ENGINEER’S REPORT

VISTA PUBLIC WATER DISTRICT EXTENSION
TO SERVE
THE PROPOSED

VISTA TECHNOLOGY CAMPUS

TOWN OF BETHLEHEM
&
TOWN OF NEW SCOTLAND
ALBANY COUNTY, NEW YORK

March 7, 2008
Amended September 29, 2008
Amended January 2, 2009
Amended March 10, 2009
Amended May 6, 2009

Prepared by:

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Consulting Engineers
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INTRODUCTION

Hershberg & Hershberg, Consulting Engineers, were retained by Vista Development Group, LLC, developer of the proposed VISTA TECHNOLOGY CAMPUS (hereinafter the “Applicant”), to prepare final civil engineering design of the proposed development. The location of this project is shown in Appendix 1 – Location Map. One task was to design the water distribution system within the VISTA TECHNOLOGY CAMPUS.

EXISTING CONDITIONS

This area will require an extension of the Town of Bethlehem’s New Scotland-McCormack Road Water District (Water District No. 1). The site is currently undeveloped with the exception of a single residence.

DESCRIPTION OF PROPOSED SITE USAGE:

A Phase 1A which includes the infrastructure improvements along Vista Boulevard and connections to existing sewer and water services has been defined. This also includes Building P a 40,000 SF office building. Further development includes construction of a Phase I which includes a mixture of retail uses, condominiums and office space. This Phase includes seventeen buildings. Four of these are planned for condominium use. One is a medical office building, two are technical office buildings, one is a general office building, one is a manufacturing facility and eight are retail or mixed use buildings. Phase 1 is planned to be constructed between January 2009 and July 2012.

A Phase II which is a mixture of technical office and general office buildings in eight buildings totaling 547,000+/- SF is proposed to be complete by 2018. A Phase III which includes technical office and general office buildings in three buildings totaling 220,000+/- SF and is proposed to be complete by 2021.

The exact schedule and building configuration will be dictated by market demands and the needs of tenants.
PROPOSED DEVELOPMENT OF WATER SERVICE

Twelve inch water mains have been extended to the site in preparation for the connection. The Applicant proposes to construct the VISTA water distribution system and dedicate this to the Town of Bethlehem. An extension to the water system is described in a petition included in Appendix 2 (including a water district extension map). The proposed system is as shown on a plan in Appendix 6.

ESTIMATED WATER DEMAND

A schedule of water demand is shown in Appendix 3. Based upon this the average daily use at buildout is 145,376 GPD. At the buildout of Phase 1 the average daily use would be 72,912 GPD.

FIRE FLOW

The estimated fire flow demand and provided fire flow was studied in March, 2007 by O’Brien and Gere. The study assumed a required fire flow of 1,250 GPM. The study found that with the extension of a 12 inch main into the site that fire flow demand can be met. That study is included as Appendix 5.

COST OF WATER SYSTEM IMPROVEMENTS

The estimated total cost of the mains and hydrants is $1,429,318 (2008 $). See Appendix 4.

IMPACT ON WATER DISTRIBUTION SYSTEM

The impact of the water distribution system was studied in March, 2007 by O’Brien and Gere. That study is included as Appendix 5.
ENGINEER'S CONCLUSION

It is the engineer's conclusion that the system described in this report will provide a publicly owned and maintained water extension which is capable of serving the Vista Technology Campus at full buildout and at all levels leading up to the full buildout level.

Prepared by:

Daniel R. Hershberg, P.E. & L.S.
Hershberg & Hershberg
Consulting Engineers
APPENDIX 1

SITE LOCATION MAP
APPENDIX 2

PETITION FOR WATER EXTENSION & WATER DISTRICT EXTENSION MAP
IN THE MATTER

OF THE VISTA EXTENSION OF WATER

DISTRICT NO. 1 IN THE

PETITION

TOWN OF BETHLEHEM,

ALBANY COUNTY, NEW YORK

TO THE TOWN BOARD OF THE TOWN OF BETHLEHEM, COUNTY OF ALBANY, STATE OF NEW YORK:

We, the undersigned petitioners, being the owners of taxable real property situated within the proposed Vista Extension Water District No.1 hereinafter described, owning in the aggregate at least one-half of the assessed valuation of all of the taxable real property within the proposed Extension, as shown upon the latest completed assessment roll of the Town of Bethlehem, County of Albany, State of New York, and certain petitioners also being resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed Extension owned by resident owners; hereby petition as follows:

1. The Town Board shall establish the Vista Extension to Water District No. 1 in the territory located in the Town of Bethlehem, County of Albany, State of New
York, outside of any incorporated village, and totally within the Town of Bethlehem, which proposed Extension is bounded and described as indicated in Exhibit A, annexed hereto.

2. Also annexed to this Petition as Exhibit B is an ENGINEER’S REPORT, VISTA PUBLIC WATER EXTENSION TO SERVE THE PROPOSED VISTA TECHNOLOGY CAMPUS, TOWN OF BETHLEHEM & TOWN OF NEW SCOTLAND ALBANY COUNTY, NEW YORK dated March 7, 2008, as amended September 29, 2008 prepared by Hershberg & Hershberg, Consulting Engineers., competent engineers duly licensed by the State of New York, showing the boundaries of the proposed and Extension a general plan of the proposed water system improvements to be constructed.

3. The improvements proposed by the petition consist of the installation of water lines to connect to existing Town water mains to service properties within the proposed Vista Extension, in accordance with the map, plan and report annexed as Exhibit B to this petition.

4. The maximum amount proposed to be expended is One Dollar ($1.00). The improvements will be constructed by the petitioners and conveyed to the Town at no cost.
5. The expense of operation and maintenance of the proposed Vista Extension are proposed to be borne by the owners of the several lots and parcels within the Vista Extension so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvements shall confer upon the same.

Dated: Bethlehem, New York

__________, 2009
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<th>NAME</th>
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<td>ADRIENNE R. JONES</td>
<td></td>
<td></td>
<td>74.00-1-30</td>
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STATE OF NEW YORK  
COUNTY OF ALBANY  

On this ___ day of October, in the year 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared ___________________, 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 their capacity, and that by his signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.

_____________________________
Notary Public

STATE OF NEW YORK  
COUNTY OF ALBANY  

On this ___ day of October, in the year 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared William Seaborn Jones, 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 their capacity, and that by his signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.

_____________________________
Notary Public

STATE OF NEW YORK  
COUNTY OF ALBANY  

On this ___ day of October, in the year 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Adrienne R. Jones, 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 their capacity, and that by his signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.

_____________________________
Notary Public
EXHIBIT A

DESCRIPTION OF THE VISTA EXTENSION TO WATER DISTRICT NO. 1
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK

ALL that parcel of land situate in the Town of Bethlehem, County of Albany, State of New York being more particularly bounded and described as follows:

BEGINNING at a point in the southeast line of lands conveyed to William Seaborn Jones and Adrienne R. Jones by deed recorded in the Office of the Clerk of Albany County in Book 2303 of Deeds at Page 499 (said parcel also being identified as Tax Map Parcel 74.00-1-30), said point being 57.07 feet distant as measured along the northwest line of a parcel of land conveyed to John H. Breeze by deed recorded in the Office of the Clerk of Albany County in Book 2186 of Deeds at Page 649 on a bearing of S. 29º-46'-56” W. from the northwest corner of said parcel of land conveyed to John H. Breeze by deed recorded in the Office of the Clerk of Albany County in Book 2186 of Deeds at Page 649; said point also being the southeast corner of a parcel of land shown on a map entitled “Acquisition Map Slingerlands Bypass, Part 3, S.H. No. 2006-1 as Map 6, Parcel 6; THENCE along the southeasterly and southwesterly bounds of lands of William Seaborn Jones and Adrienne R. Jones by the following twenty one (21) courses and distances:

1) S. 29º-46'-56” W., a distance of 413.60 feet to a point;
2) N. 59º-22'-02” W., a distance of 225.41 feet to a point;
3) N. 63º-33'-59” W., a distance of 291.76 feet to a point;
4) N. 60º-01'-03” W., a distance of 301.32 feet to a point;
5) N. 62º-29'-51” W., a distance of 155.46 feet to a point;
6) S. 16º-07'-23” W., a distance of 202.08 feet to a point;
7) N. 52º-59'-33” W., a distance of 146.43 feet to a point;
8) S. 35º-01'-34” W., a distance of 315.25 feet to a point;
9) N. 78º-09'-55” W., a distance of 271.01 feet to a point;
10) N. 79º-25'-12” W., a distance of 481.07 feet to a point;
11) N. 56º-13'-48” W., a distance of 858.00 feet to a point;
12) S. 27º-37'-57” W., a distance of 823.02 feet to a point;
13) N. 47º-07'-03” W., a distance of 8.58 feet to a point;
14) N. 64º-07'-03” W., a distance of 188.76 feet to a point;
15) N. 46º-22'-03” W., a distance of 145.86 feet to a point;
16) N. 65º-22'-03” W., a distance of 113.52 feet to a point;
17) N. 01º-15'-58” E., a distance of 51.48 feet to a point;
18) S. 27º-37'-46” W., a distance of 151.80 feet to a point;
19) N. 31º-46'-20” W., a distance of 643.23 feet to a point;
20) N. 80º-27'-35” W., a distance of 304.78 feet to a point;
21) N. 59º-21'-56” W., a distance of 126.44 feet to a point in the Town Line between the Town of New Scotland on the northwest and the Town of Bethlehem on the southeast;
thence along the Town Line between the Town of New Scotland on the northwest and the Town of Bethlehem on the southeast by the following nine (9) courses;

1) N. 25º-45’-29” E., a distance of 422.85 feet to a point;
2) N. 23º-17’-23” E., a distance of 641.20 feet to a point;
3) N. 20º-51’-30” E., a distance of 442.15 feet to a point;
4) N. 22º-37’-08” E., a distance of 344.71 feet to a point;
5) N. 19º-47’-59” E., a distance of 646.42 feet to a point;
6) N. 17º-28’-20” E., a distance of 155.13 feet to a point;
7) N. 14º-24’-10” E., a distance of 482.99 feet to a point;
8) N. 17º-38’-19” E., a distance of 656.37 feet to a point;
9) N. 20º-45’-48” E., a distance of 262.88 feet to a point in the centerline of the Normans Kill;

thence easterly along the centerline of the Normans Kill, as it winds and bends, a distance of 430 feet, more or less, to a point in the centerline of the Normans Kill, said point being 397.55 feet distant on a bearing of N. 68º-31’-37” E. from the first mentioned point in the centerline of the Normans Kill; thence along the easterly and northerly lines of lands of William Seaborn Jones and Adrienne R. Jones, by the following four (4) courses and distances:

1) S. 07º-51’-12” E., a distance of 624.74 feet to a point;
2) N. 75º-08’-48” E., a distance of 782.10 feet to a point;
3) S. 76º-51’-12” E., a distance of 1,080.30 feet to a point;
4) S. 32º-49’-51” W., a distance of 0.41 feet to a point which is the most northerly corner of a parcel of land conveyed by Clark Trading Corporation to Vista Development Group, LLC, by deed recorded in the Office of the Clerk of Albany County in Book 2836 of Deeds at Page 107 (said parcel also being identified as Tax Map Parcel 74.00-1-29.1);

thence along the northerly, northeasterly and southeasterly bounds of a parcel of land conveyed by Clark Trading Corporation to Vista Development Group, LLC, by deed recorded in the Office of the Clerk of Albany County in Book 2836 of Deeds at Page 107 (said parcel also being identified as Tax Map Parcel 74.00-1-29.1) by following six (6) courses and distances:

1) S. 77º-24’-20” E., a distance of 102.45 feet to a point;
2) S. 33º-13’-04” E., a distance of 419.68 feet to a point;
3) S. 69º-13’-04” E., a distance of 151.80 feet to a point;
4) S. 10º-37’-04” E., a distance of 935.56 feet to a point;
5) S. 11º-58’-04” E., a distance of 450.18 feet to a point;
6) S. 07º-43’-04” E., a distance of 477.06 feet to a point in the northwesterly line of a parcel of land shown on a map entitled “Acquisition Map Slingerlands Bypass, Part 3, S.H. No. 2006-1 as Map 4, Parcel 4;
thence along the lines of three parcels of land shown on a map entitled “Acquisition Map Slingerlands Bypass, Part 3, S.H. No. 2006-1, and known as Map 4, Parcel 4; Map 13, Parcel 13 and Map 6, Parcel 6 by following ten (10) courses and distances:

1)  S. 69º-38'-19"W., a distance of 140.85 feet to a point;
2)  S. 40º-29'-10"W., a distance of 392.29 feet to a point;
3)  S. 15º-56'-33"W., a distance of 17.54 feet to a point;
4)  N. 83º-31'-28"W., a distance of 137.70 feet to a point;
5)  S. 13º-36'-18"W., a distance of 111.35 feet to a point;
6)  S. 55º-49'-16"E., a distance of 138.23 feet to a point;
7)  S. 15º-56'-33"W., a distance of 130.46 feet to a point;
8)  S. 18º-31'-57” E., a distance of 361.30 feet to a point;
9)  S. 31º-12'-35” E., a distance of 339.02 feet to a point;
10) S. 60º-57'-28” E., a distance of 218.50 feet

EXCEPTING that portion of the lands described above that are southeast of a line running parallel to and 1000 feet to the northwest of the centerline of New Scotland Road (such lands lying within the current boundaries of Water District No. 1).
APPENDIX 4

COST ESTIMATE
APPENDIX 6

UTILITY PLANS PHASE 1A WATER SYSTEMS
VISTA TECHNOLOGY CAMPUSS
(COMPLETE IN 6 SHEETS)

SHEETS C-2, C-3, C-4, C-5, C-7, C-13