

DRAWDOWN  
ACCOUNT #18

206231

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**UCC FINANCING STATEMENT**

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

**CT Lien Solutions**  
187 Wolf Rd. Ste 101  
Albany, NY 12205  
32393982 LD

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

**1. DEBTOR'S EXACT FULL LEGAL NAME** - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

1a. ORGANIZATION'S NAME  
**73 High Street, LLC**

OR 1b. INDIVIDUAL'S LAST NAME

1c. MAILING ADDRESS  
**640 Ellicott Street**

CITY  
**Buffalo**

STATE  
**NY**

POSTAL CODE  
**14203**

COUNTRY  
**USA**

ADD'L INFO RE ORGANIZATION DEBTOR  
**1a. TYPE OF ORGANIZATION  
LLC**

1f. JURISDICTION OF ORGANIZATION  
**NY**

**2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME** - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a. ORGANIZATION'S NAME

OR 2b. INDIVIDUAL'S LAST NAME

2c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

ADD'L INFO RE ORGANIZATION DEBTOR

2a. TYPE OF ORGANIZATION

2f. JURISDICTION OF ORGANIZATION

**3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P)** - insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME  
**First Niagara Funding, Inc.**

OR 3b. INDIVIDUAL'S LAST NAME

3c. MAILING ADDRESS  
**726 Exchange Street, Suite 900**

CITY  
**Buffalo**

STATE  
**NY**

POSTAL CODE  
**14210**

COUNTRY  
**USA**

**4. This FINANCING STATEMENT covers the following collateral:**

"Collateral" shall consist of:

- (a) All Debtor's Equipment, Inventory and other personal property now or hereafter located at or used in connection with the premises more particularly described on the attached Schedule A (the "Premises"),
- (b) All Accounts, General Intangibles, Chattel Paper, Documents, Instruments, rents, issues, income and profits arising from or now due or to become due and derived from or in connection with the Premises,
- (c) All warranty claims, construction, marketing, management, engineering, architectural, service, maintenance and other contract rights relating to the Premises;
- (d) All cash and non-cash proceeds of any of the foregoing, including insurance proceeds; and
- (e) All software, books and records related to the foregoing.

5. ALTERNATIVE DESIGNATION (if applicable): LESSEE/LESSOR CONSIGNEE/CONSIGNOR BAILEE/BAILOR SELLER/BUYER AG. LIEN NON-UCC FILING

6. This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS. Attach Addendum (if applicable) 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) (optional) All Debtors Debtor 1 Debtor 2

8. OPTIONAL FILER REFERENCE DATA

9078668 32393982

FILING OFFICE COPY — UCC FINANCING STATEMENT (FORM UCC1) (REV. 05/22/02)

FILING NUMBER: 201203190154689

SCHEDULE A

206231

2012 MAR 19 PM 3:40

PARCEL A

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot No. 28, Township 11, Range 8 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point of intersection of the westerly line of North Oak Street (as a street 66 feet wide) with the southeasterly line of High Street (as a street 66 feet wide);

Thence southerly and along the westerly line of North Oak Street, a distance of 164.27 feet to the southeasterly corner of land deeded to Buffalo Medical Group Building, Inc. by deed recorded in the Erie County Clerk's Office in Liber 8731 of Deeds at page 349;

Thence westerly at right angles to the westerly line of North Oak Street and along the southerly line of lands so deeded in Liber 8731 of Deeds at page 349, a distance of 47.50 feet to the PRINCIPAL POINT OR PLACE OF BEGINNING;

Thence continuing westerly along said line at right angles to North Oak Street, a distance of 101.91 feet to a point, being in the centerline of the block between the westerly line of North Oak Street and the easterly line of Ellicott Street (as a street 66 feet wide);

Thence southerly and along the aforesaid centerline of the block, a distance of 3.15 feet to the intersection of same with a line drawn westerly at right angles to the easterly line of Ellicott Street, from a point therein 100.00 feet southerly from the intersection of said easterly line of Ellicott Street with the southeasterly line of High Street;

Thence westerly and along the aforesaid line at right angles to Ellicott Street, a distance of 62.79 feet to the intersection of same with a line drawn parallel with the easterly line of Ellicott Street and a distance of 86.62 feet easterly therefrom as measured at right angles thereto;

Thence southerly at right angles to the last described line, parallel with the easterly line of Ellicott Street, a distance of 56.0 feet;

Thence easterly at right angles to the last described line a distance of 23.38 feet to a point in a line drawn parallel with the easterly line of Ellicott Street and 110.00 feet easterly therefrom as measured at right angles thereto;

Thence southerly at right angles to the last described line and parallel with Ellicott Street, a distance of 33.00 feet;

Thence easterly at right angles to the last described line a distance of 141.32 feet to a point in a line drawn parallel with the westerly line of North Oak Street and a distance of 47.50 feet westerly therefrom as measured at right angles thereto;

Thence northerly at right angles to the last described line and parallel with the westerly line of North Oak

The land referred to in this Commitment is described as follows:

Street, a distance of 92.15 feet to the principal point or place of beginning.

#### PARCEL B

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot No. 28, Township 11, Range 8 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the point of intersection of the southeasterly line of High Street (as a street 66 feet wide) with the easterly line of Ellicott Street (as a street 66 feet wide), being the northwesterly corner of land deeded to Buffalo Medical Group Building, Inc. by deed recorded in the Erie County Clerk's Office in Liber 8086 of Deeds at page 121;

Thence southerly and along the said easterly line of Ellicott Street a distance of 350.29 feet to the southwest corner of land deeded to Kevin Walk Corporation by deeds recorded in the Erie County Clerk's Office in Liber 9754 of Deeds at page 635 and Liber 9783 of Deeds at page 149;

Thence easterly on a line at right angles to the easterly line of Ellicott Street and along the southerly line of the aforesaid lands so deeded to Kevin Walk Corporation, a distance of 23.38 feet;

Thence northerly on a line parallel with the easterly line of Ellicott Street a distance of 12.00 feet to a point in the southerly line of lands deeded to Buffalo Medical Group Building, Inc. by deed recorded in the Erie County Clerk's Office in Liber 10136 of Deeds at page 388;

Thence easterly on a line at right angles to the easterly line of Ellicott Street and along the southerly line of lands so deeded to Buffalo Medical Group Building, Inc. by deed recorded in the Erie County Clerk's Office in Liber 10136 of Deeds at page 388, a distance of 275.44 feet to a point in the westerly line of North Oak Street (as a street 66 feet wide);

Thence northerly at right angles to the last described line and along the westerly line of North Oak Street, a distance of 33.56 feet;

Thence westerly on a line at right angles to the westerly line of North Oak Street, a distance of 245.82 feet to the intersection of same with a line drawn parallel with the easterly line of Ellicott Street and a distance of 53.00 feet easterly therefrom as measured at right angles thereto;

Thence northerly on a line parallel with the easterly line of Ellicott Street and 53.00 feet easterly therefrom, a distance of 213.74 feet;

Thence westerly on a line at right angles to the last described course, a distance of 33.00 feet to the intersection of same with a line drawn parallel with the easterly line of Ellicott Street and 20.0 feet easterly therefrom as measured at right angles thereto;

Thence northerly on a line at right angles to the last described course, parallel with the easterly line of Ellicott Street and 20.0 feet easterly therefrom, a distance of 95.50 feet to a point in the southeasterly line of High Street;

The land referred to in this Commitment is described as follows:

Thence southwesterly and along the southeasterly line of High Street, a distance of 20.50 feet to the point or place of beginning.

TOGETHER with the benefits, and subject to the burdens, of a Parking Access Agreement between 73 High Street, LLC and Buffalo Medical Group Building, Inc. recorded April 8, 2011 in Liber 11201 of Deeds at page 5806.

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