

MAP AND DESCRIPTION OF REAL PROPERTY  
Situate in  
Lot 13, 23rd Allotment of the Kayaderosseras Patent  
Town of Moreau  
County of Saratoga, State of New York

#4

Designated as

Moreau Toxic Waste Disposal Site

Reputed Owners: Clarence H. Elms  
Albert J. Smaldone & Sons, Inc.  
General Electric Company

Pursuant to Section 3-0305 of the Environmental Conservation Law and the Eminent Domain Procedure Law, I, Henry G. Williams, Commissioner of Environmental Conservation have caused to be made and certified an accurate map and description of the following property over which I deem it necessary to acquire a permanent easement by appropriation, for the functions and purposes of the Department, to wit for remediation of an inactive hazardous waste site and not for inclusion in the forest preserve.

A permanent easement to be exercised in, on, over, under and upon the hereinafter described property, for the right to (1) exclusively use and occupy the premises hereinafter described; (2) secure the described property by fencing; (3) conduct soil, water, air, flora and fauna tests and analyses; (4) remove soil, water, air, flora and fauna samples; (5) construct, reconstruct, and operate thereon a work area; (6) grade; (7) clear and grub of trees, brush, debris, and structures; (8) remove therefrom any or all material excavated, cut, razed or torn down from the area described herein or deposit any material thereon; (9) place and keep machines and tools and equipment; (10) construct, reconstruct, operate, maintain and repair any and all structures, facilities, or other works necessitated by the implementation of the Moreau Toxic Waste Disposal Site Remedial Plan, a copy of which is on file in the Albany Office of the Department of Environmental Conservation; with the rights at all times of ingress, egress, and regress by the State of New York, its employees, agents, contractors, and/or representatives for the

purposes connected with the assessment of environmental problems caused by the disposal of toxic wastes and the development and implementation of remedial plans; said permanent easement being over land within the bounds of that parcel of land bounded and described as follows:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in Lot 13 of the 23rd Allotment of the Kayaderosseras Patent, Town of Moreau, County of Saratoga and State of New York, more particularly bounded and described as follows:

BEGINNING at a point marked by a capped iron rod on the division line between land now owned by General Electric Company and land owned by Albert J. Smaldone & Sons, Inc., said point being located N 9° 29' 00" W along said division line a distance of 262.53 feet from a concrete monument marking the common bounds between land of said General Electric Company and said Smaldone and on the north bounds of land owned by Niagara Mohawk Power Corporation; running thence through land owned by Albert J. Smaldone & Sons, Inc., Clarence H. Elms and General Electric Company the following eleven (11) courses and distances;

1. S 62° 53' 35" W a distance of 355.67 feet to a point marked by an iron rod in concrete
2. N 68° 25' 15" W a distance of 133.25 feet to a point marked by an iron pipe
3. N 1° 03' 40" E a distance of 360.77 feet to a point marked by an iron pipe
4. N 43° 23' 10" E a distance of 280.82 feet to a point marked by an iron pipe
5. N 4° 48' 15" E a distance of 251.65 feet to a point marked by an iron pipe
6. S 79° 45' 45" E a distance of 203.05 feet to a point marked by an iron pipe
7. S 45° 19' 30" E a distance of 450.87 feet to a point marked by an iron pipe at the northwest corner of PARCEL 4 hereinafter described for a Roadway Easement
8. S 45° 19' 30" E a distance of 51.21 feet to a point marked by an iron pipe at the southwest corner of said PARCEL 4
9. S 45° 19' 30" E a distance of 74.20 feet to a point marked by an iron pipe on the north bounds of a 50 feet wide power line easement owned by Niagara Mohawk Power Corporation

10. S 55° 22' 25" W a distance of 196.96 feet to a point marked by an iron pipe
11. S 56° 44' 35" W a distance of 272.29 feet to the point and place of beginning.

COMPRISING the following three parcels of land:

<u>PARCEL</u>	<u>AREA</u>	<u>REPUTED OWNER</u>
1	0.68 acres	Clarence H. Elms
2	4.71 acres	Albert J. Smaldone & Sons, Inc.
3	<u>3.77 acres</u>	General Electric Company
TOTAL	9.16 ACRES	

Also, a permanent easement to be exercised in, over, under and upon the hereinafter described property for ingress, egress and regress, including the right to construct, reconstruct, improve and maintain a roadway in, over and upon the following described parcel of land for use by the State of New York, its employees, agents, contractors, and/or representatives, in common with all others having rights in and to the hereinafter described parcel; said permanent easement being over land within the bounds of that parcel bounded and described as follows, and designated PARCEL 4:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in Lot 13 of the 23rd Allotment of the Kayaderoseras Patent, Town of Moreau, County of Saratoga and State of New York, more particularly bounded and described as follows:

BEGINNING at a point marked by a bathey marker on the west bounds of County Road No. 28; running thence along the south bounds of the herein described roadway easement the following five (5) courses and distances.

1. S 65° 11' 50" W a distance of 295.29 feet to a point marked by an iron pipe
2. N 25° 20' 10" W a distance of 34.27 feet to a point marked by a capped iron rod
3. S 64° 39' 40" W a distance of 507.03 feet to a point marked by an iron pipe
4. S 26° 18' 20" W a distance of 355.41 feet to a point marked by an iron pipe

5. S 55° 02' 00" W a distance of 168.18 feet to a point marked by an iron pipe on the east bounds of the above described parcel; thence N 45° 19' 30" W along the east bounds of said parcel a distance of 51.21 feet to a point marked by an iron pipe; thence along the north bounds of the herein described roadway easement the following four (4) courses and distances:

1. N 55° 02' 00" E a distance of 165.33 feet to a point marked by an iron pipe
2. N 26° 18' 20" E a distance of 359.14 feet to a point marked by an iron pipe
3. N 64° 39' 40" E a distance of 524.43 feet to a point marked by capped iron rod
4. N 65° 11' 50" E a distance of 301.75 feet to a point marked by an iron pipe on the west bounds of said County Road No. 28;

thence S 20° 56' 50" E along the west bounds of said County Road a distance of 84.45 feet to the point and place of beginning.

Containing 1.77 acres of land more or less.

Subject, however, to a fifty (50) foot wide easement crossing the parcel last above described, in favor of Niagara Mohawk Power Corporation, provided however, that no rights under such easement shall be exercised by Niagara Mohawk Power Corporation, its successors or assigns, which will interfere with the rights of ingress, egress and regress being acquired hereunder.

All bearings are with reference to the Magnetic Meridian of 1970.

All as shown on a map entitled "Map showing Easements to be acquired pursuant to Section 3-0305 of the Environmental Conservation Law and the Eminent Domain Procedure Law and designated as Moreau Toxic Waste Disposal Site,

<u>Reputed Owners</u>	<u>Parcel No.</u>
Clarence H. Elms	Parcel 1
Albert J. Smaldone & Sons, Inc.	Parcel 2
General Electric Company	Parcels 3 & 4

situate in Lot 13, 23rd Allotment, Kayaderosseras Patent, Town of Moreau, County of Saratoga, State of New York" dated December 31, 1985, by Kenneth F. Yousey, Licensed Land Surveyor, Registration No. 33134, and filed in the Albany Office of the Department of Environmental Conservation as Map No. 10039A.

That pursuant to Section 3-0305 of the Environmental Conservation Law and the Eminent Domain Procedure Law, this map and description of easements to be acquired by the People of the State of New York are officially filed in the Office of the Department of Environmental Conservation at Albany, New York on

HENRY G. WILLIAMS  
Commissioner of Department  
of Environmental Conservation

  
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Langdon Marsh  
Executive Deputy Commissioner

Dated: MAY 12 1966

I have compared the foregoing copy of Map and Description of Easements to be acquired by the People of the State of New York designated as "Map and Description of Real Property situate in Lot 13, 23rd Allotment of the Kayaderousseras Patent, Town of Moreau, Saratoga County, State of New York, designated as Moreau Toxic Waste Disposal Site", with the original thereof as filed in the office of the Department of Environmental Conservation at Albany, New York, and I hereby certify the same to be a true and correct copy thereof.

Dated: May 14, 1986

James M. West  
James M. West  
Superintendent  
Bureau of Real Property

STATE OF NEW YORK  
SARATOGA COUNTY CLERK'S OFFICE  
RECORDED  
BY W.E. DATE 9/15  
INDEXED 1/54  
BY W.E.  
AT PAGE 206  
James M. West  
COUNTY CLERK