

Young / Sommer LLC

ATTORNEYS AT LAW

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Dean S. Sommer, Esq.

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May 16, 2022

Kieran McCarthy, Esq.
New York State Department of Environmental Conservation
Office of General Counsel
625 Broadway
Albany, N.Y. 12233-1500

Brianna Scharf, Project Manager
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233

**Re: Store Away Warehousing at Guilderland, LLC
DEC Site No. 401046**

Dear Kieran and Brianna:

Pursuant to paragraph IIB of the Settlement Agreement, enclosed is a certified copy of the Notice of Settlement Agreement relative to the above matter. Please note this was filed in the Albany County Clerk's Office on May 12, 2022, under Instrument No. 22-119.

Thank you.

Very truly yours,



Dean S. Sommer

Enclosure

cc: Store Away Warehousing at Guilderland, LLC

STATE OF NEW YORK
ALBANY COUNTY

I, Bruce A. Hidley, Clerk of the County of Albany of the County Court of said County and of the Supreme Court, both being courts of Record having a common seal, DO HEREBY CERTIFY that I have compared this copy with the original

DESCRIPTION: MISCELLANEOUS

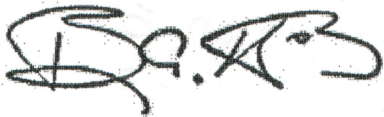
DATE: 05/12/2022

INSTRUMENT#: 22-119

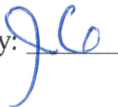
filed, recorded, or entered in this office and that the same is a correct transcript thereof and of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County and Courts on

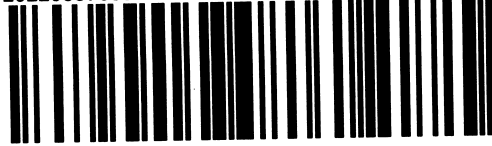
Date: 05/12/2022



Bruce A. Hidley
Albany County Clerk

By: 

20220537689



Fees \$5.00

Bruce A. Hidley, Albany County Clerk

Instr # 22-119

05/12/2022

09:38:52 AM

0 Pages

MISCELLANEOUS

Clerk JG

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

RECEIVED

2022 MAY 12 AM 9:38

ALBANY COUNTY CLERK

In the Matter of the Development and Implementation
of a Remedial Program for an Inactive Hazardous Waste
Disposal Site Under Article 27, Title 13 of the
Environmental Conservation Law by

**NOTICE OF
SETTLEMENT
AGREEMENT**

Index # CO 4-20211018-86

Store Away Warehousing at Guilderland, LLC

DEC Site No. 401046

Respondent.

Store Away Warehousing At Guilderland, LLC ("Respondent") is subject to a Settlement Agreement (Index No. CO 4-20211018-86) (the "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 50 Railroad Avenue, Colonie, NY and 54 Railroad Avenue, Guilderland, NY 12205 (the "Site").

The Department classified the Site as a Class "4" site pursuant to ECL Section 27-1305(4)(b). The Site is more particularly described in the legal description attached hereto as Schedule "A."

The purpose of the Settlement Agreement is to facilitate the development and implementation of an inactive hazardous waste disposal site remedial program for the Site. The effective date of the Settlement Agreement was March 11, 2022. A copy of the Settlement Agreement, as well as any and all Department-approved Work Plans and Reports under this Settlement Agreement may be reviewed at the Department's Central Office located at 625 Broadway, Albany, New York. The Settlement

Agreement was filed with the Albany County Clerk's Office on April 18, 2022 under Instrument No. R2022-10049.

This Notice of Settlement Agreement is being filed with the Albany County Clerk's Office in accordance with Paragraph II of the Settlement Agreement to give all parties who may acquire any interest in the Site notice of the Settlement Agreement.

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

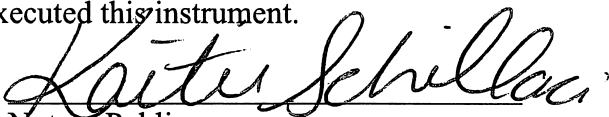
Dated: April 21, 2022

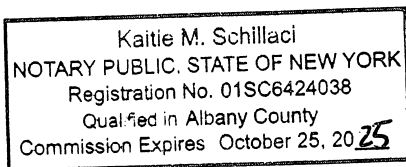
STORE AWAY WAREHOUSING AT
GUILDERLAND, LLC


By: Jeffrey Gordon, Member

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

On the 21 day of April 2022 before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey Gordon, on behalf of Store Away Warehousing at Guilderland, LLC, 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, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed this instrument.


Notary Public



SCHEDULE A

The Site subject to the Settlement Agreement has been assigned number 401046 by the Department, consists of approximately 3.26 acres and is described as follows:

Subject Property Description

Tax Map/Parcel No. 53.4-4-24

Address: 50 Railroad Avenue, Town of Colonie, NY

Tax Map/Parcel No. 53.05-1-15

Address: 54 Railroad Avenue, Town of Guilderland, NY

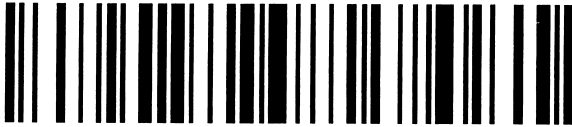
A copy of the Deed dated April 12, 2022 and filed in the Albany County Clerk's Office on April 12, 2022 under Instrument # R2022-9620 is attached hereto.



ALBANY COUNTY – STATE OF NEW YORK
BRUCE A. HIDLEY COUNTY CLERK
16 EAGLE STREET, ALBANY, NEW YORK 12207

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



INSTRUMENT #: R2022-9620

Receipt#: 20220530857

Clerk: KT

Rec Date: 04/12/2022 01:18:20 PM

Doc Grp: D

Descrip: DEED

Num Pgs: 9

Rec'd Frm: STORE AWAY WAREHOUSING AT
GUILDERLAND

Party1: ALBANY COUNTY DEPT OF
MANAGEMENT & BUDGET COMMISSIONER

Party2: STORE AWAY WAREHUSING AT
GUILDERLAND LLC

Muni: COLONIE TOWN
GUILDERLAND TOWN

Recording:

Cover Page	5.00
Recording Fee	60.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	0.00
Notice of Transfer of Sal	0.00
RP5217 Residential/Agricu	0.00
RP5217 - County	0.00

Sub Total: 85.00

Transfer Tax
Transfer Tax - State 0.00

Sub Total: 0.00

Total: 85.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax #: 6340
Transfer Tax

Total: 0.00

Record and Return To:

ALBANY COUNTY DEPARTMENT OF LAW
112 STATE STREET ROOM 600
ALBANY, NY 12207

THIS PAGE CONSTITUTES THE CLERK'S
ENDORSEMENT, REQUIRED BY SECTION 316-a (5)
& 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK.

Bruce A. Hidley
Albany County Clerk

*7-4-19
G. H.
G. H.
C. H.*

RECORD AND RETURN TO:
ALBANY COUNTY DEPARTMENT OF LAW
112 State Street, Room 600
Albany, New York 12207

DEED

THIS INDENTURE, made the 12th day of April 2022, between

M. DAVID REILLY, JR., Commissioner of the Albany County Department of Management and Budget, as **ENFORCING OFFICER OF THE COUNTY OF ALBANY, NEW YORK, TAX DISTRICT**, having its principal office located at 112 State Street, Albany, New York 12207 ("Grantor") and

STORE AWAY WAREHOUSING AT GUILDERLAND, LLC having an office located at 50 State Street, 6th Floor, Albany, New York 12207 ("Grantee"),

WHEREAS, pursuant to Article Eleven, Title 3, of the Real Property Tax Law the Tax District heretofore brought a proceeding in the County Court of the State of New York, County of Albany, under **Index No. 5838-04** entitled "In the Matter of the Foreclosure of Tax Lien "In Rem" Delinquent Proceeding brought pursuant to Article Eleven, Title 3 of the Real Property Tax Law by THE COUNTY OF ALBANY, NEW YORK, TAX DISTRICT, against the Parcels of Real Property included in the **LIST OF DELINQUENT TAXES filed on March 17, 2006 covering the TOWNS of Albany County**", and

WHEREAS, Summary Judgment of Foreclosure by Default was granted to the Tax District in said proceeding on October 4, 2019 and entered on October 8, 2019 directing the Grantor to execute and cause to be recorded a Deed conveying to the Tax District title to the parcel of real property located in the City of Albany, County of Albany, State of New York described in said List of Delinquent Taxes as **PARCEL No. COLONIE 5838-04-116 (50 Railroad Avenue, Town of Colonie) [Tax Map No. 53.05-4-24]**), a more particular description of which parcel is annexed hereto as Exhibit "A", and

WHEREAS, pursuant to Article Eleven, Title 3, of the Real Property Tax Law the Tax District heretofore brought a proceeding in the County Court of the State of New York, County of Albany, under **Index No. 7393-99** entitled "In the Matter of the Foreclosure of Tax Lien "In Rem" Delinquent Proceeding brought pursuant to Article Eleven, Title 3 of the Real Property Tax Law by THE COUNTY OF ALBANY, NEW YORK, TAX DISTRICT, against the Parcels of Real Property included in the **LIST OF DELINQUENT TAXES filed on December 22, 1999 covering the TOWNS of Albany County**", and

WHEREAS, Summary Judgment of Foreclosure by Default was granted to the Tax District in said proceeding on October 4, 2019 and entered on October 8, 2019 directing the Grantor to execute and cause to be recorded a Deed conveying to the Tax District title to the parcel of real property located in the City of Albany, County of Albany, State of New York described in said List of Delinquent Taxes as **PARCEL No. GUILDERLAND 7393-99-2 (54 Railroad Avenue, Town of Guilderland [Tax Map No.53.05-1-15])**, a more particular description of which parcel is annexed hereto as Exhibit "A", and

WHEREAS, the Albany County Legislature, the governing body of the Tax District, by Resolution No. 161 for the Year 2021 adopted on May 10, 2021 has approved the sale and conveyance of both said parcels by the Tax District to the Grantee for the sum hereinafter set forth as the consideration for this Deed, and

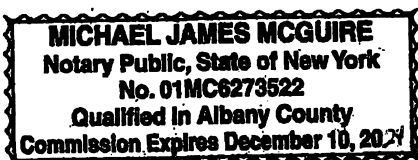
WHEREAS, by the Assignment annexed hereto simultaneously herewith being recorded, the Tax District has assigned to the Grantee the Tax District's right pursuant to the said Judgment of Foreclosure to have the Grantor execute and cause to be recorded a Deed conveying title to said parcels to the Tax District and authorized the Grantor to by virtue of said assignment execute and cause to be recorded a Deed conveying title to said parcel to the Grantee, instead of to the Tax District,

TO HAVE AND TO HOLD, all and singular, said parcel hereby granted, released and conveyed unto the Grantee, its successors and assigns, forever.

M. David Reilly, Jr.
M. DAVID REILLY, JR., ENFORCING OFFICER
COUNTY OF ALBANY, NEW YORK, TAX DISTRICT

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)


NOTARY PUBLIC - STATE OF NEW YORK



LIST OF DELINQUENT TAXES
FOR
TOWN OF COLONIE, ALBANY COUNTY

PARCEL FORCLOSURE NO: 0000116
FORECLOSURE PROCEEDING INDEX NO: 5838-04
PARCEL LOCATION: 50 RAILROAD AVE. TOWN OF COLONIE
PARCEL TAX MAP NUMBER: 05300500040240000000
PARCEL PROPERTY CLASS CODE: 330
OWNER LISTED ON DELINQUENT TAX BILL: ALBANY MIRON LUMBER CORP
REPUTED PARCEL OWNER(S): ALBANY MIRON LUMBER CORP
AS OF 3/9/2006
MAILING ADDRESS: RTE 9W NORTH
C
KINGSTON, NY 12401

DELINQUENT TAXES

<u>YEAR</u>	<u>TYPE OF TAX</u>	<u>AMOUNT DUE</u>
2002	PROPERTY	275.34

GUILDERLAND-0002-99

ALBANY COUNTY
DEPARTMENT OF MANAGEMENT AND BUDGET
STATEMENT OF DELINQUENCY

DATE - 12/17/99
TX082601

PARCEL OWNER(S): ALBANY MIRON LUMBER CORP

PARCEL LOCATION: 54 RAILROAD AVE

PARCEL DESCRIPT:

CLASS CODE: 444

PARCEL NUMBER : 00000

TAX MAP NUMBER : 05300500010150000000

MAILING ADDRESS:
ALBANY MIRON LUMBER CORP
PO BOX 1598
KINGSTON 12401

LIEN YEAR	CERT. #	TYPE	AMOUNT DUE
1999	00623	P	26,407.73.

ASSIGNMENT

ASSIGNMENT, made this 12th day of April 2022, by the COUNTY OF ALBANY, NEW YORK, TAX DISTRICT, having its principal office located at 112 State Street, Albany, New York 12207, ("Tax District") to Store Away Warehousing at Guilderland, LLC having an office located at 50 State Street, 6th Floor, Albany, New York 12207 ("Assignee").

WHEREAS, pursuant to Article Eleven, Title 3, of the Real Property Tax Law the Tax District heretofore brought a proceeding in the County Court of the State of New York, County of Albany under **Index No. 5838-04** entitled "In the Matter of the Foreclosure of Tax Lien "In Rem" Delinquent Proceeding brought pursuant to Article Eleven, Title 3 of the Real Property Tax Law by THE COUNTY OF ALBANY, NEW YORK, TAX DISTRICT, against the Parcels of Real Property included in the **LIST OF DELINQUENT TAXES filed on March 17, 2006 covering the TOWNS of Albany County**", and

WHEREAS, Summary Judgment of Foreclosure by Default was granted to the Tax District in said proceeding on October 4, 2019 and entered on October 8, 2019 directing the Enforcing Officer of the Tax District to execute and cause to be recorded a Deed conveying to the Tax District title to the parcel of real property located in the City of Albany, County of Albany, State of New York described in said List of Delinquent Taxes as **PARCEL No. COLONIE 5838-04-116 (50 Railroad Avenue, Town of Colonie) [Tax Map No. 53.05-4-24]**), a more particular description of which parcel is attached to the Deed annexed hereto as Exhibit "A", and,

WHEREAS, pursuant to Article Eleven, Title 3, of the Real Property Tax Law the Tax District heretofore brought a proceeding in the County Court of the State of New York, County of Albany under **Index No. 7393-99** entitled "In the Matter of the Foreclosure of Tax Lien "In Rem" Delinquent Proceeding brought pursuant to Article Eleven, Title 3 of the Real Property Tax Law by THE COUNTY OF ALBANY, NEW

YORK, TAX DISTRICT, against the Parcels of Real Property included in the **LIST OF DELINQUENT TAXES** filed on December 22, 1999 covering the **TOWNS of Albany County**", and

WHEREAS, Summary Judgment of Foreclosure by Default was granted to the Tax District in said proceeding on October 4, 2019 and entered on October 8, 2019 directing the Enforcing Officer of the Tax District to execute and cause to be recorded a Deed conveying to the Tax District title to the parcel of real property located in the City of Albany, County of Albany, State of New York described in said List of Delinquent Taxes as **PARCEL No. GUILDERLAND 7393-99-2 (54 Railroad Avenue, Town of Guilderland [Tax Map No.53.05-1-15])**, a more particular description of which parcel is attached to the Deed annexed hereto as Exhibit "A", and

WHEREAS, the Albany County Legislature, governing body of the Tax District, by Resolution No. 161 for the Year 2021 adopted on May 10, 2021 approved the sale and conveyance of both said parcels by the Tax District to the Assignee for the sum of **ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) AND NO CENTS**.

NOW, THEREFORE, KNOW BY THESE PRESENTS, that in order to effectuate said sale and conveyance the Tax District in consideration of payment to it of said sum by the Assignee hereby without recourse assigns to the Assignee the Tax District's right pursuant to said Judgments of Foreclosure in said proceeding to have the Enforcing Officer of the Tax District execute and record a Deed conveying title to said parcels to the Tax District and hereby authorizes said Enforcing Officer to by virtue of said assignment execute and record a Deed conveying title to said parcels to said Assignee, instead of to the Tax District.

IN WITNESS WHEREOF, the undersigned has on behalf of the Tax District hereunto set his hand on the date above written.

THE COUNTY OF ALBANY, NEW YORK, TAX DISTRICT

By

DANIEL P. McCOY, Albany County Executive

ACKNOWLEDGEMENT

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

On the 12th day of April, 2022 before me, the undersigned, personally appeared DANIEL P. McCOY, 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 Albany County Executive, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Nancy A. Olekoski
NOTARY PUBLIC - STATE OF NEW YORK

