

Donna G. Silberman, County Clerk
1 South Main St., Ste. 100
New City, NY 10956
(845) 638-5070

Rockland County Clerk Recording Cover Sheet

Received From :
ELITE ABSTRACT & RESEARCH LLC
22 RIDGE ROAD
LYNDHURST, NJ 07071

Return To :
ELITE ABSTRACT & RESEARCH LLC
22 RIDGE ROAD
LYNDHURST, NJ 07071

Method Returned : ERECORDING

First GRANTOR

PEARL RIVER CAMPUS LLC

First GRANTEE

NEW YORK STATE ENVIRONMENTAL CONSERVATION DEPARTMENT

Index Type : Land Records

Instr Number : 2025-00011004

Book : Page :

Type of Instrument : Easement

Type of Transaction : Ease, R-Way, Asmt Rent-Lease

Recording Fee: \$121.00

Recording Pages : 15

The Property affected by this instrument is situated in Clarkstown, in the
County of Rockland, New York

Real Estate Transfer Tax

RETT # : 4900
Deed Amount : \$0.00
RETT Amount : \$0.00
Total Fees : \$121.00

State of New York

County of Rockland

I hereby certify that the within and foregoing was
recorded in the Clerk's office for Rockland
County, New York

On (Recorded Date) : 04/07/2025

At (Recorded Time) : 4.43:56 PM

Donna G. Silberman

Donna G. Silberman
County Clerk



This sheet constitutes the Clerks endorsement required by Section 319 of Real Property Law of the State of New York

**ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36
OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW**

THIS INDENTURE made this 1st day of April, 2025, between Owner, Pearl River Campus LLC, having an office at 11111 Santa Monica Boulevard, Suite 800, Los Angeles, County of Los Angeles, State of California 90025 (the "Grantor"), and The People of the State of New York (the "Grantee"), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the addresses of 401 North Middletown Road in the Town of Clarkstown, County of Rockland and State of New York, known and designated on the tax map of the County Clerk of Rockland as tax map parcel number: Section 63.20 Block 2 Lot 19; and 401 North Middletown Road in the Town of Orangetown, County of Rockland and State of New York, known and designated on the tax map of the County Clerk of Rockland as tax map parcel numbers: Section 68.08 Block 1 Lot 1 and Section 68.12 Block 1 Lot 2; and 403 North Middletown Road in the Town of Orangetown, County of Rockland and State of New York, known and designated on the tax map of the County Clerk of Rockland as tax map parcel number: Section 63.20 Block 1 Lot 3; and 405 North Middletown Road in the Town of Orangetown, County of Rockland and State of New York, known and designated on the tax map of the County Clerk of Rockland as tax map parcel number: Section 63.20 Block 1 Lot 2; and 43A Covenant Road in the Town of Clarkstown, County of Rockland and State of New York, known and designated on the tax map of the County Clerk of Rockland as tax map parcel number: Section 63.16 Block 2 Lot 85, being the same as that property conveyed to Grantor by deed dated November 18, 2015 and recorded in the Rockland County Clerk's Office in Instrument

No. 2015-00034631. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 206.41 +/- acres and is hereinafter more fully described in the Land Title Survey dated October 11, 2019 and revised April 23, 2021 prepared by Edward T. Gannon, P.L.S., which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, residual subsurface soil contamination remains beneath Building 96 and Building 130, which are located on that portion of the Controlled Property that is known and designated on the tax map of the County Clerk of Rockland as tax map parcel number: Section 68.08 Block 1 Lot 1. The property subject to this Environmental Easement for future use restrictions (the "Soil Controlled Property") comprises approximately .048 +/- acres and is hereinafter more fully described in the Land Title Survey dated October 11, 2019 and revised April 23, 2021 prepared by Edward T. Gannon, P.L.S., which will be attached to the Site Management Plan. The Soil Controlled Property description is set forth in and attached hereto as Schedule B; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Order on Consent Index Number: 3-20150325-33, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Soil Controlled Property may be used for:

Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)

(2) The remaining areas of the Controlled Property may be used for all other

purposes, including, but not limited to, Residential as described in 6 NYCRR Part 375-1.8(g)(2)(i), Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii);

(3) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the Controlled Property for drinking water is prohibited without necessary water quality treatment as determined by the NYSDOH or the Rockland County Department of Health to render it safe for use as drinking water, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Soil Controlled Property shall not be used for Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section

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Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must make available to all persons, (upon such person's request), who (i) acquire any interest in the Soil Controlled Property and (ii) acquire any major interest (defined as an ownership interest or any other interest whereby the person has a 15,000 sq ft or greater interest) in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:
(i) are in-place;
(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall

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identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to: Site Number: 344003
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to: Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

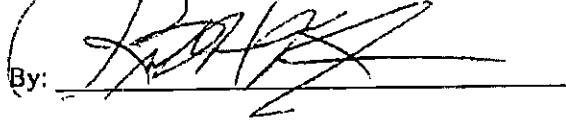
10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

11. Consistency with the SMP. To the extent there is any conflict or inconsistency between the terms of this Environmental Easement and the SMP, regarding matters specifically addressed by the SMP, the terms of the SMP will control.

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IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

Pearl-River Campus LLC:

By: 

Print Name: Richard Klein

Title: Chief Financial Officer

Date : March , 2025

Grantor's Acknowledgment

STATE OF)

) ss:

COUNTY OF)

On the _____ day of _____, in the year 20 __, before me, the undersigned, personally appeared _____, 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/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.

see attached notarial acknowledgment

Notary Public -

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles }

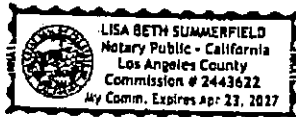
On March 12, 2025 before me, Lisa Beth Summerfield Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Richard H. Klein
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(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 authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature

Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Signer's Name: _____

Corporate Officer – Title(s): _____

Corporate Officer – Title(s): _____

Partner – Limited General

Partner – Limited General

Individual Attorney in Fact

Individual Attorney in Fact

Trustee Guardian or Conservator

Trustee Guardian or Conservator

Other: _____

Other: _____

Signer is Representing: _____

Signer is Representing: _____

THIS 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: Andrew Guglielmi
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

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

On the 18 day of April, in the year 2025 before me, the undersigned, personally appeared Andrew O. Guglielmi, 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 the 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.

Cheryl A. Salem
Notary Public State of New York

Cheryl A. Salem
Notary Public State of New York
Registration No. 01SA0002177
Qualified in Albany County
My Commission Expires March 3, 2027

SCHEDULE "A" CONTROLLED AREA PROPERTY DESCRIPTION

LEGAL DESCRIPTION

Being shown on maps 8282, 8283, 8284, 8285, 8286, 8287, 8288 and 8289 on file in the Rockland County Clerk's Office

PARCEL 1 (S63.20 B2 L19)

All that certain piece or parcel of land lying and being in the Town of Clarkstown, County of Rockland and State of New York and being more particularly bounded and described as follows:

BEGINNING at point; said point lies SOUTH 07°23'54" EAST a distance of 150.13' from the Southerly side of Palisades Avenue at the North West corner of TAX LOT 63.2-2-1:

thence NORTH 80°38'45" EAST a distance of 723.33';
thence SOUTH 08°44'21" EAST a distance of 362.24';
thence SOUTH 82°17'01" WEST a distance of 731.40';
thence NORTH 07°23'54" WEST a distance of 341.51' to the point of BEGINNING.

Having an area of 255,890.68 square feet or 5.874 acres.
Subject to any easements or rights of way that may or may not be on record.

PARCEL 2 (S68.08 B1 PORTION OF LOT 1)

All that certain piece or parcel of land lying and being in the Town of Orangetown, County of Rockland and State of New York, Being known and described as Lot 1 B as shown on certain map entitled "Pearl River Facility Subdivision, etc." filed in the Rockland County Clerk's office on July 31, 2015 as map numbers 8282 through 8289 and being more particularly bounded and described as follows:

BEGINNING at point on the westerly side of South Middletown Road at the South East corner of TAX LOT 63.20-1-1:

thence SOUTH 08°18'44" EAST a distance of 147.00';
thence SOUTH 82°27'12" WEST a distance of 150.00';
thence SOUTH 08°15'26" EAST a distance of 100.00';
thence SOUTH 06°50'10" EAST a distance of 100.00';
thence NORTH 82°27'12" EAST a distance of 150.00';
thence SOUTH 06°50'10" EAST a distance of 80.62';
thence SOUTH 82°35'42" WEST a distance of 6.56';
thence SOUTH 07°28'13" EAST a distance of 595.54';
thence NORTH 83°03'34" EAST a distance of 5.18';
thence SOUTH 07°53'27" EAST a distance of 383.83';
thence SOUTH 09°44'05" EAST a distance of 183.81';
thence SOUTH 07°41'36" EAST a distance of 233.23';
thence SOUTH 08°45'12" EAST a distance of 64.30';
thence SOUTH 10°40'21" EAST a distance of 109.45';
thence SOUTH 89°58'17" WEST a distance of 664.42';
thence SOUTH 01°20'37" WEST a distance of 350.21';

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thence NORTH 88°39'23" WEST a distance of 77.26';
thence NORTH 00°44'28" EAST a distance of 66.80';
thence NORTH 89°15'32" WEST a distance of 39.66';
thence NORTH 01°18'37" EAST a distance of 87.71';
thence NORTH 88°28'15" WEST a distance of 94.56';
thence SOUTH 02°23'21" WEST a distance of 29.96';
thence NORTH 89°19'41" WEST a distance of 118.43';
thence SOUTH 02°01'50" WEST a distance of 118.27';
thence NORTH 88°26'10" WEST a distance of 52.80';
thence NORTH 88°32'40" WEST a distance of 145.26';
thence SOUTH 01°19'24" WEST a distance of 974.70';
thence SOUTH 82°21'23" WEST a distance of 1009.44';
thence SOUTH 82°24'59" WEST a distance of 593.35';
thence SOUTH 82°24'59" WEST a distance of 249.98';
thence SOUTH 05°31'03" EAST a distance of 50.00';
thence SOUTH 06°01'28" EAST a distance of 50.00';
thence SOUTH 83°43'20" WEST a distance of 50.00';
thence with a curve turning to the right with a radius of 5703.15' and on arc length of 3584.94';
thence NORTH 82°17'01" EAST a distance of 1851.27';
thence NORTH 82°36'02" EAST a distance of 104.87';
thence SOUTH 08°18'44" EAST a distance of 99.91';
thence NORTH 82°36'02" EAST a distance of 154.85' to the point of BEGINNING.

Having an area of 7,867,653.27 square feet or 180.616 acres
Subject to any easements or rights of way that may or may not be on record.

PARCEL 3 (S68.12 B1 L2)

All that certain piece or parcel of land lying and being in the Town of Orangetown, County of Rockland and State of New York and being more particularly bounded and described as follows:

BEGINNING at point on the northerly side of New York State Route 304 at the South East corner of TAX LOT 68.12-1-1:

thence NORTH 07°22'18" WEST a distance of 124.82';
thence NORTH 82°24'59" EAST a distance of 593.35';
thence SOUTH 74°39'25" WEST a distance of 321.52';
thence SOUTH 65°56'18" WEST a distance of 287.02' to the point of BEGINNING.

Having on area of 30,037.18 square feet or 0.69 acres
Subject to any easements or rights of way that may or may not be on record.

PARCEL 4 (S63.20 B1 L3)

All that certain piece or parcel of land lying and being in the Town of Orangetown, County of Rockland and State of New York and being more particularly bounded and described as follows:

BEGINNING at point, said point lies SOUTH 08°18'4" EAST a distance of 243.27' and thence SOUTH 06°50'10" EAST a distance of 3.73' from the westerly side of South Middletown Road at the South East corner of TAX LOT 63.20-1-1:

thence SOUTH 06°50'10" EAST a distance of 100.00';
thence SOUTH 82°27'12" WEST a distance of 150.00';
thence NORTH 06°50'10" WEST a distance of 100.00';
thence NORTH 82°27'12" EAST a distance of 150.00' to the point of BEGINNING.

Having an area of 14,998.85 square feet or 0.34 acres
Subject to any easements or rights of way that may or may not be on record.

PARCEL 5 (\$63.20 B1 L2)

All that certain piece or parcel of land lying and being in the Town of Orangetown, County of Rockland and State of New York and being more particularly bounded and described as follows:

BEGINNING at point, said point lies SOUTH 08°18'44" EAST a distance of 147.00' from the westerly side of South Middletown Road at the South East corner of TAX LOT 63.20-1-1;

thence SOUTH 08°18'44" EAST a distance of 96.27';
thence SOUTH 06°50'10" EAST a distance of 3.73';
thence SOUTH 82°27'12" WEST a distance of 150.00';
thence NORTH 08°15'26" WEST a distance of 100.00';
thence NORTH 82°27'12" EAST a distance of 150.00' to the point of BEGINNING.

Having an area of 15,003.29 square feet or 0.34 acres
Subject to any easements or rights of way that may or may not be on record.

PARCEL 6 (\$63.16 B2 L85)

All that certain piece or parcel of land lying and being in the Town of Clarkstown, County of Rockland and State of New York and being more particularly bounded and described as follows:

BEGINNING at point; said point lies NORTH 07°23'54" WEST a distance of 10.56' from the Southerly side of Palisades Avenue at the North West corner of TAX LOT 63.2-2-1;

thence SOUTH 07°23'54" EAST a distance of 502.20';
thence SOUTH 82°17'01" WEST a distance of 1119.87';
thence with a curve turning to the right with a radius of 5703.15', and an arc length of 55.89';
thence NORTH 30°17'57" EAST a distance of 1774.37';
thence SOUTH 07°35'56" EAST a distance of 250.44';
thence SOUTH 07°23'56" EAST a distance of 689.50' to the point of BEGINNING.

Having an area of 808,265.35 square feet or 18.55 acres.
Subject to any easements or rights of way that may or may not be on record.

County: Rockland Site No: 344003 Order on Consent Index : 3-20150325-33

TOTAL having an area of 8,991,848.62 square feet or 206.41 acres.

SCHEDULE "B" SOIL CONTROLLED AREA PROPERTY DESCRIPTION

"SWMU" Area in Basement of Building 96

All that certain piece or parcel of land lying and being in the Town of Orangetown, County of Rockland and State of New York. Being Building number 96 on a map entitled "R & D Subdivision, Section 68.08 Block 1 Lots 1A & 1B" on file in the Rockland County Clerk's Office. Being more particularly bounded and described as follows:

Beginning at a point, point being the following courses and distances from the Southwesterly corner of Building "96A". 2.4' East along the Southerly wall of building "96A" to the Northwest corner of building "96" thence 18' South along the Westerly Building Wall of Building "96" to the point of beginning. Thence through Building "96" the following courses and distances.

1. An angle of 90° from the Northwest corner of building "96" and a distance of 12'.
Thence
2. An angle of 270° and a distance of 17.0'. Thence
3. An angle of 270° and a distance of 19.8'. Thence
4. An angle of 270° and a distance of 7.0'. Thence
5. An angle of 90° and a distance of 7.8'
6. An interior angle of 270° and a distance of 10'.

Containing 258 Square Feet or 0.006 acres.

"SWMU" Area in Basement of Building 130

All that certain piece or parcel of land lying and being in the Town of Orangetown, County of Rockland and State of New York. Being Building number 120 on a map entitled "R & D" Subdivision, Section 68.08 Block 1 Lots 1A & 1B" on file in the Rockland County Clerk's Office. Being more particularly bounded and described as follows:

Beginning at a point, point being the following courses and distances from the Northwesterly corner of building "120". 30.0' South along the Westerly wall of building "120", thence through Building "120" at an angle of 90° from the Westerly wall of building "123" a distance of 17.5'. Thence Through the interior of building "130" the following courses and distances.

1. An angle of 90° from the Northerly wall of building "120" and a distance of 25'.
Thence
2. An angle of 270° and a distance of 73.4'. Thence
3. An angle of 270° and a distance of 25'. Thence
4. An Angle of 270° and a distance of 73.4.

Containing 1,835 Square Feet or 0.042 acres

TOTAL containing 2,093 Square Feet or 0.048 acres.

Saiber

ATTORNEYS AT LAW

Randi Schillinger
973-622-3455
rschillinger@saiber.com

April 10, 2025

Via Certified Mail, R.R.R.

Rosanna Sfraga, Town Clerk
Town of Orangetown
26 W. Orangeburg Road
Orangeburg, NY 10962

Re: Environmental Easement

Dear Ms. Sfraga:

Attached please find a copy of an environmental easement granted to the New York State Department of Environmental Conservation ("Department")

on April 1, 2025,
by Pearl River Campus LLC,
for property at 401 North Middletown Road, 403 North Middletown Road, and 405 North Middletown Road,
Tax Map No. 68.08-1-1 & 68.12-1-2, 63.20-1-3, and 63.20-1-2, respectively,
DEC Site No: 344003.

(The easement also includes the following properties located in the Town of Clarkstown: 401 North Middletown Road and 43A Covenant Road; Tax Map No. 63.20-2-19 and 63.16-2-85, respectively; DEC Site No: 344003) (collectively the "Property"). The Town of Clarkstown has also been sent a similar letter.

This Environmental Easement restricts the future use of (i) the area that is beneath Building 96 and Building 130, which are located on that portion of the Property in the Town of Orangetown known and designated on the tax map of the County of Rockland as tax map parcel number: Section 68.08 Block 1, Lot 1 comprising approximately .048 +/- acres and is set forth as Schedule B on the Environmental Easement, to commercial or industrial uses and (ii) the remainder of the Property, of which are in the Town of Clarkstown and the Town of Orangetown comprising 206 +/- acres and is set forth as Schedule A on the Environmental Easement, to all other purposes including but not limited to residential and restricted residential uses. The Environmental Easement also restricts the use of the groundwater underlying the Property for drinking water. Department approval is also required prior to any groundwater use. Any on-site

Rosanna Sfraga, Town Clerk
April 10, 2025
Page 2 of 2

activity must be done in accordance with the Environmental Easement and the Site Management Plan which is incorporated into the Environmental Easement.

Article 71, Section 71-3607 of the New York State Environmental Conservation Law requires that:

1. Whenever the department is granted an environmental easement, it shall provide each affected local government with a copy of such easement and shall also provide a copy of any documents modifying or terminating such environmental easement.
2. Whenever an affected local government receives an application for a building permit or any other application affecting land use or development of land that is subject to an environmental easement and that may relate to or impact such easement, the affected local government shall notify the department and refer such application to the department. The department shall evaluate whether the application is consistent with the environmental easement and shall notify the affected local government of its determination in a timely fashion, considering the time frame for the local government's review of the application. The affected local government shall not approve the application until it receives approval from the department.

An electronic version of every environmental easement that has been accepted by the Department is available to the public at: <http://www.dec.ny.gov/chemical/36045.html>. Please forward this notice to your building and/or planning departments, as applicable, to ensure your compliance with these provisions of New York State Environmental Conservation Law. If you have any questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,



Randi Schillinger

RS/cd
Enc.

cc: Pearl River Campus, LLC
New York State Department of Environmental Conservation, Attn: Cheryl A. Salem



Randi Schillinger
973-622-3455
rschillinger@saiber.com

April 10, 2025

Via Certified Mail, R.R.R.
Lauren Marie Wohl, Town Clerk
Town of Clarkstown
10 Maple Avenue
New City, NY 10956

Re: Environmental Easement

Dear Ms. Wohl:

Attached please find a copy of an environmental easement granted to the New York State Department of Environmental Conservation ("Department")

on April 1, 2025,
by Pearl River Campus LLC,
for property at 401 North Middletown Road and 43A Covenant Road,
Tax Map No. 63.20-2-19 and 63.16-2-85, respectively,
DEC Site No: 344003.

(The easement also includes the following properties located in the Town of Orangetown: 401 North Middletown Road, 403 North Middletown Road, 405 North Middletown Road; Tax Map No. 68.08-1-1 & 68.12-1-2, 63.20-1-3, and 63.20-1-2, respectively; DEC Site No: 344003) (collectively the "Property"). The Town of Orangetown has also been sent a similar letter. .


This Environmental Easement restricts the future use of (i) the area that is beneath Building 96 and Building 130, which are located on that portion of the Property in the Town of Orangetown known and designated on the tax map of the County of Rockland as tax map parcel number: Section 68.08 Block 1, Lot 1 comprising approximately .048 +/- acres and is set forth as Schedule B on the Environmental Easement, to commercial or industrial uses and (ii) the remainder of the Property, of which are in the Town of Clarkstown and the Town of Orangetown comprising 206+/- acres and is set forth as Schedule A on the Environmental Easement, to all other purposes including but not limited to residential and restricted residential uses. The Environmental Easement also restricts the use of the groundwater underlying the Property for drinking water. Department approval is also required prior to any groundwater use. Any on-site activity must be done in accordance with the Environmental Easement and the Site Management Plan which is incorporated into the Environmental Easement.

Article 71, Section 71-3607 of the New York State Environmental Conservation Law requires that:

1. Whenever the department is granted an environmental easement, it shall provide each affected local government with a copy of such easement and shall also provide a copy of any documents modifying or terminating such environmental easement.
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An electronic version of every environmental easement that has been accepted by the Department is available to the public at: <http://www.dec.ny.gov/chemical/36045.html>. Please forward this notice to your building and/or planning departments, as applicable, to ensure your compliance with these provisions of New York State Environmental Conservation Law. If you have any questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,



Randi Schillinger

RS/cd

Enc.

cc: Pearl River Campus, LLC
New York State Department of Environmental Conservation, Attn: Cheryl A. Salem

AFFIDAVIT OF SERVICE OF MAIL

State of New Jersey :
: SS
County of Morris :

In the Matter of the Environmental Easement of Lederle Labs, Site No.: 344003

I, Randi Schillinger, of full age, being duly sworn according to law, on my oath depose and say: I am not a party to this action, I am over 18 years of age, and I am a Member of Saiber LLC.

On April 10, 2025, notice to all municipal clerks affected in the referenced matter was sent via Certified Mail, Return Receipt Requested to:

Rosanna Sfraga, Town Clerk
Town of Orangetown
26 W. Orangeburg Road
Orangeburg, NY 10962

Lauren Marie Wohl, Town Clerk
Town of Clarkstown
10 Maple Avenue
New City, NY 10956

Copies of the certified mail receipts are attached hereto.


Randi Schillinger

Sworn and subscribed to before me this
10th day of April, 2025



Notary Public, State of New Jersey



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Sent To Rosanna Fraga, Town Clerk
 Street and Apt. No., or PO Box No. 26 W. Orangeburg Rd.
 City, State, ZIP+4® Orangeburg, NY 10962

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$		
Postage	\$		
Total Postage and Fees	\$		

Sent To Lauren Mariewohl, Town Clerk
 Street and Apt. No., or PO Box No. 10 Maple Avenue
 City, State, ZIP+4® New City, NY 10956

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions