

Now Corporation  
Site No.: 314008  
Route 9-G  
Town of Clinton, County of Dutchess  
Tax Map: 6267-00-272452

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**ENVIRONMENTAL NOTICE**

**THIS ENVIRONMENTAL NOTICE** is made the 18<sup>th</sup> day of May 2017, 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 identified as Now Corporation (Site 314008), located on 2092 Route 9-G in the Town of Clinton, County of Dutchess, State of New York, which is part of lands conveyed by Linda Fraser and Jo Shute, as Co-Executors of the Last Will and Testament of Robert P. Fried a/k/a Robert Paul Fried to Linda Fraser, Jo Shute, Robert L. Fried, Jean Cook, Jeffrey Fried, Nahila Haffen, and Jamil Kayali by deed 12/21/2013 and recorded on 01/23/14 in the Dutchess County Clerk's Office in Instrument No. 02-2014-567 and being more particularly described in Appendix "A", attached to this noticed 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 remedial program was performed to address the contamination at the Property and such cleanup was conditioned upon certain limitations.

**NOW, THEREFORE**, the Department provides notice that:

**FIRST**, the Property 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, there shall be no disturbance or excavation of the Property which threatens the integrity of the engineering controls (i.e. extraction wells and piping, monitoring wells, or other pump and treat system components) 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 375-1.11(b)(2).

**THIRD**, no person shall disturb, remove, or otherwise interfere with the installation, use, operations, and maintenance of engineering controls required for the Remedy, unless in each instance they first obtain a written waiver of such prohibition from the Department or Relevant Agency.

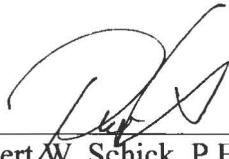
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**FOURTH**, the remedy was designed to be protective for the following uses: Commercial or industrial use as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and (iv). Therefore, any use for purposes other than commercial or industrial use without the 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**, no person shall use the groundwater underlying the Property without treatment rendering it safe for drinking water, 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.

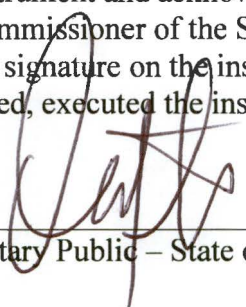
**SIXTH**, it is a violation of 6 NYCRR 375-1.11(b) to use the Property in a manner inconsistent with this environmental notice.

**IN WITNESS WHEREOF**, the undersigned, acting by and through the Department of Environmental Conservation as Designee of the Commissioner, has executed this instrument the day written below.

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

STATE OF NEW YORK     )  
  ) ss:  
COUNTY OF                     )

On the 18<sup>th</sup> day of May, in the year 2017, before me, the undersigned, personally appeared Robert Schick, 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 executed the same in his capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his signature on the instrument, the individual, or the person upon behalf of which 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

**Appendix A**

**Real Property Description**

**ALL THAT TRACT OR PARCEL OF LAND**, with the buildings and improvements thereon, in the Towns of Hyde Park and Clinton, Dutchess County, New York, bounded and described as follows:

PARCEL I: BEGINNING at a point on the east bank of Crum Elbow Creek and at or near to the north side of the east abutment of a former bridge over said creek, said point of beginning being on or near to the town line between the towns of Clinton and Hyde Park; thence north  $27^{\circ} 58'$  east 113.7 feet to a point on the east bank of the aforesaid creek in line with a wall running westerly from the west side of the creek; thence crossing the creek and along the aforementioned wall north  $85^{\circ} 45'$  west 665.7 feet to an angle in the wall; thence along the said wall the following courses and distances: north  $84^{\circ} 17'$  west 652.8 feet; south  $88^{\circ} 05'$  west 176.7 feet; south  $65^{\circ} 21'$  west 27.5 feet; north  $81^{\circ} 56'$  west 332.1 feet; north  $87^{\circ} 22'$  west 1068.1 feet; north  $84^{\circ} 16'$  west 573.0 feet; partly along said wall and to a white oak tree the southwest corner of the herein described parcel; thence north  $36^{\circ} 09'$  east 1783.6 feet along a fence to an intersection with a wall running east and west, said point being the northwest corner of the herein described parcel; thence along the said intersecting wall the following courses and distances: south  $85^{\circ} 42'$  east 913.6 feet; south  $86^{\circ} 00'$  east 1291.9 feet; south  $84^{\circ} 30'$  east 269.8 feet; south  $87^{\circ} 02'$  east 526.9 feet to a wall corner; thence along a wall running northeasterly the following courses and distances; north  $26^{\circ} 06'$  east 59.0 feet; north  $42^{\circ} 20'$  east 124.5 feet; north  $31^{\circ} 14'$  east 161.9 feet; north  $43^{\circ} 08'$  east 101.7 feet; north  $45^{\circ} 18'$  east 382.9 feet; north  $50^{\circ} 54'$  east 173.0 feet to an intersection with a fence on the south side of the Endekill Road; thence along the south side of the Endekill Road the following courses and distances: south  $46^{\circ} 45'$  east 82.3 feet; south  $33^{\circ} 13'$  east 219.8 feet; south  $43^{\circ} 01'$  east 134.1 feet; south  $47^{\circ} 10'$  east 522.4 feet; south  $59^{\circ} 17'$  east 107.5 feet to an intersection with a fence on the west side of the Crum Elbow Creek; thence south  $11^{\circ} 27'$  west 284.0 feet along said fence on the west side of the creek to a point; thence south  $3^{\circ} 31'$  east 64.2 feet along the westerly or southerly side of the original location of the Crum Elbow Creek; thence continuing along the southerly side of the original location of said creek south  $55^{\circ} 48'$  east 140.7 feet to a concrete monument on the west side of the East Park-Pleasant Plains-Wurtemberg State Highway No. 8507; thence along the west side of the said highway south  $36^{\circ} 27'$  west 537.2 feet to a concrete monument on the north shore of the creek; thence along the creek south  $78^{\circ} 44'$  west 82.6 feet to a point on the north or west bank of the original Crum Elbow Creek location, said point being on the westerly extension of the north line of the parcel conveyed by James H. Link and wife to Ruth Mills, wife of Ogden Mills; thence along said north line south  $32^{\circ} 34'$  east 57.0 feet to the west boundary of the East Park-Pleasant Plains-Wurtemberg State Highway No. 8507; thence along the westerly side of said highway the following courses and distances; south  $38^{\circ} 07'$  west 285.7 feet to a concrete monument; south

44° 39' west 272.5 feet to concrete monument; south 52° 59' west 223.4 feet; south 61° 51' west 311.9 feet; north 27° 13' west 9.0 feet to a concrete monument south 62° 47' west 199.0 feet to a concrete monument; south 62° 39' west 409.2 feet to a concrete monument at the end of a wall; thence leaving said highway and along a wall north 48° 18' west 497.0 feet to the place of beginning. Containing one hundred eighty and one one hundredths (180,01) acres more or less.

PARCEL II BEGINNING at the northwest corner at a point in the east side of the East Park-Pleasant Plains-Wurtemberg State Highway No. 8507; said point being in the line with a fence running southeasterly; thence along said fence south 32° 34' east 175.8 feet to an iron pin in the wall on the westerly side of the public road running to Pleasant Plains; thence south 62° 12' west along the west side of said road 327.4 feet to a concrete monument near the intersection of the said road running to Pleasant Plains and the East Park-Pleasant Plains-Wurtemberg State Highway No. 8507; thence north 53° 17' west 37.3 feet to a concrete monument on the east side of the aforesaid state highway thence along the east side of the aforesaid state highway north 38° 55' east 358.0 feet to the place of beginning. Containing eighty one-hundredths (0.80) acres more or less.

Being the property shown on survey of "property to be acquired by Walter Duncan", made by Harold R. Dean and Dated December 1938 revised January 1939.

Being the same premises conveyed from Gladys Phipps to Walter I. L. Duncan dated March 25, 1939 and recorded in the Dutchess County Clerk's Office in Liber 573 of Deeds at page 14 and transferred from Walter I. L. Duncan to Walter I. L. Duncan and Doris Dunning Duncan, his wife, by deed dated June 25, 1940 and recorded in the Dutchess County Clerk's Office in Liber 582 of Deeds at page 357.

PARCEL III: All that lot or parcels of land, with the buildings and improvements thereon, in the Town of Clinton, Dutchess County, New York, bounded and described as follows: /

BEGINNING AT a concrete highway monument on the southeasterly side of the East Park-Pleasant Plains-Wurtemberg State Highway No. 8507, said point being the northeast corner of a triangular parcel of land now or formerly the property of School District No. 10 and is 238.0 feet northeasterly of a fence corner in the southwest corner of said triangular parcel as measured along the highway; thence northeasterly along the southeasterly side of the highway, the following courses and distances: north 64° 12' east 323.0 feet; north 62° 23' east 642.3 feet; north 55° 32' east 102.7 feet to a monument on the old road leading to Pleasant Plains; thence along the southeasterly side of the old road leading to Pleasant Plains, north 62° 36' east 534.1 feet to the northwest corner of the herein described parcel and the southwest corner of the property now or formerly Jacob Z. Frost; thence along the northeasterly bounds of the herein described parcel and along a stone wall south 46° 18' east 494.2 feet, and south 60° 40' east 19.3 feet to a wall corner, thence continuing along the wall the following courses and distances; south 10° 10' west 53.9 feet; south 00° 30' east 98.1 feet south 26° 44' west 28.6 feet to a wall corner; thence continuing along the wall the following courses and distances; south 48° 29' east 89.9 feet; south 39° 58' east 313.3 feet; south 55° 10' east 162.7 feet; south 58° 46' east 75.3 feet; thence continuing along the wall and a prolongation of the wall and crossing over LeRoy Mountain south 46° 35' east 1231.2 feet to an iron pin marked O.M. on the easterly slope of the mountain; the northeast corner of the herein described parcel; thence along a wire fence running from tree to tree the

southeasterly boundary of the herein described parcel the following courses and distances; south 60° 22' west 66.2 feet; south 28° 15' west 133.8 feet; south 17° 54' east 37.2 feet; north 76° 17' west 53.6 feet; south 44° 37' west 198.2 feet; south 29° 58' west 167.3 feet; south 33° 32' west 201.4 feet; south 42° 26' west 146.1; south 53° 46' west 135.3 feet; south 41° 57' west 324.0 feet to an iron pin marked 0. M. The southeast corner of the herein described parcel ;thence along a wire fence running from tree to tree the southwesterly boundary of the herein described parcel the following courses and distances; north 46° 12' west 183.5 feet; north 52° 28' west 605.8 feet; north 43° 24' west 156.6 feet; north 56° 40' west 108.0 feet to an iron pin near a wall corner; thence along a stone wall north 50° 44' west 1152.3 feet; thence continuing along the wall north 48° 59' west 820.8 feet to the southwesterly corner of the herein described parcel, which is an intersection with the easterly line of the property now or formerly School District No. 10, said point being 136.3 feet southeasterly from a fence corner the southwest corner of the former School District No. 10 property; thence along the division line of the herein described parcel and the property now or formerly School District No. 10, north 29° 03' east 221.6 feet to the place of beginning. Containing ninety-nine and thirteen one-hundredths (99.13) acres more or less.

Being the property shown on survey of "property to be acquired by Alan Kent", made by Harold R. Dean and dated January 1939.

Being the same premises conveyed from Alan Kent to Walter I.L. Duncan and Doris Dunning Duncan, his wife, dated June 19, 1940 and recorded in the Dutchess County Clerk's Office in Liber 582 of Deeds at page 435.

EXCEPTING AND RESERVING from the above three parcels so much as has been sold of by the following deeds:

1. To Philetus G. Burger as recorded in the Dutchess County Clerk's Office in Liber 716 of Deeds at page 409;
2. To James Elliott as recorded in the Dutchess County Clerk's Office in Litter 716 of Deeds at Page 634;
3. To Raymond N. logics as recorded in the Dutchess County Clerk's Office in Liber 721 of Deeds at Page 68;
4. To Charles Donlon as recorded in the Dutchess County Clerk's Office in Liber 796 of Deeds at page 440;
5. To John H. Myers, Jr. as recorded in the Dutchess County Cleric's Office in Liber 797 of Deeds at Page 467;
6. To Lorin H. Kipp and Shirley A. Kipp as recorded in the Dutchess County Clerk's Office in Liber 826 at page 165;
7. To Earl Tallmadge and Ellen Talhmadge as recorded in the Dutchess County Clerk's Office in Liber 846 of Deeds at Page 99;
8. To Alvin L. Eignor and Elsie I. Eignor as recorded in the Dutchess County Clerk's Office in Liber 924 of Deeds at Page 490 and Liber 924 of Deeds at Page 493;
9. To Chauncey Gold as recorded in the Dutchess County Clerk's Office in Liber 924 of Deeds at Page 584 and in Liber 924 of Deeds at Page 588.
10. To Henry Barton and Lois R. Barton as recorded in the Dutchess County Clerk's Office in Liber 926 of Deeds at Page 8, and in Liber 926 of Deeds at Page 11.
11. To Albert E. Webb and Helen M. Webb as recorded in the Dutchess County Clerk's Office in Liber 936 of Deeds at Page 20, and in Liber 936 of Deeds at Page 17.

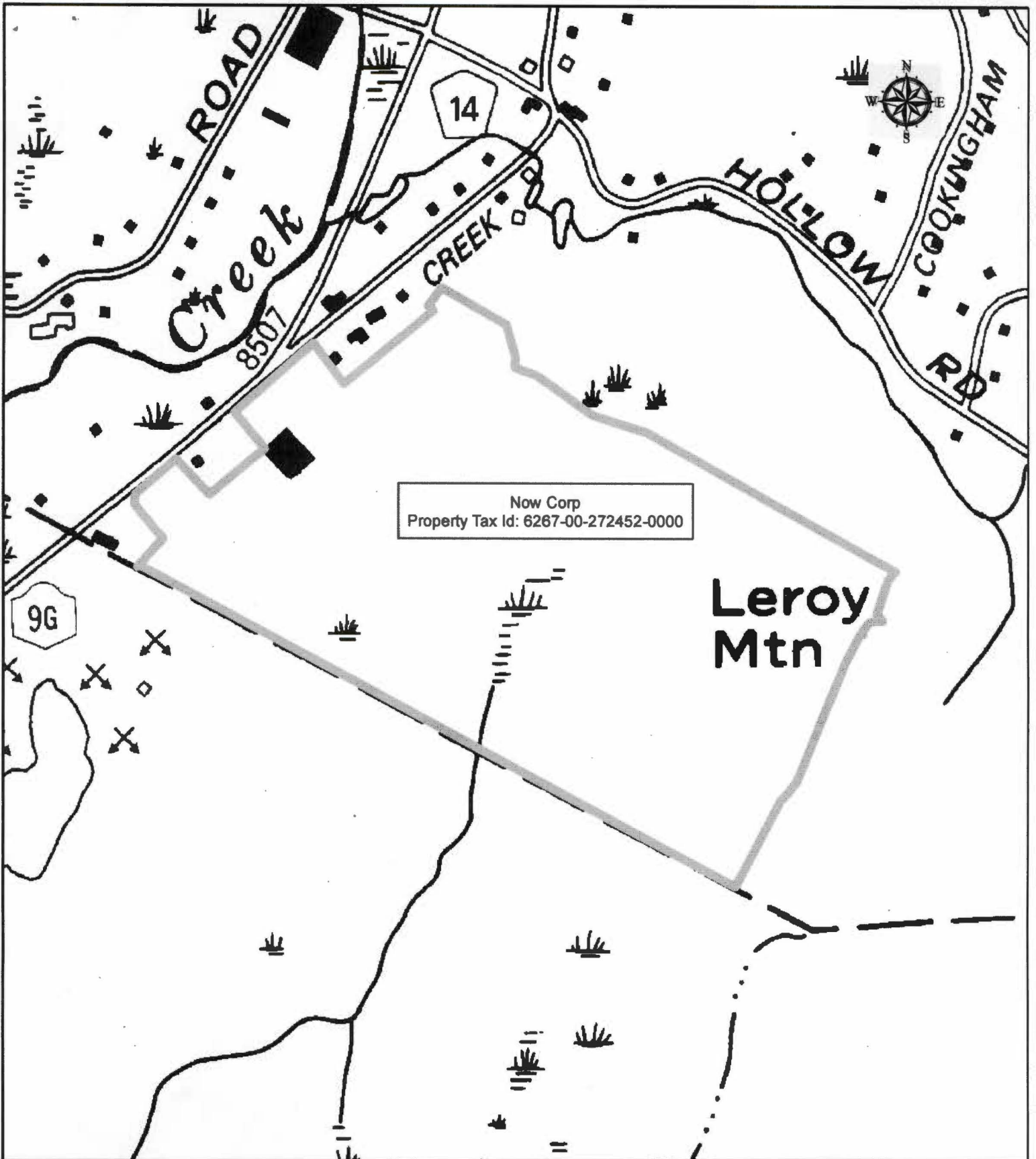
SUBJECT to rights of way of public utilities as recited in said rights of way recorded in the Dutchess county Clerk's Office in Liber 574 of Deeds at Page 488 and in Liber 726 of Deeds at Page 288 and in Liber 895 of Deeds at Page 390.

SUBJECT to conditions, covenants, easements and restrictions of record, if any.

BEING part of premises conveyed by Herman Baskin and Allene J. Baskin to Benjamin T. Brew by deed dated April 21, 1953, which deed was recorded in the Dutchess County Clerk's Office on April 28, 1953 in Liber 829 of Deeds at Page 183. The said Benjamin T. Braw died on February 19, 1956 leaving a Last Will and Testament which was duly admitted to probate in the Dutchess County Surrogate Court.

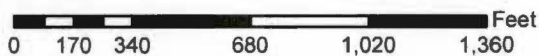
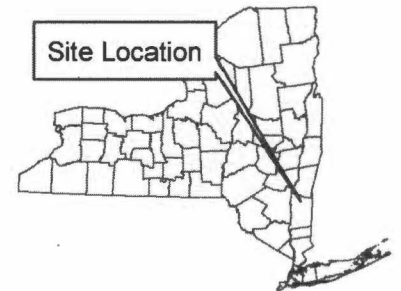
BEING the same premises conveyed by Allene J. Baskin and Anne Woolford Braw to Robert P. Fried by deed dated May 13, 1957 and recorded in the Dutchess County Clerk's Office on August 1, 1957 in Liber 950 of Deeds at page 9.

EXCEPTING THEREFROM any and all property heretofore conveyed by the decedent Robert P. Fried, during his lifetime.



**Now Corp.**  
 NYSDEC Site #314008  
 Route 9G Clinton Corners, NY 12514

NYSDEC Site Project Manager: Carl Hoffman  
 Map Created by: Payson Long  
 Map Created: February 26, 2015  
 Rev. October 19, 2015



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