



Appendix A

Deed Restrictions

DECLARATION of COVENANTS and RESTRICTIONS

THIS COVENANT is made the 29th day of September, 2014, by McKesson Corporation, a corporation organized and existing under the laws of the State of Delaware and having an office for the transaction of business at One Post Street, San Francisco, CA 94104.

WHEREAS, McKesson Envirosystems (Inland Site) is the subject of an Order on Consent executed by McKesson Corporation as part of the New York State Department of Environmental Conservation's (the "Department's) State Superfund Program, namely that parcel of real property located on 800 Van Rensselaer Street in the City of Syracuse, County of Onondaga, State of New York, which is part of lands conveyed by SP Ventures, Inc. to McKesson Corporation by deeds dated December 27, 1995 and recorded in the Onondaga County Clerk's Office in Liber 4063, Pages 0250-0259, and being more particularly described in Appendix "A," attached to this declaration and made a part hereof, and hereinafter referred to as "the Property"; and

WHEREAS, the Department approved a remedy to eliminate or mitigate all significant threats to the environment presented by the contamination disposed at the Property and such remedy requires that the Property be subject to restrictive covenants.

NOW, THEREFORE, McKesson Corporation, for itself and its successors and/or assigns, covenants that:

First, the Property subject to this Declaration of Covenants and Restrictions is as shown on a map attached to this declaration 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 groundwater contamination remains at the Property subject to the provisions of the Site Management Plan ("SMP"), there shall be no construction, use or occupancy of the Property that results in the disturbance or excavation of the Property which threatens the integrity of the engineering controls or which results in unacceptable human exposure to contaminated groundwater. The SMP may be obtained from the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233.

Third, the owner of the Property shall not disturb, remove, or otherwise interfere with the installation, use, operation, and maintenance of engineering controls required for the Remedy, which are described in the SMP, unless in each instance the owner first obtains a written waiver of such prohibition from the Department or Relevant Agency.

11:30 10/02/14 0008714 07 00-50758-670

Fourth, the owner of the Property shall prohibit the Property from ever being used for purposes other than for Restricted Residential, Commercial or Industrial use without the express written waiver of such prohibition by the Department or Relevant Agency.

Fifth, use of the groundwater underlying the Property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Onondaga County Department of Health to render it safe for use as drinking water or for industrial purposes, as appropriate, and the user must first notify and obtain written approval to do so from the Department or Relevant Agency.

Sixth, the owner of the Property shall provide a periodic certification, prepared and submitted by professional engineer or environmental professional acceptable to the Department or Relevant Agency, which will certify that the institutional and engineering controls put in place are unchanged from the previous certification, comply with the SMP, and have not been impaired.

Seventh, the owner of the Property shall continue in full force and effect any institutional and engineering controls required for the Remedy and maintain such controls, unless the owner first obtains permission to discontinue such controls from the Department or Relevant Agency, in compliance with the approved SMP, which is incorporated and made enforceable hereto, subject to modifications as approved by the Department or Relevant Agency.

Eighth, this Declaration is and shall be deemed a covenant that shall run with the land and shall be binding upon all future owners of the Property, and shall provide that the owner and its successors and assigns consent to enforcement by the Department or Relevant Agency of the prohibitions and restrictions that the Order on Consent requires to be recorded, and hereby covenant not to contest the authority of the Department or Relevant Agency to seek enforcement.

Ninth, any deed of conveyance of the Property, or any portion thereof, shall recite, unless the Department or Relevant Agency has consented to the termination of such covenants and restrictions, that said conveyance is subject to this Declaration of Covenants and Restrictions.

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

By: Willie C. Bogan

Name: Willie C. Bogan

Title: Secretary

Date: September 29, 2014

STATE OF CALIFORNIA)

) s.s.:

COUNTY OF *San Francisco*)

On the 29th day of September, in the year 2014, before me, the undersigned, personally appeared Willie Clyde Bogan, 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.



Notary Public State of California



APPENDIX "A"

Current Surveyor's Modern Description

#800 Van Rensselaer Street – Tax Map #116.-01-09

McKesson Corporation – Book 4063 of Deeds, Page 250 & cont.

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Syracuse, County of Onondaga and State of New York, and being more particularly bounded and described as follows:

BEGINNING AT A POINT of the intersection of the Northerly line of Van Rensselaer Street and the Westerly line of West Bear Street;

RUNNING THENCE N 50°26'30" W, along said Northerly line of Van Rensselaer Street, a distance of 671.25 feet to a point;

THENCE N 43°36'09" W, a distance of 225 feet to a point;

THENCE S 50°26'30" E, a distance of 671.12 feet to a point in said Westerly line of Bear Street;

THENCE S 43°34'10" W, along said Westerly line, a distance of 225 feet TO THE POINT OF BEGINNING, containing 3.458± Acres of land.

SUBJECT TO an unrecorded 10 foot wide Easement, dated August 2, 1948 to Socony-Vacuum Oil Company running in an Easterly direction across the Westerly portion of the above-described parcel.

ALSO, SUBJECT TO a permanent Drainage Easement to the New York State Department of Public Works, recorded in the Onondaga County Clerk's Office on February 8, 1961 in Book 2033 of Deeds, Page 33.

ALSO, SUBJECT TO any other easement and/or restrictions of record.

7 Acre Pasture Lot 4 Spring
15 Acre Marsh Lot 41 Spring

APPENDIX "B"

DECLARATION of COVENANTS and RESTRICTIONS

THIS COVENANT is made the 30th day of September, 2014, by McKesson Corporation, a corporation organized and existing under the laws of the State of Delaware and having an office for the transaction of business at One Post Street, San Francisco, CA 94104.

WHEREAS, McKesson Envirosystems (Inland Site) is the subject of an Order on Consent executed by McKesson Corporation as part of the New York State Department of Environmental Conservation's (the "Department's) State Superfund Program, namely that parcel of real property located on 801 Van Rensselaer Street in the City of Syracuse, County of Onondaga, State of New York, which is part of lands conveyed by SP Ventures, Inc. to McKesson Corporation by deeds dated December 27, 1995 and recorded in the Onondaga County Clerk's Office in Liber 4063, Pages 0250-0259, and being more particularly described in Appendix "A," attached to this declaration and made a part hereof, and hereinafter referred to as "the Property"; and

WHEREAS, the Department approved a remedy to eliminate or mitigate all significant threats to the environment presented by the contamination disposed at the Property and such remedy requires that the Property be subject to restrictive covenants.

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Third, the owner of the Property shall not disturb, remove, or otherwise interfere with the installation, use, operation, and maintenance of engineering controls required for the Remedy, which are described in the SMP, unless in each instance the owner first obtains a written waiver of such prohibition from the Department or Relevant Agency.

Fourth, the owner of the Property shall prohibit the Property from ever being used for purposes other than for Restricted Residential, Commercial or Industrial use without the express written waiver of such prohibition by the Department or Relevant Agency.

Fifth, use of the groundwater underlying the Property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Onondaga County Department of Health to render it safe for use as drinking water or for industrial purposes, as appropriate, and the user must first notify and obtain written approval to do so from the Department or Relevant Agency.


Sixth, the owner of the Property shall provide a periodic certification, prepared and submitted by professional engineer or environmental professional acceptable to the Department or Relevant Agency, which will certify that the institutional and engineering controls put in place are unchanged from the previous certification, comply with the SMP, and have not been impaired.

Seventh, the owner of the Property shall continue in full force and effect any institutional and engineering controls required for the Remedy and maintain such controls, unless the owner first obtains permission to discontinue such controls from the Department or Relevant Agency, in compliance with the approved SMP, which is incorporated and made enforceable hereto, subject to modifications as approved by the Department or Relevant Agency.

Eighth, this Declaration is and shall be deemed a covenant that shall run with the land and shall be binding upon all future owners of the Property, and shall provide that the owner and its successors and assigns consent to enforcement by the Department or Relevant Agency of the prohibitions and restrictions that the Order on Consent requires to be recorded, and hereby covenant not to contest the authority of the Department or Relevant Agency to seek enforcement.

Ninth, any deed of conveyance of the Property, or any portion thereof, shall recite, unless the Department or Relevant Agency has consented to the termination of such covenants and restrictions, that said conveyance is subject to this Declaration of Covenants and Restrictions.

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

By: 

Name: Willie C. Bogan

Title: Secretary

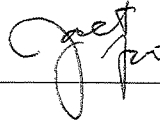
Date: September 30, 2014

STATE OF CALIFORNIA)

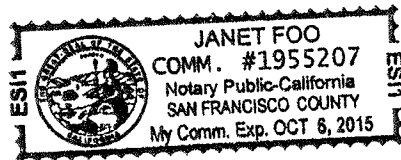
) s.s.:

COUNTY OF SAN FRANCISCO)

On the 30th day of September, in the year 2014, before me, the undersigned, personally appeared Willie Clyde Bogan, 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/~~she/they~~ executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public State of California



APPENDIX "A"

Current Surveyor's Modern Description

#801 Van Rensselaer Street – Tax Map #115.-03-07.1

McKesson Corporation – Book 4063 of Deeds, Page 250 & cont.

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Syracuse, County of Onondaga and State of New York, and being more particularly bounded and described as follows:

BEGINNING AT A POINT of the intersection of the Southerly line of Van Rensselaer Street and the Westerly line of West Bear Street;

RUNNING THENCE S 43°34'10" W, along said Westerly line of West Bear Street, a distance of 480.31 feet to a point;

THENCE N 47°53'35" W, a distance of 476.91 feet to a point;

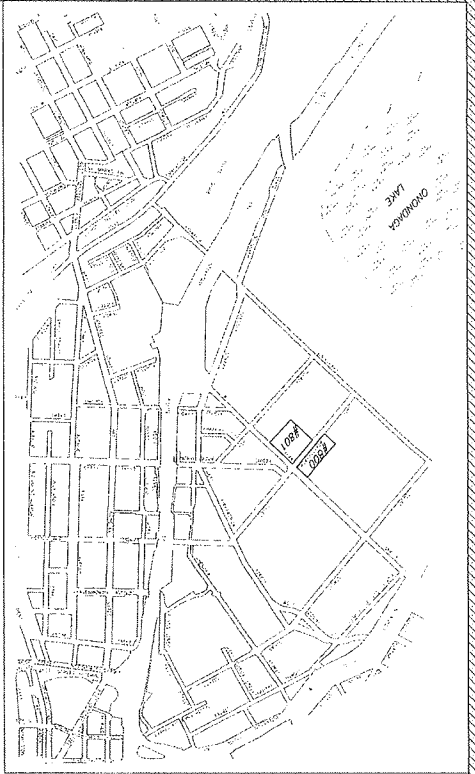
THENCE N 43°00'48" E, a distance of 458.76 feet to a point in said Southerly line of Van Rensselaer Street;

THENCE S 50°26'30" E, along said Southerly line, a distance of 482.39 feet TO THE POINT OF BEGINNING, containing 5.164± Acres of land.

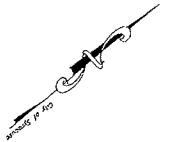
SUBJECT TO any easements and/or restrictions of record.

(Syracuse) Bk. 410 911 P14 Cape Cod Tr. NW
FL 315 / Ave Pasture Lots 4, 5 Salina

APPENDIX "B"



Site Location



Record Title Description

BOOK 883 OF DEEDS

PAGE 1033 OF 1033

BOOK 1023 OF DEEDS

PAGE 1001 OF 1033

REMARKS

ALL THAT PART OF THE PARCEL OF LAND SHOWN IN THE RECORD TITLE DESCRIBED AS FOLLOWS: ...
 1. ALL THAT PART OF THE PARCEL OF LAND SHOWN IN THE RECORD TITLE DESCRIBED AS FOLLOWS: ...
 2. ALL THAT PART OF THE PARCEL OF LAND SHOWN IN THE RECORD TITLE DESCRIBED AS FOLLOWS: ...
 3. ALL THAT PART OF THE PARCEL OF LAND SHOWN IN THE RECORD TITLE DESCRIBED AS FOLLOWS: ...
 4. ALL THAT PART OF THE PARCEL OF LAND SHOWN IN THE RECORD TITLE DESCRIBED AS FOLLOWS: ...
 5. ALL THAT PART OF THE PARCEL OF LAND SHOWN IN THE RECORD TITLE DESCRIBED AS FOLLOWS: ...

Current Surveyor's Modern Description

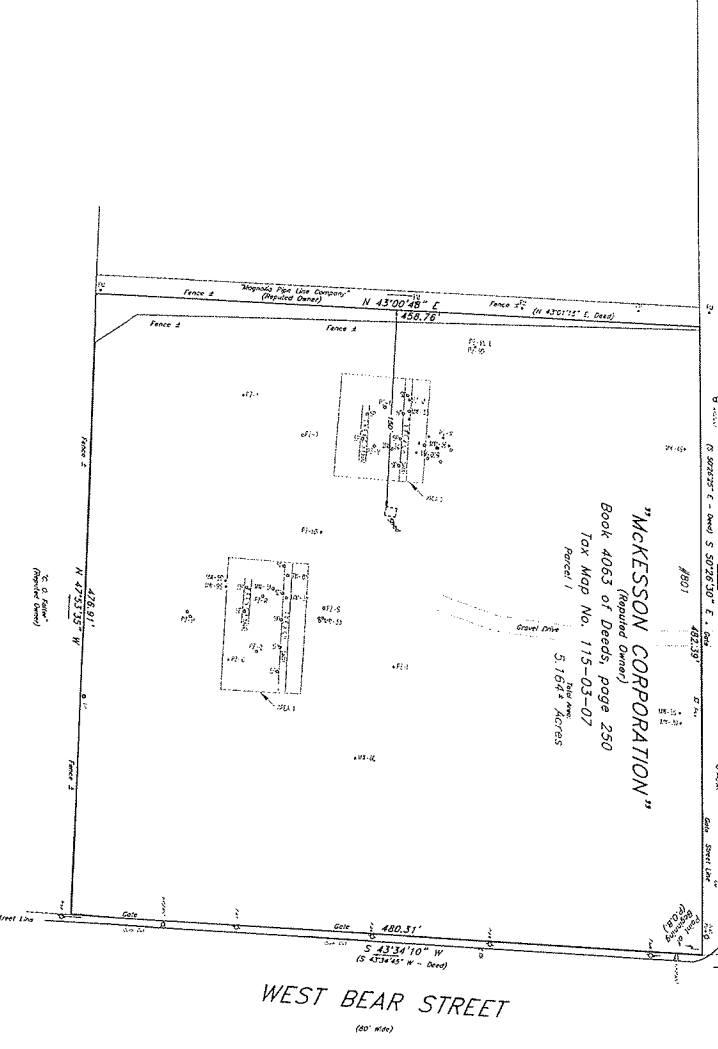
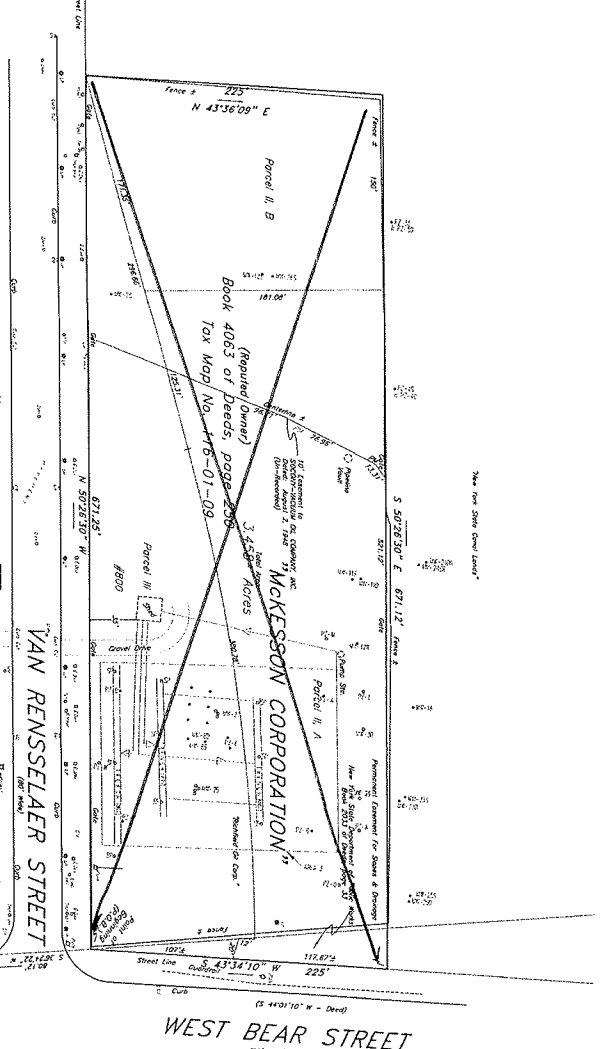
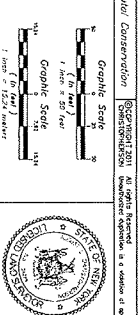
McKesson Corporation Book 4083 of Deeds, Page 250 & cont.

ALL THAT PART OF THE PARCEL OF LAND SHOWN IN THE CITY OF SYRACUSE, COUNTY OF ONONDAGA, STATE OF NEW YORK, ...
 1. ALL THAT PART OF THE PARCEL OF LAND SHOWN IN THE CITY OF SYRACUSE, COUNTY OF ONONDAGA, STATE OF NEW YORK, ...
 2. ALL THAT PART OF THE PARCEL OF LAND SHOWN IN THE CITY OF SYRACUSE, COUNTY OF ONONDAGA, STATE OF NEW YORK, ...
 3. ALL THAT PART OF THE PARCEL OF LAND SHOWN IN THE CITY OF SYRACUSE, COUNTY OF ONONDAGA, STATE OF NEW YORK, ...

CHRISTOPHERSON LAND SURVEYING

111 Banked In-Edle Rd
 Syracuse & Tully, New York
 Phone: (315) 437-8888 Fax: (315) 437-4634 Tull, New York
 Phone: (315) 895-9955

Scale: 1" = 100' (Horizontal) 1" = 20' (Vertical)



NO.	DATE	BY	REVISION
1	4/21/11	A.L.C.	REVISION

NO.	DATE	BY	REVISION
1	4/21/11	A.L.C.	REVISION

City of Syracuse - County of Onondaga - State of New York
 Known As: #800 & #801 Van Rensselaer Street

Made By: H.B.C.
 Reviewed By: A.L.C.
 August 5, 2011
 Sheet 1 of 1
 File No.: 801Z-ALM
 Disk No.: 001630