320-348 North Goodman St. Rochester, New York

SUBORDINATION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

The above-described Environmental Easement shall be a superior interest upon said property and any rights of the undersigned under or pursuant to the following:

- 1. Easement agreement granted to Rochester Gas and Electric Corporation under agreement recorded in Liber 1549 of Deeds at page 57 on June 27, 1930.
- 2. Notwithstanding the above, RG&E shall have unrestricted access to its facilities located on or under said property as required, in its sole discretion, to address emergency, safety or reliability issues associated therewith. RG&E shall have unrestricted access to those facilities to perform routine maintenance upon thirty (30) days notice to Grantor, subject only to reasonable conditions imposed by Grantor that are consistent with the restrictions set forth in the Environmental Easement.

If superior Environmental Easement is amended or assigned, it is still the intent that this Subordination Agreement be enforced.

ROCHESTER GAS AND ELECTRIC CORPORATION

By:

Jeffrey R. Clark

Its: Managing Attorney

STATE OF NEW YORK

SS.

COUNTY OF MONROE

SS.

On this 30 day of November, 2009, before me, the undersigned, personally appeared JEFFREY R. CLARK to me known 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 (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

DEBRA A. WEGMAN
NOTARY PUBLIC, State of New York
Monroe County # 01WE6000054
Commission Expires Dec. 8, //

Notary Public

Receipt# 290251

CHERYL DINOLFO CHERYL DINAULY COUNTY CLERK OFFICE OF THE COUNTY CLERK 39 WEST MAIN STREET ROCHESTER, NY

Doc#: 200912280415 Pgs: 2
Type: MISC RECORD (DAB)
Book: 10830 Pages: 603-604
Name: ROCHESTER GAS AND ELECTRIC CORPORA
Name: ROCHESTER GAS AND ELECTRIC CORPORA
STATE FEE CULTURAL EDUCA\$
STATE FEE CULTURAL EDUCA\$
STATE FEE RECORDS MANAGE\$
COUNTY FEE RECORDING
COUNTY FEE NUMBER PAGES \$ 6.00

Doc#: 200912280416 Pgs: 2 Type: MISC RECORD (DAB)

Type: MISC RECORD (DAB)
Book: 10830 Pages: 605-606
Name: ROCHESTER GAS AND ELECTRIC CORPORA
Name: ROCHESTER GAS AND ELECTRIC CORPORA
Time: 12:31:14 PM
Time: 12:31:14 PM
STATE FEE CULTURAL EDUCA\$
STATE FEE RECORDS MANAGE\$
COUNTY FEE RECORDING \$
COUNTY FEE NUMBER PAGES \$
6.00

Total	\$	66.00
Check(s) Tendered	\$	66.00
Balance	\$	0.00
CHECK Number	\$ \$	33.00 33.00

3033 Total Documents: 2 Total Fees: 8

Dec 28 2009 12:31:25 PM

Cashier: RebeccaZ