

VICINITY MAP  
NOT TO SCALE

ALTA/NSPS LAND TITLE  
SURVEY PREPARED FOR:

**SIC Property LLC**

**SYMBOL LEGEND**

R/W	Right-of-Way
—	Centerline
P.O.B.	Place/Point of Beginning
Dd.	Deed
△	Surveyor's Observation
♿	Handicap Space
♿	Sign
⊕	Utility Pole
⊕	Light Pole
⊕	Fire Hydrant
XX	No. of Regular Parking Spaces
XX	No. of Handicap Parking Spaces
—	Wall (As Noted)
—	Overhead Utilities
—	Concrete Area
—	No Parking Area
—	Building Area

**FIRST AMERICAN TITLE INSURANCE COMPANY  
COMMITMENT NO. NCS-911316NH3-HOU1 - SCHEDULE A:**

Real property in the City of Concord, County of Merrimack, State of New Hampshire, described as follows:

A certain lot or piece of ground together with improvements, buildings and underground tanks thereon erected, situate in Concord, County of Merrimack and State of New Hampshire, bounded and described as follows:

Beginning at the intersection of the northerly sideline of Franklin Street and the westerly sideline of North Main Street; thence running westerly by said Franklin Street one hundred and sixty-four and 16/100 (164.16) feet to the land now or formerly of Laurence P. Ferns; thence turning and running northerly by said land of Laurence P. Ferns one hundred and sixteen and 49/100 (116.49) feet to the southerly sideline of the land now or formerly of the League of New Hampshire Arts and Crafts; thence turning and running easterly along the southerly sideline of the land of the League of New Hampshire Arts and Crafts one hundred and forty-four and 36/100 (144.36) feet to the westerly sideline of North Main Street; thence turning and running southerly along the westerly sideline of North Main Street one hundred and thirty-nine and 27/100 (139.27) feet to the point of beginning.

**FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT  
NO. NCS-911316NH3-HOU1 - SCHEDULE B, SECTION TWO:**

Numbers correspond with survey-related Schedule B exception items contained in the above referenced Title Commitment

- Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land. (NOT A SURVEY RELATED ITEM)
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records. (NOT A SURVEY RELATED ITEM)
- Any Lien, or Right to a Lien, for Services, Labor or Material heretofore or hereafter furnished, imposed by law and not shown in the public records. (NOT A SURVEY RELATED ITEM)
- (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records. (NOT A SURVEY RELATED ITEM)
- Title to and rights of the public and others entitled thereto in and to those portions of the insured premises lying within the bounds of adjacent streets, roads, and ways. (NOT A SURVEY RELATED ITEM)
- The exact acreage or square footage being other than as stated Schedule A or the plan(s) therein referred to. (NOT A SURVEY RELATED ITEM)
- The exact area of the premises is not insured. (NOT A SURVEY RELATED ITEM)
- Lease by and between O Ice, LLC, as Landlord, and Friendly Ice Cream Corporation, a Massachusetts corporation, as Tenant, dated August 30, 2007, of which a Memorandum of Lease dated as of September 24, 2007 is recorded with said Registry at Book 3030, Page 925; as affected by Notice of Assignment and Assumption of Lease by and between Friendly's Restaurants, LLC, as Assignor, to Koda Ice Cream Shop, LLC, as Assignee, dated July 2012, recorded with said Registry at Book 3333, Page 1819, and as further affected by a Notice of Assignment and Assumption of Lease by Koda Ice Cream Shop, LLC, as Assignor, to Friendly's Restaurants, LLC, as Assignee, dated as of October 3, 2016, recorded with said Registry at Book 3534, Page 1280. (AFFECTS THE SUBJECT PROPERTY - CONTAINS NO PLOTTABLE ITEMS)

NOTE: The Notice of Assignment and Assumption of Lease by and between Friendly's Restaurants, LLC, as Assignor, to Koda Ice Cream Shop, LLC, as Assignee, dated July 2012, recorded with said Registry at Book 3333, Page 1819, is not signed by Friendly Ice Cream Corporation. It is signed by Friendly's Restaurants, LLC and recites that Friendly's Restaurant, LLC is successor-in-interest to Friendly Ice Cream Corporation through a series of events. The first is that Friendly Ice Cream filed bankruptcy (US Bankruptcy Court for the District of Delaware - no Docket No. stated). It further recites that the Bankruptcy Court issued an Order authorizing the assignment of the Debtor to assume and assign the Lease. This Order is not recorded. A certified copy should be obtained and recorded. The Assignment further recites that the Lease was assumed by Debtor and assigned to Friendly's Restaurants, LLC, but no evidence of the fact is of record. Such evidence should be obtained and recorded. Finally, the Assignment recites that the landlords consent is not required. I assume that this is because the Order so states, but this shall be confirmed.

NOTE: The Notice of Assignment and Assumption of Lease by Koda Ice Cream Shop, LLC also recites that no consent of Landlord is required, but no evidence to that effect is recorded. Care should be taken to obtain full and complete copies of the Lease, all amendments and Letter Agreements for review. In the event that the Lease contains a provision permitting assignment without Landlord's consent, the applicable language shall be incorporated in to an Affidavit to be recorded.

**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 floodplain) according to the Flood Insurance Rate Map for the County of Merrimack, State of New Hampshire, Community Panel No. 33013C0533E, Effective Date April 19, 2010.

**PARKING:**

25 Parking Spaces  
2 Handicapped Spaces  
27 Total Parking Spaces

**TOTAL LAND AREA:**

19,612 Square Feet  
0.4502 Acres

**SURVEYOR'S OBSERVATIONS:**

- Nine (9) stone posts encroach a distance of 0.9'. Owner undetermined.

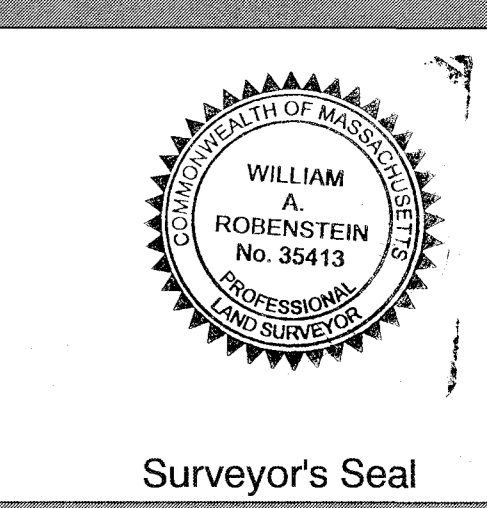
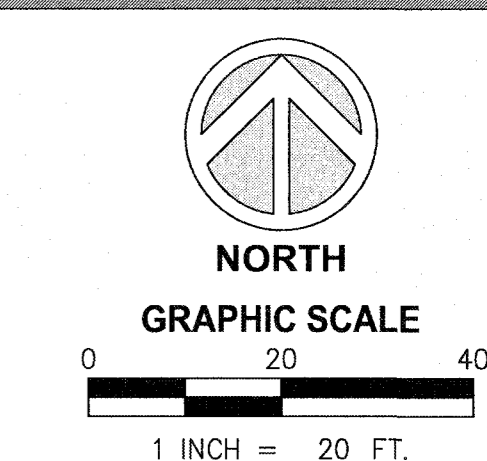
**CERTIFICATION:**

To: SIC Property, LLC, Friendly's Restaurants, LLC, SIC Property Finance, LP, and First American Title Insurance Company.

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 2, 3, 4, 6(a), 7(a), 7(b)(1), 7(c), 8, 9, 13, 15, 16 and 17 of Table A thereof. The field work was completed on July 2, 2018.

Date of Plot or Map: July 3, 2018

By: *William A. Robenstein*  
William A. Robenstein, PLS  
New Hampshire Professional Land Surveyor No. 242  
For and on behalf of Millman Surveying, Inc.  
Signature Date: *7/3/18*



Surveyor's Seal  
Sheet No. **1** of **1**

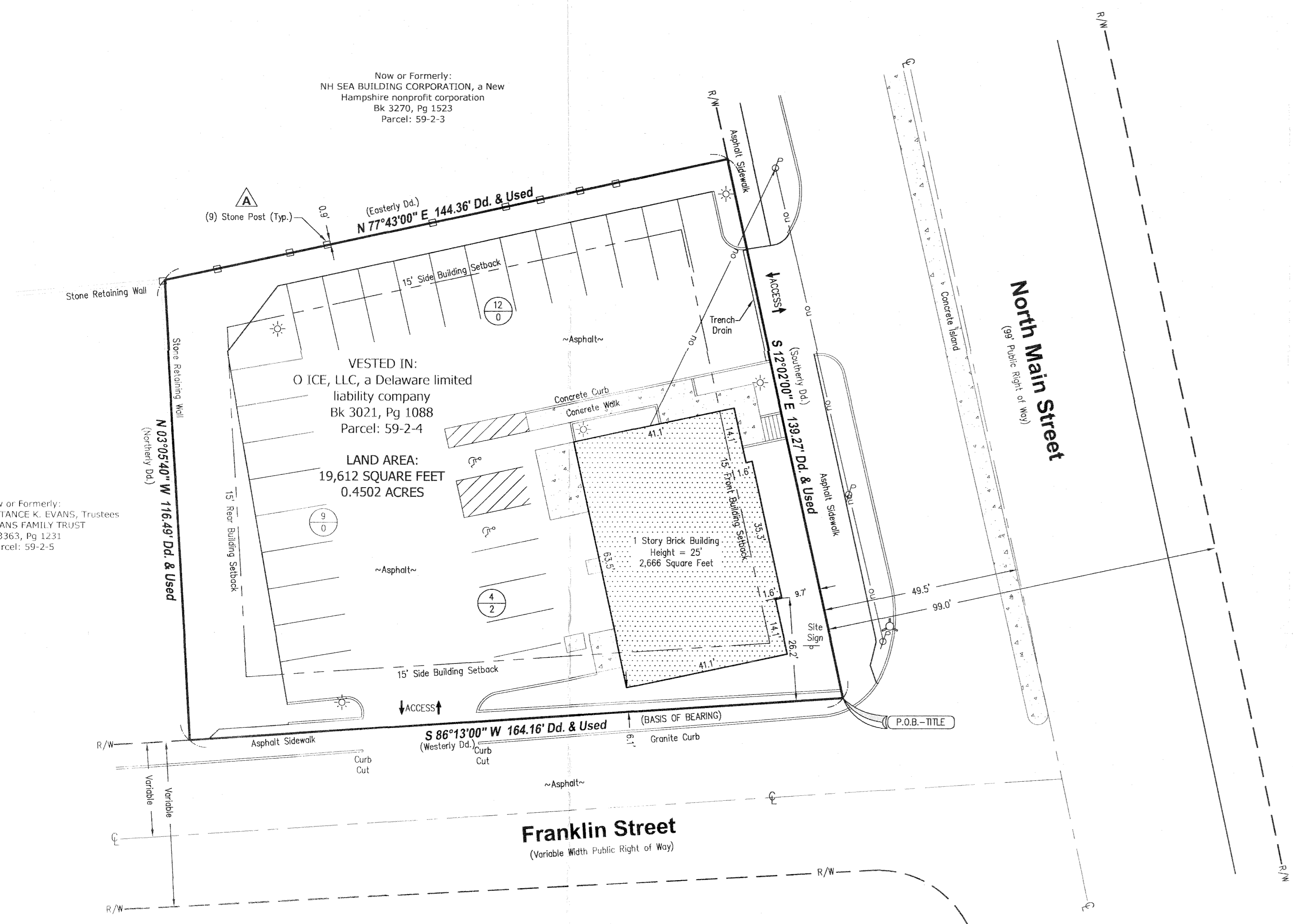
**REVISION HISTORY**

BY:	DATE:	COMMENT:
ATK	8/24/18	ZONING
ATK	10/9/18	CLIENT COMMENTS
EMG	10/25/18	CLIENT COMMENTS

MSI Project No. 43311  
Prior MSI Project No. 11853  
PC: KAW  
PM: ATK Drafter: ATK

Now or Formerly:  
NH SEA BUILDING CORPORATION, a New  
Hampshire nonprofit corporation  
Bk 3270, Pg 1523  
Parcel: 59-2-3

Now or Formerly:  
GARY A. & CONSTANCE K. EVANS, Trustees  
of the EVANS FAMILY TRUST  
Bk 3363, Pg 1231  
Parcel: 59-2-5



**ZONING:**

Zoning Classification: CU  
Minimum Building Setbacks:  
Front: 15 feet  
Side: 15 feet  
Rear: 15 feet  
Maximum Building Height: 45 feet  
Parking: One per seventy-five (75) square feet

**SOURCE:**

This zoning information is taken from a zoning report compiled by Millman National Land Services under MZ# 16905, dated August 3, 2018.  
This zoning information is based upon current zoning regulations. These conditions may not reflect the zoning regulations at the time of building or site construction.

**MISCELLANEOUS NOTES:**

- There is direct access to the subject property via Franklin Street and North Main Street, both public right-of-ways.
- The locations of all utilities shown on the survey are from visible surface evidence only.
- The posted address on site is 203 North Main Street, Concord, New Hampshire.
- At the time of this survey, there was no observable surface evidence of earth moving work, building construction or building additions within recent months.
- At the time of this survey, there was no observable evidence of the subject property being used as a solid waste dump, sump or sanitary landfill.
- At 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 construction or repairs.
- The Property surveyed and shown hereon is the same property described in Schedule A of First American Title Insurance Company Title Commitment No. NCS-911316NH3-HOU1 with an effective date of June 19, 2018.
- The improvements shown hereon are not depicted from Rectified Orthophotography.
- All component parcels of the land shown on the survey form a mathematically closed figure, are contiguous and there are no apparent gaps or gores between them.

**BASIS OF BEARING:**

The meridian for all bearings shown hereon is the Southerly property line of subject property known as being South 86°13'00" West per Deed Book 2329, Page 0142, Merrimack County Records.