

nationalgrid

Halina M. Gajewski
Real Estate Representative
Property Assets and Real Estate

November 3, 2005

Timothy R. Haskins
United Development Corp.
400 Jordan Road
Troy, New York 12180

**Re: Carriage Hill Estates
Pinewoods Avenue and Route 2, Brunswick, New York
Proposed Niagara Mohawk Right-of-Way Crossings**

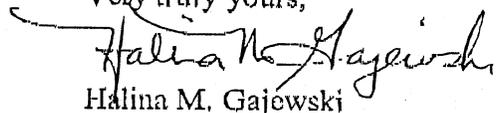
Dear Mr. Haskins:

We have reviewed the drawings L-3, L-4, L-7 and L-8 dated October 13, 2005 as prepared by Saratoga Associates for the above project, which include crossings over Niagara Mohawk's electric and gas transmission line rights-of-way. The proposed request appears feasible, subject to the following:

- Receipt of plan and profile drawings of each of the right-of-way crossings, together with proposed grading plan, showing that Niagara Mohawk's standards (previously provided to you) have been met regarding vertical and horizontal clearances from the appropriate electric structures and conductors, and gas transmission lines
- Approval of the crossing request by the appropriate reviewing departments at Niagara Mohawk, which include Legal, Environmental, Business Services, Gas Transmission Engineering and Electric Transmission Engineering
- Upon approval of the crossings by Niagara Mohawk, execution by the property owner of the appropriate Easement, License and/or Assent documents
- Upon approval of the crossings by Niagara Mohawk, receipt of a Certificate of Insurance in the standard contractual amounts (to be provided to you)
- Upon approval of the crossings by Niagara Mohawk, payment of the usual and customary charges for review and administration of the crossing request, in an amount to be determined

Thank you for your assistance and attention in this matter. Please let me know if you have any questions.

Very truly yours,


Halina M. Gajewski

1126 Broadway, 2nd Floor
Albany, NY 12204
518-433-3604 Fax: 518-433-3643
Halina.Gajewski@us.ngrid.com



New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

October 26, 2005

Michael J. Uccellini
United Development Group
400 Jordan Road
Troy, New York 12180

Dear Mr. Uccellini:

Re: CORPS PERMITS/DEC
Carriage Hill Estates
NY 2/Pinewood Avenue
Brunswick, Rensselaer County
04PR02662

The State Historic Preservation Office (SHPO) has reviewed the information submitted for this project. Our review has been in accordance with Section 106 of the National Historic Preservation Act and relevant implementing regulations.

The SHPO has reviewed the 3 reports submitted for the Carriage Hill Estates and ancillary sewer line. Based on our review, the SHPO understands that 3 historic sites will be avoided. These include:

A08302.000213 Carriage Hill 5
A08302.000217 Carriage Hill 9
A08302.000219 W.J. Stillman Site (SUBi 2537)

It is the opinion of the SHPO that the project will have No Adverse Effect on historic properties in or eligible for inclusion in the State and National Registers of Historic Places with the condition that an approved Avoidance Plan is implemented.

The Avoidance Plan should include:

- Short term- Each site should be identified on the project plans as a “sensitive area” requiring avoidance. Fencing will need to be in place throughout construction. During the preconstruction meeting the applicant shall inform the EIC and other key construction officials of the avoidance/protection requirement.
- Long term- An Archeology Covenant (sample enclosed) will need to be included with each property that contains any portion of the three sites noted.



Michael J. Uccellini

If you have any questions, please call me at (518) 237-8643, extension 3288.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Blakemore".

Cynthia Blakemore
Historic Preservation Program Analyst

CMB:bsa

Enclosure: Sample Covenant

cc: Landmark Archaeology, Inc.
PAF

SAMPLE COVENANT

In consideration of the conveyance of certain real property, hereinafter referred to as [**name of property**] located in the City of _____, County of _____, State of New York, which is more fully described as follows:

[**insert legal description**]

[**name of recipient**] hereby covenants and agrees on behalf of [**him/her/itself**], [**his/her/its**] heirs, successors, and assigns at all times with the New York State Office of Parks, Recreation and Historic Preservation or its successor agency, hereinafter referred to as OPRHP, that should any change in land use be proposed which would result in ground disturbing activities, the OPRHP must approve in writing plans for the proposed change.

This covenant is binding upon [**name of recipient**], [**his/her/its**] heirs, successors and assigns in perpetuity, and shall be inserted verbatim or by express reference in any deed or other legal instrument by which

[**he/she/it**] divests [**him/her/itself**] of either the fee simple title or any other lesser estate in the [**name of property**] or any part thereof. The failure of the OPRHP to exercise any right or remedy granted under this instrument shall not have the effect of waiving or limiting the exercise of any other right or remedy or the use of such right or remedy at any other time.



RENSSELAER COUNTY DEPARTMENT of ENGINEERING and HIGHWAYS

Kathleen M. Jimino
County Executive

NOV - 1 2005

Frederick M. Howard, P.E.
County Engineer
fshoward@rensco.com

October 28, 2005

TSA Proj. Name:	_____
TSA Proj. #:	_____
Sub-File #:	_____
Originator:	_____
Cc:	_____

Mr. Richard C. Miller, P.E.
Saratoga Associates
443 Broadway
Saratoga Springs, NY 12866

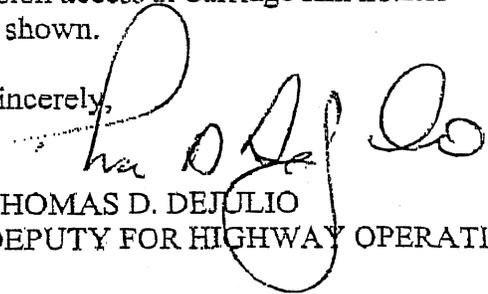
RE: Carriage Hill Estates
Route 2, Town of Brunswick

Dear Mr. Miller:

Post-it® Fax Note	7671	Date	11/1/05	# of pages	2
To	Tim Haskin	From	Rich Miller		
Co./Dept.	FYI	Co.			
Phone #		Phone #			
Fax #	434-6927	Fax #			

I have reviewed the revised Pinewoods Avenue Extension access at Carriage Hill Estates and approve of the relocation of the center medium as shown.

Sincerely,

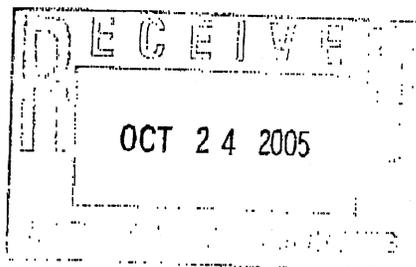

THOMAS D. DEJULIO
DEPUTY FOR HIGHWAY OPERATIONS

TDD/pd

cc: Fred Howard, County Engineer



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION ONE
328 STATE STREET
SCHENECTADY, NEW YORK 12305
www.dot.state.ny.us



THOMAS C. WERNER, P.E.
REGIONAL DIRECTOR

THOMAS J. MADISON, JR.
ACTING COMMISSIONER

October 19, 2005

Mr. Richard C. Miller, PE
Saratoga Associates
443 Broadway
Saratoga Springs, NY 12866

Post-it® Fax Note	7671	Date	10/24/05	# of pages	2
To	Tim Haskin	From	Rich Miller		
Co./Dept.	FYI	Co.			
Phone #		Phone #			
Fax #	434-6427	Fax #			

Re: Carriage Hill Estates
Route 2, Town of Brunswick

Dear Mr. Miller:

We have reviewed the responses to our October 5, 2005 letter on Carriage Hill Estates submitted with your October 12, 2005, letter. Our comments are:

- 1) We conceptually approve the location and layout of the proposed Town Road intersection with Route 2. If curb or asphalt wing gutter will be installed along the proposed Town Road, it must terminate a minimum of 4 feet from the existing Route 2 edge of shoulder.
- 2) The construction plans must include provisions for the maintenance and protection of traffic along Route 2 while the Town Road access and stormwater pipe system are being installed.
- 3) While the Town Road profile initially slopes away from the Route 2 edge of shoulder and the storm water pipe system and detention basin are proposed to be constructed entirely off of the State Highway Right-of-Way, there appears to be the potential for a significant amount of runoff coming down the Town Road to the catch basins at its low point before intersecting Route 2. A storm water management report stamped by a Professional Engineer must be submitted for our review and approval. The report should include calculations showing that the

proposed catch basins/grates will be adequate to handle the flow coming down the road, and that no runoff will sheet flow across Route 2.

If you have any questions on this, please call Matt Bromirski at 388-0380.

Sincerely,

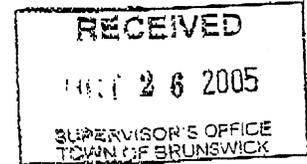
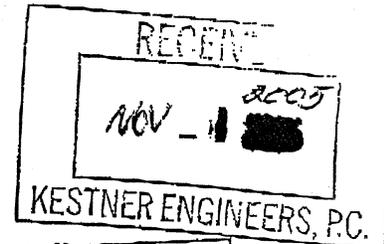


Mark J. Kennedy
Acting Regional Traffic Engineer

- c: Jan Meilhede, Rensselaer County Resident Engineer
- Andrew Gilchrist, Attorney, Town of Brunswick Town Board
- Mark Kestner, Kestner Engineering

Board of Fire Commissioners
EAGLE MILLS FIRE DISTRICT NO. 1

◆◆◆◆
 627 Brunswick Road
 Troy, New York 12180-6907



October 17, 2005

Mr. Phillip H. Herrington
 Supervisor
 Town Of Brunswick
 308 Town Office Road
 Troy, New York 12180

Re: Unitedgroup Letter of September 30, 2005

Dear Supervisor Herrington:

In response to the letter from Unitedgroup, let me address a few issues. Our contention is that ISO has informed us that if we have 5 or more three story buildings located in the Eagle Mills Fire District we will have to have a ladder truck or one within 2.5 miles. If we do not have this truck or an automatic aid (ladder truck) within 2.5 miles than our rating could drop and cause an increase to taxpayers in our district.

I would like to clear up some misinformation in Mr. Uccellini's letter and ask for further documentation. First, he indicates that "both of these fire departments are 2/10ths of a mile passed the required distance). Which two is he referring to, Wynantskill is 2.7 and Brunswick # 1 is 2.9 miles. The City of Troy would be well over 3.5 miles and Defreestville Fire Department does not have a ladder truck. Secondly, he indicates that there would probably not be a change in the community rating. We would like to see this in writing from ISO.

We would like to see the rating formulas that the consultant used in determining that the rate increase would only be 2%. In addition, we would like to see a list of homeowner insurance carriers that are only using ISO as advisory and not contemplating them in their rate calculations.

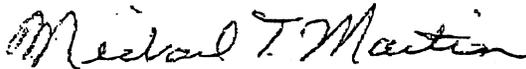
CC: CAROLYN ABRAMS
 CARL CLEMENTE
 PAT POLETO
 SAM SALVI
 MARK KESTNER
 ANDY GILCHRIST

Page 2

It has been our intention to get our rating lowered and decrease the insurance rates for our taxpayers. If we have to purchase a ladder truck, we will have to increase our taxes to cover the cost of a ladder truck which could be over \$600,000. This would take funds from our original plan of adding another engine-tanker that we could use to improve our rating. So not only do we have to increase taxes, it also takes us off our apparatus purchase plan.

Should you have any questions or concerns please do not hesitate to call. Thank you for your attention in this matter.

Sincerely,



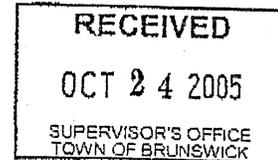
Michael T. Martin
Chairman
Eagle Mills Fire District #1

BRUNSWICK CENTRAL SCHOOL DISTRICT
Board of Education

BRITTONKILL

October 6, 2005

Brunswick Town Board
Town Office Road
Troy NY 12180



RE: Planned development in the town of Brunswick

Dear Members of the Board,

The Brittonkill Board of Education is respectfully requesting a dialogue with the Brunswick Town Board concerning the proposed housing developments within the Brittonkill School District and the potential effect that development may have on future enrollment at Brittonkill Central Schools. Several members of the community have expressed concern to us about a potential rapid increase in the number of school-age children that could arise from the proposed development, and have asked the Brittonkill Board what plans we have in place for accommodating those students without overcrowding or significant tax increases to the current residents. The history of such rapid development in other towns has generally shown that increased tax revenues are not commensurate with the increased cost of education. We are hoping through this proposed dialogue that together we could plan for this potential increased enrollment and the possibility of having to build additional school space to accommodate the students. For example, it might be appropriate for the town to ask the developers to donate land that could be used for a new school site should that need arise. We are also asking the Town Board to consider hiring a professional demographer to assess the potential impact of the proposed development on student enrollment, as only such professional review will settle the matter for the concerned members of our school community. The Brittonkill Board of Education stands ready to cooperate with such a demographic analysis by providing the demographer with appropriate school records required for the study.

We look forward to meeting with you and helping you to end the speculation in the community regarding the impact of the proposed development on the educational program at Brittonkill and the possible increase in school taxes paid by our citizens.

Sincerely,

Debora DuJack
Debora DuJack
Board President

92 NY 2, Troy, New York 12180

(518) 279-4600

Fax (518) 279-1918



September 30, 2005

Phillip H. Herrington, Supervisor
Town of Brunswick
Brunswick Town Office
308 Town Office Road
Troy, New York 12180

Dear Supervisor Herrington:

This letter is in response to Chairman Michael Martin's letter to you of June 16, 2005 wherein he requested that you not allow any three-story buildings to be constructed in the Eagle Mills Fire District. It is his contention that allowing three-story buildings to be built in the town would necessitate the purchase of a ladder truck, thereby increasing the tax rate for the citizens of Brunswick.

I have been working with William Bush of the J. Smith Lanier and Co. Insurance Agency in Cazenovia, New York to research ISO community ratings. In our research, we spoke with several different insurance companies regarding three story buildings and the need for a ladder truck to be housed within the Eagle Mills Fire Department's district. We found that many insurance companies take ISO community ratings as advisory and do not use them in their rating formulas. Additionally, insurance companies that do follow ISO community rates would change premiums less than 2% for a single rating factor change. Even with a rate change, premium consequences for homeowners and commercial entities would be negligible.

The Wynantskill, Brunswick No. 1, City of Troy and Defreestville Fire Departments are all equipped with ladder trucks. According to Kevin Gimeno, Community Mitigation Analyst with ISO, both of these fire departments are 2/10ths of a mile passed the required distance (2.5 miles from the ladder company to the area to which it is providing aid) from the proposed development. The ISO representative we spoke with indicated that the mileage factor for ladder truck travel is so minor that a community rating change would more than likely not be made.

The overall development plan necessitates three-story buildings for the apartment homes. We remain very excited about our project and the housing options it will provide the residents of Brunswick.

I would be happy to meet with you to discuss our position on these very important issues. Thank you.

Sincerely,

A handwritten signature in black ink that reads 'Michael J. Uccella' with a stylized 'R' at the end.

Michael J. Uccella
President

cc: Michael T. Martin, Chairman, Board of Fire Commissioners
Shawn P. Malone, Chairman, Town of Brunswick Planning Board



RENSSELAER COUNTY SEWER DISTRICT NO. 1

SEP 16 2005

RCM

PARATUBA ASSOCIATES

GERARD S. MOSCINSKI, P.E.
ADMINISTRATIVE DIRECTOR

STEVEN E. SPEANBURG
DIRECTOR OF OPERATION AND MAINTENANCE

September 15, 2005

Mr. Timothy R. Haskins
United Development Corp.
400 Jordan Road
Troy New York 12180

RE: Carriage Hill Estates

Dear Mr. Haskins:

Per our meeting on September 14, 2005, Rensselaer County Sewer District (RCSD) has reviewed the proposed flow data date August 29, 2005 in regards to above referenced project. Based on this review, RCSD has the following concerns:

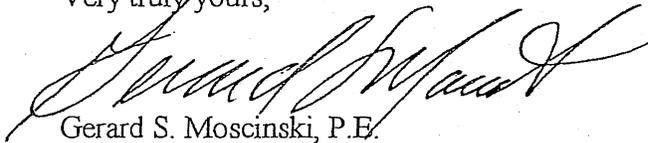
- RCSD does Sewer billing for the Town and therefore there needs to be coordination with the Town of Brunswick regarding new connections for billing purposes.
- RCSD pays the City for billing services, therefore there needs to be coordination with the City of Troy and the Town of Brunswick regarding contractual billing issues for collection and transport though the City of Troy's sanitary sewer system.
- Coordination with the City of Troy regarding size and capacity of existing sanitary sewer system within the City of Troy.
- Coordination between the contractor, engineer and the City of Troy regarding the proposed tie-in point, the proposed method for the tie-in.
- RCSD believes that the added flow estimates proposed in the August 29, 2005 data will have minimal impact at the wastewater treatment plant.
- RCSD would expect to see plans and specification for this project prior to granting final approval.

TSA Proj. Name:	_____
TSA Proj. #:	_____
Sub-File #:	_____
Originator:	_____
Cc:	_____

- Please be advised that plans and specifications for the project must first be submitted to the City of Troy and Rensselaer County health department for approval.

Additionally, please be advised that this letter is by no means an approval to connect to and/or discharge into the gravity sewer owned by the City of Troy. Finally, If you have any questions or comments feel free to contact me at your earliest convenience.

Very truly yours,



Gerard S. Moscinski, P.E.
Administrative Director

Enc. August 29, 2005 flow estimates

Cc: Steven E. Speanburg – RCSD

Mr. Charles A. Defazio, P.E.
Rensselaer County Health Department
1600 7th Avenue
Troy New York 12180

Mr. Neil R. Bonesteel, P.E.
Chief Water Plant Operator
25 Water Plant Rd
Troy New York 12182

Richard C. Miller, P.E.
Saratoga Associates
443 Broadway
Saratoga Springs NY 12866

Philip H. Dixon
Whiteman, Osterman & Hanna
One Commerce Plaza
Albany NY 12260

Sanitary Sewer Flow Estimates

The sanitary sewer flow estimates are based on the number of persons living in the development with an average daily flow of 75 gallons per day per person. Peaking factors of 2.0 and 4.0 are utilized for the maximum daily and peak hourly flows, respectively. The estimated sanitary sewer flows are:

Senior Housing

204 living units – assume 1.3 people per unit (204 x 1.3) = 265 residents		
Average Daily Flow	75 gpd/person x 265 =	19,875 gpd
Maximum Daily Flow	2.0 x 19,875 gpd =	39,750 gpd
Peak Hourly Flow	(4.0 x 19,875) / (18 hrs/day)(60 min/hr) =	74 gpm

Residential Estate Lots (4 Bedroom)

20 lots with homes – assume 3.6 people per home (20 x 3.6) = 72 residents		
Average Daily Flow	75 gpd/person x 72 =	5,400 gpd
Maximum Daily Flow	2.0 x 5,400 gpd =	10,800 gpd
Peak Hourly Flow	(4.0 x 5,400) / (18 hrs/day)(60 min/hr) =	20 gpm

Carriage Lots (3 Bedroom)

110 lots with homes – assume 2.56 people per home (110 x 2.56) = 282 residents		
Average Daily Flow	75 gpd/person x 282 =	21,150 gpd
Maximum Daily Flow	2.0 x 21,150 gpd =	42,300 gpd
Peak Hourly Flow	(4.0 x 21,150) / (18 hrs/day)(60 min/hr) =	78 gpm

Total Sanitary Sewer Flows

Average Daily Flow	19,875 + 5,400 + 21,150 =	46,425 gpd
Maximum Daily Flow	39,750 + 10,800 + 42,300gpd =	92,850 gpd
Peak Hourly Flow	74 + 20 + 78 =	172 gpm

COPY

IN THE MATTER
OF THE ESTABLISHMENT OF SEWER
DISTRICT NO. 7 IN THE
TOWN OF BRUNSWICK,
RENSSELAER COUNTY, NEW YORK

PETITION

To the Town Board of the Town of Brunswick, in the County of Rensselaer, State of New York:

We, the undersigned petitioners, being the owners of taxable real property situated within the proposed Sewer District No. 7 hereinafter described, owning in the aggregate at least one-half of the assessed valuation of all of the taxable real property within the proposed district, as shown upon the latest completed assessment roll of the Town of Brunswick, County of Rensselaer, State of New York, and there being no resident owners of taxable real property within the proposed district, hereby petition as follows:

1. The Town Board shall establish the sewer district in the territory located in the Town of Brunswick, County of Rensselaer, State of New York, outside of any incorporated village, and totally within the Town of Brunswick, known as Sewer District No. 7, as described in the map and plan annexed to this petition as Exhibit A and made a part hereof.

2. The map and plan annexed to this petition as Exhibit A show the boundaries of the proposed district sufficiently to identify the lands as in a deed of conveyance and a general plan of the proposed sewer system to be constructed.

3. The improvements proposed by the petition consist of the installation of sewer lines and appurtenances to connect to existing Municipal sewer mains to service properties within the proposed district, in accordance with the map and plan annexed to this petition.

4. The maximum amount proposed to be expended is One Dollar (\$1.00). The developers of the property within the proposed district shall install all sewer lines and appurtenances at their own cost.

5. The expense of operation and maintenance of the proposed sewer district are proposed to be borne by the owners of the several lots and parcels within the district so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvements shall confer upon the same.

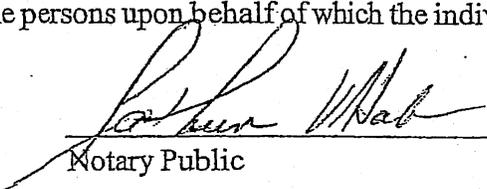
Dated: Brunswick, New York
August 31, 2005

STATE OF NEW YORK)

: ss.:

COUNTY OF RENSSELAER)

On this 31st day of August, in the year 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Walter Uccellini, 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 their capacity, and that by his signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.



Notary Public

CATHERINE V. HALE
Notary Public, State of New York
No. 01HA6038716
Qualified in Albany County
Commission Expires March 20, 20 06

SEWER DISTRICT NO. 7

SCHEDULE A

All that certain tract, place or parcel of land situate in the Town of Brunswick, Rensselaer County, New York, lying generally northerly of Pinewoods Avenue Extension and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Royal Dutch Enterprises, Inc., as described in Book 1162 of Deeds at Page 6 on the Northeast and the lands now or formerly of Harriet H. Coffey as described in Book 1211 of Deeds at Page 788 on the Southwest with the Northwesterly margin of Pinewoods Avenue Extension; thence from said point of beginning along said division line, North 31 deg. 01 min. 48 sec. West 284.00 feet to its intersection with the division line between the lands now or formerly of Royal Dutch Enterprises, Inc. as described in Book 1179 of Deeds at Page 483 on the Northwest and the lands of said Coffey on the Southeast/thence along said division line, South 46 deg. 01 min. 12 sec. West 214.41 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the East and the lands now or formerly of Louis H. Quinlan as described in Book 1278 of Deeds at Page 196 on the West/hence along said division line, North 21 deg. 55 min. 48 sec. West 295.63 feet to the point of intersection of the division line between the lands of said Royal Dutch Enterprises, Inc. on the North and the lands of said Quinlan on the South, thence along said division line the following three (3) courses: 1) North 75 deg. 30 min. 48 sec. West 57.00 feet to a point; 2) North 87 deg. 25 min. 48 sec. West 62.00 feet to a point; and 3) South 54 deg. 36 min. 12 sec. West 88.00 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the North and the lands now or formerly of Marvin L. Wulf and Sandra P. Wulf as described in Book 1063 of Deeds at Page 481 on the South, thence along said division line the following three (3) courses: 1) South 86 deg. 32 min. 12 sec. West 230.78 feet to a point; 2) South 37 deg. 08 min. 12 sec. West 04.33 feet to its point of intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the North and the lands now or formerly of the Troy Country Club on the South/thence along said division line, North 84 deg. 57 min. 24 sec., West 59.35 feet to a point; thence continuing along the division line, between the lands of said Royal Dutch Enterprises, Inc. generally on the East and the lands of said Troy Country Club generally, on the West the following ten (10) courses: 1) North 25 deg. 05 min. 14 sec. East 62.50 feet to a point; 2) North 21 deg. 15 min. 41 sec. West 291.12 feet to point; 3) North 07 deg. 40 min. 40 sec. East 228.00 feet to a point ; 4) North 20 deg. 28 min 54 sec. East 432.48 feet to a point; 5) South 84 deg. 26 min. 28 sec. West 162.00 feet to a point; 6) North 50 deg. 28 min. 48 sec. West 905.00 feet to a point; 7) North 41 deg. 11 min. 20 sec. West 610.55 feet to a point; 8) South 89 deg. 40 min. 57 sec. West 143.99 feet to a point; 9) North 18 deg. 44 min. 10 sec. West 504.53 feet to a point; and 10) North 04 deg. 11 min. 13 sec. West 121.51 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the South and the lands now or formerly of Joel W. Shippey as described in Book 1329 of Deeds at Page 479 on the North; thence along said division line the following two (2) courses: 1) North 75 deg. 02 min. 25 sec. East 638.87 feet to a point; and 2) North 29 deg. 67 min. 43 sec. East 174.09 feet to its point of intersection with the common division line between the lands of said Royal Dutch Enterprises, Inc. on the South and

the lands of said Joel W. Shippey in part, and the lands now or formerly of Frederick A. Shippey and Helda B. Shippey as described in Liber 1339 of Deeds at Page 738 in part, on the North; thence along said common division line, North 86 deg. 13 min. 20 sec. East 594.58 feet to its point of intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the West and the lands of said Frederick and Helda Shippey on the East; thence along said division line the following two (2) courses 1) South 20 deg. 39 min. 45 sec. East 163.15 feet to a point and 2) South 27 deg. 43 min. 40 sec. East 663.76 feet to the point of intersection with the division lines between the lands of said Royal Dutch Enterprises, Inc. on the Southeast and lands of said Frederick and Helda Shippey on the Northwest; thence along said division line, North 36 deg. 48 min. 52 sec. East 356.51 feet to its point of intersection with the division line between the lands now or formerly of Howard C. Ginsburg and Marvin Ginsburg as described in Book 1334 of Deeds at Page 125 on the East and the lands of said Shippey on the West; thence along said division line, North 11 deg. 14 min. 59 sec. West 1,092.53 feet to its intersection with the lands of said Ginsburg on the South and the lands now or formerly of Jean Shippey Taylor as described in Book 1329 of Deeds at Page 476 on the North; thence along said division line the following two (2) courses: 1) North 73 deg. 18 min. 53 sec. East 612.52 feet to a point; and 2) North 83 deg. 03 min. 14 sec. East 136.30 feet to its intersection with the division line between the lands of said Ginsburg on the West and the lands now or formerly of Niagara Mohawk Power Corporation on the East, thence along said division line the following three (3) courses: 1) South 05 deg. 08 min. 04 sec. East 300.00 feet to a point; 2) South 24 deg. 48 min. 44 sec. East 445.49 feet to a point; and 3) South 05 deg. 08 min. 04 sec. East 2,709.19 feet to its intersection with the division line between the lands of said Ginsburg on the North and the lands of said Royal Dutch Enterprises, Inc. on the South; thence along the division line between the lands of said Royal Dutch Enterprises, Inc. on the West and the lands of said Niagara Mohawk Power Corporation on the East, South 05 deg. 08 min. 04 sec. East 394.09 feet to a point on the above mentioned Northwesterly margin of Pinewoods Avenue Extension; thence along said above Northwesterly margin, South 58 deg. 58 min. 12 sec. West 433.67 feet to the point or place of beginning, containing 130.297 acres, more or less.

Also, all that certain tract, piece or parcel of land lying generally northerly of Pinewoods Avenue Extension and easterly of lands of Niagara Mohawk Power Corp. being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Howard C. Ginsburg and Marvin Ginsburg as described in Book 1334 of Deeds at Page 125 on the Southwest and the lands now or formerly of Richard T. and Lynne M. Patton as described in Book 1419 of Deeds at Page 304 on the Northeast with the Northwesterly margin of Pinewoods Avenue Extension thence from said point of beginning, along said Northwesterly margin, South 56 deg. 37 min. 21 sec. West 111.09 feet to its intersection with the division line between the lands of said Ginsburg on the Northeast and the lands now or formerly of Gary W. and Melanie B. Woods as described in Liber 1329 of Deeds at Page 931 on the Southwest/ thence along said division line, North 35 deg. 54 min. 28 sec. West 317.33 feet to its intersection with the common division line between the lands of said Ginsburg on the North and the lands of said Woods in part, and the lands now or formerly of Peter D. and Donna L. Hilks as described in Book 1323 of Deeds at Page 184 in part, on the South; thence along said common division line the following four (4) courses: 1) South 38 deg. 24 min. 32 sec. West 57.93 feet to a point;

2) South 62 deg. 03 min. 22 sec. West 78.31 feet to a point; 3) South 59 deg. 44 min. 27 sec. West 54.85 feet to a point and 4) North 74 deg. 34 min. 03 sec. West 48.90 feet to its intersection with the division line between the lands of said Ginsburg on the East and the lands now or formerly of Niagara Mohawk Power Corporation on the West; thence along said division line, North 05 deg. 08 min. 04 sec. West 2,467.13 feet to its intersection with the common division line between the lands of said Ginsburg on the South and the lands of said Niagara Mohawk Power Corporation in part, and the lands now or formerly of John A. Piccarrillo as described in Book 1308 of Deeds at Page 72 in part, on the North; thence along said common division line the following two (2) courses; 1) South 88 deg. 59 min. 04 sec. East 454.44 feet to a point; and 2) North 79 deg. 42 min. 36 sec. East 197.00 feet to its intersection with the common division line between the lands of said Ginsburg on the West and lands now or formerly of Pierro and Enza Bove as described in Book 1445 of Deeds at Page 318 in part, and the lands now or formerly of Robert A. Higgins and Frederick L. Fowler as described in Book 1458 of Deeds at Page 118 in part, and the lands now or formerly of A. Halek and Karen Jandali as described in Book 1337 of Deeds at Page 23 in part, and the lands now or formerly of Charles and Janet Bomsky as described in Book 1327 of Deeds at Page 512 in part, on the East; thence along said common division line the following seven (7) courses: 1) South 10 deg. 46 min. 04 sec. East 195.00 feet to a point; 2) South 12 deg. 18 min. 04 sec. East 215.00 feet to a point; 3) South 21 deg. 39 min. 04 sec. East 500.00 feet to a point; 4) North 68 deg. 20 min. 56 sec. East 20.00 feet to a point; 5) South 21 deg. 39 min. 04 sec. East 102.00 feet to a point; 6) South 19 deg. 49 min. 04 sec. East 298.80 feet to a point; and 7) South 21 deg. 16 min. 04 sec. East 418.50 feet to its point of intersection with the division line between the lands of said Ginsburg on the North and the lands now or formerly of Charles A. and Ethel G. Wager as described in Book 380 of Deeds at Page 407 on the South; thence along said division line the following two (2) courses; 1) South 79 deg. 56 min. 36 sec. West 557.74 feet to a point; and 2) North 74 deg. 20 min. 14 sec. West 107.85 feet to its intersection with the division line of said Ginsburg on the West and the lands of said Wager on the East; thence along said division line, South 05 deg. 58 min. 00 sec. West 396.73 feet to its intersection with the division line between the lands of said Ginsburg on the North and the lands of said Patton on the South; thence along said division line, North 81 deg. 21 min. 49 sec. West 13.66 feet to its intersection with the division line between the lands of said Ginsburg on the West and the lands of said Patton on the East, thence along said division line South 08 deg. 07 min. 44 sec. East 208.00 feet to the above first mentioned division line the following two (2) courses: 1) South 28 deg. 57 min. 51 sec. East 96.29 feet to the point or place of beginning, containing 41.29 acres, more or less.

Also, all that certain tract, piece or parcel of land lying generally northerly of Pinewoods Avenue Extension and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Royal Dutch Enterprises, Inc. as described in Book 1179 of Deeds at Page 483 on the Southwest and the lands now or formerly of Peter D. and Donna L. Milks as described in Book 1323 of Deeds at Page 184 on the Northeast with the Northwesterly margin of Pinewoods Avenue Extension; thence along said Northwesterly margin, South 60 deg. 00 min. 04 sec. West 144.95 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the East and the lands of Niagara Mohawk Power Corporation on the West; thence along said division line, North 05 deg. 08 min. 04 sec. West 253.95 feet to its intersection

with the above first mentioned division line; thence along said above first mentioned division line, South 39 deg. 24 min. 19 sec. East 233.55 feet to the point or place of beginning, containing 0.283 acres, more or less.

Also all that certain tract, piece or parcel of land situate in the Town of Brunswick, Rensselaer County, New York, lying generally Southerly of New York State Route No. 2 and Westerly of lands of Niagara Mohawk Power Corporation and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the common division line between the lands now or formerly of Jean Shippey Taylor as described in Liber 1229 of Deeds at Page 476, in part and lands of Country Club Properties, Inc. as described in Liber 1452 of Deeds at Page 44 in part, on the West and the lands now or formerly of Niagara Mohawk Power Corporation on the East with the Southerly 1931 highway boundary of New York State Route No. 2; thence from said point of beginning along said common division line South 05 deg. 08 min. 04 sec. East 91.18 feet to its point of intersection with the division line between the lands of said Jean Shippey Taylor on the North and the lands of said Country Club Properties, Inc. on the South; hence along said division line the following two (2) courses: 1) South 83 deg. 03 min. 14 sec. West 136.30 feet to a point, and 2) South 73 deg. 18 min. 53 sec. West 612.52 feet to its point of intersection with the division line between the lands now or formerly of Frederick A. and Helda B. Shippey as described in Liber 1339 of Deeds at Page 738 on the West and the lands of said Country Club Properties, Inc. on the East; thence along said division line, South 11 deg. 14 min. 59 sec. East 1,092.53 feet to its point of intersection with the division line between the lands of said Frederick A. and Helda B. Shippey on the Northwest and lands now or formerly of Country Club Properties, Inc. as described in Liber 1448 of Deeds at Page 171 on the Southeast, thence along said division line, South 36 deg. 48 min. 52 sec. West 356.61 feet to its point of intersection with the division line between the lands of said Shippey on the Northeast and the lands of said Country Club Properties, Inc. on the Southwest, thence along said division line the following two (2) courses: 1) North 27 deg. 43 min. 41 sec. West 663.76 feet to a point; and 2) North 20 deg. 39 min. 45 sec. West 163.16 feet to its point of intersection with the common division line between the lands of said Frederick and Helda Shippey in part, and lands now or formerly of Joel W. Shippey as described in Liber 1329 of Deeds at Page 479 in part, on the North; and lands of said Country Club Properties, Inc. on the South; thence along said common division line, South 86 deg. 13 min. 10 sec. West 503.30 feet to a point; thence through the lands of said Joel W. Shippey on the West and the lands now or formerly of Frederick A. Shippey and Helda B. Shippey as described in Liber 1339 of Deeds at Page 738 on the East; thence along said division line North 21 deg. 30 min. 34 sec. East 128.44 feet to a point on the Southwesterly terminus of a proposed right-of-way conveyed to Joel W. Shippey, Frederick A. Shippey and Jean Shippey Taylor as described in Liber 1329 of Deeds at Page 847; thence along the Southwesterly terminus of said proposed right-of-way the following two (2) courses: 1) Northerly along a curve to the right of radius 30.00 feet, an arc length of 64.13 feet (chord North 07 deg. 16 min. 42 sec. West 52.60 feet) to a point; and 2) North 53 deg. 57 min. 35 sec. East 11.38 feet to a point on the division line between the lands of said Frederick A. Shippey and Helda D. Shippey on the North and the lands of said Joel W. Shippey on the South; thence along said division line South 69 deg. 07 min. 26 sec. West 256.92 feet to a point on the division line between the lands of said Frederick A. Shippey and Helda B. Shippey on the East and the lands of said Joel W.

Shippey on the West; thence along said division line North 20 deg. 52 min. 34 sec. West 853.25 feet to a point on the division line between the lands of said Frederick A. and Helda B. Shippey on the South and the lands now or formerly of George L. and Elizabeth Benoit as described in Liber 1155 of Deeds at Page 197 on the North; said point also being in the centerline of the Poestenkill; thence along said division line and said centerline the following three (3) courses: 1) North 62 deg. 20 min. 17 sec. East 47.71 feet to a point; 2) North 74 deg. 49 min. 16 sec. East 118.48 feet to a point; and 3) North 89 deg. 40 min. 02 sec. East 110.18 feet to a point in the division line between the lands of said Frederick A. Shippey and Helda B. Shippey on the Southwest and the lands now or formerly of Gerald Komatowski and Virginia L. Goggins as described in Liber 1362 of Deeds at Page 609 on the Northeast/ thence along said division line and continuing along said centerline the following two (2) courses: 1) South 31 deg. 04 min. 51 sec. East 85.85 feet to a point; and 2) South 31 deg. 33 min. 58 sec. East 67.10 feet to a point; said point being in the division line between the lands of said Frederick A. Shippey and Helda B. Shippey on the South and the lands of said Komatowski and Goggins on the North; thence along said division line and said centerline South 89 deg. 48 min. 02 sec. East 106.85 feet to a point in the division line between the lands of said Shippey on the Southeast and the lands of said Komatowski and Goggins on the Northwest; thence along said division line and said centerline the following four (4) courses: 1) North 62 deg. 37 min. 50 sec. East 91.81 feet to a point; 2) North 59 deg. 32 min. 50 sec. East 97.03 feet to a point; 3) North 61 deg. 03 min. 26 sec. East 131.16 feet to a point; and 4) North 79 deg. 38 min. 03 sec. East 53.61 feet to a point on the Northerly line of a parcel deeded to Joel W. Shippey, Frederick A. Shippey and Jean Shippey Taylor by the Town of Brunswick as described in Liber 1321 of Deeds at Page 1012 being a portion of premises abandoned to the Town of Brunswick by the State of New York by official order dated April 9, 1934; thence along said Northerly line the following five (5) courses: 1) South 59 deg. 55 min. 28 sec. East 141.02 feet to a point said point hereinafter referred to as point "A"; 2) South 59 deg. 96 min. 10 sec. East 24.21 feet to a point; 3) South 03 deg. 39 min. 34 sec. East 75.43 feet to a point; 4) North 80 deg. 12 min. 26 sec. East 129.62 feet to a point; and 5) South 76 deg. 33 min. 04 sec. East 130.96 feet to its intersection with the Southerly 1931 highway boundary of N. Y. S. Route No. 2; thence along said Southerly highway boundary the following three (3) courses: 1) South 77 deg. 38 min. 28 sec. East 457.55 feet to a point; 2) South 72 deg. 26 min. 38 sec. East 229.06 feet to a point; and 3) South 68 deg. 06 min. 39 sec. East 58.90 feet to the point or place of beginning, containing 36.658 acres, more or less.

Except from the above described parcel all that certain tract, piece or parcel of land beginning at the above mentioned point "A", said point being the point of intersection of the division line between the lands of said Frederick A. Shippey and Helda B. Shippey on the Northwest and the lands now or formerly of Joel W. Shippey, Frederick A. Shippey, and Jean Shippey Taylor as described in Liber 1329 of Deeds at Page 647 on the Southeast with the Northerly line of a previously mentioned parcel of land deeded to said Joel W. Shippey et al by the Town of Brunswick as described in Liber 1321 of Deeds at Page 1012; thence along said division line Southwesterly along a curve to the left of radius 678.12 feet, an arc distance of 200.39 feet (chord South 29 deg. 27 min. 22 sec. West 199.66 feet) to the point of beginning of the herein described parcel, said point being the point of intersection of the division line between the lands of said Frederick and Helda Shippey on the North and the lands now or formerly of Alexander and Dorothy Chuhata as described in Liber 987 of Deeds at Page 31 on the South; thence along said division line the following two (2) courses: 1) South 71 deg. 59 min. 26 sec. West 115.02

feet to a point; and 2) South 83 deg. 09 min. 26 sec. West 69.50 feet to a point on a division line between the lands of said Frederick and Helda Shippey on the West and the lands of said Chuhta on the East; thence along said division line South 18 deg. 01 min. 26 sec. West 184.00 feet to a point on the division line between the lands of said Frederick and Helda Shippey on the South and the lands of said Chuhta on the North; thence along said division line South 72 deg. 00 min. 06 sec. East 141.52 feet to its intersection with the division line between the lands of said Chuhta on the West and the lands of said Joel W. Shippey et al on the East; thence along said division line North 20 deg. 59 min. 26 sec. East 281.20 feet to the point or place of beginning, containing 0.768 acres, more or less.

Also, all that certain tract, place or parcel of land lying generally northerly of N.Y.S. Route No. 2 and westerly of lands of Niagara Mohawk Power Corporation and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Jean Shippey Taylor as described in Liber 1329 of Deeds at Page 476 on the West and the lands now or formerly of Niagara Mohawk Power Corporation on the East with the Northerly margin of N.Y.S. Route No. 2; thence westerly along said Northerly margin the following two (2) courses: 1) North 68 deg. 26 min. 36 sec. West 31.51 feet to a point; and 2) North 71 deg. 46 min. 59 sec. West 244.96 feet to a point on the Northerly 1931 highway boundary of N.Y.S. Route No. 2; thence in a generally westerly direction along said Northerly highway boundary the following five (5) courses: 1) North 72 deg. 00 min. 42 sec. West 228.91 feet to a point; 2) North 77 deg. 25 min. 12 sec. West 506.01 feet to a point; 3) North 34 deg. 13 min. 43 sec. West 27.59 feet to a point; 4) North 10 deg. 56 min. 18 sec. East 88.02 feet to a point; and 5) North 77 deg. 45 min. 35 sec. West 44.00 feet to a point in the centerline of the existing Poestenkill; thence in a generally Northerly, Easterly, and Southeasterly direction along the centerline of said Poestenkill as it winds and turns the following ten (10) courses: 1) North 15 deg. 48 min. 53 sec. East 84.27 feet to a point; 2) North 12 deg. 00 min. 36 sec. East 206.29 to a point; 3) North 32 deg. 37 min. 12 sec. East 95.91 feet to a point; 4) North 45 deg. 07 min. 08 sec. East 66.42 feet to a point; 5) North 87 deg. 05 min. 46 sec. East 89.48 feet to a point; 6) South 74 deg. 26 min. 14 sec. East 213.87 feet to a point; 7) South 58 deg. 20 min. 30 sec. East 122.67 feet to a point; 8) South 47 deg. 21 min. 13 sec. East 286.05 feet to a point; 9) South 56 deg. 56 min. 02 sec. East 252.87 feet to a point; and 10) South 56 deg. 18 min. 03 sec. East 134.81 feet to its intersection with the above first mentioned division line; thence along said above first mentioned division line South 16 deg. 56 min. 56 sec. West 286.93 feet to the point or place of beginning, containing 11.213 acres, more or less.

IN THE MATTER
OF THE ESTABLISHMENT OF WATER
DISTRICT NO. 13 IN THE
TOWN OF BRUNSWICK,
RENSSELAER COUNTY, NEW YORK

PETITION

To the Town Board of the Town of Brunswick, in the County of Rensselaer, State of New York:

We, the undersigned petitioners, being the owners of taxable real property situated within the proposed Water District No. 13 hereinafter described, owning in the aggregate at least one-half of the assessed valuation of all of the taxable real property within the proposed district, as shown upon the latest completed assessment roll of the Town of Brunswick, County of Rensselaer, State of New York, and there being no resident owners of taxable real property within the proposed district, hereby petition as follows:

1. The Town Board shall establish the water district in the territory located in the Town of Brunswick, County of Rensselaer, State of New York, outside of any incorporated village, and totally within the Town of Brunswick, known as Water District No. 13, as described in the map and plan annexed to this petition as Exhibit A and made a part hereof.

2. The map and plan annexed to this petition as Exhibit A show the boundaries of the proposed district sufficiently to identify the lands as in a deed of conveyance and a general plan of the proposed water system to be constructed.

3. The improvements proposed by the petition consist of the installation of water lines to connect to existing Town water mains to service properties within the proposed district, in accordance with the map and plan annexed to this petition.

4. The maximum amount proposed to be expended is One Dollar (\$1.00). The developers of the property within the proposed district shall install all water lines and connections at their own cost.

5. The expense of operation and maintenance of the proposed water district are proposed to be borne by the owners of the several lots and parcels within the district so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvements shall confer upon the same.

Dated: Brunswick, New York
August 31, 2005

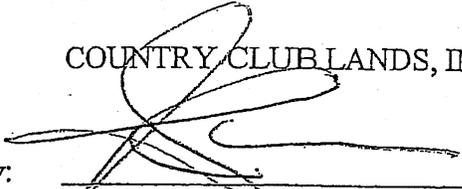
NAME

COUNTRY CLUB LANDS, INC.

ADDRESS

400 Jordan Road
Troy, New York 12180

By:

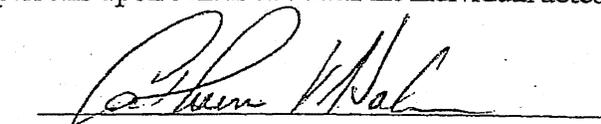

WALTER UCCELLINI, President

STATE OF NEW YORK)

: ss.:

COUNTY OF RENSSELAER)

On this 31st day of August, in the year 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Walter Uccellini, 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 their capacity, and that by his signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.



Notary Public

CATHERINE V. HALE
Notary Public, State of New York
No. 01HA6038716
Qualified in Albany County
Commission Expires March 20, 2006

WATER DISTRICT NO. 13

SCHEDULE A

All that certain tract, place or parcel of land situate in the Town of Brunswick, Rensselaer County, New York, lying generally northerly of Pinewoods Avenue Extension and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Royal Dutch Enterprises, Inc., as described in Book 1162 of Deeds at Page 6 on the Northeast and the lands now or formerly of Harriet H. Coffey as described in Book 1211 of Deeds at Page 788 on the Southwest with the Northwesterly margin of Pinewoods Avenue Extension; thence from said point of beginning along said division line, North 31 deg. 01 min. 48 sec. West 284.00 feet to its intersection with the division line between the lands now or formerly of Royal Dutch Enterprises, Inc. as described in Book 1179 of Deeds at Page 483 on the Northwest and the lands of said Coffey on the Southeast/thence along said division line, South 46 deg. 01 min. 12 sec. West 214.41 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the East and the lands now or formerly of Louis H. Quinlan as described in Book 1278 of Deeds at Page 196 on the West/hence along said division line, North 21 deg. 55 min. 48 sec. West 295.63 feet to the point of intersection of the division line between the lands of said Royal Dutch Enterprises, Inc. on the North and the lands of said Quinlan on the South, thence along said division line the following three (3) courses: 1) North 75 deg. 30 min. 48 sec. West 57.00 feet to a point; 2) North 87 deg. 25 min. 48 sec. West 62.00 feet to a point; and 3) South 54 deg. 36 min. 12 sec. West 88.00 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the North and the lands now or formerly of Marvin L. Wulf and Sandra P. Wulf as described in Book 1063 of Deeds at Page 481 on the South, thence along said division line the following three (3) courses: 1) South 86 deg. 32 min. 12 sec. West 230.78 feet to a point; 2) South 37 deg. 08 min. 12 sec. West 04.33 feet to its point of intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the North and the lands now or formerly of the Troy Country Club on the South/thence along said division line, North 84 deg. 57 min. 24 sec., West 59.35 feet to a point; thence continuing along the division line, between the lands of said Royal Dutch Enterprises, Inc. generally on the East and the lands of said Troy Country Club generally, on the West the following ten (10) courses: 1) North 25 deg. 05 min. 14 sec. East 62.50 feet to a point; 2) North 21 deg. 15 min. 41 sec. West 291.12 feet to point; 3) North 07 deg. 40 min. 40 sec. East 228.00 feet to a point ; 4) North 20 deg. 28 min 54 sec. East 432.48 feet to a point; 5) South 84 deg. 26 min. 28 sec. West 162.00 feet to a point; 6) North 50 deg. 28 min. 48 sec. West 905.00 feet to a point; 7) North 41 deg. 11 min. 20 sec. West 610.55 feet to a point; 8) South 89 deg. 40 min. 57 sec. West 143.99 feet to a point; 9) North 18 deg. 44 min. 10 sec. West 504.53 feet to a point; and 10) North 04 deg. 11 min. 13 sec. West 121.51 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the South and the lands now or formerly of Joel W. Shippey as described in Book 1329 of Deeds at Page 479 on the North; thence along said division line the following two (2) courses: 1) North 75 deg. 02 min. 25 sec. East 638.87 feet to a point; and 2) North 29 deg. 67 min. 43 sec. East 174.09 feet to its point of intersection with the common division line between the lands of said Royal Dutch Enterprises, Inc. on the South and

the lands of said Joel W. Shippey in part, and the lands now or formerly of Frederick A. Shippey and Helda B. Shippey as described in Liber 1339 of Deeds at Page 738 in part, on the North; thence along said common division line, North 86 deg. 13 min. 20 sec. East 594.58 feet to its point of intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the West and the lands of said Frederick and Helda Shippey on the East; thence along said division line the following two (2) courses 1) South 20 deg. 39 min. 45 sec. East 163.15 feet to a point and 2) South 27 deg. 43 min. 40 sec. East 663.76 feet to the point of intersection with the division lines between the lands of said Royal Dutch Enterprises, Inc. on the Southeast and lands of said Frederick and Helda Shippey on the Northwest; thence along said division line, North 36 deg. 48 min. 52 sec. East 356.51 feet to its point of intersection with the division line between the lands now or formerly of Howard C. Ginsburg and Marvin Ginsburg as described in Book 1334 of Deeds at Page 125 on the East and the lands of said Shippey on the West; thence along said division line, North 11 deg. 14 min. 59 sec. West 1,092.53 feet to its intersection with the lands of said Ginsburg on the South and the lands now or formerly of Jean Shippey Taylor as described in Book 1329 of Deeds at Page 476 on the North; thence along said division line the following two (2) courses: 1) North 73 deg. 18 min. 53 sec. East 612.52 feet to a point; and 2) North 83 deg. 03 min. 14 sec. East 136.30 feet to its intersection with the division line between the lands of said Ginsburg on the West and the lands now or formerly of Niagara Mohawk Power Corporation on the East, thence along said division line the following three (3) courses: 1) South 05 deg. 08 min. 04 sec. East 300.00 feet to a point; 2) South 24 deg. 48 min. 44 sec. East 445.49 feet to a point; and 3) South 05 deg. 08 min. 04 sec. East 2,709.19 feet to its intersection with the division line between the lands of said Ginsburg on the North and the lands of said Royal Dutch Enterprises, Inc. on the South; thence along the division line between the lands of said Royal Dutch Enterprises, Inc. on the West and the lands of said Niagara Mohawk Power Corporation on the East, South 05 deg. 08 min. 04 sec. East 394.09 feet to a point on the above mentioned Northwesterly margin of Pinewoods Avenue Extension; thence along said above Northwesterly margin, South 58 deg. 58 min. 12 sec. West 433.67 feet to the point or place of beginning, containing 130.297 acres, more or less.

Also, all that certain tract, piece or parcel of land lying generally northerly of Pinewoods Avenue Extension and easterly of lands of Niagara Mohawk Power Corp. being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Howard C. Ginsburg and Marvin Ginsburg as described in Book 1334 of Deeds at Page 125 on the Southwest and the lands now or formerly of Richard T. and Lynne M. Patton as described in Book 1419 of Deeds at Page 304 on the Northeast with the Northwesterly margin of Pinewoods Avenue Extension thence from said point of beginning, along said Northwesterly margin, South 56 deg. 37 min. 21 sec. West 111.09 feet to its intersection with the division line between the lands of said Ginsburg on the Northeast and the lands now or formerly of Gary W. and Melanie B. Woods as described in Liber 1329 of Deeds at Page 931 on the Southwest; thence along said division line, North 35 deg. 54 min. 28 sec. West 317.33 feet to its intersection with the common division line between the lands of said Ginsburg on the North and the lands of said Woods in part, and the lands now or formerly of Peter D. and Donna L. Hilks as described in Book 1323 of Deeds at Page 184 in part, on the South; thence along said common division line the following four (4) courses: 1) South 38 deg. 24 min. 32 sec. West 57.93 feet to a point;

2) South 62 deg. 03 min. 22 sec. West 78.31 feet to a point; 3) South 59 deg. 44 min. 27 sec. West 54.85 feet to a point and 4) North 74 deg. 34 min. 03 sec. West 48.90 feet to its intersection with the division line between the lands of said Ginsburg on the East and the lands now or formerly of Niagara Mohawk Power Corporation on the West; thence along said division line, North 05 deg. 08 min. 04 sec. West 2,467.13 feet to its intersection with the common division line between the lands of said Ginsburg on the South and the lands of said Niagara Mohawk Power Corporation in part, and the lands now or formerly of John A. Piccarrillo as described in Book 1308 of Deeds at Page 72 in part, on the North; thence along said common division line the following two (2) courses; 1) South 88 deg. 59 min. 04 sec. East 454.44 feet to a point; and 2) North 79 deg. 42 min. 36 sec. East 197.00 feet to its intersection with the common division line between the lands of said Ginsburg on the West and lands now or formerly of Pierro and Enza Bove as described in Book 1445 of Deeds at Page 318 in part, and the lands now or formerly of Robert A. Higgins and Frederick L. Fowler as described in Book 1458 of Deeds at Page 118 in part, and the lands now or formerly of A. Halek and Karen Jandali as described in Book 1337 of Deeds at Page 23 in part, and the lands now or formerly of Charles and Janet Bomsky as described in Book 1327 of Deeds at Page 512 in part, on the East; thence along said common division line the following seven (7) courses: 1) South 10 deg. 46 min. 04 sec. East 195.00 feet to a point; 2) South 12 deg. 18 min. 04 sec. East 215.00 feet to a point; 3) South 21 deg. 39 min. 04 sec. East 500.00 feet to a point; 4) North 68 deg. 20 min. 56 sec. East 20.00 feet to a point; 5) South 21 deg. 39 min. 04 sec. East 102.00 feet to a point; 6) South 19 deg. 49 min. 04 sec. East 298.80 feet to a point; and 7) South 21 deg. 16 min. 04 sec. East 418.50 feet to its point of intersection with the division line between the lands of said Ginsburg on the North and the lands now or formerly of Charles A. and Ethel G. Wager as described in Book 380 of Deeds at Page 407 on the South; thence along said division line the following two (2) courses; 1) South 79 deg. 56 min. 36 sec. West 557.74 feet to a point; and 2) North 74 deg. 20 min. 14 sec. West 107.85 feet to its intersection with the division line of said Ginsburg on the West and the lands of said Wager on the East; thence along said division line, South 05 deg. 58 min. 00 sec. West 396.73 feet to its intersection with the division line between the lands of said Ginsburg on the North and the lands of said Patton on the South; thence along said division line, North 81 deg. 21 min. 49 sec. West 13.66 feet to its intersection with the division line between the lands of said Ginsburg on the West and the lands of said Patton on the East, thence along said division line South 08 deg. 07 min. 44 sec. East 208.00 feet to the above first mentioned division line the following two (2) courses: 1) South 28 deg. 57 min. 51 sec. East 96.29 feet to the point or place of beginning, containing 41.29 acres, more or less.

Also, all that certain tract, piece or parcel of land lying generally northerly of Pinewoods Avenue Extension and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Royal Dutch Enterprises, Inc. as described in Book 1179 of Deeds at Page 483 on the Southwest and the lands now or formerly of Peter D. and Donna L. Milks as described in Book 1323 of Deeds at Page 184 on the Northeast with the Northwesterly margin of Pinewoods Avenue Extension; thence along said Northwesterly margin, South 60 deg. 00 min. 04 sec. West 144.95 feet to its intersection with the division line between the lands of said Royal Dutch Enterprises, Inc. on the East and the lands of Niagara Mohawk Power Corporation on the West; thence along said division line, North 05 deg. 08 min. 04 sec. West 253.95 feet to its intersection

with the above first mentioned division line; thence along said above first mentioned division line, South 39 deg. 24 min. 19 sec. East 233.55 feet to the point or place of beginning, containing 0.283 acres, more or less.

Also all that certain tract, piece or parcel of land situate in the Town of Brunswick, Rensselaer County, New York, lying generally Southerly of New York State Route No. 2 and Westerly of lands of Niagara Mohawk Power Corporation and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the common division line between the lands now or formerly of Jean Shippey Taylor as described in Liber 1229 of Deeds at Page 476, in part and lands of Country Club Properties, Inc. as described in Liber 1452 of Deeds at Page 44 in part, on the West and the lands now or formerly of Niagara Mohawk Power Corporation on the East with the Southerly 1931 highway boundary of New York State Route No. 2; thence from said point of beginning along said common division line South 05 deg. 08 min. 04 sec. East 91.18 feet to its point of intersection with the division line between the lands of said Jean Shippey Taylor on the North and the lands of said Country Club Properties, Inc. on the South; hence along said division line the following two (2) courses: 1) South 83 deg. 03 min. 14 sec. West 136.30 feet to a point, and 2) South 73 deg. 18 min. 53 sec. West 612.52 feet to its point of intersection with the division line between the lands now or formerly of Frederick A. and Helda B. Shippey as described in Liber 1339 of Deeds at Page 738 on the West and the lands of said Country Club Properties, Inc. on the East; thence along said division line, South 11 deg. 14 min. 59 sec. East 1,092.53 feet to its point of intersection with the division line between the lands of said Frederick A. and Helda B. Shippey on the Northwest and lands now or formerly of Country Club Properties, Inc. as described in Liber 1448 of Deeds at Page 171 on the Southeast, thence along said division line, South 36 deg. 48 min. 52 sec. West 356.61 feet to its point of intersection with the division line between the lands of said Shippey on the Northeast and the lands of said Country Club Properties, Inc. on the Southwest, thence along said division line the following two (2) courses: 1) North 27 deg. 43 min. 41 sec. West 663.76 feet to a point; and 2) North 20 deg. 39 min. 45 sec. West 163.16 feet to its point of intersection with the common division line between the lands of said Frederick and Helda Shippey in part, and lands now or formerly of Joel W. Shippey as described in Liber 1329 of Deeds at Page 479 in part, on the North; and lands of said Country Club Properties, Inc. on the South; thence along said common division line, South 86 deg. 13 min. 10 sec. West 503.30 feet to a point; thence through the lands of said Joel W. Shippey on the West and the lands now or formerly of Frederick A. Shippey and Helda B. Shippey as described in Liber 1339 of Deeds at Page 738 on the East; thence along said division line North 21 deg. 30 min. 34 sec. East 128.44 feet to a point on the Southwesterly terminus of a proposed right-of-way conveyed to Joel W. Shippey, Frederick A. Shippey and Jean Shippey Taylor as described in Liber 1329 of Deeds at Page 847; thence along the Southwesterly terminus of said proposed right-of-way the following two (2) courses: 1) Northerly along a curve to the right of radius 30.00 feet, an arc length of 64.13 feet (chord North 07 deg. 16 min. 42 sec. West 52.60 feet) to a point; and 2) North 53 deg. 57 min. 35 sec. East 11.38 feet to a point on the division line between the lands of said Frederick A. Shippey and Helda D. Shippey on the North and the lands of said Joel W. Shippey on the South; thence along said division line South 69 deg. 07 min. 26 sec. West 256.92 feet to a point on the division line between the lands of said Frederick A. Shippey and Helda B. Shippey on the East and the lands of said Joel W.

Shippey on the West; thence along said division line North 20 deg. 52 min. 34 sec. West 853.25 feet to a point on the division line between the lands of said Frederick A. and Helda B. Shippey on the South and the lands now or formerly of George L. and Elizabeth Benoit as described in Liber 1155 of Deeds at Page 197 on the North; said point also being in the centerline of the Poestenkill; thence along said division line and said centerline the following three (3) courses: 1) North 62 deg. 20 min. 17 sec. East 47.71 feet to a point; 2) North 74 deg. 49 min. 16 sec. East 118.48 feet to a point; and 3) North 89 deg. 40 min. 02 sec. East 110.18 feet to a point in the division line between the lands of said Frederick A. Shippey and Helda B. Shippey on the Southwest and the lands now or formerly of Gerald Kornatowski and Virginia L. Goggins as described in Liber 1362 of Deeds at Page 609 on the Northeast/ thence along said division line and continuing along said centerline the following two (2) courses: 1) South 31 deg. 04 min. 51 sec. East 85.85 feet to a point; and 2) South 31 deg. 33 min. 58 sec. East 67.10 feet to a point; said point being in the division line between the lands of said Frederick A. Shippey and Helda B. Shippey on the South and the lands of said Kornatowski and Goggins on the North; thence along said division line and said centerline South 89 deg. 48 min. 02 sec. East 106.85 feet to a point in the division line between the lands of said Shippey on the Southeast and the lands of said Kornatowski and Goggins on the Northwest; thence along said division line and said centerline the following four (4) courses: 1) North 62 deg. 37 min. 50 sec. East 91.81 feet to a point; 2) North 59 deg. 32 min. 50 sec. East 97.03 feet to a point; 3) North 61 deg. 03 min. 26 sec. East 131.16 feet to a point; and 4) North 79 deg. 38 min. 03 sec. East 53.61 feet to a point on the Northerly line of a parcel deeded to Joel W. Shippey, Frederick A. Shippey and Jean Shippey Taylor by the Town of Brunswick as described in Liber 1321 of Deeds at Page 1012 being a portion of premises abandoned to the Town of Brunswick by the State of New York by official order dated April 9, 1934; thence along said Northerly line the following five (5) courses: 1) South 59 deg. 55 min. 28 sec. East 141.02 feet to a point said point hereinafter referred to as point "A"; 2) South 59 deg. 96 min. 10 sec. East 24.21 feet to a point; 3) South 03 deg. 39 min. 34 sec. East 75.43 feet to a point; 4) North 80 deg. 12 min. 26 sec. East 129.62 feet to a point; and 5) South 76 deg. 33 min. 04 sec. East 130.96 feet to its intersection with the Southerly 1931 highway boundary of N. Y. S. Route No. 2; thence along said Southerly highway boundary the following three (3) courses: 1) South 77 deg. 38 min. 28 sec. East 457.55 feet to a point; 2) South 72 deg. 26 min. 38 sec. East 229.06 feet to a point; and 3) South 68 deg. 06 min. 39 sec. East 58.90 feet to the point or place of beginning, containing 36.658 acres, more or less.

Except from the above described parcel all that certain tract, piece or parcel of land beginning at the above mentioned point "A", said point being the point of intersection of the division line between the lands of said Frederick A. Shippey and Helda B. Shippey on the Northwest and the lands now or formerly of Joel W. Shippey, Frederick A. Shippey, and Jean Shippey Taylor as described in Liber 1329 of Deeds at Page 647 on the Southeast with the Northerly line of a previously mentioned parcel of land deeded to said Joel W. Shippey et al by the Town of Brunswick as described in Liber 1321 of Deeds at Page 1012; thence along said division line Southwesterly along a curve to the left of radius 678.12 feet, an arc distance of 200.39 feet (chord South 29 deg. 27 min. 22 sec. West 199.66 feet) to the point of beginning of the herein described parcel, said point being the point of intersection of the division line between the lands of said Frederick and Helda Shippey on the North and the lands now or formerly of Alexander and Dorothy Chuhta as described in Liber 987 of Deeds at Page 31 on the South; thence along said division line the following two (2) courses: 1) South 71 deg. 59 min. 26 sec. West 115.02

feet to a point; and 2) South 83 deg. 09 min. 26 sec. West 69.50 feet to a point on a division line between the lands of said Frederick and Helda Shippey on the West and the lands of said Chuhta on the East; thence along said division line South 18 deg. 01 min. 26 sec. West 184.00 feet to a point on the division line between the lands of said Frederick and Helda Shippey on the South and the lands of said Chuhta on the North; thence along said division line South 72 deg. 00 min. 06 sec. East 141.52 feet to its intersection with the division line between the lands of said Chuhta on the West and the lands of said Joel W. Shippey et al on the East; thence along said division line North 20 deg. 59 min. 26 sec. East 281.20 feet to the point or place of beginning, containing 0.768 acres, more or less.

Also, all that certain tract, place or parcel of land lying generally northerly of N.Y.S. Route No. 2 and westerly of lands of Niagara Mohawk Power Corporation and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Jean Shippey Taylor as described in Liber 1329 of Deeds at Page 476 on the West and the lands now or formerly of Niagara Mohawk Power Corporation on the East with the Northerly margin of N.Y.S. Route No. 2; thence westerly along said Northerly margin the following two (2) courses: 1) North 68 deg. 26 min. 36 sec. West 31.51 feet to a point; and 2) North 71 deg. 46 min. 59 sec. West 244.96 feet to a point on the Northerly 1931 highway boundary of N.Y.S. Route No. 2; thence in a generally westerly direction along said Northerly highway boundary the following five (5) courses: 1) North 72 deg. 00 min. 42 sec. West 228.91 feet to a point; 2) North 77 deg. 25 min. 12 sec. West 506.01 feet to a point; 3) North 34 deg. 13 min. 43 sec. West 27.59 feet to a point; 4) North 10 deg. 56 min. 18 sec. East 88.02 feet to a point; and 5) North 77 deg. 45 min. 35 sec. West 44.00 feet to a point in the centerline of the existing Poestenkill; thence in a generally Northerly, Easterly, and Southeasterly direction along the centerline of said Poestenkill as it winds and turns the following ten (10) courses: 1) North 15 deg. 48 min. 53 sec. East 84.27 feet to a point; 2) North 12 deg. 00 min. 36 sec. East 206.29 to a point; 3) North 32 deg. 37 min. 12 sec. East 95.91 feet to a point; 4) North 45 deg. 07 min. 08 sec. East 66.42 feet to a point; 5) North 87 deg. 05 min. 46 sec. East 89.48 feet to a point; 6) South 74 deg. 26 min. 14 sec. East 213.87 feet to a point; 7) South 58 deg. 20 min. 30 sec. East 122.67 feet to a point; 8) South 47 deg. 21 min. 13 sec. East 286.05 feet to a point; 9) South 56 deg. 56 min. 02 sec. East 252.87 feet to a point; and 10) South 56 deg. 18 min. 03 sec. East 134.81 feet to its intersection with the above first mentioned division line; thence along said above first mentioned division line South 16 deg. 56 min. 56 sec. West 286.93 feet to the point or place of beginning, containing 11.213 acres, more or less.

EXCEPTING therefrom, all that certain tract, place or parcel of land lying on the north side of Pinewoods Avenue and extending northerly 500 feet from the centerline of Pinewoods Avenue.

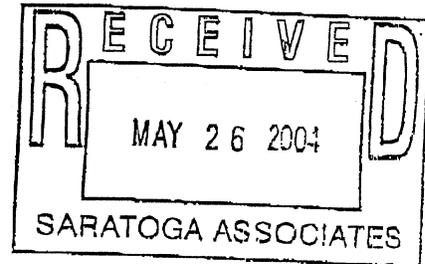
New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
 625 Broadway, 5th floor, Albany, New York 12233-4757
 Phone: (518) 402-8935 • FAX: (518) 402-8925
 Website: www.dec.state.ny.us



cc: GEM
JAR
SDK

May 25, 2004

Jon King
 The Saratoga Associates
 443 Broadway
 Saratoga Springs, NY 12866



Dear Mr. King:

In response to your recent request, we have reviewed the New York Natural Heritage Program databases with respect to an Environmental Assessment for the proposed Country Club Properties Development Project #2004-035, area as indicated on the map you provided, located in the Town of Brunswick, Rensselaer County.

We have no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your sites.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain any information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. For these reasons, we cannot provide a definitive statement on the presence or absence of rare or state-listed species, or of significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Data bases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

Sincerely,

Betty Ketcham
 Betty A. Ketcham, Information Services
 New York Natural Heritage Program

Enc.

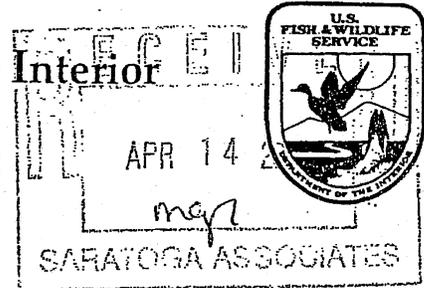
cc: Reg. 4, Wildlife Mgr.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

3817 Luker Road
Cortland, NY 13045



April 11, 2005

Mr. Matthew G. Rogers
Saratoga Associates
443 Broadway
Saratoga Springs, NY 12866

Dear Mr. Rogers:

This responds to your letter of December 27, 2004, requesting information on the presence of Federally-listed or proposed endangered or threatened species in the vicinity of the proposed Carriage Hills Estates on New York State Route 2 in the Town of Brunswick, Rensselaer County, New York.

Although the Indiana bat (*Myotis sodalis*), a Federally-listed endangered species, could potentially be present in the project area, which is 20.8 miles from an Indiana bat hibernaculum, they are present in such small numbers that it is extremely unlikely that they would be present and impacted by construction of this project.

Except for the Indiana bat and other occasional transient individuals, no Federally-listed or proposed endangered or threatened species under our jurisdiction are known to exist in the project impact area. In addition, no habitat in the project impact area is currently designated or proposed "critical habitat" in accordance with provisions of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*). Therefore, no further ESA coordination or consultation with the U.S. Fish and Wildlife Service (Service) is required. Should project plans change, or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered. The most recent compilation of Federally-listed and proposed endangered and threatened species in New York* is available for your information. If your project is not completed within one year from the date of this determination, we recommend that you contact us to ensure that the listed species presence/absence information for your proposed project is current.

The above comments pertaining to endangered species under our jurisdiction are provided pursuant to the ESA. This response does not preclude additional Service comments under other legislation.

The Indiana bat is listed as endangered by the State of New York. The New York State Department of Environmental Conservation (NYSDEC) contact for this species is Mr. Peter Nye, Endangered Species Unit, 625 Broadway, Albany, NY 12233 (telephone: [518] 402-8859).

TSA Proj. Name:	CARR. HILLS
TSA Proj. #:	2004-035.20
Sub-File #:	CS IV
Originator:	MBL
Co:	620

For additional information on fish and wildlife resources or State-listed species, we suggest you contact the appropriate NYSDEC regional office(s),* and:

New York State Department of Environmental Conservation
New York Natural Heritage Program Information Services
625 Broadway
Albany, NY 12233-4757
(518) 402-8935

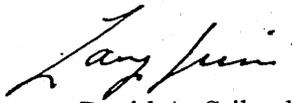
Since wetlands may be present, you are advised that National Wetlands Inventory (NWI) maps may or may not be available for the project area. However, while the NWI maps are reasonably accurate, they should not be used in lieu of field surveys for determining the presence of wetlands or delineating wetland boundaries for Federal regulatory purposes. Copies of specific NWI maps can be obtained from:

Cornell Institute for Resource Information Systems
302 Rice Hall
Cornell University
Ithaca, NY 14853-5601
(607) 255-6520
web: <http://iris.css.cornell.edu>
email: cornell-iris@cornell.edu

Work in certain waters of the United States, including wetlands, may require a permit from the U.S. Army Corps of Engineers (Corps). If a permit is required, in reviewing the application pursuant to the Fish and Wildlife Coordination Act, the Service may concur, with or without recommending additional permit conditions, or recommend denial of the permit depending upon potential adverse impacts on fish and wildlife resources associated with project construction or implementation. The need for a Corps permit may be determined by contacting the appropriate Corps office(s).* In addition, should any part of the proposed project be authorized, funded, or carried out, in whole or in part, by a Federal agency, such as the Corps, further consultation between the Service and that Federal agency pursuant to the ESA may be necessary.

If you require additional information or assistance please contact Michael Stoll at (607) 753-9334.

Sincerely,


David A. Stilwell
Field Supervisor

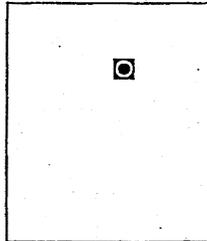
*Additional information referred to above may be found on our website at:
<http://nyfo.fws.gov/es/esdesc.htm>.

cc: NYSDEC, Schenectady, NY (Environmental Permits)
NYSDEC, Albany, NY (Natural Heritage Program)
NYSDEC, Albany, NY (Endangered Species Unit, Attn: P. Nye)
COE, New York, NY

U.S. Fish and Wildlife Service
New York Field Office
3817 Luker Road
Cortland, NY 13045

To provide a timely response to future requests for endangered species comments in New York, please include the following in future inquiries:

1. A concise description of the project/action.
2. The size of the project site in acres, and an estimation of the total acres to be disturbed.
3. Name of the hamlet/village/city/town/county where the project/action occurs.
4. The latitude and longitude of the project/action, i.e.: 42° 13' 28" / 76° 56' 30". If the project/action is linear, you may provide coordinates for both ends or just one near center.
5. The elevation of the project at ground level.
6. A map {preferably the map should be a U.S. Geological Survey quadrangle map (USGS Quad)} showing the precise project/action location. You need only provide a copy of that portion where the project/action occurs. Please provide the name(s) of the USGS Quad/s, and indicate where the project site is located on the full USGS Quad.



7. A current telephone number, FAX number, and email at which you can be reached.

Providing the information above will assist us in responding to your needs.

If you require additional information please contact Michael Stoll at (607) 753-9334.