

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director
625 Broadway, 12th Floor, Albany, New York 12233-7011
P: (518) 402-9706 | F: (518) 402-9020
www.dec.ny.gov

December 17, 2021

East Lake Commons LLC
Attn.: Megan Houppert
180 Clinton Square
Rochester, NY 14604

Re: Certificate of Completion
Midtown Plaza, Site No.: C738045
City of Oswego, Oswego County

Dear Megan Houppert:

Congratulations on having satisfactorily completed the remedial program at the Midtown Plaza site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.
- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

Stephanie Fitzgerald
New York State Department of Environmental Conservation
Division of Environmental Remediation
615 Erie Boulevard West
Syracuse, NY 13204



- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days;
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in April 2023.

If you have any questions regarding any of these items, please contact Stephanie Fitzgerald at (315) 426-7525.

Sincerely,

Susan Edwards

Susan Edwards, P.E.
Acting Director
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

Robert Tyson, rtyson@bsk.com
Jennifer Gillen, jgillen@labellapc.com
Christine Vooris, christine.vooris@health.ny.gov
Scarlett McLaughlin, scarlett.mclaughlin@health.ny.gov
Julia Kenney, julia.kenney@health.ny.gov
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov

ec w/o enc.:

Stephanie Fitzgerald
Gary Priscott
David Harrington
Margaret Sheen

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

East Lake Commons LLC

Address

180 Clinton Square, Rochester, NY 14604

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 9/18/18 **Agreement Execution:** 12/28/18

Agreement Index No.: C738045-11-18

Application Approval Amendment: 9/1/21

Agreement Execution Amendment: 9/1/21

Application Approval Amendment: 10/6/21

Agreement Execution Amendment: 10/6/21

SITE INFORMATION:

Site No.: C738045 **Site Name:** Midtown Plaza

Site Owner: East Lake Commons LLC

Street Address: 18 East Cayuga Street and 83-87 East First Street

Municipality: Oswego **County:** Oswego **DEC Region:** 7

Site Size: 2.296 Acres

Tax Map Identification Number(s): 128.047-02-04, 128.047-02-05

Percentage of site located in an EnZone: 100 %

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

CERTIFICATE ISSUANCE

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

Allowable Uses under the BCP: Restricted-Residential, Commercial, and Industrial

Cleanup Track: Track 4: Restricted use with site-specific soil cleanup objectives

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 28 %.

Tangible Property Credit is 15%. Comprised of 10% Base, 5% EnZone.

Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24 %.

The Remedial Program includes use restrictions or reliance on the long-term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Oswego County as R-2021-010485.

LIABILITY LIMITATION

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

CERTIFICATE TRANSFERABILITY

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375-1.9.

CERTIFICATE MODIFICATION/REVOCATION

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon a finding that:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;
- (4) there is good cause for such modification or revocation;
- (5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;
- (6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing is not received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Basil Seggos
Commissioner
New York State Department of Environmental Conservation

By: Susan Edwards Date: 12/17/2021

Susan Edwards, P.E., Acting Director
Division of Environmental Remediation

NOTICE OF CERTIFICATE OF COMPLETION
Brownfield Cleanup Program
6 NYCRR Part 375-1.9(d)

Midtown Plaza, Site ID No. C738045
18 East Cayuga Street and 83-87 East First Street, Oswego, NY 13126
City of Oswego, Oswego County, Tax Map Identification Numbers 128.47-02-04, 128.47-02-05

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to East Lake Commons LLC for a parcel approximately 2.296 located at the 18 East Cayuga Street and 83-87 East First Street in the City of Oswego, Oswego County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, the remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Oswego County as R-2021-010485.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved Site Management Plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability

**Midtown Plaza, Site #C738045, 18 East Cayuga Street and 83-87 East First Street
City of Oswego, Oswego County**

limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

PLEASE TAKE NOTICE, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

PLEASE TAKE NOTICE, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

PLEASE TAKE NOTICE, the Certificate may only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

PLEASE TAKE NOTICE, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 7 located at 615 Erie Blvd West, Syracuse, NY 13204, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C738045/>.

WHEREFORE, the undersigned has signed this Notice of Certificate

East Lake Commons LLC

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 20__, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name 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 and Office of individual
taking acknowledgment

Please record and return to:
East Lake Commons LLC
Attn: Megan Houppert
180 Clinton Square
Rochester, NY 14604

4/20/2020

Exhibit A

Site Description

EXHIBIT A - SITE DESCRIPTION

ENVIRONMENTAL EASEMENT:

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF OSWEGO, COUNTY OF OSWEGO AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE NORTHEAST CORNER OF THE RIGHT OF WAY FOR EAST BRIDGE STREET AND EAST FIRST STREET THENCE N 67°52'05" E ALONG SAID NORTHERLY RIGHT OF WAY FOR EAST BRIDGE STREET A DISTANCE OF 80.00' TO A POINT AT ITS INTERSECTION WITH THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #128.47-2-5 ON THE EAST AND LANDS NOW OR FORMERLY OF NORFLEET FAMILY REVOCABLE TRUST, DOREN P. NORFLEET, TAX ACCOUNT #128.47-2-6 ON THE WEST. SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE

- 1) N 22°07'55" W ALONG SAID DIVISION LINE A DISTANCE OF 63.00' TO AN ANGLE POINT; THENCE
- 2) S 67°52'05" W CONTINUING ALONG SAID DIVISION LINE A DISTANCE OF 80.00' TO A POINT IN THE EASTERLY RIGHT OF WAY OF EAST FIRST STREET; THENCE
- 3) N 22°07'55" W ALONG SAID EASTERLY RIGHT OF WAY A DISTANCE OF 333.00' PASSING THROUGH THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, PLC, TAX ACCOUNT #128.47-2-5 ON THE SOUTH AND LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #128.47-2-4 ON THE NORTH TO AN ANGLE POINT IN SAID RIGHT-OF-WAY, ALSO BEING IN THE NORTHWESTERLY CORNER FOR THE LANDS NOW OR FORMERLY OF SRE MIDTOWN ACQUISITIONS, LLC, TAX ACCOUNT #128.47-2-4; THENCE
- 4) N 09°12'25" W CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 26.83' TO A POINT IN THE SOUTHERLY RIGHT OF WAY OF EAST CAYUGA STREET; THENCE
- 5) N 67°46'04" E ALONG SAID SOUTHERLY RIGHT OF WAY A DISTANCE OF 182.66' TO AN ANGLE POINT; THENCE
- 6) N 70°56'35" E CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 29.50' TO AN ANGLE POINT; THENCE
- 7) S 74°09'18" E CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 40.44' TO A POINT IN THE WESTERLY RIGHT OF WAY OF EAST SECOND STREET; THENCE

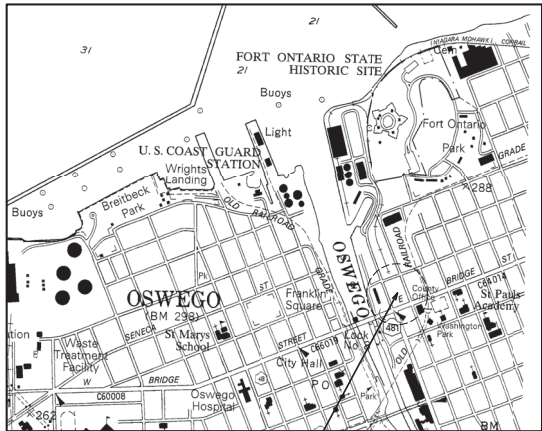
- 8) S 22°07'55" E ALONG SAID WESTERLY RIGHT OF WAY A DISTANCE OF 396.00', PASSING ALONG THE DIVISION LINE BETWEEN THE LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #128.47-2-4 ON THE NORTH AND LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #128.47-2-5 ON THE SOUTH TO AN ANGLE POINT IN SAID RIGHT-OF-WAY, ALSO BEING THE SOUTHEAST CORNER FOR THE LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT 128.47-2-5;THENCE

- 9) S 67°52'05" W ALONG SAID NORTHERLY RIGHT OF WAY OF EAST BRIDGE STREET A DISTANCE OF 170.00' TO THE POINT AND PLACE OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 2.296 ACRES (99,997 SQ. FT.)

Exhibit B

Site Survey



LOCATION SKETCH (NTS) - SITE

- REFERENCES - PARCEL 1**
- ABSTRACT - CHICAGO TITLE, ABSTRACT NO. 191345450H, DATED 12 NOVEMBER 2019.
 - COMMITMENT FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE INSURANCE COMPANY, TITLE NO. 191345450C, EFFECTIVE DATE: 11/23/2019.
 - RESOLUTION FILED IN THE O.C.C.O. IN LIBER 479 OF DEEDS, AT PAGE 419.
 - WARRANTY DEED FILED IN THE O.C.C.O. INSTRUMENT NO. R2015004411.
 - SURVEY MAP PREPARED BY RICHARD J. ENGLISH, L.S., ENTITLED "MAP SHOWING PARCEL OF LOTS 44, 45 PART OF BLOCK 64," DATED AUG. 20, 1921.
 - SURVEY MAP (UNSIGNED) PREPARED BY JOHN S. DAMIANO, L.S., ENTITLED "MAP OF LOT 48, 50, 51 & PART OF LOT 52, BLOCK 64 PART OF PARCEL 5, BLOCK 3 EAST CENTRAL URBAN RENOVATION PROJECT," DATED SEPTEMBER 24, 2012.
 - CITY OF OSWEGO TAX MAP PLATE NUMBER 12847.

- REFERENCES - PARCEL 4**
- ABSTRACT - WINDWARD RESEARCH & TITLE SERVICE, INC., ABSTRACT NO. 0908267, DATED 30/08/2019.
 - COMMITMENT FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE INSURANCE COMPANY, TITLE NO. 191345450E, EFFECTIVE DATE: 11/23/2019.
 - CONVEYANCE VS. GRANTOR DEED FILED IN THE O.C.C.O. INSTRUMENT NO. R-2012-07388.
 - JOINT CLAIM DEED FILED IN THE O.C.C.O. INSTRUMENT NO. R2012-07389.
 - SURVEY MAP PREPARED BY RICHARD J. ENGLISH, L.S., ENTITLED "MAP SHOWING PARCEL OF LOTS 44, 45 PART OF BLOCK 64," DATED AUG. 20, 1921.
 - SURVEY MAP (UNSIGNED) PREPARED BY JOHN S. DAMIANO, L.S., ENTITLED "MAP OF LOT 48, 50, 51 & PART OF LOT 52, BLOCK 64 PART OF PARCEL 5, BLOCK 3 EAST CENTRAL URBAN RENOVATION PROJECT," DATED SEPTEMBER 24, 2012.
 - CITY OF OSWEGO TAX MAP PLATE NUMBER 12847.

- SCHEDULE D UTILITIES**
- EASEMENTS CONTAINED IN WARRANTY DEED DATED OCTOBER 31, 1946 AND RECORDED JANUARY 4, 1947 IN BOOK 439 PAGE 194.
 - EASEMENTS CONTAINED IN WARRANTY DEED DATED OCTOBER 29, 1962 AND RECORDED MAY 22, 1963 IN BOOK 684 PAGE 284.
 - URBAN RENOVATION PLAN DATED SEPTEMBER 9, 1962 AND RECORDED MAY 19, 1965 IN BOOK 681 PAGE 506, (NOT A SURVEY MATTER).
 - URBAN RENOVATION PLAN DATED JANUARY 14, 1963 AND RECORDED MAY 19, 1965 IN BOOK 681 PAGE 517, (NOT A SURVEY MATTER).
 - LAND DISPOSITION AGREEMENT RECORDED IN BOOK 681 PAGE 639 AND REFERENCED IN DEED DATED AUGUST 4, 1965 AND RECORDED AUGUST 5, 1965 IN BOOK 683 PAGE 850, (NOT A SURVEY MATTER).
 - URBAN RENOVATION PLAN RECORDED MARCH 13, 1967 IN BOOK 689 PAGE 107, (NOT A SURVEY MATTER).
 - URBAN RENOVATION PLAN RECORDED JULY 21, 1971 IN BOOK 789 PAGE 110, (NOT A SURVEY MATTER).
 - TERMS, COVENANTS AND RESTRICTIONS CONTAINED IN WARRANTY DEED RECORDED JULY 17, 1981 IN BOOK 212 PAGE 500 BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, SOURCE OF INCOME, GENDER, GENDER IDENTITY, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.
 - CONTRACT FOR SALE OF LAND FOR PRIVATE REDEVELOPMENT, PART I MADE BETWEEN THE CITY OF OSWEGO AND OSWEGO MIDTOWN CENTER CORP., RECORDED MAY 26, 1993 IN BOOK 681 PAGE 884, (NOT A SURVEY MATTER).
 - CONSENT MADE BETWEEN OSWEGO MIDTOWN CENTER CORP. AND CITY OF OSWEGO NEW YORK, DATED MAY 27, 1993 AND RECORDED JUNE 8, 1993 IN BOOK 882 PAGE 84, (NOT A SURVEY MATTER).
 - TERMS, COVENANTS, AND CONDITIONS SET FORTH THAT CERTAIN MEMORANDUM OF LEASE DATED MARCH 30, 1992 BY AND BETWEEN OSWEGO CENTER ASSOCIATES, LESSOR, AND FAY'S INCORPORATED, LESSEE, A MEMORANDUM OF WHICH WAS RECORDED MAY 7, 1992 IN BOOK 1162 PAGE 239, (NOT A SURVEY MATTER).

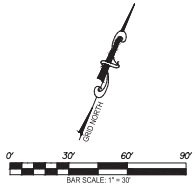
UTILITY NOTE:
 INFORMATION FROM PLANS AND WARNINGS WILL BE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A BEST PRACTICE UNDERGROUND UTILITIES, HOWEVER, LAUNCH EXCAVATION, THE EXACT LOCATION OF UNDERGROUND UTILITIES CANNOT BE ACCURATELY COMPLETED, AND RELIABLE DETERMINED. IN ADDITION, IN SOME JURISDICTIONS 811 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYS MAY BE REQUIRED OR RESULT IN AN INCOMPLETE RESPONSE. IN WHICH CASE THE SURVEYOR SHALL NOTE ON THE PLAN OR MAP HOW THIS AFFECTED THE SURVEYOR'S ASSESSMENT OF THE LOCATION OF THE UTILITIES. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT BE ADVISED THAT EXCAVATION AND/OR A PRIVATE UTILITY LOCATE REQUEST MAY BE NECESSARY.

CERTIFICATION:
 WE, LABELLA ASSOCIATES P.C., CERTIFY TO EAST LAKE COMMONS, LLC, NEW YORK STATE HOUSING FINANCE AGENCY, ITS SUCCESSORS AND/OR ASSIGNS, STATE OF NEW YORK MORTGAGE AGENCY, ITS SUCCESSORS AND/OR ASSIGNS, OTHBANK, N.A. ITS SUCCESSORS AND/OR ASSIGNS, AVIVA, RGF HOLDING, LLC, ITS SUCCESSORS AND/OR ASSIGNS, RED STONE EQUITY MANAGERS, L.L.C., RED STONE EQUITY FUND III, LIMITED PARTNERSHIP, IF APPLICABLE, SUCCESSORS AND ASSIGNS, CHICAGO TITLE INSURANCE COMPANY,
 WE, LABELLA ASSOCIATES P.C., CERTIFY THAT THIS MAP OR PLAN WAS PREPARED USING REFERENCE MATERIAL LISTED HEREON AND PROVIDED NOTES OF INSTRUMENT SURVEY COMPLETED NOVEMBER 5, 2015 AND THESE PARCELS ARE SUBJECT TO ANY EASEMENT OR ENCUMBRANCES OF RECORD. THE SURVEY ON WHICH THIS IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARDS OF PRACTICE FOR SURVEYS IN NYSD.

OFFICE: 30 WILEY PLZ
 NYS PL NO. 049788
 Michael W. Harty, P.E.S.
 JULY 29, 2021

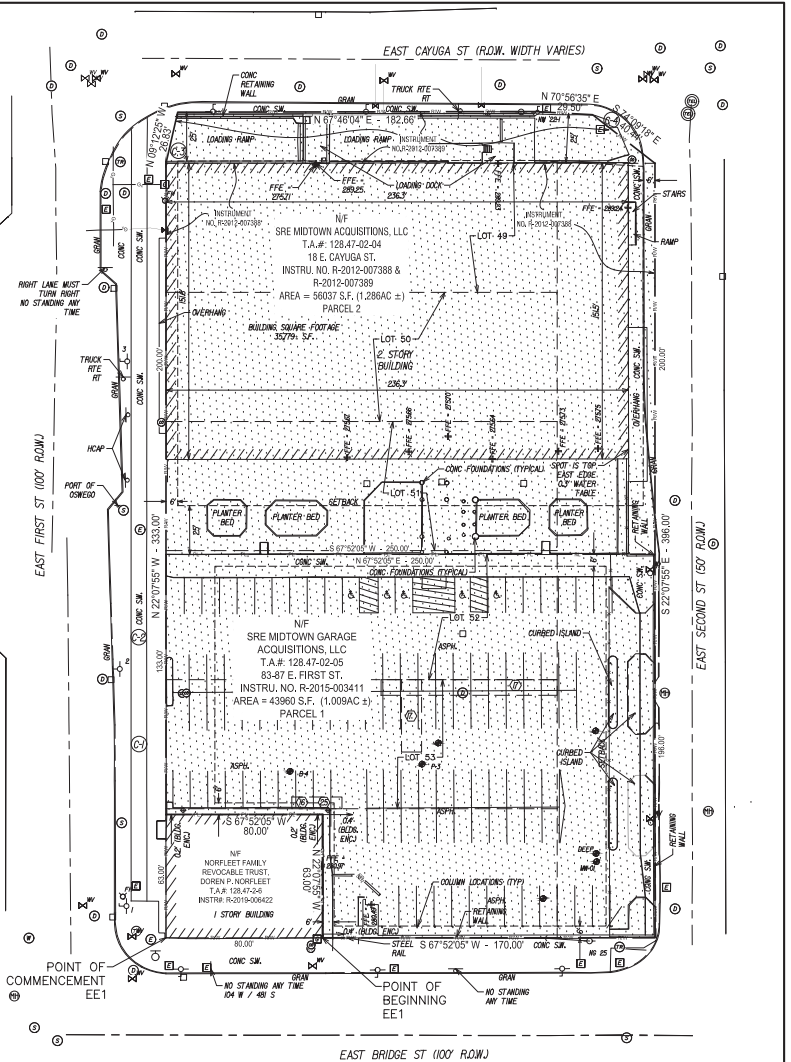


THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM N.Y.S. DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT derweb@dec.ny.gov.



LEGEND
 THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.

	FENCE		POWER POLE
	STORM PIPING		GUY WIRE CONNECTION
	GUIDEWAY		POWER POLE W/ LIGHT
	EXISTING GAS LINE		SANITARY MANHOLE
	ORIGINAL SUBDIVISION LINES		TELEMETRY MANHOLE
	SETBACK LINES		FIRE HYDRANT
	ENVIRONMENTAL EASEMENT		WATER VALVE
	BENCHMARK		WATER MANHOLE
	SURVEY CONTROL POINT		DRAINAGE STRUCTURE
	FINISHED FLOOR ELEV.		STORM/DRAINAGE MANHOLE
	V-TOP/BORE		TRAFFIC CONTROL SIGN POLE
	BALL/PIT or POST		
	ELECTRIC HANDHOLE		
	PEDESTRIAN WALK POLE		
	CLEANOUT		
	ELECTRIC MANHOLE		
	GAS MARKING/PAIN		
	E.C. ENCROACHMENTS		



SRE MIDTOWN GARAGE ACQUISITIONS, LLC - TAX ACCOUNT #12847-2-4
 PARCEL 1
 ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF OSWEGO, COUNTY OF OSWEGO AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:
 COMMENCING AT A POINT IN THE NORTHEAST CORNER OF THE RIGHT OF WAY FOR EAST BRIDGE STREET AND EAST FIRST STREET THENCE N67°20'58" ALONG SAID NORTHERLY RIGHT OF WAY FOR EAST BRIDGE STREET A DISTANCE OF 80.00' TO A POINT AT ITS INTERSECTION WITH THE SUBDIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE EAST AND LANDS NOW OR FORMERLY OF NORFLEET FAMILY RECREABLE TRUST, DORNE P. NORFLEET, TAX ACCOUNT #12847-3-4 ON THE WEST, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE

- N 22°07'57" ALONG SAID DIVISION LINE A DISTANCE OF 63.00' TO AN ANGLE POINT, THENCE
- S 87°52'07" W CONTINUING ALONG SAID DIVISION LINE A DISTANCE OF 80.00' TO A POINT IN THE EASTERLY RIGHT OF WAY OF EAST FIRST STREET, THENCE
- N 22°07'57" ALONG SAID EASTERLY RIGHT OF WAY A DISTANCE OF 133.00' TO A POINT AT ITS INTERSECTION WITH THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE NORTH AND LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE SOUTH AND LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE WEST, THENCE
- N 67°52'05" W ALONG SAID DIVISION LINE A DISTANCE OF 250.00' TO A POINT IN THE WESTERLY RIGHT OF WAY OF EAST SECOND STREET, THENCE
- S 22°07'57" ALONG SAID WESTERLY RIGHT OF WAY A DISTANCE OF 180.00' TO A POINT IN THE NORTHERLY RIGHT OF WAY FOR EAST BRIDGE STREET, THENCE
- S 87°52'07" W ALONG SAID NORTHERLY RIGHT OF WAY OF EAST BRIDGE STREET A DISTANCE OF 170.00' TO THE POINT AND PLACE OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1.209 ACRES (43,360 SQ. FT.).

SRE MIDTOWN ACQUISITIONS, LLC - TAX ACCOUNT #12847-2-4
 PARCEL 2
 ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF OSWEGO, COUNTY OF OSWEGO AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:
 COMMENCING AT A POINT IN THE NORTHEAST CORNER OF THE RIGHT OF WAY FOR EAST BRIDGE STREET AND EAST FIRST STREET THENCE N22°07'57" ALONG SAID EASTERLY RIGHT OF WAY FOR EAST FIRST STREET A DISTANCE OF 180.00' TO A POINT AT ITS INTERSECTION WITH THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE NORTH AND LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE SOUTH, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE

- N 12°20'57" ALONG SAID EASTERLY RIGHT OF WAY A DISTANCE OF 200.00' TO AN ANGLE POINT, THENCE
- N 09°12'27" W CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 26.00' TO A POINT IN THE SOUTHERLY RIGHT OF WAY OF EAST CAYUGA STREET, THENCE
- N 67°48'51" E ALONG SAID SOUTHERLY RIGHT OF WAY A DISTANCE OF 16.00' TO AN ANGLE POINT, THENCE
- N 87°52'07" W CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 26.00' TO AN ANGLE POINT, THENCE
- S 17°07'57" E ALONG SAID RIGHT OF WAY A DISTANCE OF 64.44' TO A POINT IN THE WESTERLY RIGHT OF WAY OF EAST SECOND STREET, THENCE
- S 22°07'57" E ALONG SAID WESTERLY RIGHT OF WAY A DISTANCE OF 200.00' TO A POINT AT THE AFORESAID DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE NORTH AND LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE SOUTH, THENCE
- S 87°52'07" W ALONG SAID DIVISION LINE A DISTANCE OF 250.00' TO THE POINT AND PLACE OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1.286 ACRES (56,037 SQ. FT.).

ENVIRONMENTAL EASEMENT (E-E)
 ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF OSWEGO, COUNTY OF OSWEGO AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:
 COMMENCING AT A POINT IN THE NORTHEAST CORNER OF THE RIGHT OF WAY FOR EAST BRIDGE STREET AND EAST FIRST STREET THENCE N67°20'58" ALONG SAID NORTHERLY RIGHT OF WAY FOR EAST BRIDGE STREET A DISTANCE OF 80.00' TO A POINT AT ITS INTERSECTION WITH THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF NORFLEET FAMILY RECREABLE TRUST, DORNE P. NORFLEET, TAX ACCOUNT #12847-3-4 ON THE WEST, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE

- N 22°07'57" ALONG SAID DIVISION LINE A DISTANCE OF 63.00' TO AN ANGLE POINT, THENCE
- S 87°52'07" W CONTINUING ALONG SAID DIVISION LINE A DISTANCE OF 80.00' TO A POINT IN THE EASTERLY RIGHT OF WAY OF EAST FIRST STREET, THENCE
- N 22°07'57" ALONG SAID EASTERLY RIGHT OF WAY A DISTANCE OF 133.00' PASSING THROUGH THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE SOUTH AND LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE NORTH TO AN ANGLE POINT IN THE WESTERLY RIGHT OF WAY OF EAST SECOND STREET, THENCE
- N 09°12'27" W CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 26.00' TO A POINT IN THE SOUTHERLY RIGHT OF WAY OF EAST CAYUGA STREET, THENCE
- N 67°48'51" E ALONG SAID SOUTHERLY RIGHT OF WAY A DISTANCE OF 16.00' TO AN ANGLE POINT, THENCE
- N 87°52'07" W CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 26.00' TO AN ANGLE POINT, THENCE
- S 17°07'57" E CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 64.44' TO A POINT IN THE WESTERLY RIGHT OF WAY OF EAST SECOND STREET, THENCE
- S 22°07'57" E ALONG SAID WESTERLY RIGHT OF WAY A DISTANCE OF 200.00' PASSING ALONG THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE NORTH AND LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4 ON THE SOUTH TO AN ANGLE POINT IN SAID RIGHT OF WAY, ALSO BEING THE SOUTHEAST CORNER FOR THE LANDS NOW OR FORMERLY OF SRE MIDTOWN GARAGE ACQUISITIONS, LLC, TAX ACCOUNT #12847-2-4, THENCE
- S 87°52'07" W ALONG SAID NORTHERLY RIGHT OF WAY OF EAST BRIDGE STREET A DISTANCE OF 170.00' TO THE POINT AND PLACE OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 2.296 ACRES (99,997 SQ. FT.).

SURVEY NOTES:

- CONTROL FOR THIS PROJECT IS BASED ON CONTROL POINTS ESTABLISHED UTILIZING THE NYSNET GPS SYSTEM. HORIZONTAL DATUMS REFERENCED TO THE N.Y.S. PLANE COORDINATE SYSTEM, CENTRAL ZONE, TRANSVERSE MERCATOR PROJECTION AND 1883 (DOTS).
- ELEVATIONS ARE BASED ON NAVD83 (GEOID 1988).
- BEARING AND DISTANCE ARE REFERENCED TO GRID BEARINGS.
- DISTANCES SHOWN ARE GROUND DISTANCES.
- EAST BRIDGE STREET, EAST FIRST STREET, EAST SECOND STREET AND EAST CAYUGA STREET ARE ALL PUBLIC RIGHTS OF WAY.

LaBella
 Powered by partnership.
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NOT FOR CONSTRUCTION

It is a violation of New York Education Law Article 145 Sec. 7209, for any person, unless acting under the direction of a licensed architect, professional engineer, or land surveyor, to place an item in any way, if an item bearing the seal of an architect, engineer, or land surveyor is affixed, the altering architect, engineer, or land surveyor shall attach to the item their seal and notation "altered by" followed by their signature and date of such alteration, and a specific description of the alteration.

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HOME LEASING, L.L.C.
 700 CLINTON SQUARE
 ROCHESTER, NY

NO.	DATE	DESCRIPTION
6	8/11/2021	Comment
5	8/11/2021	Comment
4	8/11/2021	Comment
3	8/11/2021	Comment
2	8/11/2021	Comment
1	08/23/2021	Misc. Comment
NO.	DATE	DESCRIPTION

Revisions

OSWEGO MIDTOWN PLAZA
 18 East Cayuga Street and
 83-87 East First Street
 MAP OF LOT 49, 50, 51 &
 PART OF LOT 52, BLOCK 62
 PART OF PARCEL 5, BLOCK 3
 EAST CENTRAL URBAN RENOVATION PROJECT
 CITY OF OSWEGO
 OSWEGO COUNTY, NEW YORK

PROJECT NUMBER: 2193210
 DRAWN BY:
 REVIEWED BY:
 ISSUED FOR: FINAL
 DATE: JULY 29, 2021
 DRAWING NAME:

INSTRUMENT SURVEY ENVIRONMENTAL EASEMENT

DRAWING NUMBER:

V-1



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/7/2021



SITE DESCRIPTION

SITE NO. C738045

SITE NAME Midtown Plaza

SITE ADDRESS: 18 East Cayuga Street and 83-87 East First Street ZIP CODE: 13126

CITY/TOWN: Oswego

COUNTY: Oswego

ALLOWABLE USE: Restricted-Residential, Commercial, and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES: **YES** NO

IC/EC Certification Plan

Monitoring Plan

Operation and Maintenance (O&M) Plan

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/13/2023

Description of Institutional Control

East Lake Commons LLC

700 Clinton Square

18 East Cayuga Street

Environmental Easement

Block: 02

Lot: 04

Sublot:

Section: 128

Subsection: 047

S_B_L Image: 128.047-02-04

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

83-87 East First Street

Environmental Easement

Block: 02

Lot: 05

Sublot:

Section: 128

Subsection: 047

S_B_L Image: 128.047-02-05

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

East Lake Commons LLC

700 Clinton Square

18 East Cayuga Street

Environmental Easement

Block: 02

Lot: 04

Sublot:

Section: 128

Subsection: 047

S_B_L Image: 128.047-02-04

Cover System

Monitoring Wells

Vapor Mitigation

83-87 East First Street

Environmental Easement

Block: 02

Lot: 05

Sublot:

Section: 128

Subsection: 047

S_B_L Image: 128.047-02-05

Cover System

Monitoring Wells

Vapor Mitigation