

#5

MAP AND DESCRIPTION OF REAL PROPERTY
Situate in
Lot 4, Grand Division of the Saratoga Patent
Town of Stillwater - County of Saratoga
State of New York

Designated as

Palmer Toxic Waste Disposal Site

Reputed Owners: Robert Van Patten
Robert G. Meyer and
Theodora G. Meyer

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 permanent easements 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.

Parcel 1

A permanent easement to be exercised in, on, over and under 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 Palmer Site Remedial Program, 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 TRACT OR PARCEL OF LAND situate in the Town of Stillwater, County of Saratoga, and State of New York, being part of Lot 4 of the Grand Division of the Saratoga Patent, more particularly bounded and described as follows:

BEGINNING AT A POINT in the southerly bounds of lands of Robert Van Patten, said point marked by a Berntsen monument set in concrete, being distant S 57° 51' 30" E., 882.40 feet and S 56° 21' 30" E., 241.73 feet from an iron rod marking the southwest corner of lands of said Van Patten; thence N. 29° 58' 00" E., through the lands of said Van Patten, a distance of 322.72 feet to an iron pipe marking the southeasterly corner of the roadway easement described in Parcel No. 2 below; thence N 29° 58' 00" E., along the easterly bounds of said roadway easement, a distance of 50.00 feet to an iron pipe; thence N 29° 58' 00" E., continuing through the lands of Van Patten, a distance of 199.11 feet to a Berntsen monument set in the northerly bounds of lands of said Van Patten; thence S 57° 45' 30" E., along the northerly bounds of lands of said Van Patten; a distance of 210.00 feet to an iron pipe; thence S 57° 45' 30" E., through the lands of said Van Patten; a distance of 730.00 feet to a Berntsen monument set in concrete; thence S 29° 58' 00" W., continuing through the lands of said Van Patten, a distance of 548.74 feet to a Berntsen monument in concrete set in the southerly bounds of lands of said Van Patten; thence N 59° 12' 30" W., generally along a wire fence marking the southerly bounds of lands of said Van Patten, a distance of 909.39 feet to an iron rod marking the intersection of the division line between the lands reputedly of Robert G. Meyer and Theodora G. Meyer, and Edward C. Tomlinson and Jo Ann M. Tomlinson on the east and west respectively; thence N 57° 51' 30" W., continuing along the southerly bounds of lands of said Van Patten, a distance of 30.00

feet to the point and place of beginning, containing 12.088 acres of land more or less.

Reserving to the owner, his successors and assigns, the right to cross and recross any portion of the above described parcel that lies without the perimeter of the fence thereon constructed.

Parcel 2

A permanent easement to be exercised in, on, over and under the hereinafter described property for ingress, egress and regress, including the right to construct, reconstruct, improve and maintain a roadway in, on, over and under 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 herein described parcel, said easement being over all that parcel of land described as follows:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND situate in the Town of Stillwater, County of Saratoga, and State of New York, being a part of Lot 4 of the Grand Division of the Saratoga Patent, more particularly bounded and described as follows:

BEGINNING AT A POINT in the easterly bounds of County Highway No. 75, said point marked by an iron pipe, being distant N 19° 14' 00" W, 131.05 feet and N 13° 43' 00" W, 145.67 feet and N 12° 17' 30" E, 46.00 feet from an iron rod marking the southwest corner of lands of Robert Van Patten; thence N 19° 14' 00" W along the easterly bounds of said County Highway No. 75, a distance of 106.44 feet to an iron pipe set in said highway bounds; thence N 74° 33' 00" E through the lands of Robert Van Patten, a distance of 100.07 feet to an iron pipe; thence S 57° 49' 30" E continuing through the lands of said Van Patten and passing through an iron pipe at 540.35 feet, a total distance of 1348.48 feet to an iron pipe; thence S 29° 58' 00" W, a distance of 50.00 feet to an iron pipe; thence N 57° 49' 30" W passing through iron pipes at 545.47 feet and 9995.47 feet, for a total distance of 1331.88 feet to an iron pipe; thence S 33° 54' 30" W, a distance of 90.38 feet to the point and place of beginning, containing 1.68 acres of land more or less.

Parcel 3

A permanent easement to be exercised in, on, over and under the hereinafter described property for the right to enter upon and exclusively use said property for the purpose of installing and maintaining a stream monitoring station and of collecting surface water samples, and in connection therewith to construct, operate, repair, maintain and improve any and all structures including fencing, that are deemed necessary by the Commissioner, said easement for use by the State of New York, its employees, agents, contractors, and/or representatives, and is over all that parcel of land described as follows:

ALL THAT CERTAIN PARCEL OF LAND situate in the Town of Stillwater, County of Saratoga, and State of New York, being a part of Lot 4 of the Grand Division of the Saratoga Patent, being more particularly bounded and described as follows:

BEGINNING AT A POINT marked by a 5/8" reinforcing rod driven in the ground on the southerly boundary of Parcel 1 described above, said point being 165.00 feet distant on a bearing of N 59° 12' 30" W., from the southeasterly corner of said Parcel 1; thence through lands of Robert G. Meyer and Theodora G. Meyer, S 35° 00' 00" W., a distance of 70.00 feet to a point marked by an iron pipe in the ground; thence continuing through said lands of Meyer N 59° 12' 30" W., a distance of 100.00 feet to a point marked by an iron pipe driven in the ground; thence continuing through said lands of Meyer N 35° 00' 00" E., a distance of 70.00 feet to a point on the southerly bounds of the aforementioned Parcel 1; thence along said southerly bounds S 59° 12' 30" E., a distance of 100.00 feet to the point of beginning. Containing 0.16 acres of land more or less.

ALL BEARINGS are with reference to magnetic north 1980.

All as shown on a map entitled, "Map of Easements to be acquired pursuant to Section 3-0305 of the Environmental Conservation Law and the Eminent Domain Procedure Law, Project: Palmer Toxic Waste Disposal Site, Robert Van Patten - Reputed

Owner, Robert G. and Theodora G. Meyer - Reputed Owners, situate in Lot 4, Grand Division, Saratoga Patent, Town of Stillwater, County of Saratoga, State of New York," dated February 22, 1985, by Kenneth F. Yousey, Land Surveyor, License No. 33134 and filed in the Albany Office of the New York State Department of Environmental Conservation as Map No. 10,041A.

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 hereby approved and officially filed in the office of the Department of Environmental Conservation at Albany, New York on

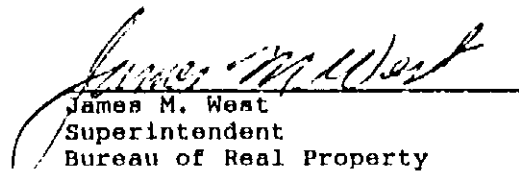
Henry G. Williams
Commissioner of
Environmental Conservation

BY:

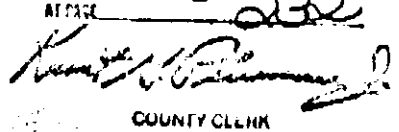
Langdon Marsh
Langdon Marsh
Executive Deputy Commissioner

Dated 1-28-86

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 4, Grand Division of the Saratoga Patent, Town of Stillwater, County of Saratoga, State of New York, designated as Palmer 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.


James M. West
Superintendent
Bureau of Real Property

Dated 1/31/86

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OFFICE
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COUNTY CLERK