

ALTA/ACSM Land Title Survey in Wilmington, Mass.

Hayes Engineering, Inc.
Civil Engineers & Land Surveyors
603 Salem Street
Waverfield, Mass. 01880
Telephone: 781.246.2800
Facsimile: 781.246.7596
Web Site: www.hayeseng.com
Date: February 23, 2007



Scale: 1" = 40'



NO. 377 BALLARDALE STREET
ASSESSOR'S MAP R-3 LOT 506

Current Ownership
Owner: New Boston Vole LLC
Deed Reference: Book 10518, Page 49
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) EUROHYD AG, NEW YORK BRANCH, its successors and assigns, (2) FIDELITY NATIONAL TITLE and (3) NEW 1548 VOLE 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(b) 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 property 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. 98-008664, 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.
- No 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 their successors and assigns are entitled to rely on the survey and this certificate as being true and accurate.

Dated: _____

Peter J. Ojren, Professional Land Surveyor
License Number 33604

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: 98-008664

- Access and Utility Easement Book 4003 Page 13 & Book 4800 Page 328.
- This is a Blanket Easement to the New England Telephone and Telegraph Company and cannot be plotted Book 3419 Page 46.
- Access Easement in this document plotted by scale only Book 12130 Page 130.
- Nestel Communications Easement Plotted by scale Book 11227 Page 261.

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 25027 001G. EFFECTIVE DATE: JUNE 2, 1998 (BASED ON SCALED LOCATION) PROPERTY LIES IN A ZONE X.

DATE: _____

PROFESSIONAL LAND SURVEYOR

LEGAL DESCRIPTION

A CERTAIN PARCEL OF LAND KNOWN AS #377 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 NEW BOSTON VOLE LLC, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE ON THE EASTERLY SIDE OF BALLARDALE STREET AT LAND NOW OR FORMERLY OF 375 BVALE LLC;

THENCE N06°28'55"E ALONG THE SIDE LINE OF BALLARDALE STREET ONE HUNDRED TWENTY EIGHT AND 25/100 (128.25) FEET TO A DRILL HOLE AT THE LAND NOW OR FORMERLY OF THE TOWN OF WILMINGTON;

THENCE ALONG THE LAND NOW OR FORMERLY OF THE TOWN OF WILMINGTON BY TWELVE COURSES AS FOLLOWS:

- S71°20'15"E, THREE HUNDRED THIRTY SEVEN AND 41/100 (337.41) FEET TO A DRILL HOLE;
- S73°06'35"E, FORTY SEVEN AND 94/100 (47.94) FEET TO AN IRON ROD;
- N82°33'00"E, TEN AND 43/100 (10.43) TO A DRILL HOLE;
- S72°12'11"E, THIRTY FIVE AND 98/100 (35.98) FEET TO AN IRON ROD;
- S75°10'30"E, TWENTY NINE AND 47/100 (29.47) FEET TO AN IRON ROD;
- S68°58'29"E, TWO HUNDRED SEVENTY SEVEN AND 73/100 (277.73) FEET TO AN IRON ROD;
- S69°54'26"E, TWO HUNDRED FORTY THREE AND 09/100 (243.09) FEET TO A DRILL HOLE;
- S70°50'01"E, FIVE HUNDRED TWENTY FIVE AND 97/100 (525.97) FEET TO A POINT;
- S10°37'54"E, FIFTY TWO AND 59/100 (52.59) FEET TO A POINT;
- S13°35'58"E, ONE HUNDRED FIFTY EIGHT AND 08/100 (158.08) FEET TO A POINT;
- S10°49'35"E, FIFTY FIVE AND 25/100 (55.25) FEET TO A POINT;

N72°15'33"E, NINE HUNDRED EIGHTY AND 00/100 (980.00) FEET TO A STONE BOUND AT LAND NOW OR FORMERLY OF 375 BVALE LLC;

THENCE BY LAND NOW OR FORMERLY 375 BVALE LLC BY FIVE (5) COURSES AS FOLLOWS:

- N06°21'55"E, TWO HUNDRED ONE AND 57/100 (201.57) FEET TO A POINT;
- N70°12'29"W, ONE HUNDRED TWENTY SIX AND 45/100 (126.45) FEET TO A POINT;
- N76°53'14"W, THREE HUNDRED TWENTY NINE AND 57/100 (329.25) FEET TO A POINT;
- S18°32'17"W, THIRTY FIVE AND 91/100 (35.91) FEET TO A POINT;

N71°20'15"W, ONE HUNDRED THIRTY NINE AND 83/100 (139.83) FEET TO A RAILROAD SPIKE BEING THE POINT OF BEGINNING.

SAID PARCEL CONTAINS SIX AND 385/1000 (6.385)± ACRES.

Together with the benefit of Declaration of Easements dated as of April 1, 1987, recorded at Book 4003, Page 133, as amended by Amendment to Declaration of Easements, dated January 25, 1989, recorded at Book 4800, Page 328, in accordance with the terms thereof.

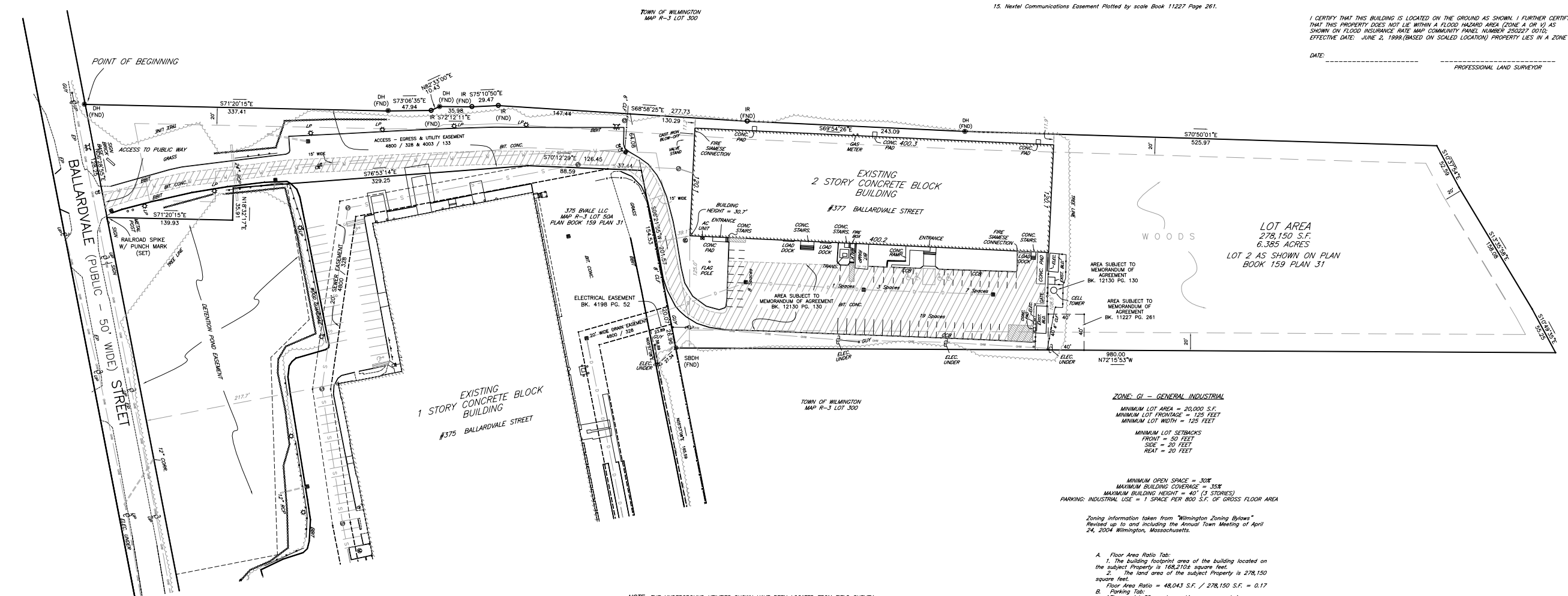
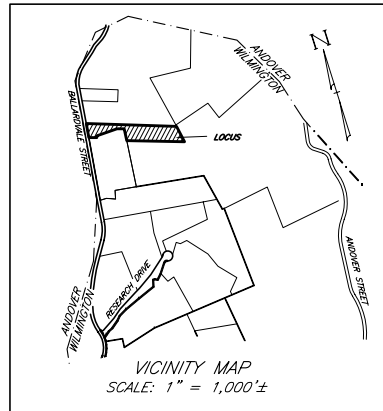
LEGEND OF SYMBOLS AND ABBREVIATIONS

30864/24 - BOOK/PAGE REFERENCE AT THE MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS
S.F. - SQUARE FEET

BIT BERM	BBT
CAPE COD BERM	CCB
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	SSP

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

MNRD - MIDDLESEX NORTH DISTRICT REGISTRY OF DEEDS



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 168,108 square feet.
 - The land area of the subject property is 278,150 square feet.
- Floor Area Ratio = 48,043 S.F. / 278,150 S.F. = 0.17
- B. Parking Tab:**
- There exist 38 regular parking spaces and 4 handicapped parking spaces on the subject property.

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.