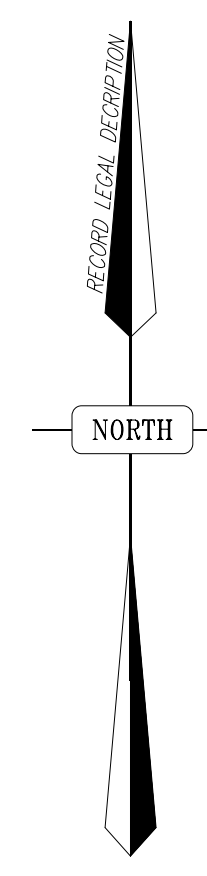


Locus Map  
NOT TO SCALE



SCHEDULE B - SECTION 2

- Water pipe show on a plan of land entitled "Plan of Land in Peabody, Mass. Belonging to John B. Pierce by Chas. A. Metcalf, Surveyor, date November, 1914 and recorded with said Deeds in Book 2343, Page 522. -SURVEYOR UNABLE TO DETERMINE LOCATION OF PIPE FROM INFORMATION PROVIDED, NOT PLOTTED.
  - 48 Inch Concrete Tunnel as shown on Sheet 13 of a plan of land entitled "The Commonwealth of Massachusetts Plan of Road in the City of Peabody Essex County Altered and laid out as a State Highway by the Department of Public Works" date June 11, 1946 and recorded with said Deeds in Plan Book 75, Plan 17. -PLOTTED GRAPHICALLY.
  - Two takings by the City of Peabody, Board of Water Commissioners for water supply purposes, date December 24, 1905, and August 1, 1905 and recorded with said Deeds in Book 1808, Pages 520 and 522. -DOCUMENT PROVIDED TO SURVEYOR ILLEGIBLE, UNABLE TO PLOT.
  - Taking by the Commonwealth of Massachusetts Department of Public Work for the Laying out of the Newburyport Turnpike dated June 11, 1946 and recorded with said Deeds in Book 3466, Page 215. -MAP REFERENCED IN DOCUMENT NOT PROVIDED TO SURVEYOR, UNABLE TO PLOT.
  - Lack of access to the northern Circumferential Highway (Route 128). -NON-ACCESS HIGHWAY LINE SHOWN HEREON, PLOTTED.
  - Taking by the Commonwealth of Massachusetts Department of Public Works Layout No. 4876 and Order for Taking for Northern Circumferential Highway (Route 128) dated July 21, 1959 and recorded in Book 4584, Page 520. -ROUTE 128 SHOWN HEREON, PLOTTED.
  - City of Peabody Water Easement as shown on Sheets 9 and 10 of Plan of Land entitled "The Commonwealth of Massachusetts Plan of Road in the City of Peabody, Essex County Altered and laid out as a State Highway by the Department of public works" dated July 21, 1959 and recorded with said Deeds in Plan Book 92, Plan 80. -PLOTTED.
  - Terms and provision of Layout and Order for Taking for the relocation if the Northern Circumferential Highway (128) dated February 24, 1855 and recorded with said Deeds in Book 4144, Page 362. -ROUTE 128 SHOWN HEREON, PLOTTED.
  - City of Peabody water easement as shown on plan entitled "Plan of Land in Peabody, Massachusetts, developed by the Gutierrez and Grossman Companies" dated July 1, 1982 by T&M Engineering Associates recorded with said Deeds in Plan Book 180, Plan 68. -NON-LOCUS, NOT PLOTTED.
  - 20' wide City of Peabody water main easement shown on the plan recorded with said Deeds in Plan Book 297, Page 12. -PLOTTED GRAPHICALLY.
- ALL OTHER ITEMS ARE EITHER NON-SURVEY OR NON-EASEMENT RELATED MATTERS.

SURVEYOR'S CERTIFICATION:

TO: GE CAPITAL FRANCHISE FINANCE CORPORATION, A DELAWARE CORPORATION AND ITS SUCCESSORS AND ASSIGNS, LANDAMERICA FINANCIAL GROUP, INC., LAWYERS TITLE INSURANCE CORPORATION, COMMONWEALTH LAND TITLE INSURANCE COMPANY, AND BERTUCCI'S CORPORATION:

This is to certify that this map or plot of survey (this "Survey Map") of the real property ("Property") specifically described in Commonwealth Land Title Insurance Company title commitment No. C6041 dated February 3, 2003 (the "Title Commitment"), (1) is based on a field survey made on February 13, 2003, 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, items 1, 2, 3, 4, 6, 7(a), 7(b), 7(c), 8, 9, 10, 11a and 13 through 16 of Table A thereof, pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM, and in effect on the date of this certification, undersigned further certifies that the proper field procedures, instrumentation, and adequate survey personnel were employed in order to achieve results comparable to those outlined in the "Minimum Angle, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys" (2) was prepared in accordance with and includes all items and information required by the document titled "Survey Requirements for GE Capital Franchise Finance Corporation, a Delaware corporation" dated August 3, 2001, and (3) to the best of my professional knowledge, information and belief,

- This Survey Map correctly represents the facts found at the time of the survey;
- There are no discrepancies between the boundary lines of the Property as shown on this Survey Map and as described in the legal description presented in the Title Commitment;
- The boundary line dimensions as shown on this Survey Map form a mathematically closed figure within +/-0.1 foot;
- The boundary lines of the Property are contiguous with the boundary lines of all adjoining streets, highways, rights of way and easements, public or private, as described in their most recent respective legal descriptions of record; and
- Except as otherwise noted below, if the Property consists of two or more parcels, there are no gaps or gorges between said parcels.

The undersigned understands and agrees that the parties to whom this certification is addressed will be relying upon this survey for accuracy with respect to the Property.

CHARLES T. CAMP, P.L.S.  
Registration No.: 38377  
Within the Commonwealth of Massachusetts

The property described and shown hereon is the same property described in Commonwealth Land Title Insurance Company title commitment No. C6041 dated February 3, 2003.

"ALTA/ACSM LAND TITLE SURVEY"  
Commonwealth Land Title Insurance Company  
Commitment #C6041 Effective Date: February 3, 2003  
PREPARED FOR:  
**y, Inc.**



STATEMENT OF ENCROACHMENTS

- APPARENT ENCROACHMENT - FENCE OVER PROPERTY LINE 1'± ONTO LAND N/F TURNPIKE REALTY CO. INC.
- APPARENT ENCROACHMENT - BUILDING INTO SIDE YARD SETBACK AREA.
- APPARENT ENCROACHMENT - BUILDING INTO FRONT YARD SETBACK AREA.

RECORD LEGAL DESCRIPTION

A parcel of land and buildings thereon located on the side of the Newburyport Turnpike, beginning at the northeast corner at land now or formerly Sousa Enterprises at a point on the east side of the Newburyport Turnpike, running:

S 53°-29'-08" E 166.99 along land now of formerly Sousa Enterprises to a point, at land now or formerly Turnpike Realty Co. Inc., thence

S 54°-11'-18" 166.99' along land now or formerly Turnpike Realty Co. Inc., to land of the Commonwealth of Massachusetts, being the sideline of the access ramp to Route 128, thence along a curve to the left

R=804.30' L=296.03' along the sideline of the access ramp and land of the Commonwealth of Massachusetts to a point, thence

S 64°-32'-28" W 130.09' along the sideline of the access ramp and land of the Commonwealth of Massachusetts to a point, thence

N 22°-25'-39" W 64.00' along land of the Commonwealth of Massachusetts and part of the Rte. 128 ramp sideline, then along a curve to the right

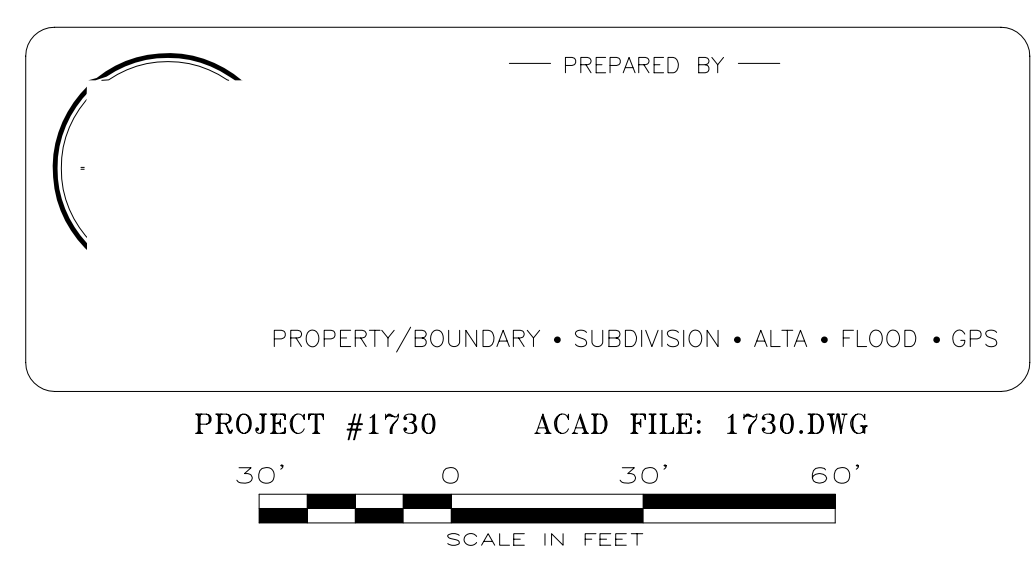
R=90.00' L=82.31' along land of the Commonwealth of Massachusetts being the Rte 128 ramp sideline to a point of tangency, being a point on the east side of the Newburyport Turnpike (aka Rte. 1), thence

N 29°-58'-24" E 223.67' along the easterly sideline of the Newburyport Turnpike to a point of curvature at a stone bound found, thence, along a curve to the left

R=3256.50' L=21.00' along the easterly sideline of the Newburyport Turnpike to a point at land now or formerly Sousa Enterprises, said point being the point of beginning.

Said parcel contains 69,360 sq. ft. land area and is shown as lot#6 on "Plan of Land in Peabody, Massachusetts drawn for 15 Newbury Street Trust, 1"=20', February 28, 1995, Merrimack Engineering Services, 66 Park Street, Andover, MA 01810" recorded with said Deeds in Plan Book 297, Page 12.

The property described above is the same property described in "Exhibit A" of Commonwealth Land Title Insurance Company title commitment No. C6041 dated February 3, 2003.



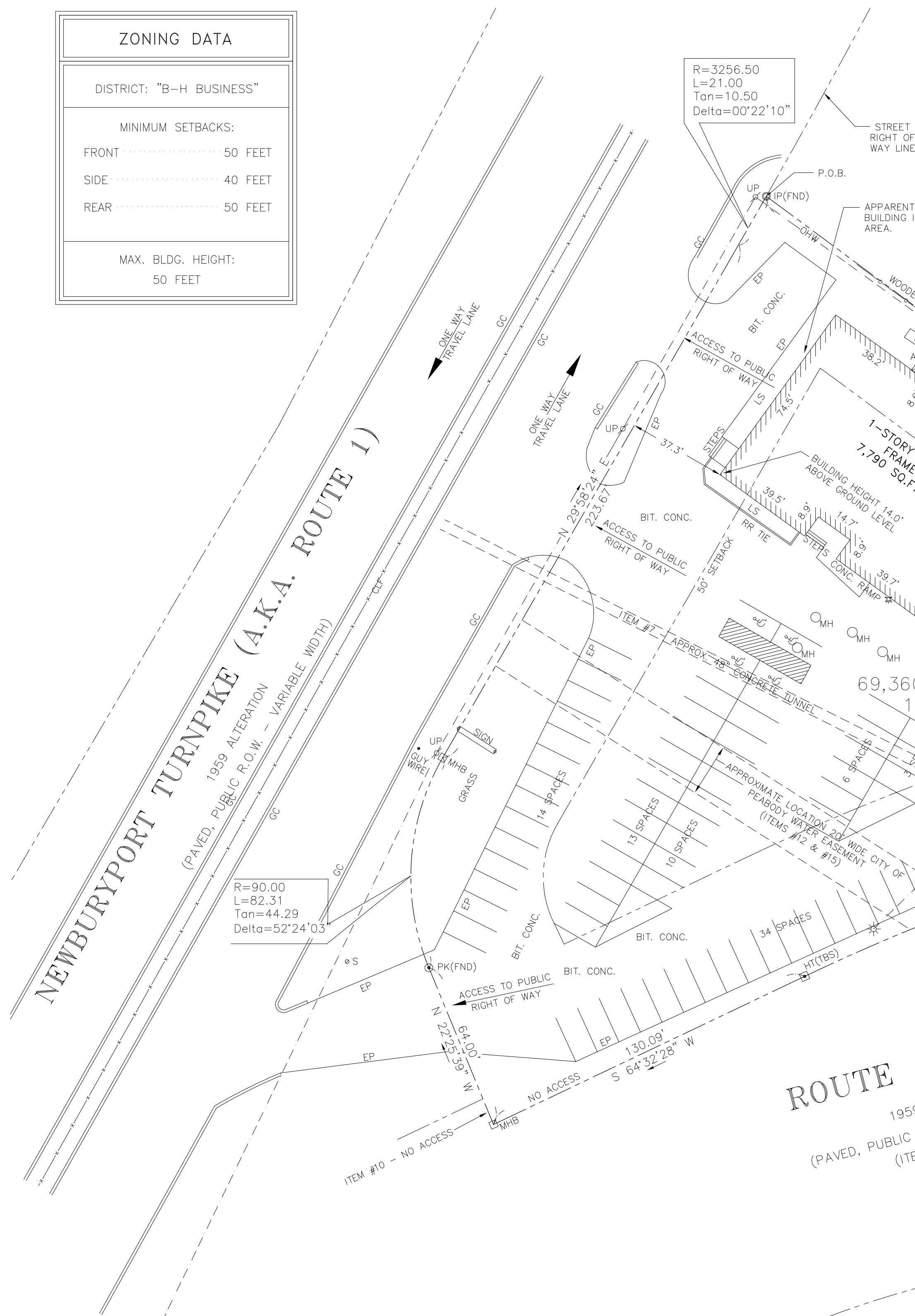
PARCEL DATA

DEED REFERENCE(S):  
BOOK 12940 PAGE 96

PLAN REFERENCE(S):  
A PLAN ENTITLED: "PLAN OF LAND IN PEABODY MASS.", DATED: FEBRUARY 28, 1995, SCALE: 1" = 20', PREPARED BY: MERRIMACK ENGINEERING SERVICES, PREPARED FOR: 15 NEWBURY STREET TRUST, REFERENCED IN PLANBOOK 297 PLAN 12.

PROJECT AREA:  
69,360 S.F.±

- NOTES:
- LOCUS PARCELS SHOWN HEREON ARE LOCATED WITHIN FLOOD ZONE "C" (AREA OF MINIMAL FLOODING) AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP FOR COMMUNITY PANEL NO. 250099 0010 B, WITH AN EFFECTIVE DATE OF MAY 15, 1980.
  - THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE ONLY AND ARE BASED UPON A FIELD SURVEY AND A COMPILATION OF AVAILABLE PLANS OF RECORD FROM THE VARIOUS UTILITY COMPANIES. THE INFORMATION PROVIDED IS FOR THE USE OF THE CONTRACTOR. NEITHER WARRANTY NOR GUARANTEE OF THE INFORMATION IS PROVIDED. THE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL UTILITIES BY CONTACTING THE RESPECTIVE UTILITY COMPANIES AND "DIG-SAFE" IN MASSACHUSETTS (1-888-344-7233) OR "CALL BEFORE YOU DIG" IN CONNECTICUT (800-922-4455) PRIOR TO CONSTRUCTION.



ZONING DATA

DISTRICT: "B-H BUSINESS"

MINIMUM SETBACKS:

FRONT ..... 50 FEET

SIDE ..... 40 FEET

REAR ..... 50 FEET

MAX. BLDG. HEIGHT:  
50 FEET

LEGEND

△ CTP-1	CO-OP TRAVERSE POINT
□ CBHP	CONCRETE BOUND WITH DRILL HOLE
▣ SBLP	STONE BOUND WITH LEAD PIN
▣ SRHP	STONE BOUND WITH DRILL HOLE
○ IP	IRON PIN
● DH	DRILL HOLE
□ EM	ELECTRIC METER
□ EHH	ELECTRIC HAND HOLE
□ GM	GAS METER
□ GC	GAS GATE
□ HH	HAND HOLE
○ WH	WATER HAND HOLE
▲ FA	FIRE ALARM
▶	FLOW ARROW
○	HYDRANT
○*	LIGHT POLE (OVERHEAD)
○*	PARKING METER
○*	TEST PIT
○*	TRAFFIC SIGNAL (OVERHEAD)
○*	TRAFFIC SIGNAL (OVERHEAD)
○*	UTILITY POLE
○*	UTILITY POLE WITH UNDERGROUND WIRES
○*	GUY POLE
○*	CATCH BASIN
○*	CLEANOUT
○*	MANHOLE
○*	CABLE TV MANHOLE
○*	DRAIN MANHOLE
○*	ELECTRIC MANHOLE
○*	SEWER MANHOLE
○*	TELEPHONE MANHOLE
○*	WATER MANHOLE
○*	MONITORING WELL
○*	SIGN
x	SPOT ELEVATION LOCATION
100.00	ELEVATION
100.00BB	BOTTOM OF BERM
100.00TB	TOP OF BERM
100.00CB	BOTTOM OF CURB
100.00TC	TOP OF CURB
100.00BS	BOTTOM OF BOTTOM STEP
105.00TS	TOP OF TOP STEP
100.00BW	BOTTOM OF WALL
105.00TW	TOP OF WALL
100.00CPD	TOP OF CONCRETE PAD
LS	LANDSCAPED AREA
BS	BITUMINOUS BERM
BIT. CONC.	BITUMINOUS CONCRETE
CONC.	CONCRETE
CC	CONCRETE CURB
GC	GRANITE CURB
BSW	BACK OF SIDEWALK
EP	EDGE OF PAVEMENT
(FND)	FOUND
(TBS)	TO BE SET
(R)	RECORD
(M)	MEASURED
BLDG.	BUILDING
SQ.FT.	SQUARE FEET
HGT.	HEIGHT
6" CHL	6" HIGH CHAIN LINK FENCE
TRANS.	TRANSFORMER
PVC	POLYVINYL CHLORIDE PIPE
RCF	REINFORCED CONCRETE PIPE
VC	VITRIFIED CLAY PIPE
CMP	CORRUGATED METAL PIPE

PARKING REQUIREMENTS

MINIMUM PARKING SPACES:  
RESTAURANTS: 1 SPACE FOR EVERY 3 SEATS OF RATED CAPACITY AS DETERMINED BY THE APPROPRIATE AUTHORITY.

PARKING SPACES PROVIDED:  
4 HC + 89 REGULAR SPACES  
= 93 TOTAL PARKING SPACES

PLAN REFERENCE(S):

PLAN BOOK 297 PAGE 12

ASSESSORS MAP #88  
LOT 6

UTILITY LEGEND

SANITARY SEWER	---	S	---
STORM DRAIN	---	D	---
WATER	---	W	---
GAS	---	G	---
ELECTRIC	---	E	---
TELEPHONE	---	T	---
OVERHEAD WIRES	---	OHW	---
STEAM	---	STM	---