

This instrument was prepared  
by the undersigned:

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Patricia M. Ryan  
Closing Agent

## **QUITCLAIM DEED OF EASEMENT**

**THIS QUITCLAIM DEED OF EASEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_ 2012, by and between the UNITED STATES OF AMERICA, hereinafter referred to as the Government, GRANTOR, acting by and through the United States Environmental Protection Agency, under and pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, CERCLA §104(j)(1) and 104(j)(2), [42 U.S.C. 9604 (j)(1) and (j)(2)], as amended, and the New York State Department of Environmental Conservation, c/o Joe Martens, Commissioner, 625 Broadway, Albany, New York 12233-1011, GRANTEE.

**WITNESSETH THAT THE GOVERNMENT**, for and in consideration of One and 00/100 Dollar (\$1.00), and in consideration of the premises and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, and forever quitclaim unto the Grantee herein all the Government's right, title and interest whatsoever, both in law, and in equity, without representation or warranty, express or implied, easement interest to Tract No. 100E, situate in the County of Dutchess, Town of East Fishkill, State of New York, and being a part of the Installation of Transmission Water Main to Shenandoah Road Area Water Supply Superfund Project. The said Tract is more particularly described in Exhibit "A", and the estate expressed in Exhibit B, both Exhibits being attached hereto and made a part hereof.

**TOGETHER WITH** all the right, title and interest which the Grantor may have in the banks, beds and waters of any streams bordering the said land to be conveyed, and also all interest in alleys, roads, streets, ways, strips, gores, or railroad rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto.

**THIS QUITCLAIM DEED OF EASEMENT** is not subject to Title 10, United States Code, Section 2662.

**THE GRANTEE** agrees that upon its disposition of the property conveyed herein, it shall comply with the provisions of 40 C.F.R. § 31.31.

**TO HAVE AND TO HOLD** the estate in said property herein granted unto the New York State Department of Environmental Conservation and its assigns, forever.

**IN WITNESS WHEREOF**, the United States of America, acting by and through the Environmental Protection Agency, has caused these presents to be duly executed for and in its name and behalf by Bridget C. Shea, Director of Facilities Management & Services Division, United States Environmental Protection Agency, who has this \_\_\_\_\_ day of \_\_\_\_\_ 2012, hereunto set her hand and seal.

**UNITED STATES OF AMERICA**

Acting by and through the  
U.S. Environmental Protection Agency

By: \_\_\_\_\_  
Bridget C. Shea  
Director of Facilities Management &  
Services Division  
U.S. Environmental Protection Agency

**ACKNOWLEDGEMENT**

City of Washington

District of Columbia ss.:

In \_\_\_\_\_, in said City and District, on this \_\_\_\_\_ day of \_\_\_\_\_ 2012 before me personally appeared Bridget C. Shea, Director of Facilities Management and Services Division, United States Environmental Protection Agency, duly empowered and authorized, proven to me through satisfactory evidence of identification, to be the person whose name is signed on the preceding instrument and by her duly executed, to be her free act and deed in her capacity as Director of Facilities Management and Services Division, United States Environmental Protection Agency.

\_\_\_\_\_  
Notary Public  
My commission expires \_\_\_\_\_

BY ACCEPTANCE OF THIS QUITCLAIM DEED OF EASEMENT, the Grantee, for itself, its successors and assigns, accepts and agrees to the conditions contained in the foregoing instrument, this 27 day of July 2012

NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION

Dawn Shewin  
Witness

BY: Joseph J. Martens (SEAL)  
JOSEPH J. MARTENS  
COMMISSIONER

STATE OF NEW YORK )  
COUNTY OF ALBANY ) SS:

On the 27<sup>th</sup> day of July, in the year 2012, before me, the undersigned, a notary public in and for said state, personally appeared Joseph J. Martens, 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 individual, or the person upon behalf of which the individual acted, executed the instrument.

Timothy E. Eidle  
Notary Public

TIMOTHY E. EIDLE  
NOTARY PUBLIC, State of New York  
No. 02E10102004  
Qualified in Albany County  
Commission Expires December 8, 2015

Tract No. 100E

Area: 0.30 acres

Page: 1 of 1

Installation of Transmission  
Water Main to Shenandoah Road  
Area Water Supply Project  
Dutchess County, New York  
31 Oct 2008

### LEGAL DESCRIPTION

Description for Right of Way and Water Main Easement Map 25 parcel 25  
Joseph Trifiro and Mary Trifiro

Proposed 20 foot wide right of way (ingress and egress) and water main easement, situate in the Town of East Fishkill, County of Dutchess, State of New York, bounded and described as follows:

Beginning at a point on the westerly line of Shenandoah Road, said point being distant North 16°-39'-35" East, 0.80' from its intersection with the division line between lands now or formerly of Nicholas J. Sabatini (DOC 02-2003-676) on the South and lands now or formerly of J. and M. Trifiro on the North, thence running from said point of beginning and through said lands of J. & M. Trifiro the following courses and distances, North 77° 58' 55" West, 33.92'; thence North 85° 02' 15" West, 53.94'; thence North 89° 52' 09" West, 48.31'; thence South 75° 55' 55" West, 41.01'; thence South 56° 28' 06" West, 29.11'; thence South 41° 27' 12" West, 132.52'; thence South 80° 06' 55" West, 22.22'; thence North 60° 38' 37" West, 255.87'; thence North 47° 03' 54" West 28.20'; thence North 33° 37' 17" West, 4.26' to a point on the division line between lands now or formerly of P. Mariani (DOC 02-1995-4448) on the West and lands of said Trifiro on the East, said point being located North 00° 53' 20" West, 12.31' from the southwesterly corner of said lands of Trifiro; thence running along said lands of Mariani, North 00° 53' 20" West, 54.30'; thence running through said lands of Trifiro the following courses and distances; South 04° 37' 21" East, 13.68'; thence South 20° 17' 56" East, 11.85'; thence South 33° 37' 17" East, 24.08'; thence South 47° 03' 54" East, 23.46'; thence South 60° 38' 37" East, 246.36'; thence North 80° 06' 55" East, 8.07'; thence North 41° 27' 12" East, 128.14'; thence North 56° 28' 06" East 35.18'; thence North 75° 55' 55" East, 46.93'; thence South 89° 52' 09" East, 51.65'; thence South 85° 02' 15" East, 55.52'; thence South 77° 58' 55" East, 36.27' to the said westerly bounds of Shenandoah Road, thence running along said westerly bounds of Shenandoah Road, South 16° 39' 35" West, 20.07' to the point or place of beginning..

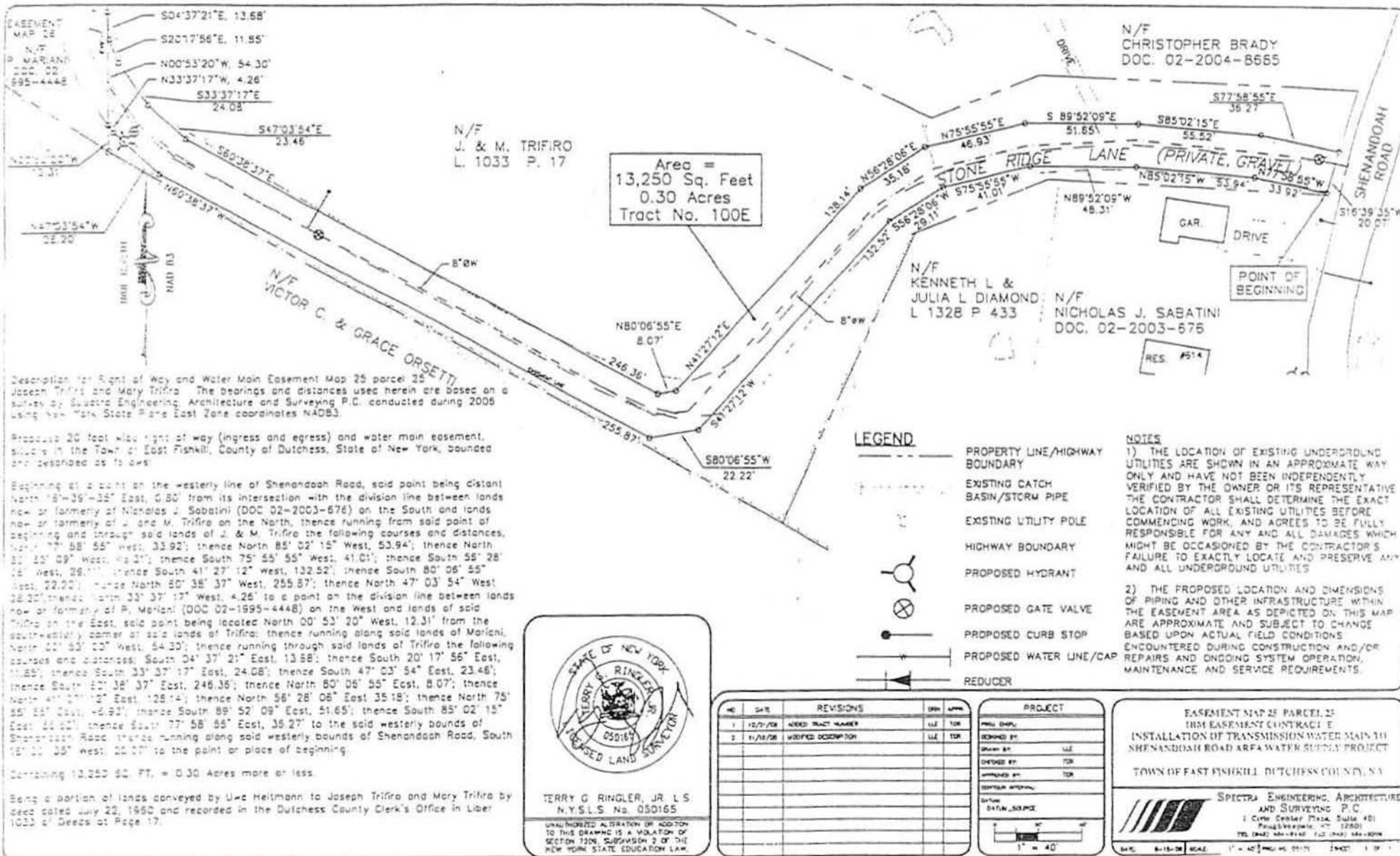
Containing 13,250 SQ. FT. = 0.30 Acres more or less.

Being a portion of lands conveyed by Uwe Heitmann to Joseph Trifiro and Mary Trifiro by deed dated July 22, 1960 and recorded in the Dutchess County Clerk's Office in Liber 1033 of Deeds at Page 17.

**EXHIBIT A**

The bearing and distances recited herein are based upon a survey prepared by Spectra Engineering, Architecture and Surveying, P.C. conducted during 2006 using New York Plane East Zone coordinated NAD 83.

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#### **UTILITY AND/OR PIPELINE EASEMENT.**

A perpetual and assignable easement and right-of-way in, on, over and across the land described in Schedule A, Tract No. 100E, for the location, construction, operation, maintenance, alteration, repair and patrol of a water pipeline; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

**EXHIBIT B**