



SUFFOLK COUNTY CLERK
RECORDS OFFICE
RECORDING PAGE

Type of Instrument: DECLARATION/DOP
Number of Pages: 6
Receipt Number : 06-0079498

Recorded: 08/15/2006
At: 12:38:41 PM

LIBER: D00012464
PAGE: 548

District:	Section:	Block:	Lot:
0600	041.00	02.00	007.000

EXAMINED AND CHARGED AS FOLLOWS

Received the Following Fees For Above Instrument

		Exempt			Exempt
Page/Filing	\$0.00	YES	Handling	\$0.00	YES
COE	\$0.00	YES	NYS SRCHG	\$0.00	YES
TP-584	\$0.00	YES	Notation	\$0.00	YES
Cert.Copies	\$0.00	YES	RPT	\$0.00	YES
SCTM	\$0.00	YES			

Fees Paid \$0.00

THIS PAGE IS A PART OF THE INSTRUMENT
THIS IS NOT A BILL

Judith A. Pascale
County Clerk, Suffolk County

RECORDED
2006 Aug 15 12:38:41 PM
Joeth A. Pascale
CLERK OF
SUFFOLK COUNTY
L 000012464
P 548


Number of pages 6
TORRENS
Serial # _____
Certificate # _____
Prior Ctf. # _____

Deed / Mortgage Instrument Deed / Mortgage Tax Stamp Recording / Filing Stamps

3 FEES


Page / Filing Fee _____
Handling 5.00
TP-584 _____
Notation _____
EA-52 17 (County) _____ Sub Total 0
EA-5217 (State) _____
R.P.T.S.A. _____
Comm. of Ed. 5.00
Affidavit _____
Certified Copy x2 _____
NYS Surcharge 15.00 Sub Total 0
Other _____ Grand Total EXEMPT

This document will be public record. Please remove all Social Security Numbers prior to recording.



Mortgage Amt. _____
1. Basic Tax _____
2. Additional Tax _____
Sub Total _____
Spec./Assit. _____
or _____
Spec. /Add. _____
TOT. MTG. TAX _____
Dual Town _____ Dual County _____
Held for Appointment _____
Transfer Tax _____
Mansion Tax _____
The property covered by this mortgage is or will be improved by a one or two family dwelling only.
YES _____ or NO _____
If NO, see appropriate tax clause on page # _____ of this instrument.

4 Dist. 0600 Section 041.00 Block 02.00 Lot 0007.000 5 **Community Preservation Fund**

Real Property Tax Service Agency Verification


Consideration Amount \$ _____
CPF Tax Due \$ _____
Improved _____
Vacant Land _____
TD _____
TD _____
TD _____

6 Satisfactions/Discharges/Releases List Property Owners Mailing Address
RECORD & RETURN TO:
State University of New York
Attn: State University Council - Lisa Campo
State University Plaza
Albany, NY 12246

7 **Title Company Information**
Co. Name _____
Title # _____

8 **Suffolk County Recording & Endorsement Page**

This page forms part of the attached Declaration of Covenants and Restrictions made by:
(SPECIFY TYPE OF INSTRUMENT)
State University of New York
TO _____
In the Township of Riverhead
In the VILLAGE _____
or HAMLET of _____

BOXES 6 THRU 8 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.

2. North 57° 14' 04" East 11.24 feet to a point whose New York State Plane Coordinate is North 269,568.89, East 2,354,922.09 as established by the County of Suffolk Department of Public Works, which is the northwest corner of the parcel about to be described,

Running thence North 56° 49' 05" East 400.00 feet to a point;
Running thence South 33° 10' 55" East 400.00 feet to a point;
Running thence South 56° 49' 05" West 400.00 feet to a point;
Running thence North 33° 10' 55" West 400.00 feet to the point and place of beginning.

Within the Site, particular reference is made to the location of a former 8 foot diameter drywell, the center of which is located at New York State Plane Coordinate North 269,556.42, East 2,355,264.79. Pursuant to a Post Remediation Work Plan approved by the New York State Department of Environmental Conservation, a 12' X 12' liner and soil cap centered over the drywell (the "Capped Area") has been installed and will be maintained as provided herein.

Second, unless prior written approval by the New York State Department of Environmental Conservation or if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State's citizens, hereinafter referred to as "the Relevant Agency," is first obtained, there shall be no construction, use or occupancy of the Capped Area which results in the disturbance or excavation of the Capped Area beyond a depth of five feet, or which threatens the integrity of the liner, or which results in unacceptable human exposure to contaminated soils.

Third, the owner of the Site shall maintain the Capped Area by maintaining its grass cover or, after obtaining the written approval of the Relevant Agency, by capping the Capped Area with another material.

Fourth, the owner of the Site shall prohibit the Site from ever being used for purposes other than for educational and research use (including use by the National Weather Service as a weather station site) without the express written waiver of such prohibition by the Relevant Agency.

Fifth, the owner of the Site shall prohibit the use of the groundwater underlying the Site without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first obtains permission to do so from the Relevant Agency.

Sixth, the owner of the Site shall continue in full force and effect any institutional and engineering controls required under the Agreement and maintain such controls unless the owner first obtains permission to discontinue such controls from the Relevant Agency.


Seventh, this Declaration is and shall be deemed a covenant that shall run with the land and shall be binding upon all future owners of the Site and shall provide that the owner, and its successors and assigns, consent to the enforcement by the Relevant Agency, of the prohibitions and restrictions that the Agreement requires to be recorded, and hereby covenants not to contest the authority of the Department to seek enforcement.

Eighth, any deed of conveyance including the portion of the Site referred to as the Site shall recite that the said conveyance is subject to this Declaration of Covenants and Restrictions.

IN WITNESS WHEREOF, the undersigned has executed this instrument the day written below.

STATE UNIVERSITY OF NEW YORK

Dated: July 24, 2006

By: 
Daniel B. Sheppard
Senior Associate Vice Chancellor
for Finance and Business

State of New York)
) ss:)
County of Albany)

On the 24th day of July, 2006, before me, the undersigned, personally appeared Dan Sheppard, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the entity upon behalf of which the individual acted, executed the instrument.

LISA S. CAMPO
Notary Public, State of New York
No. 01041051886
Qualified in Albany County
Commission Expires June 5, 20 07
No. 01041051886



COUNTY CLERK'S OFFICE
STATE OF NEW YORK SS.:
COUNTY OF SUFFOLK

I, JUDITH A. PASCALE, Clerk of the County of Suffolk and the Court
of Record thereof, do hereby certify that I have compared the annexed with the
original *Declaration* RECORDED in my office on *8/15/06*
under LIBER *12464* PAGE *548* and, that the same is a true
copy thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of
said County and Court on this *15th* day of *August*, 20 *06*.

CLERK..... *Judith A. Pascale*

EXHIBIT "A"

ALL that certain plot, parcel or piece of land with improvements erected thereon lying and being situated at Riverhead, County of Suffolk, and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point the following two (2) courses and distances from the corner formed by the southerly line of Sound Avenue and the easterly line of Horton Avenue as shown on the County of Suffolk Road Record Maps Sheet 06-22 dated August 31, 1973:

1. South 32° 46' 11" East 1798.16 feet;

2. North 57° 14' 04" East 11.24 feet to a point whose New York State Plane Coordinate is North 269,568.89, East 2,354,922.08 as established by the County of Suffolk Department of Public Works, which is the northwest corner of the parcel about to be described,

Running thence North 56° 49' 05" East 400.00 feet to a point;

Running thence South 33° 10' 55" East 400.00 feet to a point;

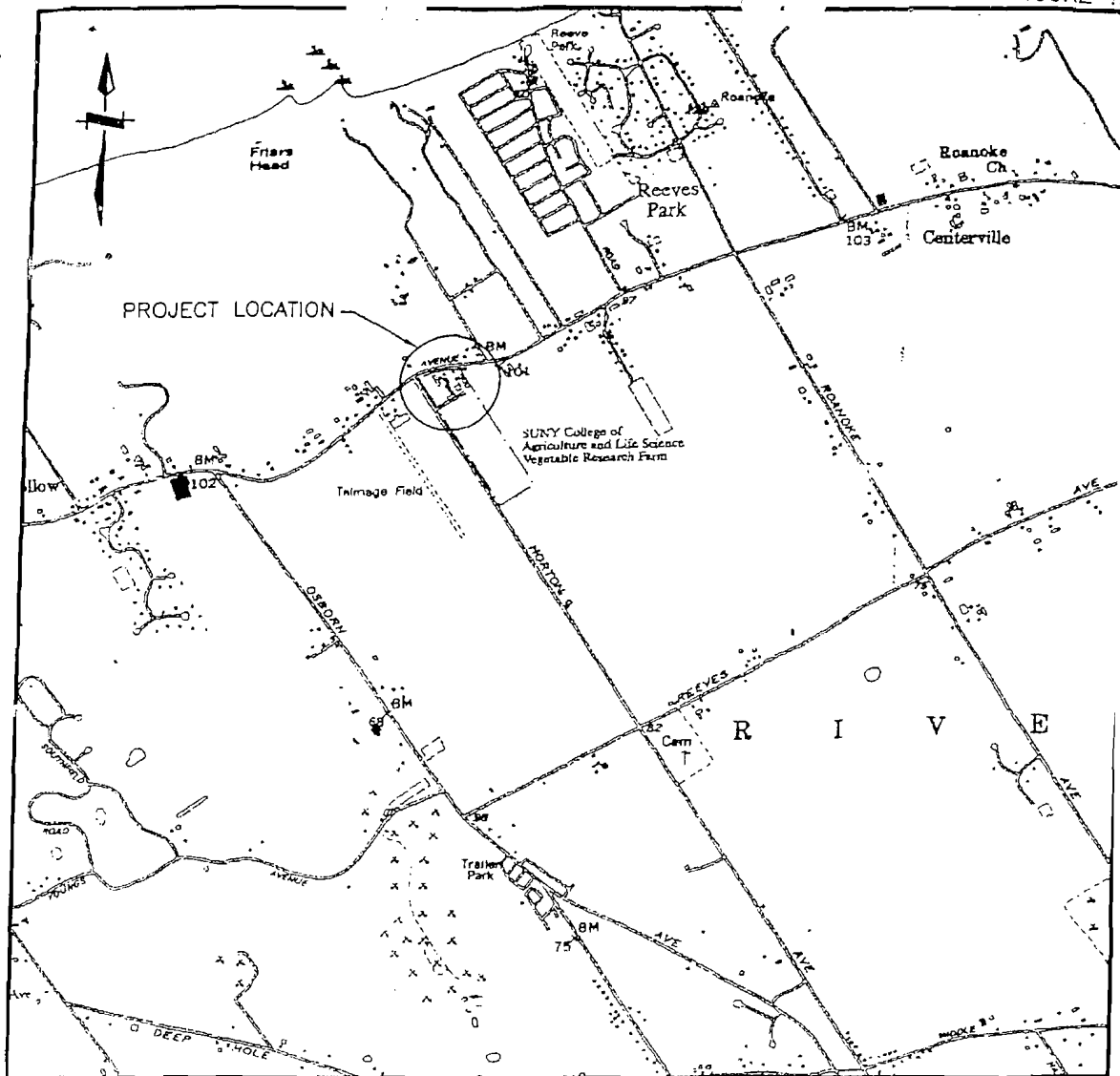
Running thence South 56° 49' 05" West 400.00 feet to a point;

Running thence North 33° 10' 55" West 400.00 feet to the point and place of beginning, containing 3.673 acres, more or less.

BEING the same premises described on a survey map entitled "Survey Map of Study Area, New York State Vegetation Research Farm, Long Island Horticultural Laboratory, situated at Riverhead, Town of Riverhead, Suffolk County, New York, District 0600 Section 41, Block 2, p/o Lot 1," dated July 13, 2001, made by Holzmacher, McLendon & Murrell, P.C., Charles J. Gravano, P.L.S., which said survey map was filed in the Suffolk County Clerk's Office on September 17, 2001, in Miscellaneous Maps # A-515.

RECORDED
2001 Sep 18 01:03:17 PM
Edward P. Romaine
CLERK OF
SUFFOLK COUNTY
L 000012142
P 270

FIGURE 1.



LOCATION MAP

SCALE: 1" = 2000'

CORNELL UNIVERSITY LONG ISLAND HORTICULTURAL RESEARCH LABORATORY

H2MGROUP

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