

Consolidated Edison Company of New York
4 Irving Place, New York, NY 10003
Telephone (212) 460-3241
Fax: (212) 260-8627

February 15, 2006

BY DHL EXPRESS

Mr. Joseph O'Connell
New York State Department of Environmental Conservation
Division of Environmental Remediation
47-40 21st Street
1 Hunters Point Plaza
Long Island City, New York 11101

RECEIVED
FEB 16 2006
ENVIRONMENTAL
ENFORCEMENT

Re: Order on Consent and Administrative Settlement Index No.
A2-0526-0805/Arthur Kill Generating Station OU-2 Area

Dear Mr. O'Connell:

Enclosed for filing with the Department is proof that the Notice of Order and Settlement Agreement provided for in Paragraph IX of Order on Consent and Administrative Settlement Index No. A2-0526-0805 by and between Department and Con Edison for Operable Unit 2 Area of the Arthur Kill Generating Station was duly recorded in the Land Documents of the Richmond County Clerk's Office on February 2, 2006.

Please do not hesitate calling me if you have any questions concerning this matter.

Very truly yours,



cc: Larry S. Eckhaus, Esq. – NYSDEC
Gary Litwin – NYSDOH
Allan J. Filippi – Arthur Kill Power LLC



Office of the
Richmond County Clerk
130 Stuyvesant Place
Staten Island, NY 10301



ACS-000000000057851-000000000077169-015

Hon. Stephen J. Fiala, County Clerk

Recording and Endorsement Cover Page

Document Id: 000000000077169 Document Date: 01/12/2006 Preparation Date: 02/02/2006
Document Type: NOTICE
Document Page Count: 00015

PRESENTER:
REALTY SKYLINE
350 ST MARKS PL RM 110
NY TITLE M657
STATEN ISLAND NY, 10301

RETURN TO:
NEW YORK TITLE RESEARCH CORP
550 MAMARONECK AVENUE
SUITE 401
HARRISON NY, 10528

Block	Lot	PROPERTY DATA	# OF BLOCKS	2	# OF LOTS	4
Unit	Address					
2758	75	Entire Lot	CANNON AVENUE			
Property Type: Vacant Land						
"And Addl Blocks and/or Lots"						

PARTIES	
ASSIGNOR INDEX CONSOLIDATED EDISON OF NEW YORK, INC STATEN ISLAND NY,	ASSIGNEE INDEX COMMISSIONER OF THE NEW YORK STATE DEPA OF ENVIRONMENTAL CONSERVATION NY,

PAYMENT DETAIL

Make Checks Payable to:
=====

Richmond County Clerk:	71.00 Recording Fees
Total Payments For This Document:	71.00

=====

EXAM RAF DATE 2/2/06

LAND DOC# 104590
25-ASSIGN,AGREE,REL
02/02/2006 12:04:22 P.M.
RECEIPT: 8914 FEE: \$71.00
RICHMOND COUNTY CLERK

RECORDED IN RICHMOND COUNTY

FEB - 2 2006

S. Fiala
COUNTY CLERK

NOTICE OF ORDER AND SETTLEMENT AGREEMENT

Consolidated Edison of New York, Inc. ("Respondent") is subject to an Order on Consent and Settlement Agreement (Index #A2-0526-0805) (the "Order and Settlement Agreement") issued by the Commissioner of the New York State Department of Environmental Conservation (the "Department") under Article 27, Title 13, and Article 71, Title 27 of the Environmental Conservation Law of the State of New York ("ECL") for a site located at 4401 Victory Boulevard, Staten Island, New York (the "Site").

The Site has been designated by the Department as an inactive hazardous waste disposal site, as that term is defined at ECL Section 27-1301.2, and has been listed in the Registry of Inactive Hazardous Waste Disposal Sites in New York State as Site #2-43-022. The Department has classified the Site as a Class "2" site pursuant to ECL Section 27-1305.2.b. This classification means that the Department has determined that the Site requires action. A map of the Site showing its general location is attached hereto as Schedule "A."

The purpose of the Order and Settlement Agreement is to provide for the development and implementation of an inactive hazardous waste disposal site remedial program for the Site. The effective date of the Order and Settlement Agreement was November 26, 2005. A copy of the Order and Settlement Agreement, as well as any and all Department-approved Work Plans under this Order and Settlement Agreement, can be reviewed at the Department's Region 2 offices located at 47-40 21st Street, 1 Hunters Point Plaza, Long Island City, New York by contacting Joseph O'Connell, Project Manager.

At the request of Respondent, and in accordance with Respondent's responsibilities pursuant to Paragraph IX of the Order and Settlement Agreement, to give all parties who may acquire any interest in the Site notice of this Order and Settlement Agreement, this Notice of Order and Settlement Agreement is being filed with the Richmond County recording officer by Arthur Kill Power LLC, the fee Owner of the Site.

WHEREFORE, the undersigned has signed this Notice of Order and Settlement Agreement in accordance with Respondent's responsibilities pursuant to the Order and Settlement Agreement.

ARTHUR KILL POWER LLC
Site Owner

By: 

(Name) SCOTT DAVIDO (S)

(Title) President

State of New Jersey }
 } ss:
County of Mercer }

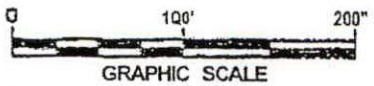
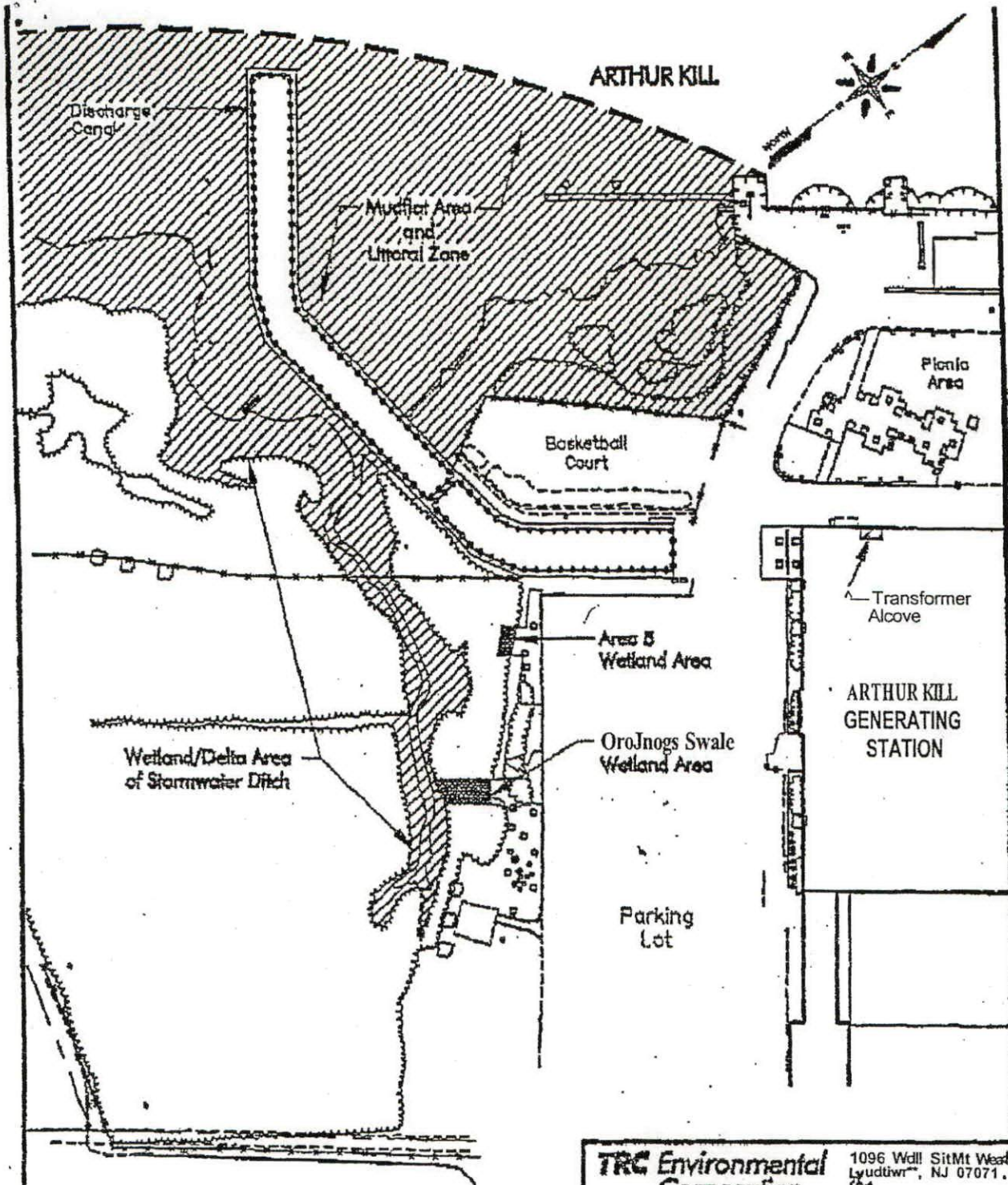
On the 12th day of Jan in the year 2006 before me, the undersigned, personally appeared Scott Davido, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they 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.

Deborah R Fry
Notary Public
DEBORAH R. FRY
A Notary Public Of New Jersey
My Commission Expires 10/23/2006

RECORD AT THE REQUEST OF
New York Title Research
550 Mamaroneck Ave
Suite 401
Harrison NY 10528
Title No. M657-courtesy

Appendix "A"

Map of the Property



25134/0020/0/Ex-8

TRC Environmental Corporation 1096 Wall St Mt Wead Lyndhurst, NJ 07071 (201) 261-1000	
	CONSQUADATCO E0(30N COMPANY OF NEW YORK, INC. ARTHUR KILL GENERATING STATION
EXHIBIT A DU-2 AREA	
Date: S/S9	Project No. E3134-0020-00000

EXHIBIT A

PARCEL I:

GENCO PARCEL A - (Arthur Kill Generating Facility):

ALL that certain plot, piece or parcel of land, lying and being in the County of Richmond, Borough of Staten Island, City and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the westerly side of a 2 foot wide park adjacent to the westerly side of the West Shore Expressway and the northerly side of Victory Boulevard as both are vested in the City of New York;

RUNNING THENCE along said northerly side of Victory Boulevard South 52 degrees 09 minutes 10 seconds West 211.34 feet;

THENCE the following 6 courses and distances along the premises now or formerly of Consolidated Edison Company of New York known as the Fresh Kills Substation:

1. North 53 degrees 15 minutes 50 seconds West 517.08 feet;
2. North 35 degrees 46 minutes 26 seconds East 139.61 feet;
3. North 53 degrees 33 minutes 06 seconds West 193.90 feet;
4. South 36 degrees 20 minutes 40 seconds West 1013.00 feet;
5. South 15 degrees 30 minutes 14 seconds East 123.70 feet;
6. South 34 degrees 41 minutes 55 seconds West 316.90 feet;

THENCE South 65 degrees 10 minutes 18 seconds East a distance of 299.48 feet;

THENCE South 50 degrees 54 minutes 17 seconds West 10.56 feet;

THENCE North 67 degrees 28 minutes 58 seconds West 57.15 feet;

THENCE along the northerly side of Victory Boulevard South 67 degrees 03 minutes 52 seconds West 167.87 feet to the southeast corner of this Parcel "A", the coordinates of said corner being South 25,830.891 and West 43,417.129;

THENCE North 48 degrees 18 minutes 04 seconds West 431.72 feet;

THENCE North 36 degrees 40 minutes 00 seconds East 543.65 feet;

THENCE North 18 degrees 02 minutes 20 seconds East 187.84 feet;

THENCE North 53 degrees 20 minutes 00 seconds West 492.19 feet;

THENCE South 36 degrees 40 minutes 00 seconds West 309.38 feet;

THENCE North 73 degrees 46 minutes 20 seconds West 855.62 feet to the United States Pier and Bulkhead Line approved by the Secretary of War, August 7, 1930;

THENCE northerly, the following 3 courses and distances along said Pierhead and Bulkhead Line:

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REC'D 4 17 PAGE 0347

REEL 9 4-1 7 PAGE 0348

1. North 36 degrees 40 minutes 00 seconds East 1,751.51 feet;
2. North 28 degrees 20 minutes 00 seconds East 800.00 feet;
3. North 17 degrees 05 minutes 00 seconds East 382.92 feet;

THENCE easterly, the following 24 courses and distances along the northerly boundary of this Parcel "A":

1. South 73 degrees 58 minutes 20 seconds East a distance of 292.24 feet to a point, the coordinates of which are South 22,249.728 and West 42,938.760;
2. South 58 degrees 29 minutes 27 seconds East 96.75 feet;
3. South 77 degrees 31 minutes 00 seconds East 343.42 feet;
4. North 02 degrees 51 minutes 45 seconds East 19.55 feet;
5. North 29 degrees 44 minutes 41 seconds East 80.62 feet;
6. North 75 degrees 57 minutes 50 seconds East 103.08 feet;
7. South 69 degrees 46 minutes 30 seconds East 101.24 feet;
8. South 26 degrees 33 minutes 54 seconds East 44.72 feet;
9. South 21 degrees 15 minutes 02 seconds West 96.57 feet;
10. South 14 degrees 02 minutes 10 seconds East 61.85 feet;
11. South 74 degrees 28 minutes 33 seconds East 93.41 feet;
12. South 75 degrees 27 minutes 21 seconds East 110.35 feet;
13. North 49 degrees 24 minutes 25 seconds East 96.38 feet;
14. North 06 degrees 50 minutes 34 seconds East 151.08 feet;
15. North 18 degrees 13 minutes 57 seconds West 89.49 feet;
16. North 00 degrees 00 minutes 00 seconds West 100.00 feet;
17. North 26 degrees 52 minutes 11 seconds East 84.08 feet;
18. North 68 degrees 02 minutes 22 seconds East 66.85 feet;
19. South 85 degrees 14 minutes 11 seconds East 120.42 feet;
20. South 14 degrees 02 minutes 10 seconds East 61.85 feet;
21. South 09 degrees 27 minutes 44 seconds West 152.07 feet;
22. South 07 degrees 45 minutes 55 seconds East 111.02 feet;
23. South 41 degrees 25 minutes 25 seconds East 113.36 feet;
24. North 68 degrees 34 minutes 40 seconds East 210.61 feet to the westerly side of railroad right of way lands now or formerly of the New York Transit and Terminal Company, Limited.

THENCE South 15 degrees 56 minutes 07 seconds West along the westerly line of the aforesaid railroad lands a distance of 812.00 feet to the northerly side of Cannon Avenue (not opened), the coordinates of said point being South 23158.873 and West 41751.874;

THENCE westerly along the northerly side of Cannon Avenue the following five courses and distances:

1. North 71 degrees 31 minutes 49 seconds West 367.68 feet;
2. North 72 degrees 23 minutes 09 seconds West 510.90 feet;
3. South 72 degrees 25 minutes 09 seconds West 123.19 feet;
4. North 88 degrees 55 minutes 09 seconds West 53.01 feet;
5. North 54 degrees 17 minutes 07 seconds West 46.92 feet to the westerly end of Cannon Avenue;

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THENCE southerly along the westerly end of Cannon Avenue South 11 degrees 53 minutes 00 seconds West a distance of 46.21 feet to the southerly side of Cannon Avenue;

THENCE easterly along the southerly side of Cannon Avenue the following four courses and distances:

1. South 69 degrees 42 minutes 00 seconds East 83.29 feet;
2. North 72 degrees 41 minutes 09 seconds East 154.38 feet;
3. South 72 degrees 23 minutes 09 seconds East 492.35 feet;
4. South 71 degrees 31 minutes 49 seconds East 368.90 feet to the westerly side of said railroad lands the coordinates of said point being South 23190.636 and West 41760.943;

THENCE South 15 degrees 56 minutes 07 seconds West along the westerly side of said railroad lands a distance of 595.05 feet;

THENCE continuing along the westerly side of said railroad lands in southerly direction on a curve to the left having a radius of 2,914.93 feet, a central angle of 11 degrees 10 minutes 38 seconds and a length of 568.65 feet to the northerly line of Hamilton Place (not opened);

THENCE the following seven courses and distances along Hamilton Place:

1. North 73 degrees 54 minutes 56 seconds West 17.10 feet;
2. North 16 degrees 52 minutes 51 seconds East 12.57 feet;
3. North 73 degrees 54 minutes 56 seconds West 26.00 feet;
4. South 16 degrees 52 minutes 51 seconds West 60.00 feet;
5. South 73 degrees 54 minutes 56 seconds East 26.00 feet;
6. North 16 degrees 52 minutes 51 seconds East 12.58 feet;
7. South 73 degrees 54 minutes 56 seconds East 24.79 feet;

THENCE in a southerly direction on a curve to the left having a chord with a bearing of South 03 degrees 11 minutes 30 seconds West, a radius of 2,914.93 feet, a central angle of 01 degrees 44 minutes 02 seconds and a length of 88.21 feet to the westerly side of the West Shore Expressway;

THENCE South 11 degrees 22 minutes 50 seconds West and along said westerly side of said Expressway, 113.49 feet;

THENCE South 02 degrees 31 minutes 28 seconds West along said westerly side of the West Shore Expressway, 311.51 feet to the northerly side of Victory Boulevard and the point or place of BEGINNING.

EXCEPTING THEREFROM, all those four (4) areas of no grant in the State of New York, now or formerly under the waters of Arthur Kill or Staten Island Sound, situate, lying and being in the County of Richmond, Borough of Staten Island, City and State of New York, bounded and described as follows:

REEL 94 17 PAGE 0349

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REC-9 4 17 PAGE 0350

AREA OF NO GRANT #1:

Commencing at an angle point in the United States Pierhead and Bulkhead Line approved by the Secretary of War on August 7, 1930, having coordinates of South 22,535.06 and West 43,332.13, as shown on U.S. Army Corps of Engineers map titled "Pierhead and Bulkhead Lines, Arthur Kill, Staten Island, N.Y. and New Jersey", sheet 13r, dated March 24, 1954 ("Army Corps of Engineers map");

THENCE North 17 degrees 05 minutes 00 seconds East along said Pierhead and Bulkhead Line, a distance of 90.96 feet to a point having coordinates South 22,448.1138 and West 43,305.4094, said point being the point or place of BEGINNING;

THENCE North 17 degrees 05 minutes 00 seconds East, continuing along said Pierhead and Bulkhead Line, a distance of 291.96 feet to a point;

THENCE South 73 degrees 58 minutes 20 seconds East, a distance of 17.50 feet to the northwest corner of land under water granted, pursuant to a resolution of the Commissioners of the Land Office dated May 28, 1903, by the People of the State of New York to John H. Pearson by patent dated August 17, 1903 and recorded in the Department of State of the State of New York in Vol. 54 of Patents at page 12 and thereafter recorded April 15, 1954 in Richmond County Clerk's Office in Liber 1274 of Deeds at page 234 ("Pearson Grant");

THENCE South 16 degrees 01 minutes 40 seconds West, along said patent or water grant, a distance of 116.73 feet to an angle point in said Pearson Grant;

THENCE South 23 degrees 28 minutes 10 seconds West, continuing along said Pearson Grant, a distance of 176.67 feet to the point or place of BEGINNING.

AREA OF NO GRANT #2:

Commencing at an angle point in the United States Pierhead and Bulkhead Line approved by the Secretary of War on August 7, 1930, having coordinates of South 24,691.07, and West 44,792.67, as shown on said U.S. Army Corps of Engineers map;

THENCE North 36 degrees 40 minutes 00 seconds East, along the Pierhead and Bulkhead Line, a distance of 1350.00 feet to a point having coordinates South 23,608.2073 and West 43,986.5103, said point being the point or place of BEGINNING;

THENCE South 53 degrees 20 minutes 00 seconds East, a distance of 119.53 feet to a point in the westerly line of land now of Consolidated Edison Company of New York, Inc. ("Con Edison") and formerly of Elizabeth Cosgrove and Richmond County Airport, Inc., by the following deeds of conveyance:

- a. recorded May 2, 1955 in Liber 1310 Cp 329, re-recorded June 6, 1955 in Liber 1314 Cp 301,
- b. recorded June 15, 1955 in Liber 1315 Cp 359,
- c. recorded October 31, 1955 in Liber 1332 Cp 205;

THENCE along the westerly line of said lands formerly of Elizabeth Cosgrove and Richmond County Airport, Inc. the following fifteen (15) courses and distances:

THENCE North 24 degrees 17 minutes 45 seconds East, 127.93 feet;

THENCE North 38 degrees 05 minutes 59 seconds East, 55.91 feet;

THENCE North 41 degrees 40 minutes 17 seconds East, 188.76 feet;

THENCE North 38 degrees 23 minutes 12 seconds East, 98.24 feet;

THENCE South 61 degrees 26 minutes 55 seconds East, 77.41 feet;

THENCE South 57 degrees 28 minutes 30 minutes East, 81.84 feet;

THENCE North 17 degrees 00 minutes 29 seconds West, 177.78 feet;

THENCE North 15 degrees 06 minutes 04 seconds East 65.25 feet;

THENCE North 42 degrees 45 minutes 15 seconds East 144.36 feet;

THENCE North 29 degrees 03 minutes 17 seconds East 102.96 feet;

THENCE North 56 degrees 18 minutes 36 seconds East 32.45 feet;

THENCE South 73 degrees 29 minutes 44 seconds East 56.32 feet;

THENCE North 24 degrees 31 minutes 14 seconds East 60.08 feet;

THENCE North 66 degrees 53 minutes 00 seconds West 37.83 feet;

THENCE North 64 degrees 25 minutes 45 seconds West 33.48 feet;

THENCE North 66 degrees 31 minutes 50 seconds West 147.90 feet;

THENCE North 23 degrees 28 minutes 10 seconds East 183.20 feet to the aforesaid Pierhead and Bulkhead Line.

THENCE South 28 degrees 20 minutes 00 seconds West, along said Pierhead and Bulkhead Line, a distance of 680.68 feet to an angle point in said line, having coordinates South 23239.22 and West 43,711.81, as shown on said U.S. Army Corps of Engineers map;

THENCE South 36 degrees 40 minutes 00 seconds West continuing along said Pierhead and Bulkhead Line, a distance of 460.01 feet to the point or place of BEGINNING.

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REC-9417 PAGE 0352

AREA OF NO GRANT #3:

Commencing at an angle point in the United States Pierhead and Bulkhead Line approved by the Secretary of War on August 7, 1930, having coordinates of South 24,691.07, and West 44,792.67, as shown on said U.S. Army Corps of Engineers map;

THENCE North 45 degrees 25 minutes 01 seconds East, a distance of 1260.74 feet to a point having coordinates South 23,806.0991 and West 43894.7286, said point being the point or place of Beginning, said point also being the fifth course of land under water granted by the People of the State of New York to Con Edison by Patent dated October 1, 1963 and recorded in the Department of State of The State of New York in Volume 77 of Patents at page 35 ("Con Edison Grant"), said point also being in the eighth course of land now of Con Edison and formerly of Elizabeth Cosgrove and Richmond County Airport, Inc., by the following deeds of conveyance hereinabove referred to in (2):

- a. recorded May 2, 1955 in Liber 1310 Cp 329, re-recorded June 6, 1955 in Liber 1314 Cp 301.
- b. recorded June 15, 1955 in Liber 1315 Cp 359.
- c. recorded October 31, 1955 in Liber 1332 Cp 205;

THENCE North 70 degrees 42 minutes 36 seconds East, along lands now of Con Edison and formerly of Elizabeth Cosgrove and Richmond County Airport, a distance of 12.42 feet to a point;

THENCE North 75 degrees 08 minutes 29 seconds East 50.70 feet;

THENCE North 75 degrees 57 minutes 50 seconds West 37.11 feet;

THENCE North 48 degrees 12 minutes 56 seconds West 17.12 feet;

THENCE South 17 degrees 41 minutes 00 seconds West, 39.38 feet to the point or place of BEGINNING.

AREA OF NO GRANT #4:

Commencing at an angle point in the United States Pierhead and Bulkhead Line approved by the Secretary of War on August 7, 1930, having coordinates of South 24,691.07, and West 44,792.67, as shown on said U.S. Army Corps of Engineers map;

THENCE North 36 degrees 40 minutes 00 seconds East along the Pierhead and Bulkhead Line, a distance of 100.00 feet to the point of Beginning, having coordinates South 24,610.8560 and West 44,732.9530;

THENCE South 53 degrees 20 minutes 00 seconds East 118.98 feet;

THENCE North 64 degrees 41 minutes 05 seconds East 283.18 feet;

THENCE North 53 degrees 20 minutes 00 seconds West 252.00 feet to the aforesaid Pierhead and Bulkhead Line;

THENCE South 36 degrees 40 minutes 00 seconds West, along said Pierhead and Bulkhead
Line, a distance of 250.00 feet to the point or place of BEGINNING.

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PARCEL II: OPTION PARCEL C: (ARTHUR KILL OPTION PARCEL):

All that plot, piece or parcel of land bounded and described as follows:

BEGINNING at a point which bears North 36 degrees 40 minutes 00 seconds East, 253.65 feet from a point on the easterly line of "VISY" premises formerly known on the Tax Map as Block 2705, Lot 46, as said Tax Map existed on December 28, 1995, said point on the easterly line of said Lot 46 being North 48 degrees 18 minutes 04 seconds West, 431.72 feet from the northerly line of Victory Boulevard. Said point of BEGINNING being further described as having the coordinates of South 25340.241 and West 43588.006.

RUNNING THENCE North 48 degrees 18 minutes 04 seconds West 554.33 feet;

THENCE North 36 degrees 40 minutes 00 seconds East 419.38 feet;

THENCE South 53 degrees 20 minutes 00 seconds East 492.19 feet;

THENCE South 18 degrees 02 minutes 20 seconds West 187.84 feet;

THENCE South 36 degrees 40 minutes 00 seconds West, 290.00 feet to the point or place of BEGINNING.

REEL 9417 PAGE 0354

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PARCEL III:

OIL TANK PARCEL D - (ARTHUR KILL OIL TANK PARCEL):

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Staten Island and County of Richmond, City and State of New York, bounded and described as follows:

BEGINNING at the southeasterly corner of this OIL TANK PARCEL "D" which corner is located on the westerly boundary of VISY premises formerly known on the Tax Map as Block 2705, Lot 46, as said Tax Map existed on December 28, 1995, said corner being North 48 degrees 18 minutes 04 seconds West, 844.10 feet from the intersection of said westerly line with the northerly side of Victory Boulevard at a point having the coordinates of South 25978.742 and West 43678.165;

RUNNING THENCE North 48 degrees 18 minutes 04 seconds West, 224.74 feet;

THENCE South 75 degrees 06 minutes 15 seconds West, 214.69 feet;

THENCE North 79 degrees 50 minutes 00 seconds West, 305.00 feet to the U.S. Pierhead and Bulkhead Line approved by the Secretary of War August 7, 1930;

THENCE South 10 degrees 10 minutes 00 seconds West and along said U.S. Pierhead and Bulkhead Line, 345.52 feet;

THENCE South 79 degrees 50 minutes 00 seconds East, 326.50 feet to a point having the coordinates of South 25666.807 and West 44723.516;

THENCE North 58 degrees 59 minutes 02 seconds East, 484.35 feet to the said westerly line of Block 2705 Lot 46 and to the point or place of BEGINNING.

EXCEPTING THEREFROM, all that area of no grant in the State of New York, now or formerly under the Waters of Arthur Kill or Staten Island Sound, situate, lying and being in the County of Richmond, Borough of Staten Island, City and State of New York, bounded and described as follows:

AREA OF NO GRANT #5:

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Commencing at an angle point in the United States Pierhead and Bulkhead Line approved by the Secretary of War on August 7, 1930, having coordinates of South 25,036.20 and West 44,942.14, as shown on said U.S. Army Corps of Engineers map;

THENCE South 10 degrees 10 minutes 00 seconds West along said Pierhead and Bulkhead Line a distance of 583.54 feet to the point of Beginning, having coordinates South 25,610.5845 and West 45,045.1442, said point also being in the northerly line of land under water granted by The People of the State of New York to The American Linoleum Manufacturing Company, its successors and assigns, by Patent dated November 26, 1895 and recorded in the Department of the State of the State of New York in Vol. 50 of Patents at page 299 ("ALM Grant");

THENCE North 66 degrees 40 minutes 00 seconds East, along ALM Grant, a distance of 82.15 feet to a point;

THENCE South 11 degrees 04 minutes 00 seconds East, continuing along said ALM Grant, a distance of 47.11 feet to a point in the southerly line now or formerly of "VISY";

THENCE South 79 degrees 50 minutes 00 seconds East, along land of "VISY", a distance of 89.07 feet to a point;

THENCE North 09 degrees 04 minutes 46 seconds West, a distance of 365.97 feet;

THENCE North 79 degrees 50 minutes 00 seconds West, a distance of 54.00 feet to the aforesaid Pierhead and Bulkhead Line;

THENCE South 10 degrees 10 minutes 00 seconds West, along the Pierhead and Bulkhead Line, a distance of 346.94 feet to the point or place of BEGINNING.

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State of New York, County of Richmond, ss:
I, Stephen J. Fiala, County Clerk and Clerk of the Supreme
Court, Richmond County and Recording Officer for Richmond
County, do hereby certify that I have compared this copy with
the original filed or recorded in my office on
FEB 02 2006
and it is a correct transcript the entire and of the whole of the
original. Witness my hand and seal of said County and Court on

FEB. -2 2006

S. Fiala

CLERK