

EXHIBIT
D

STATE OF NEW YORK - EXECUTIVE DEPARTMENT
OFFICE OF GENERAL SERVICES

-----X
In the Matter of the Application :
of the :
DEPARTMENT OF ENVIRONMENTAL CONSERVATION : ORDER
for a transfer of jurisdiction of certain lands situate in the :
Towns of Montgomery, New Windsor and Hamptonburgh :
in the County of Orange :

-----X
The Department of Environmental Conservation has applied pursuant to Section 3, subdivision 4 of the Public Lands Law for a transfer of jurisdiction of certain lands located in the Towns of Montgomery, New Windsor and Hamptonburgh in the County of Orange. The parcel of land comprises 5,300 acres, more or less, and is a portion of the lands acquired by the N.Y.S. Department of Transportation for the Metropolitan Transportation Authority for the purposes associated with the development of Stewart International Airport pursuant to Chapter 472 of the Laws of 1971.

The Department of Transportation has indicated that subject to the following uses and/or exceptions, the identified lands are excess to the needs of the Stewart International Airport:

- Aircraft noise buffer area.
- Wetland creation and/or enhancement as mitigation for wetland impacts of Department of Transportation and Airport projects.
- Exception of the I-84 transportation corridor.
- Exception of the Barron Road Development Area.
- Exception of parcel for use of the Division of State Police.

John P. Cahill, Commissioner of the Department of Environmental Conservation, advises that the parcel will be managed as a reforestation area in order to ensure maximum public access while protecting the land's forested areas and other natural resources. Commissioner Cahill also advised that such planned management will be in conformance with grant assurances given by the Department of Transportation to the Federal Aviation Administration and will not create uses incompatible with existing and future airport operations. Such management will also be consistent with noise buffer usage for which the land was, in part, acquired, and that the Department of Transportation will be afforded reasonable access thereto for wetland creation and enhancement purposes.

The land and its boundaries are generally shown on a map entitled "Map in the Matter of the Application of the Department of Environmental Conservation for a Transfer of Jurisdiction of Certain Lands Situated in the Towns of Montgomery, New Windsor and

Hamptonburgh, County of Orange" dated March 4, 1988, and on file in the Office of General Services in Albany, New York as OGS Map No. 1751, a copy of which is attached hereto and made a part hereof (Schedule A). Also attached is a general description of the boundaries of the 5,300 acre parcel (Schedule B). The map and description are subject to any state of facts that an accurate survey may show.

THEREFORE, pursuant to subdivision 4 of Section 3 of the Public Lands Law, it is

ORDERED, that the application is approved and jurisdiction over the aforesaid land is transferred to the Department of Environmental Conservation, subject to the above uses and exceptions.

Dated: MARCH 4, 1999

COMMISSIONER OF GENERAL SERVICES



Joseph J. Seymour

by **EDMOND F. SCHORNO**
FIRST DEPUTY COMMISSIONER

SCHEDULE "B"

All that piece or parcel of land situated in the Towns of Montgomery, Hamptonburgh and New Windsor in the County of Orange and State of New York, being generally described as follows:

Beginning at a point in the existing northern highway boundary of State Highway No. 153 (N.Y.S. Route 207) at its intersection with the existing westerly street line of Maple Avenue, said point being 25 feet westerly measured at right angles from the existing center line of Maple Avenue; thence in a generally westerly direction along the northerly boundary of State Highway No. 153 to a point of intersection with the northerly boundary of Forrester Road; thence in a generally northwesterly direction 4,576 feet, more or less, to a point of intersection with the northerly boundary of New York State Highway No. 414 (also known as NYS Route 208); thence in a northwesterly direction along the said northerly boundary of State Highway No. 414, 3,991 feet, more or less, to a point of intersection with the easterly division line of land now or formerly of the Penn Central Transportation Company; thence in a generally northerly direction along said division line 2,010 feet, more or less, to a point, said point being distant 335 feet, more or less, easterly measured at right angles from Station 3748 + 36 of the monumented railroad centerline; thence generally in a easterly and northerly direction along the easterly division line of the Penn Central Transportation Company as shown on Claim Map No. 1470, for the "Acquisition of Land for Establishment of an Airport at Stewart Airport", dated September 6, 1972 and filed in the New York State Department of Transportation at Albany, New York to its intersection with the southerly boundary of Interstate Route 84 (N.Y.S. Highway No. 503-1-6.2); thence in an easterly direction along said southerly boundary of said Interstate Route 84 to a point 25 feet westerly measured at right angles from the intersection of the centerline of the Maple Avenue as it existed prior to the construction of Interstate Route 84; thence in a southerly direction along a line 25 feet westerly and parallel to the centerline of Maple Avenue to the point or place of beginning, containing approximately 5,600 acres.

EXCEPTING therefrom the following three described parcels of land

Excepted Parcel No. 1

A parcel of land located along Barron Road containing approximately 300 acres of land, designated as "Excepted Parcel No. 1 for Barron Road Development Area" as generally shown upon O.G.S. Map No. 1751 revised March 4, 1999.

Together with a 50 foot wide right-of-way, for ingress and egress, along the existing Barron Road, from NYS Route 208, to and along the above described Excepted Parcel No. 1.

Excepted Parcel No. 2

A parcel of land being 600 feet along the westerly line of Barron Road and being 300 feet deep, containing approximately 4 acres of land, designated as "Excepted Parcel

No. 2 for Division of State Police" as generally shown upon O.G.S. Map No. 1751 revised March 4, 1999.

Together with a 50 foot wide right-of-way, for ingress and egress, along the existing Barron Road, from NYS Route 208, to and along the above described Excepted Parcel No. 2.

Excepted Parcel No. 3

A parcel of land being 150 foot wide, located along the southerly boundary of said Interstate Route 84 containing approximately 32 acres of land, designated as "Excepted Parcel No. 3 to be reserved by N.Y.S.D.O.T." as generally shown upon O.G.S. Map No. 1751 revised March 4, 1999.

Intending to describe a portion of the lands acquired by the People of the State of New York for the use of the Metropolitan Transportation Authority and shown on the Map No. 1000, entitled "Office of Metropolitan Transportation Authority Description and Map for the Acquisition of Property at Stewart Airport, Orange County, New York for the Establishment of an Airport Pursuant to Chapter 472, Laws of New York for 1971, as Amended" which lie westerly of a line drawn 25 feet westerly of the centerline of Maple Avenue, and excepting therefrom lands now or formerly of the Penn Central Transportation Company and the above described three excepted parcels of land containing approximately 5264 acres. Subject to the above described 50 foot wide right-of-way.

This description is subject to any statement of facts that an accurate survey may show.

All as shown on a map entitled "Map in the Matter of the Application of the Department of Environmental Conservation for a Transfer of Jurisdiction of Certain Lands Situated in the Towns of Montgomery, New Windsor and Hamptonburgh, County of Orange" dated March 4, 1999 and on file in the Office of General Services in Albany, New York as OGS Map No. 1751.

Revised 3/4/99, RWB
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SCHEDULE C

New York State Department of Environmental Conservation

Division of Lands & Forests

Bureau of Real Property

21 South Putt Corners Road, New Paltz, New York 12561-1620

Phone: (845) 256-3010 • **FAX:** (845) 255-4659

E-mail: gccoutu@gw.dec.state.ny.us

Website: www.dec.state.ny.us



**PROPOSED DESCRIPTION
FOR THE TRANSFER OF JURISDICTION OF CERTAIN LANDS
AT STEWART AIRPORT
FROM N.Y.S. D.OT. TO N.Y.S. D.E.C.**

ALL THOSE CERTAIN pieces or parcels of land situate, lying and being in the Town of Montgomery and the Town of New Windsor, County of Orange and State of New York being more particularly bounded and described as follows:

PARCEL 1A:

BEGINNING at a point on the northerly bounds of New York State Route 207 (State Highway number 153) 75 feet easterly of the proposed centerline of the to be re-aligned Drury Lane (County Highway number 54), as shown on sheet number 35 of 601 sheets, volume 1 of 2, contract number D259814 for the Stewart International Airport Access Improvement Project, dated November 2004 and filed in the New York State Department of Transportation office at 50 Wolf Road, Albany, New York 12205;

THENCE in a generally easterly and northeasterly direction along the northerly bounds of New York State Route 207 to a point in the easterly bounds of lands conveyed by Herman H. Crome and Ethel L. Crome to the Board of Education of Central School District No. 2 of the Town of Blooming Grove, et al., (a.k.a. the Little Britain School parcel) by deed dated August 05, 1954 and recorded in the Orange County Clerk's Office on August 05, 1954 in Deed Liber 1351 at Page 309;

THENCE in a generally northerly direction along the easterly bounds of Central School District 2 to a point in the westerly bounds of lands of the City of New York for the Northern Catskill Aqueduct;

THENCE in a generally northwesterly direction along the easterly bounds of Central School District 2 and the westerly bounds of lands of the City of New York for the Northern Catskill Aqueduct to a point;

THENCE leaving the lands of Central School District 2 and running in a generally northwesterly and northerly direction along the westerly bounds of lands of the City of New York to a point in the southerly line of lands leased by the New York State Department of Transportation to SWF Airport Acquisition, Inc., pursuant to a lease dated September 24, 1999, the said southerly line of lands leased to SWF Airport Acquisition, Inc., is also the southerly line of "Parcel C, Area West of Catskill Aqueduct" as shown on a map entitled "Stewart International Airport, Towns of Newburgh and New Windsor,

County of Orange, State of New York, Boundary Survey”, prepared by Joanne Darcy Crum, L.S., being drawing number B/103B/98 and dated April 24, 1998;

THENCE in a southwesterly and westerly direction along the southerly line of lands leased to SWF Airport Acquisition, Inc., and the southerly line of “Parcel C, Area West of Catskill Aqueduct” to a point being 150 feet easterly of the existing westerly bounds of Drury Lane;

THENCE in a generally southerly direction along a line parallel with and at all times 150 feet easterly of the existing westerly bounds of Drury Lane to a point 75 feet easterly of the proposed centerline of the to be re-aligned Drury Lane, being approximately 1,600 feet northerly of the northerly bounds of New York State Route 207;

THENCE in a generally southerly direction along a line parallel with and at all times 75 feet easterly of the proposed centerline of the to be re-aligned Drury Lane to the point or place of beginning.

CONTAINING, by approximation, 525 acres.

EXCEPTING from the above described piece or parcel of land all right, title and interest recited in a Declaration of Taking by the United States of America recorded February 10, 1958 in the Orange County Clerk’s Office in Deed Liber 1453 at Page 529. Schedule B of said Declaration of Taking being a map entitled “Real Estate, Stewart Family Housing Annex” prepared by the Department of the Army, Office of the New York District Engineer, North Atlantic Division, dated April 22, 1957 and filed February 10, 1958 in the Orange County Clerk’s Office as map number 1740.

EXCEPTING from the above described piece or parcel of land the premises conveyed by Herman H. Crome and Ethel L. Crome to the Board of Education of Central School District No. 2 of the Town of Blooming Grove, et al., (a.k.a. the Little Britain School parcel) by deed dated August 05, 1954 and recorded in the Orange County Clerk’s Office on August 05, 1954 in Deed Liber 1351 at Page 309.

EXCEPTING from the above described piece or parcel of land “the possible rights of others in the cemetery . . .” as recited in a conveyance by Herman H. Crome and Ethel L. Crome to Erhard E. Baeuerle et al., by deed dated July 22, 1970 and recorded in the Orange County Clerk’s Office on July 28, 1970 in Deed Liber 1815 at Page 787.

The above three exceptions are shown on sheet 1 of 2 sheets of a map entitled “Office of Metropolitan Transportation Authority, description and map for the acquisition of property at Stewart Airport, Orange County, New York for the establishment of an airport pursuant to Chapter 472, Laws of New York for 1971, as amended”, being map number 1000, being designated “Excepted Parcel ‘A’”, “Excepted Parcel ‘B’” and “Excepted Parcel ‘G’”, respectively, and are further described on sheet 2 of said map. Said map was officially filed in the office of the New York State Department of Transportation on August 12, 1971.

SUBJECT TO certain easements set forth in the Declaration of Taking by the United States of America, recorded February 10, 1958 in the Orange County Clerk’s Office in Deed Liber 1453 at Page 529. Said easements also being shown on Schedule B of said taking, being a map entitled “Real Estate, Stewart Family Housing Annex”, being filed map number 1740 as mentioned above.

SUBJECT TO any and all other easements and rights of way of record.

RESERVING however, to the New York State Department of Transportation, a permanent easement for the purpose of operating, maintaining, repairing or replacing a natural gas line or lines and appurtenances thereto over a parcel of land situate in the Town of New Windsor, County of Orange and State of New York being more particularly bounded and described as follows:

COMMENCING at a point on the northerly bounds of New York State Route 207 (State Highway number 153) at the southwest corner of a parcel of land conveyed by Herman H. Crome and Ethel L. Crome to the Board of Education of Central School District No. 2 of the Town of Blooming Grove, et al., (a.k.a. the Little Britain School parcel) by deed dated August 05, 1954 and recorded in the Orange County Clerk's Office on August 05, 1954 in Deed Liber 1351 at Page 309;

THENCE along the northerly bounds of New York State Route 207 (State Highway number 153) South 76 degrees 55 minutes 49 seconds West a distance of 508.00 feet to a point marking the southeasterly corner of easement number C 302 E-1 recited in the Declaration of Taking by the United States of America (L. 1453 P. 529) and as shown on filed map number 1740, said point being the **POINT OR PLACE OF BEGINNING**;

THENCE along the easterly bounds of said easement number C 302 E-1 North 02 degrees 03 minutes 14 seconds West a distance of 174.11 feet to a point;

THENCE through the lands now or formerly of the Metropolitan Transportation Authority (L.1898 P.319) North 87 degrees 56 minutes 46 seconds East a distance of 95.45 feet to a point;

THENCE continuing through the lands now or formerly of the Metropolitan Transportation Authority (L.1898 P.319) South 02 degrees 03 minutes 14 seconds East a distance of 155.53 feet to a point on the northerly bounds of New York State Route 207 (State Highway number 153);

THENCE along the northerly bounds of New York State Route 207 (State Highway number 153) South 76 degrees 55 minutes 49 seconds West a distance of 97.24 feet to the point or place of beginning.

CONTAINING 15,732 square feet or 0.361 acres of land.

BEARINGS are with reference to the Declaration of Taking by the United States of America (L. 1453 P. 529) and filed map number 1740.

ALL AS SHOWN on a map entitled "Proposed Gas Easement, Stewart Terrace Family Housing, Town of New Windsor, Orange County, New York" prepared by Stantec Consulting Services, Inc., Rochester, New York, as drawing number V-4, project number 193500284 and having a first issue date of April 21, 2006.

ALSO RESERVING to the New York State Department of Transportation a permanent drainage easement over a parcel of land situate in the Town of New Windsor, County of Orange and State of New York being more particularly bounded and described as follows:

BEGINNING at a point marking the southeasterly corner of parcel number C 302 and the northeasterly corner of easement number C 302 E-1 as recited in the Declaration of Taking by the United States of America (L. 1453 P. 529) and as shown on filed map number 1740;

THENCE along the easterly line of parcel number C 302, North 02 degrees 03 minutes 14 seconds West a distance of 631.95 feet, more or less, to a point marking the southwesterly corner of easement number C 302 E-2 as

recited in the Declaration of Taking by the United States of America (L. 1453 P. 529) and as shown on filed map number 1740;

THENCE along the southerly line of easement number C 302 E-2, South 73 degrees 55 minutes 04 seconds East a distance of 69.03 feet, more or less, to a point marking the northwesterly corner of easement number C 308 E recited in Deed Liber 1602 at Page 1036;

THENCE along the westerly line of easement number C 308 E, South 24 degrees 26 minutes 17 seconds East a distance of 647.01 feet, more or less, to a point on the easterly prolongation of the southerly line of parcel number C 302 and the northerly line of easement number C 302 E-1;

THENCE along the easterly prolongation of the southerly line of parcel number C 302 and the northerly line of easement number C 302 E-1, South 85 degrees 42 minutes 23 seconds West a distance of 312.23 feet, more or less, to the point or place of beginning.

CONTAINING 2.653 acres of land, more or less.

BEARINGS are with reference to the Declaration of Taking by the United States of America (L. 1453 P. 529) and filed map number 1740.

ALL AS SHOWN on a map entitled "Proposed Drainage Easement, Stewart Terrace Family Housing, Town of New Windsor, Orange County, New York" prepared by Stantec Consulting Services, Inc., Rochester, New York, as drawing number V-5, project number 193500284 and having a first issue date of April 21, 2006.

ALSO RESERVING to the New York State Department of Transportation a permanent easement 30.00 feet in width for the purpose of operating, maintaining, repairing or replacing a water line or lines and appurtenances thereto over a parcel of land situate in the Town of New Windsor, County of Orange and State of New York being more particularly bounded and described as follows:

BEGINNING at a point marking the westerly corner of parcel number C 300 and the northwesterly corner of parcel number C 304 as recited in the Declaration of Taking by the United States of America (L. 1453 P. 529) and as shown on filed map number 1740;

THENCE through the lands now or formerly of the Metropolitan Transportation Authority (L.1315 P.309) the following four (4) courses and distances:

- 1.) North 14 degrees 05 minutes 10 seconds West 30.00 feet to a point;
- 2.) along a line parallel with and at all times 30.00 feet northerly of the northerly line of parcel number C 300, North 75 degrees 54 minutes 50 seconds East 1202.20 feet to a point;
- 3.) along a line parallel with and at all times 30.00 feet westerly of the westerly line of parcel number C 301 as recited in the Declaration of Taking by the United States of America (L. 1453 P. 529) and as shown on filed map number 1740, North 19 degrees 19 minutes 10 seconds West 253.79 feet to a point; and
- 4.) North 67 degrees 41 minutes 52 seconds East 28.74 feet, more or less, to a point marking the northwesterly corner of easement number C 300 E as recited in the

Declaration of Taking by the United States of America (L. 1453 P. 529) and as shown on filed map number 1740;

THENCE along the westerly line of easement number C 300 E, South 22 degrees 18 minutes 08 seconds East a distance of 25.00 feet to a point marking the southwesterly corner of easement number C 300 E and the northwesterly corner of parcel number C 301 as recited in the Declaration of Taking by the United States of America (L. 1453 P. 529) and as shown on filed map number 1740;

THENCE along a portion of the westerly line of parcel number C 301, South 19 degrees 19 minutes 10 seconds East a distance of 263.19 feet to a point marking the northerly corner of parcel number C 300;

THENCE along the northerly line of parcel number C 300, South 75 degrees 54 minutes 50 seconds West a distance of 1235.07 feet to the point or place of beginning.

CONTAINING 1.026 acres of land, more or less.

BEARINGS are with reference to the Declaration of Taking by the United States of America (L. 1453 P. 529) and filed map number 1740.

ALL AS SHOWN on a map entitled "Proposed Water Main Easement, Stewart Terrace Family Housing, Town of New Windsor, Orange County, New York" prepared by Stantec Consulting Services, Inc., Rochester, New York, as drawing number V-6, project number 193500284 and having a first issue date of April 21, 2006.

ALSO RESERVING to the New York State Department of Transportation a permanent easement 30.00 feet in width for the purpose of operating, maintaining, repairing or replacing a sanitary sewer line or lines and appurtenances thereto over a parcel of land situate in the Town of New Windsor, County of Orange and State of New York being more particularly bounded and described as follows:

COMMENCING at a point marking the westerly corner of parcel number C 300 and the northwesterly corner of parcel number C 304 as recited in the Declaration of Taking by the United States of America (L. 1453 P. 529) and as shown on filed map number 1740;

THENCE along the northerly line of parcel number C 300, North 75 degrees 54 minutes 50 seconds East a distance of 74.73 feet to the **POINT OR PLACE OF BEGINNING**;

THENCE through the lands now or formerly of the Metropolitan Transportation Authority (L.1315 P.309) the following seven (7) courses and distances:

- 1.) North 34 degrees 58 minutes 47 seconds East 76.71 feet to a point:
- 2.) North 39 degrees 53 minutes 18 seconds East 246.92 feet to a point:
- 3.) North 61 degrees 12 minutes 55 seconds East 246.15 feet to a point:
- 4.) North 75 degrees 44 minutes 49 seconds East 292.32 feet to a point:
- 5.) North 74 degrees 22 minutes 28 seconds East 109.00 feet to a point:
- 6.) North 74 degrees 49 minutes 51 seconds East 238.75 feet to a point on the westerly line of easement number C 300 E as recited in the Declaration of Taking by the United States of America (L. 1453 P. 529) and as shown on filed map number 1740: and

7.) along the westerly line of easement number C 300 E, South 22 degrees 18 minutes 08 seconds East 4.19 feet to a point marking the northwesterly corner of parcel number C 301 as recited in the Declaration of Taking by the United States of America (L. 1453 P. 529) and as shown on filed map number 1740;

THENCE along the westerly line of parcel number C 301, South 19 degrees 19 minutes 10 seconds East a distance of 25.91 feet to a point;

THENCE along a line parallel with and at all times 30.00 feet southerly from the above first six courses and distance the following six (6) courses and distances:

- 1.) South 74 degrees 49 minutes 51 seconds West 241.03 feet to a point:
- 2.) South 74 degrees 22 minutes 28 seconds West 109.24 feet to a point:
- 3.) South 75 degrees 44 minutes 49 seconds West 288.85 feet to a point:
- 4.) South 61 degrees 12 minutes 55 seconds West 236.67 feet to a point:
- 5.) South 39 degrees 53 minutes 18 seconds West 239.99 feet to a point: and
- 6.) South 34 degrees 58 minutes 47 seconds West 40.83 feet to a point on the northerly line of parcel C 300;

THENCE along the northerly line of parcel C 300, South 75 degrees 54 minutes 50 seconds West a distance of 45.79 feet to the point or place of beginning.

CONTAINING 0.815 acres of land, more or less.

BEARINGS are with reference to the Declaration of Taking by the United States of America (L. 1453 P. 529) and filed map number 1740.

ALL AS SHOWN on a map entitled "Proposed Sanitary Sewer Easement, Stewart Terrace Family Housing, Town of New Windsor, Orange County, New York" prepared by Stantec Consulting Services, Inc., Rochester, New York, as drawing number V-7, project number 193500284 and having a first issue date of April 21, 2006.

PARCEL 1B:

BEGINNING at a point on the northerly bounds of New York State Route 207 (State Highway number 153) 75 feet westerly of the proposed centerline of the to be re-aligned Drury Lane (County highway number 54), said proposed centerline as shown on sheet number 35 of 601 sheets, volume 1 of 2, contract number D259814 for the Stewart International Airport Access Improvement Project, dated November 2004 and filed in the New York State Department of Transportation office at 50 Wolf Road, Albany, New York 12205;

THENCE in a generally northerly direction along a line parallel with and at all times 75 feet westerly of the proposed centerline of the to be re-aligned Drury Lane a distance of approximately 1,600 feet to a point on the existing westerly bounds of Drury Lane;

THENCE in a generally northerly direction along the existing westerly bounds of Drury Lane to a point in the southerly line of "Parcel F, Runway Protection Zone Easement" as shown on a map entitled "Stewart

International Airport, Towns of Newburgh and New Windsor, County of Orange, State of New York, Boundary Survey”, prepared by Joanne Darcy Crum, L.S., being drawing number B/103B/98 and dated April 24, 1998;

THENCE in a generally southwesterly direction along the southerly line of “Parcel F, Runway Protection Zone Easement” to a point marking the southwesterly corner of said Parcel F;

THENCE in a generally northerly direction along the westerly line of “Parcel F, Runway Protection Zone Easement” to a point marking the northwesterly corner of said Parcel F;

THENCE in a generally westerly direction along an extension of the northerly line of “Parcel F, Runway Protection Zone Easement” to a point in the easterly bounds of Maple Avenue;

THENCE in a generally southerly direction along the easterly bounds of Maple Avenue to a point in the northerly bounds of New York State Route 207;

THENCE in a generally easterly direction along the northerly bounds of New York State Route 207 to the point or place of beginning.

CONTAINING, by approximation, 825 acres.

EXCEPTING from the above described piece or parcel of land “the burying ground” as recited in a conveyance by Mollie Schubert Gratz et al., to Mollie Schubert Gratz (a.k.a. Martha L. Gratz) by deed dated November 06, 1953 and recorded in the Orange County Clerk’s Office on September 09, 1954 in Deed Liber 1319 at Page 301.

The above exception is shown on sheet 1 of 2 sheets of a map entitled “Office of Metropolitan Transportation Authority, description and map for the acquisition of property at Stewart Airport, Orange County, New York for the establishment of an airport pursuant to Chapter 472, Laws of New York for 1971, as amended”, being map number 1000, being designated “Excepted Parcel ‘E’” and is also describe on sheet 2 of said map.

EXCEPTING from the above described piece or parcel of land a parcel of land with the buildings and improvements thereon known as the “Elmwood School” as shown on a map entitled “Survey of Lands to be Transferred to the Orange County Historical Society” by Richard DeKay, L.S., dated April 08, 2002 and revised December 31, 2002.

SUBJECT TO all easements and rights of way of record.

PARCEL 2:

All that piece or parcel of land being the southerly portion of “Excepted Parcel No. 1 for Barron Road Development Area” as shown on sheet 1 of 2 sheets of a map entitled “Office of Metropolitan Transportation Authority, description and map for the acquisition of property at Stewart Airport, Orange County, New York for the establishment of an airport pursuant to Chapter 472, Laws of New York for 1971, as amended”, being map number 1000, revised by N.Y.S. Office of General Services, Bureau of Land Management on March 04, 1999 to be entitled “Map in the Matter of the Application of the Department of Environmental Conservation for a Transfer of Jurisdiction of Certain Lands situate in the Towns of Montgomery, New Windsor and Hamptonburgh, Orange County” and also revised as to be OGS Map 1751, Schedule “A”.

CONTAINING, by approximation, 200 acres.

PARCEL 3:

All that piece or parcel of land comprising of Maple Avenue, in its entirety, from its intersection with the northerly bounds of New York State Route 207 (State Highway number 153) to its intersection with the southerly bounds of a strip of land 150 feet in width adjoining the southerly bounds of Interstate Route 84 (Interstate Highway number 503), said 150 foot strip of land being "Excepted Parcel No. 3 to be Retained by N.Y.S.D.O.T." as shown on the above referenced OGS Map 1751, Schedule "A" .

PARCEL 4:

All that piece or parcel of land comprising of Barron Road, in its entirety, from its intersection with the northerly bounds of New York State Route 208 (State Highway number 414) to its intersection with the southerly bounds of a strip of land 150 feet in width adjoining the southerly bounds of Interstate Route 84 (Interstate Highway number 503), said 150 foot strip of land being "Excepted Parcel No. 3 to be Retained by N.Y.S.D.O.T." as shown on the above referenced OGS Map 1751, Schedule "A".

SUBJECT TO a 50 foot wide right-of-way for ingress, egress and regress from the intersection of Barron Road with the northerly bounds of New York State Route 208 (State Highway number 414) to "Excepted Parcel No. 2 for Division of State Police" as shown on the above referenced OGS Map 1751, Schedule "A".

SUBJECT TO a 50 foot wide right-of-way for ingress, egress and regress from the intersection of Barron Road with the southerly bounds of a strip of land 150 feet in width adjoining the southerly bounds of Interstate Route 84 (Interstate Highway number 503), said 150 foot strip of land being "Excepted Parcel No. 3 to be Retained by N.Y.S.D.O.T." as shown on the above referenced OGS Map 1751, Schedule "A", to the southerly bounds of the northerly portion of "Excepted Parcel No. 1 for Barron Road Development Area" as shown on the above referenced OGS Map 1751, Schedule "A".

PARCEL 5:

All that certain right of way on Barron Road reserved in an Order of transfer of jurisdiction by the New York State Office of General Services, dated March 04, 1999, for ingress and egress from New York State Route 208 to and along Excepted Parcel No. 1 of said order.

SUBJECT TO a 50 foot wide right-of-way for ingress, egress and regress from the intersection of Barron Road with the southerly bounds of a strip of land 150 feet in width adjoining the southerly bounds of Interstate Route 84 (Interstate Highway number 503), said 150 foot strip of land being "Excepted Parcel No. 3 to be Retained by N.Y.S.D.O.T." as shown on the above referenced OGS Map 1751, Schedule "A", to the southerly bounds of the northerly portion of "Excepted Parcel No. 1 for Barron Road Development Area" as shown on the above referenced OGS Map 1751, Schedule "A".

SUBJECT TO a 50 foot wide right-of-way for ingress, egress and regress from the intersection of Barron Road with the northerly bounds of New York State Route 208 (State Highway number 414) to "Excepted Parcel No. 2 for Division of State Police" as shown on the above referenced OGS Map 1751, Schedule "A".

ALL OF THE ABOVE five parcels of land are shown on a map entitled "New York State Department of Environmental Conservation Sketch Map in Compliance with the December 07, 2005 Consent Decree and Order of Dismissal settling Stewart Park and Reserve Coalition v. Slater, et al., Civil Action No. CV-00-1606 (N.D.N.Y.) in United States District Court for the Transfer of Jurisdiction of certain lands at Stewart Airport to the Department of Environmental Conservation from the Department of Transportation situate in Towns of Montgomery and New Windsor, County of Orange designated as

Project: TOJ Orange 26.03", prepared by the Bureau of Real Property, NYS Department of Environmental Conservation, Region 3, on April 25, 2006 and revised on May 08, 2006 and June 14, 2006 as OGS Map number 2,080 and DEC Map number 11,953.

Revised on June 26, 2006.

Appendix D.

**Executive Summary and Membership List, Stewart Lands Citizens Advisory Committee Report to
Commissioner John P. Cahill**

Executive Summary

The 23-member *Stewart Lands Citizens Advisory Committee* has carefully evaluated issues of public access, recreational uses, natural resources management, environmental education & interpretation, farming, historic preservation, public safety, and funding related to the future use and management of the *Stewart State Forest*. A total of 34 specific recommendations were developed. In summary, the Committee recommends that:

- The *Stewart State Forest* should be managed in a manner which fosters appropriate recreation, research and environmental education & interpretation, but which also protects the land's natural resources and rural character.
- A variety of appropriate recreational uses should be encouraged, including hiking, bicycling, hunting, nature study, cross-country skiing, horseback riding, etc.
- Camping should be allowed only for organized groups, and by special permit.
- The recreational use of motorized vehicles should not be allowed.
- Golf courses, ball fields and similar recreational facilities should not be developed on the *Stewart State Forest*.
- A diverse wildlife population should be encouraged, through the protection and enhancement of diverse wildlife habitat.
- Partnerships should be developed to foster interpretation of the land.
- Farming should be encouraged to continue on the property.
- Ownership of historic properties should be transferred to the Orange County Historical Society.
- Special attention must be given to unique public safety concerns raised by the *Stewart State Forest's* location immediately adjacent to an international airport.
- Funding should be adequate to support management of this land and to promote modest educational, interpretive and research efforts.

Membership List

George P. Bucci, Jr. - Supervisor, Town of Newburgh

John Buttarazzi - Vice President, Empire State Development Corp.

Nancy Calhoun - New York State Assemblywoman

William R. Connors - Director, Board of Directors, Federation of Dutchess County Fish and Game Clubs

Howard Cushing - President, New York State Conservation Council

Dr. John A. D'Ambrosio - President, Chamber of Commerce of Orange County

Deborah Meyer DeWan - Program Director, Riverfront Committee, Scenic Hudson Inc.

Louis Heimbach - President, Sterling Forest Corp.
Carl Helstrom - Supervisor, Town of Montgomery
Thomas J. Kirwan - New York State Assemblyman
Dr. Michael W. Klemens - Director, Metropolitan Conservation Alliance, Wildlife Conservation Society
William J. Larkin, Jr. - New York State Senator
John Lupiniski - President, Orange County Farm Bureau
James McGuinness - New York State Department of Transportation, Stewart International Airport
Barnabas McHenry - Chairman, Hudson river Valley Greenway Council
George J. Meyers - Supervisor, Town of New Windsor
David Miller - Executive Director, New York State Office National Audubon Society
Marc Moran - Region 3 Director, New York State Department of Environmental Conservation, Chair,
Stewart Lands Citizens Advisory Committee
Tim Quilty - Board of Directors, New York Bicycle Coalition
Joseph Rampe - County Executive, Orange County
Rudy Vallet - Secretary, Orange County Federation of Sportsmen's Clubs
Art Wilcox - Director of Public Employees Division, New York State AFL-CIO
James C. Wright - Chairman, Stewart Airport Commission