



GENESEE COUNTY – STATE OF NEW YORK
MICHAEL T. CIANFRINI, COUNTY CLERK
15 MAIN STREET, BATAVIA, NEW YORK 14020

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



INSTRUMENT #: DE2026-1191

Receipt#: 15968
Clerk: SG
Rec Date: 08/11/2026 12:05:05 PM
Doc Grp: D
Descrip: MISC IN DEEDS
Num Pgs: 6
Rec'd Frm: FRONTIER ABSTRACT AND RESEARCH SERVICES

Party1: NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Party2: BATAVIA IRON AND METAL COMPANY INC
Town: BATAVIA CITY
71.09-1-12
71.09-1-15

Recording:

Cover Page	5.00
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
Cross References	1.00
TP584-1	1.00

Sub Total: 72.00

Transfer Tax
Transfer Tax - State 0.00

Sub Total: 0.00

Total: 72.00

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

***** Transfer Tax *****
Transfer Tax #: 59
Transfer Tax
Consideration: 0.00

Total: 0.00

Record and Return To:

ELECTRONICALLY RECORDED BY CSC INGE

WARNING**

*** Information may be amended during the verification process, and may not be reflected on this cover page.

THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a (5) & 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

Michael T. Cianfrini

Michael T. Cianfrini
Genesee 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, 2020, 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, parcels of real property identified as Batavia Iron and Metal Company, Inc. (Site # 819018), located at 301 & 305 Bank St in the City of Batavia, County of Genesee, State of New York, identified by the Genesee County Clerk as Tax Parcel ID: 71.019 – 1 – 12 & 15, being the same lands conveyed to Batavia Waste Material Co., Inc. by deed dated August 29, 1962 and recorded in the Genesee County Clerk's Office on August 29, 1962 in Book 357 Page 72 and by deed dated August 3, 1965 and recorded in the Genesee County Clerk's Office on August 3, 1965 in Book 385 Page 41. Said property being more particularly described in Appendix "A", attached to this noticed and made a part hereof, and hereinafter referred to as "the Property"; 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: **Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), 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 Restricted Residential 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.

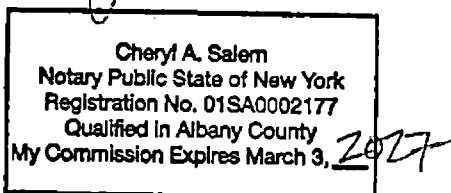
IN WITNESS WHEREOF, the undersigned, acting by and through NYSDEC of Environmental Conservation as Designee of the Commissioner, has executed this instrument the day written below.

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 20 24, 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



Appendix "A"**Legal Description: Lot 71.019-1-12**

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York, being parts of Village Lots Nos. 26 and 28, bounded and described as follows:

BEGINNING at a point in the northerly bounds of the City of Batavia distant 442.86 feet westerly from the northeasterly corner of Village Lot No. 30 at the northwesterly corner of lands conveyed to Elmer A. Taggart and Lena G. Taggart, his wife, by deed recorded in Genesee County Clerk's Office in Liber 283 of Deeds at page 309; thence southerly on said Taggart's westerly line 58.17 feet to the principal point of beginning; thence southwesterly along the northwesterly line of Village Lots Nos. 28 and 26 a distance of 905.17 feet more or less to the northeasterly line of lands conveyed to Thomas Crehan by deed recorded in Genesee County Clerk's Office in Liber 86 of Deeds at page 40; thence southerly and bounding on said Crehan's land 166.55 feet more or less to the center line of Bank Street as now laid out as a 49.5 foot wide street; thence easterly along said center line of Bank Street 245.40 feet more or less to the southwesterly corner of lands deeded to Baldon Palaszynski and Gladys Palaszynski, his wife, by deed recorded in Genesee County Clerk's Office in Liber 308 of Deeds at page 266; thence northerly along the westerly line of lands so conveyed to Palaszynski 174.75 feet to the northwesterly corner thereof; thence northeasterly along the northwesterly line of said Palaszynski's land and parallel with the center line of said Bank Street 67.32 feet to the westerly line of lands conveyed to said Elmer A. Taggart and wife by aforesaid deed; thence northerly along said Taggart's westerly line 756.08 feet more or less to the principal point of beginning.

TOGETHER with all the right, title and interest of the parties of the first part in and to the following described land:

BEGINNING at a point in the northerly bounds of the City of Batavia distant 442.86 feet westerly from the northeasterly corner of Village Lot No. 30 at the northwesterly corner of lands conveyed to Elmer A. Taggart and Lena G. Taggart, his wife, by deed recorded in Genesee County Clerk's Office in Liber 283 of Deeds at page 309; thence westerly along the northerly bounds of said City of Batavia 13.86 feet to the southeasterly line of an alley; thence southwest along said southeasterly line 890.4 feet more or less to the northeasterly line of lands conveyed to Thomas Crehan by deed recorded in Genesee County Clerk's Office in Liber 86 of Deeds at page 40; thence southerly and bounding on said Crehan's land 72.35 feet more or less to the northwesterly line of Village Lot No. 26; thence northeasterly along the northwesterly lines of Village Lots Nos. 26 and 28, 905.17 feet more or

less to a point in the westerly line of lands conveyed to Elmer A. Taggart aforesaid; thence northerly along the westerly line of said Taggart's lands 58.17 feet more or less to the point of beginning.

Legal Description: Lot 71.019-1-15

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York, distinguished by being the northwesterly part of Lot Number Thirty and the northeasterly part of Lot No. 28 in said City, bounded as follows, viz: Beginning on the north bounds of said City at the distance of four chains and sixty links westerly from the northeast corner of said Lot Number 30; thence southerly parallel with the easterly line thereof fourteen chains, forty-six links to the center of the highway; thence westerly along the center thereof two chains, twelve links; thence northerly parallel with the east line of said Lot No. 30, fourteen chains, ninety-one links to the north bounds of said City; thence easterly along the north bounds thereof two chains and five links to the place of beginning, containing three acres of land be the same more or less.

EXCEPTING AND RESERVING THEREFROM, ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York distinguished by being the northwesterly part of Lot No. 30 and the northeast part of Lot No. 28 in said City, bounded as follows: Beginning at the southeast corner of the premises first above described: thence northerly along the easterly boundary of the premises first above described, a distance of 160 feet to a point; thence westerly in a straight line parallel to the northerly boundary of the premises first above described to the west boundary line of premises first above described; thence southerly along the westerly boundary of the premises first above described a distance of 189.70 feet to the center of the highway, said point being also the southwest corner of the premises first above described; thence easterly along the center of the highway two chains, twelve links to the point or place of beginning containing land more or less.

