

TAX LIEN FORECLOSURE SEARCH

Search Date 11/18/14

OHTA Number A14-1125

Municipality Town of Colonie

Index Number 6098-11

Foreclosure No. 0000247

Tax Map Number 44.1-1-7.2

Property Address Lincoln Avenue, Town of Colonie

Date of Filing of List of Delinquent Taxes February 1, 2012

Open Mortgages	0
Assignments	0
Judgments	0
Federal Tax Liens	0
UCCs	0
State Tax Warrants	0
Leases	0
Other Lienors	2
Other Interests	0
Estate Proceedings	0
Mortgage Foreclosures	0
	2

NOTE: Easement to NiMo in Bk 2648-788 and Statement of Property Interest in Bk 2189-1101 are shown herein for reference. Portion of filed map recited on tax map is included.

TAX LIEN FORECLOSURE SEARCH

SECTION I

PARTIES HAVING AN INTEREST OF RECORD ON THE DATE OF FILING OF THE LIST OF DELINQUENT TAXES

A-1. OWNER(S) OF RECORD

1.	Real Co.	Lincoln Avenue	Watervliet	NY 12189
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A-2. ADDITIONAL ADDRESSEES

2.	Realco Inc.	201 Spring Street Road	Watervliet	NY 12189
3.	Realco Inc.	PO Box 1932	Windermer e	FL 34786
4.	Realco, Inc.	90 Willowbrook Avenue	Dunkirk	NY 14184
5.	Real Co.	2A Lincoln Avenue	Watervliet	NY 12189
6.	Realco, Inc.	1 Homewood Avenue	Watervliet	NY 12189
7.	Victor A. Caponera, Jr., Esq.	8 Atrium Drive	Albany	NY 12205

Source Deed Book 2651 Page 226

Deed R and R Victor A. Caponera, Jr.,
Esq.
8 Atrium Drive
Albany, NY 12205

B. ADDITIONAL PARTIES

MORTGAGES (0)

1.

ASSIGNMENTS (0)

1.

JUDGMENTS (0)

1.

FEDERAL TAX LIENS (0)

1.

TAX LIEN FORECLOSURE SEARCH

SECTION I (continued)

UCC (0)

1.

STATE TAX WARRANTS (0)

1.

LEASES (0)

1.

OTHER LIENORS (2)

1.	NYS Department of Attention: Franchise Tax Taxation and Department Finance	Building W.A. Harriman 9 Campus	Albany	NY 12227
2.	ALTX, Inc., as Lessee	951 4 th Street	Greenville	PA 16125

OTHER INTERESTS (0)

1.

ESTATE PROCEEDINGS (0)

1.

MORTGAGE FORECLOSURES (0)

1.

TAX LIEN FORECLOSURE SEARCH

SECTION II

PARTIES HAVING AN INTEREST OF RECORD
AS OF SEARCH DATE

A-1. OWNER(S) OF RECORD

1.

A-2. ADDITIONAL ADDRESSEES

2.

Source Deed

Deed R and R

B. ADDITIONAL PARTIES

MORTGAGES (0)

1.

ASSIGNMENTS (0)

1.

JUDGMENTS (0)

1.

FEDERAL TAX LIENS (0)

1.

UCC (0)

1.

STATE TAX WARRANTS (0)

1.

TAX LIEN FORECLOSURE SEARCH

SECTION II (continued)

LEASES (0)

1.

OTHER LIENORS (0)

1.

OTHER INTERESTS (0)

1.

ESTATE PROCEEDINGS (0)

1.

MORTGAGE FORECLOSURES (0)

1.

THIS INDENTURE, made the 18th day of February, Two Thousand.

Between REAL CO., f/k/a AL TECH SPECIALTY STEEL CORPORATION, A New York corporation having an office located at 90 Willowbrook Avenue, Dunkirk, New York 14184-0152, Party of the First Part

REAL CO., a New York corporation having an office located at 90 Willowbrook Avenue, Dunkirk, New York 14184-0152, Party of the Second Part,

WITNESSETH, that the Party of the First Part, in consideration of ONE and 00/100 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 grant and release unto the Party of the Second Part, its successors and assigns forever,

All that certain tract, piece or parcel of land situate in the Town of Colonie, Albany County, New York, lying Southwesterly of Lincoln Avenue and Southerly of Spring Street Road, 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 Altech Specialty Steel Corporation as described in Book 2164 of Deeds at Page 355 on the Northwest and lands now or formerly of D&H Corporation as described in Book 2432 of Deeds at Page 1 on the Southeast with the division line between the lands of said Altech Specialty Steel Corporation on the Northeast and lands now or formerly of Niagara Mohawk Power Corporation on the Southwest; thence from said point of beginning along the last mentioned division line North 25 deg. 35 min. 00 sec. West 874.58 feet to a point; thence through the lands of said Altech Specialty Steel Corporation the following seven (7) courses:

- 1) North 07 deg. 20 min. 45 sec. East 375.58 feet to a point;
- 2) North 69 deg. 20 min. 38 sec. East 691.09 feet to a point;
- 3) South 60 deg. 22 min. 37 sec. East 255.94 feet to a point;
- 4) North 29 deg. 46 min. 22 sec. East 103.04 feet to a point;
- 5) North 60 deg. 10 min. 44 sec. West 125.88 feet to a point;
- 6) North 29 deg. 54 min. 31 sec. East 180.52 feet to a point; and
- 7) South 60 deg. 42 min. 08 sec. East 248.98 feet to its point of intersection with the above first mentioned division line between the lands of said Altech Specialty Steel Corporation on the Northwest and the lands of said D&H Corporation on the Southeast; thence along said division line the following five (5) courses:

- 1) South 29 deg. 42 min. 00 sec. West 661.86 feet to a point;
- 2) South 59 deg. 30 min. 00 sec. East 75.00 feet to a point;
- 3) South 29 deg. 42 min. 00 sec. West 257.50 feet to a point;
- 4) North 61 deg. 10 min. 00 sec. West 34.00 feet to a point; and
- 5) South 29 deg. 42 min. 00 sec. West 742.60 feet to the point or place of beginning and containing 19.429 +/- acres.

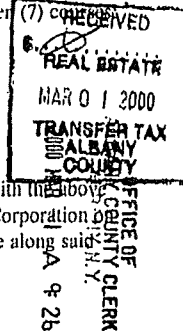
BEING a portion of the premises conveyed to the Party of the First Part by Allegheny Ludlum Industries, Inc. by Deed dated December 6, 1978 and recorded in the Albany County Clerk's Office on January 26, 1979 in Liber 2164 of Deeds at Page 355.

The consideration for this conveyance is less than \$100.00.

The parcel is entirely owned by the transferor.

This conveyance is made subject to all enforceable easements, restrictions and covenants of record, affecting said premises.

This conveyance is made in the normal course of business of the corporation and does not convey all or substantially all of the assets of the corporation.



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 heirs and assigns forever.

And the Party of the First Part covenant as follows:

FIRST, That the Party of the Second Part shall quietly enjoy the said premises;

SECOND, That the Party of the First Part will forever Warrant the title to said premises.

THIRD, That, in compliance with Sec. 13 of the Lien Law, the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the Party of the First Part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer this 18th day of February, Two Thousand.

IN PRESENCE OF

REAL CO., f/k/a Al Tech
Specialty Steel Corporation

By: Yang Jin Park

STATE OF NEW YORK)
(ss.:
COUNTY OF ERIE)

On the 18 day of February in the year Two Thousand before me, the undersigned, personally appeared Yang Jin Park, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Theresa M. Franz
Notary Public-State of New York

THERESA M. FRANZ
Notary Public-State of New York
Cattaraugus County
My Commission Expires June 21, 2001

STATE OF NEW YORK)
COUNTY OF ALBANY)

Recorded in DEEDS
As Shown Hereon and
Examined
THOMAS G. CLINGAN
ALBANY COUNTY CLERK

RECORD & RETURN TO:
VICTOR A. CAPONERA, JR.
ATTORNEY AT LAW
8 ATRIAL DR SUITE 210
ALBANY, NY 12203



Albany County Clerk
32 North Russell Rd.
Albany, NY 12206-1324

Return to:

BOX 101

Instrument: Deed, Agreement

Document Number: 10726812 Book: 2987 Page: 802

Grantor

TOWN OF COLONIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Grantee

ALTX INC

Number of Pages: 4

Recorded Date/Time: 09/09/2010 at 11:01 AM

Receipt Number: 601129

Note: **DO NOT REMOVE - THIS PAGE IS PART OF THE DOCUMENT **

THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a(5) &
319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

Thomas G. Clingan, County Clerk

Albany County Clerk
Deed Books (Record Room)
Book 2987 Page 803



ASSIGNMENT TO COMPANY

THIS ASSIGNMENT TO COMPANY (the "Assignment to Company") dated as of December 14, 2009, by and between TOWN OF COLONIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY, a public benefit corporation organized under the laws of the State of New York having an office for the transaction of business located at 347 Old Niskayuna Road, Latham, New York (the "Issuer"), and ALTX, Inc., a business corporation organized and existing under the laws of the State of New York having an office for the transaction of business located at 951 4th Street, Greenville, Pennsylvania (the "Company").

In consideration of the sum of Ten Dollars (\$10.00), receipt and sufficiency of which is acknowledged, the Agency hereby sells, assigns and conveys to the Company all of the Agency's right, title and interest in and to a certain lease to Issuer dated as of June 1, 2000 (the "Underlying Lease") by and between the Company, as landlord, and the Issuer, as tenant, whereby the Company granted to the Issuer a leasehold interest in the parcel of the land more particularly described in Exhibit A attached thereto (the "Land") and in and to all those buildings, improvements, structures and other related facilities affixed or attached to the Land now or in the future.

The Company hereby releases the Issuer and its members, officers, agents (other than the Company) and employees from, agrees that the Issuer and its members, officers, agents (other than the Company) and employees shall not be liable for and agrees to indemnify, defend and hold the Issuer and its members, officers, agents (other than the Company) and employees harmless from and against any and all claims, causes of action, judgments, liabilities, damages, losses, costs and expenses arising under the Underlying Lease and this Assignment to Company.

IN WITNESS WHEREOF, the Issuer and the Company, for the purposes above set forth, have caused this Assignment to Company to be executed and delivered by their duly authorized officers, all as of the day and year first above written.

TOWN OF COLONIE INDUSTRIAL
DEVELOPMENT AGENCY

BY: 

(Vice) Chairman

ALTX, INC.

BY: 

Authorized Officer PRES.

Albany County Clerk
Document Number 10726812
Rcvd 09/09/2010 11:01:17 AM



STATE OF PA)
) ss.:
COUNTY OF Mercer

On the 10 day of JUNE, in the year 2009, before me, the undersigned, a notary public in and for said state, personally appeared RUFIND ORCE, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Fred Prossen
Notary Public

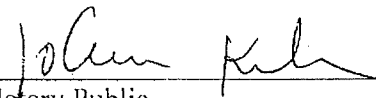
COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Fred Prossen, Notary Public
Pymatuning Twp., Mercer County
My Commission Expires Nov. 14, 2009

Member, Pennsylvania Association of Notaries

STATE OF New York)
) SS.
 COUNTY OF Albany)

On the 25th day of August, in the year 2010, before me, the undersigned, personally appeared Bamy Berberich, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


 Notary Public

JO-ANN KILMER
 Notary Public, State of New York
 No. 01K15062388
 Qualified in Saratoga County
 Commission Expires Nov. 20, 2013

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EXHIBIT A

DESCRIPTION OF THE LAND

All those certain tracts, pieces or parcels of land situate in the Town of Colonie, Albany County, New York, lying Southwesterly of Lincoln Avenue and Southerly of Spring Street Road, and being more particularly bounded and described as follows:

PROPOSED LEASE AREA 1 - AREA = 16.6534 ACRES

BEGINNING at the point of intersection of the division line between the lands now or formerly of Altech Specialty Steel Corporation as described in Book 2164 of Deeds at Page 355 on the Northwest and lands now or formerly of D & H Corporation as described in Book 2432 of Deeds at Page 1 on the Southeast, with the division line between the lands of Altech Specialty Steel Corporation on the Northeast and lands now or formerly of Niagara Mohawk Power Corporation on the Southwest; thence from said point of beginning along the division line between the lands of said Altech Specialty Steel Corporation on the Northeast and lands of said Niagara Mohawk Power Corporation on the Southwest North 25 deg. 35 min. 00 sec. West 674.58 feet to a point; thence through the lands of said Altech Specialty Steel Corporation the following two (2) courses: 1) North 07 deg. 20 min. 45 sec. East 375.58 feet to a point; and 2) North 69 deg. 20 min. 38 sec. East 331.41 feet to a point; thence continuing through the lands of said Altech Specialty Steel Corporation in part and along the outside face of the existing Extrusion Plant building in part South 60 deg. 28 min. 46 sec. East 173.90 feet to a point; thence continuing through the lands of said Altech Specialty Steel Corporation and along the outside face of said Extrusion Plant building the following nine (9) courses:

A-1

107407

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JUN 23 P 3:51

CLOSING ITEM NO.: A-2

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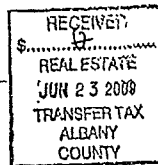
ALTX, INC.,
AS LANDLORD

AND

TOWN OF COLONIE INDUSTRIAL DEVELOPMENT AGENCY,
AS TENANT

MEMORANDUM OF UNDERLYING LEASE

DATED AS OF JUNE 1, 2000



RELATING TO PREMISES LOCATED ON SPRING STREET IN
THE TOWN OF COLONIE, ALBANY COUNTY, NEW YORK
AND OPERATED BY THE LANDLORD.

THIS DOCUMENT IS INTENDED TO BE RECORDED IN LIEU
OF THE WITHIN-DESCRIBED UNDERLYING LEASE IN
ACCORDANCE WITH THE PROVISIONS OF SECTION 291-c
OF THE NEW YORK REAL PROPERTY LAW.

12050 0013/ALBDOCS:61025_2 (181502)

MEMORANDUM OF UNDERLYING LEASE

The undersigned, ALTX, INC., a business corporation organized and existing under the laws of the State of New York having an office for the transaction of business located at 201 Spring Street, Watervliet, New York (the "Company"), as landlord (referred to in the hereinafter described Underlying Lease as the "Company") and TOWN OF COLONIE INDUSTRIAL DEVELOPMENT AGENCY, a public benefit corporation organized and existing under the laws of the State of New York having an office for the transaction of business located at 347 Old Niskayuna Road, Latham, New York (the "Issuer"), as tenant (referred to in the hereinafter described Underlying Lease as the "Issuer") have entered into a certain lease to issuer dated as of June 1, 2000 (the "Underlying Lease").

The Underlying Lease covers the approximately 19.5 acre parcel of land (the "Land") located on Spring Street in the Town of Colonie, said Land being more particularly described on Exhibit A attached hereto and made a part hereof, together with any improvements (including the Existing Facility) now or hereafter located on the Land (the Land and all of said improvements being sometimes collectively referred to as the "Premises").

The Underlying Lease provides for the rental of the Premises for a term (the "Term") commencing as of June 1, 2000 and expiring on the earlier to occur of (A) the date requested by the Company, (B) the Completion Date (as defined in the Underlying Lease) or (C) the termination of the term of an installment sale agreement dated as of June 1, 2000 (the "Installment Sale Agreement") by and between the Issuer and the Company, so long as neither the Installment Sale Agreement nor the Company's right of possession as purchaser thereunder shall have been terminated by the Issuer pursuant to Article X of the Installment Sale Agreement. The Underlying Lease obligates the Issuer, among other things, to pay rent of \$1.00 for the Term.

Pursuant to the Installment Sale Agreement, the Company as agent of the Issuer has agreed to improve the Premises by constructing certain improvements thereto and acquiring and installing certain personal property thereon and therein (collectively with the Premises, the "Project Facility"). The Installment Sale Agreement grants to the Company various rights to purchase the Project Facility. Upon any such purchase of the Project Facility, the Issuer shall surrender and deliver the Premises and all improvements located thereon to the Company. The Installment Sale Agreement (or a memorandum thereof) is intended to be recorded in the Albany County Clerk's Office immediately subsequent to the recording of this memorandum of the Underlying Lease.

Notwithstanding the installment sale of the Project Facility by the Issuer to the Company pursuant to the Installment Sale Agreement, during the term of the Underlying Lease, there shall be no merger of the Underlying Lease nor of the leasehold estate created by the Underlying Lease with the fee estate in the Premises or any part thereof by reason of the fact that the same person or entity may acquire, own or hold the Underlying Lease or the leasehold estate created thereunder and the fee estate in the Premises.

12050.0013/ALBIDOC5.61025_2 (103501)

IN WITNESS WHEREOF, the Company and the Issuer have caused this Memorandum of Underlying Lease to be executed in their respective names, by their respective duly authorized officers and to be dated as of the day and year first written above.

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TOWN OF COLONIE INDUSTRIAL
DEVELOPMENT AGENCY

BY: [Signature]
Chairman

ALTX, INC.

BY: [Signature]
Authorized Officer

{2050.0011/ALBDOCS.61025_1 (103301)}


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STATE OF NEW YORK)

SS.:

COUNTY OF ALBANY)

On the 10th day of April, in the year 2000, before me, the undersigned, a notary public in and for said state, personally appeared Peter J. Hess, 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

GEORGE W. GREGG, JR.
Notary Public, State of New York
No. 5815001
Qualified in Albany County
Commission Expires Nov. 30, 2000

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STATE OF NEW YORK)

ss.:

COUNTY OF ALBANY)

On the 21st day of June, in the year 2000, before me, the undersigned, a notary public in and for said state, personally appeared Fred Prossen, 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

NADENE E. CARBERY
Notary Public, State of New York
Qualified in Albany County
No. 02CA5050898
Commission Expires October 23, 2001

12050.0013/ALBDOCS:61021_2 (183502)

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EXHIBIT A

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DESCRIPTION OF THE LAND

All those certain tracts, pieces or parcels of land situate in the Town of Colonie, Albany County, New York, lying Southwesterly of Lincoln Avenue and Southerly of Spring Street Road, and being more particularly bounded and described as follows:

PROPOSED LEASE AREA 1 - AREA = 16.653± ACRES

BEGINNING at the point of intersection of the division line between the lands now or formerly of Altech Specialty Steel Corporation as described in Book 2164 of Deeds at Page 355 on the Northwest and lands now or formerly of D & H Corporation as described in Book 2432 of Deeds at Page 1 on the Southeast, with the division line between the lands of Altech Specialty Steel Corporation on the Northeast and lands now or formerly of Niagara Mohawk Power Corporation on the Southwest; thence from said point of beginning along the division line between the lands of said Altech Specialty Steel Corporation on the Northeast and lands of said Niagara Mohawk Power Corporation on the Southwest North 25 deg. 35 min. 00 sec. West 874.58 feet to a point; thence through the lands of said Altech Specialty Steel Corporation the following two (2) courses: 1) North 07 deg. 20 min. 45 sec. East 375.58 feet to a point; and 2) North 69 deg. 20 min. 38 sec. East 531.41 feet to a point; thence continuing through the lands of said Altech Specialty Steel Corporation in part and along the outside face of the existing Extrusion Plant building in part South 60 deg. 28 min. 46 sec. East 173.30 feet to a point; thence continuing through the lands of said Altech Specialty Steel Corporation and along the outside face of said Extrusion Plant building the following nine (9) courses:

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1) South 29 deg. 08 min. 09 sec. West 11.71 feet to a point; 2) South 60 deg. 18 min. 19 sec. East 32.25 feet to a point; 3) North 28 deg. 56 min. 49 sec. East 8.30 feet to a point; 4) South 60 deg. 13 min. 28 sec. East 18.14 feet to a point; 5) South 29 deg. 11 min. 47 sec. West 8.20 feet to a point; 6) South 60 deg. 09 min. 56 sec. East 20.68 feet to a point; 7) South 29 deg. 39 min. 24 sec. West 11.82 feet to a point; 8) South 60 deg. 21 min. 02 sec. East 188.44 feet to a point; and 9) South 29 deg. 39 min. 22 sec. West 78.00 feet to a point; thence continuing through the lands of said Altech Specialty Steel Corporation, South 60 deg. 18 min. 00 sec. East 48.75 feet to its point of intersection with the above mentioned division line between the lands of said Altech Specialty Steel Corporation on the Northwest and lands of said D & H Corporation on the Southeast; thence along said division line the following five (5) courses: 1) South 29 deg. 42 min. 00 sec. West 152.19 feet to a point; 2) South 59 deg. 30 min. 00 sec. East 75.00 feet to a point; 3) South 29 deg. 42 min. 00 sec. West 257.50 feet to a point; 4) North 61 deg. 10 min. 00 sec. West 34.00 feet to a point; and 5) South 29 deg. 42 min. 00 sec. West 742.60 feet to the point or place of beginning, containing 16.653± acres.

All that certain tract, piece or parcel of land situate in the Town of Colonie, Albany County, New York, lying generally Southwesterly of Lincoln Avenue and Southerly of Spring Street Road, and being more particularly bounded and described as follows:

COMMENCING at the point of intersection of the Northwesterly street boundary of Lincoln Avenue with the Southwesterly street boundary of Spring Street Road; thence from said point of commencement, Southeasterly along the Northwesterly and

Southwesterly street boundary of Lincoln Avenue the following three (3) courses: 1) South 29 deg. 42 min. 00 sec. West 150.00 feet to a point; 2) South 59 deg. 30 min. 00 sec. East 25.00 feet to a point; and 3) South 29 deg. 42 min. 00 sec. West 640.94 feet to the point of beginning of the herein described Option Area; thence from said point of beginning continuing along said Northwesterly street boundary of Lincoln Avenue, South 29 deg. 42 min. 00 sec. West 509.67 feet to a point; thence through the lands now or formerly of Altech Specialty Steel Corporation as described in Book 2164 of Deeds at Page 355 North 60 deg. 18 min. 00 sec. West 48.75 feet to a point on the outside face of the existing Extrusion Plant building; thence continuing through the lands of said Altech Specialty Steel Corporation and along the outside face of said Extrusion Plant building the following nine (9) courses: 1) North 29 deg. 39 min. 22 sec. East 78.00 feet to a point; 2) North 60 de. 21 min. 02 sec. West 188.44 feet to a point; 3) North 29 deg. 39 min. 24 sec. East 11.82 feet to a point; 4) North 60 deg. 09 min. 56 sec. West 20.68 feet to a point; 5) North 29 deg. 11 min. 47 sec. East 8.20 feet to a point; 6) North 60 deg. 13 min. 28 sec. West 18.14 feet to a point; 7) South 28 deg. 56 min. 49 sec. West 8.30 feet to a point; 8) North 60 deg. 18 min. 19 sec. West 32.25 feet to a point; and 9) North 29 deg. 08 min. 09 sec. East 11.71 feet to a point; thence continuing along said outside face of the existing Extrusion Plant building and through the lands of said Altech Specialty Steel Corporation, North 60 deg. 28 min. 46 sec. West 173.30 feet to a point; thence continuing through the lands of said Altech Specialty Steel Corporation the following six (6) courses: 1) North 69 deg. 20 min. 38 sec. East 159.68 feet to a point; 2) South 60 deg. 22

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min. 37 sec. East 255.94 feet to a point; 3) North 29 deg. 46 min. 22 sec. East 103.04 feet to a point; 4) North 60 deg. 10 min. 44 sec. West 125.88 feet to a point; 5) North 29 deg. 54 min. 31 sec. East 180.52 feet to a point; and 6) South 60 deg. 42 min. 08 sec. East 248.98 feet to the point or place of beginning, containing 2.776± acres.

Subject to any easement, covenants, or restrictions of record.

All that certain tract, piece or parcel of land situate in the Town of Colonie, Albany County, New York, lying Southwesterly of Lincoln Avenue and Southerly of Spring Street Road, and being more particularly bounded and described as follows:

PROPOSED LEASE AREA 4 - AREA = 0.427± ACRES

BEGINNING at the point of intersection of the Northwesterly street boundary of Lincoln Avenue with the Southwesterly street boundary of Spring Street Road and runs thence from said point of beginning along said Northwesterly street boundary of Lincoln Avenue, South 29 deg. 42 min. 00 sec. West 127.15 feet to a point; thence through the lands now or formerly of Altech Specialty Steel Corporation as described in Book 2164 of Deeds at Page 355 the following ten (10) courses: 1) North 13 deg. 39 min. 44 sec. West 18.85 feet to a point; 2) North 35 deg. 15 min. 30 sec. West 17.82 feet to a point; 3) North 48 deg. 48 min. 02 sec. West 37.61 feet to a point; 4) North 58 deg. 00 min. 28 sec. West 10.17 feet to a point; 5) North 32 deg. 10 min. 53 sec. West 20.19 feet to a point; 6) North 42 deg. 05 min. 14 sec. West 39.92 feet to a point; 7) North 44 deg. 27 min. 14 sec. West 26.30 feet to a point; 8) North 36 deg. 27 min. 38 sec. West 16.48 feet to a point; 9) North 54 deg. 18 min. 21 sec. West 42.60 feet to a point; and 10) North 29 deg.

40 min. 48 sec. East 61.04 feet to a point on the above mentioned Southwesterly street boundary of Spring Street Road; thence along said Southwesterly street boundary South 59 deg. 24 49 sec. East 214.62 feet to the point or place of beginning, containing 0.427± acres.

Subject to any easement, covenants, or restrictions of record.

All that certain tract, piece or parcel of land situate in the Town of Colonie, Albany County, New York, lying Northeasterly of Spring Street Road and Northwesterly of Homewood Avenue, and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the Northwesterly street boundary of Homewood Avenue with the Northeasterly street boundary of Spring Street Road and runs thence from said point of beginning along said Northeasterly street boundary North 59 deg. 24 min. 50 sec. West 53.01 feet to its point of intersection with the Northeasterly street boundary of Crommakill Drive; thence along said Northeasterly street boundary North 35 deg. 08 min. 10 sec. West 57.45 feet to its point of intersection with the division line between the lands now or formerly of Altech Specialty Steel Corporation as described in Book 2164 of Deeds at Page 355 on the Southeast and the lands now or formerly of Mark W. Malinoski and Maryann Malinoski as described in Book 2348 of Deeds at Page 409 on the Northwest; thence along said division line North 29 deg. 42 min. 00 sec. East 95.90 feet to its point of intersection with the division line

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between the lands of said Altech Specialty Steel Corporation on the Southwest and the lands now or formerly of William J. Downen and Virgencia M. Downen as described in Book 2374 of Deeds at Page 1051 on the Northeast; thence along said division line South 60 deg. 18 min. 00 sec. East 105.00 feet to its point of intersection with the above mentioned Northwesterly street boundary of Homewood Avenue; thence along said Northwesterly street boundary South 29 deg. 42 min. 00 sec. West 121.15 feet to the point or place of beginning, containing 0.276± acres.

Subject to any easements, restrictions or covenants of record.

All those certain tracts, pieces or parcels of land situate in the Town of Colonie, Albany County, New York, lying Southwesterly of Lincoln Avenue and Southerly of Spring Street Road, and being more particularly bounded and described as follows:

PROPOSED LEASE AREA 3 - AREA = 1.230± ACRES

COMMENCING at the point of intersection of the division line between the lands now or formerly of Altech Specialty Steel Corporation as described in Book 2164 of Deeds at Page 355 on the East and lands now or formerly of Niagara Mohawk Power Corporation on the West with the Southeasterly street boundary of Spring Street Road; thence from said point of commencement through the lands of said Altech Specialty Steel Corporation, South 19 deg. 35 min. 40 sec. East 942.31 feet to the point of beginning of the herein described proposed Lease Parcel 3, said point also being the Southwesterly corner of the existing Bar Turning building; thence from said point of

beginning through the lands of said Altech Specialty Steel Corporation and along the existing outside face of said building the following four (4) courses: 1) North 29 deg. 36 min. 25 sec. East 295.20 feet to a point; 2) North 60 deg. 23 min. 01 sec. West 20.55 feet to a point; 3) North 29 deg. 46 min. 01 sec. East 33.55 feet to a point; and 4) South 60 deg. 23 min. 01 sec. East 20.46 feet to a point; thence continuing through the lands of said Altech Specialty Steel Corporation and along the outside face of said Bar Turning building in part and through the existing Bar Turning building in part, North 29 deg. 36 min. 25 sec. East 200.36 feet to a point, said point being on the outside face of said existing Bar Turning building; thence along the outside face of said building and through said building South 60 deg. 30 min. 35 sec. East 209.02 feet to a point; thence South 29 deg. 53 min. 22 sec. West 28.44 feet to a point, said point being on the existing outside face of said Bar Turning building; thence along said outside face said of building North 60 deg. 06 min. 39 sec. West 90.00 feet to a point; thence continuing through said building in part and along the outside face of said building in part South 29 deg. 53 min. 22 sec. West 156.93 feet to a point; thence continuing through said lands of Altech Specialty Steel Corporation and along the existing outside face of said building the following fourteen (14) courses: 1) North 60 deg. 27 min. 14 sec. West 12.80 feet to a point; 2) South 29 deg. 30 min. 48 sec. West 47.91 feet to a point; 3) South 61 deg. 27 min. 21 sec. East 10.80 feet to a point; 4) North 29 deg. 09 min. 27 sec. East 6.06 feet to a point; 5) South 59 deg. 09 min. 31 sec. East 17.91 feet to a point; 6) South 29 deg. 25 min. 09 sec. West 37.99 feet to a point; 7) North 61 deg. 16 min. 17 sec. West 17.97 feet to a point; 8) North 29 deg. 18 min. 25 sec. East 14.92 feet to a point; 9) North

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62 deg. 19 min. 00 sec. West 10.36 feet to a point; 10) South 29 deg. 40 min. 04 sec. West 67.84 feet to a point; 11) North 59 deg. 50 min. 41 sec. West 19.94 feet to a point; 12) South 29 deg. 43 min. 44 sec. West 49.61 feet to a point; 13) North 60 deg. 22 min. 28 sec. West 32.92 feet to a point; and 14) South 30 deg. 10 min. 01 sec. West 39.14 feet to a point; thence continuing through said lands of Altech Specialty Steel Corporation and around the outside perimeter of an existing roof overhang area the following three (3) courses: 1) South 59 deg. 30 min. 34 sec. East 9.40 feet to a point; 2) South 29 deg. 54 min. 23 sec. West 86.48 feet to a point; and 3) North 62 deg. 58 min. 28 sec. West 9.08 feet to a point on the existing outside face of said bar turning building; thence continuing along the outside face of said existing building the following two (2) courses: 1) South 29 deg. 47 min. 50 sec. West 34.98 feet to a point; and 2) North 60 deg. 27 min. 06 sec. West 52.11 feet to the point or place of beginning, containing 1.230± acres.

Subject to any easement, covenants, or restrictions of record.

All those certain tracts, pieces or parcels of land situate in the Town of Colonie, Albany County, New York, lying Southwesterly of Lincoln Avenue and Southerly of Spring Street Road, and being more particularly bounded and described as follows:

PROPOSED LEASE AREA 2 - AREA = 0.694± ACRES

COMMENCING at the point of intersection of the Northwesterly street boundary of Lincoln Avenue with the Southwesterly street boundary of Spring Street Road; thence

from said point of commencement through the lands now or formerly of Altech Specialty Steel Corporation as described in Book 2164 of Deeds at Page 355, South 44 deg. 13 min. 04 sec. West 202.37 feet to the point or place of beginning of the herein described Lease Parcel 2, said point also being the Northeasterly corner of the existing building housing Technical Services, Carpenter Shop, and Store Room; thence from said point of beginning through the lands of said Altech Specialty Steel Corporation and around the existing outside face of said building the following sixteen (16) courses:

- 1) South 29 deg. 35 min. 08 sec. West 301.96 feet to a point; 2) North 53 deg. 42 min. 05 sec. West 0.69 feet to a point; 3) South 29 deg. 42 min. 53 sec. West 54.67 feet to a point;
- 4) North 60 deg. 14 min. 39 sec. West 22.45 feet to a point; 5) North 30 deg. 03 min. 57 sec. East 3.70 feet to a point; 6) North 60 deg. 08 min. 14 sec. West 38.51 feet to a point;
- 7) North 30 deg. 06 min. 28 sec. East 16.60 feet to a point; 8) South 60 deg. 05 min. 47 sec. East 9.23 feet to a point; 9) North 30 deg. 01 min. 59 sec. East 19.40 feet to a point;
- 10) North 60 deg. 22 min. 57 sec. West 29.48 feet to a point; 11) South 29 deg. 38 min. 23 sec. West 9.90 feet to a point; 12) North 60 deg. 21 min. 37 sec. West 34.17 feet to a point;
- 13) North 29 deg. 29 min. 51 sec. East 104.99 feet to a point; 14) South 60 deg. 37 min. 27 sec. East 40.10 feet to a point; 15) North 29 deg. 36 min. 22 sec. East 220.87 feet to a point; and 16) South 60 deg. 47 min. 14 sec. East 75.84 feet to the point or place of beginning, containing 0.694± acres.

Subject to any easement, covenants, or restrictions of record.

STATE OF NEW YORK)
COUNTY OF ALBANY)
Recorded in DEEDS
As Shown Hereon and
Examined
THOMAS G. CLINGAN
ALBANY COUNTY CLERK

03937

STATEMENT OF PROPERTY INTEREST

LIBR 2189 PAGE 1101

This statement is made June 13, 1980, by AL TECH SPECIALTY STEEL CORPORATION, a Delaware Corporation, having its principal office in the City of Dunkirk, County of Chautauqua, State of New York, the owner in fee of a certain piece or parcel of land situate, lying and being in the Town of Colonie, County of Albany, State of New York, pursuant to, and as described in, a deed dated August 2, 1976, from Allegheny Ludlum Industries, Inc. to AL Tech Specialty Steel Corporation, which deed was recorded in Albany County Clerk's Office August 2, 1976, in Liber 2117 of Deeds, Page 919.

The following quoted statement, with a possible restatement of the period of use, shall be inserted in deeds of conveyance of the above premises:

"Be it known that during the period from circa 1950 to the date hereof a portion of this property was used as an industrial landfill for the disposal of wastes as listed below and that records of the facility have been placed on file with the New York State Department of Environmental Conservation, Region 4, whose offices are located at 50 Wolf Road, Albany, New York,

Be it also known that a map 10-All-051AB has been filed with the County Clerk detailing the limits of the landfilled areas within the property described herein. The type of wastes buried on the property include: furnace debris, steel scale, baghouse dust, and neutralized sludge. The specific nature of and location of these wastes buried on the property herein, are detailed in the records filed with the Department of Environmental Conservation."

IN WITNESS WHEREOF, AL Tech Specialty Steel Corporation has caused its corporate seal to be hereunto affixed, and these presents signed by its duly authorized officer the day and year first above written.

AL TECH SPECIALTY STEEL CORPORATION

BY:

[Signature]
President and Chief Operating Officer

- 1 -

ALBANY

08. 14 94 01 DE NOV

OFFICE OF CLERK

LIBER 2189 PAGE 1102

STATE OF New York) ss.:
COUNTY OF Albany)

On the 13 day of June, 1980, before me personally came Thomas J. Gorman, to me known, who, being by me duly sworn, did depose and say that he resides at No. 91 Monanda Road, Menands, New York 12204

; that he is the President and COO of AL TECH SPECIALTY STEEL CORPORATION, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Anne M. Taylor
Notary Public

No. 3936800

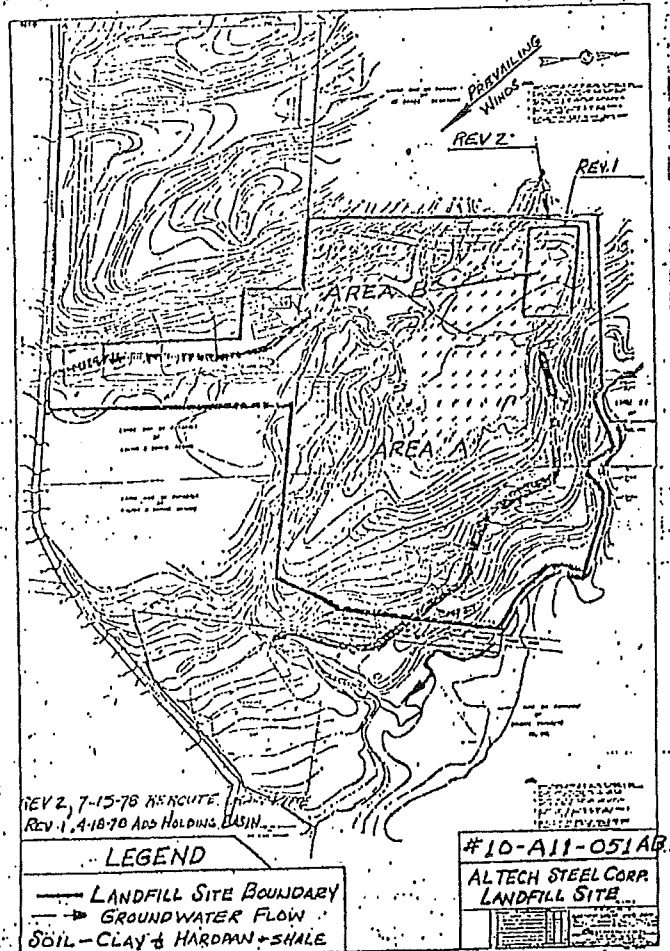
State of New York) ss. Recorded
County of Albany)
On JUN 18 1980
At 10:46 A.M. In
book 2189 of
Deeds On
page 1101 and examined

[Signature]

ALBANY COUNTY CLERK

JUN 18 10 46 AM '80
ALBANY, N.Y.

WD 2189 NR 1103



EASEMENT

04184

THIS INDENTURE, made the 14th day of January, in the Year Two Thousand, by and between REALCO INC., a New York corporation, whose address is 90 Willowbrook Avenue, New York 14184-0152, hereinafter called the Grantor, and NIAGARA MOHAWK POWER CORPORATION, a public service corporation of the State of New York having its principal office and place of business at 300 Erie Boulevard West, Syracuse, New York, hereinafter called the Company.

LIBER 2648 PAGE 788 WITNESSETH

That the Grantor, in consideration of One Dollar (\$1.00) and other valuable consideration paid by the Company, the receipt whereof is hereby acknowledged, has granted and released and does hereby grant and release to the Company, its successors and assigns, the permanent right of way and easement to build, rebuild, relocate, operate, repair, maintain and, at its pleasure, remove an electric line or lines, including such poles, towers, crossarms, wires, transformers, cables, underground conduit, counterpoise wires or cables, guys, stubs, anchors, brace poles, ways and such other appurtenant or supporting apparatus or structures as said Company may now or shall from time to time deem necessary, and to transmit and distribute electricity, including telephone transmission, upon, over, under, through, across and beyond a strip of land 50 feet in width which the Grantor owns, being a part of a parcel no. 44 01-1-7, in the Town of Colonie, County of Albany, State of New York, the strip of land being described as follows:

More particularly as shown and/or described on Exhibit "A", attached hereto and a part hereof.

The Company and REALCO INC. acknowledge that the subject premises are currently subject to an investigation and/or remediation of environmental conditions as identified in the Phase I and Phase II RCRA Facility Investigations, that are on file with the New York State Department of Environmental Conservation (the "Baseline Environmental Conditions").

REALCO INC. and ALTX, INC., a New York corporation, whose address is 201 Spring Street Road, Watervliet, New York 12189, acknowledge that the Company has no liability for the Baseline Environmental Conditions and ALTX agrees to defend and indemnify and hold harmless the Company for any costs, expenses, claims or liabilities arising out of the Baseline Environmental Conditions.

Together with the right to construct roads and driveways on said strip of land and the right of reasonable access, subject to reasonable rules except in the case of an emergency, including advance notice adopted from time to time by Grantor, over the Grantor's premises thereto from the highway adjoining said premises and of passage thereover on foot or with vehicles so far as the same shall be deemed necessary for the full enjoyment hereof or for reaching the Company's right of way on neighboring lands. Also the right to extend guy wires and anchors outside of said strip of land at angle points where deemed necessary by the Company.

With the right to maintain and manage said right of way to preserve the environment and to trim, cut and remove all trees, limbs, brush or other obstructions either mechanically or by the use of approved herbicides within said strip of land and any trees outside of said area which, in the opinion of the Company, may be likely to fall upon said lines or to interfere with the satisfactory operation thereof. The Grantor covenants as a covenant running with the land that, without written consent of the Company; No buildings or other structures of any kind shall be erected or suffered upon said strip of land; that no other electric lines or wires, poles or other structures shall be permitted to cross the right of way hereby granted, except at the Company's standard clearance distance from its lines; that no trees shall be planted on said strip of land; that no equipment or materials shall be stored on said strip of land and that the grade of the said strip of land shall not be changed.

This grant is made on the express undertaking of the parties hereto that if, in entering the premises for the purpose of reconstructing, maintaining or repairing said lines any damage is done to the property of the Grantor, the then owner can name the amount of such damage done, and if the Company, its successors, assigns or agents, as may be, objects to the said amount claimed, then each party shall choose a person and, if they cannot agree, the two shall choose a third person, and the decision of any two of said person in respect to said damages shall be final and binding upon all parties.

Except for the rights herein granted to the Company, the Grantor shall have the right to fully use and enjoy said premises, subject to any exceptions set forth in Schedule B of the title insurance policy issued to ALTX by Monroe Title Insurance Corporation, dated September 8, 1999. This grant and easement shall at all times be deemed to be a continuing covenant running with the land for the benefit and use of all the properties and premises of the Company, its successors and assigns, used and useful in the transmission and/or distribution of electricity and shall enure to and be binding upon the successors, heirs and assigns of the Grantor.

**34.5kV TRANSMISSION LINE EASEMENT
TAP TO REALCO INC.**

All that tract or parcel of land situate in the Town of Colonie, Albany County, State of New York, being more particularly described as follows:

Beginning at an intersection of the proposed transmission line tap from the Maplewood-Menands #18, 34.5kV to REALCO INC. with the westerly property line of REALCO INC., said point bearing N 25° 35' 00" W, 868.57 feet from the southwesterly property corner of REALCO INC.; thence, N 25° 35' 00" W in said westerly line, a distance of 6.01 feet to an angle point; thence, N 07° 36' 00" W continuing in said westerly line, a distance of 19.76 feet; thence, S 89° 47' 53" E, a distance of 20.81 feet; thence, N 69° 09' 22" E, a distance of 353.30 feet; thence, S 57° 01' 20" E, a distance of 43.68 feet; thence, S 32° 58' 38" W, a distance of 50.00 feet; thence, N 57° 01' 20" W, a distance of 18.30 feet; thence, S 69° 09' 22" W, a distance of 337.21 feet; thence, N 89° 47' 53" W, a distance of 12.72 feet to the said westerly line of REALCO INC.; thence, N 25° 35' 00" W, a distance of 27.77 feet along said property line to the point or place of beginning. Intending to describe an easement 50' wide and to be centered on the proposed transmission line all as shown on a plan entitled, "A Map Showing a Permanent Easement Over Lands Owned by REALCO INC." prepared by Niagara Mohawk Power Corporation, having a drawing number of B-33751-E, containing 0.46 acres plus or minus.

For Info only
reference

Recorded in DEEDS
As Shown Hereon and
Examined, 10.

THOMAS G. CLINCAN
ALBANY COUNTY CLERK

