of Lot 59 Township 12, Range 7 of the Holland Land Company's Survey, being bounded and described as follows:

Commencing at the northeasterly corner of lands conveyed to John E. Lindemann and Herbert E. Lindemann by deed dated March 1, 1945 and recorded in the Erie County Clerks Office in Liber 3722 of deeds at page 440, said point being also the northwesterly corner of lands owned by Wendie Vogelsanger, also known as WendelFugelsonger by deed recorded in the Erie County Clerks Office in Liber 289 of Deeds at page 38, said point also being in the centerline of Hopkins Road (north line of Lot 59);

Thence, southerly along the easterly line of Lindemann, and extended along the easterly line of lands conveyed to the Town of Amherst Industrial Development Agency by deed filed in the Erie County Clerks Office in Liber 10921 of Deeds at Page 2915, S 00° 35'22" W a distance of 392.86 feet to a point;
Thence N 89°24'38" W a distance of 212.24 feet to the Point or Place of Beginning;
Thence S 00°33'48" W a distance of 405.00 feet to a point;
Thence N 89°26'12" W a distance of 226.33 feet to a point;
Thence N 0°33'48" E a distance of 223.49 feet to a point;
Thence N 89°26'12" W a distance of 32.53 feet to a point on the existing concrete foundation of 540 Crosspoint;
Thence N 0°33'48" E, along the concrete foundation a distance of 2.00 feet to a point;
Thence N 89°26'12" W along the concrete foundation a distance of 2.00 feet to a point;
Thence N 0°33'48" E along the concrete foundation a distance of 42.73 feet to a point;
Thence S 89°26'12" E along the concrete foundation a distance of 2.00 feet to a point;
Thence N 0°33'48" E along the concrete foundation and its extension northerly a distance of 64.78 feet to a point;
Thence S 89°26'12" E a distance of 258.86 feet to the Point or Place of Beginning. Containing 95,312 square feet or 2.188 acres more or less.

Building Envelope
540 Crosspoint

All that tract or parcel of land situate in the Town of Amherst, County of Erie and State of New York, being part of Lot 59 Township 12, Range 7 of the Holland Land Company's Survey, being bounded and described as follows:

Commencing at the southeast corner of Metropolitan Chapel of Buffalo by deed filed in the Erie County Clerks Office in Liber 11049 of deeds at page 2632, said point also being the southwest corner of 540 Crosspoint Parkway;

Thence northerly along the east line of Metropolitan Chapel of Buffalo and the west line of 540 Crosspoint a distance of 27.39 feet to a point;
Thence S 89°24'38" E a distance of 103.85 feet to the Point or Place of Beginning;
Thence N 0°34'14" E a distance of 195.63 feet to a point;
Thence N 89°25'45" W a distance of 11.18 feet to a point;
Thence N 0°34'14" E a distance of 95.66 feet to a point;
Thence S 89°25'45" E a distance of 11.18 feet to a point;
Thence N 0°34'14" E a distance of 195.52 feet to a point;
Thence S 89°23'44" E a distance of 285.17 feet to a point;
Thence S 0°36'19" W a distance of 115.00 feet to a point;
Thence S 89°23'42" E a distance of 30.00 feet to a point;
Thence S 0°36'19" W a distance of 80.48 feet to a point;
Thence S 89°23'42" E a distance of 7.25 feet to a point;
Thence S 0°36'19" W a distance of 95.60 feet to a point;
Thence N 89°23'42" W a distance of 7.25 feet to a point;
Thence S 0°36'19" W a distance of 54.36 feet to a point;
Thence S 89°26'12" E a distance of 99.15 feet to a point;
Thence S 0°33'48" W a distance of 26.78 feet to a point on the existing concrete foundation of 540 Crosspoint;
Thence N 89°26'12" W along the concrete foundation a distance of 2.00 feet to a point;
Thence S 0°33'48" W along the concrete foundation a distance of 42.73 feet to a point;
Thence S 89°26'12" E along the concrete foundation a distance of 2.00 feet to a point;
Thence S 0°33'48" W along the concrete foundation a distance of 2.00 feet to a point;
Thence S 89°26'12" E a distance of 32.53 feet to a point;
Thence S 0°33'48" W a distance of 114.00 feet to a point;
Thence N 89°26'38" W a distance of 184.14 feet to a point;
Thence N 0°33'48" E a distance of 44.95 feet to a point;
Thence N 89°37'17" W a distance of 202.51 feet to the Point or Place of Beginning. Containing 153,614 square feet or 3.526 Acres more or less.

LEGEND:

ABBREVIATIONS

EX. = EXISTING
MEAS. = MEASURED
REC. = RECORD
CONC. = CONCRETE
E. = EAST
N. = NORTH
W. = WEST
S. = SOUTH
L. = LIBER
P. = PAGE
R.O.W. = RIGHT OF WAY
A.K.A. = ALSO KNOWN AS

Building Under Construction
Finished Building

LEGEND

SANITARY MANHOLE
CB CATCH BASIN
STORM MANHOLE
YD YARD DRAIN
ø P POWER POLE
TELEPHONE RISER
CATV CABLE TV
OV GAS VALVE
GM GAS METER
HYD FIRE HYDRANT
WV WATER VALVE
LIGHT POLE
SIGN
BOLLARD
MP METAL POST
MH UNKNOWN MANHOLE
CONCRETE R.O.W. MONUMENT
ICV IRRIGATION CONTROL VALVE

LEGEND FOR LINE STYLES

SANITARY SEWER
STORM SEWER
CABLE
WATER LINE
GAS LINE
TELEPHONE WIRES OR CABLES
ELECTRIC WIRES OR CABLES
OVERHEAD WIRES
OVERHEAD CABLES
CENTERLINE OF DITCH
RIGHT OF WAY LINE
BUILDING SETBACK LINE
EASEMENT LINE
CENTERLINE OF ROAD
(16) PARKING STRIPE COUNT
PARKING STRIPES

Zoning Information:

Zoning: RD - Research-Development District
Site Area = 17.137+/- Acres
Building Area: 107,298.8 GSF

	Town Code
	Building Ht (30' or Less)
Building Setbacks:	
Front (Radial)	40'
Side (Abutting Commercial)	15'
Rear (Abutting Commercial)	15'
Side or Rear (Abutting Residential)	50'
Parking Setbacks:	
Front (Radial)	25'
Side (Abutting Commercial)	10'
Rear (Abutting Commercial)	10'
Side or Rear (Abutting Residential)	25'

NOTES:

1.) BOUNDARY SURVEY IS TIED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM NORTH AMERICAN DATUM OF 1983, HIGH ACCURACY REFERENCE NETWORK OF 1992 (NAD83/92HARN). RECORD MONUMENTATION UTILIZED IN THE PREPARATION OF THIS SURVEY WERE PROVIDED BY THE TOWN OF AMHERST ENGINEERING DEPARTMENT AND CONSISTED OF THE FOLLOWING POINTS:
CONTROL POINT 78, CONTROL POINT 79, CONTROL POINT 62 AND CONTROL POINT 52.

2.) NON-ITALICIZED BEARINGS SHOWN ARE REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM AS DESCRIBED IN NOTE 1. ITALICIZED BEARINGS SHOWN ARE TAKEN FROM THE RECORD TITLE DOCUMENTS AS IDENTIFIED BY (L- , P-).

3.) THE LOCKPORT EXPRESSWAY, I-990, NORTH FRENCH ROAD AND MILLERSPORT HIGHWAY ARE SHOWN AND ESTABLISHED FROM RECORD INFORMATION PROVIDED BY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND OBTAINED THROUGH THE USE OF THE FREEDOM OF INFORMATION LAW. DUE TO THIS METHOD OF OBTAINING THIS INFORMATION, THE UNDERSIGNED SURVEYOR DOES NOT ACCEPT ANY LIABILITY IN THE COMPLETENESS OF THIS INFORMATION.

4.) ALL DISTANCES SHOWN ARE GROUND DISTANCES. THE COMBINED FACTOR FOR CONVERSION TO THE NEW YORK STATE PLANE COORDINATE SYSTEM. (SEE NOTE 1) IS 0.999918512.

5.) ALL BUILDING DIMENSIONS TAKEN AT CONCRETE FOUNDATION.

This survey is certified to the following parties:

Rockville Bank
Ticor Title Insurance Company
The Town of Amherst Industrial Development Agency
Uniland Development I, LLC

This is to certify that 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 ALTA and NSPS in 2005, and includes Items 1 through 4, 6 through 11 and 13 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion as a land surveyor registered in the State of New York, the relative positional accuracy of this survey does not exceed that which is specified therein.

Niagara Boundary
And Mapping Services
2475 MILITARY ROAD
NIAGARA FALLS, NY 14304
(716) 297-9584
FAX (716) 297-9588
E-MAIL KLSHERM@AOL.COM
Serving Western New York for over 30 years.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SAID.

Map Showing ALTA /ACSM Land Title Survey of

540, 562 and 580 Crosspoint

UNILAND DEVELOPMENT COMPANY

LOT	SECTION	TOWNSHIP	RANGE
59		12	7

TOWN	AMHERST
COUNTY	ERIE
STATE	NEW YORK
DATE	OCTOBER 17, 2006
SCALE	1" = 60'
JOB NO.	5806-06

RESURVEYED	DATE
Foundation Location of Building #580	8/28/2007
As-Built #580	12/04/2007
Revise Boundary & Description	11/17/2008

"ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES."

THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE USE BEYOND THE PARTIES OR PURPOSE INDICATED IS EXPRESSLY FORBIDDEN WITHOUT WRITTEN RELEASE FROM THE UNDERSIGNED.

RECEIVED
APR 09 2014
TOWN OF AMHERST
PLANNING DEPT.

KENNETH L. SLAUGENHOUPT LIC. NO. 50349

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SCANNED 3/14/12

SP-2005-15I & SP-2002-09C
540-580 CROSSPOINT PKWY & 3750 MILLERSPORT HWY.

SP-2005-15I + SP-2002-09C

FILE: Z:\ACTIVE_PROJECTS\5806\5806046.dgn