



ST LAWRENCE COUNTY – STATE OF NEW YORK
SANDRA W. SANTAMOR, COUNTY CLERK
48 COURT STREET, CANTON, NEW YORK 13617

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



INSTRUMENT #: R-2023-00015635

Receipt#: 2023713165
Clerk: PDAY
Rec Date: 12/11/2023 02:01:28 PM
Doc Grp: RP
Descrip: EASEMENT
Num Pgs: 6

Party1: NEW YORK STATE PEOPLE
Party2: BURT CONNOR J
Town: LISBON

Recording:

Pages	25.00
Recording Fee	20.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP 584	5.00

Sub Total: 70.00

Transfer Tax
Transfer Tax 0.00

Sub Total: 0.00

Total: 70.00

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

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

Transfer Tax #: 1874
Standard Transfer Tax

Total: 0.00

Record and Return To:

NASH & PALM
MAILBOX

Sandra W. Santamor

Sandra W. Santamor
St Lawrence County Clerk

WARNING***

** Information may change during the verification
process and may not be reflected on this page.

AMENDMENT TO ENVIRONMENTAL EASEMENT

This Amendment to Environmental Easement is made as of this 1st day of December 2023 by and between The People of the State of New York, acting through their Commissioner of the Department of Environmental Conservation (the "Department") with its headquarters located at 625 Broadway, Albany, New York 12233, and Connor J. Burt ("Grantor") with a mailing address of 2367 State Highway 812, De Kalb Junction, New York 13630.

RECITALS

1. Grantor is the owner of certain land located at the address of Newcomb Road in the Town of Lisbon, County of St. Lawrence, and State of New York, known and designated on the tax map of the County Clerk of St. Lawrence as parcel numbers Section 49.004, Block 1, Lots 29 and 41, being the same as that property conveyed to Grantor by deed dated December 2, 2021 and recorded in the St. Lawrence County Clerk's Office as Instrument Nos. 2022-00002967 (the "Property").
2. St. Lawrence County, predecessor of Grantor, executed that certain Environmental Easement ("Easement Agreement") dated as of September 7, 2016 and recorded in the St. Lawrence County Clerk's Office on September 8, 2016 as Instrument No. 2016-00011339. Capitalized terms used herein without definition have the meanings ascribed to them in the Easement Agreement.
3. Pursuant to Section 1, 2, 3, 4, and 5 of the Easement Agreement, St. Lawrence County conveyed to the Department real property rights that run with the land to facilitate the remediation of past environmental contamination at the Property and imposed use restrictions and covenants to protect human health and the environment by reducing the risk of exposure to contaminants.
4. Pursuant to Section 17(h) of the Easement Agreement, St. Lawrence County and the Department agreed that the United States, through the United States Environmental Protection Agency ("EPA"), shall be, on behalf of the public, a third-party beneficiary of the benefits, rights, and obligations conveyed to the Department by the Easement Agreement.
5. Pursuant to Section 3 of the Easement Agreement, the Property may only be used consistent with restrictions set out in that section of the Easement Agreement. The Department and EPA have determined that the restriction set forth in Section 3(ii) of the Easement Agreement, a Property-wide prohibition on groundwater extraction, is no longer necessary to protect human health and the environment.
6. This Amendment to Environmental Easement is filed solely in order to revise the restriction set forth in Section 3(ii) of the Easement Agreement.
7. Pursuant to Section 4 of the Easement Agreement, the Department agrees to amend the Easement Agreement in the manner prescribed by Article 9 of the Real Property Law.

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6 Pages

EASEMENT

Sandra W Santamoor, St Law Co Clerk

AMENDMENT OF ENVIRONMENTAL EASEMENT

- A. The above recitals are hereby incorporated into this Amendment of Environmental Easement.
- B. The Department and Grantor hereby agree that Section 3(ii) of the Easement Agreement is hereby amended to read as follows:
 - (ii) there shall be no extraction or use of groundwater from the Property until groundwater standards are met, except in such areas where EPA determines extraction or use of groundwater may be conducted safely and without adverse impacts to human health or to the groundwater remedy.
- C. All other terms of the September 7, 2016 Easement Agreement shall remain in effect.
- D. This Amendment of Environmental Easement inures to and binds the parties hereto and their respective successors and assigns.
- E. This Amendment of Environmental Easement shall be governed by and interpreted in accordance with the laws of the State of New York.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, Grantor has caused this Amendment to Environmental Easement to be signed in its name.

Connor J. Burt:

By: 

Print Name: Connor J. Burt

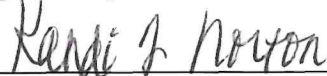
Title: Owner Date: 11/16/23

Grantor's Acknowledgment

STATE OF NEW YORK)

COUNTY OF St. Lawrence) ss:

On the 16 day of Nov., in the year 2023, before me, the undersigned, personally appeared Connor Burt, 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.



Notary Public - State of New York

KANDI J. NORTON
Notary Public, State of New York
No. 01-NO6026022
Qualified in St. Lawrence County
Commission Expires 6-7-27

**THIS AMENDMENT OF THE 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,

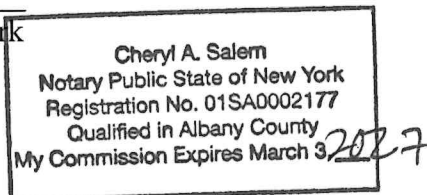
By: Andrew Guglielmi
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

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

On the 15th day of December, in the year 2023, before me, the undersigned, personally
appeared Andrew O. Guglielmi, personally known to me or proved to me on the basis of satisfactory
evidence to be the individual whose name is subscribed to the within instrument and acknowledged
to me that he executed the same in his capacity as Designee of the Commissioner of the State of
New York Department of Environmental Conservation, and that by his signature on the instrument,
the individual, or the person upon behalf of which the individual acted, executed the instrument.

Cheryl A. Salem
Notary Public - State of New York



NASH & PALM
ATTORNEYS AND COUNSELORS AT LAW

113 MAIN STREET
CANTON, NEW YORK 13617
315-386-8501
FAX: 315-386-8936
EMAIL: nashandpalmattorneys@gmail.com

CHARLES B. NASH, ESQ.
COLIN S. LOOMIS, ESQ.

CHARLES E. PALM (Retired)

December 11, 2022

Town of Lisbon
Alberta L. Hyde
6963 County Route 10
Lisbon, New York 13658

Re: Connor Burt
Sealand Restoration

Dear Alberta:

Enclosed please find a copy of the recorded easement on Connor Burt's property. This is an amendment to the Sealand Restoration matter.

Sincerely Yours,



CHARLES B. NASH

CBN:kjn

DUPLICATE

ORIGINAL
FILED

NYSDEC Site No.: 645014

County: St. Lawrence

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Connor J. Burt:

By: 

Print Name: Connor J. Burt

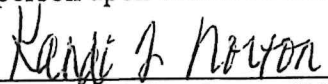
Title: owner Date: 11/16/23

Grantor's Acknowledgment

STATE OF NEW YORK)

) ss:
COUNTY OF St. Lawrence

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Notary Public - State of New York

KANDI J. NORTON
Notary Public, State of New York
No. 01-NO6026022
Qualified in St. Lawrence County
Commission Expires 6-2-27

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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: Andrew O. Guglielmi -
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

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) ss:
COUNTY OF ALBANY)

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evidence to be the individual whose name is subscribed to the within instrument and acknowledged
to me that he executed the same in his capacity as Designee of the Commissioner of the State of
New York Department of Environmental Conservation, and that by his signature on the instrument,
the individual, or the person upon behalf of which the individual acted, executed the instrument.

Cheryl A. Salem
Notary Public - State of New York

