TITLE COMMITMENT EXCEPTIONS

AS SHOWN IN TITLE REPORT #40235
SCHEDULE B-2

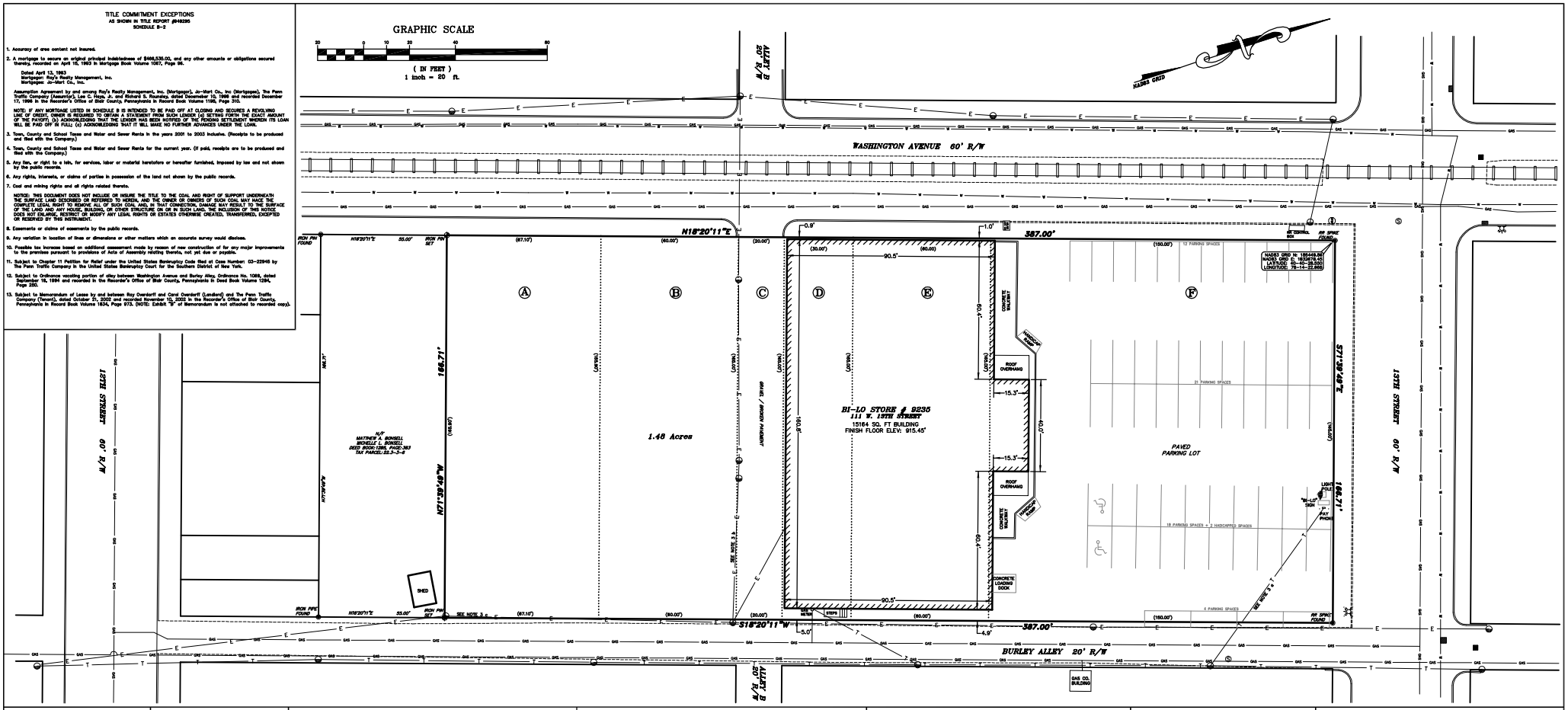
1. Accuracy of area content not insured.
2. A mortgage to secure an original principal indebtedness of $466,535.00, and any other amounts or obligations secured thereby, recorded on April 16, 1993 in Mortgage Book Volume 1067, Page 96.

   Dated April 13, 1993
   Mortgagor: Roy's Realty Management, Inc.
   Mortgagee: Jo-Mart Co., Inc.

   Assumption Agreement by and among Roy's Realty Management, Inc. (Mortgagor), Jo-Mart Co, Inc (Mortgagee), The Penn Traffic Company (Assumptor), Lee C. Frear, Jr. and Richard S. Rowsley, dated December 10, 1996 and recorded December 17, 1996 in the Recorder's Office of Blair County, Pennsylvania in Record Book Volume 1188, Page 315.

   NOTE: IF ANY MORTGAGE LISTED IN SCHEDULE B IS INTENDED TO BE PAID OFF AT CLOSING AND SECURES A REVOLVING LINE OF CREDIT, OWNER IS REQUIRED TO OBTAIN A STATEMENT FROM SUCH LENDER (a) SETTING FORTH THE EXACT AMOUNT OF THE PAYOFF; (b) ACKNOWLEDGING THAT THE LENDER HAS BEEN NOTIFIED OF THE PENDING SETTLEMENT WHEREIN ITS LOAN WILL BE PAID OFF IN FULL; (c) ACKNOWLEDGING THAT IT WILL MAKE NO FURTHER ADVANCES UNDER THE LOAN.
3. Town, County and School Taxes and Water and Sewer Rents for the years 2001 to 2003 inclusive. (Receipts to be produced and filed with the Company.)
4. Town, County and School Taxes and Water and Sewer Rents for the current year. (If paid, receipts are to be produced and filed with the Company.)
5. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
7. Coal and mining rights and all rights related thereto.

   NOTICE: THIS DOCUMENT DOES NOT INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY MAKE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT.
8. Easements or claims of easements by the public records.
9. Any variation in location of lines or dimensions or other matters which an accurate survey would disclose.
10. Possible tax increase based on additional assessment made by reason of new construction or for any major improvements to the premises pursuant to provisions of Acts of Assembly relating thereto, not yet due or payable.
11. Subject to Chapter 11 Petition for Relief under the United States Bankruptcy Code filed on Case Number: 03-22948 by The Penn Traffic Company in the United States Bankruptcy Court for the Southern District of New York.
12. Subject to Ordinance vacating portion of alley between Washington Avenue and Burley Alley, Ordinance No. 1089, dated September 16, 1994 and recorded in the Recorder's Office of Blair County, Pennsylvania in Deed Book Volume 1284, Page 350.
13. Subject to Memorandum of Lease by and between Ray Overdorff and Carol Overdorff (Landlord) and The Penn Traffic Company (Tenant), dated October 21, 2002 and recorded November 12, 2002 in the Recorder's Office of Blair County, Pennsylvania in Record Book Volume 1634, Page 973. (NOTE: Exhibit "B" of Memorandum is not attached to recorded copy).



SYMBOLS ON PLAN

- Iron Pin Found
- Iron Pin Set
- Calculated Point
- Utility Pole /w number
- Catch Basin
- Edge of Pavement
- Curb Cut
- Curb
- Concrete Bollards
- Underground Water Line
- Water Valve
- Fire Hydrant
- Sanitary Sewer Line
- Sanitary Sewer Manhole
- Overhead Electric Lines
- Overhead Telephone Lines
- Underground Gas Lines
- Railroad Tracks
- Tract Lines
- (67.10') Record Measurement
- N18°20'11"E 387.00' Field Measurement

TRACT SUMMARY

(A) THE PENN TRAFFIC COMPANY
DEED BOOK: 1284, PAGE: 243
TAX PARCEL: 22.3-3-7

(B) THE PENN TRAFFIC COMPANY
PARCEL 4
DEED BOOK: 1284, PAGE: 247
TAX PARCEL: 22.3-3-12

(C) THE PENN TRAFFIC COMPANY
PARCEL 5
DEED BOOK: 1284, PAGE: 247
TAX PARCEL: 22.3-3-12

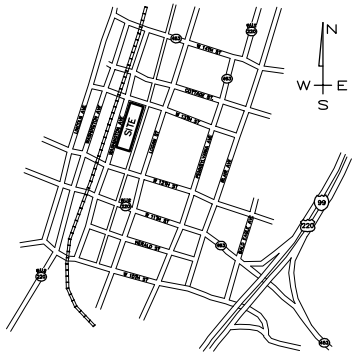
(D) THE PENN TRAFFIC COMPANY
PARCEL 3
DEED BOOK: 1284, PAGE: 247
TAX PARCEL: 22.3-3-12

(E) THE PENN TRAFFIC COMPANY
PARCEL 2
DEED BOOK: 1284, PAGE: 247
TAX PARCEL: 22.3-3-12

(F) THE PENN TRAFFIC COMPANY
PARCEL 1
DEED BOOK: 1284, PAGE: 247
TAX PARCEL: 22.3-3-12

NOTES:

1. The bearing base of this survey is NAD83 Grid North, Pennsylvania North Zone (3701) which was obtained by Static GPS observations performed in the vicinity of the site.
2. The Title Source of the property being retraced is noted in the Tract Summary shown directly to the left of these notes.
3. Utility Easements / Encroachments:
   a. There was no easement found on record for the telephone service line leading to the pay phone.
   b. There was no easement found on record for the electric line crossing the property parallel with and in the vicinity of the former "Alley B".
   c. There was no easement found on record for the electric line crossing the property in the vicinity of the southeast corner along Burley Alley.
4. The location of all underground utilities is approximate. Although a PA One-Call was placed for mapping purposes, the contractor is responsible for placing a PA One-Call prior to any earthmoving or excavating.
5. The site is located within FEMA Flood Zone C (areas of minimal flooding) according to FEMA Flood Insurance Rate Map, Community Panel Number 420164 0002 B, which bears an effective date of May 2, 1983.
6. There are a total of 55 parking spaces + 2 handicapped parking spaces.
7. The total area of the property shown herein is 1.48 Acres or 64,520 sq. ft.
8. Access to the property shown herein is obtained either from 13th Street (Main Access), or from Burley Alley or Washington Avenue.
9. The property shown herein is within the Town Center / Commercial (T-C) Zoning District.



VICINITY MAP SCALE: 1"=500'

BOUNDARY DESCRIPTION

ALL that certain parcel of land situated within the Borough of Tyrone, County of Blair, Commonwealth of Pennsylvania, whereas, the bearings of the survey were established by G.P.S. Observations and defined as Grid North, NAD83-PA NORTH ZONE, therefore the boundaries of the parcel are bounded and described as follows:

BEGINNING at a Railroad Spike found at the northwest corner of the property herein being described, said Railroad Spike being located at the intersection of the Eastern right of way line of Washington Avenue, a 60-foot wide right of way, and the Southern right of way line of 13th Street, a 60-foot wide right of way, said Railroad Spike also being further defined within the Pennsylvania State Plane Coordinate system (NAD-83, North Zone 3701) by the grid coordinates of North: 185449.86 feet, East: 1832678.45feet.

THENCE along the Southern right of way line of 13th Street, a 60-foot wide right of way, South 71° 39' 49" East a distance of 166.71 feet to a Railroad Spike found on the Western right of way line of Burley Alley, a 20-foot wide right of way.

THENCE along the Western right of way line of Burley Alley, a 20-foot wide right of way, South 18° 20' 11" West a distance of 387.00 feet to an iron pin set, said iron pin being located, for reference, North 18° 20' 11" East a distance of 55.00 feet from an iron pipe found at the Southeast corner of lands now or formerly of Matthew A. & Michelle L. Bonsell (Tax Parcel 22.3-3-6).

THENCE along lands now or formerly of Matthew A. & Michelle L. Bonsell (Tax Parcel 22.3-3-6), North 71° 39' 49" West a distance of 166.71 feet to an iron pin set on the Eastern right of way line of Washington Avenue, a 60-foot wide right of way, said iron pin being located, for reference, North 18° 20' 11" East a distance of 55.00 feet from an iron pin found at the Southwest corner of lands now or formerly of Matthew A. & Michelle L. Bonsell (Tax Parcel 22.3-3-6).

THENCE along the Eastern right of way line of Washington Avenue, a 60-foot wide right of way, North 18° 20' 11" East a distance of 387.00 feet to the first mentioned point being the POINT OF BEGINNING.

CONTAINING 1.48 acres, according to a plan and survey prepared by Henry Surveys titled "ALTA / ACSM Land Title Survey of lands of The Penn Traffic Company, dated September 20, 2004,

BEING the same two premises granted unto The Penn Traffic Company by deeds from Roy's Realty Management, Inc. dated December 2, 1996 the first being recorded in Blair County Deed Book 1284 Page 243, and known as Tax Parcel Number 22.3-3-7, and the second being recorded in Blair County Deed Book 1284 Page 247, containing Parcels 1-5, and known as Tax Parcel Number 22.3-3-12.

SURVEY CERTIFICATION

To: The Penn Traffic Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes items 2, 3, 4, 7 a&b, 8, 9, 10, 11 a of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification, undersigned further certifies that the survey measurement were made in accordance with the "Minimum Angle, Distance and Closure Requirement for Survey Measurments Which Control Land Boundaries ALTA/ACSM Land Title Surveys

Date: _____

Registration Number: _____

Seal