

SURVEYOR'S CERTIFICATION

To: LAWYERS TITLE INSURANCE CORPORATION, FRANCHISE FINANCE CORPORATION OF AMERICA, FFO ACQUISITION CORPORATION, A DELAWARE CORPORATION AND ITS SUCCESSORS OR ASSIGNS AND PIZZA HUT OF AMERICA, INC., A DELAWARE CORPORATION AND ITS AFFILIATES

This is to certify that this map or plot of survey (this "Survey Map") of the premises specifically described in Lawyers Title Insurance Corporation Commitment No. 25391 dated July 30, 1997 (1) is based on a field survey made on August 3, 1997, by me or directly under my supervision in accordance with the most recently adopted Minimum Standard Detail Requirements and Classifications for ALTA/ACSM Land Title Surveys, and meets the accuracy requirements for an "Urban" survey as defined therein; (2) was prepared in accordance with and includes all items and information required by the document titled "Survey Requirements for Franchise Finance Corporation of America, FFO Acquisition Corporation and FFO Mortgage Corporation dated September 15, 1993, revised October 3, 1996", and (3) to the best of my professional knowledge, information and belief:

- (a) This Survey Map correctly represents the facts found at the time of the survey;
- (b) There are no discrepancies between the boundary lines of the subject property as shown on this Survey Map and as described in the legal description presented in the above-referenced Title Commitment;
- (c) The boundary line dimensions as shown on this Survey Map form a mathematically closed figure within +/- 0.1 foot; and
- (d) The boundary lines of the Subject Property are contiguous with the boundary lines of all adjoining parcels, roads, highways, streets or alleys as described in their most recent respective legal descriptions of record.

The undersigned understands and agrees that the parties to whom this certification is addressed will be relying upon this certification in incurring financial obligations with respect to the subject property and that this Survey Map has been prepared for their respective benefits in anticipation of their reliance thereon.



By: *Robert T. Bolton*
Print Name: ROBERT T. BOLTON

Registration No.: 49880
Within the State of: N.Y.

C.T. MALE ASSOCIATES, P.C.
300 GARDEN PLACE, SUITE 200, NEW YORK, NY 10017
TEL: 212-692-1111 FAX: 212-692-1112

NOTES & REFERENCES:

- 1) BASIS OF BEARINGS: S 13° 05' 00" E BEING THE CENTERLINE OF UTICA STREET PER DEED BOOK 705, PAGE 267.
- 2) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY C.T. MALE ASSOCIATES P.C. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE, REFERENCE IS MADE TO CERTIFICATE OF TITLE ISSUED BY LAWYERS TITLE INSURANCE CORPORATION BEARING TITLE NO. 25391 DATED JULY 30, 1997. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, COVENANTS, AND RESTRICTIONS AS RECITED THEREIN, AND IS FURTHER SUBJECT TO ANY FINDINGS OR TRANSACTIONS REVEALED OR CONDUCTED FROM THE DATE OF SAID CONTINUATION TO THE PRESENT.
- 3) BY GRAPHICAL PLOTTING ONLY, THE SUBJECT PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA, AS SHOWN ON COMMUNITY PANEL No. 360492A 01, WHICH BEARS AN EFFECTIVE DATE OF MAY 31, 1974 AND REVISED JUNE 11, 1976.
- 4) TOTAL EXISTING PARKING SPACES = 32 (2 OF WHICH ARE HANDICAPPED) PARKING REQUIREMENTS PER PLANNING BOARD APPROVAL AT THE TIME PIZZA HUT WAS PROPOSED, CIRCA 1978.
- 5) SUBJECT PROPERTY IS ZONED: PLANNED BUSINESS PER VILLAGE OF HAMILTON ZONING OFFICE, NO SPECIFIC SETBACKS, HEIGHT OR BULK RESTRICTIONS ARE SET. ALL SUCH ISSUES ARE SUBJECT TO VILLAGE PLANNING BOARD APPROVAL. VILLAGE OF HAMILTON MUNICIPAL OFFICE, 3 BROAD STREET, HAMILTON, NY. PHONE No. (515)-824-1111.
- 6) UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM OBTAINED BY FIELD SURVEY, PREVIOUS MAPS AND RECORDS, (PAROL EVIDENCE TESTIMONY). THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHER UNDERGROUND UTILITIES THE EXISTENCE OF WHICH ARE NOT KNOWN TO THE UNDERSIGNED, SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES MUST BE VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO ANY CONSTRUCTION.
- 7) SURVEYED PARCEL IS SUBJECT TO THE RIGHTS OF THE PUBLIC WITHIN UTICA STREET (NYS ROUTE 12B) - REPUTED WIDTH = 68'.

NOTES CORRESPONDING TO SCHEDULE R EXCEPTIONS

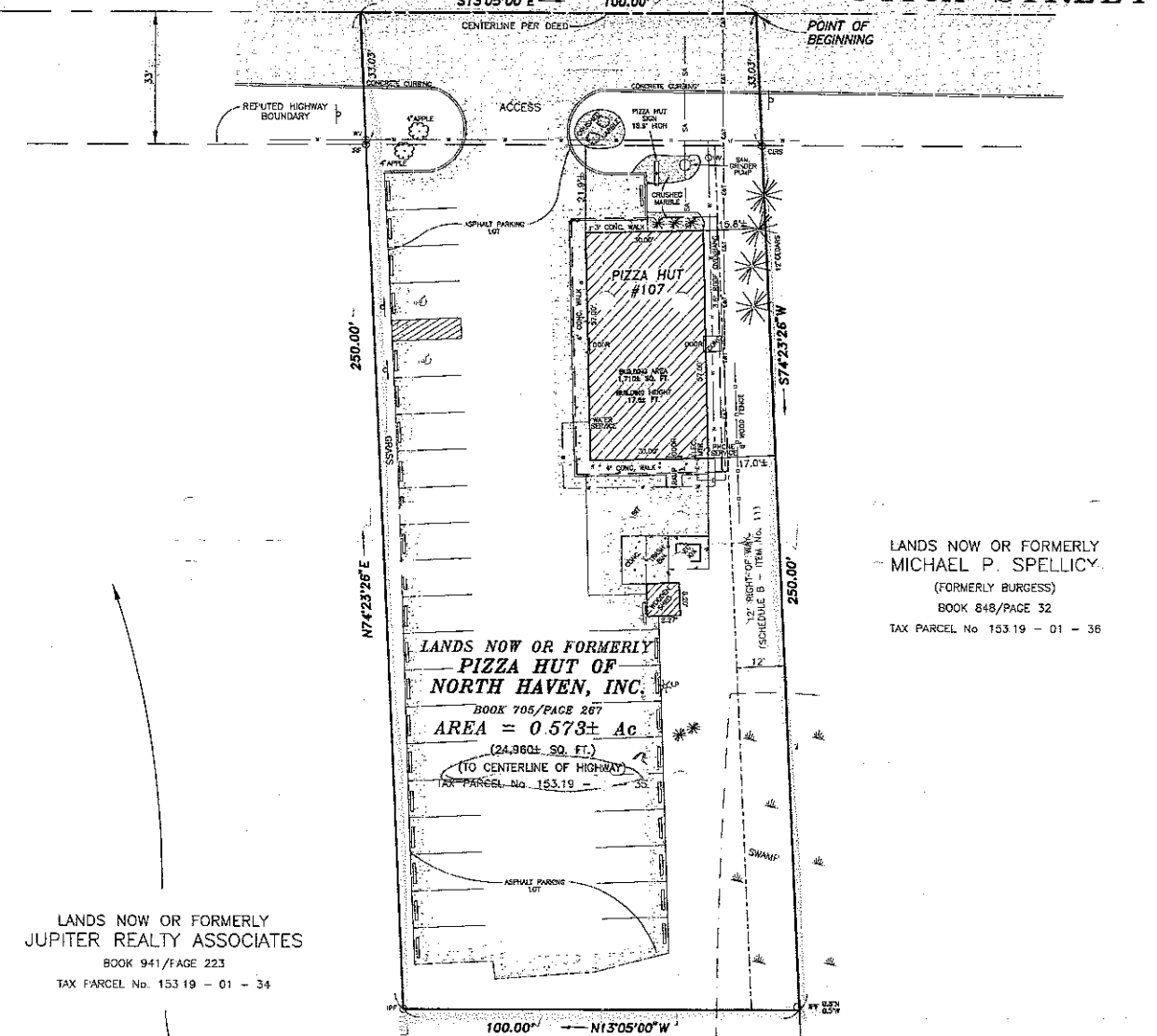
- 11.) RIGHT OF WAY RESERVED IN DEED TO PIZZA HUT OF NORTH HAVEN, INC. RECORDED APRIL 5, 1978 IN LIBER 705, PAGE 267. SHOWN HEREON.

ENCROACHMENTS

NONE

N.Y.S. ROUTE 12B

UTICA STREET



LANDS NOW OR FORMERLY
MICHAEL P. SPELLICY
(FORMERLY BURGESS)
BOOK 848/PAGE 32
TAX PARCEL No. 153.19 - 01 - 36

LANDS NOW OR FORMERLY
JUPITER REALTY ASSOCIATES
BOOK 941/PAGE 223
TAX PARCEL No. 153.19 - 01 - 34

LANDS NOW OR FORMERLY
PIZZA HUT OF
NORTH HAVEN, INC.
BOOK 705/PAGE 267
AREA = 0.573± Ac
(24,380± SQ. FT.)
(TO CENTERLINE OF HIGHWAY)
TAX PARCEL No. 153.19 -

**SCHEDULE C
LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Hamilton County of Madison and State of New York being a portion of Lot #1 in said Town bounded and described as follows:
Beginning at a point on the centerline of Utica Street (New York State Route 12B) said point standing at the intersection of the centerline of Utica Street with the northerly boundary of Sidney A. Burgess and Judith A. Burgess (now or formerly) as described in a warranty deed dated July 3, 1962 and filed in the Madison County Clerk's Office in Liber 599 of Deeds at Page 46; thence S 74° 23' 26" W 250.00 feet along the northerly boundary of Burgess to an iron pin, said last mentioned course being further marked by an iron pin standing herein distant 24.78 feet westerly as measured from the centerline of Utica Street; thence N 13° 05' W 100.00 feet to an iron pin; thence N 74° 23' 26" E 250.00 feet to a point on the centerline of Utica Street, said last mentioned course being further marked by an iron pin standing therein distant 24.78 feet westerly as measured from the centerline of Utica Street; thence S 13° 05' E 100.00 feet along the centerline of Utica Street to the point and place of beginning

BEING MORE ACCURATELY DESCRIBED AS:

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Hamilton County of Madison and State of New York being a portion of Lot #1 in said Village bounded and described as follows:
Beginning at a point on the centerline of Utica Street (New York State Route 12B), said point standing at the intersection of the centerline of Utica Street with the northerly boundary of Michael P. Spellicy (now or formerly) as described in a warranty deed dated September 21, 1987 and filed in the Madison County Clerk's Office in Liber 848 of Deeds at Page 32; thence S 74° 23' 26" W 250.00 feet along the northerly boundary of Spellicy to a point said last mentioned course being further marked by a capped iron rod set standing herein distant 33.03 feet westerly as measured from the centerline of Utica Street; thence N 13° 05' 00" W 100.00 feet to an iron pipe found; thence N 74° 23' 26" E 250.00 feet to a point in the centerline of Utica Street, said last mentioned course being further marked by an iron rod found standing distant 33.03 feet westerly as measured from the centerline of Utica Street; thence S 13° 05' 00" E 100.00 feet along the centerline of Utica Street to the point and place of beginning containing 0.573 acres more or less

LEGEND

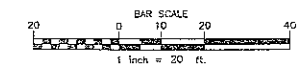
—	IRON PIPE FOUND
—	CAPPED IRON ROD SET (8/2/1997)
—	WATER VALVE
—	SIGN
—	LIGHT POLE
—	VILLAGE OF HAMILTON, NY TELEPHONE CO. UTILITY POLE
—	OVERHEAD WIRES
—	ELECTRIC & TELEPHONE SERVICE
—	WATER LINE
—	CONCRETE WHEEL STOP
—	HANDICAPPED PARKING SPACE
—	DECIDUOUS TREE
—	CONIFEROUS TREE

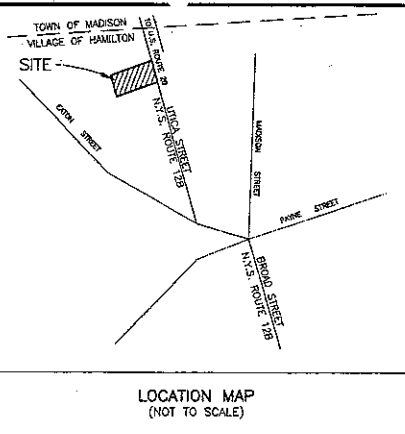
"ALTA / ACSM LAND TITLE SURVEY"

PREPARED UNDER THE SUPERVISION OF:

HAYES & MATTHEWS, INC.
NATIONAL DIVISION - ALTA SURVEYS
17225 Nimesse Street - Suite 106/109
Plaza Del Lago Bldg. - Fountain Valley, Ca. 92728
714/979-7181
FAX 714/941-2840

MARK	DATE	REVISION	BY	APPROVED
PIZZA HUT				
ONE STORY BRICK & WOOD BUILDING PIZZA HUT No. 606102				
107 UTICA STREET VILLAGE OF HAMILTON TOWN OF HAMILTON MADISON COUNTY NEW YORK				
SCALE:	1" = 20'	CHKD. BY:	APPROVED	
DATE:	8-7-1997	APPROVED:		
DWN BY:	SRM	FFCA No:	8100-3558	
CHKD. BY:	PRB			





SURVEYOR'S CERTIFICATION

To: LAWYERS TITLE INSURANCE CORPORATION, FRANCHISE FINANCE CORPORATION OF AMERICA, FFCA ACQUISITION CORPORATION, A DELAWARE CORPORATION, AND ITS SUCCESSORS OR ASSIGNS AND PIZZA HUT OF AMERICA, INC., A DELAWARE CORPORATION AND ITS AFFILIATES

This is to certify that this map or plat of survey (this "Survey Map") of the premises specifically described in Lawyers Title Insurance Corporation Commitment No. 25391 dated July 30, 1997 (1) is based on a field survey made on August 3, 1997, by me or directly under my supervision in accordance with the most recently adopted Minimum Standard Detail Requirements and Classifications for ALTA/ACSM Land Title Surveys, and meets the accuracy requirements for an "Urban" survey as defined therein; (2) was prepared in accordance with and includes all items and information required by the document titled "Survey Requirements for Franchise Finance Corporation of America, FFCA Acquisition Corporation and FFCA Mortgage Corporation dated September 15, 1993, revised October 3, 1995", and (3) to the best of my professional knowledge, information and belief:

- (a) This Survey Map correctly represents the facts found at the time of the survey;
- (b) There are no discrepancies between the boundary lines of the subject property as shown on this Survey Map and as described in the legal description presented in the above-referenced Title Commitment;
- (c) The boundary line dimensions as shown on this Survey Map form a mathematically closed figure within +/-0.1 feet; and
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By: *Robert T. Bolton*
Print Name: ROBERT T. BOLTON

Registration No. 49880

C.T. MALE ASSOCIATES, P.C.
200 CANTON SQUARE, SUITE 200, CANTON, NY 12018
(518) 499-5000 • FAX (518) 499-1427
PROFESSIONAL LAND SURVEYING & ENGINEERING
LAND SURVEYING & ENGINEERING LICENSE NO. 00000000000000000000

Within the State of: N.Y.

NOTES & REFERENCES:

- 1) BASIS OF BEARINGS: S 13° 05' 00" E BEING THE CENTERLINE OF UTICA STREET PER DEED BOOK 705, PAGE 267.
- 2) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY C.T. MALE ASSOCIATES P.C., TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE, REFERENCE IS MADE TO CERTIFICATE OF TITLE ISSUED BY LAWYERS TITLE INSURANCE CORPORATION BEARING TITLE NO. 25391 DATED JULY 30, 1997. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, COVENANTS, AND RESTRICTIONS AS RECITED THEREIN, AND IS FURTHER SUBJECT TO ANY FINDINGS OR TRANSACTIONS REVEALED OR CONDUCTED FROM THE DATE OF SAID CONTINUATION TO THE PRESENT.
- 3) BY GRAPHICAL PLOTTING ONLY, THE SUBJECT PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA, AS SHOWN ON COMMUNITY PANEL No. 380402A 01, WHICH BEARS AN EFFECTIVE DATE OF MAY 31, 1974 AND REVISED JUNE 11, 1976.
- 4) TOTAL EXISTING PARKING SPACES = 32 (2 OF WHICH ARE HANDICAPPED) PARKING REQUIREMENTS PER PLANNING BOARD APPROVAL AT THE TIME PIZZA HUT WAS PROPOSED, CIRCA 1978.
- 5) SUBJECT PROPERTY IS ZONED: PLANNED BUSINESS PER VILLAGE OF HAMILTON ZONING OFFICE. NO SPECIFIC SETBACKS, HEIGHT OR BULK RESTRICTIONS ARE SET. ALL SUCH ISSUES ARE SUBJECT TO VILLAGE PLANNING BOARD APPROVAL. VILLAGE OF HAMILTON MUNICIPAL OFFICE, 3 BROAD STREET, HAMILTON, NY PHONE No. (315)-824-1111.
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- 7) SURVEYED PARCEL IS SUBJECT TO THE RIGHTS OF THE PUBLIC WITHIN UTICA STREET (NYS ROUTE 12B) - REPUTED WIDTH = 66'

NOTES CORRESPONDING TO SCHEDULE B EXCEPTIONS

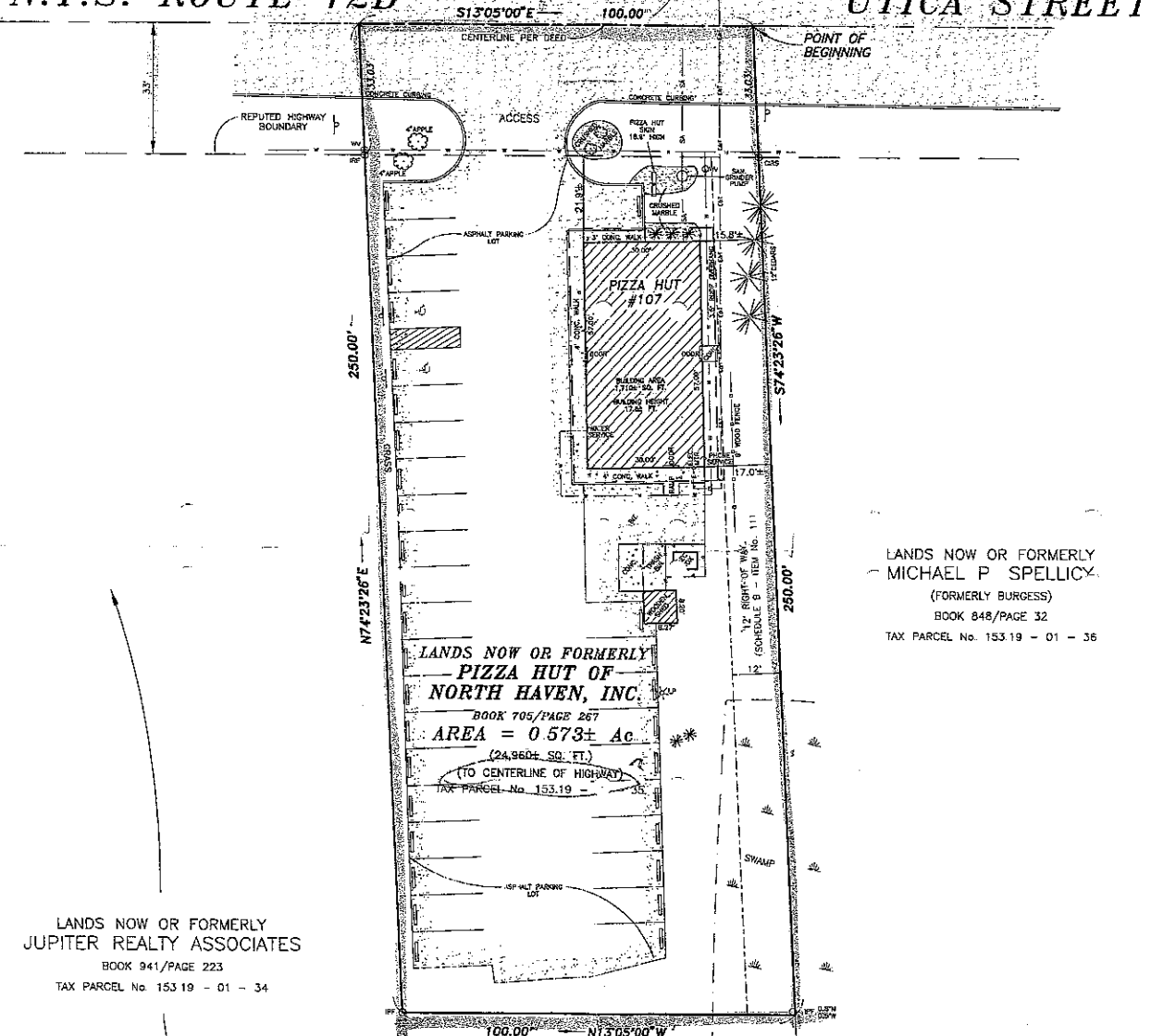
- 1) RIGHT OF WAY RESERVED IN DEED TO PIZZA HUT OF NORTH HAVEN, INC. RECORDED APRIL 5, 1978 IN LIBER 705, PAGE 267. SHOWN HEREON.

ENCROACHMENTS

NONE

N.Y.S. ROUTE 12B

UTICA STREET



LANDS NOW OR FORMERLY
MICHAEL P. SPELLICY
(FORMERLY BURGESS)
BOOK 848/PAGE 32
TAX PARCEL No. 153.19 - 01 - 36

LANDS NOW OR FORMERLY
JUPITER REALTY ASSOCIATES
BOOK 941/PAGE 223
TAX PARCEL No. 153.19 - 01 - 34

LANDS NOW OR FORMERLY
PIZZA HUT OF
NORTH HAVEN, INC.
BOOK 705/PAGE 267
AREA = 0.573± Ac
(24,960± SQ. FT.)
(TO CENTERLINE OF HIGHWAY)
TAX PARCEL No. 153.19

**SCHEDULE C
LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Hamilton, County of Madison and State of New York being a portion of Lot #1 in said Town bounded and described as follows:
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- LEGEND**
- IRON PIPE FOUND
 - CAPPED IRON ROD SET (8/2/1997)
 - WATER VALVE
 - SIGN
 - LIGHT POLE
 - VILLAGE OF HAMILTON, NY TELEPHONE CO. UTILITY POLE
 - OVERHEAD WIRES
 - ELECTRIC & TELE. WIRE SERVICE
 - WATER LINE
 - CONCRETE WHEEL STOP
 - HANDICAPPED PARKING SPACE
 - DECIDUOUS TREE
 - CONIFEROUS TREE

"ALTA / ACSM LAND TITLE SURVEY"

PREPARED UNDER THE SUPERVISION OF:

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NATIONAL DIVISION - ALTA SURVEYS
17225 Newhope Street - Suite 108/109
P.O. Box 108, Fountain Valley, CA 92708
714/979-7181
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MARK	DATE	REVISION	BY	APP'D
PIZZA HUT				
ONE STORY BRICK & WOOD BUILDING PIZZA HUT No. 606102				
107 UTICA STREET VILLAGE OF HAMILTON TOWN OF HAMILTON MADISON COUNTY NEW YORK				
SCALE: 1" = 20'	CHKD./APP'D			
DATE: 8-7-1997	APPROVED			
DWN. BY: WGM	FCA No. 8000-5559			
CHKD. BY: RTB				

