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MEMORANDUM

DATE: July 15, 2011

TO: Mr. Damon Amadio, Commissioner, City of White Plains Department of Building

FROM: Thomas M. Schmidt, L.S., John Meyer Consulting, PC

RE: JMC Project 10170
French-American School of New York
400 Ridgeway
City of White Plains, NY

Survey Review of Title and Easements affecting City of White Plains

In conjunction with the preparation of the Survey of Property, French American School of New York, Ridgeway & Bryant Avenue, City of White Plains, Westchester County, New York,” prepared by John Meyer Consulting (“Survey”), we reviewed a title report document prepared by First American Title Insurance Company, Title No. 3008-337914 with an effective date of November 1, 2010. There are a number of covenants, restrictions and easements that affect the above referenced property (“Property”). Several of those exceptions affect the Property in terms of easements benefitting the City of White Plains. Below are those specific exceptions noted in the Report:

Exception 5 - Covenants and restrictions and the reservation of an easement recorded in Deed Liber 2614 at Page 282. The covenant and restrictions, reservation of easements are, as follows:

- Rights to construct a sewer and water line as shown on Filed Map (FM) No. 2819. This filed map does not show any constructed water line. There a number of sewer lines in the adjacent right of ways. The sewer lines were constructed, and are described more specifically under Exception 21.
- Rights to construct utilities under the portion of Robinhood Road described by the deed and right to maintain all sewer mains and cesspools on the Property. There are probably not any existing cesspools in use since there is public sewer available to the area. There is a note on FM 2404 along the prolongation of Robinhood Road on the Property (Section 131.14 Block 2 Tax Lot 3) that states ”Right of Way (for Utilities)”.

Exception 9 - Sewer, water and gas easement from City of White Plains recorded in Deed Liber 2036 at Page 268. This easement grants the right to construct sewer, water and gas mains in a portion of Ridgeway.

Exception 14 - Easements recited in Deed Liber 3455 at Page 405 (affects Section 131.10 Block 3 Tax Lot 43). This is an easement over the right-of-way of Antony Road running easterly from the Property to North Street and provides the right to connect to the sewer main installed now or in the future in the streets adjacent to Parcel D. This easement cannot be plotted. Section 131.10 Block 3 Tax Lot 43 is subject to a 10' wide storm drain easement and 12' wide sewer easement, both of which are plotted on Survey.

Exception 17 - This is a ten (10) foot wide stormwater easement agreement in favor of the City of White Plains, recorded in Deed Liber 3551 at Page 400 (affects Section 131.10 Block 3 Tax Lot 43). This 10 foot wide storm sewer easement currently has storm drain manholes and pipes located within it. This easement is plotted on the Survey and is part of Exception 14.

Exception 18 - This is a ten (10) foot wide sewer line easement agreement in favor of the City of White Plains, recorded in Deed Liber 5369 at Page 233 (affects Section 131.10 Block 3 Tax Lot 43). This easement is plotted on the Survey and is part of Exception 14.

Exception 19 - Street widening recorded in Deed Liber 6245 Page 149 and also is shown on FM No. 12395. This street widening affects North Street. This exception is plotted on the Survey.

Exception 20 - Utility right of way easement as shown on FM No. 2404. This particular filed map does not show any utility easements. The title report states that the right of way affects Section 131.14 Block 2 Tax Lot 3. There is a note along the prolongation of Robinhood Road on the Property that states "Right of Way (for Utilities)".

Exception 21 - Sewer easements as shown on FM No. 2819. This filed map does not depict any labeled sewer easements. However, there are a number of sanitary sewer manholes and sewer mains on the Property particularly within Parcel Section 131.14 Block 9 Tax Lot 3. There is an additional sewer manhole shown on Section 131.10 Block 3 Tax Lot 43 and another on Section 131.10 Block 2 Tax Lot 3. The sanitary sewer mains serve the Property and the properties in the area. Since the public sewer has existed for such a long period of time, there would be easements in favor of the City established by prescription if there is no recorded easement.

Exception 22 - Sewer easement as shown on FM No. 2900. Again, this filed map does not depict any labeled sewer easements. The same sewer manholes mentioned in Exception 21 are depicted on this filed map. Again, since the public sewer has existed for such a long period of time, there would be easements in favor of the City established by prescription.

Exception 23 - Sewer easement as shown on FM No. 3455 (plotted). There is an existing 12-foot wide sanitary sewer easement located on the former “Barbara Knolls” subdivision property. This easement is located in or near the wetlands area. There is probably no sewer main or appurtenances located with the easement. There is 10-foot wide storm sewer easement on this filed map that appears to have storm drain manholes and pipes located within it. The storm drain system is in or near the wetlands area. Both easements are located within Section 131.10 Block 3 Tax Lot 43 at the southeasterly corner of the Property.

If you have any particular questions regarding the above, please contact our office.