

New York State Department of Environmental Conservation

Division of Environmental Remediation

Office of the Director, 12th Floor

625 Broadway, Albany, New York 12233-7011

Phone: (518) 402-9706 • Fax: (518) 402-9020

Website: www.dec.ny.gov



Joe Martens
Commissioner

SENT VIA EMAIL ONLY

October 31, 2013

Strickler Development Group, LLC
Highland Park Village, LLC
Attn: John Ciminelli
2421 Main Street
Buffalo, New York 14214
jciminelli@lpciminelli.com



Re: 129 Holden Street Site
Site No.: C915261
BCA Index No.: C915261-01-12
Request to Amend BCA for Applicant Name Change
Amendment No. 1

Dear Mr. Ciminelli:

This letter is forwarded to your attention in response to the amendment application request submitted on August 26, 2013 to amend the above referenced Brownfield Cleanup Agreement ("BCA" or "Agreement") signed on February 9, 2012. The application requests a modification of the name of the Applicant from "Strickler Development Group, LLC" to "Highland Park Village, LLC" to conform to that corporation's recent name change. You have represented to the Department of Environmental Conservation (DEC) that the name of the corporation has changed while the ownership of the membership interests, the officers and directors have not changed.

The application to amend the BCA is hereby approved. This Amendment is made in accordance with and subject to all of the requirements 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.

Please have the authorized representative(s) counter-sign this letter to acknowledge acceptance of the Amendment. The Amendment will be granted upon DEC's receipt of the signed original document. Please send one original copy, with signatures, back to my attention at the following address:

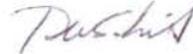
New York State Department of Environmental Conservation
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625 Broadway, 12th Floor
Albany, New York 12233-7011

Please keep a copy of the countersigned letter as proof of the Agreement Amendment.

Nothing contained herein constitutes a waiver by DEC 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.

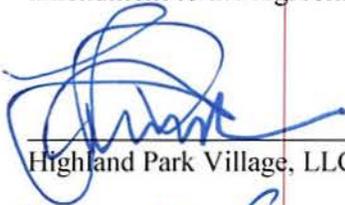
Please contact me if you have any questions in this regard. Thank you for your assistance in this matter.

Sincerely,



Robert W. Schick, P.E.
Director
Division of Environmental Remediation

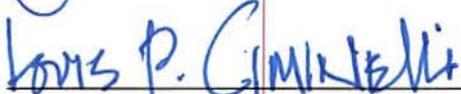
The following Applicant, in signing this letter, does hereby acknowledge and accept the amendment to the Agreement as set forth above:



Highland Park Village, LLC - formerly Strickler Development Group, LLC

10.31.13

Date


By: Name (Please Print)

Attachment

ec: Michael Ryan, DEC
Michael Cruden, DEC
Martin Doster, DEC
Jaspal Walia, DEC
Kelly Lewandowski, DEC
Benjamin Conlon, DEC
Andrew Guglielmi, DEC
Patrick Foster, DEC
Craig A. Slater – The Slater Law Firm, PLLC (cslater@cslaterlaw.com)