## ONONDAGA COUNTY CLERK'S OFFICE SANDRA A SCHEPP - COUNTY CLERK 401 Montgomery St - Room 200

Syracuse, NY 13202

Doc Type:

OTHER

Receipt:

Fax: 315-435-3455

Phone: 315-435-2226

1217511 BH

Party 1:

NYS DEPT OF ENVIRONMENTAL CO HANLIN GROUP INC

Book/Page: 00308/0512 Inst: 95936

Party 2:

Updated:

Date Filed: 06/02/2015 at 12:56PM 06/03/2015 KG

Record and Return To:

Legal Desc: ENVIRONMENTAL NOTICE-GED/CAM

MANY PARS

**FRONTIER** 

30 W BROAD ST STE 100

IRVING PLACE/ OLD CITY HALL

**ROCHESTER NY 14614** 

Remarks:

**GERE LOCK RD** 

Submitted by: SUE FRONTIER

	Recording Fees		Miscellaneous Fees	
Addl pages:	25 x 5.00 =	\$ 125.00	RMI:	\$ 20.00
Addl Names:	0 x 0.50 =	\$ 0.00	TP 584:	\$ 0.00
Addl Refs:	1 x 0.50 =	\$ 0.50	RP5217:	\$ 0.00
Misc:		0.00	AFFTS:	\$ 0.00
Basic		\$25.00		
		=========		=========
TOTAL:		\$150.50	TOTAL:	\$ 20.00
	MORTGAGE TAX		DEED TRANSFER TA	X
Mortgage:			Consideration	\$0.00
Basic:		\$0.00	Transfer Tax:	\$0.00
Ins Fund:		\$0.00	SWIS:	
Net Add:		\$0.00	Map #:	
Misc:		\$0.00		
		========	Total Paid	\$ 170.50
TOTAL		\$0.00	Control no	

WARNING - This sheet constitutes the Clerk's endorsement, required by Section 319 of the Real Property Law of the State of New York. Do not detach. Taxes imposed on this instrument at time of recording were paid. Certain information contained in this document is not verified by this office.

> SANDRA A SCHEPP Onondaga County Clerk

0512 Instrument no.: 95936 Book/Page 00308 /



25

Site Name: LCP Chemical Site, OU1 and OU2

County: Onondaga Site No.: 734049

## **ENVIRONMENTAL NOTICE**

To be issued in lieu of Environmental Easement/Deed Restriction as referenced in DER-33

THIS ENVIRONMENTAL NOTICE is made the 18th day of 1949 2015, 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, a parcel of real property identified as LCP Chemical Site (Site734049), located on Gere Lock Road in the Town of Geddes, County of Onondaga, State of New York, which is part of lands conveyed by Onondaga County Industrial Development Agency to Hanlin Group, Inc. (successor to LCP Chemicals-New York Inc.) by deeds dated October 2, 1989 and recorded in the Onondaga County Clerk's Office on January 16, 1990 in Book 3594 of Deeds at Page 49 and being more particularly described in Appendix "A", attached to this noticed and made a part hereof, and hereinafter referred to as "the Property" is the subject of Order on Consents executed by Honeywell International Inc. ("Honeywell") as part of the Department's State Superfund Program; 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 Property 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 Sate 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 Plans ("SMPs"), 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 375-1.11(b)(2).

**THIRD**, no person shall disturb, remove, or otherwise interfere with the installation, use, operations, and maintenance of engineering controls required for the Remedy, including but not limited to those engineering controls described in the SMPs 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 the following uses:

Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv). Therefore, any use for purposes other than Commercial and Industrial 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.

Site Name: LCP Chemical Site, OU1 and OU2

County: Onondaga Site No.: 734049

FIFTH, 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, acting by and though the Department of Environmental Conservation as Designee of the Commissioner, has executed this instrument the day written below.

Robert W. Schick, P.E, Director Division of Environmental Remediation

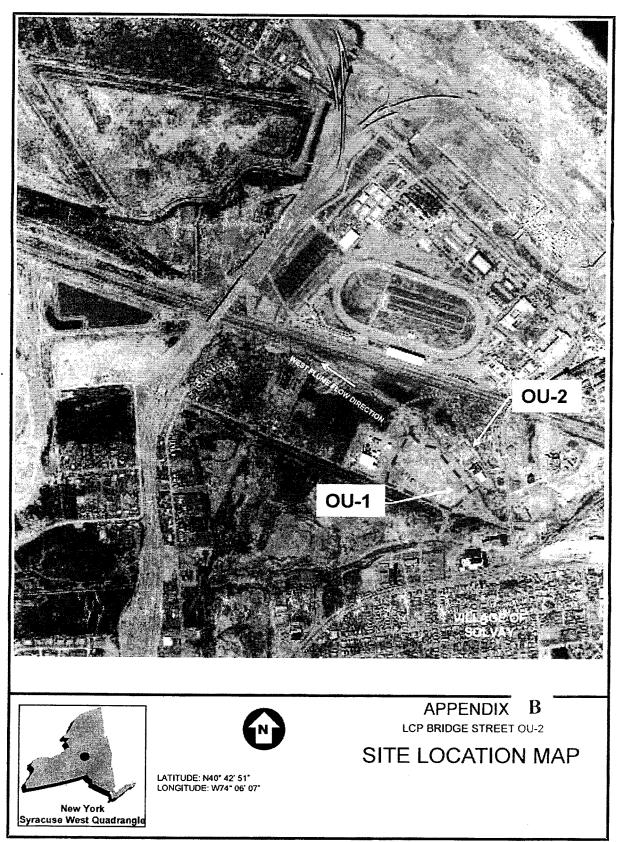
STATE OF NEW YORK ) ) ss: COUNTY OF )

On the day of MAY, in the year 2015, before me, the undersigned, personally appeared Robert Schick, 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 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, 20 18

# APPENDIX B



## **OGC BUCKSLIP**

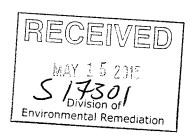
## TO: Robert Schick, Division Director, Division of Environmental Remediation

Attached for your review and signature: Environmental Notice for LCP Chemical (OU1 and OU2), Site No. 734049

EDMS	NAME	INITIALS	DATE
The attached is submitted for your signature by	Margaret Sheen	MS	5/13/15
It has been checked and approved by	Lou Olivia	D.	5/14/15
It has been checked and approved by	·		

Transmitted by: Margaret Sheen, through M. Mastroianni

Date: 5/14/15



## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of General Counsel, Region 7 615 Erie Boulevard West, Syracuse, NY 13204-2400 P: (315) 426-7405 | F: (315) 426-7408 www.dec.ny.gov

TO:

Robert W. Schick, P.E., Director, Division of Environmental Remediation

FROM:

Lou Oliva, Bureau Director, Bureau of Remediation, OC

**SUBJECT:** 

**Environmental Notice** 

LCP (OU1 & OU2) Environmental Notice

Site No. 734049

Syracuse, NY (Onondaga County)

DATE:

May 14, 2015

The attached Environmental Notice (EN) is being forwarded for your signature. In accordance with Division of Environmental Remediation (DER) guidance, the following has occurred prior to transmitting the Environmental Notice to you for signature. Accordingly, it is requested that you execute the Environmental Notice.

Efforts were made to have the property owner execute the Declaration of Covenants and Restrictions or Environmental Easement (collectively referred to as "IC"). Those efforts are set forth in a memo from staff and the Office of General Counsel (OGC) to the DER Assistant Division Director (ADD).

The DER ADD determined that reasonable efforts had been made to secure the IC and that, despite those efforts, the IC was not executed. The ADD transmitted the request to OGC for a final effort to secure the IC. A copy of the memo to OGC is attached.

OGC confirmed that reasonable efforts had been made to secure the IC and that, despite those efforts, the IC was not executed. The property is abandoned and the owner cannot be located, therefore a final letter to the property owner requesting that the IC be executed within 30 days was not able to be sent. No continuing efforts are underway to secure the IC. OGC has concurred with the filing of the Environmental Notice.

Attachments

ec:

M. Sheen

G. Guglielmi

R. Mustico

RECEIVED

SAY 15 2015

Sivision of Environmental Remediation



## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of General Counsel, Region 7 615 Erie Boulevard West, Syracuse, NY 13204-2400 P: (315) 426-7405 | F: (315) 426-7408 www.dec.ny.gov

#### **MEMORANDUM**

TO:

Lou Oliva, OGC Bureau Chief

FROM:

Margaret A. Sheen, Assistant Regional Attorney MAS

DATE:

May 13, 2105

RE:

LCP (OU1 & OU2) Environmental Notice

Site No. 734049

Tax Map Nos. 027.-03-10.1 and 001.-02-01.3

The remedy for the above site relies upon an institutional control (IC). The site related information in the DecDocs is current; therefore, a briefing report is not attached. The Division of Environmental Remediation (DER) started an IC project as noted below:

Efforts were made to have the property owner execute the IC. Those efforts are set forth below. Despite the reasonable efforts set forth below to secure the IC, the IC has not been executed. Due to the longstanding circumstances of the abandonment of the property, I do not feel that one final effort to secure the IC is needed, as the owner cannot be located. I have included the draft Environmental Notice.

LCP Site No. 734049 is owned by a bankrupt entity who has abandoned the site. As seen by Onondaga County tax records, there are significant taxes owed on the property. Honeywell Inc. has attempted to located the owners or otherwise obtain the necessary authorization to record a deed restriction or environmental easement on the LCP Parcels but, despite these attempts, have not been able to reach the owner. As such, Honeywell is requesting that the Department place an Environmental Notice on the property.

Hanlin Group Inc. is the documented owner of the site. Hanlon Group Inc. filed for Chapter 11 bankruptcy in 1991 and ceased paying taxes on the property in 1993. The corporation dissolved in 1997. Honeywell attorneys have contacted the person that the tax bills are currently sent to (Alan C. Margulies, CPA, 15 Exchange Place, Jersey City, NJ 07302) and Mr. Margulies has confirmed that the parcels have been abandoned during the bankruptcy and the bankruptcy has since been closed. Therefore, there is no party that can executed either a deed restriction or an Environmental Easement as there is no legal owner of this site.

### Recommendation

In light of the status, as documented above, we recommend that an EN be issued in lieu of a deed restriction. This will enable the Department to issue a notice of remedy acceptance and subsequently, close out the site. The Department will initiate deed restriction process if and when clear ownership of the property is established. I have included the draft Environmental Notice.



W. Daigle H. Warner R. Mustico ecc:

## ARNOLD & PORTER LLP

Christopher A. Jaros
Christopher Jaros@aporter.com

+1 202 942 5937 +1 202 942 5999 Fax

555 Twelfth Street, NW Washington, DC 20004-1206

October 15, 2014

## VIA E-MAIL

Margaret A. Sheen, Esq.
Assistant Regional Attorney
Office of the General Counsel
New York Department of Environmental
Conservation
615 Eric Boulevard West
Syracuse, NY 13204-2400

Re: LCP Chemical Site Institutional Controls

Dear Ms. Sheen:

I represent Honeywell International Inc. ("Honeywell"), which as you know is in the process of remediating the former LCP Chemical Site, located in the Town of Geddes. New York (tax numbers 027.-03-10.1 and 001.-02-01.3) ("LCP Parcels"), under the supervision of the New York Department of Environmental Conservation ("DEC" or the "Agency"). Unfortunately, because the owner of the LCP Parcels is a bankrupt entity that has abandoned the properties, Honeywell cannot locate the owner or otherwise obtain the necessary authorization to record a deed restriction or environmental easement on the LCP Parcels. As a result, as described more fully below, Honeywell requests that the Agency satisfy the institutional control requirements by recording an environmental notice on the LCP Parcels. Honeywell believes that placement of an environmental notice on the LCP Parcels would not only satisfy the intent of the RODs for the LCP Parcels, but also would expedite the regulatory closure of the sites.

As described above, the LCP Chemical Site consists of two separate operable units -- OU-1 and OU-2 -- each of which are subject to distinct remedial requirements under separate records of decision. The ROD for OU-1 was finalized on September 29. 2000, and the ROD for OU-2 was finalized on March 3, 2010. Although each ROD contains different remedial requirements, both RODs require that an institutional control be placed on the property to limit future use. Specifically, the ROD for OU-1 requires:

## ARNOLD & PORTER LLP

Margaret A. Sheen, Esq. October 15, 2014 Page 2

A deed restriction will be placed on the facility to restrict unacceptable future use at the facility, and to protect the cap and slurry wall. The deed restriction will restrict the use of less than 20 acres of land on the main portion of the facility.

See OU-1 ROD at 30. Similarly, the ROD for OU-2 requires:

An institutional control in the form of an environmental easement that would require (a) limiting the use and development of the property to commercial use, which will also permit industrial use; (b) compliance with an approved site management plan; (c) restricting the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by NYSDOH; and (d) Honeywell to complete and submit to the Department of Environmental Conservation periodic certification of institutional and engineering controls.

See OU-2 ROD at 21.

In an attempt to meet these requirements, Honeywell has undertaken significant efforts to locate the owner of the LCP Parcels and seek their agreement to place institutional control on the properties. In the course of this investigation, Honeywell determined that both parcels are owned by an entity called Hanlin Group Inc., a Delaware corporation that formerly conducted business in New York as a foreign business corporation. However, that entity filed for Chapter 11 Bankruptcy in 1991, and ceased paying taxes on the property in 1993. As set forth in the New York corporate directory, Hanlin Group, Inc. was later dissolved on December 24, 1997. Tax bills for other properties in Onondaga County owned by Hanlin Group, Inc. are being mailed to Alan C. Margulies, CPA, 15 Exchange Place, Jersey City, NJ 07302. We confirmed through teleconference with Mr. Margulies that the LCP Parcels were abandoned during the Hanlin Group, Inc. bankruptcy, that the bankruptcy action has since been closed, and that there is no party that can execute a deed restriction for the LCP Parcels on behalf of the owners.

<sup>&</sup>lt;sup>1</sup> See New York Corporate Directory Online, Hanlin Group, Inc., available at http://appext20.dos.ny.gov/corp\_public/CORPSEARCH.ENTITY\_INFORMATION?p\_n ameid=719578&p\_corpid=635640&p\_entity\_name=hanlin&p\_name\_type=%25&p\_sear ch\_type=BEGINS&p\_srch\_results\_page=0

# ARNOLD & PORTER LLP

Margaret A. Sheen, Esq. October 15, 2014 Page 3

Due to the fact that Honeywell cannot obtain owner approval, which is required under New York law to place the institutional controls described in the RODs for each parcel. Honeywell requests that DEC instead meet the requirement through the placement of an environmental notice on the LCP Parcels. Honeywell believes that the placement of such environmental notices would meet the intent of the ROD, and expedite the regulatory closure of both OUs.

Please let me know if DEC agrees with this approach. Honeywell would be pleased to provide assistance to resolve this matter.

Sincerely.

Christopher A. Jaros

John McAuliffe, Honeywell

cc:

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Made the

eighty-nine

## Between

ONOMDAGA COUNTY IMPOSTRIAL DEVELOPMENT AGENCY, with an office at 421 Montgomery Street, Syracuse, New York

public benefit

s/corporation organized under the laws of New York

GEODES CHALLES

HARLIN GROUP, IRC. (successor to LCP Chemicals - New York, Inc.) with offices at Raritan Place II, Raritan Center, Edison, New Jersey 08818

part y of the second part,

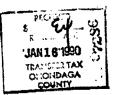
Witnesiseth, that the party of the first part, in consideration of ONE AND NO/100 (\$1.00).

and other good and valuable consideration

Dollars, lawful money of the United States,

paid by the party of the second part, does hereby grant and release unto the party of the and assigns forever.

AU that certain land described in (Skhibit "A") attached hereto made a part hereof.



Um.

3594 FACE 50

SCHOOL "A"

#### PARCEL I

(a) ALL TRAT TRACT OR PRECES OF LAND, sichals in the Village of Bolvay, Norm of Geddes, County of Chonsess and State of New York, being part of Form Lote 4d, 45 and 46 of the Ohoncess Salt Springs Reservation in Said Town of Geddes, being all of lends conveyed by Stefan Duffy and Melen Duffy, his wife to The Solvay Process Company by Deed dated July 26, 1928 and recorded in Connesse County Clark's Office July 24, 1928 in book of Deeds 594 at Page 147, being all of lends conveyed by Heyer L. Black and Ross Slack, his wife to The Solvay Process Company by Deed dated September 24, 1931 in Book of Deeds 594 at Page 282, being part of lands conveyed by Turk's Island Coarse Sait Company by Deed dated September 14, 1920 and recorded in Onondaga County Clark's Office September 14, 1920 and recorded in Onondaga County Clark's Office on No. Forter and Geneviewe O. Forter, his wife to The Solvay Process Company by Deed dated October 26, 1920 and recorded in Onondaga County Clark's Office on August J. 1921 in Book of Deeds 502 at Page 20, being part of lands conveyed by Village of Solvay (a Municipal Corporation) to The Solvay Process Company by Deed dated January 2, 1923 and recorded in Onondaga County Clark's Office on January 4, 1922 in Book of Deeds 502 at Page 20, being part of Recoles Book of Solvay (a Municipal Corporation) to The Solvay Process Company by Pack dated January 2, 1923 and recorded in Onondaga County Clark's Office However 17, 1925 in Book of Deeds 356 at Page 187, being part of lands conveyed by Atmospheric Entrogen Comporation to The Solvay Process Company by Deed dated October 29, 1925 and recorded in Onondaga County Clark's Office However 17, 1925 in Book of Deeds 556 at Page 187, and Being part of lands conveyed by Atmospheric Entrogen Comporation to The Solvay Process Company by Deed dated October 18, 1925 and recorded in Onondaga County Clark's Office However 19, 1925 in Book of Deeds 556 at Page 187, and Being part of Lands conveyed by Atmospheric Entrogen Comporation to The Solvay Process Comp

RECIMING at a point in the westerly street line of Bridge Street (Solvay-State Fair-Syrstone S.E. 1353) marked by a New York State cut stone montment designated as Station 6-19/66 feet west of a New York State Department of Transportation base line as shown on Map No. 6 and designated as Parcel No. 12, Said monument marking the former southerly blue line of the Bris Carel, part of which now is the division line hatween lands of Allied Chemical Corporation on the north and Misgara Mohewk Power Corporation on the south; running

thence North  $87^0$  18:  $001^{\circ}$  Nest along said division line, a distance of 392:40 feat to a point;

thence South  $2^6$  42'  $00^{\circ}$  West along said division line between Allied Chemical Corporation and Rheyara Mohawi Power Corporation, a distance of 42.61 feet to a point;

thunce South 67 21' 18' Heat along seld division line, a distance of 25-19

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feet to a point;

themow South  $76^6$  55° 30°° West along said division line, a distance of 348.06 feet to a point in the mortherly exceet line of Mathews Avenue;

thence North 79° 06' 00'' West slong said northerly street line of Mathews Avenue, a distance of 167-13 feet to a point of curvature in said street line;

thence northerly following a curve to the right having a radius of 25 feet and is subtended by a central angle of  $102^8\ 10^4$  an arc distance of 44.58 feet to a point of tengency in the senterly boundary line of Bella Isla Roads.

thence Borth  $23^{\circ}$  04° 00° East along seld easterly boundary line, a distance of 203-84 fewt to a point of curvature in said boundary line;

thence northerly and westerly following a curve to the left having a radius of 175 feet and is subtended by a central angle of  $90^\circ$  an arc distance of 274.89 feet to a point of tangency in the northerly boundary line of Belle Isle Roads

thence Morth  $66^{\circ}$   $56^{\circ}$   $90^{\circ}$ . West slong said northerly boundary line, a distance of 1358-23 feet to a point being the southeast corner of John Mojelk lands;

thence Merth 23° 04° 00° East along the division line between lands of Allied Chemical Corporation on the east and John Hojtik on the west, a distance of 140 fest to a point in the northwesterly line of Farm Lot 44 and also being the northwest owner of John Wojcik lands;

thence March  $59^\circ$  14'  $08^{++}$  East along said line of Para Lot 44, a distance of 166-26 fast ts a point marked by an original Solvey Process Company concrete and brass monument;

thence Morth 58° 32' 00': East along said line of FREE Lot 46 and the northwesterly line of Ferm Lot 45, a distance of 1338.76 feet to the northwest corner of said Farm Lot 45 and also being the southwest corner of Moltan Realty Co., Inc. lands marked by an original Solvay Process Company congrete and brass monument,

thence South 31° 54° 00° East elong said northeasterly line of Farm Lot 45, and also being the southwesterly lands of said Moltas Realty Co., Inc., a distance of 875-58 feet to an iron rod property marker parking the northwest corner of lands conveyed to Chestech Industries, Inc. as recorded in Book of Deeds 2526 at Reds 519;

themore South  $53^9$   $31^4$   $17^{*4}$  Wast slong the division line between Allied Chemical Corporation on the wast Chemineh Industries, Inc. on the east, a distance of 253-17 feet to an irok rod property marker marking the southwest normal of said Chemineh Industries, Inc.;

thence South  $36^9$   $35^{11}$  Sast along said division line between Allied Chemical Corporation on the southwesterly side and Chemical Industries, Inc. on the northessterly side, a distance of 135.69 feet to an angle point therein;

thence mouth  $30^9$  41°  $36^{\pm2}$  2met along held division line, a distance of 364.54 foot us a point,

thence Serth 85° 32° 80° most along said division line, a distance of 225.06 feet to a point in the senterly street line of Brings Street (Solvey-Eate Pair Syracuse S.H. No. 1353), said paint being 1.82 feet southwesterly of a New York State Cut atoms manument designated as Station 10:45/67 feet west of a New York State Department of Transportation base line as shown on Map No. 6 and designated as Percel No. 12;

thenou South t<sup>6</sup> 34' 42'' Nest, along said wasterly street line of Sridge Street, a distance of 245-44 fast to a New York State out atone monument designated as Station 8+00/100 feet west of said State base line as shown on Map No. 6 designated as Percel No. 12;

thenom South 22° 52' 41' Best along said westerly street line, a distance of 148.24 feet to a New York State out stone monument designated as Station 5-85/50 feet west of said State base line as shown on Map No. 6 designated as Parcel No. 12;

(b) TOGETHER with Permanent Right of Way over, across and under a strip of land 50 feet is width being 144 feet in length, for the purpose of maintaining a 24-inch canal water line from the canal to the northerly road Boundary line of Belle Ible Road, being more particularly described as follows:

0

ALL TEAT TEACT OR PARCEL OF LAND, situate in the Village of Solvey, Town of Decides, County of Commdage and State of New York, being part of Ferm Lots e4s, 45 and 46 of the Commdage Ealt Springs Reservation in eald Town of Geddes and being part of lands conveyed by Village of Solvey to the Solvey Process Company by Deed dated January 2, 1923 and recorded in Commdage County Clerk's Office January 4, 1923 in book of Deeds 502 at page 401, being more particularly described as follows:

REGISHING et a point in the northerly road boundary line of Belle Isle Road, said point being wasterly Borth 66° 56: 00: West, a distance of 233 feet, as measured along said northerly road boundary line of Belle Isle Road, from the point of tangency of the easterly road boundary line of Belle Isle Road as referenced in Book of Beeds 556 at page 187 of lands conveyed to the Solvey Process Company; running

thence South  $33^{\circ}$  64°  $00^{\circ}$  Mest, a distance of 144 feet to a point;

thence morth 66° 56; 90°; West, a distance of 50 feet to a paint;

thence North 23° 04' 00' Bast, a distance of 144 fast to a point in the northerly boundary line of Bella Isla Road;

thence South 66° 36: 00: East, along said northerly road boundary line, a distance of 50 feet to the point of beginning. That parties of the above described premises lying within the confines of Rella Isla East, being 66 feet in width, is subject to the rights of the public to use the same for street and highway purposes.

ASSESSMENT to Allied Chemical Corporation, its successors and sesions a permenent right of way for constructing, operating, smintaining, repairing, altering, replacing and removing vasts pips lines and a personent right of way over a service road adjacent to such wests pips lines for these purposes which wests pips lines and service road are located on the following described property:

REGIMING at a point in the westerly street line of Bridge Street (Solvay-State Poir-Syracuse 6.H. No. 1353), said point being North 22<sup>9</sup> 52<sup>1</sup> 41<sup>1</sup> Nest, as measured along said westerly street line of Bridge Street, a distance of 51.92 fact from a New York State cut stone monument designated as Staten 6+55/56 feet wast of a state base line as about on Map No. 6 designated as Percel No. 13;

thence Morth 39° 18' 40'' Memt, a distance of 187,41 feet to a point;

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thence North  $56^{\circ}$  48°  $25^{\circ\circ}$  Heat, a distance of 127.86 fact to a point;

thence North  $38^{\circ}$  13'  $14^{\circ}$  West, a distance of 101.83 feet to a point;

thence North 33° 10' 58" West, a distance of 322.48 feet to a point;

theore North  $36^0$   $22^1$   $46^{17}$  mest, a distance of 1289-07 fact to a point in the northwesterly line of Para Lot  $45_1$ 

thence Morth  $58^{\circ}$  32' 00'' East, slong said northwesterly line of Farm Lot 45, a distance of 33-12 feet to a point;

thence south  $36^\circ$  12'  $46^\circ$ : East, a distance of 1285.28 feet to a point:

thence South 470 63' 14" Zest, a distance of \$83.71 feet to a point;

thence North 87° 40' 30': Zest, a distance of 60.48 feet to a point in the westerly street line of Bridge Street;

thence south  $22^{\circ}$  52' 4'' East, as measured along said westerly street line, a distance of 50.45 feet to the point of beginning.

RESERVING to Allied Chemical Corporation, its successors and assigns a permanent right of way over the following described property to use an existing 30 incn pipe line located thereon to supply canal water to the plant owned by Allied Chemical Corporation east of Bridge Street, and to enter on to the following described property to reconstruct, operate, maintain, repair, alter and remove this 30 inch pipe line and replace it with a larger or smaller pipe line or with a pipe line of the same size to supply canal water to the plant of Allied Chemical Corporation:

A Strip of land 50 feet in width, being 25 feet each side of the number line of seld 30 inch pipe line beginning is the easterly houndary line of Belle Isla Read and extending easterly to the westerly street line of Bridge Street (Solvey-State Patr-Syzacuse S.H. 1353), as shown on a survey map dated June 18, 1975 prepared for Allied Chemical Corporation by William A. Micolini, Licensed as a land surveyor by the State as New York.

#### PARCHE, 21

(a) MIL THAT TRACT OR PRACTIC OF LAND, elimete in the Town of Godden, County of Chemicage and State of New York, being part of Fare Let 50 of the Chemicage Sait Springs Reservation in said Town of Godden, being all of Lends conveyed by Fred A. Sailand to Allied Chemical and Dyu Corporation by Deed dated June 16, 1952 and recorded in the Chemical and Dyu Corporation by Deed dated June 16, 1952 and recorded in the Chemical and Dyu Corporation by Deed dated June 16, 1952 in Seek of Deeds 1568 at page 437, the tie in hearings and distances to the original point of beginning being changed because of New York State Department of Transportation acquisition of additional Lends along the westerly side of Stidge State (Solvey State Pair Syracuse State Righway No. 1353) and Deing more particularly described as follows:

South  $1^{\circ}$  54' 43'' West, as measured along gaid westerly road boundary line of Bridge Street, a distance of 18-32 feets and

North 64° 36' 18'' East, a distance of 95.35 feet;

thence from sead point of beginning Morih 54° 18' 18's East, parallel to the northerly line of property of the Niagara Mohank Fowar Corporation, a distance of 421.06 feet more or less to a point in the westerly line of the 75 foot strip of land conveyed to Fred D. Corey by Milliam G. Cady, at al by Dwed dated July 22, 1907 and recorded in the Onondaga County Clark's Office in Book of Dweds 388 at page 237:

thence South 25<sup>th</sup> 23<sup>th</sup> East, along seid 75 foot strip of land, a distance of 25 feet to a point marking the northeastarly corner of the 25 foot strip of land conveyed to Risgare, Lockport and Ontario Power Company by Million N. Bellard, Inc., by Deed dated Hovember 13, 1926 and recorded in said Chendage County Clerk's Office in Book of peeds 594 at page 332;

thence south  $64^{\circ}$   $16^{\circ}$   $18^{\circ}$  Heat, along the northerly line of said 28 feet strip of lend conveyed to said lower Company by said Deed deted Rovember 12, 1926, a distance of 429-93 feet, more or less to the easterly line of Bridge Street;

thence Botth  $3^6$  SO' West, along the easterly line of Bridge Btreet, a distance of 26.51 feet to the point of beginning.

(b) TOGETHER with Permanent Right or Ensement to construct, maintain, operate, repeir and remove a railroad spur as granted by Instrument from Riegara Mohent Power Corporation to LCP Chemicals - New York, Inc., dated Movember 7, 1979 and recorded December 14, 1979 in the Conondega County Clark's Office in Book of December 14, 1979 in the Conondega County Clark's Office in Book of December 10, 1979 and being described in asid Instrument as follows:

ALL TEXT TRACT OR MAKEL OF LAND, situets in the Town of <u>Goddes</u>. County of Chomdaga and State of New York, being part of <u>Ferm Low 90 of</u> the Chondaga Salt Springs Reservation in said Town of Goddes and being part of lands conveyed by Syracuse Transit Corporation to Risgare Hobert Fower Corporation by Dand dated July 30, 1951 and recorded in the Chondaga County Clerk's Office September 5, 1951 in Book of Deeds 1524 at Jegs 323, and being more particularly described as

SECTIONING at the northeest corner of a parcel of land conveyed to Allied Chemical and Dye Corporation by Deed recorded in the Chemicaga County Clerk's Office in Book of Deeds 1568 at Page 437; running

thence Borth 64° 36' 18" East, a distance of 75 feet more or less to the Generally beamsary line of lines conveyed to Biogara Mohene Rower Corporation by Deed recorded in the Chondage County Clerk's Office in Book of Deeds 1524 at page 323;

thence southeesterly along said easterly boundary line, a distance of 25 feet more or less to a point;

thence south  $64^9$   $36^{\circ}$   $18^{\circ}$   $18^{\circ}$  float, a distance of 75 feet mare or less to the southeast corner of a percel of land conveyed to said Ailied Chemical and Dye.

thence Horth  $25^{\circ}$   $73^{\circ}$   $42^{\circ}$  West along said easterly line of allied Chemical and Dye Corporation, a distance of 25 feet to the point of beginning.

PARCEL III

(a) ALL THAT TRACT OR FRECH. OF LAND, situate in the Village of Solvay, Town of Geddes and Town of Camillus, County of Chondage and State of New York, being part of Farm Lots 31, 37, 39, 39, 40 and 44 of the Chondage Salt Springs reservation in eard Town of Geddes and being part of Farm Lot 69 in said Town of Camillus, being part of lands conveyed by William A. Gare and Carrie N. Gere (his wife) and J. Brewster Gere and Hattie N. Gere (his wife) is The Solvay Process Company by Deed dated October 18, 1920 and recorded in Chondage County Clerk's Office August 3, 1921 in Book of Deeds 502 at page 17, being part of Solvay Process Company by Deed dated October 28, 1920 and recorded in Chondage County Clerk's Office August 3, 1921 in Book of Deeds 502 at page 20, being Part of Lands conveyed by Ferne Company by Deed dated October 28, 1920 and recorded in Chondage County Clerk's Office August 3, 1921 in Book of Deeds 502 at page 20, being Part of Lands conveyed by Ferne J. S. Saith and Mary G. Saith [his wife) to The Solvay Process Company by Deed dated Churcher 27, 1920 and recorded in Chondage County Clerk's Office August 3, 1921 in Book of Deeds 502 at page 34, being part of Lands conveyed by Peter J. S. Saith and Mary G. Saith [his wife) to The Solvay Process Company by Deed dated Churcher 27, 1920 and recorded in Chondage County Clerk's Office August 3, 1921 in Book of Deeds 502 at page 34, being all of Lands conveyed by Wilfred No.

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Portor and Genevieve G. Berter [his wife] to the Solvey Brownes Company by Deed dated December 4, 1925 and resorded in Genedage County Clark's Office December 7, 1925 in Book of Deeds 556 at pays 198, being all of lands conveyed by Joseph Deds and Amas Deds (his wife) to the Solvey Process Company by Deed dated Rovesber 4, 1926 and recorded in Genedage County Clark's Office November 3, 1926 in Book of Deeds 556 at pays 565, Daing all of lands conveyed by Danie Sawka and Eofij Basks (nie wife) to the Belvey Rucess Company by Deed dated February 17, 1927 and recorded in Genedage County Clark's Office Pabruary 18, 1927 in Book of Deeds 578 at Dans 47, Deine Part of lands conveyed by The New York Central 1927 and recorded in Choncaga county Clerk's Office Pebruary 18, 1927 in Book e Deeds 578 at page 47, being part of lands conveyed by The New York Central Sailroed Company to The Solvey Process Company by Deed Asted April 19, 1927 and Fecorded in Choncage County Clerk's Office May 5, 1927 in Book of Deeds 578 st page 137, being all of lands conveyed by Milited M. Forter and Genevieve C. Porter (his wife) to The Solvay Process Company by Daed deted October 25, 1927 and recorded in Omondays County Clerk's Office November 9, 1927 in Book of Daeds 578 at page 413, being all of lands conveyed by Frank Kapueniak and Josefa Repusnick (his wife) to Solvey Process Company by Deed dated July 25, 1928 and recorded in Gnondegs County Clerk's Office July 10, 1928 in Book of Deeds 594 at page 152, being all of lands conveyed by Robert Benedetti and Angelina Benedetti (his wife) to The Solvey Process Company by Dead dated August 26, 1930 and recorded in Gnondaga County Clerk's Office Ampust 28, 1930 in Book of Deeds 531 at page 117, being part of lands conveyed by Atmospheric Mitrogen Corporation to The Solvey Process Company by Dwed dated October 1, 1935 and remorded in Chondaga County Clark's Office December 23, 1936 in Book of Deeds 820 at page 49, being all of lands conveyed by Eva Brusdsinski to The Solvey Process Company by Deed deted May 26, 1941 and recorded in Onondage County Clerk's Office May 25, 1941 in Book 967 of Deeds at page 522, being all of lands conveyed by Rophie SERBORK to The Solvey Process Company by Deed dated October 27, 1955 and recorded in Chondage County Clerk's Office October 28, 1953 in Book of Daeds recorded in tenomonya County Clerk's United October 28, 1772 as seen of annual 1778 at page 105, and being all of lands corresped by John Markow and Frances Markow (his wife) to Allied Chemical Corporation by Deed dated February 27, 1974 and recorded in Chondaga County Clark's Office November 8, 1974 in Book of Deads 2543 at page 121; and being more particularly described as follows:

EDITIVING at a point in the northerly road boundary line of Bella Isle Boad at the southwesterly corner of lands reputedly owned by John Mojelk as recorded in Book of Deeds 327 at page 86, said point of beginning also being westerly Marth 66° 56' 90' Mest, a distance of 1403.23 feet, as measured along said northerly road boundary line of Belle Isle Road, from the point of tangency of the SASTARTY road boundary line of Belle Isle Boad as referenced in most of Deeds 556 at page 187 of lands conveyed to The Solvey Process Company; running

thence North  $66^9$  56: 00" West, along the northerly rose boundary line of Relim Isle Road, a distance of 99-77 feet to an angle point therein;

thence morth  $66^{\circ}$  Op: 10." Nest, along said northerly road boundary line, a distance of 325-23 feet to the southeasterly corner of lands reputably exmed by Bdward Welya and Anna R. Helye as recorded in Book of Deeds 2041 at page 635;

thence Morth  $22^9$  50° 50° East, along said easterly line of Malys, a distance of 140 feet to a Boint,

thence Morth 66 09: 16:: Mest, parallel with the northerly road boundary line of Relie Isle Road and slong the northerly lines of lends reputedly owned by Edward Relys and Anna R. Melys. Frank Polack and Scanley Kapuscinski, a distance of 160 feet to a point;

thence South 23<sup>d</sup> 50' 50' test, along the westerly line of lands reputedly owned by Stanley Mapuscineki as recorded in Book of Deads 2395 at page 1070, a distance of 140 fast to a point in the northerly road boundary line of Sells

thence North 66° 09' 10' Meet, along the northerly road boundary line of Belle Isle Road, a distance of 100 feet to the southeasterly corner of lands reputedly owned by Josephine Newfang, et al. as recerded in Book of Deeds 2617 at page 113;

thence North  $23^{\circ}$  50' 50' East, along said mesterly line of Neufang, a distance of 140 fewt to a point;

thence North 66<sup>0</sup> 09' 10'' West, parallel with the northerly road boundary line of Hells Isle Road and along said northerly line of Heufang, a distance of 50 feet to a point in the easterly line of lands reputedly owned by John Markow and Frances Markow as recorded in Book of Deeds 2543 at page 118;

thence Horek  $22^{\circ}$  50°  $06^{\circ}$  East, along said easterly line of Markow, a distance of 670.25 feet to a point,

thence North  $64^\circ$   $64^\circ$   $53^\circ$ ? Negt, along said northerly line of Markov, a distance of 131-42 feet us a point in the sameerly line of lands reputedly owned by Frances Markov and John Markov as recorded in Book of Deede 1820 at page 375;

thence North  $23^{\circ}$  O4' 00'' Mast, slong said easterly line of Markow, a distance of 500 feet to a point;

thence North  $66^0$  49:  $15^{++}$  Mest, along said northerly line of Markov, a distance of 346.50 feet to 4 point;

thence south  $23^{\circ}$  04'  $90^{\circ}$ ; mest, along said westerly line of Markov, a distance of 1018.09 feet to a point.

thence North 66<sup>0</sup> 30<sup>1</sup> 09<sup>1</sup> Nest, parallel with the northerly read boundary line of Sells Isle Sead and along the northerly line of lands reputedly owned by Nicholas Earel as recorded in Nock of Deeds 1594 at page 458 and lands of Frank Rotach, a distance of 188-75 feat to a paint;

theree Bouth  $23^{\circ}$  04° 00°° West, sleng ould wasterly line of Estanh, a distance of 198,90 feet us a point in the marrherly rood boundary line of Bolle Inle Rood;

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thesee Herth  $66^{\circ}$  30°  $09^{\circ}$  tent, since the northerly read boundary line of Tello Inde Heat and Added to a point in the casterly line of lends regutedly exceed by Himbeel Santa and Helen F. Santa as recorded in book of Decem 1844 or page 229;

thence North  $23^8$  17' 51'' Bart, along said easterly line of Savka, a distance of 166.22 feet to the noncherly line of said Savka lands;

thence South  $66^0$  42'  $69^{++}$  East, along Senta's southerly line, a distance of 23.75 feet to a point;

thence North  $23^{\circ}$  17' 51' East, along said easterly line of Sawka, a distance or 179.52 feet to a point;

thence North  $10^{11}$   $17^{1}$   $51^{11}$  Hest, along said easterly line of Sanka, a distance of S4.48 feet to a point;

thence North 21° 18' 36'' East, along said easterly line of Sawks, a distance of

thence Morth 12<sup>0</sup> 27' 40'' Mast, along the mortheasterly line of Sawka lands and lands reputedly seemd by Paul A. Smith and Anne P. Smith and Welter Jellonski as recorded in Book of Deeds 2257 at page 419, a distance of 302.28 feet to the center line of Noran Road (Formerly Lakeside Road);

thence Morth  $57^{\circ}$  30° 40°. Zest, along the center line of Moran Road, a distance of 26-38 Seat to a point;

thence North  $12^9$  27' 40'' Mest, along the northeasterly line of lands reputedly owned by James L. Chepman and Domme E. Chapman as recorded in Book of Deeds 2553 at page 1059 and lends reputedly owned by Charles A. Smith and Irene F. Smith as recorded in Book of Deeds 2511 at page 131, a distance of 471.94 feet which passes through a New York State cut stone monument designated as Station A 82 + 26.94/ 298.09 feet southeastarly of a New York State Department of Transportation base line as shown on Map No. 43 and designated as Parcel No. 56, and monument marking the moutheasterly corner of a Permanent Essessent for Stream Channely

thence fourh  $57^{10}$  34° 45° Mest, along said westerly line of Smith, a distance of 25.77 feet to a point in the easterly boundary line of the Pairmount-State Fair State Highway No. 1329

themore North 36° 50° 27° East, along said easterly highway boundary line, a distance of 253-51 feet to the southwesterly line of Commelidated Raii Corporation lands, marked by a New York State out stone monument designated as Station A 84 + 76-61′ 213-67 feet northwesterly of a New York State Department of Transportation base line as shown on New No. 43 and designated as Parcel No. 65, said point being distant southwesterly 66 feet at right angles from the monumented center line of the Relirond Company lands;

thence South 71<sup>®</sup> 25<sup>11</sup> 25<sup>11</sup> East, along the acothwesterly line of loads reputably overed by Consolidated Rail Corporation (through receivership of the former lends of New York Central Railroad Company), said property line being distant southwesterly 66 feet at right apples from the bonumented center line of the Railroad Company lends, a distance of 1764.51 feet

to a point:

thence North 18° 47' 15'! East, elong said Consolidated Rail Corporation line, a distance of 31.59 feet to a point being distant southwesterly 49.50 feet at right angles from the monumental center line of the Railroad Company Lands;

thence South 71° 22' 25' East, along said southwesterly line of Consolidated Ball Corporation lands, said property line being distant southwesterly 49.50 feet at right engles from the monumented center line of the Railroad Company lands, a distance of 1653-17 feet to a point where the southwesterly line of Consolidated Rail Corporation is intersected by the southwesterly line of Farm Lot 40:

thence South 59° 32° 00° West, along said southeasterly line of Parm Lot 40 and along the northwesterly line of lands reputedly owned by Woltam Realty Co., Inc. as removed in Book of Deeds 2096 at Bage 327, a distance of 221.41 feet to a point marked by an original Solvay Process Company concrets and bress monoment;

thence South 58° 32' 00" West, continuing along the southeasterly line of Parallot 40, a distance of 1338-76 feet to a point marked by an original Solvey Process Company concrete and bress monument;

thence South  $59^\circ$  14°  $08^{\pm 1}$  Mest, along the southeasterly line of Farm Lot 39, a distance of 166-26 feet to the northeasterly corner of lands reputedly owned by John Wojcik as recorded in Book of Daeds 527 at page 86;

thence North  $66^\circ$  56 $^\circ$  90 $^\circ$ ! Nest, perallel with the northerly road boundary line of Belle Isle Road end along said northerly line of Nojcik, a distance of 45 feet to a point;

thence South  $23^{\circ}$  04° 00° West, along said westerly line of Nojak, a distance of 140 feet to a point in the martherly road boundary line of Reile Tele Road and point of beginning.

RESERVING THERETHOM A Permanent Easement for ingress and egress over a parcel of land 60 feet in width to be used by Allied Chemical Corporation and by the public for highway purposes, being more particularly described as follows:

BEGINNING et a point in the center line of Boran Road, where it is intersected by the most southwesterly line of said lands above described; running

thence Borth  $30^\circ$  30° 40°° Best, along said center line of Boren Road, a distance of 28.38 feet to a point;

thence Morth 120 27' 40' West, a distance of 30 feet to a point;

thence Borth  $$7^0$  30' 40'' East, along the northwesterly roed boundary line of Horan Boad, a distance of 640.23 fact to the nonthwasterly line of Consolidated Rail Oursersties:

thenem south  $71^9$  22' 25'' Heat, along maid synthemeterly line, a distance of 77.05 feat to a paints

thence south  $57^0$  30'  $40^{+1}$  Year, along the southeasterly root houndary line of Maron Seed, a distance of 717.03 feet on a point;

\_10-

thence North  $32^6$   $27^{\circ}$   $40^{\circ}$  West, a distance of 30 feet to the center line of Morah Read and Skint of beginning.

RESERVING to Allied Chemical Corporation, a parameter right-of-way for constructing, operating, maintaining, repetring, altering, replacing and removing waste pipe lines and a flues monitoring station (construct block building, were and cross walk) and a permanent right-of-way were a service road adjacent to the waste pipe lines and flues monitoring station for these purposes which were pipe lines, flues monitoring station and service road are located on the following described property:

ESCINNING at a point in the southeasterly line of Farm Lot 40, said point being South 58° 32° 00° Meet, a distance of 486.22 feet from an original Selvey Process Company concrete and brass monument marking the point where Farm Lots 45 and 47 meet said southeasterly line of Farm Lot 40; running

thence South  $58^{\circ}$  32°  $00^{\circ}$  West, along said southeasterly line of Parm Lot 40, a distance of 33-12 feet to a point;

thence North 360 22' 46'' Mest, a distance of 45,18 feet to a point;

thence North 570 29' 07'' Meet, a distance of 1912-40 feet to a point;

thence North  $71^6$   $46^4$   $50^{44}$  Mest, a distance of 399.19 feet to a point;

thence Borth 71° 25° 43° West, a distance of 705.82 Feet to a point in the easterly boundary line of the Pairsount-State Fair State Highway No. 132;

thence North  $36^{\circ}$  50° 27'' East, along said sastarly highway boundary line, a distance of 34.75 feat to a point;

thenom South 71° 25° 43° East, a distance of 694.55 feet to a point;

thence South 710 46' 50'' Best, a distance of 403-49 feet to a point;

themme South 570 28' 07'' Mest, a distance of 1831 feet to a point;

thence Morth 27<sup>0</sup> 49° 45° East, a distance of 121.63 test to a point;

thence South 620 10' 15" East, a distance of 121.04 feet to a point;

thence South 270 49' 45'' Hest, a distance of 143.65 feet to a point;

thence south  $36^9$   $22^4$   $46^{\pm 4}$  Hast, a distance of 22.23 feet to the southeasterly line of Farm Let 40 and point of beginning.

RESERVING to Allied Chemical Corporation, a parmament right of way to be used for maintaining a 20 inch pipm line used for supplying water from Sine Mile Creek to the canal, being described as follows:

A Strip of lend 50 feet in which, being 25 feet each mide of the center line of said 20 inch gaps line,

ANGINETING in the moutharly line of Belle Tale Road and extending northerly and

25.3594 nec 61

POTTEMENTATIF to Morak boads

thence continuing northwesterly and ressining easierly of Goddes Brook, continuing in a northerly direction to an approximate point south of six waste

thence westerly to and across the Fairmount-State Pair State Highway No. 132, we shown on a survey map dated September 4, 1979 prepared for Allied Chemical Corporation by William A. Microlini, licensed as a land surveyor by the State of New York.

(b) TOGETHER with the right to use, in common with Allied Chemical Corporation, its successors and assigns, the parameter essents: to transait waters, flunds, its successors are reserved to Allied Chemical Corporation over a parcel shown as Parcel Ro. 65 on New York State Department of Transportation Hep No. 43 in the appropriation to Allied Chemical Corporation, Mayer York by Notice of Appropriation to Allied Chemical Corporation, Mayers Mahawk Power Corporation, New York Telephone Company, Charles Clark, Clara Clark, Willie Ranks and Prison Sanks, dated April 19, 1971 and recorded April 19, 1971 in the Chemicaga County Clark's Office in Book of Dauds 2448, Ruge 618.

For Conveyancing Only:
Together with all right, title and interest of, in and to any streets
and reads abutting the above described pressess.

Our Polities of title insurance include such buildings and
improvements thereon which by law constitute real property, unless
specifically excepted therein.

Being the same premises conveyed to Onondaga County Industrial Development Agency by Deed from LCP Chemicals-New York, Inc., dated August 1980, and recorded in Onondaga County Clerk's Office.

To have such to hold the promises berein granted unto the party

The granter, in compliance with Section 13 of the Lies Lew, covenants that the grant 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 that the granter 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 Celitness Telipereof, the party of the first part has caused its corporate seel to be bereunto affixed, and these presents to be signed by its duly authorised officer the day and year first above written. In presence of:

Fornes B. Schneider Choirnen Title :

60.1.1.A.

New York 3594 rate 63 Onondage On the 2nd \*\*\*\*\*\*\*\*\* October 19 89 James B. Schneider to me known, who, being by me duly swotn, did depose and say that he resides in Paldwinsville, New York; that he is the Chairman of Cmondage County Industrial Development Agency the souperation described in, and which executed, the foregoing instrument; that he knows the seal of anid corporation; that the real affixed to said instrument is such corporate scal; that it was so affixed by order of the board of directors of said corporation; and that he signed his name therete by like order. OHONDAGA COUNTY CLERKS OFFICE Doed, Recorded on the day of 1979at 1979at the Book JF KFage Win and examin 4. Elvine Lytel