



Dutchess County Clerk Recording Page

Record & Return To:

Date Recorded: 12/23/2024
Time Recorded: 11:00 AM

NORTHSIDE JUNCTION LLC
C/O SCENIC HUDSON INC
85 CIVIC CENTER PLAZA, STE 300
POUGHKEEPSIE, NY 12601

Document #: 02 2024 3689

Received From: KNAUF SHAW LLC

Grantor: NORTHSIDE JUNCTION LLC
Grantee: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Recorded In: Deed Tax District: City of Poughkeepsie
Instrument Type: AMEND

Examined and Charged As Follows :

Recording Charge: \$110.50
Transfer Tax Amount: \$0.00
Includes Mansion Tax: \$0.00
Transfer Tax Number: 2745

Number of Pages: 13

*** Do Not Detach This Page
*** This is Not A Bill

Red Hook Transfer Tax:

RP5217: N
TP-584: Y

County Clerk By: jel
Receipt #: 33825
Batch Record: 268

Bradford Kendall
County Clerk



0220243689

Amend
C/pk
12p 105
\$50
110.50

AMENDMENT TO ENVIRONMENTAL EASEMENT

This Amendment to Environmental Easement is made as of this 18th day of December 2024, by and between The People of the State of New York, acting through their Commissioner of the Department of Environmental Conservation ("NYSDEC" or the "Department") with its headquarters located at 625 Broadway, Albany, New York 12233, and Northside Junction, LLC (the "Grantor") with its offices located at 85 Civic Center Plaza, Suite 300, Poughkeepsie, NY 12601.

RECITALS

1. Grantor, Northside Junction, LLC, is the owner of real property located at the address of 58 Parker Ave. and 164 Garden St. in the City of Poughkeepsie, County of Dutchess and State of New York, known and designated on the tax map of the County Clerk of Dutchess as tax map parcel number: 6162-62-148369 and 6162-54-177385, being the same as that property conveyed to Grantor by deed dated June 25, 2020 and recorded in the Dutchess County Clerk's Office in Instrument No. 02 2020 51290.
2. The property referenced above comprises approximately 2.466 +/- acres, and is hereinafter more fully described in Exhibit A.
3. The Department and Grantor entered into that certain Environmental Easement ("Easement Agreement") dated as of June 12, 2024 and recorded in the in the County Clerk's Office as Instrument No. 02 2024 1840. Capitalized terms used herein without definition have the meanings ascribed to them in the Environmental Easement Agreement.
4. Pursuant to Section 1, 2, 3, 4, and 5 of the Easement Agreement, Grantor granted the Department rights and interests that run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of the Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of maintenance, monitoring or operation requirements; and to ensure the potential restriction of future uses of the land that are inconsistent with the stated purpose.
5. The Easement Agreement dated June 12, 2024 erroneously stated at Paragraph 2(A)(1) that the Controlled Property was only to be used for "Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), 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)", and may only be used consistent with controls set out in that Section 2(A) of the Easement Agreement.
6. This Amendment to Environmental Easement is filed solely in order to correct a mutual mistake between the Department and Grantor relating to the allowed uses of the Controlled Property in Paragraph 2(A)(1) and prohibited uses of the Controlled Property in Paragraph 2(B) to that Environmental Easement dated June 12, 2024 and recorded in the in the County Clerk's Office as Instrument No. 02 2024 1840.

7. Pursuant to Section 8 of the Easement Agreement, the Department agrees to amend the Easement Agreement in the manner prescribed by Article 9 of the Real Property Law.

AMENDMENT OF ENVIRONMENTAL EASEMENT

- A. The above recitals are hereby incorporated into this Amendment of Environmental Easement.
- B. The Department and Grantor hereby agree that Paragraph 2(A)(1) of the Environmental Easement is hereby amended to read as follows:
- (1) The Controlled Property may be used for:

- a. **Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), 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) as for the following area:**

Track 4(b) - Restricted Residential Use Legal Description

All that tract or parcel of land situate at 58 Parker Avenue, City of Poughkeepsie, County of Dutchess, New York State, bounded and described as follows:
Beginning at a rebar set at the intersection of the Southerly boundary of Parker Avenue and the westerly boundary of lands of the County of Dutchess as recorded as document 02-2019-8080 in the Dutchess County Clerk's Office.

Thence along said westerly boundary of lands of Dutchess County on a curve to the right having a length of 251.35 feet, a radius of 890 feet and chord of South 61° 10' 38" East, 250.52 feet to a rebar set in the northwest boundary of Garden Street. Thence along said northwest boundary of Garden Street South 15° 10' 46" West 15.05 feet. Thence along the boundary of track 4(a) the following three bearings and distances:

- 1) A curve to the left having a length of 154.03 feet, a radius of 214.79 feet and a chord of North 73° 34' 01" West, 150.75 feet
- 2) A curve to the left having a length of 135.11 feet, a radius of 526.05 feet, and a chord of South 77° 49' 03" West, 134.74 feet
- 3) South 69° 04' 43" West, 67.73 feet

Thence along the building line of the former Standard Gage building the following seven bearings and distances:

- 1) North 20° 49' 41" West, 13.27 feet
- 2) North 69° 12' 34" East, 13.87 feet
- 3) North 20° 58' 12" West, 17.72 feet
- 4) South 69° 11' 06" West, 12.86 feet
- 5) North 20° 43' 29" West, 44.60 feet
- 6) North 69° 30' 05" East, 27.99 feet
- 7) North 20° 27' 29" West, 17.74 feet to the northeast building corner of the former Standard Gage building.

Thence along said Southerly boundary of Parker Avenue North 69° 47' 07" East, 138.43 feet to the point of beginning.

ACERAGE: 0.550

- b. **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) as for the following area:**

Track 4(a)- Restricted Commercial Use Legal Description

All that tract or parcel of land situate at 58 Parker Avenue, City of Poughkeepsie, County of Dutchess, New York State, bounded and described as follows:
Beginning at a monument found at the northeast corner of lands of Simsons, LTD as recorded as document# 02-2012-5135 in the Dutchess County Clerk's Office. The point of beginning is also located in the southerly boundary of Parker Avenue.

Thence along said southerly boundary of Parker Avenue North 69° 47' 07" East, 217.09 feet to the northeast corner of the former Standard Gage building. Thence along the walls of said building the following seven bearings and distances:

- 1) South 20° 27' 29" East, 17.74 feet
- 2) South 69° 30' 05" West, 27.99 feet
- 3) South 20° 43' 29" East, 44.60 feet
- 4) North 69° 11' 06" East, 12.86 feet
- 5) South 20° 58' 12" East, 17.72 feet
- 6) South 69° 12' 34" West, 13.87 feet
- 7) South 20° 49' 41" East, 13.27 feet

Thence through an open yard the following three bearings and distances:

- 1) North 69° 04' 43" East, 67.73 feet
- 2) A curve to the right having a length of 135.11 feet, a radius of 526.05 feet, and a chord of North 77° 49' 03" East, 134.74 feet
- 3) Another curve to the right having a length of 154.03 feet, a radius of 214.79 feet and a chord of South 73° 34' 01" East, 150.75 feet to a point in the northwest sidewalk of Garden Street

Thence South 15° 10' 46" West 7.80 feet to a magnetic nail found in said sidewalk. Thence along the lands of Concrete Rocks LLC (doc. 02-2020-1176) the following five bearings and distances:

- 1) A curve to the left having a length of 63.66 feet, a radius of 922.37 feet and a chord of North 55° 01' 25" west, 63.65 feet to a rebar set
- 2) South 85° 21' 19" West, 158.50 feet
- 3) South 20° 12' 53" East, 85.97 feet
- 4) South 69° 47' 07" West, 30.00 feet
- 5) South 20° 12' 53" East, 45.31 feet

Thence along the north boundary of Brookside Avenue the following two bearings and distances:

- 1) A curve to the left having a length of 89.90 feet, a radius of 251.01 feet and a chord of South 81° 41' 43" West, 89.43 feet
- 2) South 56° 51' 57" West, 205.19 feet to a rebar found

Thence along the east boundary of Grace Smith House, Inc (doc. 02-2016-6524) and said Simsons LTD, North 20° 12' 53" West, 271.70 feet to the point of beginning.

ACERAGE: 1.555

Track 4(C) - Restricted Commercial Use Area Legal Description
164 GARDEN ST.

All that tract or parcel of land situate in the City of Poughkeepsie County of Dutchess, New York State, bounded and described as follows:

Beginning at the intersection of the South boundary of Parker Avenue and the West boundary of Garden Street. Thence along said West boundary of Garden Street south 13° 07' 04" West, 183.01 feet to a steel rebar set vertically in the ground. Thence along the Northeast line of lands of the County of Dutchess as recorded in the Dutchess County Clerk's Office as Document 02-2019-8080 on a curve to the left having a length of 190.93 feet, a radius of 933.00 feet, and a chord of North 60° 39' 55" West, 190.60 feet to another rebar set. Thence along said south boundary of Parker Avenue North 70° 04' 34" East, 146.55 feet and North 63° 27' 44" East, 78.15 feet to the Point of Beginning.

ACERAGE: 0.36

- C. The Department and Grantor hereby agree that Paragraph 2(B) of the Environmental Easement is hereby amended to read as follows:
- B. The Controlled Property shall not be used for:
- (1) Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) for the following area:

Track 4(b) - Restricted Residential Use Legal Description

All that tract or parcel of land situate at 58 Parker Avenue, City of Poughkeepsie, County of Dutchess, New York State, bounded and described as follows:

Beginning at a rebar set at the intersection of the Southerly boundary of Parker Avenue and the westerly boundary of lands of the County of Dutchess as recorded as document 02-2019-8080 in the Dutchess County Clerk's Office.

Thence along said westerly boundary of lands of Dutchess County on a curve to the right having a length of 251.35 feet, a radius of 890 feet and chord of South 61° 10' 38" East, 250.52 feet to a rebar set in the northwest boundary of Garden Street. Thence along said northwest boundary of Garden Street South 15° 10' 46" West 15.05 feet. Thence along the boundary of track 4(a) the following three bearings and distances:

- 1) A curve to the left having a length of 154.03 feet, a radius of 214.79 feet and a chord of North 73° 34' 01" West, 150.75 feet
- 2) A curve to the left having a length of 135.11 feet, a radius of 526.05 feet, and a chord of South 77° 49' 03" West, 134.74 feet
- 3) South 69° 04' 43" West, 67.73 feet

Thence along the building line of the former Standard Gage building the following seven bearings and distances:

- 1) North 20° 49' 41" West, 13.27 feet

- 2) North 69° 12' 34" East, 13.87 feet
- 3) North 20° 58' 12" West, 17.72 feet
- 4) South 69° 11' 06" West, 12.86 feet
- 5) North 20° 43' 29" West, 44.60 feet
- 6) North 69° 30' 05" East, 27.99 feet
- 7) North 20° 27' 29" West, 17.74 feet to the northeast building corner of the former Standard Gage building.

Thence along said Southerly boundary of Parker Avenue North 69° 47' 07" East, 138.43 feet to the point of beginning.

ACERAGE: 0.550

- (2) Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii) for the following area:

Track 4(a)- Restricted Commercial Use Legal Description

All that tract or parcel of land situate at 58 Parker Avenue, City of Poughkeepsie, County of Dutchess, New York State, bounded and described as follows:

Beginning at a monument found at the northeast corner of lands of Simsons, LTD as recorded as document# 02-2012-5135 in the Dutchess County Clerk's Office. The point of beginning is also located in the southerly boundary of Parker Avenue.

Thence along said southerly boundary of Parker Avenue North 69° 47' 07" East, 217.09 feet to the northeast corner of the former Standard Gage building. Thence along the walls of said building the following seven bearings and distances:

- 1) South 20° 27' 29" East, 17.74 feet
- 2) South 69° 30' 05" West, 27.99 feet
- 3) South 20° 43' 29" East, 44.60 feet
- 4) North 69° 11' 06" East, 12.86 feet
- 5) South 20° 58' 12" East, 17.72 feet
- 6) South 69° 12' 34" West, 13.87 feet
- 7) South 20° 49' 41" East, 13.27 feet

Thence through an open yard the following three bearings and distances:

- 1) North 69° 04' 43" East, 67.73 feet
- 2) A curve to the right having a length of 135.11 feet, a radius of 526.05 feet, and a chord of North 77° 49' 03" East, 134.74 feet
- 3) Another curve to the right having a length of 154.03 feet, a radius of 214.79 feet and a chord of South 73° 34' 01" East, 150.75 feet to a point in the northwest sidewalk of Garden Street

Thence South 15° 10' 46" West 7.80 feet to a magnetic nail found in said sidewalk. Thence along the lands of Concrete Rocks LLC (doc. 02-2020-1176) the following five bearings and distances:

- 1) A curve to the left having a length of 63.66 feet, a radius of 922.37 feet and a chord of North 55° 01' 25" west, 63.65 feet to a rebar set
- 2) South 85° 21' 19" West, 158.50 feet
- 3) South 20° 12' 53" East, 85.97 feet
- 4) South 69° 47' 07" West, 30.00 feet
- 5) South 20° 12' 53" East, 45.31 feet

Thence along the north boundary of Brookside Avenue the following two bearings and distances:

- 1) A curve to the left having a length of 89.90 feet, a radius of 251.01 feet and a chord of South 81° 41' 43" West, 89.43 feet
- 2) South 56° 51' 57" West, 205.19 feet to a rebar found

Thence along the east boundary of Grace Smith House, Inc (doc. 02-2016-6524) and said Simsons LTD, North 20° 12' 53" West, 271.70 feet to the point of beginning.

ACERAGE: 1.555

Track 4(C) - Restricted Commercial Use Area Legal Description
164 GARDEN ST.

All that tract or parcel of land situate in the City of Poughkeepsie County of Dutchess, New York State, bounded and described as follows:

Beginning at the intersection of the South boundary of Parker Avenue and the West boundary of Garden Street. Thence along said West boundary of Garden Street south 13° 07' 04" West, 183.01 feet to a steel rebar set vertically in the ground. Thence along the Northeast line of lands of the County of Dutchess as recorded in the Dutchess County Clerk's Office as Document 02-2019-8080 on a curve to the left having a length of 190.93 feet, a radius of 933.00 feet, and a chord of North 60° 39' 55" West, 190.60 feet to another rebar set. Thence along said south boundary of Parker Avenue North 70° 04' 34" East, 146.55 feet and North 63° 27' 44" East, 78.15 feet to the Point of Beginning.

ACERAGE: 0.36

- (3) and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

- D. The Department and Grantor hereby agree that the Schedule "A" Property Description of the Environmental Easement is hereby amended to the Schedule "A" Property Description attached hereto.
- E. All other terms of the June 12, 2024 Environmental Easement shall remain in effect.
- F. This Amendment of Environmental Easement inures to and binds the parties hereto and their respective successors and assigns.
- G. This Amendment of Environmental Easement shall be governed by and interpreted in accordance with the laws of the State of New York.

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

Northside Junction, LLC:

By: Eo Sullivan

Print Name: Edward O. Sullivan

Title: Authorized Individual Date: 12/13/24

Grantor's Acknowledgment

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

On the 13th day of Dec, in the year 2024, before me, the undersigned, personally appeared Edward O. Sullivan, 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]
Notary Public - State of New York

MELISSA MASSON
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01BR6385404
Qualified in Ulster County
My Commission Expires 1/7/2027

By: Janet Brown
Janet Brown, Assistant Director
Division of Environmental Remediation

[illegible]

ment

Cheyl A. Salem

Notary Public - State of New York
C Cheryl A. Salem
Notary Public State of New York
Registration No. 01SA0002177
Qualified In Albany County
My Commission Expires March 3, 2027

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SCHEDULE "A" PROPERTY DESCRIPTION

EASEMENT AND DEED DESCRIPTION OF 58 PARKER AVENUE, TAX ID 148369:

ALL THAT TRACT OR PARCEL OF LAND SITUATED AT THE CITY OF POUGHKEEPSIE, COUNTY OF DUTCHESS, NEW YORK STATE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A MONUMENT FOUND AT THE NORTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED AND THE NORTHEAST CORNER OF LANDS OF SIMSONS, LTD AS RECORDED IN THE DUTCHESS COUNTY CLERK'S OFFICE AS DOCUMENT 02-2012-5135. THE POINT OF BEGINNING IS ALSO LOCATED IN THE SOUTH BOUNDARY OF PARKER AVENUE AND IS 1114.17 FEET EASTERLY OF THE EAST BOUNDARY OF WASHINGTON AVENUE. THENCE ALONG SAID SOUTH BOUNDARY OF PARKER AVENUE NORTH 69° 47' 07" EAST, 355.52 FEET TO A STEEL REBAR SET VERTICALLY IN THE GROUND. THENCE ALONG LANDS OF THE COUNTY OF DUTCHESS (DOC. 02-2019-8080) ON A CURVE TO THE RIGHT HAVING A LENGTH OF 251.35 FEET A RADIUS OF 890.00 FEET, AND A CHORD OF SOUTH 61° 10' 38" EAST, 250.52 FEET TO A REBAR SET. THENCE ALONG THE WEST BOUNDARY OF GARDEN STREET SOUTH 15° 10' 46" WEST, 22.85 FEET TO A MAGNETIC NAIL FOUND. THENCE ALONG THE LANDS OF NORFE REALTY CORP. (LIBER 999 PAGE 552) THE FOLLOWING FIVE BEARINGS AND DISTANCES:

- 1) A CURVE TO THE LEFT HAVING A LENGTH OF 63.66 FEET, A RADIUS OF 922.37 FEET, AND A CHORD OF NORTH 55° 01' 23" WEST, 63.65 FEET TO A REBAR SET.
- 2) SOUTH 85° 21' 19" WEST, 158.50 FEET
- 3) SOUTH 20° 12' 53" EAST, 85.97 FEET
- 4) SOUTH 69° 47' 07" WEST, 30.00 FEET ALONG AN AGREEMENT LINE
- 5) SOUTH 20° 12' 53" EAST, 45.31 FEET

THENCE ALONG THE NORTH BOUNDARY OF BROOKSIDE AVENUE ON A CURVE TO THE LEFT HAVING A LENGTH OF 89.90 FEET, A RADIUS OF 251.01 FEET, AND A CHORD OF SOUTH 81° 41' 43" WEST, 89.43 FEET THENCE CONTINUING ALONG SAID NORTH BOUNDARY OF BROOKSIDE AVENUE SOUTH 56° 51' 57" WEST, 205.19 FEET TO A REBAR SET THENCE ALONG THE EAST LINE OF LANDS OF GRACE SMITH HOUSE, INC. (DOC. 02-2016-6524) AND THE EAST LINE OF SAID LANDS OF SIMSONS NORTH 20° 12' 53" WEST, 271.70 FEET TO THE POINT OF BEGINNING.

FOR INFORMATION ONLY: CONTAINING 2.106 ACRES OF LAND.

“EXCLUDING THEREFROM ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND DESIGNATED AS CSX UTILITY CORRIDOR (PARCEL # 131300-6162-233288) DESCRIBED AS FOLLOWS

BEGINNING AT A REBAR AND CAP SET IN THE SOUTH BOUNDARY OF PARKER AVENUE LOCATED 224.70 FEET WEST OF THE INTERSECTION OF SAID SOUTH BOUNDARY OF PARKER AVENUE AND THE WEST BOUNDARY OF GARDEN STREET. THENCE ALONG THE WEST BOUNDARY OF LANDS OF STANDARD GAGE & COAL STORAGE SITE NUMBER C314131 (TAX PARCEL 177385) ON A CURVE TO THE RIGHT HAVING A RADIUS OF 933 FEET, A LENGTH OF 190.93 FEET, AND A CHORD OF SOUTH 60° 39' 55" EAST, 190.60 FEET TO A REBAR AND CAP SET. THENCE ALONG SAID WEST BOUNDARY OF GARDEN STREET SOUTH 15° 10' 46" WEST, 49.05 FEET TO A REBAR AND CAP SET. THENCE ALONG THEN EAST BOUNDARY OF STANDARD GAGE & COAL STORAGE SITE NUMBER C314131 (TAX PARCEL 148369) ON A CURVE TO THE LEFT HAVING A RADIUS OF 890 FEET, A LENGTH OF 251.35 FEET, AND A CHORD OF NORTH 61° 10' 38" WEST, 250.52 FEET TO A REBAR AND CAP SET. THENCE ALONG SAID SOUTH BOUNDARY OF PARKER AVENUE NORTH 69° 47' 07" EAST, 61.98 FEET TO THE POINT OF BEGINNING.”

EASEMENT AND DEED DESCRIPTION OF 164 GARDEN ST, TAX ID 177385:

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF POUGHKEEPSIE COUNTY OF DUTCHESS, NEW YORK STATE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF PARKER AVENUE AND THE WEST BOUNDARY OF GARDEN STREET. THENCE ALONG SAID WEST BOUNDARY OF GARDEN STREET SOUTH 13° 07' 04" WEST, 183.01 FEET TO A STEEL REBAR SET VERTICALLY IN THE GROUND. THENCE ALONG THE NORTHEAST LINE OF LANDS OF THE COUNTY OF DUTCHESS AS RECORDED IN THE DUTCHESS COUNTY CLERK’S OFFICE AS DOCUMENT 02-2019-8080 ON A CURVE TO THE LEFT HAVING A LENGTH OF 190.33 FEET, A RADIUS OF 933.00 FEET, AND A CHORD OF NORTH 60° 39' 55" WEST, 190.60 FEET TO ANOTHER REBAR SET. THENCE ALONG SAID SOUTH BOUNDARY OF PARKER AVENUE NORTH 70° 04' 34" EAST, 146.55 FEET AND NORTH 63° 27' 44" EAST, 78.15 FEET TO THE POINT OF BEGINNING.

FOR INFORMATION ONLY: CONTAINING 0.36 ACRES OF LAND.

TOTAL ACREAGE OF BROWNFIELD CLEANUP PROPERTIES: 2.466 ACRES

Track 4(b) - Restricted Residential Use Legal Description

All that tract or parcel of land situate at 58 Parker Avenue, City of Poughkeepsie, County of Dutchess, New York State, bounded and described as follows:

Beginning at a rebar set at the intersection of the Southerly boundary of Parker Avenue and the westerly boundary of lands of the County of Dutchess as recorded as document 02-2019-8080 in the Dutchess County Clerk's Office.

Thence along said westerly boundary of lands of Dutchess County on a curve to the right having a length of 251.35 feet, a radius of 890 feet and chord of South 61° 10' 38" East, 250.52 feet to a rebar set in the northwest boundary of Garden Street. Thence along said northwest boundary of Garden Street South 15° 10' 46" West 15.05 feet. Thence along the boundary of track 4(a) the following three bearings and distances:

- 1) A curve to the left having a length of 154.03 feet, a radius of 214.79 feet and a chord of North 73° 34' 01" West, 150.75 feet
- 2) A curve to the left having a length of 135.11 feet, a radius of 526.05 feet, and a chord of South 77° 49' 03" West, 134.74 feet
- 3) South 69° 04' 43" West, 67.73 feet

Thence along the building line of the former Standard Gage building the following seven bearings and distances:

- 1) North 20° 49' 41" West, 13.27 feet
- 2) North 69° 12' 34" East, 13.87 feet
- 3) North 20° 58' 12" West, 17.72 feet
- 4) South 69° 11' 06" West, 12.86 feet
- 5) North 20° 43' 29" West, 44.60 feet
- 6) North 69° 30' 05" East, 27.99 feet
- 7) North 20° 27' 29" West, 17.74 feet to the northeast building corner of the former Standard Gage building.

Thence along said Southerly boundary of Parker Avenue North 69° 47' 07" East, 138.43 feet to the point of beginning.

ACERAGE: 0.550

Track 4(a)- Restricted Commercial Use Legal Description

All that tract or parcel of land situate at 58 Parker Avenue, City of Poughkeepsie, County of Dutchess, New York State, bounded and described as follows:

Beginning at a monument found at the northeast corner of lands of Simsons, LTD as recorded as document# 02-2012-5135 in the Dutchess County Clerk's Office. The point of beginning is also located in the southerly boundary of Parker Avenue.

Thence along said southerly boundary of Parker Avenue North 69° 47' 07" East, 217.09 feet to the northeast corner of the former Standard Gage building. Thence along the walls of said building the following seven bearings and distances:

- 1) South 20° 27' 29" East, 17.74 feet
- 2) South 69° 30' 05" West, 27.99 feet
- 3) South 20° 43' 29" East, 44.60 feet
- 4) North 69° 11' 06" East, 12.86 feet

- 5) South 20° 58' 12" East, 17.72 feet
- 6) South 69° 12' 34" West, 13.87 feet
- 7) South 20° 49' 41" East, 13.27 feet

Thence through an open yard the following three bearings and distances:

- 1) North 69° 04' 43" East, 67.73 feet
- 2) A curve to the right having a length of 135.11 feet, a radius of 526.05 feet, and a chord of North 77° 49' 03" East, 134.74 feet
- 3) Another curve to the right having a length of 154.03 feet, a radius of 214.79 feet and a chord of South 73° 34' 01" East, 150.75 feet to a point in the northwest sidewalk of Garden Street

Thence South 15° 10' 46" West 7.80 feet to a magnetic nail found in said sidewalk. Thence along the lands of Concrete Rocks LLC (doc. 02-2020-1176) the following five bearings and distances:

- 1) A curve to the left having a length of 63.66 feet, a radius of 922.37 feet and a chord of North 55° 01' 25" west, 63.65 feet to a rebar set
- 2) South 85° 21' 19" West, 158.50 feet
- 3) South 20° 12' 53" East, 85.97 feet
- 4) South 69° 47' 07" West, 30.00 feet
- 5) South 20° 12' 53" East, 45.31 feet

Thence along the north boundary of Brookside Avenue the following two bearings and distances:

- 1) A curve to the left having a length of 89.90 feet, a radius of 251.01 feet and a chord of South 81° 41' 43" West, 89.43 feet
- 2) South 56° 51' 57" West, 205.19 feet to a rebar found

Thence along the east boundary of Grace Smith House, Inc (doc. 02-2016-6524) and said Simsons LTD, North 20° 12' 53" West, 271.70 feet to the point of beginning.

ACERAGE: 1.555

Track 4(C) - Restricted Commercial Use Area Legal Description

164 GARDEN ST.

All that tract or parcel of land situate in the City of Poughkeepsie County of Dutchess, New York State, bounded and described as follows:

Beginning at the intersection of the South boundary of Parker Avenue and the West boundary of Garden Street. Thence along said West boundary of Garden Street south 13° 07' 04" West, 183.01 feet to a steel rebar set vertically in the ground. Thence along the Northeast line of lands of the County of Dutchess as recorded in the Dutchess County Clerk's Office as Document 02-2019-8080 on a curve to the left having a length of 190.93 feet, a radius of 933.00 feet, and a chord of North 60° 39' 55" West, 190.60 feet to another rebar set. Thence along said south boundary of Parker Avenue North 70° 04' 34" East, 146.55 feet and North 63° 27' 44" East, 78.15 feet to the Point of Beginning.

ACERAGE: 0.36