

**EXTINGUISHMENT AND RELEASE  
OF ENVIRONMENTAL EASEMENT**

This EXTINGUISHMENT AND RELEASE OF ENVIRONMENTAL EASEMENT is made as of this 12 day of August, 2015, by the People of the State of New York, acting through their Commissioner of the Department of Environmental Conservation (“NYSDEC” or “Department”) with its headquarters located at 625 Broadway, Albany, New York 12233. The Department has the authority to extinguish an environmental easement pursuant to the Environmental Conservation Law Article 71, Title 36 (ECL § 71-3605).

**RECITALS**

- A. The Department and Pall Corporation (the “Grantor”) entered into that certain Environmental Easement (“Easement Agreement”) dated as of July 18, 2011 and recorded in the Land Records of the Nassau County Clerk on August 26, 2011 in Book of Deeds 12752 at pages 363-373. Capitalized terms used herein without definition have the meanings ascribed to them in the Environmental Easement Agreement.
- B. The Grantor is the owner of certain real property located at the address of 30 Sea Cliff Avenue in the City of Glen Cove, Nassau County, New York known and designated on the tax map of the City of Glen Cove as tax map parcel number section 21 block H lots 37, 273, 314 and 320, being the same as that property conveyed to Grantor by deed on February 1, 1985, and recorded in the Land Records of the Nassau County Clerk at Page 882, Liber 9617 of Deeds, comprised of approximately 3.69 +/- acres, described on Exhibit A.
- C. The Grantor entered into the Easement Agreement pursuant to the terms of a Partial Consent Decree, Case No. 2:09-cv-04126-LDW-ETB, entered by the Clerk of the United States District Court for the Eastern District of New York on October 23, 2009. A Second Partial Consent Decree in this case was entered by the Clerk of the United States District Court for the Eastern District of New York on June 2, 2015 which together with the Partial Consent Decree is the Consent Decree. The Consent Decree requires the termination of the Easement Agreement and the grant of a replacement Environmental Easement which is consistent with the terms of the Consent Decree.
- D. Pursuant to Section 1, 2, 3, and 5 of the Easement Agreement, the Grantor granted the Department rights and interests that run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of the Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of maintenance, monitoring or operation requirements; and to ensure the potential restriction of future uses of the land that are inconsistent with the stated purpose.
- E. Pursuant to Section 9 of the Easement Agreement, the Department desires to terminate and release the Easement Agreement.

## **TERMINATION AND RELEASE OF ENVIRONMENTAL EASEMENT**

1. The above recitals are hereby incorporated into this Termination and Release of Environmental Easement.
2. The Department confirms that the date hereof is the "Termination Date" and the Department accordingly hereby terminates and releases the property as described in Exhibit A.
3. This Termination and Release of Environmental Easement inures to and binds the Department and its successors and assigns.
4. This Termination and Release of Environmental Easement shall be governed by and interpreted in accordance with the laws of the State of New York.

**THIS TERMINATION AND RELEASE OF THE ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK**, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

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

**Grantee's Acknowledgment**

STATE OF NEW YORK    )  
  ) ss:  
COUNTY OF ALBANY    )

On the 12<sup>th</sup> day of August, in the year 201~~3~~<sup>5</sup>, before me, the undersigned, personally appeared Robert W. Schick, 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 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

PATRICK EUGENE FOSTER  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN KINGS COUNTY  
NO. 02FO6278032  
COMMISSION EXPIRES 03/18/20~~17~~<sup>17</sup>

## EXHIBIT A

(Surveyor's Description from the Land Title Survey)

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the City of Glen Cove, Town of Oyster Bay, County of Nassau State of New York, more particularly bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northerly side of Sea Cliff Avenue and the southwesterly side of Glen Cove Arterial Highway;

RUNNING THENCE South 84 degrees 57 minutes West along the northerly side of Sea Cliff Avenue, 399.29 feet;

RUNNING THENCE North 37 degrees 31 minutes East 23.73 feet;

RUNNING THENCE North 30 degrees 33 minutes West 140.28 feet;

RUNNING THENCE North 32 degrees 45 minutes West 189.12 feet;

RUNNING THENCE North 84 degrees 54 minutes East 101.36 feet;

RUNNING THENCE North 5 degrees 06 minutes West 367.16 feet to land now or formerly of New York Water Company;

RUNNING THENCE North 86 degrees 32 minutes East 80.48 feet to the southwesterly side of Glen Cove Arterial Highway;

RUNNING THENCE southeasterly along the southwesterly side of Glen Cove Arterial Highway along the arc of a curve having a radius of 1675 feet and subtended by chord 576.92 feet in length and bearing South 29 degrees 57 minutes 07 seconds East for a distance of 579.80 feet;

RUNNING THENCE South 13 degrees 28 minutes East 6.56 feet;

RUNNING THENCE North 84 degrees 57 minutes East 4.05 feet to the southwesterly side of Glen Cove Arterial Highway;

RUNNING THENCE South 39 degrees 52 minutes 38 seconds East along the southwesterly side of Glen Cove Arterial Highway 178.82 feet to the northerly side of Sea Cliff Avenue, to the point of beginning, containing 3.69 acres more or less.

TOGETHER with all right, title and interest of the party of the first part, in and to the land lying in the street in front of and adjoining said premises.

Note: This description is intended to describe the same property as conveyed in Liber 9617 Page 882. A distance in this description differs from the Schedule 'A' description shown hereon based upon boundary evidence and calculations in order to create a mathematical closure.