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# STEWART TITLE INSURANCE COMPANY COMMITMENT NO. TA17(00)179-93 - SCHEDULE A:

ALL that certain plot, piece or parcel of land together with the buildings and improvements erected thereon, situate lying and being in the Town of Newburgh, County of Orange, New York described as follows:

BEGINNING at the point of intersection of the northeasterly line of New York State Route 17-K (Newburgh-Cochecton Road) with the northwesterly line of Union Avenue; extending

THENCE (1) North 63 degrees 54 minutes 10 seconds West along said line of Route 17-K 150 feet to a

THENCE (2) North 24 degrees 22 minutes 10 seconds East 125 feet to a point;

THENCE (3) South 63 degrees 54 minutes 10 seconds East 150 feet to a point in said line of Union

THENCE (4) South 24 degrees 22 minutes 10 seconds West along said line of Union Avenue 125 feet to the place of BEGINNING.

#### AND ALSO

All that certain plot, piece or parcel of land together with the building and improvements erected thereon, situate lying and being in the Town of Newburgh, County of Orange and State of New York, more particularly described as follows:

BEGINNING at a point in the northeasterly line of New York State Route 17-K (Newburgh-Cochecton Bookinnov of o point in the induced service in the origin of the state induct in the product of the point of the state of the state induced with the origin occuties and the state of the s

THENCE (1) along the said northeasterly line of State Route 17—K North 63 degrees 54 minutes 10 seconds West 275 feet to a point marked by a pipe in the line of land now or formerly of Patsalos

THENCE (2) along said land of Patsalos North 24 degrees 22 minutes 10 seconds East on a line forming an interior angle of 91 degrees 43 minutes 40 seconds with the last described course, a distance of 225 feet to a point marked by a pipe;

THENCE (3) still along land of Patsalos South 63 degrees 54 minutes 10 seconds East, and on a line forming an interior angle of 88 degrees 16 minutes 20 seconds with the last described course. a distance of 425 feet to a point in the northwesterly line of said Union Avenue, which point is 6.30 feet southwest of the southessterly comer of lands now or formerty of Newburgh School District #11;

THENCE (4) along the sold northwesterly line of Union Avenue South 24 degrees 22 minutes 10 seconds West, and an a line forming an interior angle of 91 degrees 43 minutes 40 seconds with the last described course, a diatonce of 100 feet to a point in line of other land now or formerly of The Allantic Richfield Company.

THENCE (5) along said land North 63 degrees 54 minutes 10 seconds West 150 feet to a point;

THENCE (6) still along said SIBARCO'S other land South 24 degrees 22 minutes 10 seconds West 125 feet to the point and place of BEGINNING.

LESS AND EXCEPT that portion sold to Carrols New York Development Corp. by deed dated July 1, 1965 and recorded in Liber 1720 page 923.

BECRINING at a point in the northerly line of Route 17-K, said point being 100 feet westerly of the southwest corner of premises conveyed by Sbarco Corporation to Quadro Stations, Inc. by Deed dated March 28, 1964 and recorded Jugust 4, 1964 in the Orange County Clerk's Office in Liber 1673 of Deeds, Page 382; extending

THENCE (1) North 63 degrees 54 minutes 10 seconds West along said line of Route 17-K 175 feet to a Include (1) routine to degrees of initiates to seconds near bong sub into the other of into text \$\overline{\overline{1}}\$ inch into a pieceload at the southwestermost correct of land conveyed by Saborc Corporation to The Atlantic Refining Company by Deed doted December 14, 1962, recorded in soid Clerk's Office in Liber 1635 of Deeds, page 519;

THENCE (2) along the westernmost line of lands conveyed to The Atlantic Refining Company as aforesoid which is also line of lands now or formetly of one Patsalos North 24 degrees 22 minutes 10 seconds East 225 feet to a three rich iron pipe;

THENCE (3) South 63 degrees 54 minutes 10 seconds East along the southwesterly line of lands now or formerly of Patsalos 175 feet to a point;

THENCE (4) South 24 degrees 22 minutes 10 seconds West 225 feet to the point of BEGINNING.

TOGETHER WITH the right, if any, of ingress, egress and regress of the Grantor for driveway purposes only, over, across and upon a certain triangular right-of-way in the aforesaid Town, County and State, more particularly bounded and described as follows:

 $\ensuremath{\mathsf{BEGNNING}}$  at a point in the northerly line of Route 17–K at the southeasternmost corner of the premises above described; extending

THENCE (1) North 24 degrees 22 minutes 10 seconds East 40 feet to a point;

THENCE (2) southwardly 48 feet more or less to a point in said line of Route 17-K, which point is 25 eet distant southeastwardly from the place of beginning herein, as measured along said line of Route

THENCE (3) North 63 degrees 54 minutes 10 seconds West along said line of Route 17-K 25 feet to the point and place of BEGINNING.

EXCEPTING THEREFROM that portion taken by the State of New York Department of Transportation in Proceeding Number 8086, Project: Union Avenue, Route 17K Connection, S.H. No. 9391.

The above premises also being bounded and described as follows:

ALL that certain plot, piece or parcel of land situate lying and being in the Town of Newburgh, County of Orange. New York described as follows:

BEGINNING at the point of intersection of the northeasterly right—of—way line of New York State Route 17—K (Newburgh—Cochecton Road) with the northwesterly right—of—way line of Union Avenue;

Thence North 63'54'10" West, 237.08 feet along said northeasterly right-of-way line; Thence North 24"22'10" Fast, 225.00 feet;

Thence South 63'54'10" East, 238.33 feet to a point that lies on said northwesterly right-of-way line;

Thence South 24'03'08" West, 89.82 feet along said northwesterly right-of-way line; Thence South 64'34'36" East, 6.08 feet along said northwesterly right of way line;

Thence South 26'49'40" West, 117.85 feet along said northwesterly right-of-way line;

Thence South 33°28'56" West, 17.51 feet along said northwesterly right-of-way line to the Point of

# STEWART TITLE INSURANCE COMPANY

COMMITMENT NO. TA(00)179-93 - SCHEDULE B, SECTION II: Numbers correspond with survey-related Schedule B exception items contained in the above referenced Title Commitment.

Restrictive Covenants in Agreement between Elizabeth M. Denniston and Mary E. Todd dated October 17, 1930, recorded October 20, 1930 in Liber 711 cp 508. (AFFECTS THE SUBJECT PROPERTY – BLANKET IN NATURE)

Easement granted by Elizabeth M. Denniston to Central Hudson Gas & Electric Corporation dated May 20, 1931, recorded July 23, 1931 in Liber 720 op 213. (AFFECTS THE SUBJECT PROFERTY – ELANCET IN NATURE)

Restrictions and easements recited in deed from The Atlantic Refining Company to Carrols New York Development Corp. dated July 1, 1965, recorded August 3, 1965 in Liber 1720 page 923. (AFFECTS THE SUBJECT PROPERTY – BUAKET IN NATURE)

#### MISCELLANEOUS NOTES:

Now or Formerly

Newburgh LLC Book 13057 Page 499 PROPERTY ID: 334600 95-

. There is direct access to the subject property via Union Avenue and New York State Highway No.

There is direct access to the subject property via Union Avenue and New York State Highway No. 17%, both being public right-of-ways.
With regard to Table A Item 11, an B11 utility locate request was made and markings found at the site, if any, have been noted. All underground utilities may not be shown and markings found at the site may not depict underground features accurately. Lacking excavation, the exact location of underground features connot be occurately, completely, and reliably depicted. In some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete evenance.

response. 3. The posted address on site is 78 RT 17K, Newburgh, New York. 4. At the time of this survey, there was no observable surface evidence of earth moving work, building construction or building additions within recent months. 5. At the time of this survey, there was no observable evidence of the subject property being used as at the time of this survey. There was no observable evidence of the subject property being used as

A the time of this survey, there was no observable evidence of any recent changes in street right-of-way lines either completed or proposed, and available from the controlling jurisdiction.
At the time of this survey, there was no observable evidence of any recent street or sidewalk

At the time of this survey, there was no observative evidence of only recent sureet of sicewark construction or repairs.
The Property surveyed and shown hereon is the same property described in Schedule A of Stewart Title insurance Compony Title Commitment No. TA/1001)79-93 with an effective date of February 14,

2017. 9. Table A Item 21(a): Appurtenant easements as referenced in Schedule B of the Title Commitment are plotted on the face of the survey (where plottable). 10. The improvements shown hereon were not depicted from Rectified Orthophotography. 11. All walls are plumb and do not extend over the boundary line.

# BASIS OF BEARING.

The basis for all bearings shown hereon is the Southerly Property Line, known as being N6351'10"W, per Record Construction Drawing Prepared by Bohler Engineering, Facility No. 0363—2965 of the Orange County Records.

#### SURVEYOR'S OBSERVATIONS:

At the time of this survey, there was no visible evidence of encroachments or violations.

#### FLOOD ZONE:

By scaled map location and graphic plotting only, the subject property appears to lie entirely in Zone X-Unshaded (Areas determined to be outside the 0.2% annual chance floodploin) occording to the Flood Insurance Rote Map for the County of Orange, State of New York, Community Panel No. 36071C139E, Effective Date August 3, 2009.

# ZONING:

TOTAL LAND AREA:

54,102 Square Feet 1.242 Acres

Zoning Classification: IB (Interchange Business District) Current Use: Convenience Store/Gas Station Minimum Building Setbocks: Front=50, Side=30, 100' (both sides), Rear=60' Maximum Building Height: 35' Parking: <u>Gasoline. Station</u> — Sufficient parking spaces for all vehicles stored or being serviced at any 1 period of time plus a unimum of 5 odditional spaces. <u>Retail Store</u> — 1 per 150 sq. ft. of gross leasable floor space. (5 spaces) plus (1,234 SF/150 SF) 13 Required Spaces

This zoning information is taken from a zoning report compiled by Millman National Land Services under MZ ≇15286, dated August 3, 2017.

# PARKING:

16 Parking Spaces 1 Handicapped Spaces

#### Now or Formerly: Kritikos Diner Corp Book 2244 Page 398 DPERTY ID: 334600 95-1-22 VESTED IN: Sunoco Retail LLC. \$63°54'10''E 238 33' a Pennsylvania limited liability company Book 14177 Page 1100 ~ Grass ~ PROPERTY ID: 334600 95-1-25 Concrete May Mail Chabline Anne TOTAL LAND AREA: 54,102 Square Feel 1.242 Acres OCK Woll Areo Apster 50' Rear Building S NAN THE REAL 4 Srick & Mosonry Blory 1.234 Square Feet Heighte 201 Capped Pin Found & Used (um) Vent Pipe \ 0-018-70 018. BB 5 (WW) . ~ Grass 23 00 BDB G -S64°34'36"E 6.08' ~ Cone ment~ 3/4" Iron Pipe Found & Used Union Avenue 50 Front Building Selboor 0 BE and the second s Route 300 e Mich Public Ø ~ Gross , Asphalt Pavement ACCESSA NE3354107W 237.08 Exception Daving by tion Description Description Description 6" Concrete Cur Concrete Driveway ~ Grase Site Sign] (50) New York State Highway No. 17K -\$33°28'56"W 17 51 -(P.O.B.) 2 (St)



BEGININING at the point of intersection of the northeasterly line of New York State Route 17-K (Newburgh-Cochecton Road) with the northwesterly line of Union Avenue; extending

THENCE (1) North 63 degrees 54 minutes 10 seconds West along said line of Route 17-K 150 feet to a

THENCE (2) North 24 degrees 22 minutes 10 seconds East 125 feet to a point;

THENCE (3) South 63 degrees 54 minutes 10 seconds East 150 feet to a point in said line of Union

THENCE (4) South 24 degrees 22 minutes 10 seconds West along said line of Union Avenue 125 feet to the place of BEGINNIN

AND\_ALSO

All that certain plot, piece or parcel of land together with the building and improvements erected thereon, situate lying and being in the Town of Nemburgh, County of Orange and State of New York, more particularly described as Islaws:

BEGENNING at a point in the northeasterly line of New York State Route 17-K (Newburgh-Cochectan Road), and point being North 53 degrees 54 minutes 10 seconds West 150 feet clong the northeasterly line of State Route 17-K from the intersection of the northeasterly line of New York State Route 17-K with the northwesterly line of Union Aremue, extending

THENCE (1) along the said northeosterly line of State Raute 17-K North 63 degrees 54 minutes 10 seconds West 275 feet to a point marked by a pipe in the line of land now or formerly of Patsalos;

THENCE (2) along said land of Palsalos North 24 degrees 22 minutes 10 seconds East on a line forming an interior angle of 91 degrees 43 minutes 40 seconds with the last described course, a distance of 225 feet to a point marked by a pipe;

THENCE (3) still along land of Patsalos South 63 degrees 54 minutes 10 seconds East, and on a line forming an interior angle of 88 degrees 16 minutes 20 seconds with the last described course, a distance of 425 feet to a point in the northwesterly line of said linon Averue, which point is 6.30 feet southwest of the southeesterly course of lands now or formerly of Newburgh School District #11:

THENCE (4) along the soid northwesterly line of Union Avenue South 24 degrees 22 minutes 10 seconds West, and on a line forming an interior angle of 91 degrees 43 minutes 40 seconds with the last described course, a distance of 100 feet to a point in line of other fand now or formerly of The Atlantic Richfield Company.

THENCE (5) along said land North 63 degrees 54 minutes 10 seconds West 150 feet to a point;

THENCE (6) still elong sold SIBARCO'S other land South 24 degrees 22 minutes 10 seconds West 125 feet to the point and place of BEGINNING.

LESS AND EXCEPT that portion sold to Carrols New York Development Carp. by deed dated July 1, 1985 and recorded in Liber 1720 page 923.

BEGINNING at a point in the northerly line of Route 17-K, sold point being 100 feet westerly of the southnest corner of premises conveyed by Sbarco Corporation to Oudro Stations, Inc. by Deed date March 28, 1964-and recorded August 4, 1964 In the Gronge County Carks Other in buer 1673 of Deeds, Page 382; extending

THENCE (1) North 63 degrees 54 minutes 10 seconds West along sold line of Route 17-K 175 feet to a 34 inch iron pipe located at the southwestemmost corner of land conveyed by Sbatro Corporation to The Atlantic Refining Company by Deed dated December 14, 1962, recorded in sold Clerk's Office in Liber 1835 of Deeds, page 510;

THENCE (2) along the westernmost line of lands conveyed to The Atlantic Refining Company as aforesoid which is also line of lands now or formerly of one Patsalos North 24 degrees 22 minutes 10 seconds East 225 feet to a three inch for pipe;

THENCE (3) South 63 degrees 54 minutes 10 seconds East along the southwesterly line of lands naw or formerly of Patsalos 175 feet to a point;

THENCE (4) South 24 degrees 22 minutes 10 seconds West 225 feet to the point of BEGINNING. TOGENER WiTh the right, if any, of ingress, egress and regress of the Grantor for driveway purposes only, over, across and upon a certain triangular right-of-way in the aforesaid Town, County and State, more particularly bounded and described as follows:

BEGINNING at a point in the northerly line of Route 17-K at the southeasternmost corner of the premises above described; extending

THENCE (1) North 24 degrees 22 minutes 10 seconds East 40 feet to a point;

THENCE (2) southwardly 48 feet more or less to a point in sold line of Route 17-K, which point is 25 feet distant southeastwardly from the place of beginning herein, as measured along sold line of Route 17-K;

THENCE (3) North 63 degrees 54 minutes 10 seconds West along said line of Raute 17-K 25 feet to the point and place of BEGINNING.

EXCEPTING THEREFROM that portion taken by the State of New York Department of Transportation in Proceeding Number 8086, Project: Union Avenue, Route 17K Connection, S.H. No. 9391.

The above premises also being bounded and described as follows:

ALL that certain plat, piece or parcel of land situate lying and being in the Town of Newburgh, Caunty of Orange, New York described as follows:

BEGINNING at the paint of intersection of the northeasterly right—of—way line of New York State Route 17—K (Newburgh—Cochecton Road) with the northwesterly right—of—way line of Union Avenue;

Thence North 63'54'10" West, 237.08 feet along sold northeasterly right-of-way line;

Thence North 24\*22\*10\* East, 225.00 feet;

Thence South 63'54'10" East, 238.33 feet to a point that lies on said northwesterly right-of-way line;

Thence South 24'03'08" West, 89.82 feet along said northwesterly right-of-way line;

Thence South 64'34'36" East, 6.08 feet along said northwesterly right of way line;

Thence South 26'49'40" West, 117.85 feet along said northwesterly right-of-way line;

Thence South 33'28'56' West, 17.51 feet along said northwesterly right-of-way line to the Point of Beginning.

#### STEWART TITLE INSURANCE COMPANY

COMMITMENT NO. TA(00)179-93 - SCHEDULE B, SECTION II: Numbers correspond with survey-related Schedule B exception items contained in the obove referenced Title Commitment

- Restrictive Covenants in Agreement between Elizabeth M. Dennistan and Mary E. Todd dated October 17, 1930, recorded October 20, 1930 in Liber 711 op 508. (AFFECTS THE SUBJECT PROPERTY - BLANKET IN NATURE)
- Generated by Elizabeth M. Denniston to Central Hudson Gas & Electric Corporation dated May 20, 1931, recorded July 23, 1931 in Liber 720 op 213. (AFFECTS THE SUBLECT PROPERTY BLANKET IN NATURE)
- Restrictions and easements recited in deed from The Atlantic Refining Company to Carrols New York Development Corp. dated July 1, 1965, recorded August 3, 1965 in Liber 1720 page 923. (AFFECTS THE SUBJECT PROPERTY - BLANKET IN NATURE)



New York State Highway No. 17K

~ Gross .

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### MISCELLANEOUS NOTES:

Now or Formerly

Newburgh LLC Book 13057 Page 499 PROPERTY ID: 334600 95-1-23

In There is direct access to the subject property via Union Avenue and New York State Highway No. 17K, both being public right-of-ways. 2. With regard to Table A Item 11, an 811 utility locate request was made and markings found at the site, if any, have been noted. All underground dulities may not be shown and markings found at the site may not depict underground features accurately. Lacking exacution, the exact location of underground features cannot be accurately, completely, and reliably depicted. In some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete resonse.

- response. 3. The posted address on site is 78 RT 17X, Newburgh, New York. 4. At the time of this survey, there was no observable surface evidence of earth moving work, building construction or building additions within recent months. 5. At the time of this survey, there was no observable evidence of lhe subject property being used as a solid waste during, sump or sanitary landflue 6. At the time of this survey, there was no observable evidence of any recent changes in street right-or-way inse of thes survey, there was no observable evidence of any recent street or sidewack construction or confers.
- construction or repairs, and no user was reconcise evidence or any recent street or sidewalk construction or repairs. 8. The Property surveyed and shown hereon is the same property described in Schedule A of Stewart Tille Insurance Company Tille Commitment No. TA17(00)179-93 with an effective date of February 14, 2017.
- 2017. 3. Table A Item 21(a): Appurtenant easements as referenced in Schedule B of the Title Commitment are platted on the face of the survey (where plattable). 10. The improvements shown herean were not depicted from Rectified Orthophotography. 11. All walds are plumb and do not extend over the boundary line.

# BASIS OF BEARING:

The basis for all bearings shown hereon is the Southerly Property Line, known as being N63'51'10'W, per Record Construction Drawing Prepared by Bohler Engineering, Facility No. 0363-2965 of the Orange

Now or Formerly: Kritikos Diner Corp Book 2244 Page 398

\$63°54'10"E 238 33'

(m)

90

Site

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~ Gross ~

Concrete Wolf Whit Chainink /

BC' Rear Building Setback

& Hone Slory 1.234 Shore Back Building

# SURVEYOR'S OBSERVATIONS:

At the time of this survey, there was no visible evidence of encroachments or violations.

# FLOOD ZONE:

By scaled map location and graphic pioting only, the subject property appears to lie entirely in Zone X-Unshaded (Areas determined to be autside the 0.2% annual chance floadplain) according to the Fload Insurance Rate Map for the County of Orange, State of New York, Community Panel Na. 360710139E, Effective Date August 3, 2009.

# ZONING:

Chies the

Et Celand

\$33<sup>6</sup>28'56"W 17.51

(P.0.9.)

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- Zoning Classification: IB (Interchange Business District) Current Use: Convenience Store/Cas Station Minimum Building Setbacks: Front=50', Side=50', 100' (both sides), Rear=60'

VESTED IN:

Sunoco Retail LLC,

a Pennsylvania limited liability company

Book 14177 Page 1100

PROPERTY ID: 334600 95-1-25

TOTAL LAND AREA:

54,102 Square Feet 1.242 Acres

Copped Pin Found & Used

S64°34'36"E 6.08'

Union Avenue

/ iai

to Worn.

<sup>43</sup>0thalf Por Route 300

A State of the sta

Minimum Building Setback: Frönt=30, 308=30, 100 (both sides), Herr=00 Manimum Building Height: 35 Parking: <u>Gasoline-Station</u> - Sufficient parking spaces for all vehicles stored or being serviced at any 1 period of time plus a uninizum of 3 additional spaces. <u>Batail Stata</u> - 1 per 150 sq. ft. of gross leasable floor space. (5 spaces) plus (1,234 SF/150 SF) 13 Required Spaces

This zoning information is taken from a zaning report compiled by Milliman National Lond Services under MZ ≢15286, dated August 3, 2017.

TOTAL LAND AREA: 54,102 Square Feet 1,242 Acres

16 Parking Spaces <u>1 Handicapped Spaces</u> 17 Tatal Parking Spaces.

PARKING:

