

MAP AND DESCRIPTION OF REAL PROPERTY

SITUATE IN

ONE MILE RESERVE

CITY OF NIAGARA FALLS
COUNTY OF NIAGARA
STATE OF NEW YORK

DESIGNATED AS

LOVE CANAL - PROJECT 1 - SITE CONTAINMENT SYSTEM

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 temporary easements by appropriation, for the functions and purposes of the Department.

PARCEL A

A temporary easement to be exercised in, on, over, under and upon the hereinafter described property for the right to exclusively use and occupy the property for the purpose of constructing, reconstructing, operating and maintaining thereon all necessary remedial measures, including but not limited to barrier drains, barrier walls, manholes, clay caps, a synthetic membrane cover, groundwater monitoring wells and including the right to collect samples of soil and groundwater, remove therefrom any vegetation or structures, and to remove any and all material excavated, cut or razed or deposit any material thereon, place and keep machines, tools and equipment, plant and maintain vegetation, together with the right of ingress, egress and regress by the State of New York, its employees, agents, contractors or representatives over the property for purposes connected with the Love Canal Project 1 Site Containment System until its exercise is no longer necessary, as evidenced by a Certificate of the Commissioner of Environmental Conservation filed in the office of the Department of State and the office of the Clerk of the County where the property is situate. Said

temporary easement to be exercised over Parcel A, consisting of Parcels A1 through and including A24 and more particularly bounded and described as follows:

Beginning at a point on the southerly boundary line of Colvin Blvd. at the northeasterly corner of lands of the Church of God (reputed owner); thence crossing a portion of Colvin Blvd. on a line which is the prolongation of the easterly bounds of said lands of the Church of God, N 0°51'52"W a distance of 40.04 feet to a point in the bed of Colvin Blvd.; thence S 88°34'32"E, on a line 40 feet northerly of and parallel to the southerly boundary line of said Colvin Blvd., 151.38 feet to a point; thence N 85°25'51"E on a line 40 feet northerly of and parallel to the southerly boundary line of said Colvin Blvd., 591.46 feet to a point in the bed of said Colvin Blvd.; thence S 0°24'27"E, crossing a portion of Colvin Blvd. and continuing on a line 15 feet easterly of and parallel to the westerly boundary line of the existing 99th Street, 439.94 feet to a point in the bed of said 99th Street; thence N 89°35'33"E on a line crossing a portion of said 99th Street and continuing on through property of U.D.C. - Love Canal, Inc. (reputed owner), 186.96 feet to a point in the bed of the existing 100th Street; thence S 0°14'27"E on a line 10 feet easterly of and parallel to the westerly boundary line of said 100th Street, 3042.62 feet to a point in the bed of Frontier Avenue; thence N 66°13'29"W along a line 10 feet southerly of and parallel to the northerly boundary of Frontier Avenue, 956.56 feet to a point in the bed of said avenue; thence N 0°51'52"W crossing a portion of said Frontier Avenue and continuing along the division line between the property of Niagara Falls Housing Authority (reputed owner) on the west and the property of U.D.C. - Love Canal, Inc. (reputed owner) on the east and its extension crossing Read Avenue, 2457.01 feet to a point at the northeasterly corner of property of the said Niagara Falls Housing Authority (reputed owner); thence along the northerly bounds of said property S 89°40'06"W, 22.34 feet to a point where the division line between the property of U.D.C. -

Love Canal, Inc. (reputed owner) on the east and the City of Niagara Falls (reputed owner) on the west, intersects said northerly bounds; thence $0^{\circ}51'52''W$ along the last mentioned division line and its extension, crossing 96th Street, continuing between the property of Floyd J. Garrow (reputed owner) on the west and the property of U.D.C. - Love Canal, Inc. (reputed owner) on the east, passing through the property of U.D.C. - Love Canal, Inc. (reputed owner) and continuing between the property of the Church of God (reputed owner) on the west and the property of U.D.C. - Love Canal, Inc., (reputed owner) on the east, a total distance of 555.71 feet to the point and place of beginning, being 2,836,540± square feet or 65.118 acres, more or less.

PARCEL B

A temporary easement to be exercised in, on, under, over and upon the property hereinafter described for the purpose of constructing, reconstructing, operating and maintaining thereon all necessary remedial measures, including but not limited to barrier drains, barrier walls, manholes, clay caps, a synthetic membrane cover, groundwater monitoring wells and including the right to collect samples of soil and groundwater, remove therefrom any vegetation or structures, and to remove any and all material excavated, cut, or razed or deposit any material thereon, place and keep machines, tools and equipment, plant and maintain vegetation, together with the right of ingress, egress and regress by the State of New York, its employees, agents, contractors or representatives over the property for purposes connected with the Love Canal - Project 1 - Site Containment System until its exercise is no longer necessary, as evidenced by a Certificate of the Commissioner of Environmental Conservation filed in the office of the Department of State and the office of the Clerk of the County where the property is situate.

Said temporary easement to be exercised over all those parcels of land identified as Parcels B-1 through and including B-15 and more particularly bounded and described as follows:

PARCEL B-1/B-2

Commencing at the intersection of the northerly boundary line of the existing Frontier Avenue with the westerly boundary line of the existing 95th Street; thence N 0°21'48"W along the last mentioned boundary line 425 feet to its intersection with the southerly line of Parcel B-1/B-2, said intersection also being the point of beginning; thence continuing N 0°21'48"W along said boundary line, 100.00 feet to a point; thence N 89°08'08"E on a line crossing said 95th Street and passing through the property of the Niagara Falls Housing Authority (reputed owner), 167.81 feet to a point on the division line between the property of U.D.C. - Love Canal, Inc. (reputed owner) on the east and the property of Niagara Falls Housing Authority (reputed owner) on the west; thence S 0°51'52"E along the last mentioned division line, said division line also being the westerly limit of Parcel A, 100.00 feet to its intersection with the southerly line of Parcel B-1/B-2; thence S 89°08'08"W along said southerly line passing through the property of Niagara Falls Housing Authority (reputed owner) and crossing said 95th Street, 168.69 feet to the point of beginning, being 16,875± square feet or 0.387 acre, more or less.

PARCEL B-3/B-4

Commencing at the intersection of the southerly boundary line of the existing Read Avenue with the division line between the property of U.D.C. - Love Canal, Inc. (reputed owner) on the east and the property of Niagara Falls Housing Authority (reputed owner) on the west; thence S 0°51'52"E along the last mentioned division line, said division line also being the westerly limit of Parcel A, 190 feet to its intersection with the northerly line of Parcel B-3/B-4, said point also being the point of beginning;

thence continuing S 0°51'52"E along said division line and said westerly limit of Parcel 150.00 feet to a point; thence S 89°08'08"W passing through the property of the Niagara Falls Housing Authority (reputed owner) and crossing said 95th Street, 160.93 feet to a point on the westerly boundary line of said 95th Street; thence N 0°21'48"W along the last mentioned boundary line, 150.00 feet to its intersection with the before mentioned northerly line of Parcel B-3/B-4; thence N 89°08'08"E along said northerly line, 159.62 feet to the point of beginning, being 24,054± square feet or 0.552 acre, more or less.

PARCEL B-5/B-6/B-7

Beginning at the intersection of the southerly boundary line of the existing Read Avenue with the westerly boundary line of the existing 95th Street; thence N 0°21'48"W along the last mentioned boundary line extended, crossing Read Avenue, and continuing along said boundary line, 163.19 feet to a point; thence N 89°08'08"E on a line crossing said 95th Street and passing through the property of Niagara Falls Housing Authority (reputed owner) 156.52 feet to a point on the division line between the property of U.D.C. - Love Canal, Inc. (reputed owner) on the east and the property of Niagara Falls Housing Authority (reputed owner) on the west; thence S 0°51'52"E along the last mentioned division line and its extension crossing said Read Avenue, said division line and its extension also being the westerly limit of Parcel A, 165.00 feet to a point on the before mentioned southerly boundary line of said Read Avenue; thence S 89°47'33"W along said boundary line and its extension, 157.96 feet to the point of beginning, being 25,802± square feet or 0.592 acre, more or less.

PARCEL B-8

Commencing at the intersection of the southerly boundary line of the existing Colvin Blvd. with the division line between the property of Church of God (reputed owner) on the west and the

property of U.D.C. - Love Canal, Inc. (reputed owner) on the east; thence N 0°51'52"W along the extension of the last mentioned division line. said extension also being the westerly limit of Parcel A, 40.0 feet to a point in the bed of said Colvin Blvd.; thence S 88°34'32"E on a line 40 feet north of and parallel to the southerly boundary line of said Colvin Blvd., said line also being the northerly limit of Parcel A, 80.00 feet to the point of beginning; thence N 0°51'52"W 60.00 feet to a point; thence N 89°08'08"E 100.00 feet to a point; thence S 0°51'52"E 60.99 feet to a point; thence S 85°25'51"W on a line 40 feet north of and parallel to the southerly boundary of said Colvin Blvd., said line also being the northerly limit of Parcel A, 28.73 feet to a point on the before mentioned line and northerly limit of Parcel A; thence N 88°34'32"W along said line and limit, 71.38 feet to the point of beginning, being 6150± square feet or 0.141 acre, more or less.

PARCEL B-9

Commencing at the intersection of the southerly boundary of the existing Wheatfield Avenue with the easterly boundary of the existing 100th Street; thence S 0°14'27"E along the last mentioned boundary line 820.00 feet to its intersection with the northerly line of Parcel B-9, said intersection also being the point of beginning; thence continuing S 0°14'27"E along said boundary line, 100.00 feet to a point; thence S 89°45'33"W on a line crossing a portion of said 100th Street, 40.00 feet to a point on a line 10 feet easterly of and parallel to the westerly boundary line of said 100th Street; thence N 0°14'27"W along said line also being the easterly limit of Parcel A, 100.00 feet to its intersection with the before mentioned northerly line of Parcel B-9; thence N 89°45'33"E along said line, 40.00 feet to the point of beginning, being 4000± square feet or 0.092 acre, more or less.

PARCEL B-10

Commencing at the intersection of the southerly boundary of the existing Wheatfield Avenue with the easterly boundary of the existing 100th Street; thence S 0°14'27"E along the last mentioned boundary line 150.00 feet to its intersection with the northerly line of Parcel B-10, said intersection also being the point of beginning; thence continuing S 0°14'27"E along said boundary line, 150.00 feet to a point; thence S 89°45'33"W on a line crossing a portion of said 100th Street, 40.00 feet to a point on a line 10 feet easterly of and parallel to the westerly boundary line of said 100th Street; thence N 0°14'27"W along said line, said line also being the easterly limit of Parcel A, 150.00 feet to its intersection with the before mentioned northerly line of Parcel B-10; thence N 89°45'33"E along said line, 40.00 feet to the point of beginning, being 6000± square feet or 0.138 acre, more or less.

PARCEL B-11

Commencing at the intersection of the southerly boundary of the existing Colvin Blvd. with the easterly boundary of the existing 100th Street; thence S 0°14'27"E along the last mentioned boundary line 1763.00 feet to its intersection with the northerly line of Parcel B-11, said intersection also being the point of beginning; thence continuing S 0°14'27"E along said boundary line, 100.00 feet to a point; thence S 89°45'33"W on a line crossing a portion of said 100th Street, 40.00 feet to a point on a line 10 feet easterly of and parallel to the westerly boundary line of said 100th Street; thence N 0°14'27"W along said line, said line also being the easterly limit of Parcel A, 100.00 feet to its intersection with the before mentioned northerly line of Parcel B-11; thence N 89°45'33"E along said line, 40.00 feet to the point of beginning, being 4000± square feet or 0.092 acre, more or less.

PARCEL B-12

Commencing at the intersection of the southerly boundary of the existing Colvin Blvd with the easterly boundary of the existing 100th Street; thence S 0°14'27"E along the last mentioned boundary line 720.00 feet to its intersection with the northerly line of Parcel B-12, said intersection also being the point of beginning; thence continuing S 0°14'27"E along said boundary line, 100.00 feet to a point; thence S 89°45'33"W on a line crossing a portion of said 100th Street, 40.00 feet to a point on a line 10 feet easterly of and parallel to the westerly boundary line of said 100th Street; thence N 0°14'27"W along said line, said line also being the easterly limit of Parcel A, 100.00 feet to its intersection with the before mentioned northerly line of Parcel B-12; thence N 89°45'33"E along said line, 40.00 feet to the point of beginning, being 4000± square feet or 0.092 acre, more or less.

PARCEL B-13

Commencing at the intersection of the easterly boundary line of the existing 95th Street with the northerly boundary line of the existing Frontier Avenue; thence S 66°13'29"E along the last mentioned boundary line 117.26 feet to the westerly limit of Parcel A; thence S 0°51'52"E, along said westerly limit of Parcel A, 11.00 feet to the point of beginning; thence S 66°13'29"E on a line 10 feet southerly of and parallel to the northerly boundary line of said Frontier Avenue, said line also being the southerly limit of Parcel A, 956.56 feet to a point; thence S 0°14'27"E 49.88 feet to a point on the southerly boundary line of said Frontier Avenue; thence N 69°52'33"W along the last mentioned boundary line 163.88 feet to a point; thence N 66°13'29"W continuing along said boundary line 787.66 feet to a point; thence N 0°51'52"W 61.60 feet to the point of beginning, being 52,703± square feet or 1.210 acres, more or less.

PARCEL B-14/B-15

Beginning at the intersection of the southerly boundary line of the existing Read Avenue with the westerly boundary line of the existing 95th Street; thence $N 89^{\circ} 47' 33" E$ crossing 95th Street and running along the southerly boundary line of said Read Avenue, which is also the southerly boundary line of Parcel B-5/B-6/B-7 above described, a distance of 157.96 feet to a point at the intersection of said street boundary with the division line between the property of U.D.C. - Love Canal, Inc. (reputed owner) on the east and the property of Niagara Falls Housing Authority (reputed owner) on the west; thence $S. 0^{\circ} 51' 52" E$ along the last mentioned division line, said division line also being the westerly limit of Parcel A, a distance of 190.00 feet to a point at the northeasterly corner of Parcel B-3/B-4 above described; thence along the northerly line of said Parcel, passing through the property of Niagara Falls Housing Authority (reputed owner) and crossing said 95th Street $S. 89^{\circ} 08' 08" W.$ a distance of 159.62 feet to a point on the westerly boundary of 95th Street at the northwesterly corner of said Parcel B-3/B-4; thence $N. 0^{\circ} 21' 48" W.$ along said street boundary, a distance of 191.83 feet to the point of beginning, being 30,313 square feet or 0.695 of an acre, more or less.

There is excepted from this appropriation the right, title and interest of the New York State Department of Transportation.

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, The Love Canal - Project 1 - Site Containment System Situate in Part of the Mile Reserve, City of Niagara Falls, Niagara County, New York" dated December 27, 1982, made by Rick L. McEwen LS, Registration No. 049347; amended by Edwin C. Goodrich, LS, Reg. No. 48152 on September 27, 1983 to show Parcels B-14 & B-15, and filed in the office of the Department of Environmental Conservation at Albany, New York as map number 10210A.

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

HENRY G. WILLIAMS
COMMISSIONER OF ENVIRONMENTAL
CONSERVATION

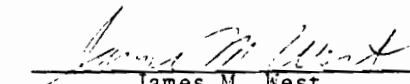
February 7, 1984

By



LANGDON MARSH
EXECUTIVE DEPUTY COMMISSIONER

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 The Mile Reserve City of Niagara Falls, County of Niagara, State of New York, designated as Love Canal - Project 1- Site Containment System," with the original thereof filed in the Office of the Department of Environmental Conservation at Albany, New York as Map No. 10210A, and I hereby certify the same to be a true and correct copy thereof.


James M. West
Superintendent
Bureau of Real Property

Dated May 14 1934