

Franklin County  
Wanda D. Murtagh  
Franklin County Clerk  
Malone, NY 12953

Document# 00000299  
Volume: 937 Page: 129



60 2007 00000299

Instrument Number: 2007- 00000299

As  
Easement

Recorded On: January 19, 2007

Parties: VINCENT SILAS M JR

To  
NOBLE CHATEAUGAY WINDPARK LLC

Billable Pages: 13

Recorded By: HUGHES, STEWART & RACE

Num Of Pages: 14

Comment:

\*\* Examined and Charged as Follows.

Easement	75.00	TP-584		5.00		
Recording Charge:	80.00					
		Consideration				
	Amount	Amount	RS# /CS#			
Tax Transfer	110.00	27,090.00	TT 1091	Basic	0.00	
BURKE				Additional	0.00	Special Additional 0.00
					Transfer	110.00
Tax Charge:	110.00					

\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Franklin County,

File Information:

Document Number: 2007- 00000299  
Receipt Number: 23268  
Recorded Date/Time: January 19, 2007 03:49:01P  
Book-Vol/Pg: Bk-DE VI-937 Pg-129  
Cashier / Station: K C / Cash Station 1

Record and Return To:

HUGHES, STEWART & RACE, P.C.  
31 ELM ST  
P O BOX 788  
MALONE NY 12953



*Wanda D Murtagh*  
Wanda D Murtagh  
Franklin County Clerk

Exhibit B

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Hughes Stewart & Race, P.C.  
31 Elm Street, P.O. Box 788  
Malone, New York 12953  
Attn: Nathan N. Race, Esq.

(Space above this line for Recorder's use only)

Silas M. Vincent, Jr., Sandra C. Vincent, David Vincent ("Owner")  
and

Noble Chateaugay Windpark, LLC, a Limited Liability Company ("Developer")

**MEMORANDUM OF WINDPARK EASEMENT AGREEMENT**

December 29, 2006

This instrument affects real and personal property situated, lying, and being in the Town of Chateaugay, State of New York, known as follows:

<b>Town:</b>	Burke	Burke	Burke	Burke	Burke
<b>Map No:</b>	59	59	59	73	73
<b>Block(s):</b>	1	1	1	1	1
<b>Lot(s):</b>	21	22.100	23.100	2.100	2.100
<b>Town:</b>	Burke	Burke	Burke	Burke	Burke
<b>Map No:</b>	86	86	86	86	86
<b>Block(s):</b>	2	2	2	2	2
<b>Lot(s):</b>	5	16	17.100	17.200	17.200
<b>Town:</b>	Burke	Burke	Burke	Burke	Burke
<b>Map No:</b>	86	86	86	100	100
<b>Block(s):</b>	3	3	3	2	2
<b>Lot(s):</b>	3	7	8.100	1.200	1.200
<b>Town:</b>	Burke	Burke	Burke	Burke	Burke
<b>Map No:</b>	100	100	100	100	100
<b>Block(s):</b>	2	2	2	1	2
<b>Lot(s):</b>	2.100	5	1.100	12.500	2.200

35  
50  
110  
5  
190-

MEMORANDUM OF WINDPARK EASEMENT AGREEMENT

THIS MEMORANDUM OF WINDPARK EASEMENT AGREEMENT is made and entered into as of December 29, 2006, by and between Silas M. Vincent, Jr., Sandra C. Vincent, David Vincent of 22 Panunzio Road, Burke, New York and Vincent Road, Burke, New York ("Owner"), and Noble Chateaugay Windpark, LLC, a Limited liability Company formed under the laws of Delaware, of 8 Railroad Avenue, Essex, CT 06412 ("Developer").

WHEREAS:

A. On the date hereof, the Parties have entered into a Windpark Easement Agreement (the "Agreement") which by its terms grants to Developer certain easements for wind energy development on, over, under and across that certain land described in Exhibit B-1 attached hereto and incorporated herein by this reference (the "Property").

B. The term of the Agreement commences on the date hereof and may continue for a period of up to fifty-four (54) years in accordance with the terms of the Agreement, unless earlier terminated as provided in the Agreement.

C. The Parties desire to enter into this Memorandum of Windpark Easement Agreement, which is to be recorded in order that third parties may have notice of the interests of Developer in the Property and of the existence of the Agreement and of certain easements and rights granted to Developer in the Property as part of the Agreement.

NOW, THEREFORE, in consideration of the payments and covenants provided in the Agreement to be paid and performed by Developer, Owner hereby grants to Developer the Easements (as that term is defined in the Agreement) on, over, under and across the Property, all on the terms and conditions set forth in the Agreement. All of the terms, conditions, provisions and covenants of the Agreement are hereby incorporated into this Memorandum by reference as though fully set forth herein, and the Agreement and this Memorandum shall be deemed to constitute a single instrument or document. Should there be any inconsistency between the terms of this Memorandum and the Agreement, the terms of the Agreement shall prevail. The Agreement contains the entire agreement of the Parties with respect to the subject matter thereof, and any prior or contemporaneous agreements, discussions or understandings, written or oral (including without limitation any options or agreements for easements previously entered into by the Parties with respect to the Property), are superseded by the Agreement and shall be and hereby are released, revoked and terminated.

*[signature page follows]*

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Windpark Easement Agreement as of the date set forth above.

OWNER

Silas M. Vincent Jr.  
Silas M. Vincent, Jr.

OWNER

Sandra C. Vincent  
Sandra C. Vincent

OWNER

David Vincent  
David Vincent

Spousal Consent

Mary R. Vincent  
Name: Mary R. Vincent

DEVELOPER

By: D. P. Boyd  
Name: Daniel P. Boyd  
Title: Associate