

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: C CAROL CARAVASSI
[Signature]

C Carol Caravassi

Recorded by:

[Signature, Officer of County Recording Office]

[Print name below signature]



20120504010032560 1/41
05/04/2012 11:48:43 AM DEED
Bk: 8847 Pg: 173
Pamela E. Gardner
Hudson County, Register of Deeds
Receipt No. 671410

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

This Deed Notice is made as of the 3rd day of May, 2012, 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, Lots 14, 13, 2 and 3 (formerly Block 1286, Lots 5 & 6D; and Block 1286.5, Lots 1 & 2, respectively) on the tax map of the City of Jersey City, Hudson County, New Jersey; the New Jersey Department of Environmental Protection Program Interest Numbers (PI#s) for the contaminated site which includes this property are Hudson County Chromate Site No. 090 – PI#031779 [Block 21902, Lots 13 & 14] and Hudson County Chromate Site No 184 – PI#000015 [Block 21902, Lots 2 & 3], 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 AOC pursuant to the 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 January 21, 2010 in *Riverkeeper v. Honeywell International Inc.*, D.N.J., Civ. No. 06-22 (Consolidated with Civ. No. 05-5955). 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. DEPARTMENT'S ASSIGNED BUREAU. The Bureau of Northern Case Management (BNCM) was the New Jersey Department of Environmental Protection 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*.

3. SOIL AND GROUNDWATER CONTAMINATION. *Honeywell International Inc. (Honeywell)*, a corporation in the State of New Jersey whose post office address is 101 Columbia Road, Morristown, New Jersey 07962, has remediated 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 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 for inspection by governmental enforcement officials.

5B, 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 specified in Paragraphs 7A&B.

6A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

i. Except as provided in the Consent Decree and in Paragraph 6B, below, 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 the express written consent of the Department of Environmental Protection. 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. To request the consent of the Department of Environmental Protection, contact:

Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance and Monitoring
Deed Notice Inspection Program
P.O. Box 413
401 E. State Street
Trenton, NJ 08625-0413

ii. Notwithstanding subparagraph 6A.i., above, the Department of Environmental Protection's express written consent is not required for any alteration, improvement, or disturbance provided that the owner, lessee or operator:

(A) Takes such action in conformance with the Consent Decree;

(B) Notifies the Department of Environmental Protection 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) Notifies Honeywell of the activity by calling 855-727-2658;

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

(F) Ensures that exposure to contamination in excess of the applicable remediation standards does not occur; and

(G) Submits a written report, describing the alteration, improvement, or disturbance, to the Department of Environmental Protection within sixty (60) calendar days after the end of each alteration, improvement, or disturbance. The owner, lessee or operator shall include in the report 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. The owner, lessee or operator shall submit the report to:

Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance and Monitoring
Deed Notice Inspection Program
P.O. Box 413
401 E. State Street
Trenton, NJ 08625-0413

6B. 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, any person may temporarily breach any engineering control provided that that person complies with each of the following:

- i. Immediately notifies the Department of Environmental Protection 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. Limits both the actual disturbance and the time needed for the disturbance to the minimum reasonably necessary to adequately respond to the emergency;

iv. Implements all measures necessary to limit actual or potential, present or future risk of exposure to humans or the environment to the contamination;

v. Notifies the Department of Environmental Protection when the emergency has ended by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337;

vi. Notifies Honeywell when the emergency has ended by calling 855-727-2658; and

vii. Restores the engineering control to the pre-emergency conditions as soon as possible, and provides a written report to the Department of Environmental Protection of such emergency and restoration efforts within sixty (60) calendar days after completion of the restoration of the engineering control. The report must include all information pertinent to the emergency, potential discharges of contaminants, and restoration measures that were implemented, which, at a minimum, should specify: (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. The owner, lessee, or operator shall submit the report to:

Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance and Monitoring
Deed Notice Inspection Program
P.O. Box 413
401 E. State Street
Trenton, NJ 08625-0413

7A. 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, the Owner, and the subsequent owners, lessees, and operators, shall monitor and maintain this Deed Notice, and 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 subsequent owners, lessees and operators have this obligation only during their ownership, tenancy, or operation. 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, 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 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, in order to ensure that the remedial action that includes this Deed Notice remains protective of the public health and safety and of the environment;

iii. Certify 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 and consistent with N.J.A.C. 7:26C-1.5, every two years on the anniversary of the date stamped on the Deed Notice that indicates when the Deed Notice was recorded.

7B. 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; and, the Owner, and the subsequent owners, lessees, and operators, shall maintain all engineering controls at the NJCU Commercial AOC 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 subsequent owners, lessees and operators have this obligation only during their ownership, tenancy, or operation. 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, 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;

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, in order to ensure that the remedial action that includes the engineering control remains protective of the public health and safety and of the environment;

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 and consistent with N.J.A.C. 7:26C-1.5, every

two years on the anniversary of the date stamped on the Deed Notice that indicates when the Deed Notice was recorded.

8. ACCESS. The Owner and the subsequent owners, lessees and operators agree to allow the Department, 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 ensure the protection of the public health and safety and of the environment if persons responsible for monitoring the protectiveness of the remedial action, as described in Paragraph 7, above, 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.

9. NOTICES.

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. Owner and all subsequent owners and lessees shall notify any person intending to conduct invasive work or excavate within the NJCU Commercial AOC, including, without limitation, tenants, employees of tenants, and contractors of the nature and location of contamination in the NJCU Commercial AOC, and, of the precautions necessary to minimize potential human exposure to contaminants.

iii. The Owner and the subsequent owners shall provide written notice to the Department of Environmental Protection at least thirty (30) calendar days before the effective date of any conveyance, grant, gift, or other transfer, in whole or in part, of the owner's interest in the NJCU Commercial AOC. Any such transfer must also be consistent with the terms of the Consent Decree.

iv. The Owner and the subsequent owners shall provide written notice to the Department within thirty (30) calendar days following the owner's petition for or filing of any document initiating a rezoning of the NJCU Commercial AOC. The Owner and the subsequent owners shall submit the written notice to:

Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance and Monitoring
Deed Notice Inspection, Program

P.O. Box 413
401 E. State Street
Trenton, NJ 08625-0413.

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 this 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. 58:10-23.11u and require additional remediation and assess damages pursuant to N.J.S.A. 58:10-23.11g.

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. SUCCESSORS AND ASSIGNS. This Deed Notice shall 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.

13. MODIFICATION AND TERMINATION.

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. This Deed Notice may be revised or terminated only upon filing of an instrument, executed by the Department, in the office of the Hudson County Clerk, New Jersey, expressly modifying or terminating this Deed Notice.

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 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.

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

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

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

(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/or sediment sample locations within the restricted areas 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 - 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 (or if historic fill, include data from the Department's default concentrations at N.J.A.C. 7:26E-4.6, Table 4-2).

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 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 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 A through C. Exhibit C-2-A: Engineering Controls: *Clean Fill and Soil Capping System*; Exhibit C-2-B: Engineering Controls: *Underground Containment Walls*; Exhibit C-2-C: Engineering Controls: *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 control;

(4) The engineering controls are being inspected and maintained and its 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 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; and

(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 Node& and the Consent Decree;

(2) The engineering control 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.

EXHIBIT A

A-1 Vicinity Map

A-2 Metes and Bounds Description of NJCU Commercial AOC

A-3 NJCU Commercial AOC Map

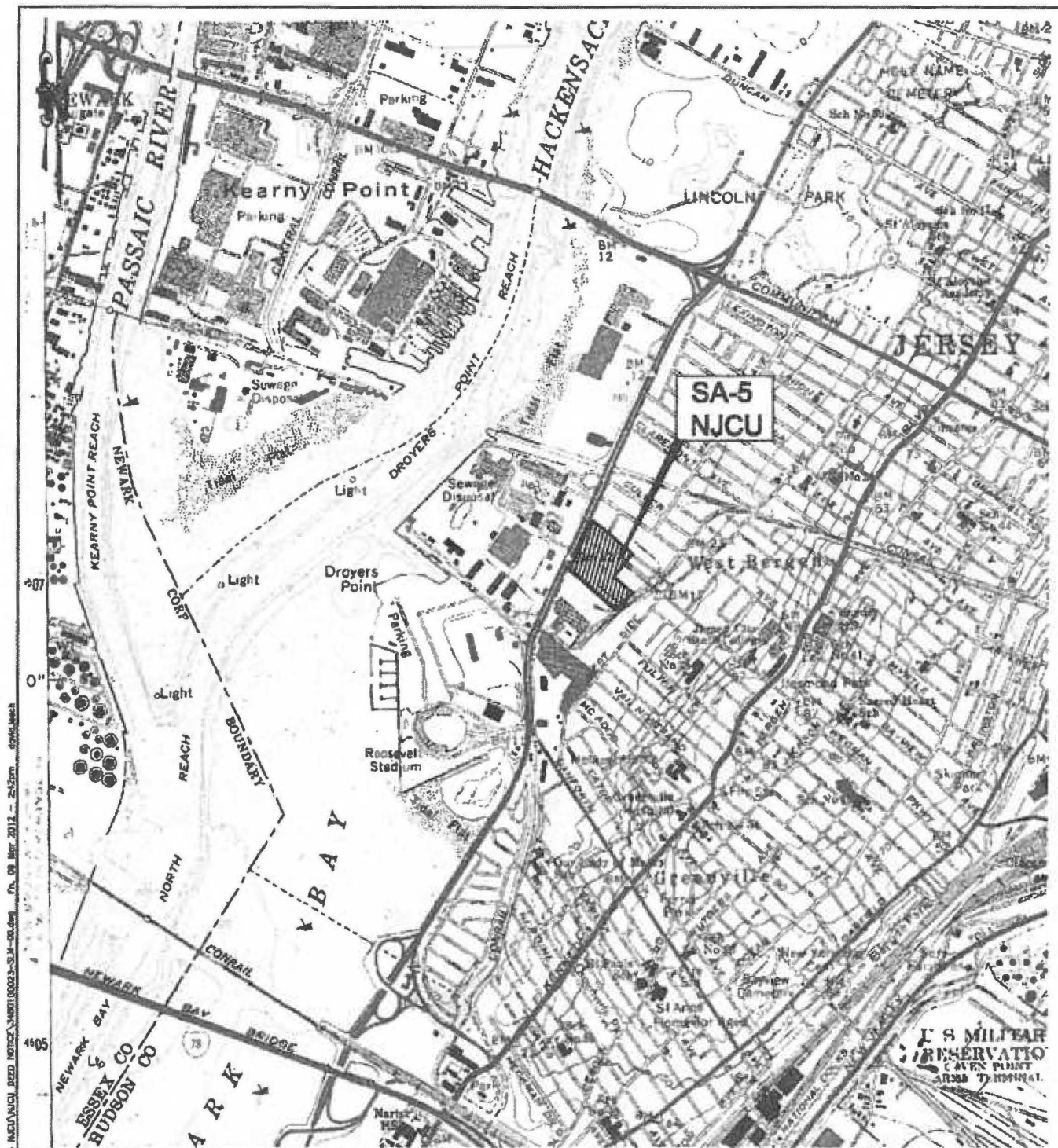
Block 21902, Lots 14, 13 and 2

(formerly Block 1286, Lots 5 and 6D; Block 1286.5, Lot 1)

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-2 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**



SOURCE: JERSEY CITY, NJ USGS QUADRANGLE MAP, 1963

AMEC PROJ No.: 3480100023
DRAWING: 3480100023-SLM-00

PREPARED/DATE: DL 3/7/2012
CHECKED/DATE: CMR 3/9/2012



ENVIRONMENT & INFRASTRUCTURE
500 AMERICAN METRO BLVD, SUITE 110
HAMILTON, NEW JERSEY 08610

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

A-2 Metes and Bounds Description of NJCU Commercial AOC
Block 21902, Lots 14, 13 and 2
(formerly Block 1286, Lots 5 and 6D; Block 1286.5, Lot 1)
City of Jersey City, New Jersey

The NJCU Commercial AOC is identified as a portion of Block 21902, Lots 2, 13 and 14, 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-2.

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 and 5 in Block 1286, and a portion of Lot 1 in Block 1286.5, as shown on a map entitled "New Jersey City University, West Campus City of Jersey City, Hudson County, NJ" Boundary and Topographic Survey of Block 1286.5 Lots 1, 2 & 4A, Block 1286 Lots 5, 5B, 5C, 6D, Block 1287B Lot 7, Block 1287-2 Lot 5E, Block Unknown Lot 8 and Unknown Block and Lot", prepared by Langan Engineering & Environmental Services, Inc., dated February 21, 2007, and being more particularly bounded and described as follows, to wit:

BEGINNING at the intersection of the Easterly line of Block 21902 Lot 1, (formerly Block 1289.5 Lot E), with the division line between Block 26101 Lot 1 (formerly Block 1285.05 Lot 1), and Block 21902 Lot 13 (formerly Block 1286 Lot 2) 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, 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 Lots 2, 14 and 13 in Block 21902, 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 (formerly Block 1285.05 Lot 1) and Block 21902 Lot 13 (formerly Block 1286 Lot 2), thence –
6. N 49° 07' 19" W, 294.74 feet along the aforesaid division line, to the Point and Place of BEGINNING.

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

Exhibit Figure A-2
Tax Map

Exhibit Figure A-3
NJCU Commercial AOC Property Map

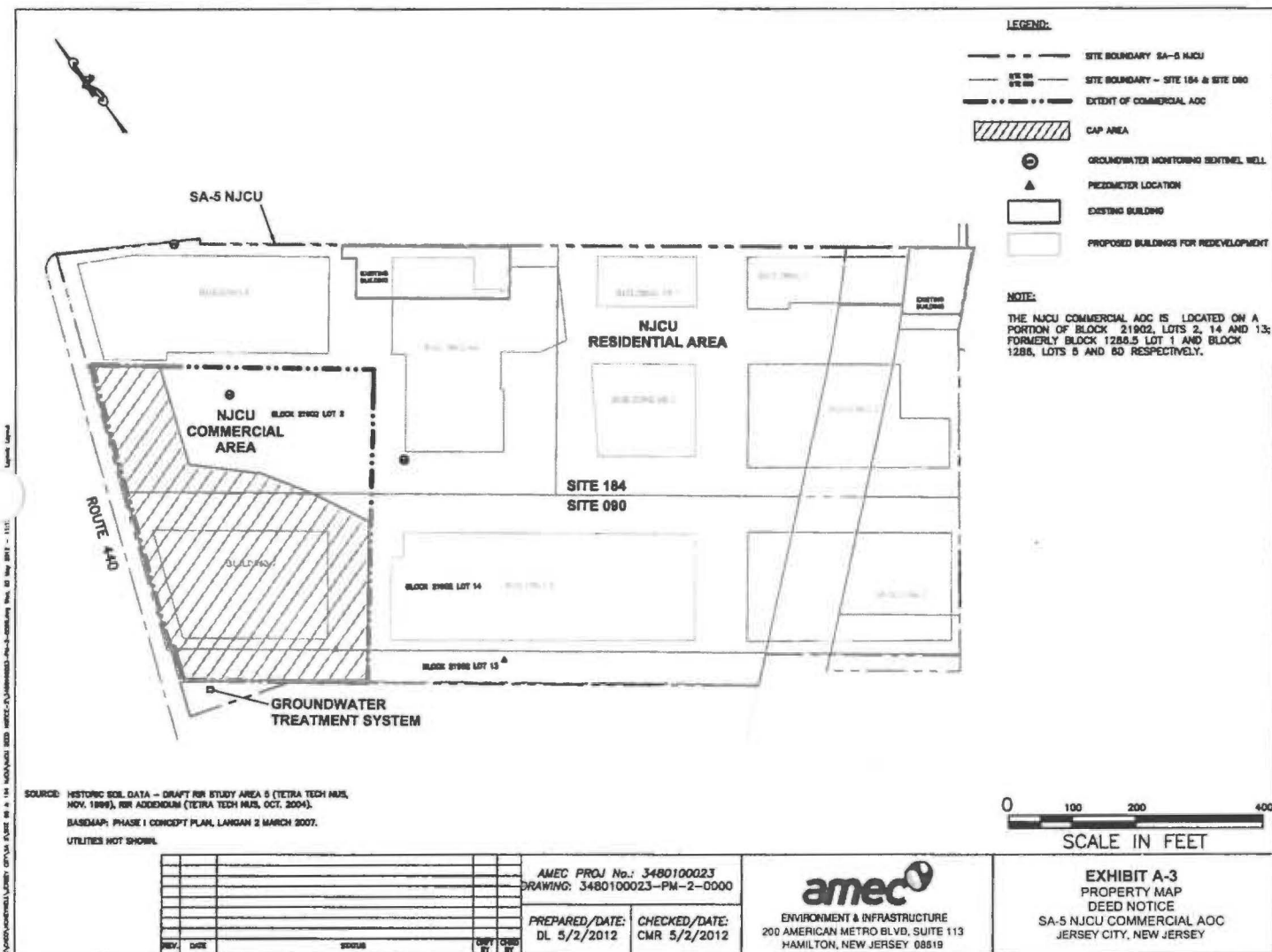


EXHIBIT B

B-1A&B Restricted Area Maps

B-2 Restricted Area Data Table

Block 21902, Lots 14, 13 and 2

(formerly Block 1286, Lots 5 and 6D; Block 1286.5, Lot1)

City of Jersey City, New Jersey

Exhibit B-1 Restricted Area Maps includes Exhibit Figure B-1A (Engineering Controls) and Exhibit Figure B-1B (Soil Sample Locations), Exhibit B-2 Restricted Area Data Table indicates soil samples locations with concentrations remaining above the NJDEP Soil Cleanup Criteria.

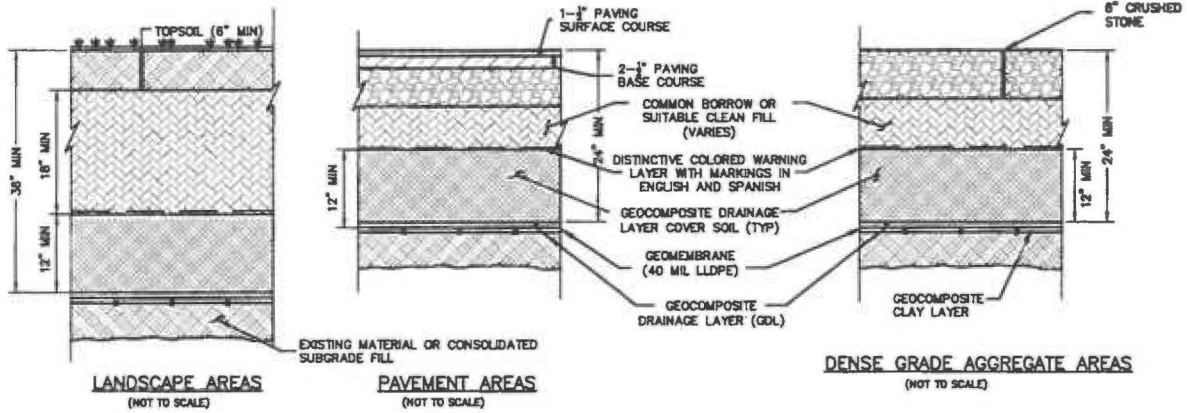
Restricted Area Map Notes:

Figure B-1A indicates the engineering controls (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. Engineering controls also include clean fill placed in excavated areas. Figure B-1A also indicates engineering controls for shallow groundwater. The engineering controls include underground barrier walls and a system of wells, pumps and piping for the collection and treatment of shallow groundwater, if necessary, from the NJCU Commercial AOC. Shallow groundwater monitoring requirements are set forth in 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 sampling locations with concentrations above the NJDEP groundwater quality standard. The groundwater contaminant of concern is total chromium above the NJDEP criteria of 70µg/l.

Exhibit Figure B-1A
Exhibit B-1A(1): Engineering Controls Plan
Exhibit B-1A(2): Engineering Controls Cap Cross Sections





SOURCE:

HISTORIC SOIL DATA -- DRAFT RIR STUDY AREA 5 (TETRA TECH MUS, NOV. 1999), RIR ADDENDUM (TETRA TECH MUS, OCT. 2004).

BASEMAP DETAILS: PHASE I CONCEPT PLAN, LAMAR 2 MARCH 2007.

REV.	DATE	STATUS	CHG BY	CHK BY

AMEC PROJ No.: 3480100023
DRAWING: 3480100023-AS-2-0000

PREPARED/DATE: DL 5/2/2012
CHECKED/DATE: CMR 5/2/2012



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

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

Exhibit Figure B-1B
Soil Sample Results - Hexavalent Chromium

Exhibit B-2: Table B-2

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

Location ID	Field Sample ID ⁽¹⁾	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) ⁽²⁾
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

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 ⁽¹⁾	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) ⁽²⁾
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 ⁽¹⁾	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) ⁽²⁾
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 ⁽¹⁾	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) ⁽²⁾
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

C-1 Deed Notice as Institutional Controls

C-2 Engineering Controls

Block 21902, Lots 14, 13 and 2

(formerly Block 1286, Lots 5 and 6D; Block 1286.5, Lot 1)

City of Jersey City, New Jersey

C-1 Deed Notice as Institutional Controls
Block 21902, Lots 14, 13 and 2
(formerly Block 1286, Lots 5 and 6D; Block 1286.5, Lot 1)
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, Lots 2, 13 and 14, and constitutes the Restricted Area. The overall size of the Property is 17.3 acres. The NJCU Commercial AOC or Restricted Area is identified as the cap area on Exhibit Figure B-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 6A Alterations, Improvements, Disturbances, and 6B, 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 not result in the unacceptable exposure to the soil or groundwater contamination;

Quarterly visual inspections 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 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 (E)(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.***

- *A report that determines whether or not the land use at the NJCU Commercial AOC has remained consistent with the restrictions in the Deed Notice.*
- *A report that determines whether or not the Deed Notice continues to be protective of the public health and safety and the environment.*

**C-2 Engineering Controls
Block 21902, Lots 14, 13 and 2
(formerly Block 1286, Lots 5 and 6D; Block 1286.5, Lot 1)
City of Jersey City, New Jersey**

ii. Exhibit C-2: Narrative description of the Engineering Controls including Existing Building Structures with concrete foundations and surrounding paved areas; and Proposed New Capping 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 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. Engineering controls will also include clean fill to be placed in excavated areas. The engineering controls also include underground barrier walls and a system of wells, pumps and piping for the collection and treatment of shallow groundwater, if necessary, from the NJCU Commercial AOC.

(2) The objective of the engineering controls; and

The objective of the controls is to prevent direct contact with soils that exceed the NJDEP Soil Cleanup Criteria and 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, and to collect and treat contaminated groundwater, if necessary, from the NJCU Commercial AOC. Shallow groundwater monitoring requirements are set forth in 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 its 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 as designed and intended 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: subsections 6A Alterations, Improvements, Disturbances, and 6B 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; 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.

(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***

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

~~[If Owner is an individual]~~

WITNESS:

~~_____~~
[Signature]

~~_____~~
[Print name below signature]

~~[If Owner is a corporation]~~

Owner is a State of New Jersey entity

~~ATTEST:~~

~~[Name of corporation]~~

*New Jersey City University
an institution of public higher
education of the State of New Jersey*

Aaron Aska

[Print name and title]

*Aaron Aska
Vice President of Administration
and Finance, NJCU*

[Signature]

[Signature]

[If Owner is a general or limited partnership]

WITNESS:

[Name of partnership]

[Signature]

By _____, General

[Print name]

Partner

[If Owner is an individual]

STATE OF [State where document is executed]
COUNTY OF [County where document is executed]

SS.:

I certify that on _____, 2012, [Name of Owner] personally came before me, and this person acknowledged under oath, to my satisfaction, that this person [or if more than one person, each person]

- (a) is named in and personally signed this document; and
- (b) signed, sealed and delivered this document as his or her act and deed.

_____, Notary Public
[Print Name and Title]

~~[If Owner is a corporation]~~

Institution of public higher education of the State of New Jersey

STATE OF [State where document is executed] SS.:
COUNTY OF [County where document is executed]

I certify that on Aaron Aske, 2012, [Name of person executing document on behalf of Owner] personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Vice President of Administration & Finance ~~secretary/assistant secretary~~ of [Owner], the ~~corporation~~ *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 ~~president/vice president~~ of the ~~corporation~~ *University*;
- (c) this document was signed and delivered by the ~~corporation~~ *University* as its voluntary act and was duly authorized;
- (d) this person knows the proper seal of the corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

[Signature]

[Print name and title of attesting witness]

[Print name and title]

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