

Day, Berry & Howard LLP

COUNSELLORS AT LAW



SDMS DocID

262720

Sharon M. Seligman
Direct Dial: (860) 275-0164
E-mail: smseligman@dbh.com
www.dbh.com

November 22, 2004

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Donald F. Gladding
First Selectman
Town of Plainfield
Town Hall
8 Community Avenue
Plainfield, CT 06374

Ms. Gloria Rizer
Chairperson
Town of Plainfield Planning and
Zoning Commission
Town Hall
8 Community Avenue
Plainfield, CT 06374

Ms. Patricia Beckenhaupt
Director
Northeast District Department of Health
136 Main Street, Suite 301
Danielson, CT 06239

Re: Recordation of Environmental Land Use Restriction

Dear Mr. Gladding, Ms. Rizer and Ms. Beckenhaupt:

On behalf of the Gallup's Quarry Potentially Responsible Party Group, and pursuant to Section 22a-133q-1(j) of the Regulations of Connecticut State Agencies, this is to provide to you a copy of the recorded Declaration of Environmental Land Use Restriction (and associated documents) which we have recorded on the land records of the Town of Plainfield.

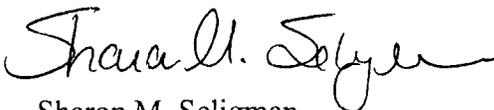
Specifically, with respect to the property owned by Robert J. Gluck, Executor of the Estate of Dolores F. Gluck and located to the rear and westerly of Norwich Road, also known as Connecticut Route 12, please find the following:

Day, Berry & Howard LLP

Mr. Donald F. Gladding
Ms. Gloria Rizer
Ms. Patricia Beckenhaupt
November 22, 2004
Page 2

1. Copy of the recorded Declaration of Environmental Land Use Restriction and Grant of Easement and Exhibits, together with a copy of the survey referred to in Exhibit C attached thereto.
2. Copy of the recorded Approval of Request for Waiver from Certain Subordination Agreements.
3. Copy of the recorded Partial Certificate of Subordination of Federal Estate Tax Lien.

Very truly yours,


Sharon M. Seligman

Enclosures

cc: Tricia A. Haught (w/o encls)
Mark Lewis, DEP (w/encls)
 Leslie McVickar, EPA (w/encls)

DECLARATION OF ENVIRONMENTAL LAND USE RESTRICTION
AND GRANT OF EASEMENT

Property of the Estate of Dolores F. Gluck

This Declaration of environmental land use restriction and Grant of Easement is made this 19th day of October, 2004, between the Estate of Dolores F. Gluck (“the Grantor”) and the Commissioner of Environmental Protection of the State of Connecticut (“the Grantee”).

WITNESSETH:

WHEREAS, Grantor is the owner in fee simple of certain real property (the “Property”) located to the rear and westerly of Norwich Road, also known as Connecticut Route No. 12, and to the north of Tarbox Road in the Town of Plainfield in Windham County, designated as Lot 4, Block 17 on Tax Map 9 of the Town of Plainfield in Windham County, more particularly described on Exhibit A which is attached hereto and made a part hereof; and

WHEREAS, the Grantee has determined that the environmental land use restriction set forth below is consistent with regulations adopted by him pursuant to Section 22a-133k of the Connecticut General Statutes; and

WHEREAS, the Grantee has determined that this environmental land use restriction will effectively protect public health and the environment from the hazards of pollution; and

WHEREAS, the Grantee’s written approval of this environmental land use restriction is contained in the document attached hereto as Exhibit B (the “Decision Document”) which is made a part hereof; and

WHEREAS, the property or portion thereof identified in the class A-2 survey (“the Subject Area”) which survey is attached hereto as Exhibit C which is made a part hereof, contains pollutants; and

WHEREAS, to prevent exposure to or migration of such pollutants and to abate hazards to human health and the environment and in accordance with the Decision Document, the Grantor desires to impose certain restrictions upon the use, occupancy, and activities of and at the Subject Area, and to grant this environmental land use restriction to the Grantee on the terms and conditions set forth below; and

WHEREAS, Grantor intends that such restrictions shall run with the land and be binding upon and enforceable against Grantor and Grantor’s successors and assigns;

NOW, THEREFORE, Grantor agrees as follows:

1. Purpose. In accordance with the Decision Document, the purpose of this environmental land use restriction is to assure that groundwater at the Subject Area is not withdrawn for any purpose other than for ground water monitoring.

2. Restrictions Applicable to the Subject Area. In furtherance of the purposes of this environmental land use restriction, Grantor shall assure that use, occupancy, and activity of and at the Subject Area are restricted as follows:

Declaration of Environmental Land Use Restriction

Property of the Estate of Dolores F. Gluck

Page 2 of 4

- A. Groundwater. Groundwater at the Subject Area shall not be withdrawn for any purpose, other than groundwater monitoring pursuant to a plan approved in writing by the Grantee.
3. Except as provided in Paragraph 4 below, no action shall be taken, allowed, suffered, or omitted if such action or omission is reasonably likely to:
- i. Create a risk of migration of pollutants or a potential hazard to human health or the environment; or
 - ii. Result in a disturbance of the structural integrity of any engineering controls designed or utilized at the Property to contain pollutants or limit human exposure to pollutants.
4. Emergencies. In the event of an emergency which presents a significant risk to human health or the environment, the application of Paragraphs 2 and 3 above may be suspended, provided such risk cannot be abated without suspending such Paragraphs and the Grantor:
- i. Immediately notifies the Grantee of the emergency;
 - ii. Limits both the extent and duration of the suspension to the minimum reasonably necessary to adequately respond to the emergency;
 - iii. Implements all measures necessary to limit actual and potential present and future risk to human health and the environment resulting from such suspension; and
 - iv. Implements a plan approved in writing by the Grantee, on a schedule approved by the Grantee, to ensure that the Subject Area is remediated in accordance with R.C.S.A. sections 22a-133k-1 through 22a-133k-3, inclusive, or restored to its condition prior to such emergency.
5. Release of Restriction; Alterations of Subject Area. Grantor shall not make, or allow or suffer to be made, any alteration of any kind in, to, or about any portion of any of the Subject Area inconsistent with this environmental land use restriction unless the Grantor has first recorded the Grantee's written approval of such alteration upon the land records of Town of Plainfield, Connecticut. The Grantee shall not approve any such alteration and shall not release the Property from the provisions of this environmental land use restriction unless the Grantor demonstrates to the Grantee's satisfaction that Grantor has remediated the Subject Area in accordance with R.C.S.A. sections 22a-133k-1 through 22a-133k-3, inclusive.
6. Grant of Easement to the Grantee. Grantor hereby grants and conveys to the Grantee, his agents, contractors, and employees, and to any person performing pollution remediation activities under the direction thereof; a non-exclusive easement (the "Easement") over the Subject Area and over such other parts of the Property as are necessary for access to the Subject Area or for carrying out any actions to abate a threat to human health or the environment associated with the Subject Area. Pursuant to this Easement, the Grantee, his agents, contractors, and employees, and any person performing pollution remediation activities under the direction thereof, may enter upon and inspect the Property and perform such investigations and actions as the Grantee deems necessary for any one or more of the following purposes:

Declaration of Environmental Land Use Restriction
Property of the Estate of Dolores F. Gluck
Page 3 of 4

- i. Ensuring that use, occupancy, and activities of and at the Property are consistent with this environmental land use restriction;
 - ii. Ensuring that any remediation implemented complies with R.C.S.A. sections 22a-133k-i through 22a-133k-3, inclusive;
 - iii. Performing any additional investigations or remediation necessary to protect human health and the environment;
7. Notice and Time of Entry onto Property. Entry onto the Property by the Grantee pursuant to this Easement shall be upon reasonable notice and at reasonable times, provided that not be subject these limitations if the Grantee determined that immediate entry is to protect human health or the environment.
8. Notice to Lessees and Other Holders of Interests in the Property. Grantor, or any future holder of any interest in the property, shall cause any lease, grant, or other transfer of any interest in the Property to include a provision expressly requiring the lessee, grantee, or transferee to comply with this environmental land use restriction and Grant of Easement. The failure to include such provision shall not affect the validity or applicability to the Property of this environmental land use restriction and Grant of Easement.
9. Persons Entitled to Enforce Restrictions. The restrictions in this environmental land use restriction on use, occupancy, and activity of and at the Property shall be enforceable in accordance with section 22a-133p of the General Statutes.
10. Severability and Termination. If any court of competent jurisdiction determines that any provision of this environmental land use restriction or Grant of Easement is invalid or unenforceable, such provision shall be deemed to have been modified automatically to conform to the requirements for validity and enforceability as determined by such court. In the event that the provision invalidated is of such nature that it cannot be so modified, the provision shall be deemed deleted from this instrument as though it had never been included herein. In either case, the remaining provisions of this instrument shall remain in full force and effect. Further, in either case, the Grantor shall submit a copy of this restriction and of the judgement of the Court to the Grantee in accordance with R.C.S.A. section 22a-133q-1(l). This environmental land use restriction shall be terminated if the Grantee provides notification pursuant to R.C.S.A. section 22a-133q-1(l).
11. Binding Effect. All of the terms, covenants and conditions of this environmental land use restriction and Grant of Easement shall run with the land and shall be binding on the Grantor, the Grantor's successors and assigns, and each owner and any other party entitled to possession or use of the Property during such period of ownership or possession.
12. Terms Used Herein. The definitions of terms used herein shall be the same as the definitions contained in sections 22a-133k-1 and 22a-133q-1 of the Regulations of Connecticut State Agencies as such sections existed on the date of execution of this environmental land use restriction.

Declaration of Environmental Land Use Restriction
Property of the Estate of Dolores F. Gluck
Page 4 of 4

Estate of Dolores F. Gluck

Robert J. Gluck

By: Robert J. Gluck, Executor

Jeanne Lamoureux
Michael Lahan

Printed Name: JEANNE LAMOUREUX

Printed Name: MICHAEL LAHAN

COUNTY OF

NEW LONDON) ss. NORWICH

October 19, 2004

Personally appeared ROBERT J. GLUCK of PLAINFIELD CT
signer and sealer of the foregoing instrument, and acknowledged the same to be his/her free act
and deed, ~~as Executor of the Estate of Dolores F. Gluck,~~
~~and the free act and deed of said corporation,~~ before me.

Michael Lahan
Notary Public/Commissioner of the Superior Court
MICHAEL LAHAN

Arthur J. Rocque, Jr.
Commissioner of Environmental Protection

August 18, 2004
Date

EXHIBIT A

All that certain piece or parcel of land with all buildings and improvements thereto, situated in the Town of Plainfield, County of Windham, and State of Connecticut, owned by the Estate of Dolores F. Gluck, situated to the rear and westerly of Norwich Road, also known as Connecticut Route No. 12, bounded and described as follows:

Beginning at an iron pin in the westerly line of land now or formerly of Providence and Worcester Railroad Company marking the southeasterly corner of the herein described parcel and the northeasterly corner of land now or formerly of Town of Plainfield; thence N 76° 20' 25" W 455.11 feet to an iron pin; thence continuing N 76° 20' 25" W 1.00 feet to a point in the centerline of a stonewall, the last two courses being bounded southerly by land now or formerly of said Town of Plainfield; thence N 21° 53' 37" E 31.58 feet along the centerline of said stonewall to a point; thence N 02° 41' 29" W 121.02 feet to a stone monument; thence N 79° 33' 24" W 433.14 feet to a stone monument, the last three courses being bounded westerly and southerly by land now or formerly of Tilcon Minerals, Inc.; thence N 22° 40' 22" E 347.15 feet to a point, the last course being bounded westerly by land now or formerly of Town of Plainfield; thence N 79° 35' 36" E 61.24 feet to a concrete filled steel post; thence S 66° 57' 49" E 574.93 feet to a steel casing for monitoring well marked "MW 118 S"; thence S 21° 47' 18" E 261.08 to a steel casing for monitoring well marked "MW 103 S"; thence S 31° 51' 43" E 139.72 feet to a point in the westerly line of said land now or formerly of Providence and Worcester Railroad Company, the last four courses being bounded northerly and northeasterly by land now or formerly of Estate of Dolores Gluck; thence in a southwesterly direction 87.30 feet along a curve to the right having a radius of 11404.19 feet (the chord of said curve being S 20° 36' 18" W 87.30 feet) to an iron pin and point of beginning, the last course following the westerly line of said land now or formerly of Providence and Worcester Railroad Company, the above described parcel contains 6.67 acres.

EXHIBIT B
DECISION DOCUMENT

Property of the Estate of Dolores Gluck

The purpose of this document is to describe 1) the type and location of pollutants in the groundwater at the specific area noted below at the property of the Estate of Dolores F. Gluck, located to the rear and westerly of Norwich Road, also known as Connecticut Route No. 12, and to the north of Tarbox Road in the Town of Plainfield, Connecticut ("the Property") for which an Environmental Land Use Restriction ("ELUR") is necessary, 2) the provisions of the ELUR and the reasons why such restrictions or limitations on the use of the Property or portions of the Property are necessary to adequately protect human health and the environment, and 3) why the ELUR is consistent with the Remediation Standard Regulations, Sections 22a-13 3k-1 through 22a-13 3k-3 of the Regulations of Connecticut State Agencies ("RCSA").

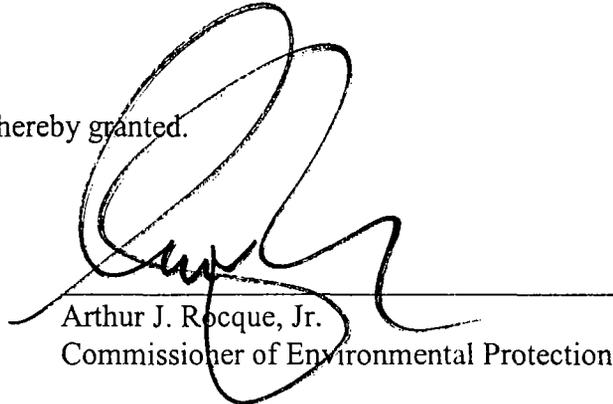
The Property is located near property of the estate of C. Stanton Gallup (the "Gallup property"). Due to the past illegal disposal of hazardous waste on the Gallup property, ground water on the Property may be, now or in the future, polluted with metals, volatile organic compounds, and semivolatile organic compounds. The US Environmental Protection Agency (EPA) listed the Gallup property on the National Priorities List on October 4, 1989. On September 30, 1997, EPA issued a Record of Decision (the "ROD") that specified the clean-up remedy EPA selected for the Gallup property. The remedy includes for the Dolores Gluck Estate property: 1) monitored natural attenuation of contaminants in ground water, 2) institutional controls including Environmental Land Use Restrictions under State law to limit the use of the Property, and 3) long-term monitoring of groundwater until cleanup goals have been attained. In November 1999, 30 potentially responsible parties signed a Consent Decree with EPA to clean up the Property and nearby properties affected by the contamination. A list of contaminants that may be, now or in the future, detected in ground water at the Property and the cleanup levels specified in the ROD is included as Table 1 of this Decision Document. The ELUR prohibits certain activities within the Subject Area, as depicted on Exhibit C. The Subject Area is a 6.67- acre portion of the property of the Estate of Dolores F. Gluck that is crossed by Mill Brook.

Within the Subject Area on the Property, volatile organic compounds, semi- volatile organic compounds, and metals may be, now or in the future, present at concentrations in groundwater that exceed the cleanup levels specified in the ROD. A list of groundwater contaminants that may be, now or in the future, detected in the Subject Area and the cleanup levels for such contaminants is attached as Table 1 of this Decision Document. If the groundwater were to be withdrawn for any purpose other than ground water monitoring, such polluted groundwater might pose an unacceptable risk to human health. Such polluted groundwater does not pose a risk to human health, provided the groundwater is not withdrawn for any purpose other than for ground water monitoring. The ELUR prohibits the withdrawal of groundwater in the Subject Area for any purpose other than for ground water monitoring.

Public Notice of Grantor's intent to record the ELUR was published in the Norwich Bulletin on September 26, 2003. No comments from the public were received during the 30 day comment period.

Approval of this Decision Document is hereby granted.

August 18, 2004
Date



Arthur J. Rocque, Jr.
Commissioner of Environmental Protection

Exhibit B- Decision Document
Property of the Estate of Dolores F. Gluck
Page 3 of 3

Table 1

Contaminant	Cleanup Level (micrograms/liter)
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Volatile Organic Compounds

benzene	1
1,2-dichlorobenzene	1
1,1 -dichloroethene	6
1,2-dichloroethene	70
methylene chloride	5
tetrachloroethylene	5
trichloroethene	5
1,1,1 trichloroethane	200
vinyl chloride	2

Semi- Volatile Organic Compounds

bis (2-ethyihexyl phthalate)	2
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Metals

lead	15
chromium	50
vanadium	50

EXHIBIT C

SEE CLASS A-2 SURVEY FILED SIMULTANEOUSLY HEREWITH IN THE
PLAINFIELD LAND RECORDS.

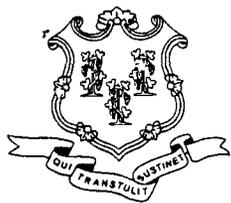
Received For Record at Plainfield, CT
on 10/26/04 2:06 PM
Attest *Helen Francis Coombs*
Helen Francis Coombs, Town Clerk

[Faint, illegible text]

005682

PLEASE RECORD AND RETURN TO
DAY, BERRY & HOWARD LLP
CityPlace
Hartford, CT 06103-3499

PINA SALVATORE



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



JUNE 1, 2004

Gallup's Quarry PRP Group
 c/o W. Gary Wilson, Esq.
 Mactec, Inc.
 32 Daniel Webster Highway, Ste 25
 Merrimack, NH 03054-4823

Re: Dolores Gluck Estate property (the "Site")
 Tarbox Road
 Plainfield, Connecticut

APPROVAL

REQUEST FOR WAIVER FROM CERTAIN SUBORDINATION AGREEMENTS

The Planning and Standards Division of the Bureau of Waste Management (the "Department") has reviewed the letter to Commissioner Rocque dated July 23, 2003 (the "Letter"). The Letter requests a waiver from the requirement to obtain certain subordination agreements in conjunction with the proposed Environmental Land Use Restriction ("ELUR") for the Site. The Letter was prepared by Tricia A. Haught of Day, Berry & Howard LLP, on behalf of the Gallup's Quarry PRP Group.

The Letter requests a waiver from the requirement to obtain subordination agreements for the following interests at the above referenced Site:

1. Agreement to make, keep and maintain fences in a warranty deed of Dyer Ames to the Norwich and Worcester Railroad Company dated May 10, 1843 and recorded May 16, 1843 in volume 17, page 316 of the Plainfield Land records;
2. Pole line permit granted by Henry F. Newton to the Southern New England Telephone Company by deed dated September 9, 1907 and recorded September 23, 1907 in volume 34, page 276 of the Plainfield land records; and,
3. Right of Pervel Industries, Inc., its successors, and assigns, to relocate right of way for passage and repassage appurtenant to said premises, set forth in quitclaim deed from Pervel Industries, Inc. to Alice B. Gallup dated April 9, 1979, and recorded April 23, 1979 in volume 132, page 788 of the Plainfield land records.

This approval specifically excludes the Notice of Federal Estate Tax lien in the amount of \$217,490.00, dated May 23, 2001 and recorded June 4, 2001 at Volume of the Plainfield land records.

The Letter also explains why these interests, for which waivers are being requested, are so minor as to be unaffected by the ELUR.

This determination is based on the certificate of title dated July 1, 2003 included as an enclosure to the Letter. The Letter describes the encumbrance listed in the certificate of title.

Approval of Subordination Agreement Waiver- Dolores Gluck Estate Property
Page 2 of 2

The request to waive the requirement to obtain subordination agreements for the above referenced interests, is hereby approved. Please record this approval letter, and any other documents that are necessary to show that all other interests in the land have been irrevocably subordinated to the ELUR, as required by Conn. Gen. Stat. section 22a-133o(b).

Nothing in this approval shall relieve any person of his or her obligations under applicable federal, state and local law.

If you have any questions pertaining to this matter, please contact Mark Lewis of my staff at (860) 424-3768.

Sincerely,



Elsie Patton
Acting Director
Planning and Standards Division
Bureau of Waste Management

EP:MRL

cc: Ms. Leslie McVickar
U.S. Environmental Protection Agency
Office of Site Remediation and Restoration
1 Congress St.
Suite 1100 (HBT)
Boston, MA 02114-2023

Estate of C. Stanton Gallup
c/o Milton Jacobson, Esq.
Brown Jacobson PC
22 Courthouse Square
Norwich, CT 06360

Sharon M. Seligman, Esq.
Day, Berry & Howard LLP
Cityplace I
Hartford, CT 06103-3499

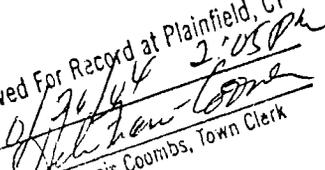
Elsie Patton, CTDEP

Peter Hill, CTDEP

Mark Lewis, CTDEP

Jack Looney, Attorney General's Office, Environmental Section

Sent Certified Mail
Return Receipt Requested

Received For Record at Plainfield, CT
on 10/26/04 2:05 PM
Attest: 
Helen Francis Coombs, Town Clerk

005681

PLEASE RECORD AND RETURN TO
DAY, BERRY & HOWARD LLP
CityPlace
Hartford, CT 06103-3499

IRINA SALVATORE

Form **669-F**
(Rev. June 1981)

Department of the Treasury - Internal Revenue Service

Partial Certificate of Subordination of Federal Estate Tax Lien
(Section 6325(d)(3) of the Internal Revenue Code)

Name of estate DELORES F. GLUCK ROBERT J. GLUCK, MARK N. GLUCK, KEVIN W. GLUCK (CURRENT OWNERS)	Decedent's date of death 5/26/1998
Decedent's address at time of death 162 PACKERVILLE RD PLAINFIELD, CT. 06374	Decedent's Social Security Number 048-20-5732
	Amount of additional estate tax \$217,490.00

Name, address, and social security number of qualified heirs of property subject to the lien ROBERT J. GLUCK, 162 PACKERVILLE RD., PLAINFIELD, CT 06374 MARK N. GLUCK, 162 PACKERVILLE RD., PLAINFIELD, CT 06374 KEVIN W. GLUCK, 162 PACKERVILLE RD., PLAINFIELD, CT 06374	Name and address of agent designated by the qualified heirs for dealings with the Internal Revenue Service regarding the specially valued property ROBERT J. GLUCK 162 PACKERVILLE RD. PLAINFIELD, CT. 06374
---	---

A lien exists in favor of the United States against the specific property described below for additional Federal estate tax imposed by Code Section 2057 due to the special valuation elected under Section 2057.

Notice of the lien was filed with the TOWN CLERK

for the TOWN OF PLAINFIELD

STATE OF CONNECTICUT

in accordance with applicable provisions of the law.

Description of property against which the lien exists

SEE ATTACHED LEGAL DESCRIPTION (EXHIBIT "B")

Description of the property to be discharged

SEE ATTACHED LEGAL DESCRIPTION (EXHIBIT "A")

(over)

Form **669-F** (Rev. 6-81)

Description of security, if any, substituted for the property

NONE

Liens or other interests to which the lien for the United States is subordinated

NONE

I, Stephen L. Daige, Area Director of Internal Revenue at BOSTON, MASS. am charged by law with the duty of collecting and enforcing the collection of internal revenue taxes due the United States.

I have determined that the United States will be adequately secured after the issuance of a certificate subordinating the Federal estate tax lien, and I authorize the issuance of the certificate.

The lien for the United States, Federal Number CS-0601-01-0002 for the above tax is subordinated as to the following:

Under Code Section 6325(d)(3), I subordinate the Federal estate tax lien to the instrument described as Environmental Land Use Restriction and Grant of Easement between the Estate of Delores F. Gluck and the Commissioner of Environmental Protection of the State of Connecticut

reserving, however, the effect of the lien on all other property or rights to property to which the lien attaches, wherever located.

BOSTON, MA

This certificate was prepared at

on this, the 6TH day of February, 20 04.

Signature

Title

Group Manager, Technical Services Group

EXHIBIT A

All that certain piece or parcel of land with all buildings and improvements thereto, situated in the Town of Plainfield, County of Windham, and State of Connecticut, owned by the Estate of Dolores F. Gluck, situated to the rear and westerly of Norwich Road, also known as Connecticut Route No. 12, bounded and described as follows:

Beginning at an iron pin in the westerly line of land now or formerly of Providence and Worcester Railroad Company marking the southeasterly corner of the herein described parcel and the northeasterly corner of land now or formerly of Town of Plainfield; thence N 76° 20' 25" W 455.11 feet to an iron pin; thence continuing N 76° 20' 25" W 1.00 feet to a point in the centerline of a stonewall, the last two courses being bounded southerly by land now or formerly of said Town of Plainfield; thence N 21° 53' 37" E 31.58 feet along the centerline of said stonewall to a point; thence N 02° 41' 29" W 121.02 feet to a stone monument; thence N 79° 33' 24" W 433.14 feet to a stone monument, the last three courses being bounded westerly and southerly by land now or formerly of Tilcon Minerals, Inc.; thence N 22° 40' 22" E 347.15 feet to a point, the last course being bounded westerly by land now or formerly of Town of Plainfield; thence N 79° 35' 36" E 61.24 feet to a concrete filled steel post; thence S 66° 57' 49" E 574.93 feet to a steel casing for monitoring well marked "MW 118 S"; thence S 21° 47' 18" E 261.08 to a steel casing for monitoring well marked "MW 103 S"; thence S 31° 51' 43" E 139.72 feet to a point in the westerly line of said land now or formerly of Providence and Worcester Railroad Company, the last four courses being bounded northerly and northeasterly by land now or formerly of Estate of Dolores Gluck; thence in a southwesterly direction 87.30 feet along a curve to the right having a radius of 11404.19 feet (the chord of said curve being S 20° 36' 18" W 87.30 feet) to an iron pin and point of beginning, the last course following the westerly line of said land now or formerly of Providence and Worcester Railroad Company, the above described parcel contains 6.67 acres.

That certain real estate situated in the Town of Plainfield, County of Windham and State of Connecticut, bounded and described as follows:

FIRST TRACT: Is bounded on the south by the highway leading from the Village of Plainfield to the Village of Packer and by land now or formerly of Michael Garosshen; on the east by said Garosshen land, land formerly of Stephen Babcock and land formerly of Arthur Brown; on the north by the Third and Fourth Tracts hereinafter described; and on the west by land now or formerly of George T. Weston; containing 49 acres more or less, with the buildings thereon standing.

SECOND TRACT: Is bounded north by Packer Road; on the east by land formerly of John G. Dodge; on the south by land of the New York, New Haven and Hartford Railroad Company, by land now or formerly of Lawton Mills Corporation, and by land now or formerly of said Weston; and on the west by land now or formerly of said Weston, containing 10 acres more or less.

The two tracts above described are the same premises conveyed to John and Mary Gluck by deed of Arthur P. Tetreault, dated April 3, 1926, and recorded in Plainfield Land Records, Book 44, Page 72, with exception of a parcel of land containing about 1 acre which was conveyed by said John and Mary Gluck to Michael Garosshen by deed dated August 13, 1948, recorded in Book 58, page 621 of said Records, as corrected by a deed to John and Pauline E. Garosshen, dated March 17, 1953, recorded in Book 68, page 339 of said Records.

THIRD TRACT: Is situated on the southerly side of the Canterbury Road, beginning at the west bar post at the entrance to the Big Plain, so-called; running thence easterly in the southerly line of

(continued)

said highway leading from Canterbury Green to Plainfield at the northwest corner of land now or formerly of Eli J. Dagenais; thence southerly on said Dagenais land to the northeast corner of the First Tract above described; thence westerly along a fence bounding southerly in said First Tract to the Fourth tract hereinafter described; thence northerly bounding westerly on said Fourth Tract and on land now or formerly of Louis Pratt and Blanche Pratt to the aforesaid highway, being about 80 rods, and to the place of beginning, containing 50 acres more or less

Being the same premises conveyed to John and Mary Gluck by deed of Telley E. Babcock, Administrator of the Estate of Arthur Brown, dated August 30, 1954, recorded in Book 51, page 112-113 of said Records.

Excepting from said Third Tract a tract of land containing about 23 acres fronting on the Plainfield-Canterbury Road; bounding on the northeast by said Road, on the east about 775 feet, on the southwest a total distance of about 1,497 feet, and on the northwest by land of Zolindik.

Being premises optioned to the Town of Plainfield for school purposes.

FOURTH TRACT: Is situated westerly from the State Highway leading from Plainfield Depot to Canterbury, beginning at the southeasterly corner of the within described tract at a fence, which corner is about 1,140 feet westerly from the fence along the westerly side of said highway; thence northeasterly, bounding easterly by land now or formerly of Louis Pratt and Blanche Pratt, 195 feet more or less, to a corner; thence northwesterly bounding northeasterly by land now or formerly of Ferrar, 520 feet, more or less, to land now or formerly of Freeman; thence southwesterly bounding northwesterly by said Freeman land, 1,500 feet, more or less, to the First Tract above described; thence southeasterly, bounding southwesterly by said First Tract, 500 feet more or less, to a corner of fence; thence northeasterly bounding southeasterly by the Third Tract above described to the point of beginning; the first course running along an old fence, the second course running along an old wall, and the third, fourth and fifth courses running along fences.

Being the same premises conveyed to John Gluck by Louis Pratt and Blanche Pratt by deed dated May 28, 1943 recorded in Book 58, Page 268 of said records.

FIFTH TRACT: Beginning at a stone bound located on a fence line along the westerly side of the Norwich and Worcester tracks of the New York, New Haven and Hartford Railroad Company at a point 54.4 feet from said tracks; thence westerly along a ditch 301.93 feet to a stone bound, bounding northerly by land now or formerly of Arthur Tetreault; thence deflecting to the right at an angle of 151° 31' 30", 145.13 feet to a stone bound in ditch; thence deflecting to the left at an angle of 160° 04' 30", 37.78 feet to a stone bound in ditch; thence deflecting to the left at an angle of 129° 31' 30", 169.50 feet to a stone bound in ditch; thence deflecting to the right at an angle of 159° 47' 30", 291.95 feet to a stone bound in ditch; thence deflecting to the right at an angle of 175° 52' 30", 492.72 feet to a stone bound; thence southerly at an angle of 90° 01' 20" along an old fence and stone wall, 801.13 feet to a stone bound in said fence; thence northeasterly at an angle of 63° 40' 20", 339.33 feet along fence on the westerly side of said railroad tracks to a stone bound; thence continuing along said fence, 787.14 feet to a stone bound; thence along said fence, 300.13 feet to a stone bound; thence along said fence 77.98 feet to the point of beginning, containing approximately 16-1/3 acres.

Being the same premises conveyed to John and Mary Gluck by The

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Plainfield Corporation by deed dated April 27, 1942, recorded in Book 49, page 515 of said Records.

Excepting from the above described tract a tract of land conveyed to William J. Fleming and Ethel Fleming of Plainfield by John and Mary Gluck by deed dated February 24, 1950, recorded in Vol. 65, Page 122 of said records, described as follows:

Beginning at a drill hole in concrete post set in the easterly line of land of said John and Mary Gluck about 141 feet northerly from the northerly side of the highway leading from Plainfield to Packer; thence N. 22° 40' E. 209.3 feet adjoining land now or formerly of William J. Fleming to a drill hole in a concrete post to other land of John and Mary Gluck; thence N. 66° 46' W. 15.84 feet to a drill hole in a concrete post; thence S. 22° 30' W. 211.87 feet to a drill hole in a concrete post; thence S. 76° 18' E. 1552 feet to the place of beginning, the last three lines adjoining other land of John and Mary Gluck.

SIXTH TRACT: Situated on the northerly side of the highway leading from Packer to the Village of Plainfield and on the easterly side of the highway leading from Packer to Canterbury in said Town of Plainfield, bounded and described as follows: Beginning at a corner of fence on the northerly side of said highway leading from Packer to the Village of Plainfield at the southwesterly corner of land now or formerly of John and Mary Gluck (First Tract hereinbefore described), thence in a westerly direction 3,400 feet more or less, along the northerly side of said highway leading to the Village of Plainfield, to the highway leading from Packer to Canterbury; thence in a northerly direction 4,590 feet more or less, along the easterly side of said highway leading to Canterbury, to a corner of fence at a corner of land formerly of Naima Silta; thence N. 89° 13' E. 185 feet to a corner of fence; thence S. 1° 54' E. 230 feet; thence S. 11° 44' E. 33 feet (the last three lines adjoining land formerly of said Naima Silta); thence S. 27° 33' E. 293 feet adjoining land formerly of said Naima Silta and land formerly of Matti Maki; thence S. 29° 07' E. 240 feet; thence S. 34° 04' E. 137 feet; thence S. 37° 19' E. 100 feet; thence S. 31° 51' E. 154 feet; thence S. 34° 36' E. 409 feet; thence S. 28° 10' E. 119.4 feet; thence S. 51° 19' E. 65 feet; thence S. 64° 12' E. 110 feet; thence S. 71° 33' E. 90 feet; thence S. 77° 10' E. 70 feet; thence S. 67° 45' E. 132 feet to the end of a wall, the last fifteen lines being along a fence; thence S. 69° 30' E. 296 feet along a wall; thence S. 65° 59' E. 95 feet to a corner of wall and fence, a corner of land now or formerly of John and Mary Gluck, the last thirteen lines adjoining land formerly of Matti Maki; thence S. 11° 53' E. 95 feet along a wall; thence S. 12° 11' E. 150 feet along a wall; thence S. 13° 39' E. 51 feet along a wall and along a fence; thence S. 17° 49' E. 98 feet along a fence to the end of a wall; thence S. 15° 22' E. 72 feet along a wall to the end of said wall; thence S. 7° 10' E. 213 feet; thence S. 4° 36' E. 170 feet; thence S. 0° 43' E. 272.6 feet; thence S. 6° 14' E. 91 feet; thence S. 5° 28' E. 194.4 feet to the place of beginning, the last five lines being along a fence, the last ten lines adjoining land now or formerly of John and Mary Gluck, containing 151 acres of land more or less.

The description of the Sixth Tract is taken from a survey and description made and furnished by W.W. Pike, C.E., of Danielson, Conn.

SEVENTH TRACT: Situated on the southerly side of the highway leading from Packer to the Village of Plainfield, bounding northerly by said highway; easterly by the Second Tract above described; southerly by the Hartford-Providence and Fishkill Division of the N.Y., N.H. & H.R.R. Co.; and westerly by land now or formerly of George Gosselin.

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The Sixth and Seventh Tracts consist of that part of the First Tract described in a deed from Dorothy B. MacDonald to Helen M. Powdrell, dated June 22, 1946, recorded in Book 63, Page 349 and 350 of said Records, which lies easterly of the Packer to Canterbury Road and southerly of the Packer to Plainfield Road and the Third Tract in the aforementioned deed.

Said Sixth and Seventh Tracts are the same premises conveyed to John and Mary Gluck by deed recorded in Vol. 66, page 596 of said Records.

EIGHTH TRACT: Situated on the westerly side of the highway leading from Moosup to Stone Hill, so-called in the Town of Plainfield, bounded and described as follows: Beginning at a point on the westerly side of said highway at land of Frank P. Smith; thence westerly bounding northerly by land of said Smith; thence southerly, bounding westerly by land of said Smith and land now or formerly of Albert Kennedy; thence easterly, bounding southerly by land of J. Monty and land of Oxford Santerre, to said highway; thence northerly along said highway to the point of beginning. Containing about 90 acres more or less.

NINTH TRACT: Situated on the northeasterly side of the highway leading from Moosup Village to Stone Hill, so-called, bounded and described as follows: Beginning at a point on the northeasterly side of said highway where this tract adjoins land now or formerly of William Devoe; thence southeasterly bounding northeasterly by land of said Devoe and land of William Doyle to land of Louis Gendron; thence southwesterly along an old stone wall and fence bounding southeasterly by land of Louis Gendron to said highway; thence northerly along said highway to the point of beginning.

Said tract is triangular in shape and is estimated to contain 9 acres more or less.

TENTH TRACT: Situated on the southwesterly side of the highway leading from Moosup to Stone Hill, so-called, with barn thereon, bounded and described as follows: Beginning at a point on the southwesterly side of said highway where this tract adjoins land of Frank P. Smith; thence northwesterly bounding southwesterly by land of said Smith, to land now or formerly of Henry Duprey; thence northeasterly bounding northwesterly by land now or formerly of said Duprey to said highway; thence southerly and southwesterly along said highway to the point of beginning. Said tract contains about 20 acres.

The Eighth, Ninth and Tenth tracts are being the same land conveyed to said John and Mary Gluck by a deed from Louis Gendron, dated May 16, 1947, recorded in Vol. 64, Pages 129-130 of said Records.

ELEVENTH TRACT: Beginning at the four corners formed by the intersection of Tarbox Road and Lillibridge Road at the Southwesterly corner of the within described tract of land; thence N. 87° E., 75-1/2 rods, along the northerly side of said Tarbox Road to land now or formerly of John Zastowsky; thence N. 15° E., 38 rods, 10 links adjoining said Zastowsky land and passing through a small pond on the northerly side of said road, to land now or formerly of George H. Raille; thence N. 61° W. 20 rods to a ditch; thence in a northerly direction 1,117 feet more or less, along said ditch to a merestone; thence S. 80° E. 116 rods, 17 links to a merestone on the brow of a hill west of Witter Dam, so-called; thence S. 72° E., 7 rods 2 links crossing on the northerly side of said Dam near the cedar swamp, to a merestone near the easterly end of said Dam; thence S. 83-1/2° E., 4 rods to a merestone and to land conveyed by William Moffat Bramwell and George Moffat Bramwell to The Lawton Mills Corporation, now land of the Gallup Water Service, the last five lines adjoining said land now or formerly of George

H. Raille; thence in a northerly direction 2,832 feet more or less, adjoining said land conveyed to The Lawton Mills Corporation to a merestone on the northerly side of Miry Brook, so-called; thence in a northerly direction along a ditch adjoining said Water Company land to land of the Hartford, Providence and Fishkill Railroad Co.; thence in a westerly direction adjoining said Railroad Company land, to the easterly side of the aforementioned Lillibridge Road; thence in a southerly direction along the easterly side of said Lillibridge Road to the place of beginning. Containing 285 acres of land more or less.

Being the same premises conveyed to John Gluck by deed from William A. Bramwell, dated September 28, 1954, recorded in Vol. 72, Pages 407-408 of said Records, and the premises conveyed to John Gluck, Sr. by deed from Arthur Congdon and others, Trustees for a Baptist Society formed at Packerville dated March 29, 1963, recorded in Vol. 75, Page 455 of said Records.

Together with and subject to various rights, rights of way, pole lines and building restrictions as of record appear.

Being the same premises conveyed to Robert Gluck by deed of John and Mary Gluck, dated July 10, 1967, recorded in Vol. 92, Page 15 of said Records.

THE ABOVE ELEVEN TRACTS OF LAND ARE SUBJECT TO A MORTGAGE TO THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES DATED JUNE 5, 1968 AND RECORDED IN VOLUME 94, PAGE 523 OF THE PLAINFIELD LAND RECORDS.

TWELFTH TRACT: A certain tract or parcel of land with all buildings thereon located on the westerly side of Weston Road in the Town of Plainfield, County of Windham and the State of Connecticut, bounded and described as follows:

Beginning at the southeasterly corner of the herein described parcel of land, at the northwesterly corner of land of Charles A. Holt, Sr. and Helen B. Holt, at an iron in the ground, in the westerly line of said highway; thence N. 29° 09' 06" W. 150.67 feet to an iron in the ground; thence N. 22° 29' 24" W. 306.45 feet to an iron in the ground; thence N. 76° 06' 09" W. 333.16 feet to an iron in the ground; the last three courses following substantially line of wire fence; thence S. 96° 45' W. 1100 feet more or less to an iron in the ground on the bank of Quinebaug River; the last four courses adjoining southerly land of said Holts; thence northerly 360 feet more or less following the bank of said Quinebaug River to a stake in the ground at the westerly end of a wire fence; thence N. 49° 06' E. 169 feet; thence N. 51° 15' E. 68 feet; thence N. 76° 08' E. 78 feet; thence N. 32° 42' E. 160 feet; thence N. 46° 30' E. 106 feet; thence S. 61° 51' E. 105 feet; thence N. 89° 04' E. 144.0 feet; thence S. 86° 38' E. 229 feet; thence N. 72° 53' E. 97 feet; thence N. 64° 33' E. 129 feet; the last ten courses following along the remains of scrap iron fence attached to trees; thence S. 24° 48' E. 174 feet following along an old sheep fence to the northerly end of a stone wall; thence S. 9° 00' W. 77 feet; the last twelve courses adjoining northerly land of Alton C. Exley; thence S. 71° 30' 37" E. 165.03 feet adjoining land of said Exley and land of Robert G. Vincent and Rose M. Vincent; thence N. 79° 16' 56" E. 535.07 feet adjoining land of said Vincents to an iron in the ground in the westerly line of said highway; the last three courses following the center of stone walls; thence S. 20° 14' W. 357.45 feet; thence southerly on a curve to the right of 1200 feet radius 176.20 feet; thence S. 28° 26' 51" W. 518.71 feet to an iron in the ground at point and place of beginning; the last three courses following the westerly line of said highway; the herein described parcel of land containing 27.2 acres.

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Being all and the same premises conveyed to Benjamin P. Brodinsky by deed dated September 2, 1969 and recorded in Volume 98, Page 457 of the Plainfield Land Records.

Subject to a 125 foot Right of Way over the herein described parcel to the Connecticut Light and Power Company, also the right to erect guys within 25 feet of the southeasterly edge existing Right of Way, all as shown on Plan of Land owned by Benjamin P. Brodinsky, Plainfield, Connecticut, Scale 1" = 80', Oct. 10, 1974, Gilbert F. Perry, C.E.

Said premises are subject to flowage right to the Quinebaug River insofar as same may affect the subject premises.

A certain tract of land situated on the westerly side of the State Highway Route 14A, leading from Plainfield Village to Canterbury, in the Village of Plainfield, Town of Plainfield, County of Windham and State of Connecticut, bounded and described as follows:

Bounded northerly by land formerly of Bridget Sullivan, easterly by said State Highway, southerly by land formerly of Edward Hall and land formerly of Timothy Shea; and westerly by land formerly of Peter O'Neil.

Containing 24 acres, more or less.

Excepting from the above described premises Lots numbered 20, 21, 22, 23, 24 and 25 as shown on a plan entitled "Plan of Ferreira Lots in Plainfield, Conn., Scale 1" = 100' March 31, 1965, William W. Pike, Surveyor."

ALSO EXCEPTING from the above described premises are the following conveyances:

1. A warranty deed to Kenneth D. Holcomb for 1.17 acres, dated November 14, 1973 and recorded in Volume 115, page 77 of the Plainfield Land Records.

2. A warranty deed to Leo E. Bourque for .52 acres, dated November 5, 1974 and recorded in Volume 118, page 123 of the Plainfield Land Records.

3. A warranty deed to Jack Ferreira for 1.47 acres dated November 14, 1973 and recorded in Volume 132, page 949 of the Plainfield Land Records.

The Grantor (Sam Kranc) reserves for himself his heirs and assigns a certain tract or parcel of land situated on the southerly side of Ct.

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Rt. 14A also known as Canterbury Rd. in the Town of Plainfield, County of Windham, State of Connecticut, more particularly bounded and described as follows:

Beginning at a point on the southerly side of said road, which point is the northeasterly corner of land now or formerly of Wilfred and Mildred E. Vezina and the northwesterly corner of the herein described tract; thence south $52^{\circ} 22' 43''$ E. 51.05 feet to a point; thence south $51^{\circ} 16' 25''$ E. 139.64 feet to a point; thence south $44^{\circ} 25' 00''$ E. 72.88 feet to a point and land now or formerly of Wilfred Royer, Sr. The last three courses being along the southerly line of said road; thence along a stone wall in part south $24^{\circ} 09' 55''$ W. 154.55 feet to a drill hole in the stone wall; thence south $19^{\circ} 24' 42''$ W. 106.20 feet to a drill hole in the stone wall, the last two courses bounded easterly by land of Wilfred Royer, Sr.; thence north $48^{\circ} 38' 00''$ E. 269.05 feet to a point and land now or formerly of David and Karen J. Martinez bounded southerly by other land of the grantor; thence north $23^{\circ} 09' 56''$ E. 254.45 feet along land of said Martinez and land of Vezina to the point and place of beginning.

The above described tract is expressly excluded from this conveyance.

The parcel conveyed is a part of the premises conveyed to Sam Kranc by deed dated February 4, 1983 and recorded in Volume 146, page 293 of the Plainfield Land Records.

The grantor (Sam Kranc) also grants to the grantees (Robert J. Gluck) a right of way for all purposes of ingress and egress and the right to maintain said right of way to and from Rt. 14A to the premises conveyed by this deed which right of way is 30 feet in width and extends southerly over the above reserved tract bounded westerly along land of Wilfred and Mildred Vezina and David and Karen J. Martinez.

Reference may be had to a Warranty Deed from Sam Kranc to Robert J. Gluck dated February 23, 1983 and recorded February 23, 1983 in Volume 146, Pages 453-460 of the Plainfield Land Records.

That certain tract or parcel of land situated in the Town of Plainfield, County of Windham and State of Connecticut, bounded and described as follows:

Beginning at a point on the westerly side of the Providence and Worcester Railroad, at the northeasterly corner of land now or formerly of New Haven Trap Rock Co. and at the southeasterly corner of the herein described tract; thence westerly along said New Haven Trap Rock land 460 feet more or less; thence northerly along said New Haven Trap Rock land 200 feet, more or less; thence westerly along said New Haven Trap Rock land 450 feet, more or less, to land of the Town of Plainfield; thence northeasterly along Town land 165 feet more or less; thence northerly along Town land 257 feet, more or less, to the southwesterly corner of land of Pervel Industries, Inc.; thence northeasterly along Pervel land 840 feet, more or less; thence easterly along Pervel land 150 feet, more or less, to said Railroad land; thence southerly along said Railroad land 1160 feet, more or less, to the point and place of beginning.

Meaning and intending to convey all the remaining property that I own on the westerly side of said railroad.

Together with a right of way to pass on foot and with animals and with vehicles along the existing roadway over and across property of Pervel Industries, Inc., described in a deed dated March 19, 1970 and recorded in volume 100, page 67 of the Plainfield Land Records. Said roadway runs from State Highway Route #12 to land formerly of John A. Gallup, now of Alice B. Gallup, which Gallup land is situated on the westerly side of the railroad and is a part of the premises described in a Certificate of Descent recorded in volume 132, page 23, of the Plainfield Land Records. Said right of way is subject to the right of Pervel Industries, Inc., its successors or assigns to relocate said right of way to any point on Pervel land described in Volume 100, page 67 of the Plainfield Land Records, at the sole expense of Pervel

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Industries, Inc., its successors and assigns so that the said Alice B. Gallup, her heirs, successors and assigns shall be provided with access from Route #12 over and across said Pervel land to other land of Alice B. Gallup located on the westerly side of the railroad tract of the Norwich and Worcester Railroad Company.

Reference may be had to a Warranty Deed from Alice B. Gallup to Robert J. Gluck dated April 20, 1979 and recorded April 23, 1979 in Volume 132, Pages 793-794 of the Plainfield Land Records.

A certain piece or parcel of land conveyed to C. Stanton Gallup by deed dated November 2, 1964 and recorded in Volume 75, Page 582 of the Plainfield Land Records and therein bounded and described as follows:

One certain tract of farm land, with all buildings therein, known as the Potter Place, situated on Black Hill in said Town of Plainfield, on both sides of the highway leading from premises formerly of Black Hill School house to the State Road near house now or formerly of Nacher Exley, and bounded and described as follows:

Bounded northerly on lands now or formerly of H. Beecher Brown, Philip Jacques and E. Goldie Graves; easterly by land now or formerly of heirs of John S. Smith and land formerly of Henry Randall; southerly by land formerly of said Randall and land formerly of William S. Babcock; westerly by land formerly of Helen S. Adams and land formerly of Frank Hoxsie. Containing about 120 acres, more or less.

EXCEPTING FROM SAID PREMISES those portions conveyed by the following deeds:

1. Deed dated September 9, 1949 and recorded in Volume 62, Page 557 of the Plainfield Land Records.
2. Deed dated April 4, 1961 and recorded in Volume 79, Page 220 of said Records.
3. Deed dated July 21, 1976 and recorded in Volume 121, Page 62 of said Records.

Subject to easement to the Shore Line Electric Railway dated May 7, 1913 and recorded in Volume 37, Page 324 of the Plainfield Land Records.

Reference may be had to a Warranty Deed from C. Stanton Gallup to Robert J. Gluck dated August 29, 1977 and recorded August 29, 1977 in Volume 126, Pages 185-186 of the Plainfield Land Records.

Received For Record at Plainfield, CT
 on June 4, 2001 @ 3:37 PM
 Attest Helen Francis Coumbs ATC
 Helen Francis Coumbs, Town Clerk

Received For Record at Plainfield, CT
 on 10/26/04 2:50 PM
 Attest Helen Francis Coumbs
 Helen Francis Coumbs, Town Clerk

005683

PLEASE RECORD AND RETURN TO
DAY, BERRY & HOWARD LLP
CityPlace
Hartford, CT. 06103-3499

PINA SALVATORE

