



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

January 22, 2018

EXPRESS MAIL AND EMAIL

Stephen M. Dorsey, Esq.  
Saratoga County Attorney  
40 McMaster Street  
Ballston Spa, New York 12020  
[sdorsey@saratogacountyny.gov](mailto:sdorsey@saratogacountyny.gov)

Re: Release of EPA CERCLA Lien for Real Property located at 7239-7267  
Barkersville Road, Town of Providence, Saratoga County, New York in Relation  
to the Old Saratoga Hospital Superfund Site

Dear Mr. Dorsey:

Please find enclosed the original of the Discharge and Release of Federal Lien ("Release of Lien") for the property located at 7239-7267 Barkersville Road, Town of Providence, Saratoga County, New York; further identified as tax parcel number 147-1-38.3. Pursuant to Paragraph 1a) of the Memorandum of Agreement between the County of Saratoga ("County") and the U.S. Environmental Protection Agency reached on January 8, 2018, the County may cause the enclosed Release of Lien to be duly recorded should it so desire.

If you have any questions, please feel free to call me at (212) 637-3177.

Sincerely,

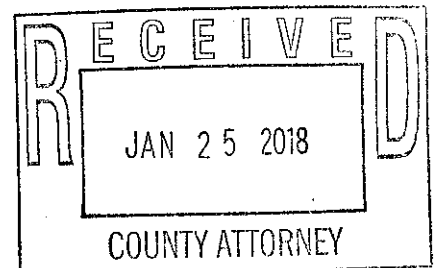
A handwritten signature in black ink, appearing to read "W. Sainsbury".

Walter S. M. Sainsbury  
Assistant Regional Counsel  
Office of Regional Counsel

Enclosure

CC Via Email:

Gary S. Bowitch, Esq.  
Bowitch & Coffey, LLC  
[bowitch@bcalbany.com](mailto:bowitch@bcalbany.com)





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 Broadway  
New York, New York 10007-1866

DISCHARGE AND RELEASE OF FEDERAL LIEN

WHEREAS, commencing in approximately May 2015, the United States of America acting by and through the United States Environmental Protection Agency ("EPA") incurred response costs pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. §§9601-9675 ("CERCLA"), in performing cleanup response action at the Old Saratoga Hospital Superfund Site (the "Site"), at the real property with an address of 7239-7267 Barkersville Road, Town of Providence, Saratoga County, New York, which is identified by Saratoga County as tax parcel no. 147-1-38.3.

WHEREAS, the costs incurred, and to be incurred, by EPA for the cleanup response action at the Site constitute a lien on real property subject to or affected by such action ("Federal Lien"), which lien arose pursuant to Section 107(l) of CERCLA;

WHEREAS, EPA notified Conifer Construction Group, Inc., the Site property owner and potentially responsible party, of its liability for such costs on September 15, 2017;

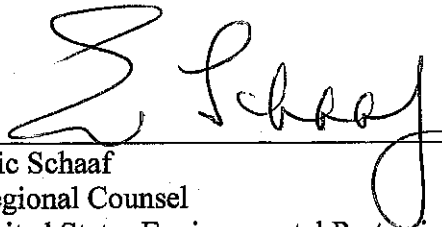
WHEREAS, pursuant to a memorandum of agreement ("MOA") between EPA and the County of Saratoga ("County"), signed by EPA on January 8, 2018, EPA has agreed to the release and discharge of the Federal Lien in return for a 50% share of proceeds from any future sale of the Site property until the County receives a portion of the proceeds equal to its unpaid tax lien, after which EPA would receive 90% of any excess proceeds; and

WHEREAS, this Discharge and Release of Federal Lien is being delivered to the County within 15 days after the signing of the MOA as required by its terms;

NOW THEREFORE, EPA agrees that the Federal Lien is hereby released and may be discharged of record.

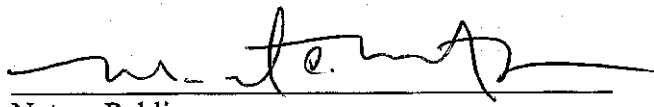
IN WITNESS WHEREOF, EPA has caused this instrument to be executed by the Regional Counsel of EPA, Region 2, in order to effect the discharge and release of the aforesaid Federal Lien, and consents that this Discharge and Release of Federal Lien may be filed of record. Signed in New York, New York on this 22<sup>nd</sup> day of January, 2018.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

By:   
Eric Schaaf  
Regional Counsel  
United States Environmental Protection Agency - Region 2  
290 Broadway, 17<sup>th</sup> floor  
New York, New York 10007-1866

State of New York    )  
                                  ) ss:  
County of New York )

On the 22<sup>nd</sup> day of JANUARY 2018 before me, the subscriber, personally appeared Eric Schaaf, Regional Counsel of the United States Environmental Protection Agency, Region 2, to me personally known to be the same person described in and who executed the within DISCHARGE AND RELEASE OF FEDERAL LIEN, and he acknowledged to me that he executed the same as such Regional Counsel as aforesaid for the purposes therein mentioned.

  
Notary Public  
State of New York  
My Commission Expires: 8/31/2021

MICHAEL A MINTZER  
Notary Public, State of New York  
Registration No. 02MI2727505  
Qualified in New York County  
Commission Expires August 31, 2021