

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 28, 2020

Mr. Robert Laughlin
Time Release Properties, LLC
Time Release Sciences, Inc.
1200 Northland Avenue
Buffalo, NY 14215

Mr. Keith Nagel
Tecumseh Redevelopment Inc.
4020 Kinross Lakes Parkway
Richfield, OH 44286

Mr. John Cappellino
Buffalo and Erie County Industrial Development Corporation
65 Perry Street, Suite 403
Buffalo, NY 14203

Re: Certificate of Completion
Site II-9 Tecumseh Phase II Business Park
Lackawanna (c), Erie County
C915198I

Dear Messrs. Laughlin, Nagel and Cappellino:

Congratulations on having satisfactorily completed the remedial program at the Site II-9 Tecumseh Phase II Business Park. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) 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.

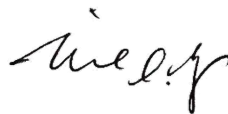
- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

Andrew Zwack, Bureau E
New York State Department of Environmental Conservation
Division of Environmental Remediation
270 Michigan Avenue
Buffalo, NY 14203

- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department 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 the Department-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 the Department 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 the Department in April 2022.

If you have any questions regarding any of these items, please contact Andrew Zwack at (716) 851-7220.

Sincerely,



Michael J. Ryan, P.E.
Director

Division of Environmental Remediation

Enclosure

ec w/ enclosure:

Tom Forbes, P.E. – Benchmark Turnkey TForbes@bm-tk.com
John Kolaga, Esq. – Rupp Baase Pfalzgraf Cunningham LLC
kolaga@ruppbaase.com
C. Vooris – NYSDOH, Christine.Vooris@health.ny.gov
Charlotte Bethoney – NYSDOH charlotte.bethoney@health.ny.gov
Sara Bogardus – NYSDOH Sara.Bogardus@health.ny.gov
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov

ec w/o enc.:

Andrew Zwack – NYSDEC, R9
Stanley Radon, P.G. – NYSDEC, R9
Michael Cruden, P.E. – NYSDEC
Karen Draves, Esq. – NYSDEC
Kelly Lewandowski, P.E. – NYSDEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)

CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Time Release Properties, LLC
Time Release Sciences, Inc.
Tecumseh Redevelopment Inc.
Buffalo and Erie County Industrial Development Corporation

Address

1200 Northland Avenue, Buffalo, NY 14215
1200 Northland Avenue, Buffalo, NY 14215
4020 Kinross Lakes Parkway, Richfield, OH 44286
65 Perry Street, Suite 403, Buffalo, NY 14203

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 1/9/07 **Agreement Execution:** 3/14/07

Agreement Index No.: B9-0696-05-06(B)

Application Approval Amendment: 8/8/12

Agreement Execution Amendment: 8/22/12

Application Approval Amendment: 2/20/18

Agreement Execution Amendment: 4/18/18

Application Approval Amendment: 10/9/19

Agreement Execution Amendment: 11/1/19

Application Approval Amendment: 1/16/20

Agreement Execution Amendment: 1/24/20

Application Approval Amendment: 1/16/20

Agreement Execution Amendment: 1/24/20

Application Approval Amendment: 8/6/20

Agreement Execution Amendment: 8/24/20

Application Approval Amendment: 12/9/20

Agreement Execution Amendment: 12/15/20

SITE INFORMATION:

Site No.: C915198I **Site Name:** Site II-9 Tecumseh Phase II Business Park

Site Owner: Time Release Properties, LLC

Street Address: 6 Dona Street

Municipality: Lackawanna **County:** Erie **DEC Region:** 9

Site Size: 9.910 Acres

Tax Map Identification Number(s): 141.19-1-2

Percentage of site located in an EnZone: 100 %

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 Component Rate is 15%. Comprised of 10% Base, 5 % EnZone.

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%), 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 Erie County as 2014137591 BK/PG D 11266/5455.

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 a finding that:

- (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:  Date: 12/28/2020

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

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

Site II-9 Tecumseh Phase II Business Park, Site ID No. C915198I
6 Dona Street, Lackawanna, NY, 14218
City of Lackawanna, Erie County, Tax Map Identification Number: 141.19-1-2

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to Time Release Properties, LLC; Time Release Sciences, Inc.; Tecumseh Redevelopment Inc.; and Buffalo and Erie County Industrial Development Corporation for a parcel approximately 9.91-acres located at the 6 Dona Street in the City of Lackawanna, Erie County.

PLEASE TAKE NOTICE, the Certificate was 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 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 the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since 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 Erie County as 2014137591 BK/PG D 11266/5455.

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 the Department'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

Site II-9 Tecumseh Phase II Business Park, C915198I, 6 Dona Street, Lackawanna, NY 14218

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.

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department 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 9 located at 270 Michigan Avenue, Buffalo, NY 14203, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C915198I/>.

WHEREFORE, the undersigned has signed this Notice of Certificate

Time Release Properties, LLC

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:
Mr. Robert Laughlin
Time Release Properties, LLC
Time Release Sciences, Inc.
1200 Northland Avenue
Buffalo, NY 14215

Mr. Keith Nagel
Tecumseh Redevelopment Inc.
4020 Kinross Lakes Parkway
Richfield, OH 44286

Mr. John Cappellino
Buffalo and Erie County Industrial
Development Corporation
65 Perry Street, Suite 403
Buffalo, NY 14203

Exhibit A

Site Description

PROPOSED DESCRIPTION FOR **BCP SITE No. C915198I**

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOT 18 OF THE OGDEN GORE TRACT, AND LOT 24 OF THE BUFFALO CREEK RESERVATION, TOWNSHIP 10, RANGE 8 OF THE HOLLAND LAND COMPANY'S SURVEY, BEING PART OF BCP SITE NUMBER C915198I, AS SHOWN ON A MAP OF "BUSINESS PARK PHASE II", PREPARED BY WENDEL, JUNE 2012, PROJECT NUMBER 411107, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WESTERLY HIGHWAY BOUNDARY OF THE HAMBURG TURNPIKE (ALSO KNOWN AS STATE ROUTE NO. 5), BEING 2884.21 FEET NORTH OF THE DIVISION LINE BETWEEN LANDS CONVEYED TO TECUMSEH REDEVELOPMENT INC. RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 11040 OF DEEDS AT PAGE 8953 ON THE NORTH, AND LANDS CONVEYED TO SOUTH BUFFALO RAILWAY COMPANY RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 10119 OF DEEDS AT PAGE 131 ON THE SOUTH, AS MEASURED ALONG THE WESTERLY HIGHWAY BOUNDARY OF THE HAMBURG TURNPIKE AS APPROPRIATED BY NEW YORK STATE DEPARTMENT OF PUBLIC WORKS MAP 1, PARCEL 1, RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 5650 OF DEEDS AT PAGE 404; ALSO BY NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE CITY OF LACKAWANNA, S.H. NO. FAC 49-10, MAP 305, PARCEL 306, RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 10960 OF DEEDS AT PAGE 2028, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID BUSINESS PARK PHASE II, PARCEL "B";

THENCE ALONG A LINE N 68°-41'-55" W, A DISTANCE OF 1509.74 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A POINT ON THE NORTH LINE OF A PERMANENT EASEMENT TO THE COUNTY OF ERIE AS RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 11339 OF DEEDS AT PAGE 4724; AND THE WEST LINE OF BUSINESS PARK PHASE II, PARCEL "B";

THENCE ALONG THE WESTERLY LINE OF SAID BUSINESS PARK PHASE II, PARCEL "B", N 18°-20'-36" W, A DISTANCE OF 540.58 FEET TO THE SOUTHWEST CORNER OF BCP SITE NUMBER C915198J;

THENCE ALONG THE SOUTH LINE OF BCP SITE NUMBER C915198J, N 71°-07'-01" E, A DISTANCE OF 800.60 FEET TO A POINT IN THE WEST LINE OF BCP SITE NUMBER C915198H;

THENCE ALONG THE WEST LINE OF BCP SITE NUMBERS C915198H AND C915198F, S 18°-25'-27" E, A DISTANCE OF 524.64 FEET TO A POINT, BEING A POINT ON THE NORTH LINE OF SAID PERMANENT EASEMENT;

THENCE ALONG THE NORTH LINE OF SAID PERMANENT EASEMENT, THE FOLLOWING 7 COURSES AND DISTANCES:

1. S 62°-54'-45" W, A DISTANCE OF 24.27 FEET TO A POINT;
2. N 27°-05'-15" W, A DISTANCE OF 15.00 FEET TO A POINT;
3. S 62°-54'-45" W, A DISTANCE OF 17.99 FEET TO A POINT;
4. ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 952.00 FEET, A CHORD LENGTH OF 1.95 FEET AND AN ARC LENGTH OF 1.95 FEET, TO A POINT OF TANGENCY;
5. S 27°-05'-15" E, A DISTANCE OF 15.00 FEET TO A POINT;
6. ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 967.00 FEET, A CHORD LENGTH OF 136.41 FEET AND AN ARC LENGTH OF 136.52 FEET, TO A POINT
7. S 71°-07'-01" W, A DISTANCE OF 621.67 FEET TO THE POINT OF BEGINNING. CONTAINING 9.91 ACRES OF LAND, MORE OR LESS.

Exhibit B

Site Survey

ATTACHMENT B

PROPOSED DESCRIPTION FOR BCP SITE No. C9151981

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE, STATE OF NEW YORK, BEING THE CORNER OF THE GREEN GORE TRACT AND LOT 24 OF THE BUFFALO CREEK RESERVATION, TOWNSHIP 10, RANGE 8 OF THE HOLLAND LAND COMPANY'S SURVEY, BEING PART OF BCP SITE NUMBER C9151981, AS SHOWN ON A MAP OF "BUSINESS PARK PHASE II", PREPARED BY WENDEL, JUNE 2012, PROJECT NUMBER 411107, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WESTERLY HIGHWAY BOUNDARY OF THE HAMBURG TURNPIKE (ALSO KNOWN AS STATE ROUTE NO. 5), BEING 2884.21 FEET NORTH OF THE DIVISION LINE BETWEEN LANDS CONVEYED TO TECUMSEH REDEVELOPMENT INC. RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 11040 OF DEEDS AT PAGE 8953 ON THE NORTH, AND LANDS CONVEYED TO SOUTH BUFFALO RAILWAY COMPANY RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 10860 OF DEEDS AT PAGE 2028 ON THE SOUTH, AS MEASURED ALONG THE WESTERLY HIGHWAY BOUNDARY OF THE HAMBURG TURNPIKE AS APPROPRIATED BY NEW YORK STATE DEPARTMENT OF PUBLIC WORKS MAP 1, PARCEL 1, RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 5650 OF DEEDS AT PAGE 404; ALSO BY NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE CITY OF LACKAWANNA, S.H. NO. PAC 48-10, AS SHOWN ON A MAP OF "BUSINESS PARK PHASE II", PREPARED BY WENDEL, JUNE 2012, PROJECT NUMBER 411107, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

SOUTHEAST CORNER OF SUD BUSINESS PARK PHASE II, PARCEL "B";

THENCE ALONG A LINE N 68°-41'-35" W, A DISTANCE OF 1509.74 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A POINT ON THE NORTH LINE OF BUSINESS PARK PHASE II, PARCEL "B", BEING 800.60 FEET TO THE POINT OF BEGINNING, AND THE COUNTY CLERK'S OFFICE IN LIBER 11339 OF DEEDS AT PAGE 4724; AND THE WEST LINE OF BUSINESS PARK PHASE II, PARCEL "B";

THENCE ALONG THE WESTERLY LINE OF SUD BUSINESS PARK PHASE II, PARCEL "B", N 18°-20'-36" W, A DISTANCE OF 540.58 FEET TO THE SOUTHWEST CORNER OF BCP SITE NUMBER C9151981;

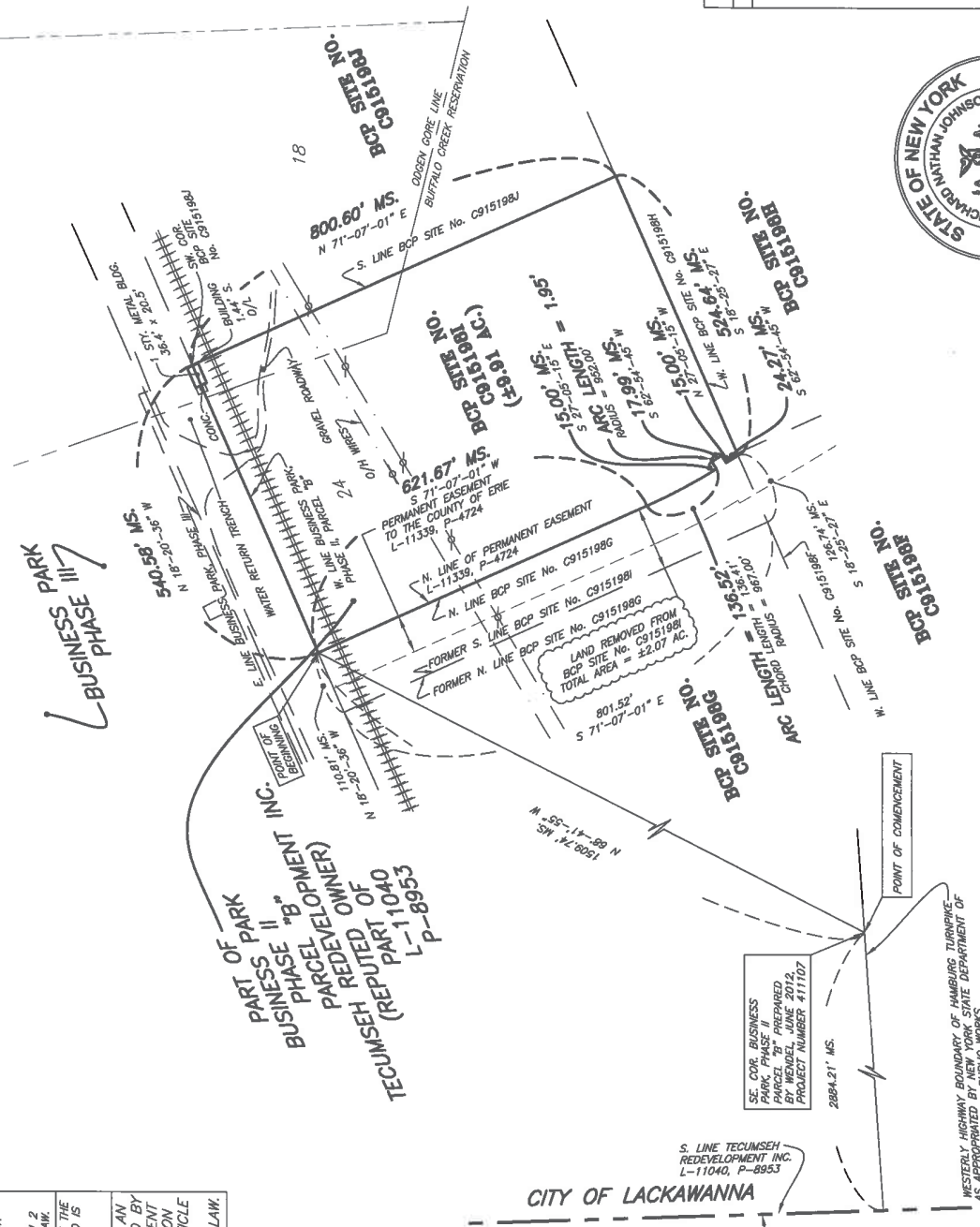
THENCE ALONG THE SOUTH LINE OF BCP SITE NUMBER C9151981, N 71°-07'-01" E, A DISTANCE OF 800.60 FEET TO A POINT IN THE WEST LINE OF BCP SITE NUMBER C9151981;

THENCE ALONG THE WEST LINE OF BCP SITE NUMBER C9151981 AND C9151987, S 18°-24'-27" E, A DISTANCE OF 524.64 FEET TO A POINT, BEING A POINT ON THE NORTH LINE OF SAID PERMANENT EASEMENT;

THENCE ALONG THE NORTH LINE OF SAID PERMANENT EASEMENT, THE FOLLOWING 7 COURSES AND DISTANCES:

1. S 62°-54'-15" W, A DISTANCE OF 24.27 FEET TO A POINT;
2. N 27°-05'-15" W, A DISTANCE OF 15.00 FEET TO A POINT;
3. S 62°-54'-15" W, A DISTANCE OF 17.99 FEET TO A POINT;
4. ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 852.00 FEET, A POINT OF TANGENCY, S 27°-05'-15" W, AND AN ARC LENGTH OF 1.95 FEET, TO A POINT;
5. S 27°-05'-15" E, A DISTANCE OF 15.00 FEET TO A POINT;
6. ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 852.00 FEET, A CHORD LENGTH OF 136.41 FEET AND AN ARC LENGTH OF 136.52 FEET, TO A POINT;
7. BEGINNING, CONTAINING 9.91 ACRES OF LAND, MORE OR LESS.

TRUE NORTH AT THE 78°35'
MERIDIAN OF WEST LONGITUDE



I HEREBY CERTIFY THAT THIS IS AN ACCURATE SURVEY MAP PREPARED UNDER MY STANDARDS AND PROCEDURES, PERFORMED IN ACCORDANCE TO THE STANDARDS AND PROCEDURES, ADOPTED BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, JANUARY 1988.

FIELD SURVEY COMPLETED JULY 2018

RICHARD N. JOHNSON, LAND SURVEYOR #051043
DATE 8/29/2019
SHEET 1 of 1
MAP NUMBER C9151981
BCP SITE No. C9151981

NOTES:

- ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP MARKED WITH THE SIGNATURE AND AN ORIGINAL OF THE LAND TO WHICH THE SURVEY BE CONSIDERED TO HAVE BEEN MADE.
- UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY DRAWING, DESIGN, SPECIFICATION, PLAN OR REPORT IS A VIOLATION OF SECTION 7209, PROMISSON 2 OF THE NEW YORK STATE EDUCATION LAW.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY INTERESTS THAT MAY EXIST IN OR TO ANY SUCH INTEREST.
- 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 NEW YORK ENVIRONMENTAL CONSERVATION LAW.

SE. COR. BUSINESS PARK PHASE II PREPARED BY WENDEL, JUNE 2012, PROJECT NUMBER 411107

2884.21' MS.

S. LINE TECUMSEH REDEVELOPMENT INC. L-11040, P-8953

CITY OF LACKAWANNA

TOWN OF HAMBURG

NORTHERLY LINE SOUTH BUFFALO RAILWAY COMPANY L-10119, P-131

WESTERLY HIGHWAY BOUNDARY OF HAMBURG TURNPIKE AS APPROPRIATED BY NEW YORK STATE DEPARTMENT OF PUBLIC WORKS MAP 1, PARCEL 1, L-5650, P-404

PARCEL ACQUIRED BY NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR CITY OF LACKAWANNA HAMBURG TURNPIKE S.H. NO. PAC 48-10 MAP 300, PARCEL 1, L-10860, P-2028

WENDEL PROJECT NUMBER: 440401
DRAWING NAME: PH2-9 C9151981.DWG



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
12/18/2020



SITE DESCRIPTION

SITE NO. C915198I

SITE NAME Site II-9 Tecumseh Phase II Business Park

SITE ADDRESS: 6 Dona Street ZIP CODE: 14218

CITY/TOWN: Lackawanna

COUNTY: Erie

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: 04/30/2022

Description of Institutional Control

Time Release Properties, LLC

1200 Northland Avenue

6 Dona Street

Environmental Easement

Block: 1

Lot: 2

Sublot:

Section: 141

Subsection: 19

S_B_L Image: 141.19-1-2

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
12/18/2020



SITE DESCRIPTION

SITE NO. C915198I

SITE NAME Site II-9 Tecumseh Phase II Business Park

SITE ADDRESS: 6 Dona Street ZIP CODE: 14218

CITY/TOWN: Lackawanna

COUNTY: Erie

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: 04/30/2022

Description of Institutional Control

Time Release Properties, LLC

1200 Northland Avenue

6 Dona Street

Environmental Easement

Block: 1

Lot: 2

Sublot:

Section: 141

Subsection: 19

S_B_L Image: 141.19-1-2

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

Time Release Properties, LLC

1200 Northland Avenue

6 Dona Street

Environmental Easement

Block: 1

Lot: 2

Sublot:

Section: 141

Subsection: 19

S_B_L Image: 141.19-1-2

Cover System

Description of Engineering Control

Time Release Properties, LLC

1200 Northland Avenue

6 Dona Street

Environmental Easement

Block: 1

Lot: 2

Sublot:

Section: 141

Subsection: 19

S_B_L Image: 141.19-1-2

Cover System