

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE IN BLACK INK:
NAME(S) OF PARTY(S) TO DOCUMENT

NYS Department of Environmental Conservation
TO
William R. Mayer
Johanna Mayer

SECTION 44 BLOCK 1 LOT 63-92

RECORD AND RETURN TO:
(name and address)

Frontier Abstract
30 West Broad St
Rochester, NY 14614

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER
Rescission of ENV Notice

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
2001 WASHINGTONVILLE (VLG)
2003 SO. BLOOMING GROVE (VLG)
2289 CHESTER (TN)
2201 CHESTER (VLG)
2489 CORNWALL (TN)
2401 CORNWALL (VLG)
2600 CRAWFORD (TN)
2800 DEERPARK (TN)
3089 GOSHEN (TN)
3001 GOSHEN (VLG)
3003 FLORIDA (VLG)
3005 CHESTER (VLG)
3200 GREENVILLE (TN)
3489 HAMPTONBURGH (TN)
3401 MAYBROOK (VLG)
3689 HIGHLANDS (TN)
3601 HIGHLAND FALLS (VLG)
3889 MINISINK (TN)
3801 UNIONVILLE (VLG)
4089 MONROE (TN)
4001 MONROE (VLG)
4003 HARRIMAN (VLG)
4005 KIRYAS JOEL (VLG)
4289 MONTGOMERY (TN)
4201 MAYBROOK (VLG)
4203 MONTGOMERY (VLG)
4205 WALDEN (VLG)
4489 MOUNT HOPE (TN)
4401 OTISVILLE (VLG)
4600 NEWBURGH (TN)
4800 NEW WINDSOR (TN)
5089 TUXEDO (TN)
5001 TUXEDO PARK (VLG)
5200 WALLKILL (TN)
5489 WARWICK (TN)
5401 FLORIDA (VLG)
5403 GREENWOOD LAKE (VLG)
5405 WARWICK (VLG)
5600 WAWAYANDA (TN)
5889 WOODBURY (TN)
5801 HARRIMAN (VLG)
5809 WOODBURY (VLG)
CITIES
0900 MIDDLETOWN
1100 NEWBURGH
1300 PORT JERVIS
9999 HOLD

NO. PAGES 7 CROSS REF. 1
CERT. COPY ADD'L X-REF.
MAP# PGS.
PAYMENT TYPE: CHECK X
CASH
CHARGE
NO FEE
Taxable
CONSIDERATION \$
TAX EXEMPT
Taxable
MORTGAGE AMT. \$

MORTGAGE TAX TYPE:

- (A) COMMERCIAL/FULL
(B) 1 OR 2 FAMILY
(C) UNDER \$10,000
(E) EXEMPT
(F) 3 TO 6 UNITS
(I) NAT.PERSON/CR. UNION
(J) NAT.PER-CR.UN/1 OR 2
(K) CONDO

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED
APR 18 2013
REMEDIAL BUREAU E

Received From FRONTIER

RECORDED/FILED
02/13/2013/ 11:56:34
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20130016786
MISC / BK 1350596 0499
RECORDING FEES 75.00
Receipt#1563195 mcl



TAX # 44-1-63.92

**RESCISSION
OF
ENVIRONMENTAL NOTICE**

THIS RESCISSION OF ENVIRONMENTAL NOTICE is made the 14th day of December 2012, by the New York State Department of Environmental Conservation (the "Department"), having an office for the transaction of business at 625 Broadway, Albany, New York 12233.

WHEREAS, a parcel of real property identified as the Mayer Landfill Site (Site # 3-36-027), located at Prospect Road in the Town of Blooming Grove, County of Orange, State of New York, being the same as that property conveyed to Johanna Mayer and William R. Mayer by deed dated September 24, 1981 and recorded in the Orange County Clerk's Office on October 9, 1981 in Liber 2206 of Deeds at page 1081; and

WHEREAS, the Department filed an Environmental Notice ("Environmental Notice"), dated May 3, 2011, in the Orange County Clerk's Office which was recorded in Book 13183 of Miscellaneous Records at Page 646, setting forth notices and restrictions applicable to the parcel described as the Mayer Landfill Site. A copy of such Environmental Notice and the attachments thereto are attached to this Rescission of Environmental Notice as Appendix "A"; and

WHEREAS, the Metes and Bounds description attached to the Environmental Notice and made a part thereof describe the property subject to the Environmental Notice; and

WHEREAS, Johanna Mayer and William R. Mayer have granted an Environmental Easement dated December 14th, 2012 and recorded in the Orange County Clerk's Office on Feb. 13, 2013 in Book 13505 of Deeds at Page 481 for the Mayer Landfill Site which is shown in the Orange County Clerk's Office as Tax Map Number Section: 44 Block 1 Lot 63.92.

NOW, THEREFORE, the Department provides that:

FIRST, the Department hereby rescinds the Environmental Notice and declares that it shall have no legal force or effect.

SECOND, the Department affirms its recognition that the Environmental Easement serves as the instrument that, *inter alia*, will provide the required Notice of the Engineering and Institutional controls that covers the Mayer Landfill Site.

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: [Signature]
Robert W. Schick, P.E.
Director
Division of Environmental
Remediation

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

On the 14th day of December in the year 2012, 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 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.

[Signature]
Notary Public - State of New York



APPENDIX "A" OF RESCISSION

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:
NAME(S) OF PARTY(S) TO DOCUMENT

New York State Dept
of Environmental
Conservation
TO
Johanna Mayer and
William R. Mayer

SECTION 44 BLOCK 1 LOT 63.92



RECORD AND RETURN TO:
(name and address)

Chicago Title
19 West Main Street
Suite 100
Rochester NY 14614

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED _____ MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

Environmental
Notice

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN) _____ 4289
- 2001 WASHINGTONVILLE (VLG) _____ 4201
- 2003 SO. BLOOMING GROVE (VLG) _____ 4203
- 2289 CHESTER (TN) _____ 4205
- 2201 CHESTER (VLG) _____ 4489
- 2489 CORNWALL (TN) _____ 4401
- 2401 CORNWALL (VLG) _____ 4600
- 2600 CRAWFORD (TN) _____ 4800
- 2800 DEERPARK (TN) _____ 5089
- 3089 GOSHEN (TN) _____ 5001
- 3001 GOSHEN (VLG) _____ 5200
- 3003 FLORIDA (VLG) _____ 5489
- 3005 CHESTER (VLG) _____ 5401
- 3200 GREENVILLE (TN) _____ 5403
- 3489 HAMPTONBURGH (TN) _____ 5405
- 3401 MAYBROOK (VLG) _____ 5600
- 3689 HIGHLANDS (TN) _____ 5889
- 3601 HIGHLAND FALLS (VLG) _____ 5801
- 3889 MINISINK (TN) _____ 5809
- 3801 UNIONVILLE (VLG) _____
- 4089 MONROE (TN) _____
- 4001 MONROE (VLG) _____
- 4003 HARRIMAN (VLG) _____
- 4005 KIRYAS JOEL (VLG) _____

- 4289 MONTGOMERY (TN)
- 4201 MAYBROOK (VLG)
- 4203 MONTGOMERY (VLG)
- 4205 WALDEN (VLG)
- 4489 MOUNT HOPE (TN)
- 4401 OTISVILLE (VLG)
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- 5801 HARRIMAN (VLG)
- 5809 WOODBURY (VLG)
- CITIES**
- 0900 MIDDLETOWN
- 1100 NEWBURGH
- 1300 PORT JERVIS
- 9999 HOLD

NO. PAGES 5 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____
PAYMENT TYPE: CHECK _____
CASH _____
CHARGE _____
NO FEE
Taxable
CONSIDERATION \$ _____
TAX EXEMPT _____
Taxable
MORTGAGE AMT. \$ _____

MORTGAGE TAX TYPE:

- ____ (A) COMMERCIAL/FULL 1%
- ____ (B) 1 OR 2 FAMILY
- ____ (C) UNDER \$10,000
- ____ (E) EXEMPT
- ____ (F) 3 TO 6 UNITS
- ____ (I) NAT.PERSON/CR. UNION
- ____ (J) NAT.PER-CR.UN/1 OR 2
- ____ (K) CONDO

Unit 1 Drawer 20

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

Received From NYS

RECORDED/FILED
06/03/2011/ 10:26:09
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20110052081
MISC / BK 13183PG 0646
RECORDING FEES 0.00
Receipt#1321063 mrl



APPENDIX "A" OF RESCISSION

ENVIRONMENTAL NOTICE

THIS ENVIRONMENTAL NOTICE is made the 3rd day of May 2011, 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, that parcel of real property located at the address of Prospect Road in the Town of Blooming Grove, County of Orange and State of New York, known and designated on the tax map of the County Clerk of Orange as tax map parcel numbers: Section 44 Block 1 Lot 63.92, being the same as that property conveyed by deed dated September 24, 1981 and recorded in the Office of the Orange County Clerk on October 9, 1981 in Liber 2206 of Deeds at Page 1081, from Velia Mayer to Johanna Mayer, having an address of 54 Valencia Street, Half Moon Bay, California 94019, County of San Mateo, State of California and William R. Mayer, having an address at 41 W 71st Street Apt. 1C, New York, New York 10023, County of New York, State of New York, the property being more particularly described in Metes and Bounds description and attached hereto as Appendix "A" to this notice and made a part hereof, and hereinafter referred to as "the Property" and is the subject of a remedial program performed by the Department; and

WHEREAS, the Department approved a cleanup to address contamination disposed at the Property and such cleanup was conditioned upon certain limitations.

NOW, THEREFORE, the Department provides notice that:

FIRST, the part of lands 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 subject to the provisions of the Site Management Plan ("SMP"), there shall be no disturbance or excavation of the Property which threatens the integrity of the engineering controls 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 375-1.1 1(b)(2).

THIRD, no person shall disturb, remove, or otherwise interfere with the installation, use, operation, and maintenance of engineering controls required for the Remedy, including but not limited to those engineering controls described in the SMP and listed below, unless in each instance they first obtain a written waiver of such prohibition from the Department or Relevant Agency.

FOURTH, the remedy was designed to be protective for Commercial or Industrial uses. Therefore, any use for purposes other than Commercial or Industrial uses 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.

APPENDIX "A" OF RESCISSION

APPENDIX "A" METES AND BOUNDS DESCRIPTION

Mayer Landfill
Prospect Road
Orange County, NY
Tax Map: 44 - 1 - 63.92

APPENDIX "A"

METES AND BOUNDS DESCRIPTION

ALL THAT CERTAIN PLOT, piece or parcel of land situate, lying and being in the Town of Blooming Grove, County of Orange and State of New York; being more particularly bounded and described as follows:

BEGINNING AT THE INTERSECTION OF SOUTHERLY BOUNDS OF Prospect Road with the westerly bounds of Peddler Hill road; running thence the following courses and distances:

- 1) Along the westerly bounds of Peddler Hill Road, South 29°- 41'- 57" East, a distance of 439.38 feet; thence
- 2) Along the same, South 26°- 06'- 00" East, a distance of 254.16 feet; thence
- 3) Along the same, South 13°- 17'- 07" East, a distance of 272.29 feet; thence
- 4) Along the same, South 29°- 03'- 06" East, a distance of 404.52 feet to a point of curvature; thence
- 5) Along the same, on a curve to the right having a radius of 175.00 feet, an arc length of 22.03 feet to a point of tangency; thence
- 6) Along the same, South 21°- 50'- 16" East, a distance of 324.17 feet; thence
- 7) Along the same, South 24°- 51'- 56" East, a distance of 29.34 feet; thence
- 8) Along the westerly bounds of the lands now or formerly of Sajduk (Liber 5471 Page 67), being Lot 3 as shown on a map entitled "SUBDIVISION , LANDS OF WILLIAM R. MAYER & JOHANNA MAYER," filed in the Orange County Clerk's Office on September 22, 1983 as Map No. 6355, South 27°- 03'- 50" West, a distance of 508.90 feet; thence
- 9) Along the northeasterly bounds of the lands now or formerly of Formisano (Liber 5846 page 33) and partially along a stone wall, North 52°- 31'- 17" West, a distance of 450.65 feet; thence
- 10) Along the westerly bounds of the same, South 35°- 01'- 25" West, a distance of 682.97 feet; thence
- 11) Along the same, South 35°- 30'- 23" West, a distance of 629.93 feet to a point marked by an iron pipe found; thence
- 12) Along the northerly bounds of the other lands now or formerly of Formisano (Liber 5511 Page 48) and partially along a stone wall, North 88°- 18'- 52" West, a distance of 759.65 feet to a point marked by a cedar fence post found at a stone wall intersection; thence
- 13) Along the same, and along a stone wall, North 17°- 04'- 38" East, a distance of 270.12 feet to a point marked by an iron pipe found in a stone wall corner; thence
- 14) Along the northeasterly bounds of the same, North 68°- 29'- 21" West, a distance of 638.30 feet; thence
- 15) Along the easterly bounds of the lands now or formerly of Consolidated Edison Company of New York, Inc. (Liber 1945 Page 231), North 2°- 13'- 17" East, a distance of 2,086.73 feet; thence
- 16) Along the southwestery bounds of Prospect Road, South 51°- 59'- 33" East, a distance of 658.79 feet; thence
- 17) Along the same, South 53°- 04'- 33" East, a distance of 459.69 feet to a point of curvature; thence
- 18) Along the same, on a curve to the left having a radius of 166.50 feet, an arc length of 257.83 feet to a point of tangency; thence
- 19) Along the southerly bounds of the same, North 38°- 11'- 57" East, a distance of 1,118.41 feet to the place or point of beginning.

Containing 103.848 acres of land more or less.

NEW PROPERTY BOUNDARY DESCRIPTION

1. THE PROPERTY BOUNDARY DESCRIBED HEREON IS THE RESULT OF THE SURVEY OF THE LAND OF THE CITY OF ALBANY, NEW YORK, AND IS SUBJECT TO THE RESTRICTIONS AND CONDITIONS SET FORTH IN THE INSTRUMENTS REFERRED TO IN THIS DESCRIPTION.
2. THE PROPERTY BOUNDARY DESCRIBED HEREON IS THE RESULT OF THE SURVEY OF THE LAND OF THE CITY OF ALBANY, NEW YORK, AND IS SUBJECT TO THE RESTRICTIONS AND CONDITIONS SET FORTH IN THE INSTRUMENTS REFERRED TO IN THIS DESCRIPTION.
3. THE PROPERTY BOUNDARY DESCRIBED HEREON IS THE RESULT OF THE SURVEY OF THE LAND OF THE CITY OF ALBANY, NEW YORK, AND IS SUBJECT TO THE RESTRICTIONS AND CONDITIONS SET FORTH IN THE INSTRUMENTS REFERRED TO IN THIS DESCRIPTION.
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8. THE PROPERTY BOUNDARY DESCRIBED HEREON IS THE RESULT OF THE SURVEY OF THE LAND OF THE CITY OF ALBANY, NEW YORK, AND IS SUBJECT TO THE RESTRICTIONS AND CONDITIONS SET FORTH IN THE INSTRUMENTS REFERRED TO IN THIS DESCRIPTION.
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ENVIRONMENTAL RESTRICTION DESCRIPTION

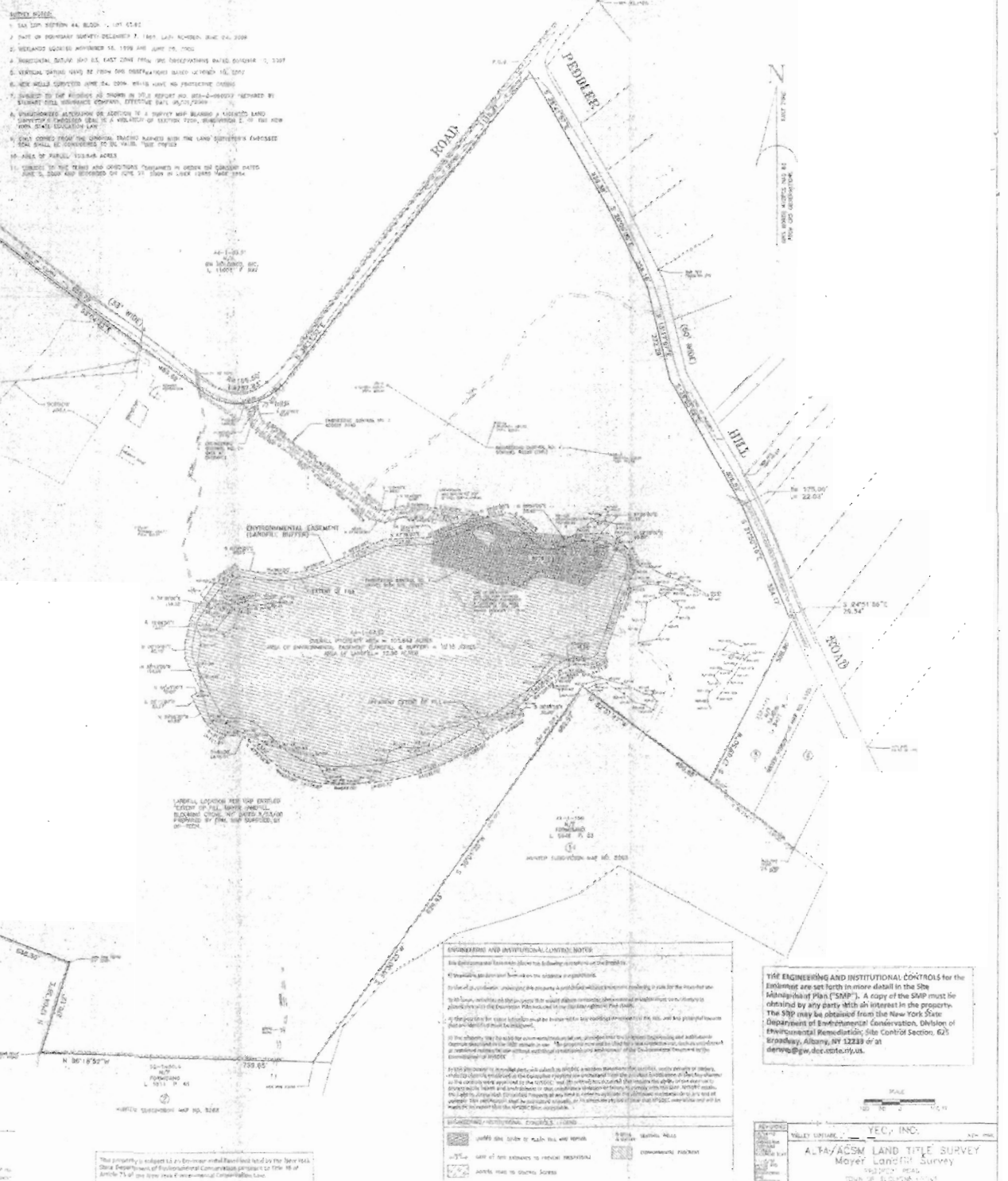
1. THE PROPERTY IS SUBJECT TO THE ENVIRONMENTAL RESTRICTIONS AND CONDITIONS SET FORTH IN THE INSTRUMENTS REFERRED TO IN THIS DESCRIPTION.
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BY-WAY ACCESS ROAD EASEMENT DESCRIPTION

1. THE PROPERTY IS SUBJECT TO THE BY-WAY ACCESS ROAD EASEMENT DESCRIBED HEREON.
2. THE PROPERTY IS SUBJECT TO THE BY-WAY ACCESS ROAD EASEMENT DESCRIBED HEREON.
3. THE PROPERTY IS SUBJECT TO THE BY-WAY ACCESS ROAD EASEMENT DESCRIBED HEREON.
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NOTICES

1. THE PROPERTY IS SUBJECT TO THE RESTRICTIONS AND CONDITIONS SET FORTH IN THE INSTRUMENTS REFERRED TO IN THIS DESCRIPTION.
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ENGINEERING AND INSTITUTIONAL CONTROL NOTES

This Environmental Assessment includes the following information and notes:

- 1. The Environmental Assessment was conducted in accordance with the provisions of the Environmental Assessment Act, Chapter 137 of the Laws of 1987.
- 2. The Environmental Assessment was conducted in accordance with the provisions of the Environmental Assessment Act, Chapter 137 of the Laws of 1987.
- 3. The Environmental Assessment was conducted in accordance with the provisions of the Environmental Assessment Act, Chapter 137 of the Laws of 1987.
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- 10. The Environmental Assessment was conducted in accordance with the provisions of the Environmental Assessment Act, Chapter 137 of the Laws of 1987.

THE ENGINEERING AND INSTITUTIONAL CONTROLS for the Environment are set forth in more detail in the Site Administrative Plan ("SAP"). A copy of the SAP must be obtained by any party with an interest in the property. The SAP may be obtained from the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12242 or at denr@p.w.d.state.ny.us.

ALTA/ACSM LAND TITLE SURVEY
Mayer Land Title Survey

SCALE: 1" = 40'

DATE: 7/2003

BY: [Signature]

CHECKED BY: [Signature]

PROJECT NO.: 1113

This property is subject to an Environmental Remediation Act (ERMA) Order No. 1113-03-001, issued by the New York State Department of Environmental Conservation on 11/15/02.