

**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 20 2013



Joe Martens
Commissioner

Pactiv LLC
Attn: Mr. Timothy Sheehan
Executive Director
1900 West Field Court
Lake Forest, Illinois 60045

Berry Plastics Corporation
Mr. Jason K. Greene, Esq.
Executive Vice President – General Counsel
101 Oakley Street
Evansville, Indiana 47706

RE: Certificate of Completion
Site Name: Macedon Films
Site No.: C859025
Village of Macedon, Wayne County

Dear Mr. Sheehan and Mr. Green:

Congratulations on having satisfactorily completed the remedial program at the Macedon Films Site. Enclosed please find an original, signed Certificate of Completion. The New York State Department of Environmental Conservation (Department) 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.

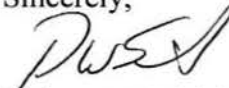
Please note that you are required to perform the following tasks:

- 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 enclosed with this letter.
- Provide the notice of the COC to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet describing the institutional and engineering controls (IC/EC) that are required at the site and distribute it to the County Listserv within 10 days;
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in April 2015.

- 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 11 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.

If you have any questions regarding any of these items, please contact Joe White at (518) 402-9814.

Sincerely,



Robert W. Schick, P.E.

Director

Division of Environmental Remediation

Enclosures

ec: M. Merriman, mmerriman@pactiv.com
R. Reott, reott@reottlaw.com
Barry Kogut, Esq., bkogut@bsk.com
Helen Moore, helenmoore@berryplastics.com
Krista Anders, DOH
Bridget Callaghan, DOH
Michael Ryan, DEC
Jason Pelton, DEC
Michael Cruden, DEC
Joseph White, DEC
Bart Putzig, DEC
Ben Conlon, DEC
Yvonne Ward, DEC
George Heitzman, DEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name	Address
Berry Plastics Corporation	101 Oakley Street, Evansville, IN 47706
Pactiv LLC	1900 West Field Court, Lake Forest, IL 60045

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 6/28/04 **Agreement Execution:** 10/14/04 **Agreement Index No.:** B8-0669-04-06

Application Approval Amendment: 7/23/13 & 12/9/13 **Agreement Execution Amendment:** 8/7/13 & 12/9/13

SITE INFORMATION

Site No.: C859025 **Site Name:** Macedon Films
Site Owner: Berry Plastics Corporation
Street Address: 112 Main Street
Municipality: Macedon **County:** Wayne **DEC Region:** 8
Site Size: 8.950 Acres
Tax Map Identification Number(s): 62111-08-948968
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: 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 %.

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 Wayne County as R9155974.

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 20, 2013

NOTICE OF CERTIFICATE OF COMPLETION

Brownfield Cleanup Program

6 NYCRR Part 375-1.9(d)

Macedon Films Site, Site ID No. C859025

112 Main Street, Village of Macedon, New York, 14502

Wayne County, Tax Map Identification Number(s) Tax ID# 62111-08-948968

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 Berry Plastics Corporation for a parcel approximately 8.95 acres located at 112 Main Street in the Village of Macedon, Wayne 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.

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 Wayne County as Instrument No. R9155974.

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.

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

Macedon Films, Site # C859025, 112 Main Street, Macedon, New York

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 Region 8 office located at 6274 Avon-Lima Road, Avon, New York 14414-9516, by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

Berry Plastics Corporation

By: _____

Title: _____

Date: _____

STATE OF NEW YORK)
SS: COUNTY OF)

On the _____ day of _____, in the year 2013, 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
12/03/09

Please record and return to:
Berry Plastics Corporation
Mr. Jason K. Greene, Esq.
Executive Vice President – General Counsel
101 Oakley Street
Evansville, Indiana 47706



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Site Management Form

11/25/2013



SITE DESCRIPTION

SITE NO. C859025

SITE NAME Macedon Films

SITE ADDRESS: 112 Main Street ZIP CODE: 14502-

CITY/TOWN: Macedon

COUNTY: Wayne

ALLOWABLE USE: Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES: YES NO

IC/EC Certification Plan

☒☐

Monitoring Plan

☐☒

Operation and Maintenance (O&M) Plan

☐☒

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 06/29/2012

Description of Institutional Control

Berry Plastics Corporation

112 Main Street

112 Main Street

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: 62111-08-948968

IC/EC Plan

Landuse Restriction

Site Management Plan

Description of Engineering Control

SCHEDULE "A" PROPERTY DESCRIPTION

Physical Address: 112 Main Street, Village of Macedon, County of Wayne, New York
Tax Map Number: 62111-08-948968

ENVIRONMENTAL EASEMENT AREA DESCRIPTION

Reference Instrument #R9069942, Wayne County Clerk's Office

ALL THAT TRACT OR PARCEL OF LAND, SITUATE in the Village of Macedon, Town of Macedon, County of Wayne, State of New York, and being part of Great Lot Twenty-nine (29), Township No. Twelve (12), Range No. Three (3) and being more particularly bounded and described as follows:

BEGINNING at a point in the northerly right-of-way line of Main Street, New York State Route 31, State Highway No. 8037 (width varies), said point being the Point of Beginning as delineated on Conveyance Map No. 1 as conveyed from Doyle to Wayne County and filed in the Wayne County Clerk's Office in Liber 329 of Deeds at Page 75, said point being marked in the field by a found monument 0.2 foot east;

Thence along the northerly right-of-way line of said Route 31 the following six (6) courses and distances: (1) North 19° 24' 58" West, a distance of twenty eight and seventy-six hundredths feet (28.76') to a point marked by a found monument 0.1 foot east, said point being the Terminal Point of Course Number One (1) as delineated on said Conveyance Map No. 1; Thence (2) South 76° 49' 02" West, a distance of one hundred fifty nine and eighteen hundredths feet (159.18') to a point, said point being the Terminal Point of Course Number Two (2) as delineated on said Conveyance Map No. 1; Thence (3) South 86° 41' 02" West, a distance of fifty seven and forty-one hundredths feet (57.41') to a point marked by a found monument; Thence (4) South 87° 19' 32" West, a distance of one hundred sixty eight and ninety-two hundredths feet (168.92') to a point marked by a found monument 0.1 foot west; Thence (5) South 88° 00' 22" West, a distance of one hundred ninety two and seventy-one hundredths feet (192.71') to a point; Thence (6) South 77° 10' 48" West, a distance of forty seven and seventy-two hundredths feet (47.72') to a point marked by a found monument at the intersection of the northerly right-of-way line of Route 31 with the easterly right-of-way line of Route 350, said point being the Point of Beginning as delineated on Parcel Conveyance Map No. 1-C, Parcel 25 as conveyed by the New York State Department of Public Works to Mobil Oil Corporation and filed in the Wayne County Clerk's Office in Liber 584 of Deeds at Page 395;

Thence along the easterly right-of-way line of said Route 350 the following seven (7) courses and distances: (1) North 63° 38' 09" West, a distance of sixty one and thirty-five hundredths feet (61.35') to a point marked by a found monument, said point being the Terminal Point of Course Number One (1) as delineated on said Conveyance Map No. 1-C, Parcel 25; Thence (2) North 24° 19' 06" West, a distance of two hundred fifty three and seventy-five hundredths feet (253.75') to a point, said point being the Terminal Point of Course Number Two (2) as delineated on said Conveyance Map No. 1-C, Parcel 25, said point also being the Point of Beginning as delineated on Appropriation Map No. 6-R1, Parcel No. 8 as acquired in fee by the New York State Department of Public Works and filed in the Wayne County Clerk's Office and the offices of the New York State Department of Public Works, District Office No. 3, Syracuse, New York; Thence (3) North 33° 36' 28" West, a distance of seventy eight and twenty-three hundredths feet (78.23') to a point marked by a found granite monument, said point being the Terminal Point of Course Number Three (3) of said Appropriation Map No. 6-R1, Parcel No. 8, said point also being the Point of

[2/12]

Beginning as delineated on Appropriation Map No. 7, Parcel No. 10 as acquired in fee by the New York State Department of Public Works and filed in the Wayne County Clerk's Office and the offices of the New York State Department of Public Works, District Office No. 3, Syracuse, New York; Thence (4) North $39^{\circ} 44' 57''$ West, a distance of fifty eight and twenty-two hundredths feet (58.22') to a point marked by a found monument 0.2 foot south, said point being the Terminal Point of Course Number Two (2) as delineated on said Appropriation Map No. 7, Parcel No. 10, said point also being the Terminal Point of Course Number Five (5) as delineated on Appropriation Map No. 4, Parcel No. 6 as acquired in fee by the New York State Department of Public Works and filed in the Wayne County Clerk's Office and the offices of the New York State Department of Public Works, District Office No. 3, Syracuse, New York; Thence (5) North $40^{\circ} 10' 19''$ West, a distance of one hundred fifty three and forty-seven hundredths feet (153.47') to a point marked by a found monument 0.2 foot south, said point being the Terminal Point of Course Number Four (4) as delineated on said Appropriation Map No. 4, Parcel No. 6, said point also being the Point of Beginning as delineated on Appropriation Map No. 16, Parcel No. 22 as acquired in fee by the New York State Department of Public Works and filed in the Wayne County Clerk's Office and the offices of the New York State Department of Public Works, District Office No. 3, Syracuse, New York; Thence (6) North $29^{\circ} 54' 43''$ West, a distance of nineteen and sixty-five hundredths feet (19.65') to a point marked by a found monument 0.8 foot south, said point being the Terminal Point of Course Number Three (3) as delineated on said Appropriation Map No. 16, Parcel No. 22, said point also being the Point of Beginning as delineated on Appropriation Map No. 9, Parcel No. 12 as acquired in fee by the New York State Department of Public Works and filed in the Wayne County Clerk's Office in Liber 527 of Deeds at Page 93; Thence (7) North $23^{\circ} 28' 55''$ West, a distance of fifty one and thirty-six hundredths feet (51.36') to a point, said point being the Terminal Point of Course Number Two (2) as delineated on said Appropriation Map No. 9, Parcel No. 12, said point also being in the southerly line of lands now or formerly of the New York State Barge Canal;

Thence along the said southerly line of lands now or formerly of the New York State Barge Canal the following eight (8) courses and distances: (1) North $83^{\circ} 26' 32''$ East, a distance of fifty and twenty hundredths feet (50.20') to a point; Thence (2) North $84^{\circ} 35' 42''$ East, a distance of one hundred thirty two and zero hundredths feet (132.00') to a point marked by a found monument 0.1 foot east; Thence (3) North $71^{\circ} 42' 40''$ East, a distance of sixty eight and seventy hundredths feet (68.70') to a point marked by a found monument 0.1 foot south; Thence (4) North $78^{\circ} 36' 54''$ East, a distance of sixty four and eighty hundredths feet (64.80') to a point; Thence (5) North $84^{\circ} 35' 32''$ East, a distance of two hundred sixty four and zero hundredths feet (264.00') to a point; Thence (6) North $85^{\circ} 19' 02''$ East, a distance of three hundred two and fifty-one hundredths feet (302.51') to a point; Thence (7) South $04^{\circ} 40' 58''$ East, a distance of forty one and ninety-one hundredths feet (41.91') to a point; Thence (8) North $84^{\circ} 29' 02''$ East, a distance of two hundred six and forty-six hundredths feet (206.46') to a point, said point being at the division line between the lands of Berry Plastics Corporation (reputed owners) on the west and the lands of Pliant Corporation (reputed owners) on the east;

Thence along the last mentioned division line, the following twenty three (23) courses and distances: (1) South $13^{\circ} 24' 58''$ East, a distance of thirteen and thirty-nine hundredths feet (13.39') to a point; Thence (2) South $76^{\circ} 35' 02''$ West, along the edge of the upper concrete pad for Silos 7, 8 and 9 and the edge of pad of Silos 31 and 32, a distance of thirty six and zero hundredths feet (36.00') to a point; Thence (3) South $13^{\circ} 24' 58''$ East, continuing along the edge of concrete pad and between Silos 9 and 4, a distance of sixteen and zero hundredths feet (16.00') to a point; Thence (4) North $76^{\circ} 35' 02''$ East, along the southerly edge of said concrete pad for Silos 7, 8 and 9, a distance of twenty eight and seventy hundredths feet (28.70') to a point; Thence (5) South $13^{\circ} 51' 58''$ East, through the wall of an existing building, a distance of nineteen and fifty-one

hundredths feet (19.51') to a point in the center of an 8 inch block wall; Thence (6) South 76° 08' 02" West, along the centerline of the said 8 inch block wall, a distance of five and twenty-one hundredths feet (5.21') to a point on the easterly face of aluminum framing; Thence (7) North 13° 51' 58" West, along said easterly face of aluminum framing, a distance of six and twenty-five hundredths feet (6.25') to the northeasterly corner thereof; Thence (8) South 76° 08' 02" West, along the northerly face of said aluminum framing, a distance of nineteen and forty hundredths feet (19.40') to the northwesterly corner thereof; Thence (9) South 13° 51' 58" East, along the westerly face of said aluminum framing, a distance of six and twenty-five hundredths feet (6.25') to a point in the center of the previously mentioned 8 inch block wall; Thence (10) South 76° 08' 02" West, along the centerline of said wall, a distance of four hundred eight and ninety-two hundredths feet (408.92') to a point; Thence (11) South 13° 51' 58" East, along the centerline of an 8 inch block wall, a distance of sixty four and eighty hundredths feet (64.80') to a point; Thence (12) South 76° 08' 02" West, along the centerline of an 8 inch block wall, a distance of twenty two and seventy hundredths feet (22.70') to a point; Thence (13) South 13° 51' 58" East, along the centerline of a 12 inch block wall, a distance of twenty nine and forty-six hundredths feet (29.46') to a point in the center of an 8 inch block wall; Thence (14) South 75° 59' 32" West, along the centerline of said 8 inch block wall, a distance of thirteen and thirty-four hundredths feet (13.34') to a point on the westerly face of an existing wall; Thence (15) South 14° 00' 28" East, along said westerly face of wall, a distance of one hundred eleven and ten hundredths feet (111.10') to a point in the center of an 8 inch block wall; Thence (16) South 75° 59' 32" West, along the centerline of said 8 inch block wall, a distance of twenty four and thirty-eight hundredths feet (24.38') to a point; Thence (17) South 14° 00' 28" East, along the centerline of an 8 inch block wall, a distance of seventy five and eighty-three hundredths feet (75.83') to a point; Thence (18) North 75° 59' 32" East, along the centerline of an 8 inch block wall, a distance of seven and fifty hundredths feet (7.50') to a point; Thence (19) South 14° 00' 28" East, along the centerline of an 8 inch block wall, and continuing beyond the exterior of the existing building, a total distance of sixty six and seventy hundredths feet (66.70') to a point on line, more or less, of an existing 6 foot chain link fence with barbed wire; Thence (20) North 68° 12' 50" East, a distance of two hundred fifty six and forty-five hundredths feet (256.45') to a point; Thence (21) North 14° 03' 34" West, a distance of thirteen and twenty-four hundredths feet (13.24') to a point; Thence (22) North 77° 05' 29" East, a distance of fifty eight and ninety-eight hundredths feet (58.98') to a point; Thence (23) South 08° 01' 54" East, along the centerline of a driving lane between parking rows, a distance of two hundred ten and eighty-three hundredths feet (210.83') to a point in the first mentioned northerly right-of-way line of Route 31;

Thence South 86° 47' 42" West, along said right-of-way line, a distance of twenty two and thirty-four hundredths feet (22.34') to the point or place of beginning, containing 8.95 acres of land, more or less.

BEING AND HEREBY intending to describe the premises conveyed to Covalence Specialty Materials Corp. (now Berry Plastics Corporation) in deed dated February 16, 2006 and recorded March 28, 2006 in the County of Wayne under instrument no. R9069942.

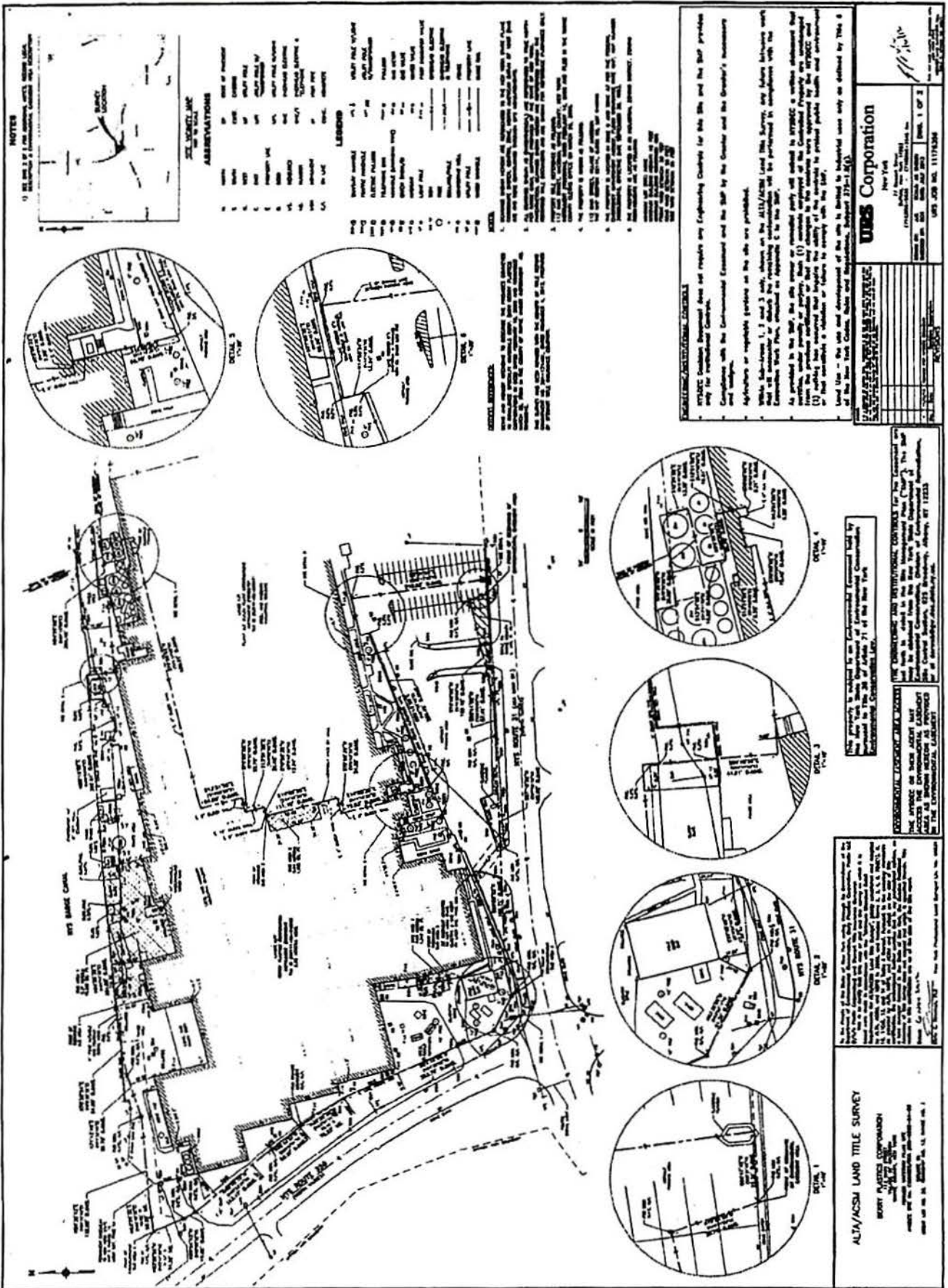
Bearings are referenced to the New York State Plane Coordinate System (Central Zone).

County: Wayne

Site No: C859025

BCA Index No.: B8-0669-04-06

SURVEY



NOTES

1) SEE SHEET 1 OF 1 FOR GENERAL NOTES, SURVEY DATA, AND EXPLANATION OF ABBREVIATIONS.



ABBREVIATIONS

Symbol	Description
[Symbol]	Building Footprint
[Symbol]	Parking Lot
[Symbol]	Driveway
[Symbol]	Property Line
[Symbol]	Survey Point
[Symbol]	Utility Line
[Symbol]	Water Feature
[Symbol]	Other

LEGEND

Symbol	Description
[Symbol]	Building Footprint
[Symbol]	Parking Lot
[Symbol]	Driveway
[Symbol]	Property Line
[Symbol]	Survey Point
[Symbol]	Utility Line
[Symbol]	Water Feature
[Symbol]	Other

DETAIL REFERENCES

1. DETAIL 1 - BUILDING FOOTPRINT

2. DETAIL 2 - PARKING LOT

3. DETAIL 3 - DRIVEWAY

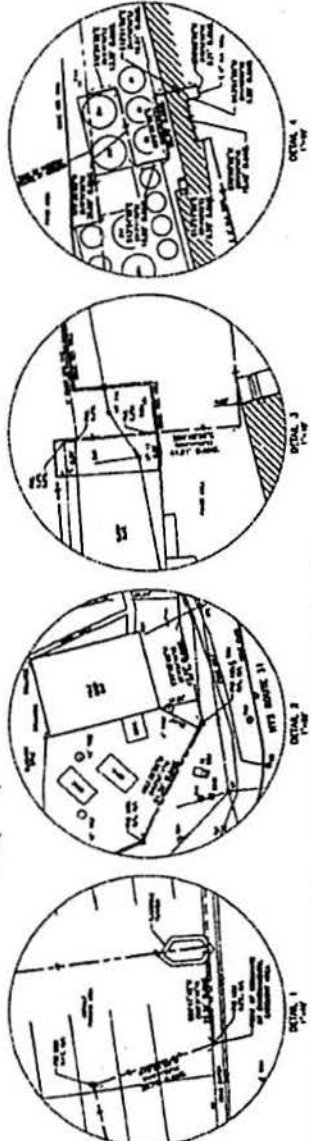
4. DETAIL 4 - PROPERTY LINE

5. DETAIL 5 - SURVEY POINT

6. DETAIL 6 - UTILITY LINE

7. DETAIL 7 - WATER FEATURE

8. DETAIL 8 - OTHER



ALTA/ACSM LAND TITLE SURVEY

BY: JAMES J. JONES, JR.

DATE: 10/1/80

SCALE: 1" = 40'

THE UNIVERSITY AND INSTITUTIONAL CONTROLS FOR THE UNIVERSITY

THE UNIVERSITY OF ALABAMA SYSTEM

THE UNIVERSITY OF ALABAMA AT BIRMINGHAM

THE UNIVERSITY OF ALABAMA AT TUSCALOOSA

THE UNIVERSITY OF ALABAMA AT MOBILE

THE UNIVERSITY OF ALABAMA SYSTEM

THE UNIVERSITY OF ALABAMA AT BIRMINGHAM

THE UNIVERSITY OF ALABAMA AT TUSCALOOSA

THE UNIVERSITY OF ALABAMA AT MOBILE

UNIVERSITY OF ALABAMA SYSTEM

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THE UNIVERSITY OF ALABAMA AT MOBILE

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THE UNIVERSITY OF ALABAMA AT MOBILE

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THE UNIVERSITY OF ALABAMA AT TUSCALOOSA

THE UNIVERSITY OF ALABAMA AT MOBILE

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