



BROOME COUNTY – STATE OF NEW YORK
AARON M. MARTIN, COUNTY CLERK
60 HAWLEY STREET, P.O. BOX 2062
BINGHAMTON, NY 13902

COUNTY CLERK'S RECORDING PAGE

*****THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH*****



BOOK/PAGE: D2834 / 352
INSTRUMENT #: 202600022386

Receipt#: 20261383168
Clerk: GG
Rec Date: 08/13/2026 01:46:30 PM
Doc Grp: D
Descrip: EASEMENT
Num Pgs: 6
Rec'd Frm: FRONTIER ABSTRACT AND RESEARCH
SERVICES

Party1: NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
Party2: NEIGHBORHOOD REDEMPTION CENTER
INC
Town: VILLAGE OF ENDICOTT

Recording:

Cover Page	5.00
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	10.00

Sub Total: 80.00

Transfer Tax	
Transfer Tax - State	0.00
Transfer Tax - County	0.00

Sub Total: 0.00

Total: 80.00

****** NOTICE: THIS IS NOT A BILL ******

******* Transfer Tax *******
Transfer Tax #: TT000190
Transfer Tax
Consideration: 0.00

Total: 0.00

Record and Return To:

ELECTRONICALLY RECORDED BY CSC

WARNING***

This sheet constitutes the clerks endorsement,
required by Section 316-A (5) & Section 319 of the
Real Property Law of the State of New York. DO
NOT DETACH.

Aaron M. Martin
Broome County Clerk

ENVIRONMENTAL NOTICE

To be issued in lieu of Environmental Easement/Deed Restriction as referenced in DER-33

THIS ENVIRONMENTAL NOTICE is made the 31st day of July 2024, by the New York State Department of Environmental Conservation (NYSDEC), having an office for the transaction of business at 625 Broadway, Albany, New York 12233.

WHEREAS, a parcel of real property identified as Former Canada Dry (Site # 704050), located at 2 Badger Avenue in the Village of Endicott, County of Broome, State of New York, which is part of lands conveyed by County of Broome to Neighborhood Redemption Center Inc. by deed dated June 4, 2015 and recorded in the Broome County Clerk's Office on July 2, 2015 in Book 2466 of Deeds at Page 46, and being more particularly described in Appendix "A", attached to this noticed and made a part hereof; and

WHEREAS, NYSDEC approved a cleanup to address contamination disposed at the Property and such cleanup was conditioned upon certain limitations.

NOW, THEREFORE, NYSDEC provides notice that:

FIRST, the Property subject to this Environmental Notice is as shown on a map attached to this Notice as Appendix "B" and made a part hereof.

SECOND, unless prior written approval by NYSDEC or, if NYSDEC shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State's citizens, hereinafter referred to as "the Relevant Agency," is first obtained, where contamination remains at the Property subject to the provisions of the Site Management Plan ("SMP"), there shall be no disturbance or excavation of the Property which threatens the integrity of the engineering controls or which results or may result in a significantly increased threat of harm or damage at any site as a result of exposure to soils. A violation of this provision is a violation of 6 NYCRR 375-1.11(b)(2).

THIRD, no person shall disturb, remove, or otherwise interfere with the installation, use, operations, and maintenance of engineering controls required for the Remedy, including but not limited to those engineering controls described in the SMP and listed below, unless in each instance they first obtain a written waiver of such prohibition from NYSDEC or Relevant Agency.

FOURTH, the remedy was designed to be protective for the following uses: **Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv).** Therefore, any use for purposes other than Commercial and Industrial without the express written waiver of such prohibition by the Relevant Agency may result in a significantly increased threat of harm or damage at any site.

FIFTH, no person shall use the groundwater underlying the Property without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first obtains permission to do so from NYSDEC or Relevant Agency. Use of the groundwater without appropriate treatment may result in a significantly increased threat of harm or damage at any site.

SIXTH, it is a violation of 6 NYCRR 375-1.11(b) to use the Property in a manner inconsistent with this environmental notice.

IN WITNESS WHEREOF, the undersigned, acting by and through NYSDEC of Environmental Conservation as Designee of the Commissioner, has executed this instrument the day written below.

By: Andrew Guglielmi
Andrew Guglielmi, Director
Division of Remediation

STATE OF NEW YORK)
COUNTY OF Albany) ss:

On the 31 day of July, in the year 2026, before me, the undersigned, personally appeared Andrew Guglielmi, 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 as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his signature on the instrument, the individual, or the person upon behalf of which individual acted, executed the instrument.

Cheryl A. Salem
Notary Public - State of New York
Cheryl A. Salem
Notary Public State of New York
Registration No. 01SA0002177
Qualified in Albany County
My Commission Expires March 3, 2027

APPENDIX "A"

DESCRIPTION OF AN ENVIRONMENTAL ACCESS EASEMENT FOR THE REMEDIAL ACTION AREA ON TAX LOT 1 BLOCK 8 IN THE VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK.

BEING SHOWN IN ACCORDANCE WITH A PLAN ENTITLED "ENVIRONMENTAL EASEMENT PLAN, TAX LOT 1, BLOCK 8, 2 BADGER AVENUE, VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK," PREPARED BY DPK LAND SURVEYING, DATED DECEMBER 29, 2022.

BEGINNING AT A POINT AT THE NORTHWESTERLY TERMINUS OF BADGER AVENUE (VARIABLE WIDTH RIGHT OF WAY) WHERE THE SAME IS INTERSECTED BY THE DIVIDING LINE BETWEEN TAX LOTS 1 AND 10 BLOCK 8 AND RUNNING, THENCE;

1. LONG THE WESTERLY SIDELINE OF SAID BADGER AVENUE, SOUTH 02 DEGREES 20 MINUTES 01 SECONDS EAST, 90.35 FEET TO A POINT; THENCE
2. ALONG THE NORTHERLY SIDELINE OF SAID BADGER AVENUE AND TAX LOTS 1 AND 2 BLOCK 8, SOUTH 86 DEGREES 04 MINUTES 58 SECONDS WEST, 121.23 FEET TO A POINT;
3. THENCE ALONG THE DIVIDING LINE BETWEEN TAX LOTS 1 AND 2 BLOCK 8, NORTH 04 DEGREES 10 MINUTES 15 SECONDS WEST, 90.09 FEET TO A POINT; THENCE
4. ALONG THE DIVIDING LINE BETWEEN TAX LOTS 1 AND 10 BLOCK 8, NORTH 85 DEGREES 58 MINUTES 33 SECONDS EAST, 124.13 FEET TO THE PLACE OF BEGINNING.

CONTAINING 11,066 SQUARE FEET OR 0.2540 ACRES OF LAND.

APPENDIX "B"

GENERAL NOTES:

- THIS SURVEY IS PREPARED IN ACCORDANCE WITH DOCUMENTS SUPPLIED BY THE CLIENT AND THOSE OBTAINED THROUGH SUPPLEMENTAL RESEARCH BY DPK. THE DOCUMENTS UTILIZED MAY OR MAY NOT REPRESENT ALL THE TITLE DOCUMENTS RELEVANT TO THE SUBJECT PROPERTY. IT IS STRONGLY SUGGESTED THAT A COMPLETE TITLE SEARCH BE SUPPLIED TO THE SURVEYOR FOR REVIEW PRIOR TO THE PLACEMENT OF OR ALTERATION TO IMPROVEMENTS ON THE PROPERTY.
- THIS SURVEY REPRESENTS FIELD CONDITIONS AS OF DECEMBER 1, 2022. THE UTILITIES SHOWN HAVE BEEN LOCATED FROM EVIDENCE OBSERVED ON THE SURFACE ONLY OR HAVE BEEN SHOWN GRAPHICALLY PER SUPPLIED MATERIALS. DPK LAND SURVEYING MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. DPK LAND SURVEYING FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. DPK LAND SURVEYING HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- PREMISES ARE COMMONLY KNOWN AS 2 & 7 BADGER AVENUE, VILLAGE OF ENDICOTT, NEW YORK.
- ALSO KNOWN AS LOT 1 & 10 IN BLOCK 8 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK.
- THE PROJECT VERTICAL DATUM IS BASED UPON NAVD 88 DERIVED USING RTK RECEIVERS AND KEYNET.
- IF THIS DOCUMENT DOES NOT CONTAIN A VALID SEAL OF THE UNDERSIGNED PROFESSIONAL, IT IS NOT AN AUTHORIZED ORIGINAL DOCUMENT.

MAP REFERENCES:

- MAP ENTITLED "PREPARED FOR THOMAS W. KENNEDY, SR., THOMAS W. KENNEDY, JR. & CARL E. TOUHEY, BEDGER AVENUE, VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK" PREPARED BY PURDY SURVEYING DAVID MARNICKI, PE&LS PROFESSIONAL ENGINEER AND LAND SURVEYOR, DATED MAY 30, 1995.
- MAP ENTITLED "FIGURE 1 SITE MAP FORMER CANADA DRY PLANT 2 & 7 BADGER AVE, ENDICOTT, NEW YORK" PREPARED BY C.T. MALE ASSOCIATES, DATED 03/22/2021, LAST REVISED, DATED 04/30/2021.
- MAP ENTITLED "AS-BUILT SURVEY, TAX LOTS 1 & 10 BLOCK 8, 2 & 7 BADGER AVENUE, VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK" PREPARED BY DPK LAND SURVEYING, DATED DECEMBER 4, 2022.

ENVIRONMENTAL EASEMENT DESCRIPTION

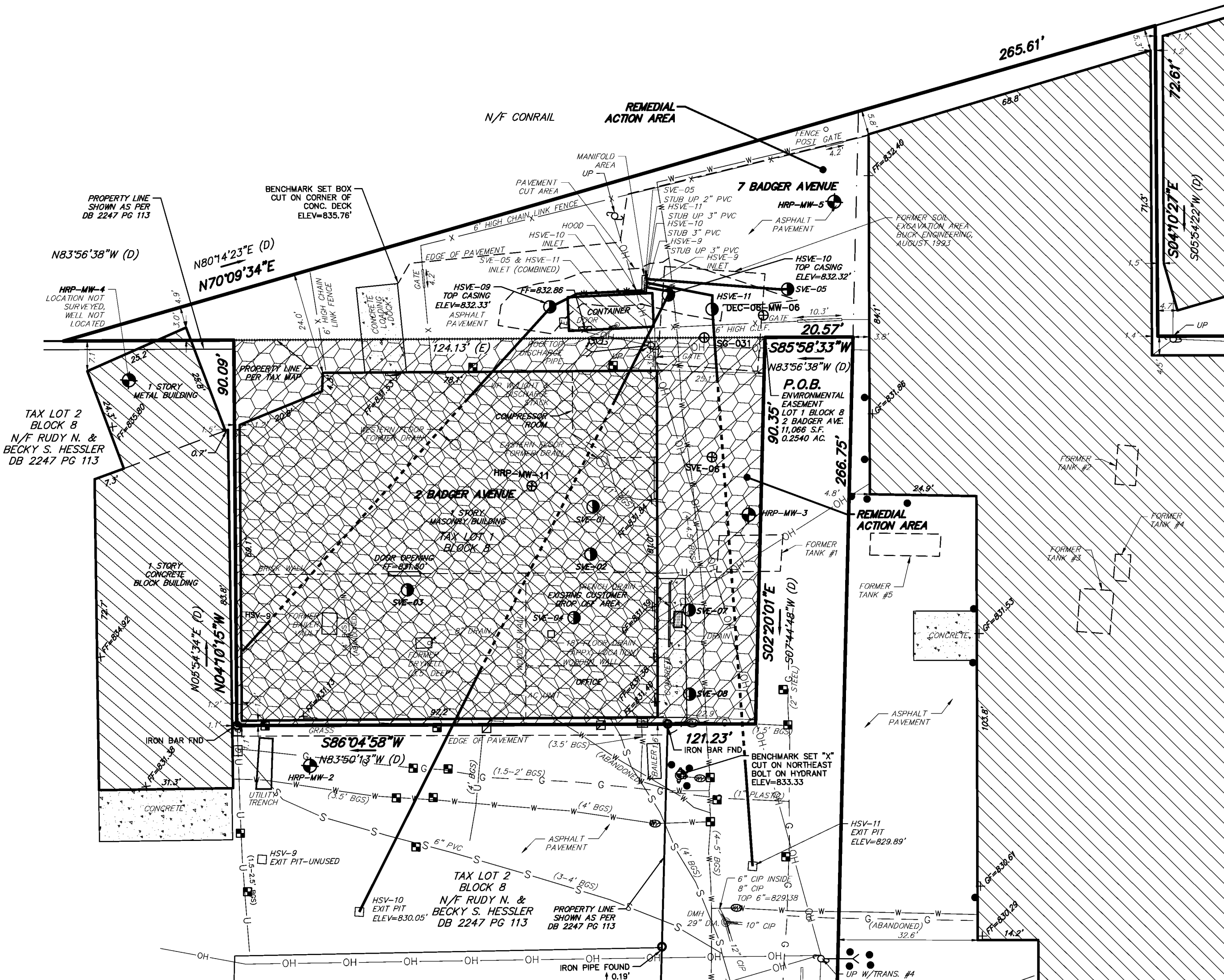
DESCRIPTION OF AN ENVIRONMENTAL ACCESS EASEMENT FOR THE REMEDIAL ACTION AREA ON TAX LOT 1 BLOCK 8 IN THE VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK.

BEING SHOWN IN ACCORDANCE WITH A PLAN ENTITLED "ENVIRONMENTAL EASEMENT PLAN, TAX LOT 1 BLOCK 8, 2 BADGER AVENUE, VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK," PREPARED BY DPK LAND SURVEYING, DATED DECEMBER 28, 2022.

BEGINNING AT A POINT AT THE NORTHWESTERLY TERMINUS OF BADGER AVENUE (VARIABLE WIDTH RIGHT OF WAY) WHERE THE SAME IS INTERSECTED BY THE DIVIDING LINE BETWEEN TAX LOTS 1 AND 10 BLOCK 8 AND RUNNING, THENCE;

- ALONG THE WESTERLY SIDELINE OF SAID BADGER AVENUE, SOUTH 02 DEGREES 20 MINUTES 01 SECONDS EAST, 90.35 FEET TO A POINT; THENCE
- ALONG THE NORTHERLY SIDELINE OF SAID BADGER AVENUE AND TAX LOTS 1 AND 2 BLOCK 8, SOUTH 86 DEGREES 04 MINUTES 56 SECONDS WEST, 121.23 FEET TO A POINT; THENCE
- ALONG THE DIVIDING LINE BETWEEN TAX LOTS 1 AND 2 BLOCK 8, NORTH 04 DEGREES 10 MINUTES 15 SECONDS WEST, 90.09 FEET TO A POINT; THENCE
- ALONG THE DIVIDING LINE BETWEEN TAX LOTS 1 AND 10 BLOCK 8, NORTH 85 DEGREES 58 MINUTES 33 SECONDS EAST, 124.13 FEET TO THE PLACE OF BEGINNING.

CONTAINING 11,066 SQUARE FEET OR 0.2540 ACRES OF LAND.



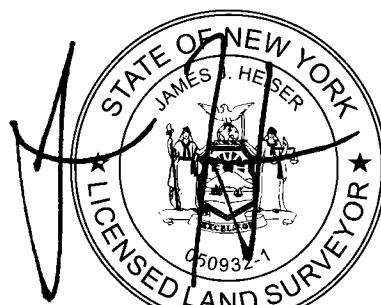
SYMBOL LEGEND			
	CONC. MONUMENT FND		MAIL BOX
	I.P. / I.B. FND		CABLE TV BOX
	TACK / STAKE FND		TELEPHONE BOX
	SPOT ELEVATIONS		A/C UNIT
	UTILITY POLE		TRANSFORMER
	GUY WRE		GAS METER
	UTILITY POLE W/LIGHT		WATER METER
	LIGHT POLE		WATER VALVE
	SIGN		GAS VALVE
	FIRE HYDRANT		CLEAN OUT
	DETECTABLE WARNING PAD		GAS
	D.C. DEPRESSED CURB		WATER
	L.S.A. LANDSCAPED AREA		ELECTRIC
	BGS BELOW GRADE SURFACE		TELEPHONE
	MANHOLE		CABLE TV
	"A"-INLET		TREE
	"B"-INLET		SHRUB
	"E"-INLET		MONITORING WELL
	YARD INLET		HSVE / SVE WELL
	BOLLARD		ABANDONED MW
	POTHOLE LOCATION		
	HORIZONTAL WELL RISER PIPE/SYSTEM PIPING		
	HORIZONTAL WELL SCREEN PIPE		
	UNDERGROUND SANITARY SEWER LINE		
	UNDERGROUND STORM SEWER LINE		
	UNDERGROUND ELECTRIC LINE		
	UNDERGROUND WATER LINE		
	UNDERGROUND GAS LINE		
	OVERHEAD UTILITIES		
	UNKNOWN UNDERGROUND UTILITY LINE AND/OR STRUCTURE		
	REMEDIAL ACTION AREA BOUNDARY		
	REMEDIAL ACTION AREA - 7 BADGER AVE.		
	REMEDIAL ACTION AREA - 2 BADGER AVE.		
	EXISTING BUILDING		

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the New York Environmental Conservation Law.

THE ENGINEERING AND INSTITUTIONAL CONTROLS for the Easement are set forth in more detail in the Site Management Plan ("SMP"). A copy of the SMP must be obtained by any party with an interest in the property. The SMP may be obtained from the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derweb@dec.ny.gov.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

IF THIS DOCUMENT DOES NOT CONTAIN A VALID SEAL OF THE UNDERSIGNED PROFESSIONAL, IT IS NOT AN AUTHORIZED ORIGINAL DOCUMENT.



James J. Heiser
Professional Land Surveyor
JHEISER@DPKCONSULTING.NET

DATE 02/22/2023

PROJECT NUMBER:
22-9766

DRAWING FILE:
22-9766EX01

DATE:
02/21/2023

SCALE:
1" = 20'

DRAWN BY:
S.S.

CHK'D BY:
E.S.

SHEET
1

REV. 1

ENVIRONMENTAL EASEMENT
FORMER CANADA DRY
SITE #704050
TAX LOT 1
BLOCK 8
2 BADGER AVENUE
VILLAGE OF ENDICOTT
BROOME COUNTY NEW YORK

