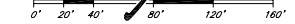


ALTA/ACSM Land Title Survey in Wilmington, Mass.

Hayes Engineering, Inc. Telephone: 781.246.2800
Civil Engineers & Land Surveyors Facsimile: 781.246.7596
603 Salem Street Web Site: www.hayeseng.com
Warefield, Mass. 01880 Date: February 26, 2007

Scale: 1" = 40'



NO. 375 BALLARDALE STREET
ASSESSOR'S MAP R-3 LOT 50A

Current Ownership
Owner: 375 BVAL LLC
Deed Reference: Book 10517, Page 207
Plan Reference: Plan Book 159 Plan 31
Middlesex North District Registry of Deeds

SURVEYOR'S CERTIFICATE

The undersigned, being a registered surveyor of the Commonwealth of Massachusetts, certifies to (1) EUDORPHO AG, NEW YORK BRANCH, its successors and assigns, (2) FIDELITY NATIONAL TITLE, and (3) NEW LTS BYALE LLC as follows:

- This map or plan 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 National Society of Professional Surveyors in 2005, and includes items 1, 2, 3, 4, 6, 7(a), 7(b)(1), 7(c), 8, 9, 10, 11(a) 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 Commonwealth of Massachusetts, the relative positional accuracy of this survey does not exceed that which is specified therein.
- The survey was made on the ground during February, 2007 by me or under my supervision and correctly shows the legal description and the land area of the subject Property, the location and type of all visible above-ground buildings, structures and other improvements (including sidewalks, curbs, parking areas and spaces and fences) situated on the subject Property, and any other matters situated on the subject Property. The final site inspection was made on March 7, 2007.
- Except as shown on the survey, there are no visible easements or rights of way of which the undersigned has been advised.
- Except as shown on the survey, there are no party walls and no observable, above ground encroachments (a) 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. 38-00874M issued by FIDELITY NATIONAL TITLE with respect to the subject Property, has been shown on the survey, together with appropriate recording references, to the extent that such matters can be located. The Property shown on the survey is the Property described in that title commitment. The location of all buildings on the subject Property are shown.
- The subject Property has direct access to and from a duly dedicated and accepted public street or highway.
- Except as shown on the survey, the subject Property does not 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.
- The 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 assigns are entitled to rely on the survey and this certificate as being true and accurate.

Dated: _____
Peter J. O'Gren, Professional Land Surveyor
License Number 33804

Note: The following comments pertain to the items in the Schedule B - Part 1 Exceptions from Coverage listed in the Fidelity National Title Insurance Company Commitment for Title Insurance Case Number: 38-00874M

- This is a Blanket Easement to the New England Telephone and Telegraph Company and cannot be plotted Book 3419 Page 46.
- Sewer and Drain Easements are shown on Book 4800 Page 328 and Book 4003 Page 133.
- Electrical Easement shown on Book 4198 Page 52.

I CERTIFY THAT THIS BUILDING IS LOCATED ON THE GROUND AS SHOWN. I FURTHER CERTIFY THAT THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA (ZONE A OR V) AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 250227 0010; EFFECTIVE DATE: JUNE 2, 1999 (BASED ON SCALED LOCATION) PROPERTY LIES IN A ZONE X.

DATE: _____
PROFESSIONAL LAND SURVEYOR

FRITO-LAY, INC.
MAP R-3 LOT 49
PLAN BOOK 120 PLAN 172

ZONE: GI - GENERAL INDUSTRIAL

MINIMUM LOT AREA = 20,000 S.F.
MINIMUM LOT FRONTAGE = 125 FEET
MINIMUM LOT WIDTH = 125 FEET
MINIMUM LOT SETBACKS
FRONT = 50 FEET
SIDE = 20 FEET
REAR = 20 FEET

MINIMUM OPEN SPACE = 30%
MAXIMUM BUILDING COVERAGE = 35%
MAXIMUM BUILDING HEIGHT = 40' (3 STORIES)
PARKING: INDUSTRIAL USE = 1 SPACE PER 800 S.F. OF GROSS FLOOR AREA

Zoning information taken from "Wilmington Zoning Bylaws"
Revised up to and including the Annual Town Meeting of April 24, 2004 Wilmington, Massachusetts.

- A. Floor Area Ratio Tab:**
- The building footprint area of the building located on the subject Property is 168,210 square feet.
 - The land area of the subject Property is 642,764 square feet.
- Floor Area Ratio = 168,210 S.F. / 642,764 S.F. = 0.26
- B. Parking Tab:**
- There exist 142 regular parking spaces and 9 handicapped parking spaces on the subject Property.

LEGAL DESCRIPTION

A CERTAIN PARCEL OF LAND KNOWN AS #375 BALLARDALE STREET, SITUATED ON THE EASTERLY SIDE OF BALLARDALE STREET, IN THE TOWN OF WILMINGTON, COUNTY OF MIDDLESEX, COMMONWEALTH OF MASSACHUSETTS, NOW OR FORMERLY OF 375 BVAL LLC, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE ON THE EASTERLY SIDE OF BALLARDALE STREET AT OTHER LAND NOW OR FORMERLY OF BOSTON VALE LLC;

THENCE ALONG THE LAND NOW OR FORMERLY OF BOSTON VALE LLC BY FIVE (5) COURSES AS FOLLOWS:

S71°20'15"E, ONE HUNDRED THIRTY NINE AND 93/100 (139.93) FEET TO A POINT;

N18°32'17"E, THIRTY FIVE AND 91/100 (35.91) FEET TO AN IRON ROD;

S76°53'14"E, THREE HUNDRED TWENTY NINE AND 25/100 (329.25) TO A SPIKE;

S70°12'29"E, ONE HUNDRED TWENTY SIX AND 46/100 (126.46) FEET TO A SPIKE;

S06°21'55"W, TWO HUNDRED ONE AND 57/100 (201.57) FEET TO AN IRON ROD AT THE LAND NOW OR FORMERLY OF THE TOWN OF WILMINGTON;

THENCE BY LAND NOW OR FORMERLY OF THE TOWN OF WILMINGTON, S06°21'55"W SEVEN HUNDRED NINETY AND 74/100 (790.74) FEET TO AN IRON ROD AT THE LAND NOW OR FORMERLY OF FRITO-LAY INC.;

THENCE ALONG THE LAND NOW OR FORMERLY OF FRITO-LAY INC., BY FIVE (5) COURSES AS FOLLOWS:

N82°16'25"W, THREE HUNDRED SEVENTEEN AND 58/100 (317.58) FEET TO AN IRON ROD;

S20°14'25"W, ONE HUNDRED FORTY FOUR AND 67/100 (144.67) FEET TO AN IRON ROD;

N50°57'55"W, EIGHTY TWO AND 42/100 (82.42) FEET TO AN IRON ROD;

N78°16'55"W, SEVENTY AND 88/100 (70.88) FEET TO AN IRON ROD;

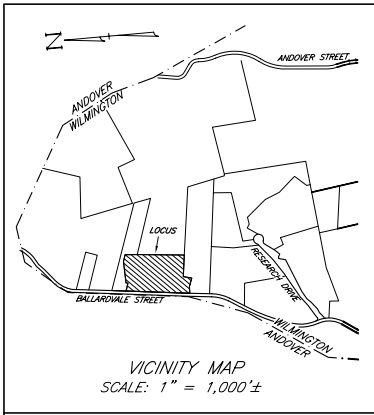
N85°09'35"W, ONE HUNDRED TWENTY ONE AND 39/100 (121.39) FEET TO AN IRON ROD ON THE EASTERLY SIDE OF BALLARDALE STREET;

THENCE ALONG THE EASTERLY SIDE OF BALLARDALE STREET, N08°32'85"E, FOUR HUNDRED SIXTY EIGHT AND 58/100 (468.58) FEET TO A STONE BEARING;

THENCE STILL ALONG THE EASTERLY SIDE OF BALLARDALE STREET, N08°28'55"E, SIX HUNDRED SEVENTY ONE AND 82/100 (671.82) FEET TO A RAILROAD SPIKE BEING THE POINT OF BEGINNING.

SAID PARCEL CONTAINS FOURTEEN AND 755/1000 (14.755)± ACRES.

Together with the benefit of Declaration of Easements dated as of April 1, 1987, recorded at Book 4001 Page 133, as amended by Amendment to Declaration of Easements, dated January 25, 1988, recorded at Book 4800, Page 328, in accordance with the terms thereof.



LEGEND OF SYMBOLS AND ABBREVIATIONS

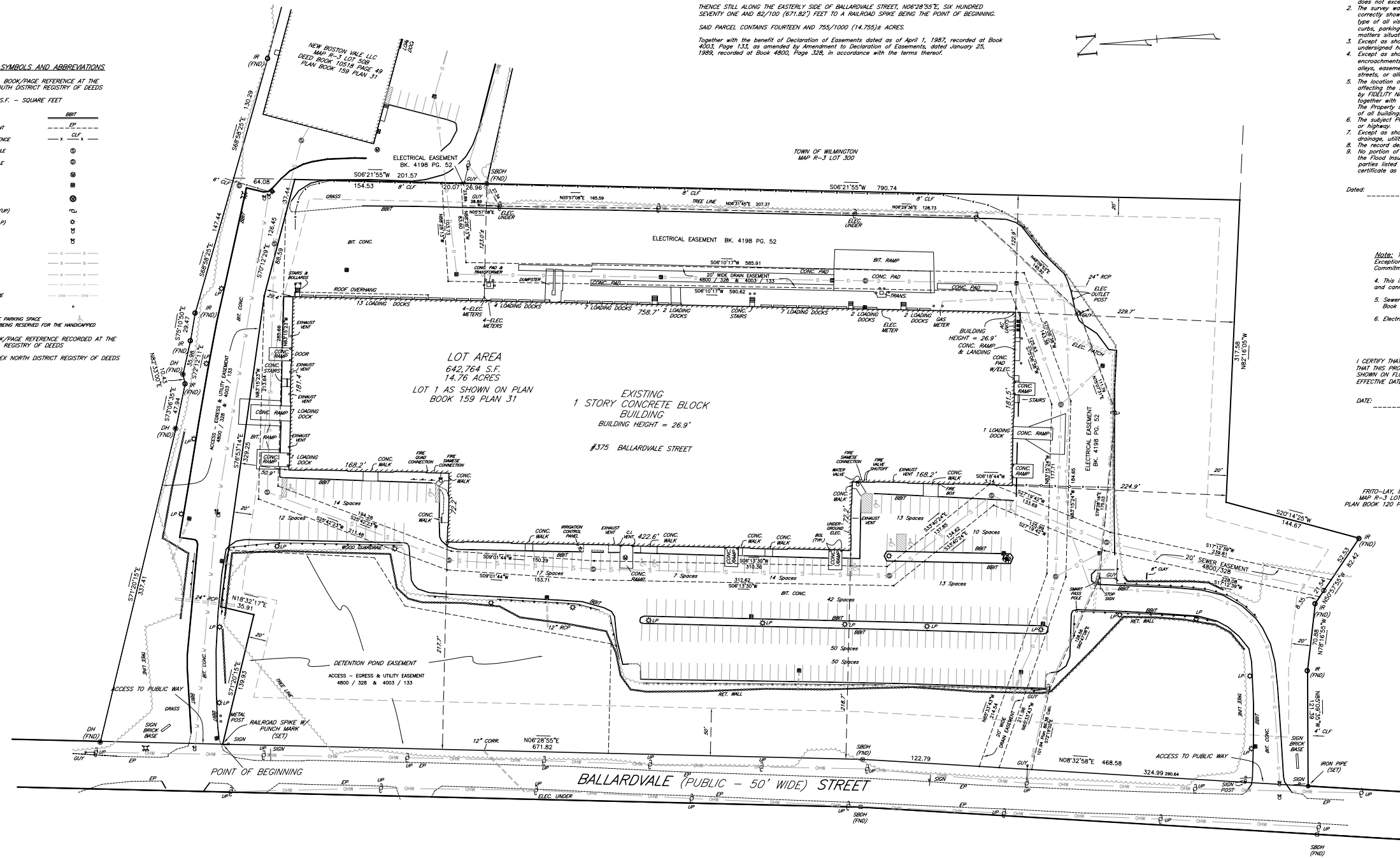
308A/194 - BOOK/PAGE REFERENCE AT THE MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS

S.F. - SQUARE FEET

BT. BERM	BBT
EDGE PAVEMENT	EP
CHAIN LINK FENCE	CLF
SEWER MANHOLE	SMH
DRAIN MANHOLE	DMH
MANHOLE	MH
CATCH BASIN	CB
MONITOR WELL	MW
UTILITY POLE (UP)	UP
LIGHT POLE (LP)	LP
GAS GATE	GG
WATER GATE	WG
DRAIN LINE	DL
SEWER LINE	SL
WATERLINE	WL
GAS LINE	GL
OVERHEAD WIRE	OW
BOLLARD	B
STANDARD SIZE PARKING SPACE INDICATED AS BEING RESERVED FOR THE HANDICAPPED	

1374/43 - BOOK/PAGE REFERENCE RECORDED AT THE REGISTRY OF DEEDS

MNRD - MIDDLESEX NORTH DISTRICT REGISTRY OF DEEDS



NOTE: THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CONTRACTORS ARE TO CHECK AND VERIFY THE LOCATION OF UTILITIES PRIOR TO CONSTRUCTION. DIG SAFE PHONE NUMBER (800) 322-4844.