



Department of  
Environmental  
Conservation

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

### PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

1. Check the appropriate box(es) below based on the nature of the amendment modification requested:

☒ Amendment to modify the existing BCA: [check one or more boxes below]

- ☐ Add applicant(s)
- ☐ Substitute applicant(s)
- ☒ Remove applicant(s)
- ☐ Change in Name of applicant(s)

☒ Amendment to reflect a transfer of title to all or part of the brownfield site

Title has not recently  
changed, so new  
deed has been filed.  
Refer to Attachment  
1 (abstract)

1a. A copy of the recorded deed must be provided. Is this attached? ☐ Yes ☒ No

1b. ☒ Change in ownership ☐ Additional owner (such as a beneficial owner)

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)

### 2. Required: Please provide a brief narrative on the nature of the amendment:

See attached Cover Letter for full description of BCA Amendment Application. In sum, the purpose of this BCA Amendment is to advise the Department that the County of Ontario claims title for a portion of the Site. The Volunteers acknowledge the County's claim in title to the area known as the "Public Square" of the Site. Volunteer 2240 North Forest Road, LLC owns the remainder of the Site. No new deed has been recorded for the Public Square as the County maintains it has always had an ownership interest in it. Further, Volunteer Canandaigua Crossroads, LLC seeks to be removed as an Applicant of the BCA.

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

**\*Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment involves a non-insignificant change in acreage, applicants are encouraged to consult with the DEC project team prior to submitting this application.\***



<b>Section I. Current Agreement Information</b>		
BCP SITE NAME: Former Labelon Corp. Facility		BCP SITE NUMBER: C835016
NAME OF CURRENT APPLICANT(S): Canandaigua Crossroads, LLC & 2240 North Forest Road, LLC		
INDEX NUMBER OF AGREEMENT: C835016-12-10    DATE OF ORIGINAL AGREEMENT: 1/25/11		
<b>Section II. New Requestor Information</b> (complete only if adding new requestor or name has changed)		
NAME		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
1. Is the requestor authorized to conduct business in New York State (NYS)? <input type="checkbox"/> Yes <input type="checkbox"/> 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
2. 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? <input type="checkbox"/> Yes <input type="checkbox"/> No		
3. Describe Requestor's Relationship to Existing Applicant:          		



**Section III. Current Property Owner/Operator Information (only include if new owner/operator)**Owner below is: ☐ Existing Applicant ☐ New Applicant ☒ Non-Applicant

OWNER'S NAME (if different from requestor) County of Ontario c/o Arthur L. James III, Esq.

ADDRESS 20 Ontario Street, 3rd Floor

CITY/TOWN Canandaigua, New York

ZIP CODE 14424

PHONE 585-396-4451

FAX

E-MAIL Arthur.James@co.ontario.ny.us

OPERATOR'S NAME (if different from requestor or owner) Volunteer (240 North Forest Road, LLC)

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. Are there any unregistered bulk storage tanks on-site which require registration? ☐ 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.**

12. Requestor's Relationship to Property (check one):

☐ Prior Owner ☐ Current Owner ☐ Potential /Future Purchaser ☐ Other \_\_\_\_\_

13. 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)**

1. Property information on current agreement:

ADDRESS

CITY/TOWN

ZIP CODE

TAX BLOCK AND LOT (SBL)

TOTAL ACREAGE OF CURRENT SITE: \_\_\_\_\_

Parcel Address

Section No. Block No. Lot No. Acreage


2. Check appropriate boxes below:

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

2a. PARCELS ADDED:

Acreage  
Added by  
Parcel

Parcel Address

Section No. Block No. Lot No.


Total acreage to be added: \_\_\_\_\_

- ☐ Reduction of property

2b. PARCELS REMOVED:

Acreage  
Removed  
by Parcel

Parcel Address

Section No. Block No. Lot No.


Total acreage to be removed: \_\_\_\_\_

- ☐ Change to SBL (e.g. merge, subdivision, address change)

2c. NEW SBL INFORMATION:

Parcel Address

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.

3. TOTAL REVISED SITE ACREAGE: \_\_\_\_\_



**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 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
<b>Please answer questions below and provide documentation necessary to support answers.</b>	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see <a href="#">DEC's website</a> 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><b>From ECL 27-1405(31):</b></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 August 12, 2016:</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, which 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, which sets affordable units aside for home owners 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: Former Labelon Corp. Facility	BCP SITE NUMBER: C835016
NAME OF CURRENT APPLICANT(S): Canandaigua Crossroads, LLC & 2240 North Forest Road, LLC	
INDEX NUMBER OF AGREEMENT: C835016-12-10	
EFFECTIVE DATE OF ORIGINAL AGREEMENT: 1/25/11	

### 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)
<p>(Individual)</p> <p>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.</p> <p>Date: _____ Signature: _____</p> <p>Print Name: _____</p>
<p>(Entity)</p> <p>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.</p> <p>_____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: _____ Signature: _____</p> <p>Print Name: _____</p>



**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 Agent (title) of 2240 North Forest Road, LLC (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. My \_\_\_\_\_ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 5/12/21 Signature: \_\_\_\_\_

Print Name: Samuel Savarino

**REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT**

Please see the following page for submittal instructions.

**NOTE: Applications submitted in fillable format will be rejected.**

Status of Agreement:

☐

**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 contamination.

**Effective Date of the Original Agreement: 1/25/11**

**Signature by the Department:**

DATED: June 16, 2021

NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION

By: \_\_\_\_\_

Michael J. Ryan, P.E. Director  
Division of Environmental Remediation



**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 a Member (title) of Canandigua Crossroads, LLC (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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 5/12/2021 Signature: \_\_\_\_\_

Print Name: Thomas E. Masaschi

**REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT**

Please see the following page for submittal instructions.

**NOTE: Applications submitted in fillable format will be rejected.**

Status of Agreement:



**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 contamination.

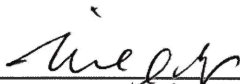
**Effective Date of the Original Agreement: 1/25/11**

**Signature by the Department:**

DATED: June 16, 2021

NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION

By:



Michael J. Ryan, P.E., Director  
Division of Environmental Remediation

Site Code: C835016



**SUBMITTAL INFORMATION:**

- **Two (2) copies**, one hard copy with original signatures and one electronic copy in final, non-fillable 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

- **NOTE: Applications submitted in fillable format will be rejected.**

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**FOR DEPARTMENT USE ONLY**

**BCP SITE T&A CODE:** \_\_\_\_\_ **LEAD OFFICE:** \_\_\_\_\_

**PROJECT MANAGER:** \_\_\_\_\_



"CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS."

THIS MAP AND THE INFORMATION SHOWN HEREON IS NOT TO BE USED WITH AN "AFFIDAVIT OF NO CHANGE". BME ASSOCIATES ASSUMES NO LIABILITY TO THE PARTIES NOTED HEREON OR TO ANY FUTURE OWNER, TITLE COMPANY, GOVERNMENTAL AGENCY, ATTORNEY OR LENDING INSTITUTION IN THE EVENT THAT THIS MAP IS USED WITH AN "AFFIDAVIT OF NO CHANGE" OR SIMILAR INSTRUMENT.

COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S ORIGINAL INKED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.

"UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209, OF THE NEW YORK STATE EDUCATION LAW."

**WEST AVENUE  
(FORMERLY CROSS STREET)  
(99' RIGHT-OF-WAY)**

**LOCATION MAP**  
NOT TO SCALE

**GRAPHIC SCALE**  
6.096 0 3.048 6.096 12.192  
( IN METERS )  
1 inch = 6.096 meters

**GRAPHIC SCALE**  
20 0 10 20 40  
( IN FEET )  
1 inch = 20 ft.

**EASEMENT AREA DESCRIPTION**

THAT TRACT OF PARCEL OF LAND SITUATE IN THE CITY OF CANANDAIGUA, ONTARIO COUNTY, NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF THE "PUBLIC SQUARE", SO-CALLED, WHERE IT IS INTERSECTED BY THE EAST LINE OF THE STONE BASES AT THE SOUTHEASTLY CORNER OF THE "HUBBELL BLOCK", AND WHICH POINT OF BEGINNING IS ALSO A POINT IN THE WEST LINE OF MAIN STREET AT THE NORTHEASTLY CORNER OF LANDS CONVEYED TO KATHERINE B. PERAGO AND EDWIN C. PERAGO BY ROCHESTER TRUST AND SAFE DEPOSIT COMPANY, EXECUTOR UNDER THE LAST WILL AND TESTAMENT OF STEWART B. HUBBELL, DECEASED, BY DEED DATED FEBRUARY 24, 1945 AND RECORDED IN THE ONTARIO COUNTY CLERK'S OFFICE IN LIBER 423 OF DEEDS AT PAGE 130; THENCE SOUTH 71° 07' WEST ALONG THE NORTHERLY LINE OF SAID PERAGO'S LANDS AND LANDS OF RANDOLPH V. MILLER, A DISTANCE OF TWO HUNDRED SIXTY-ONE AND TWENTY-EIGHT HUNDREDTHS (261.28) FEET TO THE SOUTHWESTERLY CORNER OF THE PUBLIC SQUARE AND BEING ALSO THE SOUTHEASTLY CORNER OF LANDS CONVEYED BY E. RAYMOND CHURCH, ET AL, TO RAY O. NICHOLSON BY DEED DATED FEBRUARY 7, 1940 AND RECORDED IN ONTARIO COUNTY CLERK'S OFFICE IN LIBER 410 OF DEEDS AT PAGE 137; THENCE NORTH 19° 34' WEST ALONG THE EASTERLY LINE OF SAID NICHOLSON'S LANDS AND CROSSING A LANE FIFTEEN (15) FEET WIDE AND CONTINUING ALONG THE EASTERLY LINE OF A PART OF LANDS CONVEYED BY GEORGE T. THOMPSON TO GEORGE T. THOMPSON SONS INC. BY DEED DATED FEBRUARY 7, 1940 AND RECORDED IN ONTARIO COUNTY CLERK'S OFFICE IN LIBER 410 OF DEEDS AT PAGE 137; A DISTANCE OF ABOUT ONE HUNDRED TWENTY-NINE (129) FEET TO A POINT WHICH IS TEN (10) FEET SOUTHERLY FROM THE CENTER LINE OF A CURVED LANE PARALLEL TO AND TEN (10) FEET SOUTH OF THE CENTER LINE OF THE SAID SPUR OR SWITCH TO A POINT WHICH IS TEN (10) FEET SOUTHERLY FROM A POINT MADE BY THE INTERSECTION OF THE CENTER LINE OF SAID SPUR OR SWITCH WITH THE CENTER LINE OF THE SOUTHERLY MAIN TRACK OF THE NEW YORK CENTRAL RAILROAD COMPANY; THENCE CONTINUING EASTERLY ON A CURVED LANE TEN (10) FEET SOUTH OF AND PARALLEL TO THE CENTER LINE OF SAID SOUTHERLY MAIN TRACK FOR AN OVERALL OR TOTAL DISTANCE OF ABOUT TWO HUNDRED SIXTY-SIX (276) FEET TO A POINT IN THE WEST LINE OF MAIN STREET PRODUCED NORTHERLY AND WHICH IS ALSO THE CONTINUATION OF THE EAST LINE OF THE STONE BASE ON THE EAST SIDE OF THE "HUBBELL BLOCK", SO-CALLED NOW OWNED BY KATHERINE B. PERAGO AND EDWIN C. PERAGO, THENCE SOUTH 19° 07' EAST A DISTANCE OF ABOUT FORTY-SIX (46) FEET TO THE PLACE OF BEGINNING.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF CANANDAIGUA, ONTARIO COUNTY, NEW YORK, AND BEGINNING AT A POINT IN THE NORTHERLY LINE OF CHAPIN STREET, A DISTANCE OF ONE HUNDRED ELEVEN AND FIVE-TENTHS (111.5) FEET WESTERLY MEASURED ALONG THE NORTHERLY LINE OF CHAPIN STREET, FROM A POINT MADE BY THE INTERSECTION OF THE EDGES OF THE STONE BASES AT THE SOUTHEASTLY CORNER OF THE "HUBBELL BLOCK", SO-CALLED, AND SAID POINT OF BEGINNING IS ALSO THE SOUTHWESTERLY CORNER OF LANDS CONVEYED TO KATHERINE B. PERAGO AND EDWIN C. PERAGO BY ROCHESTER TRUST AND SAFE DEPOSIT COMPANY, EXECUTOR UNDER THE LAST WILL AND TESTAMENT OF STEWART B. HUBBELL, DECEASED, BY DEED DATED FEBRUARY 14, 1945, AND RECORDED IN THE ONTARIO COUNTY CLERK'S OFFICE IN LIBER 423 OF DEEDS AT PAGE 130; THENCE SOUTH SEVENTY (70) DEGREES, TWENTY-NINE (29) MINUTES, THIRTY (30) SECONDS WEST, IN THE NORTHERLY LINE OF CHAPIN STREET, A DISTANCE OF ONE HUNDRED EIGHTY-FOUR AND EIGHTY-FIVE HUNDREDTHS (188.85) FEET TO THE SOUTHEASTLY CORNER OF LANDS CONVEYED BY JOHN J. UNDER ET AL TO ELLSWORTH S. BROWN AND WIFE BY DEED DATED JULY 17, 1945, AND RECORDED IN ONTARIO COUNTY CLERK'S OFFICE IN LIBER 426 OF DEEDS AT PAGE 174; THENCE NORTH NINETEEN (19) DEGREES, THIRTY-FOUR (34) MINUTES WEST ALONG THE EASTERLY LINE OF SAID BROWN'S LANDS A DISTANCE OF ONE HUNDRED FOURTEEN AND NINETY-HUNDREDTHS (114.90) FEET TO THE SOUTHWESTERLY CORNER OF LANDS CONVEYED BY E. RAYMOND CHURCH, ET AL, TO RAY O. NICHOLSON BY DEED DATED APRIL 13, 1944 AND RECORDED IN ONTARIO COUNTY CLERK'S OFFICE IN LIBER 414 OF DEEDS AT PAGE 131; THENCE NORTH SEVENTY-ONE (71) DEGREES, SIX (6) MINUTES EAST ALONG THE SOUTHERLY LINE OF SAID NICHOLSON'S LANDS AND THE SOUTHERLY LINE OF THE "PUBLIC SQUARE", SO CALLED WHICH WAS CONVEYED BY OLIVER PHELPS AND NATHANIEL GORHAM TO THE SUPERVISORS OF THE COUNTY OF ONTARIO BY DEED DATED JULY 18, 1900 AND RECORDED IN THE ONTARIO COUNTY CLERK'S OFFICE IN LIBER 7 OF DEEDS AT PAGE 16; A DISTANCE OF ONE HUNDRED EIGHTY-EIGHT AND EIGHTY-EIGHT ONE HUNDREDTHS (188.88) FEET TO THE NORTHEASTLY CORNER OF SAID LANDS OF KATHERINE B. PERAGO AND EDWIN C. PERAGO, THENCE SOUTH NINETEEN (19) DEGREES, THIRTY-FOUR (34) MINUTES EAST ALONG THE WESTERLY LINE OF SAID PERAGO'S LANDS A DISTANCE OF ONE HUNDRED TWELVE AND EIGHT-NINE HUNDREDTHS (112.89) FEET TO THE NORTH LINE OF CHAPIN STREET AND THE POINT OF BEGINNING, AND CONTAINING FOUR HUNDRED FIFTY-EIGHT THOUSANDTHS (0.456) ACRES OF LAND MORE OR LESS ACCORDING TO MAP OF A SURVEY DATED OCTOBER 13, 1945 MADE BY CHARLES J. BROWN, LICENSED SURVEYOR, BEING THE SAME PROPERTY CONVEYED BY CHARLES A. BRIGGS, TRUSTEE, ET AL, TO LESTER BOYCE, BY DEED DATED JULY 26, 1950 AND RECORDED IN THE ONTARIO COUNTY CLERK'S OFFICE JULY 26, 1950 AND RECORDED IN THE ONTARIO COUNTY CLERK'S OFFICE JULY 31, 1950 IN LIBER 495 OF DEEDS AT PAGE 352, TOGETHER WITH ALL RIGHT OF WAY EASEMENTS AND SUBJECT TO ALL RIGHT OF WAY EASEMENTS SET FORTH IN THE DEED FROM SPENCERPORT ORDINANCE, INC. TO VELD-HING INC. RECORDED IN THE ONTARIO COUNTY CLERK'S OFFICE JULY 1, 1947 IN LIBER 446 OF DEEDS AT PAGE 270 AND SUBJECT TO THE RIGHT OF WAY FROM E.C. BROWN COMPANY AND ANOTHER TO GEORGE T. THOMPSON SONS INC. RECORDED IN THE ONTARIO COUNTY CLERK'S OFFICE JUNE 11, 1947 IN LIBER 446 OF DEEDS AT PAGE 573.

ALSO ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF CANANDAIGUA, ONTARIO COUNTY AND STATE OF NEW YORK, BOUNDED ON THE NORTH BY WEST AVENUE, ON THE EAST BY THE WEST LINE OF THE PUBLIC SQUARE ON THE SOUTH BY A PUBLIC LANE FIFTEEN FEET WIDE AND ON THE WEST BY A PUBLIC LANE LEADING FROM WEST AVENUE TO THE FIRST MENTIONED LANE.

ALSO ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF CANANDAIGUA, ONTARIO COUNTY AND STATE OF NEW YORK, AND BEING A PART OF AN ORIGINAL LOT NO. ONE (1) OF WEST AVENUE OF THE SQUARE AND BEING BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT AT THE SOUTHWEST CORNER OF THE PUBLIC SQUARE, THENCE NORTH NINETEEN (19) DEGREES THIRTY-FOUR (34) MINUTES WEST ALONG THE WEST LINE OF THE PUBLIC SQUARE A DISTANCE OF FORTY-ONE AND TWENTY HUNDREDTHS (41.20) FEET TO THE SOUTH LINE OF A FIFTEEN (15) FOOT LANE, THENCE SOUTH SEVENTY-ONE (71) DEGREES, TWENTY-NINE (29) MINUTES AND THIRTY (30) SECONDS WEST ALONG THE SOUTH LINE OF SAID LANE A DISTANCE OF FORTY AND TWENTY HUNDREDTHS (40.20) FEET TO THE NORTHEAST CORNER OF LANDS CONVEYED BY JOHN J. UNDER, ET AL, TO ELLSWORTH S. BROWN, ET AL BY DEED DATED JULY 17, 1945 AND RECORDED IN ONTARIO COUNTY CLERK'S OFFICE IN LIBER 426 OF DEEDS AT PAGE 174; THENCE SOUTH NINETEEN (19) DEGREES THIRTY-FOUR (34) MINUTES EAST ALONG THE EAST LINE OF SAID BROWN'S LANDS A DISTANCE OF FORTY-ONE AND FORTY-SEVEN HUNDREDTHS (41.47) FEET TO THE NORTHWEST CORNER OF LANDS NOW FORMERLY OWNED BY RANDOLPH V. MILLER (FORMERLY MILLER CORSETS, INC.), THENCE NORTH SEVENTY-ONE (71) DEGREES SIX HUNDREDTHS (0.6) MINUTES EAST ALONG THE NORTH LINE OF SAID MILLER'S LAND A DISTANCE OF FORTY AND TWENTY HUNDREDTHS (40.20) FEET TO THE POINT OF BEGINNING, AND CONTAINING THIRTY-EIGHT THOUSANDTHS (0.038) ACRES, MORE OR LESS.

TOGETHER WITH ALL RIGHT, TITLE AND INTEREST OF THE GRANTOR HEREIN IN AND TO THE RIGHT TO USE IN COMMON WITH OTHERS A RIGHT OF WAY FIFTEEN (15) FEET WIDE RUNNING WESTERLY FROM THE PUBLIC SQUARE AND NORTHERLY TO WEST AVENUE, AND ALSO CONVEYING ALL THE RIGHT, TITLE AND INTEREST OF THE GRANTOR HEREIN IN AND TO A FURTHER RIGHT TO USE THE RIGHT OF WAY TWELVE AND ONE HALF (12 1/2) FEET WIDE RUNNING SOUTH TO CHAPIN STREET AT THE WESTERLY AND OF THE FIRST ABOVE MENTIONED RIGHT OF WAY.

THE ABOVE DESCRIBED PARCELS CONTAIN A TOTAL OF 1.753 ACRES.

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**WEST AVENUE  
(FORMERLY CROSS STREET)  
(99' RIGHT-OF-WAY)**

**LOCATION MAP**  
NOT TO SCALE

**GRAPHIC SCALE**  
6.096 0 3.048 6.096 12.192  
( IN METERS )  
1 inch = 6.096 meters

**GRAPHIC SCALE**  
20 0 10 20 40  
( IN FEET )  
1 inch = 20 ft.

**EASEMENT AREA DESCRIPTION**

DEC SITE ENVIRONMENTAL EASEMENT AREA  
THROUGH LANDS OF THE COUNTY OF ONTARIO

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 0.553 ACRES MORE OR LESS, SITUATE IN THE PHELPS AND GORHAM PURCHASE, TOWNSHIP 10, RANGE 3, PUBLIC SQUARE, CITY OF CANANDAIGUA, COUNTY OF ONTARIO, AND STATE OF NEW YORK, AS SHOWN ON THE DRAWING ENTITLED "FORMER LABELON CORP. FACILITY - 10 CHAPIN ST., DEC SITE NO. C835016, DEC SITE ENVIRONMENTAL EASEMENT AREA" PREPARED BY BME ASSOCIATES, HAVING DRAWING NUMBER 24695-DIV, LAST REVISED JULY 7, 2020, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF THE PUBLIC SQUARE, AS CONVEYED TO THE SUPERVISORS OF THE COUNTY OF ONTARIO PER LIBER 7 OF DEEDS, PAGE 16 WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH MAIN STREET - NEW YORK STATE ROUTE 21 (132' RIGHT-OF-WAY); THENCE

1. S 62°49'15" W, A DISTANCE OF 261.33 FEET TO A POINT; THENCE
2. N 27°50'45" W, A DISTANCE OF 128.92 FEET TO A POINT; THENCE
3. NORTHEASTERLY, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 877.45 FEET, A CHORD BEARING OF N 76°43'49" E, A DISTANCE OF 139.05 FEET TO A POINT; THENCE
4. NORTHEASTERLY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 984.11 FEET, A CHORD BEARING OF N 84°12'26" E, A DISTANCE OF 137.46 FEET; THENCE
5. S 27°18'36" E, A DISTANCE OF 45.44 FEET TO THE POINT OF BEGINNING.

**EASEMENT AREA DESCRIPTION**

DEC SITE ENVIRONMENTAL EASEMENT AREA  
THROUGH LANDS OF 2240 NORTH FOREST ROAD, LLC

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 1.200 ACRES MORE OR LESS, SITUATE IN THE PHELPS AND GORHAM PURCHASE, TOWNSHIP 10, RANGE 3, VILLAGE LOT 1, CITY OF CANANDAIGUA, COUNTY OF ONTARIO, AND STATE OF NEW YORK, AS SHOWN ON THE DRAWING ENTITLED "FORMER LABELON CORP. FACILITY - 10 CHAPIN ST., DEC SITE NO. C835016, DEC SITE ENVIRONMENTAL EASEMENT AREA" PREPARED BY BME ASSOCIATES, HAVING DRAWING NUMBER 24695-DIV, LAST REVISED JULY 7, 2020, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF LANDS NOW FORMERLY OF ROCOCO & BARBARA VITALONE (T.A. NO. 84-45-2-3) WITH THE NORTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET (48' RIGHT-OF-WAY); THENCE

1. S 62°08'41" W, A DISTANCE OF 190.80 FEET TO A POINT; THENCE
2. N 27°52'58" W, A DISTANCE OF 159.46 FEET TO A POINT; THENCE
3. N 62°31'01" E, A DISTANCE OF 42.14 FEET TO A POINT; THENCE
4. S 27°50'45" E, A DISTANCE OF 44.51 FEET TO A POINT; THENCE
5. N 62°49'15" E, A DISTANCE OF 148.70 FEET TO A POINT; THENCE
6. S 27°52'58" E, A DISTANCE OF 112.92 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL THAT TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF THE PUBLIC SQUARE, AS CONVEYED TO THE SUPERVISORS OF THE COUNTY OF ONTARIO PER LIBER 7 OF DEEDS, PAGE 16 WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST AVENUE (99' RIGHT-OF-WAY); THENCE

1. S 27°50'45" E, A DISTANCE OF 107.00 FEET TO A POINT; THENCE
2. S 62°31'01" W, A DISTANCE OF 267.87 FEET TO A POINT; THENCE
3. N 27°50'45" W, A DISTANCE OF 107.00 FEET TO A POINT; THENCE
4. N 62°31'01" E, A DISTANCE OF 267.87 FEET TO THE POINT OF BEGINNING.

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 ENVIRONMENTAL CONSERVATION EASEMENT 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 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

**REFERENCES:**

1. A MAP ENTITLED "10 CHAPIN STREET, ALTA/NPS LAND TITLE SURVEY OF LANDS TO BE MORTGAGED," PREPARED BY BME ASSOCIATES, HAVING DRAWING NO. 2469-11, LAST REVISED JANUARY 5, 2018.
2. AN ABSTRACT OF TITLE WAS NOT PROVIDED FOR THE COMPLETION OF THIS SURVEY.

**NOTES:**

1. THE PURPOSE OF THIS MAP IS TO ILLUSTRATE THE LIMITS OF AN ENVIRONMENTAL EASEMENT FOR BOP SITE NO. C835016, AS DESCRIBED IN LIBER 1408 OF DEEDS, PAGE 278.

**LEGEND**

ENVIRONMENTAL EASEMENT LINE  
HISTORIC LOT LINE  
CENTERLINE OF RIGHT-OF-WAY  
PROPERTY MARKER FOUND  
EXISTING EASEMENT LINE  
PARKING COUNT PER BAY  
WATER VALVE & HYDRANT  
UTILITY POLE  
CATCH BASIN  
UNDERGROUND ELECTRIC (REC)  
UNDERGROUND TELEPHONE (REC)  
UNDERGROUND GAS (REC)

ENVIRONMENTAL EASEMENT AREA  
(2240 NORTH FOREST ROAD, LLC - 1.200 AC)

ENVIRONMENTAL EASEMENT AREA  
(ONTARIO COUNTY BOARD OF SUPERVISORS - 0.553 AC)

**LOCATION MAP**  
NOT TO SCALE

**GRAPHIC SCALE**  
6.096 0 3.048 6.096 12.192  
( IN METERS )  
1 inch = 6.096 meters

**GRAPHIC SCALE**  
20 0 10 20 40  
( IN FEET )  
1 inch = 20 ft.

**EASEMENT AREA DESCRIPTION**

DEC SITE ENVIRONMENTAL EASEMENT AREA  
THROUGH LANDS OF THE COUNTY OF ONTARIO

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 0.553 ACRES MORE OR LESS, SITUATE IN THE PHELPS AND GORHAM PURCHASE, TOWNSHIP 10, RANGE 3, PUBLIC SQUARE, CITY OF CANANDAIGUA, COUNTY OF ONTARIO, AND STATE OF NEW YORK, AS SHOWN ON THE DRAWING ENTITLED "FORMER LABELON CORP. FACILITY - 10 CHAPIN ST., DEC SITE NO. C835016, DEC SITE ENVIRONMENTAL EASEMENT AREA" PREPARED BY BME ASSOCIATES, HAVING DRAWING NUMBER 24695-DIV, LAST REVISED JULY 7, 2020, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF THE PUBLIC SQUARE, AS CONVEYED TO THE SUPERVISORS OF THE COUNTY OF ONTARIO PER LIBER 7 OF DEEDS, PAGE 16 WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH MAIN STREET - NEW YORK STATE ROUTE 21 (132' RIGHT-OF-WAY); THENCE

1. S 62°49'15" W, A DISTANCE OF 261.33 FEET TO A POINT; THENCE
2. N 27°50'45" W, A DISTANCE OF 128.92 FEET TO A POINT; THENCE
3. NORTHEASTERLY, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 877.45 FEET, A CHORD BEARING OF N 76°43'49" E, A DISTANCE OF 139.05 FEET TO A POINT; THENCE
4. NORTHEASTERLY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 984.11 FEET, A CHORD BEARING OF N 84°12'26" E, A DISTANCE OF 137.46 FEET; THENCE
5. S 27°18'36" E, A DISTANCE OF 45.44 FEET TO THE POINT OF BEGINNING.

**EASEMENT AREA DESCRIPTION**

DEC SITE ENVIRONMENTAL EASEMENT AREA  
THROUGH LANDS OF 2240 NORTH FOREST ROAD, LLC

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 1.200 ACRES MORE OR LESS, SITUATE IN THE PHELPS AND GORHAM PURCHASE, TOWNSHIP 10, RANGE 3, VILLAGE LOT 1, CITY OF CANANDAIGUA, COUNTY OF ONTARIO, AND STATE OF NEW YORK, AS SHOWN ON THE DRAWING ENTITLED "FORMER LABELON CORP. FACILITY - 10 CHAPIN ST., DEC SITE NO. C835016, DEC SITE ENVIRONMENTAL EASEMENT AREA" PREPARED BY BME ASSOCIATES, HAVING DRAWING NUMBER 24695-DIV, LAST REVISED JULY 7, 2020, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF LANDS NOW FORMERLY OF ROCOCO & BARBARA VITALONE (T.A. NO. 84-45-2-3) WITH THE NORTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET (48' RIGHT-OF-WAY); THENCE

1. S 62°08'41" W, A DISTANCE OF 190.80 FEET TO A POINT; THENCE
2. N 27°52'58" W, A DISTANCE OF 159.46 FEET TO A POINT; THENCE
3. N 62°31'01" E, A DISTANCE OF 42.14 FEET TO A POINT; THENCE
4. S 27°50'45" E, A DISTANCE OF 44.51 FEET TO A POINT; THENCE
5. N 62°49'15" E, A DISTANCE OF 148.70 FEET TO A POINT; THENCE
6. S 27°52'58" E, A DISTANCE OF 112.92 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL THAT TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF THE PUBLIC SQUARE, AS CONVEYED TO THE SUPERVISORS OF THE COUNTY OF ONTARIO PER LIBER 7 OF DEEDS, PAGE 16 WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST AVENUE (99' RIGHT-OF-WAY); THENCE

1. S 27°50'45" E, A DISTANCE OF 107.00 FEET TO A POINT; THENCE
2. S 62°31'01" W, A DISTANCE OF 267.87 FEET TO A POINT; THENCE
3. N 27°50'45" W, A DISTANCE OF 107.00 FEET TO A POINT; THENCE
4. N 62°31'01" E, A DISTANCE OF 267.87 FEET TO THE POINT OF BEGINNING.

**REFERENCES:**

1. A MAP ENTITLED "10 CHAPIN STREET, ALTA/NPS LAND TITLE SURVEY OF LANDS TO BE MORTGAGED," PREPARED BY BME ASSOCIATES, HAVING DRAWING NO. 2469-11, LAST REVISED JANUARY 5, 2018.
2. AN ABSTRACT OF TITLE WAS NOT PROVIDED FOR THE COMPLETION OF THIS SURVEY.

**NOTES:**

1. THE PURPOSE OF THIS MAP IS TO ILLUSTRATE THE LIMITS OF AN ENVIRONMENTAL EASEMENT FOR BOP SITE NO. C835016, AS DESCRIBED IN LIBER 1408 OF DEEDS, PAGE 278.

**LEGEND**

ENVIRONMENTAL EASEMENT LINE  
HISTORIC LOT LINE  
CENTERLINE OF RIGHT-OF-WAY  
PROPERTY MARKER FOUND  
EXISTING EASEMENT LINE  
PARKING COUNT PER BAY  
WATER VALVE & HYDRANT  
UTILITY POLE  
CATCH BASIN  
UNDERGROUND ELECTRIC (REC)  
UNDERGROUND TELEPHONE (REC)  
UNDERGROUND GAS (REC)

ENVIRONMENTAL EASEMENT AREA  
(2240 NORTH FOREST ROAD, LLC - 1.200 AC)

ENVIRONMENTAL EASEMENT AREA  
(ONTARIO COUNTY BOARD OF SUPERVISORS - 0.553 AC)

**LOCATION MAP**  
NOT TO SCALE

**GRAPHIC SCALE**  
6.096 0 3.048 6.096 12.192  
( IN METERS )  
1 inch = 6.096 meters

**GRAPHIC SCALE**  
20 0 10 20 40  
( IN FEET )  
1 inch = 20 ft.

**EASEMENT AREA DESCRIPTION**

DEC SITE ENVIRONMENTAL EASEMENT AREA  
THROUGH LANDS OF THE COUNTY OF ONTARIO

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 0.553 ACRES MORE OR LESS, SITUATE IN THE PHELPS AND GORHAM PURCHASE, TOWNSHIP 10, RANGE 3, PUBLIC SQUARE, CITY OF CANANDAIGUA, COUNTY OF ONTARIO, AND STATE OF NEW YORK, AS SHOWN ON THE DRAWING ENTITLED "FORMER LABELON CORP. FACILITY - 10 CHAPIN ST., DEC SITE NO. C835016, DEC SITE ENVIRONMENTAL EASEMENT AREA" PREPARED BY BME ASSOCIATES, HAVING DRAWING NUMBER 24695-DIV, LAST REVISED JULY 7, 2020, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF THE PUBLIC SQUARE, AS CONVEYED TO THE SUPERVISORS OF THE COUNTY OF ONTARIO PER LIBER 7 OF DEEDS, PAGE 16 WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH MAIN STREET - NEW YORK STATE ROUTE 21 (132' RIGHT-OF-WAY); THENCE

1. S 62°49'15" W, A DISTANCE OF 261.33 FEET TO A POINT; THENCE
2. N 27°50'45" W, A DISTANCE OF 128.92 FEET TO A POINT; THENCE
3. NORTHEASTERLY, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 877.45 FEET, A CHORD BEARING OF N 76°43'49" E, A DISTANCE OF 139.05 FEET TO A POINT; THENCE
4. NORTHEASTERLY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 984.11 FEET, A CHORD BEARING OF N 84°12'26" E, A DISTANCE OF 137.46 FEET; THENCE
5. S 27°18'36" E, A DISTANCE OF 45.44 FEET TO THE POINT OF BEGINNING.

**EASEMENT AREA DESCRIPTION**

DEC SITE ENVIRONMENTAL EASEMENT AREA  
THROUGH LANDS OF 2240 NORTH FOREST ROAD, LLC

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 1.200 ACRES MORE OR LESS, SITUATE IN THE PHELPS AND GORHAM PURCHASE, TOWNSHIP 10, RANGE 3, VILLAGE LOT 1, CITY OF CANANDAIGUA, COUNTY OF ONTARIO, AND STATE OF NEW YORK, AS SHOWN ON THE DRAWING ENTITLED "FORMER LABELON CORP. FACILITY - 10 CHAPIN ST., DEC SITE NO. C835016, DEC SITE ENVIRONMENTAL EASEMENT AREA" PREPARED BY BME ASSOCIATES, HAVING DRAWING NUMBER 24695-DIV, LAST REVISED JULY 7, 2020, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF LANDS NOW FORMERLY OF ROCOCO & BARBARA VITALONE (T.A. NO. 84-45-2-3) WITH THE NORTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET (48' RIGHT-OF-WAY); THENCE

1. S 62°08'41" W, A DISTANCE OF 190.80 FEET TO A POINT; THENCE
2. N 27°52'58" W, A DISTANCE OF 159.46 FEET TO A POINT; THENCE
3. N 62°31'01" E, A DISTANCE OF 42.14 FEET TO A POINT; THENCE
4. S 27°50'45" E, A DISTANCE OF 44.51 FEET TO A POINT; THENCE
5. N 62°49'15" E, A DISTANCE OF 148.70 FEET TO A POINT; THENCE
6. S 27°52'58" E, A DISTANCE OF 112.92 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL THAT TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF THE PUBLIC SQUARE, AS CONVEYED TO THE SUPERVISORS OF THE COUNTY OF ONTARIO PER LIBER 7 OF DEEDS, PAGE 16 WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST AVENUE (99' RIGHT-OF-WAY); THENCE

1. S 27°50'45" E, A DISTANCE OF 107.00 FEET TO A POINT; THENCE
2. S 62°31'01" W, A DISTANCE OF 267.87 FEET TO A POINT; THENCE
3. N 27°50'45" W, A DISTANCE OF 107.00 FEET TO A POINT; THENCE
4. N 62°31'01" E, A DISTANCE OF 267.87 FEET TO THE POINT OF BEGINNING.

**REFERENCES:**

1. A MAP ENTITLED "10 CHAPIN STREET, ALTA/NPS LAND TITLE SURVEY OF LANDS TO BE MORTGAGED," PREPARED BY BME ASSOCIATES, HAVING DRAWING NO. 2469-11, LAST REVISED JANUARY 5, 2018.
2. AN ABSTRACT OF TITLE WAS NOT PROVIDED FOR THE COMPLETION OF THIS SURVEY.

**NOTES:**

1. THE PURPOSE OF THIS MAP IS TO ILLUSTRATE THE LIMITS OF AN ENVIRONMENTAL EASEMENT FOR BOP SITE NO. C835016, AS DESCRIBED IN LIBER 1408 OF DEEDS, PAGE 278.

Drawing Alteration  
The following is an excerpt from the New York State Education Law Article 140 Section 7209 and applies to this drawing:  
"It is a violation of this law for any person, unless he is acting under the direction of a licensed professional engineer or land surveyor to alter any item in any way, if an item bearing the seal of an engineer or land surveyor shall be altered, the altering engineer or land surveyor shall affix to the item his seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration."

NO.	REVISIONS	DATE
7		
6		
5		
4		
3	REVISED CERTIFICATIONS	7/9/20
2	ADDED ADDITIONAL DESCRIPTIONS/AREAS	7/7/20
1	REVISED DESCRIPTION	7/2/19

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**STATE OF NEW YORK**  
JULY 10 2020  
JULY 10 2020  
JULY 10 2020

**PROJECT**  
FORMER LABELON CORP. FACILITY - 10 CHAPIN ST.  
DEC SITE NO. C835016

**LOCATION**  
CITY OF CANANDAIGUA, ONTARIO COUNTY, NEW YORK

**CLIENT**  
2240 NORTH FOREST ROAD, LLC  
CANANDAIGUA, NY 14036  
LANCASTER, NY 14086

**PROJECT MANAGER**  
DN ZACHARIAS

**DATE**  
JUNE 2019

**PROJECT SURVEYOR**  
DN ZACHARIAS

**DATE**  
JUNE 2019

**DRAWN BY**  
KA MOTT

**SCALE**  
1"=20'

**DATE ISSUED**  
JUNE 2019

**PROJECT NO.**  
2469S

**DRAWING NO.**  
ENV