

New York State Department of Environmental Conservation

Division of Environmental Remediation

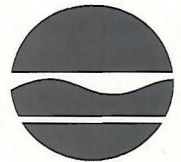
Office of the Director, 12th Floor

625 Broadway, Albany, New York 12233-7011

Phone: (518) 402-9706 • Fax: (518) 402-9020

Website: www.dec.ny.gov

DEC 08 2014



Joe Martens
Commissioner

Chelsea Waterfront Development, LLC

Attn: Thomas Perna

One Executive Blvd.

Yonkers, NY 10701

Re: Certificate of Completion
Site Name: Chelsea Waterfront Development Site
Site No.: C314083
Fishkill, Dutchess County

Dear Mr. Perna:

Congratulations on having satisfactorily completed the remedial program at the Chelsea Waterfront Development Site. Enclosed please find an original, signed Certificate of Completion. The New York State Department of Environmental Conservation (DEC) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the Certificate of Completion (COC) to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record a notice of the COC in the recording office for the County (or Counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record a notice of the COC within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the notice of COC is recorded within the time frame specified. A standard notice form is attached to this letter;
- Place the notice of the COC in the document repository for the site within 10 days of issuance of the COC;
- You and your lessees must submit an annual report to the New York State Department of Taxation and Finance within one year and for each of the following eleven years after the execution of the Brownfield Site Cleanup Agreement. The Report must provide the information required by Chapter 390 of the Laws of 2008, Tax Law Section 171-s.

DEC will prepare and distribute to the Site Contact List a fact sheet describing the institutional and engineering controls that are required at the site.

If you have any questions regarding any of these items, please contact the site Project Manager, Randy Whitcher at 518-402-9662.

Sincerely,

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



cc: Krista Anders, DOH
 Steve Karpinski, DOH
 Michael Ryan, DEC
 George Heitzman, DEC
 Randy Whitcher, DEC
 James Candiloro, DEC
 Benjamin Conlon, DEC
 Andrew Guglielmi, DEC
 Rosalie K. Rusinko, DEC

New York State Department of Environmental Conservation
 Division of Environmental Remediation
 Office of the Director, 12th Floor
 625 Broadway Albany, New York 12242-1011
 Phone: (518) 402-9708 • Fax: (518) 402-9280
 Website: www.dec.ny.gov

Chelsea Waterfront Development, L.L.C.
 Attn: Thomas Forman
 One Executive Blvd.
 Yonkers, NY 10701

Re: Certificate of Completion
 Site Name: Chelsea Waterfront Development Site
 Site No.: C314083
 Parkville, Dutchess County

Dear Mr. Forman:

Congratulations on having satisfactorily completed the remedial program at the Chelsea Waterfront Development Site. Enclosed please find an original signed Certificate of Completion. The New York State Department of Environmental Conservation (DEC) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the Certificate of Completion (COC) to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record a notice of the COC in the recording office for the County (or Counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record a notice of the COC within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the notice of COC is recorded within the time frame specified. A standard notice form is attached to this letter.
- Place the notice of the COC in the document repository for the site within 10 days of issuance of the COC.
- You and your lessee must submit an annual report to the New York State Department of Taxation and Finance within one year and for each of the following eleven years after the expiration of the Brownfields Site Cleanup Agreement. The Report must provide the information required by Chapter 390 of the Laws of 2008, Tax Law Section 171-a.

DEC will prepare and distribute to the Site-Contact List a fact sheet describing the institutional and engineering controls that are required at the site.

If you have any questions regarding any of these items, please contact the site Project Manager, Randy Whitcher, at 518-402-9662.

Sincerely,

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

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name Chelsea Waterfront Development, LLC
Address One Executive Blvd., Yonkers, NY 10701

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 9/30/05 **Agreement Execution:** 12/12/05 **Agreement Index No.:** W310770509

Application Approval Amendment: none **Agreement Execution Amendment:** none

SITE INFORMATION

Site No.: C314083 **Site Name:** Chelsea Waterfront Development Site
Site Owner: Chelsea Waterfront Development, LLC
Street Address: 5-47 Chelsea Industrial Park (Brockway Rd.)
Municipality: Fishkill **County:** Dutchess **DEC Region:** 3
Site Size: 19.885 Acres
Tax Map Identification Number(s): 5955-02-791875, 5955-02-798930
Percentage of site located in an EnZone: 0 - 49 %

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

CERTIFICATE ISSUANCE

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the Site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

Allowable Uses under the BCP: Restricted-Residential, Commercial, and Industrial

Cleanup Track: Track 4: Restricted use with site-specific soil cleanup objectives

Tax Credit Provisions for Entities Taxable Under Article 9, 9-A, 32, and 33:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 12 %.

Tangible Property Credit Component Rate is 12 %.

Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 10 %.

Tangible Property Credit Component Rate is 10 %.

Robert W. Schick, P.E., Director
Division of Environmental Remediation
Date: *Dec 8, 2014*

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Dutchess County as 02 2014 6940.

LIABILITY LIMITATION

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

CERTIFICATE TRANSFERABILITY

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375-1.9.

CERTIFICATE MODIFICATION/REVOCATION

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon a finding that:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;
- (4) there is good cause for such modification or revocation;
- (5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;
- (6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Joseph J. Martens
Commissioner
New York State Department of Environmental Conservation

By:



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

Date: December 8, 2014

NOTICE OF CERTIFICATE OF COMPLETION
Brownfield Cleanup Program
6 NYCRR Part 375-1.9(d)

Chelsea Waterfront Development Site, Site ID No. C314083
5-47 Chelsea Industrial Park (Brockway Road)
Fishkill, Dutchess County, Tax Map Identification Number(s):
5955-02-791875 & 5955-02-798930

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to Chelsea Waterfront Development, LLC for a parcel approximately 19.88 acres located at the in the Town of Fishkill, Dutchess County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Dutchess County as Deed # 02 2014 6940.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

Chelsea Waterfront Development Site, C314083, 5-47 Industrial Park

PLEASE TAKE NOTICE, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

PLEASE TAKE NOTICE, the Certificate may be only be transferred to the Certificate holder=s successors or assigns upon transfer or sale of the Site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

PLEASE TAKE NOTICE, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

PLEASE TAKE NOTICE, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 3 Office located at 21 South Putt Corners Road, New Paltz, NY 12561, by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

Chelsea Waterfront Development, LLC

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 20____, before me, the undersigned, personally appeared _____, 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.

Signature and Office of individual
taking acknowledgment

Please record and return to:
Chelsea Waterfront Development, LLC
Attn: Thomas Perna
One Executive Blvd.
Yonkers, NY 10701



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/2/2014



SITE DESCRIPTION

SITE NO. **C314083**

SITE NAME Chelsea Waterfront Development Site

SITE ADDRESS: 5-47 Chelsea Industrial Park (Brockway Rd.) **ZIP CODE:** 12508

CITY/TOWN: Fishkill

COUNTY: Dutchess

ALLOWABLE USE: Restricted-Residential, Commercial, and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:	YES	NO
IC/EC Certification Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Monitoring Plan		
Operation and Maintenance (O&M) Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Periodic Review Frequency: once a year	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Periodic Review Report Submitted Date: 02/14/2016

Description of Institutional Control

Chelsea Waterfront Development, LLC

One Executive Blvd.

Industrial Way

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: 791875

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

Chelsea Waterfront Development, LLC

One Executive Blvd.

5-47 Chelsea Industrial Park

Environmental Easement

Block: 02

Lot: 798930

Sublot:

Section: 5955

Subsection:

S_B_L Image: 5955-02-798930

Cover System

Industrial Way

Environmental Easement

Block: 02

Lot: 791875

Sublot:

Section: 5955

Subsection:

S_B_L Image: 5955-02-791875

Cover System

Exhibit A

SCHEDULE "A" PROPERTY DESCRIPTION

DESCRIPTION OF PROPERTY

prepared for

Chelsea Waterfront Development, LLC
Description of Environmental Easement
(Portions of Fishkill Tax Map Parcels
5955-02-798930 & 5955-02-791875)

ALL that certain parcel of land situate in the Town of Fishkill, County of Dutchess and State of New York that is a portion of Lot 1 and a portion of Lot 2 as shown on that certain map entitled "Subdivision of Chelsea Industrial Park..." which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11111 that is bounded and described as follows:

BEGINNING at a point in the northerly line of Industrial Way at the southwesterly terminus of the division line between the property herein described on the west and Lot I-105 as shown on that certain map entitled "Final Subdivision Plat... The Waterfront at Fishkill..." which was filed in the Dutchess County Clerk's Office on February 26, 2002 as Map No. 11351 on the east. THENCE from the said point of beginning along the northerly line of Industrial Way

on a curve to the left, the center of which bears S 26°42'16" W, the central angle of which is 9°12'16", the radius of which is 200.00 feet for 32.13 feet and N 72°30'00" W 256.00 feet to a point. Thence running through Lot 2, through Lot 1 and through Lot 2 again, as said lots are shown on that certain map entitled "Subdivision of Chelsea Industrial Park..." which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11111

N 40°52'00" W 108.00 feet,
N 36°40'00" E 23.60 feet,
S 53°20'00" E 20.10 feet,
N 36°40'00" E 100.20 feet,
N 53°20'00" W 57.00 feet,
N 36°40'00" E 246.80 feet,
N 53°20'00" W 141.40 feet,
S 36°40'00" W 39.60 feet,
N 53°20'00" W 205.00 feet,
N 37°40'00" E 1,188.00 feet and
S 32°28'00" E 709.12 feet

to a point in the westerly line of Lot I-105 as shown on the aforementioned Filed Map No.11351. Thence along the same and along Parcel -2E- as shown on the aforementioned Filed Map No. 11351

S 04°28'30" W 26.47 feet,
S 11°20'40" E 100.80 feet,
S 51°06'20" W 72.27 feet,
S 55°20'20" W 84.43 feet,
S 38°58'30" W 125.11 feet,
S 42°41'50" W 146.16 feet,
S 47°07'30" W 123.75 feet,
S 21°15'00" W 130.61 feet,
S 27°22'30" W 78.70 feet,
S 37°26'30" W 147.17 feet and
S 28°15'50" W 217.17 feet

to the point or place of beginning, containing 19.885 acres, more or less.

Exhibit B

Checked by: SBW/JET On 04/23/14 FILE No. 86-129

Checked by: SBW/JET On 04/23/14 FILE No. 86-129

Checked by: SBW/JET On 04/23/14 FILE No. 86-129

Checked by: SBW/JET On 04/23/14 FILE No. 86-129

LEGEND

Bldg.	Building
Fen.	Fence
CMP	Corrugated Metal Pipe
H	Heath
S	South
E	East
W	West
Δ	Delta Angle
R	Radius
L	Length of Curve

DESCRIPTION OF ENVIRONMENTAL EASEMENT

All that certain parcel of land situate in the Town of Fishkill, County of Dutchess and State of New York that is a portion of Lot 1 and a portion of Lot 2 as shown on that certain map entitled "Subdivision of Chelsea Industrial Park," which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11351 that is bounded and described as follows:

BEING that a portion in the northernly line of Industrial Way of the southeastern corner of the division line between the property herein described on the west and Lot 1-105 as shown on that certain map entitled "Subdivision of Chelsea Industrial Park," which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11351 that is bounded and described as follows:

to a point in the northernly line of Industrial Way of the southeastern corner of the division line between the property herein described on the west and Lot 1-105 as shown on that certain map entitled "Subdivision of Chelsea Industrial Park," which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11351 that is bounded and described as follows:

on a curve to the left, the center of which bears S 25°42'25" W the central angle of which is 97°21'15", the radius of which is 200.00 feet for 33.13 feet and

N 72°30'00" W 258.00 feet

to a point thence running through Lot 2, through Lot 1 and through Lot 2 again, as said lots are shown on that certain map entitled "Subdivision of Chelsea Industrial Park," which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11351 that is bounded and described as follows:

N 40°32'00" W 158.00 feet
 S 84°00'00" E 210.00 feet
 N 38°40'00" W 100.00 feet
 N 52°20'00" W 57.00 feet

N 38°40'00" E 248.80 feet
 N 32°30'00" W 141.80 feet
 S 38°40'00" W 38.00 feet
 N 32°30'00" W 203.00 feet
 N 52°40'00" E 118.00 feet and
 S 32°28'00" E 709.12 feet

to a point in the westerly line of Lot 1-105 as shown on that certain map entitled "Subdivision of Chelsea Industrial Park," which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11351 that is bounded and described as follows:

S 04°28'30" W 26.47 feet
 S 17°20'40" E 100.80 feet
 S 01°58'00" W 72.27 feet
 S 53°20'00" W 84.43 feet
 S 88°38'00" W 125.11 feet

S 62°41'50" W 146.16 feet
 S 47°07'00" W 123.78 feet
 S 27°15'00" W 128.81 feet
 S 27°22'30" W 78.75 feet
 S 32°28'00" W 147.19 feet and
 S 28°15'00" W 211.17 feet


to the point or place of beginning, containing 19.885 acres, more or less.

Area = 19.885 Acres

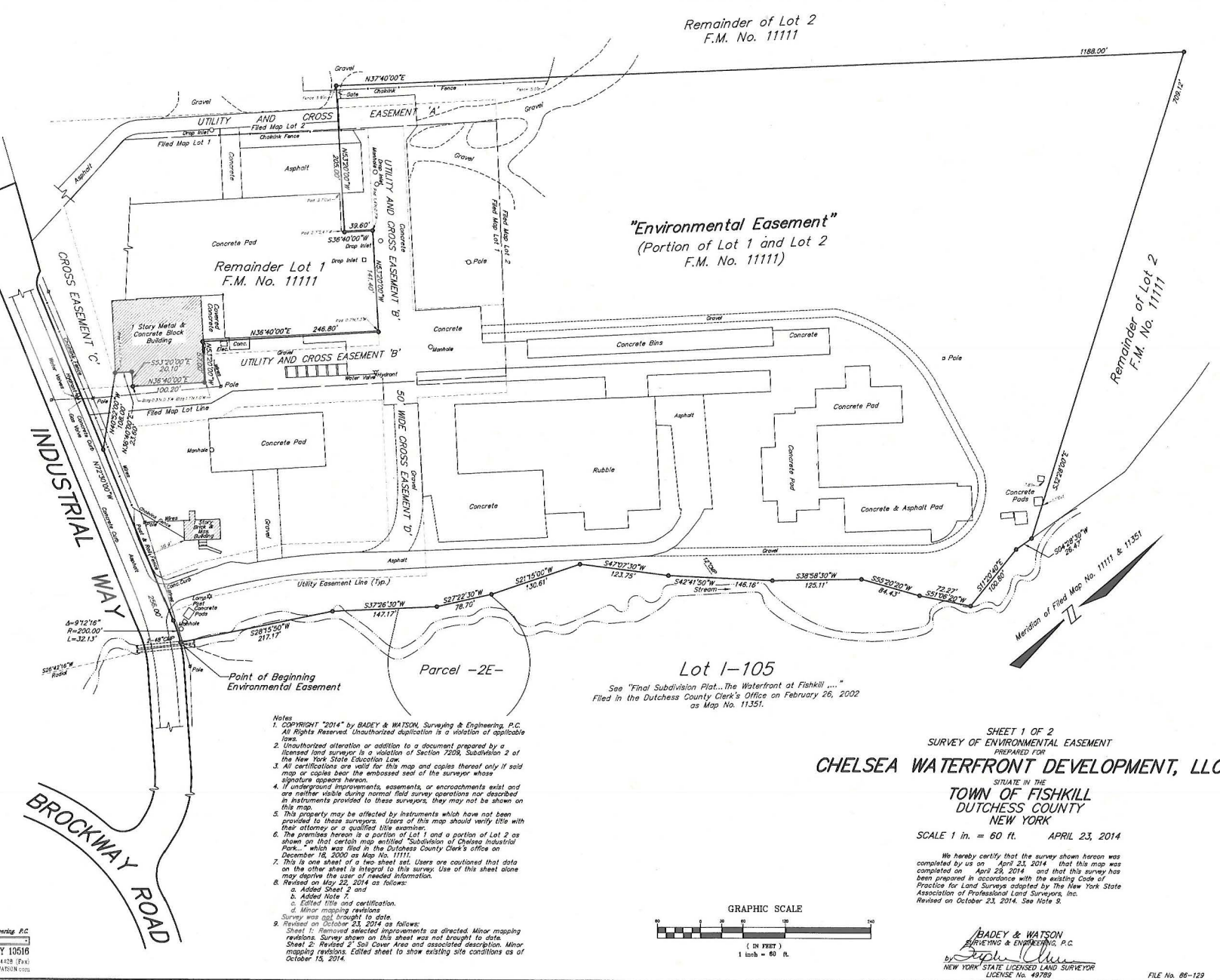
This map was prepared for the exclusive use of and is certified only to:
CHELSEA WATERFRONT DEVELOPMENT, LLC

THE PEOPLE OF THE STATE OF NEW YORK,
 acting through their Commissioner of the
 Department of Environmental Conservation

Prepared by:

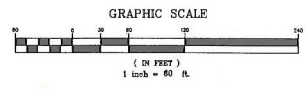


BADEY & WATSON, Surveying & Engineering, P.C.
 3063 Route 9, Cold Spring, NY 10516
 (845) 285-8027 (845) 285-4428 Fax
 (917) 2481593 Toll-Free www.BADEY-WATSON.com



Lot 1-105
 See "Final Subdivision Plat...The Waterfront at Fishkill..."
 Filed in the Dutchess County Clerk's Office on February 26, 2002
 as Map No. 11351.

- Notes**
1. COPYRIGHT 2014 by BADEY & WATSON, Surveying & Engineering, P.C. All Rights Reserved. Unauthorized duplication is a violation of applicable laws.
 2. Unauthorized alteration or addition to a document prepared by a licensed land surveyor is a violation of Section 7209, Subdivision 2 of the New York State Education Law.
 3. All certifications are valid for this map and copies thereof only if said map or copies bear the embossed seal of the surveyor whose signature appears hereon.
 4. If underground improvements, easements, or encroachments exist and are neither visible during normal field survey operations nor described in instruments provided to these surveyors, they may not be shown on this map.
 5. This property may be affected by instruments which have not been provided to these surveyors. Users of this map should verify title with their attorney or a qualified title examiner.
 6. The premises hereon is a portion of Lot 1 and a portion of Lot 2 as shown on that certain map entitled "Subdivision of Chelsea Industrial Park," which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11111.
 7. This is one sheet of a two sheet set. Users are cautioned that data on the other sheet is integral to this survey. Use of this sheet alone may deprive the user of needed information.
 8. Revised on May 22, 2014 as follows:
 a. Added Sheet 2 and
 b. Added Note 7.
 c. Edited title and certification.
 d. Minor mapping revisions.
 9. Survey was not brought to date.
 Revised on October 23, 2014 as follows:
 Sheet 1: Removed selected improvements as directed. Minor mapping revisions. Survey shown on this sheet was not brought to date.
 Sheet 2: Revised 2" Soil Cover Area and associated description. Minor mapping revisions. Edited sheet to show existing site conditions as of October 15, 2014.



SHEET 1 OF 2
 SURVEY OF ENVIRONMENTAL EASEMENT
 PREPARED FOR
CHELSEA WATERFRONT DEVELOPMENT, LLC
 SITUATE IN THE
**TOWN OF FISHKILL
 DUTCHESS COUNTY
 NEW YORK**
 SCALE 1 in. = 80 ft. APRIL 23, 2014

We hereby certify that the survey shown hereon was completed by us on April 23, 2014 that this map was completed on April 23, 2014 and that this survey has been prepared in accordance with the existing Code of Practice for Land Surveys adopted by The New York State Association of Professional Land Surveyors, Inc. Revised on October 23, 2014. See Note 2.

**BADEY & WATSON
 SURVEYING & ENGINEERING, P.C.**
 [Signature]
 NEW YORK STATE LICENSED LAND SURVEYOR
 LICENSE No. 49789

Drawing Name: CS210822_N04 Copied: SHEET 2 of 2 Plot No. 210822 Checked by: SWM Spwf. checked by: MRS Drawn by: MRS/SET Created by: SWM/SET CA: 04/29/14 FILE No. 88-129 T.M.: 9555-02-786830 & 791675 GEOGRAPHIC INDEX: 555030 507930

DESCRIPTION OF 2' SOIL COVER AREA

All that certain parcel of land situate in the Town of Fishkill, Dutchess County and State of New York that is a portion of Lot 1 and a portion of Lot 2 as shown on that certain map entitled "Subdivision of Chelsea Industrial Park," which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11111 that is bounded and described as follows:

BEGINS at a point which is the southeastern corner of the parcel herein described, said point being distant

N 00°47'55" W 86.20 feet (2x)

from the southeasterly terminus of the division line between the Lot 2 as shown on that certain map entitled "Subdivision of Chelsea Industrial Park," which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11111 to the west end of Lot 1-105 as shown on that certain map entitled "Third Subdivision Plot," the Westward of Parcel "A" which was filed in the Dutchess County Clerk's Office on February 26, 2002 as Map No. 11351 to the east. THENCE from the said point of beginning and running through Lot 2, through Lot 1 and through Lot 2 again as said lots are shown on that certain map entitled "Subdivision of Chelsea Industrial Park," which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11111

2 89°13'00" W 31.00 feet
 N 75°22'34" W 74.36 feet
 N 37°44'00" E 50.80 feet
 N 52°18'00" W 30.82 feet
 S 37°16'00" W 26.18 feet
 N 44°33'00" W 5.60 feet
 N 18°27'00" W 24.60 feet
 N 10°33'00" W 39.50 feet
 N 08°32'00" W 48.60 feet
 N 12°12'00" W 55.60 feet
 N 28°19'00" E 34.70 feet
 N 53°02'00" W 83.50 feet
 S 52°08'00" E 31.00 feet
 S 33°00'00" E 49.80 feet
 S 37°00'00" E 408.83 feet
 S 52°08'00" E 31.00 feet
 N 36°37'00" E 80.00 feet
 N 62°14'00" E 11.50 feet
 N 33°24'00" E 38.60 feet
 N 27°23'00" E 37.50 feet
 N 19°39'00" E 44.80 feet
 N 18°31'00" E 43.90 feet
 N 14°27'00" E 8.40 feet
 N 47°16'00" W 33.00 feet
 N 65°38'00" E 162.84 feet and
 S 52°08'00" E 258.82 feet

to a point in the westerly line of Lot 1-105 as shown on the aforementioned Map No. 11351. Thence along the same

S 04°28'30" W 26.47 feet

to a point. Thence continuing through Lot 2 as shown on the aforementioned Map No. 11111

S 15°44'00" W 99.07 feet and
 S 38°12'00" W 123.00 feet

to a point in the westerly line of said Lot 1-105. Thence continuing through said Lot 2

N 04°19'00" W 8.62 feet,
 S 37°37'00" W 44.17 feet,
 S 49°37'00" W 30.60 feet,
 S 49°37'00" W 15.20 feet,
 S 47°53'00" W 122.20 feet,
 S 48°42'00" W 27.20 feet,
 S 38°27'00" W 30.60 feet,
 S 51°23'00" W 25.40 feet and
 S 34°19'00" W 49.80 feet

to a point in the westerly line of said Lot 1-105. Thence continuing along said Lot 1-105

S 47°02'00" W 29.50 feet and
 S 21°32'00" W 42.70 feet

to a point. Thence continuing through said Lot 2

S 36°59'00" W 39.20 feet,
 S 24°31'00" W 40.80 feet,
 S 33°32'00" W 16.50 feet,
 S 02°46'00" E 14.20 feet,
 S 78°47'00" W 30.40 feet,
 S 35°38'00" W 37.60 feet,
 S 78°47'00" W 30.40 feet,
 S 36°26'00" W 130.80 feet,
 S 32°38'00" W 87.20 feet and
 S 21°04'00" W 18.10 feet

to the point or piece of beginning, containing 8.658 acres, more or less.

DESCRIPTION OF SOIL CONSOLIDATION AREA

All that certain parcel of land situate in the Town of Fishkill, Dutchess County and State of New York that is a portion of Lot 2 as shown on that certain map entitled "Subdivision of Chelsea Industrial Park," which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11111 that is bounded and described as follows:

BEGINS at a point, said point being distant

N 14°02'00" E 402.00 feet (2x)

from the southeasterly terminus of the division line between the Lot 2 as shown on that certain map entitled "Subdivision of Chelsea Industrial Park," which was filed in the Dutchess County Clerk's Office on December 18, 2000 as Map No. 11111 to the west end of Lot 1-105 as shown on that certain map entitled "Third Subdivision Plot," the Westward of Parcel "A" which was filed in the Dutchess County Clerk's Office on February 26, 2002 as Map No. 11351 to the east. THENCE from the said point of beginning through said Lot 2

N 53°13'00" W 149.00 feet,
 N 36°37'00" E 310.00 feet,
 S 53°13'00" E 149.00 feet and
 S 36°37'00" W 310.00 feet

to the point or piece of beginning, containing 1.064 acres, more or less.

LEGEND	
Bldg.	Building
Fen.	Fence
CMP	Corrugated Metal Pipe
N	North
S	South
E	East
W	West
d	Delta Angle
R	Radius
L	Length of Curve

Area = 19.885 Acres

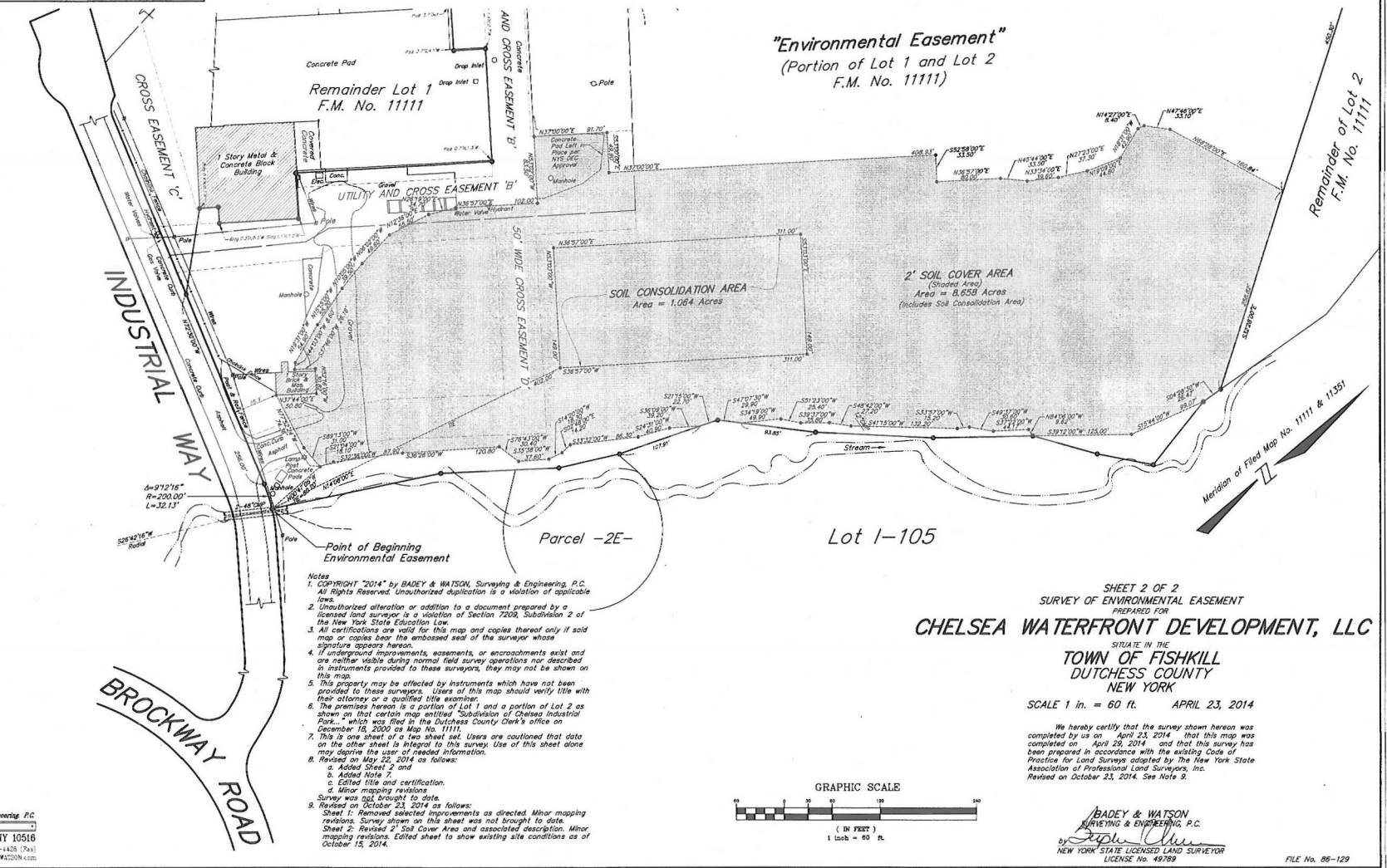
This map was prepared for the exclusive use of and is certified only to:

CHELSEA WATERFRONT DEVELOPMENT, LLC

THE PEOPLE OF THE STATE OF NEW YORK, acting through their Commissioner of the Department of Environmental Conservation

Prepared by:

BADEY & WATSON, Surveying & Engineering, P.C.
 3063 Route 9, Cold Spring, NY 10516
 (914) 260-7627 (914) 261-4428 Fax
 (877) 314-6592 Toll-Free www.BADEY-WATSON.com



SHEET 2 OF 2
 SURVEY OF ENVIRONMENTAL EASEMENT
 PREPARED FOR
CHELSEA WATERFRONT DEVELOPMENT, LLC
 SITUATE IN THE
**TOWN OF FISHKILL
 DUTCHESS COUNTY
 NEW YORK**

SCALE 1 in. = 60 ft. APRIL 23, 2014

We hereby certify that the survey shown hereon was completed by us on April 23, 2014 and that this survey has been prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. Revised on October 23, 2014. See Note 9.

BADEY & WATSON
 SURVEYING & ENGINEERING, P.C.
 by *Stephen J. Watson*
 NEW YORK STATE LICENSED LAND SURVEYOR
 LICENSE No. 49789

FILE No. 88-129