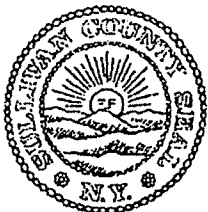


EXHIBIT IX
INSTRUMENT NO.
2010-56692
CURRENT DEED



SULLIVAN COUNTY - STATE OF NEW YORK

DANIEL L BRIGGS, COUNTY CLERK
100 NORTH STREET, MONTICELLO, NY 12701

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH



RECEIPT NO. : 2010289331

Clerk: HS
Instr #: 2010-56692
Rec Date: 07/15/2010 03:01:39 PM
Doc Grp: RP
Descrip: DEED
Num Pgs: 24
Rec'd Frm: STEWART TITLE INSURANCE

Party1: CONCORD RESORT LLC
Party2: EPT CONCORD II LLC
Town: THOMPSON

Recording:

Cover Page	5.00
Recording Fee	135.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 - County	9.00
RP5217 All others - State	241.00

Sub Total: 415.00

Exempt
Transfer Tax 0.00

Sub Total: 0.00

Total: 415.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax# : 2880

Consideration: 133118557.00

Transfer Tax: 0.00

I hereby certify that the within and foregoing was
recorded in the Sullivan County Clerk's Office

A handwritten signature in cursive script that reads "Daniel L. Briggs".

Daniel L. Briggs
Sullivan County Clerk

Record and Return To:

STEWART TITLE INSURANCE

THIS IS NOT AN INVOICE

5709-02855

2 & 2
STEWART TITLE INSURANCE
707 WESTCHESTER AVENUE
SUITE 411
WHITE PLAINS, NY 10604

SPACE ABOVE THIS LINE FOR REGISTER'S USE

WARRANTY DEED
(IN LIEU OF FORECLOSURE)

THIS INDENTURE is made and entered into this 17 day of June, 2010, by Concord Resort, LLC, a Delaware limited liability company, with an address of 115 East Stevens Avenue, Valhalla, New York 10595 (herein called "Grantor"), in favor of EPT Concord II, LLC, a Delaware limited liability company, whose mailing address is 30 West Pershing, Kansas City, Missouri 64108 (herein called "Grantee").

WITNESSETH, that in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration paid to Grantor, by Grantee, the receipt and sufficiency of which are hereby acknowledged and confessed, and in further consideration of the agreements of Grantee and EPT Concord, LLC, a Delaware limited liability company ("Lender") set forth in that certain Agreement for Deed in Lieu of Foreclosure dated June _____, 2010 (the "Agreement"), Grantor does by these presents GRANT, BARGAIN and SELL, CONVEY and CONFIRM unto Grantee all of the real property described as follows, to-wit: (i) the real property (the "Land") located in Sullivan County, New York and more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes; together with (ii) all and singular, the benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in anywise appertaining thereto, and any and all right, title and interest of Grantor in and to adjacent roads, and rights-of-way (herein called the "Rights and Appurtenances"); and together with (iii) all buildings, fixtures and other improvements located on the Land (herein called the "Improvements"); together with (iv) all personal property situated in, on or about the Land and any Improvements (herein called the "Personalty") (the Land, Rights and Appurtenances, Improvements and Personalty being hereinafter referred to as the "Property").

TO HAVE AND TO HOLD the Property, together with all and singular any other rights, privileges, appurtenances and immunities thereto belonging or in any manner thereto

appertaining unto Grantee, its successors and assigns FOREVER, Grantor hereby covenanting that the Property is free and clear from any encumbrance, except that the Property is being transferred to Grantee subject to the lien of that certain Fee and Leasehold Mortgage, Assignment of Leases and Rents and Security Agreement, from the County of Sullivan Industrial Development Authority and Grantor in favor of Lender, dated as of August 20, 2008, recorded September 17, 2008 in Liber 3517, page 223 (the "Mortgage"), and that Grantor will warrant and defend the title to the Property unto Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

AND Grantor, in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

BUT IT IS HEREBY EXPRESSLY ACKNOWLEDGED AND AGREED that:

A. This Warranty Deed, and the conveyances being made hereby, are being executed, delivered and accepted in lieu of foreclosure, and that the same shall be interpreted and construed as an absolute conveyance to Grantee of all right, title and interest in the Property, including specifically but without limitation, any equity or rights of redemption of Grantor therein or thereto; this Warranty Deed is an absolute conveyance, Grantor having conveyed the Property to Grantee for a fair and adequate consideration, Grantor expressly acknowledges and agrees that this is an absolute conveyance and does not constitute the pledging of additional security by Grantor, there being no equity in the Property in excess of the Indebtedness secured by the Mortgage and other Loan Documents (as defined in the Agreement), and that Grantor shall have no equity of redemption with respect to the Property conveyed hereby; Grantor declares that this conveyance is freely and fairly made and Grantor is not acting under any misapprehension as to the legal effect of this Warranty Deed nor under any duress, undue influence or misrepresentation of the Grantee, its agents or attorneys or any other person, and that there are no agreements, oral or written, which would qualify this conveyance as anything other than an absolute conveyance.

B. The execution, delivery and recording of this Warranty Deed shall not be deemed to result in payment, satisfaction, release, termination or cancellation of the Indebtedness (as defined in the Agreement) evidenced by any of the Loan Documents; but instead, such Indebtedness and the Loan Documents shall expressly survive this conveyance.

D. Nothing contained herein shall be construed to impair the rights of Lender, as the holder of the Loan Documents, with respect to the real and personal property granted as collateral under the Loan Documents, or to affect in any manner the right of Lender or any subsequent holder of the Loan Documents to foreclose, sell, or otherwise proceed against any such real and personal property.

E. No merger of the fee estate conveyed hereby to Grantee with the estate, title and

security interest granted to Lender by the Loan Documents shall occur until and unless the holder of all of such interests shall execute an appropriate instrument effecting such merger and shall duly file the same in the Office of Register of Deeds, in and for Sullivan County, New York; nothing contained herein shall constitute an assumption by Grantee of any obligations of Grantor under the Loan Documents.

IN WITNESS WHEREOF, the Grantor has duly executed this deed the day and year first above written.

GRANTOR:

CONCORD RESORT, LLC, a Delaware limited liability company

By: Concord Spa & Golf LLC, a New York limited liability company, its Managing Member

By:  _____

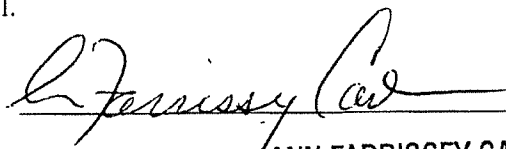
Name: Louis R. Cappelli

Title: Manager

STATE OF NEW YORK)
) ss
COUNTY OF WESTCHSTER)

On this, the 18th day of June, 2010, before me, the undersigned Notary Public in and for said County and State, appeared **Louis R. Cappelli** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the entity on behalf of which he acted, executed the instrument.

WITNESS my hand and official seal.

 _____

ANN FARRISSEY CARLSON
Notary Public, State of New York
No. 4935571
Qualified in Westchester County
Commission Expires 6/06/2014

EXHIBIT "A"

**TO WARRANTY DEED
(in lieu of foreclosure)
Legal Description**

(Legal Description of Resort Property)

LEGAL DESCRIPTION OF KEYBANK PARCELS

PARCEL 'A'

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'A' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point at the northwest corner of lands now or formerly of Irving Cohen and running northerly along the westerly line of aforementioned Cohen, North 15°59'50" East, a distance of 370.99 feet to an intersection of stonewalls on the division line between the Town of Fallsburg on the north and the Town of Thompson on the south and continuing along same, South 69°17'00" East, a distance of 1074.74 feet;

THENCE South 02°28'00" West, a distance of 218.80 feet to the aforementioned northerly line of County Route No. 109 also known as Kiamesha Lake Road and continuing along same, North 87°32'00" West, a distance of 388.63 feet;

THENCE North 03°12'00" East, a distance of 150.00 feet;

THENCE North 86°48'00" West, a distance of 300.00 feet;

THENCE South 03°12'00" West, a distance of 150.00 feet to the aforementioned northerly line of County Route No. 109 also known as Kiamesha Lake Road and continuing along same, North 88°00'00" West, a distance of 315.50 feet to the easterly line of aforementioned Cohen, and continuing along same, North 28°46'00" East, a distance of 218.01 feet to the northerly line of Cohen and continuing along same, North 88°07'00" West, a distance of 200.00 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 351687 square feet; or 8.074 acres of land more or less.

SAID parcel being known as Section 15 Block 1 Lot(s) 4 and part of 12.1 of the Town of Thompson Tax Maps.

PARCEL 'B'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'B' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point on the northerly line of County Route No. 109 also known as Kiamesha Lake Road and continuing along same, North 86°58'52" West, a distance of 261.00 feet;

THENCE North 25°21'14" East, a distance of 60.54 feet;

THENCE South 89°15'55" East, a distance of 25.02 feet;

THENCE South 79°46'52" East, a distance of 51.91 feet;

THENCE South 71°52'06" East, a distance of 55.54 feet and

THENCE South 68°31'20" East, a distance of 113.73 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 9086 square feet; or 0.209 acres of land more or less.

SAID parcel being known as Section 15 Block 1 Lot 49 of the Town of Thompson Tax Maps.

PARCEL 'C'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'C' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at the intersection of the southerly line of County Route No. 109 also known as Kiamesha Lake Road and the centerline of County Route 182 also known as Concord Road and continuing along the aforementioned southerly line of County Route No. 109 also known as Kiamesha Lake Road the following nine (9) courses and distances;

1) South 87°35'17" East, a distance of 150.86 feet,

- 2) South 88°28'17" East, a distance of 94.01 feet,
- 3) South 87°52'17" East, a distance of 70.39 feet,
- 4) South 86°57'17" East, a distance of 147.30 feet,
- 5) South 86°32'17" East, a distance of 200.40 feet,
- 6) South 86°51'17" East, a distance of 310.71 feet,
- 7) South 87°19'17" East, a distance of 467.40 feet,
- 8) South 86°52'59" East, a distance of 289.67 feet and
- 9) South 77°47'08" East, a distance of 482.81 feet to a point on the division line between the Town of Fallsburg on the north and the Town of Thompson on the south;

CONTINUING along same the following two (2) courses and distances;

- 1) South 68°45'29" East, a distance of 959.75 feet and
- 2) South 69°00'29" East, a distance of 1223.13 feet to the approximate centerline of the West Branch of Sheldrake Stream;

CONTINUING along same the following twenty-nine (29) courses and distances;

- 1) South 07°51'27" East, a distance of 30.42 feet,
- 2) South 19°46'28" East, a distance of 354.20 feet,
- 3) South 37°38'32" East, a distance of 180.68 feet,
- 4) South 22°37'10" East, a distance of 96.91 feet,
- 5) South 11°59'08" East, a distance of 366.93 feet,
- 6) South 43°11'52" East, a distance of 95.64 feet,
- 7) South 67°43'50" East, a distance of 102.99 feet,
- 8) South 61°57'30" East, a distance of 72.30 feet,
- 9) South 06°47'30" East, a distance of 86.33 feet,
- 10) South 28°46'20" West, a distance of 67.03 feet,
- 11) South 06°51'14" East, a distance of 28.12 feet,
- 12) South 37°49'38" East, a distance of 118.30 feet,
- 13) South 25°10'27" East, a distance of 89.74 feet,
- 14) South 07°26'20" East, a distance of 120.14 feet,
- 15) South 01°55'56" East, a distance of 423.06 feet,

- 16) South 21°42'05" East, a distance of 166.05 feet,
- 17) South 03°21'10" East, a distance of 71.11 feet,
- 18) South 33°47'03" East, a distance of 160.33 feet,
- 19) South 89°11'55" East, a distance of 80.45 feet,
- 20) South 42°01'43" East, a distance of 134.90 feet,
- 21) South 18°46'10" West, a distance of 14.55 feet,
- 22) South 13°35'40" East, a distance of 75.29 feet,
- 23) South 00°58'26" West, a distance of 234.27 feet,
- 24) South 08°53'16" West, a distance of 119.20 feet,
- 25) South 10°00'15" East, a distance of 241.24 feet,
- 26) South 29°19'03" East, a distance of 323.51 feet,
- 27) South 23°33'36" East, a distance of 286.99 feet,
- 28) South 07°03'12" East, a distance of 111.94 feet and
- 29) South 18°55'17" East, a distance of 83.94 feet;

THENCE South 58°40'39" East, a distance of 405.38 feet;

THENCE North 61°21'13" East, a distance of 233.12 feet;

THENCE North 62°05'14" East, a distance of 187.14 feet;

THENCE North 62°17'11" East, a distance of 452.54 feet to the westerly line of County Route 161 also known as Heiden Road and continuing along same, South 37°52'19" East, a distance of 50.80 feet;

THENCE South 62°17'11" West, a distance of 461.21 feet;

THENCE South 62°05'04" West, a distance of 186.93 feet;

THENCE South 61°21'21" West, a distance of 255.70 feet to the division line of lot 18 on the north & lot 17 on the south of Great Lot 1 of the Hardenburgh Patent;

CONTINUING along same the following two (2) courses and distances;

1) North 69°23'31" West, a distance of 976.04 feet and

2) North 68°34'41" West, a distance of 1289.25 feet;

THENCE South 16°09'30" West, a distance of 3187.18 feet to the centerline of Thompsonville Road;

CONTINUING along same the following two (2) courses and distances;

1) South 85°20'09" West, a distance of 128.96 feet and

2) North 84°52'46" West, a distance of 67.00 feet;

THENCE crossing Thompsonville Road, South 15°41'46" West, a distance of 28.03 feet to the southerly line of Thompsonville Road and continuing along same, North 69°20'00" West, a distance of 550.03 feet;

THENCE South 15°32'37" West, a distance of 1016.98 feet;

THENCE North 70°08'54" West, a distance of 578.31 feet;

THENCE North 70°38'25" West, a distance of 123.87 feet;

THENCE South 16°14'12" West, a distance of 490.46 feet;

THENCE North 70°46'13" West, a distance of 302.97 feet to the centerline of Joyland Road;

CONTINUING along same the following seven (7) courses and distances;

1) South 14°20'03" West, a distance of 18.77 feet,

2) South 16°28'56" West, a distance of 84.25 feet,

3) South 18°49'49" West, a distance of 297.65 feet,

4) South 15°24'28" West, a distance of 327.46 feet,

5) South 14°13'43" West, a distance of 265.48 feet,

6) South 16°08'03" West, a distance of 387.79 feet and

7) South 16°01'34" West, a distance of 481.21 feet;

THENCE North 69°09'17" West, a distance of 660.73 feet;

THENCE South 27°05'36" West, a distance of 751.68 feet;

THENCE South 70°46'12" East, a distance of 804.61 feet to the aforementioned centerline of Joyland Road and continuing along same, South 16°44'54" West, a distance of 271.95 feet;

THENCE North 70°48'02" West, a distance of 1621.89 feet;

THENCE North 17°15'50" East, a distance of 272.71 feet;

THENCE North 69°58'30" West, a distance of 332.95 feet;

THENCE North 15°39'20" East, a distance of 2056.61 feet;

THENCE South 67°17'34" East, a distance of 435.20 feet;

THENCE North 23°18'44" East, a distance of 2114.90 feet to the division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 69°20'00" East, a distance of 589.67 feet;

THENCE North 16°45'00" East, a distance of 563.00 feet;

THENCE South 69°20'00" East, a distance of 350.00 feet;

THENCE South 16°45'00" West, a distance of 563.00 feet to the aforementioned division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, crossing Joyland Road, South 69°20'00" East, a distance of 564.60 feet;

THENCE North 15°59'14" East, a distance of 653.60 feet;

THENCE North 85°20'05" West, a distance of 247.96 feet to the centerline of Chalet Road;

CONTINUING along same the following twelve (12) courses and distances;

- 1) North 00°40'40" West, a distance of 125.64 feet,
- 2) North 01°59'27" West, a distance of 196.51 feet,
- 3) North 07°40'03" West, a distance of 106.27 feet,
- 4) North 10°12'53" West, a distance of 133.06 feet,
- 5) North 14°05'26" West, a distance of 136.10 feet,
- 6) North 13°16'52" West, a distance of 128.93 feet,
- 7) North 11°36'18" West, a distance of 67.40 feet,
- 8) North 10°32'39" West, a distance of 112.26 feet,
- 9) North 13°47'29" West, a distance of 68.81 feet,
- 10) North 20°23'04" West, a distance of 43.72 feet,
- 11) North 29°01'32" West, a distance of 43.33 feet and
- 12) North 32°24'55" West, a distance of 86.74 feet;

THENCE South 67°53'33" East, a distance of 1006.08 feet;

THENCE North 15°18'26" East, a distance of 1677.94 feet to the aforementioned division line of lot 18 on the north & lot 17 on the south of Great Lot 1 of the Hardenburgh Patent and continuing along same, South 69°25'51" East, a distance of 729.84 feet;

THENCE North 20°34'10" East, a distance of 1089.00 feet;

THENCE North 69°40'38" West, a distance of 1198.83 feet;

THENCE South 20°34'08" West, a distance of 1083.29 feet to the aforementioned division line of lot 18 on the north & lot 17 on the south of Great Lot 1 of the Hardenburgh Patent and continuing along same, North 69°20'22" West, a distance of 1198.32 feet to the approximate centerline of Kiamesha Creek;

CONTINUING along same the following fourteen (14) courses and distances;

- 1) South 38°43'45" West, a distance of 139.26 feet,
- 2) South 19°47'40" West, a distance of 29.74 feet,
- 3) South 27°06'36" West, a distance of 257.65 feet,
- 4) South 17°55'47" West, a distance of 156.34 feet,
- 5) South 07°15'06" West, a distance of 139.27 feet,
- 6) South 04°52'16" East, a distance of 73.96 feet,
- 7) South 34°58'29" West, a distance of 113.94 feet,
- 8) South 06°32'37" West, a distance of 40.45 feet,
- 9) South 04°27'53" East, a distance of 193.59 feet,
- 10) South 21°29'55" West, a distance of 59.40 feet,
- 11) South 42°46'43" West, a distance of 99.24 feet,
- 12) South 48°59'16" West, a distance of 127.61 feet,
- 13) South 67°35'53" West, a distance of 170.27 feet and
- 14) South 55°07'46" West, a distance of 165.72 feet;

THENCE North 67°53'33" West, a distance of 1819.46 feet to the division line of lot 25 on the west & lot 17 on the east of Great Lot 1 of the Hardenburgh Patent and continuing along same, South 15°30'21" West, a distance of 1710.73 feet to the aforementioned division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 69°24'26" East, a distance of 235.78 feet;

THENCE South 41°39'10" West, a distance of 687.06 feet;

THENCE North 72°01'55" West, a distance of 982.75 feet;

THENCE North 76°39'59" East, a distance of 232.83 feet;

THENCE North 73°01'32" East, a distance of 176.88 feet;

THENCE North 41°17'23" East, a distance of 85.80 feet;

THENCE North 71°01'59" West, a distance of 1320.42 feet to the centerline of Rock Ridge Road;

CONTINUING along same the following four (4) courses and distances;

1) North 28°37'25" East, a distance of 100.70 feet,

2) North 26°34'44" East, a distance of 96.63 feet,

3) North 24°04'40" East, a distance of 150.63 feet and

4) North 17°53'01" East, a distance of 65.77 feet to the aforementioned division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 68°21'00" East, a distance of 340.87 feet;

THENCE North 17°31'14" East, a distance of 340.63 feet;

THENCE North 73°19'53" West, a distance of 338.06 feet to the aforementioned centerline of Rock Ridge Road;

CONTINUING along same the following two (2) courses and distances;

1) North 17°53'01" East, a distance of 355.39 feet and

2) North 16°35'59" East, a distance of 436.20 feet;

THENCE South 74°29'17" East, a distance of 157.89 feet;

THENCE North 16°07'09" East, a distance of 150.00 feet;

THENCE North 74°29'14" West, a distance of 157.90 feet to the aforementioned centerline of Rock Ridge Road and continuing along same, North 15°53'56" East, a distance of 136.87 feet;

THENCE South 70°39'43" East, a distance of 669.63 feet;

THENCE North 16°28'02" East, a distance of 304.22 feet;

THENCE South 68°26'44" East, a distance of 292.93 feet;

THENCE North 30°13'30" East, a distance of 650.09 feet;

THENCE North 22°16'58" East, a distance of 484.81 feet;

THENCE North 56°04'23" West, a distance of 458.00 feet;

THENCE North 53°40'37" East, a distance of 178.00 feet;

THENCE North 51°04'23" West, a distance of 185.71 feet to the westerly line of County

Route 182 also known as Concord Road;

CONTINUING along same the following two (2) courses and distances;

- 1) North 57°58'49" East, a distance of 169.61 feet and
- 2) North 58°05'21" East, a distance of 483.00 feet;

THENCE North 23°40'50" West, a distance of 30.52 feet to the centerline of
aforementioned County Route 182 also known as Concord Road;

CONTINUING along same the following seven (7) courses and distances;

- 1) North 67°03'00" East, a distance of 444.34 feet,
- 2) North 62°36'00" East, a distance of 547.50 feet,
- 3) North 53°39'40" East, a distance of 78.54 feet,
- 4) North 40°11'42" East, a distance of 604.35 feet,
- 5) North 39°59'49" East, a distance of 230.03 feet to a point of curvature,
- 6) Along the curve to the left having a radius of 410.28 feet and an arc length of
262.55 feet to a point of tangency and
- 7) North 05°59'34" East, a distance of 438.84 feet to the **POINT AND PLACE**

OF BEGINNING.

CONTAINING an area of 39529000 square feet; or 907.461 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 12, 19.1, 20.1, 20.2, 20.3, & 22
and Section 15 Block 1 Lot(s) 11.1, 11.2, part of 12.1, 14.1, 14.2, 18, 19, 22, 24, 25, 35.7, & 51,
{and Section 23 Block 1 Lot (s) 53, 54.1, 54.2, 54.3, 54.4, 55, & 61.2, and Section 23 Block 2
Lot(s) 2, 3, 4, & 6 and Section 9 Block 1 Lot 35 & part of lot 34.1 of the Town of Thompson Tax
Maps.

PARCEL 'D'

ALSO all that certain parcel of land located in the Town of Thompson,
Sullivan County, New York designated as Parcel 'D' and shown on a map entitled
"Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The
Town Of Thompson, County Of Sullivan, State Of New York, dated August 15,
2008" which is more particularly bounded and described as follows:

BEGINNING at a point on the northerly line of Route 17 said point being the

southwesterly corner of the herein described parcel;

THENCE North 33°01'47" East, a distance of 114.87 feet;

THENCE North 36°16'31" East, a distance of 171.17 feet;

THENCE North 38°56'55" East, a distance of 77.89 feet;

THENCE South 67°02'55" East, a distance of 228.06 feet;

THENCE South 14°17'23" West, a distance of 119.41 feet;

THENCE North 81°01'23" East, a distance of 79.55 feet;

THENCE North 06°19'11" East, a distance of 80.05 feet;

THENCE South 67°58'37" East, a distance of 103.34 feet;

THENCE North 17°58'32" East, a distance of 107.66 feet;

THENCE North 67°58'33" West, a distance of 100.13 feet;

THENCE North 67°23'11" West, a distance of 63.12 feet;

THENCE North 64°51'55" West, a distance of 144.18 feet;

THENCE North 18°26'38" East, a distance of 165.68 feet;

THENCE South 70°47'00" East, a distance of 629.23 feet;

THENCE South 15°13'50" West, a distance of 884.24 feet to the aforementioned

northerly line of Route 17;

CONTINUING along same the following three (3) courses and distances;

1) North 45°42'43" West, a distance of 342.37 feet,

2) South 86°50'05" West, a distance of 124.64 feet and

3) North 50°59'54" West, a distance of 479.89 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 520504 square feet; or 11.949 acres of land more or less.

SAID parcel being known as Section 23 Block 1 Lot 11.3 of the Town of Thompson Tax Maps.

EXCEPTING AND EXCLUDING therefrom that portion or portions described in the following deeds:

1) DEED from Concord Associates LP to the Jewish General Aid Association dated April 26, 2000 and recorded May 10, 2000 in Liber 2187 Cp. 598; and

2) DEED from Concord Associates LP to Congregation Haaves Zion Anane dated April 26, 2000 and recorded May 10, 2000 in Liber 2187 Cp. 600.

PARCEL 'E'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'E' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point in the centerline of Rock Ridge Road and continuing along same, North 12°11'00" East, a distance of 99.00 feet;

THENCE North 21°26'00" West, a distance of 229.50 feet;

THENCE North 14°28'00" West, a distance of 105.60 feet;

THENCE North 12°28'00" West, a distance of 184.80 feet;

THENCE North 10°28'00" East, a distance of 237.60 feet;

THENCE South 70°32'00" East, a distance of 264.00 feet;

THENCE South 12°30'00" West, a distance of 151.27 feet to the aforementioned centerline of Rock Ridge Road;

CONTINUING along same the following sixteen (16) courses and distances;

- 1) North 22°28'00" East, a distance of 75.40 feet,
- 2) North 46°24'00" East, a distance of 27.04 feet,
- 3) North 72°54'00" East, a distance of 43.14 feet,
- 4) South 81°43'00" East, a distance of 67.14 feet,
- 5) South 73°14'00" East, a distance of 289.34 feet,
- 6) South 75°51'00" East, a distance of 68.05 feet,
- 7) South 84°49'00" East, a distance of 50.34 feet,
- 8) North 81°35'00" East, a distance of 60.00 feet,
- 9) North 70°47'00" East, a distance of 79.33 feet,
- 10) North 66°32'00" East, a distance of 182.90 feet,
- 11) North 73°27'13" East, a distance of 174.23 feet,
- 12) North 67°46'00" East, a distance of 83.24 feet,

- 13) North 61°13'00" East, a distance of 53.40 feet,
- 14) North 56°52'00" East, a distance of 215.00 feet,
- 15) North 53°01'00" East, a distance of 59.26 feet and
- 16) North 41°58'00" East, a distance of 20.18 feet;

THENCE South 41°52'00" East, a distance of 119.70 feet;

THENCE South 03°05'00" East, a distance of 247.00 feet;

THENCE South 48°18'00" East, a distance of 290.40 feet;

THENCE South 33°18'00" East, a distance of 585.14 feet;

THENCE North 87°26'00" East, a distance of 580.80 feet;

THENCE South 47°48'00" East, a distance of 436.18 feet;

THENCE South 05°50'00" West, a distance of 206.87 feet to the centerline of

Thompsonville Road;

CONTINUING along same the following eight (8) courses and distances;

- 1) South 57°40'00" West, a distance of 217.01 feet,
- 2) South 53°43'00" West, a distance of 308.21 feet,
- 3) South 57°13'00" West, a distance of 120.01 feet,
- 4) South 62°13'00" West, a distance of 84.37 feet,
- 5) South 67°33'00" West, a distance of 118.37 feet,
- 6) South 73°16'00" West, a distance of 105.51 feet,
- 7) South 74°50'00" West, a distance of 176.54 feet and
- 8) South 71°30'00" West, a distance of 44.45 feet;

THENCE North 70°35'00" West, a distance of 342.75 feet to the approximate centerline of Kiamesha Creek;

CONTINUING along same the following twenty-one (21) courses and distances;

- 1) North 05°12'00" East, a distance of 22.25 feet,
- 2) North 27°03'00" West, a distance of 58.11 feet,
- 3) North 60°55'00" West, a distance of 106.35 feet,
- 4) North 03°56'00" West, a distance of 79.16 feet,
- 5) North 14°34'00" East, a distance of 66.29 feet,

- 6) North 09°00'00" East, a distance of 47.48 feet,
- 7) North 73°23'00" West, a distance of 48.67 feet,
- 8) North 42°22'00" West, a distance of 216.20 feet,
- 9) North 18°43'00" West, a distance of 85.50 feet,
- 10) North 57°36'00" West, a distance of 23.87 feet,
- 11) North 16°36'00" West, a distance of 124.81 feet,
- 12) North 61°36'00" West, a distance of 234.42 feet,
- 13) North 34°12'00" West, a distance of 46.51 feet,
- 14) North 52°42'00" West, a distance of 39.74 feet,
- 15) North 82°49'00" West, a distance of 51.64 feet,
- 16) South 56°38'00" West, a distance of 83.88 feet,
- 17) South 61°46'00" West, a distance of 59.64 feet,
- 18) North 79°29'00" West, a distance of 146.23 feet,
- 19) North 87°37'00" West, a distance of 62.61 feet,
- 20) North 83°35'00" West, a distance of 63.60 feet and
- 21) South 69°03'00" West, a distance of 64.15 feet;

THENCE North 75°37'00" West, a distance of 518.08 feet;

THENCE North 82°16'00" West, a distance of 30.01 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 2869835 square feet; or 65.882 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot 25 of the Town of Thompson Tax
Maps. *L (NKA) Lts 25.1, 25.2, 25.3*

PARCEL 'F'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'F' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows.

BEGINNING at a point in the centerline of Rock Ridge Road said point being the northwesterly corner of the herein described parcel;

THENCE South 65°52'50" East, a distance of 225.51 feet;

THENCE South 19°07'10" West, a distance of 100.00 feet;

THENCE North 65°52'50" West, a distance of 222.29 feet to the aforementioned the centerline of Rock Ridge Road and continuing along same, North 17°17'17" East, a distance of 100.33 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 22305 square feet; or 0.512 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot 17 of the Town of Thompson Tax Maps.

PARCEL 'G'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'G' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows.

BEGINNING on the southerly line of County Route 182 also known as Concord Road and continuing along same, South 85°04'00" East, a distance of 200.00 feet;

THENCE South 34°56'00" West, a distance of 199.73 feet;

THENCE North 85°08'00" West, a distance of 200.13 feet;

THENCE North 34°56'00" East, a distance of 200.00 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 34618 square feet; or 0.795 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot 45 of the Town of Thompson Tax Maps.

PARCEL 'H'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'H' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING on the southerly line of County Route 182 also known as Concord Road;

THENCE South 34°56'00" West, a distance of 116.09 feet;

THENCE South 46°04'00" West, a distance of 260.04 feet;

THENCE South 48°10'00" West, a distance of 184.80 feet;

THENCE North 73°06'00" West, a distance of 377.70 feet;

THENCE North 03°57'00" East, a distance of 381.78 feet to the southerly line of County Route 182 also known as Concord Road;

CONTINUING along same the following five (5) courses and distances;

1) North 84°52'00" East, a distance of 162.27 feet,

2) South 86°57'00" East, a distance of 89.02 feet,

3) South 88°51'00" East, a distance of 279.54 feet,

4) South 81°36'00" East, a distance of 64.72 feet and

5) South 56°51'00" East, a distance of 158.26 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 270464 square feet; or 6.209 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 5 and 7 of the Town of Thompson Tax Maps.

LEGAL DESCRIPTION OF JEFFERSON BANK PARCELS

PARCEL 'J'

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'J' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point on the southerly line of Thompsonville Road and continuing along same the following four (4) courses and distances;

1) South 85°12'38" East, a distance of 37.41 feet,

2) North 84°27'33" East, a distance of 241.27 feet,

3) North 82°57'33" East, a distance of 200.00 feet and

4) North 86°35'33" East, a distance of 194.71 feet;

THENCE South 16°35'33" West, a distance of 307.88 feet to the division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 69°34'27"

East, a distance of 653.27 feet;

THENCE South 17°11'33" West, a distance of 2648.90 feet;

THENCE North 67°54'27" West, a distance of 1245.00 feet;

THENCE South 15°35'33" West, a distance of 49.50 feet;

THENCE North 70°13'44" West, a distance of 313.98 feet;

THENCE North 69°09'44" West, a distance of 77.20 feet;

THENCE North 70°16'44" West, a distance of 734.96 feet;

THENCE North 12°21'46" East, a distance of 768.77 feet;

THENCE North 74°15'13" West, a distance of 441.87 feet to the centerline of Joyland

Road;

CONTINUING along same the following four (4) courses and distances;

1) North 15°24'28" East, a distance of 31.31 feet,

2) North 18°49'49" East, a distance of 297.65 feet,

3) North 16°28'56" East, a distance of 84.25 feet and

4) North 14°20'03" East, a distance of 18.77 feet;

THENCE South 70°46'13" East, a distance of 302.97 feet;

THENCE North 16°14'12" East, a distance of 490.46 feet;

THENCE South 70°38'25" East, a distance of 123.87 feet;

THENCE South 70°08'54" East, a distance of 578.31 feet;

THENCE South 70°51'44" East, a distance of 595.00 feet;

THENCE South 16°37'16" West, a distance of 635.00 feet;

THENCE South 67°34'24" East, a distance of 356.90 feet;

THENCE North 15°35'33" East, a distance of 850.00 feet;

THENCE North 65°39'27" West, a distance of 400.00 feet;

THENCE North 20°35'33" East, a distance of 410.00 feet;

THENCE South 66°54'27" East, a distance of 54.00 feet;

THENCE North 13°35'33" East, a distance of 383.91 feet to the **POINT AND PLACE**

OF BEGINNING.

CONTAINING an area of 5316770 square feet; or 122.056 acres of land more or less.

SAID parcel being known as Section 23 Block 2 Lot(s) 8 & 10 of the Town of Thompson Tax Maps.

PARCEL 'K'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'K' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point in the centerline of Kiamesha Creek and continuing along same the following fourteen (14) courses and distances;

- 1) South 52°42'00" East, a distance of 18.14 feet,
- 2) South 34°12'00" East, a distance of 46.51 feet,
- 3) South 61°36'00" East, a distance of 234.42 feet,
- 4) South 16°36'00" East, a distance of 124.81 feet,
- 5) South 57°36'00" East, a distance of 23.87 feet,
- 6) South 18°43'00" East, a distance of 85.50 feet,
- 7) South 42°22'00" East, a distance of 216.20 feet,
- 8) South 73°23'00" East, a distance of 48.67 feet,
- 9) South 09°00'00" West, a distance of 47.48 feet,
- 10) South 14°34'00" West, a distance of 66.29 feet,
- 11) South 03°56'00" East, a distance of 79.16 feet,
- 12) South 60°55'00" East, a distance of 106.35 feet,
- 13) South 27°03'00" East, a distance of 58.11 feet and
- 14) South 05°12'00" West, a distance of 22.25 feet;

THENCE North 70°47'00" West, a distance of 859.24 feet;

THENCE North 18°08'37" East, a distance of 611.20 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 314001 square feet; or 7.208 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot 26.2 of the Town of Thompson Tax Maps.

PARCEL 'L'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'L' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point at the intersection of the westerly line of County Route 42 and the northerly line of County Route 182 also known as Concord Road and continuing along said Concord Road, South 89°18'49" West, a distance of 86.34 feet;

THENCE North 00°08'49" East, a distance of 200.00 feet;

THENCE North 89°51'11" West, a distance of 225.42 feet;

THENCE North 16°16'49" East, a distance of 664.72 feet;

THENCE North 48°30'11" West, a distance of 52.14 feet;

THENCE North 36°30'11" West, a distance of 25.08 feet;

THENCE North 24°00'11" West, a distance of 36.96 feet;

THENCE North 37°30'11" West, a distance of 29.70 feet;

THENCE North 11°59'11" West, a distance of 39.60 feet;

THENCE North 27°29'11" West, a distance of 48.18 feet;

THENCE North 37°29'11" West, a distance of 38.94 feet;

THENCE North 38°29'11" West, a distance of 47.52 feet;

THENCE North 20°59'11" West, a distance of 54.78 feet;

THENCE North 09°29'11" West, a distance of 79.20 feet;

THENCE North 01°02'11" West, a distance of 66.00 feet;

THENCE South 58°59'11" East, a distance of 284.46 feet;

THENCE South 14°46'11" East, a distance of 83.08 feet;

THENCE North 63°59'49" East, a distance of 271.11 feet to the aforementioned westerly line of County Route 42;

CONTINUING along same the following eight (8) courses and distances;

1) South 18°19'11" East, a distance of 40.96 feet,

2) South 63°59'49" West, a distance of 18.62 feet,

- 3) South 12°39'11" East, a distance of 292.92 feet,
- 4) South 16°09'49" West, a distance of 97.90 feet,
- 5) South 12°03'49" West, a distance of 90.86 feet,
- 6) South 13°27'49" West, a distance of 107.88 feet,
- 7) South 09°44'49" West, a distance of 431.00 feet and
- 8) South 33°58'49" West, a distance of 170.03 feet to the **POINT AND PLACE**

OF BEGINNING.

CONTAINING an area of 420400 square feet; or 9.651 acres of land more or less.

SAID parcel being known as Section 13 Block 1 Lot(s) 28 & 53 of the Town of Thompson Tax Maps.

LEGAL DESCRIPTION OF COUNTRY BANK PARCELS

PARCEL 'M'

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'M' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at the intersection of the easterly line of County Route 42 and the northerly line of County Route 182 also known as Concord Road and continuing along said Concord Road the following three (3) courses and distances;

- 1) North 79°36'15" East, a distance of 308.82 feet,
- 2) North 85°45'15" East, a distance of 322.14 feet and
- 3) North 85°17'15" East, a distance of 364.37 feet;

THENCE South 14°04'15" West, a distance of 316.28 feet;

THENCE South 18°01'15" West, a distance of 513.13 feet;

THENCE North 60°29'45" West, a distance of 319.98 feet;

THENCE South 86°27'03" West, a distance of 235.46 feet;

THENCE South 28°40'03" West, a distance of 23.97 feet;

THENCE North 60°29'45" West, a distance of 526.32 feet to the aforementioned easterly line of County Route 42;

CONTINUING along same the following two (2) courses and distances;

1) North $41^{\circ}48'15''$ East, a distance of 97.37 feet and

2) North $35^{\circ}35'15''$ East, a distance of 284.65 feet to the **POINT AND PLACE**

OF BEGINNING.

CONTAINING an area of 601003 square feet; or 13.797 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 2.1 & 2.2 of the Town of Thompson Tax Maps.

PARCEL 'N'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'N' and shown on a map entitled "Map of Parcels Prepared For Concord Resort, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point on the northerly line of County Route No. 109 also known as Kiamesha Lake Road at the southwest corner of lands now or formerly of Irving Cohen and continuing along the westerly line of said lands now or formerly of Cohen, North $15^{\circ}59'50''$ East, a distance of 199.10 feet;

THENCE South $88^{\circ}07'00''$ East, a distance of 200.00 feet;

THENCE South $28^{\circ}46'00''$ West, a distance of 218.01 feet to the aforementioned northerly line of County Route No. 109 also known as Kiamesha Lake Road;

CONTINUING along same North $87^{\circ}35'51''$ West, a distance of 149.97 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 33954 square feet; or 0.779 acres of land more or less.

SAID parcel being known as Section 15 Block 1 Lot(s) 5 of the Town of Thompson Tax Maps.

115'
+5'-
250'-
(23)

EXHIBIT X
INSTRUMENT NO.
2011-8394
CURRENT DEED



SULLIVAN COUNTY – STATE OF NEW YORK
DANIEL L BRIGGS, COUNTY CLERK
100 NORTH STREET, MONTICELLO, NY 12701

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



RECEIPT NO. : 2011347826

Clerk: BG
Instr #: 2011-8394
Rec Date: 12/15/2011 03:30:42 PM
Doc Grp: RP
Descrip: DEED
Num Pgs: 8
Rec'd Frm: STEWART TITLE INSURANCE CO

Party1: FRIEDMAN MICAH CO EXECUTOR
Party2: EPT CONCORD II LLC
Town: THOMPSON

Recording:

Cover Page	5.00
Recording Fee	55.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 - County	9.00
RP5217 All others - State	241.00
Sub Total:	335.00
Transfer Tax	
Transfer Tax	37000.00
Mansion Tax	0.00
Sub Total:	37000.00
Total:	37335.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax# : 1214

Consideration: 9250000.00
Transfer Tax: 37000.00

I hereby certify that the within and foregoing was
recorded in the Sullivan County Clerk's Office

Record and Return To:

STEWART TITLE INSURANCE CO
707 WESTCHESTER AVENUE STE 411
WHITE PLAINS, NY 10604

A handwritten signature in cursive script that reads "Daniel L. Briggs".

Daniel L. Briggs
Sullivan County Clerk

THIS IS NOT AN INVOICE

①

ST11-12617

Deed Individual or Corporation (Single Sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT -- THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made as of the 7th day of December, 2011

BETWEEN MICAH FRIEDMAN and NEIL S. GOLDSTEIN, as co-executors of the last will and testament of Raymond Parker, deceased, having an address at c/o Robinson Brog Leinwand Greene Genovese & Gluck, P.C., 875 Third Avenue, 9th Floor, New York, New York 10022, party of the first part, and

NALOU REALTY CORP., a New York corporation, having an address at c/o Robinson Brog Leinwand Greene Genovese & Gluck, P.C., 875 Third Avenue, 9th Floor, New York, New York 10022, party of the second part, and

EPT CONCORD II, LLC, a Delaware limited liability company, having an address at 30 West Pershing Road, Suite 201, Kansas City, Missouri 64108, party of the third part,

WITNESSETH, that the PARTY OF THE FIRST PART, by virtue of the power and authority given in and by said last will and testament of Raymond Parker, deceased, and in consideration of SIX MILLION FOUR HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$6,475,000.00) paid to it by the PARTY OF THE THIRD PART, and the PARTY OF THE SECOND PART, in consideration of TWO MILLION SEVEN HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$2,775,000.00) paid to it by the PARTY OF THE THIRD PART, do hereby grant and release unto the PARTY OF THE THIRD PART, the successors and assigns of the PARTY OF THE THIRD PART forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Thompson, County of Sullivan and State of New York, bounded and described more particularly in Schedule A annexed hereto and made a part hereof,

TOGETHER with all right, title and interest, if any, of the party of the first part and the party of the second part in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part and the party of the second part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the third part, the heirs or successors and assigns of the party of the third part forever.

AND the party of the first part and the party of the second part, in compliance with Section 13 of the Lien Law, each covenants that it will receive the respective consideration paid to the party of the first part and the party of the second part for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

AND the party of the first part and the party of the second part each covenants that it has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part and the party of the second part have each duly executed this deed as of the day and year first above written.

IN PRESENCE OF:

Micah Friedman, Co-Executor of the
Estate of Raymond Parker, deceased

Neil S. Goldstein, Co-Executor of the
Estate of Raymond Parker, deceased

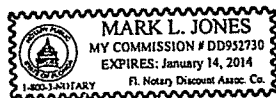
Nalou Realty Corp.

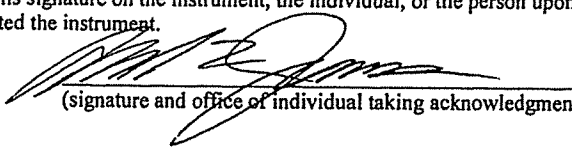
By: Neil S. Goldstein, President

Acknowledgment by a Person Outside New York State (RPL § 309-b)

STATE OF FLORIDA)
) ss.:
COUNTY OF Palm Beach)

On the 5 day of December in the year 2011, before me, the undersigned, personally appeared **Micah Friedman**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

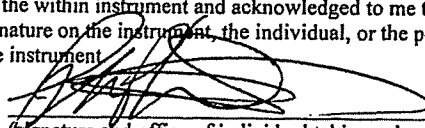



(signature and office of individual taking acknowledgment)

Acknowledgment by a Person Inside New York State (RPL § 309-b)

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

On the 7th day of December in the year 2011, before me, the undersigned, personally appeared **Neil S. Goldstein**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


(signature and office of individual taking acknowledgment)

PHILIP H THOMAS
Notary Public, State of New York
No. 02TH4835942
Qualified in Westchester County
Commission Expires July 31, 2013

DEED

**MICAH FRIEDMAN AND NEIL S. GOLDSTEIN,
AS CO-EXECUTORS OF THE ESTATE OF
RAYMOND PARKER, DECEASED, PARTY OF THE FIRST PART**

AND

NALOU REALTY CORP., PARTY OF THE SECOND PART

TO

EPT CONCORD II, LLC, PARTY OF THE THIRD PART

Town of Thompson

County of Sullivan

Section 9	Block 1	Lot 18.1
Section 13	Block 3	Lots 18 and 19.3
Section 15	Block 1	Lots 13, 15, 16, 17 and 50
Section 23	Block 1	Lots 48 and 52

Record + Return to:
Catherine M Hauber Esq
Sharon Morrison
Heck & LLP
1201 Walnut St. Ste 2900
Kansas mo 64106

- 1) North 55°07'46" East, a distance of 165.72 feet,
- 2) North 67°35'53" East, a distance of 170.27 feet,
- 3) North 48°59'16" East, a distance of 127.61 feet,
- 4) North 42°46'43" East, a distance of 99.24 feet,
- 5) North 21°29'55" East, a distance of 59.40 feet,
- 6) North 04°27'53" West, a distance of 193.59 feet,
- 7) North 06°32'37" East, a distance of 40.45 feet,
- 8) North 34°58'29" East, a distance of 113.94 feet,
- 9) North 04°52'16" West, a distance of 73.96 feet,
- 10) North 07°15'06" East, a distance of 139.27 feet,
- 11) North 17°55'47" East, a distance of 156.34 feet,
- 12) North 27°06'36" East, a distance of 257.65 feet,
- 13) North 19°47'40" East, a distance of 29.74 feet and
- 14) North 38°43'45" East, a distance of 139.26 feet to the division line of lot 18 on the north & lot 17 on the south of Great Lot 1 of the Hardenburgh Patent and continuing along same, South 69°20'22" East, a distance of 1198.32 feet;

THENCE North 20°34'08" East, a distance of 1083.29 feet;

THENCE South 69°40'38" East, a distance of 1198.83 feet;

THENCE South 20°34'10" West, a distance of 1089.00 feet to the aforementioned division line of lot 18 on the north & lot 17 on the south of Great Lot 1 of the Hardenburgh Patent and continuing along same, North 69°25'51" West, a distance of 729.84 feet;

THENCE South 15°18'26" West, a distance of 1677.94 feet;

THENCE North 67°53'33" West, a distance of 1006.08 feet to the centerline of Chalet Road;

CONTINUING along same the following sixteen (16) courses and distances;

- 1) South 32°24'55" East, a distance of 86.74 feet,
- 2) South 29°01'32" East, a distance of 43.33 feet,
- 3) South 20°23'04" East, a distance of 43.72 feet,
- 4) South 13°47'29" East, a distance of 68.81 feet,
- 5) South 10°32'39" East, a distance of 112.26 feet,
- 6) South 11°36'18" East, a distance of 67.40 feet,
- 7) South 13°16'52" East, a distance of 128.93 feet,
- 8) South 14°05'26" East, a distance of 136.10 feet,
- 9) South 10°12'53" East, a distance of 133.06 feet,
- 10) South 07°40'03" East, a distance of 106.27 feet,
- 11) South 01°59'27" East, a distance of 196.51 feet,
- 12) South 00°40'40" East, a distance of 125.64 feet,
- 13) South 05°33'03" West, a distance of 70.28 feet,
- 14) South 12°33'45" West, a distance of 86.60 feet,
- 15) South 16°40'34" West, a distance of 100.27 feet and
- 16) South 17°16'08" West, a distance of 330.03 feet to the aforementioned division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, North 69°20'00" West, a distance of 330.00 feet;

THENCE North 16°45'00" East, a distance of 563.00 feet;

THENCE North 69°20'00" West, a distance of 350.00 feet;

THENCE South 16°45'00" West, a distance of 563.00 feet to the aforementioned division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, North 69°20'00" West, a distance of 589.67 feet;

THENCE South 23°18'44" West, a distance of 2114.90 feet;

THENCE North 67°17'34" West, a distance of 435.20 feet;

THENCE South 15°39'20" West, a distance of 566.94 feet;

THENCE North 70°16'15" West, a distance of 1494.90 feet;

THENCE South 15°13'50" West, a distance of 1100.22 feet;

THENCE North 70°31'44" West, a distance of 1209.71 feet to the northerly line of Route 17;

CONTINUING along same the following two (2) courses and distances;

North 41°35'52" West, a distance of 414.77 feet and

North 45°42'43" West, a distance of 29.98 feet;

THENCE North 15°13'50" East, a distance of 884.24 feet;

THENCE South 70°47'00" East, a distance of 161.39 feet;

THENCE South 70°35'00" East, a distance of 342.75 feet to the centerline of Thompsonville Road;

CONTINUING along same the following eight (8) courses and distances;

- 1) North 71°30'00" East, a distance of 44.45 feet,
- 2) North 74°50'00" East, a distance of 176.54 feet,
- 3) North 73°16'00" East, a distance of 105.51 feet,
- 4) North 67°33'00" East, a distance of 118.37 feet,
- 5) North 62°13'00" East, a distance of 84.37 feet,
- 6) North 57°13'00" East, a distance of 120.01 feet,
- 7) North 53°43'00" East, a distance of 308.21 feet and
- 8) North 57°40'00" East, a distance of 573.41 feet to the POINT AND PLACE OF BEGINNING.

CONTAINING an area of 16,726,759 square feet; or 383.994 acres of land more or less.

SAID parcel being known as Section 15 Block 1 Lot(s) 13, 15, 16, 17, & 50 and Section 23 Block 1 Lot(s) 48 & 52 of the Town of Thompson Tax Maps.

PARCEL 'LH2'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'LH2' and shown on a map entitled "Map of Parcels Prepared for Concord Resort Property Holding LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 18, 2009" which is more particularly bounded and described as follows:

BEGINNING at the intersection the centerline of Rock Ridge Road and the southerly line of County Route 182 also known as Concord Road and continuing along said southerly line of County Route 182 also known as Concord Road the following six (6) courses and distances;

- 1) North 82°58'43" East, a distance of 120.00 feet,
- 2) North 68°30'54" East, a distance of 165.61 feet,
- 3) North 61°17'31" East, a distance of 89.00 feet,
- 4) North 48°54'38" East, a distance of 197.54 feet,
- 5) North 53°57'25" East, a distance of 216.00 feet and
- 6) North 57°58'49" East, a distance of 201.18 feet to the northwest corner of now or formerly Parker said point also being on the southerly line of the Harness Race Track Parcel 4 as shown on a map entitled "Amendment to Filed Lot Improvement / Consolidation Plan Prepared for Concord Associates, LP and Concord Resorts LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated May 11, 2009" filed in the Sullivan County Clerks Office on June 29, 2009 in Volume 12 at page 87;

CONTINUING along aforementioned southerly line of the Harness Race Track Parcel 4 the following three (3) courses and distances;

- 1) South 51°04'22" East, a distance of 185.72 feet,
- 2) South 53°40'37" West, a distance of 178.00 feet and
- 3) South 56°04'23" East, a distance of 458.00 feet;

THENCE South 22°16'58" West, a distance of 484.81 feet;

THENCE South 30°13'30" West, a distance of 650.09 feet;

THENCE North 68°26'44" West, a distance of 292.93 feet;

THENCE North 16°26'39" East, a distance of 25.78 feet;

THENCE North 70°39'48" West, a distance of 538.92 feet;

THENCE North 21°01'35" East, a distance of 67.91 feet;

THENCE South 66°30'26" East, a distance of 98.31 feet;

THENCE North 19°07'10" East, a distance of 200.00 feet;

THENCE North 65°52'50" West, a distance of 225.51 feet to the aforementioned centerline of Rock Ridge Road;

CONTINUING along same the following three (3) courses and distances;

- 1) North 17°17'23" East, a distance of 18.64 feet,
- 2) North 13°02'52" East, a distance of 201.98 feet and
- 3) North 10°36'45" East, a distance of 178.79 feet to the POINT AND PLACE OF BEGINNING.

CONTAINING an area of 1,126,189 square feet; or 25.854 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 18 and 19.3 of the Town of Thompson Tax Maps.

PARCEL 'LH3'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'LH3' and shown on a map entitled "Map of Parcels Prepared for Concord Resort Property Holding LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 18, 2009" which is more particularly bounded and described as follows:

BEGINNING at the southeasterly corner of the herein described parcel at a point in the northerly line of County Route 42 and continuing along same the following six (6) courses and distances:

- 1) South 64°34'59" West, a distance of 233.00 feet,
- 2) South 69°49'59" West, a distance of 352.00 feet,
- 3) South 72°19'59" West, a distance of 368.00 feet,
- 4) South 69°59'59" West, a distance of 450.00 feet,
- 5) South 73°44'59" West, a distance of 262.00 feet and
- 6) South 68°29'59" West, a distance of 343.07 feet;

THENCE North 07°40'01" West, a distance of 601.35 feet;

THENCE South 73°33'01" East, a distance of 502.00 feet;

THENCE North 69°41'59" East, a distance of 333.26 feet;

THENCE North 18°12'59" East, a distance of 185.00 feet;

THENCE North 69°58'59" East, a distance of 94.17 feet;

THENCE North 72°19'59" East, a distance of 352.00 feet;

THENCE North 69°49'59" East, a distance of 342.00 feet;

THENCE North 63°42'59" East, a distance of 531.56 feet;

THENCE South 11°04'59" West, a distance of 562.00 feet to the POINT AND PLACE OF BEGINNING.

CONTAINING an area of 876,964 square feet; or 20.132 acres of land more or less.

SAID parcel being known as Section 9 Block 1 Lot 18.1 of the Town of Thompson Tax Maps.

①
45
35
5
250
37,000

EXHIBIT XII
INSTRUMENT NO.
2013-8375
CURRENT DEED



SULLIVAN COUNTY - STATE OF NEW YORK
DANIEL L BRIGGS, COUNTY CLERK
100 NORTH STREET, MONTICELLO, NY 12701

COUNTY CLERK'S RECORDING PAGE
*****THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH*****



INSTRUMENT #: 2013-8375

Receipt#: 2013445009
 Clerk: KF
 Rec Date: 10/30/2013 02:36:54 PM
 Doc Grp: RP
 Descrip: DEED
 Num Pgs: 6
 Rec'd Frm: STTA

Party1: JOYLAND DEVELOPMENT LLC
 Party2: EPT CONCORD II LLC
 Town: THOMPSON

Recording:

Cover Page	5.00
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 200.00

Transfer Tax
 Transfer Tax 0.00

Sub Total: 0.00

Total: 200.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax #: 737

Transfer Tax

Consideration: 0.00

Total: 0.00

Record and Return To:

STTA
 P/U
 MONTICELLO NY 12701

I hereby certify that the within and foregoing was
 recorded in the Sullivan County Clerk's Office

Daniel L. Briggs

Daniel L. Briggs
 Sullivan County Clerk

THIS IS NOT AN INVOICE

Bargain & sale deed with covenant against grantor's acts.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 21st day of October, 2013
BETWEEN

JOYLAND DEVELOPMENT, LLC, a Delaware Limited Liability Company, with a principal place of business at 909 Walnut Street, Suite 200, Kansas City, MO 64106

party of the first part, and

EPT CONCORD II, LLC, a Delaware Limited Liability Company, with a principal place of business at 909 Walnut Street, Suite 200, Kansas City, MO 64106

party of the second part.

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Thompson, County of Sullivan, State of New York.

AS TO 23-2-34 & 23-2-50.4: Being and intended to be the same Premises conveyed to the Grantor by Deed dated May 17, 2013 and recorded in the Sullivan County Clerk's Office on May 30, 2013 in Instrument # 2013-3984

The above being more particularly bounded and described in Schedule A Descriptions annexed hereto and made a part hereof.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

JOYLAND DEVELOPMENT, LLC

By: EPT Down REIT, Inc.

By: 
Gregory K. Silvers, Vice President

STATE OF MISSOURI, COUNTY OF JACKSON

SS:

On the 21st day of October in the year 2013, before me, the undersigned, a notary public in and for said state, personally appeared Gregory K. Silvers, Vice President, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



NOTARY PUBLIC

SARAH E. NEWHAM
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: June 14, 2017
Commission # 13728582

STATE OF NEW YORK, COUNTY OF

SS:

On the _____ day of _____ in the year 2012, before me, the undersigned, a notary public in and for said state, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

~~STATE OF MISSOURI, COUNTY OF JACKSON~~~~SS:~~

On the _____ day of October in the year 2013, before me, the undersigned, a notary public in and for said state, personally appeared Gregory K. Silvers, Vice President, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

~~NOTARY PUBLIC~~

STATE OF NEW YORK, COUNTY OF

SS:

On the _____ day of _____ in the year _____, before me, the undersigned, a notary public in and for said state, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

SECTION 23

BLOCK 2

LOT 34

COUNTY OR TOWN Sullivan

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

JOYLAND DEVELOPMENT, LLC
TO
EPT CONCORD II, LLC

RETURN BY MAIL TO:

HELEN C. MAUCH, ESQ.
ZARIN & STEINMETZ
81 Main Street, Suite 415
White Plains, N. Y. 10601

Reserve this space for the use of Recording Office.

CONTRACTORS' LINE & GRADE SOUTH, LLC

23 NEPPERHAN AVENUE
ELMSFORD, NEW YORK 10523-2506
914.347.3141 • FAX: 914.347.3120
OFFICE@LINEANDGRADE.NET

JOHN DeMARIO, PARTNER
GARY ENNIS, PARTNER



SINCE 1973

NOT AFFILIATED WITH ANY OTHER
LINE AND GRADE COMPANY

LEGAL DESCRIPTION

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 39 of Great Lot 13, Hardenburg Patent and designated as "23-2-34" on a map entitled "Survey of Property Prepared For EPT Concord, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated April 15, 2013" which is more particularly bounded and described as follows:

COMMENCING at a point $2.7 \pm$ meters distant easterly and measured at right angles from Station J1+294.3 \pm of the 1998 survey baseline of the Bloomburg-Monticello Part 2, State Highway No.5457 (on the easterly line of Joyland Road);

THENCE South $74^{\circ}39'39''$ East, a distance of 440.50 feet,

THENCE North $15^{\circ}20'21''$ East, a distance of 129.27 feet to the southerly line of Lorraine Drive,

CONTINUING along said southerly line, South $66^{\circ}44'39''$ East, a distance of 173.49 feet to the POINT AND PLACE OF BEGINNING;

THENCE CONTINUING along said southerly line, South $66^{\circ}44'39''$ East, a distance of 120.00 feet to the intersection of the said southerly line and the westerly line of Towner Road,

THENCE along the said westerly line, South $20^{\circ}01'21''$ West, a distance of 120.00 feet;

THENCE parallel to the said southerly line of Lorraine Drive, North $66^{\circ}44'39''$ West, a distance of 120.00 feet to an iron pin,

THENCE parallel to the said westerly line of Towner Road, North $20^{\circ}01'21''$ East, a distance of 120.00 feet to the POINT AND PLACE OF BEGINNING.

CONTAINING an area of 14,377 square feet or 0.330 acres of land more or less.

EXHIBIT XV
INSTRUMENT NO.
2013-9913
CURRENT DEED
AND
EASEMENTS



SULLIVAN COUNTY – STATE OF NEW YORK
DANIEL L BRIGGS, COUNTY CLERK
100 NORTH STREET, MONTICELLO, NY 12701

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



INSTRUMENT #: 2013-9913

Receipt#: 2013453869
Clerk: KF
Rec Date: 12/31/2013 09:45:14 AM
Doc Grp: RP
Descrip: DEED
Num Pgs: 99
Rec'd Frm: STTA

Party1: EPT CONCORD II LLC
Party2: EPR CONCORD II L P
Town: THOMPSON

Recording:

Cover Page	5.00
Recording Fee	510.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 665.00

Transfer Tax
Transfer Tax 0.00

Sub Total: 0.00

Total: 665.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax #: 1269

Transfer Tax

Consideration: 0.00

Total: 0.00

I hereby certify that the within and foregoing was
recorded in the Sullivan County Clerk's Office

Record and Return To:

STTA
P/U
MONTICELLO NY 12701

Daniel L. Briggs

Daniel L. Briggs
Sullivan County Clerk

THIS IS NOT AN INVOICE

SOUTHERN TIER TITLE AGENCY
TEL: (845) 791-7777 FAX: (845) 791-7785
548 BROADWAY
FILE NUMBER: 13-MIS2385
MONTICELLO, NY 12701

SPACE ABOVE THIS LINE FOR REGISTER'S USE

WARRANTY DEED

THIS INDENTURE is executed this 20th day of December, 2013, and shall be effective as of the 31st day of December, 2013, by EPT Concord II, LLC, a Delaware limited liability company, with an address of 909 Walnut, Suite 200, Kansas City, Missouri 64106 (herein called "Grantor"), in favor of EPR Concord II, L.P., a Delaware limited partnership, whose mailing address is 909 Walnut, Suite 200, Kansas City, Missouri 64106 (herein called "Grantee").

WITNESSETH, that in consideration of the sum of TEN AND 00/100 (\$10.00) DOLLARS and other good and valuable consideration paid to Grantor by Grantee, the receipt and sufficiency of which are hereby acknowledged and confessed, Grantor does by these presents GRANT and RELEASE unto Grantee, its successors and assigns, all of the real property described as follows, to-wit:

the real property (the "Land") located in Sullivan County, New York and more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes;

TOGETHER with all and singular, the benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in anywise appertaining thereto, and any and all right, title and interest of Grantor in and to adjacent roads, and rights-of-way; and

TOGETHER with all buildings, fixtures and other improvements located on the Land; and

TOGETHER with all personal property situated in, on or about the Land and any improvements

(collectively, the "Property").

TO HAVE AND TO HOLD the Property, together with all and singular any other rights,

privileges, appurtenances and immunities thereto belonging or in any manner thereto appertaining unto Grantee, its successors and assigns FOREVER.

AND Grantor, in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

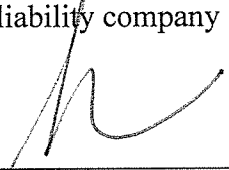
AND Grantor hereby covenanting that Grantor is seized of the Property in fee simple, and has good right to convey the same; that Grantee shall quietly enjoy the Property; that the Property is free and clear from any encumbrance, except that the Property is being transferred to Grantee subject to the following: (a) all easements, restrictions, declarations, reservations, agreements, instruments and other matters of record, if any; (b) taxes and assessments, general and special, not now due and payable; (c) rights of the public in and to the parts thereof in streets, roads or alleys; and (d) all existing mortgages and leases of the Property; and that Grantor will warrant and defend the title to the Property unto Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the Grantor has duly executed this deed the day and year first above written.

GRANTOR:

EPT CONCORD II, LLC, a Delaware
limited liability company

By: 

Name: Gregory K. Silvers

Title: Vice President

STATE OF Missouri)
) ss
COUNTY OF Jackson)

On this the 20th day of December, 2013, before me, the undersigned Notary Public in and for said County and State, appeared Gregory K. Silvers personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the entity on behalf of which he acted, executed the instrument.

WITNESS my hand and official seal.


Notary Public

My Commission Expires:

SUZANNE WILLIAMS
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
Commission # 13448122
My Commission Expires: 8/22/2017

EXHIBIT "A"

**TO WARRANTY DEED
Legal Description**

LEGAL DESCRIPTION OF KEYBANK PARCELS

PARCEL 'A'

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'A' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point at the northwest corner of lands now or formerly of Irving Cohen and running northerly along the westerly line of aforementioned Cohen, North 15°59'50" East, a distance of 370.99 feet to an intersection of stonewalls on the division line between the Town of Fallsburg on the north and the Town of Thompson on the south and continuing along same, South 69°17'00" East, a distance of 1074.74 feet;

THENCE South 02°28'00" West, a distance of 218.80 feet to the aforementioned northerly line of County Route No. 109 also known as Kiamesha Lake Road and continuing along same, North 87°32'00" West, a distance of 388.63 feet;

THENCE North 03°12'00" East, a distance of 150.00 feet;

THENCE North 86°48'00" West, a distance of 300.00 feet;

THENCE South 03°12'00" West, a distance of 150.00 feet to the aforementioned northerly line of County Route No. 109 also known as Kiamesha Lake Road and continuing along same, North 88°00'00" West, a distance of 315.50 feet to the easterly line of aforementioned Cohen, and continuing along same, North 28°46'00" East, a distance of 218.01 feet to the northerly line of Cohen and continuing along same, North 88°07'00" West, a distance of 200.00 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 351687 square feet; or 8.074 acres of land more or less.

SAID parcel being known as Section 15 Block 1 Lot(s) 4 and part of 12.1 of the Town of Thompson Tax Maps.

PARCEL 'B'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'B' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point on the northerly line of County Route No. 109 also known as Kiamesha Lake Road and continuing along same, North $86^{\circ}58'52''$ West, a distance of 261.00 feet;

THENCE North $25^{\circ}21'14''$ East, a distance of 60.54 feet;

THENCE South $89^{\circ}15'55''$ East, a distance of 25.02 feet;

THENCE South $79^{\circ}46'52''$ East, a distance of 51.91 feet;

THENCE South $71^{\circ}52'06''$ East, a distance of 55.54 feet and

THENCE South $68^{\circ}31'20''$ East, a distance of 113.73 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 9086 square feet; or 0.209 acres of land more or less.

SAID parcel being known as Section 15 Block 1 Lot 49 of the Town of Thompson Tax Maps.

PARCEL 'C'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'C' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at the intersection of the southerly line of County Route No. 109 also known as Kiamesha Lake Road and the centerline of County Route 182 also known as Concord Road and continuing along the aforementioned southerly line of County Route No. 109 also known as Kiamesha Lake Road the following nine (9) courses and distances;

- 1) South $87^{\circ}35'17''$ East, a distance of 150.86 feet,
- 2) South $88^{\circ}28'17''$ East, a distance of 94.01 feet,
- 3) South $87^{\circ}52'17''$ East, a distance of 70.39 feet,

- 4) South 86°57'17" East, a distance of 147.30 feet,
- 5) South 86°32'17" East, a distance of 200.40 feet,
- 6) South 86°51'17" East, a distance of 310.71 feet,
- 7) South 87°19'17" East, a distance of 467.40 feet,
- 8) South 86°52'59" East, a distance of 289.67 feet and
- 9) South 77°47'08" East, a distance of 482.81 feet to a point on the division line between the Town of Fallsburg on the north and the Town of Thompson on the south;

CONTINUING along same the following two (2) courses and distances;

- 1) South 68°45'29" East, a distance of 959.75 feet and
- 2) South 69°00'29" East, a distance of 1223.13 feet to the approximate centerline of the West Branch of Sheldrake Stream;

CONTINUING along same the following twenty-nine (29) courses and distances;

- 1) South 07°51'27" East, a distance of 30.42 feet,
- 2) South 19°46'28" East, a distance of 354.20 feet,
- 3) South 37°38'32" East, a distance of 180.68 feet,
- 4) South 22°37'10" East, a distance of 96.91 feet,
- 5) South 11°59'08" East, a distance of 366.93 feet,
- 6) South 43°11'52" East, a distance of 95.64 feet,
- 7) South 67°43'50" East, a distance of 102.99 feet,
- 8) South 61°57'30" East, a distance of 72.30 feet,
- 9) South 06°47'30" East, a distance of 86.33 feet,
- 10) South 28°46'20" West, a distance of 67.03 feet,
- 11) South 06°51'14" East, a distance of 28.12 feet,
- 12) South 37°49'38" East, a distance of 118.30 feet,
- 13) South 25°10'27" East, a distance of 89.74 feet,
- 14) South 07°26'20" East, a distance of 120.14 feet,
- 15) South 01°55'56" East, a distance of 423.06 feet,
- 16) South 21°42'05" East, a distance of 166.05 feet,
- 17) South 03°21'10" East, a distance of 71.11 feet,

- 18) South 33°47'03" East, a distance of 160.33 feet,
- 19) South 89°11'55" East, a distance of 80.45 feet,
- 20) South 42°01'43" East, a distance of 134.90 feet,
- 21) South 18°46'10" West, a distance of 14.55 feet,
- 22) South 13°35'40" East, a distance of 75.29 feet,
- 23) South 00°58'26" West, a distance of 234.27 feet,
- 24) South 08°53'16" West, a distance of 119.20 feet,
- 25) South 10°00'15" East, a distance of 241.24 feet,
- 26) South 29°19'03" East, a distance of 323.51 feet,
- 27) South 23°33'36" East, a distance of 286.99 feet,
- 28) South 07°03'12" East, a distance of 111.94 feet and
- 29) South 18°55'17" East, a distance of 83.94 feet;

THENCE South 58°40'39" East, a distance of 405.38 feet;

THENCE North 61°21'13" East, a distance of 233.12 feet;

THENCE North 62°05'14" East, a distance of 187.14 feet;

THENCE North 62°17'11" East, a distance of 452.54 feet to the westerly line of County Route 161 also known as Heiden Road and continuing along same, South 37°52'19" East, a distance of 50.80 feet;

THENCE South 62°17'11" West, a distance of 461.21 feet;

THENCE South 62°05'04" West, a distance of 186.93 feet;

THENCE South 61°21'21" West, a distance of 255.70 feet to the division line of lot 18 on the north & lot 17 on the south of Great Lot 1 of the Hardenburgh Patent;

CONTINUING along same the following two (2) courses and distances;

- 1) North 69°23'31" West, a distance of 976.04 feet and

- 2) North 68°34'41" West, a distance of 1289.25 feet;

THENCE South 16°09'30" West, a distance of 3187.18 feet to the centerline of Thompsonville Road;

CONTINUING along same the following two (2) courses and distances;

- 1) South 85°20'09" West, a distance of 128.96 feet and

2) North 84°52'46" West, a distance of 67.00 feet;

THENCE crossing Thompsonville Road, South 15°41'46" West, a distance of 28.03 feet to the southerly line of Thompsonville Road and continuing along same, North 69°20'00" West, a distance of 550.03 feet;

THENCE South 15°32'37" West, a distance of 1016.98 feet;

THENCE North 70°08'54" West, a distance of 578.31 feet;

THENCE North 70°38'25" West, a distance of 123.87 feet;

THENCE South 16°14'12" West, a distance of 490.46 feet;

THENCE North 70°46'13" West, a distance of 302.97 feet to the centerline of Joyland Road;

CONTINUING along same the following seven (7) courses and distances;

1) South 14°20'03" West, a distance of 18.77 feet,

2) South 16°28'56" West, a distance of 84.25 feet,

3) South 18°49'49" West, a distance of 297.65 feet,

4) South 15°24'28" West, a distance of 327.46 feet,

5) South 14°13'43" West, a distance of 265.48 feet,

6) South 16°08'03" West, a distance of 387.79 feet and

7) South 16°01'34" West, a distance of 481.21 feet;

THENCE North 69°09'17" West, a distance of 660.73 feet;

THENCE South 27°05'36" West, a distance of 751.68 feet;

THENCE South 70°46'12" East, a distance of 804.61 feet to the aforementioned centerline of Joyland Road and continuing along same, South 16°44'54" West, a distance of 271.95 feet;

THENCE North 70°48'02" West, a distance of 1621.89 feet;

THENCE North 17°15'50" East, a distance of 272.71 feet;

THENCE North 69°58'30" West, a distance of 332.95 feet;

THENCE North 15°39'20" East, a distance of 2056.61 feet;

THENCE South 67°17'34" East, a distance of 435.20 feet;

THENCE North 23°18'44" East, a distance of 2114.90 feet to the division line of Great

Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 69°20'00" East, a distance of 589.67 feet;

THENCE North 16°45'00" East, a distance of 563.00 feet;

THENCE South 69°20'00" East, a distance of 350.00 feet;

THENCE South 16°45'00" West, a distance of 563.00 feet to the aforementioned division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, crossing Joyland Road, South 69°20'00" East, a distance of 564.60 feet;

THENCE North 15°59'14" East, a distance of 653.60 feet;

THENCE North 85°20'05" West, a distance of 247.96 feet to the centerline of Chalet Road;

CONTINUING along same the following twelve (12) courses and distances;

- 1) North 00°40'40" West, a distance of 125.64 feet,
- 2) North 01°59'27" West, a distance of 196.51 feet,
- 3) North 07°40'03" West, a distance of 106.27 feet,
- 4) North 10°12'53" West, a distance of 133.06 feet,
- 5) North 14°05'26" West, a distance of 136.10 feet,
- 6) North 13°16'52" West, a distance of 128.93 feet,
- 7) North 11°36'18" West, a distance of 67.40 feet,
- 8) North 10°32'39" West, a distance of 112.26 feet,
- 9) North 13°47'29" West, a distance of 68.81 feet,
- 10) North 20°23'04" West, a distance of 43.72 feet,
- 11) North 29°01'32" West, a distance of 43.33 feet and
- 12) North 32°24'55" West, a distance of 86.74 feet;

THENCE South 67°53'33" East, a distance of 1006.08 feet;

THENCE North 15°18'26" East, a distance of 1677.94 feet to the aforementioned division line of lot 18 on the north & lot 17 on the south of Great Lot 1 of the Hardenburgh Patent and continuing along same, South 69°25'51" East, a distance of 729.84 feet;

THENCE North 20°34'10" East, a distance of 1089.00 feet;

THENCE North 69°40'38" West, a distance of 1198.83 feet;

THENCE South 20°34'08" West, a distance of 1083.29 feet to the aforementioned division line of lot 18 on the north & lot 17 on the south of Great Lot 1 of the Hardenburgh Patent and continuing along same, North 69°20'22" West, a distance of 1198.32 feet to the approximate centerline of Kiamesha Creek;

CONTINUING along same the following fourteen (14) courses and distances;

- 1) South 38°43'45" West, a distance of 139.26 feet,
- 2) South 19°47'40" West, a distance of 29.74 feet,
- 3) South 27°06'36" West, a distance of 257.65 feet,
- 4) South 17°55'47" West, a distance of 156.34 feet,
- 5) South 07°15'06" West, a distance of 139.27 feet,
- 6) South 04°52'16" East, a distance of 73.96 feet,
- 7) South 34°58'29" West, a distance of 113.94 feet,
- 8) South 06°32'37" West, a distance of 40.45 feet,
- 9) South 04°27'53" East, a distance of 193.59 feet,
- 10) South 21°29'55" West, a distance of 59.40 feet,
- 11) South 42°46'43" West, a distance of 99.24 feet,
- 12) South 48°59'16" West, a distance of 127.61 feet,
- 13) South 67°35'53" West, a distance of 170.27 feet and
- 14) South 55°07'46" West, a distance of 165.72 feet;

THENCE North 67°53'33" West, a distance of 1819.46 feet to the division line of lot 25 on the west & lot 17 on the east of Great Lot 1 of the Hardenburgh Patent and continuing along same, South 15°30'21" West, a distance of 1710.73 feet to the aforementioned division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 69°24'26" East, a distance of 235.78 feet;

THENCE South 41°39'10" West, a distance of 687.06 feet;

THENCE North 72°01'55" West, a distance of 982.75 feet;

THENCE North 76°39'59" East, a distance of 232.83 feet;

THENCE North 73°01'32" East, a distance of 176.88 feet;

THENCE North 41°17'23" East, a distance of 85.80 feet;

THENCE North 71°01'59" West, a distance of 1320.42 feet to the centerline of Rock

Ridge Road;

CONTINUING along same the following four (4) courses and distances;

- 1) North 28°37'25" East, a distance of 100.70 feet,
- 2) North 26°34'44" East, a distance of 96.63 feet,
- 3) North 24°04'40" East, a distance of 150.63 feet and
- 4) North 17°53'01" East, a distance of 65.77 feet to the aforementioned division

line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 68°21'00" East, a distance of 340.87 feet;

THENCE North 17°31'14" East, a distance of 340.63 feet;

THENCE North 73°19'53" West, a distance of 338.06 feet to the aforementioned centerline of Rock Ridge Road;

CONTINUING along same the following two (2) courses and distances;

- 1) North 17°53'01" East, a distance of 355.39 feet and
- 2) North 16°35'59" East, a distance of 436.20 feet;

THENCE South 74°29'17" East, a distance of 157.89 feet;

THENCE North 16°07'09" East, a distance of 150.00 feet;

THENCE North 74°29'14" West, a distance of 157.90 feet to the aforementioned centerline of Rock Ridge Road and continuing along same, North 15°53'56" East, a distance of 136.87 feet;

THENCE South 70°39'43" East, a distance of 669.63 feet;

THENCE North 16°28'02" East, a distance of 304.22 feet;

THENCE South 68°26'44" East, a distance of 292.93 feet;

THENCE North 30°13'30" East, a distance of 650.09 feet;

THENCE North 22°16'58" East, a distance of 484.81 feet;

THENCE North 56°04'23" West, a distance of 458.00 feet;

THENCE North 53°40'37" East, a distance of 178.00 feet;

THENCE North 51°04'23" West, a distance of 185.71 feet to the westerly line of County Route 182 also known as Concord Road;

CONTINUING along same the following two (2) courses and distances;

1) North 57°58'49" East, a distance of 169.61 feet and

2) North 58°05'21" East, a distance of 483.00 feet;

THENCE North 23°40'50" West, a distance of 30.52 feet to the centerline of
aforementioned County Route 182 also known as Concord Road;

CONTINUING along same the following seven (7) courses and distances;

1) North 67°03'00" East, a distance of 444.34 feet,

2) North 62°36'00" East, a distance of 547.50 feet,

3) North 53°39'40" East, a distance of 78.54 feet,

4) North 40°11'42" East, a distance of 604.35 feet,

5) North 39°59'49" East, a distance of 230.03 feet to a point of curvature,

6) Along the curve to the left having a radius of 410.28 feet and an arc length of
262.55 feet to a point of tangency and

7) North 05°59'34" East, a distance of 438.84 feet to the **POINT AND PLACE
OF BEGINNING.**

CONTAINING an area of 39529000 square feet; or 907.461 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 12, 19.1, 20.1, 20.2, 20.3, & 22
and Section 15 Block 1 Lot(s) 11.1, 11.2, part of 12.1, 14.1, 14.2, 18, 19, 22, 24, 25, 35.7, & 51,
and Section 23 Block 1 Lot (s) 53, 54.1, 54.2, 54.3, 54.4, 55, & 61.2, and Section 23 Block 2
Lot(s) 2, 3, 4, & 6 and Section 9 Block 1 Lot 35 & part of lot 34.1 of the Town of Thompson Tax
Maps.

PARCEL 'D'

ALSO all that certain parcel of land located in the Town of Thompson,
Sullivan County, New York designated as Parcel 'D' and shown on a map entitled
"Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The
Town Of Thompson, County Of Sullivan, State Of New York, dated August 15,
2008" which is more particularly bounded and described as follows:

BEGINNING at a point on the northerly line of Route 17 said point being the
southwesterly corner of the herein described parcel;

THENCE North 33°01'47" East, a distance of 114.87 feet;

THENCE North 36°16'31" East, a distance of 171.17 feet;
THENCE North 38°56'55" East, a distance of 77.89 feet;
THENCE South 67°02'55" East, a distance of 228.06 feet;
THENCE South 14°17'23" West, a distance of 119.41 feet;
THENCE North 81°01'23" East, a distance of 79.55 feet;
THENCE North 06°19'11" East, a distance of 80.05 feet;
THENCE South 67°58'37" East, a distance of 103.34 feet;
THENCE North 17°58'32" East, a distance of 107.66 feet;
THENCE North 67°58'33" West, a distance of 100.13 feet;
THENCE North 67°23'11" West, a distance of 63.12 feet;
THENCE North 64°51'55" West, a distance of 144.18 feet;
THENCE North 18°26'38" East, a distance of 165.68 feet;
THENCE South 70°47'00" East, a distance of 629.23 feet;
THENCE South 15°13'50" West, a distance of 884.24 feet to the aforementioned
northerly line of Route 17;

CONTINUING along same the following three (3) courses and distances;

- 1) North 45°42'43" West, a distance of 342.37 feet,
- 2) South 86°50'05" West, a distance of 124.64 feet and

3) North 50°59'54" West, a distance of 479.89 feet to the **POINT AND PLACE
OF BEGINNING.**

CONTAINING an area of 520504 square feet; or 11.949 acres of land more or less.

SAID parcel being known as Section 23 Block 1 Lot 11.3 of the Town of Thompson Tax
Maps.

EXCEPTING AND EXCLUDING therefrom that portion or portions described in the following
deeds:

- 1) DEED from Concord Associates LP to the Jewish General Aid Association dated April 26,
2000 and recorded May 10, 2000 in Liber 2187 Cp. 598; and
- 2) DEED from Concord Associates LP to Congregation Haaves Zion Anane dated April 26,
2000 and recorded May 10, 2000 in Liber 2187 Cp. 600.

PARCEL 'E'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'E' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point in the centerline of Rock Ridge Road and continuing along same, North 12°11'00" East, a distance of 99.00 feet;

THENCE North 21°26'00" West, a distance of 229.50 feet;

THENCE North 14°28'00" West, a distance of 105.60 feet;

THENCE North 12°28'00" West, a distance of 184.80 feet;

THENCE North 10°28'00" East, a distance of 237.60 feet;

THENCE South 70°32'00" East, a distance of 264.00 feet;

THENCE South 12°30'00" West, a distance of 151.27 feet to the aforementioned centerline of Rock Ridge Road;

CONTINUING along same the following sixteen (16) courses and distances;

- 1) North 22°28'00" East, a distance of 75.40 feet,
- 2) North 46°24'00" East, a distance of 27.04 feet,
- 3) North 72°54'00" East, a distance of 43.14 feet,
- 4) South 81°43'00" East, a distance of 67.14 feet,
- 5) South 73°14'00" East, a distance of 289.34 feet,
- 6) South 75°51'00" East, a distance of 68.05 feet,
- 7) South 84°49'00" East, a distance of 50.34 feet,
- 8) North 81°35'00" East, a distance of 60.00 feet,
- 9) North 70°47'00" East, a distance of 79.33 feet,
- 10) North 66°32'00" East, a distance of 182.90 feet,
- 11) North 73°27'13" East, a distance of 174.23 feet,
- 12) North 67°46'00" East, a distance of 83.24 feet,
- 13) North 61°13'00" East, a distance of 53.40 feet,
- 14) North 56°52'00" East, a distance of 215.00 feet,

15) North 53°01'00" East, a distance of 59.26 feet and
16) North 41°58'00" East, a distance of 20.18 feet;
THENCE South 41°52'00" East, a distance of 119.70 feet;
THENCE South 03°05'00" East, a distance of 247.00 feet;
THENCE South 48°18'00" East, a distance of 290.40 feet;
THENCE South 33°18'00" East, a distance of 585.14 feet;
THENCE North 87°26'00" East, a distance of 580.80 feet;
THENCE South 47°48'00" East, a distance of 436.18 feet;
THENCE South 05°50'00" West, a distance of 206.87 feet to the centerline of
Thompsonville Road;

CONTINUING along same the following eight (8) courses and distances;

- 1) South 57°40'00" West, a distance of 217.01 feet,
- 2) South 53°43'00" West, a distance of 308.21 feet,
- 3) South 57°13'00" West, a distance of 120.01 feet,
- 4) South 62°13'00" West, a distance of 84.37 feet,
- 5) South 67°33'00" West, a distance of 118.37 feet,
- 6) South 73°16'00" West, a distance of 105.51 feet,
- 7) South 74°50'00" West, a distance of 176.54 feet and
- 8) South 71°30'00" West, a distance of 44.45 feet;

THENCE North 70°35'00" West, a distance of 342.75 feet to the approximate centerline
of Kiamesha Creek;

CONTINUING along same the following twenty-one (21) courses and distances;

- 1) North 05°12'00" East, a distance of 22.25 feet,
- 2) North 27°03'00" West, a distance of 58.11 feet,
- 3) North 60°55'00" West, a distance of 106.35 feet,
- 4) North 03°56'00" West, a distance of 79.16 feet,
- 5) North 14°34'00" East, a distance of 66.29 feet,
- 6) North 09°00'00" East, a distance of 47.48 feet,
- 7) North 73°23'00" West, a distance of 48.67 feet,

- 8) North 42°22'00" West, a distance of 216.20 feet,
- 9) North 18°43'00" West, a distance of 85.50 feet,
- 10) North 57°36'00" West, a distance of 23.87 feet,
- 11) North 16°36'00" West, a distance of 124.81 feet,
- 12) North 61°36'00" West, a distance of 234.42 feet,
- 13) North 34°12'00" West, a distance of 46.51 feet,
- 14) North 52°42'00" West, a distance of 39.74 feet,
- 15) North 82°49'00" West, a distance of 51.64 feet,
- 16) South 56°38'00" West, a distance of 83.88 feet,
- 17) South 61°46'00" West, a distance of 59.64 feet,
- 18) North 79°29'00" West, a distance of 146.23 feet,
- 19) North 87°37'00" West, a distance of 62.61 feet,
- 20) North 83°35'00" West, a distance of 63.60 feet and
- 21) South 69°03'00" West, a distance of 64.15 feet;

THENCE North 75°37'00" West, a distance of 518.08 feet;

THENCE North 82°16'00" West, a distance of 30.01 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 2869835 square feet; or 65.882 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot 25 of the Town of Thompson Tax Maps.

PARCEL 'F'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'F' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows.

BEGINNING at a point in the centerline of Rock Ridge Road said point being the northwesterly corner of the herein described parcel;

THENCE South 65°52'50" East, a distance of 225.51 feet;

THENCE South 19°07'10" West, a distance of 100.00 feet;

THENCE North 65°52'50" West, a distance of 222.29 feet to the aforementioned the centerline of Rock Ridge Road and continuing along same, North 17°17'17" East, a distance of 100.33 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 22305 square feet; or 0.512 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot 17 of the Town of Thompson Tax Maps.

PARCEL 'G'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'G' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows.

BEGINNING on the southerly line of County Route 182 also known as Concord Road and continuing along same, South 85°04'00" East, a distance of 200.00 feet;

THENCE South 34°56'00" West, a distance of 199.73 feet;

THENCE North 85°08'00" West, a distance of 200.13 feet;

THENCE North 34°56'00" East, a distance of 200.00 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 34618 square feet; or 0.795 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot 45 of the Town of Thompson Tax Maps.

PARCEL 'H'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'H' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING on the southerly line of County Route 182 also known as Concord Road;

THENCE South 34°56'00" West, a distance of 116.09 feet;

THENCE South 46°04'00" West, a distance of 260.04 feet;

THENCE South 48°10'00" West, a distance of 184.80 feet;

THENCE North 73°06'00" West, a distance of 377.70 feet;

THENCE North 03°57'00" East, a distance of 381.78 feet to the southerly line of County Route 182 also known as Concord Road;

CONTINUING along same the following five (5) courses and distances;

1) North 84°52'00" East, a distance of 162.27 feet,

2) South 86°57'00" East, a distance of 89.02 feet,

3) South 88°51'00" East, a distance of 279.54 feet,

4) South 81°36'00" East, a distance of 64.72 feet and

5) South 56°51'00" East, a distance of 158.26 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 270464 square feet; or 6.209 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 5 and 7 of the Town of Thompson Tax Maps.

LEGAL DESCRIPTION OF JEFFERSON BANK PARCELS

PARCEL 'J'

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'J' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point on the southerly line of Thompsonville Road and continuing along same the following four (4) courses and distances;

1) South 85°12'38" East, a distance of 37.41 feet,

2) North 84°27'33" East, a distance of 241.27 feet,

3) North 82°57'33" East, a distance of 200.00 feet and

4) North 86°35'33" East, a distance of 194.71 feet;

THENCE South 16°35'33" West, a distance of 307.88 feet to the division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 69°34'27" East, a distance of 653.27 feet;

THENCE South 17°11'33" West, a distance of 2648.90 feet;

THENCE North 67°54'27" West, a distance of 1245.00 feet;
THENCE South 15°35'33" West, a distance of 49.50 feet;
THENCE North 70°13'44" West, a distance of 313.98 feet;
THENCE North 69°09'44" West, a distance of 77.20 feet;
THENCE North 70°16'44" West, a distance of 734.96 feet;
THENCE North 12°21'46" East, a distance of 768.77 feet;
THENCE North 74°15'13" West, a distance of 441.87 feet to the centerline of Joyland

Road;

CONTINUING along same the following four (4) courses and distances;

- 1) North 15°24'28" East, a distance of 31.31 feet,
- 2) North 18°49'49" East, a distance of 297.65 feet,
- 3) North 16°28'56" East, a distance of 84.25 feet and
- 4) North 14°20'03" East, a distance of 18.77 feet;

THENCE South 70°46'13" East, a distance of 302.97 feet;
THENCE North 16°14'12" East, a distance of 490.46 feet;
THENCE South 70°38'25" East, a distance of 123.87 feet;
THENCE South 70°08'54" East, a distance of 578.31 feet;
THENCE South 70°51'44" East, a distance of 595.00 feet;
THENCE South 16°37'16" West, a distance of 635.00 feet;
THENCE South 67°34'24" East, a distance of 356.90 feet;
THENCE North 15°35'33" East, a distance of 850.00 feet;
THENCE North 65°39'27" West, a distance of 400.00 feet;
THENCE North 20°35'33" East, a distance of 410.00 feet;
THENCE South 66°54'27" East, a distance of 54.00 feet;
THENCE North 13°35'33" East, a distance of 383.91 feet to the **POINT AND PLACE**

OF BEGINNING.

CONTAINING an area of 5316770 square feet; or 122.056 acres of land more or less.

SAID parcel being known as Section 23 Block 2 Lot(s) 8 & 10 of the Town of
Thompson Tax Maps.

PARCEL 'K'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'K' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point in the centerline of Kiamesha Creek and continuing along same the following fourteen (14) courses and distances;

- 1) South 52°42'00" East, a distance of 18.14 feet,
- 2) South 34°12'00" East, a distance of 46.51 feet,
- 3) South 61°36'00" East, a distance of 234.42 feet,
- 4) South 16°36'00" East, a distance of 124.81 feet,
- 5) South 57°36'00" East, a distance of 23.87 feet,
- 6) South 18°43'00" East, a distance of 85.50 feet,
- 7) South 42°22'00" East, a distance of 216.20 feet,
- 8) South 73°23'00" East, a distance of 48.67 feet,
- 9) South 09°00'00" West, a distance of 47.48 feet,
- 10) South 14°34'00" West, a distance of 66.29 feet,
- 11) South 03°56'00" East, a distance of 79.16 feet,
- 12) South 60°55'00" East, a distance of 106.35 feet,
- 13) South 27°03'00" East, a distance of 58.11 feet and
- 14) South 05°12'00" West, a distance of 22.25 feet;

THENCE North 70°47'00" West, a distance of 859.24 feet;

THENCE North 18°08'37" East, a distance of 611.20 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 314001 square feet; or 7.208 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot 26.2 of the Town of Thompson Tax Maps.

PARCEL 'L'

ALSO all that certain parcel of land located in the Town of Thompson,

Sullivan County, New York designated as Parcel 'L' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point at the intersection of the westerly line of County Route 42 and the northerly line of County Route 182 also known as Concord Road and continuing along said Concord Road, South 89°18'49" West, a distance of 86.34 feet;

THENCE North 00°08'49" East, a distance of 200.00 feet;

THENCE North 89°51'11" West, a distance of 225.42 feet;

THENCE North 16°16'49" East, a distance of 664.72 feet;

THENCE North 48°30'11" West, a distance of 52.14 feet;

THENCE North 36°30'11" West, a distance of 25.08 feet;

THENCE North 24°00'11" West, a distance of 36.96 feet;

THENCE North 37°30'11" West, a distance of 29.70 feet;

THENCE North 11°59'11" West, a distance of 39.60 feet;

THENCE North 27°29'11" West, a distance of 48.18 feet;

THENCE North 37°29'11" West, a distance of 38.94 feet;

THENCE North 38°29'11" West, a distance of 47.52 feet;

THENCE North 20°59'11" West, a distance of 54.78 feet;

THENCE North 09°29'11" West, a distance of 79.20 feet;

THENCE North 01°02'11" West, a distance of 66.00 feet;

THENCE South 58°59'11" East, a distance of 284.46 feet;

THENCE South 14°46'11" East, a distance of 83.08 feet;

THENCE North 63°59'49" East, a distance of 271.11 feet to the aforementioned westerly line of County Route 42;

CONTINUING along same the following eight (8) courses and distances;

- 1) South 18°19'11" East, a distance of 40.96 feet,
- 2) South 63°59'49" West, a distance of 18.62 feet,
- 3) South 12°39'11" East, a distance of 292.92 feet,
- 4) South 16°09'49" West, a distance of 97.90 feet,

- 5) South 12°03'49" West, a distance of 90.86 feet,
- 6) South 13°27'49" West, a distance of 107.88 feet,
- 7) South 09°44'49" West, a distance of 431.00 feet and
- 8) South 33°58'49" West, a distance of 170.03 feet to the **POINT AND PLACE**

OF BEGINNING.

CONTAINING an area of 420400 square feet; or 9.651 acres of land more or less.

SAID parcel being known as Section 13 Block 1 Lot(s) 28 & 53 of the Town of Thompson Tax Maps.

LEGAL DESCRIPTION OF COUNTRY BANK PARCELS

PARCEL 'M'

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'M' and shown on a map entitled "Map of Parcels Prepared For Concord Resorts, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at the intersection of the easterly line of County Route 42 and the northerly line of County Route 182 also known as Concord Road and continuing along said Concord Road the following three (3) courses and distances;

- 1) North 79°36'15" East, a distance of 308.82 feet,
- 2) North 85°45'15" East, a distance of 322.14 feet and
- 3) North 85°17'15" East, a distance of 364.37 feet;

THENCE South 14°04'15" West, a distance of 316.28 feet;

THENCE South 18°01'15" West, a distance of 513.13 feet;

THENCE North 60°29'45" West, a distance of 319.98 feet;

THENCE South 86°27'03" West, a distance of 235.46 feet;

THENCE South 28°40'03" West, a distance of 23.97 feet;

THENCE North 60°29'45" West, a distance of 526.32 feet to the aforementioned easterly line of County Route 42;

CONTINUING along same the following two (2) courses and distances;

- 1) North 41°48'15" East, a distance of 97.37 feet and

2) North 35°35'15" East, a distance of 284.65 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 601003 square feet; or 13.797 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 2.1 & 2.2 of the Town of Thompson Tax Maps.

PARCEL 'N'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'N' and shown on a map entitled "Map of Parcels Prepared For Concord Resort, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated August 15, 2008" which is more particularly bounded and described as follows:

BEGINNING at a point on the northerly line of County Route No. 109 also known as Kiamesha Lake Road at the southwest corner of lands now or formerly of Irving Cohen and continuing along the westerly line of said lands now or formerly of Cohen, North 15°59'50" East, a distance of 199.10 feet;

THENCE South 88°07'00" East, a distance of 200.00 feet;

THENCE South 28°46'00" West, a distance of 218.01 feet to the aforementioned northerly line of County Route No. 109 also known as Kiamesha Lake Road;

CONTINUING along same North 87°35'51" West, a distance of 149.97 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 33954 square feet; or 0.779 acres of land more or less.

SAID parcel being known as Section 15 Block 1 Lot(s) 5 of the Town of Thompson Tax Maps.

Fidelity National Title Insurance Company

File Number: 3788

ALL that tract, piece or parcel of land situate, lying and being in the Town of Thompson, County of Sullivan and State of New York being a portion of Town of Thompson Tax Map # 23-1-51 and intended to be all that portion located on the north side of NY State Route 17 Quickway, n/k/a I-86. The whole of which is more particularly bounded and described as follows:

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 46 of Great Lot 13, Hardenburg Patent and designated as "23-1-51" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 40 and 46, South 70°41'39" East, a distance of 800.90 feet to the **POINT AND PLACE OF BEGINNING**:

THENCE North 19°13'17" East, a distance of 702.20 feet, partially along the centerline of a stonewall on the westerly side of a lane;

THENCE North 09°52'17" East, a distance of 2189.01 feet to the line between lot numbers 46 and 52;

THENCE continuing along same, South 70°16'15" East, a distance of 849.61 feet to the northwesterly corner of the Olmstead lot and continuing along the westerly line of said Olmstead lot the following three (3) courses and distances;

- 1) South 15°39'20" West, a distance of 1489.67 feet,
- 2) South 18°45'55" West, a distance of 338.72 feet and
- 3) South 15°19'04" West, a distance of 829.77 feet, partially along a stonewall to the southwesterly corner of said Olmstead lot;

THENCE continuing along the southerly line of said Olmstead lot, South 72°32'56" East, a distance of 70.00 feet;

THENCE South 15°33'48" West, a distance of 210.32 feet to the line between lot numbers 40 and 46 and continuing along same the following two (2) courses and distances;

Fidelity National Title Insurance Company

File Number: 3788

- 4) North 69°53'51" West, a distance of 388.12 feet and
- 5) North 70°41'39" West, a distance of 341.09 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 2,045,109 square feet or 46.949 acres of land more or less.

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, acquired by New York State without right of access to and from abutting property, which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent; and running along the line between lot numbers 40 and 46, South 70°41'39" East, a distance of 800.90 feet;

THENCE North 19°13'17" East, a distance of 197.53 feet to the southerly line of State Highway No. 5457 (Route 17) to the **POINT AND PLACE OF BEGINNING:**

THENCE North 19°13'17" East, a distance of 223.53 feet to the northerly line of State Highway No. 5457 (Route 17);

THENCE continuing along same, the following two (2) courses and distances;

- 6) South 36°30'48" East, a distance of 88.71 feet and
- 7) South 40°45'35" East, a distance of 754.68 feet to the line between lot numbers 40 and 46;

THENCE continuing along same, North 69°53'51" West, a distance of 385.72 feet to the southerly line of State Highway No. 5457 (Route 17);

THENCE continuing along same, North 40°38'21" West, a distance of 394.41 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 115,927 square feet or 2.661 acres of land more or less.

Excepting and reserving here from, any portion thereof situate lying and being on the South side of NYS Route 17 Quickway n/k/a I-86.

Fidelity National Title Insurance Company

File Number: 3788A

ALL that tract, piece or parcel of land with the buildings and improvements thereon situate, lying and being in the Town of Thompson, County of Sullivan and State of New York being a portion of Town of Thompson tax Map # 23.-1-51 and intended to be all that portion located on the north side of NY State Route 17 Quickway, n/k/a I-86, which part is now known as tax map # 23.-1-51.2. The whole of lot 23-1-51 is more particularly bounded and described as follows:

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 46 of Great Lot 13, Hardenburg Patent and designated as "23-1-51" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 40 and 46, South $70^{\circ}41'39''$ East, a distance of 800.90 feet to the POINT AND PLACE OF BEGINNING:

THENCE North $19^{\circ}13'17''$ East, a distance of 702.20 feet, partially along the centerline of a stonewall on the westerly side of a lane;

THENCE North $09^{\circ}52'17''$ East, a distance of 2189.01 feet to the line between lot numbers 46 and 52;

THENCE continuing along same, South $70^{\circ}16'15''$ East, a distance of 849.61 feet to the northwesterly corner of the Olmstead lot and continuing along the westerly line of said Olmstead lot the following three (3) courses and distances;

- 1) South $15^{\circ}39'20''$ West, a distance of 1489.67 feet,
- 2) South $18^{\circ}45'55''$ West, a distance of 338.72 feet and
- 3) South $15^{\circ}19'04''$ West, a distance of 829.77 feet, partially along a stonewall to the southwesterly corner of said Olmstead lot;

THENCE continuing along the southerly line of said Olmstead lot. South $72^{\circ}32'56''$ East, a distance of 70.00 feet;

THENCE South $15^{\circ}33'48''$ West, a distance of 210.32 feet to the line between lot numbers 40 and 46 and continuing along same the following two (2) courses and distances;

Fidelity National Title Insurance Company

File Number: 3788 A

- 4) North 69°53'51" West, a distance of 388.12 feet and
- 5) North 70°41'39" West, a distance of 341.09 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 2,045,109 square feet or 46.949 acres of land more or less.

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, acquired by New York State without right of access to and from abutting property, which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent; and running along the line between lot numbers 40 and 46, South 70°41'39" East, a distance of 800.90 feet;

THENCE North 19°13'17" East, a distance of 197.53 feet to the southerly line of State Highway No. 5457 (Route 17) to the **POINT AND PLACE OF BEGINNING:**

THENCE North 19°13'17" East, a distance of 223.53 feet to the northerly line of State Highway No. 5457 (Route 17);

THENCE continuing along same, the following two (2) courses and distances;

- 6) South 36°30'48" East, a distance of 88.71 feet and
- 7) South 40°45'35" East, a distance of 754.68 feet to the line between lot numbers 40 and 46;

THENCE continuing along same, North 69°53'51" West, a distance of 385.72 feet to the southerly line of State Highway No. 5457 (Route 17);

THENCE continuing along same, North 40°38'21" West, a distance of 394.41 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 115,927 square feet or 2.661 acres of land more or less.

Excepting and reserving here from, any portion thereof situate lying and being on the South side of NYS Route 17 Quickway n/k/a I-86.

45
① 30-
250-
2,309-
5-

Fidelity National Title Insurance Company

File Number: 3789

THO 23-1-50

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 46 of Great Lot 13, Hardenburg Patent and designated as "23-1-50" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 46 and 47, North $15^{\circ}13'50''$ East, a distance of 2873.64 feet to the corner of lot numbers 46, 47, 52 and 53 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 46 and 52, South $70^{\circ}16'15''$ East, a distance of 645.29 feet;

THENCE South $09^{\circ}52'17''$ West, a distance of 2189.01 feet to the centerline of a stonewall on the westerly side of a lane;

THENCE South $19^{\circ}13'17''$ West, a distance of 702.20 feet, partially along said centerline of a stonewall on the westerly side of a lane, to the line between lot numbers 40 and 46 of Great Lot 13, Hardenburg Patent;

THENCE continuing along same, North $70^{\circ}41'39''$ West, a distance of 800.90 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 2,195,108 square feet or 50.393 acres of land more or less.

Fidelity National Title Insurance Company

File Number: 3789

THO 23-1-50

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, acquired by New York State for State Highway No. 5457 (Route 17) without right of access to and from abutting property, which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 46 and 47, North $15^{\circ}13'50''$ East, a distance of 690.95 feet to a point on the southerly line of State Highway No. 5457 (Route 17), said point being the **POINT AND PLACE OF BEGINNING**;

THENCE continuing northerly along said line between lot numbers 46 and 47, North $15^{\circ}13'50''$ East, a distance of 299.06 feet to the northerly line of State Highway No. 5457 (Route 17) and continuing along same the following two (2) courses and distances;

- 1) South $38^{\circ}52'58''$ East, a distance of 496.67 feet and
- 2) South $36^{\circ}30'48''$ East, a distance of 542.24 feet;

THENCE South $19^{\circ}13'17''$ West, a distance of 223.53 feet to the southerly line of said State Highway No. 5457 (Route 17);

THENCE continuing along same, North $40^{\circ}38'21''$ West, a distance of 981.71 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 224.292 square feet or 5.149 acres of land more or less.

Fidelity National Title Insurance Company

File Number: 3789

THO 23-1-50

ALSO EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, on the southerly side of State Highway No. 5457 (Route 17) without right of access to and from abutting property, which is more particularly bounded and described as follows:

BEGINNING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 46 and 47, North $15^{\circ}13'50''$ East, a distance of 690.95 feet to a point on the southerly line of State Highway No. 5457 (Route 17);

THENCE continuing along same, South $40^{\circ}38'21''$ East, a distance of 981.71 feet;

THENCE South $19^{\circ}13'17''$ West, a distance of 197.53 feet to the line between lot numbers 40 and 46 of Great Lot 13, Hardenburg Patent;

THENCE continuing along same, North $70^{\circ}41'39''$ West, a distance of 800.90 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 359,844 square feet or 8.261 acres of land more or less.

Fidelity National Title Insurance Company

File Number: 3789

SCHEDULE A

THO 23-1-65.1

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 46 of Great Lot 13, Hardenburg Patent and designated as "23-1-65.1" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 40 and 46, the following two (2) courses and distances;

- 1) South 70°41'39" East, a distance of 1141.99 feet and
- 2) South 69°53'51" East, a distance of 388.12 feet **POINT AND**

PLACE OF BEGINNING;

THENCE North 15°33'48" East, a distance of 50.17 feet;

THENCE South 71°52'02" East, distance of 1882.83 feet to the westerly line of Joyland Road;

THENCE along the westerly line of said Joyland Road, South 15°23'14" West, a distance of 50.18 feet;

THENCE North 71°52'02" West, a distance of 1882.99 feet to the line between lot numbers 40 and 46 said point being the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 94,372 square feet or 2.166 acres of land more or less.

Fidelity National Title Insurance Company

File Number: 3790

As to THO 31-1-19.2

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, with buildings and improvements thereon erected situate, lying and being in the Town of Thompson, County of Sullivan and State of New York, and being part of the premises conveyed to the Jill Realty, Inc., by Stephen Trowbridge and Sherwood Trowbridge by deed dated May 15, 1933 and recorded in the Sullivan County Clerk's Office in Book of deeds 292 at Page 582 and more particularly described as follows:

BEGINNING at a point in the center of the road leading from the State Road No. 17 to Thompsonville and said point being South 61° 4' East 30.66 feet from a concrete monument set on the Westerly side of the said road and running thence along the center of said Thompsonville Road North 20° 46' East 178.3 feet and North 16° 1' East 148.4 feet, and thence North 68° 12' West 149.8 feet (the last described course is parallel to the southerly side of the Lavine house – six feet distance therefrom), thence 25° and 14' East 26.8 feet (the last described course is parallel to the easterly side of the pump house – nine feet distance therefrom) thence North 61° 29' West through the center of two large Maple trees 100.8 feet, thence North 15° 51' East 535.3 feet to the southerly line of the Curley farm (the last described course is parallel to the said Thompsonville Road and 100 feet Westerly of Bungalow No. 10), thence along the southerly line of said Curley farm, as marked by an old fence line, North 68° 35' West 960.4 feet to the northeasterly corner of the Louis Vero lot; thence along the easterly line of the said Vero lot as marked by an old fence line, South 24° 14' West 718.5 feet to the northerly bounds of the said State Road No. 17, thence along northerly bounds of the said State Road South 59° 43' East 459.3 feet to a concrete monument; thence along the North bounds of the said highway South 61° 4' East 949 feet to the place of beginning, containing 21.4 acres, more or less. The above-described course is as the magnetic needle pointed in January 1946.

The parties on the second part (Minnie Katz and Sam Savita) hereby agree not to erect a solid wall where the present wall of the tennis court adjoining Mr. Lavine's private home exists. The party of the first part (Jill Realty, Inc.) hereby gives to the parties of the second part (Minnie Katz and Sam Savita) a permanent right of way over the six foot acres between the said home and the tennis court for the purpose of maintenance and repair of the premises. This shall be a covenant running with the land. The party of the second part covenants that neither he nor his heirs or assigns shall, for a period of five years immediately following the passing of title hereto, hereafter erect, maintain permit any hardware business including, but not necessarily limited to the purchase or sale of tools, whether electrical or not, plumbing supplies, painting supplies, wallpaper supplies, nails, locks, machine parts, lubricants, stoves, and/or any other items, equipment or supplies sold in a hardware store. Excepting so much of the premises as is currently being leased to Quickway Motel Fabricators, Inc.

Fidelity National Title Insurance Company

File Number: 3790

As to THO 31-1-19.2

SUBJECT TO notice of appropriation for State Highway No. 1125 A, Map 1135 parcel numbers 360 and 361, filed with the Sullivan County Clerk's Office on February 11, 1958 at Liber 558 of Deeds, Page 510, file no. 125-55. The parties agree that notwithstanding the description, it is the intention of the parties to enter into this transaction concerning approximately 16 acres of property more or less. In addition, it is also the intention of the parties to only transact with respect to that portion of the property that lies on the northerly side of Route 17 also commonly known as the "Quickway".

Said premises being further described by survey dated September 28, 1979, made by John W. Galligan, licensed surveyor, as follows:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, with buildings and improvements thereon erected situate, lying and being in the Town of Thompson, County of Sullivan and State of New York, and being part of the premises conveyed to Perlmutter Building Supply Corp. as described in a deed recorded in the Sullivan County Clerk's Office in Liber of Deeds 559 at Page 192 and more particularly bounded and described as follows:

BEGINNING at a point in the approximate center of traveled way of Joyland Road (Town Road 160) at the southeasterly corner of lands of Nachlul Emunah Bungalows, Inc. (Deed Liber 920 at Page 125), and running thence from said point of beginning along the southerly bounds of said lands described in Deed Liber 920 at Page 125, running through an iron pin set on the westerly side of said Joyland Road, and running parallel to and six (6) feet southerly of the southerly face of the main house on said lands described in a Deed Liber 920 at Page 125 North 65 degrees 24 minutes East 133.77 feet to an iron pin set; thence continuing along the bounds of said lands described in Deed Liber 920 at Page 125, running parallel to and nine (9) feet easterly of easterly edge concrete slab on which a pump house formerly existed on the herein described parcel, North 29 degrees 06 minutes East 26.60 feet to an iron pin set; thence continuing along the southerly bounds of said lands described in Deed Liber 920 at Page 125 North 58 degrees 43 minutes West 160.00 feet to an iron pin set at the southwesterly corner of said lands described in Deed Liber 920 at Page 125, thence running along the westerly bounds of said lands described in Deed Liber 920 at Page 125 North 19 degrees 24 minutes East 531.11 feet parallel to the center of traveled way of said Joyland Road to an iron pin set at the northwesterly corner of said lands described in a Liber of Deeds 920 at Page 125, thence running generally along an old wire fence evidencing the southerly bounds of lands of Sadie Ellman as described in a Deed recorded in the Sullivan County Clerk's Office in Liber of Deeds 320 at Page 589 North 46 degrees 44 minutes West 1016.40 feet to an iron pin set in the intersection of said wire fence with the northerly end of a section of a stone wall at the northeasterly corner of lands of Tapper and Gatell (Deed Liber 791 at Page 630, see Deed Liber 588 at Page 247 for description of said parcel; thence running along the approximate center of said stone wall and a projection thereof evidencing the easterly bounds of said lands of Tapper and Gatell South 22 degrees 11 minutes West 319.89 feet to an iron pin set on the northerly bounds of Bloomingburgh - Monticello Part 2, State Highway 15437 (See Map 1185, Parcel # 360, for said highway filed in the Sullivan County Clerk's Office), thence running along the northerly bounds of said State Highway (acquired by New York State without right of across to and from abutting property), the following six (6) courses

Fidelity National Title Insurance Company

File Number: 3790

As to THO 31-1-19.2

and distances:

- (1) South 36 degrees 35 minutes East 89.97 feet to a New York State Highway monument found;
- (2) South 34 degrees 59 minutes East 501.35 feet to a New York State Highway monument found;
- (3) South 53 degrees 41 minutes East 330.87 feet to a New York State Highway monument found;
- (4) South 45 degrees 55 minutes East 297.77 feet to a New York State Highway monument found;
- (5) South 18 degrees 27 minutes East 107.72 feet to a New York State Highway monument found;
- (6) South 58 degrees 30 minutes East 221.27 feet to a running through an iron pin set on the westerly side of said Joyland Road to a point in the approximate center of traveled way of said road;

Thence running generally along the center of traveled way of said Joyland Road the following three courses and distances:

- (1) North 21 degrees 22 minutes East 44.50 feet to a point;
- (2) North 23 degrees 20 minutes East 159.16 feet to a point; and
- (3) North 19 degrees 26 minutes East 133.15 feet to the point or place of beginning containing 16.52 acres of land to be the same more or less.

ALSO granting all the right, title, and interest of the grantor herein, in and to a right of way over a six (6) feet wide strip of land between the southerly face of the main building on lands described in said Deed Liber 920 at Page 125, and the bounds of lands described above the first bearing and distance. (North 65 degrees 26 minutes West 153.77 feet). See Deed Liber 559 at Page 182.

SUBJECT TO restrictions contained in said Deed Liber 559 at Page 182 relative to not building a solid wall along a portion of the bounds of the herein described premises described in the first bearing and distance. (North 65 degrees 26 minutes West 153.77 feet).

SUBJECT TO highway use-dedication of record, and any easements of record.

BEARINGS are as the magnetic needle pointed in September of 1979.

Fidelity National Title Insurance Company

File Number: 3790

As to THO 31-1-17.1

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, with buildings and improvements thereon erected situate, lying and being in the Town of Thompson, County of Sullivan and State of New York, and more particularly described as follows:

BEGINNING at a point 221.26 feet distant northerly and measured at right angles from Station 92-24 of the Survey base line of the Bloomingburg-Monticello Part 2, State Highway #5457 and running thence southeasterly 503 feet, more or less, along the bounds of New Route 17 right of way to a point 182 feet distance northerly and measured at right angles from Station 87-39 of said survey base line; thence northerly along the center of an old stone wall on the line of the Joyland Hotel property 336 feet, more or less, to the southerly line of the premises formerly of Louise Purcell; thence westerly along the line of said Purcell property to the northeast corner of the Pudzinski property; thence along the easterly line of the Pudzinski property in a southerly direction 83 feet, more or less, to the point or place of beginning, containing approximately 2 acres of land, more or less.

The premises insured hereunder are a portion of Deed Liber 3256 pg 323 (Parcels 1 and 3) and all of the premises set forth in Liber 3499 page 3 above referenced.

**ALL OF THE ABOVE-DESCRIBED PROPERTY BEING ALSO DESCRIBED AS
FOLLOWS:**

All Tax Lots as described on the attached Legal Descriptions, prepared by Contractors' Line & Grade South, LLC, and including a portion of Tax Lots 23-1-65.1, 23-1-65.2 and 23-1-65.3.



LEGAL DESCRIPTION OF RESORT PARCELS

PARCEL 'A'

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'A' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at a point at the northwest corner of lands now or formerly of Irving Cohen;

THENCE North 15°59'50" East, a distance of 370.99 feet to an intersection of stonewalls on the division line between the Town of Fallsburg on the north and the Town of Thompson on the south and continuing along same, South 69°17'00" East, a distance of 1074.74 feet;

THENCE South 02°28'00" West, a distance of 218.80 feet to the aforementioned northerly line of County Route No. 109 also known as Kiamesha Lake Road and continuing along same, North 87°32'00" West, a distance of 388.63 feet;

THENCE North 03°12'00" East, a distance of 150.00 feet;

THENCE North 86°48'00" West, a distance of 300.00 feet;

THENCE South 03°12'00" West, a distance of 150.00 feet to the aforementioned northerly line of County Route No. 109 also known as Kiamesha Lake Road and continuing along same, North 88°00'00" West, a distance of 315.50 feet to the easterly line of aforementioned Cohen. and continuing along same, North 28°46'00" East, a distance of 218.01 feet to the northerly line of Cohen and continuing along same, North 88°07'00" West, a distance of 200.00 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 351,687 square feet; or 8.074 acres of land more or less.

SAID parcel being known as Section 15 Block 1 Lot(s) 4 and part of 12.1 of the Town of Thompson Tax Maps.

PARCEL 'B'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'B' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the northeasterly corner of the herein described parcel at a point on the northerly line of County Route No. 109 also known as Kiamesha Lake Road and continuing along same, North 86°58'52" West, a distance of 261.00 feet;

THENCE North 25°21'14" East, a distance of 60.54 feet;

THENCE South 89°15'55" East, a distance of 25.02 feet;

THENCE South 79°46'52" East, a distance of 51.91 feet;

THENCE South 71°52'06" East, a distance of 55.54 feet and

THENCE South 68°31'20" East, a distance of 113.73 feet to the POINT AND PLACE OF BEGINNING.

CONTAINING an area of 9,086 square feet; or 0.209 acres of land more or less.

SAID parcel being known as Section 15 Block 1 Lot 49 of the Town of Thompson Tax Maps.

PARCEL 'C'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'C' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the intersection of the southerly line of County Route No. 109 also known as Kiamesha Lake Road and the centerline of County Route 182 also known as Concord Road and continuing along the aforementioned southerly line of County Route No. 109 also known as Kiamesha Lake Road the following nine (9) courses and distances;

- 1) South 87°35'17" East, a distance of 150.86 feet,
- 2) South 88°28'17" East, a distance of 94.00 feet,
- 3) South 87°52'17" East, a distance of 70.39 feet,
- 4) South 86°57'17" East, a distance of 147.30 feet,
- 5) South 86°32'17" East, a distance of 200.40 feet,
- 6) South 86°51'17" East, a distance of 310.71 feet,
- 7) South 87°19'17" East, a distance of 467.40 feet,
- 8) South 86°52'59" East, a distance of 289.67 feet and
- 9) South 77°47'08" East, a distance of 482.81 feet to a point on the division line between the Town of Fallsburg on the north and the Town of Thompson on the south;

CONTINUING along same the following two (2) courses and distances;

- 10) South 68°45'29" East, a distance of 959.75 feet and
- 11) South 69°00'29" East, a distance of 1223.13 feet to the approximate centerline of the West Branch of Sheldrake Stream;

CONTINUING along same the following twenty-nine (29) courses and distances;

- 12) South 07°51'27" East, a distance of 30.42 feet,
- 13) South 19°46'28" East, a distance of 354.20 feet,
- 14) South 37°38'32" East, a distance of 180.68 feet,
- 15) South 22°37'10" East, a distance of 96.91 feet,

- 16) South 11°59'08" East, a distance of 366.93 feet,
- 17) South 43°11'52" East, a distance of 95.64 feet,
- 18) South 67°43'50" East, a distance of 102.99 feet,
- 19) South 61°57'30" East, a distance of 72.30 feet,
- 20) South 06°47'30" East, a distance of 86.33 feet,
- 21) South 28°46'20" West, a distance of 67.03 feet,
- 22) South 06°51'14" East, a distance of 28.12 feet,
- 23) South 37°49'38" East, a distance of 118.30 feet,
- 24) South 25°10'27" East, a distance of 89.74 feet,
- 25) South 07°26'20" East, a distance of 120.14 feet,
- 26) South 01°55'56" East, a distance of 423.06 feet,
- 27) South 21°42'05" East, a distance of 166.05 feet,
- 28) South 03°21'10" East, a distance of 71.11 feet,
- 29) South 33°47'03" East, a distance of 160.33 feet,
- 30) South 89°11'55" East, a distance of 80.45 feet,
- 31) South 42°01'43" East, a distance of 134.90 feet,
- 32) South 18°46'10" West, a distance of 14.55 feet,
- 33) South 13°35'40" East, a distance of 75.29 feet,
- 34) South 00°58'26" West, a distance of 234.27 feet,
- 35) South 08°53'16" West, a distance of 119.20 feet,
- 36) South 10°00'15" East, a distance of 241.24 feet,
- 37) South 29°19'03" East, a distance of 323.51 feet,
- 38) South 23°33'36" East, a distance of 286.99 feet,
- 39) South 07°03'12" East, a distance of 111.94 feet and
- 40) South 18°55'17" East, a distance of 83.94 feet;

THENCE South 58°40'39" East, a distance of 405.38 feet;

THENCE North 61°21'13" East, a distance of 233.12 feet;

THENCE North 62°05'14" East, a distance of 187.14 feet;

THENCE North 62°17'11" East, a distance of 452.54 feet to the westerly line of County Route 161 also known as Heiden Road and continuing along same, South 37°52'19" East, a distance of 50.80 feet;

THENCE South $62^{\circ}17'11''$ West, a distance of 461.21 feet;
THENCE South $62^{\circ}05'04''$ West, a distance of 186.93 feet;
THENCE South $61^{\circ}21'21''$ West, a distance of 255.70 feet to the division line of
 lot 18 on the north & lot 17 on the south of Great Lot 1 of the Hardenburgh Patent;
CONTINUING along same the following two (2) courses and distances;
 41) North $69^{\circ}23'31''$ West, a distance of 976.04 feet and
 42) North $68^{\circ}34'41''$ West, a distance of 1289.25 feet;
THENCE South $16^{\circ}09'30''$ West, a distance of 3187.18 feet to the centerline of
 Thompsonville Road;
CONTINUING along same the following two (2) courses and distances;
 43) South $85^{\circ}20'09''$ West, a distance of 128.96 feet and
 44) North $84^{\circ}52'46''$ West, a distance of 67.00 feet;
THENCE crossing Thompsonville Road, South $15^{\circ}41'46''$ West, a distance of
 28.03 feet to the southerly line of Thompsonville Road and continuing along same, North
 $69^{\circ}20'00''$ West, a distance of 550.03 feet;
THENCE South $15^{\circ}32'37''$ West, a distance of 1016.98 feet;
THENCE North $70^{\circ}08'54''$ West, a distance of 578.31 feet;
THENCE North $70^{\circ}38'25''$ West, a distance of 123.87 feet;
THENCE South $16^{\circ}14'12''$ West, a distance of 490.46 feet;
THENCE North $70^{\circ}46'13''$ West, a distance of 302.97 feet to the centerline of
 Joyland Road;
CONTINUING along same the following seven (7) courses and distances;
 45) South $14^{\circ}20'03''$ West, a distance of 18.77 feet,
 46) South $16^{\circ}28'56''$ West, a distance of 84.25 feet.
 47) South $18^{\circ}49'49''$ West, a distance of 297.65 feet,
 48) South $15^{\circ}24'28''$ West, a distance of 327.46 feet,
 49) South $14^{\circ}13'43''$ West, a distance of 265.48 feet,
 50) South $16^{\circ}08'03''$ West, a distance of 387.79 feet and
 51) South $16^{\circ}01'34''$ West, a distance of 481.21 feet;
THENCE North $69^{\circ}09'17''$ West, a distance of 660.73 feet;
THENCE South $27^{\circ}05'36''$ West, a distance of 751.68 feet;

THENCE South 70°46'12" East, a distance of 804.61 feet to the aforementioned centerline of Joyland Road and continuing along same, South 16°44'54" West, a distance of 271.95 feet;

THENCE North 70°48'02" West, a distance of 1621.89 feet;

THENCE North 17°15'50" East, a distance of 272.71 feet;

THENCE North 69°58'30" West, a distance of 332.95 feet;

THENCE North 15°39'20" East, a distance of 2056.61 feet;

THENCE South 67°17'34" East, a distance of 435.20 feet;

THENCE North 23°18'44" East, a distance of 2114.90 feet to the division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 69°20'00" East, a distance of 589.67 feet;

THENCE North 16°45'00" East, a distance of 563.00 feet;

THENCE South 69°20'00" East, a distance of 350.00 feet;

THENCE South 16°45'00" West, a distance of 563.00 feet to the aforementioned division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, crossing Joyland Road, South 69°20'00" East, a distance of 564.60 feet;

THENCE North 15°59'14" East, a distance of 653.60 feet;

THENCE North 85°20'05" West, a distance of 247.96 feet to the centerline of Chalet Road;

CONTINUING along same the following twelve (12) courses and distances;

52) North 00°40'40" West, a distance of 125.64 feet,

53) North 01°59'27" West, a distance of 196.51 feet,

54) North 07°40'03" West, a distance of 106.27 feet,

55) North 10°12'53" West, a distance of 133.06 feet,

56) North 14°05'26" West, a distance of 136.10 feet,

57) North 13°16'52" West, a distance of 128.93 feet,

58) North 11°36'18" West, a distance of 67.40 feet,

59) North 10°32'39" West, a distance of 112.26 feet,

60) North 13°47'29" West, a distance of 68.81 feet,

61) North 20°23'04" West, a distance of 43.72 feet,

62) North 29°01'32" West, a distance of 43.33 feet and

63) North 32°24'55" West, a distance of 86.74 feet;
THENCE South 67°53'33" East, a distance of 1006.08 feet;
THENCE North 15°18'26" East, a distance of 1677.94 feet to the
aforementioned division line of lot 18 on the north & lot 17 on the south of Great Lot 1 of
the Hardenburgh Patent and continuing along same, South 69°25'51" East, a distance of
729.84 feet;

THENCE North 20°34'10" East, a distance of 1089.00 feet;
THENCE North 69°40'38" West, a distance of 1198.83 feet;
THENCE South 20°34'08" West, a distance of 1083.29 feet to the
aforementioned division line of lot 18 on the north & lot 17 on the south of Great Lot 1 of
the Hardenburgh Patent and continuing along same, North 69°20'22" West, a distance of
1198.32 feet to the approximate centerline of Kiamasha Creek;

CONTINUING along same the following fourteen (14) courses and distances;

- 64) South 38°43'45" West, a distance of 139.26 feet,
- 65) South 19°47'40" West, a distance of 29.74 feet,
- 66) South 27°06'36" West, a distance of 257.65 feet,
- 67) South 17°55'47" West, a distance of 156.34 feet,
- 68) South 07°15'06" West, a distance of 139.27 feet,
- 69) South 04°52'16" East, a distance of 73.96 feet,
- 70) South 34°58'29" West, a distance of 113.94 feet,
- 71) South 06°32'37" West, a distance of 40.45 feet,
- 72) South 04°27'53" East, a distance of 193.59 feet,
- 73) South 21°29'55" West, a distance of 59.40 feet,
- 74) South 42°46'43" West, a distance of 99.24 feet,
- 75) South 48°59'16" West, a distance of 127.61 feet,
- 76) South 67°35'53" West, a distance of 170.27 feet and
- 77) South 55°07'46" West, a distance of 165.72 feet;

THENCE North 67°53'33" West, a distance of 1819.46 feet to the division line
of lot 25 on the west & lot 17 on the east of Great Lot 1 of the Hardenburgh Patent and
continuing along same, South 15°30'21" West, a distance of 1710.73 feet to the

aforementioned division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 69°24'26" East, a distance of 235.78 feet;

THENCE South 41°39'10" West, a distance of 687.06 feet;

THENCE North 72°01'55" West, a distance of 982.75 feet;

THENCE North 76°39'59" East, a distance of 232.83 feet;

THENCE North 73°01'32" East, a distance of 176.88 feet;

THENCE North 41°17'23" East, a distance of 85.80 feet;

THENCE North 71°01'59" West, a distance of 1320.42 feet to the centerline of Rock Ridge Road;

CONTINUING along same the following four (4) courses and distances;

78) North 28°37'25" East, a distance of 100.70 feet,

79) North 26°34'44" East, a distance of 96.63 feet,

80) North 24°04'40" East, a distance of 150.63 feet and

81) North 17°53'01" East, a distance of 65.77 feet to the aforementioned division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 68°21'00" East, a distance of 340.87 feet;

THENCE North 17°31'14" East, a distance of 340.63 feet;

THENCE North 73°19'53" West, a distance of 338.06 feet to the aforementioned centerline of Rock Ridge Road;

CONTINUING along same the following two (2) courses and distances;

82) North 17°53'01" East, a distance of 355.39 feet and

83) North 16°35'59" East, a distance of 436.20 feet;

THENCE South 74°29'17" East, a distance of 157.89 feet;

THENCE North 16°07'09" East, a distance of 150.00 feet;

THENCE North 74°29'14" West, a distance of 157.90 feet to the aforementioned centerline of Rock Ridge Road and continuing along same, North 15°53'56" East, a distance of 136.87 feet;

THENCE South 70°39'43" East, a distance of 669.63 feet;

THENCE North 16°28'02" East, a distance of 304.22 feet;

THENCE South 68°26'44" East, a distance of 292.93 feet;

THENCE North 30°13'30" East, a distance of 650.09 feet;

THENCE North 22°16'58" East, a distance of 484.81 feet to the northeast corner of now or formerly Parker said point also being on the southerly line of the Harness Race Track Parcel 4 as shown on a map entitled "Amendment to Filed Lot Improvement / Consolidation Plan Prepared for Concord Associates, LP and Concord Resort LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated May 11, 2009" filed in the Sullivan County Clerks Office on June 29, 2009 in Volume 12 at page 87;

CONTINUING along same the following three (3) courses and distances;

84) North 56°04'23" West, a distance of 458.00 feet,

85) North 53°40'37" East, a distance of 178.00 feet,

86) North 51°04'22" West, a distance of 185.72 feet to the westerly line of County Route 182 also known as Concord Road;

CONTINUING along same the following two (2) courses and distances;

87) North 57°58'49" East, a distance of 169.62 feet and

88) North 58°05'21" East, a distance of 483.00 feet;

THENCE North 23°40'50" West, a distance of 30.52 feet to the centerline of aforementioned County Route 182 also known as Concord Road;

CONTINUING along same the following seven (7) courses and distances;

89) North 67°03'00" East, a distance of 444.36 feet,

90) North 62°36'00" East, a distance of 547.50 feet,

91) North 53°39'40" East, a distance of 78.54 feet,

92) North 40°11'42" East, a distance of 604.35 feet,

93) North 39°59'49" East, a distance of 230.03 feet to a point of curvature,

94) Along the curve to the left having a radius of 410.28 feet and an arc length of 262.55 feet to a point of tangency and

95) North 05°59'34" East, a distance of 438.83 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 39,529,000 square feet; or 907.461 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 12, 19.1, 20.1, 20.2, 20.3, & 22 and Section 15 Block 1 Lot(s) 11.1, 11.2, part of 12.1, 12.3, 14.1, 14.2, 14.3, 19, 22, 24, 25, 35.7, & 51, and Section 23 Block 1 Lot (s) 53, 54.1, 54.2, 54.3, 54.4, 55, & 61.2, and Section 23 Block 2 Lot(s) 1, 2, 3, 4, & 6 and Section 9 Block 1 Lot 35 of the Town of Thompson Tax Maps.

PARCEL 'D'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'D' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the southwesterly corner of the herein described parcel at a point on the northerly line of Route 17;

THENCE North 33°01'47" East, a distance of 114.87 feet;

THENCE North 36°16'31" East, a distance of 171.17 feet;

THENCE North 38°56'55" East, a distance of 77.89 feet;

THENCE South 67°02'55" East, a distance of 228.06 feet;

THENCE South 14°17'23" West, a distance of 119.41 feet;

THENCE North 81°01'23" East, a distance of 79.55 feet;

THENCE North 06°19'11" East, a distance of 80.05 feet;

THENCE South 67°58'37" East, a distance of 103.34 feet;

THENCE North 17°58'32" East, a distance of 107.66 feet;

THENCE North 20°44'07" East, a distance of 189.25 feet;

THENCE South 70°47'00" East, a distance of 315.54 feet;

THENCE South 15°13'50" West, a distance of 884.24 feet to the aforementioned northerly line of Route 17;

CONTINUING along same the following three (3) courses and distances;

96) North 45°42'43" West, a distance of 342.37 feet,

97) South 86°50'05" West, a distance of 124.64 feet and

98) North 50°59'54" West, a distance of 479.89 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 464,852 square feet; or 10.672 acres of land more or less.

SAID parcel being known as Section 23 Block 1 Lot 11.3 of the Town of Thompson Tax Maps.

PARCEL 'E'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'E' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the southwesterly corner of the herein described parcel at a point in the centerline of Rock Ridge Road and continuing along same, North 12°11'00" East, a distance of 99.00 feet;

THENCE North 21°26'00" West, a distance of 229.50 feet;

THENCE North 14°28'00" West, a distance of 105.60 feet;

THENCE North 12°28'00" West, a distance of 184.80 feet;

THENCE North 10°28'00" East, a distance of 237.60 feet;

THENCE South 70°32'00" East, a distance of 264.00 feet;

THENCE South 12°30'00" West, a distance of 151.27 feet to the aforementioned centerline of Rock Ridge Road;

CONTINUING along same the following sixteen (16) courses and distances;

99) North 22°28'00" East, a distance of 75.40 feet,

100) North 46°24'00" East, a distance of 27.04 feet,

101) North 72°54'00" East, a distance of 43.14 feet,
102) South 81°43'00" East, a distance of 67.14 feet,
103) South 73°14'00" East, a distance of 289.34 feet,
104) South 75°51'00" East, a distance of 68.05 feet,
105) South 84°49'00" East, a distance of 50.34 feet,
106) North 81°35'00" East, a distance of 60.00 feet,
107) North 70°47'00" East, a distance of 79.33 feet,
108) North 66°32'00" East, a distance of 182.90 feet,
109) North 73°27'13" East, a distance of 174.23 feet,
110) North 67°46'00" East, a distance of 83.24 feet,
111) North 61°13'00" East, a distance of 53.40 feet,
112) North 56°52'00" East, a distance of 215.00 feet,
113) North 53°01'00" East, a distance of 59.26 feet and
114) North 41°58'00" East, a distance of 20.18 feet;
THENCE South 41°52'00" East, a distance of 119.70 feet;
THENCE South 03°05'00" East, a distance of 247.00 feet;
THENCE South 48°18'00" East, a distance of 290.40 feet;
THENCE South 33°18'00" East, a distance of 585.14 feet;
THENCE North 87°26'00" East, a distance of 580.80 feet;
THENCE South 47°48'00" East, a distance of 436.18 feet;
THENCE South 05°50'00" West, a distance of 206.87 feet to the centerline of
Thompsonville Road;

CONTINUING along same the following eight (8) courses and distances;

- 115) South 57°40'00" West, a distance of 217.01 feet,
- 116) South 53°43'00" West, a distance of 308.21 feet,
- 117) South 57°13'00" West, a distance of 120.01 feet,
- 118) South 62°13'00" West, a distance of 84.37 feet,
- 119) South 67°33'00" West, a distance of 118.37 feet,
- 120) South 73°16'00" West, a distance of 105.51 feet,
- 121) South 74°50'00" West, a distance of 176.54 feet and
- 122) South 71°30'00" West, a distance of 44.45 feet;

THENCE North 70°35'00" West, a distance of 342.75 feet to the approximate centerline of Kiamesha Creek;

CONTINUING along same the following (twenty-one (21) courses and distances;

- 123) North 05°12'00" East, a distance of 22.25 feet,
- 124) North 27°03'00" West, a distance of 58.11 feet,
- 125) North 60°55'00" West, a distance of 106.35 feet,
- 126) North 03°56'00" West, a distance of 79.16 feet,
- 127) North 14°34'00" East, a distance of 66.29 feet,
- 128) North 09°00'00" East, a distance of 47.48 feet,
- 129) North 73°23'00" West, a distance of 48.67 feet,
- 130) North 42°22'00" West, a distance of 216.20 feet,
- 131) North 18°43'00" West, a distance of 85.50 feet,
- 132) North 57°36'00" West, a distance of 23.87 feet,
- 133) North 16°36'00" West, a distance of 124.81 feet,
- 134) North 61°36'00" West, a distance of 234.42 feet,
- 135) North 34°12'00" West, a distance of 46.51 feet,
- 136) North 52°42'00" West, a distance of 39.74 feet,
- 137) North 82°49'00" West, a distance of 51.64 feet,
- 138) South 56°38'00" West, a distance of 83.88 feet,
- 139) South 61°46'00" West, a distance of 59.64 feet,
- 140) North 79°29'00" West, a distance of 146.23 feet,
- 141) North 87°37'00" West, a distance of 62.61 feet,
- 142) North 83°35'00" West, a distance of 63.60 feet and
- 143) South 69°03'00" West, a distance of 64.15 feet;

THENCE North 75°37'00" West, a distance of 518.08 feet;

THENCE North 82°16'00" West, a distance of 30.01 feet to the POINT AND PLACE OF BEGINNING.

CONTAINING an area of 2,869,835 square feet; or 65.882 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 25.1, 25.2, 25.3, 48 and 49 of the Town of Thompson Tax Maps.

PARCEL 'F'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'F' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the northwesterly corner of the herein described parcel at a point in the centerline of Rock Ridge Road;

THENCE South 65°52'50" East, a distance of 225.51 feet;

THENCE South 19°07'10" West, a distance of 100.00 feet;

THENCE North 65°52'50" West, a distance of 222.29 feet to the aforementioned the centerline of Rock Ridge Road and continuing along same, North 17°17'17" East, a distance of 100.33 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 22,305 square feet; or 0.512 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot 17 of the Town of Thompson Tax Maps.

PARCEL 'G'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'G' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the northwesterly corner of the herein described parcel at a point on the southerly line of County Route 182 also known as Concord Road and continuing along same, South 85°04'00" East, a distance of 200.00 feet;

THENCE South 34°56'00" West, a distance of 199.73 feet;

THENCE North 85°08'00" West, a distance of 200.13 feet;

THENCE North 34°56'00" East, a distance of 200.00 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 34,618 square feet; or 0.795 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot 45 of the Town of Thompson Tax Maps.

PARCEL 'H'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'H' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the northeasterly corner of the herein described parcel at a point on the southerly line of County Route 182 also known as Concord Road;

THENCE South 34°56'00" West, a distance of 116.09 feet;

THENCE South 46°04'00" West, a distance of 260.04 feet;

THENCE South 48°10'00" West, a distance of 184.80 feet;

THENCE North 73°06'00" West, a distance of 377.70 feet;

THENCE North 03°57'00" East, a distance of 381.78 feet to the aforementioned southerly line of County Route 182 also known as Concord Road;

CONTINUING along same the following five (5) courses and distances;

144) North 84°52'00" East, a distance of 162.27 feet,

145) South 86°57'00" East, a distance of 89.02 feet,

- 146) South 88°51'00" East, a distance of 279.54 feet,
147) South 81°36'00" East, a distance of 64.72 feet and
148) South 56°51'00" East, a distance of 158.26 feet to the **POINT AND
PLACE OF BEGINNING.**

CONTAINING an area of 270,464 square feet; or 6.209 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 5 and 7 of the Town of Thompson Tax Maps.

PARCEL 'J'

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'J' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the northwesterly corner of the herein described parcel at a point on the southerly line of Thompsonville Road and continuing along same the following four (4) courses and distances;

- 149) South 85°12'38" East, a distance of 37.41 feet,
150) North 84°27'33" East, a distance of 241.27 feet,
151) North 82°57'33" East, a distance of 200.00 feet and
152) North 86°35'33" East, a distance of 194.71 feet;

THENCE South 16°35'33" West, a distance of 307.88 feet to the division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing along same, South 69°34'27" East, a distance of 653.27 feet;

THENCE South 17°11'33" West, a distance of 2648.90 feet;

THENCE North 67°54'27" West, a distance of 1245.00 feet;

THENCE South 15°35'33" West, a distance of 49.50 feet;

THENCE North 70°13'44" West, a distance of 313.98 feet;
THENCE North 69°09'44" West, a distance of 77.20 feet;
THENCE North 70°16'44" West, a distance of 734.96 feet;
THENCE North 12°21'46" East, a distance of 768.77 feet;
THENCE North 74°15'13" West, a distance of 441.87 feet to the centerline of
Joyland Road;

CONTINUING along same the following four (4) courses and distances;

- 153) North 15°24'28" East, a distance of 31.31 feet,
- 154) North 18°49'49" East, a distance of 297.65 feet,
- 155) North 16°28'56" East, a distance of 84.25 feet and
- 156) North 14°20'03" East, a distance of 18.77 feet;

THENCE South 70°46'13" East, a distance of 302.97 feet;
THENCE North 16°14'12" East, a distance of 490.46 feet;
THENCE South 70°38'25" East, a distance of 123.87 feet;
THENCE South 70°08'54" East, a distance of 578.31 feet;
THENCE South 70°51'44" East, a distance of 595.00 feet;
THENCE South 16°37'16" West, a distance of 635.00 feet;
THENCE South 67°34'24" East, a distance of 356.90 feet;
THENCE North 15°35'33" East, a distance of 850.00 feet;
THENCE North 65°39'27" West, a distance of 400.00 feet;
THENCE North 20°35'33" East, a distance of 410.00 feet;
THENCE South 66°54'27" East, a distance of 54.00 feet;
THENCE North 13°35'33" East, a distance of 383.91 feet to the **POINT AND
PLACE OF BEGINNING.**

CONTAINING an area of 5,316,770 square feet; or 122.056 acres of land more
or less.

SAID parcel being known as Section 23 Block 2 Lot 10 and part of Lot 8 of the
Town of Thompson Tax Maps.

PARCEL 'K'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'K' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the northwesterly corner of the herein described parcel at a point in the centerline of Kiamesha Creek and continuing along same the following fourteen (14) courses and distances;

- 157) South 52°42'00" East, a distance of 18.14 feet,
- 158) South 34°12'00" East, a distance of 46.51 feet,
- 159) South 61°36'00" East, a distance of 234.42 feet,
- 160) South 16°36'00" East, a distance of 124.81 feet,
- 161) South 57°36'00" East, a distance of 23.87 feet,
- 162) South 18°43'00" East, a distance of 85.50 feet,
- 163) South 42°22'00" East, a distance of 216.20 feet,
- 164) South 73°23'00" East, a distance of 48.67 feet,
- 165) South 09°00'00" West, a distance of 47.48 feet,
- 166) South 14°34'00" West, a distance of 66.29 feet,
- 167) South 03°56'00" East, a distance of 79.16 feet,
- 168) South 60°55'00" East, a distance of 106.35 feet,
- 169) South 27°03'00" East, a distance of 58.11 feet and
- 170) South 05°12'00" West, a distance of 22.25 feet;

THENCE North 70°47'00" West, a distance of 859.24 feet;

THENCE North 18°08'37" East, a distance of 611.20 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 314,001 square feet; or 7.208 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot 26.2 of the Town of Thompson Tax Maps.

PARCEL 'L'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'L' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at a point at the intersection of the westerly line of County Route 42 and the northerly line of Lanahans Road and continuing along same, South 89°18'49" West, a distance of 86.34 feet;

THENCE North 00°08'49" East, a distance of 200.00 feet;

THENCE North 89°51'11" West, a distance of 225.42 feet;

THENCE North 16°16'49" East, a distance of 664.72 feet;

THENCE North 48°30'11" West, a distance of 52.14 feet;

THENCE North 36°30'11" West, a distance of 25.08 feet;

THENCE North 24°00'11" West, a distance of 36.96 feet;

THENCE North 37°30'11" West, a distance of 29.70 feet;

THENCE North 11°59'11" West, a distance of 39.60 feet;

THENCE North 27°29'11" West, a distance of 48.18 feet;

THENCE North 37°29'11" West, a distance of 38.94 feet;

THENCE North 38°29'11" West, a distance of 47.52 feet;

THENCE North 20°59'11" West, a distance of 54.78 feet;

THENCE North 09°29'11" West, a distance of 79.20 feet;

THENCE North 01°02'11" West, a distance of 66.00 feet;

THENCE South 58°59'11" East, a distance of 284.46 feet;

THENCE South 14°46'11" East, a distance of 83.08 feet;

THENCE North 63°59'49" East, a distance of 271.11 feet to the aforementioned westerly line of County Route 42;

CONTINUING along same the following eight (8) courses and distances;

171) South 18°19'11" East, a distance of 40.96 feet,

172) South 63°59'49" West, a distance of 18.62 feet,

173) South 12°39'11" East, a distance of 292.92 feet,

174) South 16°09'49" West, a distance of 97.90 feet,

- 175) South 12°03'49" West, a distance of 90.86 feet,
- 176) South 13°27'49" West, a distance of 107.88 feet,
- 177) South 09°44'49" West, a distance of 431.00 feet and
- 178) South 33°58'49" West, a distance of 170.03 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 420,400 square feet; or 9.651 acres of land more or less.

SAID parcel being known as Section 13 Block 1 Lot(s) 28 & 53 of the Town of Thompson Tax Maps.

PARCEL 'M'

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'M' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the intersection of the easterly line of County Route 42 and the southerly line of County Route 182 also known as Concord Road and continuing along said Concord Road the following three (3) courses and distances;

- 179) North 79°36'15" East, a distance of 308.82 feet,
- 180) North 85°45'15" East, a distance of 322.14 feet and
- 181) North 85°17'15" East, a distance of 364.37 feet;

THENCE South 14°04'15" West, a distance of 316.28 feet;

THENCE South 18°01'15" West, a distance of 513.13 feet;

THENCE North 60°29'45" West, a distance of 319.98 feet;

THENCE South 86°27'03" West, a distance of 235.46 feet;

THENCE South 28°40'03" West, a distance of 23.97 feet;

THENCE North 60°29'45" West, a distance of 526.32 feet to the aforementioned easterly line of County Route 42;

CONTINUING along same the following two (2) courses and distances;

182) North 41°48'15" East, a distance of 97.37 feet and

183) North 35°35'15" East, a distance of 284.65 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 601,003 square feet; or 13.797 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 2.1 & 2.2 of the Town of Thompson Tax Maps.

PARCEL 'N'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'N' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at a point on the northerly line of County Route No. 109 also known as Kiamesha Lake Road at the southwest corner of lands now or formerly of Irving Cohen and continuing along the westerly line of said lands now or formerly of Cohen, North 15°59'50" East, a distance of 199.10 feet;

THENCE South 88°07'00" East, a distance of 200.00 feet;

THENCE South 28°46'00" West, a distance of 218.01 feet to the aforementioned northerly line of County Route No. 109 also known as Kiamesha Lake Road;

CONTINUING along same North 87°35'51" West, a distance of 149.97 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 33,954 square feet; or 0.779 acres of land more or less.

SAID parcel being known as Section 15 Block 1 Lot(s) 5 of the Town of Thompson Tax Maps.

PARCEL 'LH1'

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'LH1' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at a point in the centerline of Thompsonville Road;
THENCE North 20°16'27" West, a distance of 66.71 feet;
THENCE North 34°25'01" East, a distance of 82.03 feet;
THENCE North 25°27'40" East, a distance of 373.40 feet;
THENCE North 37°35'04" East, a distance of 273.90 feet;
THENCE North 63°33'42" East, a distance of 50.58 feet;
THENCE North 04°06'40" West, a distance of 82.46 feet;
THENCE North 31°12'29" East, a distance of 251.84 feet;
THENCE North 58°17'54" East, a distance of 89.77 feet;
THENCE North 57°31'09" East, a distance of 130.29 feet;
THENCE North 09°02'43" East, a distance of 104.87 feet;
THENCE North 24°36'42" East, a distance of 156.34 feet to the division line of Great Lot 1 on the north and Great Lot 13 on the south;
CONTINUING along same the following two (2) courses and distances;
184) North 69°20'00" West, a distance of 128.15 feet and
185) North 69°24'26" West, a distance of 235.78 feet to the division line of lot 25 on the west & lot 17 on the east of Great Lot 1 of the Hardenburgh Patent and continuing along same, North 15°30'21" East, a distance of 1710.73 feet;
THENCE South 67°53'33" East, a distance of 1819.46 feet to the approximate centerline of Kiamasha Creek;

CONTINUING along same the following fourteen (14) courses and distances;

- 186) North 55°07'46" East, a distance of 165.72 feet,
- 187) North 67°35'53" East, a distance of 170.27 feet,
- 188) North 48°59'16" East, a distance of 127.61 feet,
- 189) North 42°46'43" East, a distance of 99.24 feet,
- 190) North 21°29'55" East, a distance of 59.40 feet,
- 191) North 04°27'53" West, a distance of 193.59 feet,
- 192) North 06°32'37" East, a distance of 40.45 feet,
- 193) North 34°58'29" East, a distance of 113.94 feet,
- 194) North 04°52'16" West, a distance of 73.96 feet,
- 195) North 07°15'06" East, a distance of 139.27 feet,
- 196) North 17°55'47" East, a distance of 156.34 feet,
- 197) North 27°06'36" East, a distance of 257.65 feet,
- 198) North 19°47'40" East, a distance of 29.74 feet and
- 199) North 38°43'45" East, a distance of 139.26 feet to the division line of
lot 18 on the north & lot 17 on the south of Great Lot 1 of the
Hardenburgh Patent and continuing along same, South 69°20'22"
East, a distance of 1198.32 feet;

THENCE North 20°34'08" East, a distance of 1083.29 feet;

THENCE South 69°40'38" East, a distance of 1198.83 feet;

THENCE South 20°34'10" West, a distance of 1089.00 feet to the
aforementioned division line of lot 18 on the north & lot 17 on the south of Great Lot 1 of
the Hardenburgh Patent and continuing along same, North 69°25'51" West, a distance of
729.84 feet;

THENCE South 15°18'26" West, a distance of 1677.94 feet;

THENCE North 67°53'33" West, a distance of 1006.08 feet to the centerline of
Chalet Road;

CONTINUING along same the following sixteen (16) courses and distances;

- 200) South 32°24'55" East, a distance of 86.74 feet,
- 201) South 29°01'32" East, a distance of 43.33 feet,
- 202) South 20°23'04" East, a distance of 43.72 feet,

- 203) South 13°47'29" East, a distance of 68.81 feet,
- 204) South 10°32'39" East, a distance of 112.26 feet,
- 205) South 11°36'18" East, a distance of 67.40 feet,
- 206) South 13°16'52" East, a distance of 128.93 feet,
- 207) South 14°05'26" East, a distance of 136.10 feet,
- 208) South 10°12'53" East, a distance of 133.06 feet,
- 209) South 07°40'03" East, a distance of 106.27 feet,
- 210) South 01°59'27" East, a distance of 196.51 feet,
- 211) South 00°40'40" East, a distance of 125.64 feet,
- 212) South 05°33'03" West, a distance of 70.28 feet,
- 213) South 12°33'45" West, a distance of 86.60 feet,
- 214) South 16°40'34" West, a distance of 100.27 feet and
- 215) South 17°16'08" West, a distance of 330.03 feet to the aforementioned
division line of Great Lot 1 on the north and Great Lot 13 on the south
and continuing along same, North 69°20'00" West, a distance of
330.00 feet;

THENCE North 16°45'00" East, a distance of 563.00 feet;

THENCE North 69°20'00" West, a distance of 350.00 feet;

THENCE South 16°45'00" West, a distance of 563.00 feet to the aforementioned
division line of Great Lot 1 on the north and Great Lot 13 on the south and continuing
along same, North 69°20'00" West, a distance of 589.67 feet;

THENCE South 23°18'44" West, a distance of 2114.90 feet;

THENCE North 67°17'34" West, a distance of 435.20 feet;

THENCE South 15°39'20" West, a distance of 566.94 feet;

THENCE North 70°16'15" West, a distance of 1494.90 feet;

THENCE South 15°13'50" West, a distance of 1100.22 feet;

THENCE North 70°31'44" West, a distance of 1209.71 feet to the northerly line
of Route 17;

CONTINUING along same the following two (2) courses and distances;

216) North 41°35'52" West, a distance of 414.77 feet and

217) North 45°42'43" West, a distance of 29.98 feet;

THENCE North 15°13'50" East, a distance of 884.24 feet;
THENCE South 70°47'00" East, a distance of 161.39 feet;
THENCE South 70°35'00" East, a distance of 342.75 feet to the centerline of
Thompsonville Road;

CONTINUING along same the following eight (8) courses and distances:

- 218) North 71°30'00" East, a distance of 44.45 feet,
- 219) North 74°50'00" East, a distance of 176.54 feet,
- 220) North 73°16'00" East, a distance of 105.51 feet,
- 221) North 67°33'00" East, a distance of 118.37 feet,
- 222) North 62°13'00" East, a distance of 84.37 feet,
- 223) North 57°13'00" East, a distance of 120.01 feet,
- 224) North 53°43'00" East, a distance of 308.21 feet and
- 225) North 57°40'00" East, a distance of 573.41 feet to the POINT AND
PLACE OF BEGINNING.

CONTAINING an area of 16,726,759 square feet; or 383.994 acres of land more
or less.

SAID parcel being known as Section 15 Block 1 Lot(s) 13, 15, 16, 17, & 50 and
Section 23 Block 1 Lot(s) 48 & 52 of the Town of Thompson Tax Maps.

PARCEL 'LH2'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan
County, New York designated as Parcel 'LH2' and shown on a map entitled "Map of
Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson,
County Of Sullivan, State Of New York, dated March 15, 2012" which is more
particularly bounded and described as follows:

BEGINNING at the intersection the centerline of Rock Ridge Road and the
southerly line of County Route 182 also known as Concord Road and continuing along
said southerly line of County Route 182 also known as Concord Road the following six
(6) courses and distances;

- 226) North 82°58'43" East, a distance of 120.00 feet,
- 227) North 68°30'54" East, a distance of 165.61 feet,
- 228) North 61°17'31" East, a distance of 89.00 feet,
- 229) North 48°54'38" East, a distance of 197.54 feet,
- 230) North 53°57'25" East, a distance of 216.00 feet and
- 231) North 57°58'49" East, a distance of 201.18 feet to the northwest corner of now or formerly Parker said point also being on the southerly line of the Harness Race Track Parcel 4 as shown on a map entitled "Amendment to Filed Lot Improvement / Consolidation Plan Prepared for Concord Associates, LP and Concord Resort LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated May 11, 2009" filed in the Sullivan County Clerks Office on June 29, 2009 in Volume 12 at page 87;

CONTINUING along aforementioned southerly line of the Harness Race Track Parcel 4 the following three (3) courses and distances;

- 232) South 51°04'22" East, a distance of 185.72 feet,
- 233) South 53°40'37" West, a distance of 178.00 feet and
- 234) South 56°04'23" East, a distance of 458.00 feet;
- THENCE** South 22°16'58" West, a distance of 484.81 feet;
- THENCE** South 30°13'30" West, a distance of 650.09 feet;
- THENCE** North 68°26'44" West, a distance of 292.93 feet;
- THENCE** North 16°26'39" East, a distance of 25.78 feet;
- THENCE** North 70°39'48" West, a distance of 538.92 feet;
- THENCE** North 21°01'35" East, a distance of 67.91 feet;
- THENCE** South 66°30'26" East, a distance of 98.31 feet;
- THENCE** North 19°07'10" East, a distance of 200.00 feet;
- THENCE** North 65°52'50" West, a distance of 225.51 feet to the aforementioned centerline of Rock Ridge Road;

CONTINUING along same the following three (3) courses and distances;

- 235) North 17°17'23" East, a distance of 18.64 feet,
- 236) North 13°02'52" East, a distance of 201.98 feet and

237) North 10°36'45" East, a distance of 178.79 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 1,126,189 square feet; or 25.854 acres of land more or less.

SAID parcel being known as Section 13 Block 3 Lot(s) 18 and 19.3 of the Town of Thompson Tax Maps.

PARCEL 'LH3'

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York designated as Parcel 'LH3' and shown on a map entitled "Map of Parcels Prepared for EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the southeasterly corner of the herein described parcel at a point in the northerly line of County Route 42 and continuing along same the following six (6) courses and distances;

238) South 64°34'59" West, a distance of 233.00 feet,

239) South 69°49'59" West, a distance of 352.00 feet,

240) South 72°19'59" West, a distance of 368.00 feet,

241) South 69°59'59" West, a distance of 450.00 feet,

242) South 73°44'59" West, a distance of 262.00 feet and

243) South 68°29'59" West, a distance of 343.07 feet;

THENCE North 07°40'01" West, a distance of 601.35 feet;

THENCE South 73°33'01" East, a distance of 502.00 feet;

THENCE North 69°41'59" East, a distance of 333.26 feet;

THENCE North 18°12'59" East, a distance of 185.00 feet;

THENCE North 69°58'59" East, a distance of 94.17 feet;

THENCE North 72°19'59" East, a distance of 352.00 feet;

THENCE North 69°49'59" East, a distance of 342.00 feet;

THENCE North $63^{\circ}42'59''$ East, a distance of 531.56 feet;

THENCE South $11^{\circ}04'59''$ West, a distance of 562.00 feet to the POINT AND
PLACE OF BEGINNING.

CONTAINING an area of 876,964 square feet; or 20.132 acres of land more or
less.

SAID parcel being known as Section 9 Block 1 Lot 18.1 of the Town of
Thompson Tax Maps.



LEGAL DESCRIPTION OF TAX LOT 23-1-50

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 46 of Great Lot 13, Hardenburg Patent and designated as "23-1-50" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 46 and 47, North $15^{\circ}13'50''$ East, a distance of 2873.64 feet to the corner of lot numbers 46, 47, 52 and 53 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 46 and 52, South $70^{\circ}16'15''$ East, a distance of 645.29 feet;

THENCE South $09^{\circ}52'17''$ West, a distance of 2189.01 feet to the centerline of a stonewall on the westerly side of a lane;

THENCE South $19^{\circ}13'17''$ West, a distance of 702.20 feet, partially along said centerline of a stonewall on the westerly side of a lane, to the line between lot numbers 40 and 46 of Great Lot 13, Hardenburg Patent;

THENCE continuing along same, North $70^{\circ}41'39''$ West, a distance of 800.90 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 2,195,108 square feet or 50.393 acres of land more or less.

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, acquired by New York State for State Highway No. 5457 (Route 17) without right of access to and from abutting property, which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 46 and 47, North $15^{\circ}13'50''$ East, a distance of 690.95 feet to a point on the southerly line of State Highway No. 5457 (Route 17), said point being the **POINT AND PLACE OF BEGINNING**:

THENCE continuing northerly along said line between lot numbers 46 and 47, North $15^{\circ}13'50''$ East, a distance of 299.06 feet to the northerly line of State Highway No. 5457 (Route 17) and continuing along same the following two (2) courses and distances;

- 1) South $38^{\circ}52'58''$ East, a distance of 496.67 feet and
- 2) South $36^{\circ}30'48''$ East, a distance of 542.24 feet;

THENCE South $19^{\circ}13'17''$ West, a distance of 223.53 feet to the southerly line of said State Highway No. 5457 (Route 17);

THENCE continuing along same, North $40^{\circ}38'21''$ West, a distance of 981.71 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 224,292 square feet or 5.149 acres of land more or less.

ALSO EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, on the southerly side of State Highway No. 5457 (Route 17) without right of access to and from abutting property, which is more particularly bounded and described as follows:

BEGINNING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 46 and 47, North 15°13'50" East, a distance of 690.95 feet to a point on the southerly line of State Highway No. 5457 (Route 17);

THENCE continuing along same, South 40°38'21" East, a distance of 981.71 feet;

THENCE South 19°13'17" West, a distance of 197.53 feet to the line between lot numbers 40 and 46 of Great Lot 13, Hardenburg Patent;

THENCE continuing along same, North 70°41'39" West, a distance of 800.90 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 359,844 square feet or 8.261 acres of land more or less.



LEGAL DESCRIPTION OF TAX LOT 23-2-33

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 39 of Great Lot 13, Hardenburg Patent and designated as "23-2-33" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at a point at the common corner of the westerly line of Towner Road and the northerly line of State Highway No. 5457 (Route 17), 155.5± meters northerly and measured at right angles from Station 10+973.4± of the Bloomburg-Monticello Part 2, State Highway No. 5457;

THENCE running along the northerly line of said State Highway No. 5457 (Route 17) (acquired by New York State without right of access to and from abutting property), the following two (2) courses and distances;

- 1) North 71°10'47" West, a distance of 8.45 feet to a point 154.000 meters northerly and measured at right angles from Station 10+972.000 of said 1998 survey baseline and
- 2) North 61°40'46" West, a distance of 115.07 feet;

THENCE North 15°20'21" East, a distance of 525.87 feet to the southerly line of Lorraine Drive;

THENCE continuing along same, South 66°44'39" East, a distance of 173.49 feet;

THENCE South 20°01'21" West, a distance of 120.00 feet;

THENCE South 66°44'39" East, a distance of 120.00 feet to the westerly line of Towner Road and continuing along same the following three (3) courses and distances;

- 3) South 20°01'21" West, a distance of 181.74 feet,
- 4) South 85°16'21" West, a distance of 140.96 feet and

- 5) South $19^{\circ}56'21''$ West, a distance of 163.24 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 104,054 square feet or 2.389 acres of land more or less.

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, a temporary easement for highway purposes, more particularly bounded and described as follows:

BEGINNING at a point at the common corner of the westerly line of Towner Road and the northerly line of State Highway No. 5457 (Route 17), 155.5± meters northerly and measured at right angles from Station 10+973.4± of the Bloomburg-Monticello Part 2, State Highway No. 5457;

THENCE running along the northerly line of said State Highway No. 5457 (Route 17) (acquired by New York State without right of access to and from abutting property), the following two (2) courses and distances;

- 6) North $71^{\circ}10'47''$ West, a distance of 8.45 feet to a point 154.000 meters northerly and measured at right angles from Station 10+972.000 of said 1998 survey baseline and
- 7) North $61^{\circ}40'46''$ West, a distance of 115.07 feet;

THENCE North $15^{\circ}20'21''$ East, a distance of 28.10 feet;

THENCE South $61^{\circ}37'40''$ East, a distance of 125.90 to the westerly line of Towner Road at a point 161.1± meters northerly and measured at right angles from Station 10+967.6± of said 1998 survey baseline;

THENCE continuing along same, South $19^{\circ}56'21''$ West, a distance of 26.15 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 3,402 square feet or 0.078 acres of land more or less.

23 NEPPERHAN AVENUE
ELMSFORD, NEW YORK 10523-2506
914.347.3141 • FAX: 914.347.3120
OFFICE@LINEANDGRADE.NET

JOHN DeMARIO, PARTNER
GARY ENNIS, PARTNER



NOT AFFILIATED WITH ANY OTHER
LINE AND GRADE COMPANY.

LEGAL DESCRIPTION OF TAX LOT 31-1-17.1

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 40 of Great Lot 13, Hardenburg Patent and designated as "31-1-17.1" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

COMMENCING on the northerly line of State Highway No. 5457 (Route 17) at a monument 36.5± meters northerly and measured at right angles from Station 10+370.4± of the 1998 survey baseline of the Bloomburg-Monticello Part 2, State Highway No. 5457 and continuing along said northerly line, North 40°35'58" West, a distance of 50.31 feet to an iron pin, said point being the **POINT AND PLACE OF BEGINNING**:

THENCE continuing along the northerly line of said State Highway No. 5457 (Route 17), the following two (2) courses and distances;

- 1) North 40°45'59" West, a distance of 457.35 feet to an iron pin in the centerline of a stonewall and continuing partially along said stonewall,
- 2) North 16°28'12" East, a distance of 94.50 feet through an iron pin to the line between lot numbers 40 and 46 of Great Lot 13, Hardenburg Patent;

THENCE continuing along same, South 70°46'14" East, a distance of 395.73 feet to a stonewall;

THENCE continuing partially along said stonewall, South 18°21'51" West, a distance of 323.13 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 82,102 square feet or 1.885 acres of land more or less.



23 NEPPERHAN AVENUE
ELMSFORD, NEW YORK 10523-2506
914.347.3141 • FAX: 914.347.3120
OFFICE@LINEANDGRADE.NET

JOHN DeMARIO, PARTNER
GARY ENNIS, PARTNER

NOT AFFILIATED WITH ANY OTHER
LINE AND GRADE COMPANY

LEGAL DESCRIPTION OF TAX LOT 23-1-51

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 46 of Great Lot 13, Hardenburg Patent and designated as "23-1-51" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 40 and 46 of Great Lot 13, Hardenburg Patent, South 70°41'39" East, a distance of 800.90 feet to the **POINT AND PLACE OF BEGINNING**;

THENCE North 19°13'17" East, a distance of 702.20 feet, partially along the centerline of a stonewall on the westerly side of a lane;

THENCE North 09°52'17" East, a distance of 2189.01 feet to the line between lot numbers 46 and 52 of Great Lot 13, Hardenburg Patent;

THENCE continuing along same, South 70°16'15" East, a distance of 849.61 feet to the northwesterly corner of the Olmstead lot and continuing along the westerly line of said Olmstead lot the following three (3) courses and distances;

- 1) South 15°39'20" West, a distance of 1489.67 feet,
- 2) South 18°45'55" West, a distance of 338.72 feet and
- 3) South 15°19'04" West, a distance of 829.77 feet, partially along a stonewall to the southwesterly corner of said Olmstead lot;

THENCE continuing along the southerly line of said Olmstead lot, South 72°32'56" East, a distance of 70.00 feet;

THENCE South 15°33'48" West, a distance of 210.32 feet to the line between lot numbers 40 and 46 of Great Lot 13, Hardenburg Patent, and continuing along same the following two (2) courses and distances;

- 4) North 69°53'51" West, a distance of 388.12 feet to an iron pin and
- 5) North 70°41'39" West, a distance of 341.09 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 2,045,109 square feet or 46.949 acres of land more or less.

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, acquired by New York State for State Highway No. 5457 (Route 17) without right of access to and from abutting property, which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent; and running along the line between lot numbers 40 and 46, South 70°41'39" East, a distance of 800.90 feet;

THENCE North 19°13'17" East, a distance of 197.53 feet to the southerly line of State Highway No. 5457 (Route 17) to the **POINT AND PLACE OF BEGINNING**:

THENCE North 19°13'17" East, a distance of 223.53 feet to the northerly line of State Highway No. 5457 (Route 17);

THENCE continuing along same, the following two (2) courses and distances;

- 6) South 36°30'48" East, a distance of 88.71 feet and
- 7) South 40°45'35" East, a distance of 754.68 feet to the line between lot numbers 40 and 46 of Great Lot 13, Hardenburg Patent;

THENCE continuing along same, North 69°53'51" West, a distance of 385.72 feet to an iron pin in the southerly line of State Highway No. 5457 (Route 17);

THENCE continuing along same, North 40°38'21" West, a distance of 394.41 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 115,927 square feet or 2.661 acres of land more or less.

ALSO EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, on the southerly side of State Highway No. 5457 (Route 17) without right of access to and from abutting property, which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent; and running along the line between lot numbers 40 and 46, South $70^{\circ}41'39''$ East, a distance of 800.90 feet to the **POINT AND PLACE OF BEGINNING**:

THENCE North $19^{\circ}13'17''$ East, a distance of 197.53 feet to the southerly line of State Highway No. 5457 (Route 17);

THENCE continuing along same, South $40^{\circ}38'21''$ East, a distance of 394.41 feet to an iron pin in the line between lot numbers 40 and 46 of Great Lot 13, Hardenburg Patent;

THENCE continuing along same, North $70^{\circ}41'39''$ West, a distance of 341.09 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 33,688 square feet or 0.773 acres of land more or less.



23 NEPPERHAN AVENUE
ELMSFORD, NEW YORK 10523-2506
914.347.3141 • FAX: 914.347.3120
OFFICE@LINEANDGRADE.NET

JOHN DeMARIO, PARTNER
GARY ENNIS, PARTNER

NOT AFFILIATED WITH ANY OTHER
LINE AND GRADE COMPANY

LEGAL DESCRIPTION OF TAX LOT 23-2-32

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 39 of Great Lot 13, Hardenburg Patent and designated as "23-2-32" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

COMMENCING at a point 2.7± meters distant easterly and measured at right angles from Station J1+294.3± of the 1998 survey baseline of the Bloomburg-Monticello Part 2, State Highway No. 5457 (on the easterly line of Joyland Road), thence South 74°39'39" East, a distance of 150.00 feet to the **POINT AND PLACE OF BEGINNING**:

THENCE South 74°39'39" East, a distance of 290.50 feet;

THENCE South 15°20'21" West, a distance of 396.60 feet to the northerly line of State Highway No. 5457 (Route 17) and continuing along same the following three (3) courses and distances;

- 1) North 61°40'46" West, a distance of 62.76 feet to a point 121.000 meters northerly and measured at right angles from Station 10+929.000 of said 1998 survey baseline,
- 2) North 51°49'08" West, a distance of 160.77 feet to a point 2.000 meters westerly and measured at right angles from Station J1+174.500 of said 1998 survey baseline and
- 3) North 38°24'16" West, a distance of 99.94 feet;

THENCE North 15°12'36" East, a distance of 260.99 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 99,366 square feet or 2.281 acres of land more or less.

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, a temporary easement for highway purposes, more particularly bounded and described as follows:

BEGINNING at a point 103.036 meters northerly and measured at right angles from Station 10+894.701 of said 1998 survey baseline of the Bloomburg-Monticello Part 2, State Highway No. 5457 (Route 17) (on the northerly line of said State Highway);

THENCE North $38^{\circ}40'16''$ East, a distance of 62.55 feet to a point 120.000 meters northerly and measured at right angles from Station 10+886.000 of said 1998 survey baseline;

THENCE South $49^{\circ}22'35''$ East, a distance of 30.82 feet to a point 124.000 meters northerly and measured at right angles from Station 10+894.500 of said 1998 survey baseline;

THENCE South $34^{\circ}38'06''$ East, a distance of 108.43 feet to a point 130.000 meters northerly and measured at right angles from Station 10+927.000 of said 1998 survey baseline;

THENCE South $61^{\circ}37'40''$ East, a distance of 43.68 feet to the easterly line of the herein described parcel;

THENCE continuing along same, South $15^{\circ}20'21''$ West, a distance of 28.10 feet to the northerly line of said State Highway No. 5457 (Route 17);

THENCE continuing along same, the following two (2) courses and distances;

- 4) North $61^{\circ}40'46''$ West, a distance of 62.76 feet to a point 121.000 meters northerly and measured at right angles from Station 10+929.000 of said 1998 survey baseline and
- 5) North $51^{\circ}49'08''$ West, a distance of 127.03 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 7,950 square feet or 0.183 acres of land more or less.

CONTRACTORS' LINE & GRADE SOUTH, LLC



SINCE 1973

23 NEPPERHAN AVENUE
ELMSFORD, NEW YORK 10523-2506
914.347.3141 • FAX: 914.347.3120
OFFICE@LINEANDGRADE.NET

JOHN DeMARIO, PARTNER
GARY ENNIS, PARTNER

NOT AFFILIATED WITH ANY OTHER
LINE AND GRADE COMPANY

LEGAL DESCRIPTION OF TAX LOT 23-2-31

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 39 of Great Lot 13, Hardenburg Patent and designated as "23-2-31" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at a point 2.7± meters distant easterly and measured at right angles from Station J1+294.3± of the 1998 survey baseline of the Bloomburg-Monticello Part 2, State Highway No. 5457 (on the easterly line of Joyland Road);

THENCE South 74°39'39" East, a distance of 150.00 feet;

THENCE South 15°12'36" West, a distance of 260.99 feet to a point on the northerly line of said State Highway No. 5457 (Route 17);

THENCE continuing along the northerly line of said State Highway No. 5457 (Route 17) (acquired by New York State without right of access to and from abutting property), North 38°24'16" West, a distance of 183.82 feet to a monument at the common corner of the northerly line of said State Highway No. 5457 (Route 17) and the easterly line of said Joyland Road, 25.300 meters westerly and measured at right angles from Station J1+259.000 of said 1998 survey baseline;

THENCE continuing along the easterly line of said Joyland Road, North 14°27'11" East, a distance of 152.30 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 30,733 square feet or 0.706 acres of land more or less.

**LEGAL DESCRIPTION OF TAX LOT 31-1-19.2**

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 40 of Great Lot 13, Hardenburg Patent and designated as "31-1-19.2" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at a point 8.0± meters distant westerly and measured at right angles from Station J1+312.8± of the 1998 survey baseline of the Bloomburg-Monticello Part 2, State Highway No. 5457 (on the westerly line of Joyland Road);

THENCE continuing along the westerly line of said Joyland Road line the following two (2) courses and distances;

- 1) South 73°17'31" West, a distance of 17.21 feet to a point 12.500 meters westerly and measured at right angles from Station J1+310.000 of said 1998 survey baseline and
- 2) South 18°53'32" West, a distance of 113.40 feet to a monument on the northerly line of said State Highway No. 5457 (Route 17), 25.700 meters northerly and measured at right angles from Station 1+289.500 of said 1998 survey baseline;

THENCE continuing along the northerly line of said State Highway No. 5457 (Route 17) (acquired by New York State without right of access to and from abutting property), the following seven (7) courses and distances;

- 3) North 75°33'24" West, a distance of 229.13 feet to a point 67.300 meters northerly and measured at right angles from Station 10+760.300 of said 1998 survey baseline,
- 4) South 84°35'43" West, a distance of 93.92 feet to a monument 53.000 meters northerly and measured at right angles from Station 10+735.500 of said 1998 survey baseline,
- 5) North 62°31'32" West, a distance of 58.15 feet to a point 53.9± meters northerly and measured at right angles from Station 10+717.8± of said 1998 survey baseline,

- 6) North 49°50'28" West, a distance of 169.63 feet to a monument 67.8± meters northerly and measured at right angles from Station 10+668.0± of said 1998 survey baseline,
- 7) North 47°50'24" West, a distance of 616.51 feet to a point 43.100 meters northerly and measured at right angles from Station 10+445.000 of said 1998 survey baseline,
- 8) North 41°10'03" West, a distance of 245.71 feet through a monument on line, to a monument 36.5± meters northerly and measured at right angles from Station 10+370.4± of said 1998 survey baseline,
- 9) North 40°35'58" West, a distance of 50.31 feet to an iron pin;

THENCE North 18°21'51" East, a distance of 323.13 feet partially along a stonewall to the line between lot numbers 40 and 46 of Great Lot 13, Hardenburg Patent;

THENCE continuing along same, South 70°46'14" East, a distance of 1022.57 feet to the northwesterly corner of Nachial Emunah Bungalows, Inc. (Deed 920 at Page 125);

THENCE along the westerly line of said Nachial Emunah Bungalows, Inc. and parallel to the center of the travelled way of Joyland Road, South 15°21'48" West, a distance of 531.11 feet to the southwesterly corner of said Nachial Emunah Bungalows, Inc;

THENCE along the southerly line of said Nachial Emunah Bungalows, Inc, South 62°45'12" East, a distance of 180.80 feet;

THENCE South 25°03'48" West, a distance of 33.52 feet, parallel to and 9 feet easterly of the easterly edge of a concrete slab on which a pump house formerly existed on the herein described parcel;

THENCE South 67°12'01" East, a distance of 139.02 feet, parallel to and 6 feet southerly of the southerly face of the main house on said lands of Nachial Emunah Bungalows, Inc. to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 652,139 square feet or 14.971 acres of land more or less.

ALSO granting all the right, title, and interest of the grantor, in and to a right of way over a six (6) foot wide strip of land between the southerly face of the main house on said lands of Nachial Emunah Bungalows, Inc (Deed Liber 920 at Page 125), and the bounds of lands in the last described course above (South 67°12'01" East, a distance of 139.02 feet).

SUBJECT to restrictions contained in Deed Liber 559 at Page 182 relative to not building a solid wall along a portion of the bounds of lands in the last described course above (South $67^{\circ}12'01''$ East, a distance of 139.02 feet).

23 NEPPERHAN AVENUE
ELMSFORD, NEW YORK 10523-2506
914.347.3141 • FAX: 914.347.3120
OFFICE@LINEANDGRADE.NET

JOHN DeMARIO, PARTNER
GARY ENNIS, PARTNER



NOT AFFILIATED WITH ANY OTHER
LINE AND GRADE COMPANY

LEGAL DESCRIPTION OF TAX LOT 23-1-65.1

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 46 of Great Lot 13, Hardenburg Patent and designated as "23-1-65.1" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent;

THENCE running along the line between lot numbers 40 and 46, the following two (2) courses and distances;

- 1) South 70°41'39" East, a distance of 1141.99 feet and
- 2) South 69°53'51" East, a distance of 388.12 feet **POINT AND PLACE OF BEGINNING:**

THENCE North 15°33'48" East, a distance of 50.17 feet;

THENCE South 71°52'02" East, distance of 1882.83 feet to the westerly line of Joyland Road;

THENCE along the westerly line of said Joyland Road, South 15°23'14" West, a distance of 50.18 feet;

THENCE North 71°52'02" West, a distance of 1882.99 feet to the line between lot numbers 40 and 46 said point being the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 94,372 square feet or 2.166 acres of land more or less.



LEGAL DESCRIPTION OF PARCEL A

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 46 of Great Lot 13, Hardenburg Patent and designated as "Parcel A" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

COMMENCING at the corner of lot numbers 40, 41, 46 and 47 of Great Lot 13, Hardenburg Patent; and running along the line between lot numbers 46 and 47, North 15°13'50" East, a distance of 990.01 feet to the northerly line of State Highway No. 5457 (Route 17) said point being the **POINT OF BEGINNING**;

THENCE continuing, from the point of beginning, along the said line between lot numbers 46 and 47, North 15°13'50" East, a distance of 1883.63 feet to the corner of lot numbers 46, 47, 52 and 53;

THENCE running along the line between lot numbers 46 and 52, South 70°16'15" East, a distance of 1494.90 feet to the northwesterly corner of the Olmstead lot and continuing along the westerly line of said Olmstead lot the following three (3) courses and distances;

- 1) South 15°39'20" West, a distance of 1489.67 feet,
- 2) South 18°45'55" West, a distance of 338.72 feet and
- 3) South 15°19'04" West, a distance of 829.77 feet, partially along a stonewall to the southwesterly corner of said Olmstead lot;

THENCE running along the southerly line of said Olmstead lot, South 72°32'56" East, a distance of 70.00 feet;

THENCE South 15°33'48" West, a distance of 160.15 feet;

THENCE South 71°52'02" East, distance of 1882.83 feet to the westerly line of Joyland Road;

THENCE along the westerly line of said Joyland Road, South 15°23'14" West, a distance of 50.18 feet;

THENCE North 71°52'02" West, a distance of 1882.99 feet to the line between lot numbers 40 and 46;

THENCE continuing along same, North 69°53'51" West, a distance of 2.40 feet to the northerly line of said State Highway No. 5457 (Route 17);

THENCE continuing along the said northerly line of said State Highway No. 5457 (Route 17) (acquired by New York State without right of access to and from abutting property), the following three (3) courses and distances;

- 4) North 40°45'35" West, a distance of 754.68 feet to a monument,
- 5) North 36°30'48" West, a distance of 630.95 feet to a monument and
- 6) North 38°52'58" West, a distance of 496.67 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 3,600,838 square feet or 82.664 acres of land more or less.

ALSO all that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 40 of Great Lot 13, Hardenburg Patent and designated as "Parcel A" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at a point 8.0± meters distant westerly and measured at right angles from Station J1+312.8± of the 1998 survey baseline of the Bloomburg-Monticello Part 2, State Highway No. 5457 (on the westerly line of Joyland Road);

THENCE running along the westerly line of said Joyland Road line the following two (2) courses and distances;

- 1) South 73°17'31" West, a distance of 17.21 feet to a point 12.500 meters westerly and measured at right angles from Station J1+310.000 of said 1998 survey baseline and
- 2) South 18°53'32" West, a distance of 113.40 feet to a monument at the common corner of the northerly line of said State Highway No. 5457 (Route 17) and the westerly line of Joyland Road, 25.700 meters northerly and measured at right angles from Station 1+289.500 of said 1998 survey baseline;

THENCE running along the northerly line of said State Highway No. 5457 (Route 17) (acquired by New York State without right of access to and from abutting property), the following nine (9) courses and distances;

- 3) North 75°33'24" West, a distance of 229.13 feet to a point 67.300 meters northerly and measured at right angles from Station 10+760.300 of said 1998 survey baseline,
- 4) South 84°35'43" West, a distance of 93.92 feet to a monument 53.000 meters northerly and measured at right angles from Station 10+735.500 of said 1998 survey baseline,
- 5) North 62°31'32" West, a distance of 58.15 feet to a point 53.9± meters northerly and measured at right angles from Station 10+717.8± of said 1998 survey baseline,
- 6) North 49°50'28" West, a distance of 169.63 feet to a monument 67.8± meters northerly and measured at right angles from Station 10+668.0± of said 1998 survey baseline,
- 7) North 47°50'24" West, a distance of 616.51 feet to a point 43.100 meters northerly and measured at right angles from Station 10+445.000 of said 1998 survey baseline,
- 8) North 41°10'03" West, a distance of 245.71 feet through a monument on line, to a monument 36.5± meters northerly and measured at right angles from Station 10+370.4± of said 1998 survey baseline,
- 9) North 40°35'58" West, a distance of 50.31 feet to an iron pin,
- 10) North 40°45'59" West, a distance of 457.35 feet to an iron pin in the centerline of a stonewall and continuing partially along said stonewall,
- 11) North 16°28'12" East, a distance of 94.50 feet through an iron pin to the line between lot numbers 40 and 46 of Great Lot 13, Hardenburg Patent;

THENCE continuing along same, South 70°46'14" East, a distance of 1418.30 feet to the northwesterly corner of Nachial Emunah Bungalows, Inc. (Deed 920 at Page 125);

THENCE along the westerly line of said Nachial Emunah Bungalows, Inc. and parallel to the center of the travelled way of Joyland Road, South 15°21'48" West, a distance of 531.11 feet to the southwesterly corner of said Nachial Emunah Bungalows, Inc;

THENCE running along the southerly line of said Nachial Emunah Bungalows, Inc, South 62°45'12" East, a distance of 180.80 feet;

THENCE South 25°03'48" West, a distance of 33.52 feet, parallel to and 9 feet easterly of the easterly edge of a concrete slab on which a pump house formerly existed on the herein described parcel;

THENCE South 67°12'01" East, a distance of 139.02 feet, parallel to and 6 feet southerly of the southerly face of the main house on said lands of Nachial Emunah Bungalows, Inc. to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 734,241 square feet or 16.856 acres of land more or less.

ALSO granting all the right, title, and interest of the grantor, in and to a right of way over a six (6) foot wide strip of land between the southerly face of the main house on said lands of Nachial Emunah Bungalows, Inc (Deed Liber 920 at Page 125), and the bounds of lands in the last described course above (South 67°12'01" East, a distance of 139.02 feet).

SUBJECT to restrictions contained in Deed Liber 559 at Page 182 relative to not building a solid wall along a portion of the bounds of lands in the last described course above (South 67°12'01" East, a distance of 139.02 feet).

CONTAINING a combined total area of 4,335,079 square feet or 99.520 acres of land more or less.

**LEGAL DESCRIPTION OF PARCEL B**

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York in Lot 39 of Great Lot 13, Hardenburg Patent and designated as "Parcel B" on a map entitled "Topographic Lot Consolidation Survey Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated September 15, 2012" which is more particularly bounded and described as follows:

BEGINNING at a point 2.7± meters distant easterly and measured at right angles from Station J1+294.3± of the 1998 survey baseline of the Bloomburg-Monticello Part 2, State Highway No. 5457 (on the easterly line of Joyland Road);

THENCE South 74°39'39" East, a distance of 440.50 feet;

THENCE North 15°20'21" East, a distance of 129.27 feet to the southerly line of Lorraine Drive;

THENCE continuing along same, South 66°44'39" East, a distance of 173.49 feet;

THENCE South 20°01'21" West, a distance of 120.00 feet to an iron pin;

THENCE South 66°44'39" East, a distance of 120.00 feet to the westerly line of Towner Road and continuing along same the following three (3) courses and distances;

- 1) South 20°01'21" West, a distance of 181.74 feet,
- 2) South 85°16'21" West, a distance of 140.96 feet and
- 3) South 19°56'21" West, a distance of 163.24 feet to a point on the northerly line of said State Highway No. 5457 (Route 17), 155.5± meters northerly and measured at right angles from Station 10+973.4± of said 1998 survey baseline;

THENCE running along the northerly line of said State Highway No. 5457 (Route 17) (acquired by New York State without right of access to and from abutting property), the following four (4) courses and distances;

- 4) North 71°10'47" West, a distance of 8.45 feet to a point 154.000 meters northerly and measured at right angles from Station 10+972.000 of said 1998 survey baseline,
- 5) North 61°40'46" West, a distance of 177.83 feet to a point 121.000 meters northerly and measured at right angles from Station 10+929.000 of said 1998 survey baseline,
- 6) North 51°49'08" West, a distance of 160.77 feet to a point 2.000 meters westerly and measured at right angles from Station J1+174.500 of said 1998 survey baseline and
- 7) North 38°24'16" West, a distance of 283.76 feet to a monument at the common corner of the northerly line of said State Highway No. 5457 (Route 17) and the easterly line of said Joyland Road, 25.300 meters westerly and measured at right angles from Station J1+259.000 of said 1998 survey baseline;

THENCE continuing along the easterly line of said Joyland Road, North 14°27'11" East, a distance of 152.30 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 234,153 square feet or 5.375 acres of land more or less.

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, a temporary easement for highway purposes, more particularly bounded and described as follows;

BEGINNING at a point 155.5± meters northerly and measured at right angles from Station 10+973.4± of said 1998 survey baseline of the Bloomburg-Monticello Part 2, State Highway No. 5457 (Route 17) (on the northerly line of said State Highway);

THENCE running along the northerly line of said State Highway No. 5457 (Route 17) (acquired by New York State without right of access to and from abutting property), the following three (3) courses and distances;

- 8) North 71°10'47" West, a distance of 8.45 feet to a point 154.000 meters northerly and measured at right angles from Station 10+972.000 of said 1998 survey baseline,
- 9) North 61°40'46" West, a distance of 177.83 feet to a point 121.000 meters northerly and measured at right angles from Station 10+929.000 of said 1998 survey baseline and
- 10) North 51°49'08" West, a distance of 127.03 to a point 103.036 meters northerly and measured at right angles from Station 10+894.701 of said 1998 survey baseline;

THENCE North 38°40'16" East, a distance of 62.55 feet to a point 120.000 meters northerly and measured at right angles from Station 10+886.000 of said 1998 survey baseline;

THENCE South 49°22'35" East, a distance of 30.82 feet to a point 124.000 meters northerly and measured at right angles from Station 10+894.500 of said 1998 survey baseline;

THENCE South 34°38'06" East, a distance of 108.43 feet to a point 130.000 meters northerly and measured at right angles from Station 10+927.000 of said 1998 survey baseline;

THENCE South 61°37'40" East, a distance of 169.58 feet to the westerly line of said Towner Road at a point 161.1± meters northerly and measured at right angles from Station 10+967.6± of said 1998 survey baseline;

THENCE continuing along same, South 19°56'21" West, a distance of 26.15 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 11,352 square feet or 0.261 acres of land more or less.

**BUT EXCEPTING AND EXCLUDING FROM ALL OF THE ABOVE-
DESCRIBED PROPERTY, THE FOLLOWING PARCELS:**

All Tax Lots as described on the attached Legal Descriptions, prepared by Contractors' Line & Grade South, LLC

**LEGAL DESCRIPTION OF PARCEL 1**

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York and designated as "Parcel 1" on a map entitled "Map of Parcel 1 Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 26, 2012, and revised October 18, 2012" which is more particularly bounded and described as follows:

BEGINNING at a point in the southerly proposed road line of Thompsonville Road at the common corner between the herein described parcel on the east and Parcel 2 on the west as shown on aforementioned map and running easterly along the said southerly proposed road line the following fourteen (14) courses and distances;

- 1) Along a curve to the left, from where the radial bears South 31°13'59" East, having a radius of 6021.00 feet, and an arc length of 317.77 feet to a point of tangency,
- 2) North 55°44'35" East, a distance of 310.69 feet to a point of curvature,
- 3) Along a curve to the right, having a radius of 979.00 feet, and an arc length of 256.76 feet to a point of tangency,
- 4) North 70°46'12" East, a distance of 84.29 feet to a point of curvature,
- 5) Along a curve to the right, having a radius of 479.00 feet, and an arc length of 158.19 feet to a point of tangency,
- 6) North 89°41'32" East, a distance of 91.98 feet to a point of curvature,
- 7) Along a curve to the right, having a radius of 5979.00 feet, and an arc length of 238.37 feet to a point of tangency,
- 8) South 88°01'25" East, a distance of 281.39 feet to a point of curvature,
- 9) Along a curve to the left, having a radius of 6021.00 feet, and an arc length of 322.67 feet to a point of tangency,
- 10) North 88°54'21" East, a distance of 49.46 feet to a point of curvature,
- 11) Along a curve to the right, having a radius of 2979.00 feet, and an arc length of 263.17 feet to a point of tangency,
- 12) South 86°01'57" East, a distance of 147.37 feet to a point of curvature,
- 13) Along a curve to the right, having a radius of 5979.00 feet, and an arc length of 263.78 feet to a point of tangency and

14) South 83°30'17" East, a distance of 69.58 feet,

THENCE South 17°14'23" West, a distance of 104.27 feet,

THENCE South 37°57'26" West, a distance of 586.42 feet,

THENCE South 52°48'52" East, a distance of 243.94 feet,

THENCE North 83°03'38" East, a distance of 93.35 feet,

THENCE South 27°00'34" East, a distance of 228.53 feet,

THENCE South 30°37'41" East, a distance of 313.25 feet,

THENCE South 14°40'25" West, a distance of 165.03 feet,

THENCE South 30°19'35" East, a distance of 358.61 feet to a point in the westerly proposed road line of Joyland Road and running southerly along said westerly proposed road line South 16°03'08" West, a distance of 124.76 feet to a point of curvature,

THENCE Along a curve to the right, having a radius of 301.00 feet, and an arc length of 365.06 feet to a point of tangency,

THENCE South 85°32'29" West, a distance of 645.96 feet,

THENCE North 07°22'08" West, a distance of 58.04 feet,

THENCE North 82°22'33" West, a distance of 419.65 feet,

THENCE South 67°33'48" West, a distance of 95.71 feet,

THENCE North 16°23'16" West, a distance of 151.20 feet,

THENCE North 00°18'28" East, a distance of 368.89 feet,

THENCE North 36°36'50" West, a distance of 128.05 feet,

THENCE South 56°56'11" West, a distance of 458.28 feet,

THENCE South 15°39'20" West, a distance of 566.94 feet,

THENCE North 70°16'15" West, a distance of 800.00 feet to a point in the common boundary between the herein described parcel on the east and Parcel 2 on the west as shown on aforementioned map and continuing along said common boundary the following ten (10) courses and distances;

- 15) North 19°43'45" East, a distance of 240.00 feet,
- 16) North 70°16'15" West, a distance of 750.00 feet,
- 17) North 25°27'30" East, a distance of 150.00 feet,
- 18) South 79°25'23" East, a distance of 100.00 feet,
- 19) North 37°31'44" East, a distance of 200.00 feet,
- 20) North 67°50'03" East, a distance of 150.00 feet,
- 21) North 36°32'13" East, a distance of 125.00 feet,
- 22) North 19°27'11" East, a distance of 160.00 feet,
- 23) North 02°29'55" East, a distance of 207.25 feet and
- 24) North 31°13'59" West, a distance of 159.80 feet along the (extended) radial to the curve of the first named course, to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 5,113,875 square feet or 117.398 acres of land more or less.

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, along the southerly side of Thompsonville Road for the purposes of a 20 foot wide Landscape Buffer easement, which is more particularly bounded and described as follows:

BEGINNING at a point in the southerly proposed road line of Thompsonville Road at the common corner between the herein described parcel on the east and Parcel 2 on the west as shown on aforementioned map and running easterly along the said southerly proposed road line the following fourteen (14) courses and distances;

- 25) Along a curve to the left, from where the radial bears South 31°13'59" East, having a radius of 6021.00 feet, and an arc length of 317.77 feet to a point of tangency,
- 26) North 55°44'35" East, a distance of 310.69 feet to a point of curvature,
- 27) Along a curve to the right, having a radius of 979.00 feet, and an arc length of 256.76 feet to a point of tangency,
- 28) North 70°46'12" East, a distance of 84.29 feet to a point of curvature,
- 29) Along a curve to the right, having a radius of 479.00 feet, and an arc length of 158.19 feet to a point of tangency,
- 30) North 89°41'32" East, a distance of 91.98 feet to a point of curvature,
- 31) Along a curve to the right, having a radius of 5979.00 feet, and an arc length of 238.37 feet to a point of tangency,
- 32) South 88°01'25" East, a distance of 281.39 feet to a point of curvature,

- 33) Along a curve to the left, having a radius of 6021.00 feet, and an arc length of 322.67 feet to a point of tangency,
- 34) North 88°54'21" East, a distance of 49.46 feet to a point of curvature,
- 35) Along a curve to the right, having a radius of 2979.00 feet, and an arc length of 263.17 feet to a point of tangency,
- 36) South 86°01'57" East, a distance of 147.37 feet to a point of curvature,
- 37) Along a curve to the right, having a radius of 5979.00 feet, and an arc length of 263.78 feet to a point of tangency and
- 38) South 83°30'17" East, a distance of 69.58 feet,

THENCE South 17°14'23" West, a distance of 20.36 feet,

THENCE parallel to and 20.00 feet off of the southerly proposed road line of Thompsonville Road the following fourteen (14) courses and distances;

- 39) North 83°30'17" West, a distance of 65.79 feet to a point of curvature,
- 40) Along a curve to the left, having a radius of 5959.00 feet, and an arc length of 262.90 feet to a point of tangency,
- 41) North 86°01'57" West, a distance of 147.37 feet to a point of curvature,
- 42) Along a curve to the left, having a radius of 2959.00 feet, and an arc length of 261.41 feet to a point of tangency,
- 43) South 88°54'21" West, a distance of 49.46 feet to a point of curvature,
- 44) Along a curve to the right, having a radius of 6041.00 feet, and an arc length of 323.74 feet to a point of tangency,
- 45) North 88°01'25" West, a distance of 281.39 feet to a point of curvature,
- 46) Along a curve to the left, having a radius of 5959.00 feet, and an arc length of 237.57 feet to a point of tangency,
- 47) South 89°41'32" West, a distance of 91.98 feet to a point of curvature,
- 48) Along a curve to the left, having a radius of 459.00 feet, and an arc length of 151.59 feet to a point of tangency,
- 49) South 70°46'12" West, a distance of 84.29 feet to a point of curvature,
- 50) Along a curve to the left, having a radius of 959.00 feet, and an arc length of 251.52 feet to a point of tangency,
- 51) South 55°44'35" West, a distance of 310.69 feet to a point of curvature and
- 52) Along a curve to the right, having a radius of 6041.00 feet, and an arc length of 318.82 feet to a point in the common boundary between the herein described parcel on the east and Parcel 2 on the west as shown on aforementioned map;

THENCE continuing northerly along said common boundary along the (extended) radial of the last described curve, North 31°13'59" West, a distance of 20.00 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 56,940 square feet or 1.307 acres of land more or less.

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, for the purposes of a Horizontal Improvement easement, which is more particularly bounded and described as follows:

COMMENCING at the northeastern most corner of the herein described Parcel 1 and continuing along the easterly line thereof the following three (3) courses and distances;

- 53) South 17°14'23" West, a distance of 104.27 feet,
- 54) South 37°57'26" West, a distance of 586.42 feet, and
- 55) South 52°48'52" East, a distance of 189.83 feet, to the **POINT AND PLACE OF BEGINNING**.

THENCE continuing along the said easterly line of the herein described Parcel 1 the following three (3) courses and distances;

- 56) South 52°48'52" East, a distance of 54.11 feet,
- 57) North 83°03'38" East, a distance of 93.35 feet and
- 58) South 27°00'34" East, a distance of 162.81 feet,

THENCE South 59°22'19" West, a distance of 44.15 feet,

THENCE North 64°39'29" West, a distance of 53.83 feet,

THENCE North 14°40'41" West, a distance of 75.79 feet,

THENCE South 83°03'01" West, a distance of 91.90 feet,

THENCE North 06°56'59" West, a distance of 104.50 feet to the **POINT AND PLACE OF BEGINNING**.

CONTAINING an area of 17,319 square feet or 0.398 acres of land more or less.

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, for the purposes of a Parking and Drive Aisle easement, which is more particularly bounded and described as follows:

COMMENCING at the northeastern most corner of the herein described Parcel 1 and continuing along the easterly line thereof the following five (5) courses and distances;

- 59) South 17°14'23" West, a distance of 104.27 feet,
- 60) South 37°57'26" West, a distance of 586.42 feet,
- 61) South 52°48'52" East, a distance of 243.94 feet,
- 62) North 83°03'38" East, a distance of 93.35 feet and
- 63) South 27°00'34" East, a distance of 162.81 feet to the **POINT AND PLACE OF BEGINNING.**

THENCE continuing along the said easterly line of the herein described Parcel 1 the following four (4) courses and distances;

- 64) South 27°00'34" East, a distance of 65.72 feet,
- 65) South 30°37'41" East, a distance of 313.25 feet,
- 66) South 14°40'25" West, a distance of 165.03 feet and
- 67) South 30°19'35" East, a distance of 358.61 feet to a point in the westerly proposed road line of Joyland Road,

THENCE running southerly along said westerly proposed road line, South 16°03'08" West, a distance of 55.49 feet,

THENCE North 30°18'58" West, a distance of 413.27 feet,

THENCE North 14°41'02" East, a distance of 165.02 feet,

THENCE North 30°37'41" West, a distance of 362.29 feet and

THENCE North 59°22'19" East, a distance of 44.15 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 37,035 square feet or 0.850 acres of land more or less.



23 NEPPERHAN AVENUE
ELMSFORD, NEW YORK 10523-2506
914.347.3141 • FAX: 914.347.3120
OFFICE@LINEANDGRADE.NET

JOHN DeMARIO, PARTNER
GARY ENNIS, PARTNER

NOT AFFILIATED WITH ANY OTHER
LINE AND GRADE COMPANY

LEGAL DESCRIPTION OF PARCEL 2

All that certain parcel of land located in the Town of Thompson, Sullivan County, New York and designated as "Parcel 2" on a map entitled "Map of Parcel 2 Prepared For EPT Concord II, LLC Property Situate In The Town Of Thompson, County Of Sullivan, State Of New York, dated March 26, 2012, and last revised October 18, 2012" which is more particularly bounded and described as follows:

BEGINNING at a point in the southerly proposed road line of Thompsonville Road at the common corner between the herein described parcel on the west and Parcel 1 on the east as shown on aforementioned map and running easterly along the common boundary between the said parcels the following ten (10) courses and distances;

- 1) South 31°13'59" East, a distance of 159.80 feet,
- 2) South 02°29'55" West, a distance of 207.25 feet,
- 3) South 19°27'11" West, a distance of 160.00 feet,
- 4) South 36°32'13" West, a distance of 125.00 feet,
- 5) South 67°50'03" West, a distance of 150.00 feet,
- 6) South 37°31'44" West, a distance of 200.00 feet,
- 7) North 79°25'23" West, a distance of 100.00 feet,
- 8) South 25°27'30" West, a distance of 150.00 feet,
- 9) South 70°16'15" East, a distance of 750.00 feet and
- 10) South 19°43'45" West, a distance of 240.00 feet,

THENCE North 70°16'15" West, a distance of 694.90 feet,

THENCE South 15°13'50" West, a distance of 1100.22 feet,

THENCE North 70°31'44" West, a distance of 1209.71 feet to the northerly line of NYS Route 17 and along same the following four (4) courses and distances;

- 11) North 41°35'52" West, a distance of 414.77 feet,
- 12) North 45°42'43" West, a distance of 372.35 feet,
- 13) South 86°50'05" West, a distance of 124.64 feet and
- 14) North 50°59'54" West, a distance of 479.89 feet,

THENCE North 33°01'47" East, a distance of 114.87 feet,

THENCE North 36°16'31" East, a distance of 171.17 feet,

THENCE North 38°56'55" East, a distance of 77.89 feet,

THENCE South 67°02'55" East, a distance of 228.06 feet,

THENCE South 14°17'23" West, a distance of 119.41 feet,

THENCE North 81°01'23" East, a distance of 79.55 feet,

THENCE North 06°19'11" East, a distance of 80.05 feet,

THENCE South 67°58'37" East, a distance of 103.34 feet,

THENCE North 17°58'32" East, a distance of 107.66 feet,

THENCE North 20°44'07" East, a distance of 166.03 feet to a point in the
aforementioned southerly proposed road line of Thompsonville Road and continuing
along same the following seventeen (17) courses and distances;

- 15) South 69°58'51" East, a distance of 44.85 feet,
- 16) South 68°44'39" East, a distance of 109.08 feet,
- 17) South 65°26'13" East, a distance of 61.94 feet,
- 18) South 62°26'24" East, a distance of 51.11 feet to a point of curvature,
- 19) Along a curve to the right, having a radius of 329.00 feet, and an arc
length of 143.04 feet to a point of tangency,
- 20) South 37°31'48" East, a distance of 80.45 feet to a point of curvature,
- 21) Along a curve to the left, having a radius of 196.00 feet, and an arc
length of 241.89 feet to a point of tangency,
- 22) North 71°45'35" East, a distance of 102.22 feet,
- 23) North 71°31'11" East, a distance of 104.54 feet,
- 24) North 73°46'48" East, a distance of 94.90 feet,
- 25) North 76°00'44" East, a distance of 106.85 feet,
- 26) North 73°30'40" East, a distance of 34.99 feet to a point of curvature,
- 27) Along a curve to the left, having a radius of 1121.00 feet, and an arc
length of 379.94 feet to a point of tangency,
- 28) North 54°05'32" East, a distance of 169.65 feet to a point of
curvature,
- 29) Along a curve to the right, having a radius of 5107.73 feet, and an arc
length of 305.84 feet to a point of tangency,
- 30) North 57°31'23" East, a distance of 42.64 feet and
- 31) North 58°46'01" East, a distance of 580.91 feet to the **POINT AND
PLACE OF BEGINNING.**

CONTAINING an area of 2,968,295 square feet or 68.143 acres of land more or less.

EXCEPTING AND RESERVING all that certain parcel of land located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned map, along the southerly side of Thompsonville Road for the purposes of a 20 foot wide Landscape Buffer easement, which is more particularly bounded and described as follows:

BEGINNING at a point in the southerly proposed road line of Thompsonville Road at the common corner between the herein described parcel on the west and Parcel 1 on the east as shown on aforementioned map and running easterly along the common boundary South $31^{\circ}13'59''$ East, a distance of 20.00 feet,

THENCE parallel to and 20.00 feet off of the southerly proposed road line of Thompsonville Road the following seventeen (17) courses and distances:

- 32) South $58^{\circ}46'01''$ West, a distance of 580.69 feet,
- 33) South $57^{\circ}31'23''$ West, a distance of 42.42 feet to a point of curvature,
- 34) Along a curve to the left, having a radius of 5087.73 feet, and an arc length of 304.64 feet to a point of tangency,
- 35) South $54^{\circ}05'32''$ West, a distance of 169.65 feet to a point of curvature,
- 36) Along a curve to the right, having a radius of 1141.00 feet, and an arc length of 386.71 feet to a point of tangency,
- 37) South $73^{\circ}30'40''$ West, a distance of 35.43 feet,
- 38) South $76^{\circ}00'44''$ West, a distance of 106.90 feet,
- 39) South $73^{\circ}46'48''$ West, a distance of 94.12 feet,
- 40) South $71^{\circ}31'11''$ West, a distance of 104.19 feet,
- 41) South $71^{\circ}45'35''$ West, a distance of 102.26 feet to a point of curvature,
- 42) Along a curve to the right, having a radius of 216.00 feet, and an arc length of 266.57 feet to a point of tangency,
- 43) North $37^{\circ}31'48''$ West, a distance of 80.45 feet to a point of curvature,
- 44) Along a curve to the left, having a radius of 309.00 feet, and an arc length of 134.34 feet to a point of tangency,
- 45) North $62^{\circ}26'24''$ West, a distance of 50.58 feet,
- 46) North $65^{\circ}26'13''$ West, a distance of 60.84 feet,
- 47) North $68^{\circ}44'39''$ West, a distance of 108.28 feet and
- 48) North $69^{\circ}58'51''$ West, a distance of 44.89 feet,

THENCE North 20°44'07" East, a distance of 20.00 feet to a point in the aforementioned southerly proposed road line of Thompsonville Road and continuing along same the following seventeen (17) courses and distances;

- 49) South 69°58'51" East, a distance of 44.85 feet,
- 50) South 68°44'39" East, a distance of 109.08 feet,
- 51) South 65°26'13" East, a distance of 61.94 feet,
- 52) South 62°26'24" East, a distance of 51.11 feet to a point of curvature,
- 53) Along a curve to the right, having a radius of 329.00 feet, and an arc length of 143.04 feet to a point of tangency,
- 54) South 37°31'48" East, a distance of 80.45 feet to a point of curvature,
- 55) Along a curve to the left, having a radius of 196.00 feet, and an arc length of 241.89 feet to a point of tangency,
- 56) North 71°45'35" East, a distance of 102.22 feet,
- 57) North 71°31'11" East, a distance of 104.54 feet,
- 58) North 73°46'48" East, a distance of 94.90 feet,
- 59) North 76°00'44" East, a distance of 106.85 feet,
- 60) North 73°30'40" East, a distance of 34.99 feet to a point of curvature,
- 61) Along a curve to the left, having a radius of 1121.00 feet, and an arc length of 379.94 feet to a point of tangency,
- 62) North 54°05'32" East, a distance of 169.65 feet to a point of curvature,
- 63) Along a curve to the right, having a radius of 5107.73 feet, and an arc length of 305.84 feet to a point of tangency,
- 64) North 57°31'23" East, a distance of 42.64 feet and
- 65) North 58°46'01" East, a distance of 580.91 feet to the **POINT AND PLACE OF BEGINNING.**

CONTAINING an area of 53,278 square feet or 1.223 acres of land more or less.

45-
98490-
125-
5-
0-