



**Department of  
Environmental  
Conservation**

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

**Please refer to the attached instructions for guidance on completing this application.**

Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment seeks to add or subtract more than an insignificant acreage of property to the BCA, applicants are encouraged to consult with the DEC project team prior to submitting this application.

**PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION**

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

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

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

c. Pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been submitted prior to a transfer of ownership. If this has not yet been submitted, include the form with this application. Is this form attached?  Yes  No Submitted on: 12/04/2024

Resubmitted 1/7/2025

Amendment to modify description of the property(ies) listed in the existing BCA

Amendment to expand or reduce property boundaries of the property(ies) listed in the existing BCA

Sites in Bronx, Kings, New York, Queens or Richmond Counties ONLY: amendment to request determination that the site is eligible for tangible property credit component of the brownfield redevelopment tax credit.

Other (explain in detail below)

2. REQUIRED: Please provide a brief narrative describing the specific requests included in this amendment:

On October 1, 2025, Volunteer 2240 North Forest Road, LLC transferred title of the BCP Site to 10 Chapin Street, LLC, which was added as a Volunteer to the Brownfield Cleanup Agreement ("BCA") via an Amendment, effective January 17, 2025. Please see Exhibit A - Ex. A - Deed\_2240 North Forest Road, LLC to 10 Chapin Street, LLC.

Due to some title questions, regarding the County of Ontario possibly retaining ownership interest to a 0.553-acre portion of the BCP Site, the County of Ontario quitclaimed the 0.553-acre portion of the BCP Site to the City of Canandaigua, who in turn quitclaimed it to 10 Chapin Street, LLC. Please see Exhibit B - Deed\_County to City and Exhibit C - Deed\_City to 10 Chapin Street, LLC. Therefore, 10 Chapin Street, LLC is the sole owner of the BCP Site. Please see Exhibit D - Written Consents.

<b>SECTION I: CURRENT AGREEMENT INFORMATION</b>	
<i>This section must be completed in full. Attach additional pages as necessary.</i>	
BCP SITE NAME: Former Labelon Corp. Facility	BCP SITE NUMBER: C835016
NAME OF CURRENT APPLICANT(S): 2240 North Forest Road, LLC and 10 Chapin Street, LLC	
INDEX NUMBER OF AGREEMENT: C835016-12-10	DATE OF ORIGINAL AGREEMENT: 01/25/11
APPLICANT'S SIGNATORY: Thomas Barrett and Joel Barrett	

<b>SECTION II: NEW REQUESTOR INFORMATION</b>		
<i>Complete this section only if adding new requestor(s) or the name of an existing requestor has changed.</i>		
NAME:		
ADDRESS:		
CITY/TOWN:	ZIP CODE:	
PHONE:	EMAIL:	
REQUESTOR CONTACT:		
ADDRESS:		
CITY/TOWN:	ZIP CODE:	
PHONE:	EMAIL:	
REQUESTOR'S CONSULTANT:	CONTACT:	
ADDRESS:		
CITY/TOWN:	ZIP CODE:	
PHONE:	EMAIL:	
REQUESTOR'S ATTORNEY:	CONTACT:	
ADDRESS:		
CITY/TOWN:	ZIP CODE:	
PHONE:	EMAIL:	
	<b>Y</b>	<b>N</b>
1. Is the requestor authorized to conduct business in New York State?	<input type="radio"/>	<input type="radio"/>
2. If the requestor is a corporation, LLC, LLP, or other entity requiring authorization from the NYS Department of State (NYSDOS) to conduct business in NYS, the requestor's name must appear exactly as given above in the NYSDOS Corporation & Business Entity Database. A print-out of entity information from the NYSDOS database must be submitted with this application. Is this print-out attached?	<input type="radio"/>	<input type="radio"/>
3. Requestor must submit proof that the party signing this application and amendment has the authority to bind the requestor. This would be documentation showing the authority to bind the requestor in the form of corporate organizational papers, a Corporate Resolution or an Operating Agreement or Resolution for an LLC. Is this proof attached?	<input type="radio"/>	<input type="radio"/>
4. If the requestor is an LLC, the names of the members/owners must be provided. Is this information attached?	<b>N/A</b> <input type="radio"/>	<input type="radio"/>
5. Describe the new requestor's relationship to all existing applicants:		

**SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION**

*Complete this section only if a transfer of ownership has taken place. Attach additional pages if necessary.*

Owner listed below is: <input checked="" type="radio"/> Existing Applicant <input type="radio"/> New Applicant <input type="radio"/> Non-Applicant		
OWNER'S NAME: 10 Chapin Street, LLC		CONTACT: Joel Barrett
ADDRESS: 15 Fairhaven Road		
CITY/TOWN: Rochester, New York		ZIP CODE: 14610
PHONE: (585) 577-2223	EMAIL: joel@43northre.com	
OPERATOR: Same as owner		CONTACT:
ADDRESS:		
CITY/TOWN:		ZIP CODE:
PHONE:	EMAIL:	

**SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION**

*Complete this section only if adding new requestor(s). Attach additional pages if necessary.*

If answering "yes" to any of the following questions, please provide additional information as an attachment. Please refer to ECL § 27-1407 for details.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input type="radio"/>
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site?	<input type="radio"/>	<input type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for the site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input type="radio"/>
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 or regulation of the state or federal government? If so, provide additional information as an attachment.	<input type="radio"/>	<input type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as site name, address, DEC site number, reason for denial, and any other relevant information.	<input type="radio"/>	<input type="radio"/>
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 or contaminants?	<input type="radio"/>	<input type="radio"/>
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?	<input type="radio"/>	<input type="radio"/>
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?	<input type="radio"/>	<input type="radio"/>

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION (continued)		Y	N
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?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. 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:			
<input type="radio"/> <b>PARTICIPANT</b> 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 type="radio"/> <b>VOLUNTEER</b> 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 a 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 they have 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.  <b>If a requestor's liability arises solely as a result of ownership, operation of or involvement with the site, they must submit a statement describing why they should be considered a volunteer – be specific as to the appropriate care taken.</b>		
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14. Requestor's relationship to the property (check all that apply): <input type="checkbox"/> Prior Owner <input type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input type="checkbox"/> Other: _____			
15. If the 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 being added to the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES**

*Complete this section only if property is being added to or removed from the site, a lot merger or other change to site SBL(s) has occurred, or if modifying the site address for any reason.*

1. Property information on current agreement (as modified by any previous amendments, if applicable):

ADDRESS:

CITY/TOWN:

ZIP CODE:

CURRENT PROPERTY INFORMATION

TOTAL ACREAGE OF CURRENT SITE:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE


2. Requested change (check appropriate boxes below):

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

PARCELS ADDED:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE


TOTAL ACREAGE TO BE ADDED: \_\_\_\_\_

b. Reduction of property

PARCELS REMOVED:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE


TOTAL ACREAGE TO BE REMOVED: \_\_\_\_\_

c. Change to SBL (e.g., lot merge, subdivision, address change)

NEW PROPERTY INFORMATION:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE


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

4. For all changes requested in this section, documentation must be provided. Required attachments are listed in the application instructions. Is the required documentation attached?

Y <input type="radio"/>	N <input type="radio"/>
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**SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES (continued)**

Complete this section for any addition of property. Use additional copies of this section as necessary.

5. Property information for parcels being added to the BCA

PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE
CURRENT OWNER:		CONTACT NAME:		
ADDRESS:				
CITY:		STATE:	ZIP:	
PHONE:	EMAIL:			
OWNERSHIP START DATE:				
CURRENT OPERATOR:		CONTACT NAME:		
PHONE:	EMAIL:			
REQUESTOR RELATIONSHIP TO NEW PROPERTY (select from below)				
<input type="checkbox"/> PREVIOUS OWNER	<input type="checkbox"/> CURRENT OWNER	<input type="checkbox"/> POTENTIAL/FUTURE PURCHASER	<input type="checkbox"/>	OTHER: _____
<p><i>If the applicant is not the current owner of the property, documentation demonstrating site access (which includes the ability to place an environmental easement on the site) must be provided. If the applicant currently owns the property being added to the site, a copy of the deed must be included.</i></p> <p>IS PROOF OF ACCESS / OWNERSHIP ATTACHED?      <input type="radio"/> YES    <input type="radio"/> NO    <input type="radio"/> N/A</p>				

PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE
CURRENT OWNER:		CONTACT NAME:		
ADDRESS:				
CITY:		STATE:	ZIP:	
PHONE:	EMAIL:			
OWNERSHIP START DATE:				
CURRENT OPERATOR:		CONTACT NAME:		
PHONE:	EMAIL:			
REQUESTOR RELATIONSHIP TO NEW PROPERTY (select from below)				
<input type="checkbox"/> PREVIOUS OWNER	<input type="checkbox"/> CURRENT OWNER	<input type="checkbox"/> POTENTIAL/FUTURE PURCHASER	<input type="checkbox"/>	OTHER: _____
<p><i>If the applicant is not the current owner of the property, documentation demonstrating site access (which includes the ability to place an environmental easement on the site) must be provided. If the applicant currently owns the property being added to the site, a copy of the deed must be included.</i></p> <p>IS PROOF OF ACCESS / OWNERSHIP ATTACHED?      <input type="radio"/> YES    <input type="radio"/> NO    <input type="radio"/> N/A</p>				

6. Data supporting the addition of property to the site must be included. Please refer to the instructions for a list of required tables and figures.

ARE THE REQUIRED FIGURES AND TABLES ATTACHED?

YES     NO     N/A (land being added has been merged with an existing BCP lot and the applicant is not seeking to add more than an insignificant acreage of property to the BCA)

**APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT SUPPLEMENT  
QUESTIONS FOR SITE SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY**

*Complete this section only if the site is located within the five counties comprising New York City and the requestor is seeking a determination of eligibility for tangible property credits. Provide supporting documentation as required. Refer to the application instructions for additional information.*

	Y	N
1. Is the site located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. 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="radio"/>	<input type="radio"/>
4. Is the property upside down as defined below? <b>From ECL 27-1405(31):</b> "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.	<input type="radio"/>	<input type="radio"/>
5. <u>For new tax parcels being added to the BCA through this amendment ONLY:</u>  Are the parcels being added underutilized as defined below? <b>From 6 NYCRR 375-3.2(I) as of August 12, 2016</b> (Please note: Eligibility determination for the underutilized category for the new tax parcels can only be made at the time of amendment application): 375-3.2: (I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and (1) the proposed use is at least 75 percent for industrial uses; or (2) at which: (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses; (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and (iii) one or more of the following conditions exists, as certified by the applicant: (a) property tax payments have been in arrears for at least five years immediately prior to the application; (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or (c) there are no structures.  "Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.	<input type="radio"/>	<input type="radio"/>

<p>6. Is the project and affordable housing project as defined below?</p> <p><b>From 6 NYCRR 375-3.2(a) as of August 12, 2016:</b></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' household's 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 homeowners 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>	<input type="radio"/>	<input type="radio"/>
<p>7. Is the project a planned renewable energy facility site as defined below?</p> <p><b>From ECL 27-1405(33) as of April 9, 2022:</b></p> <p>"Renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.</p> <p><b>From Public Service Law Article 4 Section 66-p as of April 23, 2021:</b></p> <p>(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.</p>	<input type="radio"/>	<input type="radio"/>
<p>8. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?</p> <p><b>From ECL 75-0111 as of April 9, 2022:</b></p> <p>(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.</p>	<input type="radio"/>	<input type="radio"/>

**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): 2240 North Forest Road, LLC and 10 Chapin Street, LLC

INDEX NUMBER OF AGREEMENT: C835016-12-10

DATE OF ORIGINAL AGREEMENT: 01/25/11

**Declaration of Amendment:**

By the requestor(s) and/or applicant(s) signature(s) 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 obligations held under the Agreement or those same laws.

**STATEMENT OF CERTIFICATION AND SIGNATURES: NEW REQUESTOR**

*Complete the appropriate section (individual or entity) below only if this Amendment adds a new requestor. Attach additional pages as needed.*

(Individual)

I hereby affirm that the 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 complete and sign the appropriate section (individual or entity) below. Attach additional pages as needed.*

(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 President (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. Thomas Barrett's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 5/29/26 Signature: Thomas Barrett

Print Name: Thomas Barrett

**PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS**

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

Status of Agreement:

<input type="checkbox"/> <b>PARTICIPANT</b> 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"/> <b>VOLUNTEER</b> 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: \_\_\_\_\_

Signature by the Department:

DATED: 6/11/2026

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By:

David Harrington  
 David Harrington, Assistant Director  
 Division of Environmental Remediation

**STATEMENT OF CERTIFICATION AND SIGNATURES: EXISTING APPLICANT(S)**

An authorized representative of each applicant must complete and sign the appropriate section (individual or entity) below. Attach additional pages as needed.

(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 Sole Member (title) of 10 Chapin Street, 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. Joel Barrett's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 05/29/26 Signature: JOEL BARRETT

Print Name: Joel Barrett

**PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS**

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

Status of Agreement:

<input type="checkbox"/> <b>PARTICIPANT</b> 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"/> <b>VOLUNTEER</b> 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: \_\_\_\_\_

Signature by the Department:

DATED: 6/11/2026

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By:

David Harrington  
David Harrington, Assistant Director  
Division of Environmental Remediation

**SUBMITTAL REQUIREMENTS:**

- The Department accepts both hard copy and electronic submittal of the *Application to Amend Brownfield Cleanup Agreement and Amendment* form.
- Hard copy submissions must also include an electronic version of the complete application form and attachments, in final, non-fillable Portable Document Format (PDF), on an external storage device (such as a thumb drive or CD). Applications must be sent to:
  - Chief, Site Control Section
  - New York State Department of Environmental Conservation
  - Division of Environmental Remediation
  - 625 Broadway, 12<sup>th</sup> Floor
  - Albany, NY 12233-7015
- NOTE: Electronic applications submitted in fillable format will be rejected.

# **EXHIBIT A**



# Ontario County Clerk Recording Page

**Return To**

DAVIDSON FINK LLP  
400 MERIDIAN CENTRE BLVD  
SUITE 200  
ROCHESTER, NY 14618

**Jean E. Chrisman, County Clerk**  
Ontario County Clerk  
20 Ontario Street  
Canandaigua, New York 14424  
(585) 396-4200

Document Type: **DEED**

Receipt Number: 832204

**Grantor (Party 1)**

2240 NORTH FOREST ROAD LLC

**Grantee (Party 2)**

10 CHAPIN STREET LLC

**Fees**

Recording Fee	\$20.00
Pages Fee	\$30.00
State Surcharge	\$20.00
TP-584 Form Fee	\$5.00
RP-5217 Form Fee	\$250.00
Transfer Tax	\$8,000.00
<b>Total Fees Paid:</b>	<b>\$8,325.00</b>

Consideration: \$2,000,000.00

Control #: 202510230088

Ref #: TX 2025 000904

**Refers To**

Property located in **City of Canandaigua**

State of New York  
County of Ontario

Recorded on October 23rd, 2025 at 11:33:40 AM  
in Liber **01568** of **Deeds**  
beginning at page **0823**, ending at page **0828**,  
with a total page count of **6**.

Ontario County Clerk

*This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York*

5

# This Indenture

Made the 1<sup>st</sup> day of OCTOBER Two Thousand and Twenty Five

## Between

*Grantor(s):* 2240 NORTH FOREST ROAD, LLC, a New York limited liability company,  
with offices at 2 Wendling Court, Lancaster, NY 14086

*Grantee(s):* 10 CHAPIN STREET, LLC, a New York limited liability company,  
with offices at 15 Fairhaven Road, Rochester, NY 14610

**Witnesseth** that the grantor(s) in consideration of -----  
----- ONE AND MORE ----- Dollar(s) ( \$1.00 & More )  
lawful money of the United States, paid by the grantee(s) does hereby grant and release unto  
the grantee(s) its successors and assigns forever,

**All That Tract or Parcel of Land,** situate in the City of Canandaigua, County of  
Ontario and State of New York and more particularly described in Schedule A attached hereto  
and made a part hereof.



## CHICAGO TITLE INSURANCE COMPANY

TITLE NO. 2118-0952EC

## SCHEDULE A

All that tract or 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 base on the east side of the Hubbell Block, and which point of beginning is also a point in the west line of Main Street at the northeasterly corner of land conveyed to Katherine S. Perego and Edwin O. Perego 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° 6' west along the northerly line of said Perego'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 southeasterly corner of lands conveyed by E. Raymond Church, et al, to Bay 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 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 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 397, 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 spur or switch running to the lands of the said George T. Thompson Son Inc., thence easterly on a curved line 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 line 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 seventy-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. Perego and Edwin C. Perego, thence south 19' 0' east side 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 southeasterly corner of the "Hubbell Block," so-called, and said point of beginning is also the southwesterly corner of lands conveyed to Katherine B. Perego and Edwin C. Perego by Rochester Trust and Safe Deposit Company, executor under the last and will 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 seventy (70) degrees, twenty-nine (29) minutes, thirty (30) seconds west, in the northerly line of Chapin Street a distance of one hundred eighty-eight and eighty-five hundredths (188.85) feet to the southeasterly corner of lands conveyed by John J. Linder 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 (06) 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, 1800 and recorded in the Ontario County Clerk's Office in Liber 7 of Deeds at page 15, a distance of one hundred eighty-eight one hundredths (188.88) feet to the northwesterly corner of said lands of Katherine b. Perego and Edwin O. Perego; thence south nineteen (19) degrees, thirty-four (34) minutes east along the westerly line of said Perego's lands a distance of one hundred twelve and eighty-nine hundredths (112.89) feet to the north line of Chapin Street and the point of beginning, and containing four hundred fifty-eight thousandths (0.458) acres of land more or less according to a map of a survey dated October 13, 1945, made by Charles J. Brown, licensed Surveyor. Being the same property conveyed by Charles J. Briggs, trustee, etc. to Lester Boyee by deed dated July 26, 1950 and recorded in the Ontario County Clerk's Office July 31, 1950 in Liber 485 of Deeds at page 357, 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 Velo-King Inc. recorded in the Ontario County Clerk's Office July 11, 1947 in Liber 448 of Deeds at page 270 and subject to the right of way from B.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.

## CHICAGO TITLE INSURANCE COMPANY

TITLE NO. 2118-0952EC

## SCHEDULE A

(Continued)

Also all that tract or parcel of land, situate in the City of Canandaigua, County of Ontario 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, County of Ontario and State of New York, and being a part of an original Lot No. One (1) west of Main Street and south of the Square and 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 southerly 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. Linder, 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 or formerly owned by Randolph V. Miller (formerly Miller Corsets, Inc); thence north seventy-one (71) degrees six hundredths (.06) 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 together with 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 the first above mentioned right of way.

Premises alternatively described as follows:

ALL THAT TRACT OR PARCEL OF LAND containing 1.753 acres more or less, situate in the Phelps and Gorham Purchase, Township 10, Range 3, Town Lot 1 & a portion of the Public Square, City of Canandaigua, County of Ontario, and State of New York, as shown on the drawing entitled "10 Chapin Street, ALTA/NSPS Land Title Survey," prepared by BME Associates, having drawing number 2469-13, last revised January 8, 2025, being more particularly bounded and described as follows:

Beginning at a 5/8" rebar at the intersection of the northerly right-of-way line of Chapin Street (48' Right-of-Way) with the easterly boundary line of lands now or formerly of Donna Stringer & Phillip Meek (TA. No. 84.09-2-24); thence

1. N 27°52'58" W, along said easterly boundary line of Stringer & Meek, a distance of 159.46 feet to a point on the southerly line of a 15 foot wide lane witnessed by a 5/8" rebar 1.4' south and 2.3' east; thence
2. N 62°31'01" E, along the southerly line of said 15 foot wide lane, a distance of 42.14 feet to a point at the easterly terminus thereof witnessed by a 5/8" rebar 3.0' south and 1.7' east; thence
3. N 27°50'45" W, along the easterly terminus of said 15 foot wide lane, a distance of 15.00 feet to a point on the northerly line thereof; thence
4. S 62°31'01" W, along the northerly line of said 15 foot wide lane, a distance of 267.87 feet to a point witnessed by a 5/8" rebar 1.1' south and 1.1' east; thence
5. N 27°50'45" W, along the easterly line of said 15 foot wide lane, a distance of 107.00 feet to a point on the southerly right-of-way line of West Avenue (99' Right-of-Way) witnessed by a 5/8" rebar 1.3' south and 0.6' east; thence
6. N 62°31'01" E, along said southerly right-of-way line of West Avenue, a distance of 267.87 feet to a point at the northwesterly corner of lands reputedly of Ontario County I.D.A. (T.A. No. 084.09-4-62.21) witnessed by a 5/8" rebar 1.6' south and 0.6' east; thence

CHICAGO TITLE INSURANCE COMPANY

TITLE NO. 2118-0952EC

**SCHEDULE A**

(Continued)

7. S 27°50'45" E, along the westerly boundary line of said lands of Ontario County I.D.A., a distance of 37.59 feet to a point on the southerly boundary thereof witnessed by a 5/8" rebar 0.1' south and 0.1' east; thence
8. Southeasterly, along the southerly boundary line of said lands of Ontario County I.D.A. and along a non-tangent curve to the right, having a radius of 877.45 feet, a distance of 139.05 feet to a mag nail; thence
9. Northeasterly, along a non-tangent curve to the left, having a radius of 984.11 feet, a chord bearing of N 84°12'16" E, a distance of 137.56 feet to a mag nail on the westerly right-of-way line of South Main Street - N.Y.S. Route 21 (132' Right-of-Way); thence
10. S 27°18'36" E, along said westerly right-of-way line of South Main Street, a distance of 45.22 feet to a 5/8" rebar at the northeasterly boundary corner of lands now or formerly of John Gilbert & Christine Henehan (T.A. No. 84.45-2-1); thence
11. S 62°49'15" W, along the northerly boundary line of said lands of Gilbert & Henehan, a distance of 112.62 feet to a pinch point at the northwesterly boundary corner thereof; thence
12. S 27°52'58" E, along the westerly boundary line of said lands of Gilbert & Henehan, and along the westerly boundary line of other lands of John Gilbert & Christine Henehan (T.A. No. 84.45-2-2) and along the westerly boundary line of lands now or formerly of Rocco & Barbara Vitalone (T.A. No. 84.45-2-3), a distance of 112.92 feet to a 5/8" rebar on the aforementioned northerly right-of-way line of Chapin Street; thence
13. S 62°08'41" W, along said northerly right-of-way line of Chapin Street, a distance of 190.80 feet to the Point of Beginning.

Tax Account No. 84.09-2-23

**For Conveyancing Only**

Together with all right, title and interest of, in and to any streets and roads abutting the above described premises. Our Policy of Title Insurance includes such buildings and improvements thereon which by law constitute real property, unless specifically excepted therein.

**END OF SCHEDULE A**

# **EXHIBIT B**



# Ontario County Clerk Recording Page

**Return To**

ONTARIO COUNTY ATTORNEY  
20 ONTARIO ST 3RD FLOOR  
CANANDAIGUA, NY 14424

**Jean E. Chrisman, County Clerk**

Ontario County Clerk  
20 Ontario Street  
Canandaigua, New York 14424  
(585) 396-4200

Document Type: **DEED**

Receipt Number: 831638

**Grantor (Party 1)**

ONTARIO COUNTY

**Grantee (Party 2)**

CANANDAIGUA CITY

**Fees**

Recording Fee	\$0.00
Pages Fee	\$0.00
State Surcharge	\$0.00
TP-584 Form Fee	\$0.00
RP-5217 Form Fee	\$0.00
<b>Total Fees Paid:</b>	<b>\$0.00</b>

Consideration: \$1.00

Control #: 202510210054

Ref #: TX 2025 000881

Property located in **City of Canandaigua**

State of New York  
County of Ontario

Recorded on October 21st, 2025 at 10:47:57 AM  
in Liber **01568** of **Deeds**  
beginning at page **0683**, ending at page **0685**,  
with a total page count of **3**.

Ontario County Clerk

*This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York*

**THIS QUITCLAIM DEED** is made the 20 day of October, 2025, by and between the **COUNTY OF ONTARIO** (the "party of the first part"), a municipal corporation of the State of New York, with offices at 20 Ontario Street, Canandaigua, New York 14424; and the **CITY OF CANANDAIGUA**, a municipal corporation of the State of New York, with offices at 2 North Main Street, Canandaigua, New York 14424 (the "party of the second part").

**WITNESSETH**, that the party of the first part, in consideration of \$1.00 and other good and valuable consideration, paid by the party of the second part does hereby remise, release and quitclaim unto the party of the second part, its heirs or successors and assigns forever:

**ALL THAT PIECE OR PARCEL OF LAND**, situate in the City of Canandaigua, County of Ontario, and State of New York, described in Exhibit A attached hereto and made a part hereof.

**BEING AND INTENDING TO CONVEY** an approximately 0.553 acre portion of the same premises conveyed to the County of Ontario by deed recorded in the Ontario County Clerk's Office on July 18, 1800, in Liber 7 of Deeds at Page 16.

**TOGETHER** with and subject to all covenants, public utility, highway and other easement and restricts of record affecting said premises, if any.

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

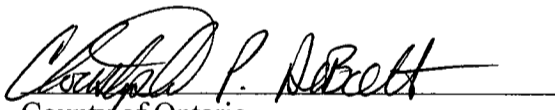
**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, their heirs or successors and assigns forever.

**AND** said Grantor covenants as follows:

**FIRST**, that Grantee shall quietly enjoy the said premises;

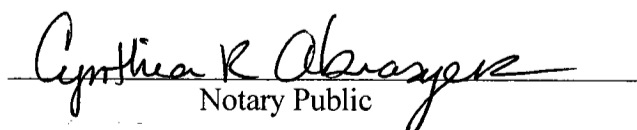
**SECOND**, that in compliance with Section 13 of the Lien Law, Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

  
 County of Ontario,  
 BY: Christopher DeBolt, Ontario County Administrator

STATE OF NEW YORK)  
 COUNTY OF ONTARIO) SS.:

On the 20 day of October, 2025 before me, the undersigned, personally appeared Christopher DeBolt, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
 Notary Public

**CYNTHIA R. ABRASZEK**  
 Notary Public, State of New York  
 Ontario County Reg. 01#AB6346115  
 Commission Expires 08/08/2028

**EXHIBIT A**

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, Town Lot 1, City of Canandaigua, County of Ontario, and State of New York, as shown on the drawing entitled "10 Chapin Street, Subdivision Plat," prepared by BME Associates, having drawing number 2469-14, dated September 30, 2025, being more particularly bounded and described as follows:

Beginning at the intersection of the westerly right-of-way line of South Main Street New York State Route 332 – New York State Route 21 (132' Right-of-Way) with the northerly boundary line of lands now or formerly C Lake Properties, LLC (T.A. No. 84.45-2-1); 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
5. Northeasterly, along a non-tangent curve to the right, having a radius of 877.45 feet and a chord bearing of N 76°43'49" E, a distance of 139.05 feet to a point; thence
6. Northeasterly, along a non-tangent curve to the left, having a radius of 984.11 feet and a chord bearing of N 84°12'26" E, a distance of 137.56 feet to a point on the aforementioned westerly right-of-way line; thence
7. S 27°18'36" E, along said westerly right-of-way line, a distance of 45.22 feet to the Point of Beginning.

# **EXHIBIT C**



# Ontario County Clerk Recording Page

### Return To

DAVIDSON FINK LLP  
400 MERIDIAN CENTRE BLVD  
SUITE 200  
ROCHESTER, NY 14618

### **Jean E. Chrisman, County Clerk**

Ontario County Clerk  
20 Ontario Street  
Canandaigua, New York 14424  
(585) 396-4200

Document Type: **DEED**

Receipt Number: 832204

#### **Grantor (Party 1)**

CANANDAIGUA CITY

#### **Grantee (Party 2)**

10 CHAPIN STREET LLC

#### **Fees**

Recording Fee	\$20.00
Pages Fee	\$20.00
State Surcharge	\$20.00
TP-584 Form Fee	\$5.00
RP-5217 Form Fee	\$250.00
<b>Total Fees Paid:</b>	<b>\$315.00</b>

Consideration: \$0.00

Control #: 202510230087

Ref #: TX 2025 000903

Property located in **City of Canandaigua**

#### **Refers To**

State of New York  
County of Ontario

Recorded on October 23rd, 2025 at 11:33:39 AM  
in Liber **01568** of **Deeds**  
beginning at page **0819**, ending at page **0822**,  
with a total page count of **4**.

Ontario County Clerk

*This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York*

3  
NY Deed – Quit Claim  
Record and Return to: Davidson Fink LLP  
400 Meridian Centre Blvd., Suite 200  
Rochester, New York 14618

THIS INDENTURE, made the 20 day of October, 2025

BETWEEN CITY OF CANANDAIGUA, a municipal corporation of the State of New York, with offices at 2 North Main Street, Canandaigua, New York 14424

Grantor,

and

10 Chapin Street, LLC, a New York limited liability company with an address at 222 South Avenue, Rochester, New York 14604

Grantee,

WITNESSETH, that Grantor, in consideration of One Dollar (\$1.00) lawful money of the United States, paid by Grantee, does hereby release and quitclaim unto Grantee, their distributees and assigns forever:

ALL THAT TRACT OR PARCEL OF LAND, situated in the City of Canandaigua, County of Ontario and State of New York, described in Exhibit A attached hereto and made a part hereof

Subject to covenants, easements and restrictions of record, if any.

Being and intending to convey an approximately 0.553 acre portion of the same premises conveyed to the County of Ontario by deed recorded in the Ontario County Clerk's Office on July 18, 1800, in Liber 7 of Deeds at Page 16. Said property was conveyed to the party of the first part by Quitclaim deed recorded in the Ontario County Clerk's Office on October 21, 2025 in Liber 1568 of Deeds at Page 683.

TOGETHER with and subject to all covenants, public utility, highway and other easement and restricts of record affecting said premises, if any.

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, the heirs or successors and assigns forever.

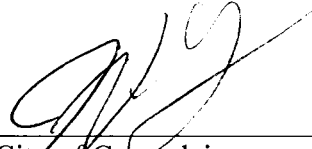
AND, GRANTOR, in compliance with Section 13 of the Lien Law, covenants that the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the costs of the improvement and will apply the same first to the payment of the cost of improvements before using any part of the total of the same for any other purpose.

This conveyance is not intended to defraud creditors and will not render Grantor insolvent.

The words "Grantor and Grantee" shall be construed as if they read "Grantors and Grantees" whenever the sense of this indenture so requires.

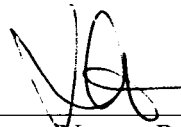
**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

**IN PRESENCE OF:**

  
\_\_\_\_\_  
City of Canandaigua,  
BY: John D Goodwin, City Manager

STATE OF NEW YORK  
COUNTY OF ONTARIO    SS:

On the 20<sup>th</sup> day of October in the year 2025 before me, the undersigned, a notary public in and for said state, personally appeared John D Goodwin known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

DAVID HOU  
Notary Public, State of New York  
Lic. No. 02H06129432  
Qualified in Monroe County  
Commission Expires June 20, 2026

## EXHIBIT A

2469  
BCG  
9/30/25Description of  
A Portion of Public Square

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, Town Lot 1, City of Canandaigua, County of Ontario, and State of New York, as shown on the drawing entitled "10 Chapin Street, Subdivision Plat," prepared by BME Associates, having drawing number 2469-14, dated September 30, 2025, being more particularly bounded and described as follows:

Beginning at the intersection of the westerly right-of-way line of South Main Street New York State Route 332 – New York State Route 21 (132' Right-of-Way) with the northerly boundary line of lands now or formerly C Lake Properties, LLC (T.A. No. 84.45-2-1); 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
5. Northeasterly, along a non-tangent curve to the right, having a radius of 877.45 feet and a chord bearing of N 76°43'49" E, a distance of 139.05 feet to a point; thence
6. Northeasterly, along a non-tangent curve to the left, having a radius of 984.11 feet and a chord bearing of N 84°12'26" E, a distance of 137.56 feet to a point on the aforementioned westerly right-of-way line; thence
7. S 27°18'36" E, along said westerly right-of-way line, a distance of 45.22 feet to the Point of Beginning.

PART OF 84.09-2-23


# **EXHIBIT D**

## SOLE MEMBER WRITTEN CONSENT

The undersigned, being the Sole Member of 10 Chapin Street, LLC, does hereby certify as follows:

1. 10 Chapin Street, LLC is a prospective Volunteer for the Brownfield Cleanup Program ("BCP") Site, known as the Former Labelon Corp. Facility, NYS DEC Site No.: C835016 (the "Site").
2. The following person, Joel Barrett, is the sole member of 10 Chapin Street, LLC and is therefore authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of the Volunteer 10 Chapin Street, LLC in relation to the Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 4<sup>th</sup> day of January, 2025

  
\_\_\_\_\_  
Joel Barrett  
10 Chapin Street, LLC  
Sole Member

**WRITTEN CONSENT**

The undersigned, being a President of 2240 North Forest Road, LLC does hereby certify as follows:

1. 2240 North Forest Road, LLC is a current Volunteer for the Brownfield Cleanup Program (“BCP”) site, known as the Former Labelon Corp. Facility, NYS DEC Site No.: C835016 (the “Site”).
2. The following person, Thomas Barrett, President of 2240 North Forest Road, LLC has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Site volunteer 2240 North Forest Road, LLC in relation to the Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 21 day of May, 2026.

Thomas Barrett  
2240 North Forest Road, LLC  
Name: Thomas Barrett  
Title: President