

THIS INDENTURE, made the *21st* day of April, 1966, between NIAGARA MOHAWK POWER CORPORATION, a corporation organized and existing under the laws of the State of New York, having its principal place of business at 300 Erie Boulevard West, in the City of Syracuse, New York, party of the first part, and OREGON MOUNTAIN CORPORATION, a corporation organized and existing under the laws of the State of New York, having its principal place of business at 58 Fayville Avenue, Dolgeville, New York, party of the second part.

WITNESSETH, that the party of the first part, in consideration of ONE DOLLAR (\$1.00), lawful money of the United States, and other good and valuable considerations paid by the party of the second part, does hereby remise, release, and quitclaim unto the party of the second part, its successors and assigns forever, all those certain pieces or parcels of land described in the following deeds:

out 1. Frederick Woolever and others to Adirondack Power and Light Corporation, dated November 3, 1923 and recorded in the Office of the Clerk of the County of Fulton on November 7, 1923, in Book 172 of Deeds, at page 465.

out 2. Carrie Austin Service to James Cristman, dated November 2, 1906 and recorded in the Office of the Clerk of the County of Fulton on November 5, 1906, in Book 117 of Deeds, at page 421.

3. Margaret Davis Stafford and others to Guy R. Beardslee, dated July 31, 1913 and recorded in the Office of the Clerk of the County of Fulton on August 22, 1913, in Book 137 of Deeds, at page 315. E-1980

4. Harvey D. Smith to James Cristman, dated October 30, 1906 and recorded in the Office of the Clerk of the County of Fulton on November 21, 1906, in Book 117 of Deeds, at page 450. E-1981

5. George A. Mosher to Guy R. Beardslee, dated August 26, 1913 and recorded in the Office of the Clerk of the County of Fulton August 29, 1913, in Book 137 of Deeds, at page 333. E-1968

6. George A. Mosher to Guy R. Beardslee, dated August 26, 1913 and recorded in the Office of the Clerk of the County of Fulton August 29, 1913, in Book 137 of Deeds, at page 336. E-1979

7. John H. Smith and wife to Adirondack Power and Light Corporation, dated August 8, 1923 and recorded in the Office of the Clerk of the County of Fulton on August 13, 1923 in Book 172 of Deeds, at page 163. E-2555
8. Henry Helterline to Adirondack Power and Light Corporation, dated March 7, 1924 and recorded in the Office of the Clerk of the County of Fulton on March 10, 1924 in Book 174 of Deeds, at page 195. E-2946
9. Henry Helterline to Adirondack Power and Light Corporation, dated September 10, 1923 and recorded in the Office of the Clerk of the County of Fulton on September 14, 1923 in Book 172 of Deeds, at page 274. E-2556
10. Eliza Young to James Cristman, dated August 31, 1907 and recorded in the Office of the Clerk of the County of Fulton September 13, 1907 in Book 121 of Deeds, at page 502. E-1970
11. Sarah J. Vincent to James Cristman, dated November 13, 1906 and recorded in the Office of the Clerk of the County of Fulton on November 21, 1906 in Book 118 of Deeds, at page 518. E-1972
12. Martha J. Davis Deckenbeck to Adirondack Power and Light Corporation, dated August 8, 1923 and recorded in the Office of the Clerk of the County of Fulton August 13, 1923 in Book 172 of Deeds, at page 161. E-2557
13. Martha J. Davis Deckenbeck to Adirondack Power and Light Corporation, dated April 26, 1924 and recorded in the Office of the Clerk of the County of Fulton May 1, 1924 in Book 174 of Deeds, at page 377. F-1006
14. Martha J. Davis Deckenbeck to Adirondack Power and Light Corporation, dated September 20, 1935, and recorded in the Office of the Clerk of the County of Fulton October 1, 1935 in Book 218 of Deeds, at page 346. E-5824
15. Edward Seely to James Cristman, dated November 13, 1906 and recorded in the Office of the Clerk of the County of Fulton on November 21, 1906, in Book 118 of Deeds, at page 519. E-1969
16. Harvey D. Smith to Adirondack Power and Light Corporation, dated August 14, 1923 and recorded in the Office of the Clerk of the County of Fulton August 16, 1923 in Book 172 of Deeds, at page 185. E-2558

- (17) Harvey D. Smith to James Cristman, dated October 23, 1909 and recorded in the Office of the Clerk of the County of Fulton October 28, 1909, in Book 125 of Deeds, at page 243. E-1978
- Oct 18. Daniel Fitzgerald to David E. Snyder, dated April 26, 1924 and recorded in the Office of the Clerk of the County of Fulton on May 1, 1924 in Book 174 of Deeds, at page 375. EXCEPTING that part thereof conveyed by Adirondack Realty Holding Corporation to Cyrus Durey by deed dated December 7, 1926 and recorded in the Office of the Clerk of the County of Fulton on December 17, 1926 in Book 185 of Deeds, at page 116.
- Oct 19. Daniel Fitzgerald to Adirondack Power and Light Corporation, dated August 16, 1923 and recorded in the Office of the Clerk of the County of Fulton August 20, 1923 in Book 172 of Deeds, at page 203.
- Oct 20. John McBriarty to James Cristman, dated August 2, 1907 and recorded in the Office of the Clerk of the County of Fulton on August 8, 1907 in Book 121 of Deeds, at page 446.
- Oct 21. Patrick Ward to David E. Snyder, dated August 8, 1923 and recorded in the Office of the Clerk of the County of Fulton August 13, 1923 in Book 172 of Deeds, at page 168.
- Oct 22. Owen Donnelly to James Cristman, dated August 2, 1907 and recorded in the Office of the Clerk of the County of Fulton on August 8, 1907 in Book 121 of Deeds, at page 445.
- Oct 23. Patrick Ward and wife to David E. Snyder, dated July 5, 1922 and recorded in the Office of the Clerk of the County of Fulton on July 11, 1922 in Book 168 of Deeds, at page 315.
- Oct 24. Frank Ward and wife to David E. Snyder, dated June 4, 1923 and recorded in the Office of the Clerk of the County of Fulton June 9, 1923 in Book 170 of Deeds, at page 585.
- Oct 25. Hugh Ward and wife to David E. Snyder, dated October 13, 1922 and recorded in the Office of the Clerk of the County of Fulton on October 14, 1922 in Book 167 of Deeds, at page 420.
- Oct 26. Frank Ward and wife to David E. Snyder, dated April 7, 1922 and recorded in the Office of the Clerk of the County of Fulton April 10, 1922 in Book 165 of Deeds, at page 584.

Out 27. Walter B. Sabins and wife to Adirondack Power and Light Corporation, dated June 26, 1924 and recorded in the Office of the Clerk of the County of Fulton on June 30, 1924 in Book 174 of Deeds, at page 565.

Out 28. Walter B. Sabins and wife to Adirondack Power and Light Corporation, dated November 23, 1923 and recorded in the Office of the Clerk of the County of Fulton on November 27, 1923 in Book 172 of Deeds, at page 533.

Out 29. David E. Snyder and wife to Adirondack Power and Light Corporation, dated December 15, 1923 and recorded in the Office of the Clerk of the County of Fulton on February 16, 1924 in Book 174 of Deeds, at page 156.

Out 30. Henry Brownell and wife to Adirondack Power and Light Corporation, dated May 30, 1925 and recorded in the Office of the Clerk of the County of Fulton on June 3, 1925 in Book 178 of Deeds, at page 351.

(31) James B. Austin, et ano to James Cristman, dated October 30, 1906 and recorded in the Office of the Clerk of the County of Fulton on November 21, 1906 in Book 117 of Deeds, at page 451.

E-1983

Out ALSO, Parcel No. 2 in the deed from David E. Snyder and wife to Adirondack Power and Light Corporation, dated December 8, 1923 and recorded in the Office of the Clerk of the County of Fulton on the 10th day of December, 1923 in Book 172 of Deeds, at page 572.

Out ALSO, all that certain piece or parcel of land described in the deed from Jerome Austin and wife to David E. Snyder, dated November 25, 1922 and recorded in the Office of the Clerk of the County of Fulton on November 29, 1922 in Book 170 of Deeds, at page 97. EXCEPT that part of said lands conveyed by Adirondack Realty Holding Corporation to Clarence Austin by deed dated August 24, 1926.

Out ALSO, all that certain piece or parcel of land described in a deed from Clarence Austin to Adirondack Realty Holding Corporation dated September 30, 1925 and recorded in the Office of the Clerk of the County of Fulton on October 3, 1925 in Book 181 of Deeds, at page 100. EXCEPTING, HOWEVER, the lands conveyed by Adirondack Realty Holding Corporation to Clarence Austin by deed dated August 24, 1926.

Out
Parcel
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F-844

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cut ALSO, all those lands described in a deed from John H. Brownell to David E. Snyder, dated August 8, 1923 and recorded in the Office of the Clerk of the County of Fulton on August 13, 1923 in Book 173 of Deeds, at page 30. EXCEPTING, HOWEVER, that part of said lands conveyed by Adirondack Realty Holding Corporation to Cyrus Durey by deed dated December 7, 1926 and recorded in the Office of the Clerk of the County of Fulton January 11, 1927 in Book 185 of Deeds, at page 183.

④ ALSO, all that certain piece or parcel of land described in a deed from John H. Smith to Adirondack Power and Light Corporation, dated March 7, 1924 and recorded in the Office of the Clerk of the County of Fulton on March 10, 1924 in Book 174 of Deeds, at page 193. EXCEPTING, HOWEVER, that part of said lands conveyed by Adirondack Power and Light Corporation to Cyrus Durey by deed dated January 3, 1927 and recorded in the Office of the Clerk of the County of Fulton on January 11, 1927 in Book 185 of Deeds, at page 183. *E-2964*

⑤ ALSO, all that certain piece or parcel of land described in a deed from Harvey D. Smith to David E. Snyder dated March 29, 1924 and recorded in the Office of the Clerk of the County of Fulton on March 31, 1924 in Book 174 of Deeds, at page 262. EXCEPTING, HOWEVER, that part of said land conveyed by Adirondack Realty Holding Corporation to Cyrus Durey by deed dated December 7, 1926 and recorded in the Office of the Clerk of the County of Fulton on December 17, 1926 in Book 185 of Deeds, at page 116. *F-1005*

cut ALSO, parcels No. 1 and 2 as described in a deed from Jane Shull, et ano to David E. Snyder, dated August 16, 1923 and recorded in the Office of the Clerk of the County of Fulton on August 20, 1923 in Book 172 of Deeds, at page 206. EXCEPTING that part thereof conveyed by Adirondack Realty Holding Corporation to Cyrus Durey by deed dated December 7, 1926 and recorded in the Office of the Clerk of the County of Fulton on December 17, 1926 in Book 185 of Deeds, at page 116.

cut ALSO, all that certain piece or parcel of land described in a deed from Josiah Allen and wife to Adirondack Power and Light Corporation, dated August 22, 1923 and recorded in the Office of the Clerk of the County of Fulton on August 29, 1923 in Book 172 of Deeds, at page 225. EXCEPTING, HOWEVER, that part of said lands conveyed by Adirondack Power and Light Corporation to Cyrus Durey by deed dated January 3,

1927 and recorded in the Office of the Clerk of the County of Fulton on January 11, 1927 in Book 185 of Deeds, at page 183.

Out ALSO, all that certain piece or parcel of land described in a deed from Owen Donnelly to Adirondack Power and Light Corporation, dated August 14, 1922 and recorded in the Office of the Clerk of the County of Fulton on November 2, 1922 in Book 170 of Deeds, at page 40. EXCEPTING, HOWEVER, that part thereof conveyed by Adirondack Power and Light Corporation to Cyrus Durey by deed dated January 3, 1927 and recorded in the Office of the Clerk of the County of Fulton on January 11, 1927 in Book 185 of Deeds, at page 183.

Out ALSO, all that certain piece or parcel of land described as parcel no. Four in a deed from Jane Shull, et ano to David E. Snyder, dated August 16, 1923 and recorded in the Office of the Clerk of the County of Fulton on August 20, 1923 in Book 172 of Deeds, at page 206. EXCEPTING, however, that part thereof conveyed by Adirondack Realty Holding Corporation to Cyrus Durey by deed dated December 7, 1926 and recorded in the Office of the Clerk of the County of Fulton on December 17, 1926 in Book 185 of Deeds, at page 116.

Out ALSO, all that certain piece or parcel of land described as parcel no. Three in the deed from Jane Shull, et ano to David E. Snyder, dated August 16, 1923 and recorded in the Office of the Clerk of the County of Fulton on August 20, 1923 in Book 172 of Deeds, at page 206.

Out ALSO, all those certain lands described in a deed from Firman Ouder Kirk to David E. Snyder, dated July 8, 1917 and recorded in the Office of the Clerk of the County of Fulton on November 2, 1922 in Book 170 of Deeds, at page 38. EXCEPTING that part of said premises conveyed by Adirondack Realty Holding Corporation to Cyrus Durey by deed dated November 16, 1926 and that part of said premises conveyed by New York Power and Light Corporation to Raymond Helderline by deed dated July 16, 1946.

TOGETHER with such rights as the party of the first part may have to maintain the dam at Stewarts Landing.

EXCEPTING, HOWEVER, the lands within any highways and any land appropriated by the County of Fulton for highway purposes.

RESERVING, HOWEVER, unto the party of the first part, its successors and assigns, the electric lines now constructed upon and over a part of the lands above described. TOGETHER with the right to enter upon said premises at any and all times for the purpose of repairing, rebuilding, maintaining

and operating said lines. TOGETHER with the right to cut, trim and remove any brush, trees or other obstructions which may, in the opinion of the party of the first part, its successors or assigns, interfere with or be likely to interfere with the successful operation thereof.

This conveyance is made upon the express condition that the above described premises shall be used by the party of the second part, its successors and assigns, for purposes other than the production of electric energy and the party of the second part, by the acceptance of this deed, hereby covenants as a covenant running with the land and binding upon it, its successors and assigns, that no part of the premises and rights hereby conveyed shall be utilized or in any manner devoted at any time to the production of electric energy.

In the event that said above described premises shall be used or employed in any way connected with the production of electric energy, the party of the first part, its successors and assigns, may enter upon and retake said above described premises and terminate the estate hereby conveyed.

This conveyance is made subject to all the terms and conditions set forth in the agreement between Oregon Mountain Corporation and Canada Lakes Protective Association dated November 9, 1965 as follows:

"1. Oregon Mountain Corporation agrees to maintain the water level of East Canada, West Canada and Green Lakes in the Town of Caroga, Fulton County, New York for the winter elevation at a maximum of 1545.00 feet. The summer elevations shall be a maximum of 1543.91 feet and a minimum of 1541.00 feet. The summer season shall be from the period of May 15th to September 15th of each year.

"2. In the event Oregon Mountain Corporation shall sell the dam, then and in such an

event, the sale and conveyance shall be made subject to all of the terms, covenants and restrictions as set forth in this agreement.

"3. Subject to weather conditions and if no maintenance is required on the dam, the Oregon Mountain Corporation will keep the water at the summer elevations mentioned above until October 1st of each year."

In the event Oregon Mountain Corporation, its successors or assigns, shall at any time fail to maintain and operate the dam upon the premises hereby conveyed, Canada Lakes Protective Association may enter upon the premises hereby conveyed for the purpose of maintaining and operating said dam for the purpose of maintaining the water level of East Canada, West Canada and Green Lakes as provided in said agreement dated November 9, 1965.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, its successors or assigns, forever.

IN WITNESS WHEREOF, the party of the first part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer this 21st day of April, Nineteen Hundred and Sixty-Six.

NIAGARA MOHAWK POWER CORPORATION

PCW
DCM

By: *PCW*
Vice President

