

ENVIRONMENTAL NOTICE

THIS ENVIRONMENTAL NOTICE is made the ^{9th} day of ~~September~~ 2011, by the New York State Department of Environmental Conservation (Department), having an office for the transaction of business at 625 Broadway, Albany, New York 12233

WHEREAS, that parcel of real property located at the address of Apex road, in the Town of Hancock, County of Delaware and State of New York, known and designated on the tax map of the County Clerk of Delaware and Section 417, Block 1 and Lot 15, same as that property conveyed by deed dated March 21, 1950 and recorded in the office of the Delaware County Clerk on March 25, 1950 in book 298 of deeds at page 446. Commencing in the center of the Cadosia Creek County Highway, in the center of the bridge over the Cadosia creek in the Town of Hancock, County of Delaware, State of New York, the property being more particularly described in Metes and Bounds description and attached hereto as Appendix "A" to this notice and made a part hereof, and hereinafter referred to as "the Property" and is the subject of a remedial program performed by the Department; and

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

NOW, THEREFORE, the Department provides notice that:

FIRST, the part of lands subject to this Environmental Notice is as shown on a map attached to this Notice as Appendix "B" and made a part hereof.

SECOND, unless prior written approval by the Department or, if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State's citizens, hereinafter referred to as "the Relevant Agency," is first obtained, where contamination remains at the Property subject to the provisions of the Site Management Plan ("SMP"), there shall be no disturbance or excavation of the Property which threatens the integrity of the engineering controls or which results or may result in a significantly increased threat of harm or damage at any site as a result of exposure to soils. A violation of this provision is a violation of 6 NYCRR 375-1.1 1(b)(2).

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

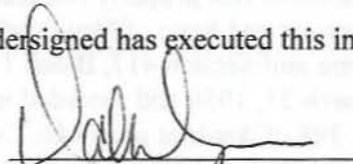
FOURTH, the remedy was designed to be protective for Commercial or Industrial uses. Therefore, any use for purposes other than Commercial or Industrial uses without the express written waiver of such prohibition by the Relevant Agency may result in a significantly increased threat of harm or damage at any site.

FIFTH, the no person shall use the groundwater underlying the Property without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first obtains permission to do so from the Department or Relevant Agency. Use of the groundwater without appropriate treatment may result in a significantly increased threat of harm or damage at any site.

SIXTH, it is a violation of 6 NYCRR 375-1.11(b) to use the Property in a manner inconsistent with this environmental notice.

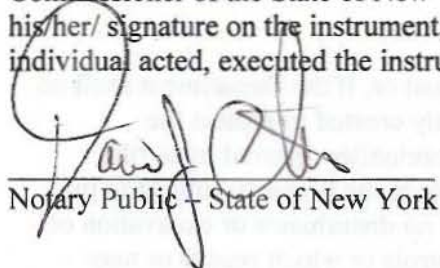
IN WITNESS WHEREOF, the undersigned has executed this instrument the day written below.

By:


Dale A. Desnoyers, Director
Division of Environmental Remediation

STATE OF NEW YORK) ss:
COUNTY OF ALBANY)

On the ^{9th} day of September, in the year 2011, before me, the undersigned, personally appeared Dale Desnoyers, 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

David J. Chiusano
Notary Public, State of New York
No. 01CH5032146
Qualified in Schenectady County,
Commission Expires August 22, 2011

Kerry Chemical
Apex Road
Delaware County, New York
Tax Map: 417.-1-5

APPENDIX "A"

METES AND BOUNDS DESCRIPTION

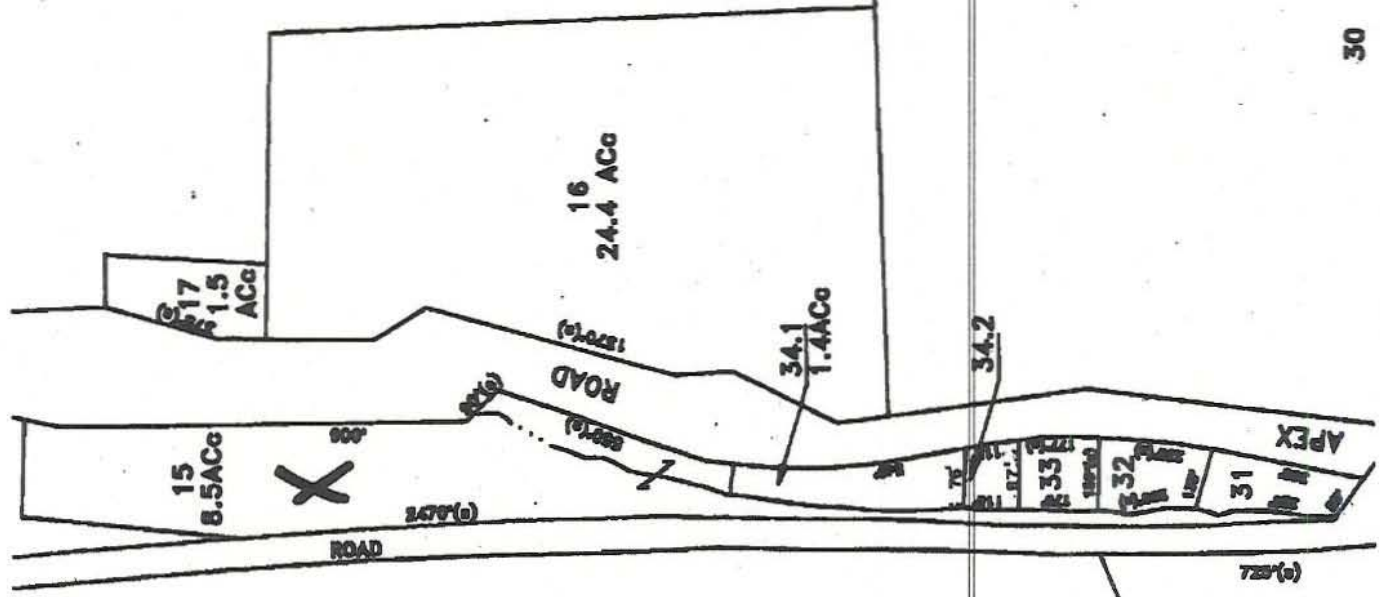
ALL THAT CERTAIN PLOT, piece or parcel of land situate, lying and being in the Town of Hancock, County of Delaware and State of New York; being more particularly bounded and described and described as follows:

BEGINNING in the center of the Cadosia Creek County Highway, in the center of the bridge over the Cadosia creek, that runs along the center of said County Highway as it winds and turns about 264 feet to a point in the center of the highway at the northeasterly corner of the large house lot, directly opposite the large maple tree that stands along the western side of the said highway; running thence the following courses and distances:

- 1) Along the northern bounds of the said Esolen lot as surveyed in the year 1946 North 83° West , a distance of 198 feet to a point in the center of the creek; thence
- 2) Along the same, as the creek winds and turn along the west line of said Esolen lot and the west line of the land of Wilfred Fritz until it intersects the easterly line of right of way of New York, Ontario & Western Railway; thence
- 3) Along the same, run northerly along the easterly line of the said right of way as it winds and turns to a point on the said line being the southwest corner of the land of George W. Arnold; thence
- 4) Along the same, run southeasterly along the southwest line of said Arnold lot to a point being 16.5 feet from a point on the east bank of the small creek along the west bounds of the said Arnold house lot; thence
- 5) Along the same, run due south 64.68 feet to the southwest corner of the said Arnold house lot, along the northerly side of a private roadway; thence

- 6) Along the same, run along the southerly line of said Arnold house lot North 83° East and along the northerly side of the roadway 196.35 feet to the southeast corner of said Arnold house lot in the center of the highway; thence
- 7) Along the same, run along the center of the said highway, on a direct line South 7° West 251.46 feet to the place of beginning

116.2 ACc

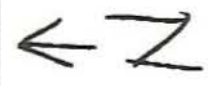


30

CATSKILL MOUNTAIN ABSTRACT CORP./BILLABLE A...



P/O TAX MAP # 417





Chicago Title Insurance Company

Last-Owner Report Form

Rochester Office
19 West Main Street, Suite 100
Rochester, NY 14614
Office# 585-546-6350
Fax #: 585-546-4236

Email: susan.hindmarsh@ctt.com

Date: 2/24/11

Chicago Title Search No.: 1116-98054 AECOM Site #4-13-001

Address: Apex Road, Hancock NY County: Delaware

A Deed Search has been conducted against the name(s) of John Evanitsky at the property located at Section 417. Block 1 Lot 15 at the Delaware County Clerk's Office:

1. Warranty Deed by Richard Edwards to John Evanitsky recorded in Book 599 at page 247.
2. Easement Recorded in Book 600 at page 1021.
3. Warranty Deed by John Evanitsky to Evanitsky & Fariello Construction Co., Inc. recorded in Book 688 at page 1087
4. Bargain & Sale Deed by Evanitsky & Fariello Construction Co, Inc. to John Evanitsky, Jr. recorded in Book 730 at page 368

Also listed in the 1990 Index to Inactive Hazardous Waste Disposal Sites in NYS filed 11/19/1990 in Delaware County Clerk's Office (Copy of Page provided)

Note: It is believed that John Evanitsky, Jr. is deceased according to the Delaware County Treasurer's Office. No Surrogates to date have been filed in Delaware County if deceased.

Note: There is an In REM proceeding but according to the Treasurer's Office, the county has not taken title to the property due to the property having hazardous waste issues.

The acreage in the above deeds does not match with the acreage listed on the tax rolls/tax map even though not other deeds are found of record. The acreage listed on the Tax Map is 8.5 ACc. The small "c" denotes "acres calculated" meaning the Real Property Tax Office calculated the acreage rather than using the acreage in the deed description.

Chicago Title of New York does hereby certify that the records of the above governmental agency were examined. The information reported above is true and accurate of the information reported therein and no liability is assumed. This report is submitted for information purposes only.

47,000
T. T.
47.70

FORM 181X N. Y. DEED—Pat. Covered with the Common

TITULAR RECORDS E. & A. CO. OFFICE
TITULAR LAW FIRM, PHILADELPHIA, PA. 19106

This Indenture,

11 599 247

Made the 8th day of April

Nineteen Hundred and Eighty

Between RICHARD EDWARDS, residing at Pass Eddy Road, Hancock, New York,

party of the first part, and

JOHN EVANITSKY, of Box 701, Hancock, New York;

party of the second part,

Witnesseth that the party of the first part, in consideration of

-----ONE-----Dollar (\$ 1.00---)
lawful money of the United States, and other good and valuable consideration paid by the party of the second part, do es hereby grant and release unto the party of the second part,-----his heirs-----and assigns forever, all

THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND situate in the town of Hancock, County of Delaware and State of New York, in the Hardenburgh Patent, Great Lot No. THIRTY-FIVE (35), Division No. TEN (10), May Tract and bounded and described as follows: BEGINNING in the center of the Cadosia Creek County Highway, in the center of the bridge over the Cadosia Creek, directly opposite, easterly from the buildings on the so-called Cadosia Factory Lot, and run down along the center of said County Highway as it winds and turns about 4 chains to a point in the center of said highway at the north easterly corner of the house lot now owned by Michael Esolen, directly opposite a large Maple tree standing along the west side of said highway, thence run along the north line of said Esolen lot as surveyed in the year 1946 N 83° W about 3 rods, passing through said tree, along the north end of a large rock on the east bank of said creek to a point in the center thereof, thence run down along the center of said creek as it winds and turns along the west line of said Esolen lot and the west line of the land of Wilfred Fritz and the land of John E. Mason till said line intersects the easterly line of the right of way of the New York, Ontario & Western Railway; thence run northerly along the easterly line of said right of way as it winds and turns to a point on said line being the south west corner of the land of George W. Arnold and Grace Swartwout, thence run south easterly along the south west line of said Arnold and Swartwout lot to a point on the west line of the George W. Arnold house lot, said point being due south 25 links from an iron stake in the east bank of the small creek along the west bounds of said Arnold house lot, thence run due south 98 links to the southwest corner of said Arnold house lot, along the northerly side of a private roadway; Thence run along the southerly line of said Arnold house lot N 83° E and along the northerly side of said roadway 2.975 chains to the south east corner of said Arnold house lot in the center of said County highway, thence run along the center of said highway, on a direct line S 7° W 3.81 chains to the place of beginning, containing about 5 acres of land more or less, said premises forming the south end or part, west of the center of said creek formerly known as the Cadosia Factory Lot and being that part of the same premises conveyed by Charles St. John by deed bearing date December 21, 1885 to John McDugal and Thomas Keery and recorded in Delaware County Clerk's Office on December 26, 1885 in Book No. 100 of Deeds at page 422, and being that part of one of the parcels of land conveyed by Hartha Keery by deed bearing date February 16, 1915 to Thomas Keery Company, Inc. the party of the first part herein, and of record in said Clerk's Office on October 23, 1915 in Book NO. 173 of Deeds at page 411, to which said deeds reference is hereby made as to the source of the title to said premises.

EXCEPTING AND RESERVING THEREFROM ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hancock, County of Delaware and State

of New York, bounded and described as follows: Beginning at a point in the easterly boundary of the N.Y., G. & W. Railway right of way, at a point where the same is intersected by the southerly boundary of the parcel of land owned and occupied by George W. Arnold, and running thence in a southerly direction along the easterly boundary of said railroad right of way 18 chains more or less, to the point where said right of way is intersected by a siding on the east; thence running in a general northerly direction the middle of said siding to the southerly boundary of the George W. Arnold lot; thence running in a northwesterly direction along the southerly boundary of said George W. Arnold lot to the point or place of beginning, be the same more or less. Together with the sawmill and the sawmill building thereon; and being the same premises conveyed on February 11, 1948 by John C. Baumann to Leo C. Cook, Clyde E. Cook and Carme S. Vitale, and which Deed was duly recorded in the Delaware County Clerk's Office February 16, 1948 in Liber 272 of Deeds at page 11.

ALSO EXCEPTING AND RESERVING all rights of every kind set forth in said Deed.

This grant is made subject to any and all easements heretofore made across said premises or along its bounds for the County Highway, the Power and telephone lines.

Reserving across said premises a right of way for the road now laid out and being used, extending from said county highway along the south line of said George W. Arnold house lot westerly to the former wood yard and continue westerly and northwesterly to the east bounds of the right of way of said railway, for the benefit of the party of the first part, its employees, representatives, successors and assigns, it being the only convenient route to reach its other land situate westerly from said right of way and for the benefit of the owner or owners of other lands situate westerly from said right of way.

Being the same premises conveyed from John C. Baumann and wife to John Brandis and Sophie Brandis, his wife, by deed dated March 21, 1950 and recorded in the Delaware County Clerk's Office March 25, 1950 in Liber 298 of Deeds, at page 446.

John Brandis predeceased Sophie Brandis. Sophie Brandis, a/k/a Sophia Brandys, Sophia Brandys, Sopic Brandis & Sophia Brandis, died March 15, 1967 a resident of the State of Connecticut and her Will was admitted to Ancillary Probate on June 9, 1967 by the Surrogate's Court of Delaware County.

Being the same premises conveyed from Frances Denison and Mary Gilchrist, formerly Mary Tanski, as Ancillary Executrices of the Estate of Sophie Brandis, a/k/a Sophie Brandys, Sofia Brandys, Sopic Brandis & Sophia Brandis, to John M. Zakryk by deed dated August 1972.

Excepting and reserving the lands appropriated by the State of New York pursuant to Map #28 affecting parcels 10, 37, 38, and 108, and duly recorded in the Delaware County Clerk's Office.

ALSO EXCEPTING AND RESERVING THEREFROM ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hancock, County of Delaware and State of New York, bounded and described as follows:

BEGINNING at a point in the Westerly line of the Cadosia-Apex Road, said point being at the Southeasterly corner of lands of Callender (see Deed Liber 523, Page 692), said point also being the North-easterly corner of lands of the grantors herein, and running thence from said point or place of beginning South 16° 35' West 183.00 Feet along the Westerly bounds of the aforesaid Cadosia-Apex Road to a highway monument found; thence South 29° 00' West 229.50 Feet continuing along said road bounds to a highway monument found; thence North 73° 23' West 193 ± Feet through lands of the grantors herein to a point in the centerline of an old R.R. Siding (said centerline being the Easterly line of lands of Vitale et al. as described in Deed Liber 272 at Page 11); thence North 16° 20' East 350.30 Feet along said siding and Vitale lands to a point; thence South 86° 31' East 250 Feet along a second Vitale et al. Parcel (See Deed Liber 552, Page 436) and generally along the Northerly side of an old roadway (being the Southerly line of the aforesaid Callender lands) to the point or place of beginning. Containing 2.0± Acres as surveyed November 1977 by E. S. Jarosz and Associates Engineers and Lands Surveyors, Shohola, Pennsylvania.

SUBJECT to any easements of record to public utilities.

RESERVING a Right-of-Way along the Easterly side of the herein described Parcel. Said Right-of-Way to be 20 Feet wide, measured at right angles in a Westerly direction from the highway bounds of the aforesaid Cadosia-Apex Road.

599 249

SUBJECT to any rights others may have, in and to, the old roadway Southerly of the Northerly line of the herein described Parcel. Being the same premises conveyed by Stanley Yarish to Richard Edwards by deed dated January 8th, 1979 and recorded January 10, 1979 in Liber 587 of Deeds at Page 336 in the Delaware County Clerk's Office.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part his heirs and assigns forever.

And said Grantor

covenants as follows:

First, That said Grantor

seized of said premises in fee simple, and has good right to convey the same; Second, That the party of the second part shall quietly enjoy the said premises;

Third, That the said premises are free from incumbrances;

Fourth, That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

Fifth, That said Grantor

will forever warrant the title to said premises.

Sixth, That, in Compliance with Sec. 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the party of the first part has hereunto set his hand and seal the day and year first above written.

In Presence of

Richard Edwards
RICHARD EDWARDS

RECEIVED
\$ 7.20
REAL ESTATE
MAY 6 1980
TRANSFER TAX
DELAWARE
COUNTY

State of New York)
County of DELAWARE) ss. On this 8th day of April
before me, the subscriber, personally appeared Nineteen Hundred and Eighty
RICHARD EDWARDS

to me personally known and known to me to be the same person described in and who executed the within instrument, and he acknowledged to me that he executed the same.

Veronica M. Palmer
Notary Public

MAY 6 1980
Delaware County Clerk's Office
Recorded on the 6th day of May 1980
at 2:45 P.M. in Liber 587
of Deeds at Page 336
at New Castle, Delaware

Harold D. Owens, Jr.
Clerk
New Castle, Del. 13783

VERONICA M. PALMER
Notary Public, State of New York
No. 000000
Qualified in Delaware County
Commission Expires March 29, 1982.

Easement

11 600 1021

Big Timber sign, hereinafter called the Grantor(s), being the owner of or having an interest in land, situate in the Town of _____ of _____ County of _____ State of New York, finding on the grant or highway known as AFEX-CADOGA ROAD and bounded EASTWARDLY by the land of AFEX-CADOGA ROAD WESTWARDLY by the land of VITAL LUMBER CO., INC.

An Easement, of 11.00 pole by the Grantor, hereby grants and releases unto the NEW YORK STATE ELECTRIC & GAS CORPORATION, a corporation organized under the laws of the State of New York, having an office at Town of Ithaca, (no street address), County of Tompkins, State of New York, herein called the Grantee, its successors and assigns, its or their license or licensees, the right, privilege, and authority at anytime to construct, reconstruct, extend, operate, inspect, maintain, and at its pleasure, remove a pole line with the necessary wires, cross arms, guy wires, braces and other fixtures and appurtenances used or adopted for the transmission and/or distribution of electric current and/or for telephone or telegraph communication for public or private use, upon and over said land and property and/or the highways showing or running through said land. The easement and right of way hereby granted and released is _____ 210- _____ feet in width throughout its extent, situate, lying and being as follows:

THE INTENT OF THIS EASEMENT IS TO GRANT THE RIGHT TO RELOCATE POLE 12 IN EXISTING ELECTRIC LINE 1635, SAID POLE TO BE RELOCATED ON THE WESTERN BANK OF CADOGA CREEK AT A POINT ABOUT 20 FEET EASTWARD OF THE CENTERLINE OF GRANTEE'S PRIVATE DRIVE. THIS EASEMENT ALSO GRANTS THE RIGHT TO INSTALL A STUB POLE AND ANCHOR AT A POINT ABOUT 83 FEET WESTWARDLY OF RELOCATED POLE 12 AND INSTALL A GUY WIRE FROM THE ABOVE DESCRIBED STUB POLE TO RELOCATED POLE 12.



Designated with fire hydrant and agree for all the above purposes including the right now and from time to time to hire, cut, bore and remove by manual, mechanical or chemical means trees, brush and other obstructions within said easement and right of way.

Further, however, that any damage (other than for staining, cutting, or removing trees, as above provided) to the property of the Grantor(s), caused by the Grantee in constructing or repairing said line, shall be borne by the Grantee.

Notwithstanding, however, to the Grantor(s) the right to cultivate the ground between said poles and supporting structures and between said wires and fixtures and the right to cross and remove said easement and right of way provided that such use of said ground shall not interfere with, obstruct or endanger any rights granted as aforesaid and that use of said ground shall be such that no structure shall be erected, and no excavating, mining or blasting shall be undertaken within the limits of the right of way without written consent of the Grantee. Grantor(s) in said use of said ground shall maintain a clearance of _____ 10- _____ feet or more from Grantee's utility wires with equipment or obstructions.

In Witness Whereof, the Grantor, hereunto set his hand and seal this _____ day of _____ 19 _____ AD.

[Signature]
Address: _____

Address: _____
Address: _____
Address: _____

11 600 1021
NEW YORK STATE

JUL 11 1980 10:21 AM

NEW YORK STATE ELECTRIC & GAS CORP. - ITHACA DOCUMENT FILE

WALTON RWC 14

ATTACHMENT

Line Relocate Pole - Apex Road
Auth. 23050-900, Permit No. 817
Area Case Center No. 23-17
Construction W.O. No. 23120-314

John Ewanitsky

TO
NEW YORK STATE ELECTRIC
& GAS CORPORATION

Dated June 4, 1980

State of New York
County of Delaware

Recorded to the July 11, 1980
at 10:20 AM of which A.M.
is Book 600 and contained
Page 1021

David B. Conroy

(Personal Acknowledgment)

State of New York
County of Delaware
On this 4th day of June
1980, before me, the undersigned, personally appeared
JOHN EWANITSKY

is one personally known and known to me to be the same person described in and who executed the within foregoing instrument and duly acknowledged to me the execution of the same.

Wanda M. Palmer
(Notary Public)

WANDA M. PALMER
Notary Public, State of New York
Qualified in Delaware County
Commission Expires March 31, 1982

JUL 7 1980

*Paid from Working Fund
Ch. No. _____ Amt. _____ Date _____
Ch. No. _____ Amt. _____ Date _____
Consideration on this document is less than \$100.00.

RETURN TO
CORPORATE DOCUMENT DEPARTMENT
NEW YORK STATE ELECTRIC & GAS CORP.
FORT OFFICE BOX 287
ITHACA, NEW YORK 14850

(Subscribing Witness Acknowledgment)

State of New York
County of _____
On this _____ day of _____
19____, before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who being by me duly sworn, did depose and say that he resides at _____

in the _____
of _____
and that he is _____

of the corporation described in and which executed the above instrument that he knows the seal of said Corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation, and that he signed it in accordance with the order.

(Notary Public)

RECEIVED
JUL 11 1980
TRANSFER TAX
DELAWARE
COUNTY

600 1022

(Corporate Acknowledgment With Seal)

State of New York
County of _____
On this _____ day of _____
19____, before me came

to me personally known, who, being by me duly sworn, did depose and say that he resides at _____

in the _____
of _____
and that he is _____

of the corporation described in and which executed the above instrument that he knows the seal of said Corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation, and that he signed it in accordance with the order.

(Notary Public)

688 1187

This Indenture,

Made the 30th day of November Nineteen Hundred and Eighty-Seven Between John Evanitsky of Lakewood, Pennsylvania

part y of the first part, and
 Evanitsky & Fariello Construction Co., Inc., a New York Corporation with its principal place of business in Hancock, New York

part ies of the second part,
 Witnesseth that the part y of the first part, in consideration of One and no/100 Dollar (\$1,000,000.00)

lawful money of the United States, and other good and valuable consideration paid by the part ies of the second part, do es hereby grant and release unto the parties of the second part, their heirs, successor and assigns forever, all THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND situate in the Town of Hancock, County of Delaware and State of New York, in the Hardenburgh Patent, Great Lot No. THIRTY-FIVE (35), Division No. TEN (10), May Tract and bounded as follows: BEGINNING in the center of the Cadosia Creek County Highway, in the center of the bridge over the Cadosia Creek, directly opposite, easterly from the buildings on the so-called Cadosia Factory Lot, and run down along the center of said County Highway as it winds and turns about 4 chains to a point in the center of said highway at the north easterly corner of the house lot now owned by Michael Esolen, directly opposite a large Maple tree standing along the west side of said highway, thence run along the north line of said Esolen lot as surveyed in the year 1946 N 83° W about 3 rods, passing through said tree, along the north end of a large rock on the east bank of said creek to a point in the center thereof, thence run down along the center of said creek as it winds and turns along the west line of said Esolen lot and the west line of the land of Wilfred Fritz and the land of John E. Mason till said line intersects the easterly line of the right of way of the New York, Ontario & Western Railway; thence run northerly along the easterly line of said right of way as it winds and turns to a point on said line being the south west corner of the land of George W. Arnold and Grace Swartwout, thence run south easterly along the south west line of said Arnold and Swartwout lot to a point on the west line of the George W. Arnold house lot, said point being due south 25 links from an iron stake in the east bank of the small creek along the west bounds of said Arnold house lot, thence run due south 98 links to the southwest corner of said Arnold house lot, along the northerly side of a private roadway; Thence run along the southerly line of said Arnold house lot N 83° E and along the northerly side of said roadway 2.975 chains to the south east corner of said Arnold house lot in the center of said County highway, thence run along the center of said highway, on a direct line S 7° W 3.81 chains to the place of beginning, containing about 5 acres of land more or less, said premises forming the south end or part, west of the center of said creek formerly known as the Cadosia Factory Lot and being that part of the same premises conveyed by Charles St. John by deed bearing date December 21, 1885 to John McDugal and Thomas Keery and recorded in Delaware County Clerk's Office on December 26, 1885 in Book No. 100 of Deeds at page 422, and being that part of one of the parcels of land conveyed by Martha Keery by deed bearing date February 16, 1915 to Thomas Keery Company, Inc. the party of the first part herein, and of record in said Clerk's Office on October 23, 1915 in Book No. 173 of Deeds at page 411, to which said deeds reference is hereby made as to the source of the title to said premises.

EXCEPTING AND RESERVING THEREFROM ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hancock, County of Delaware and State of New York, bounded and described as follows: BEGINNING at a point in the easterly boundary of the N.Y., O. & W. Railway right of way, at a point where the same is intersected by the southerly boundary of the parcel of land owned and occupied by George W. Arnold, and running thence in a southerly direction along the easterly boundary of said railroad right of way 18 chains more or less, to the point where said right of way is intersected by a siding on the east; thence running in a general northerly direction the middle of said siding to the southerly boundary of the George W. Arnold lot; thence running in a northwesterly direction along the southerly boundary of said George W. Arnold lot to the point or place of beginning, be the same more or less. Together with the sawmill and the sawmill building thereon; and being the same premises conveyed on February 11, 1948 by John C. Baumann to Leo F. Cook, Clyde E. Cook and Carme S. Vitale, and which Deed was duly recorded in the Delaware County Clerk's Office February 16, 1948 in Liber 272 of Deeds at page 11.

ALSO EXCEPTING AND RESERVING all rights of every kind set forth in said Deed. This grant is made subject to any and all easements heretofore made across said premises or along its bounds for the County Highway, the Power and telephone lines.

RESERVING across said premises a right of way for the road now laid out and being used, extending from said county highway along the south line of said George

688 14088

JOHN EVANITSKY to EVANITSKY & FARELLO CONSTRUCTION CO., INC.

continued

W. Arnold house lot westerly to the former wood yard and continue westerly and northwesterly to the east bounds of the right of way of said railway, for the benefit of the party of the first part, its employees, representatives, successors and assigns, it being the only convenient route to reach its other land situate westerly from said right of way and for the benefit of the owner or owners of other lands situate westerly from said right of way.

Being the same premises conveyed from John C. Bauman and wife to John Brandis and Sophie Brandis, his wife, by deed dated March 21, 1950 and recorded in the Delaware County Clerk's Office March 25, 1950, in Liber 298 of Deeds at page 446.

John Brandis predeceased Sophie Brandis, Sophie Brandis a/k/a Sophie Brandys, Sophia Brandy, Sopic Brandis & Sophia Brandis, died March 15, 1967, a resident of the State of Connecticut and her Will was admitted to Ancillary Probate on June 9, 1967 by the Surrogate's Court of Delaware County.

Being the same premises conveyed from Frances Denison and Mary Gilchrist formerly Mary Tanski, as Ancillary Executrices of the Estate of Sophie Brandis a/k/a Sophie Brandys, Sofia Brandys Sopic Brandis & Sophia Brandis, to John M. Zakryk by deed dated August 1972.

Excepting and reserving the lands appropriated by the State of New York pursuant to Map #28 affecting parcels 10, 37, 38, and 108, and duly recorded in the Delaware County Clerk's Office.

ALSO EXCEPTING AND RESERVING THEREFROM ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hancock, County of Delaware and State of New York, bounded and described as follows:

BEGINNING at a point in the Westerly line of the Cadosia-Apex Road, said point being at the Southeasterly corner of lands of Callender (see Deed Liber 523, Page 692), said point also being the Northeasterly corner of lands of the grantors herein, and running thence from said point or place of beginning South 16° 35' West 183.00 feet along the Westerly bounds of the aforesaid Cadosia-Apex Road to a highway monument found; thence South 29° 00' West 229.50 Feet continuing along said road bounds to a highway monument found; thence North 73° 23' West 193+ feet through lands of the grantors herein to a point in the centerline of an old R.R. Siding (said centerline being the Easterly line of lands of Vitale et al, as described in Deed Liber 272 at Page 11); thence North 16° 20' East 350.30 Feet along said siding and Vitale lands to a point; thence South 86° 31' East 250+ feet along a second Vitale et al Parcel (See Deed Liber 552, Page 436) and generally along the Northerly side of an old roadway (being the Southerly line of the aforesaid Callender lands) to the point or place of beginning, Containing 2.0+ acres.

SUBJECT to any easements of record to public utilities.

RESERVING a Right-of-Way along the Easterly side of the herein described Parcel. Said Right-of-Way to be 20 feet wide, measured at right angles in a Westerly direction from the highway bounds of the aforesaid Cadosia-Apex Road.

SUBJECT to any rights others may have, in and to, the old roadway Southerly of the Northerly line of the herein described Parcel.

BEING the same premises conveyed by Stanley Yarish to Richard Edwards by deed dated January 8th, 1979 and recorded January 10, 1979 in Liber 587 of Deeds at Page 336 of the Delaware County Clerk's Office.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part his heirs and assigns forever.

BEING the same premises conveyed by Richard Edwards to John Evanitsky by deed dated April 8, 1980 and recorded in the Delaware County Clerk's Office in Liber 599 of Deeds at page 247 on May 6, 1980.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises, To have and to hold the premises herein granted unto the party of the second part, its successors and assigns forever.

And said party of the first part covenants as follows: First, That said party of the first part

- is seized of said premises in fee simple, and has good right to convey the same;
Second, That the party of the second part shall quietly enjoy the said premises;
Third, That the said premises are free from incumbrances, except as aforesaid.
Fourth, That the party of the first part will execute or procure any further necessary assurance of the title to said premises;
Fifth, That said party of the first part

will forever warrant the title to said premises.

Sixth, That, in Compliance with Sec. 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the party of the first part has hereunto set his hand and seal the day and year first above written.

In Presence of

Handwritten signature of John Evanitsky

State of New York } ss. On this 30th day of November
County of Delaware } Nineteen Hundred and eighty-Seven
before me, the subscriber, personally appeared

John Evanitsky

to me personally known and known to me to be the same person described in and who executed the within Instrument, and he acknowledged to me that he executed the same.

Handwritten signature of Mildred C. Waters

State of New York } ss. On this day of MILDRED C. WATERS
County of Delaware } Nineteen Hundred and
before me, the subscriber, personally appeared

to me personally known and known to me to be the same person described in and who executed the within Instrument, and he acknowledged to me that he executed the same.

RECEIVED stamp: 2963 MAR 14 1988 INDEMNITY TAX DELAWARE COUNTY

MAR 14 1988 9:07 am

BDP

FULL COVENANT WITH LIEN COVENANT

John Evanitsky

TO
Evanitsky & Fariello
Construction Co., Inc.

Dated, November 30, 1987

Record & Return to:

Robert G. Davis, Esq.
P.O. Box 848
Hancock, N.Y. 13783
Delaware County Clerk's Office

Recorded on the 11 day of Nov. 19 87
at 9:05 AM in the presence of MARY EVANITSKY and
of (Signature) 1087 and
examined.
Mary Evansky, Esq.
Deputy County Clerk

T 001

Standard N.Y. S.T.C. Form 500: Mortgage & sale deed.
with optional attached grantor's affidavit or Power of Attorney

JANUS BLUMBERG, INC., LAW BLANK PUBLISHERS

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

730 ps 368

THIS INDENTURE, made the 12th day of September, nineteen hundred and ninety-one
BETWEEN EVANITSKY & FARELLO CONSTRUCTION CO., INC., a domestic
corporation, whose address is c/o John Evanitsky, Jr.,
whose mailing address is P. O. Box 701, Hancock N.Y. 13783

party of the first part, and JOHN EVANITSKY, JR., whose mailing address is
P. O. Box 45, Preston Park, Pa. 18455

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration
paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs
or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Town of Hancock, County of Delaware, State of New York
and more particularly described in Schedule "A" attached hereto and
made a part hereof.

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND situate in the Town of Hancock, County of Delaware and State of New York, in the Hardenburgh Patent, Great Lot No. THIRTY-FIVE (35), DIVISION NO. TEN (10), MAY Tract and bounded and described as follows:

BEGINNING in the center of the Cadosia Creek County Highway, in the center of the bridge over the Cadosia Creek, directly opposite, easterly from the buildings on the so-called Cadosia Factory Lot, and run down along the center of said County Highway as it winds and turns about 4 chains to a point in the center of said highway at the northeasterly corner of the house lot now owned by Michael Esolen, directly opposite a large Maple tree standing along the west side of said highway, thence run along the north line of said Esolen lot as surveyed in the year 1946 N 83° W about 3 rods, passing through said tree, along the north end of a large rock on the east bank of said creek to a point in the center thereof, thence run down along the center of said creek as it winds and turns along the west line of said Esolen lot and the west line of the land of Wilfred Pritz and the land of John E. Mason till said line intersects the easterly line of the right of way of the New York, Ontario & Western Railway; thence run northerly along the easterly line of said right of way as it winds and turns to a point on said line being the southwest corner of the land of George W. Arnold and Grace Swartwout, thence run southeasterly along the southwest line of said Arnold and Swartwout lot to a point on the west line of the George W. Arnold house lot, said point being due south 25 links from an iron stake in the east bank of the small creek along the west bounds of said Arnold house lot, thence run due south 98 links to the southwest corner of said Arnold house lot, along the northerly side of a private roadway; Thence run along the southerly line of said Arnold house lot N 83° E and along the northerly side of said roadway 2.975 chains to the southeast corner of said Arnold house lot in the center of said County highway, thence run along the center of said highway, on a direct line S 7° W 3.81 chains to the place of beginning, containing about 5 acres of land more or less, said premises forming the south end or part, west of the center of said creek formerly known as the Cadosia Factory Lot and being that part of the same premises conveyed by Charles St. John by deed bearing date December 21, 1885 to John McDugal and Thomas Keery and recorded in Delaware County Clerk's Office on December 26, 1885 in Book No. 100 of Deeds at page 422, and being that part of one of the parcels of land conveyed by Martha Keery by deed bearing date February 16, 1915 to Thomas Keery Company, Inc. the party of the first part herein, and of record in said Clerk's Office on October 23, 1915 in Book No. 173 of Deeds at page 411, to which said deeds reference is hereby made as to the source of the title to said premises. [COPIED]

EXCEPTING AND RESERVING THEREFROM ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hancock, County of Delaware and State of New York, bounded and described as follows: BEGINNING at a point in the easterly boundary of the N.Y., O. & W. Railway right of way, at a point where the same is intersected by the southerly boundary of the parcel of land owned and occupied by George W. Arnold, and running thence in a southerly direction along the easterly boundary of said railroad right of way 18 chains more or less, to the point where said right of way is intersected by a siding on the east; thence running in a general northerly direction the middle of said siding to the southerly boundary of the George W. Arnold lot; thence running in a northwesterly direction along the southerly boundary of said George W. Arnold lot to the point or place of beginning, be the same more or less. Together with the sawmill and the sawmill building thereon; and being the same premises conveyed on February 11, 1948 by John C. Bauman to Leo F. Cook, Clyde E. Cook and Carme S. Vitale, and which Deed was duly recorded in the Delaware County Clerk's Office February 16, 1948 in Liber 272 of Deeds at page 11. [COPIED]

Evanitsky & Fariello Construction Co., Inc. to Evanitsky

4 730 vs 370

ALSO EXCEPTING AND RESERVING all rights of every kind set forth in said Deed. [COPIED]

This grant is made subject to any and all easements heretofore made across said premises or along its bounds for the County Highway, the Power and telephone lines. [COPIED]

RESERVING across said premises a right of way for the road now laid out and being used, extending from said county highway along the south line of said George W. Arnold house lot westerly to the former wood yard and continue westerly and northwesterly to the east bounds of the right of way of said railway, for the benefit of the party of the first part, its employees, representatives, successors and assigns, it being the only convenient route to reach its other land situate westerly from said right of way and for the benefit of the owner or owners of other lands situate westerly from said right of way. [COPIED]

Being the same premises conveyed from John C. Bauman and wife to John Brandis and Sophie Brandis, his wife, by deed dated March 21, 1950 and recorded in the Delaware County Clerk's Office March 25, 1950 in Liber 298 of Deeds, at page 446. [COPIED]

John Brandis predeceased Sophie Brandis, a/k/a Sophie Brandys, Sophia Brandys, Sople Brandis and Sophia Brandis, died March 15, 1967 a resident of the State of Connecticut and her Will was admitted to Ancillary Probate on June 9, 1967 by the Surrogate's Court of Delaware County. [COPIED]

Being the same premises conveyed from Frances Denison and Mary Gilchrist formerly Mary Tanski, as Ancillary Executrices of the Estate of Sophie Brandis a/k/a Sophie Brandys, Sofia Brandys, Sople Brandis & Sophia Brandis, to John M. Zakryk by deed dated August 1972. [COPIED]

EXCEPTING AND RESERVING the lands appropriated by the State of New York pursuant to Map #28 affecting parcels 10, 37, 38 and 108, and duly recorded in the Delaware County Clerk's Office.

ALSO EXCEPTING AND RESERVING THEREFROM ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hancock, County of Delaware and State of New York, bounded and described as follows:

BEGINNING at a point in the Westerly line of the Cadosia-Apex Road, said point being at the Southeasterly corner of lands of Callender (see Deed Liber 523, Page 692), said point also being the Northeasterly corner of lands of the grantors herein, and running thence from said point or place of beginning South 16° 35' West 183.00 feet along the Westerly bounds of the aforesaid Cadosia-Apex Road to a highway monument found; thence South 29° 00' West 229.50 feet continuing along said road bounds to a highway monument found; thence North 73° 23' West 193± feet through lands of the grantors herein to a point in the centerline of an old R.R. Siding (said centerline being the Easterly line of lands of Vitale et al as described in Deed Liber 272 at Page 11); thence North 16° 20' East 350.30 feet along said siding and Vitale lands to a point; thence South 86° 31' East 250± feet along a second Vitale et al Parcel (See Deed Liber 552, Page 436) and generally along the Northerly side of an old roadway (being the Southerly line of the aforesaid Callender lands) to the point or place of beginning. Containing 2.0± Acres. [COPIED]

SUBJECT to any easements of record to public utilities.

RESERVING a Right-of-Way along the Easterly side of the herein described Parcel. Said Right-of-Way to be 20 feet wide, measured at right angles in a Westerly direction from the highway bounds of the aforesaid Cadosia-Apex Road. [COPIED]

SCHEDULE "A" cont'd

Evanitsky & Fariello Construction Co., Inc. to Evanitsky

LI 730 vs 371

SUBJECT to any rights others may have, in and to, the old roadway Southerly of the Northerly line of the herein described Parcel. [COPIED]

BEING the same premises conveyed by Stanley Yarish to Richard Edwards by deed dated January 8th, 1979 and recorded January 10, 1979 in Liber 587 of Deeds at Page 336 in the Delaware County Clerk's Office. [COPIED]

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises. [COPIED]

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part his heirs and assigns forever. [COPIED]

BEING the same premises conveyed by Richard Edwards to John Evanitsky by deed dated April 8, 1980 and recorded in the Delaware County Clerk's Office in Liber 599 of Deeds at page 247 on May 6, 1980.

BEING the same premises conveyed by John Evanitsky to Evanitsky & Fariello Construction Co., Inc. by deed dated November 30, 1987 and recorded in the Delaware County Clerk's Office in Liber 688 of Deeds at page 1087 on March 14, 1988.

SCHEDULE "A" cont'd

LI 730 PG 372

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

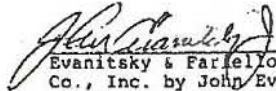
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:




Evanitsky & Farfello Construction
Co., Inc. by John Evanitsky, Jr.
Pres.

44 730 vs 373

STATE OF NEW YORK, COUNTY OF

STATE OF NEW YORK, COUNTY OF

On the _____ day of _____ 19____, before me personally came

On the _____ day of _____ 19____, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF Delaware

STATE OF NEW YORK, COUNTY OF

On the 12th day of September 19 91, before me personally came John Evanitsky, Jr., to me known, who, being by me duly sworn, did depose and say that he resides at No. _____

On the _____ day of _____ 19____, before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. _____

that he is the President of Evanitsky & Fariello Construction Co., Inc., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

that he knows _____ to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Mildred C. Waters
Notary Public

MILDRED C. WATERS
Notary Public, State of New York
Appointed in Gravenese County
by Commission Expires Nov. 30, 1992

Bargain and Sale Deed
With Covenant Against Grantor's Acts

TITLE No. _____

EVANITSKY & FARILLO CONSTRUCTION
CO., INC.

TO

JOHN EVANITSKY, JR.

SECTION
BLOCK
LOT
COUNTY OR TOWN

RETURN BY MAIL TO:

ROBERT G. DAVIS, ESQ.
38 1/2 East Front ST
P. O. Box 848
Hancock, N.Y. 13783
Zip No.

Reserve this space for use of Recording Office.

20.00
5.00
1991
Sept
3708
SEP 23 1991 11:15 AM

RECEIVED
DELAWARE COUNTY CLERK
SEP 23 1991
TRANSFER WAX
DELAWARE COUNTY

Delaware County Clerk's Office

Recorded on the 23 day of Sept: 91
at 11:50 A.M. Recorded in Liber 730
of 358 at Page 358 and
examined.

Donald J. Wright
County Clerk

1990

F: 11/19/90

INDEX TO
Inactive
Hazardous waste disposal sites
in New York State

Alphabetical Listing by Owner:

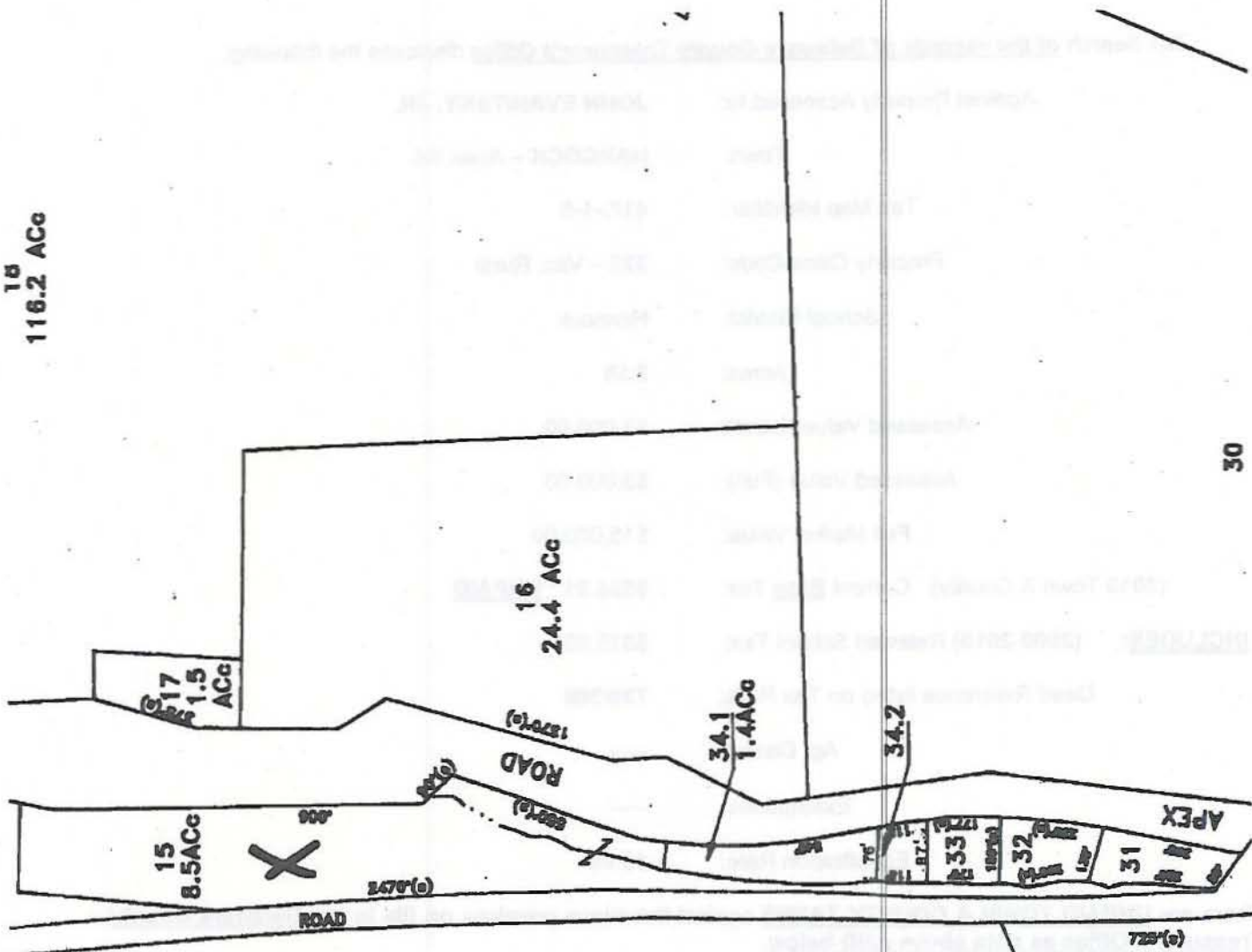
<u>Owner</u>	<u>I.D.-#</u>	<u>Page</u>	<u>Yr. of Report</u>
Amphenol-BCO	4-13-003	4-57	1990
Amphenal-BCO	4-13-009	4-65	1990
Amphenol Corp.	4-13-010	4-67	1990
James Bartlett	4-13-004	4-59	1990
Cadosia Lumber Co.	4-13-012	4-71	1990
Vitale Lumber Company	7-13-001	4-55	1990
Mr. Delvechhio	4-13-008	4-63	1990
→ Mr. John Evanitsky	4-13-001	4-55	1990
Penn Central R/R	4-13-007	4-61	1990
GCL Tie and Treating	4-13-011	4-69	1990

Alphabetical Listing by Operator:

<u>Owner</u>	<u>I.D.-#</u>	<u>Page</u>	<u>Yr. of Report</u>
James Bartlett	4-13-004	4-59	1990
Bendix-Sintilla	4-13-003	4-57	1990
Kerry Chemical	4-13-001	4-55	1990
Cadosia Lumber Co.	4-13-012	4-71	1990
Bendix Corp.	4-13-009	4-65	1990
Bendix Corporation	4-13-010	4-67	1990
Bendix Corporation	4-13-013	4-73	1990
DeVere Rosa	4-13-008	4-63	1990
Penn-Central R/R	4-13-007	4-61	1990
GCL Tie and Treating, Inc.	4-13-011	4-69	1990

116.2 ACc

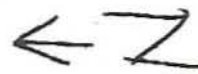
30



CATSKILL MOUNTAIN ABSTRACT CORP./BILLABLE A...



P/O TAX MAP # 417



Tax Search of the records of Delaware County Treasurer's Office discloses the following:

Against Property Assessed to: **JOHN EVANITSKY, JR.**

Town: **HANCOCK – Apex Rd.**

Tax Map Identifier: **417.-1-5**

Property Class Code: **323 – Vac. Rural**

School District: **Hancock**

Acres: **8.50**

Assessed Value (Land): **\$3,000.00**

Assessed Value (Full): **\$3,000.00**

Full Market Value: **\$15,000.00**

(2010 Town & County) Current Base Tax: **\$534.31 * UNPAID**

* INCLUDES: (2009-2010) Relieved School Tax: **\$315.82**

Deed Reference listed on Tax Rolls: **730/368**

Ag. District: **---**

Exemptions: **---**

Equalization Rate: **13.99**

There are UNPAID TOWN & COUNTY TAXES against the above premises on file in the Delaware County Treasurer's Office as note above AND below.

UNPAID TOWN & COUNTY TAXES on file at the Del. Co. Treasurer's Office: 1995, 1996, 1997, 1998, 1999, 2004, 2005, 2006, 2007, 2008 2009, 2010 (NOTE: 2000, 2001 & 2003 PAID) - for current amounts due call 607-832-5070.

NOTE: The Hancock Central School 2010-2011 School Taxes (Base Amt:) were RETURNED UNPAID to the Delaware County Treasurer's Office and were RELEVIED with the 2011 Town & County Taxes as noted below.

Additional Tax Information not available from the Delaware County Treasurer's Office is noted below.

NOTE: The Hancock Town Clerk reports the 2011 Town & County Taxes (Base Amt: **\$548.36** incl. \$322.23 Rel. Sch. Tax) are currently UNPAID and were due without penalty by 1/31/11.

DATED: February 17, 2011

CATSKILL MOUNTAIN ABSTRACT CORP.

Authorized Officer

