



May 31, 2016

Kelly Lewandowski, Chief Site Control
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

Re: Volunteers of America Back Lot Site
BCP Site ID No. C828126
214 Lake Avenue, Rochester, New York
BCA Amendment

Dear Kelly:

Attached please find a Brownfield Cleanup Agreement (BCA) Amendment Form, with attachments, in both hardcopy and electronic form.

The 2005 BCA stated that the County of Monroe Industrial Development Agency ("COMIDA") owned the entire BCA Site, which consisted of only Tax #105.60-2-59.003. While there have been no transfers or lot changes, both of these facts were inaccurate. The Volunteer, Volunteers of America of Western New York, Inc. (VOA), owned Tax #105.60-2-59.003 then and still owns it now. *See Exhibit A-deeds.* This lot, with an address of 18 Ambrose Street, constitutes most of the BCP Site (approx 2.4 acres). *Compare Exhibit B (2005 Site Plan from BCP Application) with Exhibit C (2016 Easement survey).* However, Tax #105.60-2-1.002, which is the adjoining lot and has an address of 214 Lake Avenue, was sold by VOA to COMIDA, and a portion of it (approx .6 acres) is part of this BCP Site because the former RG&E Coal Yard use extended onto this portion of this lot. *See Exhibit D-tax map.*

Please do not hesitate to contact me if you have any questions or comments.

Sincerely,
KNAUF SHAW LLP

Linda R. Shaw



Department of
Environmental
Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

Check the appropriate box below based on the nature of the amendment modification requested:

☐ Amendment to [check one or more boxes below]

- ☐ Add
- ☐ Substitute
- ☐ Remove
- ☐ Change in Name

applicant(s) to the existing Brownfield Cleanup Agreement [*Complete Section I-IV below and Part II*]

Does this proposed amendment involve a transfer of title to all or part of the brownfield site? ☐ Yes ☒ No

If yes, pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been previously submitted. If not, please submit this form with this Amendment. See <http://www.dec.ny.gov/chemical/76250.html>

- ☒ Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]
- ☐ Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]
- ☐ **Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY:** Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.
- ☒ Other (explain in detail below)

Please provide a brief narrative on the nature of the amendment:

The 2005 BCA stated that the County of Monroe IDA ("COMIDA") owned the entire BCA Site, which consisted of only Tax #105.60-2-59.003. While there have been no transfers or lot changes, both of these facts were inaccurate. The VOA owned Tax #105.60-2-59.003 then and still owns it now. This lot, with an address of 18 Ambrose Street, constitutes most of the BCP Site (approx 2.4 acres). However, Tax #105.60-2-1.002, which is the adjoining lot and has an address of 214 Lake Avenue, was sold by VOA to COMIDA, and a portion of it (approx .6 acres) is part of this BCP Site because the former RG&E Coal Yard use extended onto this portion of this lot.

Please refer to the attached instructions for guidance on filling out this application

Section I. Existing Application Information

BCP SITE NAME: Volunteers of America Back Lot Site

BCP SITE NUMBER: C828126

NAME OF CURRENT APPLICANT(S): Volunteers of America of Western New York, Inc.

INDEX NUMBER OF EXISTING AGREEMENT: B-8-0688-05 DATE OF EXISTING AGREEMENT: 6/15/05

Section II. New Requestor Information (If no change to Current Applicant, skip to Section V)

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Is the requestor authorized to conduct business in New York State (NYS)?

☐ Yes☐ No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

NAME OF NEW REQUESTOR'S REPRESENTATIVE

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF NEW REQUESTOR'S CONSULTANT (if applicable)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF NEW REQUESTOR'S ATTORNEY (if applicable)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached?

☐ Yes☐ No

Describe Requestor's Relationship to Existing Applicant:

Section III. Current Property Owner/Operator Information (only include if new owner/operator or new existing owner/operator information is provided, and highlight new information)

OWNER'S NAME (if different from requestor) VOA and COMIDA --see cover letter and narrative

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Section IV. Eligibility Information for New Requestor (Please refer to ECL § 27-1407 for more detail)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☐ No
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site? ☐ Yes ☐ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? ☐ Yes ☐ No
Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the subject law; ii) any order or determination; iii) any regulation implementing ECL Article 27 Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☐ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, Department assigned site number, the reason for denial, and other relevant information. ☐ Yes ☐ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☐ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☐ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department? ☐ Yes ☐ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☐ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☐ No
11. Have all known bulk storage tanks on-site been registered with DEC? ☐ Yes ☐ No

THE NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL §27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ **PARTICIPANT**

A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.

☐ **VOLUNTEER**

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Requestor's Relationship to Property (check one):

☐ Prior Owner ☐ Current Owner ☐ Potential /Future Purchaser ☐ Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached? ☐ Yes ☐ No

Note: a purchase contract does not suffice as proof of access.

Section V. Property description and description of changes/additions/reductions (if applicable)

ADDRESS 214 Lake Avenue

CITY/TOWN Rochester, New York

ZIP CODE 14608

TAX BLOCK AND LOT (TBL) (in existing agreement)

Parcel Address

Parcel No. Section No. Block No. Lot No. Acreage

214 Lake Avenue

105.60

2

59.003

3.0

Check appropriate boxes below:



Changes-to metes and bounds-description or TBL correction



Addition of property (may require additional citizen participation depending on the nature of the expansion – see attached instructions)

Approximate acreage added: _____

ADDITIONAL PARCELS:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
portion of 214 Lake Avenue		105.60	2	1.002	.6
18 Ambrose Street		105.60	2	59.003	2.4



Reduction of property

Approximate acreage removed: _____

PARCELS REMOVED:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage

If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, or acceptable site map to this application.

Supplement to the Application To Amend Brownfield Cleanup Agreement And Amendment - Questions for Sites Seeking Tangible Property Credits in New York City ONLY.

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>From ECL 27-1405(31):</p> <p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>From 6 NYCRR 375- 3.2(a) as of July 1, 2015:</p> <p>(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.</p> <p>(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, that defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.</p> <p>(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, that sets affordable units aside for tenants at a defined maximum percentage of the area median income.</p> <p>(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.</p>	

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

Existing Agreement Information	
BCP SITE NAME: Volunteers of America Back Lot Site	BCP SITE NUMBER: C828126
NAME OF CURRENT APPLICANT(S): Volunteers of America of Western New York, Inc.	
INDEX NUMBER OF EXISTING AGREEMENT: #B-8-0688-05-04	
EFFECTIVE DATE OF EXISTING AGREEMENT: 6/15/2005	

Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (If applicable)

(Individual)

I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am (title _____) of (entity _____); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

_____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Interim President/CEO (title) of Volunteers of America of Western New York, Inc. (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 5-27-16 Signature: Jeri Rombaut

Print Name: Jeri Rombaut

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	<input checked="" type="checkbox"/> VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
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Effective Date of the Original Agreement: July 15, 2005

Signature by the Department:

DATED: JUN 27 2016

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:

Robert W. Schick
Robert W. Schick, P.E., Director
Division of Environmental Remediation

SUBMITTAL INFORMATION:

- **Two (2) copies**, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) must be sent to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

PROJECT MANAGER: _____

Exhibit A

MONROE COUNTY CLERK'S OFFICE
County Clerk's Recording Page

Return To:

BOX 93

GORDON
WILLIAM R
VOLUNTEERS OF AMERICA OF WESTE

Index DEEDS

Book 08942 Page 0173

No. Pages 0024

Instrument DEED

Date : 11/19/1997

Time : 4:52:00

Control # 199711191181

TT# TT 0000 006912

Employee ID LY

MORTGAGE TAX

FILE FEE-S	\$	26.75
FILE FEE-C	\$	8.25
REC FEE	\$	72.00
	\$	.00
TRANS TAX	\$	2,300.00
MISC FEE-C	\$	5.00
	\$	.00
	\$	.00
	\$	.00
Total:	\$	2,412.00

TRANSFER AMT	\$	575,000.00
BASIC MTG TAX	\$	.00
SPEC ADDIT MTG TAX	\$	.00
ADDITIONAL MTG TAX	\$	.00
Total	\$	.00

STATE OF NEW YORK
MONROE COUNTY CLERK'S OFFICE

TRANSFER TAX

**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**

TRANSFER AMT	\$	575,000.00
Transfer Tax	\$	2,300.00

Maggie Brooks, County Clerk

46
b7c3
w31
Executor's Deed
(Individual)

THIS INDENTURE, made the 13th day of November, Nineteen Hundred and Ninety-Seven.

BETWEEN Lois Gordon, as Executrix of the last will and testament of William R. Gordon, late of 4 Ridgeview Court, Pittsford, New York, deceased,

Grantor, and

Volunteers of America of Western New York, Inc., having an address of 175 Ward Street, Rochester, New York 14605

Grantee,

WITNESSETH that Grantor, by virtue of the power and authority to her given in and by the said Last Will and Testament, and in consideration of Five Hundred Seventy-five Thousand and 00/100 Dollars (\$575,000.00) lawful money of the United States, paid by Grantee, does hereby grant and release unto Grantee, its heirs, distributees and assigns forever,

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, New York as being more particularly described on the attached Schedule A, together with any rights of first refusal that Grantor may have, as successor in interest to grantee, in deed dated December 23, 1981 and recorded January 5, 1982 in the Monroe County Clerk's Office in Liber 6090 of Deeds at page 297.

Subject to all covenants, easements and restrictions of record affecting the premises, if any.

Being and hereby intending to convey the same premises conveyed to Grantor by deeds recorded in the Monroe County Clerk's Office in Liber 6914 of Deeds, page 119, as corrected by Correction Deed recorded in Liber 7052 of Deeds, page 283 and as further corrected by Correction Deed recorded in Liber 7264 of Deeds, page 47.

Property Address: See Attached Schedule B

Tax Account Nos. See Attached Schedule B

Tax Mailing Address: 175 Ward Street
Rochester, NY 14605

RECORDED
57 NOV 19 1997
944 PM 4:48
52

11-10-97

TOGETHER with the appurtenances and all the estate which the said Testator had at the time of his decease, in said premises, And also the estate therein, which Grantor had or has power to convey or dispose of, whether individually, or by virtue of said Will or otherwise,

TO HAVE AND TO HOLD the premises herein granted unto Grantee, its distributees or successors and assigns forever.

And Grantor covenants that she has not done or suffered anything whereby the said premises have been incumbered in any way whatever.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, Grantor has executed this indenture on the day and year first above written.

IN PRESENCE OF:

ESTATE OF WILLIAM R. GORDON

BY: Lois Gordon L.S.
Lois Gordon, Executrix

STATE OF NEW YORK)
COUNTY OF MONROE) ss:

On this 13th day of November, 1997, before me, the subscriber, personally appeared Lois Gordon, Executor of the Last Will and Testament of William R. Gordon, to me known and known to me to be the same person described in and who executed the foregoing instrument, and she duly acknowledged to me that she executed the same as Executrix for the purposes therein mentioned.

Karen L. Field
Notary Public

KAREN L. FIELD
Notary Public, State of New York
Monroe County
Commission Expires February 28, 1998

SCHEDULE A

PARCEL 1

Conveys ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe and State of New York, and being parts of Lots 19, 20 and 21 of Section "A" of the Jones Tract, bounded and described as follows: Commencing at the northeast corner of Ambrose Street and Lake Avenue, running thence northerly along the easterly line of Lake Avenue a distance of 50 feet, more or less, to the southwest corner of land conveyed to Heinrich Motors, Inc. by deed recorded in the Monroe County Clerk's Office in Liber 2636 of Deeds, page 55; thence running easterly along the southerly line of said Heinrich Motors, Inc. premises and said southerly line extended, and parallel to the north line of Ambrose Street and 50 feet distant northerly therefrom, more or less, to the westerly line of Ogden Court; thence southerly along the westerly line of Ogden Court a distance of 50 feet, more or less, to the north line of Ambrose Street; thence westerly along the northerly line of Ambrose Street to the place of beginning. The above described premises recorded in Monroe County

SCHEDULE A CONTINUED

Clerk's Office in Liber 2691 of Deeds, page 483, and part of the premises conveyed to Lake-Ambrose Properties, Inc. by deed recorded in Monroe County Clerk's Office in Liber 2940 of Deeds, page 520.

PARCEL 2

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, being a part of Subdivision of Lots Nos. 19, 20 and 21 of Section "A" of the Jones Tract, as laid down on a map of Rochester made by Silas Cornell in 1839, and bounded and described as follows: Beginning at a point in the east line of Lake Avenue distant 49.21 feet northerly from the point of intersection of the east line of Lake Avenue with the northerly line of Ambrose Street as monumented on June 17, 1930, which point of beginning is also the northwest corner of lands conveyed by Gabriele Canzano to Heinrich Motors, Inc. by deed recorded in the Monroe County Clerk's Office in Liber 2691 of Deeds, page 483; running thence northerly along the east line of Lake Avenue, a distance of 82 feet to the south line of a lot or parcel of land formerly owned by Hiram Defendorf; thence easterly along the south line of said Defendorf's land and parallel with Ambrose Street 116 feet to a point; thence southerly parallel with Lake Avenue 82 feet to a lot or parcel of land formerly owned by one Dunshee, and which lot or parcel of land is the same premises conveyed by Gabriele Canzano to Heinrich Motors, Inc. by deed recorded in Monroe County Clerk's Office in Liber 2691 of Deed, page 483; thence westerly along the north line of said lot or parcel of land so conveyed by Gabriele Canzano to Heinrich Motors, Inc., a distance of 116 feet to the place of beginning. The above described premises are the same premises conveyed to Heinrich Motors, Inc., by deeds recorded in the Monroe County Clerk's Office in Liber 2636 of Deeds, page 55, and Liber 2636 of Deeds, page 53 and are a part of the same

SCHEDULE A CONTINUED

premises conveyed to Lake-Ambrose Properties, Inc. by deed recorded in the Monroe County Clerk's Office in Liber 2940 of Deeds, page 520.

PARCEL 3

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, and bounded and described as follows: Beginning at a point in the east line of Lake Avenue 132 feet northerly from Ambrose Street, which point of beginning is also the northwest corner of premises conveyed to Heinrich Motors, Inc. by deed recorded in the Monroe County Clerk's Office in Liber 2636 of Deeds, page 55; thence easterly parallel with Ambrose Street 180 feet to an alley; thence northerly along the west line of said alley 44 feet to land formerly owned by L. Farrar, Esq.; thence westerly along said Farrar's south line and parallel with Ambrose Street to said Lake Avenue; thence southerly along the east line of Lake Avenue 44 feet to the place of beginning. The above described premises are the same premises conveyed to Lake-Ambrose Properties, Inc. by deed recorded in the Monroe County Clerk's Office in Liber 3239 of Deeds, page 460.

PARCEL 4

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, being part of Section "A" of the Jones Tract so called and bounded and described as follows: Beginning at a point in the east line of Lake Avenue, 220 feet northerly from the intersection of the North line of Ambrose Street with the said east line of Lake Avenue; thence easterly parallel with Ambrose Street 130 feet more or less to the north end of a board fence forming the east boundary line of the premises hereby conveyed; thence southerly along said fence parallel with Lake Avenue, 44 feet to Defendorf's north line; thence westerly along said last mentioned line, parallel

SCHEDULE A CONTINUED

with Ambrose Street to the east line of Lake Avenue; thence northerly along the said east line of Lake Avenue to the place of beginning; together with the right of way from the rear of said premises, as defined in a deed from Lysander Farrar of the City of Rochester, deceased, to Thomas H. Pritchard of the same place, dated November 12, 1869.

ALSO, ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the Ninth Ward of the said City of Rochester and bounded and described as follows: On the north by the continuation of the north boundary line of the premises last above described, east by the west line of an alley leading from the premises southerly to Ambrose Street, south by Defendorf premises and west by the east line of the premises above described, being the same premises conveyed to Mary L. Wilson by Anthony P. DeNeve and Sarah DeNeve, his wife, by deed dated March 28, 1906 and recorded in Monroe County Clerk's Office on the 5th day of April, 1906 in Book 731 of Deeds, page 15.

The premises described in the foregoing last two paragraphs and comprising parcel 4 hereof, are the same premises conveyed to Lake-Ambrose Properties, Inc. by deed recorded in the Monroe County Clerk's Office in Liber 3422 of Deeds, page 384.

PARCEL 5

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, and being a part of the premises conveyed to John A. Roncone by the Rochester Savings Bank by deed dated June 25, 1919 and recorded in Monroe County Clerk's Office, described as follows: Commencing at a point on the west line of Ogden Court 50 feet distant from and northerly of the north line of Ambrose Street, which point of beginning is also the northeast corner of premises conveyed to Heinrich Motors, Inc. by deed

SCHEDULE A CONTINUED

recorded in the Monroe County Clerk's Office in Liber 2691 of Deeds, page 483; and running thence northerly along the west line of Ogden Court 38 feet to a point; thence westerly and parallel with Ambrose Street 64 feet to a point; thence southerly parallel with Ogden Court 38 feet to a point in the north line of a parcel or lot of land formerly owned by Hiram Defendorf and now or formerly owned by Mr. Dunshee; thence easterly along the north line of said Dunshee's land 64 feet to the place of beginning.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, and being part of the premises conveyed to John A. Roncone by the Rochester Savings Bank by deed dated June 25, 1919 and recorded in Monroe County Clerk's Office, described as follows: Commencing at a point on the west line of Ogden Court 88 feet distant from and northerly of the north line of Ambrose Street, which point of beginning is also the northeast corner of premises conveyed to Michele Farrainolo and Teresa Farrainolo, his wife, by deed recorded in the Monroe County Clerk's Office in Liber 1062 of Deeds, page 417, and running thence northerly along the west line of Ogden Court 44 feet to a point; thence westerly and parallel with Ambrose Street 64 feet to a point; thence southerly parallel with Ogden Court 44 feet to a point; thence easterly 64 feet to the place of beginning.

The premises described in the foregoing last two paragraphs and comprising parcel 5 hereof, are the same premises conveyed to Lake-Ambrose Properties, Inc. by deed recorded in the Monroe County Clerk's Office in Liber 3289 of Deeds, page 460.

PARCEL 6

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York and being parts of Lots

SCHEDULE A CONTINUED

Nos. 16 and 17 of Section "A" of the Jones Tract, bounded and described as follows: Beginning at a point on the east side of Lake Avenue distant 219.21 feet northerly from the point of intersection of the east line of Lake Avenue with the northerly line of Ambrose Street as monumented on June 17, 1930 (being 220 feet northerly from said point of intersection as formerly monumented) and running thence easterly on a line making an angle in the northeast quadrant with said easterly line of Lake Avenue of $89^{\circ} 6'$ 180 feet; thence northerly on a line parallel with said east line to Lake Avenue, 140 feet to the north line of Lot No. 16 of the Jones Tract; thence westerly along said north line of said Lot No. 16, 180 feet to the east line of Lake Avenue; thence southerly along the east line of Lake Avenue, 140 feet to the point or place beginning. Together with all the right, title and interest of the party of the first part in and to the land lying in Lake Avenue in front of and adjoining the above described premises.

PARCEL 7

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, being parts of Lots 16, 17 and 18 of Section "A" of the Jones Tract, as the same is shown on a certain map of the City of Rochester, made by Silas Cornell, City Surveyor, dated 1839, and bounded and described as follows: Beginning at a point 180 feet east of the east line of Lake Avenue, and in the north line of said Lot No. 16, Section "A" of the Jones Tract, which point of beginning is also the northeast corner of the land conveyed by Socony-Vacuum Oil Company Incorporated to Katherine A. Heinrich by deed recorded in the Monroe County Clerk's Office in Liber 2007 of Deeds, page 123; and running thence southerly along the east line of said lot so conveyed to Katherine A. Heinrich, a distance of 140 feet to the southerly line of said land so conveyed as aforesaid to Katherine A. Heinrich, which point is also

SCHEDULE A CONTINUED

the southeast corner of said land so conveyed to Katherine A. Heinrich as aforesaid and is also the northwest corner of Ogden Court; thence easterly and along the said southerly line of said land so conveyed as aforesaid to Katherine A. Heinrich, extended a distance of 37.60 feet, which southerly line of the premises hereby conveyed and described is also the north line of Ogden Court and a continuation thereof easterly; thence northerly 140.01 feet to a point in the said north line of said Lot 16, distant 36.5 feet easterly from the point of beginning; thence westerly along said north line of said Lot 16 to the place of beginning. The premises hereby intended to be conveyed and described consist of a parcel of land 140 feet on its west line, 37.60 feet on its south line, 140.01 feet on its east line, 36.5 feet on its north line and adjacent to the east line of the land conveyed as aforesaid by Socony-Vacuum Oil Company Incorporated to Katherine A. Heinrich.

PARCEL 8

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, and being part of said Lot 16 of Section "A" of the aforesaid Jones Tract, bounded and described as follows:

Beginning at a point 216.5 feet east of the east line of Lake Avenue and in the north line of said Lot 16, which point of beginning is also the northeast corner of the last above described parcel of land, and running thence easterly in the north line of Lot 16 a distance of 84.5 feet to the west line of Haidt Place; thence southerly along the west line of Haidt Place a distance of 8 feet; thence westerly to a point 8.84 feet southerly from the place of beginning and in the east line of the last above described parcel of land; thence northerly and along said east line a distance of 8.84 feet to the place of beginning. The premises hereby intended to be conveyed and described consist of a parcel of land 84.5 feet on its north line, 8

SCHEDULE A CONTINUED

feet on its east line, approximately 84.5 feet on its south line, 8.84 feet on its west line, and adjacent to the north line of said Lot 16, and the east line of the last above described parcel of land, and are subject to a traffic easement described in deed recorded in Liber 1715 of Deeds, page 541.

PARCEL 9

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, being the westerly parts of Lots number 14 and 15 in Section "A" of Jones Tract, as the same is known and distinguished on a certain "Map of the City of Rochester", made by Silas Cornell, City Surveyor, dated 1839.

The parts of said lots 14 and 15 hereby conveyed, front 120 feet on the east side of Lake Avenue, are the same width in rear, and 321 feet in depth, the rear or east line being parallel with Lake Avenue, and being the center line of Haidt Place extended northerly across said lots and to the north line of said Lot 14, being the same premises conveyed to William Heinrich and Katherine A. Heinrich, his wife, by deeds recorded in Monroe County Clerk's Office in Liber 1349 of Deeds, page 156, and 1218 of Deeds, page 338, and this conveyance is made and accepted subject to covenants, easements, conditions, restrictions and agreements therein mentioned and referred to.

PARCEL 10

ALSO, ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, situated on the east side of Lake Avenue and being portions of Lots 12 and 13 Section "A" in the Jones Tract and so designated on a map of said tract made by Silas Cornell for J.S. Graham, and bounded as follows:

SCHEDULE A CONTINUED

Commencing in the east line of Lake Avenue at the southwest corner of said Lot 13, being the northwest corner of lands formerly owned and occupied by Rebecca W. Alleyn; running thence northerly along the east line of Lake Avenue 94.15 feet to the south line of a certain right of way heretofore laid out; thence easterly on a line parallel with the division line of lands of said Rebecca W. Alleyn and lands formerly owned by One Mary Ann Frottingham, 321 feet to the northwest corner of the premises conveyed by Harry B. Phillips and Rowena E. Phillips, his wife, to Rochester Gas & Electric Corporation by Liber 1274 of Deeds, page 154; thence southerly along the west line of the premises described in said last mentioned deed, 94.15 feet to the south line of said Lot 13; thence westerly along the south line of said Lot 13, 321 feet to the place of beginning. The premises conveyed front 94.15 feet on the east side of Lake Avenue and extend back easterly of the same width throughout a distance of 321 feet. Together with all right, title and interest of first party in and to a right of way 25 feet wide extending from the east side of Lake Avenue along the north line of the above described premises to the rear line thereof, said right of way being set forth in Liber 363 of Deeds, page 468. This conveyance is made and accepted subject to a right of way held by Heinrich Motors, Inc. over a strip of land approximately 15 feet wide south of the building on the above described premises for the purpose of ingress and egress to and from Lake Avenue and to and from the entrance on the north side of the building occupied by Heinrich Motors, Inc. upon premises immediately adjoining the above described premises on the south; said right of way, however, shall continue only during such time as Heinrich Motors, Inc. may be conducting business upon said premises immediately adjoining the above described premises on the south.

SCHEDULE A CONTINUED

The above described parcels of land numbered 6, 7, 8, 9 and 10 comprise the same premises conveyed to Jane Heinrich by deed recorded in Monroe County Clerk's Office in Liber 3246 of Deeds, page 362.

PARCEL 11

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, situated at the northeast corner of Ambrose Street and Ogden Court and more particularly described as follows: Commencing at the northeast corner of Ambrose Street and Ogden Court and running thence northerly along the east line of Ogden Court, a distance of 150 feet to a point; thence easterly and along a line parallel to the north line of Ambrose Street and 150 feet distant therefrom, a distance of 100 feet to a point; thence southerly and along a line parallel to the east line of Ogden Court and 100 feet distant therefrom, a distance of 150 feet to a point in the north line of Ambrose Street; thence Westerly along the north line of Ambrose Street to the place of beginning. Said premises consist of a parcel of land on the north side of Ambrose Street 100 feet wide both front and rear and 150 feet deep and are the same premises conveyed to Heinrich Motors, Inc. by deeds recorded in the Monroe County Clerk's Office in Liber 2450 of Deeds, page 258 and Liber 2456 of Deeds, page 158.

PARCEL 12

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, State of New York, being a part of the Jones Tract, Section A in Great Lot No. 46 on the east side of Lake Avenue on the north side of Ambrose Street; more particularly bounded and described as follows: Beginning at a point on the north line of Ambrose Street 395 feet east of the east line of Lake Avenue; being also the easterly line of Rochester Gas and Electric

SCHEDULE A CONTINUED

Corporation; thence north 21 degrees 52' west a distance of 65 feet; thence north 67 degrees 14' east a distance of 24 feet; thence north 21 degrees 52' west a distance of 31.05 feet; thence north 46 degrees 24' 07" west a distance of 111.21 feet; thence north 15 degrees 52' 27" west a distance of 105.32 feet; thence north 5 degrees 04' 57" east a distance of 77 feet; thence north 83 degrees east a distance of 167.69 feet; thence north 7 degrees east a distance of 50 feet; thence north 19 degrees 47' east a distance of 137.25 feet; thence north 59 degrees 17' east a distance of 292.5 feet to the Genesee River; thence south 1 degree 46' 38" east a distance of 54.08 feet; thence south 54 degrees 31' 58" west on a line parallel with and 30 feet northerly from the center line of track a distance of 87.98 feet; thence along a curve to the left and 30 feet from said centerline of track now Consolidated Rail Corporation a distance of 590.97 feet to the northerly line of Ambrose Street; thence south 67 degrees 14' west along said north line a distance of 73.84 feet to the place of beginning, containing 84,760 square feet or 1.946 acres of land.

PARCEL 13

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, bounded and described as follows: Beginning at a point in the westerly line of Haidt Place, said point being 115.0 feet distant northerly from the northerly line of Ambrose Street; thence (1) northerly along the aforementioned westerly street line a distance of 35 feet to a jog in said street line; thence (2) easterly along a line parallel to and 150 feet northerly from Ambrose Street, a distance of 5.0 feet; thence (3) northerly continuing along the westerly line of Haidt Place, a distance of 209.21 feet to the northerly terminus of said street; thence (4) easterly along the northerly end of said street, parallel to Ambrose Street, a distance of 40 feet to the easterly line of

SCHEDULE A CONTINUED

said street; thence (5) southerly along the last mentioned street line parallel to and 341.0 feet distant easterly from the easterly line of Lake Avenue, a distance of 224.21 feet to a point; thence (6) westerly along a line parallel to Ambrose Street, a distance of 45.0 feet to the point of beginning.

PARCEL 14

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and the State of New York, bounded and described as follows: A strip of land 16 feet in width extending northerly of equal width from the northerly side of Ambrose Street a distance of 219.21 feet. The westerly line of said strip being parallel to and 180.0 feet distant easterly from the easterly line of Lake Avenue.

PARCEL 15

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, being a part of the Jones tract, Section A, in Great Lot No. 46 of said City, bounded and described according to a plan of a survey made by Robert I. McCutchan, dated May 8, 1981 as follows, Beginning at a point on the north line of Ambrose Street 341 feet east of the east line of Lake Avenue; being also the easterly line of Rochester Gas and Electric Corporation; thence (1) north 21 degrees 52' west along the easterly line of Haidt Place a distance of 359.21 feet; thence (2) south 67 degrees 14' west a distance of 20 feet, along a line between Haidt Place and lands of Rochester Gas and Electric Corporation; thence (3) north 21 degrees 52' west a distance of 214.15 feet to the northeasterly corner of lands of Jonathan C. Heinrich and David W. Heinrich; thence (4) north 67 degrees 14' east a distance of 460 feet through lands of Rochester Gas and Electric Corporation to the southwesterly line of lands of City of Rochester; thence (5) south 21 degrees 52' east along said lands of City

SCHEDULE A CONTINUED

of Rochester a distance of 108 feet; thence (6) south 6 degrees 59' west a distance of 71 feet, to the northerly line of lands of Jonathan C. Heinrich and David W. Heinrich; thence (7) south 59 degrees 17' west a distance of 39 feet along said lands of Jonathan C. Heinrich and David W. Heinrich; thence (8) south 39 degrees 47' west a distance of 137.25 feet; thence (9) south 7 degrees west a distance of 50 feet; thence (10) north 83 degrees west a distance of 139.01 feet; thence (11) south 2 degrees 53' 15" east a distance of 1.54 feet; thence (12) south 67 degrees 14' west a distance of 20 feet; thence (13) south 14 degrees 15' 42" west a distance of 63.25 feet; thence (14) south 28 degrees 35' 10" east a distance of 105.32 feet; thence (15) south 36 degrees 04' 04" east a distance of 111.21 feet; thence (16) south 13 degrees 52' 38" east a distance of 31.05 feet; thence (17) south 67 degrees 14' west a distance of 24 feet; thence (18) south 21 degrees 52' east a distance of 65 feet to the northerly line of Ambrose Street; thence (19) south 67 degrees 14' west along said northerly line of Ambrose Street a distance of 54 feet to the point of beginning.

Together with any strips and gores adjoining the above described premises and together with all of the party of the first part's rights, title and interest in and to Haidt Place and Ambrose Street adjoining the above described premises.

Together with an easement for ingress and egress to the premises in common with the grantor 25 feet wide over the existing easement north of 234 Lake Avenue.

EXCEPTING FROM PARCEL 15 THE FOLLOWING:

ALL THAT PIECE OR PARCEL OF LAND, containing 0.097 more or less acre situate in the City of Rochester, Monroe County, New York being a portion of land conveyed to Jonathan C. Heinrich and David W. Heinrich by deed recorded in the Monroe County Clerk's Office in Liber 6090 of Deeds at page 297

SCHEDULE A CONTINUED

as shown on Map No. R300, Parcel No. 1, dated December 13, 1982 and prepared Lozier, Seeyle & Tonia, and more particularly described as follows: Beginning at a point, said point being the northeasterly corner of land conveyed to Jonathan C. Heinrich and David W. Heinrich and being in the southerly line of land of Rochester Gas and Electric Corporation; thence (1) south 29 degrees 21' 02" east along the easterly boundary of land conveyed to Jonathan C. Heinrich and David W. Heinrich a distance of 108.00 feet to a point; thence (2) south 0 degrees 30' 02" east continuing along the said easterly boundary a distance of 35.00 feet to a point; thence (3) south 89 degrees 29' 57" west a distance of 33.87 feet to a point; thence (4) north 16 degrees 27' 40" west a distance of 125.17 feet to a point, said point being in the division line between lands of Jonathan C. Heinrich and David W. Heinrich on the south and Rochester Gas and Electric Corporation on the north; thence (5) north 59 degrees 44' 58" east along the said division line a distance of 18.63 feet to the point of beginning.

PARCEL 16

ALL THAT TRACT OR PARCEL OF LAND, situate in the 9th Ward of the City of Rochester,, County of Monroe, and State of New York, being part of Lots 16, 17 and 18, Section "A" of the Jones Tract, as the same is known and distinguished on a certain map of the City of Rochester, made by Silas Cornell, City Surveyor, dated 1839 and bounded and described as follows: Commencing at a point in the north line of said Lot #16, 180 feet, more or less, east of the east line of Lake Avenue at the northeast corner of premises conveyed to Frederick Armstrong and wife by Edmund P. Moore, Raymond L. Davis and Bert Guiney, by Warranty Deed dated Sept. 23, 1929 and recorded in the Monroe County Clerk's Office Sept. 27, 1929 in Liber 1498 of Deeds, page 394; running thence easterly about 141 feet to a point opposite the center line of Haidt Park; thence

SCHEDULE A CONTINUED

south along the said center line of Haidt Park about 360 feet to the north line of Ambrose Street; thence west along the north line of Ambrose Street 25 feet, more or less to the east line of premises conveyed by Lysander Farrar to Willard E. and Morgan E. Defendorf by Deed dated November 17, 1873 and recorded in Monroe County Clerk's Office in Liber 268 of Deeds, page 408; thence northerly parallel with Lake Avenue and along the east line of said Defendorf premises to the northeast corner of the parcel of land adjoining said Defendorf's premises on the north, conveyed with other property, by the Executors of Lysander Farrar to Edith M. Pritchard by Deed dated September 20, 1979 and recorded in Monroe County Clerk's Office in Liber 322 of Deeds, page 476, about 150 feet, more or less; thence westerly parallel with Ambrose Street and along the north line of said parcel of land conveyed to Edith M. Pritchard about 100 feet to the east line of an alley; thence northerly along the east line of said alley to a point southerly from the north line of said Lot #16 about 140 feet and to the north line or north line continued of another parcel of land described in said Deed by the Executors of Lysander Farrar to Edith M. Pritchard and lying west of said alley; thence westerly along the said north line and north line continued of said last mentioned Pritchard parcel to the southeast corner of the said land conveyed to Frederick P. Armstrong to Edmund P. Moore, et al about 16 feet; thence northerly along the easterly boundary of said Edmund P. Moore and others to the place of beginning.

Excepting such easement as may now exist granted by Harriet A. Armstrong to Thomas C. Trimble by conveyance recorded in Monroe County Clerk's Office in Liber 1469 of Deeds, page 357 and which conveys an easement for right of passage for persons over and across the following described premises:

Part of Lot #19 Section "A" of the Jones Tract, being a strip of land 5 feet in width fronting on the west side of Haidt Place, 5 feet in width on its rear or

west line, 70 feet in depth, bounded on the south by the north line of premises conveyed by Minnie Haidt to Fred Haidt and wife by Deed recorded in Monroe County Clerk's Office in Liber 956 of Deeds, at page 485 which line is parallel to and distant 150 feet, more or less, northerly from the north line of Ambrose Street.

Excepting also therefrom that portion of land conveyed by ___ M. Kaplan to Katherine A. Heinrich by Deed recorded in Liber 1715 of Deeds, page 541, subject to reservation of whatever rights stated therein.

This conveyance includes all right, title and interest of the Grantor in and to any strips and gores adjoining and lying adjacent to the premises herein conveyed and all his right, title and interest in and to roadways upon which the premises abut.

Excluding and Reserving from all of the foregoing premises the following:
ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, Monroe County, New York, being a portion of lands conveyed to Jonathan C. Heinrich and David W. Heinrich, more particularly described as follows:
 Commencing at a point on the northerly highway boundary line of Ambrose Street (60.00' r.o.w.) being 393.37' easterly from its intersection with the easterly highway boundary line of Lake Avenue (100.00' r.o.w.); thence (1) north 29°-21'-02" west and through a point being 5.0' westerly, measured at right angles, from the southwest corner of the existing building at 14 Ambrose Street forming an angle in the northwest quadrant of 90°-54'-00" a distance of 105.83' to a point; thence (2) north 64°-34'-04" east and across the lands of Jonathan C. & David W. Heinrich forming an angle in the southeast quadrant of 86°-04'-54" a distance of 42.62' to a point; thence (3) north 19° 03'-17" west and across said lands forming an angle in the northwest quadrant of 96°-23'-39" a distance of

SCHEDULE A CONTINUED

9.65' to a point; thence (4) north $65^{\circ}-00'-56''$ east and across said lands forming an angle in the southeast quadrant of $95^{\circ}-55'-47''$ a distance of 45.88' to a point; thence (5) north $9^{\circ}-00' 37''$ east and across said lands forming an angle on the northerly side of $193^{\circ}-59'-41''$ a distance of 6.44' to a point; thence (6) northerly and across said lands being a curve to the right having a radius of 620.57' a distance of 258.32' to a point; thence (7) north $16^{\circ}-39'-51''$ west and across said lands a distance of 156.86' to a point; thence (8) north $50^{\circ}-21'-25''$ west and across said lands forming an angle on the westerly side of $146^{\circ}-18'-26''$ a distance of 42.49' to a point; thence (9) south $66^{\circ}-42'-52''$ west and across said lands forming an angle in the southwest quadrant of $117^{\circ}-04'-17''$ a distance of 356.06' to a point; thence (10) north $29^{\circ}-21'-02''$ west and across said lands forming an angle in the northeast quadrant of $96^{\circ}-03'-54''$ a distance of 37.60' to a point; thence (11) north $59^{\circ}-44'-58''$ east a distance of 2.28' to a point, said point being the northeast property corner of Jonathan C. and David W. Heinrich as described in a deed recorded in the Monroe County Clerk's Office in Liber 4271 of Deeds, page 33; thence (12) in a generally easterly direction a distance of approximately $441 \pm$ feet along a line which is the north line of a parcel conveyed to Jonathan C. and David W. Heinrich by deed recorded in the Monroe County Clerk's Office on December 23, 1981 in Liber 6090 of Deeds, page 297 to a point, said point being the northwesterly corner of land conveyed to the Rochester Pure Waters District by deed recorded June 29, 1983 in the Monroe County Clerk's Office in Liber 6337 of Deeds, page 247; thence (13) south $16^{\circ}-27'-40''$ east a distance of 125.17 feet along a line which is the west line of a parcel conveyed to the Rochester Pure Waters District by deed recorded June 29, 1983 in the Monroe County Clerk's Office in Liber 6337 of Deeds, page 247 to a point; thence (14) north $89^{\circ}-29'-57''$ east a distance of 33.87 feet along a line which is the south line of a parcel

SCHEDULE A CONTINUED

conveyed to the Rochester Pure Waters District by deed recorded June 29, 1983 in the Monroe County Clerk's Office in Liber 6337 of Deeds, page 347 to a point; thence (15) south $0^{\circ}-30'-02''$ east a distance of approximately 36 feet along a line which is the west line of a parcel conveyed to the Rochester Pure Waters District by deed recorded in the Monroe County Clerk's Office May 15, 1984 in Liber 6532 of Deeds, Liber 66 to a point, said point being in the northerly line of land conveyed to Jonathan C. Heinrich and David W. Heinrich by deed recorded in Monroe County Clerk's Office on February 1, 1978, in Liber 5378 of Deeds, page 275; thence (16) in a generally northeasterly direction a distance of approximately $253.5 \pm$ feet along a line which is the easterly line of land conveyed to Jonathan C. Heinrich and David W. Heinrich by deed recorded in the Monroe County Clerk's Office on February 1, 1978, in Liber 5378 of Deeds, page 275 to the Genesee River; thence (17) in a generally southeasterly direction a distance of approximately 54.08 feet along a line which is the southeast line of a parcel conveyed to Jonathan C. Heinrich and David W. Heinrich by deed recorded in the Monroe County Clerk's Office in February 1, 1978, in Liber 5378 of Deeds, page 275; thence (18) in a generally southwesterly direction along a line parallel with and approximately 30 feet north of the center line a distance of approximately 87.98 feet which line is a portion of the southeasterly boundary of the parcel conveyed to Jonathan C. Heinrich and David W. Heinrich by deed recorded in the Monroe County Clerk's Office in February 1, 1978, in Liber 5378 of Deeds, page 275; thence (19) along a curve to the left and approximately 30 feet from said center line of track now Consolidated Rail Corporation a distance of approximately 590.97 feet which curve is a portion of the southeasterly boundary of a parcel conveyed to Jonathan C. Heinrich and David W. Heinrich by deed recorded in the Monroe County Clerk's Office on February 1, 1978, in Liber 5378 of Deeds, page

SCHEDULE A CONTINUED

275 to the northerly line of Ambrose Street; thence (20) in a generally westerly direction along said north line, such line extended an approximate distance of 68.48 feet to the place of beginning.

Together with any strips and gores adjoining the above-described premises.

The above referenced premises are also more particularly described as follows:

Description for 214 Lake Avenue
City of Rochester

All that tract or parcel of land being Lots 14 through 19, and part of Lots 12, 13, 20, and 21 in Section A of the Jones Tract situated in Lot 46 of the 20,000 Acre Tract, City of Rochester, Monroe County, New York State and more particularly described as follows:

Beginning at a point on the east boundary line of Lake Avenue at its intersection with the north boundary line of Ambrose Street, said point being the southwest corner of parcel 1 conveyed to Dartford Associates as described in a deed recorded in the Monroe County Clerk's Office in liber 4271, page 11, thence;

1. N 29°21'02" W along the easterly line of Lake Avenue a distance of 573.36 feet to a point, said point being the northwest corner of parcel 10 as described in said deed, thence;
2. N 59°44'58" E along the north line of parcel 10 a distance of 318.72 feet ~~to the northeast corner of said parcel;~~ thence;
3. S 29°21'02" E ~~along the east line of said parcel 10~~ a distance of 37.60 feet to a point, thence the following nine courses being the westerly line of the exception to that parcel of land conveyed to Jonathan C. and David W. Heinrich as described in a deed filed in the Monroe County Clerk's Office in liber 6090, page 297;
4. N 66°42'52" E a distance of 356.06' feet to a point, thence;
5. S 50°21'25" E a distance of 42.49 to a point, thence;
6. S 16°39'51" E a distance of 156.86 feet, thence;
7. Southerly and westerly along a line curving to the left having a radius of 620.57 feet, a central angle of 23°52'18", a distance of 258.55 feet to a point, thence;
8. S 79°00'37" W a distance of 6.44 feet to a point, thence;
9. S 65°00'56" W a distance of 45.88 feet to a point, thence;
10. S 19°03'17" E a distance of 9.65 feet to a point, thence;
11. S 64°34'04" W a distance of 42.62 feet to a point, thence;
12. S 29°21'02" E a distance of 105.83 feet to a point on the north line of Ambrose Street, thence;
13. S 59°44'58" W along the north line of Ambrose Street a distance of 52.37 feet to a point on the east line of Haidt Place, thence the following three courses along the east, north and west boundary lines of Haidt Place;
14. N 29°21'02" W a distance of 115.00 feet to a point, thence;
15. S 59°44'58" W a distance of 45.00 feet to a point, thence;
16. S 29°21'02" E a distance of 115.00 feet to a point on the north line of Ambrose Street, thence;
17. S 59°44'58" W along the north line of Ambrose Street a distance of 296.00 feet to the point of beginning. Being a parcel of land 7.07 acres in size as shown on a map prepared by Edwin A. Summerhays, L.S. on October 14, 1997.

SCHEDULE B

<u>Property Address</u>	<u>Tax Account No.:</u>
12 Ambrose Street	105.60-2-59.002
184-188 Lake Avenue	105.60-2-58
40 Ambrose Street	105.60-2-57
3 Haidt Place	105.60.2-56
1 Haidt Place	105.60-2-55
220 Lake Avenue	105.52-1-11.006
234 Lake Avenue	105.52-1-14.001
214 Lake Avenue	105.60-2-1
5-11 Haidt Place	105.60-2-2
2 Haidt Place	105.60-2-3.001
18 Ambrose Street	105.60-2-3.003
30 Ambrose Street	105-60-2-54

MONROE COUNTY CLERK'S OFFICE
County Clerk's Recording Page

Return To:

BOX 93

Index DEEDS

Book 09054 Page 0129

No. Pages 0004

Instrument DEED

Date : 8/28/1998

Time : 3:54:00

Control # 199808280987

VOLUNTEERS OF AMERICA OF WESTE
RN NEW YORK
MONROE COUNTY INDUSTRIAL DEVEL
OPMENT AGENCY

TT# TT 0000 002040

Employee ID BC

MORTGAGE TAX

FILE FEE-S	\$	26.75
FILE FEE-C	\$	8.25
REC FEE	\$	12.00
	\$	.00
TRANS TAX	\$	.00
MISC FEE-C	\$	5.00
	\$	.00
	\$	.00
	\$	.00

MORTGAGE AMOUNT	\$	.00
BASIC MORTGAGE TAX	\$	.00
SPEC ADDIT MTG TAX	\$	.00
ADDITIONAL MTG TAX	\$	.00
Total	\$	.00

Total: \$ 52.00

STATE OF NEW YORK
MONROE COUNTY CLERK'S OFFICE

TRANSFER AMT

WARNING - THIS SHEET CONSTITUTES THE CLERKS
ENDORSEMENT, REQUIRED BY SECTION 317-a(5) &
SECTION 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK. DO NOT DETACH.

TRANSFER AMT	\$	.00
TRANSFER TAX	\$	.00

Maggie Brooks, County Clerk



0090540129

WARRANTY DEED

3-24-93
WST
This indenture, made the 25th day of August, Nineteen Hundred and Ninety-Eight between

VOLUNTEERS OF AMERICA OF WESTERN NEW YORK, INC., 175 Ward Street, Rochester, New York 14605

party of the first part, and

COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY, 2 State Street, Suite 500, Rochester, New York 14614

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ONE AND NO/100 DOLLAR (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns forever,

All that tract or parcel of land as described on Schedule "A" attached hereto and made a part hereof.

This conveyance is made and accepted subject to all public utility easements, easements, covenants and restrictions of record affecting said premises, if any.

Being and hereby intending to convey ^{A part of} the same premises conveyed to the party of the first part by deed dated 11-13-47 and recorded in the Monroe County Clerk's Office on 11-13-47 in Liber 4924 of Deeds, page 173.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

To have and to hold the premises herein granted unto the party of the second part, its successors and assigns forever.

Tax Account No.: 105.60-2-1

Tax Mailing Address: 2 State St Suite 500 Roch NY 14604
Property address: 211 Lake Ave Roch NY

MONROE COUNTY CLERK
1998 AUG 28 P 3:54

cccccccc

{10613: }

SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe and State of New York, being part of Lot 14 through 19 and part of lots 12, 13, 20 & 21, Section A of the Jones Tract in Lot 46, 20,000 acre tract, Township 1, Short Range, Mill Seat Tract, Phelps & Gorham Purchase, bounded and described as follows"

Beginning at a point on the northerly right of way line of Ambrose Street (60' wide) at its intersection with the easterly right of way line of Lake Avenue (99' wide); thence

North 29° 19' 43" West, on said easterly right of way line of Lake Avenue, a distance of 573.36 feet to a point on the southerly property line of lands now or formerly of Rochester Gas & Electric Corporation (Liber 1392 of deeds, Page 302); thence

North 59° 46' 17" East, on said southerly line, a distance of 318.72 feet to a point on the westerly property line of lands now or formerly of Jonathan C. Heinrich (Liber 8563 of Deeds, Page 521); thence

South 29° 19' 43" East on said westerly line a distance of 37.60 feet; thence

North 66° 44' 11" East, continuing on the southerly line on said Heinrich, a distance of 148.37 feet to a point on the westerly line of Parcel B; thence

South 30° 12' 25" East, on said westerly line of Parcel B, a distance of 160.22 feet; thence

South 01° 45' 00" East, continuing on said westerly line of Parcel "B", a distance of 275.88 feet to the northeast corner of Haidt Place (45' wide); thence

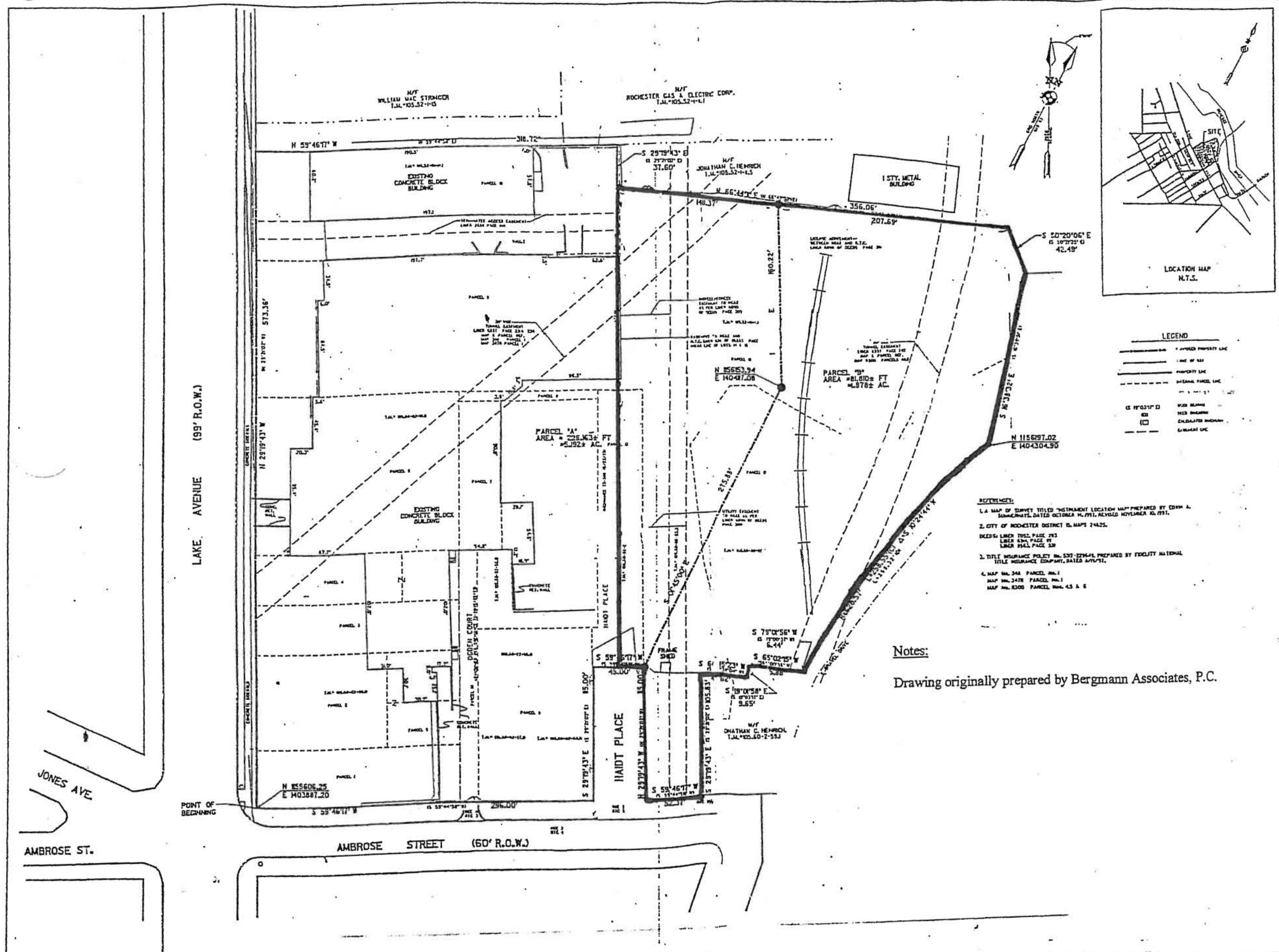
South 59° 46' 17" West, on the northerly right of way line of said Haidt Place, a distance of 45.00 feet; thence

South 29° 19' 43" East, continuing on the westerly right of way line of said Haidt Place, a distance of 115.00 feet to a point on the northerly right of way line of said Ambrose Street; thence

South 59° 46' 17" West, on said northerly right of way line, a distance of 296.00 feet to the Point of Beginning.

Said parcel containing 5.192 acres as shown on a map entitled "Volunteers of America Subdivision Map", prepared by Bergmann Associates, P.C., dated February 10, 1998, last revised August 17, 1998 and filed in the Monroe County Clerk's Office on August 28, 1998 in Liber 297 of Maps, Page 52.

Appendix B



PROJECT TITLE:
 Supplemental Investigation Work Plan
 Voluntary Cleanup Program
 Volunteers of America (VOA)
 214 Lake Avenue, Rochester, New York

DRAWING TITLE:
 Proposed Subsurface Exploration Plan

Drawn By: RTG - GeoQuest Environmental, Inc.
 Checked By: SJD - GeoQuest Environmental, Inc.
 Status: Draft
 Date: 8/17/02

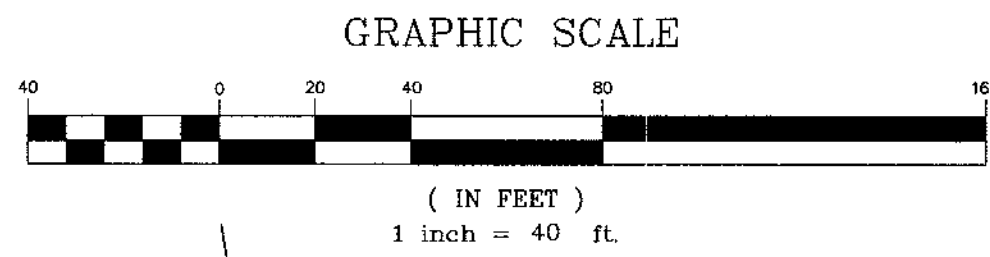
Rev	Description	Date	By

GeoQuest Environmental, Inc.

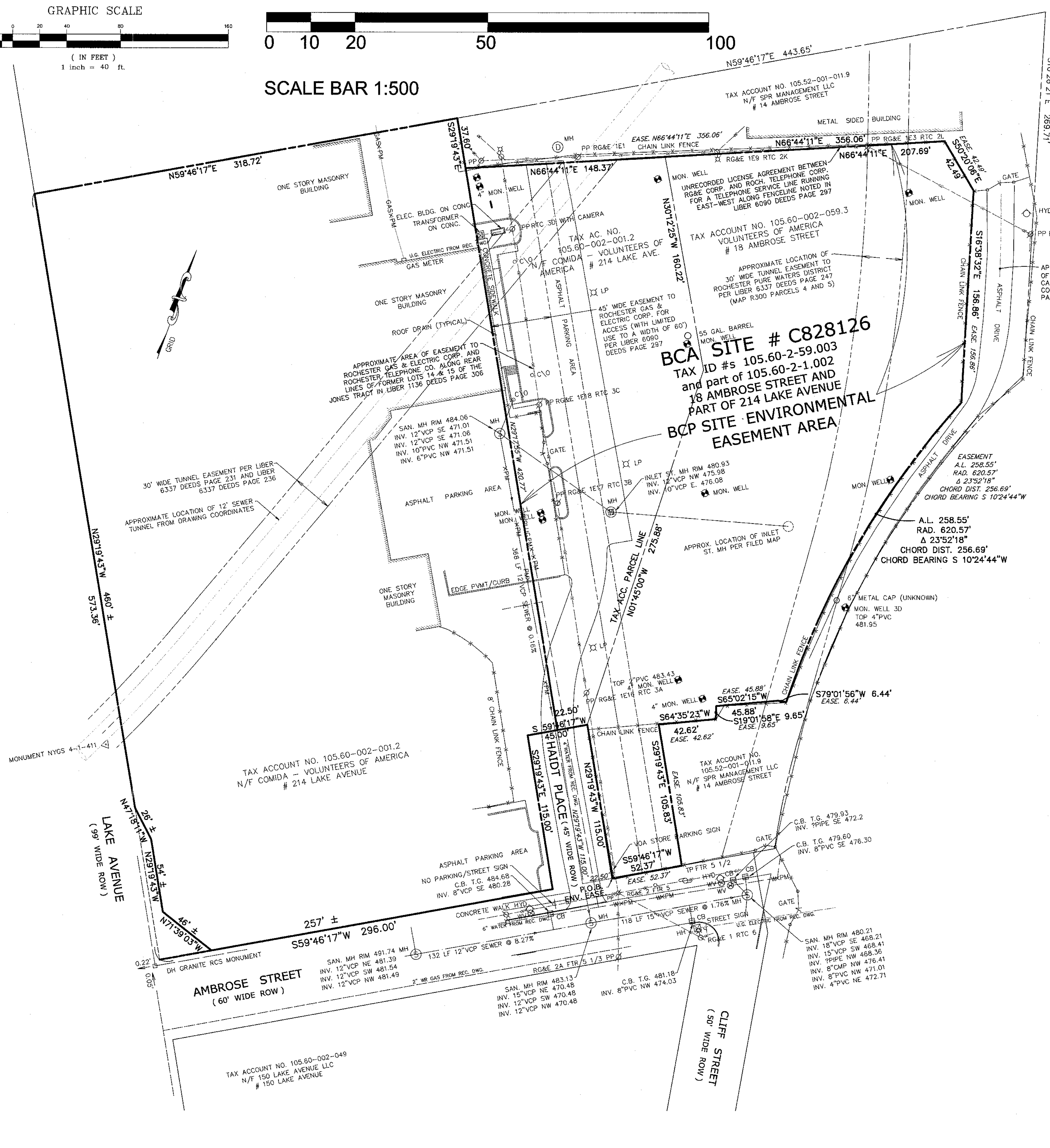
1134 Titus Avenue
 Rochester, NY 14617-2411
 Phone: (585) 467-1698
 Fax: (585) 286-4269
 www.geoquestenv.com

FIGURE 2 - SITE PLAN

Appendix C



SCALE BAR 1:500



- SURVEY NOTES:
- 1.) THE HORIZONTAL DATUM IS REFERENCED TO THE N.Y.S. PLANE COORDINATE SYSTEM, WEST ZONE, TRANSVERSE MERCATOR SYSTEM.
 - 2.) DISTANCES SHOWN HEREON ARE GROUND DISTANCES.
 - 3.) SURVEY FIELD WORK ON THIS SURVEY WAS DONE TO AN ACCURACY GREATER THAN ONE PART IN 10,000, (1:10,000), USING ESTABLISHED CONTROL MONUMENTS REFERENCED HEREON.

C&GS MONUMENT BROWN NORTHING 1,153,536.20 EASTING 1,405,356.40 NAD 83 ELEV. 495.33 CITY DATUM
C&GS MONUMENT SPILBERG NORTHING 1,154,859.17 EASTING 1,404,203.30

- REFERENCES:
1. MAP PREPARED BY BERGMANN ASSOCIATES, ENGINEERS, ARCHITECTS, SURVEYORS, P.C. ENTITLED "VOLUNTEERS OF AMERICA SUBDIVISION MAP" FILED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 297 OF MAPS PAGE 53.
 2. MAP PREPARED BY EDWIN A. SUMMERHAYS, LAND SURVEYOR ENTITLED "SUBDIVISION MAP SHOWING 238 LAKE AVENUE AND 14 AMBROSE STREET" FILED IN THE MONROE COUNTY CLERKS OFFICE.
 3. PERMANENT EASEMENT FOR TUNNEL PURPOSES WITHOUT SURFACE RIGHTS TO ROCHESTER PURE WATERS DISTRICT AS SHOWN ON MAP R-300 PARCELS 4 & 5, DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE, LIBER 6337 PAGE 247.
 4. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 9054 PAGE 129.
 5. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 6090 PAGE 297.
 6. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 9124 PAGE 064.
 7. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 6337 PAGE 231.
 8. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 6337 PAGE 234.
 9. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 6337 PAGE 247.
 10. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 8942 PAGE 173.
 11. CITY OF ROCHESTER DES/ENGINEERING SERVICES MAPS AND SURVEY RECORD INFORMATION FOR THE RIGHT OF WAYS OF LAKE AVENUE AND AMBROSE STREET.
- NO ABSTRACT OF TITLE HAS BEEN PROVIDED FOR THE COMPLETION OF THIS SURVEY.

ENVIRONMENTAL EASEMENT DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND, SITUATED IN LOT 46, 20,000 ACRE TRACT, TOWNSHIP 1, SHORT RANGE, MILL SEAT TRACT, PHELPS & GORHAM PURCHASE, IN THE CITY OF ROCHESTER, COUNTY OF MONROE, STATE OF NEW YORK, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY OF AMBROSE STREET, (60' ROW), AT ITS INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF HAIDT PLACE, (45' ROW); THENCE:

1. SOUTH 59°46'17" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF AMBROSE STREET EXTENDED WESTERLY, A DISTANCE OF 22.50 FEET TO A POINT ON THE CENTERLINE OF HAIDT PLACE; THENCE,
2. NORTH 29°19'43" WEST, ALONG THE CENTERLINE OF HAIDT PLACE, A DISTANCE OF 115.00 FEET TO A POINT; THENCE,
3. NORTH 29°17'55" WEST, A DISTANCE OF 420.77 FEET TO A POINT; THENCE,
4. NORTH 66°44'11" EAST, A DISTANCE OF 356.06 FEET TO A POINT; THENCE,
5. SOUTH 50°20'06" EAST, A DISTANCE OF 42.49 FEET TO A POINT; THENCE,
6. SOUTH 16°38'32" EAST, A DISTANCE OF 156.86 FEET TO A POINT; THENCE,
7. SOUTHWESTERLY, ALONG A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 23°52'18", A RADIUS OF 620.57 FEET, AN ARC LENGTH OF 258.55 FEET, A CHORD BEARING OF SOUTH 10°24'44" WEST, AND A CHORD DISTANCE OF 256.69 FEET TO A POINT; THENCE,
8. SOUTH 79°01'56" WEST, A DISTANCE OF 6.44 FEET TO A POINT; THENCE,
9. SOUTH 65°02'15" WEST, A DISTANCE OF 45.88 FEET TO A POINT; THENCE,
10. SOUTH 19°01'58" EAST, A DISTANCE OF 9.65 FEET TO A POINT; THENCE,
11. SOUTH 64°35'23" WEST, A DISTANCE OF 42.62 FEET TO A POINT; THENCE,
12. SOUTH 29°19'43" EAST, A DISTANCE OF 105.83 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF AMBROSE STREET; THENCE,
13. SOUTH 59°46'17" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 52.37 FEET TO THE POINT OF BEGINNING, CONTAINING 130,501 SQUARE FEET OR 2.996 ACRES, MORE OR LESS.

THIS PROPERTY IS SUBJECT TO AN 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 NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT derweb@dec.ny.gov

CERTIFICATION:

WE, PASSERO ASSOCIATES, CERTIFY THAT THIS MAP WAS PREPARED ON SEPTEMBER 10, 2012 USING PORTIONS OF THE REFERENCE MATERIAL LISTED HEREON AND FROM NOTES OF A BOUNDARY AND TOPOGRAPHIC SURVEY COMPLETED ON AUGUST 13, 2012. PARCEL WAS REINSPECTED ON MAY 04, 2016 WITH CHANGES AND/OR ADDITIONS SHOWN HEREON. THIS PARCEL IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD. NO CERTIFICATION IS EXTENDED TO RECORD INFORMATION NOT REFERENCED. THIS CERTIFICATION IS MADE TO:



Robert A. Vento
ROBERT A. VENTO N.Y.S.P.L.S. NO. 049701



PASSERO ASSOCIATES

Engineering • Architecture
www.passero.com

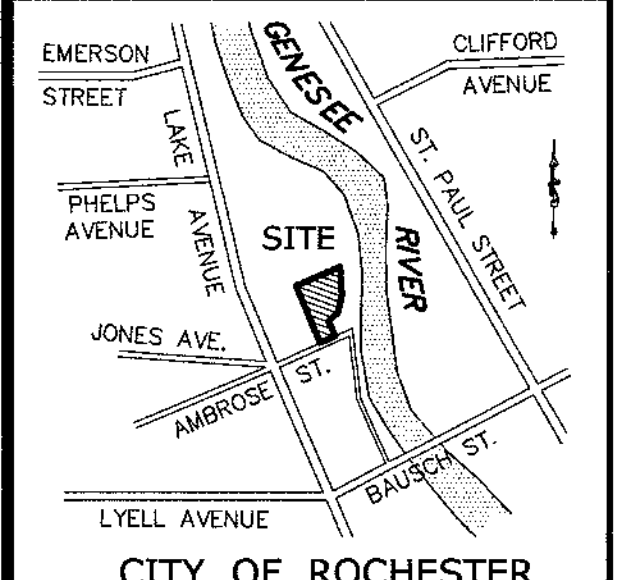
ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL INKED OR EMBOSSED SEAL AND INKED SIGNATURE SHALL BE CONSIDERED A TRUE AND VALID COPY.

CERTIFICATION INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE PERSONS LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ANY OTHER INSTITUTIONS OR SUBSEQUENT OWNERS.

LEGEND	
CB	Catchbasin
o	Cleanout
GV	Gas Valve
HYD	Hydrant
LP	Lightpole
MH	Manhole (Unknown Type)
MHE	Manhole Electric
MHS	Manhole Inlet Storm Drainage
MHD	Manhole Storm Drainage
MHS	Manhole Sanitary Sewer
SP	Sign Post (Single)
UP	Utility Pole
UA	Utility Pole Anchor Wire
UPL	Utility Pole with Light
CC	Water Service
WV	Water Valve
SP	Traffic Light Span Pole
EM	Utility Marker Flag - Electric
TM	Utility Marker Flag - Telephone
GM	Utility Marker Flag - Gas
BL	Wall Line of Building
EL	Easement Line

Revisions		
No.	Date	Description
1.	11.18.14	Revisions per Review Letter
2.	05.04.16	Update Survey to NYSDEC mapping requirements
3.	05.09.16	Revised per comments.

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS IN VIOLATION OF STATE EDUCATION LAW ARTICLE 145 SECTION 7209 AND ARTICLE 147 SECTION 7307. THESE PLANS ARE COPYRIGHT PROTECTED ©



CITY OF ROCHESTER

Passero Associates
22 West Main Street Suite 100
Rochester, NY 14614
(585) 325-1000
Fax: (585) 325-1691
Principal-in-Charge: John F. Caruso, P.E.
Project Manager: Robert A. Vento, P.L.S.
Drafted by: D. Sauve

Volunteers of America
of Western New York, Inc.
214 Lake Ave. Admin. Bldg. C
Rochester, N.Y. 14608

BCP Site Environmental
Easement Area
BCA Site # C828126
Volunteers of America
18 Ambrose Street and
Part of 214 Lake Avenue
Tax Acct. No. 105.60-002-059.003
and Part of 105.60-002-001.002
Lot 46, 20,000 Acre Tract, Twp. 1, Short Range
City of Rochester, Monroe County, New York

Project No. 20121554.0005

Drawing No. Ea-1	Sheet No. 1 of 1
------------------	------------------

Scale: 1" = 40'

Date: May 2016

Appendix D

Volunteers of America Back Lot BCP Site
214 Lake Avenue, Rochester NY
Tax Map



April 25, 2016

This map is intended for general reference only.

The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.

City of Rochester, NY
Tax Number 105.60-2-59.003



City of Rochester, NY
Lovely A. Warren, Mayor

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



**60-Day Advance Notification of Site Change of Use, Transfer of
Certificate of Completion, and/or Ownership**

Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

To be submitted at least 60 days prior to change of use to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation, 625 Broadway
Albany NY 12233-7020

I. **Site Name:** Volunteers of America Back Lot Site **DEC Site ID No.** C828126

II. **Contact Information of Person Submitting Notification:**

Name: Linda R. Shaw
Address1: 2 State Street Suite 1400
Address2: Rochester, NY 14614
Phone: (585) 546-8430 E-mail: lshaw@nyenvlaw.com

III. **Type of Change and Date:** Indicate the Type of Change(s) (check all that apply):

- ☒ Change in Ownership or Change in Remedial Party(ies)
☐ Transfer of Certificate of Completion (CoC)
☐ Other (e.g., any physical alteration or other change of use)

Proposed Date of Change (mm/dd/yyyy): 8/28/1998


IV. **Description:** Describe proposed change(s) indicated above and attach maps, drawings, and/or parcel information.

The 2005 BCA stated that the County of Monroe IDA (COMIDA) owned the entire BCA Site, which consisted of only Tax #105.60-2-59.003. VOA owned Tax #105.60-2-59.003 (18 Ambrose Street) in 2005 and still owns it. However, adjacent Tax #105.60-2-1.002 (214 Lake Avenue), was sold by VOA to COMIDA, and a portion of it is part of this BCP Site because the former RG&E Coal Yard use extended onto this part of this lot.

If "Other," the description must explain and advise the Department how such change may or may not affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

- V. **Certification Statement:** Where the change of use results in a change in ownership or in responsibility for the proposed, ongoing, or completed remedial program for the site, the following certification must be completed (by owner or designated representative; see §375-1.11(d)(3)(i)):

I hereby certify that the prospective purchaser and/or remedial party has been provided a copy of any order, agreement, Site Management Plan, or State Assistance Contract regarding the Site's remedial program as well as a copy of all approved remedial work plans and reports.

Name:  5-27-16
(Signature) (Date)
Jeri Rombaut, Volunteers of America of Western New York, Inc.
(Print Name)

Address1: 214 Lake Avenue
Address2: Rochester, NY 14608
Phone: (585) 402-7210 E-mail: jrombaut@voaupny.org

- VI. **Contact Information for New Owner, Remedial Party, or CoC Holder:** If the site will be sold or there will be a new remedial party, identify the prospective owner(s) or party(ies) along with contact information. If the site is subject to an Environmental Easement, Deed Restriction, or Site Management Plan requiring periodic certification of institutional controls/engineering controls (IC/ECs), indicate who will be the certifying party (attach additional sheets if needed).

☐ Prospective Owner ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: _____
Address1: _____
Address2: _____
Phone: _____ E-mail: _____

Certifying Party Name: Jeri Rombaut, Volunteers of America of Western New York, Inc.
Address1: 214 Lake Avenue
Address2: Rochester, NY 14608
Phone: (585) 402-7210 E-mail: jrombaut@voaupny.org

VII. Agreement to Notify DEC after Transfer: If Section VI applies, and all or part of the site will be sold, a letter to notify the DEC of the completion of the transfer must be provided. If the current owner is also the holder of the CoC for the site, the CoC should be transferred to the new owner using DEC's form found at <http://www.dec.ny.gov/chemical/54736.html>. This form has its own filing requirements (see 6NYCRR Part 375-1.9(f)).

Signing below indicates that these notices will be provided to the DEC within the specified time frames. If the sale of the site also includes the transfer of a CoC, the DEC agrees to accept the notice given in VII.3 below in satisfaction of the notice required by VII.1 below (which normally must be submitted within 15 days of the sale of the site).

Within 30 days of the sale of the site, I agree to submit to the DEC:

1. the name and contact information for the new owner(s) (see §375-1.11(d)(3)(ii));
2. the name and contact information for any owner representative; and
3. a notice of transfer using the DEC's form found at <http://www.dec.ny.gov/chemical/54736.html> (see §375-1.9(f)).

Name:

Jeri Rombaut
(Signature)

5-27-16
(Date)

Jeri Rombaut, Volunteers of America of Wa
(Print Name)

Address1: 214 Lake Avenue

Address2: Rochester, NY 14608

Phone: (585) 402-7210

E-mail: jrombaut@voaupny.org