

**ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36  
OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW**

**THIS INDENTURE** made this 12<sup>th</sup> day of August, 2013 between Owner(s) New York State Electric & Gas Corporation, having an office at James A. Carrigg Center, 18 Link Drive, Binghamton, NY, 13902, County of Broome, State of New York (the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

**WHEREAS**, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

**WHEREAS**, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

**WHEREAS**, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

**WHEREAS**, Grantor, is the owner of real property located at the address of 42 North Central Avenue in the City of Mechanicville, County of Saratoga and State of New York, known and designated on the tax map of the County Clerk of Saratoga as tax map parcel numbers: Section 262.53 Block 1 Lot 8, being the same as that property conveyed to Grantor by deed dated May 13, 1930 and recorded in the Saratoga County Clerk's Office in Instrument No. Book 361 of Deeds at Page 277. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 1.64 +/- acres, and is hereinafter more fully described in the Land Title Survey dated April 14, 2011 prepared by James F. Cook, PLS of C.T. Male Associates P.C., which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

**WHEREAS**, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

**NOW THEREFORE**, in consideration of the mutual covenants contained herein and the terms and conditions of Order on Consent Index Number: D0-0002-9309, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement")

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

**Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)**

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(5) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(6) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(7) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(8) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

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(9) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section  
Division of Environmental Remediation  
NYSDEC  
625 Broadway  
Albany, New York 12233  
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

**This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law.**

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall annually, or such time as NYSDEC may allow, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require,

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that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:

(i) are in-place;

(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of, this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement.

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.



Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

**IN WITNESS WHEREOF**, Grantor has caused this instrument to be signed in its name.

New York State Electric & Gas Corporation:

By: 

Print Name: Franklyn Reynolds

Title: Vice President – General Services

Date: 5-25-12

By: 

Print Name: Tamara Feck

Title: Manager – Projects (Control)

Date: 5-23-12

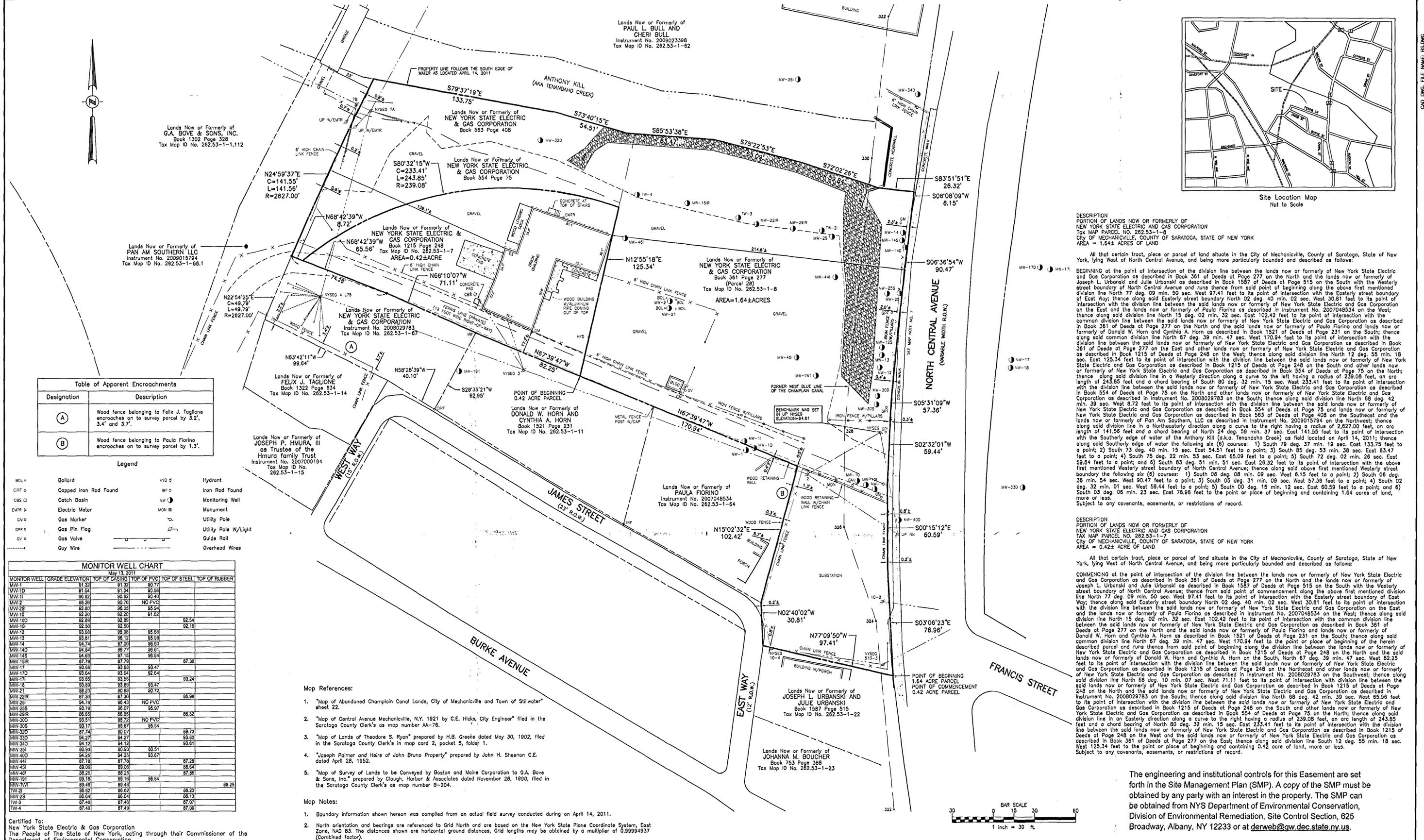




## SCHEDULE "A" PROPERTY DESCRIPTION

All that certain tract, piece or parcel of land situate in the City of Mechanicville, County of Saratoga, State of New York, lying West of North Central Avenue, and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of New York State Electric and Gas Corporation as described in Book 361 of Deeds at Page 277 on the North and the lands now or formerly of Joseph L. Urbanski as described in Book 1587 of Deeds at Page 515 on the South with the Westerly street boundary of North Central Avenue and runs thence from said point of beginning along the above first mentioned division line North 77 deg. 09 min. 50 sec. West 97.41 feet to its point on intersection with the Easterly street boundary of East Way; thence along said Easterly street boundary North 02 deg. 40 min. 02 sec. West 30.81 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric & Gas Corporation on the East and the lands now or formerly of Paula Fiorino as described in Instrument No. 2007048534 on the West; thence along said division line North 15 deg. 02 min. 32 sec. East 102.42 feet to its point of intersection with the common division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 361 of Deeds at Page 277 on the North and the said lands now or formerly of Paula Fiorino and lands now or formerly of Donald E. Horn and Cynthia A. Horn as described in Book 1521 of Deeds at Page 231 on the South; thence along said common division line North 67 deg. 39 min. 47 sec. West 170.94 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 361 of Deeds at Page 277 on the East and other lands now or formerly of New York State Electric and Gas Corporation as described in Book 1215 of Deeds at Page 248 on the West; thence along said division line North 12 deg. 55 min. 18 sec. East 125.34 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 1215 of Deeds at Page 248 on the South and other lands now or formerly of New York State Electric and Gas Corporation as described in Book 554 of Deeds at Page 75 on the North; thence along said division line in a Westerly direction along a curve to the left having a radius of 239.08 feet, an arc length of 243.85 feet and a chord bearing of South 80 deg. 32 min 15 sec. West 233.41 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 554 of Deeds at Page 75 on the North and other lands now or formerly of New York State Electric and Gas Corporation as described in Instrument No. 2008029783 on the South; thence along said division line North 68 deg. 42 min. 39 sec. West 8.72 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 554 of Deeds at Page 75 and lands now or formerly of New York State Electric and Gas Corporation as described in Book 563 of Deeds at Page 408 on the Southeast and the lands now or formerly of Pan Am Southern, LLC as described in Instrument No. 2009015794 on the Northwest; thence along said division line in a Northeasterly direction along a curve to the right having a radius of 2,627.00 feet, an arc length of 141.56 feet and a chord bearing of North 24 deg. 59 min. 37 sec. East 141.55 feet to its point of intersection with the Southerly edge of water on the Anthony Kill (a.k.a. Tenandaho Creek) as field located on April 14, 2011; thence along said Southerly edge of water the following six (6) courses: 1) South 79 deg. 37 min.19 sec. East 133.75 feet to a point; 2) South 73 deg. 40 min. 15 sec. East 54.51 feet to a point; 3) South 85 deg. 53 min. 38 sec. East 63.47 feet to a point; 4) South 75 deg. 22 min. 53 sec. East 65.09 feet to a point; 5) South 72 deg. 02 min. 26 sec. East 59.84 feet to a point; and 6) South 83 deg. 51 min. 51 sec. East 26.32 feet to its point of intersection with the above first mentioned Westerly street boundary of North Central Avenue; thence along said above first mentioned Westerly street boundary the following 6 courses: 1) South 06 deg. 08 min 09 sec. West 6.15 feet to a point; 2) South 06 deg. 36 min 54 sec. West 90.47 feet to a point; 3) South 05 deg. 31 min. 09 sec. West 57.36 feet to a point; 4) South 02 deg. 32 min. 01 sec. West 59.44 feet to a point; 5) South 00 deg. 15 min. 12 sec. East 60.59 feet to a point; and 6) South 03 deg. 06 min. 23 sec. East 76.96 feet to the point or place of beginning and containing 1.64 acres of land more or less.



Lands Now or Formerly of  
G.A. BOVE & SONS, INC.  
Book 1302 Page 328  
Tax Map ID No. 262.53-1-112

Lands Now or Formerly of  
PAN AM SOUTHERN LLC  
Instrument No. 2008015794  
Tax Map ID No. 262.53-1-66.1

Lands Now or Formerly of  
NEW YORK STATE ELECTRIC &  
GAS CORPORATION  
Book 1215 Page 248  
Tax Map ID No. 262.53-1-7

Lands Now or Formerly of  
PAUL L. BULL AND  
CHERI BULL  
Instrument No. 2008023398  
Tax Map ID No. 262.53-1-62

Lands Now or Formerly of  
NEW YORK STATE ELECTRIC &  
GAS CORPORATION  
Book 563 Page 408

Lands Now or Formerly of  
NEW YORK STATE ELECTRIC &  
GAS CORPORATION  
Book 554 Page 75

Lands Now or Formerly of  
NEW YORK STATE ELECTRIC &  
GAS CORPORATION  
Book 361 Page 277  
Tax Map ID No. 262.53-1-8

Lands Now or Formerly of  
NEW YORK STATE ELECTRIC &  
GAS CORPORATION  
Instrument No. 2008029783  
Tax Map ID No. 262.53-1-67

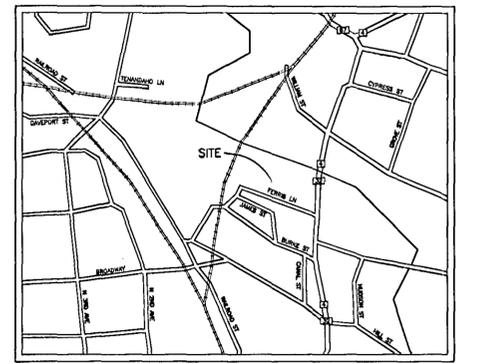
Lands Now or Formerly of  
FELIX J. TAGLIONE  
Book 1322 Page 634  
Tax Map ID No. 262.53-1-14

Lands Now or Formerly of  
DONALD W. HORN AND  
CYNTHIA A. HORN  
Book 1521 Page 231  
Tax Map ID No. 262.53-1-11

Lands Now or Formerly of  
PAULA FIORINO  
Instrument No. 2007048534  
Tax Map ID No. 262.53-1-64

Lands Now or Formerly of  
JOSEPH L. URBANSKI AND  
JULIE URBANSKI  
Book 1587 Page 515  
Tax Map ID No. 262.53-1-22

Lands Now or Formerly of  
JOHANNA M. BOUCHER  
Book 753 Page 388  
Tax Map ID No. 262.53-1-23



DESCRIPTION  
PORTION OF LANDS NOW OR FORMERLY OF  
NEW YORK STATE ELECTRIC AND GAS CORPORATION  
TAX MAP PARCEL NO. 262.53-1-8  
CITY OF MECHANICVILLE, COUNTY OF SARATOGA, STATE OF NEW YORK  
AREA = 1.64± ACRES OF LAND

All that certain tract, piece or parcel of land situate in the City of Mechanicville, County of Saratoga, State of New York, lying West of North Central Avenue, and being more particularly bounded and described as follows:  
BEGINNING at the point of intersection of the division line between the lands now or formerly of New York State Electric and Gas Corporation as described in Book 361 of Deeds at Page 277 on the North and the lands now or formerly of Joseph L. Urbanski and Julie Urbanski as described in Book 1587 of Deeds at Page 515 on the South with the Western street boundary of North Central Avenue and runs thence from said point of beginning along the above first mentioned division line North 77 deg. 09 min. 50 sec. West 97.41 feet to its point of intersection with the Eastern street boundary of East Way; thence along said Eastern street boundary South 02 deg. 40 min. 02 sec. West 30.61 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation on the East and the lands now or formerly of Paula Fiorino as described in Instrument No. 2007048534 on the West; thence along said division line North 15 deg. 02 min. 32 sec. East 102.42 feet to its point of intersection with the common division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 361 of Deeds at Page 277 on the East and other lands now or formerly of Paula Fiorino and lands now or formerly of Donald W. Horn and Cynthia A. Horn, as described in Book 1521 of Deeds at Page 231 on the South; thence along said division line North 87 deg. 39 min. 47 sec. West 170.94 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 554 of Deeds at Page 75 on the North and other lands now or formerly of Paula Fiorino and lands now or formerly of Donald W. Horn and Cynthia A. Horn, as described in Book 1521 of Deeds at Page 231 on the South; thence along said division line North 68 deg. 42 min. 39 sec. West 8.72 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 1215 of Deeds at Page 248 on the West and other lands now or formerly of Paula Fiorino and lands now or formerly of Donald W. Horn and Cynthia A. Horn, as described in Book 1521 of Deeds at Page 231 on the South; thence along said division line North 12 deg. 55 min. 18 sec. East 125.34 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 361 of Deeds at Page 277 on the East and other lands now or formerly of Paula Fiorino and lands now or formerly of Donald W. Horn and Cynthia A. Horn, as described in Book 1521 of Deeds at Page 231 on the South; thence along said division line North 12 deg. 55 min. 18 sec. East 125.34 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 554 of Deeds at Page 75 on the North and other lands now or formerly of Paula Fiorino and lands now or formerly of Donald W. Horn and Cynthia A. Horn, as described in Book 1521 of Deeds at Page 231 on the South; thence along said division line North 15 deg. 02 min. 32 sec. East 102.42 feet to its point of intersection with the above first mentioned Western street boundary of North Central Avenue; thence along said above first mentioned Western street boundary the following six (6) courses: 1) South 06 deg. 08 min. 09 sec. West 6.15 feet to a point; 2) South 06 deg. 38 min. 54 sec. West 90.47 feet to a point; 3) South 05 deg. 31 min. 09 sec. West 57.36 feet to a point; 4) South 02 deg. 32 min. 01 sec. West 59.44 feet to a point; 5) South 02 deg. 15 min. 12 sec. East 60.59 feet to a point; and 6) South 03 deg. 08 min. 23 sec. East 76.96 feet to the point or place of beginning and containing 1.64 acres of land, more or less.  
Subject to any covenants, easements, or restrictions of record.

DESCRIPTION  
PORTION OF LANDS NOW OR FORMERLY OF  
NEW YORK STATE ELECTRIC AND GAS CORPORATION  
TAX MAP PARCEL NO. 262.53-1-7  
CITY OF MECHANICVILLE, COUNTY OF SARATOGA, STATE OF NEW YORK  
AREA = 0.42± ACRES OF LAND

All that certain tract, piece or parcel of land situate in the City of Mechanicville, County of Saratoga, State of New York, lying West of North Central Avenue, and being more particularly bounded and described as follows:  
COMMENCING at the point of intersection of the division line between the lands now or formerly of New York State Electric and Gas Corporation as described in Book 361 of Deeds at Page 277 on the North and the lands now or formerly of Joseph L. Urbanski and Julie Urbanski as described in Book 1587 of Deeds at Page 515 on the South with the Western street boundary of North Central Avenue; thence from said point of commencement along the above first mentioned division line North 77 deg. 09 min. 50 sec. West 97.41 feet to its point of intersection with the Eastern street boundary of East Way; thence along said Eastern street boundary North 02 deg. 40 min. 02 sec. West 30.61 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation on the East and the lands now or formerly of Paula Fiorino as described in Instrument No. 2007048534 on the West; thence along said division line North 15 deg. 02 min. 32 sec. East 102.42 feet to its point of intersection with the common division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 361 of Deeds at Page 277 on the North and the said lands now or formerly of Paula Fiorino and lands now or formerly of Donald W. Horn and Cynthia A. Horn, as described in Book 1521 of Deeds at Page 231 on the South; thence along said common division line North 87 deg. 39 min. 47 sec. West 170.94 feet to the point or place of beginning of the herein described parcel and runs thence from said point of beginning along the division line between the lands now or formerly of New York State Electric and Gas Corporation as described in Book 1215 of Deeds at Page 248 on the North and the said lands now or formerly of Donald W. Horn and Cynthia A. Horn on the South, North 87 deg. 39 min. 47 sec. West 82.25 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 1215 of Deeds at Page 248 on the North and other lands now or formerly of Paula Fiorino and lands now or formerly of Donald W. Horn and Cynthia A. Horn, as described in Book 1521 of Deeds at Page 231 on the South; thence along said division line North 68 deg. 42 min. 39 sec. West 8.72 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 554 of Deeds at Page 75 on the North and other lands now or formerly of Paula Fiorino and lands now or formerly of Donald W. Horn and Cynthia A. Horn, as described in Book 1521 of Deeds at Page 231 on the South; thence along said division line North 12 deg. 55 min. 18 sec. East 125.34 feet to its point of intersection with the division line between the said lands now or formerly of New York State Electric and Gas Corporation as described in Book 361 of Deeds at Page 277 on the East and other lands now or formerly of Paula Fiorino and lands now or formerly of Donald W. Horn and Cynthia A. Horn, as described in Book 1521 of Deeds at Page 231 on the South; thence along said division line North 12 deg. 55 min. 18 sec. East 125.34 feet to the point or place of beginning and containing 0.42 acre of land, more or less.  
Subject to any covenants, easements, or restrictions of record.

Table of Apparent Encroachments

Designation	Description
(A)	Wood fence belonging to Felix J. Taglione encroaches on to survey parcel by 3.2', 3.4' and 3.7'.
(B)	Wood fence belonging to Paula Fiorino encroaches on to survey parcel by 1.3'.

Legend

BOL +	Bollard	HYD	Hydrant
CRF	Capped Iron Rod Found	IRF	Iron Rod Found
CBS	Catch Basin	MW	Monitoring Well
EMTR	Electric Meter	MON	Monument
GM	Gas Marker	UP	Utility Pole
GPF	Gas Pin Flag	UP W/LIGHT	Utility Pole W/Light
GV	Gas Valve	GR	Guide Rail
---	Guy Wire	---	Overhead Wires

MONITOR WELL CHART  
May 13, 2011

MONITOR WELL	GRADE ELEVATION	TOP OF CASING	TOP OF PVC	TOP OF STEEL	TOP OF RUBBER
MW-1	91.32	91.32	90.77		
MW-1D	91.04	91.04	90.58		
MW-11	90.82	90.82	90.40		
MW-2	88.26	87.76	NO PVC		
MW-2S	83.82	86.02	85.04		
MW-10	92.20	92.20	91.82		
MW-10D	92.89	92.89	92.54		
MW-10R	92.50	92.50	92.16		
MW-12	93.08	93.08	92.68		
MW-13	93.81	93.81	93.58		
MW-14	94.74	94.74	94.60		
MW-14D	94.24	94.24	94.67		
MW-14S	94.66	94.66	94.64		
MW-15R	87.79	87.79	87.36		
MW-17	93.88	93.88	93.47		
MW-17D	93.64	93.64	93.24		
MW-17R	93.65	93.65	93.24		
MW-18	93.89	93.89	93.47		
MW-21	88.23	88.89	80.72		
MW-22R	87.30	87.30	86.98		
MW-25	94.78	94.78	NO PVC		
MW-25S	93.79	96.07	85.97		
MW-29R	86.65	86.65	86.32		
MW-30D	83.51	86.72	NO PVC		
MW-30S	83.17	85.97	85.54		
MW-32D	87.74	80.07	89.78		
MW-33D	94.27	94.27	93.80		
MW-34D	94.12	94.12	93.61		
MW-35	88.26	88.26	88.51		
MW-40D	94.25	94.25	93.87		
MW-44	87.78	87.78	87.28		
MW-45	89.06	89.06	88.64		
MW-49	88.25	88.25	87.85		
MW-191	88.18	88.18	88.84		
MW-171	89.48	89.48	89.25		
TW-21	88.62	88.62	88.23		
MW-23	85.64	85.64	86.73		
TW-3	87.48	87.48	87.07		
TW-4	87.49	87.49	87.06		

- Map References:
- "Map of Abandoned Champlain Canal Lands, City of Mechanicville and Town of Stillwater" sheet 22.
  - "Map of Central Avenue Mechanicville, N.Y. 1921 by C.E. Hicks, City Engineer" filed in the Saratoga County Clerk's as map number AA-76.
  - "Map of Lands of Theodore S. Ryan" prepared by H.B. Greele dated May 30, 1902, filed in the Saratoga County Clerk's in map card 2, pocket 5, folder 1.
  - "Joseph Palmer and Heirs of John Bruno Property" prepared by John H. Sheenan C.E. dated April 28, 1952.
  - "Map of Survey of Lands to be Conveyed by Boston and Maine Corporation to G.A. Bove & Sons, Inc." prepared by Clough, Harbor & Associates dated November 28, 1990, filed in the Saratoga County Clerk's as map number B-204.

- Map Notes:
- Boundary information shown hereon was compiled from an actual field survey conducted during on April 14, 2011.
  - North orientation and bearings are referenced to Grid North and are based on the New York State Plane Coordinate System, East Zone, NAD 83. The distances shown are horizontal ground distances. Grid lengths may be obtained by a multiplier of 0.99994937 (Combined factor).
  - Objects shown on this drawing with a distance indicating how far that object is from a particular line, lie on the same side of the line that the offset distance is written.
  - The location of underground improvements or encroachments, if any exist, or as shown hereon, are not certified. There may be underground utilities, the existences of which are not known to the designer. Size and location of all underground utilities and structures must be verified by the appropriate authorities. Dig Safely New York must be notified prior to conducting test borings, excavation and construction.
  - This survey was prepared without the benefit of an up to date abstract of title or title report and is therefore subject to any easements, covenants, restrictions or any statement of fact that such documents may disclose.
  - Parcel is subject to the right, title and interest of others in and to a 12 foot wide right-of-way known as Ferris Lane shown hereon.
  - The west right of way of North Central Avenue was protracted from line work shown on Map Reference No. 2.
  - That portion of survey parcel that abuts the Anthony Kill may be subject to riparian rights as claimed by The People of The State of New York or others.

Certified To:  
New York State Electric & Gas Corporation  
The People of The State of New York, acting through their Commissioner of the Department of Environmental Conservation

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 2, 4, 7(c), 8, 11(a), and 13 of Table A thereof. The Field Work Was Completed on April 14, 2011.

*James F. Cook* 5/24/11  
James F. Cook PLS No. 49260 Date

ONLY COPIES OF THIS MAP SIGNED IN RED INK AND EMBOSSED WITH THE SEAL OF AN OFFICER OF C.T. MALE ASSOCIATES, P.C. OR A DESIGNATED REPRESENTATIVE SHALL BE CONSIDERED TO BE A VALID TRUE COPY.

DATE	REVISIONS RECORD/DESCRIPTION	DRAFTER	CHECK	APPR.	UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW.
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					CHECKED: JFC
					PROJ. NO: 11.1144
					SCALE: 1"=30'
					DATE: APRIL 14, 2011

The engineering and institutional controls for this Easement are set forth in the Site Management Plan (SMP). A copy of the SMP must be obtained by any party with an interest in the property. The SMP can be obtained from NYS Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at [derweb@gw.dec.state.ny.us](mailto:derweb@gw.dec.state.ny.us).

**ALTA/ACSM LAND TITLE BOUNDARY SURVEY**  
PORTION OF LANDS NOW OR FORMERLY OF  
**NEW YORK STATE ELECTRIC & GAS CORPORATION**  
42 NORTH CENTRAL AVENUE  
PREPARED FOR  
**AECOM**  
CITY OF MECHANICVILLE SARATOGA COUNTY, NEW YORK

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SHEET 1 OF 2  
DWG. NO: 11-229