

LEGAL DESCRIPTION
 LOT 127, MAP F3
 TOWN OF ACTON, MIDDLESEX COUNTY
 COMMONWEALTH OF MASSACHUSETTS

THE FOLLOWING DESCRIBED PREMISES SITUATED IN ACTON, MIDDLESEX COUNTY, MASSACHUSETTS:

BEGINNING AT DRILL HOLE AT THE NORTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF GISMONDE A. AND CATHERINE A. SILVESTRONE, WHICH POINT IS IN THE SOUTHWESTERLY LINE OF MASSACHUSETTS AVENUE, 60 FEET WIDE, APPROXIMATELY 765 FEET SOUTHEASTWARDLY FROM THE EASTERLY LINE OF MAIN STREET, AND WHICH POINT IS EXACTLY 598 FEET NORTHWESTWARDLY FROM A MASSACHUSETTS HIGHWAY BOUND, AND RUNNING THENCE

SOUTH 9° 30' 00" WEST (S 10° 30' 12" W SURVEY) BOUNDING EASTERLY ON SAID LAND NOW OR FORMERLY OF GISMONDE A. AND CATHERINE A. SILVESTRONE 209.14 FEET (208.06' SURVEY) TO AN IRON PIN; THENCE TURNING AN INTERIOR ANGLE OF 73° 0' (74° 00' 12" SURVEY) AND RUNNING

NORTH 63° 30' 00" WEST BOUNDING SOUTHWESTERLY ON LAND NOW OR FORMERLY OF RICHARD T. KELLEY AND ROSE M. KELLEY, HIS WIFE, 261.15 FEET (257.34' SURVEY) TO AN IRON PIN; THENCE TURNING AN INTERIOR ANGLE OF 90° 0' AND RUNNING

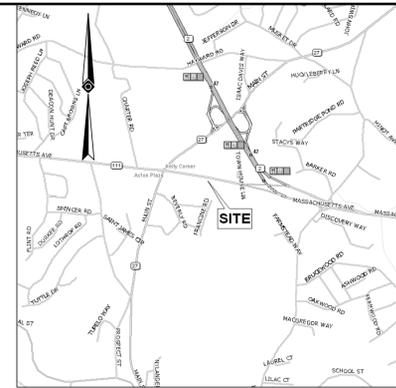
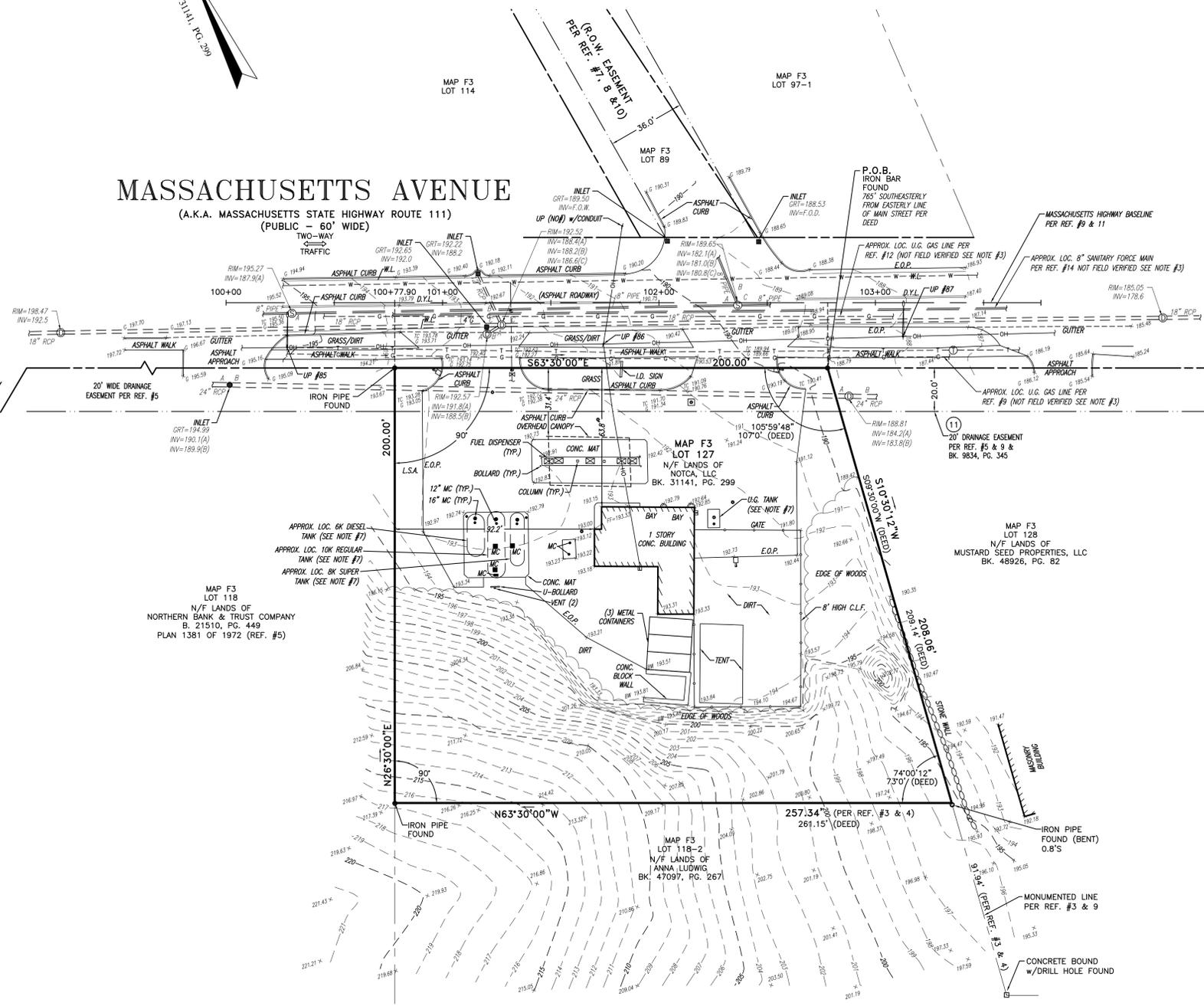
NORTH 26° 30' 00" EAST BOUNDING NORTHWESTERLY ON SAID LAND NOW OR FORMERLY OF RICHARD T. KELLEY AND ROSE M. KELLEY, HIS WIFE, 200 FEET TO A DRILL HOLE IN THE SOUTHWESTERLY LINE OF MASSACHUSETTS AVENUE; THENCE TURNING AN INTERIOR ANGLE OF 90° 0' AND RUNNING

SOUTH 63° 30' 00" EAST BOUNDING NORTHEASTERLY ON MASSACHUSETTS AVENUE 200 FEET TO THE DRILL HOLE AT THE POINT OF THE BEGINNING, MAKING AN INTERIOR ANGLE OF 107° 0' (105° 59' 48" SURVEY) WITH THE FIRST DESCRIBED COURSE.

SAID PROPERTY IS LOCATED AT 408 MASSACHUSETTS AVENUE, ACTON, MA.

MASSACHUSETTS AVENUE
 (A.K.A. MASSACHUSETTS STATE HIGHWAY ROUTE 111)
 (PUBLIC - 60' WIDE)

MAIN STREET



NOTES:
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- LOCUS KNOWN AS LOT 127, MAP F3 AS SHOWN ON THE TAX ASSESSOR'S MAP OF THE TOWN OF ACTON, MIDDLESEX COUNTY, MASSACHUSETTS.
- AREA: 45,734 SQ. FT. OR 1.050 AC. TO MONUMENTED LINE
- LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. ALL LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE ASBULT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES. CONTROL POINT ASSOCIATES, INC. DOES NOT GUARANTEE THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED.
- THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
- THIS SURVEY SURVEY IS PREPARED WITH REFERENCE TO A TITLE REPORT PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 09-00589A, WITH AN EFFECTIVE DATE OF 05/14/09, WHERE THE FOLLOWING SURVEY RELATED EXCEPTION APPEARS IN SCHEDULE B, SECTION II:
 (1) DRAIN EASEMENT BY GRANT TO THE TOWN OF ACTON DATED JUNE 14, 1961 AND RECORDED WITH SAID REGISTRY OF DEEDS IN BOOK 9834, PAGE 345 - SHOWN.
- BY GRAPHIC PLOTTING ONLY PROPERTY IS LOCATED IN FLOOD HAZARD ZONE 'X' (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) PER REF. #2.
- UNDERGROUND TANK SIZES WERE OBTAINED FROM INFORMATION RECEIVED FROM STATION MANAGER OR EMPLOYEE. ALL SIZES AND LOCATIONS ARE APPROXIMATE & ARE SUBJECT TO FIELD VERIFICATION.
- ELEVATIONS ARE BASED UPON NGVD 1929, REFERENCE COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS GEODETIC SURVEY MONUMENT T.B.M. #655, ELEVATION = 241.311'.
- THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC.

REFERENCES:

- THE TAX ASSESSOR'S MAP OF THE TOWN OF ACTON, MIDDLESEX COUNTY, MASSACHUSETTS, SHEET #3.
- MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, TOWN OF ACTON, MASSACHUSETTS, MIDDLESEX COUNTY, PANEL 4 OF 8", COMMUNITY-PANEL NUMBER 250178 0004 C, MAP REVISED: JANUARY 5, 1988.
- MAP ENTITLED, "PLAN OF LAND, 418 MASSACHUSETTS AVENUE, ACTON, MASSACHUSETTS," PREPARED BY HARLAN E. TUTTLE, DATED APRIL 2001, FILED IN THE MIDDLESEX REGISTRY OF DEEDS AS PLAN 12 OF 2002 IN BOOK 34497, PG. 454 ON JANUARY 4, 2002.
- MAP ENTITLED, "PLAN OF LAND IN ACTON MASSACHUSETTS (MIDDLESEX COUNTY), FOR 418 MASS. AVE. CONDOMINIUM TRUST," PREPARED BY STAMSKI AND McNARY, INC., DATED MARCH 6, 2006, FILED IN THE MIDDLESEX REGISTRY OF DEEDS SOUTHERN DISTRICT ON MARCH 13, 2006 AS PLAN NO. 272 OF 2006.
- MAP ENTITLED, "PLAN OF LAND IN ACTON, MASS. OWNED BY LEXINGTON FEDERAL SAVINGS AND LOAN ASSOCIATION," PREPARED BY JOHN E. DUNPHY JR., DATED MAY 24, 1971, FILED IN THE MIDDLESEX REGISTRY OF DEEDS SOUTHERN DISTRICT ON NOVEMBER 6, 1972 AS PLAN NO. 1381 OF 1972 IN BOOK 12323, PAGE 166.
- MAP ENTITLED, "LAND IN ACTON, OWNED BY RICHARD T. KELLEY AND ROSE M. KELLEY," PREPARED BY HARLAN E. TUTTLE, DATED JANUARY 4, 1961, FILED IN THE MIDDLESEX REGISTRY OF DEEDS SOUTHERN DISTRICT ON MARCH 3, 1961 AS PLAN NO. 256 OF 1961 IN BOOK 9768, PAGE 85.
- MAP ENTITLED, "PLAN OF LAND IN ACTON, MASS., OWNED BY ACTON ENTERPRISES, INC., PREPARED BY ACTON SURVEY & ENGINEERING, INC., DATED OCTOBER 6, 1970, REVISED APRIL 1971, FILED IN THE MIDDLESEX REGISTRY OF DEEDS SOUTHERN DISTRICT ON OCTOBER 22, 1971 AS PLAN NO. 1222 OF 1971 IN BOOK 12098, PAGE 001.
- MAP ENTITLED, "PLAN OF LAND IN ACTON, MASS., SHOWING EASEMENTS BETWEEN ACTON ENTERPRISES, INC. AND WALDEN CONSTRUCTION, INC.," DATED APRIL 2001, FILED IN THE MIDDLESEX REGISTRY OF DEEDS SOUTHERN DISTRICT ON APRIL 2, 1971 AS PLAN NO. 268 OF 1971 IN BOOK 19976, PAGE 200.
- MAP ENTITLED, "SITE PLAN, 408 MASSACHUSETTS AVE., ACTON, MA, PREPARED FOR VINCENT CUTTONE," PREPARED BY ANDOVER ENGINEERING INC., DATED JANUARY 14, 2005.
- MAP ENTITLED, "ALTA/ACSM LAND TITLE SURVEY, PREPARED FOR E & A NORTHEAST LIMITED PARTNERSHIP," PREPARED BY AMERICAN SURVEYING COMPANY OF BOSTON INC., DATED MARCH 26, 1998, LAST REVISED AUGUST 20, 1998.
- MAP ENTITLED, "PLAN OF ROAD IN THE TOWN OF ACTON, MIDDLESEX COUNTY, LAID OUT AS A STATE HIGHWAY BY THE MASSACHUSETTS HIGHWAY COMMISSION," DATED JULY 2, 1912, LAYOUT NO. 1410, SHEETS 1-3.
- GAS PLANS PROVIDED BY NATIONAL GRID, MAP NUMBER 1770.
- WATER VALVE SKETCH PROVIDED BY DISTRICT MANAGER OF WATER SUPPLY DISTRICT OF ACTON. (UNABLE TO PLOT)
- SEWER PLANS PROVIDED BY THE TOWN OF ACTON.
- PLAN ENTITLED "PRELIMINARY SITE PLAN FOR: NOTCA, LLC, 408 MASSACHUSETTS AVE., ACTON, MA, (MIDDLESEX COUNTY)", PREPARED BY STAMSKI & McNARY, INC., DATED: DECEMBER 2, 2009.

LEGEND

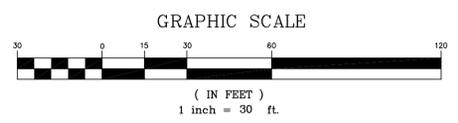
- 123 --- EXISTING CONTOUR
- x 123.45 EXISTING SPOT ELEVATION
- x TC 123.45 EXIST. TOP OF CURB ELEVATION
- x G 122.95 EXIST. GUTTER ELEVATION
- x TW 123.45 EXIST. TOP OF WALL ELEVATION
- x BW 122.95 EXIST. BOTTOM OF WALL ELEVATION
- x FF=123.45 EXIST. FIRST FLOOR ELEVATION
- WV WATER VALVE
- OH OVERHEAD WIRES
- G --- APPROX. LOC. UNDERGROUND GAS LINE PER REF. #9 & 12 (NOT FIELD VERIFIED, SEE NOTE #3)
- T --- APPROX. LOC. UNDERGROUND TEL. LINE PER UTILITY MARK OUT (NOT FIELD VERIFIED, SEE NOTE #3)
- W --- APPROX. LOC. UNDERGROUND WATER LINE PER REF. #9 & 14 (NOT FIELD VERIFIED, SEE NOTE #3)
- UP UTILITY POLE
- UP UTILITY POLE/LIGHT POLE
- MONITORING WELL
- ELECTRIC METER
- BOLLARD
- U-BOLLARD
- AREA LIGHT
- LSA LANDSCAPED AREA
- E.O.P. EDGE OF PAVEMENT
- F.O.D. FULL OF DEBRIS
- F.O.W. FULL OF WATER
- DZL DOUBLE YELLOW LINE
- WL WHITE LINE
- MC METAL COVER
- C.L.F. CHAIN LINK FENCE
- TELEPHONE MANHOLE
- SANITARY MANHOLE
- STORM/DRAINAGE MANHOLE
- AIR STATION
- COLUMN
- DENOTES OFFSET OF STRUCTURE AT GROUND LEVEL RELATIVE TO PROPERTY LINE
- TITLE REPORT EXCEPTION

UTILITIES:

THE FOLLOWING COMPANIES WERE NOTIFIED BY THE COMMONWEALTH OF MASSACHUSETTS DIG-SAFE SYSTEM (1-888-344-7233) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER(S): 20092201909

UTILITY COMPANY	PHONE NUMBER
VERIZON	978-635-8347
COMCAST-PEMBROKE	800-972-8805
NSTAR ELECTRIC	781-564-9919
KEYSPAN-BOSTON GAS	978-322-3000
COMCAST	978-263-6033
ON TARGET LOCATING	508-429-1022
INNOVATIVE DATA MANAGEMENT	800-445-0347

NOTE:
 GAS, ELECTRIC AND WATER LINES WERE NOT MARKED OUT AT TIME OF SURVEY



TO: TD BANK; FIDELITY NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT WAS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS", JOINTLY ESTABLISHED AND ADOPTED BY ALTA, AND NSPS IN 2005, AND INCLUDES ITEMS 2, 3, 4, 5, 8, 9, 10, 11(a) & 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.

NOT A VALID ORIGINAL DOCUMENT UNLESS EMBOSSED WITH A RAISED IMPRESSION OR BLUE INK SEAL.

JOHN P. LYNCH
 MASSACHUSETTS PROFESSIONAL LAND SURVEYOR #40407

No.	DESCRIPTION OF REVISION	W.P.H.	J.P.L.	DATE
2	REVISE TO ADD OFFSITE TOPOGRAPHY	W.P.H.	J.D.B.	1/08/10
1	REVISE SANITARY INVERT INFORMATION PER FIELD VERIFICATION	W.P.H.	J.P.L.	6/17/09

FIELD DATE	FIELD BOOK NO.	FIELD BOOK PG.	FIELD DREW	B.S.B./G.C.	G.M.	APPROVED:	DATE	SCALE	FILE NO.	DWG. NO.
6-1-09	09-12	13-18				J.P.L.	6-8-2009	1"=30'	CO9201	1 OF 1

ALTA/ACSM LAND TITLE SURVEY	
Bank, NA	
408 MASSACHUSETTS AVENUE LOT 127, MAP F3 TOWN OF ACTON, MIDDLESEX COUNTY COMMONWEALTH OF MASSACHUSETTS	
CONTROL POINT ASSOCIATES, INC. 35 TECHNOLOGY DRIVE WARRLEN, NJ 07059 908.668.0059 - 908.668.9595 FAX NEW BRITAIN CORPORATE CENTER 1100 MANOR DRIVE, SUITE 120 CHALFONTE, PA 18814 215.712.9800 - 215.712.9802 FAX	