

Return Address:
Waters, McPherson, McNeill, P.C.
P.O. Box 1560
300 Lighting Way
Secaucus, New Jersey 07096-1560

DN#4 SA-7
Portions of Block 21901.01 Lots 8 and 9

Instrument Number

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: _____
[Signature]

Perry Florio Attorney-at-Law of New Jersey
[Print name below signature]

Recorded by: _____
[Signature, Officer of County Recording Office]

[Print name below signature]

DEED NOTICE

This Deed Notice is made as of the 24 day of January, 2024, by *Jersey City Redevelopment Agency ("Owner")*, with its principal office at *4 Jackson Square at 39 Kearney Avenue, Jersey City, New Jersey 07305* (together with its successors and assigns, collectively "Owner"). The Property (also referenced herein as the "Restricted Area") shall consist of those lands particularly described by metes and bounds in Exhibit A-2 attached.

1. THE PROPERTY. Jersey City Redevelopment Agency is the owner in fee simple of certain real property designated as *Block 21901.01, Lots 8 and 9¹, on the tax map of the City of Jersey City, Hudson County*; the New Jersey Department of Environmental Protection's ("NJDEP" or "Department") Program Interest Number ("Preferred ID") for the contaminated site which this

¹ All references to Block 21901.01 Lots 8 and 9 in this Deed Notice shall mean the applicable portions of the Block 21901.01 Lots 8 and 9 as shown in the metes and bounds description, regardless of whether the word "portion(s)" is specifically called out or not.

property is associated with is G000002548 and it is referred to by the NJDEP as ***Hudson County Chromate Site Hudson County Chromate Site No. 115*** ("Site"); and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property"). The Property is part of the Site referred to as Study Area 7 (Site 115) and the subject of an Administrative Consent Order (ACO) between Honeywell International Inc. ("Honeywell") and the Department dated June 17, 1993, a Consent Judgment in *New Jersey Department of Environmental Protection v. Honeywell International Inc., et. al.*, Superior Court of New Jersey, Chancery Division -Hudson County, Docket No. C-77-05 (entered September 7, 2011) and a Court-Ordered Remedy pursuant to the U.S. District Court for the District of New Jersey ("Court") Final Judgment in *Interfaith Community Organization v. Honeywell International Inc.*, Case No. 95-2097, entered on June 30, 2003. Study Area 7 was previously remediated by Honeywell and received a No Further Action/Covenant Not to Sue letter, dated December 23, 2010, which did not include Tract 1.

2. REMEDIATION.

i. The Department's Bureau of State Case Management (BCM) is the entity within the Department that is responsible for the chromium oversight of the remediation of SA-7. The matter for SA-7 was Hudson County Chromate Site No. 115 PI, No. G000002548. The Department has approved this Deed Notice as an institutional control for the Property, which is part of the remediation of the Property.

ii. N.J.A.C. 7:26C-7 requires the Owner, among other persons, including the responsible party Honeywell to obtain a soil remedial action permit for the soil remedial action at the Property. That permit will contain the monitoring, maintenance and biennial certification requirements that apply to the Property.

3. SOIL CONTAMINATION. Honeywell, a corporation of the State of Delaware, licensed to do business in the State of New Jersey whose post office address is 115 Tabor Road, Morris Plains, New Jersey 07950, has remediated SA-7 to address chromium-related soil and shallow groundwater contamination, except for the Property.

For SA-7, the Court-Ordered Remedy 100% Design was approved by the Court on March 14, 2005. Remediation was completed to comply with the court order to remove all materials containing hexavalent chromium in excess of 240 milligrams per kilogram ("mg/kg"). The remedial action achieved compliance with the Department's current most stringent soil cleanup criteria of 20 mg/kg, with the exception of a small portion of the Site at the bulkhead along the Hackensack River where excavation was technically impractical (the Technically Impracticable Area (or "TI Area")). Completion of the excavation remedy at SA-7 was acknowledged by the Court in the Amended Order Modifying the Judgment, January 13, 2012, ECF No. 1116, in *Interfaith Community Organization v. Honeywell International Inc.*, Civ. No. 95-2097. Remedial actions for soils are also documented in a Remedial Action Report for Soils ("RAR"), dated December 2010 submitted to the Department.

The Property is an approximately 22,457 square foot area on SA-7 between the bulkhead and the western hydraulic barrier installed at SA-7 that includes the western hydraulic barrier of SA-7.

The Property is the "Technically Impracticable Area or TI Area" identified in the SA-7 RAR. NJDEP issued a conditional No Further Action letter for SA-7 soils on December 23, 2010, that excludes the TI Area. Soils within the Property do not meet the 20 mg/kg objective in the NJDEP Chromium Policy. Property soils exceeding 20 mg/kg hexavalent chromium are covered by at least 7 feet of clean soils. The Property will not be remediated by Honeywell; instead, the 7-foot thick, clean soil cap will remain in place and will be subject to this Deed Notice. The Property also includes two steel sheetpile "wing walls" that project toward the bulkhead from the northern and southern corners of the hydraulic barrier intersections. These wing walls are part of the SA-7 Remedy in that they act to minimize re-contamination of the clean backfill material placed in the TI area from either the north or south. The Riverwalk feature including bulkhead improvements, additional fill soils and hardscape features will be constructed over the top of the Property.

The soil 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 of the remaining soil contamination, there is a statutory requirement for this Deed Notice and engineering controls in accordance with N.J.S.A. 58:10B-13.

4. CONSIDERATION. In accordance with the Department's issuance of the No Further Action/Covenant Not to Sue letter for soils at SA-7, and in consideration of the terms and conditions of that approval, and other good and valuable considerations, Owner has agreed to subject the Property to certain statutory and regulatory requirements which impose restrictions upon the use of the Property, to restrict certain uses of the Property, 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 AREA. Due to the presence of contamination remaining at concentrations that do not allow for unrestricted use, the Owner has agreed, as part of the remedial action for the Property, to restrict the use of the Property (the "Restricted Area"); a narrative description of these restrictions is 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 (as developed by the Responsible Party, Honeywell) on site for inspection by governmental officials, to the extent feasible. Honeywell will maintain a list of these restrictions either at onsite trailers or within the Groundwater Treatment Plant building, available for review and inspection by governmental enforcement officials if requested.

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

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 childcare facility, or public, private, or charter school without the Department's prior written approval, unless a presumptive remedy is implemented; and

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 childcare facility.

5C. ENGINEERING CONTROLS. Due to the presence of contaminants that do not allow for unrestricted use, the Owner is also agreeing, as part of the remedial action for the Property, to certain engineering controls on the Property; a narrative description of these engineering controls is provided in Exhibit C, which is attached hereto and made a part hereof. Honeywell will maintain a list of these restrictions on site for inspection by governmental officials, to the extent feasible. Honeywell shall be responsible for monitoring and maintenance of engineering controls and biennial certification requirements as specified by New Jersey regulations or law.

6A. CHANGE IN OWNERSHIP AND REZONING.

i. The Owner and the subsequent owners, lessors, and lessees shall cause all leases, grants, and other written transfers of an interest in the Restricted Area to contain a provision expressly requiring all holders thereof to take the Property 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 and the subsequent owners shall provide written notice to the Department on a form provided by the Department and available at www.nj.gov/srp/forms within 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 subsequent owner's interest in the Restricted Area.

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, within 30 calendar days after the owner's petition for or filing of any document initiating a rezoning of the Property to residential.

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

7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

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

ii. Prior to the start of invasive work, Honeywell shall be notified of the activity by calling 855-727-2658.

iii. Except as provided in Paragraphs 7A(iv) and 7B, below, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Property which disturbs any engineering control at the Property 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.

iv. A soil remedial action permit modification is required for any permanent alteration, improvement, or disturbance and Honeywell shall submit the following within 30 days after the occurrence of the permanent alteration, improvement, or disturbance:

(A) A Remedial Action Workplan or Linear Construction Project notification and Final Report Form, whichever is applicable;

(B) A Remedial Action Report and Termination of Deed Notice Form; and

(C) A revised recorded Deed Notice with revised Exhibits, and Remedial Action Permit Modification or Remedial Action Permit Termination form and Remedial Action Report.

v. No owner, lessor, lessee, or operator shall be required to obtain a Remedial Action Permit Modification for any temporary alteration, improvement, or disturbance, provided that the site is restored to the condition described in the Exhibits to this Deed Notice, and the owner, lessee, or operator complies with the following:

(A) Restores any disturbance of an engineering control to pre-disturbance conditions within 60 calendar days after the initiation of the alteration, improvement or disturbance;

(B) Ensures that all applicable worker health and safety laws and regulations are followed during the alteration, improvement, or disturbance, and during the restoration;

(C) Ensures that human exposure to contamination in excess of the remediation criteria or standards does not occur; and

(D) Describes, in the next biennial certification the nature of the temporary alteration, improvement, or disturbance, the dates and duration of the temporary alteration, improvement, or disturbance, the name of key individuals and their affiliations conducting the temporary alteration, improvement, or disturbance, and the notice that the Owner gave to those persons prior to the disturbance.

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 an immediate environmental concern, see N.J.S.A. 58:10C-2, any person may temporarily breach an engineering control provided that person complies with each of the following:

- i. Immediately notifies the Department of the emergency, by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337;
- ii. Immediately notifies Honeywell of the emergency by calling 855-727-2658;
- iii. If applicable, hires a Licensed Site Remediation Professional (unless the Restricted Area includes an unregulated heating oil tank) to respond to the emergency;
- iv. Limits both the actual disturbance and the time needed for the disturbance to the minimum reasonably necessary to adequately respond to the emergency;
- v. Implements all measures necessary to limit actual or potential, present or future risk of exposure to humans or the environment to the contamination;
- vi. Notifies the Department 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 is notified when the emergency has ended by calling 855-727-2658;
- viii. Restores the engineering control to the pre-emergency conditions, consistent with the requirements of this Deed Notice, as soon as possible; and
- ix. Submits to the Department within 60 calendar days after completion of the restoration of the engineering control, a report including: (a) the nature and likely cause of the emergency; (b) the measures that have been taken to mitigate the effects of the emergency on human health and the environment; (c) the measures completed or implemented to restore the engineering control; and (d) any changes to the engineering control or site operation and maintenance plan to prevent reoccurrence 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 Property, the person responsible for conducting the remediation, Honeywell, the Owner, and the subsequent owners, lessors, lessees, and operators, shall comply with this Deed Notice. The subsequent owners, lessors, 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 person responsible for conducting the remediation (Honeywell)'s 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 herein, to ensure 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 Property 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 the continued protectiveness of the remedial action that includes this Deed Notice, on a form provided by the Department and consistent with N.J.A.C. 7:26C-1.2 (a)1, every two years on the anniversary of the date stamped on the Deed Notice that indicates when the Deed Notice was recorded.

8B. MONITORING AND MAINTENANCE OF ENGINEERING CONTROLS, AND PROTECTIVENESS CERTIFICATION. Honeywell shall maintain all engineering controls at the Property and 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 herein, to ensure that the remedial action that includes the engineering control continues to be protective of the public health and safety and of the environment; and

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 Property 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. Certifying to the Department the continued protectiveness of the remedial action that includes the engineering control, on a form provided by the Department and consistent with N.J.A.C. 7:26C-1.2 (a)1, every two years on the anniversary of the date stamped on the Deed Notice that indicates when the Deed Notice was recorded.

9. ACCESS. The Owner and the subsequent owners, lessors, lessees and operators agree to allow the Department and Honeywell, their agents and representatives access to the Property to inspect and evaluate the continued protectiveness of the remedial action that includes this Deed Notice and to conduct additional remediation to ensure the protection of the public health and safety and of the environment if the subsequent owners, lessors, lessees and operators, during their ownership, tenancy, or operation, and the Owner fail to conduct such remediation pursuant to this Deed Notice as required by law. The Owner and the subsequent owners, lessors, and lessees shall also cause all leases, subleases, grants, and other written transfers of an interest in the Restricted Area to contain a provision expressly requiring that all holders thereof provide such access to the Department and Honeywell.

10. NOTICES.

i. Owner shall cause all leases, grants, and other written transfers of an interest in the Property to contain a provision expressly requiring all holders thereof to take the Property 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. Honeywell or the Owner shall notify any person intending to conduct invasive work or excavate within the Property of the nature and location of contamination and, of the precautions necessary to minimize potential human exposure, and exposure of the environment outside the containment of the engineering controls, to contaminants.

11. ENFORCEMENT OF VIOLATIONS.

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

ii. The restrictions provided herein may be enforceable solely 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.

12. 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 though the provision had never been included herein. In either case, the remaining provisions of this Deed Notice shall remain in full force and effect.

13. MODIFICATION AND TERMINATION.

i. This Deed Notice may be terminated only upon recording a Department-approved Termination of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the office of the Hudson County Register of Deeds of Hudson County, New Jersey, expressly terminating this Deed Notice.

ii. Within 30 calendar days after recording a Department-approved Termination of Deed Notice, Honeywell should apply to the Department for termination of the soil remedial action permit pursuant to N.J.A.C. 7:26C-7.

iii. Notice of any requested modification or termination of this Deed Notice shall be given to Honeywell. Within five (5) business days of receiving notice, Honeywell must provide written notice to the plaintiffs in *Interfaith Community Organization v. Honeywell International Inc.*, D.N.J., Case No. 95-2097.

14A. 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 Property (for example, USGS Quad map, Hagstrom County Maps);

ii. Exhibit A-2: Metes and Bounds Description - A tax map of lots and blocks as well as metes and bounds description of the Property, including reference to tax lot and block numbers for the Property;

iii. Exhibit A-3: Property Map - A scaled map of the Property, scaled at one inch to 200 feet or less, and if more than one map is submitted, the maps shall be presented as overlays, keyed to a base map; and the Property Map shall include diagrams of major surface topographical features such as buildings, roads, and parking lots.

14B. EXHIBIT B. Exhibit B includes the following descriptions of the Restricted Area:

i. Exhibit B-1 Restricted Area Maps - A separate map for each restricted area that includes:

(A) As-built diagrams of each engineering control, including caps, fences, slurry walls, (and, if any) ground water monitoring wells, extent of the ground water classification exception area, pumping and treatment systems that may be required as part of a ground water engineering control in addition to the deed notice;

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

(C) Designation of all soil and all upland sediment sample locations within the restricted area that exceed any soil or sediment standard that are keyed into one of the tables described in the following paragraph.

ii. Exhibit B-2: Restricted Area Data Table – If applicable, a separate table for each restricted area that includes either (A) or (B) through (F):

(A) Only for historic fill extending over the entire site or a portion of the site and for which analytical data are limited or do not exist, a narrative that states that historic fill is present at the site, a description of the fill material (*e.g.*, ash, cinders, brick, dredge material), and a statement that such material may include, but is not limited to, contaminants such as PAHs and metals;

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

(C) Sample elevation based upon mean sea level;

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

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

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

14C. EXHIBIT C. Exhibit C includes narrative descriptions of the institutional controls and engineering controls as follows:

i. Exhibit C-1: Deed Notice as Institutional Control: 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) Description and estimated size of the Restricted Area as described above;

(B) Description of the restrictions on the Property by operation of this Deed Notice;
and

(C) The objective of the restrictions.

ii. Exhibit C-2: Engineering Control: Clean Fill/Crushed Stone Cover. Exhibit C-2 includes a narrative description of the engineering control as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

(C) How the engineering control is intended to function.

15. SIGNATURES. IN WITNESS WHEREOF, Jersey City Redevelopment Agency has executed this Deed Notice as of the date first written above.

ATTEST:

Jersey City Redevelopment Agency

Victoria Bonner

By *D. Jeffrey*
Diana Jeffrey, Executive Director

Victoria Bonner, Project Manager
[Print Name & Title]

STATE OF NEW JERSEY SS.:
COUNTY OF HUDSON

I CERTIFY that on January 24, 2024, Diana Jeffrey personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Executive Director of Jersey City Redevelopment Agency, a body politic and corporate of the State of New Jersey named in the attached document;
- (b) this person executed and delivered the attached document as the voluntary act and deed of Jersey City Redevelopment Agency;
- (c) this person knows the proper seal of Jersey City Redevelopment Agency which was affixed to this document; and
- (d) this person was authorized by Jersey City Redevelopment Agency to execute and deliver the attached document on behalf of Jersey City Redevelopment Agency.

Signed and sworn before me on January 24, 2024

Jesamil Z. Lozano, Notary Public

Jesamil Z. Lozano, Executive Director
Print name and title

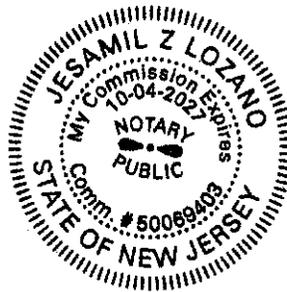


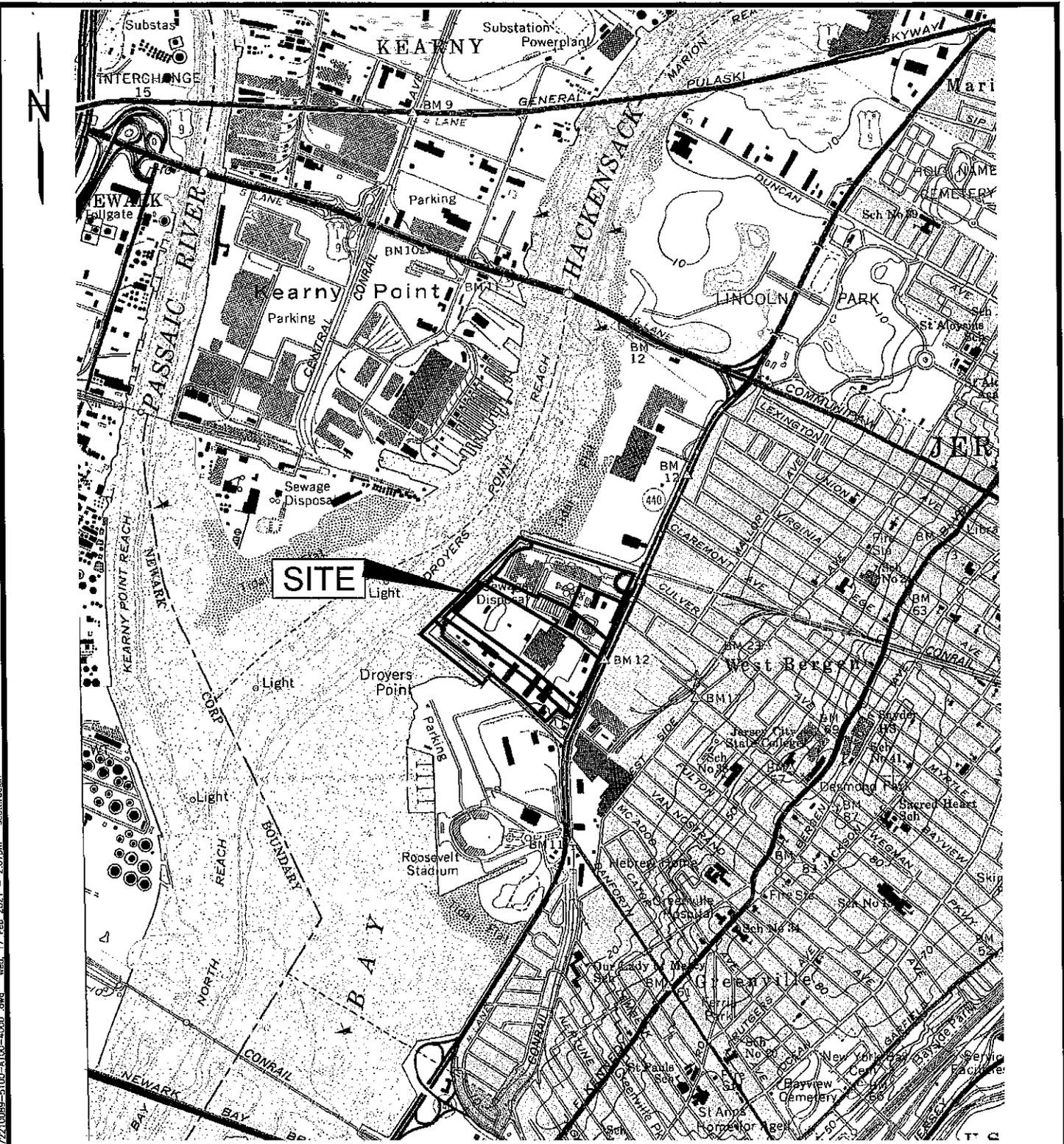
EXHIBIT A

- A-1: Site Vicinity Map**
- A-2: Metes and Bounds Description and Tax Map**
- A-3: Property Map**

Portion of Block 21901.01, Lots 8 and 9
Jersey City, Hudson County, New Jersey

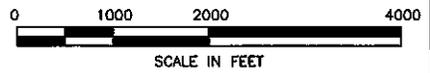
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CONFIDENTIAL AND NOT BE CONTROLLED OR RELEASED. THIS DOCUMENT MAY ONLY BE USED BY THE CLIENT IN THE PROJECT AND FOR THE EXPRESS PURPOSE FOR WHICH IT WAS PREPARED. ANY OTHER USE OF THE DOCUMENT OR THIS DOCUMENT BY ANY THIRD PARTY IS AT THAT PARTY'S SOLE RISK AND RESPONSIBILITY. WOOD GROUP, INC. 200 AMERICAN METRO BLVD, SUITE 113 HAMILTON, NJ 08619 TEL: 908.426.4000 FAX: 908.426.4001



SOURCE: USGS QUADRANGLE MAP, 7.5 MIN SERIES
 JERSEY CITY, NJ-NY 1967, PHOTO REVISED 1981

 SA-7 SITE 115



WOOD PROJECT No. 7772210089 DRAWING: 7772210089-5100-A100-4000	
PREPARED/DATE: STR 02/05/21	CHECKED/DATE: NW 02/11/21

wood

ENVIRONMENT & INFRASTRUCTURE SOLUTIONS
 200 AMERICAN METRO BLVD, SUITE 113
 HAMILTON, NEW JERSEY 08619

EXHIBIT A-1
 VICINITY MAP
 BLOCK 2190.01, LOTS 8 & 9
 DEED NOTICE # 4 SA-7
 PI#G000002548
 JERSEY CITY, NEW JERSEY

Exhibit A-2
Metes and Bounds Description of the Deed Notice Area
and
Exhibit A-2 Tax Map

Portions of Block 21901.01, Lots 8 and 9
Jersey City, Hudson County, New Jersey

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DESCRIPTION OF PROPERTY
CITY OF JERSEY CITY
HUDSON COUNTY, NEW JERSEY

DEED NOTICE AREA 4
BLOCK 21901.01, LOTS 8 & 9
PROJECT NO. 10000292AB
MARCH 15, 2021
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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 State of New Jersey, and being a portion of Lot 8 and Lot 9, Block 21901.01, designated as Deed Notice Area 4 as shown on an exhibit entitled, "Deed Notice Area 4, SA6 South, For Block 21901.01, Lot 8 & Lot 9, City of Jersey City, Hudson County, New Jersey," prepared by Colliers Engineering & Design, Inc., dated March 15, 2021, and being more particularly bounded and described as follows, to wit:

COMMENCING at the intersection of the westerly sideline of New Jersey State Highway Route 440 (112 foot wide right of way), said sideline being distant 61 feet westward at right angles to the centerline thereof, and the division line between Block 21901.01, Lots 3 and 4 as shown on a map entitled "Final Plat Major Subdivision for Bayfront Redevelopment, LLC, Block 21901, Lots 5 thru 10 (Including Block 6) & Block 24601, Lots 1 thru 12, City of Jersey City, Hudson County, New Jersey", prepared by Maser Consulting P.A., dated August 1, 2016 last revised September 21, 2018, and filed in the Hudson County Clerk's Office on November 21, 2018 as instrument no. 20181121130000200; thence-

Running along said division line the following two (2) courses:

- A. **N 49° 06' 51" W, 488.50 feet**; thence-
 - B. **N 59° 38' 29" W, 1,406.87 feet**, to the intersection of the same with the division line between Lots 3 and 9; thence-
 - C. **N 61° 12' 57" W, 51.44 feet**, along the division line between Lots 4 and 9 to a corner common to Block 21901.01, Lots 4, 8 and 9; thence-
 - D. **N 59° 55' 15" W, 61.50 feet**, along the division line between Lots 8 and 9, to the True Point of **BEGINNING**, and running; thence-
1. **S 45°51'07" W, 563.77 feet**, running through said Lot 8, and partly along the division line between Lots 4 and 8 to the intersection of the same with the division line between Lots 4 and 5; thence-
 2. **S 45°54'51" W, 4.10 feet**, along said division line between Lots 4 and 5; thence-

Running through said Lot 8, the following three (3) courses:

DESCRIPTION OF PROPERTY
CITY OF JERSEY CITY
HUDSON COUNTY, NEW JERSEY

DEED NOTICE AREA 4
BLOCK 21901.01, LOTS 8 & 9
PROJECT NO. 10000292AB
MARCH 15, 2021
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Engineering
& Design

3. N 53° 42' 45" W, 40.04 feet; thence —
4. N 45° 37' 13" E, 5.46 feet; thence —
5. N 45° 57' 38" E, 511.35 feet; thence-
6. N 44° 21' 38" E, 59.22 feet, through said Lot 8 and beyond, through Lot 9; thence-
Continuing through said Lot 9, the following two (2) courses:
7. S 50° 26' 45" E, 40.33 feet; thence-
8. S 45° 51' 07" W, 5.91 feet, to the point and place of **BEGINNING**

CONTAINING: 22,457 S.F. of land more or less or 0.516 acres of land more or less.

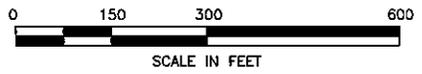
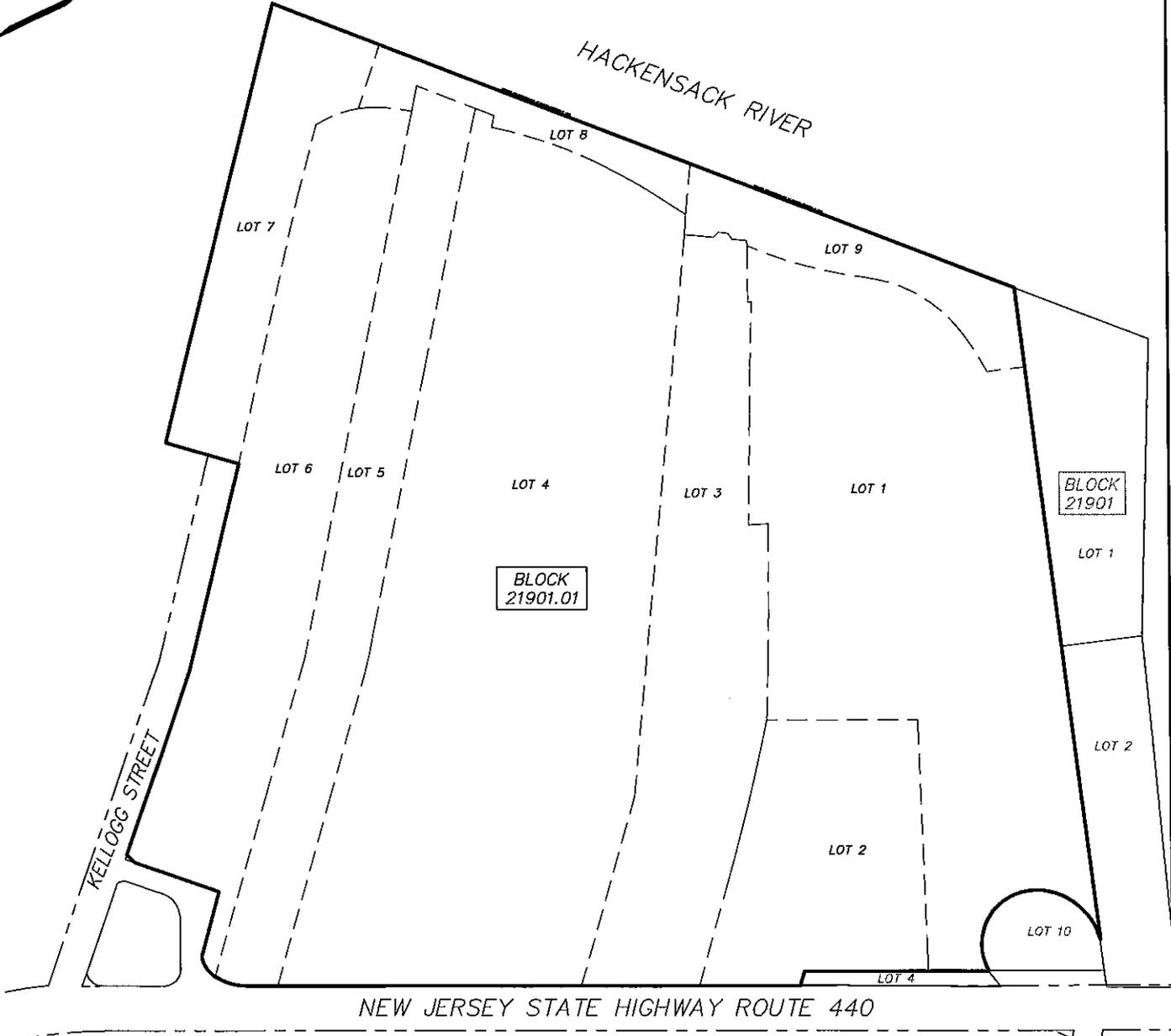
Glen Lloyd, PLS
New Jersey Professional Land Surveyor
License Number GS037598

March 16, 2021

Digitally signed by Glen Lloyd
Date: 2021.03.16 10:24:05-04'00'

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WOOD PROJECT No. 7772210089
DRAWING: 7772210089-5100-A200-4000

PREPARED/DATE: STR 02/05/21
CHECKED/DATE: NW 02/11/21

wood.
ENVIRONMENT & INFRASTRUCTURE SOLUTIONS
200 AMERICAN METRO BLVD, SUITE 113
HAMILTON, NEW JERSEY 08619

EXHIBIT A-2
TAX MAP
BLOCK 21901.01 LOTS 8 & 9
DEED NOTICE # 4 SA-7
PI#G000002548
JERSEY CITY, NEW JERSEY

EXHIBIT B

- B-1A: Restricted Area Map**
- B-1B: Engineering Controls Map**
- B-1C: As-Built Restoration Plan**
- B-2: Restricted Area Data Table**

Portions of Block 21901.01, Lots 8 and 9
Jersey City, Hudson County, New Jersey

Exhibit B-1 Restricted Area Maps include Exhibit B-1A (Restricted Area and Soil Sample Locations), Exhibit B-1B (Cap System Details), and Exhibit B-1C (As-Built Restoration Plan).

Exhibit B-2 is a Restricted Area Data Table indicating soil sample locations with concentrations of hexavalent chromium remaining above the level established in the New Jersey Department of Environmental Protection (NJDEP) Chromium Policy of 20 milligrams per kilogram (mg/kg).

Restricted Area Map Notes:

Exhibit B-1 indicates the engineering controls for the chromium remedy components. For soils with hexavalent chromium concentrations above 20 mg/kg, the engineering controls include a minimum of 7 to 14 feet of clean soil cover/crushed stone.

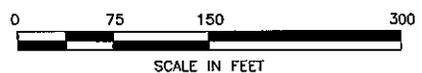
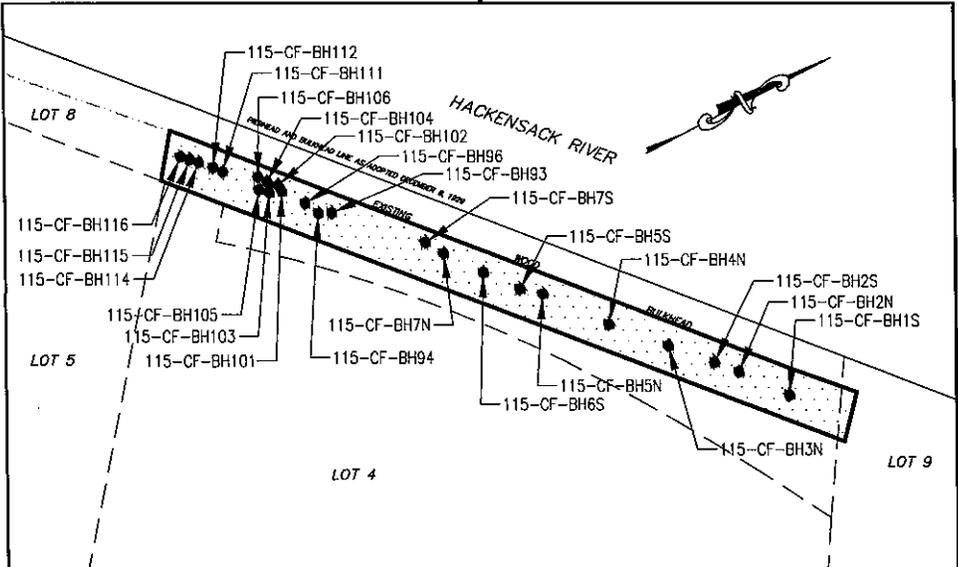
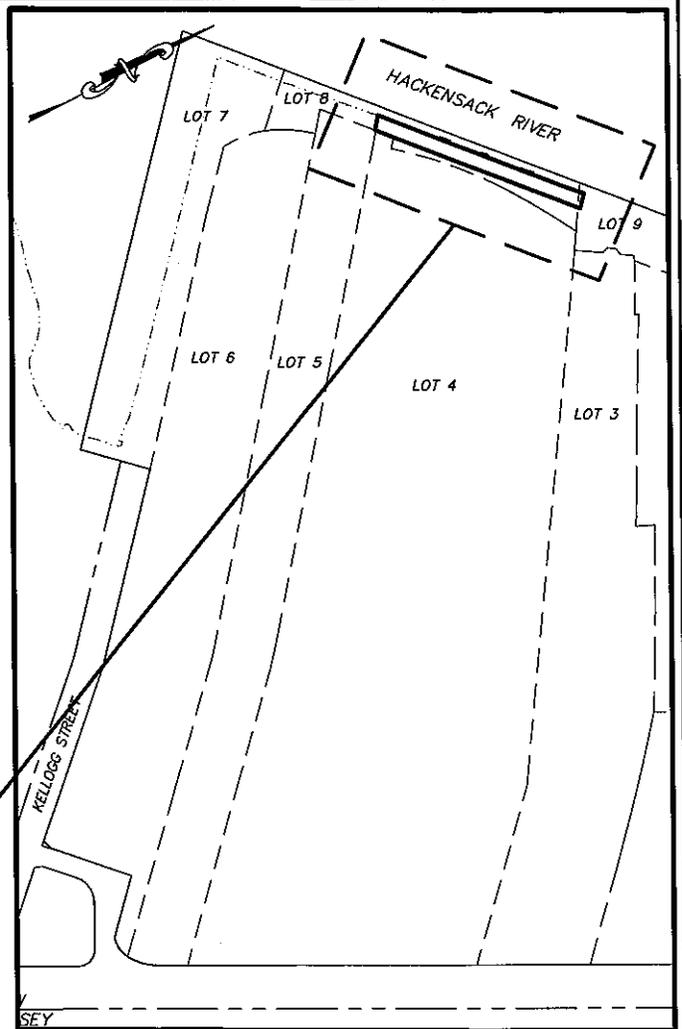
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LEGEND

 RESTRICTED AREA

 SOIL BORINGS WITH HEXAVALENT CHROMIUM > 20 (m/kg) MILLIGRAMS PER KILOGRAM



WOOD PROJECT No. 7772210089
DRAWING: 7772210089-5100-B100-4XXX

PREPARED/DATE: STR 02/05/21
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ENVIRONMENT & INFRASTRUCTURE SOLUTIONS
200 AMERICAN METRO BLVD, SUITE 113
HAMILTON, NEW JERSEY 08619

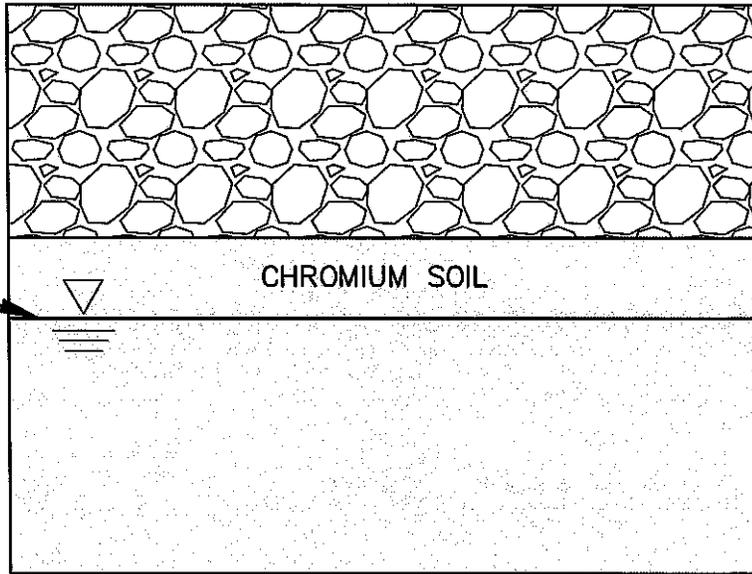
EXHIBIT B-1A
RESTRICTED AREA MAP
BLOCK 21901.01, LOTS 8 & 9
DEED NOTICE # 4 SA-7
PI#G000002548
JERSEY CITY, NEW JERSEY

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7-14' CLEAN STONE

GROUNDWATER

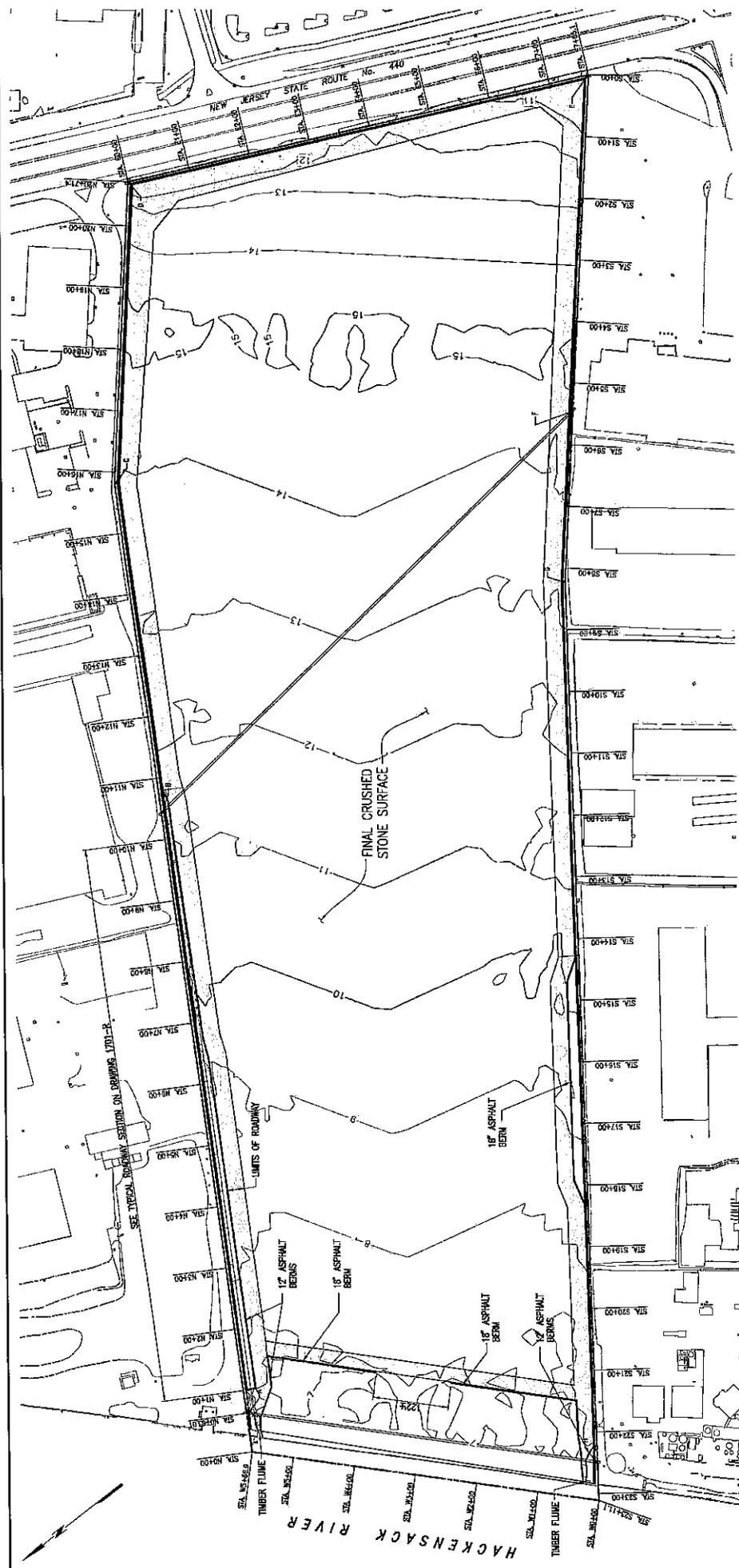


CAP SYSTEM DETAIL

NTS

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<p>WOOD PROJECT No. 7772210089 DRAWING: 7772210089-5100-8200-4000</p>		 ENVIRONMENT & INFRASTRUCTURE SOLUTIONS <small>200 AMERICAN METRO BLVD, SUITE 113 HAMILTON, NEW JERSEY 08610</small>	<p>EXHIBIT B-1B CAP SYSTEM DETAILS BLOCK 21901, LOTS 8 & 9 DEED NOTICE # 4 SA-7 PI#G000002548 JERSEY CITY, NEW JERSEY</p>
<p>PREPARED/DATE: STR 02/05/21</p>	<p>CHECKED/DATE: NW 02/11/21</p>		



REV.	DATE	BY	DESCRIPTION
			STUDY AREA 7
			Jersey City
			Honeywell
			101 COLUMBIA ROAD, MORRISTOWN, NEW JERSEY 07962
			PROJECT NO. 3503Z
			MUESER RUTLEDGE CONSULTING ENGINEERS
			14 PENN PLAZA - 225 W. 34TH STREET, NEW YORK, NY 10122

- Notes:**
1. For locations of perimeter poles and under drains see Drawing No. 1700-R.
 2. For locations of underground utilities see Drawing No. 1701-R.
 3. As-Built information was taken from final grades Drawing, SW and SG North/South, prepared by Entest, Dated 04/12/2010.

Legend:

	ASPHALT ROADWAY
	18" ASPHALT BERM
	12" ASPHALT BERM
	CONTOUR OF FINISHED GRADE



1800-R

FINAL SITE PLAN

DATE: 07-13-10
 DATE: 07-13-10
 10210
 DRAWING NO.

EXHIBIT B-2
Restricted Area Data Table
 Deed Notice #4 SA-7
 Portion of Block 21901.01, Lots 8 and 9
 Jersey City, New Jersey

Location	Elevation (feet msl)	Contaminant	CASR#	NJDEP Chromium SCC (mg/kg)	Soil Concentration (mg/kg)
115-CF-BH1S	-0.8	Hexavalent Chromium	18540-29-9	20	27.9
115-CF-BH2N	0.058	Hexavalent Chromium	18540-29-9	20	30.6
115-CF-BH2S	-0.311	Hexavalent Chromium	18540-29-9	20	21.2
115-CF-BH3N	0.051	Hexavalent Chromium	18540-29-9	20	36.3
115-CF-BH4N	-0.129	Hexavalent Chromium	18540-29-9	20	22.7 J
115-CF-BH5N	-0.525	Hexavalent Chromium	18540-29-9	20	36.4 J
115-CF-BH5S	-0.154	Hexavalent Chromium	18540-29-9	20	25.3 J
115-CF-BH6S	-1.639	Hexavalent Chromium	18540-29-9	20	46.9
115-CF-BH7N	-2.118	Hexavalent Chromium	18540-29-9	20	31.8
115-CF-BH7S	-1.981	Hexavalent Chromium	18540-29-9	20	20.9
115-CF-BH93	-2.579	Hexavalent Chromium	18540-29-9	20	34.6
115-CF-BH94	-2.556	Hexavalent Chromium	18540-29-9	20	21.7
115-CF-BH96	-3.164	Hexavalent Chromium	18540-29-9	20	28.7
115-CF-BH101	-5.224	Hexavalent Chromium	18540-29-9	20	45.6
115-CF-BH102	-5.657	Hexavalent Chromium	18540-29-9	20	36.8
115-CF-BH103	-5.617	Hexavalent Chromium	18540-29-9	20	42.2
115-CF-BH104	-5.645	Hexavalent Chromium	18540-29-9	20	32.2
115-CF-BH105	-5.563	Hexavalent Chromium	18540-29-9	20	113
115-CF-BH106	-5.597	Hexavalent Chromium	18540-29-9	20	26
115-CF-BH111	-5.291	Hexavalent Chromium	18540-29-9	20	75.1
115-CF-BH112	-5.533	Hexavalent Chromium	18540-29-9	20	105
115-CF-BH113	-5.696	Hexavalent Chromium	18540-29-9	20	68.9
115-CF-BH114	-5.646	Hexavalent Chromium	18540-29-9	20	83.7
115-CF-BH115	-5.718	Hexavalent Chromium	18540-29-9	20	39.9
115-CF-BH116	-5.477	Hexavalent Chromium	18540-29-9	20	61.1
115-CF-BH12E	-7	Hexavalent Chromium	18540-29-9	20	75.9
115-CF-BH12W	-7	Hexavalent Chromium	18540-29-9	20	53.8

Notes:

Results reported in mg/kg.

Data Qualifiers:

J-Data indicates the presence of a compound that meets the identification criteria. The concentration is an approximate value.

Abbreviations:

Feet bgs - Feet below ground surface

mg/kg - milligrams per kilogram

feet msl = feet mean sea level NAVD88 - North American Vertical Datum of 1988

NJDEP Chromium SCC - New Jersey Department of Environmental Protection Chromium Soil Cleanup Criteria, revised April 2010

EXHIBIT C

C-1: Institutional Controls

C-2: Engineering Controls

Portions of Block 21901.01, Lot 8 and 9
Jersey City, Hudson County, New Jersey

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Exhibit C-1

Deed Notice as Institutional Control

Portions of Block 21901.01, Lots 8 and 9
Jersey City, Hudson County, New Jersey

(A) Description and Estimated Size of the Restricted Area:

The Property is comprised of approximately 22,457 square foot area on SA-7 between the bulkhead and the western hydraulic barrier installed at SA-7 and includes the western hydraulic barrier wall of SA-7. The Property is the "Technically Impracticable Area or TI Area" identified in the SA-7 RAR. NJDEP issued a conditional No Further Action letter for SA-7 soils on December 23, 2010, that excludes the TI Area. Soils do not meet the 20 mg/kg objective in the NJDEP Chromium Policy. The Property soils exceeding 20 mg/kg hexavalent chromium are covered by at least 7 feet of clean soils. The Property will not be remediated by Honeywell; instead, the 7-foot thick clean soil cap will remain in place and will be subject to this Deed Notice. The Property also includes two steel sheetpile "wing walls" that project toward the bulkhead from the northern and southern corners of the hydraulic barrier intersections. These wing walls are part of the SA-7 Remedy in that they act to minimize re-contamination of the clean backfill material placed in the TI area from either the north or south. The Riverwalk feature including bulkhead improvements, additional fill soils and hardscape features will be constructed over top of the Property Deed Notice Area.

(B) Description of the Restrictions on the Property:

The Property shall only be used for activities consistent with this Deed Notice and the applicable zoning standards. Intrusive activities (i.e., excavation or digging) that breach the engineering controls (as described in Exhibit C-2) will not be permitted on the Property except in compliance with the terms of this Deed Notice. See subsections 7A Alterations, Improvements, Disturbances, and 7B Emergencies for additional information.

(C) Objective of the Restrictions:

The restrictions will prohibit contact with soils containing hexavalent chromium above the level established in the NJDEP Chromium Policy Criteria of 20 mg/kg.

Exhibit C-2

Engineering Control: Clean Fill

Portions of Block 21901.01, Lots 8 and 9
Jersey City, Hudson County, New Jersey

(A) Description of the Engineering Control:

The Engineering Control consists of a minimum of 7 to 14 feet of clean soil cover (crushed stone) as shown on Exhibit B-1.

(B) Objective of the Engineering Control

The objective of the controls is to prevent contact with soils containing hexavalent chromium above the level established in the NJDEP Chromium Policy of 20 mg/kg.

(C) Intended Function of the Engineering Control

The soil engineering controls are intended to function as a barrier to underlying and adjacent soils containing hexavalent chromium above 20 mg/kg within the Property. Monitoring requirements for the engineering controls are set forth in this Deed Notice.

(D) 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;

Honeywell will perform monitoring as set forth in this Deed Notice.

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

Same as (D)(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 (D)(1) above. Also, see subsections 7A Alterations, Improvements, Disturbances, and 7B Emergencies for additional information.

(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 (D)(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).

(6) Any new standards, regulations, or laws apply to the Property 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; and

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

(E) 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 (D), 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 (D) 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.***

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