NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

Check the appropriate box below based on the nature of the amendment modification requested:

☐ Amendment to [check one or more boxes below]

- ☐ Add
- ☐ Substitute
- ☐ Remove
- ☐ Change in Name

applicant(s) to the existing Brownfield Cleanup Agreement [*Complete Section I-IV below and Part II*]

Does this proposed amendment involve a transfer of title to all or part of the brownfield site? ☐Yes ☐No

If yes, pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been previously submitted. If not, please submit this form with this Amendment. See http://www.dec.ny.gov/chemical/76250.html

☐ Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]

☑ Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]

☐ **Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY:** Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.

☐ Other (explain in detail below)

Please provide a brief narrative on the nature of the amendment:

In furtherance of the amendment application for ALCO - Maxon Site - Parcel A (BCP Site No. C447042) signed by the Department on May 12, 2016, Parcel A was adjusted to consist of approximately 20.57 acres. Changes are now being made to Parcel A and the property included in Parcel A has been subdivided into separate lots (See Exhibit 1 which illustrates the proposed subdivision of the lots in ALCO -Maxon Site - Parcel A, B and C). These subdivided lots or parcels within Parcel A have been assigned separate SBL Numbers or Tax Identification Numbers as of June 22, 2016. (See Exhibit 2 - Subdivision Map - Mohawk Harbor Development Site). The purpose of this amendment application is to remove Proposed Lots 1, 2, and 3, labeled on Exhibit 2 as "Lands Under Water Parcel 1, Lands Under Water Parcel 2 and Lands Under Water Parcel 3." These lands were originally part of Parcel A (See Exhibit 1). The portion highlighted in yellow is being removed from BCP Site No. C447042 (See Exhibit 2). A new metes and bounds description for Parcel A is attached as Exhibit 3.

Please refer to the attached instructions for guidance on filling out this application

Section I. Existing Application Information		
BCP SITE NAME: ALCO - Maxon Site - Parcel A		BCP SITE NUMBER: C447042
NAME OF CURRENT APPLICANT(S): Maxon ALCO Holdings LLC		
INDEX NUMBER OF EXISTING AGREEMENT: C447042-08-10		DATE OF EXISTING AGREEMENT: 8/18/10

Section II. New Requestor Information (if no change to Current Applicant, skip to Section V)		
NAME		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL

Is the requestor authorized to conduct business in New York State (NYS)? ☐ Yes ☐ No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

NAME OF NEW REQUESTOR'S REPRESENTATIVE		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
NAME OF NEW REQUESTOR'S CONSULTANT (if applicable)		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
NAME OF NEW REQUESTOR'S ATTORNEY (if applicable)		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL

Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached? ☐ Yes ☐ No

Describe Requestor's Relationship to Existing Applicant:

ALCO- MAXON SITE – PARCEL A
Site ID No. C447042
BCA Index No. C447042-08-10

ADDRESS: 301 Nott Street,
Schenectady, NY 12305

TAX BLOCK AND LOT (TBL) (In Existing Agreement)

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.
301 Nott Street Schenectady, NY	39	41	1	1.1
301 Nott Street Schenectady, NY	39	41	1	1.2
301 Nott Street Schenectady, NY	39	41	1	2
301 Nott Street Schenectady, NY	39	41	1	3
301 Nott Street Schenectady, NY	39	34	1	1.1
301 Nott Street Schenectady, NY	39	49	2	1.311

Check appropriate boxes below:

- [x] Changes to metes and bounds description or TBL correction See Exhibit 3
- [ ] Addition of property (may require additional citizen participation depending on the nature of the expansion – see attached instructions)

Approximate acreage added:_____

ADDITIONAL PARCELS:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage

- [x] Reduction of property

Approximate acreage removed: 1.43 acres

PARCELS REMOVED:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
301 Nott Street		39.48	1	29	
Lands Underwater (See Exhibit 2)		39.41	1	8	
SBL Nos. recently assigned		39.34	1	25	

If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, or acceptable site map to this application.

Supplement to the Application To Amend Brownfield Cleanup Agreement And Amendment - Questions for Sites Seeking Tangible Property Credits in New York City ONLY.

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	☐ Yes ☐ No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	☐ Yes ☐ No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	☐ Yes ☐ No
2. Is the property upside down as defined below?	☐ Yes ☐ No
From ECL 27-1405(31): "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.	
3. Is the project an affordable housing project as defined below?	☐ Yes ☐ No
From 6 NYCRR 375- 3.2(a) as of July 1, 2015: (a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units. (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, that defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income. (2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, that sets affordable units aside for tenants at a defined maximum percentage of the area median income. (3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.	

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

Existing Agreement Information	
BCP SITE NAME: ALCO - Maxon Site- Parcel A	BCP SITE NUMBER: C447042
NAME OF CURRENT APPLICANT(S): Maxon ALCO Holdings LLC	
INDEX NUMBER OF EXISTING AGREEMENT: C447042-08-10	
EFFECTIVE DATE OF EXISTING AGREEMENT: 8/18/2010	

Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (if applicable)

(Individual)

I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am (title_____) of (entity_____); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.
_____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date:_____ Signature:_____

Print Name:_____

(Entity)

I hereby affirm that I am an authorized representative (title) of Maxon ALCO Holdings LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. David M Buicko's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: August 23, 2016 Signature: _____

Print Name: David M. Buicko

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

☐ PARTICIPANT	☒ VOLUNTEER
A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.

Effective Date of the Original Agreement: August 18, 2010

Signature by the Department:

DATED: October 31, 2016

AMENDMENT #4

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By: _____

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

SUBMITTAL INFORMATION:

- **Two (2)** copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) must be sent to:

  Chief, Site Control Section
  New York State Department of Environmental Conservation
  Division of Environmental Remediation
  625 Broadway
  Albany, NY 12233-7020

FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE:_____ **LEAD OFFICE:**_____

PROJECT MANAGER:_____

BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING A BCP AMENDMENT APPLICATION

This form must be used to add a party, modify a property description, or reduce/expand property boundaries for an existing BCP Agreement and/or Application. **NOTE: DEC requires a standard application to request major changes to the description of the property set forth in the BCA (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). The application must be submitted to DEC in the same manner as the original application to participate.**

SECTION II NEW REQUESTOR INFORMATION

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information. If an LLC, the members/owners names need to be provided on a separate attachment). The requestor is the person or entity seeking DEC review and approval of the remedial program.

If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

Requestor Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Representative Name, Address, etc.

Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative unless another contact name and address is provided with the application.

Consultant Name, Address, etc.

Provide information for the requestor's consultant.

Attorney Name, Address, etc.

Provide information for the requestor's attorney.

SECTION III CURRENT PROPERTY OWNER/OPERATOR INFORMATION - only include if new owner/operator or new existing owner/operator information is provided, and highlight new information in form.

Owner Name, Address, etc.

Provide information for the new owner of the property. List all new parties holding an interest in the property.

Operator Name, Address, etc.

Provide information for the new operator (if different from the new requestor or owner).

SECTION IV NEW REQUESTOR ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

SECTION V PROPERTY DESCRIPTION AND DESCRIPTION OF CHANGES / ADDITIONS / REDUCTIONS (IF APPLICABLE)

NOTE: DEC requires a standard application to request major changes to the description of the property set forth in the BCA (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). The application must be submitted to DEC in the same manner as the original application to participate.

Property Address

Provide a street address, city/town, and zip code. For properties with multiple addresses, provide information for all.

Tax Parcel Information

Provide the tax parcel/section/block/lot information. If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, and/or acceptable site map to this application. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears.

EXHIBIT 1

NOTE:
Map filed in accordance with approved variances granted by the Planning Department for the City of Schenectady. Original copies of any approved variance(s) can be found in the corresponding property file located in the Bureau of Code Enforcement.

NOTE:
This property is subject to an environmental easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the New York Environmental Conservation Law. The engineering and institutional controls for this Easement are set forth in more detail in the Site Management Plan (SMP). A copy of the SMP must be obtained by any party with an interest in the property. The SMP can be obtained from NYS Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derweb@dec.ny.gov.

GRAPHIC SCALE

MOHAWK RIVER

MATCH LINE

PROPOSED LOT 11
SF=32,807
ACRES=0.51

PROPOSED LOT 12
SF=12,726
ACRES=0.29

PARCEL A

PROPOSED LOT 9
SF=2,700
ACRES=0.06

PROPOSED LOT 8
SF=680,456
ACRES=21.51

PROPOSED LOT 7
SF=240,318
ACRES=5.52

PARCEL B

PROPOSED LOT 10
SF=127,779
ACRES=2.93

PROPOSED PUBLIC R.O.W.

PROPOSED LOT 10
SF=127,779
ACRES=2.93

PROPOSED PUBLIC R.O.W.

FRONT STREET

PORTION OF LOT 8

EXISTING LOT

EXISTING LOT

PARCEL C-1

EXISTING LOT

PARCEL C-2

HERSHBERG & HERSHBERG
Consulting Engineers and Land Surveyors
18 Locust Street
Albany, New York 12203

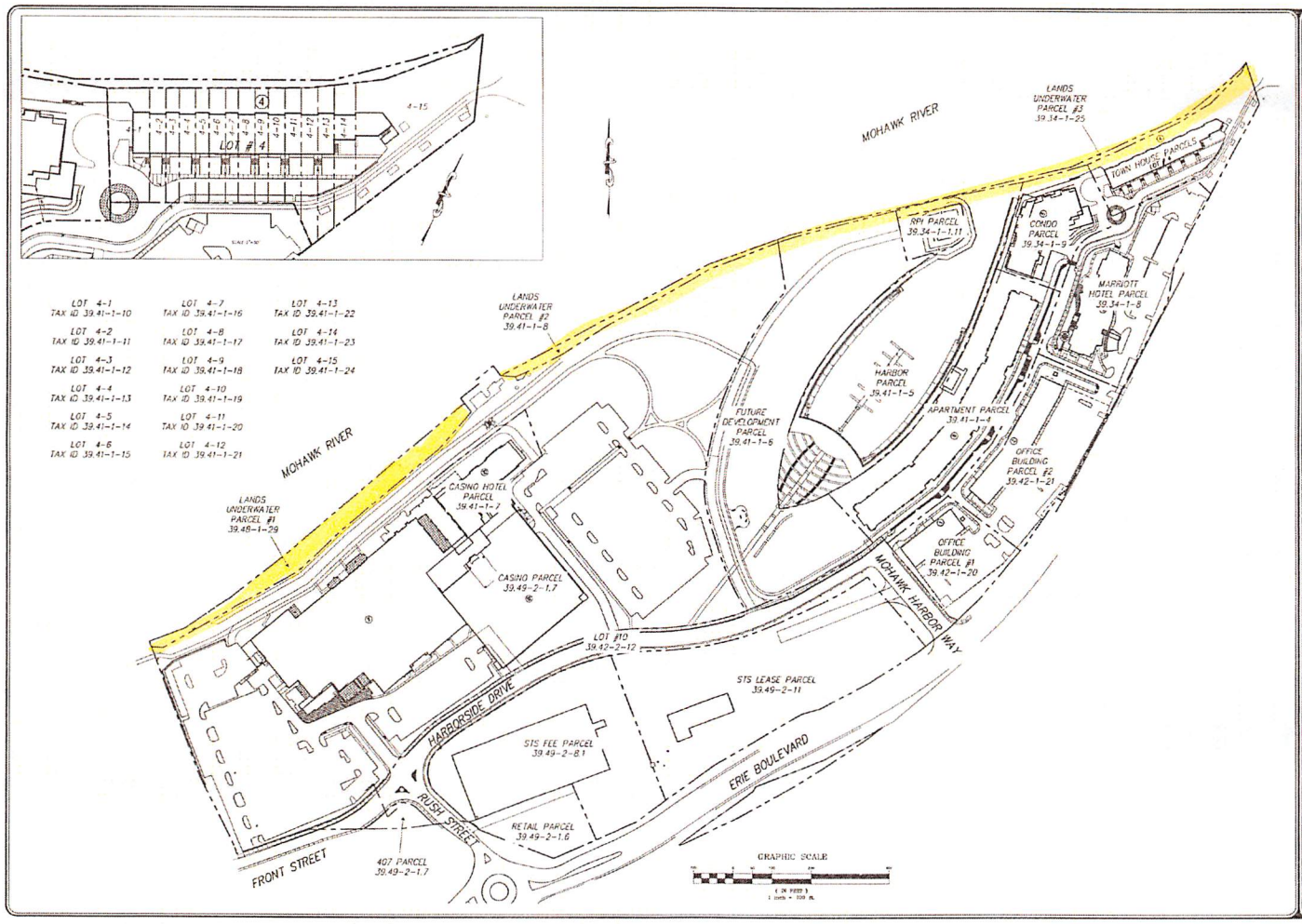
REVISIONS

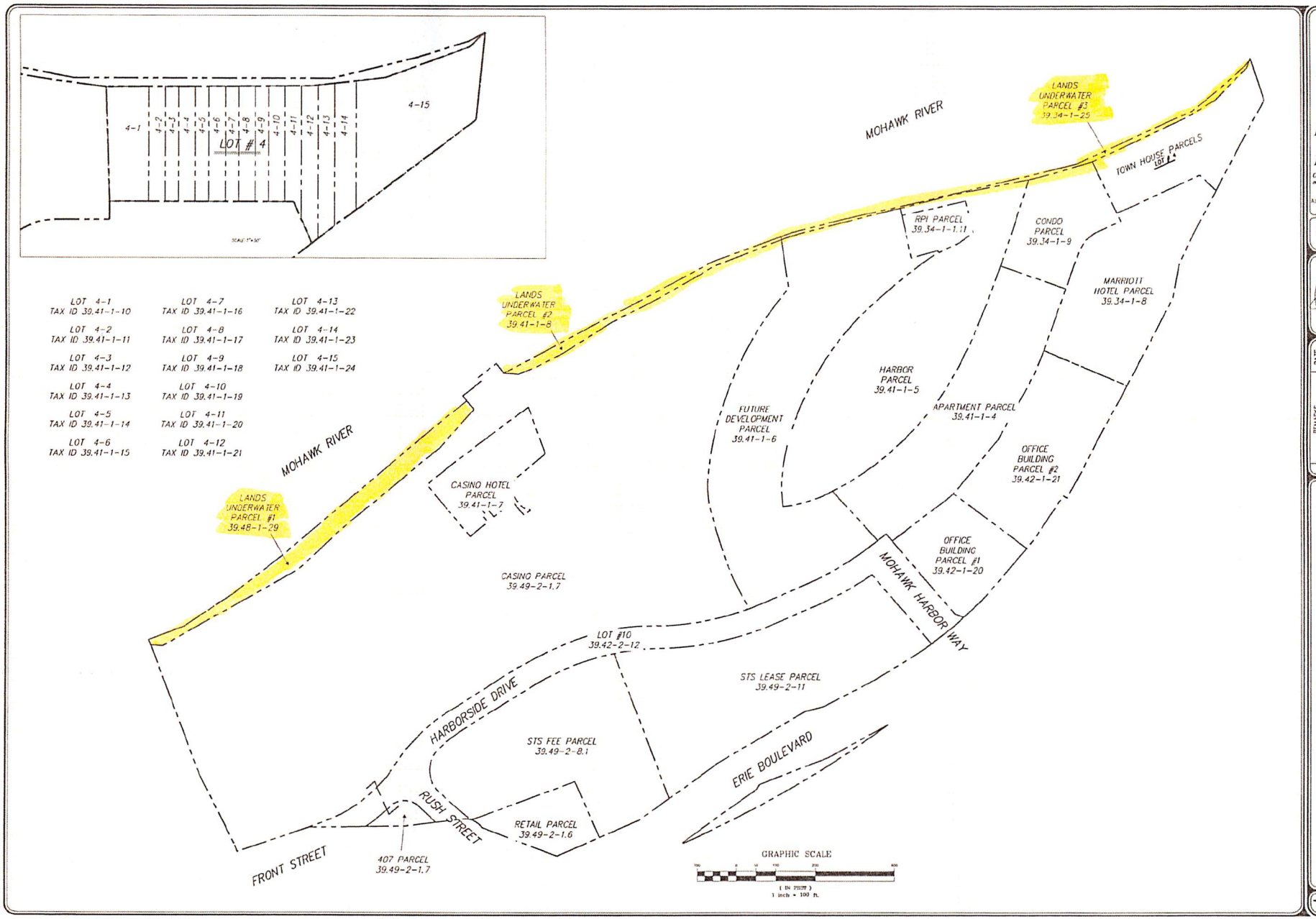
REVISIONS	DATE	REMARKS

SUBDIVISION PLAN
SOUTH HARBOR
SCHENECTADY, NEW YORK

SUB-1

EXHIBIT 2


LOT # 4
4-15
MOHAWK RIVER
LANDS UNDERWATER PARCEL #2 39.34-1-25
TOWN HOUSE PARCELS
RPI PARCEL 39.34-1-1.11
CONDO PARCEL 39.34-1-9
MARRIOTT HOTEL PARCEL 39.34-1-8
LANDS UNDERWATER PARCEL #2 39.41-1-8
HARBOR PARCEL 39.41-1-5
FUTURE DEVELOPMENT PARCEL 39.41-1-6
APARTMENT PARCEL 39.41-1-4
OFFICE BUILDING PARCEL #2 39.42-1-21
OFFICE BUILDING PARCEL #1 39.42-1-20
CASINO HOTEL PARCEL 39.41-1-7
CASINO PARCEL 39.49-2-1.7
LANDS UNDERWATER PARCEL #1 39.48-1-29
MOHAWK HARBOR WAY
LOT #10 39.42-2-12
STS LEASE PARCEL 39.49-2-11
HARBORSIDE DRIVE
STS FEE PARCEL 39.49-2-8.1
ERIE BOULEVARD
RUSH STREET
RETAIL PARCEL 39.49-2-1.6
FRONT STREET
407 PARCEL 39.49-2-1.7
GRAPHIC SCALE
LOT 4-1 TAX ID 39.41-1-10
LOT 4-2 TAX ID 39.41-1-11
LOT 4-3 TAX ID 39.41-1-12
LOT 4-4 TAX ID 39.41-1-13
LOT 4-5 TAX ID 39.41-1-14
LOT 4-6 TAX ID 39.41-1-15
LOT 4-7 TAX ID 39.41-1-16
LOT 4-8 TAX ID 39.41-1-17
LOT 4-9 TAX ID 39.41-1-18
LOT 4-10 TAX ID 39.41-1-19
LOT 4-11 TAX ID 39.41-1-20
LOT 4-12 TAX ID 39.41-1-21
LOT 4-13 TAX ID 39.41-1-22
LOT 4-14 TAX ID 39.41-1-23
LOT 4-15 TAX ID 39.41-1-24
HERSHBERG & HERSHBERG
Consulting Engineers and Land Surveyors
16 Locust Street
Albany, New York 12203
ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR IS ILLEGAL
DATE
REMARKS
REVISIONS
SUBDIVISION MAP
MOHAWK HARBOR REDEVELOPMENT SITE
SCHENECTADY, NEW YORK
TAX ID



HERSHBERG & HERSHBERG
Consulting Engineers and Land Surveyors
18 Locust Street
Albany, New York 12203

ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, IS ILLEGAL

STATE OF NEW YORK
JOHN A. HERSHBERG
084228
PROFESSIONAL ENGINEER

REVISIONS	DATE
STAT. EXAM COMMS	6-21-2018

SUBDIVISION MAP
MOHAWK HARBOR REDEVELOPMENT SITE
SCHENECTADY, NEW YORK

FILE: 2012-0114 | SCALE: 1"=100' | BY: SMJC | CHK. DRN. | DATE: 6/18/2018 | 121114-SUB.DWG

TAX ID

EXHIBIT 3

PARCEL A
WITHOUT LANDS UNDERWATER
LANDS OF MAXON ALCO HOLDINGS, LLC

ALL that certain tract, piece or parcel of land situate, lying and being in the City of Schenectady, County of Schenectady, State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the division line between the lands now or formerly of Legere Holdings LLC to the southwest and the lands now or formerly of Maxon Alco Holdings to the northeast, said point located the following five (5) courses and distances from the intersection between the northerly bounds of Front Street with the northeasterly bounds of Mohawk Avenue:

1. North 71°28'18" East along the northerly bounds of Front Street for a distance of 44.88 feet to a point;
2. North 18°41'04" West along the above described division line for a distance of 16.44 feet to a point;
3. North 26°42'22" West continuing along said division line for a distance of 205.40 feet to a point;
4. North 20°29'20" West continuing along said division line for a distance of 93.46 feet to a point;
5. North 20°54'00" West continuing along said division line for a distance of 79.76 feet to the **Point of Beginning**.

THENCE from said **POINT OF BEGINNING** continuing along the aforementioned division line, N.20°-54-00"W., 172.94 feet to a point;

THENCE through the lands now or formerly of Legere Holdings LLC and along the proposed 2016 southerly bounds of the Mohawk River the following 27 (twenty seven) courses and distances;

1. S.86°23'57"E. a distance of 30.51 feet to a point;
2. N.60°33'24"E., a distance of 395.66 feet to a point;
3. N.47°06'03"E., a distance of 147.76 feet to a point;
4. N.50°10'38"E., a distance of 256.90 feet to a point;
5. N.51°44'43"E., a distance of 67.54 feet to a point;
6. N.40°44'47"E., a distance of 128.80 feet to a point;
7. N.38°20'50"W., a distance of 45.04 feet to a point;
8. N.51°39'10"E., a distance of 60.00 feet to a point;
9. N.38°20'50"W., a distance of 12.00 feet to a point;
10. N.51°39'40"E., a distance of 56.01 feet to a point;
11. S.38°20'50"E., a distance of 31.62 feet to a point;
12. S.86°34'51"E., a distance of 38.48 feet to a point;
13. N.67°04'26"E., a distance of 50.85 feet to a point;
14. N.63°05'03"E., a distance of 72.34 feet to a point;
15. N.58°01'17"E., a distance of 148.35 feet to a point;

16. N.62°18'55"E., a distance of 149.08 feet to a point;
17. N.60°17'56"E., a distance of 147.13 feet to a point;
18. N.68°51'49"E.,a distance of 198.99 feet to a point;
19. N.72°54'52"E., a distance of 39.41 feet to a point;
20. N.75°31'33"E., a distance of 388.14 feet to a point;
21. N.78°46'12"E., a distance of 217.90 feet to a point;
22. N.75°35'27"E., a distance of 70.95 feet to a point;
23. N.73°24'10"E., a distance of 86.14 feet to a point;
24. N.65°19'17"E., a distance of 259.65 feet to a point;
25. N.59°20'01"E., a distance of 95.39 feet to a point;
26. N.45°34'04"E., a distance of 113.68 feet to a point;
27. N.23°48'28"E., a distance of 26.87 feet to a point in the westerly line of Maxon Road (also known as Maxon Road Arterial Highway);

THENCE along the westerly line of Maxon Road by the following three (3) courses:

1. S.18°05'10" E., 110.78 feet to a point;
2. S.28°40'50" W., 231.11 feet to a point;
3. S.28°06'00" W., 175.82 feet to a point;

THENCE through the lands of Maxon Alco Holdings LLC by the following ten (10) courses:

1. S.68°50'10" W., 227.13 feet to a point;
2. S.68°31'58" W., 365.92 feet to a point;
3. S.69°22'35" W., 202.92 feet to a point;
4. N.89°30'41" W., 83.83 feet to a point;
5. S.68°53'43" W., 133.57 feet to a point;
6. S.68°49'05" W., 454.67 feet to a point;
7. N.20°59'34" W., 40.13 feet to a point;
8. S.69°00'26" W., 407.96 feet to a point;
9. S.21°28'44" W., 315.76 feet to a point;
10. S.67°51'46" W., 751.18 feet to the **POINT OF BEGINNING.**

EXCEPTING THEREFROM A PARCEL OF LAND CONVEYED TO RENSSELAER POLYTECHNIC INSTITUTE BY DEED FILED IN THE OFFICE OF THE CLERK OF SCHENECTADY COUNTY IN LIBER 1186 OF DEEDS AT PAGE 188 SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a point in the lands of Maxon Alco Holdings LLC said **POINT OF BEGINNING** located as follows: **COMMENCING** at a point in the southerly boundary of the Mohawk River at its intersection with the westerly line of Maxon Road (also known as Maxon Road Arterial Highway); **THENCE** from said **POINT OF COMMENCMENT** ,S. 63° – 55' – 46" W., 818.70 feet to the first mentioned **POINT OF BEGINNING** which point is the **POINT OF BEGINNING** of the parcel herein described; **THENCE** through the first herein described parcel the following nine (9) courses and distances

1) S. 76° – 55' – 10" W., 165.95 feet to a point;

2) S. 12° – 19' – 05" E., 110.15 feet to a point;
3) N. 74° – 09' – 28" E., 69.13 feet to a point;
4) S. 35° – 16' – 17" E., 6.68 feet to a point;
5) N. 61° – 49' – 45" E., 19.69 feet to a point;
6) N. 67° – 28' – 03" E., 28.46 feet to a point;
7) N. 57° – 38' – 48" E., 26.14 feet to a point;
8) N. 47° – 54' – 28" E., 26.89 feet to a point
9) N. 12° – 40' – 49" W., 81.53 feet to the **POINT AND PLACE OF BEGINNING.**

SUBJECT to all easements, rights-of-way or restrictions of record.

PARCEL A CONTAINS 19.15± acres of land, more or less.

Date: 8/10/2016
Revised: 8/18/16
Job No.: 2013-0247
File: S;/docs/Tony/130247-ParcelA-WOLUW