

## APPLICATION

### NYSDEC-1996 CLEAN WATER / CLEAN AIR BOND ACT ENVIRONMENTAL RESTORATION PROJECTS-TITLE 5

#### Part 1

NAME OF APPLICANT (Municipality): Incorporated Village of Greenport

TYPE OF ENVIRONMENTAL RESTORATION PROJECT: (Check one) Investigation ☐ Remediation ☒

PROJECT NAME: Mitchell Property

PROJECT LOCATION: STREET ADDRESS: 115 Front Street

CITY/TOWN: Greenport ZIP CODE: 11944 COUNTY: Suffolk

PROPERTY SIZE (acres): 3.19 LATITUDE: 41° 6' 4" LONGITUDE: 72° 21' 41"

APPLICANT CURRENTLY OWNS PROPERTY: YES ☒ NO ☐ (If yes, include proof of ownership with application)

PROPERTY IS LISTED ON NYS REGISTRY OF INACTIVE HAZARDOUS WASTE SITES: YES ☐ NO ☒  
(If yes, fill in current registry classification)

CLASSIFICATION           

TYPE OF KNOWN OR SUSPECTED CONTAMINATION: Petroleum ☒ Other Hazardous Substances ☒

PROJECT DESCRIPTION: Please attach a description of the project which includes the following components:  
(Refer to Environmental Restoration Projects Procedures Handbook for detailed instructions)

- Purpose and Scope of the Project;
- Environmental History of the Property;
- Proposed Future Use of the Property;
- Estimated Project Cost;
- Other Actual or Potential Funding Sources for the Project;
- How the Project Would Satisfy the Criteria of ECL 56-0505; and
- Site Maps (USGS quad map and a property tax map)

SCHEDULE: Field work will commence within < 1 months of Department approval of the application.

#### Part 2 (To be completed for Remediation applications only)

1. The DEC has issued a Record of Decision for the property? ☒ Yes ☐ No
2. Groundwater or a surface water body has been contaminated above standards. ☐ Yes ☒ No  
If yes, answer a, b or c below:
  - ☐ a. The influent to a public or private water supply has been contaminated or threatened.
  - ☐ b. A class A or AA surface water body, primary or principal aquifer has been contaminated without affecting an existing water supply.
  - ☐ c. Groundwater has been contaminated above standards or a surface water has been impacted.
3. A health advisory has been issued by a New York state or local health agency due to releases from the site. ☐ Yes ☒ No
4. Endangered, threatened or rare species, State protected streams or State regulated wetlands have been impacted by releases from the site. ☐ Yes ☒ No
5. Site contaminants are present in soils/waste at levels that exceed DEC Division of Environmental Remediation guidance values (DHWR TAGM 4046 or STARS Memo #1). ☒ Yes ☐ No
6. Property is located in a designated economic development zone or zone equivalent area. ☐ Yes ☐ No
7. All or part of the Property has been idle or abandoned for more than one year. ☐ Yes ☒ No  
If yes, indicate the percent of the total property that applies            %
8. Municipality has a signed agreement with a private party to reuse the property once it is restored. ☐ Yes ☒ No  
If yes, attach a copy of the agreement.

[OVER]

9. Municipality has legally committed to a specific new public or recreational use of all or part of the property. (Public use includes, but is not limited to, public housing, daycare, education, gov't. offices, environmental centers, and museums. Recreational use includes, but is not limited to, parks, playgrounds, sports and cultural centers, and scenic vistas.) If yes, attach documentation of the legal commitment and indicate below the intended use and the % of the total property area that will be devoted for that use.

☒ Yes ☐ No

Intended Use: Public Park (0-100%) 100

10. Municipality is aware of other funding sources for remediating the property.  
If yes, provide source(s) and dollar amount(s) in the attached project description.

☐ Yes ☐ No

11. Municipality has complied with State Environmental Quality Review Act (SEQR) regarding this action. If yes, include the determination (negative declaration or findings statement) in the attached project description and identify all involved agencies in the coordinated review.

☒ Yes ☐ No

### Part 3

#### INDIVIDUAL AUTHORIZED TO SIGN APPLICATION: (Please Print)

NAME David Kapell TITLE Mayor

MAILING ADDRESS Incorporated Village of Greenport

263 Third Street, Greenport, New York 11944

PHONE NUMBER: (631) 477-3000 FAX NUMBER: (631) 477-2488

CERTIFICATION: The undersigned on behalf of the applicant municipality does hereby certify that:

The Applicant has not generated, transported or disposed of, arranged for, or caused the generation, transportation or disposal of hazardous substance on that Property, and has not undertaken, and will not undertake, any indemnification obligation respecting a party responsible under law for the remediation of the Property; and

if the applicant leased such property to another party that generated, transported or disposed of, or that arranged for or caused the generation, transportation or disposal of hazardous substances on such property, the applicant did not know that such other party generated, transported or disposed of, arranged for or caused the generation, transportation or disposal of such hazardous substances or so knew and took action to remediate, or cause the remediation of such hazardous substances.

No other funding sources currently exist to undertake the project except the applicant's and those other sources identified in this application;

All statements made for the purpose of obtaining State assistance for the proposed project either are set out in full on this application, or are set out in full in exhibits attached to this application and incorporated by this reference;

The individual whose signature appears hereon is authorized to sign this application for the applicant.

A FALSE STATEMENT MADE HEREIN IS PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW

David B. Kapell 7/18/00  
Signature of individual authorized to sign application Date

FOR STATE USE ONLY:

DATE RECEIVED \_\_\_\_\_

PROJECT NO. \_\_\_\_\_

DATE COMPLETE \_\_\_\_\_

DATE APPROVED \_\_\_\_\_

## **PROJECT DESCRIPTION**

### **Purpose and Scope of the Project**

The purpose of the project is to remediate and environmentally restore the 115 Front Street property in conjunction with the Record of Decision (ROD) issued by the New York State Department of Environmental Conservation (NYSDEC) in March 2000. Based on the results of the Site Investigation/Remedial Alternative Report (SI/RA) for the subject site the NYSDEC has selected off-site disposal of impacted soils and selected subsurface soils. The following scope outlines the components of the remediation remedy:

- Off-site disposal of up to one foot of the surface soils in unpaved areas with elevated concentrations of arsenic above background to allow placement of a surface cover of one foot of clean fill. The surface cover will be vegetated with grass, as necessary, for reuse of the site as a public park.
- Off-site disposal of petroleum contaminated subsurface soils in the area immediately south of the former underground storage tanks (USTs) in the southeastern portion of the subject site.
- Off-site disposal of surface soils which are contaminated with petroleum related compounds around the light pole area in the eastern portion of the subject site.

### **Environmental History of the Property**

The subject site was acquired by the Village on September 5, 1996. Prior to this date, the property was known as Mohring's Marina and was also the location of Kokomos

Restaurant. Reportedly, there were three to five underground storage tanks (USTs) which were used to store gasoline fuel for the boats utilizing the adjoining marina facilities.

During a hurricane in August 1991, one 3,000-gallon UST was apparently flooded by rain water and its contents, reported as oil, flowed out onto the surface of the blue-store parking lot of the Kokomo's restaurant. The incident was assigned NYSDEC Spill No. 91-05515. The 3,000-gallon steel UST was removed under the NYSDEC oversight. Minor soil contamination was reportedly noted in the area of the fill pipe, but none was observed under the UST. Records indicate that the surface spill was cleaned to Suffolk County Department of Health Services and NYSDEC satisfaction, and the spill case was subsequently closed by the NYSDEC. The records also indicate the presence of five additional USTs at the site, but no action was taken at the time with respect to the remaining USTs.

According to local citizens, there were five additional areas of concern on the site including:

1. Texaco Alley were above-grade and below-grade petroleum storage tanks were located.
2. Oily residues were reported encountered in the vicinity of two light poles during on-site excavation activities.
3. Oil residues were reported in the vicinity of a subsurface water line during on-site excavation activities.
4. An area where oyster boats were reportedly brought ashore and their bottoms scraped of anti-fouling paint several decades ago.
5. An area where dredge spoils were reportedly placed.

A site investigation was undertaken at the subject site in 1998 and 1999. The investigation activities conducted during the site investigation included:

- Geophysical Survey – A geophysical investigation was conducted to identify the presence of subsurface utilities and to locate any previously unidentified USTs on the site.
- UST Investigations – A total of nine (9) USTs were found at the site. The USTs were removed as part of the SI to determine whether they had leaked petroleum into the subsurface.
- Surface Soil Investigation – Ten (10) surface soil samples were collected and analyzed based upon the reported potential disposal of contaminants directly onto the surface soils of the site.
- Subsurface Soil Investigation – During their removal, it was evident that several of the USTs had leaked. Additionally, other areas of concern (AOC) evidenced potential for the subsurface release of contaminants. Therefore, 18 soil borings were conducted and soil samples collected to evaluate potential impacts in subsurface soils.
- Groundwater Investigation – Based upon the presence of subsurface soil contamination found during the removal of on-site USTs, ten (10) monitoring wells were installed and sampled to evaluate potential impacts to groundwater quality beneath the site.

Based on the site investigation several areas of concern were identified that contain environmental impacts. The results of the site investigation are summarized as follows:

Based upon the results of analytical testing summarized in the SI, several contaminants were detected in on-site surface soils, subsurface soils, and groundwater at levels exceeding NYSDEC concentrations of concern. Arsenic was found to be present in the surface soil. This was determined based on surface soil sampling conducted during the SI from 0 to 3 inches below grade. Quantified levels of arsenic in surface soil ranged from 1.9 mg/kg to 67.8 mg/kg, compared to the NYSDEC Recommended Soil Cleanup Objective (RSCO) for arsenic of 7.5 mg/kg and a site background concentration of 8.7 mg/kg.

Non-halogenated hydrocarbons associated with petroleum contamination were detected in on-site unsaturated subsurface soils, and groundwater in the areas of concern where previous underground petroleum storage tanks were located. Specifically, at the Texaco Alley Area where above-grade petroleum storage tanks had been present and more recently, three nested below grade petroleum storage tanks were removed, volatile and semi-volatile organic compounds were detected above their respective soil criteria. Compounds of concern include benzene, xylenes, isopropylbenzene, n-propylbenzene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, naphthalene, acenaphthalene, fluorene, phenanthrene and dibenzo(a,h) anthracene down to a depth of approximately 7 feet below ground surface (bgs), which is below the groundwater interface of 3 feet bgs (as measured during high tide).

Semi-volatile organic compounds (SVOCs) are present between 0 and 1.5 feet bgs at the Light Pole Area where oily residues had reportedly been encountered. SVOCs that were quantified above one or more of the soil criteria include fluoranthene, phenanthrene, pyrene, benzo(a)anthracene, chrysene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(a)pyrene, Ideno(1,2,3-cd)perylene, dibenzo(a,h)anthracene, and benzo(g,h,i)perylene.

No further action is warranted for the North Tank Area and the South Tank Area. At both locations, petroleum impacted soils were excavated for off-site disposal at the time that the underground storage tanks were removed. From the North Tank Area, the excavation extended to approximately 10 to 12 feet bgs and a total of approximately 62 tons of petroleum impacted soil was removed. Post closure soil samples collected from the North Tank Area excavation indicate that the source area has been adequately addressed. From the South Tank Area, the excavation extended to approximately 9 feet bgs, which is also at least 2 feet below the groundwater table. Approximately 135 cubic yards of soil was removed. Test pits constructed around the perimeter of the South Tank Area excavation did not reveal any signs of petroleum impact.

Low levels of polyaromatic hydrocarbons, and elevated concentrations of copper, lead, mercury, and zinc are present at several areas of the site (i.e., the Dredge Spoil, the Water Line, and/or the Boat Bottom Scraping Areas). Based on contaminant concentrations and low frequency of detection, none of these contaminants are considered as source areas. Consequently, remedial actions are not necessary for these areas, with the exception of a deed restriction that will be put in place as part of a site-wide remedial strategy to minimize the potential for direct contact exposure.

Shallow groundwater beneath the site has been impacted primarily with petroleum-related VOCs. Constituents of concern that are above the NYS Class GA Groundwater Quality Standards include benzene, ethylbenzene, toluene, xylene, isopropylbenzene isomers, trimethylbenzene isomers, and butylbenzene isomers. The highest concentrations of total volatile organic compounds (TVOCs) in groundwater were detected at MW-4 in the South UST Area, and at MW-8 in the Texaco Alley Area.

### **Proposed Future Use of the Property**

The Incorporated Village of Greenport (the Village) plans on constructing a harbor-front park on the project site. The park would be open for all visitors. Facilities planned and/or under construction for the park include erection of a structure to house an historic merry-go-round, amphitheater, and associated support services (e.g., rest rooms) and potential marina services.

### **Estimated Project Cost**

The estimated costs for the Village to execute the remediation work for the park total approximately \$ 645,219 in contractor costs, and \$ 77,654 in additional sampling and project oversight costs, for a total of approximately \$ 722,873.

### **Other Actual or Potential Funding Sources for the Project**

The Village general fund is the only known potential source of funding for the project. The NYS spill funds may also be a potential source of funding.

### **How the Project Would Satisfy the Criteria of ECL 56-0505**

According to the ECL 56-5050, the purpose of the Bond Act fund is to provide grants to municipalities for the investigation and/or cleanup of municipally owned contaminated properties. The property could then be marketed for redevelopment by the municipality or used by the municipality for a variety of activities including industrial, commercial or public use.

The proposed actions under this application satisfy the criteria of ECL 56-5050 in that the remediation of the Village-owned property will result in the protection of public health and the environment and allow the property to be converted to a usable municipal function (e.g., a public park).



i) Situs: 115 FRONT ST, GREENPORT NY 11944-1644 C002

PN: 1001-005-00-04-00-040-001

ounty: SUFFOLK, NY

se: MARINA FACILITY

ap Pg: 5

unic: GREENPORT VILLAGE OF

ownship: VILLAGE OF GREENPORT

wners: VILLAGE OF GREENPORT

ail: 236 3RD ST; GREENPORT NY 11944-1646 C003

Rec/Sale Dt: 09/11/96 09/03/96

Sale Price:

Doc #: 11791-861

1st Mtg \$:

State Use: 448

Cnty Use:

Total Value: \$53,800

Land Value: \$43,100

Imprv Value: \$10,700

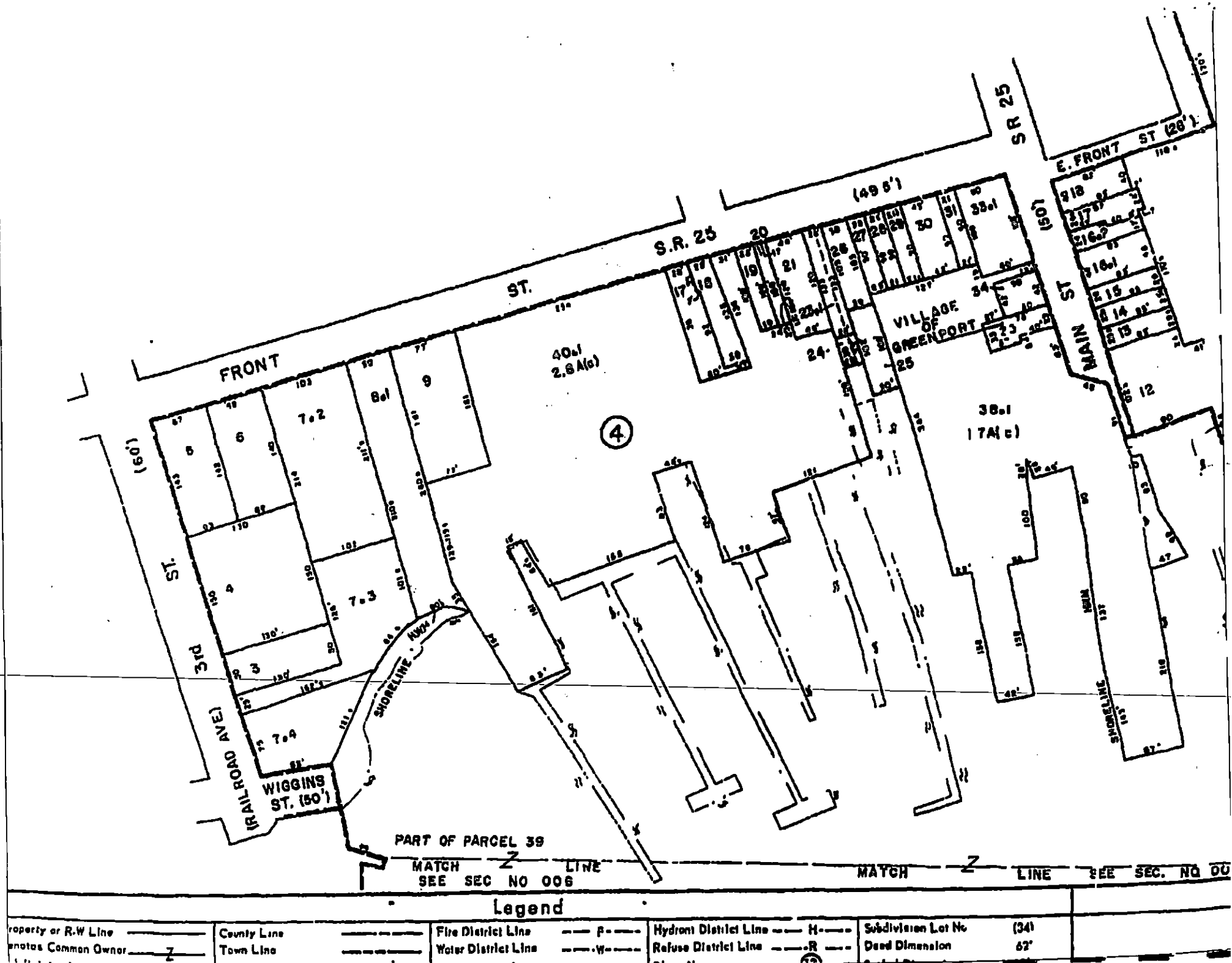
Prop Tax: \$34,549.66

Lot Area: 125,017

Zoning:

Census: 1701.01

Phone:



**INCORPORATED VILLAGE OF GREENPORT  
PROOF OF OWNERSHIP  
115 FRONT STREET PROPERTY**

I, Robert Ungerleider, being an attorney duly admitted to the practice of law in the State of New York, affirm under the penalties of perjury the following:

1. That I am the attorney for the Incorporated Village of Greenport, the Municipality which is the applicant for State Assistance pursuant to Title 5 of Article 56 of the Environmental Conservation Law to undertake an Environmental Restoration Project (the "Project") on property known and hereinafter referred to as the "Mitchell Property" (the metes and bounds description of which is attached to the copy of the deed attached hereto;

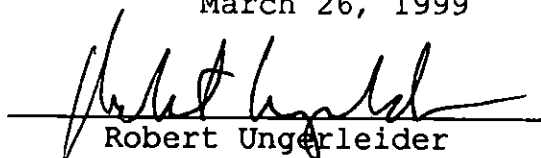
2. That the Project at the Mitchell Property is more properly described as the investigation of underground storage tanks;

3. That I hereby certify to the Commissioner of Environmental Conservation that I have examined or caused to be examined the title to the Mitchell Property, and that I have approved the same, and that as of the date of this affirmation a good and marketable title in fee is vested in and may be conveyed by the Incorporated Village of Greenport.

4. That annexed hereto are (i) a certified copy of the deed whereby such title to the Mitchell Property was conveyed to the Incorporated Village of Greenport, and (ii) a copy of Schedule A to the title insurance policy regarding the Property showing the Incorporated Village of Greenport as owner. I hereby certify to the Commissioner of Environmental Conservation that property conveyed by the annexed deed is identical to the Property which is the subject of the Project.

5. That I make this affirmation to be attached as an exhibit and incorporated by reference into such application.

Dated: New York, New York  
March 26, 1999

  
Robert Ungerleider

## LEGAL DESCRIPTION

All that certain plot, piece or parcel of land, situate, lying and being in the Village of Greenport, Town of Southold, Suffolk County, State of New York, bounded and described as follows:

**BEGINNING** at a point on the Southerly side of Front Street, distant 363.97 Easterly when measured along the Southerly side of Front Street from the corner formed by the intersection of the said Southerly side of Front Street with the Easterly side of Third Street;

**RUNNING THENCE** North 84 degrees 33 minutes 30 seconds East along the Southerly side of Front Street, 254.15 feet to land now or formerly of Black;

**THENCE** South 7 degrees 10 minutes 50 seconds East along last mentioned land 136 feet to a point;

**THENCE** North 84 degrees 33 minutes 30 seconds East along last mentioned land and along land now or formerly of E. Amer 60.00 feet to a point;

**THENCE** North 9 degrees 16 minutes 50 seconds West still along lands now or formerly of E. Amer 136.24 feet to the Southerly side of Front Street;

**THENCE** North 84 degrees 33 minutes 30 seconds East along the Southerly side of Front Street 31.18 feet to land now or formerly of Wheeler;

**THENCE** South 7 degrees 10 minutes 10 seconds East along last mentioned land 100.03 feet to a point;

**THENCE** North 84 degrees 33 minutes 30 seconds East along last mentioned land and along land now or formerly of Dell Aquila 34.35 feet to land now or formerly of J. Burton;

**THENCE** South 5 degrees 49 minutes 10 seconds East along last mentioned land 20 feet;

**THENCE** North 84 degrees 33 minutes 30 seconds East still along last mentioned land, 45.92 feet to land now or formerly of Bootleg Alley, Inc.;

**THENCE** South 6 degrees 49 minutes 10 seconds East along last mentioned land, along land now or formerly of White, and along the line of State Grant 183 feet;

**THENCE**, on a tie line shown on a survey prepared by Van Tuyl P.C. on August 21, 1966, South 81 degrees 15 minutes 00 seconds West, 558.33 feet to land now or formerly of Kontoskosta;

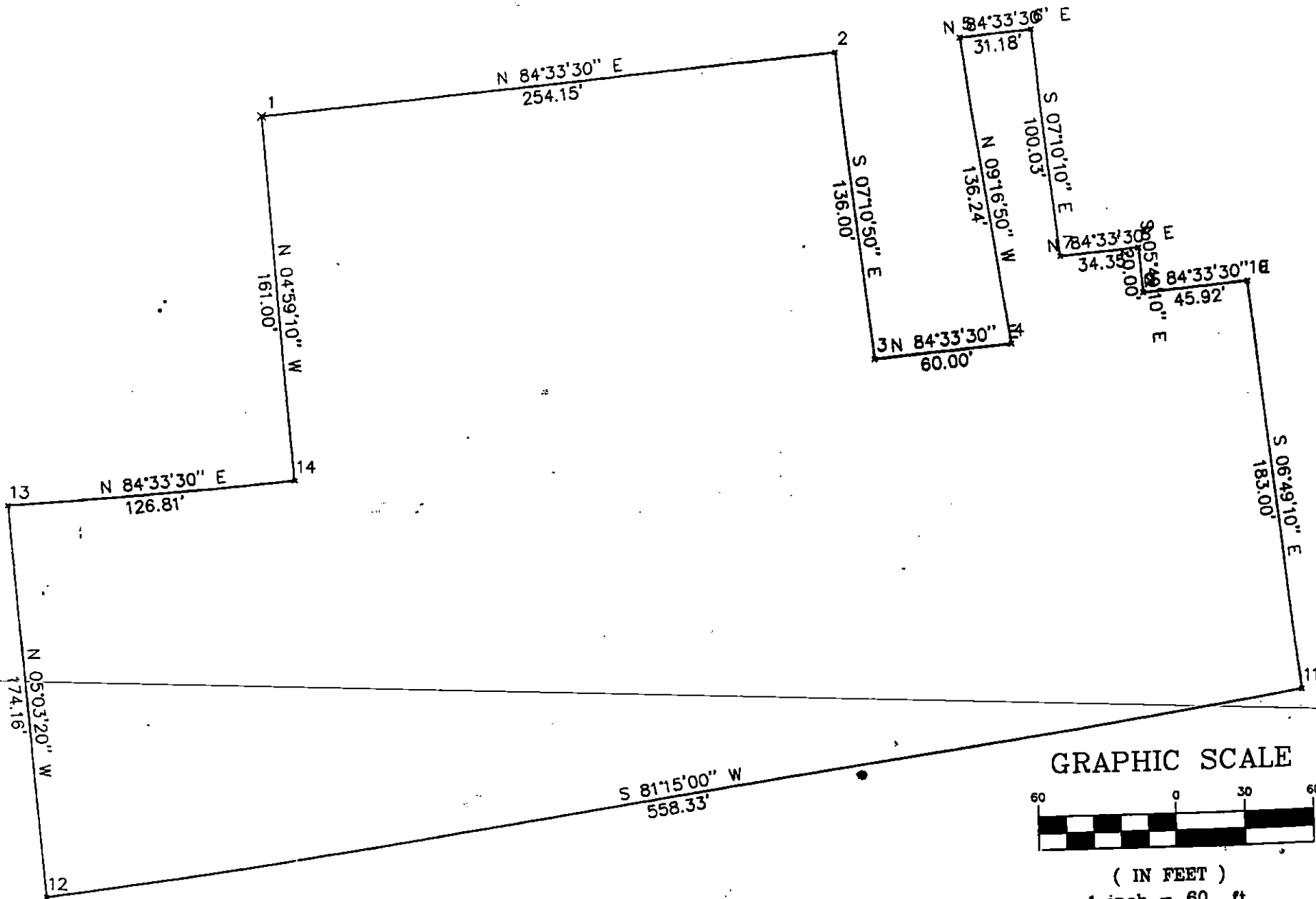
**THENCE** along the Easterly side of land now or formerly of Kontoskosta, North 5 degrees 03 minutes 20 seconds West 174.16 feet to a point;

**THENCE** along the land of U.S. Post Office North 84 degrees 33 minutes 30 seconds East 126.81 feet to a point;

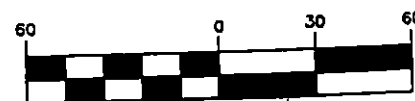
**THENCE** North 4° 59'10" West, 161.00 feet along last mentioned land to the point or place of BEGINNING.

*A. T. Tsukerman*





GRAPHIC SCALE



( IN FEET )

1 inch = 60 ft.

**H2M**GROUP

ENGINEERS • ARCHITECTS • PLANNERS • SCIENTISTS • SURVEYORS  
MELVILLE, N.Y. SHELTON, CT. TOTOWA, N.J.

Referee's name in Parentheses

THIS DEED, made <sup>as of</sup> the 3<sup>rd</sup> day of September, 1996

BETWEEN

MARTIN CHOW, ESQ.  
401 Broadway  
Suite 1620  
New York, New York 10013

, referee

duly appointed in the action hereinafter mentioned, grantor and

VILLAGE OF GREENPORT  
236 Third Street  
Greenport, New York 11944

, grantee

WITNESSETH, that the grantor, the referee appointed in an action  
between FEDERAL DEPOSIT INSURANCE CORPORATION  
AS CONSERVATOR OF CROSSLAND FEDERAL  
SAVINGS BANK, plaintiff, and

RICHARD MOHRING, JR., RICHARD  
MOHRING, SR., DEBORAH MOHRING, RITA  
MOHRING, RICHARD MOHRING EQUITY  
PROPERTY INC., MOHRING VENTURE  
PROPERTIES INC., HARRY MITCHELL  
FAMILY CORP. A/K/A MITCHELL FAMILY  
CORPORATION, NEW ENGLAND STEAMBOAT  
LINES, INC., OVERLOOK COURT  
DEVELOPMENT CORP., THE STATE OF NEW  
YORK, "JOHN DOE NO. 1" THROUGH  
"JOHN DOE NO. 10", INCLUSIVE, THE  
TRUE NAMES OF SAID DEFENDANTS BEING  
UNKNOWN TO PLAINTIFF, THOSE PARTIES  
BEING INTENDED TO BE THOSE PERSONS  
HAVING OR CLAIMING AN INTEREST IN  
THE MORTGAGED PREMISES DESCRIBED IN  
THE VERIFIED COMPLAINT BY VIRTUE OF  
TENANTS, OCCUPANTS, OWNERS,  
JUDGMENT CREDITORS, LIENORS OF ANY  
TYPE OR NATURE, AND/OR THEIR HEIRS,  
SUCCESSORS OR ASSIGNS IN ALL PART  
OF SAID PREMISES,

defendant,

foreclosing a mortgage recorded on January 11, 1989 in the office  
of the County Clerk of the County of Suffolk in Liber 14862, page  
431 in pursuance of a judgment dated July 5, 1995, and in  
consideration of \$1,000,000.00 paid by the grantee, being the  
highest sum bid at the sale under said judgment does hereby grant  
and convey unto the grantee,

ALL

see schedule "A" attached hereto

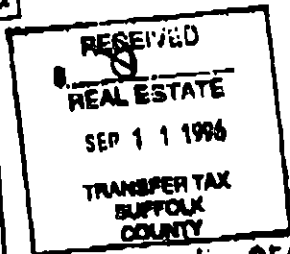
TO HAVE AND TO HOLD the premises herein granted unto the grantee  
and assigns forever.

Whenever the text hereof requires, the singular number as used  
herein shall include the plural and all genders.

05451

RECORDED

11791 1861



05451

96 SEP 11 AM 11:51  
EDWARD S. ROMAINE  
CLERK OF  
SUFFOLK COUNTY

Number of pages 4

TORRENS

Serial #

Certificate #

Prior Crt. #

Deed / Mortgage Instrument

Deed / Mortgage Tax Stamp

Recording / Filing Stamp

FEES

Page / Filing Fee 12

Handling 5

TP-584 5

Notation

EA-5217 (County) 5

Sub Total 27

EA-5217 (State) 25

R.P.T.S.A. 23.00

Comm. of Ed. 5.00

Affidavit

Certified Copy

Reg. Copy

Sub Total 53

Other

GRAND TOTAL 80



Mortgage Amt.

1. Basic Tax

2. Additional Tax

Sub Total

Spec./Asslt.

Spec./Add.

TOT. MTG. TAX

Dual Town Dual County

Held for Apportionment

Transfer Tax

Mansion Tax

The property covered by this mortgage is or will be improved by a one or two family dwelling only.

YES or NO

If NO, see appropriate tax clause on page # of this instrument.

Title Company Information

Real Property Tax Service Agency Verification

Dist.	Section	Block	Lot
1001	005.00	04.00	008.001
1001	005.00	04.00	040.001

Fidelity Title

Company Name

2016623

Title Number

Frederick Teleschi, Esq.  
P.O. Box 321  
2555 Youngs Ave Hnd  
Greenport, NY 11944

RECORD & RETURN TO  
(ADDRESS)

FEE PAID BY:

Cash ☐ Check ☒ Charge

Payer same as R & R  
(or if different)

NAME: FIDELITY NATIONAL TITLE

ADDRESS: 1149 000 COUNTRY RD.

RIVERHEAD, NY 11901

## Suffolk County Recording & Endorsement Page

This page forms part of the attached REF. Deed

(SPECIFY TYPE OF INSTRUMENT)

MARTIN CHOW, Reference

The premises herein is situated in  
SUFFOLK COUNTY, NEW YORK.

TO

Village of Greenport

In the Township of Southold

In the VILLAGE

or HAMLET of Greenport

BOXES 5 THRU 9 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.

SCHEDULE A

**AMENDED 8/27/96**

ALL that certain plot, place or parcel of land, situate, lying and being in the Village of Greenport, Town of Southold, Suffolk County, State of New York, bounded and described as follows:

**BEGINNING** at a point on the Southerly side of Front Street, distant 237.16 feet Easterly when measured along the Southerly side of Front Street from the corner formed by the intersection of the said Southerly side of Front Street with the Easterly side of Third Street;

**RUNNING THENCE** along said Southerly side of Front Street, North 84 degrees 33 minutes 30 seconds East, 50.0 feet;

**RUNNING THENCE** along the Westerly, Southerly and Easterly sides of land now or formerly of U.S. Government Post Office the following 3 courses and distances:

1. South 5 degrees 03 minutes 20 seconds East, 161.0 feet;
2. North 84 degrees 33 minutes 30 seconds East, 76.81 feet;
3. North 4 degrees 59 minutes 10 seconds West, 161.0 feet, to the southerly side of Front Street;

**RUNNING THENCE** North 84 degrees 33 minutes 30 seconds East along the Southerly side of Front Street, 254.15 feet to land now or formerly of Black;

**THENCE** South 7 degrees 10 minutes 50 seconds East along last mentioned land 136 feet to a monument;

**THENCE** North 84 degrees 33 minutes 30 seconds East along last mentioned land and along land now or formerly of E. Amer 60.00 feet to a monument;

**THENCE** North 9 degrees 16 minutes 50 seconds West still along lands now or formerly of E. Amer 136.24 feet to the Southerly side of Front Street;

**THENCE** North 84 degrees 33 minutes 30 seconds East along the Southerly side of Front Street 31.18 feet to land now or formerly of Wheeler;

**THENCE** South 7 degrees 10 minutes 10 seconds East along last mentioned land 100.03 feet to a monument;

**THENCE** North 84 degrees 33 minutes 30 seconds East along last mentioned land and along land now or formerly of Dell Aquila 34.35 feet to land now or formerly of J. Burton;

**THENCE** South 5 degrees 49 minutes 10 seconds East along last mentioned land 20 feet;

**THENCE** North 84 degrees 33 minutes 30 seconds East still along last mentioned land 45.92 feet to land now or formerly of Bootleg Alley, Inc.;

**THENCE** South 6 degrees 49 minutes 10 seconds East along last mentioned land, along land now or formerly of White, and along the line of State Grant 163 feet;

**THENCE** a tie line courses and distances along South 81 degrees 15 minutes 00 seconds West, 558.33 feet to land now or formerly of Kontokosta;

**RUNNING THENCE** along the Easterly side of land now or formerly of Kontokosta, North 5 degrees 03 minutes 20 seconds West, 330.00 feet to the point or place of **BEGINNING**.



11791 #861

Before's deed in Possession

IN WITNESS WHEREOF, the grantor has hereunto set his hand and seal, the date first above written.

Martin Chow L.S.  
s/ Martin Chow, Referee

In presence of:

STATE OF NEW YORK )

COUNTY OF SUFFOLK New York ) ss.:

On the <sup>August</sup> 29<sup>th</sup> day of September, 1996, before me came Martin Chow, to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that he executed the same.

ANNIE MORRISON  
Notary Public, State of New York  
No. 02401047158  
Qualified in Kings County  
Commission Expires July 31, 1997

Annie Morrison  
Notary Public

ANNIE MORRISON



**Fidelity National Title Insurance Company**

**Schedule A - Owner's Policy**

**Amount of Insurance: \$1,200,000.00**

**Policy No.: 2016623F**

**Date of Policy: September 3, 1996**

**1. Name of Insured: VILLAGE OF GREENPORT**

**2. The estate or interest in the land which is covered by this policy is: Fee Simple**

**3. Title to the estate or interest in the land is vested in:**

**VILLAGE OF GREENPORT** by means of a Deed dated September 3, 1996 from MARTIN CHOW, REFEREE recorded September 11, 1996 in the Suffolk County Clerk's Office.

**4. The land referred to in this policy is described as follows:**

**115 & 203 Front Street**

VILLAGE OF GREENPORT  
BOARD OF TRUSTEES  
REGULAR MEETING - APRIL 17, 1997

ACTION TAKEN BY THE VILLAGE OF GREENPORT BOARD OF TRUSTEES:

At the regular meeting of the Village of Greenport Board of Trustees a motion was made by Trustee William J. Mills, III, seconded by Trustee Gail F. Horton to adopt the following resolution:

**WHEREAS:** It is in the public interest of the Village of Greenport to create and preserve valuable parkland, and

**WHEREAS:** The Village of Greenport has acquired title to land within its incorporated limits know as the "Mitchell Property", and

**WHEREAS:** Such land would be an invaluable asset to the Village Greenport as dedicated parkland,

**NOW, THEREFORE, BE IT RESOLVED:** that the premises upland of its existing bulkhead know as the "Mitchell Property" be dedicated as parkland , and that a map thereof be filed in then office of the Clerk of the Village of Greenport.

Roll Call Vote:	Trustee William J. Mills, III	No
	Trustee Gail F. Horton	Yes
	Trustee George W. Hubbard	Yes
	Trustee Barbara E. Heaney	No
	Mayor David E. Kapell	Yes

Motion Carried.

\*\*\*\*\*

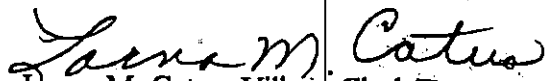
CERTIFICATION

STATE OF NEW YORK  
COUNTY OF SUFFOLK ss:

THIS IS TO CERTIFY THAT I, Lorna M. Catus, Clerk/Treasurer of the Village of Greenport of the County of Suffolk, have compared the foregoing copy of the resolution now on file in this office, which was adopted by the Board of Trustees of the Village of Greenport of said county on April 17, 1997 and that the same is a true and correct transcript of said resolution of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Village of Greenport of the County of Suffolk.

Dated: October 15, 1997

  
Lorna M. Catus, Village Clerk/Treasurer