

HARRIS BEACH PLLC
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AL Laurita@HARRISBEACH.COM

January 4, 2011

VIA E-MAIL

James Charles, Esq.
New York State Department
of Environmental Conservation
Office of the General Counsel
270 Michigan Avenue
Buffalo, New York 14203

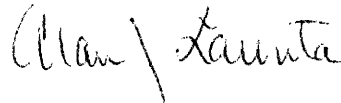
Re: 2530 Hamburg Turnpike / Brownfield Cleanup Site #C915191
City of Lackawanna, Erie County, New York

Dear Mr. Charles:

The Notice of Transfer of Certificate of Completion with regard to the above from 2530 Hamburg Turnpike LLC to 2530 HTP LLC was recorded in the Erie County Clerk's Office on December 30, 2010. For your records, I have enclosed a copy of the executed Notice of Transfer date-stamped by the Erie County Clerk's Office and a copy of the filing receipt for the same.

Thank you for your assistance in this matter.

Very truly yours,



Alan J. Laurita

AJL/mb
Enclosures

RECEIVED
N.Y.S. DEPT OF

JAN 06 2011

ENVIRONMENTAL CONSERVATION
REGION 9

NOTICE OF TRANSFER OF CERTIFICATE OF COMPLETION

Brownfield Cleanup Program

Pursuant to 6 NYCRR Part 375-1.9(f)

2530 Hamburg Turnpike, Site ID No. C915191

2530 Hamburg Turnpike, City of Lackawanna, Erie County, New York

PLEASE TAKE NOTICE, that pursuant to Article 27, title 14 of the Environmental Conservation Law and 6 NYCRR 375-1.9(f), 2530 Hamburg Turnpike, LLC hereby transfers the Certificate of Completion (COC) issued by the Department of Environmental Conservation on September 25, 2006 for the site described below. Such COC was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Cleanup Agreement, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, title 14 had been or would be achieved in accordance with the time frame, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, that 2530 Hamburg Turnpike (site) is located at 2530 Hamburg Turnpike, City of Lackawanna, Erie County. The Site is bearing DEC site number: C915191 and is more fully described on Schedule A attached hereto ("Site"). The Tax Map Identification Number for Site is: 141.67-4-2.21.

PLEASE TAKE NOTICE, that a Notice of Certificate of Completion for the Site was filed in the Erie County Clerk's Office on October 2, 2006 in Liber 11120 Of Deeds at Page 360.

PLEASE TAKE NOTICE, that on March 23, 2010, 2530 Hamburg Turnpike, LLC conveyed title to the Site to 2530 HTP LLC by Deed recorded in Liber 11179 Of Deeds at Page 7101.

PLEASE TAKE NOTICE, 2530 Hamburg Turnpike, LLC hereby transfers the Certificate to the following new property owner as provided for pursuant to Article 27, title 14 of the Environmental Conservation Law and 6 NYCRR 375-1.9(f):

2530 HTP LLC
(New Property Owner)

2440 Sheridan Dr., Tonawanda, NY 14150
(Address)

80-0543772

(Employer Identification Number)


Michael F. Newman
Representative (if applicable)

2440 Sheridan Dr., Tonawanda, NY 14150
(Address)

PLEASE TAKE FURTHER NOTICE, that if there is an environmental easement for this site, that 2530 HTP LLC recognizes and agrees to implement the Department-approved Site Management Plan, and any amendments thereto, and to fully comply with all restrictions and affirmative obligations contained therein as well as in the Environmental Easement for the Site.

WHEREFORE, the undersigned have signed this Notice of Transfer of Certificate of Completion to be effective as of the 23rd day of March, 2010.

This Notice of Transfer may be executed in counterparts each of which shall be considered an original and which collectively shall be considered a single document.

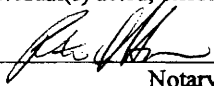
Certificate holder(s)
2530 HAMBURG TURNPIKE, LLC

By: Frank Mathews, Jr.

STATE OF NEW YORK)

COUNTY OF ERIE)

) ss.:

On the 23rd day of Dec, in the year 2010, before me the undersigned, personally appeared Frank J. Mathews, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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.


Notary Public

PATRICIA O'HARA
Notary Public-State of N. York
010H5026699 / Erie County
Expires 04/25/20 14

(New Property Owner(s))
2530 HTP LLC

By:

STATE OF NEW YORK)

COUNTY OF ERIE)

) ss.:

On the ____ day of _____, in the year 2010, 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(s) 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.

Notary Public

PLEASE TAKE FURTHER NOTICE, that if there is an environmental easement for this site, that 2530 HTP LLC recognizes and agrees to implement the Department-approved Site Management Plan, and any amendments thereto, and to fully comply with all restrictions and affirmative obligations contained therein as well as in the Environmental Easement for the Site.

WHEREFORE, the undersigned have signed this Notice of Transfer of Certificate of Completion to be effective as of the 23rd day of March, 2010.

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Certificate holder(s)
2530 HAMBURG TURNPIKE, LLC

By: Frank Mathews, Jr.

STATE OF NEW YORK)

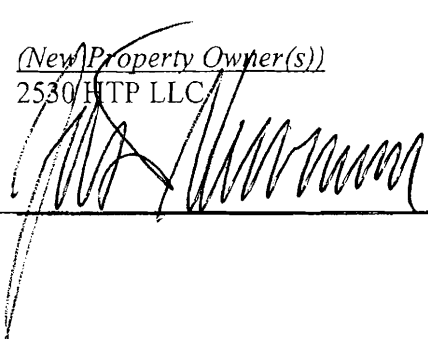
COUNTY OF ERIE)

) ss.:

On the ____ day of _____, in the year 2010, 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(s) 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.

Notary Public

(New) Property Owner(s)
2530 HTP LLC



By:

STATE OF NEW YORK)

COUNTY OF ERIE)

) ss.:

On the 28th day of December, in the year 2010, before me the undersigned, personally appeared James Newman, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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.

Alicia Morrison
Notary Public

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ALICIA MORRISON
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires 02/10/14

Honorable Kathleen C. Hochul
County Clerk
Erie County
92 Franklin Street
Buffalo, NY 14202
(716) 858-8785

DATE:12/30/2010
TIME:11:54:47 AM
RECEIPT:1002016

HARRIS BEACH

ITEM -01 ASG 11:54:47 AM
CTRL #:2010240105 BK/PG:D11195/1333
2530 HAMBURG TURNPIKE LLC
2530 HTP LLC

RECORDING FEE	60.00
MARKOFF FEE	0.50
Sub. Total	60.50

AMOUNT DUE:	\$60.50	
PAID CHECK:	\$70.00	
Check #:4502		\$70.00
CHECK REFUND:	\$9.50	
TOTAL PAID:	\$70.00	

REC BY:DAVIDR
County Clerk
Have a nice day!