

KNOW ALL MEN BY THESE PRESENTS:

That the CITY OF NEW BEDFORD, a municipality organized and existing under the laws of the Commonwealth of Massachusetts and situate in the County of Bristol, Commonwealth of Massachusetts, for the total consideration of EIGHT THOUSAND DOLLARS (\$8,000.00) paid, grants unto the UNITED STATES OF AMERICA and its assigns with Warranty Covenants, a certain parcel of land situated in the City of New Bedford, County of Bristol, Commonwealth of Massachusetts, bounded and described as follows:

Tract No. 103  
(AP 93 Lot 265)

Beginning at a point in the southerly line of Sawyer Street, said point being the northeasterly corner of land now or formerly of Karpa Inc. and being nine hundred ninety-two and 38/100 (992.38) feet more or less easterly of the intersection of the southerly line of Sawyer Street with the easterly line of Mitchell Street; thence

N 81°07'16" E along the southerly line of Sawyer Street for a distance of four hundred sixty-four and 82/100 (464.82) feet to a point on the proposed combined pierhead and bulkhead line; thence

S 00°12'52" W along the combined pierhead and bulkhead line for a distance of nine hundred and 31/100 (900.31) feet to a point; thence

S 88°19'31" W for a distance of two hundred seventy-nine and 19/100 (279.19) feet to a point in the northerly line of Coggeshall Street; thence

N 12°34'25" W for a distance of one hundred seventy-eight and 21/100 (178.21) feet to a point; thence

S 88°19'36" W for a distance of thirty-one and 69/100 (31.69) feet to a point, said last two courses bounded westerly and southerly by land now or formerly of Charles Elias; thence

N 30°19'59" W for a distance of two hundred sixty and 68/100 (260.68) feet to a point, bounded westerly by land now or formerly of Petnel Properties Inc.; thence

Continuing N30°19'59" W for a distance of seventeen and 82/100 (17.82) feet to a point; thence

N 06°54'38" W for a distance of forty and 28/100 (40.28) feet to a point; thence

N 81°02'36" E for a distance of one hundred seventy and 00/100 (170.00) feet to a point; thence

N 07°58'24" W for a distance of fifty and 20/100 (50.20) feet to a point; thence

S 86°08'27" W for a distance of seventy-two and 89/100 (72.89) feet to a point; thence

Grantees Address: United States of America  
c/o Army Corp of Engineers  
696 Virginia Road  
Concord, MA 01742

N 08°56'17" W for a distance of three hundred fifteen and 90/100 (315.90) feet to the southerly line of Sawyer Street and the point and place of beginning. Said last six courses bounded westerly, northerly, and southerly by land now or formerly of Karpa Inc.

Containing 348,966 square feet (8.01± acres) and being a portion of the land affected by Tax Sale Decree, recorded with Bristol County Registry of Deeds in Book 3731, Page 51 and shown as AP 93 Lot 265 on the plan prepared by SAI Surveying Corporation, dated and signed MAY 15, 2001 and recorded herewith.

The land is being acquired by the United States Environmental Protection Agency under authority contained in Section 104(j) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, (CERCLA, 42 U.S.C. 9604 (j)).

Also intending to convey with quitclaim covenants to the United States of America and its assigns all right, title or interest which the grantor may have in the banks, beds, and waters of any stream or ponds adjacent to or fronting upon said land and in any alleys, roads, streets, ways, strips, gores, or railroad rights of way abutting or adjoining said land, and in any means of ingress or egress appurtenant thereto.

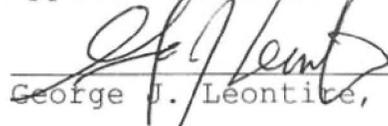
This land is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines.

WITNESS the execution hereof under seal this 25th day of April, 2001.

CITY OF NEW BEDFORD

By  Frederick M. Kalisz, Jr., Mayor

Approved as to form and legality:

  
George J. Leontice, City Solicitor

Commonwealth of Massachusetts)  
County of Bristol ) ss. April 25, 2001

Then personally appeared the above-named FREDERICK M.KALISZ, Jr. in his aforesaid capacity, signer of the foregoing instrument, and acknowledged the same to be his free act and deed, and the free act and deed of the City of New Bedford, before me.

Jane Medeiros Friedman  
Notary Public

My Commission Expires: June 21, 2007

Commonwealth of Massachusetts)  
County of Bristol ) ss. April 25, 2001

Then personally appeared the above-named GEORGE J. LEONTIRE in his aforesaid capacity, signer of the foregoing instrument, and acknowledged the same to be his free act and deed, and the free act and deed of the City of New Bedford, before me.

Jane Medeiros Friedman  
Notary Public

My Commission Expires: June 21, 2007



CITY OF NEW BEDFORD  
IN CITY COUNCIL

31-18 A

October 26, 2000

ORDERED, that, the Mayor be authorized, on behalf of the City, to execute a ten year temporary easement to the United States for a 37,179 square foot portion of Assessor's Map 93, Lot 262, for which the City has been offered consideration in the amount of \$25,100.00; a fifteen year temporary easement to the United States in a 7.76 acre parcel shown on Assessor's Map 93, lot 120, for which the City has been offered consideration in the amount of \$339,000.00; and a deed to the United States for a fee simple interest in the parcel shown on Assessor's Map 93, Lot 265, for which the City has been offered consideration in the amount of \$8,000.00. These conveyances are to enable the United States to proceed with the construction of Contained Disposal Area "C", which is located adjacent to the former Fairhaven Mills Property.

Further, that the Mayor be authorized to execute, on behalf of the City, a Grant of Environmental Restrictions to the United States of America, acting through its Environmental Protection Agency, for the two easement areas.

IN CITY COUNCIL, November 21, 2000

Rule 42 Waived and ADOPTED - Yeas 10, Nays 0.

Janice A. Davidian, City Clerk

Presented to the Mayor for approval November 27, 2000.

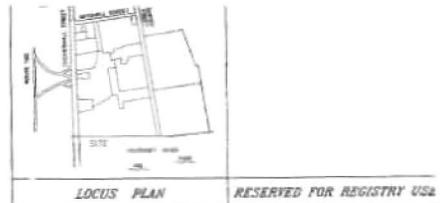
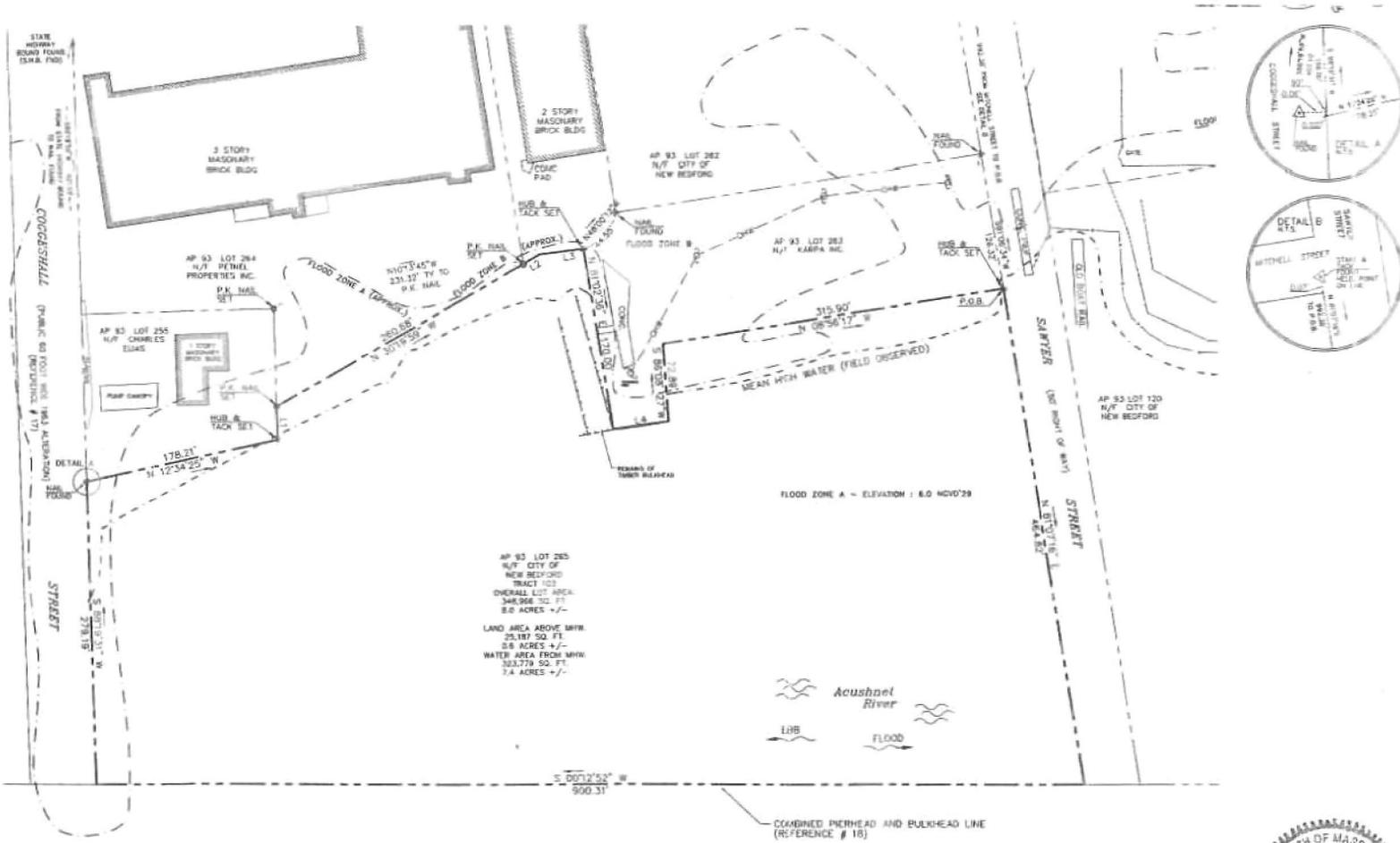
Janice A. Davidian, City Clerk

Approved November 28, 2000.

Frederick M. Kalisz, Jr., Mayor

a true copy, attest:

  
City Clerk



**PLAN AND DEED BOOK REFERENCES:**

**BRISTOL COUNTY REGISTRY OF DEEDS, SOUTHERN DISTRICT**

1) PLAN BOOK 1	PAGE 86
2) PLAN BOOK 6	PAGE 18
3) PLAN BOOK 6	PAGE 49-51
4) PLAN BOOK 7	PAGE 23
5) PLAN BOOK 7	PAGE 54
6) PLAN BOOK 17	PAGE 26
7) PLAN BOOK 19	PAGE 13-14
8) PLAN BOOK 25	PAGE 133
9) PLAN BOOK 25	PAGE 54
10) PLAN BOOK 106	PAGE 37
11) PLAN BOOK 114	PAGE 113
12) PLAN BOOK 119	PAGE 118
13) PLAN BOOK 123	PAGE 105
14) PLAN BOOK 138	PAGE 48
15) DEED BOOK 1831	PAGE 758-781
16) PLAN 52306A	RECORDED IN THE BRISTOL COUNTY (S.D.) OFFICE OF THE LAND COURT.
17) REFER TO 1963 LAYOUT AND WIDENING OF COGGESHALL STREET AND STREET AND TRANSFER OF SAME TO CITY OF NEW BEDFORD BY THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS.	
18) U.S. HARBOR LINES - NEW BEDFORD & FAIRHAVEN HARBOR - U.S. ENGINEERS OFFICE PROVIDENCE RI, MARCH 30, 1928.	

- NOTES:**
- 1) LOTS ARE SUBJECT TO ALL RESTRICTIONS AND EASEMENTS OF RECORD INCLUDING BUT NOT LIMITED TO THOSE REFERENCED ON THIS PLAN.
  - 2) AS OF THE DATE OF THIS SURVEY MILL # 3 HAS BEEN DEMOLISHED; AND MILL # 1 IS UNDER DEMOLITION.
  - 3) THE SUBJECT PREMISES ARE ZONED MIXED-USE AS SHOWN ON THE "BUILDING ZONE MAP OF THE CITY OF NEW BEDFORD, PREPARED BY THE ENGINEERING DIVISION, DEPARTMENT OF PUBLIC WORKS, AND REVISED NOV. 1998.
  - 4) THE SUBJECT PREMISES ARE LOCATED WITHIN FLOOD ZONES "A" BEING ELEV. DON 6 NGVD'29, AND "B" AS SHOWN ON THE FLOOD INSURANCE RATE MAP OF THE CITY OF NEW BEDFORD, MASSACHUSETTS, BRISTOL COUNTY, PANEL 9 OF 15, COMMUNITY NUMBER 255216 0009 B, REVISED JANUARY 5, 1984.
  - 5) CERTAIN EASEMENTS OF RECORD MAKE DIMENSIONAL REFERENCE TO PREVIOUSLY EXISTING STRUCTURES.
  - 6) SAI SURVEYING DOES NOT STATE AN OPINION WHETHER THE OCCUPATION LINES AND TITLE LINES WHICH MAY NOT BE IN AGREEMENT HAVE INFERRED TO EITHER PREScriptive EASEMENTS OR ADVERSE POSSESSION.
  - 7) SAI SURVEYING HAS NOT PERFORMED A COMPLETE TITLE EXAMINATION FOR THE PROPERTIES AS SHOWN, NOR DO WE WARRANT THAT ALL RIGHTS, TITLE AND INTEREST WHETHER RECORDED OR UNRECORDED ARE SHOWN.

AP 93 LOT 265  
N/T CITY OF  
NEW BEDFORD  
TRACT 123  
OVERALL LOT AREA:  
348,968 SQ. FT.  
8.0 ACRES +/-

LAND AREA ABOVE WITH  
25,187 SQ. FT.  
0.8 ACRES +/-

WATER AREA FROM WITHN  
323,779 SQ. FT.  
7.4 ACRES +/-

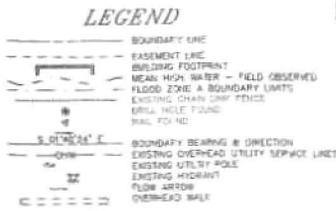
FLOOD ZONE A - ELEVATION: 6.0 NGVD'29

Acushnet River

COMBINED OVERHEAD AND BULKHEAD LINE  
(REFERENCE # 18)

**BOUNDARY LINE TABLE**

LINE	DIRECTION	DISTANCE
L1	S 80°19'30" W	51.89
L2	N 5°00'00" W	17.92
L3	N 06°54'00" W	40.88
L4	N 07°58'21" W	50.20



**GENERAL LAW 36 SECTION 13A**

I HEREBY CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE: 5-2-01  
MATTHEW P. SULLIVAN, P.L.S.

**CHAPTER 380 ACTS OF 1966**

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

DATE: 5-2-01  
MATTHEW P. SULLIVAN, P.L.S.



**BOUNDARY SURVEY PLAN**

OVER LAND KNOWN AS  
ASSESSOR'S PLAT 93 - LOT 265  
COGGESHALL & SAWYER STREETS  
NEW BEDFORD, MASSACHUSETTS  
FOR  
FOSTER WHEELER  
ENVIRONMENTAL CORPORATION  
SCALE: 1" = 50' JANUARY 25, 2000

**SAI SURVEYING CORPORATION**  
CONSTRUCTION & LAND SURVEYORS - LAND USE PLANNERS  
23 HARRAGANSETT AVENUE, JAMESTOWN, RI 02835  
401-423-0653