



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CATHERINE R. MCCABE  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

Site Remediation and Waste Management Program  
*Remediation Review Element*  
*Bureau of Remedial Action Permitting*  
401 E. State Street  
P.O. Box 420  
Mail Code 401-05S  
Trenton, NJ 08625-0420  
Phone: (609) 984-2990

January 4, 2019

Aaron Aska  
Vice President  
NJ CITY UNIVERSITY  
2039 Kennedy Blvd; Hepburn Hall  
Jersey City, NJ 07305

John Morris  
Global Remediation Director  
HONEYWELL INTERNATIONAL INC  
115 Tabor Road  
Morris Plains, NJ 07950

Re: Soil Remedial Action Permit Modification  
Site: Study Area 5 New Jersey City University  
A/K/A: Former Baldwin Steel (Site 90)  
and Former M.I. Holding (Site 184)  
Address: Route 440 and West Side Avenue  
City: Jersey City  
County: Hudson  
SRP Program Interest (PI) #: 031779  
Soil Remedial Action Permit #: RAP180002

Dear Mr. Aska and Mr. Morris:

Enclosed is a Soil Remedial Action Permit Modification issued pursuant to the Site Remediation Reform Act, 58:10C-1 et seq. and the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-1 et seq. This permit modification becomes effective on January 8, 2019. Please note the referenced permit and program interest numbers and refer to them when corresponding with the Department.

The enclosed permit modification replaces Soil Remedial Action Permit RAP120001 which requires the permittee to conduct monitoring, maintenance

and evaluation for compliance and effectiveness of the remedial action and its associated institutional control. This modification is required due to a change in the engineering control. The modification establishes requirements necessary for demonstrating that the remedial action and control continue to be protective of public health, safety and the environment.

#### Requirement to Retain License Site Remediation Professional (LSRP)

The Technical Requirements for Site Remediation (Technical Requirements) at N.J.A.C. 7:26E-1.8 define remediation to include a remedial action. The Technical Requirements further define remedial action such that "... A remedial action continues as long as an engineering control or an institutional control is needed to protect the public health and safety and the environment, and until all unrestricted use remediation standards are met." Therefore, a person who is implementing a remedial action that includes an engineering or institutional control is conducting remediation, and that person is required to hire a LSRP pursuant to the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS; see N.J.A.C. 7:26C-2.3(a) and (b)).

At all times, an LSRP is required to be retained for a case that has a Deed Notice, Classification Exception Area, Soil Remedial Action Permit, and/or Ground Water Remedial Action Permit until the remedial action(s) is no longer needed to protect the public health and safety and the environment, and until all unrestricted use remediation standards are met. The LSRP must be retained to operate, maintain, and monitor the institutional and/or engineering controls at the site, to ensure that the remedial action(s) remains protective of public health and safety and the environment, and to ensure compliance with the requirements of the Deed Notice, Classification Exception Area, Soil Remedial Action Permit, and/or the Ground Water Remedial Action Permit. This includes but is not limited to site inspections, ground water sampling, biennial submission of a Soil and/or Ground Water Remedial Action Protectiveness/Biennial Certification Form and Report, responding to any activities involving the institutional and/or engineering controls at the site, and responding to any public inquiries regarding the current status of the site. It is the responsibility of the LSRP certifying the Remedial Action Permit application to inform the Responsible Entity of the requirement regarding LSRP retention for a case that has a Soil and/or Ground Water Remedial Action Permit.

An LSRP may be retained or dismissed for a case that has an approved Soil and/or Ground Water Remedial Action Permit through the New Jersey Department of Environmental Protection online portal ([www.nj.gov/dep/online/](http://www.nj.gov/dep/online/)) by choosing the "LSRP Retention" or "LSRP Release" submission type selection option within the "LSRP Notification of Retention or Dismissal" service, and choosing the "Remedial Action Permit" activity in the case selection page. Please note that the Bureau of Remedial Action Permitting records the LSRP Retention for pending Remedial Action Permit Applications so there is no need to perform this function online. Also note that the LSRP Comprehensive Report

([datamine2.state.nj.us/DEP\\_OPRA/OpraMain/categories?category=SRRA](http://datamine2.state.nj.us/DEP_OPRA/OpraMain/categories?category=SRRA)) now includes information pertaining to approved Soil and Ground Water Remedial Action Permits to which the LSRP is assigned.

Annual Fees

Please be aware that there are annual fees associated with this permit in accordance with N.J.A.C. 7:26C-4.6. These annual permit fees will be handled by invoicing the fee billing contact we have on record:

Maria Kaouris  
Remediation Manager  
Honeywell International, Inc.  
115 Tabor Road  
Morris Plains, NJ 07950  
Phone: (973) 455-3302  
Email: maria.kaouris@honeywell.com

Any changes to this contact should be brought to the Department's attention. Changes to fee billing contacts are updates and are not considered modifications to the permit.

The Department looks forward to future continued cooperation in working together to provide a healthy environment for the citizens of New Jersey and to protect its resources. Going forward, questions or comments regarding this permit should be addressed to Robert Steinhagen with the Bureau of Remedial Action Permitting at [Robert.Steinhagen@dep.nj.gov](mailto:Robert.Steinhagen@dep.nj.gov) or 609-633-1472.

Sincerely,



William S. Hose, Assistant Director  
Remediation Review Element

Enclosure

c: Municipal Clerk, Jersey City  
[rbyrne@jcnj.org](mailto:rbyrne@jcnj.org)

Jersey City Division of Health  
[smithv@jcnj.org](mailto:smithv@jcnj.org)

Hudson County Register  
[lsenerchia@hcnj.us](mailto:lsenerchia@hcnj.us)

Hudson Regional Health Commission  
[cnawrocki@hudsonregionalhealth.org](mailto:cnawrocki@hudsonregionalhealth.org)

John Heller  
[john.heller@woodplc.com](mailto:john.heller@woodplc.com)

**New Jersey Department of Environmental Protection**



**Bureau of Remedial Action Permitting**  
401 East State Street  
P.O. Box 420  
Mail Code 401-05S  
Trenton, NJ 08625-0420  
Phone: (609) 984-2990

**SOIL REMEDIAL ACTION PERMIT MODIFICATION**  
**Deed Notice with Engineering Control**

The New Jersey Department of Environmental Protection hereby grants you a Remedial Action Permit Modification pursuant to N.J.S.A. 58:10C-1 et seq. and N.J.A.C. 7:26C-1 et seq. for the facility/activity named in this document. This permit modification is the regulatory mechanism used by the Department to help ensure your remedial action will be protective of human health and the environment.

This permit modification replaces Soil Remedial Action Perm RAP120001 which establishes the monitoring, maintenance, and evaluation requirements for determining the effectiveness of the deed notice's engineering control. This modification is required due to a change in the engineering controls.

**Site:** Study Area 5 New Jersey City University  
**A/K/A:** Former Baldwin Steel Site (site 90) and Former M.I. Holdings (Site 184)

<b><u>Facility Address:</u></b>  Route 440 and West Side Avenues Jersey City, NJ 07304 Hudson County Block: 21902 Lot: 13.01, 14.01, 14.02, 14.03, 2.01 Block: 21902.01 Lot: 1 Block: 21902.03 Lot: 1	<b><u>SRP PI #:</u></b> 031779  <b><u>Permit #:</u></b> RAP180002  <b>Effective Date:</b> 05/04/2012  <b>Modification Date:</b> 01/08/2019
<b><u>Person Responsible for Conducting the Remediation - Co-Permittee:</u></b>  John Morris Global Remediation Director HONEYWELL INTERNATIONAL INC 115 Tabor Road Morris Plains, NJ 07950 Phone: (973) 455-4003 Email: john.morris@honeywell.com	
<b><u>Property Owner - Co-Permittee:</u></b>  Aaron Aska Vice President NJ CITY UNIVERSITY 2039 Kennedy Blvd; Hepburn Hall Jersey City, NJ 07305 Phone: (201) 200-3035 Email: AAska@njcu.edu	

## I. Authority

The Department is issuing this permit in accordance with N.J.S.A. 58:10C-1 et seq. and N.J.A.C. 7:26C-1et seq.

## II. Permit Requirements

### A. MONITORING REQUIREMENTS

1. The permittee shall retain a LSRP for the Soil Remedial Action Permit until the remedial action is no longer needed to protect the public health and safety and the environment, and until all unrestricted use remediation standards are met. The LSRP must be retained to operate, maintain, and monitor the institutional and/or engineering controls at the site, to ensure that the remedial action remains protective of public health and safety and the environment, and to ensure compliance with the requirements of the Soil Remedial Action Permit. This includes but is not limited to site inspections, biennial submission of a Soil Remedial Action Protectiveness/Biennial Certification Form and Report, responding to any activities involving the institutional and/or engineering controls at the site, and responding to any public inquiries regarding the current status of the site. [N.J.A.C. 7:26C- 2.3(a and b)]
2. The permittee shall conduct monitoring and maintenance pursuant to Exhibit C of the attached Deed Notice. [N.J.A.C. 7:26C- 7.8(a)2]
3. The permittee shall conduct periodic inspections of each engineering control to determine its integrity, operability, and effectiveness. [N.J.A.C. 7:26C- 7.8(b)2]
4. The permittee shall conduct periodic inspections of any excavations or disturbances that have resulted in unacceptable exposure to the soil contamination. The permittee shall maintain a detailed maintenance and evaluation log. [N.J.A.C. 7:26C- 7.8(b)]

### B. REMEDIAL ACTION PROTECTIVENESS/BIENNIAL CERTIFICATION FORM

#### 1. Reporting Requirements

- a. The permittee shall prepare and submit to the Department a Remedial Action Protectiveness/Biennial Certification Form every two years following the anniversary of the date of the effective date of this permit. The certification shall be submitted on the required form provided by the Department. Submit a Remedial Action Protectiveness/Biennial Certification Form biennially from the effective date of this permit. [N.J.A.C. 7:26C- 7.7(a)1]

#### 2. Evaluation Requirements

- a. The permittee shall hire a Licensed Site Remediation Professional to prepare and certify that the remedial action continues to be protective of the public health and safety and the environment. [N.J.A.C. 7:26C- 1.5(a)2]
- b. The permittee shall conduct the remediation in accordance with all applicable statutes, rules, and guidance. [N.J.A.C. 7:26C- 1.2(a)]

c. The permittee shall provide the results of the periodic inspections required under the monitoring requirements of this permit. [N.J.A.C. 7:26C- 7.8(c)]

d. The Remedial Action Protectiveness/Biennial Certification Form shall include an evaluation of any actual or pending zoning or land use changes to determine if these changes are consistent with the use restrictions contained in the attached deed notice/declaration of environmental restriction. If the evaluation finds that the engineering/institutional controls are no longer protective of the public health and safety and the environment, the permittee shall implement appropriate remedial action to ensure that the engineering/institutional controls are protective of the public health and safety and the environment. [N.J.A.C. 7:26C- 7.8(b)1]

e. The Remedial Action Protectiveness/Biennial Certification Form shall include a comparison of the laws, Remediation Standards, and other regulations applicable at the time the engineering or institutional control was established with any relevant subsequently promulgated or modified laws or regulations to determine whether the engineering or institutional control remains protective. The results shall be provided in table format, comparing of applicable laws, regulations, and standards. [N.J.A.C. 7:26C- 7.8(b)3]

## C. FINANCIAL ASSURANCE REQUIREMENTS

### 1. Reporting Requirements - Letter of Credit

a. The permittee shall have the issuer of the Letter of Credit notify the Department, and the person providing the Letter of Credit by certified mail that, if the issuer of the Letter of Credit decides not to extend the letter of credit beyond the expiration date. Submit a written notification of lapse of Letter of Credit prior to 120 days before the letter of credit expiration date. [N.J.A.C. 7:26C- 5.7(a)4]

b. The permittee shall prepare an estimate of the future costs to operate, maintain, and inspect all engineering controls subject to this permit, and submit it to the Department. Submit engineering controls maintenance cost estimate with the Protectiveness/Biennial Certification biennially from the effective date of this permit. [N.J.A.C. 7:26C- 7.10(a)1]

### 2. Financial Assurance - Maintenance

a. The permittee shall maintain financial assurance in an amount equal to or greater than the most recent estimated full cost to operate, maintain, and inspect all engineering controls that are part of any remedial action over the life of the permit. [N.J.A.C. 7:26C- 7.7(a)3]

## D. FEES

1. For each year hereafter on the anniversary of the effective date of this permit, the Department shall invoice the permittees the amount of the annual Remedial Action Permit Fee. [N.J.A.C. 7:26C- 4.6]

## E. PERMIT TRANSFERS

1. The permittee shall, at least 60 days prior to the sale or transfer of the property, or transfer of the operation of the property, or termination of a lease, submit a Remedial Action Permit Transfer/Change of Ownership Application and pay the permit transfer fee to the Department. [N.J.A.C. 7:26C- 7.11(b)]

## F. PERMIT MODIFICATIONS

### 1. Soil Permit Modifications

- a. The permittee shall apply to have the Department modify a Remedial Action Permit within 30 days after a statement that the permittee has completed a protectiveness evaluation required in its permit and has determined that the remedial action is not adequately protective of the public health and safety and of the environment, and stating the reasons for coming to this conclusion. [N.J.A.C. 7:26C- 7.12(b)1]
- b. The permittee shall apply to have the Department modify a Remedial Action Permit within 30 days after any person proposes to change the engineering controls applicable to the site, as described in the deed notice filed for the property. [N.J.A.C. 7:26C- 7.12(b)3]
- c. The permittee shall apply to have the Department modify a Remedial Action Permit within 30 days after the person responsible for conducting the remediation modifies the remedial action. [N.J.A.C. 7:26C- 7.12(b)4]
- d. The permittee shall apply to have the Department modify a Remedial Action Permit within 30 days after the permittee changes its address. [N.J.A.C. 7:26C- 7.12(b)6]

## G. PERMIT TERMINATIONS

1. A request for a permit termination can be filed by submitting a Remedial Action Permit Application to terminate the permit to the Department when the remedial action meets all applicable remediation standards without the need for the Remedial Action Permit and the remedial action is protective of the public health and safety and of the environment without the presence of the Remedial Action Permit. [N.J.A.C. 7:26C- 7.13]

## H. FORM SUBMITTAL

1. Any forms, applications or documents required by this chapter that can be submitted in an electronic format shall be submitted electronically 90 days after the date that the Department informs the public in the New Jersey Register that the relevant electronic application is functional. [N.J.A.C. 7:26C- 1.6(c)]
2. All submissions required pursuant to this permit shall be made on forms approved and available from the Department. These forms and instructions for completing these forms can be found at <http://www.nj.gov/dep/srp/srra/forms>. [N.J.A.C. 7:26C- 1.6]

## I. RESTRICTED LAND USES

1. Contaminated sites remediated to non-residential soil remediation standards that require the maintenance of engineering and/or institutional controls cannot be converted to a child care facility, public, private or charter school without the Department's prior approval, unless a presumptive remedy is implemented pursuant to the Presumptive Remedies for Soil Contamination at Schools, Child Care Centers, and Residences. [N.J.A.C. 7:26E- 5.3]

### III. Permit Schedule

<b>Permit Effective Date: 05/04/2012</b>	
<b>Submission Requirement</b>	<b>Due Date</b>
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2020
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2022
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2024
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2026
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2028
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2030
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2032
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2034
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2036
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2038
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2040
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2042
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2044
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2046
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/04/2048

**Note:** Remedial Action Protectiveness/Biennial Certification Forms are required to be submitted according to the schedule, and shall continue to be submitted until the Permit is terminated or modified.

Your Soil Remedial Action Permit under Administrative Requirements for the Remediation of Contaminated Sites, N.J.A.C. 7:26C-1 et seq. has been approved by the New Jersey Department of Environmental Protection.

Sincerely,



William S. Hose, Assistant Director  
Remediation Review Element

### IV. Attachments:

A. Deed Notice

Deed Notice ID: DER1518493

Filed Deed Notice in the Hudson County Register's Office

Book Number the Deed Notice is filed in: 9300

Page Numbers: 662-701

Date Filed: 04/23/2018

Block: 21902.01 Lot: 1

Block: 21902.03 Lot: 1

Block: 21902 Lots: 2.01, 13.01, 14.01, 14.02, 14.03

<b>Hudson County Recording Data Page</b> <b>Honorable Diane Coleman</b> <b>Hudson County Register</b> 	<i>Official Use Only - Bc</i>  20180423010043680 1/40 04/23/2018 01:10:20 PM DEED Bk: 9300 Pg: 662 Diane Coleman Hudson County, Register of Deeds Receipt No. 1351216
<i>Official Use Only - Record &amp; Return</i> Robert A. Wayne, Esq. LeClairRyan 1037 Raymond Boulevard, Sixteenth Floor Newark, New Jersey 07102	<i>Official Use Only - Realty Transfer Fee</i>
Date of Document: March 29, 2018	Type of Document: DEED NOTICE
First Party Name: New Jersey City University 2039 Kennedy Blvd., Jersey City, NJ 07305	Second Party Name: N/A
Additional Parties: N/A	

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY	
Block: 21902.01	Lot: 1; Block 21902.01, Lot 1, and
Portions of Block 21902	Lots 2.01, 13.01, 14.01, 14.02, 14.03
Municipality: Jersey City	
Consideration: None	
Mailing Address of Grantee: N/A	

THE FOLLOWING SECTION IS FOR ORIGINAL MORTGAGE BOOKING & PAGING INFORMATION FOR ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES & OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY	
Original Book:	Original Page:

**HUDSON COUNTY RECORDING DATA PAGE**  
Please do not detach this page from the original document as it contains important recording information and is part of the permanent record.

0-410 PPS #433 -



**DEED NOTICE**

IN ACCORDANCE WITH N.J.S.A. 58:10B-13, THIS DOCUMENT IS TO BE RECORDED IN THE SAME MANNER AS ARE DEEDS AND OTHER INTERESTS IN REAL PROPERTY.

Prepared by: Robert A. Wayne, Esq.

Recorded by:

[Signature, Officer of County Recording Office]

[Print name below signature]

**DEED NOTICE CONCERNING CONTROLS  
INSTALLED TO CONTAIN CHROMIUM  
CONTAMINATION UNDERLYING THE NJCU  
COMMERCIAL AOC**

This Deed Notice is made as of the 29<sup>th</sup> day of March, 2018, by *New Jersey City University, whose post office address is 2039 Kennedy Boulevard, Jersey City, New Jersey 07305*, together with his/her/its/their successors and assigns (collectively "Owner").

1. THE PROPERTY. *New Jersey City University is the owner in fee simple of certain real property designated as Block 21902.03, Lot 1 and portions of Block 21902, Lots 2.01, 13.01, 14.01, 14.02, 14.03; and Block 21902.01, Lot 1 (formerly Block 21902, Lots 14, 13, 2 and 3) on the tax map of the City of Jersey City, Hudson County, New Jersey; the New Jersey Department of Environmental Protection (NJDEP) Program Interest Numbers (PI#s) for the contaminated site which includes this property are Hudson County Chromate Site No. 090 – PI#031779 and Hudson County Chromate Site No 184 – PI#000015, and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property"). Part of the Property is known as the NJCU Commercial Area of Concern (AOC) pursuant to the Amended Consent Decree Regarding Remediation of the New Jersey City University Redevelopment Area ("the Consent Decree") entered by the United States District Court for the District of New Jersey on September 21, 2017, in *Riverkeeper v. Honeywell International Inc.* (ECF No. 1506 in Civ. No. 95-2097). The Consent Decree includes requirements regarding the transfer and use and of the NJCU Commercial AOC. To the*

extent that there is any conflict or inconsistency between the terms of this Deed Notice and the terms of the Consent Decree; the Consent Decree shall govern. To the extent that any action to be taken pursuant to this Deed Notice is in conflict with or inconsistent with the Consent Decree, the Consent Decree shall govern.

## 2. REMEDIATION

- i. The NJDEP Bureau of Case Management (BCM) was the program that was responsible for the oversight of the remediation of the Property. The matter was Case No. Hudson County Chromate Site No 090 (PI#031779) and Hudson County Chromate Site No. 184 (PI#000015).
- ii. N.J.A.C. 7:26C-7 requires the Owner, among other persons, to obtain a Soil Remedial Action Permit for the soil remedial action at the Property. The NJDEP issued a Remedial Action Soil Permit dated May 4, 2012 (Remedial Action Permit # RAP 120001). The permit contains the monitoring, maintenance and biennial certification requirements that apply to the Property.

3. SOIL AND GROUNDWATER CONTAMINATION. Honeywell International Inc. (Honeywell), a corporation in the State of New Jersey whose post office address is 115 Tabor Road, Morris Plains, New Jersey, 07950, has completed construction of remedial actions within the NJCU Commercial AOC to address chromium-related soil and shallow groundwater contamination. A Remedial Action Work Plan was approved by the New Jersey Department of Environmental Protection on July 26, 2007 for the NJCU Commercial AOC. Remedial actions were further provided under the Consent Decree. Under both the Remedial Action Work Plan and the Consent Decree, soil and shallow groundwater contamination remains in the NJCU Commercial AOC which contains contaminants in concentrations that do not allow for the unrestricted use of the NJCU Commercial AOC. This soil and groundwater contamination is described, including the type, concentration and specific location of such contaminants, in Exhibit B, which is attached hereto and made a part hereof. As a result, there is a statutory requirement for this Deed Notice and engineering controls in accordance with N.J.S.A. 58:10B-13. Under the terms of the Consent Decree and this Deed Notice, Honeywell is responsible for monitoring and maintaining the soil and shallow groundwater remediation for the NJCU Commercial AOC in perpetuity or until such time as the NJCU Commercial AOC is further remediated to the level that would permit unrestricted use of the NJCU Commercial AOC.

4. CONSIDERATION. In accordance with the New Jersey Department of Environmental Protection's approval of the remedial action work plan for the remediation of the site which included the NJCU Commercial AOC, and in consideration of the terms and conditions of that approval, and other good and valuable considerations, Owner has agreed to subject the NJCU Commercial AOC to certain statutory and regulatory requirements which impose restrictions upon the use of the NJCU Commercial AOC, to restrict certain uses of the NJCU Commercial AOC, and to provide notice to subsequent owners, lessees and operators of the restrictions and the monitoring, maintenance, and biennial certification requirements outlined in this Deed Notice and required by law, as set forth herein.

5A. RESTRICTED AREAS. Due to the presence of these contaminants, the Owner has agreed, as part of the remedial action for the site, to restrict the use of the NJCU Commercial AOC (also known as the "Restricted Area"); a narrative description of these restrictions, along with the associated monitoring and maintenance activities and the biennial certification requirements are provided in Exhibit C, which is attached hereto and made a part hereof. The Owner has also agreed to maintain a list of these restrictions on site at NJCU Facilities and Construction Management, 2039 Kennedy Boulevard, Jersey City, NJ 07305, for inspection by governmental enforcement officials.

5B. RESTRICTED LAND USES. The following land use restrictions apply to the Restricted Areas:

- i. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(10), prohibits the conversion of a contaminated site, remediated to non-residential soil remediation standards that require the maintenance of engineering or institutional controls, to a child care facility, or public, private, or charter school without the Department's prior written approval, unless a presumptive remedy is implemented;
- ii. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(12), prohibits the conversion of a landfill, with gas venting systems and or leachate collection systems, to a single family residence or a child care facility without the Department's prior written approval; and
- iii. The Consent Decree, paragraph 87, prohibits residential, day care, and educational uses, other than administrative, unless further remedial activities are undertaken pursuant to paragraph 77 of the Consent Decree and an Unrestricted Use No Further Action Determination is issued for the Restricted Area by NJDEP.

5C. ENGINEERING CONTROLS. Due to the presence and concentration of these contaminants, the Owner has also agreed, as part of the remedial action for the Property, to the placement of certain engineering controls on the NJCU Commercial AOC. A narrative description of these engineering controls, along with the associated monitoring and maintenance activities and the biennial certification requirements are provided in Exhibit C. Honeywell shall be responsible for monitoring and maintenance of engineering controls and biennial certification requirements.

5D. LONG TERM MONITORING PLAN. Honeywell has prepared a Long Term Monitoring Plan which sets forth requirements for monitoring of the chromium remedial measures including engineering controls within the NJCU Commercial AOC and shallow groundwater, and requirements for notification and reporting pursuant to the Consent Decree, Deed Notice and Soil Remedial Action Permit. A copy of the Long-Term Monitoring Plan is maintained by Honeywell at 115 Tabor Road, Morris Plains, NJ 07950 and by NCJU at 2039 Kennedy Boulevard, Jersey City, NJ 07305.

5E. WORKER TRAINING MANUAL. Honeywell has prepared a Worker Training Manual that shall be used during any ground intrusive work on the Restricted Area. The Worker Training Manual shall be used by the owner, lessees, operators, tenants, and any other entity conducting ground intrusive work within the Restricted Area, in order to protect workers who may be exposed to chromium-impacted soils or groundwater in conjunction with utility or other ground intrusive work on the Restricted Area. The Worker Training Manual identifies health and safety requirements for the protection of personnel and contractors who may perform ground intrusive activities (e.g., digging, drilling, excavation) and provides a basis for worker awareness to inform workers of potential hazards associated with chromium-impacted media. Honeywell and/or the Owner shall make the Worker Training Manual available to lessees, operators, contractors, utility workers, and any other entity that it is known intends to conduct invasive work within the Restricted Area in order to prevent unauthorized disturbance of engineering controls and potential exposure to contaminants. A copy of the Worker Training Manual is available from Honeywell and NJCU.

6A. CHANGE IN OWNERSHIP AND REZONING.

- i. The Owner and the subsequent owners, and lessees shall cause all leases, grants, and other written transfers of an interest in the NJCU Commercial AOC to contain a provision expressly requiring all holders thereof to take the NJCU Commercial AOC subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Deed Notice. Nothing contained in this Paragraph shall be construed as limiting any obligation of any person to provide any notice required by any law, regulation, or order of any governmental authority.
- ii. The Owner, the subsequent owners, and lessees, as applicable, shall provide written notice to the Department of Environmental Protection on a form provided by the Department and available at [www.nj.gov/srp/forms](http://www.nj.gov/srp/forms) within thirty (30) calendar days after the effective date of any conveyance, grant, gift, or other transfer, in whole or in part, of the owner's or lessee's interest in the Restricted Area. Any such conveyance, grant or gift must be consistent with the terms of the Consent Decree.
- iii. The Owner and the subsequent owners shall provide written notice to the Department, on a form available from the Department at [www.nj.gov/srp/forms](http://www.nj.gov/srp/forms), within thirty (30) calendar days after the Owner receives notice of rezoning of the Restricted Area to residential, Owner's petition for rezoning of the NJCU Commercial AOC to residential or filing of any document initiating a rezoning of the NJCU Commercial AOC to residential.

6B. SUCCESSORS AND ASSIGNS. This Deed Notice shall also be binding upon Owner and upon Owner's successors and assigns, and subsequent owners, lessees, and operators, while each is an owner, lessee, or operator of the NJCU Commercial AOC.

## 7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

i. The Owner and all subsequent owners and lessees shall notify any person of whom it has knowledge, including, without limitation, tenants, employees of tenants, and contractors, intending to conduct invasive work or excavate within the Restricted Areas, of the nature and location of known contamination in the Restricted Areas, and, of the precautions necessary to protect the engineering controls and minimize potential human exposure to contaminants.

ii. Except as provided in the Consent Decree and in Paragraph 7B, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the NJCU Commercial AOC which disturbs any engineering control at the NJCU Commercial AOC without first obtaining a Soil Remedial Action Permit modification pursuant to N.J.A.C. 7:26C-7. Nothing herein shall constitute a waiver of the obligation of any person to comply with all applicable laws and regulations including, without limitation, the applicable rules of the Occupational Safety and Health Administration.

iii. Notwithstanding subparagraph 7A.ii., above, a Soil Remedial Action Permit modification is not required for any alteration, improvement, or disturbance provided that:

(A) Such action is conducted in conformance with the Consent Decree and this Deed Notice;

(B) The Department of Environmental Protection is notified of the activity by calling the DEP Hotline, at 1-877-WARN-DEP or 1-877-927-6337, within twenty-four (24) hours after the beginning of each alteration, improvement, or disturbance;

(C) Honeywell is notified of the activity by calling 855-727-2658 at least 7-business days before the beginning of each alteration, improvement, or disturbance;

(D) Honeywell and/or the owner, lessee or operator restores any disturbance of an engineering control to pre-disturbance conditions, within sixty (60) calendar days after the initiation of the alteration, improvement or disturbance;

(E) All applicable worker health and safety laws and regulations, and the Worker Training Manual are followed during the alteration, improvement, or disturbance, and during the restoration;

(F) Appropriate measures are taken so that human exposure, and exposure of the environment, to contamination in excess of the applicable remediation criteria and standards does not occur; and

(G) The next biennial certification includes a description of the nature of the alteration, improvement, or disturbance, the dates and duration of the alteration,

improvement, or disturbance, the name of key individuals and their affiliations conducting the alteration, improvement, or disturbance, a description of the notice the Owner gave to those persons prior to the disturbance, the amounts of soil generated for disposal, if any, the final disposition and any precautions taken to prevent exposure.

7B. EMERGENCIES. In the event of an emergency which presents, or may present, an unacceptable risk to the public health and safety, or to the environment, or immediate environmental concern (see N.J.S.A. 58:10C-2), any person may temporarily breach any engineering control provided that:

- i. The NJDEP is immediately notified of the emergency, by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337;
- ii. Immediately after notifying NJDEP, Honeywell is notified by calling 855-727-2658;
- iii. If applicable, hire a Licensed Site Remediation Professional (unless the Restricted Area is associated with an unregulated heating oil tank) to respond to the emergency;
- iv. The actual disturbance and the time needed for the disturbance are limited to the minimum reasonably necessary to adequately respond to the emergency;
- v. All measures necessary to limit actual or potential, and present or future risk of exposure to humans or the environment to the contamination are implemented;
- vi. NJDEP is notified when the emergency or immediate environmental concern has ended by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337;
- vii. Honeywell and/or owner is notified when the emergency or immediate environmental concern has ended by calling 855-727-2658;
- viii. Honeywell restores the engineering control to the pre-emergency conditions, as required by the Consent Decree and the Long Term Monitoring Plan, as soon as possible; and
- ix. A written report is submitted to the NJDEP within sixty (60) calendar days after completion of the restoration of the engineering control including: (a) the nature and likely cause of the emergency, (b) the potential discharges of or exposures to contaminants, if any, that may have occurred, (c) the measures that have been taken to mitigate the effects of the emergency on human health and the environment, (d) the measures completed or implemented to restore the engineering control, and (e) the changes to the engineering control or site operation and maintenance plan to prevent recurrence of such conditions in the future.

8A. MONITORING AND MAINTENANCE OF DEED NOTICE, AND PROTECTIVENESS CERTIFICATION. The persons in any way responsible, pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11a et seq., for the hazardous substances that remain at the NJCU Commercial AOC, the persons responsible for conducting the remediation, Honeywell, the Owner, and the subsequent owners, lessees, and operators, shall monitor and maintain this Deed Notice. The subsequent owners, lessees and operators have this obligation only during their ownership, tenancy, or operation. Honeywell shall certify to the Department on a biennial basis that the remedial action that includes this Deed Notice remains protective of the public health and safety and of the environment. The specific obligations to monitor and maintain the Deed Notice shall include all of the following:

- i. Monitoring and maintaining this Deed Notice according to the requirements in Exhibit C, so that the remedial action that includes the Deed Notice continues to be protective of the public health and safety and of the environment;
- ii. Conducting any additional remedial investigations and implementing any additional remedial actions, that are necessary to correct, mitigate, or abate each problem related to the protectiveness of the remedial action for the NJCU Commercial AOC prior to the date that the Certification is due to the Department pursuant to iii, below, so that the remedial action that includes this Deed Notice remains protective of the public health and safety and of the environment; and
- iii. Certifying to the Department of Environmental Protection as to the continued protectiveness of the remedial action that includes this Deed Notice, on a form provided by the Department consistent with N.J.A.C. 7:26C-1.5, and according to the schedule identified in the Soil Remedial Action Permit.

8B. MONITORING AND MAINTENANCE OF ENGINEERING CONTROLS, AND PROTECTIVENESS CERTIFICATION. The persons in any way responsible pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11a et seq., for the hazardous substances that remain at the NJCU Commercial AOC, the person responsible for conducting the remediation, Honeywell, and the Owner and subsequent owners, lessees, and operators, shall maintain all engineering controls at the NJCU Commercial AOC. The subsequent owners, lessees and operators have this obligation only during their ownership, tenancy, or operation. Honeywell shall certify to the Department on a biennial basis that the remedial action of which each engineering control is a part remains protective of the public health and safety and of the environment. The specific obligations to monitor and maintain the engineering controls shall include the following:

- i. Monitoring and maintaining each engineering control according to the requirements in Exhibit C, so that the remedial action that includes the engineering control continues to be protective of the public health and safety and of the environment;

ii. Conducting any additional remedial investigations and implement any additional remedial actions, that are necessary to correct, mitigate, or abate each problem related to the protectiveness of the remedial action for the NJCU Commercial AOC prior to the date that the certification is due to the Department pursuant to iii, below, so that the remedial action that includes the engineering control remains protective of the public health and safety and of the environment; and

iii. Certify to the Department of Environmental Protection as to the continued protectiveness of the remedial action that includes the engineering control, on a form provided by the Department consistent with N.J.A.C. 7:26C-1.5, and according to the schedule identified in the Soil Remedial Action Permit.

9. ACCESS. The Owner and the subsequent owners, lessees and operators agree to allow the Department and its agents and representatives access to the NJCU Commercial AOC to inspect and evaluate the continued protectiveness of the remedial action that includes this Deed Notice and to conduct additional remediation to provide for the protection of the public health and safety and of the environment if persons responsible for monitoring and maintaining the protectiveness of the remedial action fail to conduct such remediation pursuant to this Deed Notice as required by law. The Owner and the subsequent owners and lessees shall also cause all leases, subleases, grants, and other written transfers of an interest in the NJCU Commercial AOC to contain a provision expressly requiring that all holders thereof provide such access to the Department.

#### 10. ENFORCEMENT OF VIOLATIONS.

i. This Deed Notice itself is not intended to create any interest in real estate in favor of the Department of Environmental Protection, nor to create a lien against the Property, but merely is intended to provide notice of certain conditions and restrictions on the NJCU Commercial AOC and to reflect the regulatory and statutory obligations imposed as a conditional remedial action for the NJCU Commercial AOC.

ii. The restrictions provided herein may be enforceable by the Department against any person who violates this Deed Notice. To enforce violations of this Deed Notice, the Department may initiate one or more enforcement actions pursuant to N.J.S.A. 58:10-23.11 and N.J.S.A 58:10C, and require additional remediation and assess damages pursuant to N.J.S.A. 58:10-23.11 and N.J.S.A 58:10C.

11. SEVERABILITY. If any court of competent jurisdiction determines that any provision of this Deed Notice requires modification, such provision shall be deemed to have been modified automatically to conform to such requirements. If a court of competent jurisdiction determines that any provision of this Deed Notice is invalid or unenforceable and the provision is of such a nature that it cannot be modified, the provision shall be deemed deleted from this instrument as if the provision had never been included herein. In either case, the remaining provisions of this Deed Notice shall remain in full force and effect.

## 12. MODIFICATION AND TERMINATION OF DEED NOTICE.

i. Any person may request in writing, at any time, that the Department modify this Deed Notice where performance of subsequent remedial actions, a change of conditions at the NJCU Commercial AOC, or the adoption of revised remediation standards suggest that modification of the Deed Notice would be appropriate.

ii. Any person may request in writing, at any time, that the Department terminate this Deed Notice because the conditions which triggered the need for this Deed Notice are no longer applicable.

iii. Any person seeking a modification or termination of this Deed Notice must also have such modification or termination approved by the United States District Court for the District of New Jersey pursuant to the Consent Decree until such time as the Consent Decree terminates with regard to the NJCU Commercial AOC pursuant to paragraph 147 of the Consent Decree.

iv. If the United States District Court for the District of New Jersey and the Department have concluded that this Deed Notice shall be modified or terminated, such modification or termination will only be effective upon the filing of a Termination of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the office of the Register of Deeds of Hudson County, New Jersey, expressly modifying or terminating this Deed Notice. Within thirty (30) calendar days after the filing of a Termination of Deed Notice, the owner of the Property shall apply to the Department for modification or termination of the Soil Remedial Action Permit pursuant to N.J.A.C. 7:26C-7.

v. This Deed Notice may be modified only if it has first been terminated pursuant to subparagraph 12iv above, and upon filing of a modified Deed Notice, executed by the Owner of the Property, in the office of the Register of Deeds of Hudson County, New Jersey.

13A. EXHIBIT A. Exhibit A includes the following maps of the Property and the vicinity:

i. Exhibit A-1: Vicinity Map - A map that identifies by name, the roads and other important geographical features in the vicinity of the NJCU Commercial AOC;

ii. Exhibit A-2: Metes and Bounds Description of NJCU Commercial AOC - A metes and bounds description of the NJCU Commercial AOC, including reference to tax lot and block numbers for the NJCU Commercial AOC and a Tax Map;

iii. Exhibit A-3: NJCU Commercial AOC Map - A scaled map of the NJCU Commercial AOC, scaled at one inch to 200 feet or less, which includes diagrams of major surface topographical features such as buildings, roads, and parking lots.

13B. EXHIBIT B. Exhibit B includes the following descriptions of the Restricted Areas:

i. Exhibit B-1: Restricted Area Map - A map of the NJCU Commercial AOC that includes, as applicable:

(A) As-built diagrams of each engineering control, including caps, fences, hydraulic barrier walls, ground water monitoring wells, and the ground water pumping system including the trenches and sumps;

(B) As-built diagrams of any buildings, roads, parking lots, utility corridors, and other structures that function as engineering controls; and

(C) Designation of all soil sample locations within the restricted areas that exceed any NJDEP soil standard or criteria that are keyed into one of the tables described in the following paragraph, and shallow groundwater monitoring locations.

ii. Exhibit B-2: Restricted Area Data Table - A table for NJCU Commercial AOC that includes:

(A) Sample location designation from Restricted Area map (Exhibit B-1);

(B) Sample elevation based upon mean sea level;

(C) Name and chemical abstract service registry number of each contaminant with a concentration that exceeds the unrestricted use standard;

(D) The restricted and unrestricted use standards for each contaminant in the table; and

(E) The remaining concentration of each contaminant at each sample location at each elevation.

13C. EXHIBIT C. Exhibit C includes narrative descriptions of the institutional controls and engineering controls as follows:

i. Exhibit C-1: Deed Notice as Institutional Controls: Exhibit C-1 includes a narrative description of the restriction and obligations of this Deed Notice that are in addition to those described above, as follows:

(A) General Description of the Deed Notice:

(1) Description and estimated size of the NJCU Commercial AOC as described above;

(2) Description of the restrictions on the NJCU Commercial AOC by operation of this Deed Notice; and

(3) The objective of the restrictions.

(B) Description of the monitoring necessary to determine whether:

(1) Any disturbances of the soil in the Restricted Areas did or did not result in the unacceptable exposure to the soil contamination;

- (2) There have been any land use changes subsequent to the filing of this Deed Notice or the most recent biennial certification, whichever is more recent;
- (3) The current land use on the NJCU Commercial AOC is consistent with the restrictions in this Deed Notice;
- (4) Any newly promulgated or modified requirements of applicable regulations or laws apply to the NJCU Commercial AOC; and
- (5) Any new standards, regulations, or laws apply to the NJCU Commercial AOC that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice, and conduct the necessary sampling.

(C) Description of the following items that will be included in the biennial certification:

- (1) A monitoring report that describes the specific activities pursuant to (A) and (B) above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice;
- (2) Land use at the NJCU Commercial AOC is consistent with the restrictions in this Deed Notice; and
- (3) The remedial action that includes this Deed Notice and the Consent Decree continues to be protective of the public health and safety and of the environment.

ii. Exhibit C-2 Engineering Controls: Clean Fill and Soil Capping System; Underground Containment Walls; Shallow Groundwater Collection and Treatment System.

Exhibit C-2 (series A-C) includes a narrative description of the engineering controls as follows:

- (A) General description of the engineering controls:
  - (1) Description of the engineering controls;
  - (2) The objective of the engineering controls; and
  - (3) How the engineering controls are intended to function.
- (B) Description of the operation and maintenance necessary to ensure that:
  - (1) Periodic inspections of each engineering control are performed in order to determine its integrity, operability, and effectiveness;
  - (2) Each engineering control continues as designed and intended to protect the public health and safety and the environment;
  - (3) Each alteration, excavation or disturbance of any engineering control is timely and appropriately addressed to maintain the integrity of the engineering controls;
  - (4) The engineering controls are being inspected and maintained and their integrity remains so that the remedial action continues to be protective of the public health and safety and of the environment;

(5) A record of the self-inspection dates, name of the inspector, results of the inspection and condition(s) of the engineering controls. Sampling, for example, may be necessary if it is not possible to visually evaluate the integrity/performance of the engineering controls; and

(6) Any new standards, regulations, or laws that apply to the NJCU Commercial AOC and necessitate additional sampling in order to evaluate the protectiveness of the remedial action (including this Deed Notice), are followed and that any necessary sampling is conducted.

(C) Description of the following items that will be included in the biennial certification:

(1) A monitoring report that describes the specific activities, pursuant to (A) and (B), above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice and the Consent Decree;

(2) The engineering controls continue to operate as designed; and

(3) The remedial action that includes the engineering controls continues to be protective of the public health and safety and of the environment.

**EXHIBIT A**

**A-1 Vicinity Map**

**A-2A Metes and Bounds Description of NJCU Commercial AOC**

**A-2B Tax Map**

**A-3 NJCU Commercial AOC Map**

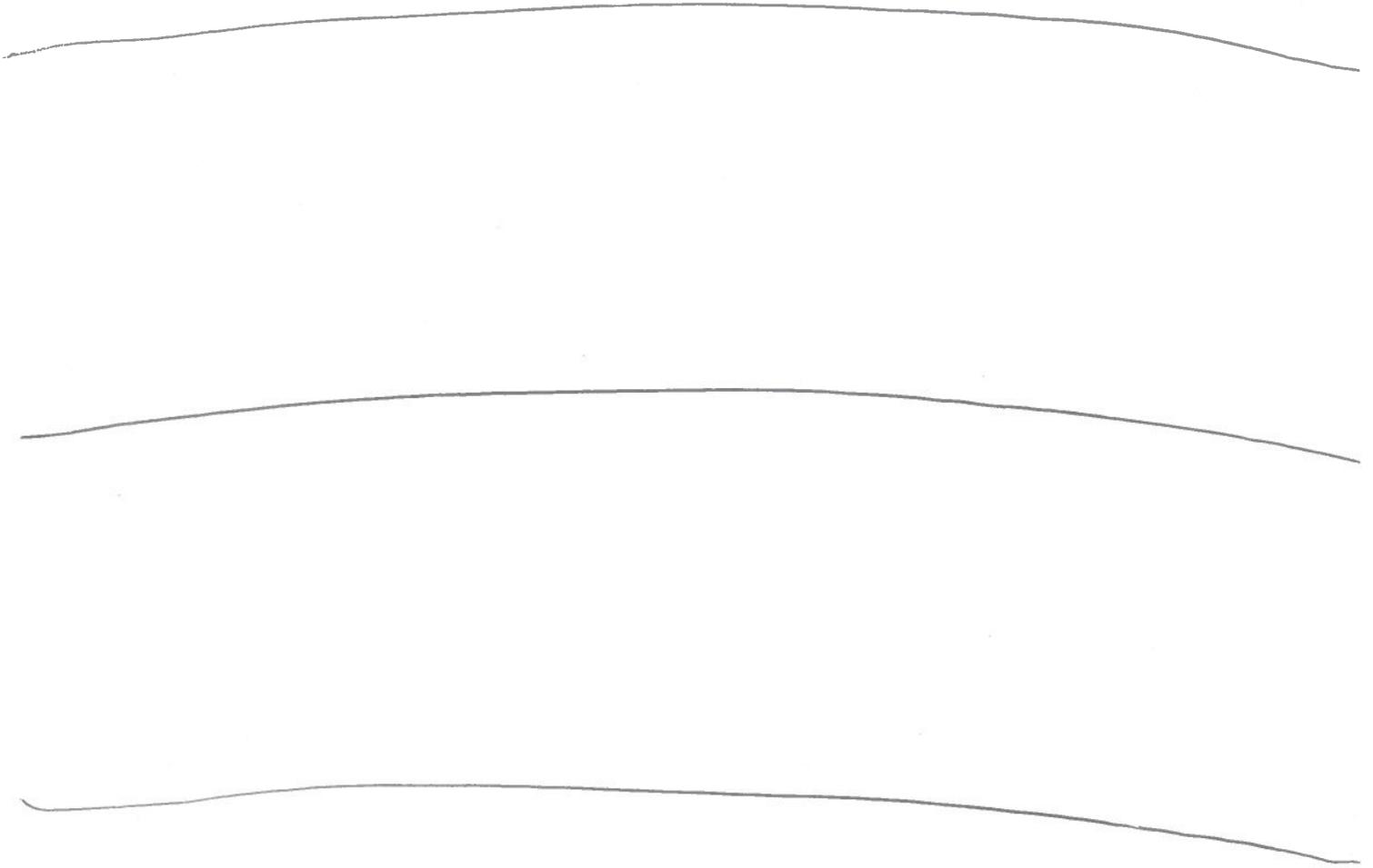
*Block 21902.03, Lot 1*

*Portions of Block 21902, Lots 2.01, 13.01, 14.01, 14.02, 14.03; Block 21902.01, Lot 1  
(formerly Block 21902, Lots 14, 13 and 2)*

*City of Jersey City, New Jersey*

Exhibit Figure A-1 Vicinity Map consists of a road map for the vicinity of the NJCU Commercial AOC. Exhibit Figure A-2A consists of the metes and bounds description of the NJCU Commercial AOC. Exhibit Figure A-2B consists of a tax map for the Property. Exhibit Figure A-3 NJCU Commercial AOC Map consists of a figure indicating major surface features and engineering controls for the NJCU Commercial AOC.

**Exhibit Figure A-1  
Site Vicinity Map**





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P:\CADD\HONERWELL\JERSEY CITY\SA 5\SITE 90 & 184\HUC\NJCU DEED NOTICE\3480170547-6100-SLMO-0000.dwg Mon, 30 Oct 2017 - 11:13:50m scott.rubin

SOURCE: JERSEY CITY, NJ USGS QUADRANGLE MAP, 1983



Amec Foster Wheeler PROJECT No. 3480170547 DRAWING: 3480170547-6100-SLMO-0000	
PREPARED/DATE: STR 10/24/17	CHECKED/DATE: JH 10/26/17

amec foster wheeler   
 ENVIRONMENT & INFRASTRUCTURE, Inc.  
 200 AMERICAN METRO BLVD, SUITE 113  
 HAMILTON, NEW JERSEY 08610

**EXHIBIT A-1**  
 VICINITY MAP  
 DEED NOTICE  
 SA-5 NJCU COMMERCIAL AOC  
 JERSEY CITY, NEW JERSEY

**Exhibit A-2**

**Metes and Bounds Description of NJCU Commercial AOC**

***Block 21902.03, Lot 1***

***Portions of Block 21902, Lots 2.01, 13.01, 14.01, 14.02, 14.03; Block 21902.01, Lot 1  
(formerly Block 21902, Lots 14, 13 and 2)***

***City of Jersey City, New Jersey***

***The NJCU Commercial AOC is identified as Block 21902.03, Lot 1 and portions of Block 21902, Lots 2.01, 13.01, 14.01, 14.02, & 14.03; and Block 21902.01, Lot 1; the property being presently owned by New Jersey City University. A copy of the current tax map showing the Property is included as Exhibit Figure A-2B.***

Metes and Bounds Description of NJCU Commercial AOC:

All that certain lot, tract or parcel of land situate, lying and being in the City of Jersey City, in the County of Hudson and the State of New Jersey, and being a portion of Lots 2.01, 13.01, 14.01, 14.02 and 14.03 in Block 21902, a portion of Lot 1 in Block 21902.01, and all of Lot 1 in Block 21902.03, as shown on a map entitled "New Jersey City University West Campus, Block No. 21902, Lot Nos. 2-5, 7-10 & 12-14, City Of Jersey City, Hudson County, New Jersey, Major Subdivision Plan Of Block 21902", prepared by Langan Engineering & Environmental Services, Inc., dated July 27, 2016, filed in the Hudson County Clerk's office on December 27, 2016 as filed map No. 2716, and being more particularly bounded and described as follows, to wit:

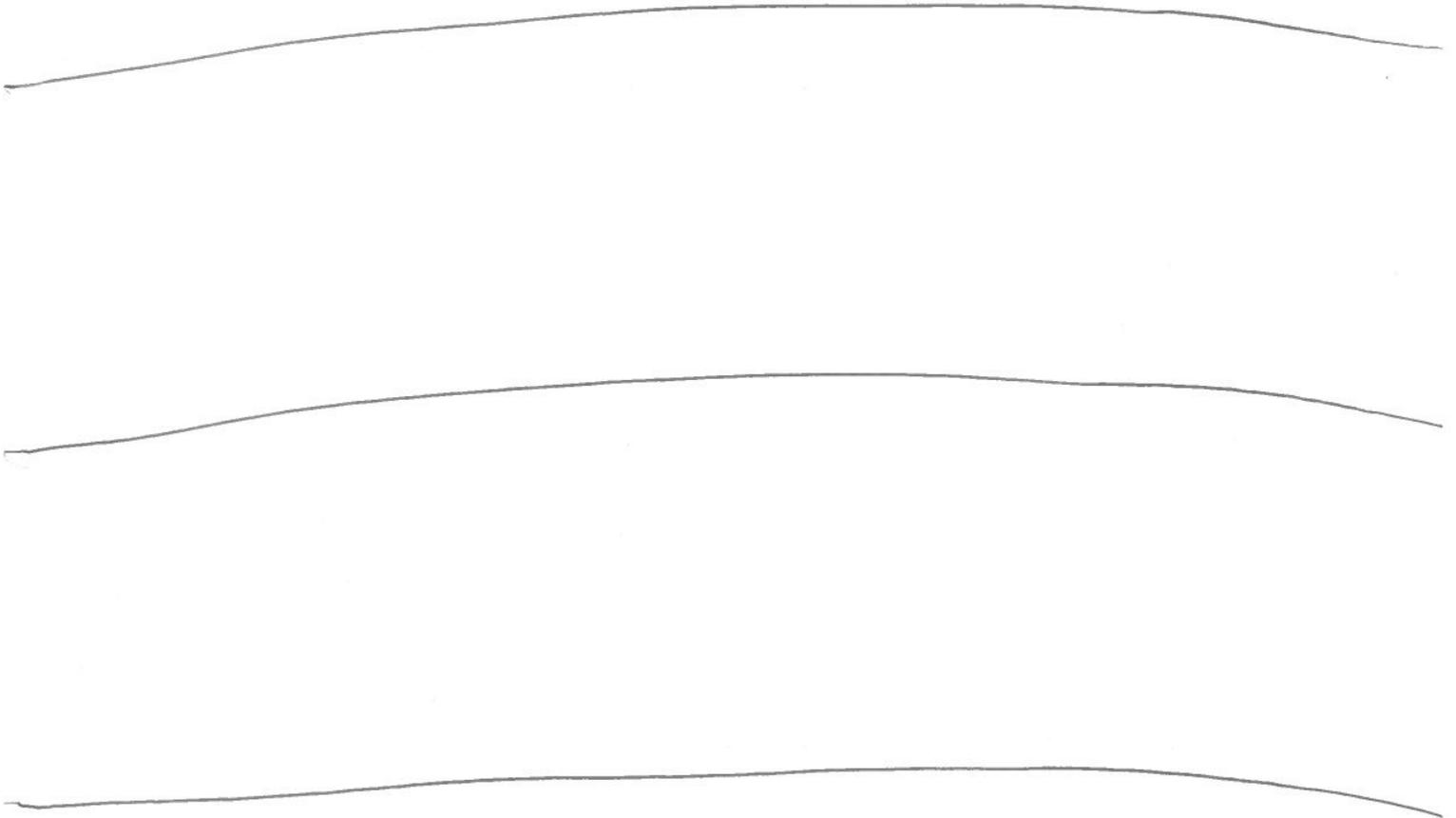
**BEGINNING** at the intersection of the Easterly line of Block 21902 Lot 1, with the division line between Block 26101 Lot 1 and Block 21902 Lot 2.01, and running; thence –

Along the easterly line of Block 21902 Lot 1, the following three (3) courses:

1. **N 24° 45' 41" E, 52.05 feet**, thence –
2. **N 49° 07' 19" W, 5.39 feet**, thence –
3. **N 24° 48' 01" E, 466.43 feet**, to the intersection of the same with the outside northerly edge of a sheet piling wall, as shown on a map entitled "As-Built Survey "Sub-Grade" Block 1286.5, Lot 1 & Block 1286, Lot 5, Jersey City, New Jersey, Honeywell Site ID 37288, 37811 & 37460", prepared by KSS Kennon Surveying Services Inc., dated January 13, 2012, thence –
4. **S 49° 17' 03" E, 442.68 feet**, running through the aforementioned Block 21902 Lot 2.01 and beyond, through Block 21902.01 Lot 1 and beyond, through Block 21902 Lot 14.03, along the said outside northerly edge and beyond, to the projected intersection of same with the northward projection of the easterly outside edge of another sheet pile wall as shown on the aforesaid As-Built Survey, thence –
5. **S 40° 45' 18" W, 499.44 feet**, running through said Lot 14.03 and beyond, through Block 21902 Lots 14.01, 14.02 and 13.01, along said projection of the easterly outside sheet pile wall edge and beyond, along the outside easterly edge of said sheet pile wall, to the division line between Block 26101 Lot 1, and Block 21902 Lot 13.01, thence –
6. **N 49° 07' 19" W, 294.74 feet** along the aforesaid division line and beyond, along the division line between said Block 26101 Lot 1, and Block 21902.03 Lot 1 and beyond, along the division line between said Block 26101 Lot 1, and Block 21902 Lot 2.01, to the Point and Place of **BEGINNING**.

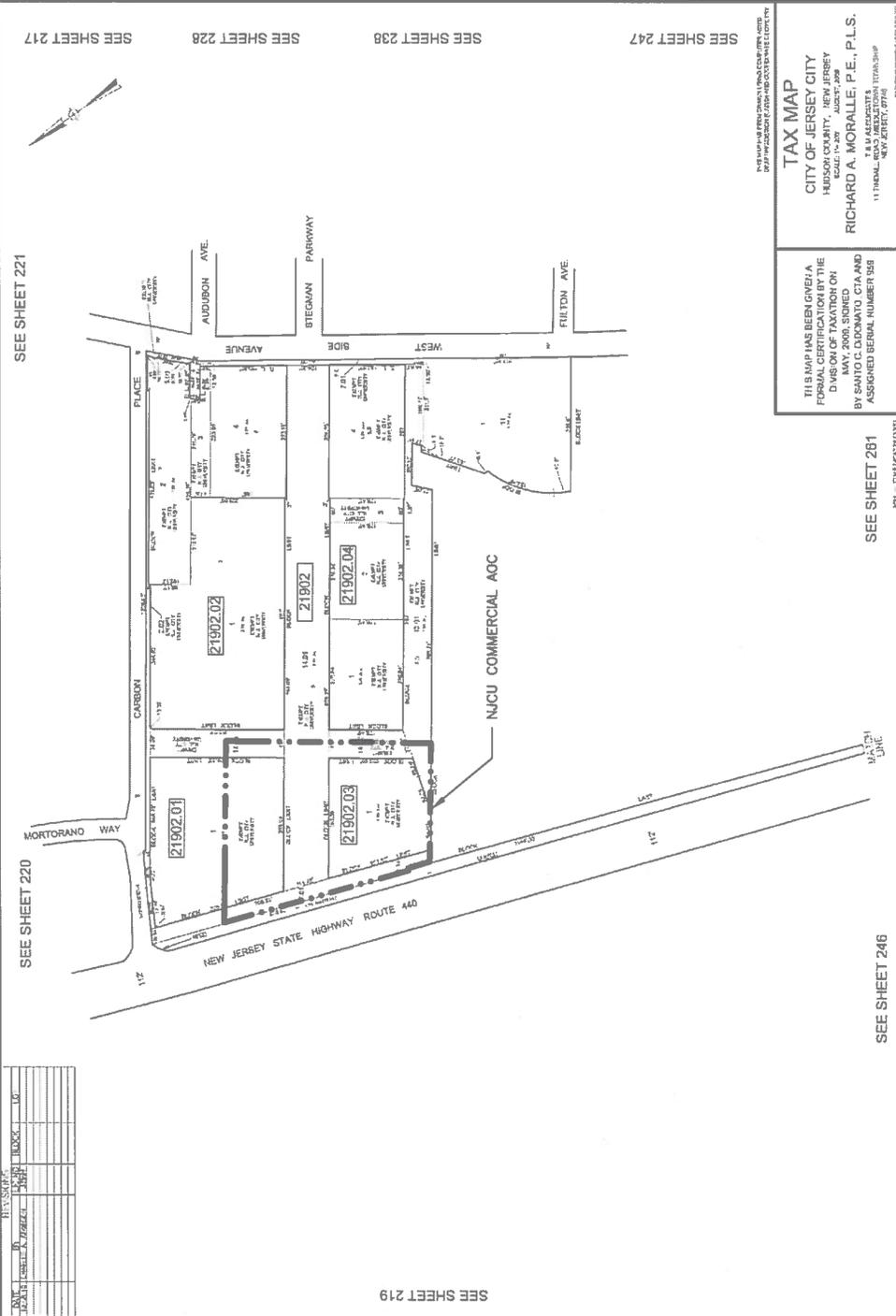
**CONTAINING: 185,047 square feet of land more or less/or 4.248 acres of land more or less.**

**Exhibit Figure A-2B  
Tax Map**



UNLESS OTHERWISE NOTED IN A SEPARATE CONTRACT SHEET, ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.

NO.	DATE	BY	DESCRIPTION



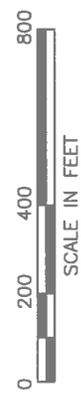
SEE SHEET 246

SEE SHEET 281

THIS MAP HAS BEEN GIVEN A FORMAL CERTIFICATION BY THE DIVISION OF TAXATION ON MAY, 2008, SIGNED BY SANTO C. DODDANO, CTA AND ASSIGNED SERIAL NUMBER 558

**TAX MAP**  
 CITY OF JERSEY CITY  
 HUDSON COUNTY, NEW JERSEY  
 RICHARD A. MORALLE, P.E., P.L.S.  
 11 THOMAS ROAD / AMERISTON TITANSHIP  
 NEW ARBETH, 07740

219.01



REV.	DATE	STATUS	DEPT	CHDR	BY

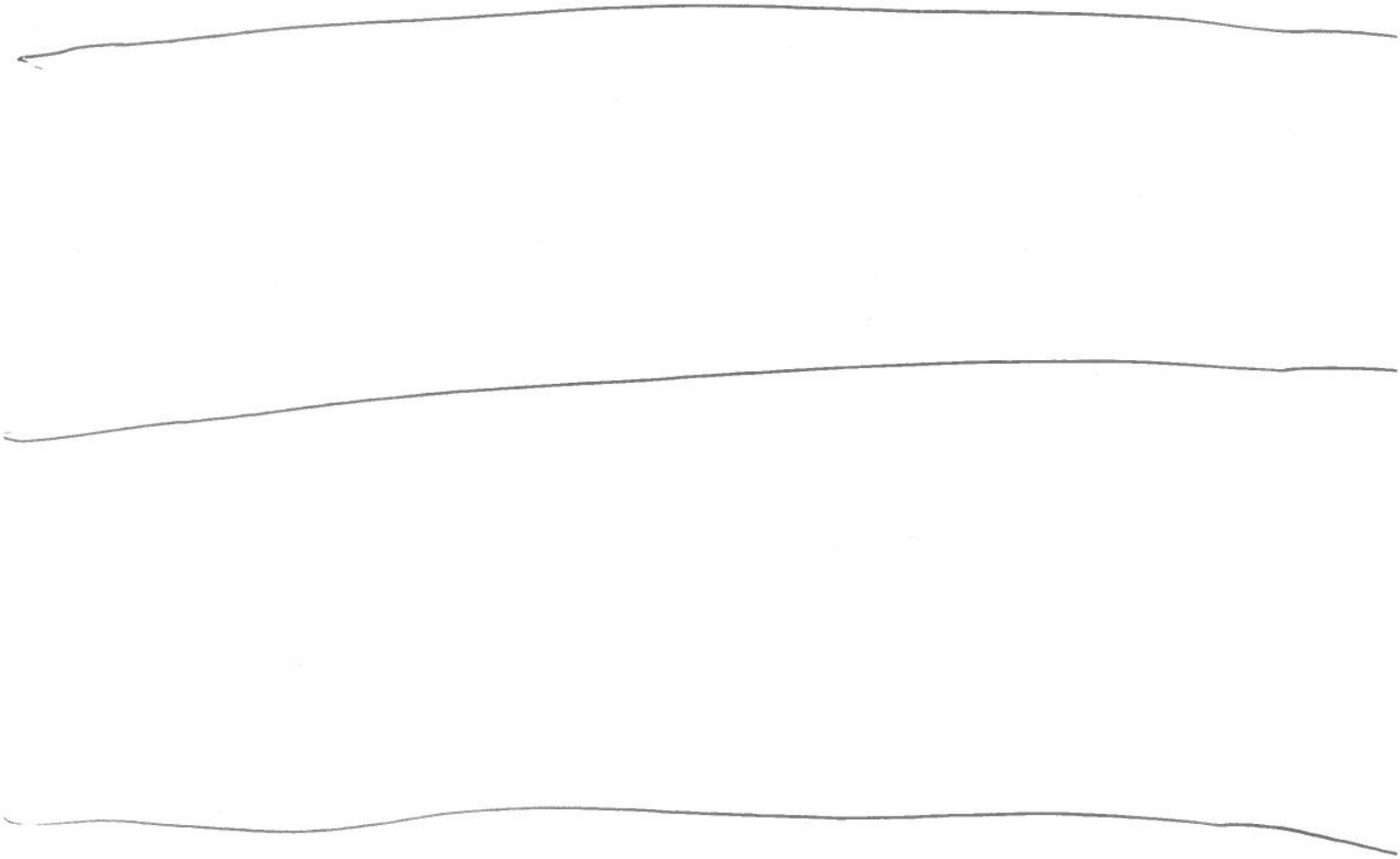
**amec foster wheeler**  
 ENVIRONMENT & INFRASTRUCTURE, Inc.  
 200 AMERICAN METRO BLVD, SUITE 113  
 HAMILTON, NEW JERSEY 08619

Amec Foster Wheeler PROJECT No. 3480170547  
 DRAWING: 3480170547-6100-TXMO-0000

PREPARED/DATE: STR 10/24/17  
 CHECKED/DATE: JH 10/25/17

**EXHIBIT A-2**  
 TAX MAP  
 BLOCK 21902, LOTS 2.01, 13.01, 14.01, 14.02 & 14.03  
 BLOCK 21902.01, LOT 1, BLOCK 21902.03, LOT 1  
 DEED NOTICE  
 SA-5 NJCU COMMERCIAL AOC  
 JERSEY CITY, NEW JERSEY

**Exhibit Figure A-3**  
**NJCU Commercial AOC Property Map**





## **EXHIBIT B**

### **Exhibit B-1A&B: Restricted Area Maps**

### **Exhibit B-2: Restricted Area Data Table**

*Block 21902.03, Lot 1*

*Portions of Block 21902, Lots 2.01, 13.01, 14.01, 14.02, 14.03; Block 21902.01, Lot 1  
(formerly Block 21902, Lots 14, 13 and 2)*

*City of Jersey City, New Jersey*

Exhibit B-1 Restricted Area Maps: Figure B-1A(1) (Engineering Controls), Figure B-1A(2) (Engineering Controls Cap Cross Sections) and Figure B-1B (Soil and Shallow Groundwater Monitoring Locations).

Exhibit B-2 Restricted Area Data Table: indicates soil sample locations with concentrations remaining above the NJDEP Soil Cleanup Criteria.

#### ***Restricted Area Map Notes:***

*Figures B-1A(1) and (2) indicate the engineering controls for soils (cap). For soils with hexavalent chromium concentrations above 20 mg/kg, the engineering controls include a capping system consisting of impervious geo-membrane liner; geo-composite drainage layer; and clean soil cover with minimum 12 inches thickness in areas where buildings or pavement are proposed; and 36-inches thickness in areas where the planting of trees and bushes is proposed and a minimum 24-inches thickness in areas where other vegetation is proposed.*

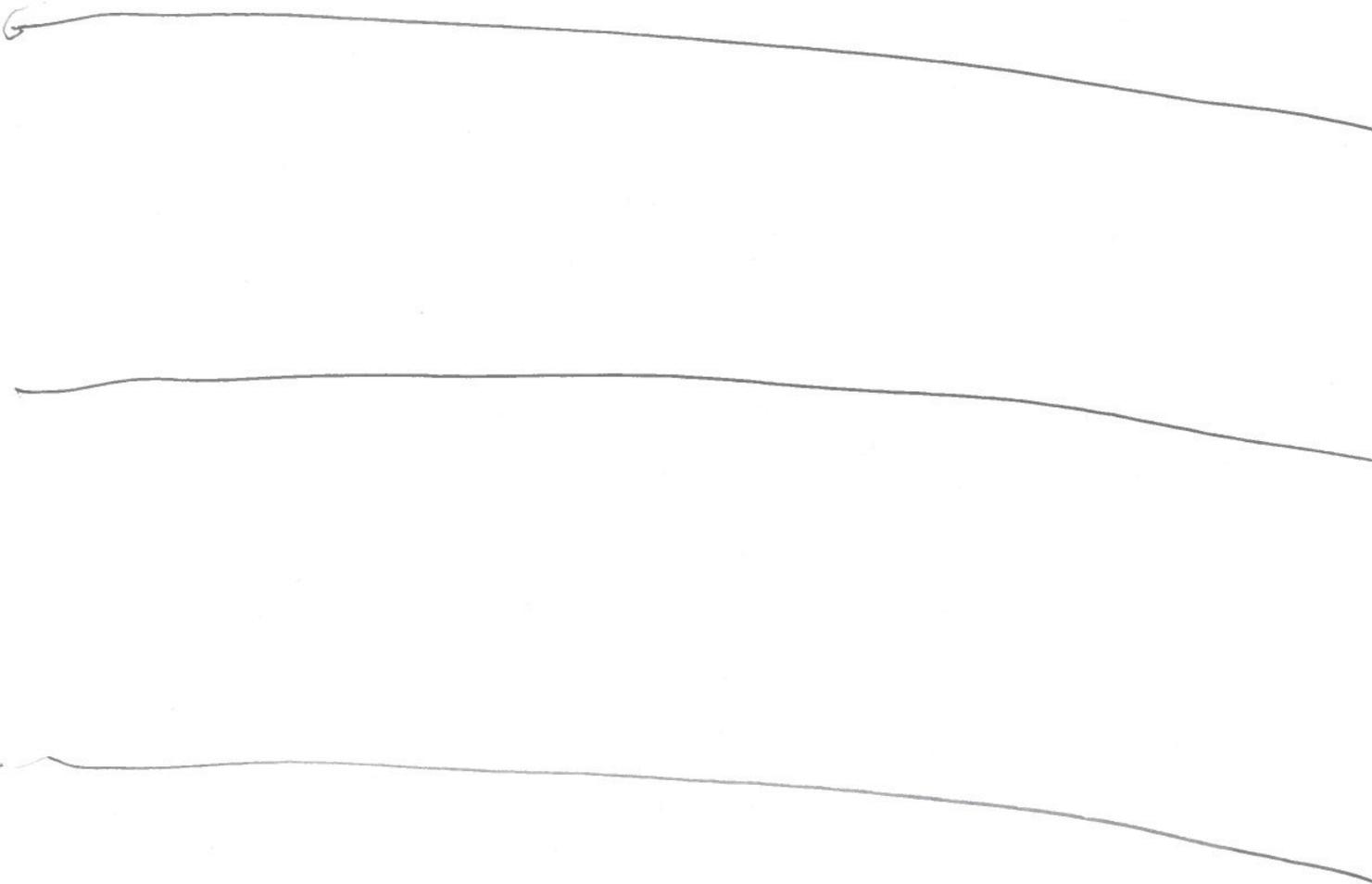
*Figures B-1A(1) and (2) also indicate engineering controls for shallow groundwater. The shallow groundwater engineering controls include underground barrier walls and a system of wells, pumps and piping for the collection and treatment of shallow groundwater from the NJCU Commercial AOC.*

*Monitoring requirements for the engineering controls are set forth in the Long Term Monitoring Plan. Additional shallow groundwater monitoring requirements will be set forth in the Shallow Groundwater Document that will be incorporated into the Long Term Monitoring Plan.*

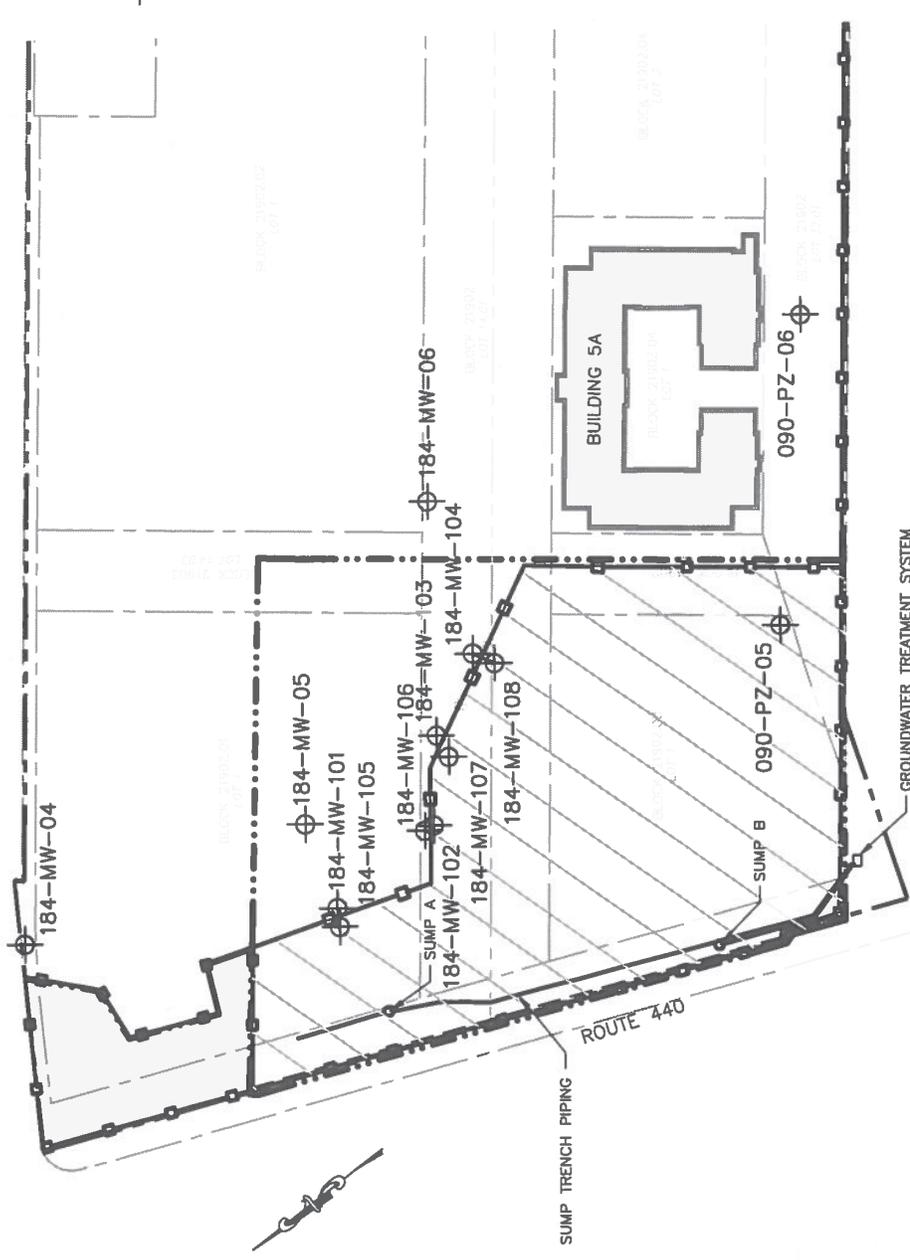
*Figure B-1B indicates soil sample locations with concentrations above the NJDEP Soil Cleanup Criteria. This soil contaminant of concern is hexavalent chromium above the NJDEP soil cleanup criteria of 20 mg/kg.*

*Figure B-1B also indicates shallow groundwater monitoring locations. The groundwater contaminant of concern is total chromium above the NJDEP groundwater quality standard of 70µg/L.*

**Exhibit Figure B-1A**  
**Exhibit B-1A(1): Soil and Shallow Groundwater Engineering Controls Plan**  
**Exhibit B-1A(2): Soil and Shallow Groundwater Engineering Controls Cap Cross**  
**Sections**



- LEGEND:**
- ⊕ EXISTING MONITORING WELL
  - ⊕ PIEZOMETER
  - ▨ CAP AREA
  - SITE BOUNDARY SA-5 NJCU
  - SITE BOUNDARY - SITE 184 & SITE 090
  - EXTENT OF COMMERCIAL AOC
  - SHEET PILE WALL



SOURCE: HISTORIC SOIL DATA - DRAFT RIR STUDY AREA 5 (TERRA TECH NUS, NOV. 1999), RIR ADDENDUM (TERRA TECH NUS, OCT. 2004).  
BASEMAP: PHASE I CONCEPT PLAN, LANGAN 2 MARCH 2007.  
UTILITIES NOT SHOWN.

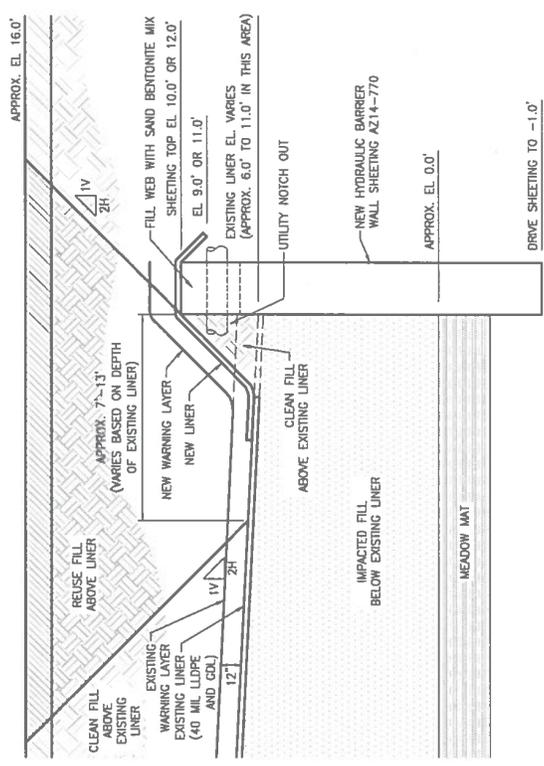
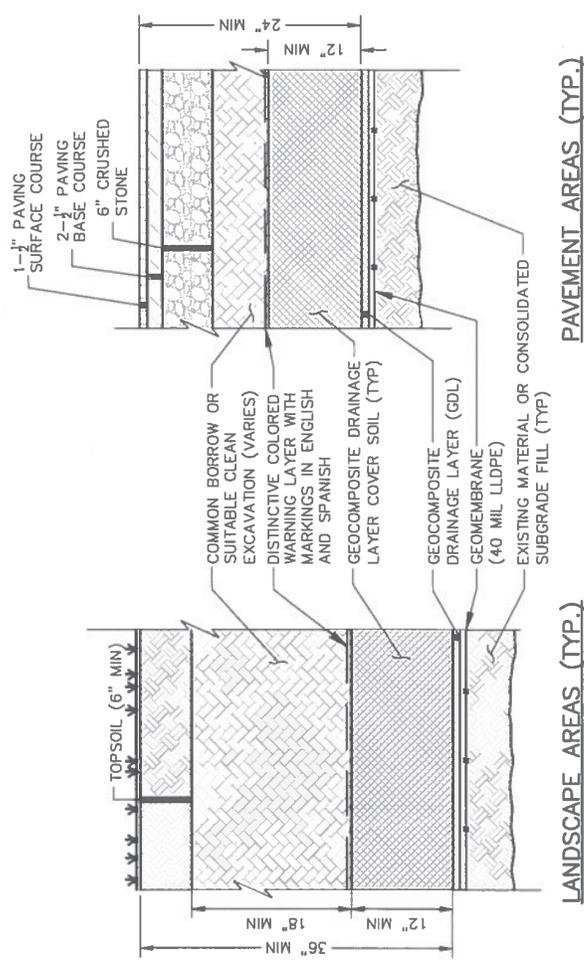
REV.	DATE	STATUS	TYPE	CRD	BT

Amec Foster Wheeler PROJECT No. 3480170547  
DRAWING: 3480170547-6100-ECPO-0001  
PREPARED/DATE: STR 10/24/17  
CHECKED/DATE: JH 10/26/17

**amec foster wheeler**  
ENVIRONMENT & INFRASTRUCTURE, Inc.  
200 AMERICAN METRO BLVD, SUITE 113  
HAMILTON, NEW JERSEY 08619

**EXHIBIT B-1A(1)**  
ENGINEERING CONTROLS PLAN  
DEED NOTICE  
SA-5 NJCU SITE COMMERCIAL AOC  
JERSEY CITY, NEW JERSEY

UNLESS OTHERWISE NOTED IN A SEPARATE CONTRACT BETWEEN THE CLIENT AND THE CONSULTANT, THE CONSULTANT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE CONSULTANT AND FOR THE CONSULTANT'S OBLIGATION TO THE CLIENT. THE CONSULTANT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE CONSULTANT AND FOR THE CONSULTANT'S OBLIGATION TO THE CLIENT. THE CONSULTANT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE CONSULTANT AND FOR THE CONSULTANT'S OBLIGATION TO THE CLIENT. THE CONSULTANT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE CONSULTANT AND FOR THE CONSULTANT'S OBLIGATION TO THE CLIENT.



**SHEET PILE WALL / CAP INTERFACE (TYP.)**  
**(HYDRAULIC BARRIER WALL EXTENSION - NORTHEAST SIDE OF CAP AREA - VARIES ALONG ALIGNMENT)**

**NOTE:**  
 1. FOR FURTHER DETAILS REGARDING ENGINEERING CONTROLS, REFER TO THE 100% CHROMIUM REMEDY DESIGN (JUNE 2010); RECORD INFORMATION IN THE REMEDIAL ACTION REPORT (SEPTEMBER 2012); AND RECORD DRAWING FOR THE HYDRAULIC BARRIER WALL EXTENSION (DATED JULY 28, 2017).

REV.	DATE	STATUS	DEPT	CRD	BY

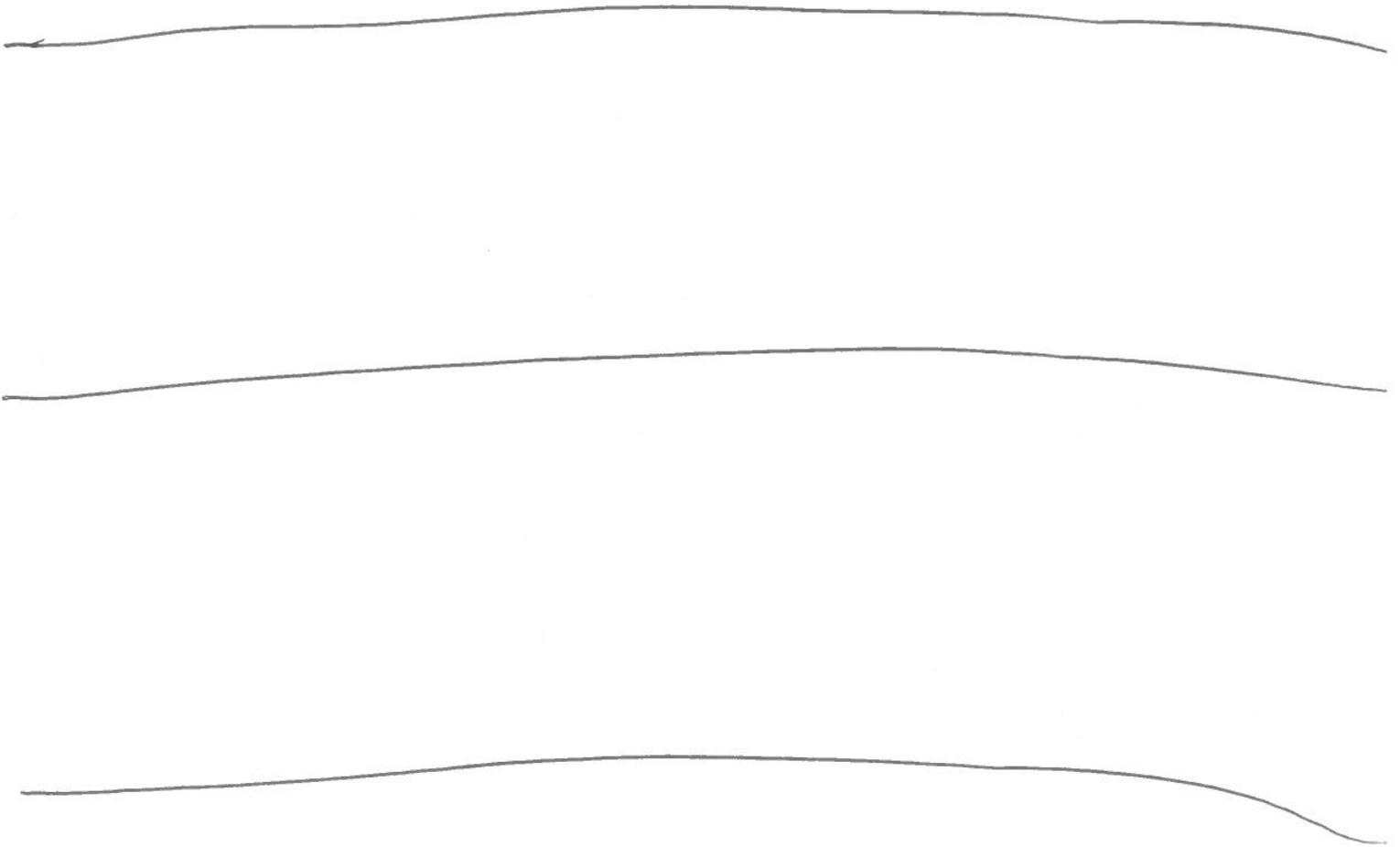
**Amec Foster Wheeler**  
 ENVIRONMENT & INFRASTRUCTURE, Inc.  
 200 AMERICAN METRO BLDG, SUITE 113  
 HAMILTON, NEW JERSEY 08619

**EXHIBIT B-1A(2)**  
 ENGINEERING CONTROL CROSS-SECTIONS  
 DEED NOTICE  
 SA-5 NJCU SITE COMMERCIAL AOC  
 JERSEY CITY, NEW JERSEY

Amec Foster Wheeler Project No. 3480150481  
 DRAWING: EXHIBIT B-1A(2)

PREPARED/DATE: SPM 7/13/17  
 CHECKED/DATE: JH 7/13/17

**Exhibit Figure B-1B**  
**Soil Sample Locations Above NJDEP Standards or Criteria**  
**and Shallow Groundwater Monitoring Locations**



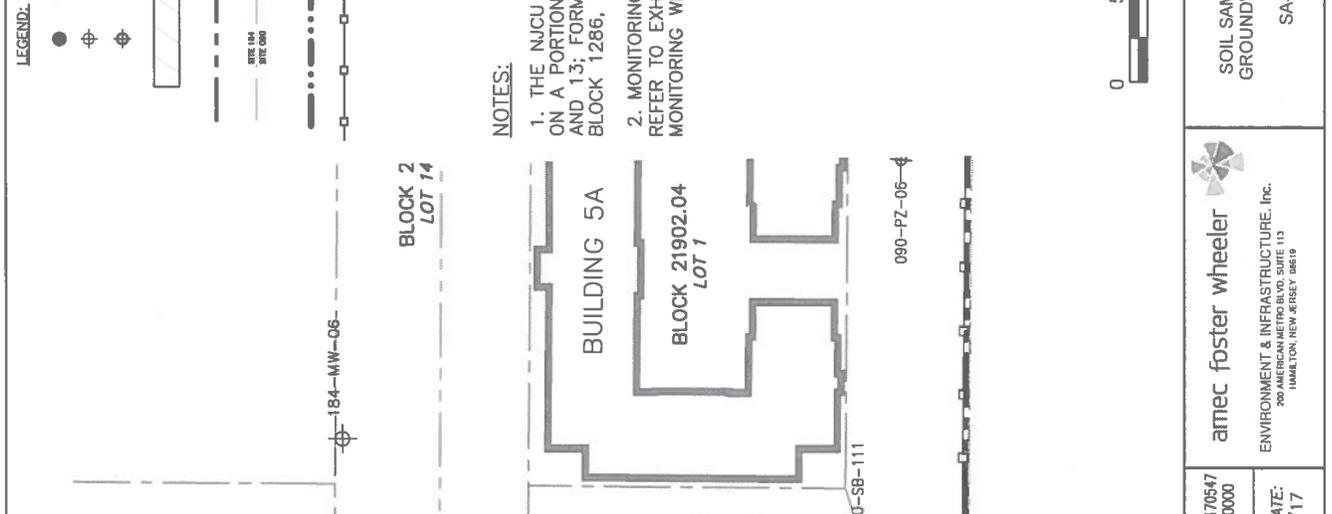
DATE: 10/25/17  
 PROJECT: 3480170547-6100-SSLJM-0000  
 DRAWING: STR 10/25/17  
 CHECKED/DATE: JH 10/26/17  
 PREPARED/DATE: STR 10/25/17

AMEC FOSTER WHEELER PROJECT No. 3480170547  
 ENVIRONMENT & INFRASTRUCTURE, Inc.  
 200 AMERICAN METRO BLVD. SUITE 113  
 HAMILTON, NEW JERSEY 08619

EXHIBIT B-1B  
 SOIL SAMPLE LOCATIONS AND SHALLOW  
 GROUNDWATER MONITORING LOCATIONS  
 DEED NOTICE  
 SA-5 NJCU COMMERCIAL AOC  
 JERSEY CITY, NEW JERSEY

SCALE IN FEET  
 0 50 100 200

NOTES:  
 1. THE NJCU COMMERCIAL AOC IS LOCATED ON A PORTION OF BLOCK 21902, LOTS 2, 14 AND 13; FORMERLY BLOCK 1286.5 LOT 1 AND BLOCK 1286, LOTS 5 AND 6D RESPECTIVELY.  
 2. MONITORING WELL 184-MW-04 NOT SHOWN. REFER TO EXHIBIT FIGURE B-1A(1) FOR ALL MONITORING WELL LOCATIONS.



LEGEND:  
 SOIL SAMPLE LOCATION  
 EXISTING MONITORING WELL  
 PIEZOMETER  
 CAP AREA  
 SITE BOUNDARY SA-5 NJCU  
 SITE BOUNDARY - SITE 184 & SITE 090  
 EXTENT OF COMMERCIAL AOC  
 SHEET PILE WALL

**Exhibit B-2:**  
**Table B-2 Soil Sample Results Above NJDEP Standards or Criteria**

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EXHIBIT B-2  
RESTRICTED AREA DATA TABLE  
STUDY AREA 5 - NJCU PROPERTY COMMERCIAL AOC  
JERSEY CITY, NEW JERSEY

Location ID	Field Sample ID <sup>(1)</sup>	Sample Elevation (feet above mean sea level)	Parameter Name	Date Sampled	Chemical Abstract Service Registry Number	Concentration (mg/kg)	NJDEP Unrestricted Use Standard (mg/kg) <sup>(2)</sup>
090-SB-07	090-SB-07-0507	8.7	HEXAVALENT CHROMIUM	03/10/03	18540-29-9	83.7	20
090-SB-07	090-SB-07-0709	6.7	HEXAVALENT CHROMIUM	03/10/03	18540-29-9	117	20
090-SB-07	090-SB-07-0911	4.7	HEXAVALENT CHROMIUM	03/10/03	18540-29-9	130	20
090-SB-07	090-SB-07-1113	2.7	HEXAVALENT CHROMIUM	03/10/03	18540-29-9	198	20
090-SB-07	090-SB-07-1315	0.7	HEXAVALENT CHROMIUM	03/10/03	18540-29-9	249	20
090-SB-07	090-SB-07-1517	-1.3	HEXAVALENT CHROMIUM	03/10/03	18540-29-9	159	20
090-SB-07	090-SB-07-1719	-3.3	HEXAVALENT CHROMIUM	03/10/03	18540-29-9	37.7	20
090-SB-07	090-SB-07-1921	-5.3	HEXAVALENT CHROMIUM	03/10/03	18540-29-9	29.4	20
090-SB-07	090-SB-07-2123	-7.3	HEXAVALENT CHROMIUM	03/10/03	18540-29-9	110	20
090-SB-07	090-SB-07-2325	-9.3	HEXAVALENT CHROMIUM	03/10/03	18540-29-9	37.7	20
090-SB-07	090-SB-07-2527	-11.3	HEXAVALENT CHROMIUM	03/10/03	18540-29-9	40	20
090-SB-07	090-SB-07-2729	-13.3	HEXAVALENT CHROMIUM	03/17/03	18540-29-9	64.8	20
090-SB-07	090-SB-07-3133	-17.3	HEXAVALENT CHROMIUM	03/17/03	18540-29-9	37.8	20
090-SB-07	090-SB-07-3537	-21.3	HEXAVALENT CHROMIUM	03/17/03	18540-29-9	35.4	20
090-SB-07	090-SB-07-3941	-25.3	HEXAVALENT CHROMIUM	03/17/03	18540-29-9	98.9	20
090-SB-07	090-SB-07-4749	-33.3	HEXAVALENT CHROMIUM	03/17/03	18540-29-9	1030	20
090-SB-07	090-SB-07-5557	-41.3	HEXAVALENT CHROMIUM	03/18/03	18540-29-9	1640	20
090-SB-07	090-SB-07-5557-D	-41.3	HEXAVALENT CHROMIUM	03/18/03	18540-29-9	1770	20
090-SB-07	090-SB-07-6163	-47.3	HEXAVALENT CHROMIUM	03/18/03	18540-29-9	288	20
090-SB-20	090-SB-20-0406	7.9	HEXAVALENT CHROMIUM	07/29/03	18540-29-9	87.4	20
090-SB-20	090-SB-20-0608	5.9	HEXAVALENT CHROMIUM	07/29/03	18540-29-9	6190	20
090-SB-20	090-SB-20-0810	3.9	HEXAVALENT CHROMIUM	07/29/03	18540-29-9	6140	20
090-SB-20	090-SB-20-1012	1.9	HEXAVALENT CHROMIUM	07/29/03	18540-29-9	869	20
090-SB-20	090-SB-20-1214	-0.1	HEXAVALENT CHROMIUM	07/29/03	18540-29-9	138	20
090-SB-20	090-SB-20-1416	-2.1	HEXAVALENT CHROMIUM	07/29/03	18540-29-9	123	20
090-SB-24	090-SB-24-0002	14.1	HEXAVALENT CHROMIUM	07/28/03	18540-29-9	73.8	20
090-SB-24	090-SB-24-0204	12.1	HEXAVALENT CHROMIUM	07/28/03	18540-29-9	27.9	20
090-SB-24	090-SB-24-1416	0.1	HEXAVALENT CHROMIUM	07/28/03	18540-29-9	21.4	20
090-SB-25	090-SB-25-0204	10.9	HEXAVALENT CHROMIUM	10/09/03	18540-29-9	29.1	20
090-SB-25	090-SB-25-0608	6.9	HEXAVALENT CHROMIUM	10/09/03	18540-29-9	6020	20
090-SB-25	090-SB-25-0608-D	6.9	HEXAVALENT CHROMIUM	10/09/03	18540-29-9	3180	20
090-SB-25	090-SB-25-0810	4.9	HEXAVALENT CHROMIUM	10/09/03	18540-29-9	8900	20
090-SB-25	090-SB-25-1012	2.9	HEXAVALENT CHROMIUM	10/09/03	18540-29-9	1850	20
090-SB-26	090-SB-26-0810	3.8	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	41.9	20
090-SB-26	090-SB-26-1012	1.8	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	2000	20
090-SB-26	090-SB-26-1416	-2.2	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	24.6	20
090-SB-27	090-SB-27-0204	11.5	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	291	20
090-SB-27	090-SB-27-0406	9.5	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	204	20
090-SB-27	090-SB-27-0608	7.5	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	7480	20
090-SB-27	090-SB-27-0810	5.5	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	7890	20
090-SB-27	090-SB-27-1012	3.5	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	4970	20
090-SB-27	090-SB-27-1214	1.5	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	3550	20
090-SB-27	090-SB-27-1214-D	1.5	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	4120	20
090-SB-27	090-SB-27-1618	-2.5	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	220	20
090-SB-27	090-SB-27-1820	-4.5	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	80.8	20
090-SB-28	090-SB-28-0002	14	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	151	20
090-SB-28	090-SB-28-0406	10	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	40.6	20
090-SB-28	090-SB-28-0608	8	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	28.8	20
090-SB-28	090-SB-28-0810	6	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	1340	20
090-SB-28	090-SB-28-1012	4	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	6060	20
090-SB-28	090-SB-28-1416	0	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	212	20
090-SB-28	090-SB-28-1618	-2	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	36.7	20
090-SB-28	090-SB-28-1820	-4	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	61	20
090-SB-28	090-SB-28-1820-D	-4	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	63.7	20
090-SB-29	090-SB-29-0002	13.8	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	265	20

EXHIBIT B-2  
RESTRICTED AREA DATA TABLE  
STUDY AREA 5 - NJCU PROPERTY COMMERCIAL AOC  
JERSEY CITY, NEW JERSEY

Location ID	Field Sample ID <sup>(1)</sup>	Sample Elevation (feet above mean sea level)	Parameter Name	Date Sampled	Chemical Abstract Service Registry Number	Concentration (mg/kg)	NJDEP Unrestricted Use Standard (mg/kg) <sup>(2)</sup>
090-SB-29	090-SB-29-0204	11.8	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	24.5	20
090-SB-29	090-SB-29-0406	9.8	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	30.6	20
090-SB-29	090-SB-29-0810	5.8	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	873	20
090-SB-29	090-SB-29-1012	3.8	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	435	20
090-SB-29	090-SB-29-1214	1.8	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	22.2	20
090-SB-29	090-SB-29-1416	-0.2	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	44.1	20
090-SB-29	090-SB-29-1820	-4.2	HEXAVALENT CHROMIUM	10/08/03	18540-29-9	35	20
090-SB-32	090-SB-32-0002	13.9	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	115	20
090-SB-32	090-SB-32-0204	11.9	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	159	20
090-SB-32	090-SB-32-0406	9.9	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	162	20
090-SB-32	090-SB-32-0608	7.9	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	88.7	20
090-SB-32	090-SB-32-0810	5.9	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	68.2	20
090-SB-32	090-SB-32-1012	3.9	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	2370	20
090-SB-32	090-SB-32-1214	1.9	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	560	20
090-SB-32	090-SB-32-1618	-2.1	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	34.9	20
090-SB-32	090-SB-32-1820	-4.1	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	79.9	20
090-SB-33	090-SB-33-0002	13.8	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	115	20
090-SB-33	090-SB-33-0204	11.8	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	20.3	20
090-SB-33	090-SB-33-0204-D	11.8	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	20.2	20
090-SB-33	090-SB-33-0608	7.8	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	24.6	20
090-SB-33	090-SB-33-1012	3.8	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	4190	20
090-SB-33	090-SB-33-1214	1.8	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	1220	20
090-SB-33	090-SB-33-1820	-4.2	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	40.7	20
090-SB-34	090-SB-34-0002	13.6	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	131	20
090-SB-34	090-SB-34-0608	7.6	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	23.1	20
090-SB-34	090-SB-34-0810	5.6	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	1490	20
090-SB-34	090-SB-34-1012	3.6	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	26.5	20
090-SB-34	090-SB-34-1214	1.6	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	326	20
090-SB-34	090-SB-34-1416	-0.4	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	123	20
090-SB-34	090-SB-34-1618	-2.4	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	93.9	20
090-SB-35	090-SB-35-0002	13.8	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	379	20
090-SB-35	090-SB-35-0204	11.8	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	71.9	20
090-SB-35	090-SB-35-0608	7.8	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	36.1	20
090-SB-35	090-SB-35-0810	5.8	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	34.1	20
090-SB-35	090-SB-35-1012	3.8	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	1590	20
090-SB-35	090-SB-35-1416	-0.2	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	34.1	20
090-SB-35	090-SB-35-1618	-2.2	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	75.8	20
090-SB-35	090-SB-35-1820	-4.2	HEXAVALENT CHROMIUM	10/13/03	18540-29-9	70.9	20
090-SB-36	090-SB-36-0204	11.6	HEXAVALENT CHROMIUM	10/21/03	18540-29-9	88.2	20
090-SB-36	090-SB-36-0810	5.6	HEXAVALENT CHROMIUM	10/21/03	18540-29-9	777	20
090-SB-36	090-SB-36-1012	3.6	HEXAVALENT CHROMIUM	10/21/03	18540-29-9	1490	20
090-SB-B02	090-SB-B02-0002	15.4	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	644	20
090-SB-B02	090-SB-B02-0204	13.4	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	834	20
090-SB-B02	090-SB-B02-0406	11.4	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	6300	20
090-SB-B02	090-SB-B02-0406-D	11.4	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	6360	20
090-SB-B02	090-SB-B02-0810	7.4	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	146	20
090-SB-B02	090-SB-B02-1012	5.4	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	1050	20
090-SB-B02	090-SB-B02-1416	1.4	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	195	20
090-SB-B02	090-SB-B02-1618	-0.6	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	159	20
090-SB-B02	090-SB-B02-1820	-2.6	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	53.1	20
090-SB-B04	090-SB-B04-0002	15.2	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	429	20
090-SB-B04	090-SB-B04-0204	13.2	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	7390	20
090-SB-B04	090-SB-B04-0406	11.2	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	298	20
090-SB-B04	090-SB-B04-0608	9.2	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	68.1	20
090-SB-B04	090-SB-B04-0810	7.2	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	119	20

EXHIBIT B-2  
RESTRICTED AREA DATA TABLE  
STUDY AREA 5 - NJCU PROPERTY COMMERCIAL AOC  
JERSEY CITY, NEW JERSEY

Location ID	Field Sample ID <sup>(1)</sup>	Sample Elevation (feet above mean sea level)	Parameter Name	Date Sampled	Chemical Abstract Service Registry Number	Concentration (mg/kg)	NJDEP Unrestricted Use Standard (mg/kg) <sup>(2)</sup>
090-SB-B04	090-SB-B04-1012	5.2	HEXAVALENT CHROMIUM	05/13/97	18540-29-9	150	20
090-SB-C03	090-SB-C03-0002	13.6	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	34.7	20
090-SB-C03	090-SB-C03-0810	5.6	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	50.3	20
090-SB-C03	090-SB-C03-1012	3.6	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	3870	20
090-SB-C03	090-SB-C03-1416	-0.4	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	71.4	20
090-SB-D02	090-SB-D02-0002	13.8	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	43.1	20
090-SB-D02	090-SB-D02-1214	1.8	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	83.1	20
090-SB-E01	090-SB-E01-0002	11.8	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	226	20
090-SB-E01	090-SB-E01-0406	7.8	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	6250	20
090-SB-E01	090-SB-E01-0810	3.8	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	8210	20
090-SB-E01	090-SB-E01-1012	1.8	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	5020	20
090-SB-E01	090-SB-E01-1214	-0.2	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	694	20
090-SB-E03	090-SB-E03-0002	7.4	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	108	20
090-SB-E03	090-SB-E03-0204	5.4	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	27	20
090-SB-E03	090-SB-E03-0810	-0.6	HEXAVALENT CHROMIUM	05/12/97	18540-29-9	116	20
090-SB-I01	090-SB-I1-0810	-0.4	HEXAVALENT CHROMIUM	01/31/03	18540-29-9	25.1	20
090-SB-I01	090-SB-I1-1618	-8.4	HEXAVALENT CHROMIUM	02/25/03	18540-29-9	50.3	20
090-SB-I02	090-SB-I02-0002	14	HEXAVALENT CHROMIUM	10/07/03	18540-29-9	51.5	20
090-SB-I02	090-SB-I02-0406	10	HEXAVALENT CHROMIUM	10/07/03	18540-29-9	21.4	20
090-SB-I02	090-SB-I02-0810	6	HEXAVALENT CHROMIUM	10/07/03	18540-29-9	11500	20
090-SB-I02	090-SB-I02-1012	4	HEXAVALENT CHROMIUM	10/07/03	18540-29-9	9780	20
090-SB-I02	090-SB-I02-1214	2	HEXAVALENT CHROMIUM	10/07/03	18540-29-9	35.9	20
090-SB-I02	090-SB-I02-1416	0	HEXAVALENT CHROMIUM	10/07/03	18540-29-9	113	20
090-SB-I02	090-SB-I02-1820	-4	HEXAVALENT CHROMIUM	10/07/03	18540-29-9	111	20
090-SB-I03	090-SB-I3-0204	11.8	HEXAVALENT CHROMIUM	02/27/03	18540-29-9	27.4	20
090-SB-I11	090-SB-I11-0204	12.2	HEXAVALENT CHROMIUM	10/07/03	18540-29-9	20.3	20
090-SB-I11	090-SB-I11-1416	0.2	HEXAVALENT CHROMIUM	10/07/03	18540-29-9	152	20
090-SB-I11	090-SB-I11-1618	-1.8	HEXAVALENT CHROMIUM	10/07/03	18540-29-9	99.3	20
090-SB-I11	090-SB-I11-1820	-3.8	HEXAVALENT CHROMIUM	10/07/03	18540-29-9	108	20
090-SB-I14	090-SB-I14-0002	14.2	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	43.5	20
090-SB-I14	090-SB-I14-0204	12.2	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	57.4	20
090-SB-I14	090-SB-I14-0406	10.2	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	105	20
090-SB-I14	090-SB-I14-0608	8.2	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	28400	20
090-SB-I14	090-SB-I14-0810	6.2	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	20100	20
090-SB-I14	090-SB-I14-1012	4.2	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	201	20
090-SB-I14	090-SB-I14-1214	2.2	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	127	20
090-SB-I14	090-SB-I14-1416	0.2	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	64.7	20
090-SB-I14	090-SB-I14-1618	-1.8	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	206	20
090-SB-I14	090-SB-I14-1820	-3.8	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	214	20
090-SB-I15	090-SB-I15-0002	13.8	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	48.3	20
090-SB-I15	090-SB-I15-0608	7.8	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	20.3	20
090-SB-I15	090-SB-I15-0810	5.8	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	9710	20
090-SB-I15	090-SB-I15-1012	3.8	HEXAVALENT CHROMIUM	10/20/03	18540-29-9	1370	20
090-SB-007	090-SB-007-1012	1.8	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	4300	20
090-SB-007	090-SB-007-1012-D	1.8	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	4250	20
090-SB-008	090-SB-008-0810	6	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	7450	20
090-SB-008	090-SB-008-0810-D	6	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	6990	20
090-SB-009	090-SB-009-0810	6	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	37.9	20
090-SB-015	090-SB-015-0002	11.9	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	82.1	20
090-SB-015	090-SB-015-0608	5.9	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	3630	20
090-SB-015	090-SB-015-0810	3.9	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	1870	20
090-SB-016	090-SB-016-0002	11.9	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	27.9	20
090-SB-016	090-SB-016-0608	5.9	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	85.8	20
090-SB-016	090-SB-016-0810	3.9	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	16600	20
090-SB-016	090-SB-016-1012	1.9	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	29900	20

Prepared by:CR  
Checked by:NK  
Date: 3/12/12

EXHIBIT B-2  
RESTRICTED AREA DATA TABLE  
STUDY AREA 5 - NJCU PROPERTY COMMERCIAL AOC  
JERSEY CITY, NEW JERSEY

Location ID	Field Sample ID <sup>(1)</sup>	Sample Elevation (feet above mean sea level)	Parameter Name	Date Sampled	Chemical Abstract Service Registry Number	Concentration (mg/kg)	NJDEP Unrestricted Use Standard (mg/kg) <sup>(2)</sup>
090-SB-017	090-SB-017-0204	12.2	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	28.1	20
090-SB-017	090-SB-017-0608	8.2	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	6040	20
090-SB-017	090-SB-017-0810	6.2	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	11800	20
090-SB-017	090-SB-017-1012	4.2	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	13000	20
090-SB-018	090-SB-018-0810	3.8	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	27.9	20
090-SB-018	090-SB-018-1012	1.8	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	1270	20
090-SB-018	090-SB-018-1214	-0.2	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	6540	20
090-SB-019	090-SB-019-1618	-2.2	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	1550	20
184-SB-03	184-SB-03-0608	1.4	HEXAVALENT CHROMIUM	07/29/03	18540-29-9	36.1	20
184-SB-03	184-SB-03-0810	-0.6	HEXAVALENT CHROMIUM	07/29/03	18540-29-9	23.2	20
184-SB-03	184-SB-03-1214	-4.6	HEXAVALENT CHROMIUM	07/29/03	18540-29-9	59.8	20
184-SB-03	184-SB-03-1416	-6.6	HEXAVALENT CHROMIUM	07/29/03	18540-29-9	30.2	20
184-SB-09	184-SB-09-0204	4.8	HEXAVALENT CHROMIUM	10/06/03	18540-29-9	142	20
184-SB-09	184-SB-09-0406	2.8	HEXAVALENT CHROMIUM	10/06/03	18540-29-9	159	20
184-SB-10	184-SB-10-0204	5.6	HEXAVALENT CHROMIUM	10/06/03	18540-29-9	2100	20
184-SB-10	184-SB-10-0406	3.6	HEXAVALENT CHROMIUM	10/06/03	18540-29-9	740	20
184-SB-10	184-SB-10-0608	1.6	HEXAVALENT CHROMIUM	10/06/03	18540-29-9	22	20
184-SB-10	184-SB-10-1012	-2.4	HEXAVALENT CHROMIUM	10/06/03	18540-29-9	35.9	20
184-SB-A07	184-SB-A07-0002	6.8	HEXAVALENT CHROMIUM	06/10/98	18540-29-9	44.2	20
184-SB-A08	184-SB-A08-0002	6.8	HEXAVALENT CHROMIUM	06/10/98	18540-29-9	71.8	20
184-SB-A08	184-SB-A08-0204	4.8	HEXAVALENT CHROMIUM	06/10/98	18540-29-9	47.5	20
184-SB-A09	184-SB-A09-0002	6	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	368	20
184-SB-A09	184-SB-A09-0204	4	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	455	20
184-SB-A09	184-SB-A09-0406	2	HEXAVALENT CHROMIUM	06/12/98	18540-29-9	482	20

Notes:

- (1) - The last four digits of each Field Sample ID represent the sample depth in feet below ground surface. For example, 0002 indicates a sample collected between 0 and 2 feet below ground surface
- (2) - The Unrestricted Use Standard refers to the current NJDEP Soil Cleanup Criteria for hexavalent chromium of 20 mg/kg  
mg/kg - milligrams per Kilogram  
D - Duplicate Sample

**EXHIBIT C**

**Exhibit C-1: Deed Notice as Institutional Controls**

**Exhibit C-2: Engineering Controls**

*Block 21902.03, Lot 1*

*Portions of Block 21902, Lots 2.01, 13.01, 14.01, 14.02, 14.03; Block 21902.01, Lot 1*

*(formerly Block 21902, Lots 14, 13 and 2)*

*City of Jersey City, New Jersey*

**Exhibit C-1: Deed Notice as Institutional Controls**  
**Block 21902.03, Lot 1**  
**Portions of Block 21902, Lots 2.01, 13.01, 14.01, 14.02, 14.03; Block 21902.01, Lot 1**  
**(formerly Block 21902, Lots 14, 13 and 2)**  
**City of Jersey City, New Jersey**

i. Exhibit C-1: Deed Notice as Institutional Controls: Exhibit C-1 includes a narrative description of the restriction and obligations of this Deed Notice that are in addition to those described above, as follows:

(A) General Description of this Deed Notice:

(1) Description and estimated size of the Restricted Areas as described above;

*The NJCU Commercial AOC constitutes a portion of the Property known as Block 21902.03, Lot 1; Block 21902, Lots 2.01, 13.01, 14.01, 14.02, & 14.03; and Block 21902.01, Lot 1; and constitutes the Restricted Area. The NJCU Commercial AOC or Restricted Area is identified on Exhibit Figure B-1A(1); estimated at approximately 4.2 acres.*

(2) Description of the restrictions on the NJCU Commercial AOC by operation of this Deed Notice; and

*By operation of this Deed Notice, the NJCU Commercial AOC shall not be used for residential, day care, or educational uses, except administrative educational uses. Intrusive activities (i.e., excavation or digging) that breach the engineering controls (as described in Exhibit C-2) will only occur on the NJCU Commercial AOC with the appropriate measures. See Deed Notice for additional information; subsections 7A Alterations, Improvements, Disturbances, and 7B, Emergencies.*

(3) The objective of the restrictions;

*The restrictions will prohibit contact with soils above the NJDEP Soil Cleanup Criteria and with shallow groundwater above the NJDEP groundwater quality standard for total chromium.*

(B) Description of the monitoring necessary to determine whether:

(1) Any disturbances of the soil in the NJCU Commercial AOC did or did not result in the unacceptable exposure to the soil or groundwater contamination;

*Quarterly visual inspections by Honeywell of the NJCU Commercial AOC. Inspections and other monitoring of the NJCU Commercial AOC as set forth in the Long-Term Monitoring Plan developed pursuant to the Consent Decree.*

(2) There have been any land use changes subsequent to the filing of this Deed Notice or the most recent biennial certification, whichever is more recent;

*Same as (B)(1).*

(3) The current land use on the NJCU Commercial AOC is consistent with the restrictions in this Deed Notice;

*Same as (B)(1).*

(4) Any newly promulgated or modified requirements of applicable regulations or laws apply to the NJCU Commercial AOC; and

*Review by Honeywell and Owner of newly promulgated or modified requirements of applicable regulations or laws that potentially may apply to the NJCU Commercial AOC.*

(5) Any new standards, regulations, or laws apply to the NJCU Commercial AOC that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice, and conduct the necessary sampling.

*Same as (B)(4).*

(C) Description of the following items that will be included in the biennial certification:

(1) A monitoring report that describes the specific activities pursuant to (A) and (B) above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice;

(2) Land use at the NJCU Commercial AOC is consistent with the restrictions in this Deed Notice; and

(3) The remedial action that includes this Deed Notice continues to be protective of the public health and safety and of the environment.

*The monitoring report will be included in the biennial certification. Components of the monitoring report will include the following:*

- *A report of all conditions set forth in sections (A) and (B) above to assure that they have been adhered to, including evaluation of any available documents as a result of changes in land use or incidents.*
- *Determination whether or not the land use at the NJCU Commercial AOC has remained consistent with the restrictions in the Deed Notice.*
- *Determination whether or not the Deed Notice continues to be protective of the public health and safety and the environment.*

**Exhibit C-2: Engineering Controls**  
**Block 21902.03, Lot 1**  
**Portions of Block 21902, Lots 2.01, 13.01, 14.01, 14.02, 14.03; Block 21902.01, Lot 1**  
**(formerly Block 21902, Lots 14, 13 and 2)**  
**City of Jersey City, New Jersey**

i. Exhibit C-2: Narrative description of the Engineering Controls: Soil Capping System, Underground Containment Walls, and Shallow Groundwater Collection and Treatment System as follows:

(A) General Description of the engineering controls:

(1) Description of the engineering controls;

*The Engineering Controls consist of the following:*

*For soils with hexavalent chromium concentrations above 20 mg/kg, the engineering controls include a capping system consisting of: impervious geo-membrane liner; geo-composite drainage layer; and clean soil cover with minimum 12 inch thickness in areas where buildings or pavement are proposed; and 36-inch thickness in areas where the planting of trees and bushes is proposed and a minimum 24-inch thickness in areas where other vegetation is proposed. Engineering controls will also include clean fill to be placed in excavated areas. For shallow groundwater the engineering controls also include underground barrier walls and a system of wells, pumps and piping for the collection and treatment of shallow groundwater, from the NJCU Commercial AOC.*

(2) The objective of the engineering controls; and

*The objective of the controls is to contain and prevent direct contact with soils that exceed the NJDEP Soil Cleanup Criteria and to contain shallow groundwater above the NJDEP groundwater quality standard for total chromium.*

(3) How the engineering controls are intended to function.

*The soil engineering controls are intended to function as a barrier to underlying and adjacent soils that exceed the NJDEP Soil Cleanup Criteria. The groundwater engineering controls are intended to restrict the flow of shallow groundwater so as to prevent the outward movement of chromium contamination and to collect and treat contaminated groundwater. Monitoring requirements for the engineering controls are set forth in the Long Term Monitoring Plan. Additional shallow groundwater monitoring requirements will be set forth in the Shallow Groundwater Document that will be incorporated into the Long Term Monitoring Plan.*

(B) Description of the operation and maintenance necessary to ensure that:

(1) Periodic inspections of each engineering control are performed in order to determine their integrity, operability, and effectiveness;

*Performed quarterly by visual inspection of the NJCU Commercial AOC. Honeywell will perform quarterly monitoring by visual inspection of the NJCU Commercial AOC pursuant to the Consent Decree. Other monitoring activities shall be performed as set forth in the Long-Term Monitoring Plan developed pursuant to the Consent Decree.*

(2) Each engineering control continues to function as designed and intended in order to protect the public health and safety and the environment;

*Same as (B)(1) above.*

(3) Each alteration, excavation or disturbance of any engineering control is timely and appropriately addressed to maintain the integrity of the engineering controls;

*Same as (B)(1) above. Also, see Deed Notice and Consent Decree for additional information: Deed Notice subsections 7A Alterations, Improvements, Disturbances, and 7B Emergencies.*

(4) The engineering controls are being inspected and maintained and their integrity remains so that the remedial action continues to be protective of the public health and safety and of the environment;

*Same as (B)(1) above.*

(5) A record of the self-inspection dates, name of the inspector, results of the inspection and condition(s) of the engineering controls. Sampling, for example, may be necessary if it is not possible to visually evaluate the integrity/performance of the engineering controls; and

*Records of the inspections are to be maintained as listed in (5). Should the visual inspection or activities carried out in conformance with the Long-Term Monitoring Plan developed pursuant to the Consent Decree indicate that other activities are necessary, those activities will be listed and executed.*

(6) Any new standards, regulations, or laws apply to the NJCU Commercial AOC that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice, and conduct the necessary sampling.

*A review of any new standards, regulations, or laws will be conducted by Honeywell and NJCU. Should the review indicate that other activities are necessary, those activities will be listed and executed.*

(C) Description of the following items that will be included in the biennial certification:

(1) A monitoring report that describes the specific activities, pursuant to (A) and (B), above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice;

(2) The engineering controls continues to operate as designed; and

(3) The remedial action that includes the engineering control continues to be protective of the public health and safety and of the environment.

*The monitoring report will be included in the biennial certification. Components of the monitoring report will include the following:*

- *A report of all conditions set forth in sections (A) and (B) above to assure that they have been adhered to, including an evaluation to determine whether or not the engineering controls are continuing to meet the original objective and intended function.*
- *A report to determine whether or not the engineering controls continue to operate as designed.*
- *A report to determine whether or not the engineering controls continue to be protective of the public health and safety and of the environment.*

14. SIGNATURES. IN WITNESS WHEREOF, Owner has executed this Deed Notice as of the date first written above.

Owner is a State of New Jersey entity:  
New Jersey City University  
An institution of public higher education of the State of New Jersey

ATTEST:

Dr. Aaron Aska

For: New Jersey City Univ.

Chief Operating Officer  
[Print name and title]

  
[Signature]

STATE OF NEW JERSEY  
COUNTY OF HUDSON

SS.:

I certify that on March 29, 2018, Aaron Aska personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Chief Operating Officer of New Jersey City University, the university named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is the Chief Operating Officer of the university;
- (c) this document was signed and delivered by the university as its voluntary act and was duly authorized;
- (d) this person knows the proper seal of the university which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

*[Handwritten Signature]*

[Signature]

*Alfred E. Ramey, Jr., University Counsel*  
[Print name and title of attesting witness]



Signed and sworn before me on *March 29<sup>th</sup>*, 2018

*Michael Sims*, Notary Public

*[Handwritten Signature]*  
[Print name and title]

**MICHAEL SIMS**  
Notary Public - State of New Jersey  
My Commission Expires Oct 19, 2021

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MICHAEL SIMS  
Notary Public - State of New Jersey  
My Commission Expires Oct 19, 2021