

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

THIS INDENTURE, made this 11th day of February, 2011, between the United States of America (the "Grantor"), acting by and through the Director of Real Estate, Headquarters, U.S. Army Corps of Engineers, 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 of ensuring the potential 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, the Grantor, is the owner of certain parcels of real property located in the Town of Romulus, Seneca County, New York, and identified as SEAD 1, SEAD 2, SEAD 3, SEAD 5, SEAD 6, SEAD 8, SEAD 14, SEAD 15, SEAD 16, SEAD 17, SEAD 25, SEAD 26, SEAD 39, SEAD 40, SEAD 59, SEAD 64B, SEAD 64D, SEAD 67, SEAD 71, SEAD 121C, and SEAD 121I, comprising approximately 112.38 acres, and hereinafter more fully described in Exhibit A, attached hereto and made a part hereof (the "Controlled Properties"); and

WHEREAS, the Commissioner does hereby acknowledge that the Department accepts this Environmental Easement in order to ensure the protection of human health and the environment and to achieve the requirements for remediation established for the Controlled Properties until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36;

NOW THEREFORE, in consideration of the covenants and mutual promises contained herein, and in order to implement the land use restrictions identified in the "Addendum Number 2 to Finding of Suitability to Transfer (FOST), Seneca Army Depot Activity (SEDA), Planned Industrial Development and Warehouse Area, (PID FOST)" dated August 3, 2006; the "Addendum Number 3 to Finding of Suitability to Transfer (FOST), Seneca Army Depot Activity (SEDA), Planned Industrial Development and Warehouse Area, (PID FOST)" dated September 18, 2007; the "Addendum Number 1 to Finding of Suitability to Transfer (FOST), Seneca Army Depot Activity (SEDA), Conservation/Recreation Area, (Conservation Area FOST)" dated August 3, 2006; and the "Draft [sic] Addendum Number 2 to Finding of Suitability to Transfer (FOST), Seneca Army Depot Activity (SEDA), Conservation/Recreation Area, (Conservation Area FOST)" dated October 15, 2009, the Grantor grants, conveys and releases to Grantee a permanent Environmental Easement pursuant to Article 71, Title 36 of the ECL in, on, over, under, and upon the Controlled Properties to exercise the controls 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 the Controlled Properties 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 following controls apply to the use of the Controlled Properties, run with the land, are binding on the Grantor and its assigns and are enforceable in law or equity against any owner of the Controlled Properties, any lessees or any person using the Controlled Properties:

A. Residential Use Prohibited. The Controlled Properties identified as SEAD 1, SEAD 2, SEAD 5, SEAD 16, SEAD 17, SEAD 25, SEAD 26, SEAD 39, SEAD 40, SEAD 59, SEAD 67, SEAD 71, SEAD 121C and SEAD 121I shall be used solely for commercial and industrial purposes and not for residential purposes, the said Controlled Properties having been remediated only for commercial and industrial uses. Commercial and industrial uses include, but are not limited to, administrative/office space; manufacturing; warehousing; restaurants; hotels/motels; and retail activities. Residential use includes, but is not limited to, housing; childcare facilities; schools (excluding education and training programs for person over 18 years of age); assisted living facilities; and outdoor recreational activities (excluding recreational activities by employees and their families incidental to authorized commercial and industrial uses on the said Controlled Properties.) The restriction to commercial and industrial uses applies to all areas within the said Controlled Properties. Future owners or users of land within the said Controlled Properties may request a waiver from said restriction on a location by location basis at such time as the concentrations of hazardous substances are reduced to levels that allow for unlimited exposure and unrestricted use. The owner or user making such a request must develop and submit with the request sufficient data and information, subject to review and approval by the Grantee, the Grantor and the U.S. Environmental Protection Agency ("EPA"), to substantiate its request that the identified location is suitable for unlimited exposure and unrestricted use.

B. Ground Water Use Prohibited. The ground water beneath the Controlled Properties identified as SEAD 1, SEAD 2, SEAD 3, SEAD 5, SEAD 6, SEAD 8, SEAD 14, SEAD 15, SEAD 16, SEAD 17, SEAD 25, SEAD 26, SEAD 39, SEAD 40, SEAD 59, SEAD 64D, SEAD 67, SEAD 71, SEAD 121C, and SEAD 121I shall not be accessed or used for any purpose without the prior written approval of the Department of the Army and the Grantee, with the concurrence of EPA, except insofar as it may be necessary for the Department of the Army to carry out its responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), as amended. For the purposes of this provision, the term "ground water" shall have the same meaning as in section 101(12) of CERCLA.

C. Excavation Prohibited. Excavation activities including, but not limited to, digging, drilling, or any other disturbance of the surface or subsurface of any of the Controlled Properties identified as SEAD 3, SEAD 5, SEAD 6, SEAD 8, SEAD 14, SEAD 15, SEAD 64B and SEAD 64D, shall not be performed for any purpose without the prior written approval of the Department of the Army and the Grantee, with the concurrence of EPA, except insofar as it may be necessary for the Department of the Army to carry out its responsibilities under CERCLA.

D. Interference Prohibited. No activity shall be undertaken on any of the Controlled Properties identified as SEAD 3, SEAD 6, SEAD 8, SEAD 14, SEAD 15, SEAD 25, and SEAD 26 that interferes with or compromises the integrity of any remedial or monitoring system constructed pursuant to a CERCLA response action including, but not limited to, monitoring wells and impermeable reactive barriers without the prior written approval of the Department of the Army and the Grantee, with the concurrence of EPA, except insofar as it may be necessary for the Department of the Army to carry out its responsibilities under CERCLA.

E. Habitable Structures Prohibited. No temporary or permanent habitable structures may be constructed, used, or occupied on the Controlled Properties identified as SEAD 3, SEAD 6, SEAD 8, SEAD 14, and SEAD 15, except insofar as it may be necessary for the Department of the Army to carry out its responsibilities under CERCLA. A habitable structure is any structure designed for human occupancy on a regular or intermittent basis. Habitable structures include, but are not limited to, residential dwellings such as single-family detached homes, townhomes, apartment buildings, and mobile homes; hotels and motels; hospitals, nursing homes, and childcare facilities; restaurants; industrial and commercial workplaces; office buildings; schools; and other institutional, public, educational, and recreational facilities. Parking garages and buildings used for storage purposes which do not have heat, water, sewer, and electricity are not considered to be habitable structures for purposes of this control.

F. Maintenance of Vegetative Cover. A vegetative cover to prevent erosion of the soil layer preventing ecological receptors from coming in contact with soils containing residual contamination from lead, copper, mercury, and zinc having maximum surface concentrations of 1,170,146, 1.2 and 6,390 parts per million, respectively, shall be permanently maintained on the Controlled Properties identified as SEAD 3, SEAD 6, SEAD 8, SEAD 14 and SEAD 15, except insofar as it may be necessary for the Department of the Army to carry out its responsibilities under CERCLA.

G. Provision of Notice Required. The Grantor covenants and agrees for itself and its assigns that until such time as the Environmental Easement is extinguished in accordance with the requirements of this instrument and Article 71, Title 36 of the ECL, all subsequent deeds and instruments of conveyance relating to the Controlled Properties 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.

H. Incorporation of Environmental Easement. The Grantor covenants and agrees for itself and its assigns that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use any of the Controlled Properties.

I. Annual Certification Required. The Grantor covenants and agrees for itself and its assigns that the owner of any of the Controlled Properties shall annually, from the date of this Environmental Easement, or within such additional time as NYSDEC may allow, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury that the institutional controls employed at the Controlled Property are unchanged from the previous certification or that any changes to such controls employed at the Controlled Property were approved by the NYSDEC; that nothing has occurred that would impair the ability of such controls to protect the public health and environment or constitute a violation or failure to comply with such controls; and that access to the Controlled Property was provided to such expert to evaluate the continued maintenance of such controls.

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

4. Reserved Grantor's Rights. The Grantor reserves for itself and its assigns all rights as fee owner of the Controlled Properties not granted herein including:

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

B. The right to give, sell, assign, or otherwise transfer the underlying fee interest to the Controlled Properties by operation of law, by deed, or by indenture, subject and subordinate to this Environmental Easement.

5. Enforcement.

A. This Environmental Easement is enforceable in law or equity in perpetuity by the Grantor (including, but not limited to, the Department of the Army and the EPA), the Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Controlled Properties, any lessees, and any person using the Controlled Properties. 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.

B. The Grantee shall notify the Grantor and the owner of the Controlled Properties of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall

set forth how the owner of the Controlled Properties can cure such breach or suspected breach and give the owner of the Controlled Properties a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify the Grantor and the owner of the Controlled Properties of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

C. The failure of the Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar its enforcement rights.

6. Notice. Whenever notice to the Grantee (including the annual certification) or approval from the Grantee or the Grantor is required, the person providing such notice or seeking such approval shall identify the Controlled Property by referencing its County, the NYSDEC Site Number 850006, and the County tax map number or the Liber and Page or computerized system tracking/identification number of this Environmental Easement. Correspondence to the Grantee shall be addressed to:

Site Number: 850006
Office of General Counsel
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-5500

and

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

and, if to the Grantor, to:

Headquarters, Department of the Army
ATTN: DAIM-ZA
600 Army Pentagon
Washington, DC 20310-0600

and, if to EPA, to:

U.S. Environmental Protection Agency
Emergency & Remedial Response Division
290 Broadway, 18th Floor, E-3
New York, New York 10007-1866

Such correspondence shall be delivered by hand, or by registered mail or by certified mail and return receipt requested. The Grantor, the Grantee, and EPA may provide for other means of receiving and communicating notices and responses.

7. Recordation. The Grantor shall record this instrument within thirty (30) days of execution of this Environmental Easement by the Commissioner or his authorized representative in the office of the recording officer for Seneca County in the manner prescribed by Article 9 of the Real Property Law of the State of New York.

8. Amendment. This Environmental Easement may be amended only by an amendment executed by the Commissioner of the New York State Department of Environmental Conservation or his authorized representative and filed in the office of the recording officer for Seneca County in the manner prescribed by Article 9 of the Real Property Law of the State of New York.

9. Extinguishment. This Environmental Easement may be extinguished only by a release executed by the Commissioner of the New York State Department of Environmental Conservation or his authorized representative and filed in the office of the recording officer for Seneca County in the manner prescribed by Article 9 of the Real Property Law of the State of New York.

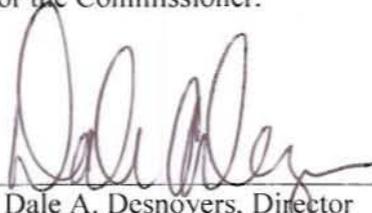
10. Grantor's Opportunity to Review and Comment. The Grantee shall provide the Grantor and EPA with a notice of, and a reasonable opportunity to review and comment upon, requested approvals or actions under this Environmental Easement including, without limitation, requests for amendment pursuant to Paragraph 8 hereof and extinguishment pursuant to Paragraph 9 hereof.

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

UNITED STATES OF AMERICA

By: 
SCOTT L. WHITEFORD
Director of Real Estate
Headquarters, U.S. Army Corps of Engineers

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, acting by and through its Department of Environmental Conservation as Designee for the Commissioner.

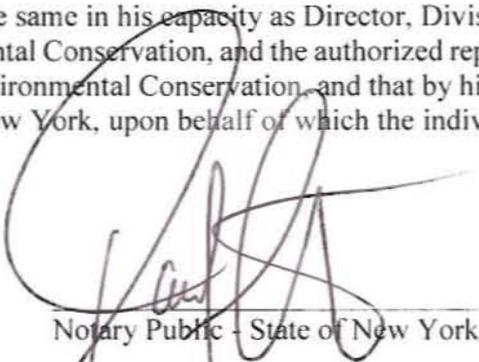
By: 
Dale A. Desnoyers, Director
Division of Environmental Remediation

Date: FEB 14 2011

Grantee's Acknowledgment

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

On the 14th day of February, in the year 2011, before me, the undersigned, personally appeared Dale A. Desnoyers, 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 as Director, Division of Remediation, Department of Environmental Conservation, and the authorized representative of the Commissioner of the Department of Environmental Conservation, and that by his signature on the instrument, the People of the State of New York, upon behalf of which the individual acted, executed the instrument.


Notary Public - State of New York

David J. Chiusano
Notary Public, State of New York
No. 01CH5092146
Qualified in Schenectady County
Commission Expires August 22, 2014

EXHIBIT A

SEAD-1, the former Hazardous Waste Container Storage Facility

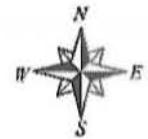
Description of Historic Solid Waste Management Unit SEAD-1, the former Hazardous Waste Container Storage Facility

All that tract or parcel of land containing 0.07 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-1, Former Hazardous Waste Container Storage Facility, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 996,976; E = 750,935 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. N 88° 52' 36" E, a distance of 51.01 feet to a point; thence
2. S 00° 00' 00" E, a distance of 60.00 feet to a point; thence
3. S 87° 39' 46" W, a distance of 49.04 feet to a point; thence
4. N 01° 52' 40" W, a distance of 61.03 feet to a point; said point being the Point or Place of Beginning.

Point of Beginning



PARSONS



Seneca Army Depot Activity

**SEAD 1
Former Hazardous Waste
Storage Facility
Land Parcel Boundary**

May 2007

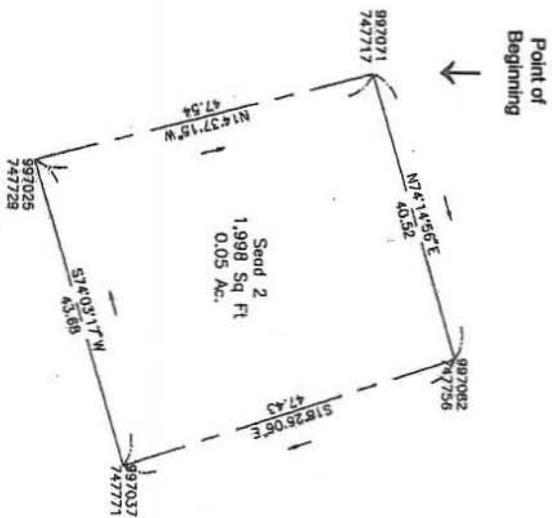
SEAD-2 the former PCB Transformer Storage Facility

Description of Historic Solid Waste Management Unit SEAD-2, the former PCB Transformer Storage Facility

All that tract or parcel of land containing 0.05 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-2, Former PCB Transformer Storage Facility, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 997,071; E = 747,717 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. N 74° 14' 56" E, a distance of 40.52 feet to a point; thence
2. S 18° 26' 06" E, a distance of 47.43 feet to a point; thence
3. S 74° 03' 17" W, a distance of 43.68 feet to a point; thence
4. N 14° 37' 15" W, a distance of 47.54 feet to a point; said point being the Point or Place of Beginning.



PARSONS



Seneca Army Depot Activity

SEAD-2

**Former PCB Transformer Storage Facility
Land Parcel Boundary**

May 2007

Ash Landfill Operable Unit, SEADs 3, 6, 8, 14, and 15

Description of Historic Solid Waste Management Units SEADs 3, 6, 8, 14 and 15 – Ash Landfill Operable Unit

All that tract or parcel of land containing 44.69 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "Ash Landfill Operable Unit (SEADs 3, 6, 8, 14, & 15), Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 995,492; E = 741,261 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. S 17° 11' 43" E, a distance of 774.62 feet to a point; thence
2. S 01° 44' 49" E, a distance of 623.29 feet to a point; thence
3. N 89° 18' 25" W, a distance of 744.05 feet to a point; thence
4. N 01° 11' 25" E, a distance of 385.08 feet to a point; thence
5. N 88° 06' 52" W, a distance of 972.53 feet to a point; thence
6. N 13° 21' 37" W, a distance of 986.70 feet to a point; thence
7. S 89° 13' 10" E, a distance of 1,688.16 feet to a point; said point being the Point or Place of Beginning.

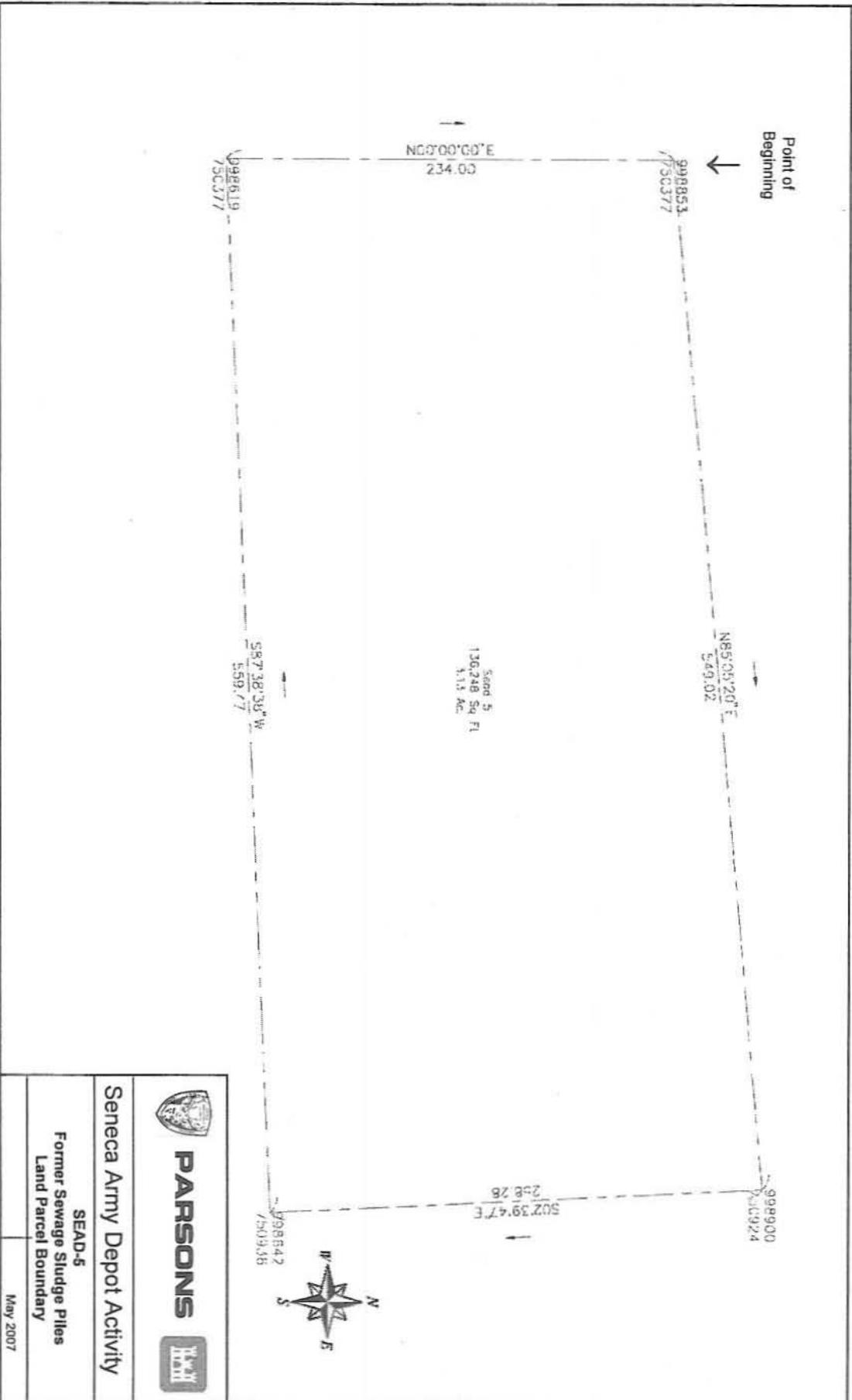
SEAD-5 the former Sewage Sludge Piles

Description of Historic Solid Waste Management Unit SEAD-5, the former Sewage Sludge Piles

All that tract or parcel of land containing 3.13 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-5, Former Sewage Sludge Piles, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 998,853; E = 750,377 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. N 85° 05' 20" E, a distance of 549.02 feet to a point; thence
2. S 02° 39' 47" E, a distance of 258.28 feet to a point; thence
3. S 87° 38' 38" W, a distance of 559.47 feet to a point; thence
4. N 00° 00' 00" E, a distance of 234.00 feet to a point; said point being the Point or Place of Beginning.



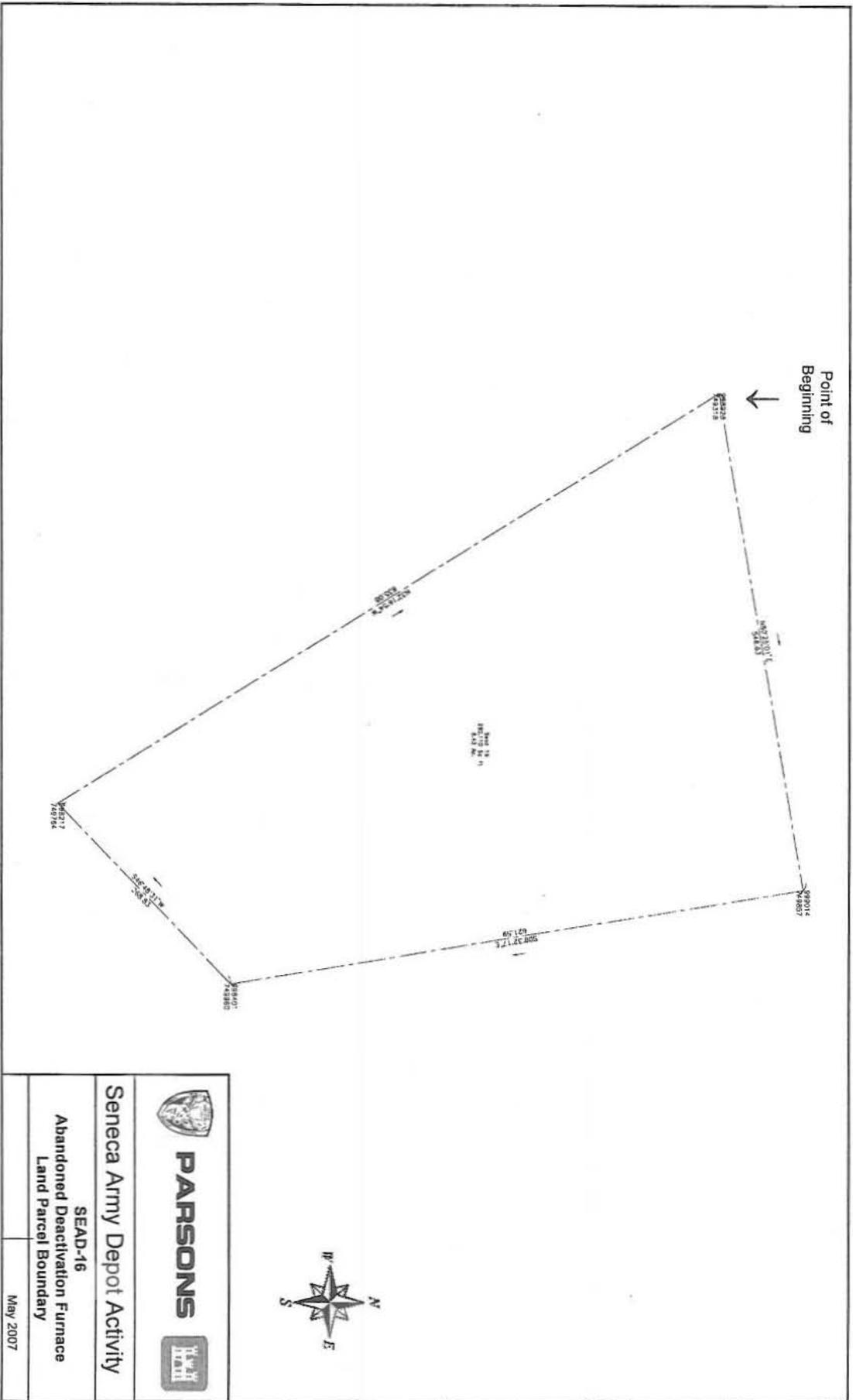
SEAD-16, the Abandoned Deactivation Furnace

Description of Historic Solid Waste Management Unit SEAD-16, the Abandoned Deactivation Furnace

All that tract or parcel of land containing 6.43 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-16, Abandoned Deactivation Furnace, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 998,923; E = 749,318 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. N 80° 25' 01" E, a distance of 546.63 feet to a point; thence
2. S 09° 32' 17" E, a distance of 621.59 feet to a point; thence
3. S 46° 48' 31" W, a distance of 268.83 feet to a point; thence
4. N 32° 16' 54" W, a distance of 835.08 feet to a point; said point being the Point or Place of Beginning.



Point of Beginning



PARSONS



Seneca Army Depot Activity

**SEAD-16
Abandoned Deactivation Furnace
Land Parcel Boundary**

May 2007

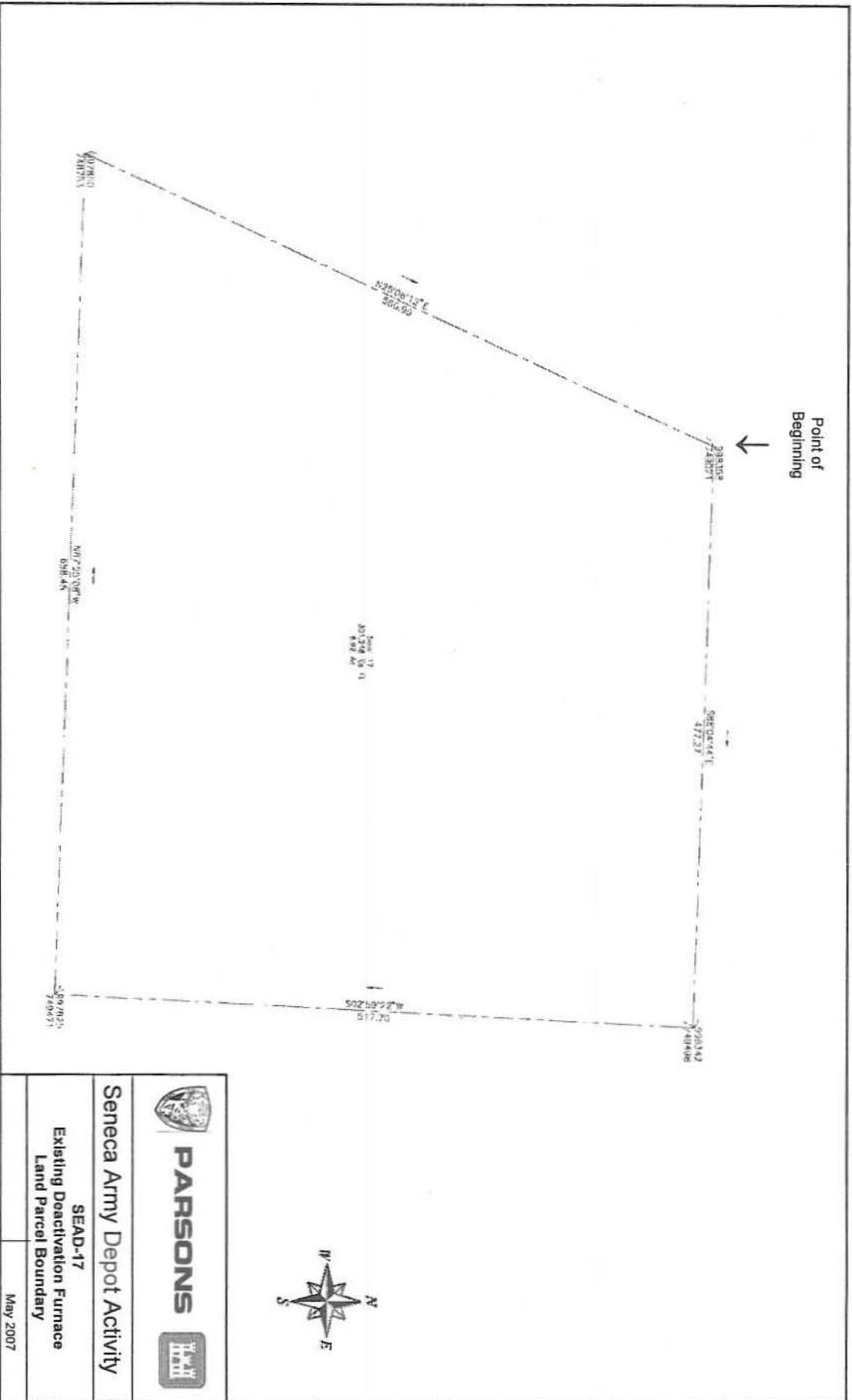
SEAD-17, the Existing Deactivation Furnace

Description of Historic Solid Waste Management Unit SEAD-17, the Existing Deactivation Furnace

All that tract or parcel of land containing 6.92 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-17, Existing Deactivation Furnace, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 998,358; E = 749,021 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. S 88° 04' 44" E, a distance of 477.27 feet to a point; thence
2. S 02° 59' 22" E, a distance of 517.70 feet to a point; thence
3. N 87° 55' 08" W, a distance of 688.45 feet to a point; thence
4. N 25° 06' 12" E, a distance of 560.99 feet to a point; said point being the Point or Place of Beginning.



Seneca Army Depot Activity

SEAD-17
Existing Deactivation Furnace
Land Parcel Boundary

May 2007

SEAD-25, the former Fire Training and Demonstration Pad

Description of Historic Solid Waste Management Unit SEAD-25, the former Fire Training and Demonstration Pad:

All that tract or parcel of land containing 7.67 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD 25, Fire Training and Demonstration Pad, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 998,459; E = 750,831 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. S88° 17' 14" E, a distance of 301.13 feet to a point; thence
2. S 00° 52' 05" E, a distance of 528.06 feet to a point; thence
3. N 88° 44' 35" W, a distance of 319.08 feet to a point; thence
4. S 74° 58' 54" W, a distance of 127.35 feet to a point; thence
5. N 79° 40' 52" W, a distance of 362.87 feet to a point; thence
6. N 33° 31' 28 " W, a distance of 95.96 feet to a point; thence
7. N 52° 24' 40" E, a distance of 685.25 feet to a point, said point being the Point or Place of Beginning.

SEAD-26, the former Fire Training Pit

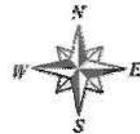
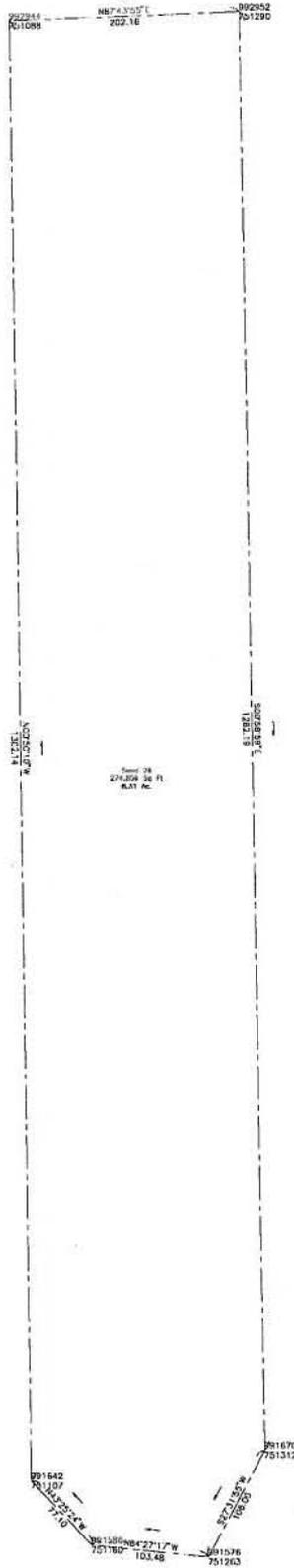
Description of Historic Solid Waste Management Unit SEAD-26, the former Fire Training Pit:

All that tract or parcel of land containing 6.31 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-26, Fire Training Pit, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 992,952; E = 751,290 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. S 00° 58' 59" E, a distance of 1,282.19 feet to a point; thence
2. S 27° 31' 55" W, a distance of 106.00 feet to a point; thence
3. N 84° 27' 17" W, a distance of 103.48 feet to a point; thence
4. N 43° 25' 24" W, a distance of 77.10 feet to a point; thence
5. N 00° 50' 10 " W, a distance of 1,302.14 feet to a point; thence
6. N 87° 43' 55" E, a distance of 202.16 feet to a point, said point being the Point or Place of Beginning.

Point of Beginning



PARSONS



Seneca Army Depot Activity

**SEAD-26
Fire Training Pit
Land Parcel Boundary**

May 2007

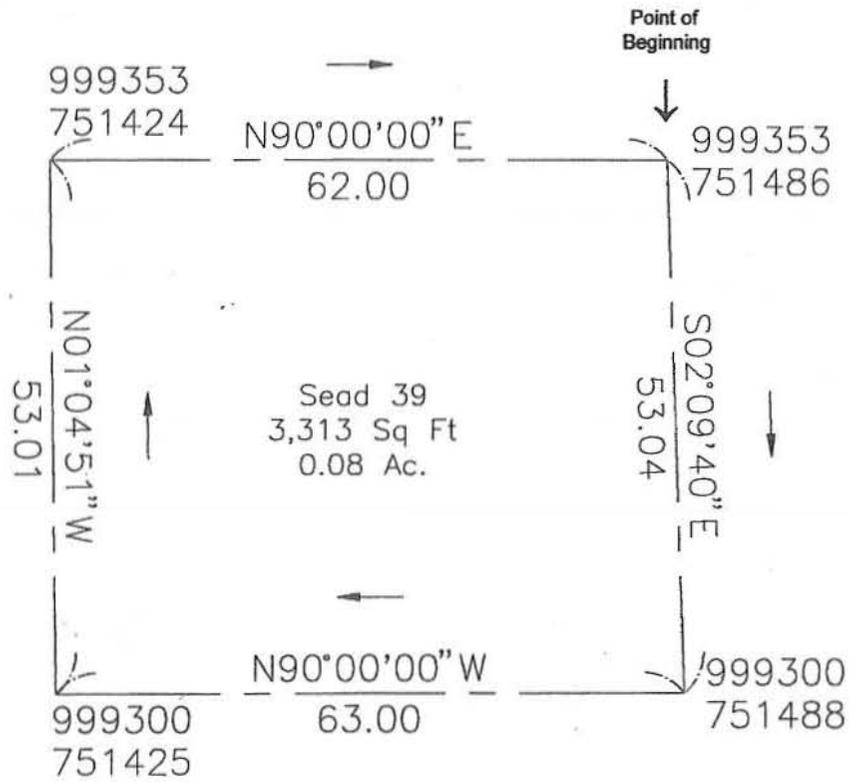
SEAD-39, Building 121 Boiler Blowdown Leach Pit

**Description of Historic Solid Waste Management Unit SEAD-39, Building 121
Boiler Blowdown Leach Pit**

All that tract or parcel of land containing 0.08 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-39, Building 121 Boiler Blowdown Leach Pit, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 999,353; E = 751,486 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. S 02° 09' 40" E, a distance of 53.04 feet to a point; thence
2. N 90° 00' 00" W, a distance of 63.00 feet to a point; thence
3. N 01° 04' 51" W, a distance of 53.01 feet to a point; thence
4. N 90° 00' 00" E, a distance of 62.00 feet to a point; said point being the Point or Place of Beginning.



PARSONS



Seneca Army Depot Activity

**SEAD-39
Building 121 Boiler Blowdown Leach Pit
Land Parcel Boundary**

May 2007

SEAD-40, Building 319 Boiler Blowdown Leach Pit

Description of Historic Solid Waste Management Unit SEAD-40, Building 319 Boiler Blowdown Leach Pit

All that tract or parcel of land containing 0.05 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-40, Building 319 Boiler Blowdown Leach Pit, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 997,184; E = 750,750 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. N 77° 00' 19" E, a distance of 13.34 feet to a point; thence
2. S 11° 54' 40" E, a distance of 130.82 feet to a point; thence
3. S 87° 23' 51" W, a distance of 22.02 feet to a point; thence
4. N 08° 07' 48" W, a distance of 127.28 feet to a point; said point being the Point or Place of Beginning.

Point of Beginning

997184
750750

N77°00'19"E
13.34

997187
750763

Seed 40
2,268 Sq Ft
0.05 Ac.

N08°07'48"W
127.28

S11°54'40"E
130.82

997058
750768

S87°23'51"W
22.02

997059
750790



PARSONS



Seneca Army Depot Activity

**SEAD-40
Building 319, Boiler Blowdown Leach Pit
Land Parcel Boundary**

May 2007

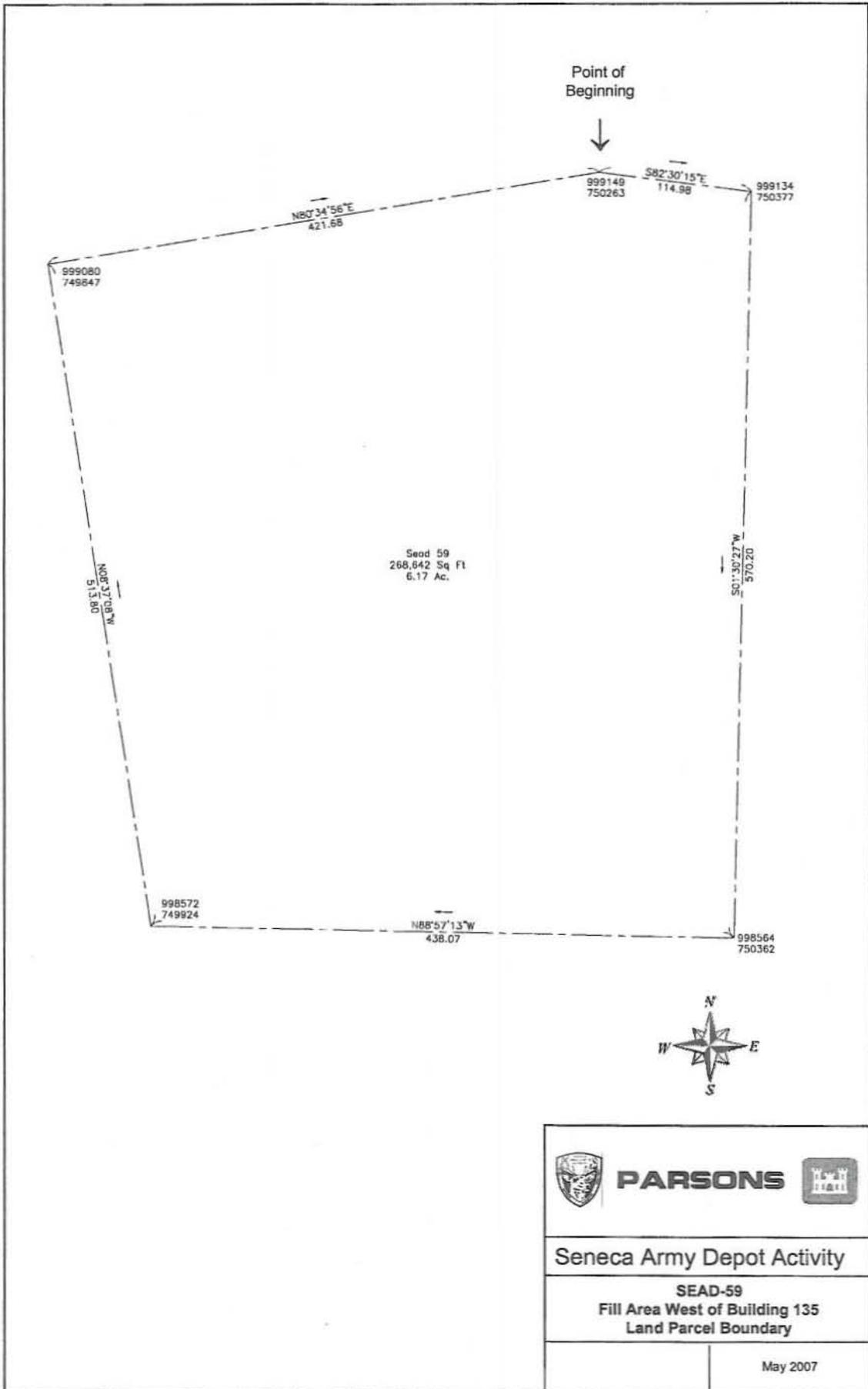
SEAD-59, the Fill Area West of Building 135

Description of Historic Solid Waste Management Unit SEAD-59, the Fill Area West of Building 135

All that tract or parcel of land containing 6.17 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-59, Fill Area West of Building 135, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 999,149; E = 750,263 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. S 82° 30' 15" E, a distance of 114.98 feet to a point; thence
2. S 01° 30' 27" W, a distance of 570.20 feet to a point; thence
3. N 88° 57' 13" W, a distance of 438.07 feet to a point; thence
4. N 08° 37' 08" W, a distance of 513.80 feet to a point; thence
5. N 80° 34' 56" E, a distance of 421.68 feet to a point; said point being the Point or Place of Beginning.



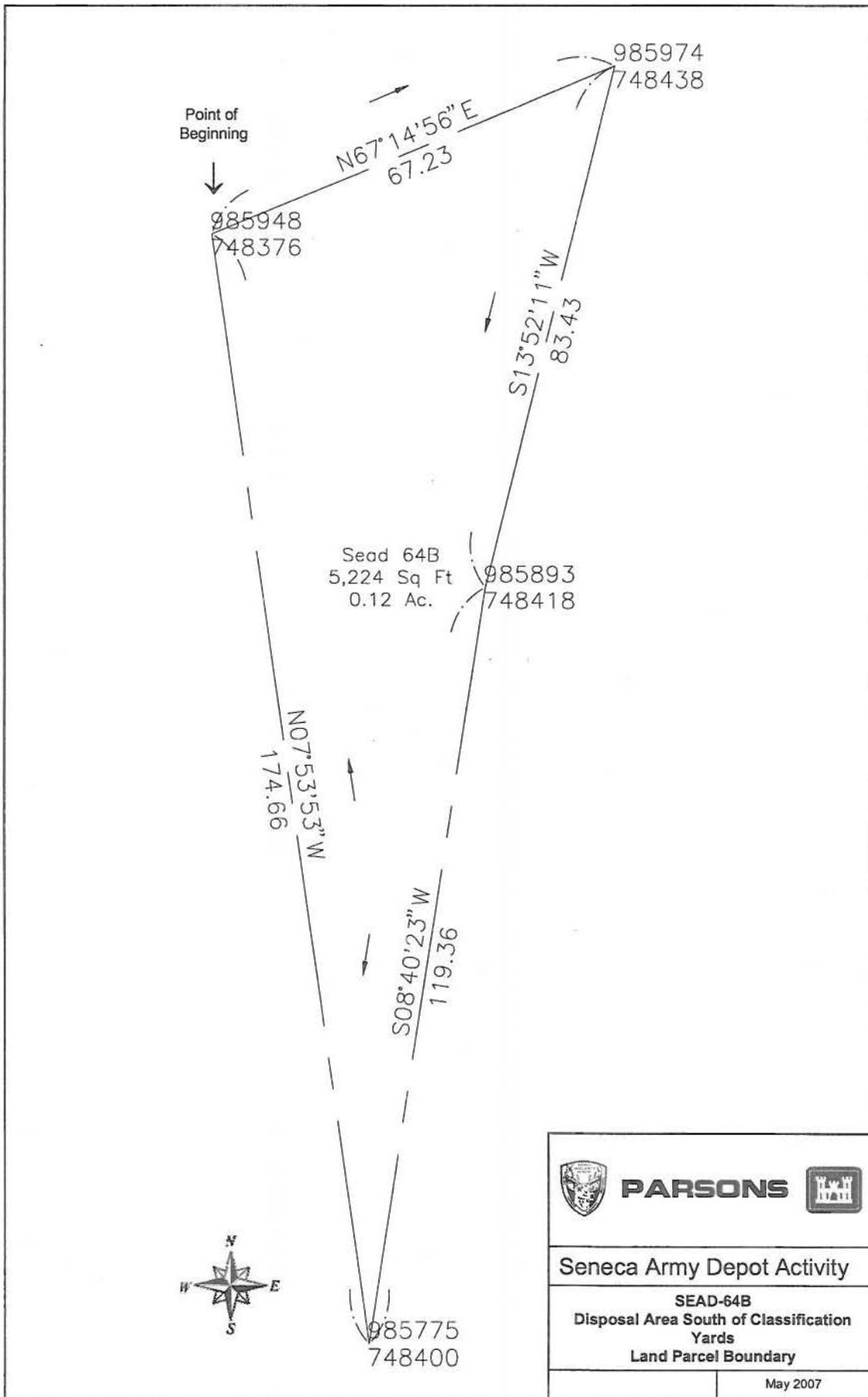
SEAD-64B, Disposal Area South of Classification Yards

Description of Historic Solid Waste Management Unit SEAD-64B, Disposal Area South of Classification Yards

All that tract or parcel of land containing 0.12 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-64B, Disposal Area South of Classification Yards, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 985,948; E = 748,376 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mercator conformal projection of the North American Datum of 1983; thence

1. N 67° 14' 56" E, a distance of 67.23 feet to a point; thence
2. S 13° 52' 11" W, a distance of 83.43 feet to a point; thence
3. S 08° 40' 23" W, a distance of 119.36 feet to a point; thence
4. N 07° 53' 53" W, a distance of 174.66 feet to a point; said point being the Point or Place of Beginning.



PARSONS



Seneca Army Depot Activity

**SEAD-64B
Disposal Area South of Classification
Yards
Land Parcel Boundary**

May 2007

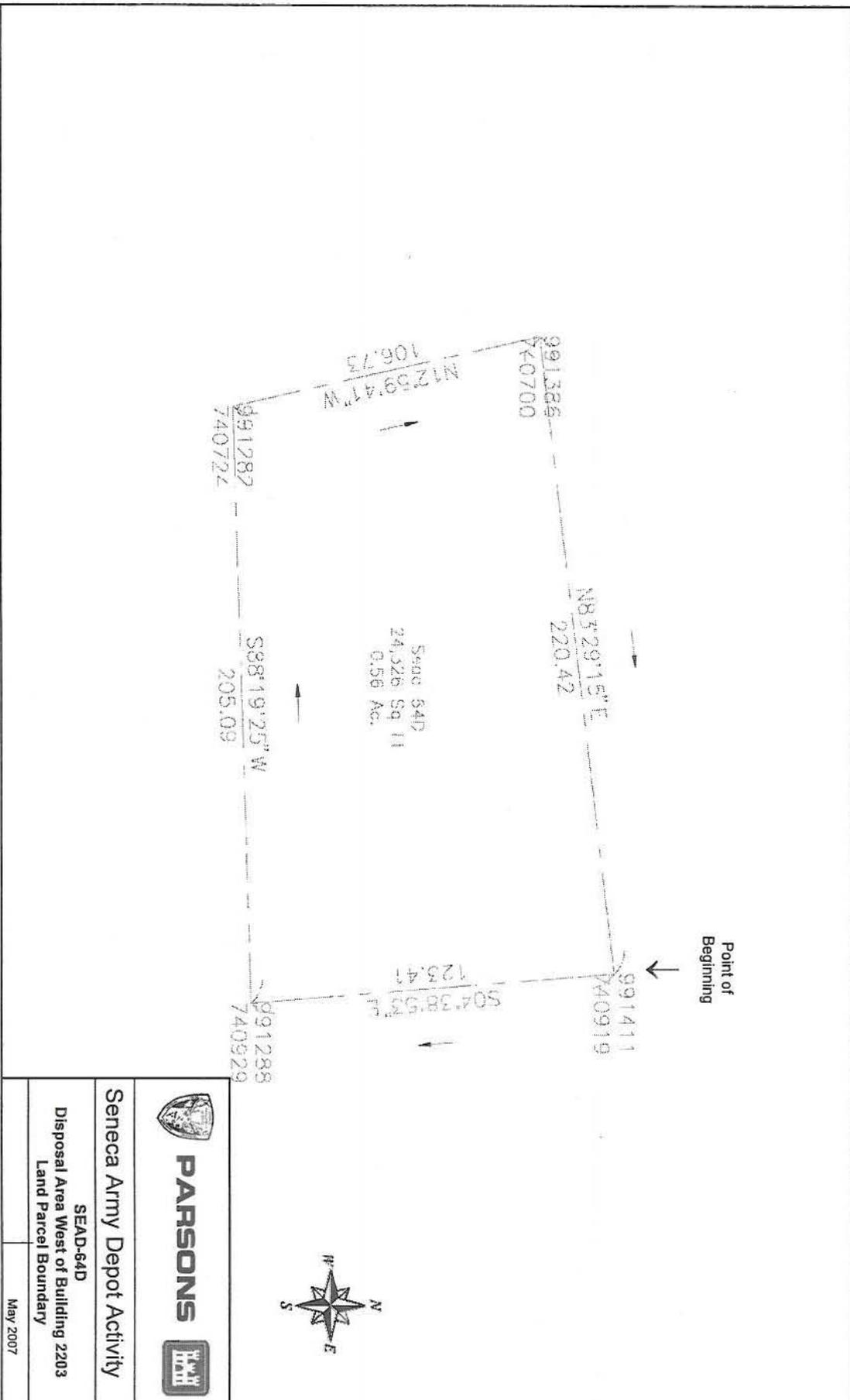
SEAD-64D, Disposal Area West of Building 2203

Description of Historic Solid Waste Management Unit SEAD-64D, Disposal Area West of Building 2203

All that tract or parcel of land containing 0.56 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-64D, Disposal Area West of Building 2203, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 991,411; E = 740,919 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. S 04° 38' 53" E, a distance of 123.41 feet to a point; thence
2. S 88° 19' 25" W, a distance of 205.09 feet to a point; thence
3. N 12° 59' 41" W, a distance of 106.73 feet to a point; thence
4. N 83° 29' 15" E, a distance of 220.42 feet to a point; said point being the Point or Place of Beginning.



PARSONS



Seneca Army Depot Activity

SEAD-64D
Disposal Area West of Building 2203
Land Parcel Boundary

May 2007

SEAD-67, Dump Site East of Sewage Treatment Plant No. 4

Description of Historic Solid Waste Management Unit SEAD-67, Dump Site East of Sewage Treatment Plant No. 4

All that tract or parcel of land containing 2.18 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-67, Dump Site East of Sewage Treatment Plant No. 4, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 1,002,560; E = 748,746 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecatator conformal projection of the North American Datum of 1983; thence

1. N 87° 19' 53" E, a distance of 236.26 feet to a point; thence
2. S 01° 38' 54" E, a distance of 417.17 feet to a point; thence
3. N 88° 59' 42" W, a distance of 228.04 feet to a point; thence
4. N 02° 50' 53" W, a distance of 402.50 feet to a point; said point being the Point or Place of Beginning.

Point of Beginning



1002560
748746

N87°19'53"E
236.26

1002571
748982

N02°50'53"W
402.50

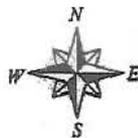
Seed 67
95,060 Sq Ft
2.18 Ac.

S01°38'54"E
417.17

1002158
748766

N88°59'42"W
228.04

1002154
748994



PARSONS



Seneca Army Depot Activity

SEAD-67
Dump Site East of Sewage Treatment
Plant No. 4
Land Parcel Boundary

May 2007

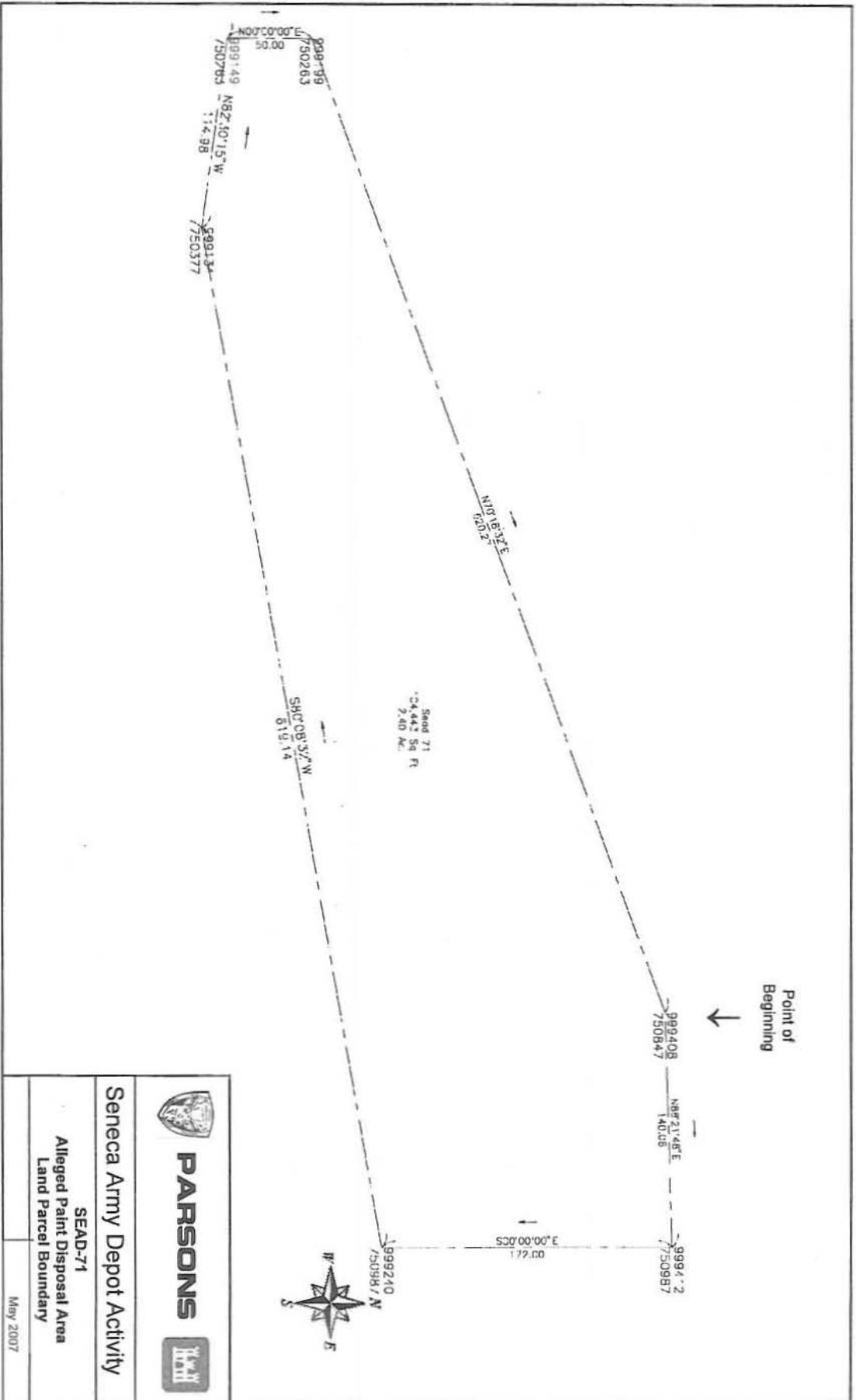
SEAD-71, the Alleged Paint Disposal Area

Description of Historic Solid Waste Management Unit SEAD-71, the Alleged Paint Disposal Area

All that tract or parcel of land containing 2.40 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-71, Alleged Paint Disposal Area, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 999,408; E = 750,847 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. N 88° 21' 48" E, a distance of 140.06 feet to a point; thence
2. S 00° 00' 00" E, a distance of 172.00 feet to a point; thence
3. S 80° 08' 32" W, a distance of 619.14 feet to a point; thence
4. N 82° 30' 15" W, a distance of 114.98 feet to a point; thence
5. N 00° 00' 00" E, a distance of 50.00 feet to a point; thence
6. N 70° 18' 32" E, a distance of 620.27 feet to a point; said point being the Point or Place of Beginning.



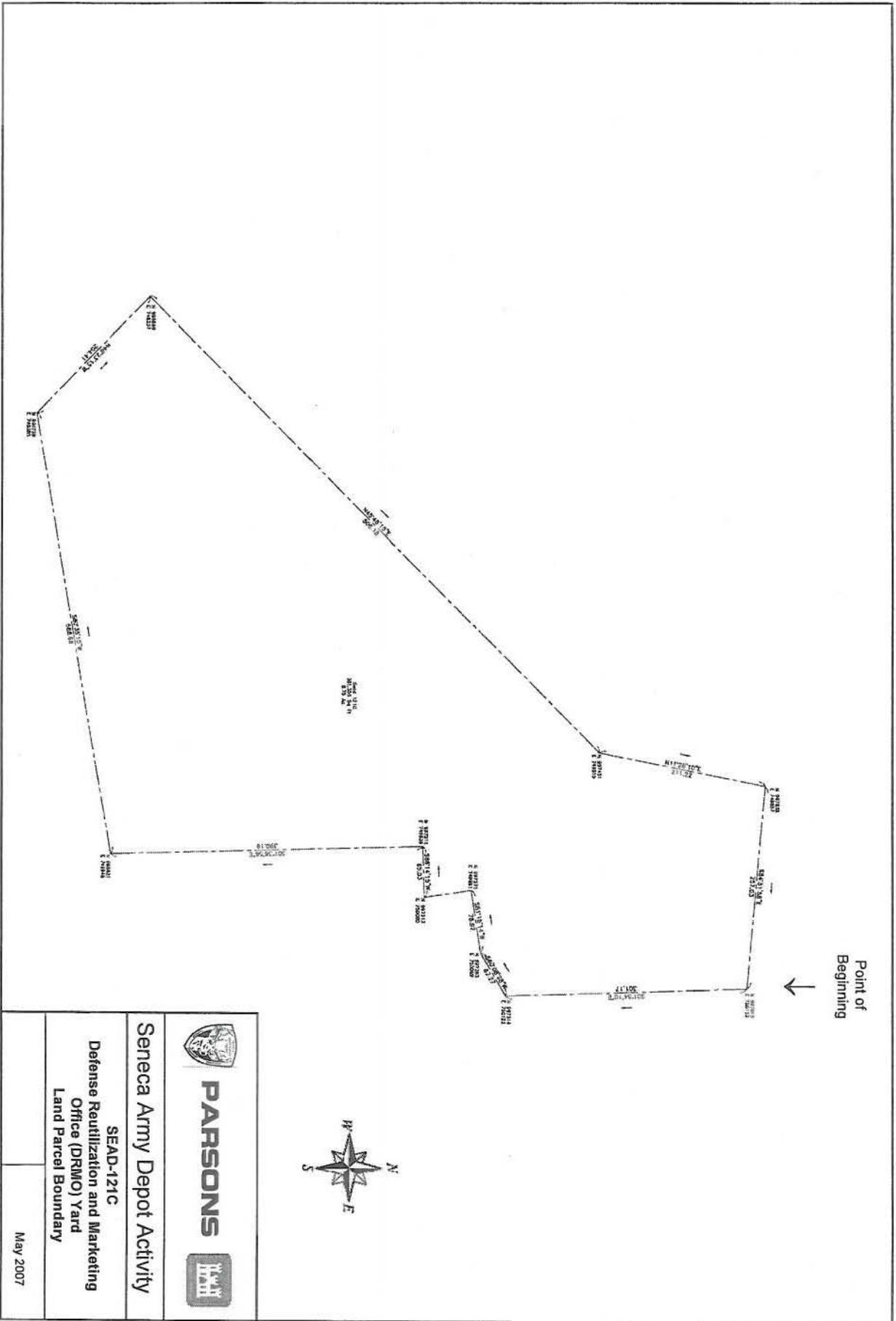
SEAD-121C, Defense Reutilization and Marketing Office (DRMO) Yard

Description of Historic Solid Waste Management Unit SEAD-121C, the Defense Reutilization and Marketing Office Yard

All that tract or parcel of land containing 8.75 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-121C, Defense Reutilization and Marketing Office Yard, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 997,615; E = 750,113 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. S 01° 54' 10" E, a distance of 301.17 feet to a point; thence
2. S 60° 08' 28" W, a distance of 62.27 feet to a point; thence
3. S 81° 15' 14" W, a distance of 78.92 feet to a point; thence
4. S 08° 49' 13" E, a distance of 58.69 feet to a point; thence
5. S 88° 14' 15" W, a distance of 65.03 feet to a point; thence
6. S 01° 36' 56" E, a distance of 390.16 feet to a point; thence
7. S 80° 35' 15" W, a distance of 568.66 feet to a point; thence
8. N 46° 23' 15" W, a distance of 204.41 feet to a point; thence
9. N 45° 48' 15" E, a distance of 806.18 feet to a point; thence
10. N 11° 28' 10" E, a distance of 211.22 feet to a point; thence
11. S 84° 51' 58" E, a distance of 257.03 feet to a point; said point being the Point or Place of Beginning.



Point of Beginning



PARSONS



Seneca Army Depot Activity

SEAD-121C
Defense Reutilization and Marketing
Office (DRMO) Yard
Land Parcel Boundary

May 2007

SEAD-121I, Rumored Cosmoline Oil Disposal Area

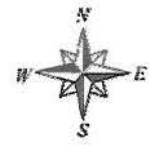
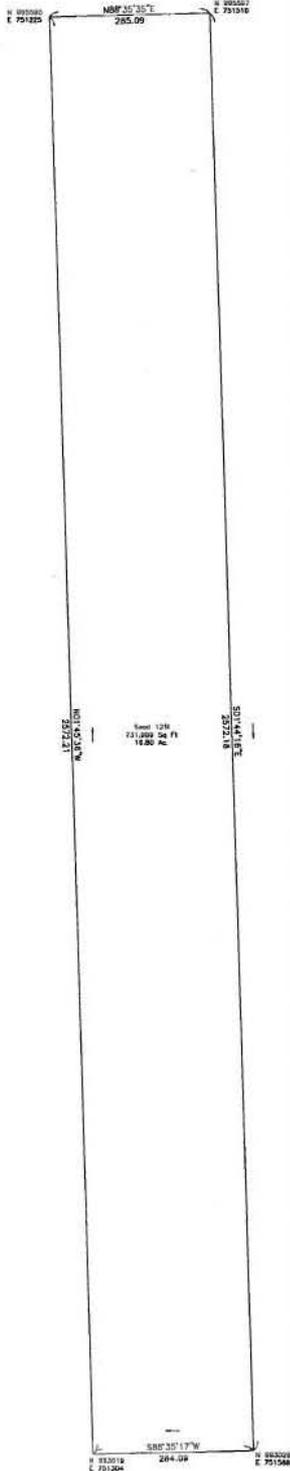
Description of Historic Solid Waste Management Unit SEAD-121I, the Rumored Cosmoline Oil Disposal Area

All that tract or parcel of land containing 16.80 acres, more or less, situate on land of now or formerly the Seneca Army Depot, in the Town of Romulus, County of Seneca, State of New York, as shown on a map entitled "SEAD-121I, Rumored Cosmoline Oil Disposal Area, Land Parcel Boundary," dated May 2007, and being more particularly bounded and described as follows:

Beginning at a point having grid coordinates of N = 995,597; E = 751,510 of the New York State Plan Coordinate System of 1983 (Cors 96), Central Zone, transverse mecaton conformal projection of the North American Datum of 1983; thence

1. S 01° 44' 16" E, a distance of 2,572.18 feet to a point; thence
2. S 88° 35' 17" W, a distance of 284.09 feet to a point; thence
3. N 01° 45' 36" W, a distance of 2,572.21 feet to a point; thence
4. N 88° 35' 35" E, a distance of 285.09 feet to a point; said point being the Point or Place of Beginning.

Point of Beginning



PARSONS



Seneca Army Depot Activity

SEAD-1211
Rumored Cosmoline Oil Disposal Area
Land Parcel Boundary

May 2007