South Buffalo Development, LLC

February 19, 2008

Brownfield Cleanup Program Application – Buffalo Color Site Area C

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BROWNFIELD CLEANUP PROGRAM (BCP)

ECL ARTICLE 27 / TITLE 14

DEPARTMENT USE ONLY
BCP SITE #:_____

7/06

Section I. Requestor Information

NAME South Buffalo Development LLC		
ADDRESS 333 Ganson Street		
CITY/TOWN Buffalo, NY	ZIP CODE 14203	
PHONE 716-856-3333	FAX 716-842-1785	E-MAIL jmwilliams@ontariospecialty.c
NAME OF REQUESTOR'S REPRESENTATIVE Jon M. Williams		
ADDRESS Same as Requestor		
CITY/TOWN Same as Requestor	ZIP CODE Same as Requestor	
PHONE Same	FAX Same	E-MAIL Same
NAME OF REQUESTOR'S CONSULTANT Pat Pontoriero, MACTEC Engineering and Consulting		
ADDRESS Carnegie Office Park, Building 4, 700 North Bell Avenue, Suite 200		
CITY/TOWN Pittsburgh, PA	ZIP CODE 15106	
PHONE (412) 279-6661	FAX (412) 279-8567	E-MAIL ppontoriero@mactec.com
NAME OF REQUESTOR'S ATTORNEY Duke, Holzman, Yaeger & Photiadis LLP		
ADDRESS 1800 Main Place Tower		
CITY/TOWN Buffalo, NY	ZIP CODE 14202	
PHONE (716) 855-1111	FAX (716) 855-0327	E-MAIL dukeholzman@dhyplaw.com

THE REQUESTOR MUST CERTIFY THAT HE/SHE 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 hazardous waste or discharge of petroleum 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 hazardous waste or discharge of petroleum.

☑ 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, the requestor 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; and iii) prevent or limit human,environmental, or natural resource exposure to any previously released hazardous waste.

Requestor Relationship to Property (check one):

Previous Owner Current Owner ✓ Potential /Future Purchaser Other_____

If requestor is not the site owner, requestor will have access to the property throughout the BCP project. ☐ Yes ☐ No

(Note: proof of site access must be submitted for non-owners)

Section II. Property Information Summary Sheet

PROPERTY NAME: Buffalo Color Corporation Site Area C

ADDRESS/LOCATION 229 Elk Street CITY/TOWN Buffalo, NY ZIP CODE 14210

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): City of Buffalo

COUNTY Erie SITE SIZE (ACRES) 6.03

LATITUDE (degrees/minutes/seconds) 42 ° 52 ' 00 LONGITUDE (degrees/minutes/seconds) 78 ° 50 ' 33 "

HORIZONTAL COLLECTION METHOD: ☐ SURVEY ☐ GPS ☑ MAP HORIZONTAL REFERENCE DATUM: NAD 1927

FOR EACH PARCEL, FILL OUT THE FOLLOWING TAX MAP INFORMATION (if more than three parcels, attach additional information)

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
229 Elk Street		122.12	1	36	5.80
Part of 145 Prenatt Street		122.12	1	35	0.09
Part of 5 Babcock Street		122.12	1	30	0.14

1. Do the property boundaries correspond to tax map metes and bounds? ☐ Yes ☑ No
   If no, please attach a metes and bounds description of the property. See Attachment F
2. Is the required property map attached to the application? (application will not be processed without map) ☑ Yes ☐ No
3. Is the property part of a designated En-zone pursuant to Tax Law § 21(b)(6)? ☑ Yes ☐ No

For more information go to: http://www.nylovesbiz.com/BrownField_Redevelopment/default.asp.

If yes, identify area (name) Census tract 4

☐ 50% ☑ 100% of the site is in the En-zone (check one)

PROPERTY DESCRIPTION NARRATIVE:

The site is located on approximately 6.03 acres of land. The site has been used for the production of dyestuff and organic chemicals for more than one hundred years. Dyestuff production began in the late 1800s and continued until 2003, when operations ceased.

List of Existing Easements (type here or attach information)

Easement Holder	Description
None, except typical utility easements.	

List of Permits issued by the NYSDEC or USEPA Relating to the Proposed Site (type here or attach information)

Type	Issuing Agency	Description
No active permits.		

Initials of each Requestor: _____ _____ _____ _____ _____ _____

Section III. Current Site Owner/Operator Information

OWNER'S NAME (if different from requestor) Buffalo Color Corporation		
ADDRESS 100 Lee Street		
CITY/TOWN Buffalo, NY	ZIP CODE 14210	
PHONE (716) 827-4500	FAX	E-MAIL
OPERATOR'S NAME (if different from requestor or owner) Same as Owner.		
ADDRESS		
CITY/TOWN	ZIP CODE	
PHONE	FAX	E-MAIL

Section IV. Requestor Eligibility Information (Please refer to ECL § 27-1407)

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 subject to an existing order 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
4. Has the requestor been determined to have violated any provision of ECL Article 27? ☐ Yes ☑ No
5. Has the requestor previously been denied entry to the BCP? ☐ Yes ☑ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving contaminants? ☐ Yes ☑ No
7. Has the requestor been convicted of a criminal offense that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration? ☐ Yes ☑ No
8. Has the requestor knowingly falsified or concealed material facts or knowingly submitted or made use of a false statement in a matter before the Department? ☐ Yes ☑ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.8(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

Section V. Property Eligibility Information (Please refer to ECL § 27-1405)

1. Is the property listed on the National Priorities List? ☐ Yes ☑ No
2. Is the property listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites? ☐ Yes ☑ No
   If yes, please provide: Site #_____ Class # _____
3. Is the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☑ No
   If yes, please provide: Permit type:_____ EPA ID Number:_____
   Date permit issued:_____ Permit expiration date:_____
4. Is the property subject to a cleanup order under navigation law Article 12 or ECL Article 17 Title 10? ☐ Yes ☑ No
   If yes, please provide: Order #_____
5. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☑ No
   If yes, please provide explanation as an attachment.

Section VI. Project Description

Please attach a description of the project which includes the following components:

- Purpose and scope of the project
- Estimated project schedule

See Attachment A.

Section VII. Property's Environmental History

To the extent that existing information/studies/reports are available to the requestor, please attach the following:

1. **Environmental Reports** SEE "REMEDIAL INVESTIGATION REPORT" (MACTEC, 9/28/07)
   A phase I environmental site assessment report prepared in accordance with ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), and all environmental reports related to contaminants on or emanating from the site.

   If a final investigation report is included, indicate whether it meets the requirements of ECL Article 27-1415(2): ☐ Yes ☑ No

2. **Sampling Data: Indicate known contaminants and the media which are known to have been affected:**

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum	X	X			
Chlorinated Solvents	X	X			
Other VOCs	X	X			
SVOCs	X	X			
Metals	X	X			
Pesticides					
PCBs Caulk					
Other* Asbestos					

*Please describe: _____

3. **Suspected Contaminants: Indicate suspected contaminants and the media which may have been affected:**

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOCs					
SVOCs					
Metals					
Pesticides					
PCBs					
Other*					

*Please describe: _____

4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS:

☑ Above Ground Pipeline or Tank ☐ Lagoons or Ponds ☐ Underground Pipeline or Tank ☐ Surface Spill or Discharge
☑ Routine Industrial Operations ☐ Dumping or Burial of Wastes ☐ Septic tank/lateral field ☑ Drums or Storage Containers
☑ Adjacent Property ☐ Seepage Pit or Dry Well ☐ Foundry Sand ☐ Electroplating
☐ Coal Gas Manufacture ☐ Industrial Accident ☐ Unknown

Other: _____

5. INDICATE PAST LAND USES:

☐ Coal Gas Manufacturing ☑ Manufacturing ☐ Agricultural Co-op ☐ Dry Cleaner ☐ Salvage Yard ☐ Bulk Plant
☐ Pipeline ☐ Service Station ☐ Landfill ☐ Tannery ☐ Electroplating ☐ Unknown

Other: _____

6. **Owners** See Attachment B
   A list of previous owners with names, last known addresses and telephone numbers (describe requestor's relationship, if any, to each previous owner listed. If no relationship, put "none").
7. **Operators** See Attachment C
   A list of previous operators with names, last known addresses and telephone number (describe requestor's relationship, if any, to each previous operator listed. If no relationship, put "none").

Section VIII. Contact List Information

Please attach, at a minimum, the names and addresses of the following: SEE ATTACHMENT E FOR REQUIRED INFO.

1. The chief executive officer and zoning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of a letter sent to the repository acknowledging that it agrees to act as the document repository for the property.

Section IX. Land Use Factors (Please refer to ECL § 27-1415(3))

Current Use: ☐ Residential ☐ Commercial ☑ Industrial ☑ Vacant ☐ Recreational (check all that apply)

Intended Use: ☐ Unrestricted ☐ Residential ☑ Commercial ☑ Industrial

Please check the appropriate box and provide an explanation as an attachment if appropriate. Provide a copy of the local zoning classifications, comprehensive zoning plan designations, and/or current land use approvals.

	Yes	No
1. Do current historical and/or recent development patterns support the proposed use? (See #12 below re: discussion of area land uses)	☑	☐
2. Is the proposed use consistent with applicable zoning laws/maps?	☑	☐
3. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans, other adopted land use plans?	☑	☐
4. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)).	☐	☑
5. Are there any federal or state land use designations relating to this site?	☐	☑
6. Do the population growth patterns and projections support the proposed use?	☑	☐
7. Is the property accessible to existing infrastructure?	☑	☐
8. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile?	☐	☑
9. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species within ½ mile?	☑	☐
10. Are there floodplains within ½ mile?	☑	☐
11. Are there any institutional controls currently applicable to the property?	Yes	

12. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas. See Attachment D

13. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the property, including proximity to wellhead protection and groundwater recharge areas. See Attachment D

14. Describe on attachment the geography and geology of the site. See Attachment D

Statement of Certification and Signatures

(By requestor who is an 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.

Date: _____ Signature: _____ Print Name: _____

(By an requestor other than an individual)

I hereby affirm that I am Manager (title) of South Buffalo Develoomont. LLC (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.

Date 2/3/09 Signature: _____ Print Name: Ronmo A CHAPIN

SUBMITTAL INFORMATION:

Three (3) complete copies are required.

- **Two (2)** copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, 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

- **One (1)** hard copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: http://www.dec.state.ny.us/website/der/index.html

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FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE:_____ **LEAD OFFICE:**_____

RECEIVED
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TECHNICAL SUPPORT

LIST OF APPLICATION ATTACHMENTS

NYSDEC Brownfield Cleanup Program Application
South Buffalo Development, LLC
Buffalo Color Site – Area C
Buffalo, NY

Attachment No.	Description
A	Project Description
B	List of Known Owners
C	List of Known Operators
D	Land Use Factors
E	Contact List Information
F	Tax Maps, Deed With Legal Description
G	Site Location Map and Site Layout
H	Nearby Land-Use Map
I	Previous Remedial Investigation Report

ATTACHMENT A

PROJECT DESCRIPTION

ATTACHMENT A

BUFFALO COLOR REDEVELOPMENT

South Buffalo Development LLC (SBD) proposes to redevelop the former Buffalo Color Corporation Property. SBD has viewed the property as three parcels (Areas A/B, Area C, and Area E). Although we have envisioned distinctly different developments on each, the end uses mesh well and result in a total redevelopment that benefits both the community and its residents.

As a first step towards redevelopment of the site, SBD will demolish site structures to grade. All piping and vessels will be properly decontaminated and asbestos will be property abated. Demolition is expected to take approximately 18 months.

Where possible, existing slabs and foundations will be reused and planned structures will be built with "slab-on-grade" construction. We will work with Honeywell to ensure that the ultimate remedy for the site will support and mesh with the proposed redevelopment. This will enable the site to be put back into productive use in an efficient and cost effective manner that is protective of human health and the environment.

Following is a discussion of the intended development on each parcel:

<u>Areas A and B (South Park Avenue)</u>

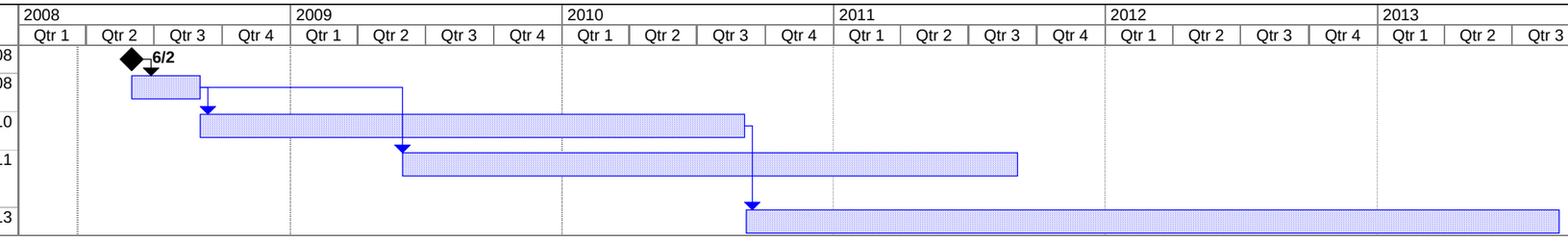
This property is contiguous to the Buffalo River and, as such, provides access to it and ultimately to Lake Erie. We are proposing an end use that would benefit both the community and recreational users. This property location is also very important; together, Areas A and B are a large link in the chain that will establish pedestrian access to the lake. The area of this recreational piece will be approximately 13.2 acres in total (Area A is approximately 10.02 acres in size and Area B is approximately 3.2 acres in size). Conceptual plans for Area A include picnic areas and a pavilion. Area B will be enhanced for use as community green space. The estimated start time for this phase is sixteen months after the completion of the demolition. An estimated project schedule is attached.

<u>Areas C and E (Elk Street)</u>

Equally important is our proposed redevelopment of Areas C and E. Development of these parcels will create jobs and revitalize the economics of the area. Construction on these parcels will likely begin first and will consist of a blend of non-residential structures. These parcels are approximately 21.8 acres in size and will contain build outs in excess of 500,000 square feet. The estimated construction start is 12-16 months after the start of demolition. An estimated project schedule is attached.

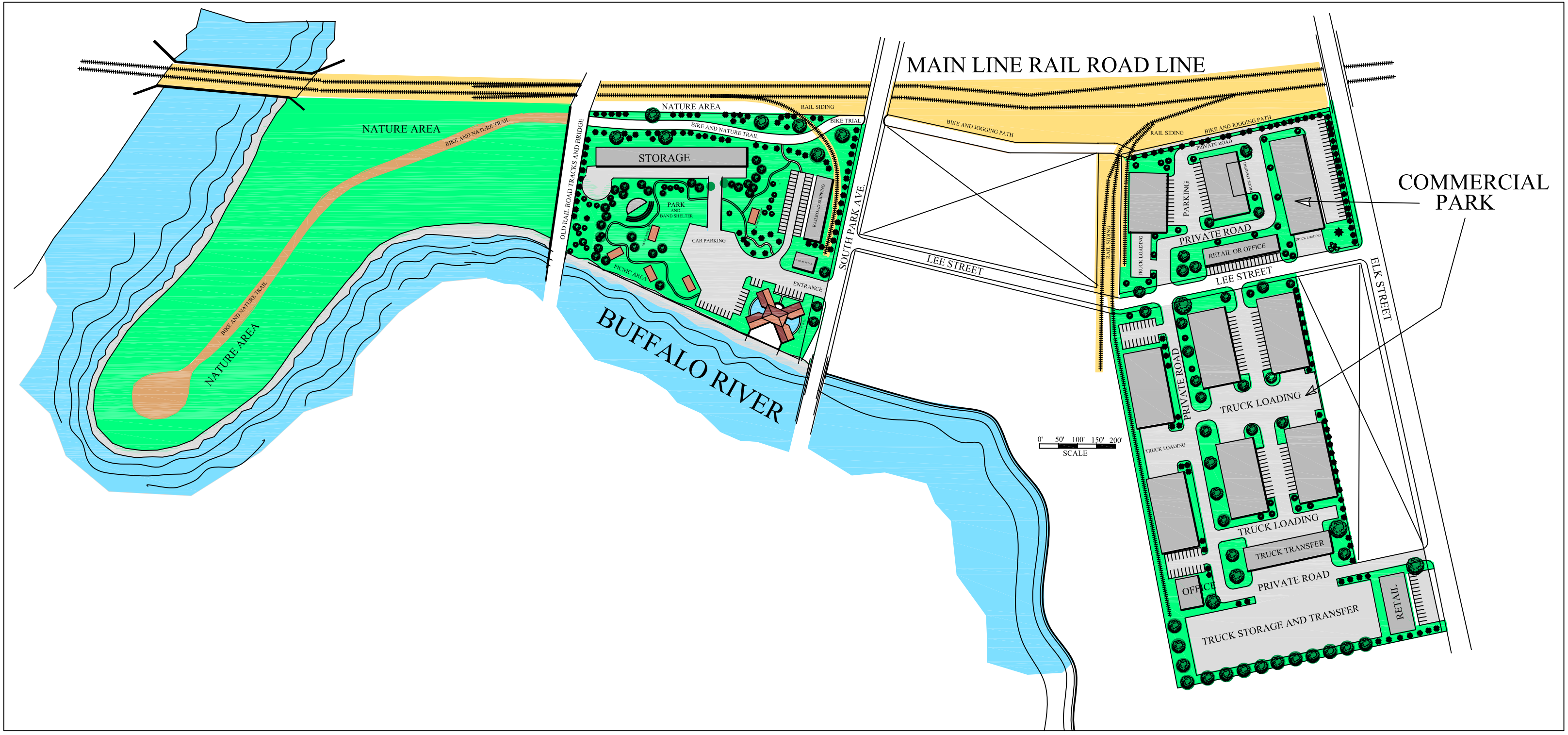
We have attached a conceptual drawing showing our vision of the redevelopment. Our phased redevelopment plan will be presented in detail in the Brownfields Cleanup Agreement. It is important to note that we have had substantive discussions with City, County, and state officials and everyone is excited about the impact that this redevelopment will have on the local community.

ID	Task Name	Duration	Start	Finish
1	Execute BCP Applications	0 days	Mon 6/2/08	Mon 6/2/08
2	Planning for Asbestos Abatement and Building Demolition	3.3 mons	Mon 6/2/08	Mon 9/1/08
3	Complete Building Demolition and Asbestos Abatement	524 days	Tue 9/2/08	Fri 9/3/10
4	Complete Remediation in Phases based on Demolition and Final Redevelopment Schedule (other than long term O&M)	591 days	Mon 6/1/09	Mon 9/5/11
5	Complete initial Buildout	781 days	Mon 9/6/10	Mon 9/2/13



Project: BCP Application Schedule BC
Date: Thu 3/20/08

Task | Progress | Summary | External Tasks | Deadline
Split | Milestone | Project Summary | External Milestone


MAIN LINE RAIL ROAD LINE
COMMERCIAL PARK
NATURE AREA
BIKE AND NATURE TRAIL
NATURE AREA
BIKE AND NATURE TRAIL
NATURE AREA
RAIL SIDING
BIKE TRIAL
BIKE AND NATURE TRAIL
STORAGE
PARK AND BAND SHELTER
CAR PARKING
RAILROAD SHIPPING
PICNIC AREA
ENTRANCE
OLD RAIL ROAD TRACKS AND BRIDGE
BUFFALO RIVER
SOUTH PARK AVE.
LEE STREET
BIKE AND JOGGING PATH
RAIL SIDING
BIKE AND JOGGING PATH
PRIVATE ROAD
PARKING
TRUCK LOADING
PRIVATE ROAD
RETAIL OR OFFICE
LEE STREET
ELK STREET
PRIVATE ROAD
TRUCK LOADING
TRUCK LOADING
TRUCK LOADING
TRUCK TRANSFER
PRIVATE ROAD
OFFICE
TRUCK STORAGE AND TRANSFER
RETAIL
0' 50' 100' 150' 200'
SCALE

ATTACHMENT B

LIST OF KNOWN OWNERS

ATTACHMENT B

SECTION VII. PROPERTY'S ENVIRONMENTAL HISTORY

ITEM 6. LIST OF KNOWN OWNERS

DATE	OWNER	ADDRESS/PHONE # (most recent available address & phone #)	RELATIONSHIP TO REQUESTOR
1879 - 1917	Schoellkopf Aniline and Dye Company	Unknown	None
1917 – 9/9/1955	National Aniline Chemical Company	Unknown	None
9/9/1955 – 6/30/1977	Allied Chemical & Dye	100 Lee Street Buffalo, NY 14210	None
6/30/1977 - Present	Buffalo Color Corporation	100 Lee Street Buffalo, NY 14210 (716) 827-4500	None

ATTACHMENT C

LIST OF KNOWN OPERATORS

ATTACHMENT C

SECTION VII. PROPERTY'S ENVIRONMENTAL HISTORY

ITEM 7. LIST OF KNOWN OPERATORS:

DATE	OPERATOR	ADDRESS/PHONE # (most recent available address & phone #)	RELATIONSHIP TO REQUESTOR
1879 - 1917	Schoellkopf Aniline and Dye Company	Not Available	None
1917 - 1920	National Aniline Chemical Company	Not Available	None
1920 - 1977	Allied Chemical and Dye Corporation	100 Lee Street Buffalo, NY 14210	None
1977 - 2003	Buffalo Color Corporation	100 Lee Street Buffalo, NY 14210 (716) 827-4500	None
2003 - Current	Not Applicable – Property Vacant	Not Applicable – Property Vacant	Not Applicable

NOTE: Please also refer to Section VII, Item 6, "List of Known Owners".

ATTACHMENT D

LAND USE FACTORS

ATTACHMENT D

SECTION IX. LAND USE FACTORS

ITEM 12.

The Property, located in an industrial area in the City of Buffalo, Erie County, New York, occupies approximately 6.03 acres along the south side of Elk Street and the west side of Lee Street. The area surrounding the Property is generally zoned for heavy industry and has been utilized for heavy industrial activity since the mid-1800s. CSX railroad tracks are located to the west of the Property. Honeywell International is located to the north, and PVS Chemicals, Inc. is located to the southeast of the Property. The former Exxon Mobil refinery and bulk petroleum terminal is located to the east of PVS Chemicals. Areas A and B of the Buffalo Color Site are located to the south. The nearest residential areas are located approximately 1,000 feet north and east of the Property.

ITEM 13.

The subject property is situated regionally in the Lake Erie and Niagara River drainage basin. The subject property does not appear to have any open water bodies or surficial water bodies located on-site. Surface drainage appears to flow in a direction toward the lowest elevated points on-site and/or toward storm drains on-site.

Groundwater is found within two aquifers underlying the Property. The first aquifer, known as the Shallow Aquifer, is a saturated and unconfined system within the fill and sediments above glaciolacustine clay. The second aquifer is the Confined Aquifer and occurs within the Basal Tills and the weathered upper surface of the limestone bedrock. The groundwater in the Shallow Aquifer tends to flow towards the Buffalo River, but many utilities (sewer lines and process water lines) and other subsurface structures tend to influence the local groundwater flow.

ITEM 14.

The Property is located within the Erie-Ontario Lowland physiographic province of New York State. The Erie-Ontario Lowland is underlain by layers of sedimentary bedrock which are largely overlain with unconsolidated deposits. The bedrock consists mainly of shale, limestone and dolomite. The bedrock units are comprised of fine-grained sediments deposited in seas during the Silurian and Devonian Periods, and are bedded or layered. The Onondaga Limesonte is the uppermost bedrock unit at the Property. The limestone is typically heavily jointed and exhibits a high degree of secondary porosity. The unconsolidated deposits overlying the bedrock in the vicinity of the Property are mostly glacial deposits consisting of glacial till, which is a

nonsorted mixture of clay, silt, sand and stones deposited directly from the lake sheet; lake deposits, which are bedded clay, silt, and sand that settled out in lakes fed by the melting ice; and sand and gravel deposits associated with glacial streams. The unconsolidated deposits generally are less than 50 feet thick in the vicinity of the Property, excluding fill materials. Fill material that is mostly comprised of clay, silt, crushed stone, brick and miscellaneous building demolition debris is found over most of the surface of the Property. The thickness of the fill layer ranges from 0 to 20 feet, and the maximum thickness of the fill layer occurs near the Buffalo River.

ATTACHMENT E

CONTACT LIST INFORMATION

SECTION VIII. CONTACT LIST INFORMATION

ITEM 1. The Chief Executive Officer and Zoning Board Chairperson of Each County, City, Town and Village in Which the Property is Located.

TITLE	NAME & ADDRESS	PHONE NUMBER
City of Buffalo Mayor	Byron Brown City Hall 65 Niagara Square Buffalo, NY 14202	(716) 851-4841
City of Buffalo Planning Board Executive Director	Timothy E. Wanamaker Office of Strategic Planning 920 City Hall Buffalo, NY 14202	(716) 851-5035
City of Buffalo Zoning Board of Appeals Chairman	James Lewis III Room 901, City Hall Buffalo, NY 14202	(716) 851-5201
City of Buffalo Dept. of Economic Development, Permit & Inspection Services Commissioner	Richard M. Tobe 324 City Hall Buffalo, NY 14202	(716) 851-4972
Erie County Executive	Christopher C. Collins Edward A. Rath County Office Building 95 Franklin Street Buffalo, NY 14202	(716) 858-8500
Deputy Commissioner for Planning and Economic Development	Andrew M. Eszak, AICP Edward A. Rath County Office Building 95 Franklin Street, 10th Floor Buffalo, NY 14202	(716) 858-6716

Deputy Commissioner for Environmental Compliance Services	Michael Raab Edward A. Rath County Office Building 95 Franklin Street, 10th Floor Buffalo, NY 14202	(716) 858-6370

Doc # 01-1703161.1

SECTION VIII. CONTACT LIST INFORMATION

ITEM 2. Residents, Owners and Occupants of the Property and Properties Adjacent to the Property

PROPERTY	OWNER(S)	OCCUPANT
SUBJECT PROPERTY 229 Elk Street Buffalo, NY	Buffalo Color Corp. P.O. Box 7027 Buffalo, NY 14240	Vacant
NORTH 340 Elk Street Buffalo, NY	Allied Chemical & Dye Corp. P.O. Box 1057 Morristown, NJ 07962	Honeywell Buffalo Research Laboratory (716) 827-6200
EAST 85 Lee Street Buffalo, NY	Buffalo Color Corp. P.O. Box 7027 Buffalo, NY 14240	Buffalo Color Corp. Area E Vacant
55 Lee Street Buffalo, NY	PVS Chemicals, Inc. 10900 Harper Avenue Detroit, MI 48213	PVS Chemicals, Inc. (716) 825-5762
SOUTH 100 Lee Street Buffalo, NY	Park-Lee LLC 1669 Hertel Avenue Buffalo, NY 14216	Vacant
1002 South Park Avenue Buffalo, NY	Buffalo Color Corp. P.O. Box 7027 Buffalo, NY 14240	Buffalo Color Corp. Area B Vacant
WEST 15 South Park Avenue Buffalo, NY	Norfolk Southern Corp. 110 Franklin Road SE Box 28 Roanoke, VA 24042	Conrail Railroad

SECTION VIII. CONTACT LIST INFORMATION

ITEM 3. Local News Media from Which the Community Typically Obtains Information.

LOCAL NEWS MEDIA	ADDRESS
Buffalo News	One News Plaza Buffalo, NY 14240 (716) 849-3434
WGRZ-TV	259 Delaware Avenue Buffalo, NY 14202 (716) 849-2222
WIVB-TV	2077 Elmwood Avenue Buffalo, NY 14207 (716) 874-4410
WKBW-TV	7 Broadcast Plaza Buffalo, NY 14202 (716) 845-6100

SECTION VIII. CONTACT LIST INFORMATION

ITEM 4. Public Water Supplier:

City of Buffalo
Division of Water
City Hall
65 Niagara Square
Buffalo, NY 14202
(716) 852-0197

Doc # 01-1703165.1

SECTION VIII. CONTACT LIST INFORMATION

ITEM 5. Any Person who has Requested to be Placed on the Contact List:

None to date.

SECTION VIII. CONTACT LIST INFORMATION

ITEM 6. Schools / Day Care Facilities Located On or Near Property:

THERE ARE NO KNOWN SCHOOLS OR DAY CARE FACILITIES LOCATED ON OR NEAR THE PROPERTY.

SECTION VIII. CONTACT LIST INFORMATION

ITEM 7. Document Repository:

Buffalo & Erie County Public Library
1 Lafayette Square
Buffalo, NY 14203

Mary Jean Jakubowski, Chief Operating Officer
Phone: (716) 858-8900
Fax: (716) 858-7306

Doc # 01-1703941.1

Phillips Lytle LLP

Mr. Bruce Weymouth
Buffalo & Erie County Public Library
1 Lafayette Square
Buffalo, NY 14203

February 19, 2008

Re: Public Document Repository
South Buffalo Development, LLC
Buffalo Color Areas ABCE - Brownfield Cleanup Program Applications

Dear Mr. Weymouth:

Thank you for agreeing to allow the Buffalo & Erie County Public Library to act as the document repository for the above-referenced sites. A set of documents for public review will be placed in the repository over the next several months.

Please contact me if you have any questions or require additional information.

Very truly yours,

Phillips Lytle LLP

By

Michael C. Murphy

mcm2

Doc # 01-1722588.1

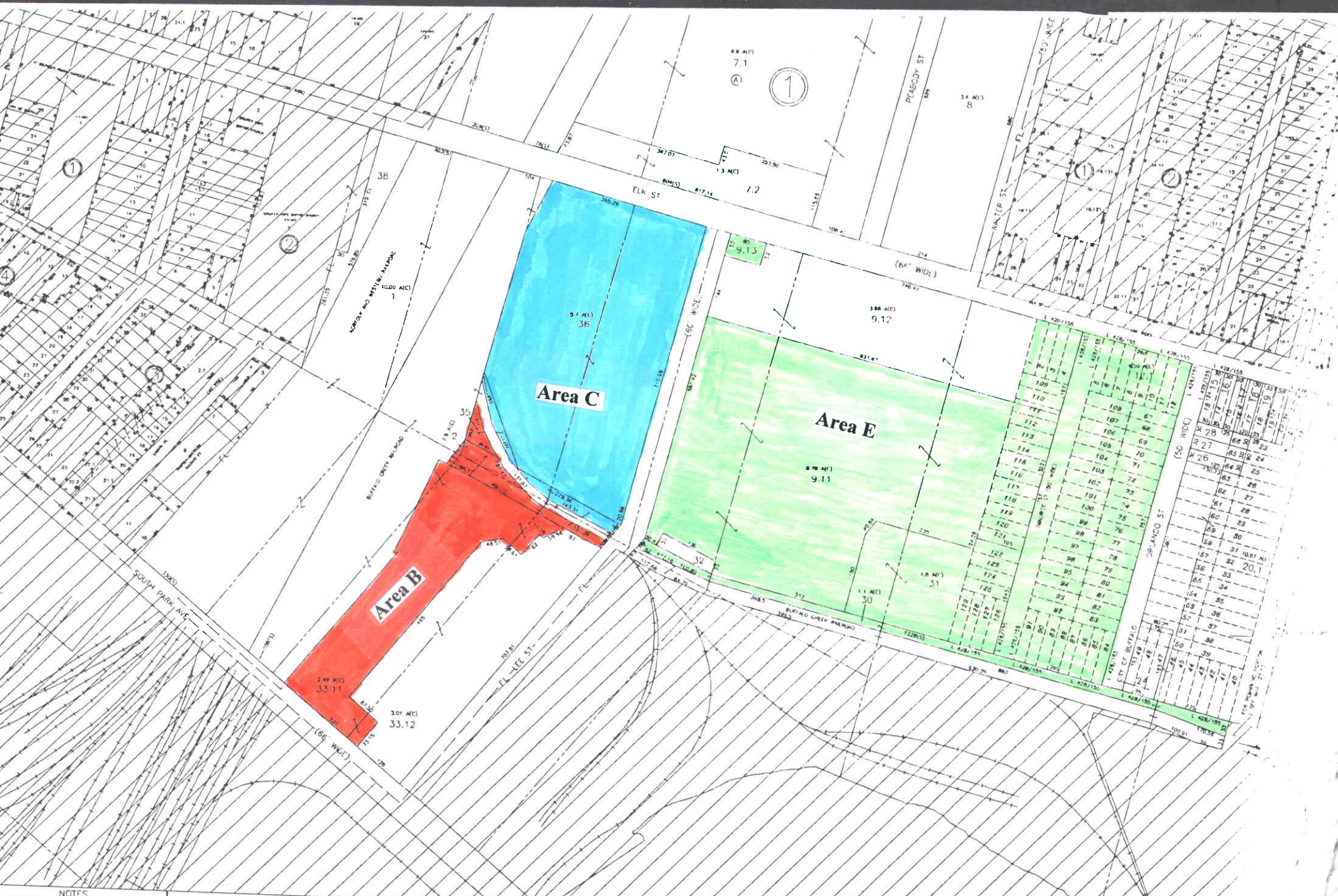
Michael C. Murphy
Direct 716 504 5748 mmurphy@phillipslytle.com

ATTORNEYS AT LAW

3400 HSBC CENTER BUFFALO, NY 14203-2887 PHONE 716 847 8400 FAX 716 852 6100
BUFFALO ALBANY CHAUTAUQUA GARDEN CITY NEW YORK ROCHESTER WWW.PHILLIPSLYTLE.COM

ATTACHMENT F

TAX MAPS, DEED WITH LEGAL DESCRIPTION



NOTES

MAP WAS PREPARED FOR TAX PURPOSES ONLY AND IS NOT TO BE REPRODUCED OR USED FOR SURVEYING OR CONVEYANCING.

MAP CONVERTED TO AUTOCAD DIGITAL FORMAT BY ANALYTICAL SURVEYS INC. IN COOPERATION WITH WEILER MAPPING INC. NOV 1998

REVISION TABLE

DATE	MADE BY	CHANGES OR ADDITIONS

SPECIAL DISTRICTS

SCHOOL BUFFALO PUBLIC SCHOOL DISTRICT	DRAINAGE
FIRE CITY OF BUFFALO FIRE DISTRICT	SEWER
WATER	

LEGEND

PROPERTY LINE
ORIGINAL SUBLOT LINE
RAILROAD
STREAM OR DITCH
ROAD OR RAILROAD BNDY
COUNTY LINE
TOWN LINE
VILLAGE LINE
BLOCK LINE
FARM LOT LINE
SCHOOL DISTRICT LINE
WATER DISTRICT LINE — W
SEWER DISTRICT LINE — S
FIRE DISTRICT LINE — F
DENOTES COMMON OWNER
TAX MAP BLOCK NO.
TAX MAP PARCEL NO. 116.00-1-11
FILED PLAN LOT NO. 14
FARM LOT NO. 6

CALCULATED ACREAGE 7.5 A(C)
DEED ACREAGE 17.5 A
SCALED DIMENSION 225 (S)
SCALED DIMENSION (CHECKED) 743.25(S)
DEED DIMENSION 173.33
DEED DIMENSION (CENTER LINE) 173.33 ℄
COORDINATE LOCATOR +

122.43	122.44 / 122.36	123.09
122.43 / 122.51		123.13
122.16	122.16	123.13

SHEET INDEX

NORTH

1977300 15090

THIS INDENTURE, made the 24th day of June, nineteen hundred and seventy-seven, between ALLIED CHEMICAL CORPORATION, a New York corporation having its principal office at Columbia Road and Park Avenue, Morris Township, New Jersey, party of the first part; and BUFFALO COLOR CORPORATION, a Delaware corporation having a place of business at 340 Elk Street, Buffalo, New York, party of the second part.

W I T N E S S E T H :

THAT the party of the first part, in consideration of TEN ($10.00) DOLLARS and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the successors and assigns of the party of the second part forever,

ALL those certain plots, pieces or tracts of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Buffalo, County of Erie and State of New York, more particularly described in Exhibit A attached hereto and made a part hereof.

TOGETHER WITH a permanent, non-exclusive easement for the benefit of Tract F, 25.91 feet in width contiguous to and extending the length of the eastern-most line of Tract F, for the purpose of installing, maintaining, replacing and removing utility lines to service Tract F. All costs of installation, repairs, maintenance or removal of such utilities shall be at the sole cost and expense of Grantee, and Grantee shall indemnify and hold Grantor, its successors and assigns, harmless from and against any and all claims by any person

RECEIVED
$ 13,500.00
REAL ESTATE
JUN 30 1977
TRANSFER TAX
DUE
2649 COUNTY

LIBER 8524 PAGE 441

arising out of Grantee's exercise of any rights herein granted.

Grantee shall exercise the rights granted hereby only in such manner as to not unreasonably interfere with the operations or rights of Grantor or others in the easement area, and shall promptly restore the surface of the easement area to its condition previous to the exercise of any such rights upon completion of their exercise.

RESERVING TO THE GRANTOR, its successors and assigns, a permanent easement 10 feet in width over, under, upon and across Tract P, as shown on the drawing attached hereto and marked "Schedule B" for the maintanance, repair and replacement of sewer lines between Elk Street and lands retained by Grantor, together with reasonable rights of ingress and egress across lands of Grantee necessary for the exercise of the rights reserved herein.

ALSO RESERVING to the Grantor, its successors and assigns an easement over, under, upon and across that portion of Tract E described as follows:

> BEGINNING at the point of intersection of the northerly line of former Prenatt Street with the easterly line of former Maurice Street and running thence northerly along the easterly line of former Maurice Street a distance of 144.0 feet to a point, and running thence westerly at right angles to the line of former Maurice Street a distance of 25.0 feet to a point, and running thence, southerly on a course parallel to the side line of former Maurice Street a distance of 164.0 feet to the lands of Buffalo Creek Railroad, and running thence easterly along land of Buffalo Creek Railroad and parallel to the second course a distance of 25.0 feet to a point and running thence, northerly and parallel to the third course herein, a distance of 20.0 feet to the point and place of BEGINNING.

For the purpose of constructing, operating and maintaining a pipebridge, effluent line and monitoring facilities, together with reasonable rights of ingress and egress to the easement

area through the bed of former Maurice Street from Elk Street.

Grantor shall indemnify and hold Grantee harmless from and against any and all claims arising out of Grantor's exercise of the rights herein reserved.

This conveyance is subject to:

(a) Easement Agreement between Grantor and the City of Buffalo recorded in Liber 6930 of Deeds at Page 220, amended in Liber of Deeds 7309 at Page 393 and in Liber of Deeds 7309 at Page 489, affecting Tracts A, B, C, D and G.

(b) Rights reserved to the Erie Railroad Company and the Lehigh Valley Railroad Company in deed recorded in Liber 4272 of Deeds at Page 527, affecting Tract D.

(c) Conditions, obligations and reservations with respect to right of way as set forth in Liber 1454 of Deeds at Page 106, affecting Tract D.

(d) Rights of the City of Buffalo with respect to utilities in, above and below surface of former Maurice Street, affecting Tract E.

(e) Easement granted to Niagara-Mohawk Power Corporation recorded in Liber of Deeds 7724 at Page 149, affecting Tract E.

(f) Easement granted to Onondaga County Industrial Development Agency recorded in Liber 8239 at Page 351, affecting Tract E. Grantor represents that this easement was created in error, it having been the intention of Grantor and the Development Agency to create an easement on other lands of Grantor south of Tract E. Grantor represents and warrants to Grantee that it shall take reasonable efforts to secure the discharge or release of the above-mentioned easement by the Onondaga County Industrial Development Agency, and that if successful, Grantor will, at its cost and expense, record the instrument of discharge or release.

(g) Rights of ingress and egress granted to Buffalo Creek Railroad by unrecorded easement dated January 30, 1956 effecting Tract G.

(h) Possible encroachments by City of Buffalo by virtue of viaducts and retaining walls as shown on surveys of Ray L. Sonnenberger, Land Surveyor, dated December 31, 1976 and April 5, 1977, affecting Tracts B, C and E.

(i) Lien of 1977-1978 city taxes not yet due and payable.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof;

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

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

ATTEST:

Assistant Secretary

ALLIED CHEMICAL CORPORATION

By President Specialty Chemicals Division

STATE OF NEW JERSEY)
) ss.:
COUNTY OF MORRIS)

On the 24th day of June , in the year nineteen hundred seventy-seven, before me personally came Richard C. Ashley to me known, who, being by me duly sworn, did depose and say that he resides in 70 Arrowhead Way, Darien, Connecticut ; that he is President, Specialty Chemicals Division of ALLIED CHEMICAL CORPORATION, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation and that he signed his name thereto by like order.

Carolyn R. Everett

CAROLYN R. EVERETT
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Aug. 16, 1977

LIBER 8524 PAGE 445

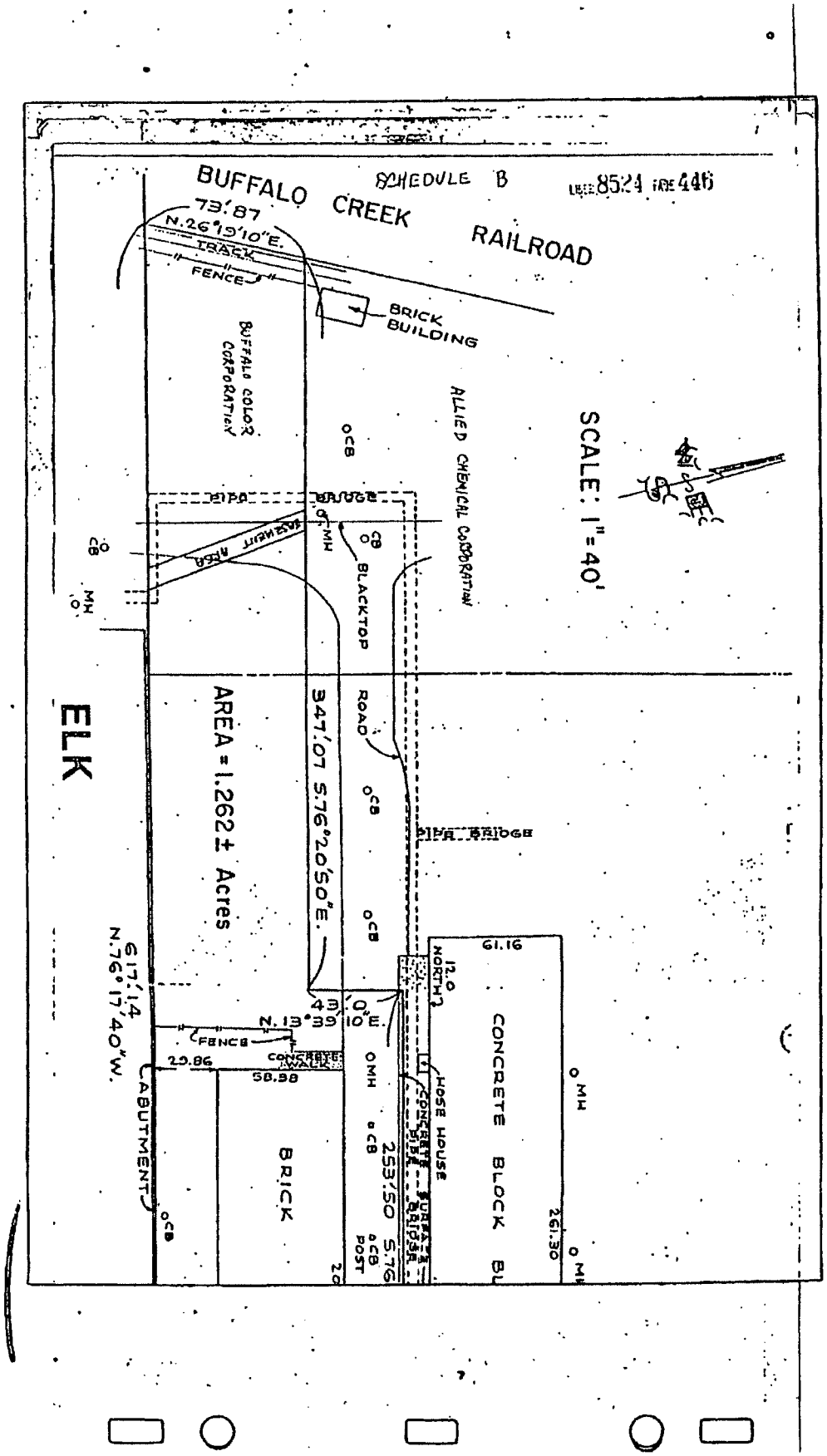

SCHEDULE B
BOOK 8524 PAGE 446
BUFFALO CREEK RAILROAD
SCALE: 1" = 40'
BRICK BUILDING
TRACK
FENCE
73.87
N.26°19'10"E.
BUFFALO COLOR CORPORATION
ALLIED CHEMICAL CORPORATION
BLACKTOP ROAD
ASPHALT AREA
PIPE BRIDGE
347.07 S.76°20'50"E.
AREA = 1.262± Acres
ELK
617.14
N.76°17'40"W.
ABUTMENT
N.13°39'10"E.
43.0
FENCE
CONCRETE WALL
25.86
58.98
BRICK
253.50 S.76
CONCRETE BLOCK BU
61.16
261.30
12.0 NORTH
HOSE HOUSE
CONCRETE PIPE BRIDGE
CB
MH
POST

EXHIBIT A

To Purchase Agreement between ALLIED CHEMICAL CORPORATION and BUFFALO COLOR CORPORATION Containing a Description of Real Property to be Conveyed by ALLIED CHEMICAL CORPORATION to BUFFALO COLOR CORPORATION Together With a Listing of Liens, Encumbrances and Other Matters Affecting Title Thereto.

Tract A

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lots Nos. 177 and 178, Township 10, Range 8 of the Buffalo Creek Reservation and part of The Bed of The Buffalo River, bounded and described as follows:

BEGINNING at the intersection of the southerly line of South Park Avenue with the easterly line of lands of Buffalo Creek Railroad; thence south 51° 04' 00" East and along the southerly line of South Park Avenue, 693.64 feet; thence south 43° 22' 10" East, 50.02 feet to the Buffalo River Improvement Channel; thence south 58° 17' 30" West and along said Channel, 107.28 feet; thence south 49° 51' 37" West and still along said Channel, 653.75 feet; thence south 35° 01' 00" West and still along said Channel, 1.75 feet to the northerly line of lands of Erie Lackawanna Railroad; thence north 54° 54' 48" West and long the northerly line of lands of Erie Lackawanna Railroad, 412.84 feet to the lands of Buffalo Creek Railroad; thence north 26° 20' 52" East and along the lands of Buffalo Creek Railroad, 223.63 feet; thence south 51° 04' 00" East, 2.05 feet; thence north 26° 20' 52" east and along the lands of Buffalo Creek Railroad, 574.81 feet to the point or place of beginning.

Tract B

Parcel 1

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot No. 135, Township 10, Range 8 of the Buffalo Creek Reservation, bounded and described as follows, to-wit:

BEGINNING at the point of intersection of the southwesterly line of Prenatt Street with the northwesterly line of Lee Street; running thence southwesterly and along the northwesterly line of Lee Street 707.81 feet to the northeasterly line of Abbott Road; thence northwesterly along the northeasterly line of Abbott Road; 158 feet to the northwesterly line of Lot No. 135; running thence northeasterly and along the northwesterly line of Lot No. 135, 674.91 feet to the southwesterly line of Prenatt Street thence southeasterly along the southwesterly line of Prenatt Street 161.72 feet to the northwesterly line of Lee Street, at the point or place of beginning.

Parcel 2

ALL THAT OTHER CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the City of Buffalo, County of Erie and State of New York, being a part of Lot No. 136, in Township 10, Range 8 of Lovejoy and Emslie's survey of a part of the Buffalo Creek Indian Reservation, bounded and described as follows:

BEGINNING at the intersection of the easterly line of said Lot No. 136 with the southerly line of Prenatt

Street, said intersection being 334.65 feet easterly, measured along said southerly line of Prenatt Street, from the easterly line of the Buffalo Creek Railroad Company's right-of-way; thence southerly along said easterly line of Lot No. 136 to the northerly line of Abbott Road; thence westerly, along said northerly line of said Abbott Road, 190 feet to a point; thence northerly, on a line parallel to the easterly line of Lot No. 136, 400 feet to a point; thence northeasterly, on a line deflecting to the right from the line last described, north 73° 35' East, 330.88 feet to the place of beginning.

Parcel 3

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York being parts of Lots Nos. 136 and 139, Township 10, Range 8 of the Buffalo Creek Reservation and further bounded and described as follows:

BEGINNING at a point in the south line of former Prenatt Street 161.72 feet westerly from the intersection of the south line of former Prenatt Street with the west line of Lee Street; thence westerly along the south line of former Prenatt Street 255.44 feet; thence southerly along a line making an angle of 89° 37' in the southeast quadrant with the last described line 233.71 feet; thence northeasterly in a straight line 345.06 feet to the point of beginning.

Tract C

Parcel 1

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lots Nos. 134 and 137, Township 10, Range 8 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at the point of intersection of the southerly line of Elk Street with the westerly line of Lee Street; thence southerly along the westerly line of Lee Street, 709.59 feet more or less to the northerly line of Prenatt Street; thence westerly along the northerly line of Prenatt Street, 274.39 feet to the northeasterly line of lands conveyed to Buffalo Creek Railroad Company by Deed recorded in Liber 1364 of Deeds at page 538; thence northwesterly along the northeasterly line of lands so conveyed to Buffalo Creek Railroad Company by deed aforesaid, 235.91 feet to lands conveyed to said Buffalo Creek Railroad Company by deed recorded in Liber 250 of Deeds at page 319; thence northerly along said line of Buffalo Creek Railroad Company's land as conveyed by Deed recorded in Liber 250 of Deeds at page 319, 299.93 feet; thence north 26° 34' 36" East, 158.99 feet to the southerly line of Elk Street; thence easterly along the southerly line of Elk Street, 365.11 feet more or less to the point or place of beginning.

Parcel II

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot No. 137, Township 10, Range 8 of the Buffalo Creek Reservation and further bounded and described as follows:

BEGINNING at a point in the north line of former Prenatt Street 274.39 feet westerly from the intersection of the north line of former Prenatt Street with the west line of Lee Street; thence westerly (First Course) along the north line of former Prenatt Street 5 feet; thence northwesterly (Second Course) along a line curving to the right having a radius of 330 feet a distance of 227.77 feet to a point in the west line of Lot No. 137 distant 155.13 feet northerly from the intersection of the west line of Lot No. 137 with the north line of former Prenatt Street; thence northerly along the west line of Lot No. 137, 10.87 feet; thence southeasterly in a straight line 235.91 feet to the point of beginning.

Parcel III

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot No. 137, Township 10, Range 8 of the Buffalo Creek Reservation and further bounded and described as follows:

BEGINNING in the north line of former Prenatt Street 324.45 feet westerly from the intersection of the north line of former Prenatt Street with the west line of Lee Street; thence northwesterly along a line curving to the right having a radius of 350 feet concentric with and 20 feet southwesterly measured radially from the second course of Parcel II above, a distance of 142.17 feet to the west line of Lot No. 137; thence southerly along the west line of Lot No. 137, 95.61 feet to the intersection of the west line of Lot No. 137 with the north line of former Prenatt Street; thence easterly along the north line of former Prenatt Street 84.94 feet to the point of beginning.

Tract D

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot No. 178 Township 10, Range 8 of the Buffalo Creek Reservation and part of the bed of the Buffalo Creek bounded and described as follows:

BOUNDED northerly by the south line of lands conveyed to The New York Lackawanna and Western Railway Company by Deeds recorded in Erie County Clerk's Office in Liber 1416 and 1417 and 1454 of Deeds at pages 531, 540 and 106 respectively; on the northwest by the northwesterly line of lands conveyed to Allied Chemical & Dye Corporation by Deed recorded in Erie County Clerk's Office in Liber 4272 of Deeds at page 527; on the west, south and east by the lands of the Buffalo River Improvement Channel.

TOGETHER with a Right of Way for roadway over the following described premises:

BEGINNING at a point in the north line of lands conveyed by Deed recorded in Liber 1454 of Deeds at page 106, distant 10.5 feet easterly measured at right angles from the westerly line thereof; thence easterly along said northerly line, 30.35 feet to its intersection with a line drawn parallel with the easterly line of lands conveyed by Deed recorded in Liber 1454 of Deeds at page 106 and distant 9.5 feet westerly therefrom measured at right angles; thence southerly along a line drawn parallel with said easterly line, 136.59 feet to the southerly line of the lands conveyed by Deed recorded in Liber 1454 of Deeds at page 106; thence westerly along said southerly line 30.35 feet to a line drawn parallel with said westerly line of the lands conveyed by Deed recorded in Liber 1454 of Deeds at page 106 through the place of beginning; thence northerly along last mentioned parallel line 136.59 feet to the place of beginning.

ALSO ALL THAT TRACE OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot No. 178, Township 10, Range 8 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at the intersection of the southeast line of land conveyed to The Buffalo Creek Railroad Company by deed recorded in Erie County Clerk's Office in Liber 294 of Deeds at page 62 with the northeast channel line of the Buffalo River Improvement, said channel line being parallel with and 328 feet northeast, measured at right angles, from the monumented Base Line for said Improvement; thence northeasterly along said southeast line of land conveyed to The Buffalo Creek Railroad Company 908.54 feet to a point in a prolongation northwesterly of the southwesterly face of a concrete pier supporting the overhead tracks of the Delaware, Lackawanna & Western Railroad Company; thence northwesterly at right angles 18 feet; thence southwesterly parallel with the aforementioned southeast line of The Buffalo Creek Railroad Company 895.94 feet to the aforementioned northeast channel line of the Buffalo River Improvement; thence southeasterly along the said channel line 21.97 feet to the place of beginning.

Tract E

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lots Nos. 133, 195 and 196 of the Buffalo Creek Reservation, and more particularly bounded and described as follows:

BEGINNING at the intersection of the easterly line of Lee Street with the northerly line of former Prenatt Street; thence North 13° 38' 00" East and along the easterly line of Lee Street, 722.93 feet to the southerly line of Elk Street; thence South 76° 17' 40" East and along the

southerly line of Elk Street, 1091.47 feet to the westerly line of Orlando Street; thence south 13° 38' 00" west and along the westerly line of Orlando Street, 757 feet to the northerly line of former Prenatt Street; thence North 76° 17' 40" West and along the northerly line of former Prenatt Street, 938.50 feet to an angle therein; thence North 63° 44' 30" West and still along the northerly line of Prenatt Street, 29.60 feet; thence North 26° 15' 30" East, 30 feet; thence North 63° 44' 30" West, 96.69 feet; thence South 26° 15' 30" West, 30 feet to the northerly line of Prenatt Street; thence North 63° 44' 30" West and along the northerly line of Prenatt Street, 30.47 feet to the point or place of beginning.

Tract F

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lots Nos. 84 and 88, Township 10, Range 8 of the Buffalo Creek Reservation, and bounded and described as follows:

BEGINNING at a point in the northerly line of Elk Street distant 108.42 feet westerly from the intersection of the northerly line of Elk Street with the westerly line of Peabody Street; thence north 76° 17' 40" west and along the northerly line of Elk Street, 617.14 feet to the Buffalo Creek Railroad lands; thence north 26° 19' 10" east and along the Buffalo Creek Railroad lands, 73.87 feet; thence south 76° 20' 50" east, 347.07 feet; thence north 13° 38' 10" east, 43 feet; thence south 76° 20' 50" east, 253.50 feet; thence south 13° 28' 10" west, 115.65 feet to the point or place of beginning.

Tract G

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lots Nos. 133-137 inclusive, and Lots Nos. 193-197 inclusive of the Buffalo Creek Reservation designated as that part of Prenatt Street, as a 66 foot street, running west from Babcock Street to lands conveyed to Buffalo Creek Railroad Company by deeds recorded in Erie County Clerk's Office in Liber 250 of Deeds at page 319 and in Liber 290 of Deeds at page 106, the said premises being more particularly bounded and described as follows:

PARCEL A

COMMENCING at the point of intersection of the northerly line of Prenatt Street with the westerly line of Babcock Street; running thence westerly along the northerly line of Prenatt Street to the easterly line of Lee Street; running thence southerly along the easterly line of Lee Street to the point of intersection of the easterly line of Lee Street with the southerly line of Prenatt Street; running thence easterly along the southerly line of Prenatt Street to the point of intersection of the southerly line of Prenatt Street with the westerly line of Babcock Street;

running thence northerly along the westerly line of Babcock Street to the point or place of beginning; and

PARCEL B

COMMENCING at the point of intersection of the northerly line of Prenatt Street with the westerly line of Lee Street; running thence westerly along the northerly line of Prenatt Street to the westerly line of Lot 137 of the Buffalo Creek Reservation; running thence southerly along said westerly line of said lot to the southerly line of said Lot No. 137, said southerly line being also the northerly line of Not No. 136 of the Buffalo Creek Reservation; thence westerly along said last mentioned line to the westerly line of said Lot No. 136; thence southerly along said westerly line of said Lot No. 136 to the southerly line of Prenatt Street; running thence easterly along the southerly line of Prenatt Street to its intersection with the westerly line of Lee Street; running thence northerly along the westerly line of Lee Street to the point or place of beginning.

EXCEPTING therefrom that portion of the above described premises conveyed to The Buffalo Creek Railroad Company by deed recorded in Liber 6040 of Deeds at page 437.

ALSO EXCEPTING therefrom all lands lying south of the south line of lands conveyed to The Buffalo Creek Railroad Company by deed recorded in Liber 6040 of Deeds at page 437 between the west line of Babcock Street and the east line of Lee Street.

Book 53 Jan IMMEDIATE

JUN 30 12 38 PM '77

FILED
ERIE COUNTY
CLERK'S OFFICE

LIBER 8524 PAGE 454

✓ DEED

ALLIED CHEMICAL CORPORATION

174

to

BUFFALO COLOR CORPORATION

DATED: June 24, 1977

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE
Recorded in Liber 8524 Page 441
of Deeds
on the 30 day of June
A. D., 1977 at 2:38 clock PM
and examined.

Clerk

MOOT, SPRAGUE, MARCY,
LANDY, FERNBACH & SMYTHE
TWO MAIN PLACE
BUFFALO, NEW YORK 14203

1-22-25-28

BUFFALO COLOR SITE
LEGAL DESCRIPTION

AREA C:

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie, State of New York, being part of Lot Nos. 134 and 137, Township 10, Range 8 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point of intersection of the southerly line of Elk Street with the westerly line of Lee Street;

Thence southerly along the westerly line of Lee Street, S13^{o} 45' 01"W a distance of 709.59 feet more or less to the northerly line of the former Prenatt Street, said point being the north east corner of the former Prenatt Street as closed on September 9, 1955 and recorded in Liber 5836 of deeds at page 182, parcel B;

Thence southerly, along the east line of the former Prenatt Street as closed, S42^{o} 59' 37"W a distance of 27.15 feet to a point, which point is the north east corner of lands conveyed to The Buffalo Creek Railroad Company by deed recorded in the Erie County Clerk's Office in Liber 6040 of deeds at page 437;

Thence westerly along the north line of lands conveyed to The Buffalo Creek Railroad Company N63^{o} 37' 29"W a distance of 143.31 feet to a point of curvature;

Thence continuing along the north line of lands conveyed to The Buffalo Creek Railroad Company by deed recorded in the Erie County Clerk's Office in Liber 6040 of deeds at page 437 and Liber 1364 of deeds at page 538, along a curve to the right with a radius of 330.00 feet, a delta of 62° 32' 03", an Arc Length of 360.17 feet and a chord bearing of N32^{o} 20' 25"W a chord distance of 342.56 feet to a point on the east line of lands conveyed to said Buffalo Creek Railroad Company by deed recorded in the Erie County Clerk's Office in Liber 250 of deeds at page 319, and the west line of Lot 137;

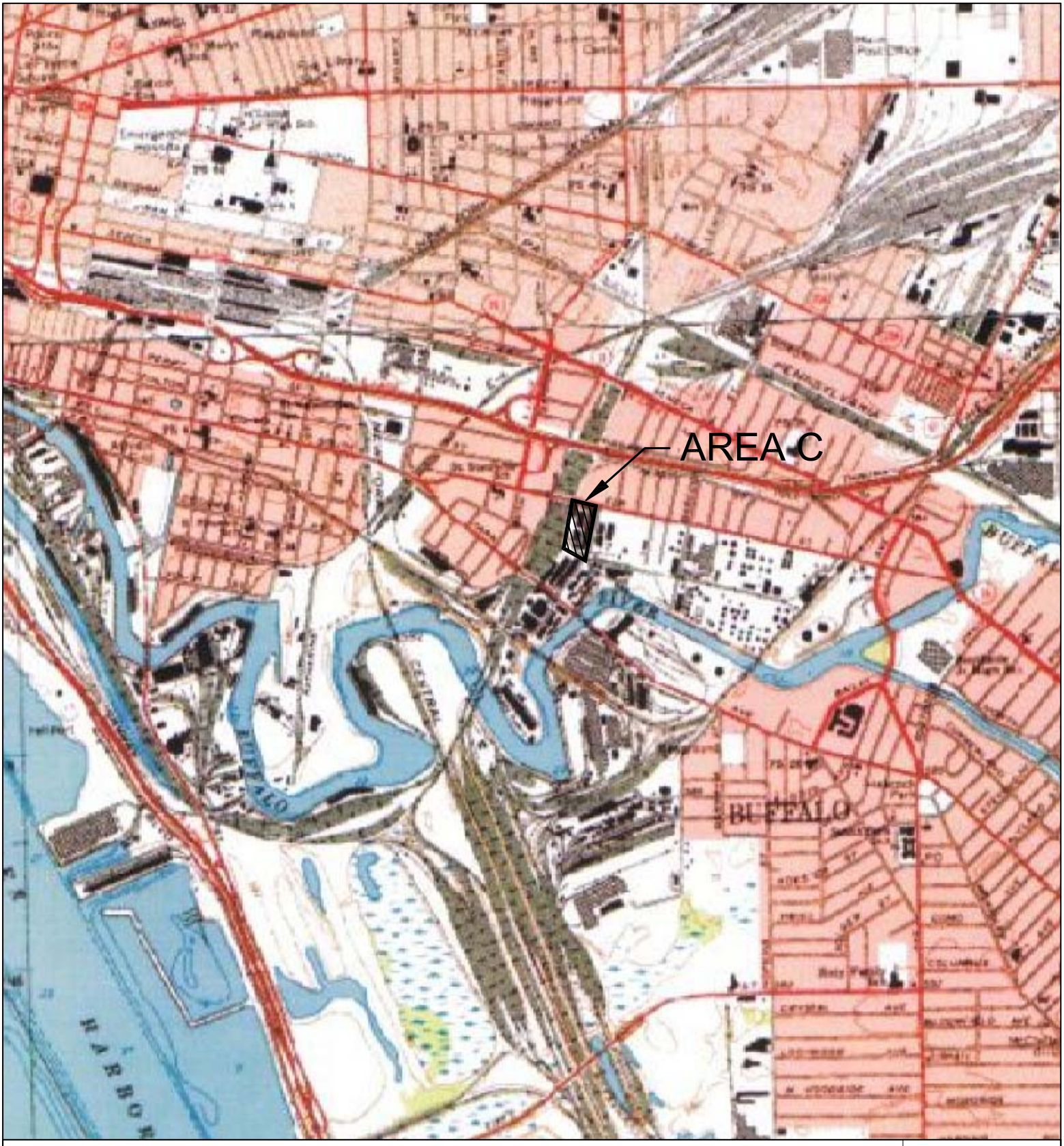
Thence northerly along said east line of Buffalo Creek Railroad Company's land as conveyed by deed recorded in the Erie County Clerk's Office in Liber 250 of deeds at page 319, and the west line of Lot 137 N13^{o} 36' 03"E a distance of 309.89 feet to a point, which point is the south corner of lands conveyed to The Buffalo Creek Railroad Company by deed recorded in the Erie County Clerk's Office in Liber 1364 of deeds at page 538;

Thence northeasterly along The Buffalo Creek Railroad Company lands on a record deed bearing of N26^{o} 34' 36"E, and measured bearing of N26^{o} 41' 16"E a distance of 158.99 feet to the southerly line of Elk Street;

Thence easterly along the southerly line of Elk Street, S76^{o} 10' 39"E a distance of 365.11 feet more or less to the Point or Place of Beginning.

ATTACHMENT G

SITE LOCATION MAP AND SITE LAYOUT



SCALE 1:24000

1 0.5 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 0.5 0 1 KILOMETER

CONTOUR INTERVAL 20 FEET

BUFFALO SE QUADRANGLE

N

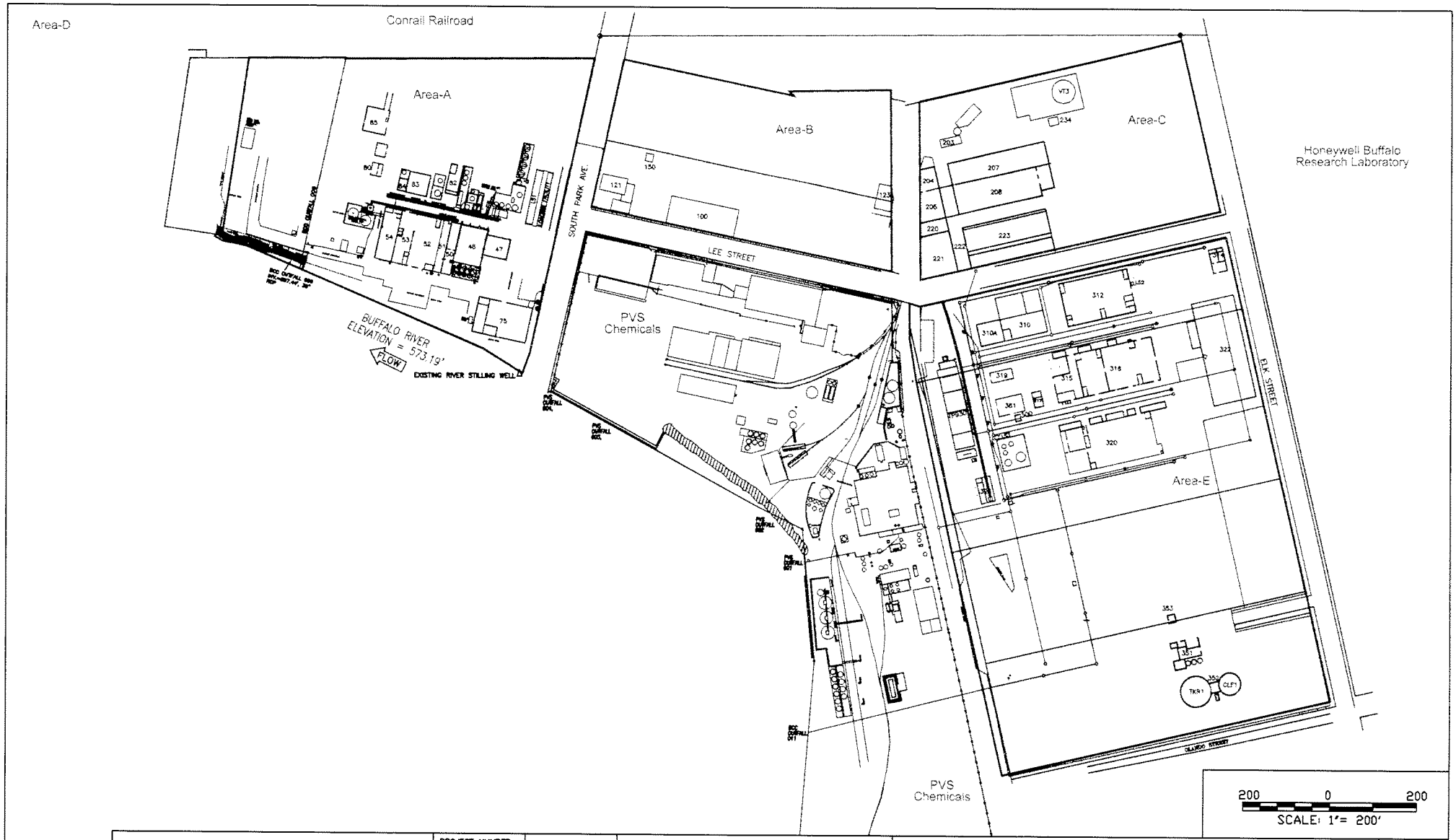
FILE: P:\PROJECTS\Honeywell\Buffalo NY\Buffalo Color Areas ABCE\3410070582-Buffalo Color Redevelopment\CADD\FIGS\Area C Site Location Map (A01)

PROJECT NUMBER:	3410070582
DRAWING NUMBER:	A01.DWG
DATE:	2-20-2008
DRAWN BY:	NEL
APPROVED BY:	JMS

MACTEC Engineering & Consulting Inc.
700 North Bell Avenue Suite 200
Pittsburgh, PA 15106

SITE LOCATION MAP
BUFFALO COLOR AREA C
HONEYWELL, INC.
BUFFALO, NY

FIGURE 1



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	DRAWING NUMBER:	B01.DWG
	DATE:	9-28-2007
	DRAWN BY:	WS
FILE:	APPROVED BY:	JMS

MACTEC
Engineering & Consulting Inc.
700 North Bell Avenue Suite 200
Pittsburgh, PA 15106

SITE LAYOUT
RI/FS - BUFFALO COLOR AREAS ABCE
HONEYWELL INTERNATIONAL, INC.
BUFFALO, NEW YORK

FIGURE
2

ATTACHMENT H

NEARBY LAND-USE MAP

Buffalo Color - Land Use Map

GIS IMS Viewer

Printed 6-Jan-2009

Municipalities

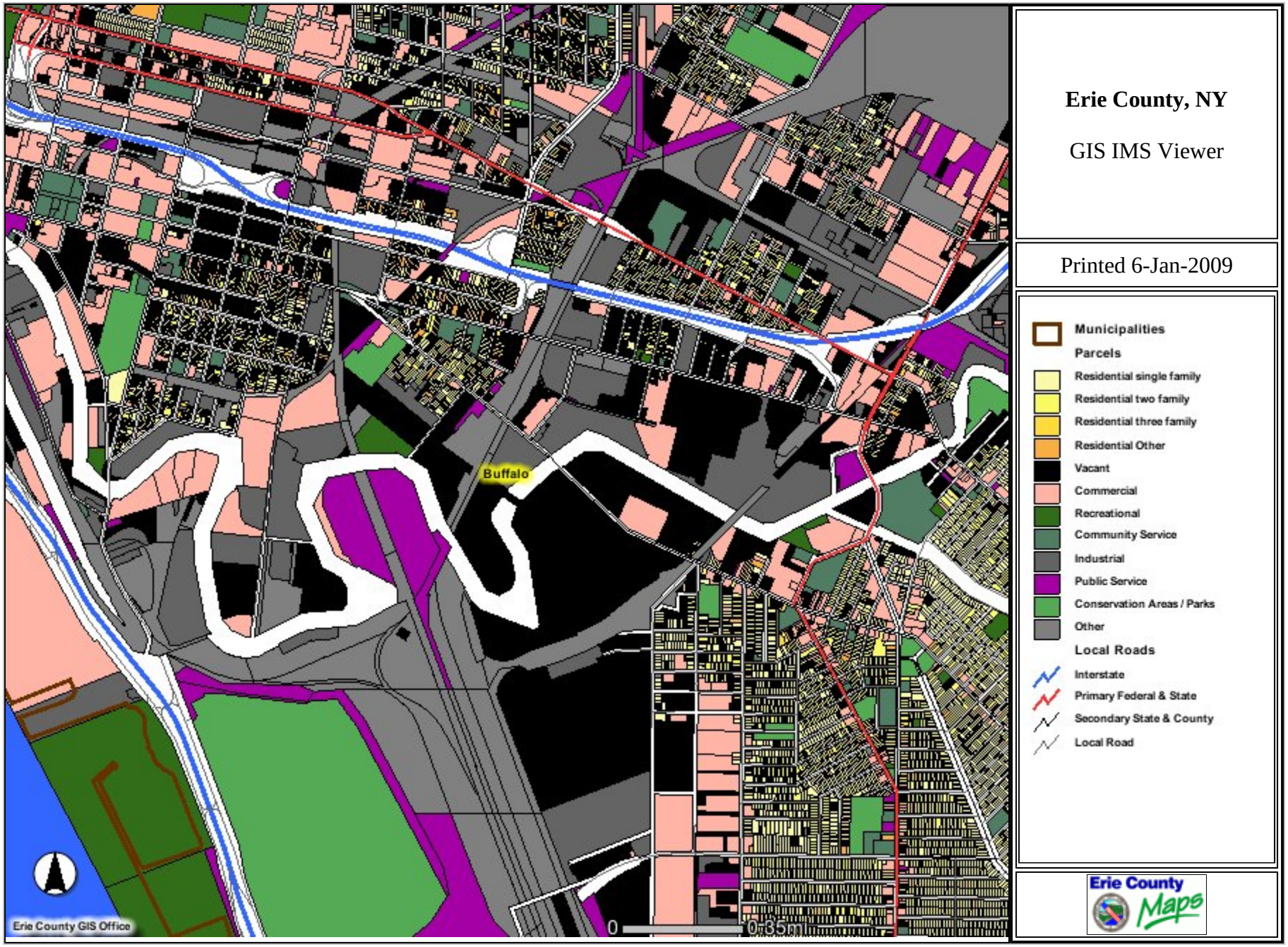
Parcels

- Residential single family
- Residential two family
- Residential three family
- Residential Other
- Vacant
- Commercial
- Recreational
- Community Service
- Industrial
- Public Service
- Conservation Areas / Parks
- Other

Road Names

Local Roads

- Interstate
- Primary Federal & State
- Secondary State & County
- Local Road


Buffalo
Erie County GIS Office
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Erie County, NY
GIS IMS Viewer
Printed 6-Jan-2009
Municipalities
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Residential two family
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Commercial
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Industrial
Public Service
Conservation Areas / Parks
Other
Local Roads
Interstate
Primary Federal & State
Secondary State & County
Local Road
Erie County
Maps

ATTACHMENT I

PREVIOUS REMEDIAL INVESTIGATION REPORT

ATTACHMENT I

PREVIOUS REMEDIAL INVESTIGATION REPORT

Attached are electronic copies of the complete Remedial Investigation Report, Buffalo Color Corporation Area ABCE Site prepared by MACTEC Engineering and Consulting dated September 2007. A hard copy of the full Remedial Investigation Report, including appendices, was previously submitted to the Regional office of the New York State Department of Environmental Conservation under separate cover.