



Department of  
Environmental  
Conservation

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

### PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

Check the appropriate box below based on the nature of the amendment modification requested:

☐ Amendment to [check one or more boxes below]

- ☐ Add
- ☐ Substitute
- ☐ Remove
- ☐ Change in Name

applicant(s) to the existing Brownfield Cleanup Agreement [*Complete Section I-IV below and Part II*]

Does this proposed amendment involve a transfer of title to all or part of the brownfield site? ☐ Yes ☐ No

If yes, pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been previously submitted. If not, please submit this form with this Amendment. See <http://www.dec.ny.gov/chemical/76250.html>

☒ Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]

☒ Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]

☐ **Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY:** Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.

☒ Other (explain in detail below)

Please provide a brief narrative on the nature of the amendment:  
This Brownfield Cleanup Program ("BCP") Application to Amend Brownfield Cleanup Agreement and Amendment (the "Amendment Application") modifies the description of and reduces the property boundary of the existing Brownfield Site Cleanup Agreement for BCP Site C915198K (the "Site"). This Amendment Application removes approximately 1.23 acres of real property from the Site. Note that the 1.23 acres of real property removed from the Site will be added to BCP Site No. C915197L, and that the addition of the 1.23 acres to BCP Site No. C915197L will be the subject of a separate and contemporaneous Amendment Application to BCP Site No. C915197L. Attachment A contains the revised metes and bounds description for the Site. Attachment B contains the new survey for the Site, showing the metes and bounds of the Site, as hereby amended.

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

<b>Section I. Existing Agreement Information</b>			
BCP SITE NAME: Site II-11 Tecumseh Phase II Business Park		BCP SITE NUMBER: C915198K	
NAME OF CURRENT APPLICANT(S): Tecumseh Redevelopment, Inc. and Buffalo and Erie County Industrial Land Development Corporation			
INDEX NUMBER OF EXISTING AGREEMENT: B9-0696-05-06(B)		DATE OF EXISTING AGREEMENT: 04/18/18	
<b>Section II. New Requestor Information (if no change to Current Applicant, skip to Section V)</b>			
NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
Is the requestor authorized to conduct business in New York State (NYS)? <input type="checkbox"/> Yes <input type="checkbox"/> No			
<ul style="list-style-type: none"> <li>If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation &amp; Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.</li> </ul>			
NAME OF NEW REQUESTOR'S REPRESENTATIVE			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF NEW REQUESTOR'S CONSULTANT (if applicable)			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF NEW REQUESTOR'S ATTORNEY (if applicable)			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Describe Requestor's Relationship to Existing Applicant:			



**Section III. Current Property Owner/Operator Information (only include if new owner/operator or new existing owner/operator information is provided, and highlight new information)**

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

**Section IV. Eligibility Information for New Requestor (Please refer to ECL § 27-1407 for more detail)**

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☐ No
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site? ☐ Yes ☐ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? ☐ Yes ☐ No  
Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the subject law; ii) any order or determination; iii) any regulation implementing ECL Article 27 Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☐ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, Department assigned site number, the reason for denial, and other relevant information. ☐ Yes ☐ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☐ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☐ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department? ☐ Yes ☐ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☐ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☐ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☐ No

THE NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL §27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.

☐ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

**If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.**

Requestor's Relationship to Property (check one):

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

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached? ☐ Yes ☐ No

**Note: a purchase contract does not suffice as proof of access.**

**Section V. Property description and description of changes/additions/reductions (if applicable)**

ADDRESS 2303 Hamburg Turnpike

CITY/TOWN Lackawanna

ZIP CODE 14218

TAX BLOCK AND LOT (TBL) (in existing agreement )

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
A portion of 2303 Hamburg Turnpike		141.11	1	48.1	11.98+/-



Check appropriate boxes below:

☐

Changes to metes and bounds description or TBL correction

☐

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

Approximate acreage added: \_\_\_\_\_

**ADDITIONAL PARCELS:**

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage

☒

Reduction of property

Approximate acreage removed: 1.23+/-

**PARCELS REMOVED:**

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
A portion of 2303 Hamburg Turnpike		141.11	1	48.1	1.23+/-

If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, or acceptable site map to this application.

\* Attachment A contains a new metes and bounds description of the Site, reflecting the new description of the Site as amended by the removal of a 1.23+/- acre parcel of real property, resulting in a new acreage amount for the Site of 10.75+/- acres.

\*\* Attachment B contains a survey showing the entire new boundary of the Site, as hereby amended.

**Supplement to the Application To Amend Brownfield Cleanup Agreement And Amendment - Questions for Sites Seeking Tangible Property Credits in New York City ONLY.**

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Please answer questions below and provide documentation necessary to support answers.</b>	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see <a href="#">DEC's website</a> for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>From ECL 27-1405(31):</b></p> <p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>From 6 NYCRR 375- 3.2(a) as of August 12, 2016:</p> <p>(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.</p> <p>(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.</p> <p>(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.</p> <p>(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.</p>	

## PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

<b>Existing Agreement Information</b>	
BCP SITE NAME: Site II-11 Tecumseh Phase II Business Park	BCP SITE NUMBER: C915198K
NAME OF CURRENT APPLICANT(S): Tecumseh Redevelopment, Inc. and Buffalo and Erie County Industrial Land Development Corporation	
INDEX NUMBER OF EXISTING AGREEMENT: B9-0696-05-06(B)	
EFFECTIVE DATE OF EXISTING AGREEMENT: April 18, 2018	

### Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

<b>Statement of Certification and Signatures: New Requestor(s) (if applicable)</b>
(Individual)
I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.
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 sign)**

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(Entity)

I hereby affirm that I am Executive Vice President (title) of Buffalo and Erie County Industrial Land Development Corporation (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: Jan 14, 19 Signature: John Cappellino

Print Name: John Cappellino

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

Status of Agreement:

☐

**PARTICIPANT**

A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.

☐

**VOLUNTEER**

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.

**Effective Date of the Original Agreement:**

**Signature by the Department:**

**DATED:**

NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION

By:

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



**Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)**

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(Entity)

I hereby affirm that I am <sup>Vice President Environmental</sup> <sup>Affairs & Real Estate</sup> (title) of <sup>Tecumseh Redevelopment,</sup> Inc. (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My \_\_\_\_\_ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 12/4/2018 Signature: Keith Nagel

Print Name: Keith Nagel

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

Status of Agreement:

☐

**PARTICIPANT**

A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.

☐

**VOLUNTEER**

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.

**Effective Date of the Original Agreement:**

**Signature by the Department:**

**DATED:**

NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION

By:

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

**SUBMITTAL INFORMATION:**

- **Two (2)** copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) must be sent to:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233-7020

---

**FOR DEPARTMENT USE ONLY**

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

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



**ATTACHMENT A**

**See Attached**

---

RETAINED LAND  
BCP SITE NO. C915198K  
PARCEL II-11

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOTS 20 AND 21 OF THE OGDEN GORE TRACT, AND PART OF LOT 24, TOWNSHIP 10, RANGE 8 OF THE BUFFALO CREEK RESERVATION, BEING BCP SITE NUMBER C915198K, AS SHOWN ON A MAP OF "BUSINESS PARK PHASE I", PREPARED BY WENDEL, JUNE 2012, PROJECT NUMBER 411107 BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY HIGHWAY BOUNDARY OF THE HAMBURG TURNPIKE (ALSO KNOWN AS STATE ROUTE NO. 5), BEING 3791.41 FEET SOUTH 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 SOUTH, AND LANDS CONVEYED TO GATEWAY TRADE CENTER, INC. RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 10886 OF DEEDS AT PAGE 1115 ON THE NORTH, MEASURED ALONG THE WESTERLY HIGHWAY BOUNDARY OF THE HAMBURG TURNPIKE, BEING THE SOUTHEAST CORNER OF BCP SITE NUMBER C915197B;

THENCE ALONG THE SOUTH LINE OF SAID BCP SITE NUMBER C915197B S 71°-31' 33"" W A DISTANCE OF 45.39 FEET TO THE POINT OF BEGINNING, ALSO BEING A POINT ON THE WEST LINE OF A PERMANENT EASEMENT CONVEYED TO THE COUNTY OF ERIE BY DEED RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 11318 OF DEEDS AT PAGE 6658;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID PERMANENT EASEMENT THE FOLLOWING 2 COURSES AND DISTANCES:

1. S 20° -10'-40" E, (*S 20° 11' 07" E DEED*) A DISTANCE OF 688.19 FEET TO A POINT,
2. S 18°-25'-27" E (*S 18° 25' 54" DEED*) A DISTANCE OF 350.89 FEET TO A POINT ON THE NORTH LINE OF SAID BCP SITE NUMBER C915198H;

THENCE ALONG THE NORTH LINE OF SAID BCP SITE NUMBER C915198H, S 71° 00' 00"W, A DISTANCE OF 449.93 FEET TO A POINT IN THE EASTERLY LINE OF BCP SITE NUMBER C915198J;

THENCE ALONG THE EASTERLY LINE OF BCP SITE NUMBER C915198J, N 18°-45'-42" W, A DISTANCE OF 390.91 FEET TO THE SOUTHEAST CORNER OF BCP SITE NUMBER C915198L;

THENCE ALONG THE EASTERLY LINE OF BCP SITE NUMBER C915198L,



N 19°-49'-34" W, A DISTANCE OF 398.73 FEET TO A POINT;

THENCE CONTINUING ALONG THE EASTERLY LINE OF BCP SITE NUMBER C915198L, N 20°-13'-11" W, A DISTANCE OF 253.50 FEET TO A POINT IN THE SOUTH LINE OF BUSINESS PARK PHASE I, AS PREPARED BY WENDEL;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID BUSINESS PARK PHASE I, N 71°-31 '-33' E, A DISTANCE OF 448.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.75 ACRES OF LAND, MORE OR LESS.

## **ATTACHMENT B**

**See Attached**

---



**ENVIRONMENTAL EASEMENT AREA ACCESS**  
THE DEC OR THEIR AGENT MAY ACCESS  
THE ENVIRONMENTAL EASEMENT AREA AS  
SHOWN HEREON THROUGH ANY EXISTING  
STREET ACCESS OR BUILDING  
INGRESS/EGRESS ACCESS POINT

**ENVIRONMENTAL EASEMENT FOR  
PART OF BCP SITE No. C915198K**

ALL THAT TRACT OR PARCELS OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ALLEGANY, STATE OF PENNSYLVANIA, BEING THE TRACTS OF LANDS 20 AND 21 OF THE OREGON RESERVATION, BEING BOP SITE NUMBER C9151984, AS SHOWN ON A MAP OF OREGON RESERVATION, BEING BOP SITE NUMBER C9151985, AS SHOWN ON A MAP OF OREGON RESERVATION, BEING BOP SITE NUMBER C9151986, AS SHOWN ON A MAP OF OREGON RESERVATION, BUSINESS PLAN PHASE I, PREPARED BY WETZEL, JUNE 21, 2004, PROJECT NUMBER 411102, BEING MORE PARTICULARLY, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERN HIGHWAY BOUNDARY OF THE HANDBERG TRACTING, ALSO KNOWN AS STATE ROUTE NO. 31, BEING 1379.41 FEET SOUTH OF THE INTERSECTION OF SAID HIGHWAY BOUNDARY WITH THE WESTERN BOUNDARY OF THE FORESTED LAND BETWEEN LAUREL COMMUNITY DEVELOPMENT, INC. AT PLOT 6653 ON THE SOUTH, AND LANDS CONVEYED TO GALENTRY TRACTS CENTER, INC. RECORDED IN THE ENE COUNTY CLERK'S OFFICE IN JULY 19866 OF DEEDS AT PAGE 1115 ON THE NORTH, MEASURED ALONG THE WESTERN HIGHWAY BOUNDARY OF THE HANDBERG TRACTING, BEING THE SOUTHWEST CORNER OF BOP SITE NUMBER C9151978;

THENCE ALONG THE SOUTH LINE OF SAID BOP SITE NUMBER C9151978

5- 27'-31'-33"-W A DISTANCE OF 46.30 FEET TO THE POINT OF BEGINNING, ALSO BEING A POINT ON THE WEST LINE OF A REMAINDER EASEMENT CONVEYED IN LIBERT 11118 OF DEEDS AT PAGE 6504;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID REMAINDER EASEMENT THE DISTANCE BEING 10.75 FEET TO THE POINT OF BEGINNING, ALSO BEING A POINT ON THE WEST LINE OF A REMAINDER EASEMENT CONVEYED IN LIBERT 11118 OF DEEDS AT PAGE 6504;

2- 5- 20'-0"-E-40'-E A DISTANCE OF 350.89 FEET TO A POINT

1- 2- 5- 20'-25'-29"-E A DISTANCE OF 350.89 FEET TO A POINT ON THE NORTH LINE OF SAID BOP SITE NUMBER C9151984;

THENCE ALONG THE NORTH LINE OF SAID BOP SITE NUMBER C9151984;

5- 27'-00'-00"-W A DISTANCE OF 448.83 FEET TO A POINT IN THE DECEMBER LINE OF BOP SITE NUMBER C9151984;

THENCE ALONG THE EASTERY LINE OF BOP SITE NUMBER C9151984,

IN LIB-44-54-W A DISTANCE OF 380.81 FEET TO THE SOUTHWEST CORNER OF BOP SITE NUMBER C9151984;

IN 19-44-54-W A DISTANCE OF 380.73 FEET TO A POINT;

IN 19-44-54-W A DISTANCE OF 380.73 FEET TO A POINT;

THENCE CONTINUING ALONG THE EASTERY LINE OF BOP SITE NUMBER C9151984,

IN 20'-13'-11"-W A DISTANCE OF 253.50 FEET TO A POINT IN THE SOUTH LINE OF BUSINESS PLAN PHASE I, AS PREPARED BY WETZEL;

THENCE EASTERY ALONG THE SOUTH LINE OF SAID BUSINESS PLAN PHASE I, A DISTANCE OF 446.69 FEET TO THE POINT OF BEGINNING,

IN 27'-31'-33"-E A DISTANCE OF 446.69 FEET TO THE POINT OF BEGINNING,

CONTAINING 10.75 ACRES OF LAND, OR LESS.




SEE ENVIRONMENTAL EASEMENT SURVEY DATED MAY 2014, TITLE NO. 1313-25073, FOR THE LOCATION OF SUBJECT PROPERTY WITHIN THE CONTROLLED SITE.

ALLEGATION OF THIS DOCUMENT, EXCEPT BY A  
LICENSED LAND SURVEYOR, IS ILLEGAL.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

PREPARED BY THE CONSULTANT  
Centralpoint Corporate Park, 315 Esplan, Point Stila 200  
Cape May, New Jersey 08204  
Phone: (609) 884-0700 FAX: (609) 884-0605  
RESIDENTIAL: (609) 884-0700  
Wendel and Associates, Engineering, Surveying and  
Architectural Architectural P.C.

 **wendel**

MAP OF LANDS OR  
BCA BOUNDARIES & PLANNED SUB-PARCELS IDENTIFYING CLEW-UP PROGRAM  
IN BUSINESS PARK PHASE II

THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
BEING PART OF LOTS 20 & 21 OF THE DOUGEN GROVE TRACT & LOT 24, IDWASHIR  
10, RANGE 4 OF THE BALDWIN CREEK RESERVATION  
CITY OF LEXINGTON, NEW YORK  
BY MAP NO. PART OF T11N17-76E15

1 HERBERT CENTER THAT THIS IS AN ACQUISITION SURVEY MAP PREPARED UNDER AN  
ORDER OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
STANDARDS AND PRACTICES, IN ACCORDANCE WITH THE NEW YORK STATE DEPARTMENT OF  
FIELD SURVEY COMPLETED APRIL 2013

*Christine J. Scott*

CHRISTOPHER J. SCOTT, LAND SURVEYOR #500788

1 inch = 200 feet

200'  
100' 0'  
40'

CHECKED BY: CJS

MAP NUMBER: 500788

DATE: 11/6/13