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

THIS INDENTURE made this 30th day of September, 2013 between Owner(s) FB Orangetown LLC, having an office at 810 Seventh Avenue, County of New York, 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 170 Route 303 in the Town of Orangetown, County of Rockland and State of New York, known and designated on the tax map of the County Clerk of Rockland as tax map parcel numbers: Section 74.15 Block 1 Lot 21, being the same as that property conveyed to Grantor by deed dated March 16, 2001 and recorded in the Rockland County Clerk's Office in Instrument No. 2001-00013330. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 15.776 +/- acres, and is hereinafter more fully described in the Land Title Survey dated May 6, 2013 and revised on September 13, 2013 prepared by Jay A. Greenwell, PLS, LLC, 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

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Index Number: C334073-09-11, 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) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Rockland County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

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

(6) 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;

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

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

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

(10) 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, at such time as NYSDEC may require, 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, 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 b 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.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor 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 Grantor 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.

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

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to:

Site Number: C344073
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to:

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

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in 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.

8. Amendment. Any amendment to this Environmental Easement may only be executed 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.

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.

FB Orangetown LLC:

By: _____

Print Name: Richard Birdoff

Title: Manager Date: 9/16/13

Grantor's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF New York)

On the 16th day of September in the year 20 13 before me, the undersigned, personally appeared Richard Birdoff, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Estrella Arizmendi
Notary Public - State of New York

ESTRELLA ARIZMENDI
Notary Public, State of New York
No. 01AR6145976
Qualified in New York County
Certificate Filed in New York County
Commission Expires July 14, 2014

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: _____
Robert W. Schick, Director
Division of Environmental Remediation

Grantee's Acknowledgment

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

On the 30th day of September, in the year 2013, before me, the undersigned, personally appeared Robert Schick, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person 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. 01CH5032146
Qualified in Schenectady County
Commission Expires August 22, 2014

SCHEDULE "A" PROPERTY DESCRIPTION

Enter Property Description

SCHEDULE "A" PROPERTY DESCRIPTION

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of ORANGETOWN, County of ROCKLAND and State of NEW YORK, designated as Lot 1 in Block 443 of Section 53, on a certain map entitled, "Subdivision Plat, Parkway Plaza, Town of Orangetown, Rockland County New York" filed in the Rockland County Clerk's Office on 9/13/1976 in Book 90 of Maps at Page 41 as Map No. 4760, more particularly bounded and described as follows:

BEGINNING at the intersection of the westerly line of New YORK STATE HIGHWAY #1898, ROUTE NO. 303 and the northwesterly line of property of THE PALISADES INTERSTATE PARK COMMISSION, PARCEL NO. P 166E;

running thence,

1. Along said northwesterly line of Parcel No. P 166E,

South 56° 58' 16" West 837.42 feet to its intersection with the northeasterly line of property of THE PALISADES INTERSTATE PARK COMMISSION, PARCEL NO. 166B;

thence,

2. Along said northeasterly line of Parcel No. P 166B,

North 46° 18' 18" West 310.01 feet to its intersection with the easterly line of THE PENN CENTRAL RAILROAD right of way;

thence,

3. Along the last mentioned line,

North 9° 00' 00" East 344.34 feet to its intersection with the southerly line of property now or formerly belonging to CHOWNES;

thence,

4. Along the last mentioned line,

South 81° 00' 00" East 130.00 feet to a point;

thence,

5. Along the easterly line of lands now or formerly of CHOWNES,

North 9° 00' 00" East 261.40 feet to a point;

thence,

6. Along the northeasterly line now or formerly of CHOWNES,

North 50° 01' 43" West 117.00 feet to its intersection with the easterly line of GREENBUSH ROAD as widened;

thence,

7. Along the easterly line of GREENBUSH ROAD, as widened,

North 37° 49' 44" East 184.06 feet to a point of curvature;

thence,

8. Along the same, northeasterly on a curve to the left having a radius of 957.08 feet, an arc distance of 217.00 feet to its intersection with thesoutherly line of the PARKWAY PLAZA proposed shopping center;

thence,

9. Along the last mentioned line,

South 71° 03' 16" East 133.60 feet to a point;

thence,

10. Along the same,

South 18° 56' 44" West 45.00 feet to a point;

thence,

11. Along the same,

South 71° 03' 16" East 340.00 feet to a point;

thence,

12. Along the same,

North 18° 56' 44" East 45.00 feet to a point;

thence,

13. Along the same,

South 71° 03' 16" East 249.89 feet to its intersection with the westerly line of NEW YORK STATE HIGHWAY #1898, ROUTE NO. 303;

thence,
14. Along the last mentioned line,

South 13° 01' 00" West 519.61 feet to the point or place of BEGINNING.

TOGETHER WITH the benefits of those certain easements recorded in Instrument ID 2002-47261 and 2000-10390.

EXCEPTING THEREFROM, the following described premises:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of ORANGETOWN, County of ROCKLAND and State of NEW YORK, shown, depicted and designated as "Parcel 1" on a certain map entitled "Road Dedication Map, Stevens Way, Town of Orangetown, County of Rockland, State of New York", dated March 17, 2002 and prepared by Jay A. Greenwell, PLS, as set forth in a deed recorded in the Rockland County Clerk's Office as Instrument ID No. 2009-15401 and being more particularly bounded and described as follows:

BEGINNING at a point on the easterly right-of-way line of GREENBUSH ROAD, said point being the Southwest corner of Lot #1, Section 75, Block 756 on the Orangetown Tax Map (now Tax Lot #74.15-1-3), as shown on a map entitled, "Subdivision Plat Parkway Plaza", filed in the Rockland County Clerk's Office as Map 4760, Book 90, page 41, said point of beginning also being the Northwest corner of the herein below described parcel of land; and

running thence from said point of beginning, the following six courses and distances:

1. South 71° 03' 16" East distant 133.60 feet; thence
2. South 18° 56' 44" West distant 45.00 feet; thence
3. South 71° 03' 16" East distant 340.00 feet; thence

4. North 18° 56' 44" East distant 45.00 feet; thence
5. South 71° 03' 16" East distant 249.89 feet to a point on the westerly right-of-way of New York State Route 303; thence

6. Along the westerly right-of-way of NEW YORK STATE ROUTE 303.

South 13° 01' 00" West distant 90.54 feet;

thence,

7. Through lands of FB ORANGETOWN, LLC (Tax Lot 74.15-1-21), the following four courses and distances:

a. North 12° 56' 35" West distant 17.73 feet; thence
b. North 71° 03' 16" West distant 124.36 feet; thence
c. North 67° 33' 31" West distant 82.00 feet; thence
d. North 71° 03' 16" West distant 527.12 feet to a point on the easterly right-of-way line of GREENBUSH ROAD;

thence,

8. Along the easterly right-of-way line of GREENBUSH ROAD on a curve to the left having a radius of 957.08 feet and an arc length of 70.71 feet with a chord bearing of,

North 26° 57' 19" East for a distance of 70.69 feet, back to the point or place of BEGINNING.

TOGETHER WITH the benefits of those certain easements recorded in Instrument ID 2002-47261 and 2000-10390.

PROJECT – ORANGEBURG COMMONS
TOWN OF ORANGETOWN
ROCKLAND COUNTY, NEW YORK
TAX LOT: 74.15–1–21
SITE ADDRESS: 170 ROUTE 303
ORANGETOWN, N.Y.

Environmental Easement

All that certain plot, piece, or parcel of land, situate, lying and being in the Town of Orangetown, County of Rockland, and State of New York, designated as Lot 1 in Block 443 of Section 53 as shown on a certain map entitled "Subdivision Plat, Parkway Plaza, Town of Orangetown, Rockland County, New York", filed in the Rockland County Clerk's Office on 9/13/1976 in Book 90 of Maps at Page 41 as Map 4760, more particularly bounded and described as follows:

BEGINNING at the intersection of the westerly line of New York State Highway #1898, Route 303 and the northwesterly line of property of the Palisades Interstate Park Commission, Parcel No. P 166 E, and running thence:

1. Along said northwesterly line of Parcel No. P 166 E, S 56°58'16" W 837.42 feet to its intersection with the northeasterly line of property of the Palisades Interstate Park Commission, Parcel No. P 166 B, thence
2. Along said northeasterly line of Parcel No. P 166 B, N 46°18'18" W 310.01 feet to its intersection with the easterly line of the Penn Central Railroad right-of-way, thence
3. Along the last mentioned line, N 9°00'00" E 344.34 feet to its intersection with the southerly line of property now or formerly belonging to Chownes, thence
4. Along the last mentioned line, S 81°00.00" E 130.00 feet, thence
5. Along the easterly line of lands now or formerly of Chownes, N 9°00'00" E 261.40 feet, thence
6. Along the northeasterly line now or formerly of Chownes, N 50°01'43" W 117.00 feet to its intersection with the easterly line of Greenbush Road, as widened, thence
7. Along the easterly line of Greenbush Road, as widened, N 37°49'44" E 184.06 feet to a point of curvature, thence
8. Along the same, northeasterly on a curve to the left having a radius of 957.08 feet, an arc distance of 217.00 feet to its intersection with the southerly line of the Parkway Plaza proposed shopping center, thence
9. Along the last mentioned line, S 71°03'16" E distant 133.60 feet to a point, thence
10. Along the same, S 18°56'44" W 45.00 feet to a point, thence
11. Along the same, S 71°03'16" E 340.00 feet to a point, thence
12. Along the same, N 18°56'44" E 45.00 feet to a point, thence
13. Along the same, S71°03'16" E 249.89 feet, to its intersection with the westerly line of New York State Highway #1898, Route No. 303, thence
14. Along the last mentioned line, S 13°01'00" W 519.61 feet to the point or place of BEGINNING.

Together with the benefits of those certain easements recorded in Instrument ID 2002-47261 and 2000-10390.

Excepting therefrom, the following described premises:

All that certain plot, piece, or parcel of land, situate, lying and being in the Town of Orangetown, County of Rockland, and State of New York, shown, depicted and designated as "Parcel 1" on a certain map entitled "Road Dedication Map, Stevens Way, Town of Orangetown, County of Rockland, State of New York", dated March 17, 2002 and prepared by Jay A. Greenwell, PLS, as set forth in a deed recorded in the Rockland County Clerk's Office as Instrument ID 2009-15401 and being more particularly bounded and described as follows:

Beginning at a point on the easterly right-of-way line of Greenbush Road, said point being the southwest corner of Lot #1, Section 75, Block 756 on the Orangetown tax map (now tax lot 74.15-1-3) as shown on a map entitled "Subdivision Plat, Parkway Plaza", filed in the Rockland County Clerk's Office as Map 4760, Book 90, Page 41, said point of beginning also being the northwest corner of the herein below described parcel of land; and

Running thence from said point of beginning, the following six courses and distances:

1. S 71°03'16" E distant 133.60 feet, thence
2. S 18°56'44" W distant 45.00 feet, thence
3. S 71°03'16" E distant 340.00 feet, thence
4. N 18°56'44" E distant 45.00 feet, thence
5. S 71°03'16" E distant 249.89 feet, to a point on the westerly right-of-way of New York State Route 303, thence
6. Along the westerly right-of-way of New York State Route 303, S 13°01'00" W distant 90.54 feet;

Thence,

7. Through lands of FB Orangetown, LLC (Tax Lot 74.15-1-21), the following four courses and distances:
   a. N 12° 56'35" W distant 17.73 feet, thence
   b. N 71° 03'16" W distant 124.36 feet, thence
   c. N 67° 33'31" W distant 82.00 feet, thence
   d. Thence N 71°03'16" W distant 527.12 feet to a point on the easterly right-of-way line of Greenbush Road;

Thence,

8. Along the easterly right-of-way line of Greenbush Road on a curve to the left having a radius of 957.08 feet and an arc length of 70.71 feet, with a chord bearing of N 26°57'19"E for a distance of 70.69 feet, back to the point or place of BEGINNING.

Together with the benefits of those certain easements recorded in Instrument ID 2002-47261 and 2000-10390.

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

REFERENCES:

1. MAP ENTITLED "SUBDIVISION PLAT PARKWAY PLAZA" PREPARED BY ADLER, CARUSO & YOUNG DATED 8/6/76, AND FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE AS MAP 4760, BK.90, P.41 ON SEPT. 3, 1976.
2. "SURVEY OF PROPERTY BEING SECT. 75, BL. 754, LOT 1 AND SECT. 53, BL. 443, LOT 1 OF THE TOWN OF ORANGETOWN, N.Y. TAX MAP", PREPARED BY ADLER & YOUNG, P.C. DATED 11-16-88.
3. PALISADES INTERSTATE PARK COMMISSION LAND TAKING MAP, PARCEL 166-E DATED MAY 18, 1962.
4. PALISADES INTERSTATE PARK COMMISSION LAND TAKING MAP, PARCEL P-166, P-166A, P-166B, P-166C.
5. TITLE REPORT # 9810-01498 PREPARED BY THE CHICAGO TITLE INSURANCE COMPANY DATED 10/1/99.
6. RECIPROCAL EASEMENT AGREEMENT FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE AS INSTRUMENT ID# 2000-00010390 ON MAY 9, 2000.
7. TITLE REPORT # 3771-00068 PREPARED BY THE CHICAGO TITLE INSURANCE COMPANY DATED 02/01/11.
8. "ORANGEBURG COMMONS" SITE PLAN BY LEONARD JACKSON ASSOCIATES APPROVED BY THE THE TOWN OF ORANGETOWN ON MAY 18, 2011.
9. MAP ENTITLED "SURVEY OF PROPERTY BEING SECT. 75, BL.754, LOT 1 AND SECT. 53, BL. 443, LOT 1 OF THE TOWN OF ORANGETOWN, N.Y. TAX MAP", PREPARED BY ADLER AND YOUNG, P.C.; DATED OCT 14, 1988.
10. DEED ON FILE IN THE ROCKLAND COUNTY CLERK'S OFFICE AS FOLLOWS: INST# 2009-15401.
11. TITLE REPORT # 3713-00152 PREPARED BY THE CHICAGO TITLE INSURANCE COMPANY DATED 03/26/2013.

NOTES:

1. SUBJECT TO EASEMENTS THROUGH AND OVER LANDS OF THE USA AS QUITCLAIMED TO THE TOWN OF ORANGETOWN BY A CERTAIN DEED OF DEDICATION FROM THE UNITED STATES OF AMERICA IN L539 P94 AND EXCEPTING CERTAIN MINERAL RIGHTS TO THE USA AS DESCRIBED IN L683 P370 AND L539 P94.
2. THIS SITE WAS PREVIOUSLY OCCUPIED BY THE FLINTKOTE COMPANY AND USED AS PART OF AN INDUSTRIAL ENTERPRISE. UNDERGROUND STRUCTURES OR UTILITIES MAY STILL BE IN PLACE, BUT THEIR LOCATIONS, DEPTH AND PURPOSE IS UNKNOWN. UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY CERTIFICATIONS HEREON.
3. THE UNDERSIGNED PROFESSIONAL IS NOT QUALIFIED TO DETERMINE THE EXISTENCE OR NON-EXISTENCE OF TOXIC WASTES. THEREFORE IT SHOULD NOT BE ASSUMED OR CONSTRUED THAT ANY STATEMENT IS BEING MADE BY THE FACT THAT NO EVIDENCE OF TOXIC WASTE IS PORTRAYED HEREON.
4. SUBJECT TO A SIDEWALK AND/OR CURB COVENANT TO THE TOWN OF ORANGETOWN, AS PER LIBER 981 PAGE 1040.
5. SUBJECT TO A STORMWATER COVENANT AS PER INST# 2012-17322.
6. DATUM: USGS NGVD 1929

STATE OF NEW YORK
JAY A. GREENWELL
No. 049676
LICENSED LAND SURVEYOR

JAY A. GREENWELL, PLS
NYS LIC. # 49676

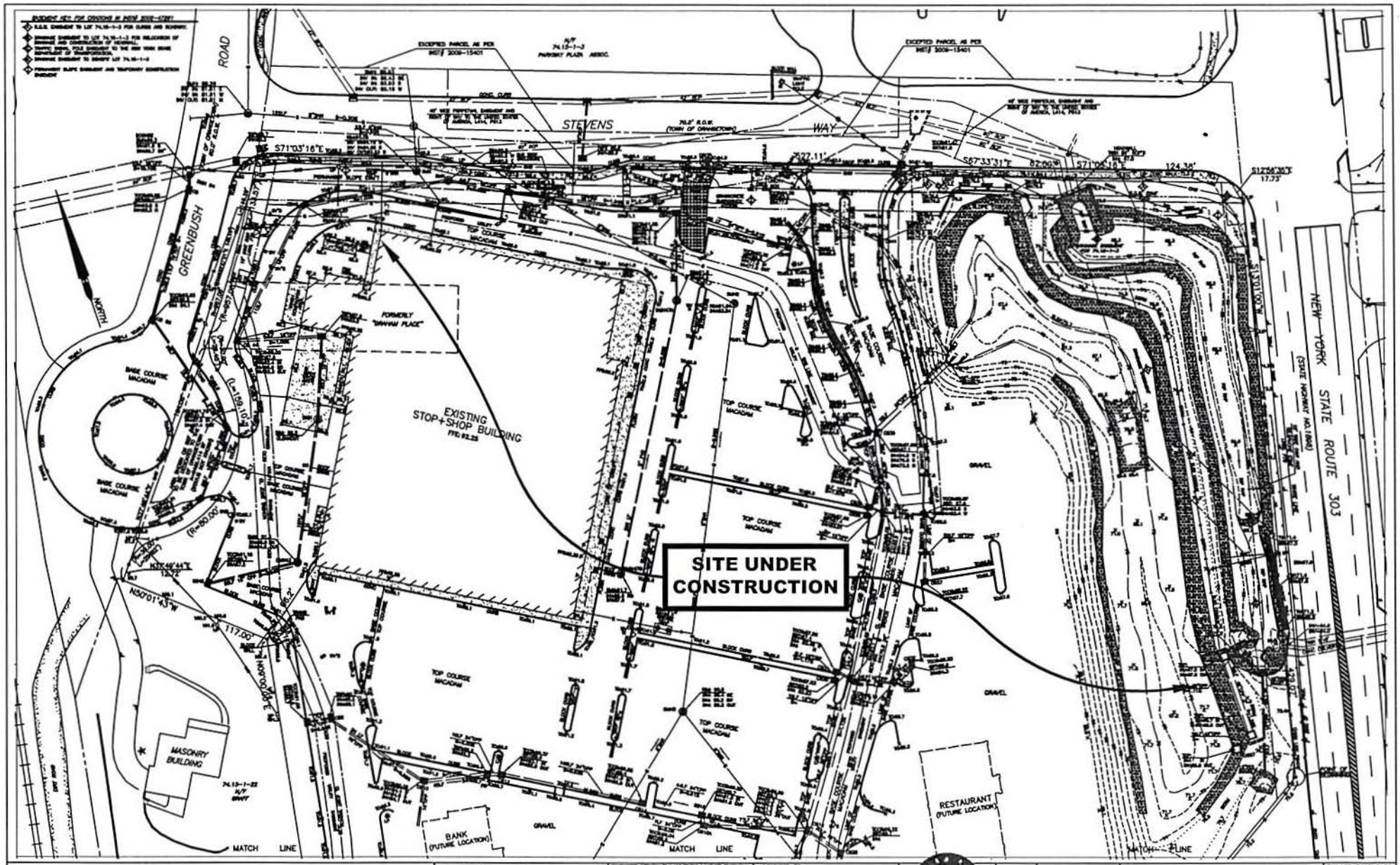
ORANGEBURG COMMONS ENVIRONMENTAL EASEMENT SURVEY

CERTIFIED TO:
- THE PEOPLE OF THE STATE OF NEW YORK ACTING THROUGH THEIR COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
- CHICAGO TITLE INSURANCE COMPANY

DATE	REVISIONS
6-12-13	REVISIONS
8-22-13	REVISIONS
8-12-13	REVISE AND RESCALE

JAY A. GREENWELL, PLS, LLC
SURVEYING – LAND PLANNING
85 LAFAYETTE AVENUE, SUFFERN, NEW YORK, 10901
PHONE 845-357-0830 FAX 845-357-0756

TAX LOT	74.15-1-21
FIELD WORK COMPLETED	
DATE	8-9-13
SCALE AS SHOWN	
JOB NO.	3013
SHEET	1 of 3



ORANGEBURG COMMONS
ENVIRONMENTAL EASEMENT SURVEY

GRAPHIC SCALE 1 INCH = 30 FEET

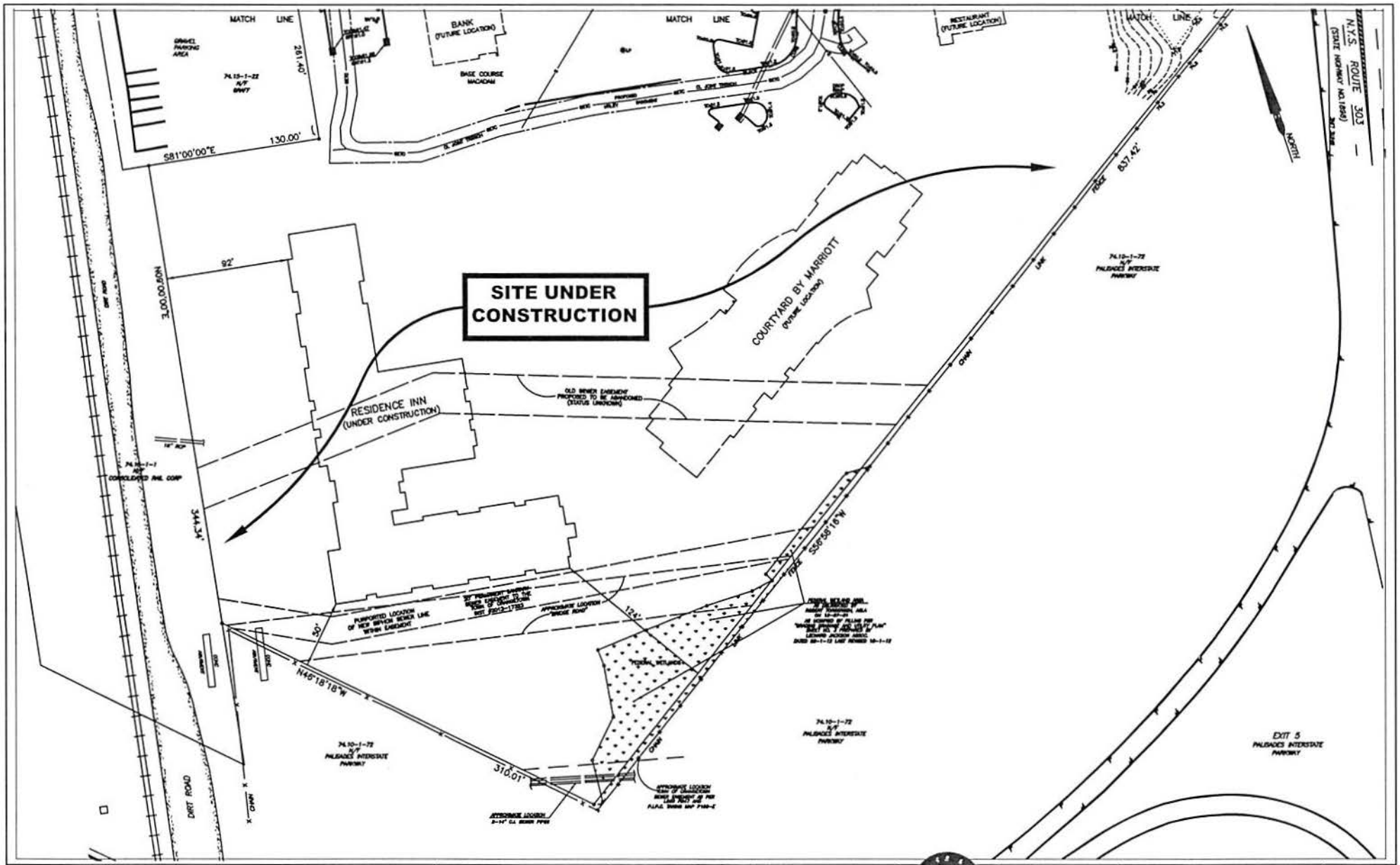
GRAPHIC SCALE 1 CM = 3.80 METERS

CERTIFIED TO:
- THE PEOPLE OF THE STATE OF NEW YORK ACTING THROUGH THEIR COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
- CHICAGO TITLE INSURANCE COMPANY

DATE	REVISIONS
8-12-13	REVISIONS
8-5-13	8" SAN PIPE
3-15-13	METES AND BOUNDS

JAY A. GREENWELL, PLS, LLC
SURVEYING - LAND PLANNING
85 LAFAYETTE AVENUE, SUFFERN, NEW YORK, 10901
PHONE 845-357-0830 FAX 845-357-0758

TAX LOT: 74.15-1-21
FILE: 2013 DRAWG EBAF
DATE: 8-8-13
SCALE: 1"=30'
JOB NO. 2013
SHEET 2 of 3



ORANGEBURG COMMONS
ENVIRONMENTAL EASEMENT SURVEY

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DATE	REVISIONS
8-13-13	
8-13-13	METES AND BOUNDS

JAY A. GREENWELL, PLS, LLC
SURVEYING - LAND PLANNING
85 LAFAYETTE AVENUE, SUFFERN, NEW YORK, 10901
PHONE 845-357-0830 FAX 845-357-0756

TAX LOT: 74.15-1-41
PLS 2013 SHARD EDMF
DATE: 8-8-13
SCALE: 1"=30'
JOB NO. 2013
SHEET 3 of 3