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MAP AND DESCRIPTION OF REAL PROPERTY OF

Situate in

WASHINGTON COUNTY N.Y.
ROSE MARIE GREGORY
CLERK

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CLERK

Part of Unnumbered Lot and Part of Lot 14
Kingsbury Patent
Village of Hudson Falls, Towns of Kingsbury and Fort Edward
County of Washington, State of New York

Designated as
Kingsbury Toxic Waste Disposal Site

Reputed Owners: Town of Kingsbury
Mario Sassone
Howard Burch and Robert Liebig
James D. Sherman

Pursuant to Section 3-0305 of the Environmental Conservation Law and the Eminent Domain Procedure Law, I, Thomas C. Jorling, Commissioner of Environmental Conservation, have caused to be made and certified an accurate map and description of the following property over which I deem it necessary to acquire a permanent easement by appropriation, for the functions and purposes of the Department, to wit for remediation of an inactive hazardous waste site and not for inclusion in the forest preserve.

Parcel 1

A permanent easement to be exercised in, on, over, under, and upon the hereinafter described property, for the right to (1) exclusively use and occupy the premises hereinafter described; (2) secure the described property by fencing; (3) conduct soil, water, air, flora and fauna tests and analyses; (4) remove soil, water, air, flora and fauna samples; (5) construct, reconstruct, and operate thereon a work area; (6) grade; (7) clear and grub of trees, brush, debris, and structures; (8) remove therefrom any or all material excavated, cut, razed or torn down from the area described herein or deposit any material thereon; (9) place and keep machines and tools and equipment; (10) construct, reconstruct, operate, maintain and repair any and all structures, facilities, or other works necessitated by the implementation of the Kingsbury Toxic Waste Disposal Site Remedial Plan, a copy of which is on file in the Albany Office of the Department of Environmental Conservation; with the rights at all times of ingress, egress and regress by the State of New York, its employees, agents, contractors, and/or representatives for the purposes connected with the assessment of environmental problems caused by the disposal of toxic wastes and the development and implementation of remedial plans; said permanent easement being over land within the bounds of that parcel of land bounded and described as follows:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND situate in part of Lot 14 and part of the Unnumbered Lot, Kingsbury Patent, Village of Hudson Falls and Towns of Kingsbury and Fort Edward, County of Washington, State of New York, more particularly bounded and described as follows:

COMMENCING at a point on the Champlain Canal Blue line between lands of Mario Sassone, reputed owner on the northeast and lands of the People of the State of New York on the southwest, said point described as Blue line point number 25 on a map entitled "Map of a portion of Champlain Canal lands belonging to the State made pursuant to Chapter 199, Laws of 1910, and amendatory Laws" prepared by SNY Department of Public Works and dated February 1928; running thence along said Blue line N 44° 19'00" W, a distance of 49.40 feet, to the northwest corner of Parcel 1 and Point of Beginning; running thence from said Point of Beginning and through the lands of Mario Sassone, reputed owner, the following 2 courses:

1) N 47° 10'43" E, passing through an iron pipe at 29.19 feet, a total distance of 246.24 feet to a point marked by an iron pipe; thence,

2) N 73° 57'19" E, a distance of 238.87 feet to a point in the boundary between lands of Mario Sassone, reputed owner on the southwest and lands of the Town of Kingsbury, reputed owner on the northeast; thence through the lands of the Town of Kingsbury, reputed owner, the following 2 courses:

1) N 73° 57'19" E, a distance of 154.21 feet to a point marked by an iron pipe; thence,

2) S 85° 41'14" E, passing through an iron pipe at 10.97 feet, a total distance of 187.47 feet to a point in the boundary between lands of James D. Sherman, reputed owner on the east and lands of the Town of Kingsbury on the west; thence, through the lands of James D. Sherman, reputed owner, the following 3 courses:

1) S 85° 41'14" E, a distance of 69.92 feet to a point marked by an iron pipe; thence,

2) S 77° 16'08" E, a distance of 190.84 feet to a point marked by an iron pipe; thence,

3) S 70° 59'14" E, a distance of 140.85 feet to a point in the boundary between lands of James D. Sherman, reputed owner on the west and lands of Howard Burch and Robert Liebig, reputed owners on the east; thence, through the lands of Howard Burch and Robert Liebig, reputed owners, the following 5 courses:

1) S 70° 59'14" E, a distance of 116.29 feet to a point marked by an iron pipe; thence,

2) S 57° 17'35" E, a distance of 405.31 feet to a point marked by an iron pipe; thence,

3) S 20° 56'30" W, a distance of 208.23 feet to a point marked by an iron pipe; thence,

4) S 24° 56'41" W, a distance of 409.77 feet to a point marked by an iron pipe; thence,

5) S 22° 04'00" W, passing through an iron pipe at 428.89 feet, a total distance of 441.50 feet to a point on the Blue line of the State of New York Champlain Canal lands; thence, along the Blue line between lands of the People of the State of New York on the southwest and lands of Howard Burch and Robert Liebig, reputed owners on the northeast, the following 2 courses:

1) N 67° 11'00" W, a distance of 198.94 feet to a point on the Blue line; thence,

2) N 67° 37'00" W, a distance of 48.92 feet to a point in the boundary between lands of the Town of Kingsbury, reputed owner on the northwest and lands of Howard Burch and Robert Liebig, reputed owners on the southeast; thence, continuing along said canal Blue line between lands of the People of the State of New York on the south and west and lands of the Town of Kingsbury on the north and east, the following 12 courses:

1) N 67° 37'00" W, a distance of 14.82 feet to a point; thence,

2) N 57° 16' 00" W, a distance of 126.75 feet to a point, thence,

3) N 47° 37'00" W, a distance of 126.13 feet to a point; thence,

4) N 39° 44'00" W, a distance of 95.94 feet to a point; thence,

5) N 17° 51'00" W, a distance of 128.13 feet to a point; thence,

6) N 21° 57'00" W, a distance of 162.90 feet to a point; thence,

7) N 28° 36'00" W, a distance of 58.07 feet to a point; thence,

8) N 56° 58'00" E, a distance of 322.73 feet to a point; thence,

9) N 41° 38'00" W, a distance of 320.76 feet to a point; thence,

10) S 44° 20'00" W, a distance of 300.30 feet to a point; thence,

11) N 54° 42'00" W, a distance of 57.68 feet to a point; thence,

12) N 72° 01'00" W, a distance of 20.13 feet to a point in the boundary line between the lands of Mario Sassone, reputed owner on the northwest and lands of the Town of Kingsbury, reputed owner on the southeast; thence, continuing along the aforesaid Blue line between the lands of Mario Sassone, reputed owner on

the northeast and lands of the People of the State of New York on the southwest the following 3 courses:

- 1) N 72° 01'00" W, a distance of 19.43 feet to a point; thence,
- 2) N 64° 26'00" W, a distance of 298.46 feet to a point; thence,
- 3) N 44° 19'00" W, a distance of 49.40 feet to the point and place of beginning, containing 23.903 acres of land be the same more or less.

Parcel 2

A permanent easement to be exercised in, over, under, and upon the hereinafter described property for ingress, egress and regress, including the right to construct, reconstruct, improve and maintain a roadway in, over and upon the following described parcel of land for use by the State of New York, its employees, agents, contractors, and/or representatives, in common with all others having rights in and to the hereinafter described parcel; said permanent easement being over land within the bounds of that parcel bounded and described as follows:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND situate in the unnumbered lot, Kingsbury Patent, Village of Hudson Falls, County of Washington and State of New York, more particularly bounded and described as follows:

COMMENCING at the northwest corner of Parcel 1 described above, running thence N 44° 19'00" W along the Champlain Canal Blue line a distance of 271.13 feet to the Point of Beginning of Parcel 2; running thence from said Point of Beginning along the said Blue line between lands of the People of the State of New York on the southwest and lands of Mario Sassone, reputed owner on the northeast the following 2 courses:

- 1) N 44° 19'00" W, a distance of 65.05 feet to a point; thence,
- 2) N 07° 29'00" E, a distance of 11.62 feet to a point in the southerly boundary of Old Burgoyne Avenue; thence, along the southerly boundary of Old Burgoyne Avenue N 52° 30'08" E, a distance of 39.64 feet to a point; thence, through the lands of Mario Sassone, reputed owner, S 08° 38'24" E, a distance of 83.14 feet to the point and place of beginning, containing 0.040 acres of land be the same more or less.

Parcel 3

A permanent easement to be exercised in, on, over, under and upon the hereinafter described property to enter upon and exclusively use said property for the purpose of installing and maintaining a groundwater monitoring well,

and access thereto, including the collection and removal of groundwater samples, and in connection therewith to construct, operate, repair and maintain any and all structures including fencing, that are deemed necessary by the Commissioner; said easement to be for use by the State of New York, its employees, agents, contractors, and/or representatives, and to affect the following described parcel of land.

ALL THAT CERTAIN TRACT OR PARCEL of land situate in Lot 14, Kingsbury Patent, Town of Kingsbury, County of Washington and State of New York, more particularly bounded and described as follows:

COMMENCING at the northwest corner of Parcel 1 described above, running thence N 47° 10'43" E, a distance of 246.24 feet to a point marked by an iron pipe; thence, N 73° 57'19" E, a distance of 393.08 feet to a point marked by an iron pipe, being the Point of Beginning; running thence through the lands of the Town of Kingsbury N 28° 38'03" E, a distance of 76.27 feet to a point in the boundary between lands of the Town of Kingsbury (reputed owner) on the southwest and lands of James D. Sherman (reputed owner) on the northeast; thence through the lands of James D. Sherman (reputed owner) the following 3 courses:

- 1) N 28° 38'03" E, a distance of 77.07 feet to a point marked by an iron pipe; thence,
- 2) S 61° 21'57" E, a distance of 10.00 feet to a point marked by an iron pipe; thence,
- 3) S 28° 38'03" W, a distance of 76.73 feet to a point in the boundary between lands of James D. Sherman (reputed owner) on the northeast and lands of the Town of Kingsbury (reputed owner) on the southwest; thence through the lands of the Town of Kingsbury the following 2 courses:
 - 1) S 28° 38'03" W, a distance of 72.09 feet to a point marked by an iron pipe; thence,
 - 2) N 85° 41'14" W, a distance of 10.97 feet to the Point of Beginning, containing .035 of an acre of land, be the same more or less.

All bearings are with reference to True North as shown on State of New York map showing Champlain Canal Lands dated February 1928.

All as shown on a map entitled "Map of easements to be acquired pursuant to Section 3-0305 of the Environmental Conservation Law and the Eminent Domain Procedure Law, Project HW Washington 1502 Kingsbury Toxic Waste Disposal Site, James D. Sherman - Reputed Owner (Project No. 1502.4) (Parcel No. 1.4 and 3.2);

Mario Snacone - Reputed Owner (Project No. 1502.2) (Parcel Nos. 1.2 and 2);
Town of Kingsbury - Reputed Owner (Project No. 1502.1) (Parcel Nos. 1.1 and
3.1); Howard Burch and Robert Liebig - Reputed Owners (Project No. 1502.3)
(Parcel No. 1.3); situate in Unnumbered Lot and Lot 14, Kingsbury Patent,
Village of Hudson Falls, Town of Kingsbury and Town of Fort Edward, County of
Washington, State of New York", dated November 16, 1989, and revised May 8,
1990, by Adelbert R. Young, Land Surveyor, License No. 49156, and filed in the
Albany Office of the New York State Department of Environmental Conservation as
Map No. 10814.

That pursuant to Section 3-0305 of the Environmental Conservation Law, and
the Eminent Domain Procedure Law, this map and description of the easements to
be acquired by the People of the State of New York are hereby approved and
officially filed in the office of the Department of Environmental Conservation
at Albany, New York on July 26, 1990

Thomas C. Jorling
Commissioner
Environmental Conservation
Department

BY:


Langdon Marsh
Langdon Marsh, Executive Deputy
Commissioner

Dated

Aug 24, 1990

I have compared the foregoing copy of map and description of easements to be acquired by the People of the State of New York designated as "Map and Description of Real Property situate in Part of Unnumbered Lot and Part of Lot 14, Kingsbury Patent, Village of Hudson Falls, Towns of Kingsbury and Fort Edward, County of Washington, State of New York; designated as Kingsbury Toxic Waste Disposal Site", with the original thereof as filed in the office of the Department of Environmental Conservation at Albany, New York, and I hereby certify the same to be a true and correct copy thereof.

Dated Sept. 4, 1990


James M. West
Superintendent
Bureau of Real Property