

COUNTIES OF WARREN AND WASHINGTON
INDUSTRIAL DEVELOPMENT AGENCY

5 Warren Street, Suite 210
Glens Falls, New York 12801

Tel. (518) 792-1312

A special meeting of the **Board of Directors** of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation was held on Monday, March 2, 2020 the Washington County Municipal Center in Fort Edward, New York at 4:00 p.m. The following were:

<i>PRESENT:</i>	Dave O'Brien	Chairman
	Craig Leggett	Vice Chairman
	Brian Campbell	Park Chair
	Michael Bittel	Secretary/Treasurer
	Ginny Sullivan	Member
	Nick Caimano (via phone)	Member
	Mike Wild	Member
	Bruce Ferguson	Member
	Dan Bruno	Member
	Lester Losaw	CEO/CFO

The following were also present:

Kara Lais, Esq.	FitzGerald Morris Baker Firth, PC
Michael Goot	Post Star
Jack Kelley	Coldwell Banker Commercial
Ted Berndt	
Dana Haff	Hartford Supervisor
Matt Hicks	Granville Supervisor
John Davison	WCC
Travis Whitehead	
Mike O'Connor	WCC Counsel
Bob Dillon	Hartford Town Counsel

Minutes were taken by: Alie Weaver, Office Administrator

The meeting of the Board of Directors was called to order by Chair O'Brien at 4:05 p.m.
Attendance was taken and a quorum was established.

Mr. O'Brien stated the purpose of the meeting was to walk through acquisition documents provided by FELPDC and WCC. He also apologized for misstating about Kingsbury and their resolution at the last board meeting. Mr. O'Brien stated he was informed by the Kingsbury Supervisor that if the IDA took the road Kingsbury would not, however Kingsbury may take the road if there were no restrictions.

Mr. O'Brien stated the EPA is willing to accept applications for the road without conditions. They are looking for a speedy transfer and will continue the transfer to Canal Corp if applications do not fall within their timeline.

Mr. Wild asked what consequences would be should the IDA take the road and Mr. O'Brien stated that funding for the bridge is an important factor as well as road maintenance, noting that the IDA will look to have an MoU in place with the companies that use the road to set up a fund for maintenance.

Mr. Ferguson asked what the total amount of fees the IDA will receive from WL Plastics and Mr. O'Brien stated \$50,000 for the closing of sales tax exemption in 2019 and \$50,000 for the execution of the contract in 2020.

Mr. Bittel stated the IDA would still have prepared property to market well if WL Plastics backed out. Mr. O'Brien stated there was \$915,000 owed on the property and if WL Plastics backed out, the county would have the ability to foreclose and auction the property in 2021.

Ms. Lais stated the land is currently private property not for public access unless granted by the FELPDC. It will remain private property if the IDA takes it over. She also noted the three parcels are unencumbered with no restrictions. One parcel is stand-alone and the other two parcels require subdivision approval.

Documents that were provided by Mr. O'Connor's office on behalf of WCC were presented by Ms. Lais. They were reviewed by the board members in preparation of executing the resolution that was approved at the February board meeting. Ms. Lais noted there were two additional parcels that had not been discussed at the last board meeting, one being a 3.9-acre parcel and the other a .06-acre parcel from FELPDC.

Ms. Lais noted the easement document from FELPDC to WCC for ingress and egress with no restrictions. She also noted the option agreement between the FELPDC and WCC granting an option to purchase 11.68 acres, as specified on the provided map.

Mr. Wild inquired on who would receive the \$50,000 noted on the option agreement. Ms. Lais stated that would depend on who the owner is of the property at the time that option is exercised. Mr. O'Brien stated he believes that money would be used to pay the taxes should FELPDC receive it, noting all the taxes will need to be paid before the property can be subdivided.

Mr. Whitehead stated he just attended the FELPDC meeting and the easement and option had just been granted. He also stated the best thing the IDA can do at this point is concentrate on getting WL Plastics here.

Mr. Hicks wanted to clarify the road is actually in reference to the properties that the road is on. Mr. O'Brien agreed and clarified there are currently three owners to the property that contains the road from Route 196 to the dewatering facility; two parcels are controlled by the EPA, three parcels are controlled by WCC and one parcel is controlled by New York State plus one sliver piece of property owned by Town of Fort Edward.

Mr. Haff read the Kingsbury resolution in regards to the bridge which noted WCC being responsible for constructing of a new and permanent bridge. Mr Haff stated that the Town of Kingsbury would take the road if WCC was responsible for making the bridge a permanent bridge.

He also voiced concern over the IDA applying for a New York State grant to fund a bridge that is on a private road, the option agreement and access to the rail spur and wharf.

Mr. Davison stated WCC has been paying \$118,000 of National Grid bills to keep the substation maintained and invested millions into the property with the goal of creating a public benefit.

Mr. Campbell made a motion to continue applying for the parcels containing the road and Mr. Wild seconded. Roll call vote was unanimous.

Mr. O'Brien stated a meeting last week with the property stake holders noted a presentation by Laura Oswald on potential funding available to help rebuild infrastructure including a new road, natural gas, sewer, water,

other facilities as well as establishing public private partnerships to help market the area.

It was suggested the IDA apply for a grant to do a feasibility study, noting the resolution included in the meeting packets was drawn up to solicit proposals with a clause not to exceed \$20,000.

Mr. Leggett made a motion to approve the resolution and Mr. Campbell seconded. All voted in favor by voice vote.

Mr. O'Brien noted the board had approved employee health insurance with a \$8,000 annual budget at the last meeting. Insurance plans had been reviewed and a plan had been found at \$2,500 less with a deductible and higher copay and it was requested that 100% contribution be made vs. 80%.

Mr. Ferguson made a motion to approve authorization to cover 100% of employee health insurance and Mr. Bruno seconded with a voice vote in favor and Mr. Bittel abstaining.

Mr. O'Brien adjourned the meeting at 5:20.

QUITCLAIM DEED

THIS INDENTURE, made this 18 day of February, Two Thousand Twenty,

BETWEEN WCC, LLC, a New York Limited Liability Company, with offices at 269 Ballard Road, Wilton, New York 12831, party of the first part, and

COUNTIES OF WARREN & WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY (WWIDA), with offices at 5 Warren Street, Suite 210, Glens Falls, NY 12801 party of the second part,

WITNESSETH that the party of the first part, in consideration of ONE DOLLAR (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, its successors and assigns forever,

ALL THOSE PIECES OR PARCELS OF LAND, situate in the Town of Fort Edward, County of Washington and State of New York, described in **SCHEDULE A**, which is attached hereto and made a part hereof.

SUBJECT to easements and restrictions of record.

BEING a portion of the premises conveyed by Elinor S. Burch and Robert Liebig to WCC, LLC by correction deed dated February 4, 2000 and recorded in the Washington County Clerk's Office on March 4, 2002 in Book 900 of Deeds at Page 293.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, the party of the first part has hereunto set its hand and seal the day and year first above written.

IN PRESENCE OF

WCC, LLC

By: Thomas F. Longe
Thomas F. Longe, Member

STATE OF FLORIDA)
) SS.:
COUNTY OF Warren)

On the 20 day of February, in the year 2020, before me, the undersigned, personally appeared **THOMAS F. LONGE**, 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.

Michael J. O'Connor
Notary Public

MICHAEL J. O'CONNOR
Notary Public, State of New York
Warren Co. #02OC2937400
My Commission Expires Sept. 9, 2028

SCHEDULE A

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate, lying and being in the Town of Fort Edward, County of Washington and the State of New York, more particularly bounded and described as follows:

BEGINNING at a point in the easterly bounds of the lands of WCC LLC by deed book 900 at page 293, said point also being in the westerly bounds of the lands of the State of New York, thence running through the bounds of the lands of WCC LLC, the following two courses and distances: (1) along a curve to the left having a radius of 175.00 feet for a distance of 217.78 feet; (2) South 31 degrees, 39 minutes and 27 seconds West, a distance of 826.18 feet to a point in the northerly bounds of the lands as conveyed to the Town of Fort Edward by deed book 3218 at page 234; thence running in a westerly direction along the northerly bounds of the lands of the Town of Fort Edward, South 82 degrees, 11 minutes and 08 seconds West, a distance of 77.73 feet; thence running through the lands of WCC LLC, by deed book 900 at page 293, the following three courses and distances: (1) North 31 degrees, 39 minutes and 27 seconds East, a distance of 875.59 feet; (2) along a curve to the right having a radius of 235.00 feet for a distance of 292.45 feet; (3) South 77 degrees, 02 minutes and 27 seconds East, a distance of 21.32 feet to a point in the westerly bounds of the lands of the State of New York; thence running in a southerly direction along the westerly bounds of the lands of the State of New York, South 32 degrees, 31 minutes and 20 seconds West, a distance of 63.68 feet to the place and point of beginning, containing 1.54 acres of land to be the same more or less. Bearings given in the above description refer to grid North.

ALSO, ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate, lying and being in the Town of Fort Edward, County of Washington and the State of New York, more particularly bounded and described as follows:

BEGINNING at the southwest corner of lands of WCC, LLC, by deed book 900 at page 293, and in the easterly bounds of the lands of the State of New York Canal Corporation by parcel 493 acquired from Jarvis P. O'Brien, March 14, 1907; running thence North 07 degrees, 18 minutes and 19 seconds West, along said lands of the State of New York Canal Corporation, crossing an existing road, a distance of 63.96 feet to a point therein for a corner; thence running South 77 degrees, 02 minutes and 27 seconds East, along the northerly bounds of said road, a distance of 207.14 feet to a point in the northerly bounds of said road and the southerly bounds of said lands of WCC, LLC.; thence running along said southerly bounds thereof, South 84 degrees, 59 minutes and 19 seconds West, a distance of 194.47 feet to the point and place of beginning, containing 0.14 acres of land to be the same more or less. Bearings given in the above description refer to grid North.


EASEMENT

FORT EDWARD LOCAL PROPERTY DEVELOPMENT CORPORATION a/k/a FT. EDWARD LOCAL PROPERTY DEVELOPMENT CORPORATION, a Not-for-Profit Corporation, with a mailing address of P.O. Box 127, Fort Edward, New York 12828, hereby grants to WCC, LLC, a New York Limited Liability Company, with offices at 269 Ballard Road, Wilton, New York 12831, its successors and assigns, a permanent non-exclusive easement for purposes of ingress and egress by vehicle to and from other lands of WCC, LLC to the wharf of NYS Canal Corp. at Lock 8 and other lands of Fort Edward Local Property Development Corporation a/k/a Ft. Edward Local Property Development Corporation. Said easement is shown emboldened and outlined in **Exhibit A**, which is attached hereto; same will be a minimum of 14 ft. wide.

The consideration for same is the simultaneous conveyance to the COUNTIES OF WARREN & WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY (WWIDA) of the premises described in **Exhibits B & C** which are attached hereto.

Dated: February 18, 2020

FORT EDWARD LOCAL PROPERTY DEVELOPMENT CORPORATION
a/k/a FT. EDWARD LOCAL PROPERTY DEVELOPMENT CORPORATION

By: 
Printed Name: NEAL ORSINI
Title: PRES.

[ADDITIONAL SIGNATURE AND NOTARY CLAUSES ON NEXT PAGE]

WCC, LLC

Thomas F. Longe
By: Thomas F. Longe, Member

STATE OF NEW YORK)
COUNTY OF Warren) SS.:

On the 18 day of February, in the year 2020, before me, the undersigned, personally appeared Thomas F. Longe, 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.

[Signature]
Notary Public
Warren County Notary
9/9/2022

STATE OF Florida)
COUNTY OF Collier) SS.:

On the 17th day of February, in the year 2020, before me, the undersigned, personally appeared **THOMAS F. LONGE**, 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.

[Signature]
Notary Public

Foster Rhein
State of Florida
My Commission Expires 07/29/2021
Commission No. GG 110025

EXHIBIT A

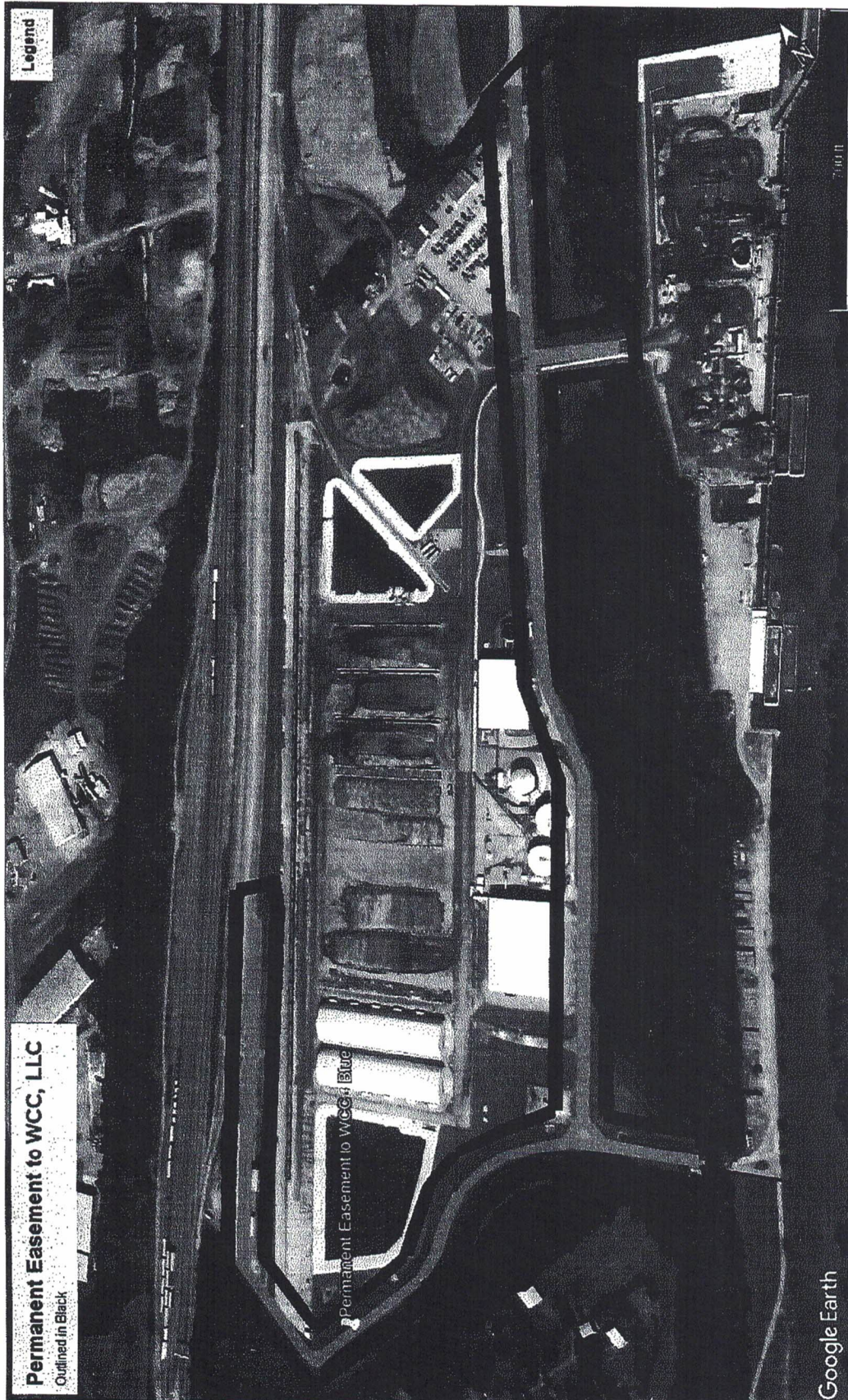


EXHIBIT B

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate, lying and being in the Town of Fort Edward, County of Washington and the State of New York, more particularly bounded and described as follows:

BEGINNING at a point in the easterly bounds of the lands of WCC LLC by deed book 900 at page 293, said point also being in the westerly bounds of the lands of the State of New York, thence running through the bounds of the lands of WCC LLC, the following two courses and distances: (1) along a curve to the left having a radius of 175.00 feet for a distance of 217.78 feet; (2) South 31 degrees, 39 minutes and 27 seconds West, a distance of 826.18 feet to a point in the northerly bounds of the lands as conveyed to the Town of Fort Edward by deed book 3218 at page 234; thence running in a westerly direction along the northerly bounds of the lands of the Town of Fort Edward, South 82 degrees, 11 minutes and 08 seconds West, a distance of 77.73 feet; thence running through the lands of WCC LLC, by deed book 900 at page 293, the following three courses and distances: (1) North 31 degrees, 39 minutes and 27 seconds East, a distance of 875.59 feet; (2) along a curve to the right having a radius of 235.00 feet for a distance of 292.45 feet; (3) South 77 degrees, 02 minutes and 27 seconds East, a distance of 21.32 feet to a point in the westerly bounds of the lands of the State of New York; thence running in a southerly direction along the westerly bounds of the lands of the State of New York, South 32 degrees, 31 minutes and 20 seconds West, a distance of 63.68 feet to the place and point of beginning, containing 1.54 acres of land to be the same more or less. Bearings given in the above description refer to grid North.

EXHIBIT C

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate, lying and being in the Town of Fort Edward, County of Washington and the State of New York, more particularly bounded and described as follows:

BEGINNING at the southwest corner of lands of WCC, LLC, by deed book 900 at page 293, and in the easterly bounds of the lands of the State of New York Canal Corporation by parcel 493 acquired from Jarvis P. O'Brien, March 14, 1907; running thence North 07 degrees, 18 minutes and 19 seconds West, along said lands of the State of New York Canal Corporation, crossing an existing road, a distance of 63.96 feet to a point therein for a corner; thence running South 77 degrees, 02 minutes and 27 seconds East, along the northerly bounds of said road, a distance of 207.14 feet to a point in the northerly bounds of said road and the southerly bounds of said lands of WCC, LLC.; thence running along said southerly bounds thereof, South 84 degrees, 59 minutes and 19 seconds West, a distance of 194.47 feet to the point and place of beginning, containing 0.14 acres of land to be the same more or less. Bearings given in the above description refer to grid North.

103-2-2011

OPTION AGREEMENT

THIS AGREEMENT, made this 18 day of February, 2020, by and between **FORT EDWARD LOCAL PROPERTY DEVELOPMENT CORPORATION a/k/a FT. EDWARD LOCAL PROPERTY DEVELOPMENT CORPORATION**, a Not-for-Profit Corporation, with a mailing address of P.O. Box 127, Fort Edward, New York 12828, hereinafter referred to as "Seller", and **WCC, LLC.**, a New York Limited Liability Company, with offices at 269 Ballard Road, Wilton, New York 12831, hereinafter referred to as "Buyer and/or WCC", provides as follows:


WHEREAS, Seller hereby grants to WCC an option to purchase real property situate partially in the Town of Fort Edward and partially in the Village of Fort Edward, the premises outlined / circled in the black as shown on Schedule A, which is attached hereto and made a part hereof;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. WCC shall pay to Seller a sum of Ten Thousand and 00/100 Dollars (\$10,000.00) on execution and delivery of this Option Agreement and Forty Thousand and 00/100 Dollars (\$40,000.00) shall be paid at time of closing and delivery of deed for the premises subject of this Option Agreement.
2. WCC shall pay to Seller a total sum of Fifty Thousand Dollars (\$50,000.00). The term of this option will be for twenty (20) years from the date hereof;
3. To exercise this option, WCC must give written notice of its intent to exercise same at least six (6) months before the termination date hereof, addressed to Seller at its above address. Closing will take place within ninety (90) days of notice of intent to exercise this option;
4. Title will be conveyed by Bargain and Sale Deed with covenant against grantors acts. Title to said premises will be unencumbered at time of closing;
5. WCC will obtain any and all necessary municipal approvals for the subdivision of this parcel from its other lands of Seller, at the expense of WCC;
6. Electronically transmitted signatures on this Agreement shall be acceptable to and enforceable against the parties, and this Agreement may be signed in counterparts; and
7. See next page for additional signature.

IN WITNESS WHEREOF, this agreement has been duly executed in duplicate by the parties hereto on the day and year first above written.

FORT EDWARD LOCAL PROPERTY DEVELOPMENT CORPORATION, Seller

By: 

Dated: 2/18, 2020

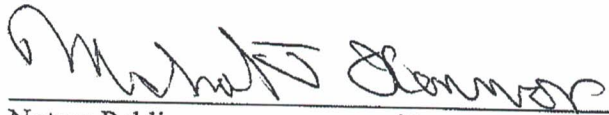
WCC, LLC

By: Thomas F. Longe
Thomas F. Longe, Member

Dated: 2-20-, 2020

STATE OF NEW YORK)
) SS.:
COUNTY OF Warren)


On the 18 day of February, in the year 2020, before me, the undersigned, personally appeared Paul O'Connor, 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.



Notary Public
Warren County Notary
Comm expires 9/9/2022

STATE OF New York)
) SS.:
COUNTY OF Warren)

On the 20 day of February, in the year 2020, before me, the undersigned, personally appeared **THOMAS F. LONGE**, 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.



Notary Public

MICHAEL J. O'CONNOR
Notary Public, State of New York
Warren Co. #02OC2937400
My Commission Expires Sept. 9, 2020

February 18, 2020

Suggested description of lands under an option agreement between Fort Edward Local Development Corporation and WCC LLC.

All that certain piece or parcel of land situate, lying and being in the Town of Fort Edward and the Village of Fort Edward, County of Washington and the State of New York, more particularly bounded and described as follows: **BEGINNING** at a point marking the northeasterly corner of lands as conveyed to the Fort Edward Local Development Corporation by deed book 4005 at page 132, said point also being in the southerly bounds of the lands as conveyed to the Town of Fort Edward by deed book 3218 at page 234, said point also being in the westerly bounds of the lands of the State of New York Champlain Canal; thence running in a southerly direction along the westerly bounds of the Champlain Canal, the following four courses and distances:

- (1) South 29 degrees, 34 minutes and 50 seconds West, a distance of 1220.55 feet;
- (2) South 00 degrees, 06 minutes and 10 seconds East, a distance of 297.86 feet;
- (3) North 69 degrees, 09 minutes and 20 seconds East, a distance of 42.12 feet;
- (4) South 34 degrees, 15 minutes and 20 seconds West, a distance of 1610.48 feet to a point in the easterly bounds of the lands as conveyed to Julia Wilson by deed book 2864 at page 287; thence running in a northerly direction along the easterly bounds of the lands of Wilson, North 07 degrees, 42 minutes and 02 seconds West, a distance of 179.92 feet to a point marking the northeasterly corner of the lands as conveyed to Wilson by deed book 2864 at page 287, said point also being within the bounds of the lands as conveyed to the Fort Edward Local Development Corporation by deed book 4005 at page 132 on the village town line; thence continuing through the lands of Fort Edward Local Development Corporation by deed book 4005 at page 132, the following eight courses and distances:

- (1) North 08 degrees, 09 minutes and 51 seconds West, a distance of 103.38 feet;
- (2) North 31 degrees, 07 minutes and 34 seconds East, a distance of 118.38 feet;
- (3) North 35 degrees, 31 minutes and 05 seconds East, a distance of 843.22 feet;
- (4) North 06 degrees, 11 minutes and 49 seconds West, a distance of 80.79 feet;
- (5) along a curve to the right having a radius of 300.00 feet for a distance of 201.07 feet;
- (6) North 32 degrees, 12 minutes and 18 seconds East, a distance of 211.64 feet;
- (7) North 25 degrees, 33 minutes and 53 seconds East, a distance of 163.86 feet;
- (8) North 31 degrees, 39 minutes and 27 seconds East, a distance of 1163.35 feet to a point in the southerly bounds of the lands of the Town of Fort Edward by deed book 3218 at page 234; thence running in an easterly direction along the southerly bounds of the lands of the Town of Fort Edward, North 82 degrees, 11 minutes and 08 seconds East, a distance of 128.29 feet to the place and point of beginning, containing 11.68 acres of land to be the same more or less.

Bearings given in the above description refer to grid North.

SUBJECT to easements of record.

Van Dusen & Steves
Land Surveyors
NYS Lic. # 50135

Schedule A.

Schedule A - FLPDC Option Agreement to WCC, LLC

Approximately 12.8 Total Acres (Federal Wetlands Approximately 8 Total Acres)

Legend

• FLPDC Option Agreement to WCC

CC - Blue

FLPDC Option Agreement to WCC, LLC

Google Earth

600 ft

Schedule A

ROAD PARCELS

<u>Sheet</u>	<u>Tax Map Parcel</u>	<u>Acreage</u>
1. S-1 Road/WCC, LLC	K 155-1-13.2	.61 acre
4. S 1&2 EPA	K 139-2-1 FE 163-2-15.1 FE 163-2-15.2	14.37 acres
5. S-3 State of New York	163-2-15.1	.4 acre
2. S-3 WCC, LLC	163-2-20	.14 acre
3. S-3 WCC, LLC	Part 163-2-20	1.54 acres
6. S-4 FELPD Corp.	Part 163.2-20.1	3.94 Acres?
8. S-4 Town of Ft. Edward (3218/234)	Part 163-2-19.1	.06 acre
7. S-4 FELPD Corp. Village of Fort Edward (4005/132)	Part 163.15-1-4	.06 acre

07-223-ROAD-WCC-LLC
Parcel 155.-1-13.2

February 19, 2020

Suggested description of proposed road through lands of WCC LLC.

All that certain piece or parcel of land situate, lying and being in the Town of Kingsbury, County of Washington and the State of New York, more particularly bounded and described as follows: **BEGINNING** at a point in the northwesterly bounds of lands of the People of the State of New York known as the Champlain Canal and located South 26 degrees, 36 minutes and 35 seconds West, a distance of 294.49 feet as measured along said line from the intersection with the southerly bounds of NYS Highway Route 196; running from thence South 26 degrees, 36 minutes and 35 seconds West, along said lands of the People of the State of New York, a distance of 80.30 feet to a point therein for a corner; thence running through the lands of said WCC LLC, the following seven courses and distances:

- (1) North 24 degrees, 42 minutes and 33 seconds West, a distance of 54.50 feet;
- (2) North 31 degrees, 13 minutes and 10 seconds West, a distance of 52.09 feet;
- (3) North 33 degrees, 29 minutes and 18 seconds West, a distance of 144.13 feet;
- (4) North 39 degrees, 20 minutes and 55 seconds West, a distance of 54.01 feet;
- (5) North 23 degrees, 25 minutes and 16 seconds West, a distance of 62.84 feet;
- (6) North 07 degrees, 43 minutes and 00 seconds West, a distance of 30.29 feet;
- (7) North 17 degrees, 52 minutes and 49 seconds East, a distance of 34.72 feet to a point in the southerly bounds of Newton Drive; thence running along the same, the following two courses and distances:

- (1) South 07 degrees, 43 minutes and 00 seconds East, a distance of 19.90 feet;
- (2) North 82 degrees, 17 minutes and 00 seconds East, a distance of 73.59 feet; thence running southeasterly through the lands of said Mary Hurley, the following Three courses and distances:

- (1) South 11 degrees, 34 minutes and 57 seconds East, a distance of 85.25 feet;
- (2) South 30 degrees, 51 minutes and 40 seconds East, a distance of 223.66 feet;
- (3) along a curve to the right having a radius of 230.00 feet, a distance of 22.23 feet to the point and place of beginning, containing 0.61 acres of land to be the same more or less.

Bearings given in the above description refer to grid North.

SUBJECT to easements of record.

Van Dusen & Staves
Land Surveyors
NYS Lic. # 50135

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07-223-ROAD-EPA
Portion of Kingsbury 139-2-1
Portions of Fort Edward 163.-2-15.1 & 163.-2-15.2

February 19, 2020

Suggested description of a portion of a proposed road.

All that certain piece or parcel of land situate, lying and being in the Town of Fort Edward and Town of Kingsbury, County of Washington and the State of New York, more particularly bounded and described as follows: **BEGINNING** at a point in the northwesterly bounds of the lands of the State of New York, known as the Champlain Canal at the southeasterly corner of the lands now or formerly of Mary Hurley as described in book 439 of deeds at page 661; running thence North 26 degrees, 36 minutes and 35 seconds East, along said lands of Hurley, a distance of 854.85 feet to an angle point in said lands; thence running South 63 degrees, 23 minutes and 25 seconds East, still along said lands of Hurley, a distance of 20.00 feet to an angle point therein for a corner; thence running through the lands of the grantor herein, South 63 degrees, 23 minutes and 25 seconds East, a distance of 69.04 feet; thence continuing through the lands of the grantor herein the following ten courses and distances:

- (1) South 26 degrees, 41 minutes and 23 seconds West, a distance of 423.57 feet;
- (2) South 23 degrees, 03 minutes and 11 seconds West, a distance of 683.80 feet;
- (3) South 26 degrees, 36 minutes and 35 seconds West, a distance of 2428.94 feet;
- (4) South 29 degrees, 26 minutes and 12 seconds West, a distance of 296.20 feet;
- (5) running along a curve to the right having a radius of 6030.00 feet, a distance of 808.34 feet; that same described curve having a chord length of 807.73 feet and bearing South 33 degrees, 16 minutes and 37 seconds West;
- (6) South 37 degrees, 07 minutes and 02 seconds West, a distance of 2932.52 feet;
- (7) South 38 degrees, 50 minutes and 05 seconds West, a distance of 399.82 feet;
- (8) South 37 degrees, 07 minutes and 02 seconds West, a distance of 1158.11 feet;
- (9) South 84 degrees, 59 minutes and 19 seconds West, a distance of 446.19 feet;
- (10) North 77 degrees, 02 minutes and 32 seconds West, a distance of 194.48 feet to an angle point in the said bounds of said lands of New York State, at a southwesterly corner of the lands of WCC. LLC; thence running along said lands of WCC. LLC, the following two courses and distances:

- (1) North 84 degrees, 59 minutes and 19 seconds East, a distance of 365.14 feet;
- (2) North 36 degrees, 57 minutes and 19 seconds East, a distance of 13.45 feet; thence running through the lands of the State of New York, the following three courses and distances:

- (1) North 84 degrees, 59 minutes and 19 seconds East, a distance of 164.01 feet;
- (2) North 61 degrees, 03 minutes and 10 seconds East, a distance of 137.94 feet;
- (3) North 37 degrees, 07 minutes and 02 seconds East, a distance of 982.56 feet to a point in a southerly line of said lands of WCC. LLC; thence running along said lands, the following four courses and distances:

- (1) North 81 degrees, 47 minutes and 19 seconds East, a distance of 21.32 feet;
- (2) North 36 degrees, 57 minutes and 19 seconds East, a distance of 433.26 feet;
- (3) North 36 degrees, 57 minutes and 19 seconds East, a distance of 1562.51 feet;

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(4) North 36 degrees, 57 minutes and 19 seconds East, a distance of 443.92 feet; thence running through the lands of the said State of New York, North 36 degrees, 57 minutes and 19 seconds East, a distance of 177.95 feet to the bounds of the lands of WCC, LLC; thence running along said lands the following two courses and distances:

(1) North 36 degrees, 57 minutes and 19 seconds East, a distance of 915.69 feet;
(2) North 34 degrees, 31 minutes and 01 seconds East, a distance of 241.23 feet to the northeasterly corner thereof at the southeasterly corner of the lands of Margaret Kennedy as described in book 953 of deeds at page 270; thence running along said lands the following three courses and distances:

(1) North 30 degrees, 53 minutes and 41 seconds East, a distance of 770.20 feet;
(2) North 26 degrees, 36 minutes and 35 seconds East, a distance of 327.26 feet;
(3) North 26 degrees, 36 minutes and 35 seconds East, a distance of 301.33 feet to the southeasterly corner of lands of Francis Hogan as described in book 795 of deeds at page 238; thence running along said lands, North 26 degrees, 36 minutes and 35 seconds East, a distance of 1764.15 feet to the northeasterly corner thereof; thence running along the northerly bounds thereof, South 81 degrees, 51 minutes and 35 seconds West, a distance of 92.33 feet; thence running through the lands of the said State of New York, North 26 degrees, 36 minutes and 35 seconds East, a distance of 166.20 feet to a point therein for a corner; thence still through the lands of the State of New York, passing over the Feeder Canal, North 26 degrees, 36 minutes and 35 seconds East, a distance of 99.01 feet to the point and place of beginning, containing 14.37 acres of land to be the same more or less.

Bearings given in the above description refer to grid North.

SUBJECT to easements of record.

Van Dusen & Steves
Land Surveyors
NYS Lic. # 50135

⑤

07-223-ROAD-NYS
Part of 163.-2-15.1

February 19, 2020

Suggested description of lands of the State of New York to be conveyed.

All that certain piece or parcel of land situate, lying and being in the Town of Fort Edward, County of Washington and the State of New York being portions of parcel 493 acquired from Jarvis P. O'Brien, March 14, 1907 and parcel 5126 acquired from Jarvis P. O'Brien, March 14, 1907, more particularly bounded and described as follows: **BEGINNING** at a point in the most northerly corner of the said lands of the State of New York Canal Corporation, at the most northerly corner of both parcels 493 and 5126 as noted above and in the westerly bounds of the lands of WCC, LLC., by deed book 900 at page 293; running from thence South 07 degrees, 18 minutes and 19 seconds East, along said WCC, LLC., a distance of 242.65 feet to a point in the southerly bounds of a road for the GE Corporation; thence running North 77 degrees, 02 minutes and 27 seconds West, along said southerly bounds of said road, a distance of 164.93 feet to the westerly bounds of said lands of State of New York Canal Corporation; thence running along said bounds, North 32 degrees, 31 minutes and 20 seconds East, a distance of 241.57 feet to the point and place of beginning, containing 0.4 acres of lands to be the same more or less.

Bearings given in the above description refer to grid North.

SUBJECT to easements of record.

Van Dusen & Steves
Land Surveyors
NYS Lic. # 50135

07-223-ROAD-WCC-2
Part of 163.-2-20

February 19, 2020

Triangulation
(2)

Suggested description of property to be conveyed by WCC, LLC.

All that certain piece or parcel of land situate, lying and being in the Town of Fort Edward, County of Washington and the State of New York, more particularly bounded and described as follows: **BEGINNING** at the southwest corner of lands of WCC, LLC, by deed book 900 at page 293, and in the easterly bounds of the lands of the State of New York Canal Corporation by parcel 493 acquired from Jarvis P. O'Brien, March 14, 1907; running thence North 07 degrees, 18 minutes and 19 seconds West, along said lands of the State of New York Canal Corporation, crossing an existing road, a distance of 63.96 feet to a point therein for a corner; thence running South 77 degrees, 02 minutes and 27 seconds East, along the northerly bounds of said road, a distance of 207.14 feet to a point in the northerly bounds of said road and the southerly bounds of said lands of WCC, LLC.; thence running along said southerly bounds thereof, South 84 degrees, 59 minutes and 19 seconds West, a distance of 194.47 feet to the point and place of beginning, containing 0.14 acres of land to be the same more or less.

Bearings given in the above description refer to grid North.

SUBJECT to easements of record.

Van Dusen & Steves
Land Surveyors
NYS Lic. # 50135

3

07-223-WCC-LLC-3
Part of 163.-2-20

February 19, 2020

Suggested description of a proposed road through the lands of WCC LLC.

All that certain piece or parcel of land situate, lying and being in the Town of Fort Edward, County of Washington and the State of New York, more particularly bounded and described as follows: **BEGINNING** at a point in the easterly bounds of the lands of WCC LLC by deed book 900 at page 293, said point also being in the westerly bounds of the lands of the State of New York, thence running through the bounds of the lands of WCC LLC, the following two courses and distances:

(1) along a curve to the left having a radius of 175.00 feet for a distance of 217.78 feet;
(2) South 31 degrees, 39 minutes and 27 seconds West, a distance of 826.18 feet to a point in the northerly bounds of the lands as conveyed to the Town of Fort Edward by deed book 3218 at page 234; thence running in a westerly direction along the northerly bounds of the lands of the Town of Fort Edward, South 82 degrees, 11 minutes and 08 seconds West, a distance of 77.73 feet; thence running through the lands of WCC LLC, by deed book 900 at page 293, the following three courses and distances:

(1) North 31 degrees, 39 minutes and 27 seconds East, a distance of 875.59 feet;
(2) along a curve to the right having a radius of 235.00 feet for a distance of 292.45 feet;
(3) South 77 degrees, 02 minutes and 27 seconds East, a distance of 21.32 feet to a point in the westerly bounds of the lands of the State of New York; thence running in a southerly direction along the westerly bounds of the lands of the State of New York, South 32 degrees, 31 minutes and 20 seconds West, a distance of 63.68 feet to the place and point of beginning, containing 1.54 acres of land to be the same more or less.

Bearings given in the above description refer to grid North.

SUBJECT to easements of record.

Van Dusen & Steves
Land Surveyors
NYS Lic. # 50135

Shutty 106 Valley
988 Town

6

07-223roadFortEdLocalDevCorp
Part of Town 163.-2-20.1
Part of Village 163.15-1-4

February 19, 2020

Suggested description of a proposed road through the lands of Fort Edward Local Development Corp.

All that certain piece or parcel of land situate, lying and being in the Town of Fort Edward and the Village of Fort Edward, County of Washington and the State of New York, more particularly bounded and described as follows: **BEGINNING** at a point in the northerly bounds of the lands as conveyed to the Fort Edward Local Development Corp by deed book 4005 at page 132, said point also being in the southerly bounds of the lands as conveyed to the Town of Fort Edward by deed book 3218 at page 234, said point of beginning being further located, South 82 degrees, 11 minutes and 08 seconds West, a distance of 128.29 feet from the northeasterly corner of lands as conveyed to the Fort Edward Local Development Corp by deed book 4005 at page 132; thence running through the lands of the Fort Edward Local Development Corp, the following sixteen courses and distances:

- (1) South 31 degrees, 39 minutes and 27 seconds West, a distance of 1163.35 feet;
- (2) South 25 degrees, 33 minutes and 53 seconds West, a distance of 163.86 feet;
- (3) South 32 degrees, 12 minutes and 18 seconds West, a distance of 211.64 feet;
- (4) along a curve to the left having a radius of 300.00 feet for a distance of 201.07 feet;
- (5) South 06 degrees, 11 minutes and 49 seconds East, a distance of 80.79 feet;
- (6) South 35 degrees, 31 minutes and 05 seconds West, a distance of 843.22 feet;
- (7) South 31 degrees, 07 minutes and 34 seconds West, a distance of 118.38 feet;
- (8) North 52 degrees, 09 minutes and 49 seconds West, a distance of 69.12 feet
- (9) North 35 degrees, 31 minutes and 05 seconds East, a distance of 671.88 feet;
- (10) North 20 degrees, 05 minutes and 20 seconds East, a distance of 53.02 feet;
- (11) North 34 degrees, 53 minutes and 13 seconds East, a distance of 186.43 feet;
- (12) North 28 degrees, 01 minutes and 42 seconds East, a distance of 52.43 feet;
- (13) North 06 degrees, 11 minutes and 49 seconds West, a distance of 148.74 feet;
- (14) North 32 degrees, 12 minutes and 18 seconds East, a distance of 333.53 feet;
- (15) North 25 degrees, 33 minutes and 53 seconds East, a distance of 163.57 feet;
- (16) North 31 degrees, 39 minutes and 27 seconds East, a distance of 1117.13 feet to a point in the northerly bounds of the lands of the Fort Edward Local Development Corp and the southerly bounds of the lands of the Town of Fort Edward; thence running in the easterly direction along the northerly bounds of the lands of Fort Edward Local Development Corp, North 82 degrees, 11 minutes and 08 seconds East, a distance of 77.73 feet to the place and point of beginning, containing 3.94 acres of land to be the same more or less.

Bearings given in the above description refer to grid North. Van Dusen & Steves
SUBJECT to easements of record. Land Surveyors

NYS Lic. # 50135

Ditch

163-2-19.1

8

07-223-roadTownofFortEdward
Part of 163.-2-19.1

February 19, 2020

Suggested description of a proposed road through the lands of the Town of Fort Edward.

All that certain piece or parcel of land situate, lying and being in the Town of Fort Edward, County of Washington and the State of New York, more particularly bounded and described as follows: **BEGINNING** at a point in the northerly bounds of the lands of the Town of Fort Edward, by deed book 3218 at page 234, said point of beginning being located South 82 degrees, 11 minutes and 08 seconds West, a distance of 126.31 feet from the northeasterly most corner of the lands as conveyed to the Town of Fort Edward by deed book 3218 at page 234; thence running through the lands of the Town of Fort Edward, South 31 degrees, 39 minutes and 27 seconds West, a distance of 43.58 feet to a point in the northerly bounds of the lands as conveyed to the Fort Edward Local Development Corp by deed book 4005 at page 132; thence running in a westerly direction along the northerly bounds of the Fort Edward Local Development Corp, South 82 degrees, 11 minutes and 08 seconds West, a distance of 77.73 feet; thence running through the lands of the Town of Fort Edward, North 31 degrees, 39 minutes and 27 seconds East, a distance of 43.58 feet to a point in the northerly bounds of the lands of the Town of Fort Edward by deed book 3218 at page 234; thence running North 82 degrees, 11 minutes and 08 seconds East, a distance of 77.73 feet to the place and point of beginning, containing 0.06 acres of land to be the same more or less.

Bearings given in the above description refer to grid North.

SUBJECT to easements of record.

Van Dusen & Steves
Land Surveyors
NYS Lic. # 50135

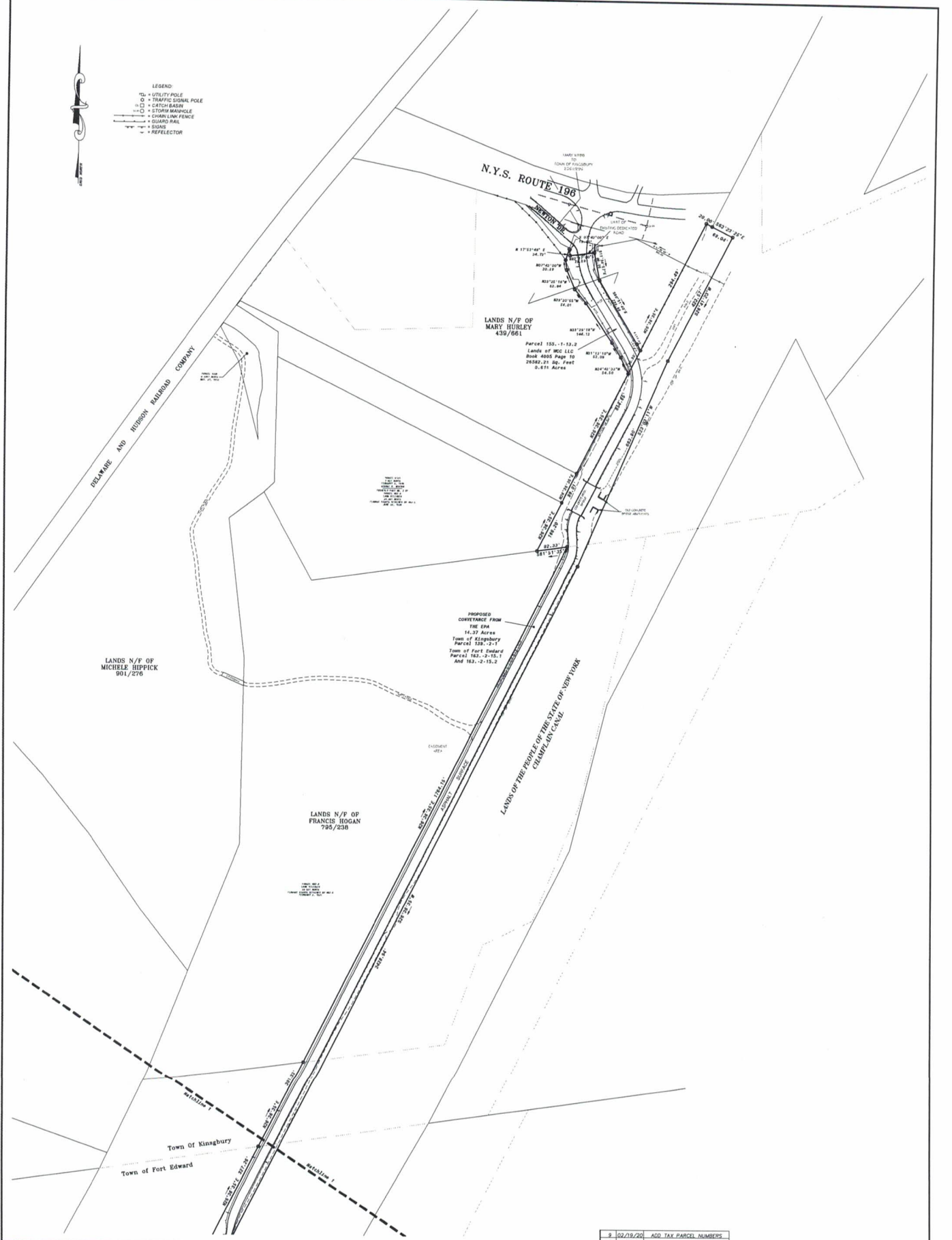
ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate, lying and being in the Village of Fort Edward, County of Washington and State of New York, more particularly bounded and described as follows:

BEGINNING at a point in the corner boundary line between the Village of Fort Edward and the Town of Fort Edward a distance of 103.38 feet North of the southeast corner of lands now or formerly of Fort Edward Local Development Corp. and the northeast corner of lands now or formerly of Julia Wilson (2864/287) which course runs N 08° 09' 51" W; running thence from said point of beginning on a course N 52° 29' 49" W. a distance of 69.12' to a point; running thence on a course N 35° 31' 05" E. a distance of 69.52' to a point; running thence on a course S 08° 09' 51" E a distance of 100 to the point or place of beginning.

Said parcel contains 2400.8 sq. feet or 0.06 acre and being part of Tax Map Parcel Number 163.15-1-4.



- LEGEND
- = UTILITY POLE
 - = TRAFFIC SIGNAL POLE
 - = CATCH BASIN
 - = STORM MANHOLE
 - = CHAIN LINK FENCE
 - = GUARD RAIL
 - = SUBWAY
 - = REFLECTOR



van Dusen & Steves
Land Surveyors

169 Haviland Road
Queensbury, New York 12804
(518) 795-8474

Map of a Survey made for
Fort Edward Local Development Corp.

Town of Fort Edward, Washington County, New York
Town of Kingbury, Washington County, New York

NO.	DATE	DESCRIPTION
3	02/18/20	ADD TAX PARCEL NUMBERS
6	11/21/19	EXISTING ROAD LIMITS
7	11/21/19	WCE LLC PARCEL 155-1-13.2
8	03/21/19	MISC. REVISIONS
5	12/17/18	WEBB PROPERTY DATA
4	2/03/17	WEBB PROPERTY DATA
3	2/01/11	LOCATE BOTTOM OF BANK
2	12/22/00	PROPOSED ROAD BOUNDS
1	4/12/10	Wetlands/Easements

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.



- LEGEND:
- = UTILITY POLE
 - = TRAFFIC SIGNAL POLE
 - = CATCH BASIN
 - = STORM MANHOLE
 - = CHANNEL FENCE
 - = GUARD RAIL
 - = FENCE
 - = REFLECTOR

DELAWARE AND HUDSON RAILROAD COMPANY

Town of Kingsbury
Town of Fort Edward

LANDS N/F OF
MARGARET KENNEDY
953/270

LANDS N/F OF
WCC, LLC
909/293

PROPOSED
CONVEYANCE FROM
THE CMA
14.37 Acres
Town of Kingsbury
Parcel 150-15.1
Town of Fort Edward
Parcel 152-15.1
And 153-15.2

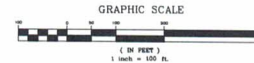
LANDS OF THE PEOPLE OF THE STATE OF NEW YORK
CHAMPLAIN CANAL

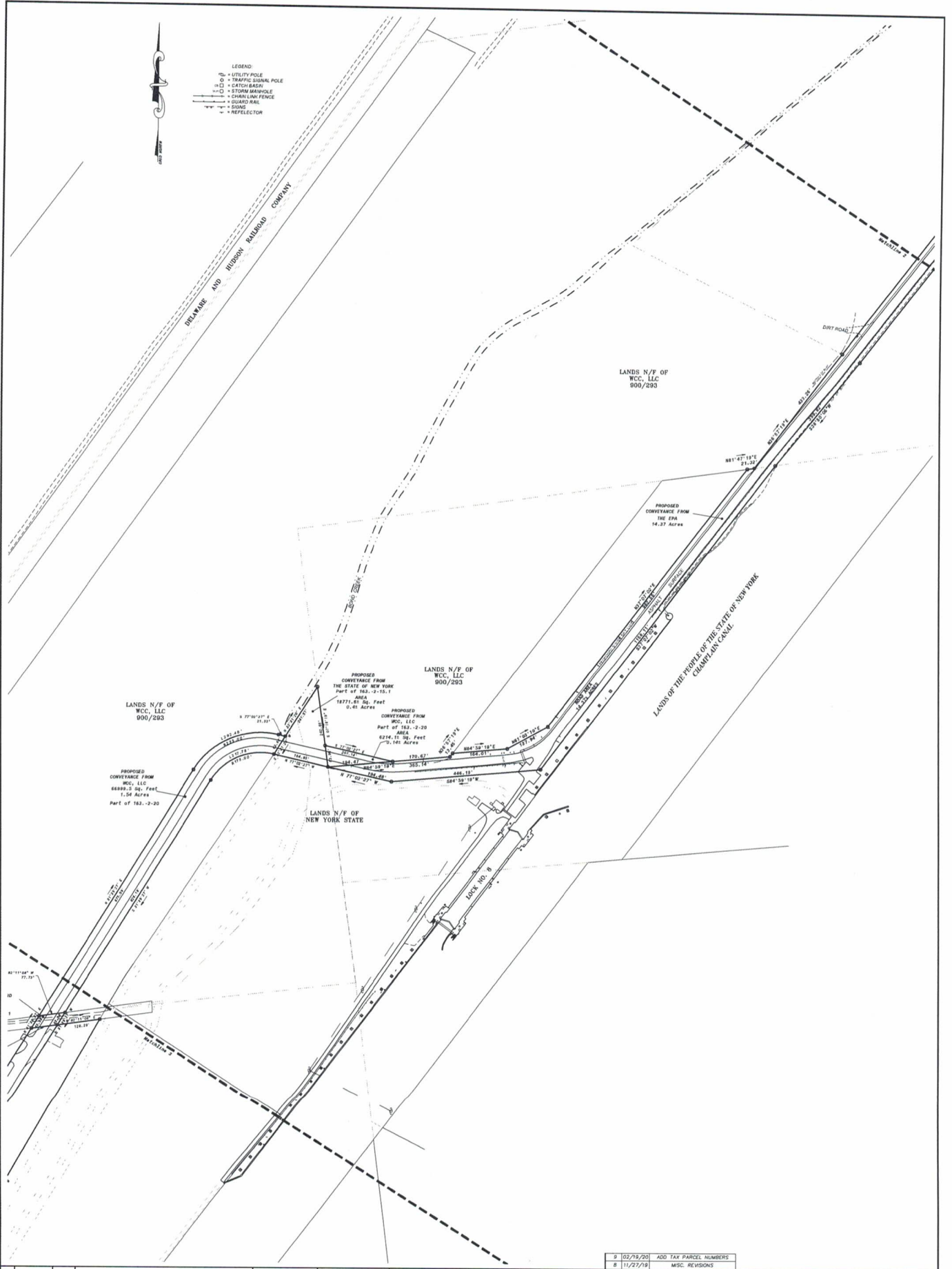
Van Dusen
& Steves
Land Surveyors

160 Haviland Road Queensbury, New York 12004
(518) 792-8474 New York Lic. No. 50135

Map of a Survey made for
Fort Edward Local Development Corp.
Town of Fort Edward, Washington County, New York
Town of Kingsbury, Washington County, New York

NO.	DATE	DESCRIPTION
9	02/15/20	ADD TAX PARCEL NUMBERS
8	11/27/19	MISC. REVISIONS
7	11/27/19	MISC. REVISIONS
6	03/05/19	MISC. REVISIONS
5	12/17/18	WEBB PROPERTY DATA
4	2/03/17	WEBB PROPERTY DATA
3	2/01/11	LOCATE BOTTOM OF BANK
2	12/22/10	PROPOSED ROAD BOUNDS
1	4/25/05	Relativity/Comments





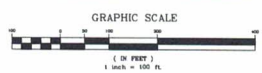
S-3
SHEET 1 OF 1
DATE: 05/11/2011
BY: J. A. DUSEN

Van Dusen & Steves
Land Surveyors
169 Raviland Road
Queensbury, New York 12804
(518) 782-8474
New York License No. 12804
New York License No. 85135

THIS SURVEY WAS MADE FOR THE PURPOSE OF LOCATING THE PROPOSED CONVEYANCE FROM THE STATE OF NEW YORK TO WCC, LLC. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER PURPOSES FOR WHICH THIS SURVEY MAY BE USED. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PURPOSES FOR WHICH THE SURVEY WAS MADE. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE SURVEY FOR ANY OTHER PURPOSES. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PURPOSES FOR WHICH THE SURVEY WAS MADE. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE SURVEY FOR ANY OTHER PURPOSES.

Map of a Survey made for
Fort Edward Local Development Corp.
Town of Fort Edward, Washington County, New York

9	05/19/20	ADD TAX PARCEL NUMBERS
8	11/27/19	MISC. REVISIONS
7	11/21/19	MISC. REVISIONS
6	03/25/19	MISC. REVISIONS
5	12/17/18	PROPOSED CONVEYANCES
4	2/23/11	PROPOSED ROW ADDED
3	2/01/11	LOCATE BOTTOM OF BANK
2	12/22/10	PROPOSED ROAD BOUNDS
1	4/23/10	Wetlands/Cosmetics
NO.	DATE	DESCRIPTION





- LEGEND
- = UTILITY POLE
 - = TRAFFIC SIGNAL POLE
 - = CATCH BASIN
 - = STORM MANHOLE
 - = CHARLTON FENCE
 - = GUARD RAIL
 - = SLOPE
 - = REFLECTOR

PROPOSED
CONVEYANCE FROM
WGL, LLC
6689.3 Sq. Feet
1.56 Acres
Part of 162-2-20

PROPOSED
CONVEYANCE FROM
TOWN OF FORT EDWARD
2615.1 Sq. Feet
0.60 Acres
Part of 162-2-19.1

LANDS N/W OF
FORT EDWARD LOCAL
DEVELOPMENT CORP.
4005/132
193-2-20.1

PROPOSED
CONVEYANCE FROM
FORT EDWARD LOCAL DEVELOPMENT CORP.
Part of 162-2-20.1
171586.7 Sq. Feet
3.94 Acres
TOTAL
PORTION WITHIN THE TOWN
168880.3 Sq. Feet
3.88 Acres

OPTION AGREEMENT
AREA
50885.7 Sq. Feet
1.16 Acres

LANDS OF THE PEOPLE OF THE STATE OF NEW YORK
CHENOA (C&M)
162-1-15.1

Town of Fort Edward
Village of Fort Edward

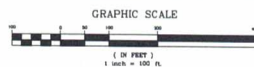
LANDS N/W OF
FORT EDWARD LOCAL
DEVELOPMENT CORP.
PORTION WITHIN THE VILLAGE
8900.8 Sq. Feet
0.20 Acres
Part of 162-15-1-4

LANDS N/W OF
JULIA WILSON
2084/207
162-18-1-0.2

van Dusen & Steves
Land Surveyors
169 Bayland Road
Queensbury, New York 12804
(518) 782-8474
New York Lic. No. 80135

Map of a Survey made for
Fort Edward Local Development Corp.
Town of Fort Edward, Washington County, New York
Village of Fort Edward, Washington County, New York

NO.	DATE	DESCRIPTION
2	02/19/20	ADD TAX PARCEL NUMBERS
1	02/18/20	ROAD & OPTION AGREEMENT



QUITCLAIM DEED

THIS INDENTURE, made this 18 day of February, Two Thousand Twenty,

BETWEEN WCC, LLC, a New York Limited Liability Company, with offices at 269 Ballard Road, Wilton, New York 12831,
party of the first part, and

COUNTIES OF WARREN & WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY (WWIDA), with offices at 5 Warren Street, Suite 210, Glens Falls, NY 12801
party of the second part,

WITNESSETH that the party of the first part, in consideration of ONE DOLLAR (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, its successors and assigns forever,

ALL THAT PIECE OR PARCEL OF LAND, situate in the Town of Kingsbury, County of Washington and State of New York, described in SCHEDULE A, which is attached hereto and made a part hereof.

SUBJECT to easements and restrictions of record.

BEING the premises conveyed by Mary Webb, f/k/a Mary Hurley to WCC, LLC by deed dated December 27, 2018 and recorded in the Washington County Clerk's Office on December 28, 2018 in Book 4005 at Page 10 as Instrument #2018-00124241.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, the party of the first part has hereunto set its hand and seal the day and year first above written.

IN PRESENCE OF

WCC, LLC

By: Thomas F. Longe
Thomas F. Longe, Member

STATE OF FLORIDA)
COUNTY OF Warren) SS.:

On the 20 day of February, in the year 2020, before me, the undersigned, personally appeared THOMAS F. LONGE, 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.

Michael J. O'Connor
Notary Public

MICHAEL J. O'CONNOR
Notary Public, State of New York
Warren Co. #02002937400
My Commission Expires Sept. 9, 2028

SCHEDULE A

All that certain piece or parcel of land situate, lying and being in the Town of Kingsbury, County of Washington and the State of New York, more particularly bounded and described as follows: **BEGINNING** at a point in the northwesterly bounds of lands of the People of the State of New York known as the Champlain Canal and located South 26 degrees, 36 minutes and 35 seconds West, a distance of 294.49 feet as measured along said line from the intersection with the southerly bounds of NYS Highway Route 196; running from thence South 26 degrees, 36 minutes and 35 seconds West, along said lands of the People of the State of New York, a distance of 80.30 feet to a point therein for a corner; thence running through the lands of said Mary Hurley, the following seven courses and distances:

- (1) North 24 degrees, 42 minutes and 33 seconds West, a distance of 54.50 feet;
- (2) North 31 degrees, 13 minutes and 10 seconds West, a distance of 52.09 feet;
- (3) North 33 degrees, 29 minutes and 18 seconds West, a distance of 144.13 feet;
- (4) North 39 degrees, 20 minutes and 55 seconds West, a distance of 54.01 feet;
- (5) North 23 degrees, 25 minutes and 16 seconds West, a distance of 62.84 feet;
- (6) North 07 degrees, 43 minutes and 00 seconds West, a distance of 30.29 feet;
- (7) North 17 degrees, 52 minutes and 49 seconds East, a distance of 34.72 feet to a point in the southerly bounds of Newton Drive; thence running along the same, the following two courses and distances:

- (1) South 07 degrees, 43 minutes and 00 seconds East, a distance of 19.90 feet;
- (2) North 82 degrees, 17 minutes and 00 seconds East, a distance of 73.59 feet; thence running southeasterly through the lands of said Mary Webb, the following Three courses and distances:

- (1) South 11 degrees, 34 minutes and 57 seconds East, a distance of 85.25 feet;
- (2) South 30 degrees, 51 minutes and 40 seconds East, a distance of 223.66 feet;
- (3) along a curve to the right having a radius of 230.00 feet, a distance of 22.23 feet to the point and place of beginning, containing 0.61 acres of land to be the same more or less.

Bearings given in the above description refer to grid North.

SUBJECT to easements of record.

EXCEPTING AND RESERVING therefrom a permanent easement to use the cattle tunnel that passes under the road constructed on the above described parcel; which easement will be for allowing passage from and to the remainder of my property on each side of the parcel being conveyed for animals by using the existing cattle tunnel; this is a permanent easement that will run with the land and be binding on the successors and assigns of WCC, LLC. WCC, LLC, its successors and assigns will be responsible for maintenance of said cattle tunnel.