

Alex Nudd

From: noreply@cscglobal.com
Sent: Tuesday, September 19, 2017 10:54 AM
To: recordings@frontierabstract.com
Subject: ePrepare package 5028096 NYSDEC Environmental Notice has recorded in Warren, NY

5028096 NYSDEC Environmental Notice has returned with the following documents:

Date Recorded: 9/19/2017
Recording Juris: Warren, NY

Document Name: Environmental Notice

Status: Recorded

Recordation Fee: \$65.00

Entry Number: 2017-6551

Book: 5629

Page: 164

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WARREN COUNTY – STATE OF NEW YORK
PAMELA J. VOGEL, COUNTY CLERK
1340 STATE ROUTE 9,
LAKE GEORGE, NEW YORK 12845

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



Recording:

Cover Page	5.00
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BOOK/PAGE: 5629 / 164
INSTRUMENT #: 2017-6551

Total: 65.00

**** NOTICE: THIS IS NOT A BILL ****

Receipt#: 2017444768
Clerk: LB
Rec Date: 09/19/2017 10:39:57 AM
Doc Grp: RP
Descrip: MISC RECORDINGS
Num Pgs: 5
Rec'd Frm: FRONTIER ABSTRACT AND RESEARCH
SERVICES

Party1: NEW YORK STATE DEPT OF ENCON
Party2: A&O HOLDINGS INC
Town: QUEENSBURY

Record and Return To:

ELECTRONICALLY RECORDED BY IN GEO

WARNING***

I hereby certify that the within and foregoing was recorded in the Warren County Clerk's Office, State of New York.

This sheet constitutes the Clerks endorsement required by Section 316 of the Real Property Law of the State of New York.

Pamela J. Vogel
Warren County Clerk

Luzerne Road Inactive Hazardous Waste Site
Owner: A&Q Holdings, Inc.
Site No. 557010
Town of Queensbury
Warren County, NY
Tax Map ID: Section 309.10, Block 1, Lots 88.11 and 90

ENVIRONMENTAL NOTICE

THIS ENVIRONMENTAL NOTICE is made the 21st day of August 2018, by the New York State Department of Environmental Conservation (Department), having an office for the transaction of business at 625 Broadway, Albany, New York 12233.

WHEREAS, a parcel of real property located at the address of Luzerne Road in the Town of Queensbury, Warren County and State of New York, known and designated on the tax map of the County Clerk of Warren as tax map parcel numbers: Section 309.10 Block 1 Lots 88.11 and 90, being the same as that property conveyed to Grantor by deed dated October 25, 2007 and recorded in the Warren County Clerk's Office on November 2, 2007 in Volume 3415 at Page 311, and by deed dated February 14, 2002 and recorded in the Warren County Clerk's Office on March 4, 2002 in Liber 1253 at page 278 and by deed dated August 9, 2005 recorded in the Warren County Clerk's Office on August 16, 2007 in Liber 3351 at page 101 comprising approximately 1.41 +/- acres, and being more particularly described in Appendix "A," attached to this notice and made a part hereof, and hereinafter referred to as "the Property" is the subject of a remedial program performed by the Department; and

WHEREAS, the Department approved a cleanup to address contamination disposed at the Property and such cleanup was conditioned upon certain limitations.

NOW, THEREFORE, the Department provides notice that:

FIRST, the part of lands subject to this Environmental Notice is as shown on a map attached to this Notice as Appendix "B" and made a part hereof.

SECOND, unless prior written approval by the Department or, if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State's citizens, hereinafter referred to as "the Relevant Agency," is first obtained, where contamination remains at the Property subject to the provisions of the Site Management Plan ("SMP"), there shall be no disturbance or excavation of the Property which threatens the integrity of the engineering controls or which results or may result in a significantly increased threat of harm or damage at any site as a result of exposure to soils. A violation of this provision is a violation of 6 NYCRR 375-1.1 1(b)(2).

THIRD, no person shall disturb, remove, or otherwise interfere with the installation, use, operation, and maintenance of engineering controls required for the Remedy, including but not limited to those engineering controls described in the SMP and listed below, unless in each instance they first obtain a written waiver of such prohibition from the Department or Relevant Agency.

Luzerne Road Inactive Hazardous Waste Site

Owner: A&Q Holdings, Inc.

Site No. 557010

Town of Queensbury

Warren County, NY

Tax Map ID: Section 309.10, Block 1, Lots 88.11 and 90

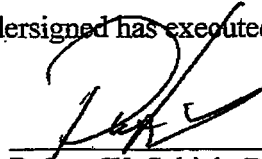
FOURTH, the remedy was designed to be protective for Commercial or Industrial uses. Therefore, any use for purposes other than Commercial or Industrial uses without the express written waiver of such prohibition by the Relevant Agency may result in a significantly increased threat of harm or damage at any site.

FIFTH, the no person shall use the groundwater underlying the Property without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first obtains permission to do so from the Department or Relevant Agency. Use of the groundwater without appropriate treatment may result in a significantly increased threat of harm or damage at any site.

SIXTH, it is a violation of 6 NYCRR 375-1.11(b) to use the Property in a manner inconsistent with this environmental notice.

IN WITNESS WHEREOF, the undersigned has executed this instrument the day written below.

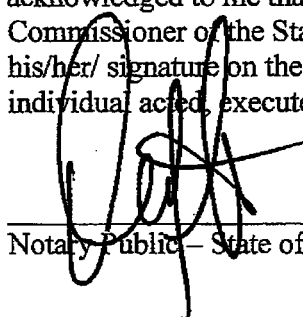
By:



Robert W. Schick, P.E., Director
Division of Environmental Remediation

STATE OF NEW YORK) ss:
COUNTY OF ALBANY)

On the 21st day of August, in the year 2017, before me, Robert W. Schick, the undersigned, personally appeared, and is 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, 2018

Luzerne Road Inactive Hazardous Waste Site
Owner: A&Q Holdings, Inc.
Site No. 557010
Town of Queensbury
Warren County, NY

Tax Map ID: Section 309.10, Block 1, Lots 88.11 and 90

Appendix A

METES AND BOUNDS DESCRIPTION

All that certain piece or parcel of land situate, lying and being in the Town of Queensbury, County of Warren and the State of New York, more particularly bounded and described as follows:

BEGINNING at a point in the westerly bounds of the lands of the State of New York as described in book 683 of deeds at page 1030, at a point located North 07 degrees, 13 minutes and 40 seconds East, a distance of 369.04 feet from the northerly bounds of Luzerne Road as measured along the westerly bounds of said lands of the State of New York; running thence North 82 degrees, 46 minutes and 00 seconds West, a distance of 160.06 feet; thence running South 06 degrees, 37 minutes and 40 seconds West, a distance of 95.00 feet; thence running North 82 degrees, 46 minutes and 01 seconds West, a distance of 85.00 feet; thence running North 06 degrees, 37 minutes and 40 seconds East, a distance of 95.00 feet; thence running South 82 degrees, 46 minutes and 01 seconds East, a distance of 70.00 feet; thence running North 06 degrees, 37 minutes and 40 seconds East, a distance of 261.11 feet; thence running North 61 degrees, 58 minutes and 54 seconds West, a distance of 97.83 feet to the easterly bounds of lands conveyed to the City of Glens Falls in book 4116 of deeds at page 252; running thence along said lands the following three courses and distances:

- (1) North 28 degrees, 34 minutes and 57 seconds East, a distance of 30.00 feet;
- (2) South 61 degrees, 58 minutes and 54 seconds East, a distance of 85.78 feet;
- (3) North 06 degrees, 37 minutes and 40 seconds East, a distance of 6.67 feet to the southwest corner of the lands of the City of Glens Falls as described in book 1331 of deeds at page 10; thence running along the same, South 82 degrees, 46 minutes and 20 seconds East, a distance of 178.20 feet to a point in the westerly bounds of said lands of the State of New York; thence running along the same, South 07 degrees, 13 minutes and 40 seconds West, a distance of 300.00 feet to the point and place of beginning, containing 1.47 acres of land to be the same more or less.

Being part of the premises conveyed to A & Q Holdings, Inc., from who acquired from FLR Associates Ltd., by deed dated October 25, 2007 recorded in the Warren County Clerk's Office on November 2, 2007 in Liber 3415 at Page 311.

Also being part of the premises conveyed to A & Q Holdings, Inc., from who acquired from Leo R. Mohahan, Robert E. Geh and Fred H. and Jane A. Alexy, Trustees of the Fred H. Alexy Revocable Trust u/a/d June 23, 1997, by deed dated February 14, 2002 recorded in the Warren County Clerk's Office on March 4, 2002 in Liber 1253 at page 278 and by deed dated August 9, 2005 recorded in the Warren County Clerk's Office on August 16, 2007 in Liber 3351 at page 101.

Appendix B

LANDS SUBJECT TO THIS ENVIRONMENTAL NOTICE

DESCRIPTION OF THE ENVIRONMENTAL NOTICE

LUZERNE ROAD SITE - SITE NO. 557010

The Environmental Notice is required by the Environmental Conservation Law (ECL), Sections 27-220(1) and 27-221, and the Environmental Conservation Regulations (ECR), Title 61, Part 61-1.1, which apply to all sites listed in the State Environmental Inactive Site Inventory (SEISI). The site is listed in the SEISI as an Inactive Hazardous Waste Site. The purpose of this notice is to advise the public and interested parties of the existence of this site and the potential for contamination. The notice also provides information on the procedures for obtaining a copy of the site files and the Environmental Remediation Report (ERR) for this site. The notice is required to be posted on the site and in the Town of Queensbury for a period of 90 days from the date of the notice.

ENVIRONMENTAL BASEMENT AREA ACCESS

THE OGC OR THEIR AGENT MAY ACCESS THE ENVIRONMENTAL BASEMENT AREA AS SHOWN HEREON THROUGH ANY EXISTING STREET ACCESS OR BUILDING ENTRANCE/BUSINESS ACCESS POINT.

THE ENGINEERING AND INSTITUTIONAL CONTROLS for the Basement are set forth in more detail in the site management plan, which is available for public review at the Office of the State Engineer, Division of Environmental Conservation, 615 Broadway, Albany, NY 12242, 518-475-8232, 9:00 a.m. to 4:00 p.m., Monday through Friday. A fee of \$10.00 will be charged for each set of plans. The site management plan is also available for public review at the site.

ENGINEERING AND INSTITUTIONAL CONTROLS

This property is subject to an Environmental Basement held by the New York State Department of Environmental Conservation under ECL Section 27-220(1)(b) and ECR Part 61-1.1. The Environmental Basement is a condition of the Environmental Inactive Site Inventory (SEISI) listing. The Environmental Basement is a condition of the SEISI listing that requires the owner to install and maintain engineering and institutional controls to prevent the release of hazardous substances from the site. The Engineering and Institutional Controls (EICs) are set forth in the site management plan, which is available for public review at the Office of the State Engineer, Division of Environmental Conservation, 615 Broadway, Albany, NY 12242, 518-475-8232, 9:00 a.m. to 4:00 p.m., Monday through Friday. A fee of \$10.00 will be charged for each set of plans. The site management plan is also available for public review at the site.

DATE OF LAST UPDATE: 08/20/2003

PREPARED BY: [Name]

FOR MORE INFORMATION, CONTACT THE OFFICE OF THE STATE ENGINEER, DIVISION OF ENVIRONMENTAL CONSERVATION, 615 BROADWAY, ALBANY, NY 12242, 518-475-8232.

1" = 100' (Graphic Scale)

FIGURE 1: SITE MAP

The site map shows the location of the Environmental Basement Area (shaded area) relative to the property boundaries and surrounding streets. The Environmental Basement Area is located within the property boundaries of the site. The map also shows the location of the Environmental Inactive Site Inventory (SEISI) listing, the Environmental Remediation Report (ERR), and the Environmental Notice. The map is oriented with North at the top.

NO.	DATE	DESCRIPTION
1	2/1/2001	ISSUE OF ENVIRONMENTAL NOTICE
2	2/1/2001	ISSUE OF SITE MANAGEMENT PLAN
3	2/1/2001	ISSUE OF ENVIRONMENTAL BASEMENT AREA ACCESS PLAN
4	2/1/2001	ISSUE OF ENGINEERING AND INSTITUTIONAL CONTROLS PLAN
5	2/1/2001	ISSUE OF ENVIRONMENTAL REMEDIATION REPORT
6	2/1/2001	ISSUE OF ENVIRONMENTAL NOTICE
7	2/1/2001	ISSUE OF SITE MANAGEMENT PLAN
8	2/1/2001	ISSUE OF ENVIRONMENTAL BASEMENT AREA ACCESS PLAN
9	2/1/2001	ISSUE OF ENGINEERING AND INSTITUTIONAL CONTROLS PLAN
10	2/1/2001	ISSUE OF ENVIRONMENTAL REMEDIATION REPORT

TO THE PUBLIC OF THE STATE OF NEW YORK:
 DIVISION OF ENVIRONMENTAL CONSERVATION
 STATE ENGINEER AND STATE COMPTROLLER
 STATE ENVIRONMENTAL INACTIVE SITE INVENTORY (SEISI)
 THE FOLLOWING INFORMATION IS AVAILABLE FOR PUBLIC REVIEW AT THE OFFICE OF THE STATE ENGINEER, DIVISION OF ENVIRONMENTAL CONSERVATION, 615 BROADWAY, ALBANY, NY 12242, 518-475-8232, 9:00 A.M. TO 4:00 P.M., MONDAY THROUGH FRIDAY. A FEE OF \$10.00 WILL BE CHARGED FOR EACH SET OF PLANS.

NOTICE TO THE PUBLIC OF THE STATE OF NEW YORK:
 DIVISION OF ENVIRONMENTAL CONSERVATION
 STATE ENGINEER AND STATE COMPTROLLER
 STATE ENVIRONMENTAL INACTIVE SITE INVENTORY (SEISI)
 THE FOLLOWING INFORMATION IS AVAILABLE FOR PUBLIC REVIEW AT THE OFFICE OF THE STATE ENGINEER, DIVISION OF ENVIRONMENTAL CONSERVATION, 615 BROADWAY, ALBANY, NY 12242, 518-475-8232, 9:00 A.M. TO 4:00 P.M., MONDAY THROUGH FRIDAY. A FEE OF \$10.00 WILL BE CHARGED FOR EACH SET OF PLANS.