

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 137 Eagle Heights Road, in the Town of Fulton, County of Schoharie and State of New York, known and designated on the tax map of the County Clerk of Schoharie and tax map parcel numbers: 125-1-5, being the same as that property conveyed by deed dated July 5, 1940 and recorded in the office of the Schoharie County Clerk on July 10, 1940 in book 225 of deeds at page 351. Commencing from lots 1, 8, 7 and 9 with its east side residing in the Town of Fulton, County of Herkimer, 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 owners of the Property shall prohibit the Property from ever being used for purposes other than for its current land use as a landfill without the express written waiver of such prohibition by the Department or Relevant Agency.

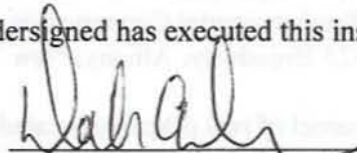
FIFTH, the no person shall use the groundwater underlying the Property without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first obtains permission to do so from the Department or Relevant Agency. Use of the groundwater without appropriate treatment 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, 2014

Camp Summit
137 Eagle Heights Rd Fulton
Fulton, NY
Tax Map: 125-1-5

APPENDIX "A"

METES AND BOUNDS DESCRIPTION

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

BEGINNING AT THE COMMON CORNER of lots 1, 8, 7 and 9, a point marked by a point with its east side and running from this along land now owned by said people with the following two courses and distances:

- 1) Along the land owned by the said people, South $38^{\circ}-11'$ West along the dividing line between lots 2 and 7, a distance of 2016.3 feet to a point; thence
- 2) Along the same, South $45^{\circ}-07'$ -East, a distance of 742.5 feet to another point: thence
- 3) Along the same, South $40^{\circ}-00'$ - West along land owned by now or formerly known by Harvey Ryder 1240.8 feet to the dividing line between lots 2 and 3; thence
- 4) Along the same, North $58^{\circ}-08'$ -West along said dividing line between said lots and being also land owned by said people that is 528 feet to the common corner of lots 2, 3 and 8; thence
- 5) Along the same, North $50^{\circ}-25'$ -West along dividing lines between lots 6 and 7 and being also along land owned by said people which is 756.36 feet from a point; thence
- 6) Along the same, North $48^{\circ}-14'$ -West along the dividing line between lots 6 and 7 and 10 and 11 and being also 3921.06 feet from the most westerly corner of said lot 10; thence
- 7) Along the same, North $35^{\circ}-50'$ East along the northwesterly line of said lot 10 and being 2514.6 feet from the most northerly corner of said lot 10; thence

8) Along the same, South 52°-16' East along the dividing lines between lots 9 and 10, and 7 and 8 and being also along a line of distance 3646.5 feet from a point; thence

9) Along the same, South 60°-04'-East along the dividing line between lots 7 and 8 and being also along land now owned by said people that is 928.62 feet from the point of beginning.

Containing 290.96 acres.

Parcel Information Sheet

Schoharie County RPTO

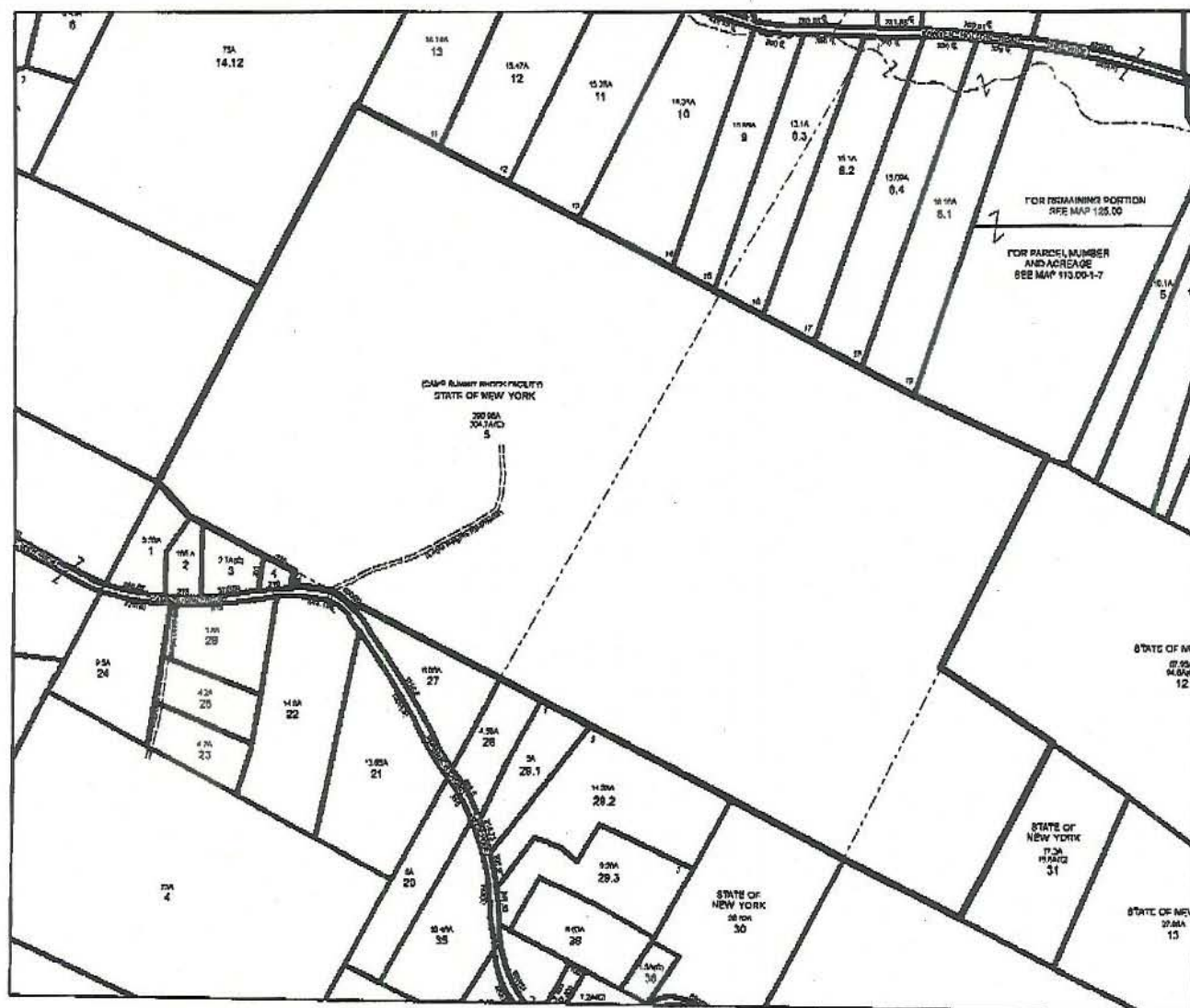
Tax Map Number	125.-1-5
Owner 1	State Of New York
Owner 2	
Acres	290.86
Frontage	400
Prop Class Code	930
Prop Class	State forest
School District	Middleburgh
Property Address	137 EAGLE HEIGHTS RD
Book	225
Page	351
Land Value	306126
Total Value	306126
Town	Fulton

IMPORTANT NOTICE AND DISCLAIMER

The owner and deed reference information provided may be incomplete. Abstract verification is the user's responsibility.

This map and information is provided as is.
We make no warranties or guarantees, expressed or implied.
The user assumes all risks and responsibility for determining
whether this map is sufficient for purposes intended.
The data is deemed reliable but not guaranteed.

1" = 1000'





Chicago Title Insurance Company

Rochester Office

19 West Main Street, Suite 100

Rochester, NY 14614

Office 585-546-6350

Fax: 585-546-4236

Email: susan.hindmarsh@ctt.com

Last Owner Report

Date: 9/7/2011

Chicago Title Search No.: 1116-98218

AECOM Site #4-48-06

Address: 137 Eagle Heights Rd.,

Town: Fulton

Assessed to: State of New York

Tax Map No. 125-1-5

Acreage: 290.96

Class Code: 930 (State Owned Forest)

A Last Owner Search has been conducted against the name(s) of The People of the State of New York and The State of New York at the property located at 137 Eagle Heights Road from 7/04/40 to 5/19/11 in the Schoharie County Clerk's Office:

1. Deed between Tobia Wayman and Robie Wayman, his wife to The People of the State of New York dated 7/5/1940 and recorded 7/10/1940 in Liber 225 at page 351.

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.

BK: 225

Pg: 351

Recorded and examined
July 8, 1940--9:15 A.M.
Florence S. West
COUNTY CLERK
Florence S. West, Clerk

Reforestation-Schoharie 4-5

THIS INDENTURE

Made the Fifth day of July in the year nineteen hundred forty
BETWEEN TONIAS WAYMAN and ROBBIE WAYMAN, his wife, both of the Town of Fulton, County
of Schoharie and State of New York, parties of the first part,
AND ONE PEOPLE OF THE STATE OF NEW YORK, parties of the second part.
WITNESSETH, That the parties of the first part, in consideration of ONE THOUSAND ONE
HUNDRED SIXTY-THREE and 84/100 DOLLARS (\$1,163.84) lawful money of the United States, paid
by the parties of the second part, do hereby grant and release unto the said parties of
the second part, and their successors and assigns forever, all that tract or parcel of land
situate as follows:

State of New York
County of Schoharie
Town of Fulton
Butler's Patent (Usually known as Strasburgh Patent)
Second Tract, West end

All of Lots 7 and 10 and part of Lot 2, said lots and part of lot together being
bounded and described as follows:

BEGINNING at the common corner of lots 1, 2, 7 and 8, a point marked by an ash tree
with a tack in its east side and running from thence along land now owned by said People
and being also along wire fences the following two courses and distances:
S. 38° 11' W. along the dividing line between lots 2 and 7, 20.55 chains to a hemlock
stake and stones and S. 45° 07' E. 11.25 chains to a hemlock stake and stones, being also
a point marked by a blazed maple tree; thence S. 40° 00' W. along land owned now or former-
ly by Harvey Ryder 19.80 chains to the dividing line between lots 2 and 3, a point marked
by a hemlock stake and stones; thence N. 88° 06' W. along said dividing line between lots
2 and 3 and being also along land now owned by said People and being also along a stone
wall in part and a wire fence in part 8.00 chains to the common corner of lots 2, 3 and
7; thence N. 80° 26' W. along the dividing line between lots 6 and 7 and being also along
land now owned by said People and being also along a stone wall 11.45 chains to a hemlock
stake and stones; thence N. 48° 14' W. along the dividing line between lots 6 and 7 and 10
and 11 and being also along stone walls in part and wire fences in part 39.41 chains to
the most westerly corner of said lot 10, a point marked by a hemlock stake and stones;
thence N. 36° 00' E. along the northwesterly line of said lot 10 and being also along a
wire fence in part, a stone wall in part and a blazed line in part 38.10 chains to the
most northerly corner of said lot 10, a point marked by a found iron pin and stones; thence
S. 52° 15' N. along the dividing line between lots 6 and 10, and 7 and 8 and being also
along a blazed line in part, a wire fence in part and a stone wall in part, 38.25 chains
to an ironwood stake and stones; thence S. 50° 04' E. along the dividing line between lots

7 and 8 and being also along land now owned by said people and being also along a stone wall in part and a wire fence in part 14.07 chains to the point of beginning.

Containing 290.95 acres, be the same more or less.

All bearings are referred to magnetic north 1933.

All as shown on a map of Schoharie County Reformation Area No. 6, Proposal D, made for the Conservation Department by E. Trumper, following a survey made for said department by said Trumper; survey and map having been completed April 30, 1940; said map being now on file in the office of said department in Albany, N. Y.

Reserving, however, to the parties of the first part, their successors or assigns, for a period of one year from the date of the recording of this deed the right to remove any or all of the buildings now standing on the hereby conveyed premises.

This conveyance is made subject, however, to a timber agreement made under date of Aug. 12, 1939 between the parties of the first part hereeto and Frank Churchill, which said agreement and all rights thereunder expire on January 1st, 1942.

TOGETHER with the appurtenances of all the estate, rights and interest of the parties of the first part in and to said premises.

TO HAVE AND TO HOLD, the above granted premises unto the said parties of the second part, their successors and assigns forever.

And the said parties of the first part do covenant with said parties of the second part as follows:

FIRST. That said parties of the first part are seized of said premises in fee simple, and have good right to convey the same;

SECOND. That the parties of the second part shall quietly enjoy the said premises;

THIRD. That said premises are free from incumbrances;

FOURTH. That said parties of the first part will execute or procure any further necessary assurance of the title to said premises;

FIFTH. That said parties of the first part will forever WARRANT the title to said premises.

SIXTH. That, if any improvements, repairs or alterations have been commenced upon the foregoing premises and have not been completed at least four months before the making and recording of this deed, the grantors will receive the consideration for this conveyance as a trust fund to be applied first for the purpose of paying the cost of the improvements, and that the grantors will apply the same first to the payment of the cost of the improvements before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

IN PRESENCE OF
Francis L. Smith

Tobias Wayman (L.S.)
Robbie Wayman (L.S.)

STATE OF NEW YORK }
COUNTY OF SCHOHARIE } ss.:

On this Fifth day of July in the year one thousand nine hundred forty before me, the subscriber, personally came TOBIAS WAYMAN and ROBBIE WAYMAN, his wife, to me known to be the persons described in and who executed the within instrument, and they each duly acknowledged that they executed the same.

Francis L. Smith
Notary Public.
Schoharie County NY

Recorded and examined
July 10, 1940--11 A.M.

Florence B. West, Clerk.
Florence B. West
Schoharie County NY

Parcel Information Sheet

Schoharie County RPTO

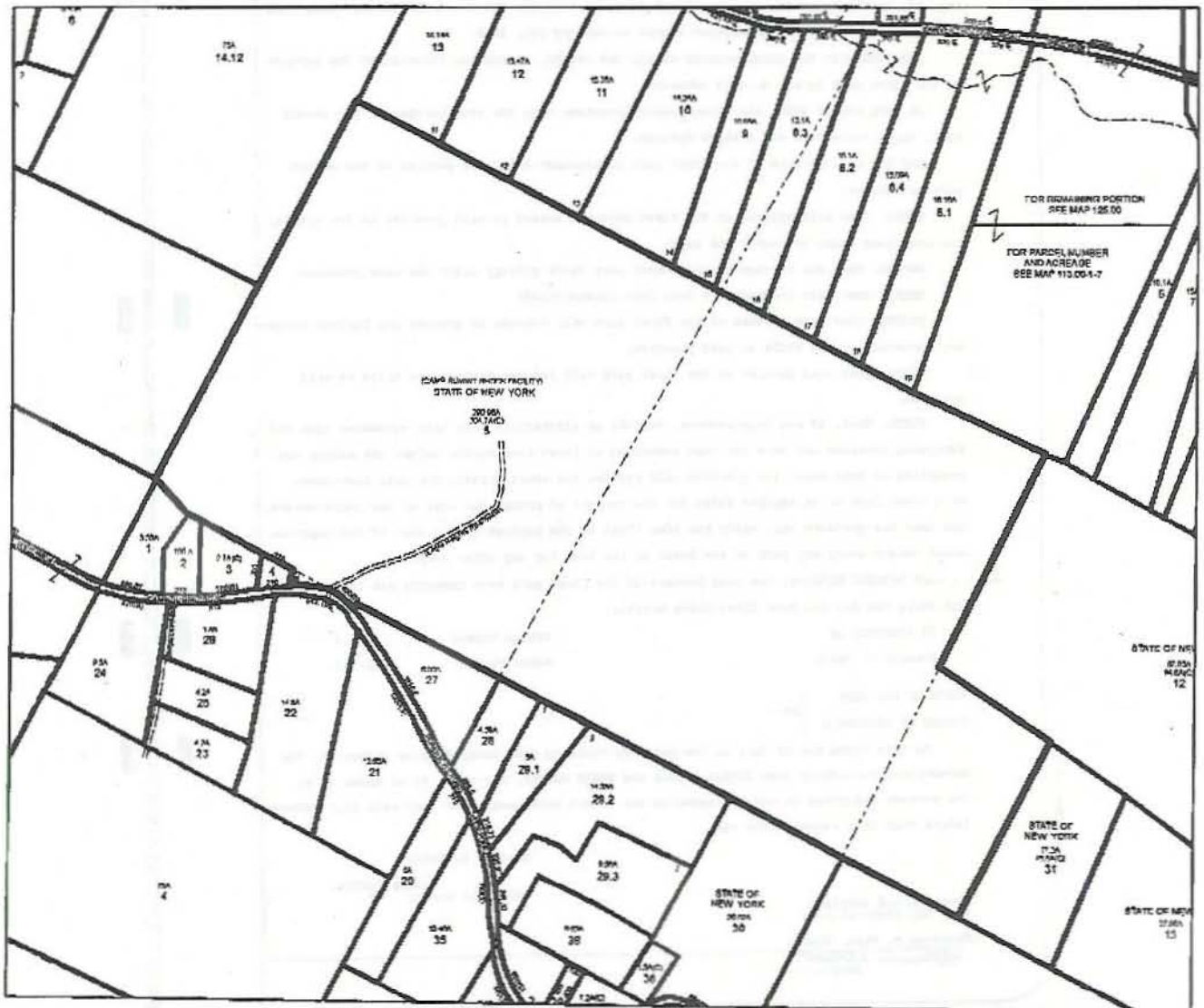
Tax Map Number 125.-1-5
 Owner 1 State Of New York
 Owner 2
 Acres 290.86
 Frontage 400
 Prop Class Code 930
 Prop Class State forest
 School District Middleburgh
 Property Address 137 EAGLE HEIGHTS RD
 Book 225
 Page 351
 Land Value 306126
 Total Value 306126
 Town Fulton

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1" = 1000'



Schoharie County Real Property Search Parcel Details

New Parcel
Search

Return to
Parcel List

Home

[Help](#)

Roll Year	Tax Map #	Address	Town
2011	125.-1-5	137 Eagle Heights Rd Fulton	Fulton

Property Class State forest **School District** Middleburgh

Roll Section S.O.L. Acres 290.96 **Front** 400.00 **Depth** 0.00

Account Number 465M401792 **Assessed Value Land** 306126 **Total**

306126

Owners

State Of New York Schoharie Co Treasurer Box 9 Par No 0440001 0440002
Schoharie NY 121570009

Special Districts

W Fulton fire dist

Exemptions

Type	Amount
RPTL534	306126

Deed References (Click on Book for County Clerk Deed Information) -

Note: Only the current deed reference is shown.

Book	Page	Sale Date	Sale Price	Previous Owner
225	351			

Certificate as to Taxes

SCHOWRIGHT ABSTRACT CORP., a New York Corporation, does hereby certify that, having examined the tax rolls filed in the Office of the Treasurer of Schoharie County for taxes which are a lien and charge upon real property for TEN (10) years last past, find no unpaid taxes or tax sale certificates affecting the premises described as follows:

Assessed to: **STATE OF NEW YORK**

Town of: **Fulton**

Location: **137 Eagle Heights Rd.**

Tax Map No: **125 - 1 - 5**

Account: **465M401792**

Valuation: **306,126-land 306,126-total**

Acreage: **290.96**

School District: **Middleburgh Central School**

Class Code: **930**

EXCEPT AS FOLLOWS:

NONE

NOTE: 2011 Town / County tax was PAID 2-1-11 in the amount of \$ 2568.49

2010-11 school tax was PAID 10-5-10 in the amount of \$ 8880.52

Date: **May 19, 2011**

SCHOWRIGHT ABSTRACT CORP.

by: 

GERALD T. WRIGHT