

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

December 29, 2023

Richard J. Crossed
Parkway Plaza Limited Partnership
46 Prince Street
Suite 2003
Rochester, New York 14607
abodewes@parkgrovelc.com

Re: Certificate of Completion
Parkway Plaza Cleaners Site
City of Canandaigua, Ontario County
Site Number: C835028

Dear Richard Crossed,

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

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

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

Joshua J. Ramsey
New York State Department of Environmental Conservation
Division of Environmental Remediation
6274 East Avon-Lima Road
Avon, New York 14414



- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. NYSDEC will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days;
- Implement NYSDEC-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to NYSDEC in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to NYSDEC in April 2025.

If you have any questions, please do not hesitate to contact Joshua J. Ramsey, NYSDEC's project manager, at (585) 226-5349.

Sincerely,

Andrew Guglielmi

Andrew Guglielmi
Division Director
Division of Environmental Remediation

ec w/ enclosure:

Christine Vooris (NYSDOH), Christine.Vooris@health.ny.gov
Justin Deming (NYSDOH), Justin.Deming@health.ny.gov
Julia Kenney (NYSDOH), Julia.Kenney@health.ny.gov
Matt Gokey, Matthew.Gokey@tax.ny.gov
Paul Takac, Paul.Takac@tax.ny.gov
Linda Shaw, LShaw@nyenvlaw.com
Nathan Simon, NSimon@daymail.net
Ray Kampff, RKampff@daymail.net

ec w/o enclosure:

J. Ramsey, D. Pratt, M. Cruden, C. Theobald, B. Rashkow, D. Loew, M. Murphy,
K. Lewandowski - NYSDEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Parkway Plaza Limited Partnership

Address

46 Prince Street, Rochester, NY 14607

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 7/23/18 **Agreement Execution:** 9/26/18

Agreement Index No.: C835028-03-18

Application Amendment Approval: 11/30/23

Agreement Amendment Execution: 12/1/23

SITE INFORMATION:

Site No.: C835028 **Site Name:** Parkway Plaza Cleaners Site

Site Owner: Parkway Plaza Limited Partnership

Street Address: Portion of 39 Eastern Boulevard

Municipality: Canandaigua **County:** Ontario

DEC Region: 8

Site Size: 0.528 Acres

Tax Map Identification Number(s): p/o 84.18-1-6.111

Percentage of site located in an EnZone: 0 - 49 %

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

CERTIFICATE ISSUANCE

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

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

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

Allowable Uses under the BCP: Commercial and Industrial

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

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 25 %.

Tangible Property Credit is 10%. Comprised of 10% Base.

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

The Remedial Program includes use restrictions or reliance on the long-term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Ontario County as Control No. 202312130221.

LIABILITY LIMITATION

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

CERTIFICATE TRANSFERABILITY

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

CERTIFICATE MODIFICATION/REVOCATION

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

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

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

Basil Seggos
Commissioner
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 12/29/2023

Andrew O. Guglielmi, Director
Division of Environmental Remediation

Exhibit A
Site Description

County: Ontario Site No: C835028 Brownfield Cleanup Agreement Index : C835028-03-18

SCHEDULE "A" PROPERTY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF CANANDAIGUA, COUNTY OF ONTARIO, STATE OF NEW YORK, BEING PART OF TAX ACCOUNT NO. 84.18-1-6.111, LANDS NOW OR FORMERLY OF PARKWAY PLAZA LIMITED PARTNERSHIP, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT POINT ON THE EAST RIGHT-OF-WAY OF BOOTH STREET, SAID POINT BEING 70.00 FEET SOUTH OF THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF BOOTH STREET AND THE SOUTH RIGHT-OF-WAY OF EASTERN BOULEVARD (NEW YORK STATE ROUTES 5 & 20), THENCE

A. S87°04'59"E ALONG THE DIVISION LINE OF TAX ACCOUNT NO. 84.18-1-6.111 TO THE NORTH AND TAX ACCOUNT NO. 84.18-1-16.11 TO THE SOUTH A DISTANCE OF 240.00 FEET TO A POINT; THENCE

B. S02°55'01"W CONTINUING ALONG SAID DIVISION LINE A DISTANCE OF 93.54 FEET TO THE POINT AND PLACE OF BEGINNING; THENCE THROUGH TAX ACCOUNT NO. 84.18-1-6.111 THE FOLLOWING COURSES

1. S87°04'59"E, A DISTANCE OF 105.78 FEET TO A POINT; THENCE,
2. S03°05'23"W, A DISTANCE OF 25.94 FEET TO A POINT; THENCE,
3. S86°54'31"E, A DISTANCE OF 45.29 FEET TO A POINT; THENCE,
4. S03°05'29"W, A DISTANCE OF 82.92 FEET TO A POINT; THENCE,
5. N86°42'35"W, A DISTANCE OF 41.05 FEET TO A POINT; THENCE,
6. S03°17'25"W, A DISTANCE OF 80.90 FEET TO A POINT ON THE DIVISION LINE OF TAX ACCOUNT NO. 84.18-1-6.111 TO THE NORTH AND TAX ACCOUNT NO. 84.18-1-46.1 TO THE SOUTH; THENCE,
7. N76°43'29"W ALONG SAID DIVISION LINE, A DISTANCE OF 110.97 FEET TO A POINT, SAID POINT BEING IN COMMON WITH THE SOUTHWEST CORNER OF TAX ACCOUNT NO. 84.18-1-6.111 AND THE SOUTH EAST CORNER OF TAX ACCOUNT NO. 84.18-1-16.11; THENCE,
8. N02°55'01"E CONTINUING ALONG SAID DIVISION LINE A DISTANCE OF 169.68 FEET TO THE POINT AND PLACE OF BEGINNING, INTENDING TO DESCRIBE A ENVIRONMENTAL EASEMENT AREA CONTAINING 23,000 SQUARE FEET OR 0.528 ACRES MORE OR LESS.

Exhibit B

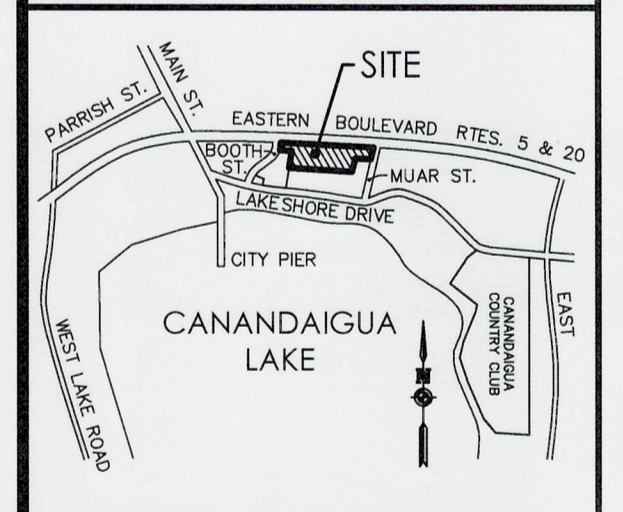
Site Survey

ABBREVIATION TABLE	
A.G.	ABOVE GROUND
C.I.	CAST IRON
CNC.	CONCRETE
E.O.P.	EDGE OF PAVEMENT
MEAS.	MEASURES
R.O.W.	RIGHT OF WAY
STP.	STANDPIPE
STL.	STEEL
TRANS.	TRANSFORMER
UDT.	UNDETERMINED

LEGEND	
CB	CATCHBASIN
o c/s	CLEANOUT (UNKNOWN TYPE)
o b/s	CLEANOUT DRAINAGE SEWER
o s/s	CLEANOUT SANITARY SEWER
—	END SECTION DRAINAGE PIPE
GV	GAS VALVE
HYD	HYDRANT
LP	LIGHTPOLE
MH	MANHOLE (UNKNOWN TYPE)
MHE	MANHOLE ELECTRIC
MHD	MANHOLE DRAINAGE INLET
MHS	MANHOLE DRAINAGE SEWER
MHSN	MANHOLE SANITARY SEWER
—	SIGN POST (SINGLE)
SP	TRAFFIC LIGHT SPAN POLE
ULP	UTILITY POLE
—	UTILITY POLE ANCHOR WIRE
ULPWL	UTILITY POLE WITH LIGHT
CC	WATER SERVICE
WV	WATER VALVE

Revisions			
No.	Date	By	Description

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS IN VIOLATION OF STATE EDUCATION LAW ARTICLE 144 SECTION 7009 AND ARTICLE 147 SECTION 7307. THESE PLANS ARE COPYRIGHT PROTECTED ©



CITY OF CANANDAIGUA

Passero Associates
242 WEST MAIN STREET, SUITE 100
ROCHESTER, NY 14614
Principal in Charge: David L. Conroy, PE
Project Manager: Robert A. Vento, PLS
Drafted by: Alan J. Snyder, PLS

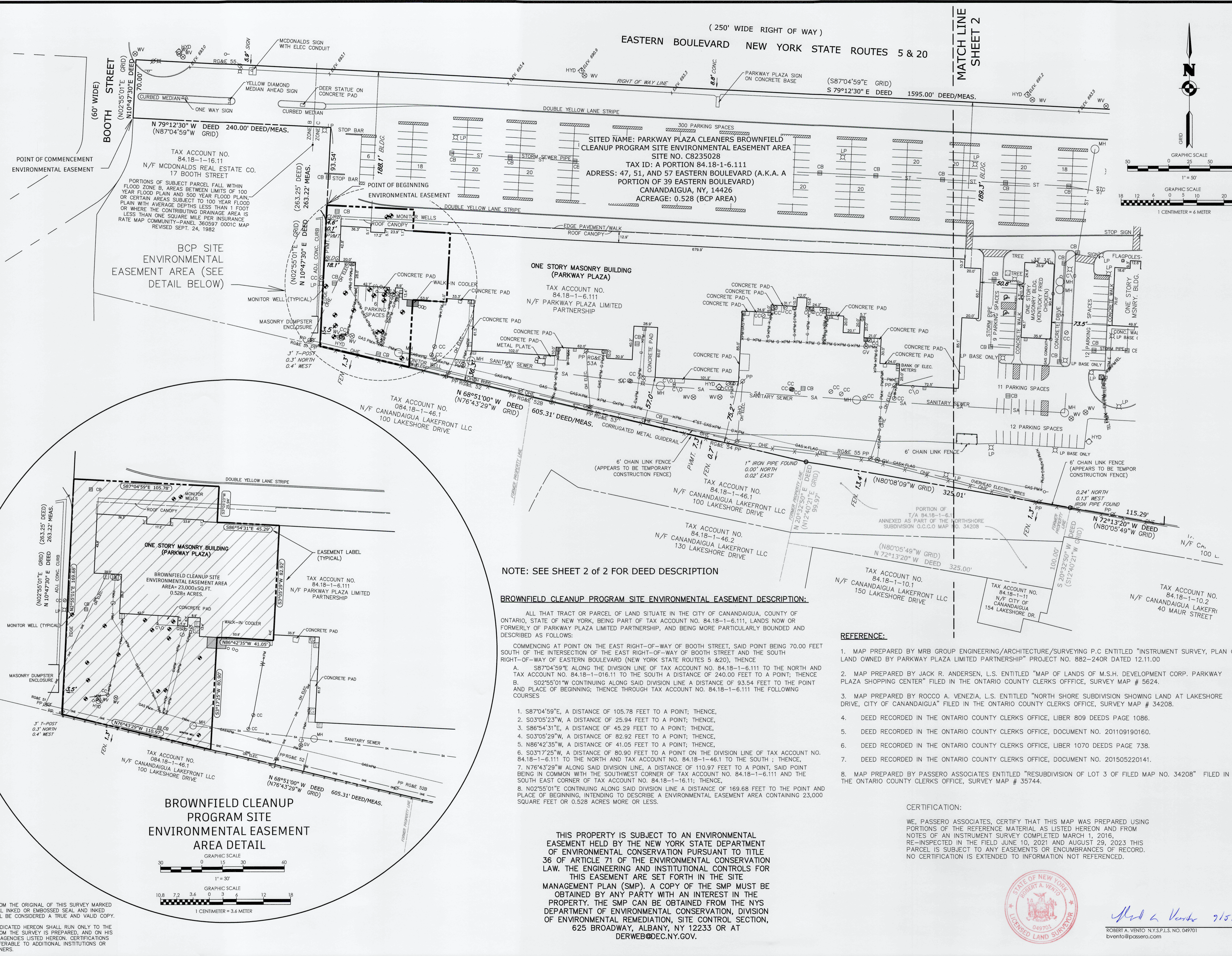
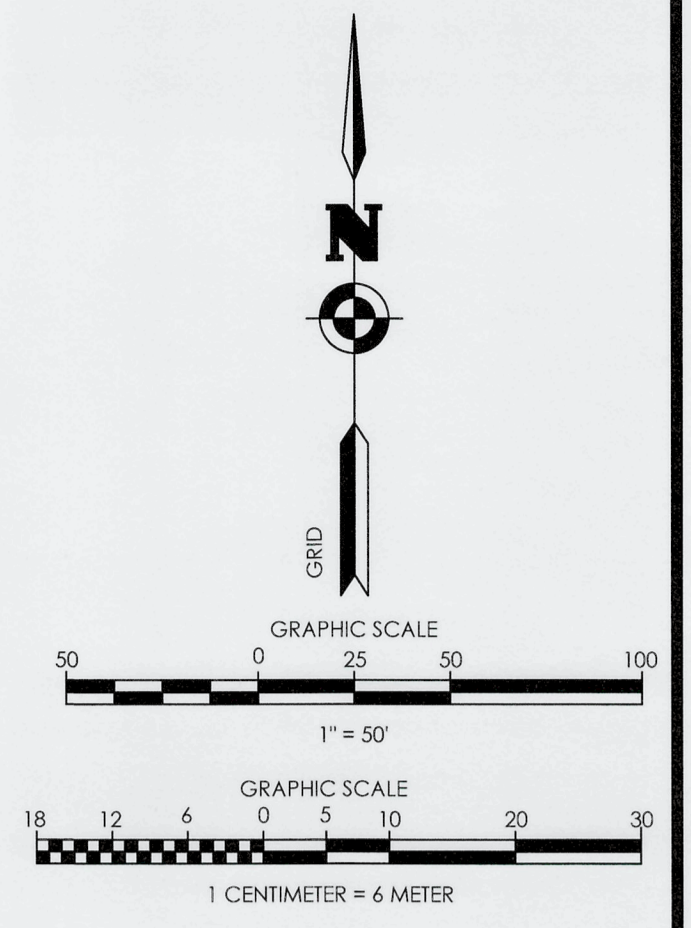
Client:
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ROCHESTER, NY, 14614
ANNT. LINDA SHAW, ESQ.
LSHAW@NYENLAW.COM

PARKWAY PLAZA CLEANERS ENVIRONMENTAL EASEMENT AREA
47, 51 AND 57 EASTERN BOULEVARD (A.K.A. A PORTION OF 39 EASTERN BOULEVARD)
LANDS NOW OR FORMERLY OF PARKWAY PLAZA LIMITED PARTNERSHIP
TAX ACCT. NO. 84.18-1-6.111
CITY OF CANANDAIGUA, ONTARIO COUNTY, NEW YORK STATE

Project No. 20162200.0003

Drawing No. EE-1	Sheet No. 1 of 2
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Scale: 1" = 50'
Date: 9-5-2023



NOTE: SEE SHEET 2 OF 2 FOR DEED DESCRIPTION

BROWNFIELD CLEANUP PROGRAM SITE ENVIRONMENTAL EASEMENT DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF CANANDAIGUA, COUNTY OF ONTARIO, STATE OF NEW YORK, BEING PART OF TAX ACCOUNT NO. 84.18-1-6.111, LANDS NOW OR FORMERLY OF PARKWAY PLAZA LIMITED PARTNERSHIP, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

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- S02°55'01"W CONTINUING ALONG SAID DIVISION LINE A DISTANCE OF 93.54 FEET TO THE POINT AND PLACE OF BEGINNING; THENCE THROUGH TAX ACCOUNT NO. 84.18-1-6.111 THE FOLLOWING COURSES
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- S03°05'23"W, A DISTANCE OF 25.94 FEET TO A POINT; THENCE,
- S86°54'31"E, A DISTANCE OF 45.29 FEET TO A POINT; THENCE,
- S03°05'29"W, A DISTANCE OF 82.92 FEET TO A POINT; THENCE,
- N86°42'35"W, A DISTANCE OF 41.05 FEET TO A POINT; THENCE,
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- N76°43'29"W ALONG SAID DIVISION LINE, A DISTANCE OF 110.97 FEET TO A POINT, SAID POINT BEING IN COMMON WITH THE SOUTHWEST CORNER OF TAX ACCOUNT NO. 84.18-1-6.111 AND THE SOUTH EAST CORNER OF TAX ACCOUNT NO. 84.18-1-16.11; THENCE,
- N02°55'01"E CONTINUING ALONG SAID DIVISION LINE A DISTANCE OF 169.68 FEET TO THE POINT AND PLACE OF BEGINNING, INTENDING TO DESCRIBE AN ENVIRONMENTAL EASEMENT AREA CONTAINING 23,000 SQUARE FEET OR 0.528 ACRES MORE OR LESS.

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 LAW. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@DEC.NY.GOV.

REFERENCE:

- MAP PREPARED BY MRB GROUP ENGINEERING/ARCHITECTURE/SURVEYING P.C ENTITLED "INSTRUMENT SURVEY, PLAN OF LAND OWNED BY PARKWAY PLAZA LIMITED PARTNERSHIP" PROJECT NO. 882-240R DATED 12.11.00
- MAP PREPARED BY JACK R. ANDERSEN, L.S. ENTITLED "MAP OF LANDS OF M.S.H. DEVELOPMENT CORP. PARKWAY PLAZA SHOPPING CENTER" FILED IN THE ONTARIO COUNTY CLERKS OFFICE, SURVEY MAP # 5624.
- MAP PREPARED BY ROCCO A. VENEZIA, L.S. ENTITLED "NORTH SHORE SUBDIVISION SHOWING LAND AT LAKESHORE DRIVE, CITY OF CANANDAIGUA" FILED IN THE ONTARIO COUNTY CLERKS OFFICE, SURVEY MAP # 34208.
- DEED RECORDED IN THE ONTARIO COUNTY CLERKS OFFICE, LIBER 809 DEEDS PAGE 1086.
- DEED RECORDED IN THE ONTARIO COUNTY CLERKS OFFICE, DOCUMENT NO. 201109190160.
- DEED RECORDED IN THE ONTARIO COUNTY CLERKS OFFICE, LIBER 1070 DEEDS PAGE 738.
- DEED RECORDED IN THE ONTARIO COUNTY CLERKS OFFICE, DOCUMENT NO. 201505220141.
- MAP PREPARED BY PASSERO ASSOCIATES ENTITLED "RESUBDIVISION OF LOT 3 OF FILED MAP NO. 34208" FILED IN THE ONTARIO COUNTY CLERKS OFFICE, SURVEY MAP # 35744.

CERTIFICATION:

WE, PASSERO ASSOCIATES, CERTIFY THAT THIS MAP WAS PREPARED USING PORTIONS OF THE REFERENCE MATERIAL AS LISTED HEREON AND FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED MARCH 1, 2016, RE-INSPECTED IN THE FIELD JUNE 10, 2021 AND AUGUST 29, 2023 THIS PARCEL IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD. NO CERTIFICATION IS EXTENDED TO INFORMATION NOT REFERENCED.



ROBERT A. VENTO, N.Y.S.P.L.S. NO. 049701
Date: 9/5/23
bvent@passero.com

I:\PROJECTS-NEW\2016\20162200\20162200.0003\PKWPLAZA ENV EASE C3D 2019.DWG 9/5/2023 10:15 AM Bob Vento

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL INKED OR EMBOSSED SEAL AND INKED SIGNATURE SHALL BE CONSIDERED A TRUE AND VALID COPY.
CERTIFICATION INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE AGENCIES LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

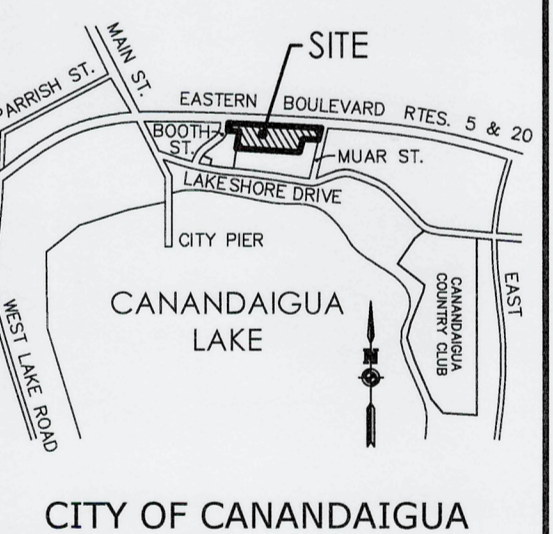
NOTE: THE BROWNFIELD CLEANUP PROGRAM SITE ENVIRONMENTAL EASEMENT AREA IS SHOWN IN ENTIRETY ON SHEET 1 OF 2, SEE SHEET 1 FOR ENVIRONMENTAL EASEMENT AREA DESCRIPTION.

ABBREVIATION TABLE	
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E.O.P.	EDGE OF PAVEMENT
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CB	CATCHBASIN
o/c/p	CLEANOUT (UNKNOWN TYPE)
o/scc	CLEANOUT DRAINAGE SEWER
o/ssc	CLEANOUT SANITARY SEWER
o/ep	END SECTION DRAINAGE PIPE
o/v	GAS VALVE
o/hy	HYDRANT
o/lp	LIGHTPOLE
o/mh	MANHOLE (UNKNOWN TYPE)
o/mh	MANHOLE ELECTRIC
o/mh	MANHOLE DRAINAGE INLET
o/mh	MANHOLE DRAINAGE SEWER
o/mh	MANHOLE SANITARY SEWER
o/sp	SIGN POST (SINGLE)
o/sp	TRAFFIC LIGHT SPAN POLE
o/tp	UTILITY POLE
o/tp	UTILITY POLE ANCHOR WIRE
o/tp	UTILITY POLE WITH LIGHT
o/w	WATER SERVICE
o/wv	WATER VALVE

Revisions			
No.	Date	By	Description

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 ROCHESTER, NY 14614 Fax: (585) 760-8580
 Principal-in-Charge David L. Cox, PE
 Project Manager Robert A. Vento, PLS
 Drafted by Alan J. Snyder, PLS

Client:
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 2 STATE STREET
 ROCHESTER, NY 14614
 ANNOT. LINDA SHAW, ESQ.
 LSHAW@NYENLAW.COM

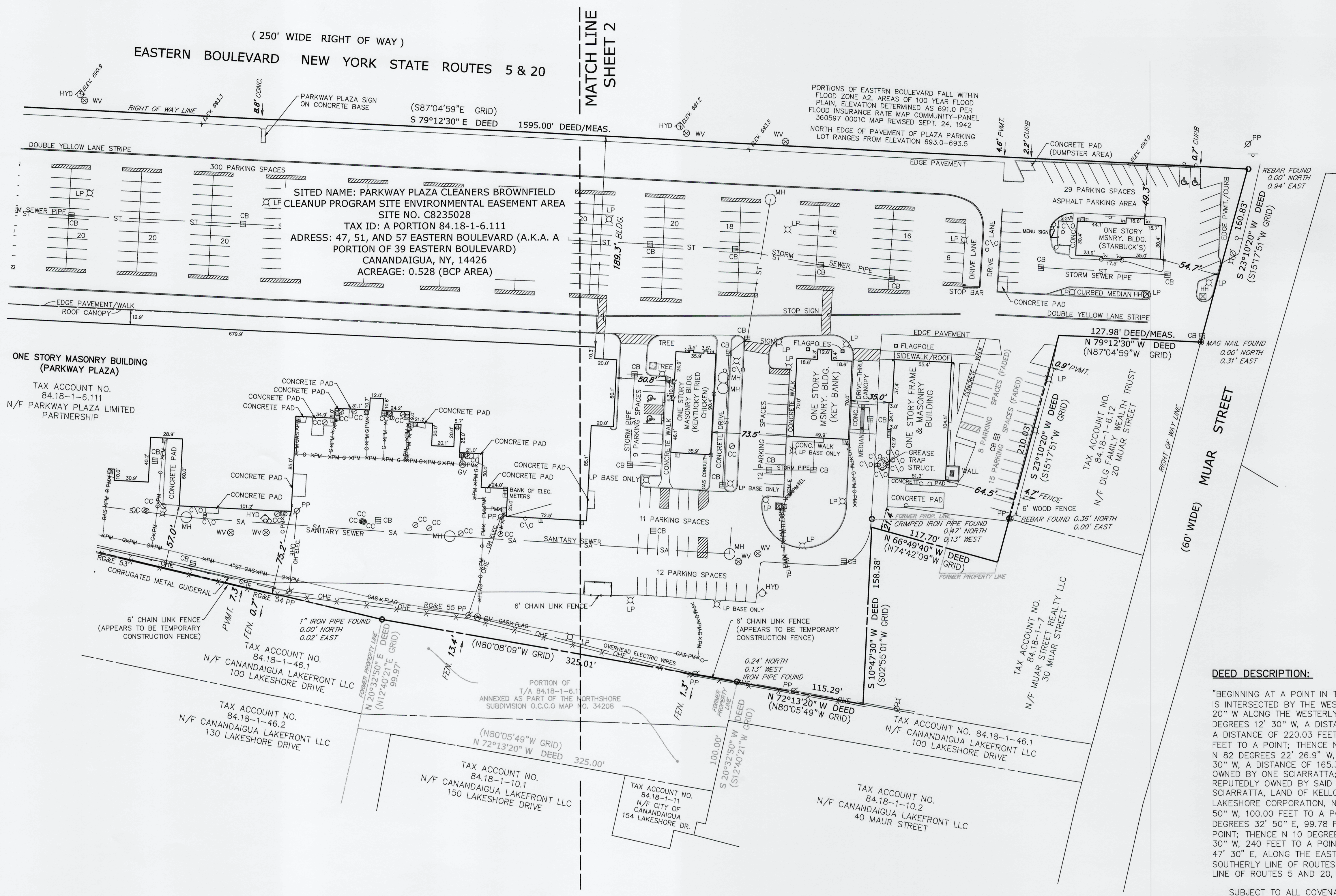
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 CITY OF CANANDAIGUA, ONTARIO COUNTY, NEW YORK STATE

Project No. **20162200.0003**

Drawing No. **EE-1** Sheet No. **2 of 2**

Scale: **1" = 50'**

Date: **9-5-2023**



DEED DESCRIPTION:

"BEGINNING AT A POINT IN THE SOUTHERLY LINE OF ROUTES 5 AND 20, WHERE SAID HIGHWAY LINE IS INTERSECTED BY THE WESTERLY LINE OF MUAR ROAD, AND RUNNING THENCE S 23 DEGREES 10' 20" W ALONG THE WESTERLY LINE OF MUAR ROAD, 160.83 FEET TO A POINT; THENCE N 79 DEGREES 12' 30" W, A DISTANCE OF 127.98 FEET TO A POINT; THENCE S 23 DEGREES 10' 20" W, A DISTANCE OF 220.03 FEET TO A POINT; THENCE N 82 DEGREES 22' 26.9" W, A DISTANCE OF 50 FEET TO A POINT; THENCE N 23 DEGREES 10' 20" E, A DISTANCE OF 50 FEET TO A POINT; THENCE N 82 DEGREES 22' 26.9" W, A DISTANCE OF 73.73 FEET TO A POINT; THENCE S 10 DEGREES 47' 30" W, A DISTANCE OF 165.39 FEET TO A POINT ON THE NORTHERLY LINE OF LAND REPUTEDLY OWNED BY ONE SCIARRATTA; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG LAND REPUTEDLY OWNED BY SAID SCIARRATTA, LAND OF THE CITY OF CANANDAIGUA, LAND OF SCIARRATTA, LAND OF KELLOGGS PAN TREE MOTOR INN, INC, AND LAND REPUTEDLY OWNED BY LAR LAKESHORE CORPORATION, N 72 DEGREES 13' 20" W, 115.29 FEET TO A POINT; S 20 DEGREES 32' 50" W, 100.00 FEET TO A POINT; N 72 DEGREES 13' 20" W, 325 FEET TO A POINT; N 20 DEGREES 32' 50" E, 99.78 FEET TO A POINT; AND N 68 DEGREES 51' 00" W, 605.31 FEET TO A POINT; THENCE N 10 DEGREES 47' 30" E, 263.25 FEET TO A POINT; THENCE N 79 DEGREES 12' 30" W, 240 FEET TO A POINT ON THE EASTERLY LINE OF BOOTH STREET; THENCE N 10 DEGREES 47' 30" E, ALONG THE EASTERLY LINE OF BOOTH STREET 70.00 FEET TO A POINT ON THE SOUTHERLY LINE OF ROUTES 5 AND 20; THENCE S 79 DEGREES 12' 30" E, ALONG THE SOUTHERLY LINE OF ROUTES 5 AND 20, 1595.00 FEET TO THE POINT AND PLACE OF BEGINNING.

SUBJECT TO ALL COVENANTS, EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY SAID PREMISES.
 THERE IS NO CONSIDERATION FOR THIS CONVEYANCE, WHICH IS MADE IN CONJUNCTION WITH THE DISSOLUTION OF PARKWAY PLAZA PARTNERSHIP."

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 LAW. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@DEC.NY.GOV.

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ROBERT A. VENTO N.Y.S.P.L.S. NO. 049701 DATE 9/5/23
 rvento@passero.com

REFERENCE:

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- MAP PREPARED BY JACK R. ANDERSEN, L.S. ENTITLED "MAP OF LANDS OF M.S.H. DEVELOPMENT CORP. PARKWAY PLAZA SHOPPING CENTER" FILED IN THE ONTARIO COUNTY CLERKS OFFICE, SURVEY MAP # 5624.
- MAP PREPARED BY ROCCO A. VENEZIA, L.S. ENTITLED "NORTH SHORE SUBDIVISION SHOWING LAND AT LAKESHORE DRIVE, CITY OF CANANDAIGUA" FILED IN THE ONTARIO COUNTY CLERKS OFFICE, SURVEY MAP # 34208.
- DEED RECORDED IN THE ONTARIO COUNTY CLERKS OFFICE, LIBER 809 DEEDS PAGE 1086.
- DEED RECORDED IN THE ONTARIO COUNTY CLERKS OFFICE, DOCUMENT NO. 201109190160.
- DEED RECORDED IN THE ONTARIO COUNTY CLERKS OFFICE, LIBER 1070 DEEDS PAGE 738.
- DEED RECORDED IN THE ONTARIO COUNTY CLERKS OFFICE, DOCUMENT NO. 201505220141.
- MAP PREPARED BY PASSERO ASSOCIATES ENTITLED "RESUBDIVISION OF LOT 3 OF FILED MAP NO. 34208" FILED IN THE ONTARIO COUNTY CLERKS OFFICE, SURVEY MAP # 35744.

J:\PROJECTS-NEW\2016\20162200\20162200.0003\01_CAD-BM-MODELS\SURVEY\20162200.0003_PKWPLAZA ENV EASE C30 2019.DWG 9/5/2023 10:17 AM Bob Vento

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL INKED OR EMBOSSED SEAL AND INKED SIGNATURE SHALL BE CONSIDERED A TRUE AND VALID COPY.
 CERTIFICATION INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE AGENCIES LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

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

Parkway Plaza Cleaners Site, Site ID No. C835028
Portion of 39 Eastern Boulevard, Canandaigua, New York, 14424
City of Canandaigua, Ontario County, Tax Map Identification Number: Portion of 84.18-1-6.111

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (NYSDEC) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to Parkway Plaza Limited Partnership for a parcel approximately 0.528 acres located at a p/o 39 Eastern Boulevard in the City of Canandaigua, Ontario County.

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

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

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

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

PLEASE TAKE NOTICE, the remedial program relies upon use restrictions or the long-term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Ontario County as Control No. 202312130221.

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

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

Parkway Plaza Cleaners Site, C835028
Portion of 39 Eastern Boulevard, Canandaigua, New York, 14424

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

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

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

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

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

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

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 8 Office located at 6274 East Avon-Lima Road, Avon, New York 14414, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C835028/>.

WHEREFORE, the undersigned has signed this Notice of Certificate

Parkway Plaza Limited Partnership

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 20__, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Signature and Office of individual
taking acknowledgment

Please record and return to:
Parkway Plaza Limited Partnership
46 Prince Street
Suite 2003
Rochester, New York 14607



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/28/2023



SITE DESCRIPTION

SITE NO. **C835028**

SITE NAME Parkway Plaza Cleaners Site

SITE ADDRESS: Portion of 39 Eastern Boulevard ZIP CODE: 14424

CITY/TOWN: Canandaigua

COUNTY: Ontario

ALLOWABLE USE: Commercial and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:	YES	NO
IC/EC Certification Plan	■	□
Monitoring Plan	■	□
Operation and Maintenance (O&M) Plan	■	□
Periodic Review Frequency: once a year	■	□
Periodic Review Report Submitted Date: 04/29/2025		

Description of Institutional Control

Parkway Plaza Limited Partnership

46 Prince Street, Suite 2003

39 Eastern Boulevard

Environmental Easement

Block: 1

Lot: 6

Sublot: 111

Section: 84

Subsection: 18

S_B_L Image: 84.18-1-6.111

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

Parkway Plaza Limited Partnership

46 Prince Street, Suite 2003

39 Eastern Boulevard

Environmental Easement

Block: 1

Lot: 6

Sublot: 111

Section: 84

Subsection: 18

S_B_L Image: 84.18-1-6.111

Cover System

Monitoring Wells

Vapor Mitigation