

29/05


**EXHIBIT "C"**  
**NOTICE OF ORDER**

Atlantic Richfield Company and ARCO Environmental Remediation, LLC ("Respondents") have entered into an Order On Consent (Index No. W2-1000-04-05) (the "Order") with the New York State Department of Environmental Conservation (the "Department") relative to an Inactive Hazardous Waste Disposal Site under Article 27, Title 13, and Article 71, Title 27 of the Environmental Conservation Law of the State of New York ("ECL") for the Harbor at Hastings Site, OU-1, located at 1 River Road, Village of Hastings on Hudson, Westchester County, New York, 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 No. 3-60-022. The Department has classified the Site as a Class "2" site pursuant to ECL Section 27-1305.4.b. This classification means that the Department has determined that the Site presents a significant threat to the public health or environment. The Site is more particularly described in the legal description that is attached hereto as Schedule "A."

The purpose of the Order is to remediate the environmental conditions at or migrating from OU-1 of the Site. The effective date of the Order was March 25, 2005. A copy of the Order, as well as any and all Department-approved Work Plans under this Order can be reviewed at the Department's Tarrytown offices located at 200 White Plains Road, 5<sup>th</sup> Floor by contacting Denise D'Ambrosio.

This Notice of Order is being filed with the Westchester County Clerk (or City Register) in accordance with Section XII of the Order to give all parties who may acquire any interest in the Site notice of this Order.

STATE OF NEW YORK, COUNTY OF WESTCHESTER, SS.	
I, LEONARD N. SPANO, COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS, WESTCHESTER COUNTY, DO HEREBY CERTIFY THAT I HAVE COMPILED THIS COURT WITH THE ORDER, THEREOF FILED IN MY OFFICE ON <u>4/22/05</u> AND THAT THE SAME IS A CORRECT TRANSCRIPT THEREOF AND OF THE PROCEEDINGS THEREIN.	
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIRMED MY OFFICIAL SEAL.	
	
COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS, WESTCHESTER COUNTY.	
FEE PAID	<u>4.22.05</u>

**RECEIVED**  
APR 22 2005  
LEONARD N. SPANO  
COUNTY CLERK  
COUNTY OF WESTCHESTER

WHEREFORE, the undersigned has signed this Notice of Order in compliance with the terms of the Order.

Respondents Atlantic Richfield Company  
and ARCO Environmental Remediation,  
LLC

By: Stephen A. Scott

Title: Chairman and CEO

Date: 04 MARCH 2005

Illinois  
STATE OF ~~NEW YORK~~

COUNTY OF DuPage

) ss.:



On the 4<sup>th</sup> day of March in the year 2005 before me, the undersigned, a notary public in and for said State, personally appeared Stephen A. Scott 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 this instrument.

Voncille Stone  
Notary Public

# CHICAGO TITLE INSURANCE COMPANY

## SCHEDULE A DESCRIPTION

Title No.: 9610-26127

### PARCEL I

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Hastings-on-Hudson, Town of Greenburgh, County of Westchester and State of New York, bounded and described as follows:

Beginning at a point on the westerly line of the Penn Central Railroad-Hudson Division (formerly New York Central Railroad) where the same is intersected by the northerly line of land now or formerly of Mobil Oil Corporation, formerly of Zinsser & Company, Inc., said point being the southeasterly corner of the herein described premises;

RUNNING THENCE along said land of Mobil Oil Corporation, North 87° 24' West 482.33 feet to the westerly line of land granted by the People of the State of New York to the National Conduit & Cable Co. by Letters Patent dated February 17, 1903, recorded in Book 54 of Patents at Page 2;

THENCE along said westerly line of said grant, North 0° 56' 10" East 1071.88 feet to the southerly line of land granted by the People of the State of New York to the National Brass & Copper Tube Company by Letters Patent dated January 3, 1912;

THENCE along said southerly line of said land grant, North 87° 14' West 141.87 feet to the pierhead and bulkhead line of the Hudson River approved by the Secretary of War on April 5, 1907;

THENCE along said pierhead and bulkhead line, North 2° 42' 01" East 535.49 feet to northerly line of land granted by The People of the State of New York to the Hastings Pavement Company by Letters Patent dated December 4th, 1911, said line also being the southerly line of land now or formerly of Service Manufacturing Co., Inc.;

THENCE along land of Service Manufacturing Co., Inc., the following courses and distances:

South 87° 21' East 254.85 feet,  
North 2° 46' East 50.00 feet,  
South 87° 21' East 361.41 feet,  
North 2° 46' East 112.02 feet, and  
North 89° 36' East 36.55 feet to a point on the westerly line of the Penn Central Railroad-Hudson Division (formerly New York Central Railroad);

THENCE along the westerly line of the Railroad, the following courses and distances:

South 2° 46' 00" West along a line distant 33.00 feet westerly from and parallel with the monument center line of the Railroad, a distance of 225.10 feet,

North 81° 37' 00" West 12.06 feet,  
South 2° 46' 00" West 80.00 feet,

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South 81° 37' 00" East 12.06 feet,  
South 2° 46' 00" West along a line distant 33.00 feet westerly from and parallel  
with the monumented center line of the Railroad, a distance of 482.55 feet,  
South 86° 51' 50" East 4.46 feet,  
South 2° 20' 28" West 469.97 feet,  
South 2° 44' 57" West 163.30 feet,  
South 2° 56' 44" West 200.56 feet,  
South 1° 05' 26" West 100.41 feet,  
South 83° 21' 20" West 6.06 feet,  
Southerly along a curve to the left having a radius of 6,221.00 feet, a distance  
of 32.36 feet, and  
South 0° 19' 44" West 15.54 feet to the point and place of beginning.

PARCEL II

ALL that certain piece or parcel of land now or formerly under the waters of the  
Hudson River, situate in the Village of Hastings-on-Hudson, Town of Greenburgh,  
County of Westchester and State of New York, more particularly bounded and  
described as follows:

BEGINNING at a point in the westerly bounds of River Street at the northeast  
corner of lands of Joseph L. Berkman, said point being distant,  
North 83° 45' 14" West 81.18 feet from Station 103 + 342.25 of the monumented  
centerline of the New York Central Railroad (Hudson Division) now Conrail;

THENCE South 02° 46' 00" West along the westerly bounds of River Street, (and  
along land grants made to:

- (1) Thomas E. Crimmins dated February 6, 1906,
- (2) National Brass & Copper Tube Company dated September 30, 1907,
- (3) N.Y. State Realty & Terminal Company dated September 4, 1907, and
- (4) The National Brass & Cooper Tube Company dated March 4, 1909), 740.34 feet  
to a point;

THENCE along the southerly bounds of the lands granted to The National Brass &  
Cooper Tube Company dated March 4, 1909, the following three courses and  
distances:

1. North 87° 21' 00" West 361.41 feet;
2. South 02° 46' 00" West 50.00 feet; and
3. North 87° 21' 00" West 36.27 feet to a point;

THENCE northerly through the aforesaid land grants, the following eleven courses  
and distances:

1. North 02° 43' 20" East 18.51 feet;
2. North 84° 31' 41" West 61.07 feet;
3. North 08° 35' 21" West 69.85 feet;
4. North 01° 18' 37" East 56.46 feet;

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5. North 02° 55' 46" East 65.95 feet;
6. North 01° 38' 38" East 97.87 feet;
7. North 87° 04' 14" West 23.60 feet;
8. North 00° 01' 21" West 249.22 feet;
9. North 03° 30' 30" East 88.87 feet;
10. North 07° 36' 29" East 159.85 feet;
11. North 61° 00' 00" East 47.32 feet to a point in the northerly bounds of the said land grant to the National Brass & Copper Tube Company dated September 30, 1907;

THENCE South 82° 06' 00" East along the northerly bounds of the last mentioned land grant and the aforesaid land grant to Thomas E. Crimmins dated February 6, 1906, 458.31 feet to the point and place of BEGINNING.

Together with the benefits and subject to the burdens of a certain instrument entitled, "Right-Of-Way And Easement Agreement" by and between The Harbor at Hastings Associates and Uhlich Color Company, Inc. dated as of February 18, 1998 and recorded on 8/24/98 in Liber 12089 cp 256.