

## BARGAIN AND SALE DEED

THIS INDENTURE, made March 20, 2021.

**BETWEEN CAVALLACCI FORESTBERG, LLC**, a New York limited liability company, having an address at 14 Center Drive, Malba, NY 11357, the party of the first part, and, **NEW YORK LAND & LAKES DEVELOPMENT, LLC**, a New York limited liability company, having an address at 297 River Street, Suite 3, Oneonta, NY 13820, party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon more particularly described on Schedule A attached hereto.

**BEING** the same premises described in a deed between Dorando F. Cavallacci, Jr. and Danielle Cavallacci to Cavallacci Forestberg, LLC dated October 19, 2011 and recorded in the Office of the Sullivan County Clerk on April 30, 2012 in Instrument #2012-2779.

**AND** being the same premises described in a Quitclaim Deed dated March 20, 2021, between Dorando F. Cavallacci, Jr. and Danielle Cavallacci to Cavallacci Forestberg, LLC and recorded in the Office of the Sullivan County Clerk on March \_\_, 2021 in Instrument #\_\_\_\_\_.

**AND** being the same premises described in a Quitclaim Mineral Deed dated March 17, 2021, between Junction Properties Inc. to Cavallacci Forestberg, LLC and recorded in the Office of the Sullivan County Clerk on March 25, 2021 in Instrument # 2021-3040.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center line thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, their heirs or successors and assigns of the party of the second part forever.


**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost

of improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

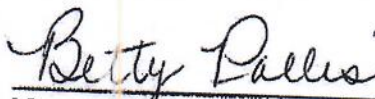
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written,  
IN PRESENCE OF:

Cavallacci Forestberg, LLC

  
By: Dorando F. Cavallacci, Jr.  
Title: Managing Member

STATE OF NY )  
COUNTY OF Queens ) SS.:

On the 20 day of March in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Dorando F. Cavallacci, Jr., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

Record & Return To:  
Brown, Kelleher & Zwickel, LLP  
370 Main Street  
Catskill, NY 12414

8965-016v4

BETTY PALLIS  
Notary Public, State of New York  
No. 41-4859898  
Qualified in Queens County  
Commission Expires May 19, 2022



SCHEDULE "A"

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Forestburg, County of Sullivan and State of New York, being a part of the "Great Lot No. 12, in the First Division of the Miniskink Patent" and more particularly bounded and described as follows:

BEGINNING at a point where the center line of New York State Route #42 intersects the center line of Sullivan County Route #48;

RUNNING THENCE along the center line of New York State Route #42, the following courses and dimensions:

- (1) North 13 degrees 43 minutes 00 seconds East, 218.10 feet;
- (2) North 13 degrees 47 minutes 00 seconds East, 497.73 feet;
- (3) North 20 degrees 22 minutes 00 seconds East, 398.93 feet;
- (4) North 30 degrees 40 minutes 00 seconds East, 158.31 feet;
- (5) North 39 degrees 44 minutes 11 seconds East, 459.51 feet;
- (6) North 34 degrees 30 minutes 00 seconds East, 300 feet;
- (7) North 32 degrees 50 minutes 00 seconds East, 350 feet;
- (8) North 33 degrees 04 minutes 00 seconds East, 120 feet;
- (9) North 30 seconds 37 minutes 00 seconds East, 380 feet to the southerly line of land now or formerly of Dr. Joseph Pfeifer;

RUNNING THENCE along said land of Dr. Joseph Pfeifer the following three courses:

- (1) South 64 degrees 11 minutes 00 seconds East, 1,173.63 feet;
- (2) South 40 degrees 41 minutes 00 seconds East, 1,607.17 feet;
- (3) North 50 degrees 03 minutes 33 seconds East, 3,963.40 feet to the southwesterly line of Merriewold Park;

THENCE along the southwesterly line of Merriewold Park South 40 degrees 25 minutes 25 seconds East, 3,035.36 feet to the northwesterly line of land now or formerly of Hartwood Syndicate Inc.;

THENCE along said land of Hartwood Syndicate Inc. South 50 degrees 00 minutes 34 seconds West, 2,563.80 feet;

THENCE South 40 degrees 04 minutes 28 seconds East, 1,263.21 feet;

THENCE South 31 degrees 53 minutes 59 seconds West, 238.30 feet to land now or formerly of Elsie B. Winterberger;

THENCE along the land now or formerly of said Elsie B. Winterberger the following four courses:

- (1) North 57 degrees 31 minutes 40 seconds West, 889.13 feet;
- (2) North 57 degrees 34 minutes 12 seconds West, 131.87 feet;
- (3) North 55 degrees 36 minutes 42 seconds West, 369.92 feet;
- (4) South 33 degrees 24 minutes 08 seconds West, 2,491.49 feet to the northerly line of said Sullivan County Route #48;

RUNNING THENCE along said northerly line of said Sullivan County Route #48 North 66 degrees 59 minutes 52 seconds West, 33 feet to land now or formerly of Toomey;

THENCE along land now or formerly of Toomey the following six courses:

- (1) North 29 degrees 59 minutes 40 seconds East, 425.57 feet;
- (2) North 37 degrees 34 minutes 44 seconds East, 88.12 feet;
- (3) North 39 degrees 22 minutes 09 seconds East, 187.99 feet.

(4) North 33 degrees 20 minutes 31 seconds East, 1,157.87 feet;  
(5) North 56 degrees 18 minutes 45 seconds West, 1,208.60 feet;  
(6) South 32 degrees 07 minutes 15 seconds West, 2,017.90 feet to the center line of said Sullivan County Route #48 to a point where same intersects to the northeasterly line of land now or formerly of the Red Ridge Hunting Club, Inc., THENCE continuing along the center line of said Sullivan County Route #48, the following seven courses:

- (1) North 62 degrees 10 minutes 00 seconds West, 404.69 feet;
- (2) North 58 degrees 32 minutes 00 seconds West, 290.80 feet;
- (3) North 62 degrees 08 minutes 00 seconds West, 452.97 feet;
- (4) North 67 degrees 57 minutes 00 seconds West, 306.74 feet;
- (5) North 60 degrees 41 minutes 36 seconds West, 263 feet;
- (6) North 46 degrees, 54 minutes 30 seconds West, 646.45 feet;
- (7) North 51 degrees 03 minutes 00 seconds West, 186.44 feet to the point or place of BEGINNING.

EXCEPTING that part of the hereinbefore described property conveyed by Dorothy M. Senne to Ellis Kolchin and Kate Kolchin by deed dated August 23, 1948 and recorded August 30<sup>th</sup>, 1948 in Liber 419 cp. 571;

AND EXCEPTING that part of the hereinbefore described property conveyed by Dorothy M. Senne to Lewis Jordan and Helene J. Jordan, by deed dated October 7, 1949 and recorded October 11, 1949 in Liber 434 cp. 113;

AND EXCEPTING that part of the hereinbefore described property conveyed by Dorothy M. Senne to Leo Fixler and Dorothy Fixler, his wife, by deed dated December 5<sup>th</sup>, 1950, recorded December 9<sup>th</sup>, 1950 in Liber 446 cp. 251;

AND EXCEPTING that part of the hereinbefore described property conveyed by Dorothy M. Senne to Hary Hanington and Helen Hanington, his wife, by deed dated January 3, 1951, recorded January 11, 1951 in Liber 447 cp. 217.

EXCEPTING therefrom that land which has been or will be taken by the State of New York.

And more recently described as set forth on Schedule "A-1"



**SCHEDULE "A"**

**SURVEYOR'S DESCRIPTION  
PARCEL TO BE CONVEYED BY  
CAVALLACCI FORESTBERG, LLC  
10 STAG FOREST ROAD  
TOWN OF FORESTBURGH  
SULLIVAN COUNTY, NEW YORK STATE**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Forestburgh, County of Sullivan, State of New York, being all of the property now or formerly of Cavallacci Forestberg, LLC described in Instrument 2012-2779 as recorded in the Sullivan County Clerk's Office on April 30, 2012 (TM# 30.-2-6.2), bounded and described as follows:

BEGINNING at a concrete monument on the northeasterly boundary of Hartwood Road at its intersection with the easterly boundary of State Route 42;

RUNNING THENCE generally northeasterly along said State Route 42 the following eleven (11) courses and distances:

- 1) N09°30'10"W, a distance of 136.45 feet to a point;
- 2) N04°38'32"E, a distance of 240.75 feet to a point;
- 3) N04°45'19"E, a distance of 156.15 feet to a point;
- 4) N04°51'12"E, a distance of 119.24 feet to a point;
- 5) N05°35'15"E, a distance of 178.36 feet to a point;
- 6) N09°18'26"E, a distance of 97.66 feet to a point;
- 7) N15°53'43"E, a distance of 62.52 feet to a concrete monument;
- 8) N23°25'00"E, a distance of 229.62 feet to a concrete monument;
- 9) N34°34'59"E, a distance of 322.22 feet to a point;
- 10) N23°46'08"E, a distance of 1023.60 feet to a concrete monument;
- 11) N20°09'58"E, a distance of 301.06 feet to a 5/8 inch rebar at its intersection with the division line between the property now or formerly of JG Forestburgh, LLC per Inst. 2019-1283 (TM# 30.-2-1.2) on the north and said Cavallacci on the south; thence along the division lines between said JG Forestburgh and said Cavallacci the following three (3) courses and distances:
  - 1) S73°14'10"E, a distance of 1125.02 feet to a stone on a large rock;
  - 2) S50°16'54"E, a distance of 1600.34 feet to a stone pile;
  - 3) N39°59'57"E, a distance of 3960.84 feet to a stone pipe at its intersection with the division line between the property now or formerly of Merriewold Club Property Co., LLC per Inst. 2019-1392 (TM# 14.-1-5) on the northeast and said Cavallacci on the southwest; thence S50°09'26"E along the last mentioned division line, a distance of 3067.73 feet to a stone pile at its intersection with the division line between the property now or formerly of Hartwood Preserve North, LLC per Inst. 2019-927 (TM# 25.-1-1) on the southeast and said Cavallacci on the northwest; thence along the division lines between said Hartwood Preserve and said Cavallacci the following two (2) courses and distances:
    - 1) S40°45'44"W, a distance of 2562.34 feet to a stone pile;
    - 2) S49°42'15"E, a distance of 1274.83 feet to a 5/8 inch rebar capped "KEYSTONE BING NY" (KEYSTONE capped rebar) at its intersection with the division line between the property now or formerly of James P. Galligan per L. 1808 P. 396 (TM# 31.-1-1.1) on the east and said Cavallacci on the west thence along the division lines between said Galligan and said Cavallacci the following three (3) courses and distances:
      - 1) S21°19'45"W, a distance of 231.89 feet to a stone pile;
      - 2) N67°17'00"W, a distance of 900.04 feet to a stone pile;
      - 3) N67°12'45"W, a distance of 132.25 feet to a stone pile at its intersection with the division line between the property now or formerly of Marvin S.



**SCHEDULE "A" CONTINUED:**

Rappaport & Denise J. Rappaport per Inst. 1993-16530050 (TM# 30.-2-11) on the southwest and said Cavallacci on the northeast;

thence along the division lines between said Rappaport and said Cavallacci the following two (2) courses and distances:

- 1) N65°10'57"W, a distance of 369.24 feet to a stone pile;
- 2) S24°12'13"W, a distance of 2484.45 feet to a 5/8 inch rebar at its intersection with the northerly boundary of said Hartwood Road; thence N75°33'03"W along said northerly boundary of Hartwood Road, a distance of 33.41 feet to a point at its intersection with the division line between the property now or formerly of Charles M. Vassallo & Gifford M. Booth per Inst. 2000-22400629 (TM# 30.-2-10) on the west and said Cavallacci on the east; thence N20°47'33"E along the last mentioned division line and along the division line between the property now or formerly of Erin Panzarella per Inst. 2019-1493 (TM# 30.-2-9) on the west and said Cavallacci on the east, a distance of 415.09 feet to a KEYSTONE capped rebar at its intersection with the division line between the property now or formerly of John J. Toomey per L. 2198 P. 415 (TM# 30.-2-12) on the west and said Cavallacci on the east; thence N29°30'24"E along the last mentioned division line, a distance of 278.84 feet to a KEYSTONE capped rebar at its intersection with the division line between the property now or formerly of Mary B. Toomey per L. 445 P. 202 (TM# 30.-2-8.1) on the west and said Cavallacci on the east; thence along the division lines between said Toomey and said Cavallacci the following three (3) courses and distances:

- 1) N24°08'20"E, a distance of 1157.87 feet to a KEYSTONE capped rebar;
- 2) N65°57'47"W, a distance of 1203.42 feet to a stone pile;
- 3) S22°28'32"W, a distance of 1424.75 feet to a 5/8 inch rebar at its intersection with the division line between the property now or formerly of S. Toomey Trust per Inst. 2008-00042551 (TM# 30.-2-8.4) on the east and said Cavallacci on the west; thence S25°05'39"W along the last mentioned division line, along the division line between another property now or formerly of S. Toomey Trust (TM# 30.-2-8.3) on the east and said Cavallacci on the west, passing through a 3/4 inch rebar in a stone pile, along the division line between the property now or formerly of Joan Toomey Grund & Elizabeth Grund per Inst. 2011-631 (TM# 30.-2-8.2) on the east and said Cavallacci on the west and passing through a 5/8 inch rebar, a distance of 552.24 feet to a 5/8 inch rebar at its intersection with the northeasterly boundary of said Hartwood Road; thence generally northwesterly along said Hartwood Road the following eighteen (18) courses and distances:

- 1) On a curve to the right having a radius of 1181.45 feet, an arc length of 243.37 feet to a point, said curve being subtended by a chord having a bearing of N51°47'04"W and a length of 242.94 feet;
- 2) N45°53'02"W, a distance of 152.30 feet to a point;
- 3) On a curve to the left having a radius of 1448.72 feet, an arc length of 342.07 feet to a point, the last mentioned curve being subtended by a chord having a bearing of N52°38'54"W and a length of 341.27 feet;
- 4) N59°24'45"W, a distance of 228.31 feet to a point;
- 5) N59°30'11"W, a distance of 268.36 feet to a point;
- 6) On a curve to the left having a radius of 2864.56 feet, an arc length of 586.45 feet to a point, the last mentioned curve being subtended by a chord having a bearing of N65°22'05"W and a length of 585.43 feet;
- 7) N71°13'59"W, a distance of 277.06 feet to a point;
- 8) N69°47'57"W, a distance of 156.86 feet to a point;
- 9) N68°21'08"W, a distance of 260.54 feet to a point;
- 10) N69°08'04"W, a distance of 147.11 feet to a point;
- 11) On a curve to the left having a radius of 2887.92 feet, an arc length of 451.22 feet to a point, the last mentioned curve being subtended by a chord having a bearing of N73°36'37"W and a length of 450.76 feet;
- 12) N78°05'11"W, a distance of 127.74 feet to a point;
- 13) N74°46'36"W, a distance of 55.76 feet to a point;
- 14) On a curve to the right having a radius of 1190.87 feet, an arc length of 373.82 feet to a point, the last mentioned curve being subtended by a chord having a bearing of N65°47'03"W and a length of 372.28 feet;
- 15) N56°50'16"W, a distance of 384.41 feet to a point;
- 16) N57°32'12"W, a distance of 65.28 feet to a point;



**SCHEDULE "A" CONTINUED:**

- 17) On a curve to the left having a radius of 3405.84 feet, an arc distance of 175.35 feet to a point, the last mentioned curve being subtended by a chord having a bearing of N59°00'41"W and a length of 175.33 feet;  
18) N60°29'11"W, a distance of 33.09 feet the POINT OF BEGINNING.

Excepting from the above described parcel the following three 'Out Parcels':

**OUT PARCEL 1**

Out Parcel 1 being all of the property now or formerly of Victor A. Grund & Joan T. Grund described in L. 856 P. 168 on May 02, 1977 (TM# 30.-2-2), bounded and described as follows:

COMMENCING at a concrete monument on the northeasterly boundary of Hartwood Road at its intersection with the easterly boundary of State Route 42; thence N85°51'05"E from said Point of Commencement, a distance of 527.09 feet to a point at its intersection with the division line between said Grund on the northeast and said Cavallacci on the southwest, the last mentioned point being the Point of Beginning;

RUNNING THENCE along the division lines between said Grund and said Cavallacci the following ten (10) courses and distances:

- 1) N38°58'06"W, a distance of 89.69 feet to a point;
- 2) S84°39'54"W, a distance of 102.10 feet to a point;
- 3) N05°44'54"E, a distance of 157.70 feet to a point;
- 4) N78°31'11"E, a distance of 194.59 feet to a concrete monument;
- 5) S26°30'00"E, a distance of 45.20 feet to a point;
- 6) S32°35'15"E and passing through an anchor bolt, a distance of 125.13 feet to a point on the approximate edge of water of Forestburgh Pond;
- 7) S40°16'34"W along said edge of water, a distance of 24.42 feet to a point;
- 8) S48°50'23"W along said edge of water, a distance of 92.43 feet to a point;
- 9) S51°22'32"W along said edge of water, a distance of 53.95 feet to a point;
- 10) N69°33'17"W along said edge of water, a distance of 9.03 feet to the POINT OF BEGINNING. Containing 48,043 square feet or 1.103 acres, more or less

**OUT PARCEL 2**

Out Parcel 2 being all of the property now or formerly of David Licht & Doris Licht described in Instrument 2015-322 on January 16, 2015 (TM# 30.-2-3), bounded and described as follows:

COMMENCING at a concrete monument on the northeasterly boundary of Hartwood Road at its intersection with the easterly boundary of State Route 42; thence N73°04'02"E from said Point of Commencement, a distance of 793.85 feet to a point at its intersection with the division line between said Licht on the northeast and said Cavallacci on the southwest, the last mentioned point being the Point of Beginning;

RUNNING THENCE along the division lines between said Licht and said Cavallacci the following five (5) courses and distances:

- 1) N23°54'18"W, a distance of 291.86 feet to a 1/2 inch pipe;
- 2) N81°07'42"E, a distance of 354.20 feet to a 1/2 inch pipe in a stone pile;
- 3) S10°59'15"E, a distance of 229.80 feet to a point on the approximate edge of water of Forestburgh Pond;
- 4) S76°17'44"W along said edge of water, a distance of 56.87 feet to a point;
- 5) S69°29'26"W, a distance of 235.14 feet to the POINT OF BEGINNING. Containing 82,300 square feet or 1.889 acres, more or less.

**OUT PARCEL 3**

Out Parcel 3 being all of the property now or formerly of Anna Ruth Henriques described in Instrument 2014-2836 on May 06, 2014 (TM# 30.-2-



**SCHEDULE "A" CONTINUED:**

4.2 and TM# 30.-2-4.3) and all of the property now or formerly of Jennifer Eloise Langusch described in Instrument 2015-912 on February 17, 2015 (TM# 30.-2-5), hereinafter referred to as Henriques & Langusch, bounded and described as follows:

COMMENCING at a concrete monument on the northeasterly boundary of Hartwood Road at its intersection with the easterly boundary of State Route 42; thence N72°42'26"E from said Point of Commencement, a distance of 1184.57 feet to a point at its intersection with the division line between said Henriques (TM# 30.-2-4.3) on the east and said Cavallacci on the west, the last mentioned point being the Point of Beginning;

RUNNING THENCE along the division lines between said Henriques & Langusch and said Cavallacci the following fourteen (14) courses and distances:

- 1) N10°56'33"W, a distance of 220.42 feet to a point;
- 2) N04°11'12"E, a distance of 388.00 feet to a point;
- 3) S80°47'58"E, a distance of 489.91 feet to a 5/8 inch rebar;
- 4) N09°41'14"E, a distance of 436.84 feet to a 5/8 inch rebar;
- 5) S80°19'45"E, a distance of 385.59 feet to a 5/8 inch rebar;
- 6) S09°42'23"W and passing through a 5/8 inch rebar, a distance of 611.75 feet to a point on the approximate edge of water of Forestburgh Pond;
- 7) S43°48'12"W along said edge of water, a distance of 114.69 feet to a point;
- 8) Along said edge of water as it winds and turns along 2 inlets, a distance of 283 feet, more or less, to a point, being subtended by a tie between the last 2 mentioned points of S60°38'51"W and a tie length of 138.40 feet;
- 9) S72°39'47"W along said edge of water, a distance of 49.01 feet to a point;
- 10) N81°14'34"W along said edge of water, a distance of 62.69 feet to a point;
- 11) S82°12'29"W along said edge of water, a distance of 85.43 feet to a point;
- 12) S72°55'51"W along said edge of water, a distance of 162.79 feet to a point;
- 13) S80°35'29"W along said edge of water, a distance of 111.07 feet to a point;
- 14) S71°20'45"W along said edge of water, a distance of 170.96 feet to the POINT OF BEGINNING. Containing 527,929 square feet or 12.120 acres, more or less.

The above described parcel contains 23,815,400 square feet or 546,726 acres, more or less.

The above described parcel is subject to the following as shown on the hereinafter described map:

- 1) 30 foot Right of Way for Stag Forest Road.
- 2) 10 foot Driveway Easement for David & Doris Licht (TM# 30.-2-3).
- 3) 10 Foot Driveway Easement for Victor & Joan Grund (TM# 30.-2-2).
- 4) 30 foot Electric Easement for Powe Lines.
- 5) 30 foot Right of Way for Woodland Drive.

The above described parcel is subject to any and all other easements of record and/or as found in the field.

Bearings are referred to True North at the 74°30' Meridian of West Longitude.

Reference is made to a map entitled "Boundary Survey - Outbounds, Forestburgh Pond, NYS Route 42, Town of Forstburgh, Sullivan County, NY" prepared by Keystone Associates Architects, Engineers and Surveyors, LLC as project number 392.12119, sheet C010 dated January 10, 2020 and revised through September 11, 2020.