

FORMER C & F PLATING  
406 NORTH PEARL STREET  
ALBANY COUNTY  
ALBANY, NEW YORK

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# SITE MANAGEMENT PLAN

## ADDENDUM NO. 1

NYSDEC Site No. 401057  
Work Assignment No. D009812-04

**Prepared for:**

New York State Department of Environmental Conservation  
625 Broadway  
Albany, New York 12233

**Prepared by:**

TRC Engineers, Inc.  
10 Maxwell Drive, Suite 200  
Clifton Park, New York 12065  
518-348-1190

**Effective Date:**

January 24, 2023

**Revisions to final approved Site Management Plan:**

| Revision No. | Submitted Date | Summary of Revision | DEC Approval Date |
|--------------|----------------|---------------------|-------------------|
| 0            | 7/6/2017       | Original Submittal  | 7/6/2017          |
| 1            | 1/24/2023      | Addendum No. 1      | 1/24/2023         |
|              |                |                     |                   |
|              |                |                     |                   |

**ADDENDUM NO. 1 TO SITE MANAGEMENT PLAN  
FORMER C & F PLATING  
NYSDEC SITE NO. 401057  
ALBANY COUNTY  
ALBANY, NEW YORK**

**1.0 CERTIFICATION STATEMENT**

I, Kevin D. Sullivan, certify that I am currently a registered professional engineer licensed by the State of New York and that this Site Management Plan Addendum was prepared in accordance with all applicable statutes and regulations and in substantial conformance with the DER Technical Guidance for Site Investigation and Remediation (DER-10).

073712  
\_\_\_\_\_  
NYS Professional Engineer

January 24, 2023  
\_\_\_\_\_  
Date



*[Handwritten Signature]*  
\_\_\_\_\_  
Signature

## 2.0 SITE MANAGEMENT SUMMARY

The following provides a brief summary of implemented institutional control/engineering controls (IC/ECs), inspections, monitoring, maintenance, and reporting activities required by the Site Management Plan (SMP) for the C & F Plating Site located in Albany, New York (the Site). Changes to the implemented Site controls since New York State Department of Environmental Conservation (NYSDEC) approval of the September 2017 SMP are provided in **green**.

Site Identification: Site No. 401057, C & F Plating, Albany, NY 12207

|                        |  |
|------------------------|--|
| Institutional Controls | <ol style="list-style-type: none"> <li>1. The property may be used for: <ul style="list-style-type: none"> <li>• Commercial or Industrial use.</li> </ul> </li> <li>2. Institutional controls for the Site are: <ul style="list-style-type: none"> <li>• Access to the Site for performing inspections of the engineering controls (ECs) must be allowed.</li> <li>• Groundwater extraction for anything other than monitoring is prohibited.</li> <li>• Animal production for human consumption is prohibited.</li> <li>• Vegetable gardens are prohibited on-Site unless planted in gardens where soil achieves Residential Use Soil Cleanup Objectives.</li> <li>• Site use is limited to Industrial uses only. The Site may not be used for a less restrictive use without additional remediation and amendment of the SMP by the NYSDEC. Should any development of the Site be considered, soil and soil vapor sampling would be necessary to evaluate current conditions relative to soil standards, criteria, and guidance values.</li> <li>• Excavation on the property is prohibited without written permission from the NYSDEC.</li> <li>• Compliance by the Grantor and the Grantor's successors and assigns with this SMP.</li> <li>• Data and information pertinent to SM for the Controlled Property must be reported at the frequency and in a manner defined in this SMP.</li> <li>• Future activities on the Site that will disturb remaining contaminated material are prohibited unless they are conducted in accordance with the SMP.</li> <li>• NYSDEC retains the right to access the Site in order to evaluate the continued maintenance of controls.</li> <li>• <b>Environmental Easement, executed April 17, 2020</b></li> </ul> </li> <li>3. ECs must be inspected at a frequency and in a manner defined in the SMP.</li> </ol> |
| Engineering Controls   | <ol style="list-style-type: none"> <li>1. Site Access Controls</li> <li>2. Clean Fill Cover</li> <li>3. Patroon Creek Retaining Walls</li> </ol>   |

| Site Management Activity                                     | Frequency |
|--|-----------|
| <i>Inspections</i>   |           |
| 1. Fencing, gates, and Site Access                           | 3 years   |
| 2. Monitoring well integrity                                 | 3 years   |
| 3. Site Cover  | 3 years   |
| 4. Patroon Creek Retaining Walls                             | 3 years   |
| <i>Monitoring</i>  |           |
| 1. Water levels from 6 monitoring wells                      | 3 years   |
| 2. Groundwater sampling and analysis from 6 monitoring wells | 3 years   |
| <i>Maintenance</i>   |           |
| 1. Fence repair  | As needed |
| 2. Cover repair  | As needed |
| 3. Retaining wall repair                                     | As needed |
| <i>Reporting</i>   |           |
| 1. Inspection Report   | With PRR  |
| 2. Long-term Monitoring Report                               | With PRR  |
| 3. Periodic Review Report                                    | 3 years   |

### 3.0 SMP REVISIONS

This Addendum No. 1 has been prepared in accordance with the provisions in Section 1.2 of the July 2017 SMP. The NYSDEC approved SMP revisions are presented below. New and/or modified tables, figures, and/or Appendices, where applicable, are attached to this Addendum. This Addendum is hereby made a part of the July 2017 SMP and is effective as of January 24, 2023. The July 2017 SMP and any previously issued addenda remain in full force and effect, except as modified by this Addendum. Any additions or changes made to the July 2017 SMP narrative are provided in green.

#### 1. TABLE OF CONTENTS – List of Figures

The following list of figures is provided in the SMP.

- 1.1 Site Location
- 1.2 Site Features
- 3 Remaining Soil Contamination Exceeding Part 375 Unrestricted Use SCOs

#### 2. SECTION 1.3 – Table 1.1: Notifications

| Name           | Title   | Contact Information  |
|----------------|---|--|
| Brianna Scharf | NYSDEC Project Manager                                | (518) 402-5987, <a href="mailto:Brianna.scharf@dec.ny.gov">Brianna.scharf@dec.ny.gov</a> |
| Sarah Saucier  | NYSDEC Remedial Section C,<br>Remedial Bureau E Chief | (518) 402-9675, <a href="mailto:Sarah.Saucier@dec.ny.gov">Sarah.Saucier@dec.ny.gov</a>   |
| Todd Danz      | Site Owner  | <a href="mailto:Todddanz@familydanz.com">Todddanz@familydanz.com</a>                     |

#### 3. SECTION 2.3 – 2.3.3 Summary of Remedial Actions

The following actions were completed at the Site between May and November 2020:

- Stabilization of an additional section of Patroon Creek’s bank with a permanent retaining geogrid retaining wall installed along 50 linear feet of creek bank.
- Excavation of non-hazardous soils in the amount of 323.03 tons and off-Site disposal at the Colonie Landfill.

A figure showing the historical remedial action excavations and remaining soil contamination with respect to metal Part 375 Unrestricted Use Soil Cleanup Objective exceedances has been prepared as is included with this SMP Addendum as **Figure 3**.

#### 4. SECTION 3.3 – 3.3.1 Engineering Control Systems

##### Patroon Creek Retaining Walls

Patroon Creek bounds the Site to the northeast. Site inspections will include inspection of two sections of the permanent retaining wall installed along 40 linear feet of the creek bank on the northwest side and 50 linear feet of the creek bank on the southeast side.

#### 5. SECTION 3.3 – 3.3.3 Criteria for Completion of Remediation/Termination of Remedial Systems

##### Groundwater Monitoring

Groundwater monitoring activities will continue every three years, as determined by the NYSDEC, until residual groundwater concentrations are found to (1) reach levels that are consistently below the Site standards, criteria, and guidance values as appropriate; or (2) have become asymptotic to a low level over an extended period of time as accepted by the NYSDEC.

#### 6. SECTION 8.0 – References and Administrative Record

In addition to documents referenced in the July 2017 SMP, the following will be listed:

MACTEC Engineering and Consulting, P.C., Site Management Plan, C & F Plating Site, July 2017

Henningson, Durham and Richardson Architecture and Engineering, P.C., 2019 Periodic Review Report, Former C & F Plating Site, September 2019

New York State Department of Environmental Conservation, Environmental Easement – Order on Consent Index: DER-401057-04-2014, Former C & F Plating Site, executed April 2020

TRC Engineers, Inc., Construction Completion Report – Patroon Creek Bank Stabilization, Former C & F Plating Site, March 2021

TRC Engineers, Inc., Site Management Plan Addendum No. 1, Former C & F Plating Site, January 2023

#### 7. SMP ADDENDUM NO. 1 – APPENDICES

##### APPENDIX H: Environmental Easement

The Environmental Easement dated April 17, 2020, for C & F Plating, 404 North Pearl Street, City of Albany, County of Albany, and State of New York has been inserted.

## APPENDIX I: November 2020 Patroon Creek Stabilization Post-Construction Survey Drawing

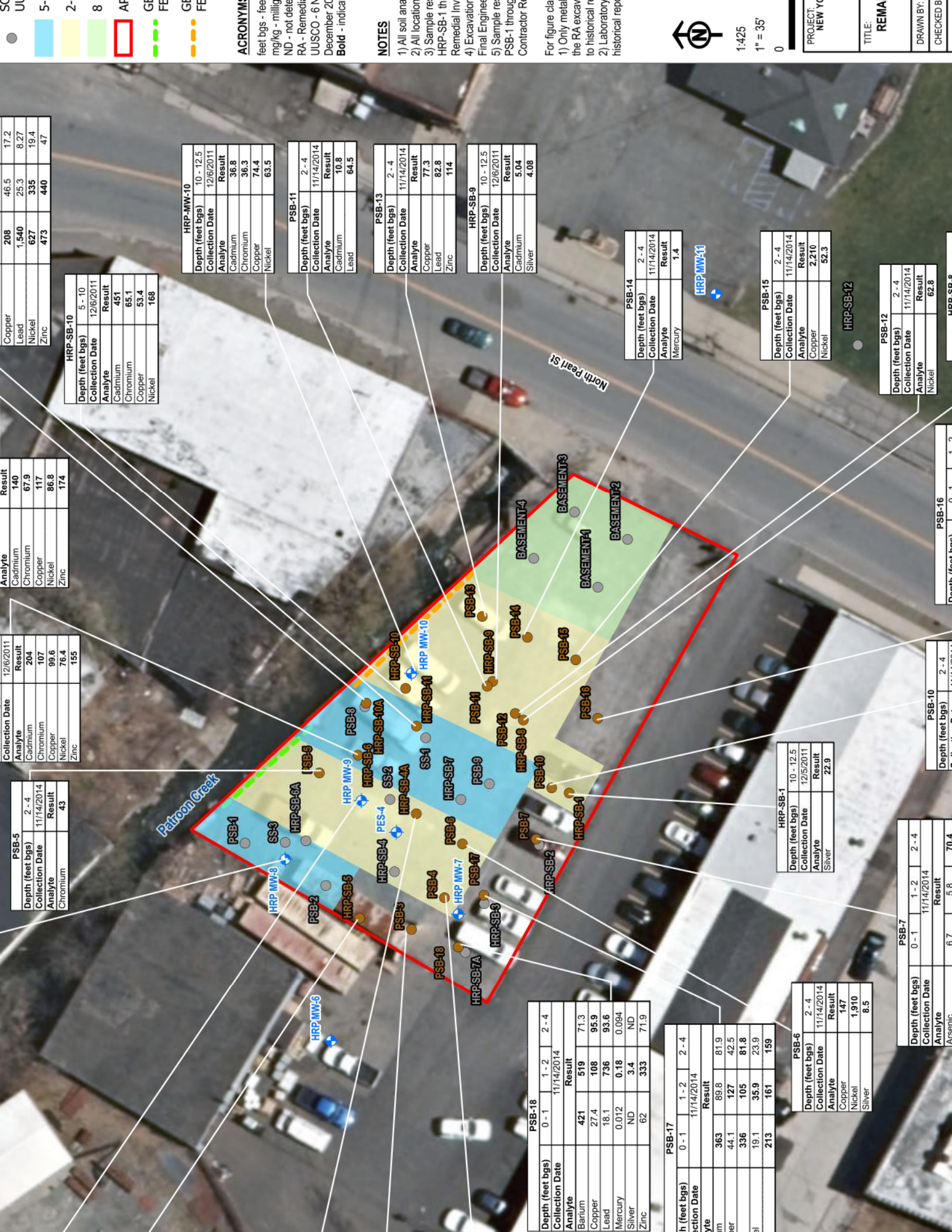
A post-construction survey drawing for the C & F Plating site Patroon Creek Stabilization Project and immediate surrounding features on November 13, 2020, has been inserted.

**END OF ADDENDUM**



## FIGURES

|             |      |
|-------------|------|
| TITLE:      | REMA |
| DRAWN BY:   |      |
| CHECKED BY: |      |



| PSB-6            |            |
|------------------|------------|
| Depth (feet bgs) | 2 - 4      |
| Collection Date  | 11/14/2014 |
| Analyte          | Result     |
| Copper           | 147        |
| Nickel           | 1,910      |
| Silver           | 8.5        |

1:425  
1" = 35'  
0

**APPENDIX H**  
ENVIRONMENTAL EASEMENT

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

**THIS INDENTURE** made this 17<sup>th</sup> day of April, 2020, between Owner, Danz Holdings, LLC, having an office at 404 North Pearl Street, Albany, New York 12207, County of Albany, State of New York (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 address of 406 North Pearl Street in the City of Albany, County of Albany and State of New York, known and designated on the tax map of the County Clerk of Albany as tax map parcel number: Section 65.16 Block 1 Lot 25, being the same as that property conveyed to Grantor by deed dated June 14, 2017 and recorded in the Albany County Clerk's Office in Liber and Page 2685/361. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 0.30 +/- acres, and is hereinafter more fully described in the Land Title Survey dated September 15, 2017 and last revised April 30, 2019 prepared by Mark C. Blackstone, L.L.S. of ABD Engineers, LLP, 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**, 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: DER-401057-04-2014, 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 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) 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 property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Albany County Department of Health to render it safe for use as drinking water or for industrial purposes, 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 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  
Division of Environmental Remediation  
NYSDEC  
625 Broadway  
Albany, New York 12233  
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any 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 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: 401057  
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.

**Remainder of Page Intentionally Left Blank**

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

Danz Holdings, LLC:

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Grantor's Acknowledgment**

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

On the 20 day of March, in the year 2020, before me, the undersigned, personally appeared Todd Danz, 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.

Crystal L. Preston  
Notary Public - State of New York

Crystal L. Preston  
Notary Public - State of New York  
No. 01PR6212824  
Qualified in Albany County  
My Commission Expires October 26, 2021

**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,

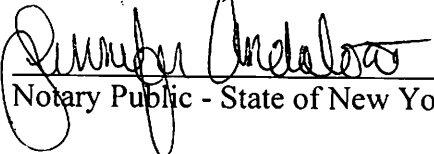
By:

  
Michael J. Ryan, Director  
Division of Environmental Remediation

**Grantee's Acknowledgment**

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

On the 17<sup>th</sup> day of April, in the year 2020, before me, the undersigned, personally appeared Michael J. Ryan, 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.

  
Notary Public - State of New York

**JENNIFER ANDALORO**  
Notary Public, State of New York  
No. 02AN6098246  
Qualified in Albany County  
Commission Expires January 14, 2024

Commission Expires January 14, 20  
Qualified in Albany County  
No. 02A0608246  
Notary Public, State of New York  
JENNIFER ANDALORO

**SCHEDULE "A" PROPERTY DESCRIPTION**

ALL THAT PARCEL OF LAND, situate in the City of Albany, County of Albany, State of New York, bounded and described as follows:

BEGINNING at a point along the westerly boundary of North Pearl Street, at its intersection with the northerly boundary of Pleasant Street;

THENCE along said boundary of North Pearl Street the following two (2) courses and distances:

- 1) N 25°50'08" E a distance of 44.03 feet;
- 2) N 25°47'26" E a distance of 40.22 feet to the intersection with the division line between the lands now or formerly Danz Properties, Inc., as described in Liber 2685 of Deeds at Page 361, on the southwest, and the lands now of formerly of Danz Holdings, LLC, as described in Instrument R2017 - 13686, on the northwest; said point being the POINT OF BEGINNING.

THENCE along the division line between said lands of Danz Properties, Inc., on the south and west, and lands of Danz Holdings, LLC, on the north and east, the following two (2) courses and distances:

- 1) N 64°14'07" W a distance of 160.00 feet;
- 2) N 25°46'03" E a distance of 106.90 feet to the southerly bounds of the Patroon Creek;

THENCE S 46°33'18" E along said bounds of the Patroon Creek, a distance of 167.96 feet to the said westerly boundary of North Pearl Street;

THENCE S 25°47'53" W along the westerly boundary of North Pearl Street, a distance of 55.75 feet to the point of beginning.

CONTAINING 0.30 ACRE, MORE OR LESS.

SUBJECT TO any enforceable easements, covenants and restrictions of record.

**APPENDIX I**

**NOVEMBER 2020 PATROON CREEK STABILIZATION POST-CONSTRUCTION SURVEY  
DRAWING**

