

**RESOLUTION RELEASING OPTION TO PURCHASE, AS OF RECORD**

**WHEREAS, the Rensselaer County Industrial Development Agency (the Agency) did obtain, on or about September 1, 2005, an option to purchase certain property as described in the attached Memorandum of Option; and**

**WHEREAS, by its terms the said option expired on August 31, 2006; and**

**WHEREAS, said option did provide for two additional extension periods of one hundred-eighty (180) days each, which extensions were never sought nor obtained by the Agency; and**

**WHEREAS, the Agency neither had, nor has, any intent or desire to exercise said option which has long since expired; and**

**WHEREAS, the parties to said option are desirous of demonstrating, for the record, that said option has expired and that the Agency has no further interest therein nor any intent or desire to make a claim with respect thereto; now therefore be it**

**RESOLVED, that the Chairman of the Agency is hereby authorized to execute such documents as may be necessary to demonstrate, as of record, that the said option has expired and any interest of the Agency in said option is released, as of record.**

**Resolution ADOPTED by the following vote:**

**Ayes: 6**

**Nays: 0**

**Abstentions: 0**

**December 10, 2020**

STATE OF NEW YORK                    )  
  ) SS.:  
COUNTY OF RENSSELAER            )

I, the undersigned (Assistant) Secretary of Rensselaer County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on December 10, 2020 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 10th day of December, 2020.

  
\_\_\_\_\_  
(Assistant) Secretary

(SEAL)

## RECORD AND RETURN TO:

Hodgson Russ LLP  
677 Broadway, Suite 301  
Albany, NY 12207

Attention: John State, Esq.

## MEMORANDUM OF OPTION

## NAME AND ADDRESS OF OPTIONOR ("Optionor"):

SNOOK MATERIALS GROUP LLC  
315 Partition Street  
Rensselaer, New York 12114  
Attention: Roderick J. Valente

Doc# 00208973  
Bk: 3093 Pg: 195

NAME AND ADDRESS OF OPTIONEE ("Optionee"):  
RENSSELAER COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
c/o Rensselaer County Department of Economic Development & Planning  
Rensselaer County Office Building  
1600 Seventh Avenue  
Troy, New York 12180  
Attention: Chairman

Optionor and Optionee have entered into a certain option agreement dated as of September 3, 2005 (the "Option Agreement") covering the premises described below (the "Premises"). Pursuant to the Option Agreement, Optionor grants to Optionee an option to purchase the Premises pursuant to the terms of the Option. Optionor and Optionee have caused this Memorandum of Option to be executed in their respective names by their respective duly authorized officers and to be dated as of the day and year first written above.

## DATE OF OPTION AGREEMENT:

September 3, 2005

## DESCRIPTION OF PREMISES.

A) that tract or parcel of land located in the Town of Schodack, Rensselaer County, New York being more particularly described as follows:

An approximately 56 acre parcel of land (and various improvements located thereon) now or formerly owned by Snook Materials Group LLC and located in the Town of Schodack, Rensselaer County, New York, said premises being identified on the Rensselaer County Tax Records as Tax Map Number 189-10-40.13, the approximate boundaries of said premises being highlighted on the sketch attached hereto as Exhibit A.

## DATE OF COMMENCEMENT OF OPTION AGREEMENT:

September 1, 2005.

## DATE OF EXPIRATION OF OPTION AGREEMENT:

August 31, 2006.

## EXTENSION PERIODS:

Two (2) additional consecutive periods of one hundred eighty (180) days each.

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IN WITNESS WHEREOF, the parties hereto have respectively executed this  
Memorandum of Option as of this 19th day of September, 2005.

## Optionor:

SNOOK MATERIALS GROUP LLC

By: Roderick J. Valente  
Roderick J. Valente, Managing Member

## Optionee:

RENSSELAER COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

By: [Signature]  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF New York )  
COUNTY OF Albany )

On the 19th day of September, in the year 2005, before me, the undersigned, a notary public in and for said state, personally appeared Roderick J. Valente, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]  
Notary Public  
CINDY A. HUDSON  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN SARATOGA COUNTY  
NO. 01105074807  
MY COMMISSION EXPIRES MARCH 14, 2007

STATE OF NEW YORK )  
COUNTY OF RENSSELAER )

On the 20th day of September, in the year 2005, before me, the undersigned, a notary public in and for said state, personally appeared ROBERT F. CARPENTER, JR., personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]  
Notary Public  
GEORGE W. CREGG, JR.  
Notary Public, State of New York  
Qualified in Albany County  
No. 5855001  
C-1 Commission Expires November 30, 2006