

BROWNFIELD CLEANUP PROGRAM APPLICATION

**145 Chandler Street, LLC
125 Chandler Street Site
125 Chandler Street
Buffalo, New York 14207
BCP # C915358**

January 20, 2020 rev March 4, 2020

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

On Behalf Of:
145 Chandler Street, LLC
391 Washington Street, Buffalo, New York 14203
WGS Project No: 18-105

Prepared By:
Wittman GeoSciences
3636 N. Buffalo Road
Orchard Park, NY 14127
(716) 574-1513





BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐ Yes

☒ No

If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 10*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME 145 Chandler Street, LLC

ADDRESS 391 Washington Street

CITY/TOWN Buffalo

ZIP CODE 14203

PHONE 716-861-5385

FAX 716-768-1829

E-MAIL rtermini@wnylofts.com

Is the requestor authorized to conduct business in New York State (NYS)?

☒ Yes ☐ No

- 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 Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. **Please see Section I Attachments**

Do all individuals that will be certifying documents meet the requirements detailed below? ☒ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section II. Project Description

1. What stage is the project starting at?

☒ Investigation

☐ Remediation

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☐ No

3. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Please see Section II Attachments

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit the information requested in this section in electronic format only***):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			
Chlorinated Solvents			
Other VOCs			
SVOCs	PAHs	PAHs	
Metals	Copper, Manganese		
Pesticides			
PCBs			
Other*			

*Please describe: _____

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

Please see Section III Attachments

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

☒ Yes ☐ No

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> Coal Gas Manufacturing | <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input type="checkbox"/> Dry Cleaner |
| <input type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant | <input type="checkbox"/> Pipeline | <input type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: _____

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME 125 Chandler Street Site				
ADDRESS/LOCATION 125 Chandler Street				
CITY/TOWN Buffalo		ZIP CODE 14207		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Buffalo				
COUNTY Erie		SITE SIZE (ACRES) 1.22 acres		
LATITUDE (degrees/minutes/seconds) 42 ° 56 ' 34.944 " N		LONGITUDE (degrees/minutes/seconds) 78 ° 53 ' 13.416 " W		
Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS. Please see Section IV Attachments				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
125 Chandler Street	77.84	1	1.21	0.75
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <div style="text-align: right; margin-top: 5px;">If yes, identify census tract : 55, Erie County, New York</div> <div style="margin-top: 5px;"> Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 100% </div>				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation. Please see Section IV Attachments				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map.				

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
If yes, identify here and attach appropriate information. ☐ Yes ☒ No

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ Yes ☐ No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☐ Yes ☐ No

If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☐ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Rocco Termini			
ADDRESS 391 Washington Street			
CITY/TOWN Buffalo		ZIP CODE 14203	
PHONE 716,861-5385	FAX 716-768-1829	E-MAIL rtermini@wnylofts.com	
NAME OF REQUESTOR'S CONSULTANT Michele Wittman - Wittman GeoSciences, PLLC			
ADDRESS 3636 N. Buffalo Road			
CITY/TOWN Orchard Park		ZIP CODE 14127	
PHONE 716-574-1513	FAX	E-MAIL michelewittmangeo@gmail.com	
NAME OF REQUESTOR'S ATTORNEY Marc A. Romanowski - Rupp, Baase, Pfalzgraf, Cummingham LLC			
ADDRESS 1600 Liberty Building, 424 Main Street			
CITY/TOWN Buffalo		ZIP CODE 14202	
PHONE 716-854-3400 x295	FAX 716-332-0336	E-MAIL romanowski@ruppbaase.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME same as requestor		OWNERSHIP START DATE: 05/2019	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE". Please see Section VI Attachments			
IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.			
Section VII. 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing 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, DEC 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 DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ 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 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, 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.

Please see Section VII Attachments

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous 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 VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☒ No
If yes, please provide: Site # _____ Class # _____
3. Is / was 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. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No
5. 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 # _____
6. 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 IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning 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). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site. Please see Section IX Attachments

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? D-C (Flex Commercial)

What uses are allowed by the current zoning? (Check boxes, below)

☐ Residential ☒ Commercial ☐ Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☐ Commercial ☐ Industrial ☒ Vacant ☐ Recreational (check all that apply)

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: ☐ Residential ☒ Commercial ☐ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing? **Please see Section X Attachments** ☐ Yes ☒ No

4. Do current historical and/or recent development patterns support the proposed use?

☒ Yes ☐ No

The Chandler corridor has undergone extensive redevelopment in the past 3 years.

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

Existing building will be redeveloped for future commercial usage. Remaining areas will be parking lot, to support businesses associated with recent developments at 155 Chandler and 166 Chandler properties.

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

Existing building will be redeveloped for future commercial usage. Remaining areas will be parking lot, to support businesses associated with recent developments at 155 Chandler and 166 Chandler properties.

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, 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 a requestor other than an individual)

I hereby affirm that I am Sole Member (title) of 145 Chandler Street, LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, 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: 03/05/2020 Signature: 

Print Name: Rocco Termini

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper 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 DEC USE ONLY
BCP SITE T&A CODE: _____

LEAD OFFICE: _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 10

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
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Underutilized? <input type="checkbox"/> Yes <input type="checkbox"/> No
From ECL 27-1405(31):	
<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>	
<p>From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p>	
<p>375-3.2:</p> <p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>	

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

- ☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;
- ☐ Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a “pending” status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);
- ☐ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(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.

(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.

(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.

(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.

BCP Application Summary (for DEC use only)

Site Name: 125 Chandler Street Site
City: Buffalo

Site Address: 125 Chandler Street
County: Erie **Zip:** 14207

Tax Block & Lot

Section (if applicable): 77.84 **Block:** 1 **Lot:** 1.21

Requestor Name: 145 Chandler Street, LLC
City: Buffalo

Requestor Address: 391 Washington Street
Zip: 14203 **Email:** rtermini@wnylofts.com

Requestor's Representative (for billing purposes)

Name: Rocco Termini
City: Buffalo

Address: 391 Washington Street
Zip: 14203

Email: rtermini@wnylofts.com

Requestor's Attorney

Name: Marc A. Romanowski - Rupp, Baase, Pfalzgraf, Cunningham LLC
City: Buffalo

Address: 1600 Liberty Building, 424 Main Street
Zip: 14202

Email: romanowski@ruppbaase.com

Requestor's Consultant

Name: Michele Wittman - Wittman GeoSciences, PLLC
City: Orchard Park

Address: 3636 N. Buffalo Road
Zip: 14127

Email: michelewittmangeo@gmail.com

Percentage claimed within an En-Zone: ☐ 0% ☐ <50% ☐ 50-99% ☒ 100%

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☒ Volunteer ☐ Participant

DER/OGC Determination: ☐ Agree ☐ Disagree
Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☐ Yes ☐ No

Does Requestor Claim Property is Upside Down: ☐ Yes ☐ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☐ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☐ Planned, No Contract

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Section I

Requestor Information

145 Chandler Street, LLC – Business Entity Information

145 Chandler Street, LLC is owned by Rocco Termini as sole owner/managing member, with business address at 391 Washington Street, Buffalo, New York 14203.

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through January 13, 2020.

Selected Entity Name: 145 CHANDLER STREET, LLC

Selected Entity Status Information

Current Entity Name: 145 CHANDLER STREET, LLC

DOS ID #: 5236241

Initial DOS Filing Date: NOVEMBER 16, 2017

County: ERIE

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

ROCCO TERMINI
391 WASHINGTON STREET
SUITE 800
BUFFALO, NEW YORK, 14203

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
NOV 16, 2017	Actual	145 CHANDLER STREET, LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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Section II

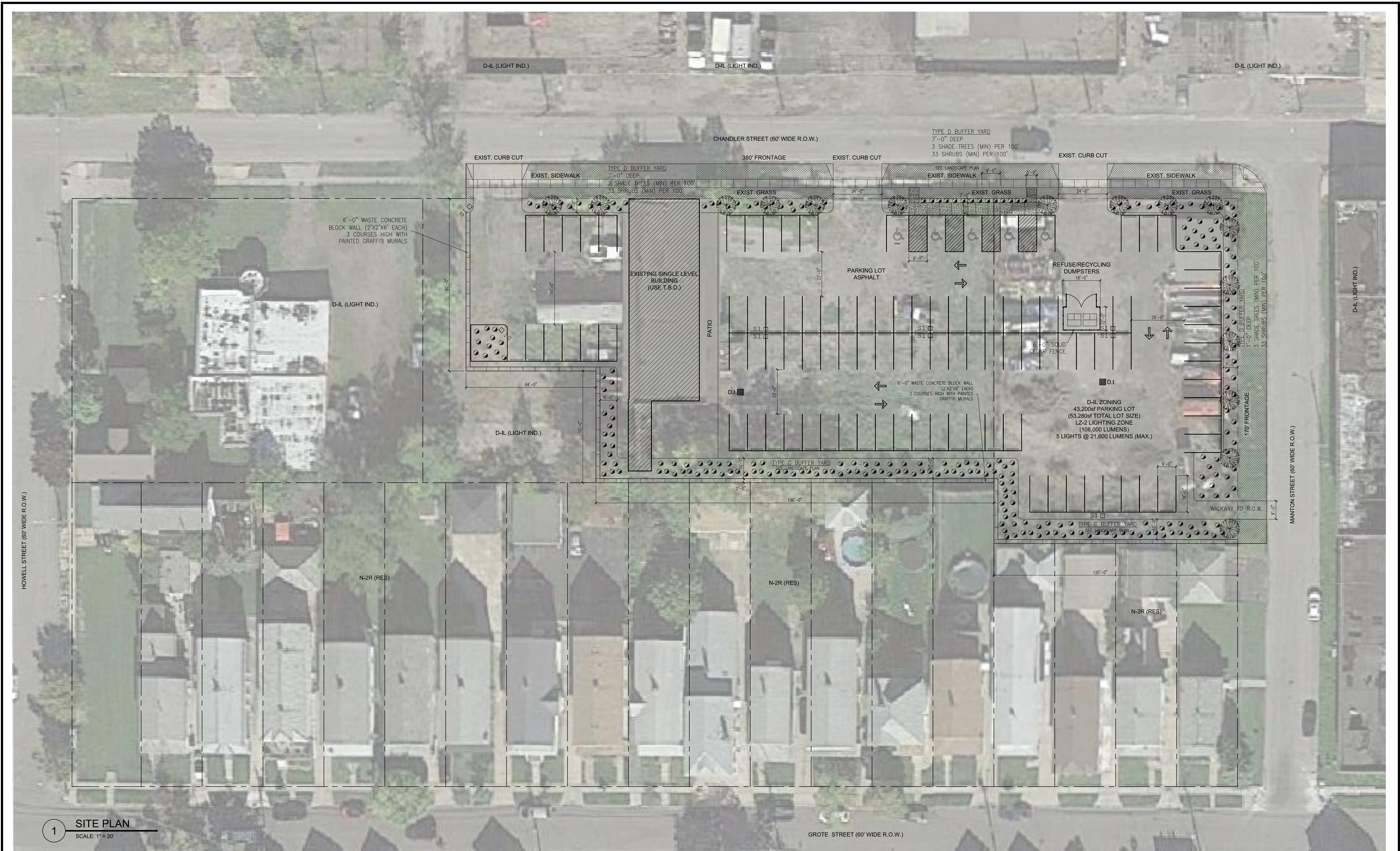
Project Description

Project Description

The site is currently underutilized, underdeveloped property located in the City of Buffalo. The building at 125 Chandler is currently vacant and recently gutted, leaving the steel frame, concrete pad and roof in place. The remaining portions of the site are vacant, undeveloped land with gravel and/or broken asphalt surface.

The site building at 125 Chandler Street will be redeveloped for commercial usage. The remaining areas of the site will be utilized as a parking lot, associated with business within 155 Chandler and 166 Chandler properties.

Remedial investigation expected to start in spring 2020 with remedial activities in spring/summer 2020. Development will occur simultaneously with remedial requirements. The Certificate of Completion is anticipated by December 2020.



1 SITE PLAN
SCALE: 1" = 20'

			CONSULTANT  BMS Design Studio DESIGN • ARCHITECTURE • PLANNING	ENGINEER  SCHENNE & ASSOCIATES CONSULTING ENGINEERS 967 Luther Road East Aurora, NY 14052 (716) 655-4991 john@schenne.com	OWNER SIGNATURE DEVELOPMENT 391 Washington Street Suite 800 Buffalo, NY 14203 (716) 861-5385 rtermini@wnylofts.com	PROJECT 125-145 CHANDLER ST. Buffalo, NY 14207 C0101	KEY 	JOB NO : 17-11 PROPOSED SITE PLAN	
NO.	DATE	DESCRIPTION						SCALE: AS NOTED	DATE: 1/6/2020

Section III

Property's Environmental History

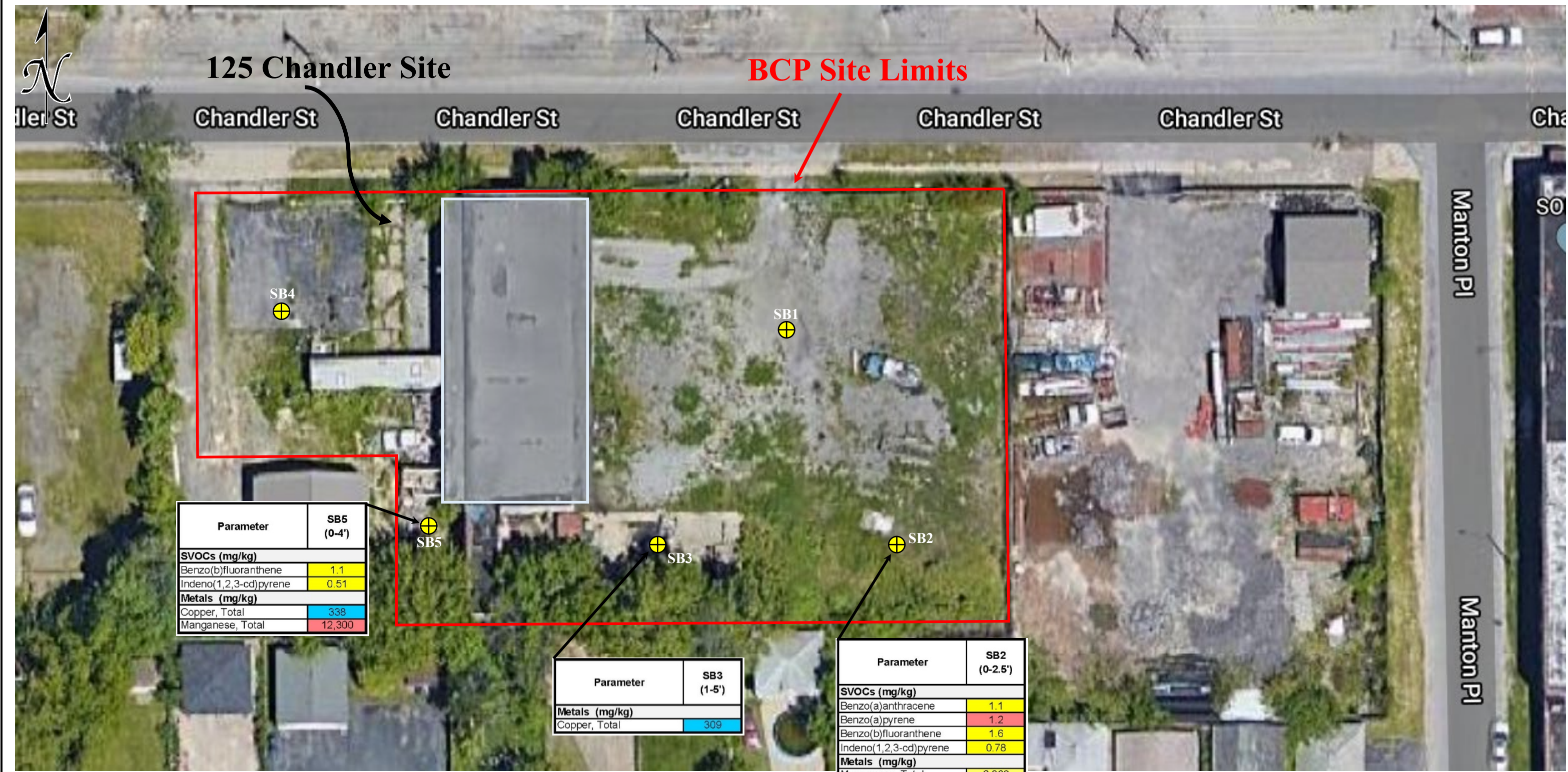
Figure III-A – Sol Boring Sampling Locations

Figure III-B – Soil Sample Results

Table III-A – Soil Analytical Testing Results

Soil Boring Logs (separate electronic file)

Analytical Testing Results (separate electronic file)



Parameter	SB5 (0-4')
SVOCs (mg/kg)	
Benzo(b)fluoranthene	1.1
Indeno(1,2,3-cd)pyrene	0.51
Metals (mg/kg)	
Copper, Total	338
Manganese, Total	12,300

Parameter	SB3 (1-5')
Metals (mg/kg)	
Copper, Total	309

Parameter	SB2 (0-2.5')
SVOCs (mg/kg)	
Benzo(a)anthracene	1.1
Benzo(a)pyrene	1.2
Benzo(b)fluoranthene	1.6
Indeno(1,2,3-cd)pyrene	0.78
Metals (mg/kg)	
Manganese, Total	2,360

- KEY**
- = Soil Boring Locations done June 2017
 - = Building gutted – frame/roof remains

- Notes:**
- Proposed Cleanup Standards = Restricted Residential
 - = exceeds Restricted Residential SCO
 - = exceeds Commercial SCO
 - = exceeds Industrial SCO

Soil samples collect June 2017

WITTMAN GEOSCIENCES, PLLC	Soil Boring Sampling Locations	DRAWN BY: MMW	SCALE: NTS	PROJECT: 19209
	125 Chandler, Buffalo, NY	CHECKED BY: MMW	DATE: 03/2020	FIGURE NO: III-A

Table 1
Soil Analytical Testing Results Summary
125 Chandler Street, Buffalo, New York
July 2017

Parameter	SB1 (0-2.5')	SB2 (0-2.5')	SB3 (1-5')	SB5 (0-4')	Unrestricted Use	Restricted Residential Use	Commercial Use	Industrial Use
Volatile Organic Compounds EPA Method 8260C TCL + STARS (mg/Kg)								
1,2,4-Trimethylbenzene	NT	NT	0.00022 J	0.0011 J	3.6	52	190	380
1,3,5-Trimethylbenzene	NT	NT	ND	0.00052 J	8.4	52	190	380
2-Butanone	NT	NT	0.013	ND	0.12	100	500	1000
Acetone	NT	NT	0.064	0.0031 J	0.05	100	500	1000
Bromomethane	NT	NT	ND	ND	NV	NV	NV	NV
Chloromethane	NT	NT	ND	ND	NV	NV	NV	NV
Ethylbenzene	NT	NT	0.00030 J	0.0012	1	41	390	780
Methyl cyclohexane	NT	NT	ND	0.00041 J	NV	NV	NV	NV
n-Butylbenzene	NT	NT	ND	0.00037 J	12	100	500	1000
n-Propylbenzene	NT	NT	ND	0.00073 J	3.9	100	500	1000
Naphthalene	NT	NT	0.00047 J	0.0016 J	12	100	500	1000
o-Xylene	NT	NT	ND	ND	0.26	100	500	1000
p/m-Xylene	NT	NT	ND	0.00078 J	0.26	100	500	1000
Toluene	NT	NT	ND	0.00025 J	0.7	100	500	1000
Semi Volatile Organic Compounds EPA Method 8270D TCL (mg/kg)								
2-Methylnaphthalene	0.110 J	0.32	0.110 J	0.120 J	NV	NV	NV	NV
3-Methylphenol/4-Methylphenol	ND	ND	ND	ND	0.33	100	500	1000
Acenaphthene	0.065 J	0.090 J	0.083 J	0.060 J	20	100	500	1000
Acenaphthylene	ND	0.034 J	0.067 J	0.042 J	100	100	500	1000
Anthracene	0.160 J	0.38	0.31	0.17	100	100	500	1000
Benzo(a)anthracene	0.56	1.1	0.62	0.81	1	1	5.6	11
Benzo(a)pyrene	0.43	1.2	0.53	0.82	1	1	1	1.1
Benzo(b)fluoranthene	0.61	1.6	0.72	1.1	1	1	5.6	11
Benzo(ghi)perylene	0.280 J	0.66	0.32	0.49	100	100	500	1000
Benzo(k)fluoranthene	0.190 J	0.55	0.22	0.32	0.8	3.9	56	110
Biphenyl	ND	0.050 J	ND	ND	NV	NV	NV	NV
Butyl benzyl phthalate	0.110 J	ND	ND	ND	NV	NV	NV	NV
Carbazole	0.083 J	0.140 J	0.140 J	0.110 J	NV	NV	NV	NV
Chrysene	0.56	1.1	0.59	0.82	1	3.9	56	110
Dibenzo(a,h)anthracene	0.071 J	0.19	0.091 J	0.17	0.33	0.33	0.56	1.1
Dibenzofuran	0.056 J	0.130 J	0.110 J	0.057 J	7	59	350	1000
Diethyl phthalate	ND	ND	ND	ND	NV	NV	NV	NV
Fluoranthene	0.98	1.9	1.5	1.4	100	100	500	1000
Fluorene	0.080 J	0.140 J	0.150 J	0.079 J	30	100	500	1000
Indeno(1,2,3-cd)pyrene	0.3	0.78	0.36	0.51	0.5	0.5	5.6	11
Naphthalene	0.110 J	0.28	0.140 J	0.100 J	12	100	500	1000
Phenanthrene	0.780	1.4	1.2	0.83	100	100	500	1000
Pyrene	0.960	1.5	1.2	1.2	100	100	500	1000
Metals EPA Method 6010 TAL (mg/kg)								
Aluminum, Total	NT	12,400	8,650	27,200	NV	NV	NV	NV
Antimony, Total	NT	ND	ND	ND	NV	NV	NV	NV
Arsenic, Total	NT	13.0	13.4	10.4	13	16	16	16
Barium, Total	NT	229	102	293	350	400	400	10,000
Beryllium, Total	NT	1.08	0.762	1.74	7.2	72	590	2,700
Cadmium, Total	NT	1.11	1.00	0.865 J	2.5	4.3	9.3	60
Calcium, Total	NT	74,400	48,200	89,200	NV	NV	NV	NV
Chromium, Total	NT	41.4	28.0	147	30	180	1,500	6,800
Cobalt, Total	NT	4.95	4.29	4.69	NV	NV	NV	NV
Copper, Total	NT	109	309	338	50	270	270	10,000
Iron, Total	NT	21,100	52,600	24,800	NV	NV	NV	NV
Lead, Total	NT	133	147	144	63	400	1,000	3,900
Magnesium, Total	NT	8,530	7,550	3,490	NV	NV	NV	NV
Manganese, Total	NT	2,360	1,070	12,300	1,600	2,000	10,000	10,000
Mercury, Total	NT	0.16	0.03 J	0.10	0.18	0.81	2.8	5.7
Nickel, Total	NT	12.0	23.2	9.32	30	310	310	10,000
Potassium, Total	NT	1,200	1,010	3,430	NV	NV	NV	NV
Selenium, Total	NT	2.47	ND	10.8	3.9	180	1,500	6,800
Silver, Total	NT	ND	ND	1.93	2	180	1,500	6,800
Sodium, Total	NT	527	222	1,790	NV	NV	NV	NV
Thallium, Total	NT	3.59	1.70 J	18.4	NV	NV	NV	NV
Vanadium, Total	NT	20.2	14.7	38.4	NV	NV	NV	NV
Zinc, Total	NT	249	176	232	109	10,000	10,000	10,000
Total PCBs USEPA Method 8082 TCL (ug/Kg)								
Aroclor 1254	NT	ND	ND	NT	0.1	1	1	25
Aroclor 1260	NT	0.0296 J	0.0106 J	NT	0.1	1	1	25
Total PCBs	NT	0.0296 J	0.0106 J	NT	0.1	1	1	25

Notes:

- Analytical testing performed by Alpha Analytical. Compounds detected in one or more samples are presented in this table. Refer to Attachment C for the full analytical report.
- ug/Kg = parts per billion.
- ND = not detected; NV= no value.
- Analytical results compared to NYSDEC Part 375-6; Remedial Program Soil Cleanup Objectives, Table 375-(a) Unrestricted Use Soil Cleanup Objective; and Table 375-6.8(b): Restricted Use Soil Cleanup Objectives.
- Shading indicates:
 - exceeds UUSCO
 - exceeds RRUSCO
 - exceeds CUSCO
 - exceeds IUSCO

Section IV

Property Information

Figure IV-A – Site Location – USGS Map

Figure IV-B – Tax Map

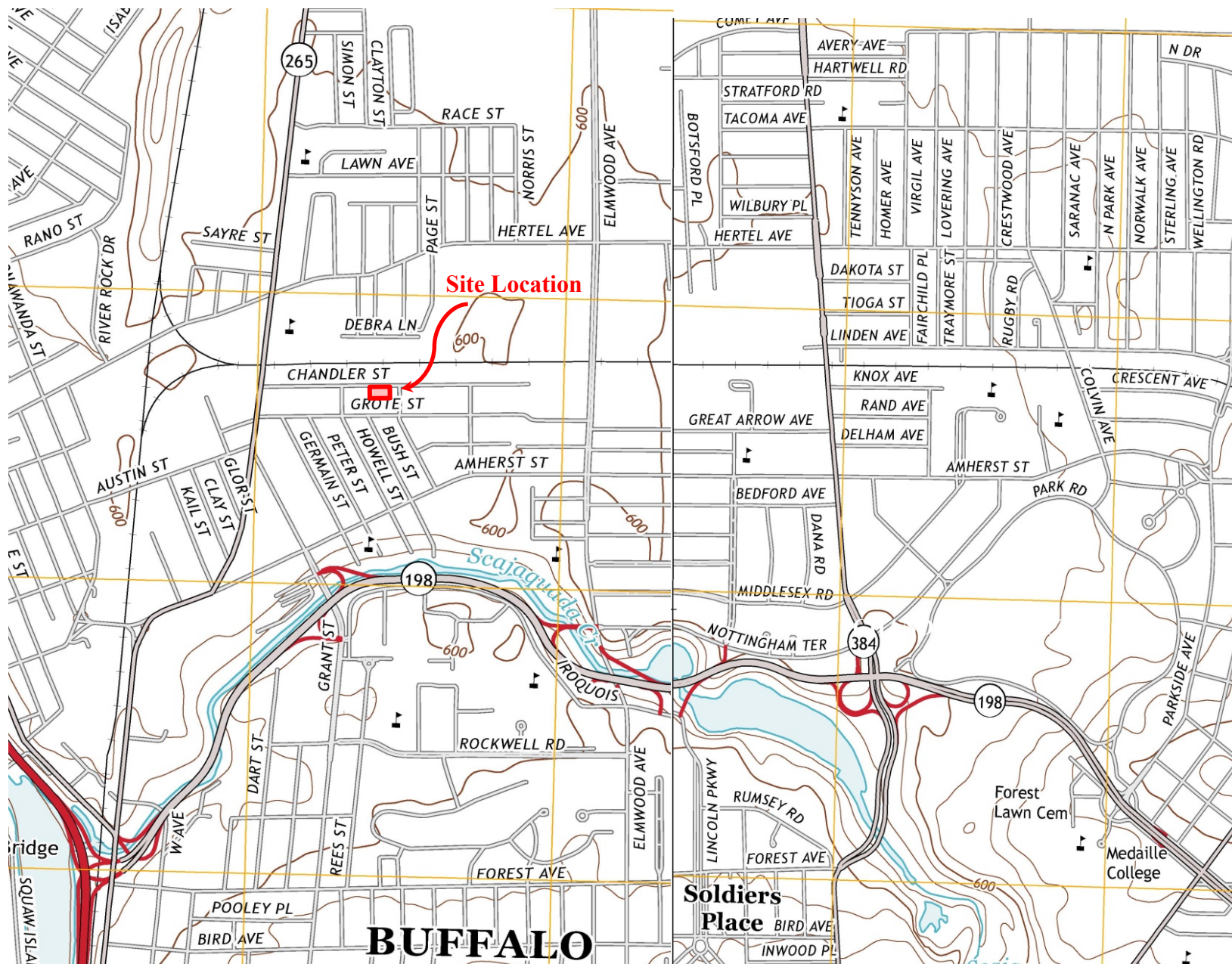
Figure IV-C – Site survey – 125 Chandler

Figure IV-D – Site Base Map

Figure IV-E – En-Zone Designation

Figure IV-F – Brownfield Opportunity Area

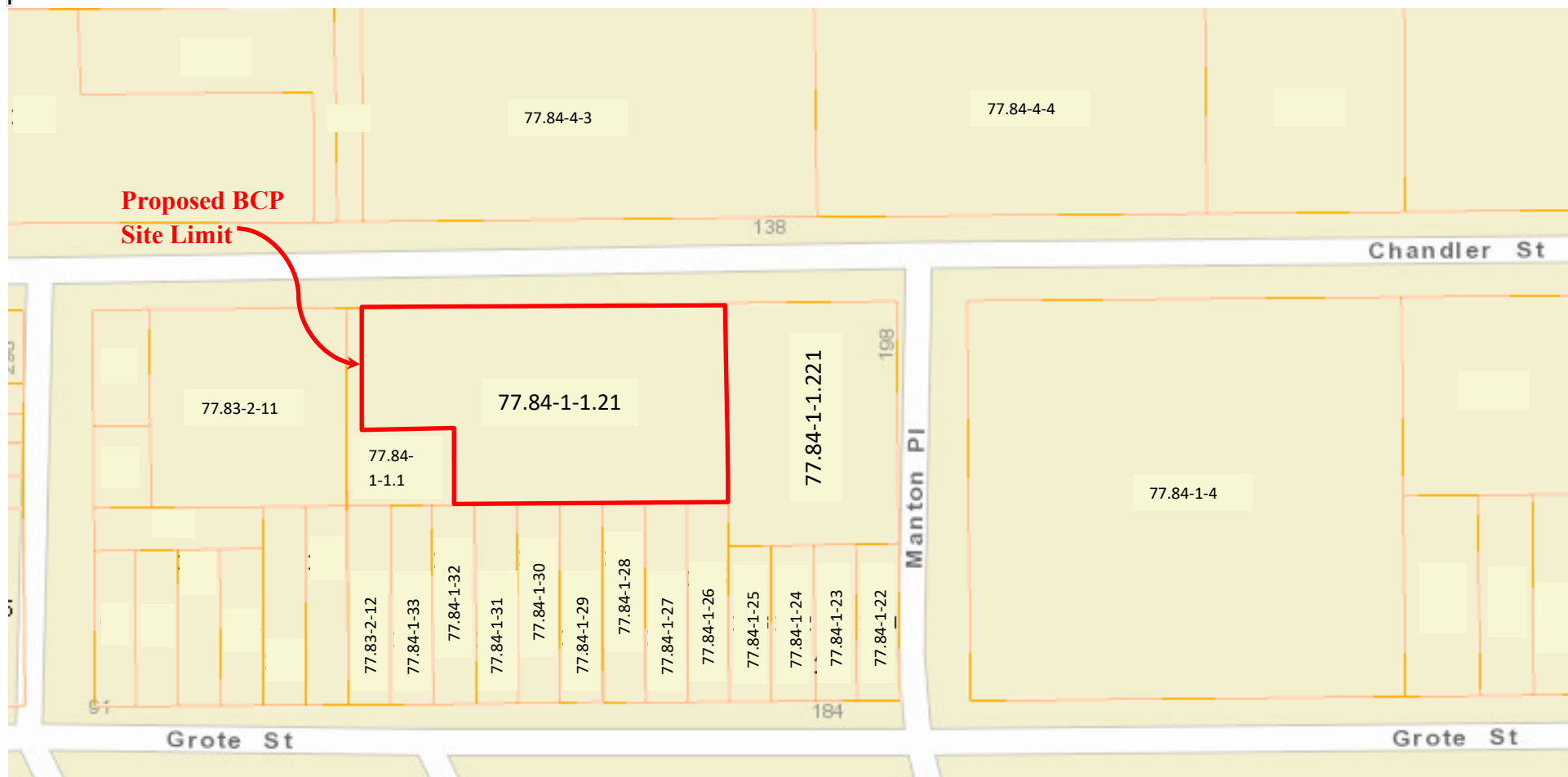
Property Description Narrative



THIS DRAWING IS FOR ILLUSTRATIVE AND INFORMATIONAL PURPOSES ONLY
AND WAS ADAPTED FROM USGS, BUFFALO NE & NW, NEW YORK 2013 QUADRANGLE.



WITTMAN GEOSCIENCES, PLLC	Date: 03/2020	Site Location 125 Chandler Street, Buffalo, NY	Project: 19209 Figure: IV-A
	Scale: not to scale		



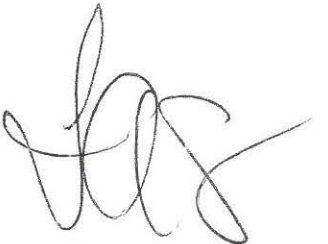
Notes:

- 1 – Base map adapted from Erie County Department of Environment and Planning Office of GIS.
- 2 – Boundaries of site correspond with tax boundaries for SBL #77.84-1-1.21 at 125 Chandler Street.



WITTMAN GEOSCIENCES, PLLC	Date: 03/2020	Tax Map 125 Chandler Street, Buffalo, NY	Project: 19209 Figure: IV-B
	Scale: not to scale		

SUCCESSOR TO THE RECORDS OF
WILLIAM C. BUCKLAND L.S.
NORMAN B. JOHNSON L.S.
WILSON M. HUNTER L.S.



UNDETECTABLE MODIFICATIONS, DELETIONS, ADDITIONS AND CHANGES.

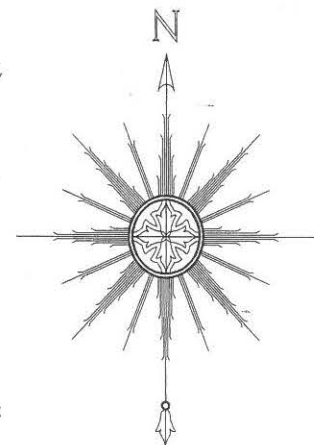
6. THE LOCATION OF THE UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.

7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREFROM.

8. NO STAKES SET AS PER CONTRACT

9. THIS SURVEY NOT VALID WITH AFFIDAVIT OF NO CHANGE.

10. THIS SURVEY IS NOT VALID FOR SUBSEQUENT OWNERS, MORTGAGAGES OR TITLE INSURERS UNLESS THIS SURVEY HAS BEEN RESURVEYED BY THIS SURVEYOR.



•	EXISTING IRON PIPE
○	SET IRON PIPE
⊙	UTILITY POLE
— — — — —	BOUNDARY
— X — X —	CENTERLINE OF ROAD
	FENCE
— — — — —	DRIVE
— E — E —	OVERHEAD UTILITY LINE



DRAWN JLP	DATE 09/05/17	PART OF LOT 88 T11 R8 & PART OF LOT 253 OF THE PARISH TRACT CITY OF BUFFALO COUNTY OF ERIE STATE OF NEW YORK
APPROVED TAS	DATE 09/05/17	
SCALE 1" = 30'	SHEET	PROJECT NO. 20171001

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Figure IV-C – Site Survey, 125 Chandler, Buffalo, NY



138 Chandler
(138 Chandler, LLC)

140 Chandler
(140 Chandler Street, LLC)

BCP Site Limits

Chandler Street

125 Chandler

One-story gutted building –
metal framing and roof remain

109 Grote
(Carolyn Alessi)

145 Chandler
(145 Chandler Street LLC)

Manton Place

155 Chandler
(R&M Leasing LLC)

99 Chandler
(Black Rock Chandler LLC)

110 Grote
(John Szpara)

112 Grote
(Barbara Renz)

114 Grote
(Robert Host)

118 Grote
(Robert Host)

120 Grote
(Buffalo Edge LLC)

124 Grote
(John Ribarits)

126 Grote
(Thaddeus Wiewiorski)

130 Grote
(Antoinette Wapniewski)

134 Grote
(Ofer Dar)

136 Grote
(Brian Waligora)

138 Grote
(RJM Properties LLC)

142 Grote
(Przyblyski Stanislaw)

146 Grote
(Michael Maywalt)

150 Grote
(Frank Toczek Sr.)



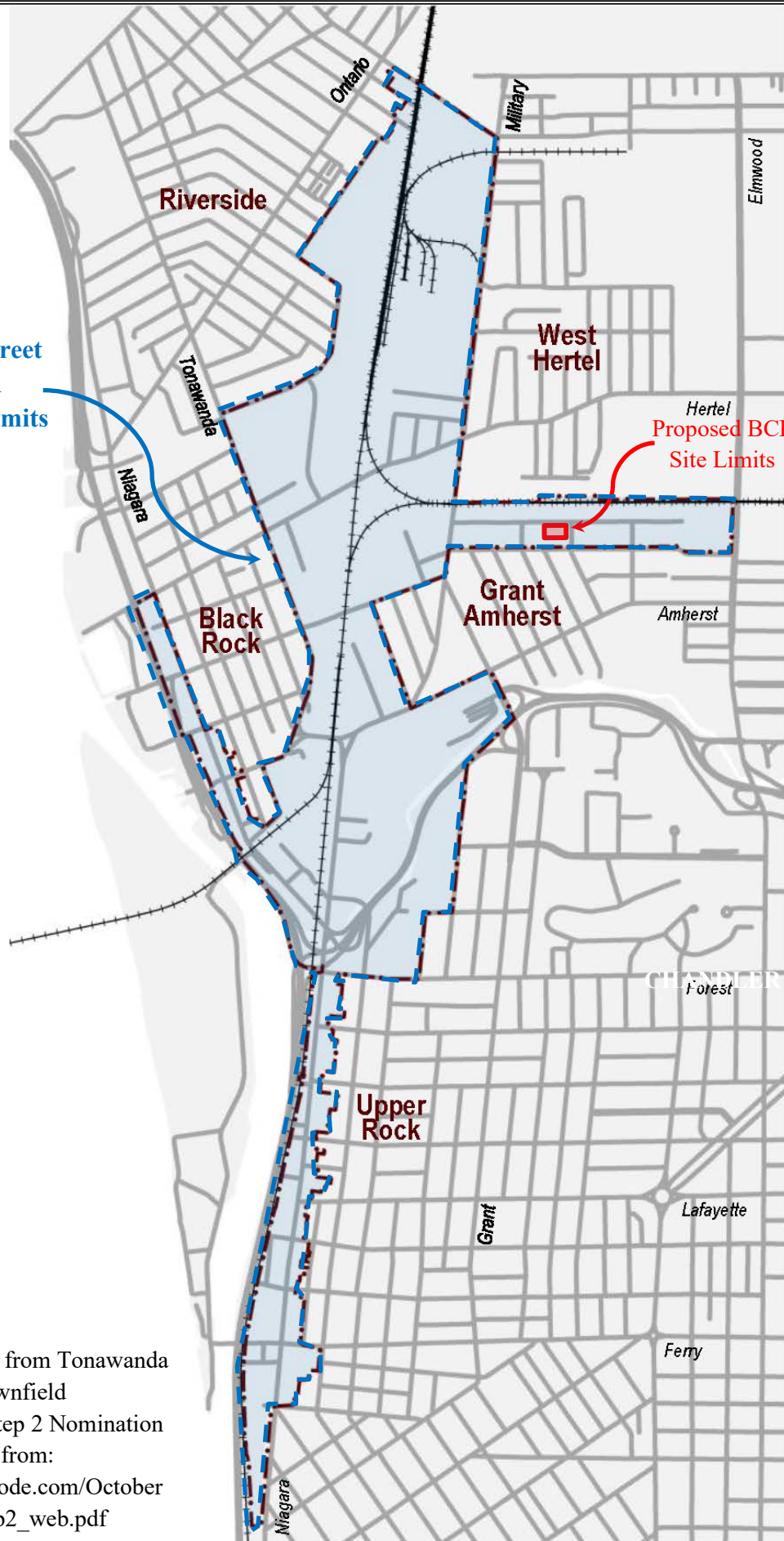


Notes:

1 – Site located in pink shaded area, indicating Type AB En-Zone



Tonawanda Street
Corridor BOA
approximate limits



BOA limits adapted from Tonawanda
Street Corridor Brownfield
Opportunity Area Step 2 Nomination
Document obtained from:
[http://buffalogreencode.com/October
2015/BOAs/tsc_step2_web.pdf](http://buffalogreencode.com/October2015/BOAs/tsc_step2_web.pdf)



WITTMAN GEOSCIENCES, PLLC	Date: 03/2020	Brownfield Opportunity Area 125 Chandler Street, Buffalo, NY	Project: 19209
	Scale: not to scale		Figure: IV-F

Historical NYSDEC Spill Information

The following spills have been identified at the Site addressed at 125 Chandler Street, Buffalo NY.

- Spill #**1305443** associated with abandoned drums identified at the parcel on August 20, 2013. The spill was closed on October 11, 2013.



Department of
Environmental
Conservation

Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 9

Spill Number: 1305443

Spill Date/Time

Spill Date: 08/20/2013 **Spill Time:** 12:00:00 PM

Call Received Date: 08/20/2013 **Call Received Time:** 12:30:00 PM

Location

Spill Name: ON PROPERTY

Address: 125 CHANDLER ST.

City: BUFFALO **County:** Erie

Spill Description

Material Spilled **Amount Spilled** **Resource Affected**

unknown material UNKNOWN Unknown

Cause: Abandoned Drums

Source: Commercial/Industrial

Waterbody:

Record Close

Date Spill Closed: 10/11/2013

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the Regional Office where the incident occurred.

[Refine This Search](#)

Property Description Narrative

Location – The site is addressed as 125 Chandler Street in the City of Buffalo, Erie County, New York and consists of one approximate 0.75 acre parcel. The site is bound to the north by Chandler Street, to the east by a vacant parcel, to the south by private residences, and to the west by vacant commercial buildings and lots. The property is located within an urban area, utilized for industrial, commercial, and residential purposes.

Site Features – The 125 Chandler parcel is improved with one approximate 3,500-square foot single-story building located on the western portion of the site. The building was gutted, leaving only steel beams, roof and concrete pad. Historic industrial fill, as well as piles of soil/debris are in portions of the parcel.

Current Zoning and Land Use – The building at 125 Chandler is vacant and inactive. The parcel is currently zoned D-C for Flex Commercial.

Past Uses of the Site – 125 Chandler Street was originally improved in the late 1940s as a freight/truck terminal. A gasoline tank was formerly associated with the 125 Chandler, with records indicating the 2,000-gallon tank was installed in 1954. However, records from City of Buffalo Office of Fire Prevention identified the tank located west of the Site building, and on the western adjoining property. This tank was reportedly removed in 2016.

125 Chandler Street was initially identified Chandler Street Playground in 1935, and remained a playground until around 1949 when the site was developed for Direct Winter Transport Ltd. The initial building was located in southern portion of the site, and current building constructed in 1955. The southern building was removed in late 1990s. The 125 Chandler building was also used by Hanson Transport, EJ Scannell Trucking, Acme Steel Co. (storage), Eagle Mold & Mfg. Co, and Mancini auto Sales. The building has been vacant since 2016.

Prior remedial measures have not been completed at the site. Hazard Evaluations Inc. completed a limited Phase II investigation in June 2017. The work included completion of 5 soil borings and collection of soil samples, which is included in Section III. Groundwater was not encountered during the 2017 investigation.

Site Geology and Hydrogeology – Based on the soil borings completed, approximately 3 to 8 feet of granular and cohesive fill material is present throughout the site. The fill material extended to depths of 8 feet below grade in the area of the former building on 125 Chandler Site. Silty clay was encountered below the fill material at the 5 soil boring locations, and extended the full depth drilled. Groundwater was not encountered during the subsurface investigation work.

Environmental Assessment – Based on the investigation completed in June 2017, the primary contaminants of concern in the soil include semi-volatile organic compounds (SVOCs) including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, and indeno(1,2,3-cd)pyrene; and metals including copper and manganese.

Soil – The contamination at the site is primarily due to fill which varies from 3 to 8 feet below ground surface. SVOCs (PAHs) and metals were encountered in the soil samples collected

from fill areas at concentrations exceeding restricted residential soil cleanup objectives (RRSCO). The concentrations of the PAHs were up to 1.1 ppm benzo(a)anthracene (RRSCO – 1 ppm); 1.2 ppm benzo(a)pyrene (RRSCO – 1 ppm); 1.6 ppm benzo(b)fluoranthene (RRSCO – 1 ppm); and 0.78 ppm indeno(1,2,3-cd)pyrene (RRSCO – 0.5 ppm). The concentration of copper was up to 338 ppm (RRSCO – 270 ppm); and manganese at 12,300 ppm (RRSCO – 2,000 ppm).

Groundwater – Groundwater was not encountered during investigation work.

Section VI

Additional Requestor Information

Requestor's Relationships

The Requestor is the current owner of the 125 Chandler Street property.

Past owners and relationship with owner:

125 Chandler

Grantee	Grantor	Date	Last known address/phone	Relationship to Requestor
145 Chandler Street LLC	125 Chandler Street LLC	5/24/2019	145 Chandler Street	Requestor
125 Chandler Street LLC	Mancini Enterprises Inc.	10/25/2017	125 Chandler Street	Requestor
Mancini Enterprises Inc.	Dominic Gagliano	11/17/2009	Unknown	None
Bakery Salvage Corp.	Mancini Enterprises Inc.	4/27/1999	Unknown	None
Mancini Enterprises Inc.	Bakery Salvage Corp	4/27/1999	Unknown	None
Bakery Salvage Corp.	V.B.M. Plastics Inc	11/10/1988	Unknown	None
V.B.M Plastics Inc.	Consolidated Freightways Corporation of Delaware	6/27/1988	Unknown	None
Consolidated Freightways Corporation of Delaware	Lubjo Markovich, by Gary L. Mucci, Refree	3/26/1985	Unknown	None
Lubjo Markovich	Freightways Terminal Company	5/13.1981	Unknown	None
Freightways Terminal Company	Canadian Freightways Limited	12/26/1967	Unknown	None
Canadian Freightways Limited	Hanson International Inc.	12/1/1967	Unknown	None
International Greeting Card, Inc.	Direct-winters Transport Ltd	6/20/1966	Unknown	None
George F. Means	George F. Means	9/6/1948	Unknown	None
Direct-Winters Transport Ltd.	Louis Fodor	7/18/1951	Unknown	None

Grantee	Grantor	Date	Last known address/phone	Relationship to Requestor
Louis Fodor	George F. Means	8/8/1947	Unknown	None
George F. Means	The City of Buffalo	8/8/1947	Unknown	None
The City of Buffalo	Minnie Dohn Heinrich	10/10/1926	Unknown	None
Minnie Dohn Heinrich	Louis A. Fischer, executor of will of Phillip Dohn	7/26/1922	Unknown	None
Louis A. Fischer, executor of will of Phillip Dohn	Harriet Dohn, wido of Philip Dohn, et al	11/11/1914	Unknown	None
Philip Dohn	Louis Fischer	3/15/1901	Unknown	None
The City of Buffalo	Ida Fischer and Hattie Fischer, et el	12/10/1926	Unknown	None
Josephine Fischer	Louis Fischer	3/15/1901	Unknown	None
Louis Fischer	Joseph Kittinger	12/13/1895	Unknown	None
Peter Glor and Frederic Gridley	Joseph Kittinger	2/21/1895	Unknown	None
The City of Buffalo	John J. Griffin	12/10/1926	Unknown	None
John J. Griffin	William Rose	4/26/1920	Unknown	None
William Rose	Charles Monner	10/24/1912	Unknown	None
Charles Monner	Joseph Kittinger	6/8/1900	Unknown	None
Charles Monner	Joseph Kittinger	6/8/1900	Unknown	None
Joseph Kittinger	George Fortier	6/3/1895	Unknown	None
Joseph Kittinger	A. Judson Wells	10/8/1890	Unknown	None
A. Judson Wells	Edward Felthousen	9/23/1890	Unknown	None
William Rose	Edward M. Mills	9/21/1912	Unknown	None
Edward M. Mills	George Welch, Referee	6/29/1899	Unknown	None
William Douglas	Edward Mills, Referee	1/10/1898	Unknown	None
Elmer O. Leland	Mary Eaton and Elmina Hedges	6/18/1890	Unknown	None
Mary Eaton and Elmina Hedges	A. Judson Wells	4/15/1980	Unknown	None
A Judson Wells	Edward Felhousen	5/4/1890	Unknown	None
Edward Felthousen	Emory Close	5/25/1889	Unknown	None
Edward Felthousen	Maurice Kingsley	6/14/1887	Unknown	None
Edward Felthousen and Emory Close	Caroline Coit	6/14/1887	Unknown	None
Caroline Coit	Benjamin Hamilton	4/13/1885	Unknown	None
Benjamin Hamilton	Maria Flersheim	4/13/1985	Unknown	None

Grantee	Grantor	Date	Last known address/phone	Relationship to Requestor
Maria Flersheim	Patrick Cummings	3/14/1871	Unknown	None
Maria Flersheim	Patrick Cummings	9/29/1865	Unknown	None
Patrick Cummings	Lemeul Flersheim	5/3/1861	Unknown	None
Lemuel Flersheim	Harry Thompson	9/11/1860	Unknown	None
Alexander Murray and Lemuel Flersheim	Charles Gillis	3/14/1853	Unknown	None
Robert McPherson	Charles Gillis	9/5/1851	Unknown	None
Charles Gillis	Robert McPherson	10/14/1851	Unknown	None
Peter Hoffman	Richard Arms	12/16/1847	Unknown	None
Richard Arms	Robert McPherson	10/8/1838	Unknown	None
Robert McPherson	Oliver Curtis Thompson	9/18/1836	Unknown	None
Oliver Curtis Thompson	Olivia Field	5/10/1822	Unknown	None
Olivia Field	Wilhem Willink	3/1/1819	Unknown	None
George Parkhurst	Maurice Kingsley	5/16/1885	Unknown	None
Maurice Kingsley	John Quincy Adams	4/3/1884	Unknown	None
John Quincy Adams	James Demarest	10/21/1882	Unknown	None
James Demarest	Joseph Haberstro	1/11/1878	Unknown	None
Henry Chandler	Augustus Grote	6/4/1877	Unknown	None
Pascal Pratt	Henry Chandler and Augusta Grote	7/7/1873	Unknown	None
Henry Chandler and Augustus Grote	Pascal Pratt	7/29/1873	Unknown	None
Pascal Pratt	Truman White	6/21/1872	Unknown	None
Truman White	Christopher Liable	6/20/1872	Unknown	None
Christopher Liable	Archibald Curry	12/16/1869	Unknown	None
Archibald Curry and Christopher Liable	Charles Norton, executor for Peter Porter	12/8/1866	Unknown	None
Peter Porter	Elizabeth Porter	2/23/1853	Unknown	None
Peter Porter and Elizabeth Porter	John Ward	1/5/1849	Unknown	None
Peter Porter	William Taylor	1/13/1840	Unknown	None
Junius Hatch	Augustus Porter	6/2/1826	Unknown	None
James German, et al	Sheldon Thompson	3/7/1826	Unknown	None
Sheldon Thompson	August Porter	12/9/1826	Unknown	None
August Porter	Peter Porter	12/8/1824	Unknown	None
Peter Porter	Augustus Porter	6/26/1828	Unknown	None

Grantee	Grantor	Date	Last known address/phone	Relationship to Requestor
Peter Porter and Augustus Porter	Jasper Parish	1/20/1819	Unknown	None

125 Chandler Operators

In addition to the various record owners of the parcels identified in the abstract of title, the Site has been occupied by a wide range of entities for a variety of uses for nearly a century. The following historical information is to the best of the Volunteer's information and belief.

Based on city directory review, Building Department records, City of Buffalo Office of Fire Prevention records and sanborn maps, the 125 Chandler Street site building was initially identified Chandler Street Playground in 1935, and remained a playground until around 1949 when the site was developed for Direct Winter Transport Ltd. The initial building was located in southern portion of the site, and current building constructed in 1955. The southern building was removed in late 1990s. The 125 Chandler building was also used by Hanson Transport, EJ Scannell Trucking, Acme Steel Co. (storage), Eagle Mold & Mfg. Co, and Mancini auto Sales. The building has been vacant since 2016.

The Requestor, as a Volunteer, is not aware of last known address for the previous operators. Additionally, the Requestor has no relationship with any of the past building operators. Below is a summary of know past operators.

125 Chandler

Year	Last Known Address	Operator
2016, 2017, 2018, 2019		- Vacant – no occupant
2004, 2005, 2010-2015	125 Chandler Street	- Mancini Auto Sales
1990, 1993, 1996-2003	125 Chandler Street	- Vacant – no occupant
1982, 1985, 1986, 1987, 1989	125 Chandler Street	- Eagle Mold & Mfg. Co. - Adler computer system Computer (hdw sls)
1976, 1980	125 Chandler Street	- Acme Steel Co. (storage only) - Mason & Dixon Lines, Inc.
1972, 1975	125 Chandler	- Acme Steel Co. (storage only)
1970, 1971	125 Chandler Street	- EJ Scannell Inc. (trucking)
1966, 1967	125 Chandler Street	- Hanson Transport co. LTD (trucking)
1949, 1950, 1953, 1955, 1960, 1963	125 Chandler Street	- Direct Winter Transport, LTD
1935, 1940, 1941, 1942, 1946, 1948	125 Chandler	- Chandler Street Playground
1930		- Vacant – no occupant

Capital Abstract Company of WNY, Inc.

TAX and TITLE SEARCHES

3659 Harlem Road, Buffalo, New York 14215

Office: (716) 836-0138 • Office Fax: (716) 836-0219

Erie County Hall: (716) 491-3744 • Erie County Hall Fax: (716) 854-1319

Agent for:
Chicago Title Insurance Company

Abstract No: 38745

PROPERTY INFORMATION

City of Buffalo, Part of Lot No. 88, Township 11, Range 8
All of Subdivision Lots Nos. 10-16, Part of Subdivision Lots Nos. 7, 8 & 9, Block "H, Map
Cover No. 196

Assessed on 2017 Roll to: Mancini Enterprises, Inc.
As: 260' X 140'

(No. 125) Chandler Street (South Side of the Street, 190' East of Howell)

Certify to: Mancini Enterprises, Inc.

SBL No: 77.84-1-1.21

CAPITAL ABSTRACT COMPANY, a company organized under the laws of the State of New York, for a valuable consideration to it paid, hereby guarantees to the record owners and successors in interest of record, that there are no State Tax Sales, City or County Taxes, or Tax Sales, now payable, levied and assessed against the real estate described as above on the Tax Rolls of the County of Erie, EXCEPT AS FOLLOWS:

Date of Sale	For What Tax or Tax Sale	Name of Purchaser	Description of Land	Amount of Tax or Sale	Remarks
--------------	--------------------------	-------------------	---------------------	-----------------------	---------

NO SEARCH INCLUDED FOR LOCAL ASSESSMENTS, WATER CHARGES, SCHOOL TAXES OR OCCUPANCY TAXES

2017 County Tax- **\$340.16 (Paid)**

City Taxes:

2017 1st Half- **\$642.19 (Paid)**
2017 2nd Half- **\$642.17 (Open)**
2017 Sewer- **\$78.29 (Open)**

Capital Abstract Company of WNY, Inc.
By: 
Authorized Signatory

Dated: July 28, 2017

TICOR TITLE INSURANCE COMPANY

110 FRANKLIN STREET, BUFFALO, NEW YORK 14202

TAX SEARCH

SEARCH NO.: 5099-00981

TITLE INSURANCE NO.:

Tax Dist.	Feet Front	Feet Deep	SBL Number	Address	Side Street	DISTANCE FROM WHAT STREET		
						Feet	Course	Street
8	300	140	77.84-1-1	#125 CHANDLER	S	180	E	HOWELL

TICOR TITLE INSURANCE COMPANY a California corporation, for a valuable consideration to it paid, hereby guarantees to the record owners and successors in interest of record, that there are no STATE TAX SALES, CITY or COUNTY TAXES, LOCAL ASSESSMENTS or TAX SALES for taxes, now payable, levied and assessed against the real estate described as above on the tax rolls of the City of Buffalo or County of Erie (Sewer Rents based on water consumption or water charges not included), except as follows:

NO SEARCH IS MADE FOR OCCUPANCY TAXES OR USER FEES FOR REFUSE PICKUP

Date of Sale	For What Tax or Tax Sale	Number of Roll	Name of Purchaser	Amount of Tax Sale/Remarks
	City Tax 1998	05488100		\$1,913.32
	Buffalo Sewer Authority 1998			\$75.14
	County Tax 1999	77.84-1-1		\$334.80

Add Interest Etc.

TICOR TITLE INSURANCE COMPANY

For Information Purposes Only

Current Assessed Value - \$48,500

By Joseph H. Hays
Authorized Signatory

Dated February 22, 1999

TICOR TITLE INSURANCE COMPANY

110 Franklin Street, Buffalo, New York 14202

SEARCH NO. 5099-00981

A California corporation, for a valuable consideration to it paid, GUARANTEES to the record owners of an interest in or a specific lien upon the premises particularly described below

on the date hereof and their successors in interest of record, that the SET-OUTS designated herein by marginal numbers One to 125 inclusive, are all the references affecting title to said premises, which appear upon

- (a) INDICES to records, papers, files and documents in the office of the CLERK of the COUNTY wherein said premises are situate, and
- (b) INDICES to wills and administration of decedent's estates in the office of the SURROGATE of the COUNTY wherein said premises are situate, and
- (c) INDICES to bankrupts in the office of CLERK of the UNITED STATES BANKRUPTCY COURT for the WESTERN DISTRICT OF NEW YORK

against the names of the parties appearing in the within abstract during the periods in which it appears there was a record interest in said premises under said names from

September 21, 1804

to the date hereof, and upon

- (d) JUDGMENT DOCKETS for ten years last past, and
- (e) DOCKETS of FEDERAL LIENS for ten years and thirty days last past

against the names of the parties in such ownership in the office of the Clerk of the County wherein said premises are situate and the corporation GUARANTEES FURTHER that the SET-OUTS HEREIN are correct statements as to such records and indices.

- (f) Inactive Hazardous Waste Disposal Site Registry Index maintained in the County Clerk's Office for the County in which the Subject Premises is located against the tax map parcel number of the section, block and lot number of the Subject Premises.

The Guaranty under this Certificate shall not be limited by time.

Dated this 12th day of March, 1999
and executed under seal.

TICOR TITLE INSURANCE COMPANY

By Caroline L. Koch
Authorized Signature

Upon continuation from the date and hour last above this GUARANTEE, for a valuable consideration, is reissued to the record owners of an interest in or a specific lien upon the premises particularly described below

in the within abstract, including search against the last grantee since the date of the deed, showing all references affecting title to said premises to the date hereof that appear upon the indices and dockets particularly detailed as (a) to (f) above, designated by marginal numbers 126 and 127 inclusive.

Redated this 27th day of April, 1999, 2:55 P.M.



TICOR TITLE INSURANCE COMPANY

By Caroline L. Koch
Authorized Signature

TICOR TITLE INSURANCE COMPANY

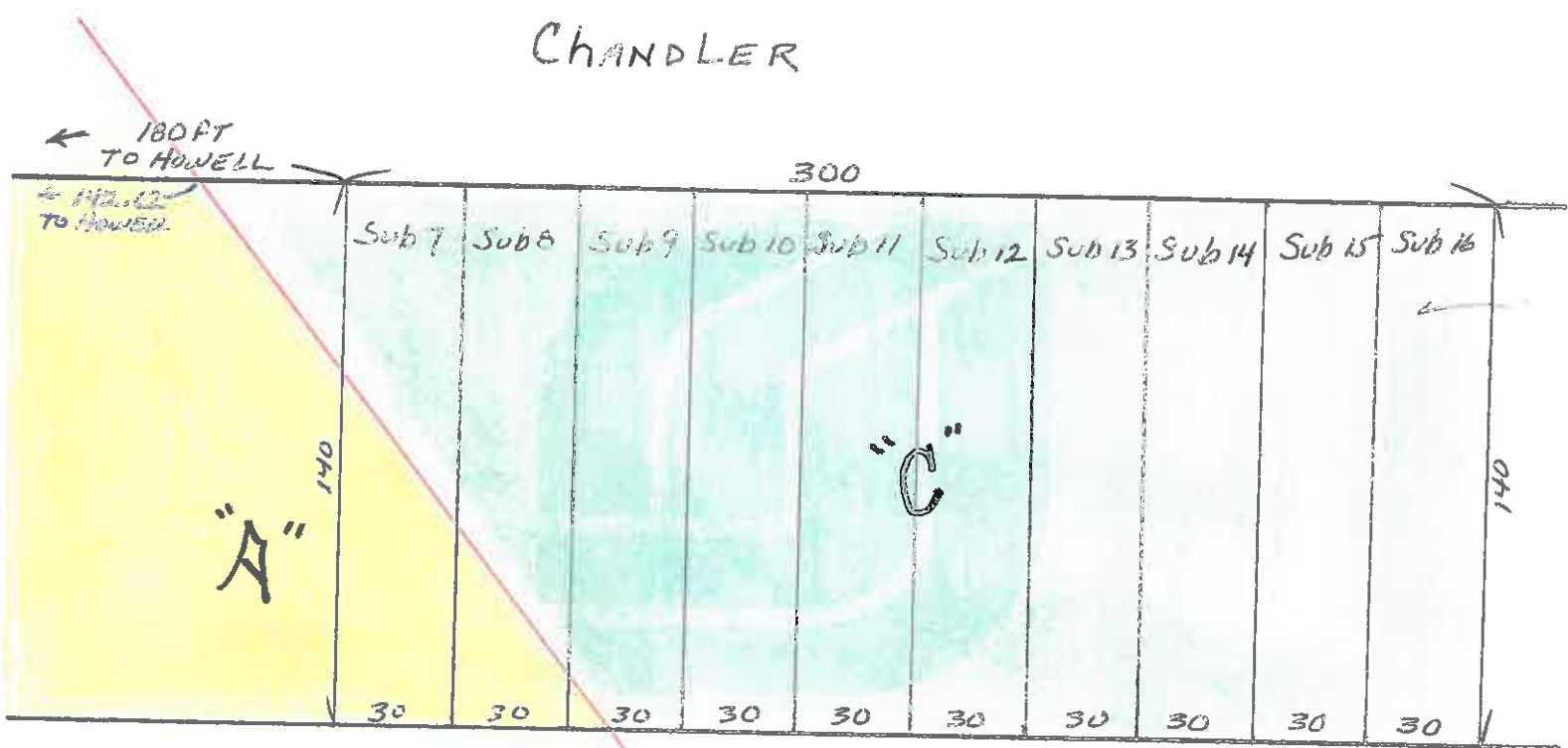
SEARCH NO. 5099-00981

✓ 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 88, Township 11, Range 8 of the Holland Land Company's Survey and also part of Lot 253 of the Parish Tract and according to a map filed in the Erie County Clerk's Office under Cover No. 196 is known as Subdivision Lot Numbers 7 to 16 both inclusive in Block "H", being 300 feet front and rear by 140 feet in depth, situate on the south side of Chandler Street, commencing 180 feet east of its intersection with the east line of Howell Street.

NOTE:- See reference plan marked "A" and "C" below

A8-50-7-16 incl.

CHANDLER



NOTE:- This plan set out for reference only

1. The State of New York

Letters Patent

to

Dated: September 21, 1804

Rec.: May 10, 1805

Jasper Parish

Liber 1 of Transcribed

Records from Genesee County page 9

Conveys parcel "A" and more

2. Jasper Parish and
Roxelana, his wife

Warranty Deed

Dated: August 25, 1814

Rec.: January 20, 1819

-To-

Peter B. Porter and

Liber 4 of Deeds, page 464

Augustus Porter

Conveys: parcel "A" and more

3. Augustus Porter and
Jane, his wife

Partition Deed

to

Dated: October 23, 1819

Rec.: June 26, 1828

Peter B. Porter

Liber 11 of Deeds page 122

Recites that parcel "A" and more are owned jointly between said Augustus Porter and Peter B. Porter

Sets off and conveys parcel "A" and more to Peter B. Porter

4. Peter B. Porter and
Letitia, his wife

Warranty Deed

Dated: December 6, 1823

Rec.: December 8, 1824

-To-

Augustus Porter

Liber 7 of Deeds, page 490

Conveys: an undivided 1/4 of parcel "A" and more

5. Same **Warranty Deed**

Dated: December 4, 1824
-To- Rec.: December 9, 1826

Sheldon Thompson and **Liber 10 of Deeds, page 5**

Benjamin Barton

Conveys: an undivided 1/4 of parcel "A" and more

6. Sheldon Thompson and **Warranty Deed**
Catharine, his wife

Dated: March 3, 1826
-To- Rec.: March 7, 1826

James German, George G. **Liber 9 of Deeds, page 286**

Johnson, John Gibson and
Herman J. Ehle

Conveys: an undivided 1/8 of parcel "A" and more

7. Augustus Porter and **Warranty Deed**
Jane, his wife

Dated: April 20, 1826
-To- Rec.: June 2, 1826

Junius H. Hatch **Liber 9 of Deeds, page 367**

Conveys: an undivided 1/8 of parcel "A" and more

8. Peter B. Porter, Augustus **Partition Deed**
Porter, Benjamin Barton,
Junius H. Hatch, John Gibson,
James German, George G. Dated: October 28, 1830
Johnson and Herman J. Ehle Rec.: August 19, 1831
Liber 16 of Deeds page 244

By which parcel "A" and more was set off to Peter B. Porter

9. Peter B. Porter, of
the first part
to
Isaac S. Smith, John B. Macy,
Lewis F. Allen, Hiram Pratt
and William F.P. Taylor of the
second part and Lewis F. Allen,
Isaac S. Smith and William F.P.
Taylor of the third part
- Articles of Association
Dated: May 1, 1836
Rec.: July 28, 1836
Liber 41 of Deeds page 50

Recites the formation of The Niagara City Association and Peter B. Porter contributes parcel "A" and more

10. Lewis F. Allen, Peter B.
Porter, Isaac S. Smith,
Henry W. Hicks and others
- Declaration of Dissolution
Dated: July 6, 1839
Rec.: August 26, 1839
Liber 57 of Deeds page 225

Recites the dissolution of the Association formed by Articles of Association recorded in liber 41 of Deeds at page 50 and sets August 17, 1839 as the date of termination

11. William F.P. Taylor and
Jane, his wife

-To-

Peter B. Porter
- Warranty Deed
Dated: December 27, 1839
Rec.: January 13, 1840
Liber 59 of Deeds, page 74

Conveys: all interest in the lands and stock of The Niagara City Association

12. Lewis F. Allen
and others

vs

Henry W. Hicks
and others
- In Chancery 8th Circuit
Decree in Partition
Dated: July 25, 1840
Rec.: November 6, 1850
Liber 116 of Deeds page 469
Re-rec.: November 10, 1864
Liber 238 of Deeds page 112
in Erie County Clerk's Office

By which parcel "A" and more was set off to John Ward

13. John Ward

-To-
- Warranty Deed
Dated: December 16, 1848
Rec.: January 5, 1849

Elizabeth L. Porter

Liber 103 of Deeds, page 315

and Peter A. Porter

Conveys: parcel "A" and more

14. Elizabeth L. Porter

Quit Claim Deed

-To-

Dated: January 1, 1853

Rec.: February 23, 1853

Peter A. Porter

Liber 135 of Deeds, page 349

Conveys: parcel "A" and more

15

Will

-of-

Peter A. Porter

Will

Dated: August 23, 1862

Rec.: August 30, 1864

in Liber 230 of Wills, page 613

in Erie County Surrogate's Office

Appoints Charles D. Norton, executor with full power to sell and convey

16. Charles D. Norton, executor
of the last will and testa-
ment of Peter A. Porter,
deceased

DEED

-To-

Dated: December 1, 1866

Rec.: December 8, 1866

Archibald Curry and

Liber 259 of Deeds, page 467

Christopher Laible

Conveys: parcel "A" and more

17. Archibald Curry and
Nancy, his wife

Quit Claim Deed

-To-

Dated: October 12, 1869

Rec.: December 16, 1869

Christopher Laible

Liber 291 of Deeds, page 313

Conveys: parcel "A" and more

SEARCH NO. 5099-00981

18. Christopher Laible and
Barbara, his wife

-To-

Truman C. White

Warranty Deed

Dated: June 1, 1872

Rec.: June 20, 1872

Liber 319 of Deeds, page 282

Conveys: parcel "A" and more

19. Truman C. White

-To-

Christopher Laible

Mortgage for \$6795.00

Dated: June 1, 1872

Rec.: June 20, 1872

Liber 254 of Mortgages, page 2

Covers: parcel "A" and more

20. Truman C. White and
Emma K., his wife

-To-

Pascal P. Pratt

Warranty Deed

Dated: June 1, 1872

Rec.: June 21, 1872

Liber 319 of Deeds, page 290

Conveys: parcel "A" and more, subject to a mortgage recorded in liber 254
of Mortgages at page 2

21. Pascal P. Pratt and
Phoebe L., his wife

-To-

Henry Chandler and

Augustus R. Grote

Warranty Deed

Dated: July 1, 1873

Rec.: July 29, 1873

Liber 335 of Deeds, page 307

Conveys: parcel "A" and more, subject to a mortgage recorded in liber 254
of Mortgages at page 2

22. Henry Chandler and
Augustus R. Grote

-To-

Mortgage for \$14,931.50

Dated: July 1, 1873

Rec.: July 7, 1873

Pascal P. Pratt

Liber 260 of Mortgages, page 96

Covers: parcel "A" and more

23. Augustus R. Grote,
widower

Quit Claim Deed

-To-

Dated: April 12, 1877

Rec.: June 4, 1877

Henry Chandler

Liber 357 of Deeds, page 282

Conveys: parcel "A" and more

24. Henry Chandler and
Frances E., his wife

Mortgage for \$3500.00

-To-

Dated: April 12, 1877

Rec.: April 25, 1877

Augustus R. Grote

Liber 311 of Mortgages, page 187

Covers: parcel "A" and more

25. Augustus R. Grote

Assignment

-To-

Dated: June 4, 1877

Rec.: June 5, 1877

James F. Demarest

Liber 281 of Mortgages, page 450

Assigns: a mortgage recorded in liber 311 of Mortgages at page 187

26 Will
-of-
Christopher Laible

Will

Dated: September 24, 1866

Rec.: March 14, 1877

in Liber 17 of Wills, page 194

in Erie County Surrogate's Office

Appoints his wife, Barbara Laible, his executrix



27. Barbara Laible, executrix
of the last will and testa-
ment of Christopher Laible,
deceased
vs
Truman C. White, Henry Chandler
and Frances E. his wife, Pascal
P. Pratt, James F. Demarest
and Augustus R. Grote
- Superior Court of Buffalo
Lis Pendens
Filed: October 19, 1877
Attorney: James E. Ford

Lis Pendens to foreclose a mortgage recorded in liber 254 of Mortgages at page 2

-
28. Joseph L. Haberstro,
Sheriff
-To-
James F. Demarest
- SHERIFF'S DEED
Dated: January 11, 1878
Rec.: January 11, 1878
Liber 374 of Deeds, page 396

Conveys: parcel "A" and more on foreclosure of a mortgage recorded in liber 254 of Mortgages at page 2

-
29. James F. Demarest and
Agnes, his wife
-To-
John Quincy Adams
- Warranty Deed
Dated: October 20, 1882
Rec.: October 21, 1882
Liber 441 of Deeds, page 143

Conveys: parcel "A" and more

-
30. John Quincy Adams,
bachelor
-To-
Maurice Kingsley
- Warranty Deed
Dated: April 2, 1884
Rec.: April 3, 1884
Liber 463 of Deeds, page 284

Conveys: parcel "A" and more

-
31. Maurice Kingsley and
Mary, his wife
-To-
- Warranty Deed
Dated: April 17, 1885
Rec.: May 16, 1885

George W. Parkhurst

Liber 493 of Deeds, page 30

Conveys: an undivided 1/4 of parcel "A" and more

32. Wilhem Willink
and others

Warranty Deed

Dated: November 27, 1818

Rec.: March 1, 1819

-To-

Olivia Field

Liber 5 of Deeds, page 109

Conveys: parcel "C" and more

33. Same

Warranty Deed

Dated: September 25, 1819

Rec.: October 28, 1819

-To-

Olivia Field

Liber 5 of Deeds, page 109

Conveys: parcel "C" and more
Recites given to correct description in a deed recorded in liber 5 of Deeds at
page 109

34. Olivia Field

Warranty Deed

Dated: April 12, 1822

Rec.: May 10, 1822

-To-

Oliver Curtiss Thompson

Liber 6 of Deeds, page 532

Conveys: parcel "C" and more

35. Oliver Curtiss Thompson,
Frederick P. Stevens, one
of the Masters in Chancery
-To-

Master's Deed

Dated: August 17, 1836

Rec.: August 18, 1836

Robert McPherson
and Richard Arms

Liber 41 of Deeds, page 245

Conveys: parcel "C" and more
Recites this deed is executed by Order of the Court of Chancery on partition made for the sale of certain real estate of Oliver C. Thompson, deceased

36.	Robert McPherson and Harriett, his wife	Quit Claim Deed
	-To-	Dated: October 8, 1838 Rec.: October 8, 1838
	Richard Arms	Liber 54 of Deeds, page 4

Conveys: parcel "C" and more

37.	Richard Arms and Marion B., his wife	Warranty Deed
	-To-	Dated: November 18, 1847 Rec.: December 16, 1847
	Peter Hoffman	Liber 93 of Deeds, page 306

Conveys: parcel "C" and more
Recites reserves a right of way 16 feet wide along the easterly line of the Reservation line

38.	Peter Hoffman	Mortgage for \$1125.00
	-To-	Dated: November 18, 1847 Rec.: January 20, 1848
	Richard Arms	Liber 65 of Mortgages, page 353

Covers: parcel "C" and more
Contains same recital as in a deed recorded in liber 93 of Deeds at page 306

39.	Peter Hoffman	Affidavit's of Sale on foreclosure of above mortgage No. 38 (Liber 65 of Mortgages page 353)
	-To-	Rec: October 30, 1849 Liber 75 of Mortgages, page 69
	Robert McPherson	

By which parcel "C" and more were sold on April 25, 1849 to Robert

McPherson for \$-----

Contains Affidavits of Publication and Service on Peter Hoffman.

40. Affidavit

Affidavit

-of-

Sworn to August 23, 1892

Rec: November 29, 1892

Philip Wurtz

Liber 680 of Deeds, page 25

Recites: that he is engaged in business at Nos. 23 and 29 Floyd Street in the City of Buffalo, New York: that he is a nephew of Peter Hoffman, the grantee named in a deed recorded in liber 93 of Deeds at page 306: that he is now of the age of 48 years: that when of the age of 15 years or under, the said Peter Hoffman was killed at or near Lewiston, New York, while employed as a watchman: that the said Hoffman had at that time a wife and family: that he has no knowledge of their whereabouts or if they still live or not: that the above recitals concerning Hoffman are facts and he knows them to be so, partly from recollection and because of his having heard the matter frequently talked of between his father and mother and other relatives of the family and verily believes them to be true by reason thereof.

41. Robert McPherson

Warranty Deed

-To-

Dated: August 5, 1851

Rec.: October 14, 1851

Charles Gillis

Liber 123 of Deeds, page 89

Conveys: parcel "C" and more
Recites reserving a right of way 16 feet wide along the easterly line of the Reservation line

42. Charles Gillis

Mortgage for \$1635.75

-To-

Dated: August 5, 1851

Rec.: September 5, 1851

Robert McPherson

Liber 83 of Mortgages, page 363

Covers: parcel "C" and more

43. Charles Gillis and
Esther, his wife

Warranty Deed

-To-

Dated: March 1, 1853

Rec.: March 14, 1853

Alexander Murray and

Liber 136 of Deeds, page 337

Lemuel H. Flersheim

Conveys: parcel "C" and more, subject to a mortgage recorded in liber 83 of Mortgages at page 363

44. In re **Surrogate's Court Erie County**
Alexander Murray, **Petition for Administration**
Filed: March 25, 1858
deceased

Case No. ----

Recites decedent died intestate March 19, 1858 leaving him surviving Mariah Murray, his widow and Mary Murray, daughter, aged 2 years
Letters of Administration granted to Mariah Murray and James Sheldon March 25, 1858 recorded in liber 4 of Letters page 36

45. Robert McPherson **Superior Court of Buffalo**
Lis Pendens
vs **Filed: September 7, 1857**
Attorney: James Sheldon

Lemuel H. Flersheim and Maria
his wife, Mary Murray and Maria
L. Murray, sole administratrix
of the estate of Alexander
Murray, deceased

Lis Pendens to foreclose a mortgage recorded in liber 83 of Mortgages at page 363

46. Gustavus A. Scroggs, **SHERIFF'S DEED**
Sheriff **Dated: December 21, 1859**
-To- **Rec.: March 6, 1860**
Harry Thompson **Liber 205 of Deeds, page 35**

Conveys: parcel "C" and more on foreclosure of a mortgage recorded in liber 83 of Mortgages at page 363

47. Harry Thompson and **Warranty Deed**
Myra, his wife **Dated: December 21, 1859**
-To- **Rec.: September 11, 1860**
Lemuel H. Flersheim **Liber 176 of Deeds, page 430**

Conveys: parcel "C" and more

48. Lemuel H. Flersheim and
Maria W., his wife

Warranty Deed

Dated: May 1, 1861

Rec.: May 3, 1861

-To-

Patrick H. Cummings

Liber 213 of Deeds, page 107

Conveys: parcel "C" and more

49. Patrick H. Cummings

Quit Claim Deed

Dated: July 13, 1863

Rec.: September 29, 1865

-To-

Maria W. Flersham

Liber 223 of Deeds, page 324

Conveys: parcel "C" and more

50. Patrick H. Cummings

Quit Claim Deed

Dated: July 13, 1863

Rec.: March 14, 1871

-To-

Maria W. Flersheim

Liber 310 of Deeds, page 115

Conveys: parcel "C" and more

51. Affidavit

Affidavit

-of-

Sworn to June 12, 1890

Rec: June 13, 1890

L.H. Flersheim

Liber 575 of Deeds, page 555

Recites: that he was well acquainted with the grantor in a deed recorded in liber 310 of Deeds at page 115: that at the time said grantor executed said deed, he was to the best of deponent's knowledge and belief, a bachelor and was known as an unmarried man at that time.

52. Maria W. Flersheim

Warranty Deed

Dated: April 8, 1885

-To-

Rec.: April 13, 1885

Benjamin B. Hamilton

Liber 458 of Deeds, page 148

Conveys: parcel "C" and more, excepting and reserving therefrom a right of way running along and parallel with State Reservation line 16 feet wide

53 Benjamin B. Hamilton and
Julia L., his wife

Warranty Deed

Dated: April 11, 1885

-To-

Rec.: April 13, 1885

Caroline E. Coit

Liber 391 of Deeds, page 183

Conveys: parcel "C" and more, excepting and reserving same as in a deed recorded in liber 458 of Deeds at page 148

54. Caroline E. Coit

Warranty Deed

Dated: June 8, 1887

-To-

Rec.: June 14, 1887

Edward G. Felthousen

Liber 531 of Deeds, page 55

and Emory P. Close

Conveys: parcel "C" and more without reservation

55. Maurice Kingsley and
Mary, his wife

Power of Attorney

Dated: April 17, 1885

-To-

Rec.: May 16, 1885

George W. Parkhurst

**Liber 5 of Powers of Attorney,
page 61**

Gives power to sell and convey premises and more

56. Maurice Kingsley and Mary
his wife by George W. Parkhurst
their attorney and George W.
Parkhurst individually (a widower)

-To-

Edward G. Felthousen

Warranty Deed

Dated: June 8, 1887

Rec.: June 14, 1887

Liber 513 of Deeds, page 280

Conveys: premises and more

57. Emory P. Close and
Etta C., his wife

-To-

Edward G. Felthousen

Quit Claim Deed

Dated: April 1, 1889

Rec.: May 25, 1889

Liber 555 of Deeds, page 357

Conveys: the north part of Subdivision Lot Nos. 5, 6, 7, 8, 27, 28, 29 and 30 in Block "H", described as follows: On Chandler south 142.62 feet east of Howell which point is at the reservation line; thence east 93.35 feet to the northeast corner of subdivision lot No. 8; thence south at right angles 140 feet to reservation line; thence northwest on reservation line to place of beginning and more

58. Same

-To-

Same

Quit Claim Deed

Dated: March 21, 1890

Rec.: March 27, 1890

Liber 578 of Deeds, page 258

Conveys: all of Subdivision Lot Nos. 5, 6, 7, 8, 27, 28, 29 and 30 in Block "H" according to a map filed, commencing 1887 east of reservation line and more

59. Edward G. Felthousen and
Caroline M., his wife

-To-

A. Judson Wells

Warranty Deed

Dated: March 31, 1890

Rec.: April 4, 1890

Liber 580 of Deeds, page 270

Conveys: Subdivision Lot Nos. 7 and 8 in Block "H" according to a map filed under Cover No. 196 and more

60. A. Judson Wells and
Jennie, his wife

Warranty Deed

Dated: January 1, 1890

Rec.: April 15, 1890

-To-

Mary D. Eaton and

Liber 590 of Deeds, page 89

Elmina E. Hedges

Conveys: Subdivision Lot Nos. 7 and 8 in Block "H" according to a map
filed under Cover No. 196 and more

61. Mary D. Eaton and
Elmina E. Hedges

Power of Attorney

Dated: January 7, 1890

Rec.: January 9, 1890

-To-

Henry Eaton

**Liber 5 of Powers of Attorney,
page 472**

Gives power to sell and convey

62. Mary D. Eaton and Elmina E.
Hedges by Henry Eaton, their
attorney

Warranty Deed

Dated: April 28, 1890

Rec.: June 18, 1890

-To-

Elmer O. Leland

Liber 592 of Deeds, page 534

Conveys: Subdivision Lot Nos. 7 and 8 in Block "H" according to a map
filed under Cover No. 196 and more

63. Elmer O. Leland and
Ella A., his wife

Mortgage for \$3000.00

Dated: May 27, 1896

Rec.: June 2, 1896

-To-

The Fidelity Trust and

Liber 788 of Mortgages, page 286

Guaranty Company of Buffalo

Covers: Subdivision Lot Nos. 7 and 8 in Block "H" according to a map
filed under Cover No. 196 and more

64. Same

Mortgage for \$5000.00

Dated: August 21, 1896

SEARCH NO. 5099-00981

-To-

Rec.: September 29, 1896

First National Bank of
Springville, N.Y.

Liber 798 of Mortgages, page 582

Covers: Subdivision Lot Nos. 7 and 8 in Block "H" according to a map
filed under Cover No. 196 and more

65. In the matter of The First
National Bank of Springville
N.Y.

Appointment of Receiver

Dated: October 3, 1896

Rec.: January 16, 1899

Liber 90 of Deeds page 548

Appoints William A. Douglas as receiver of the property and effects of
said Bank

66. Elmer O. Leland and
Ella A., his wife

Mortgage

to

Dated: October 9, 1896

Rec.: October 12, 1896

American Exchange Bank
of Buffalo

Liber 668 of Mortgages page 208

Covers premises and more as collateral security

67 William A. Douglas as receiver
of the First National Bank of
Springville

Supreme Court of Erie County

Lis Pendens

Filed: November 13, 1897

Attorney: Bissell, Carey & Cooke

-Vs-

Elmer O. Leland, Ella A.

Leland, American Exchange
Bank of Buffalo and Irwin
B. Clark

Lis Pendens: to foreclose a mortgage recorded in liber 798 of Mortgages at
page 582

68. Edward M. Mills,
Referee

Referee's Deed

Dated: January 8, 1898

Rec.: January 10, 1898

-To-

William A. Douglas, as

Liber 862 of Deeds, page 246

receiver of the First National
Bank of Springville

Conveys: Subdivision Lot Nos. 7 and 8 in Block "H" according to a map
filed under Cover No. 196 and more on foreclosure of a mortgage recorded in
liber 798 of Mortgages at page 582

69. In the matter of the voluntary
dissolution of The American
Exchange Bank of Buffalo

Order Appointing Receiver
Dated: May 24, 1898
Rec.: May 24, 1898
**Liber 6 of Orders Appointing
Receiver page 622**

Appoints John H. Lascelles Receiver of the property &c. of said Bank

70 The Fidelity Trust and
Guaranty Company of Buffalo

-Vs-

Elmer O. Leland and Ella A.

his wife, William O. Leland,
William A. Douglas as receiver
of The First National Bank of
Springville N.Y., John H.
Lascelles as receiver of the
American Exchange Bank of
Buffalo and Irwin B. Clark

Supreme Court of Erie County
Lis Pendens
Filed: February 15, 1899
Attorney: Rogers, Locke
& Milburn

Lis Pendens: to foreclose a mortgage recorded in liber 788 of Mortgages at
page 286

71. George S. Welch,
Referee

-To-

Edward M. Mills

Referee's Deed

Dated: June 15, 1899

Rec.: June 29, 1899

Liber 887 of Deeds, page 444

Conveys: Subdivision Lot Nos. 7 and 8 in Block "H" according to a map
filed under Cover No. 196 and more on foreclosure of a mortgage recorded in
liber 788 of Mortgages at page 286

72. Edward M. Mills and
Clara L., his wife

-To-

William A. Rose

Warranty Deed

Dated: September 16, 1912

Rec.: September 21, 1912

Liber 1227 of Deeds, page 52

Conveys: Subdivision Lot Nos. 7 and 8 in Block "H" according to a map filed under Cover No. 196 and more

73. Edward G. Felthousen and
Caroline M. his wife, Emory
P. Close and Etta C. his wife

Warranty Deed

Dated: September 20, 1890

Rec.: September 23, 1890

-To-

A. Judson Wells

Liber 601 of Deeds, page 330

Conveys: Subdivision Lot Nos. 9 to 16 inclusive in Block "H" according to a map filed under Cover No. 196 and more

74. A. Judson Wells and
Jennie, his wife

Warranty Deed

Dated: September 25, 1890

Rec.: October 8, 1890

-To-

Joseph Kittinger

Liber 601 of Deeds, page 444

Conveys: Subdivision Lot Nos. 9 to 16 inclusive in Block "H" according to a map filed under Cover No. 196 and more

75. Joseph Kittinger and
Mary J., his wife

Warranty Deed

Dated: October 24, 1892

Rec.: October 24, 1892

-To-

George S. Fortier

Liber 668 of Deeds, page 104

Conveys: Subdivision Lot No. 9 in Block "H" according to a map filed under Cover No. 196

76. George S. Fortier,
a bachelor

Warranty Deed

Dated: May 23, 1895

Rec.: June 3, 1895

-To-

Joseph Kittinger

Liber 780 of Deeds, page 414

Conveys: Subdivision Lot No. 9 in Block "H" according to a map filed under

SEARCH NO. 5099-00981

Cover No. 196, subject to a mortgage of \$375.00 dated October 24, 1892

NOTE:- See mortgage recorded in liber 645 of Mortgages at page 386, since discharged

77. Joseph Kittinger and
Mary J. Kittinger, his wife

Warranty Deed

Dated: June 6, 1900

Rec.: June 8, 1900

-To-

Charles Monner

Liber 908 of Deeds, page 73

Conveys: Subdivision Lot No. 9 in Block "H" according to a map filed under Cover No. 196, subject to a mortgage recorded in liber 645 of Mortgages at page 386, since discharged

78. Joseph Kittinger and
Mary J. Kittinger, his wife

Warranty Deed

Dated: June 6, 1900

Rec.: June 8, 1900

-To-

Charles Monner

Liber 908 of Deeds, page 73

Conveys: Subdivision Lot No. 9 in Block "H" according to a map filed under Cover No. 196, subject to a mortgage recorded in liber 645 of Mortgages at page 386, since discharged

79. Charles Monner and
Nettie Monner, his wife

Warranty Deed

Dated: October 24, 1912

Rec.: October 24, 1912

-To-

William A. Rose

Liber 1273 of Deeds, page 77

Conveys: Subdivision Lot No. 9 in Block "H" according to a map filed under Cover No. 196

80. William A. Rose and
Lena C. Rose, his wife

Warranty Deed

Dated: April 26, 1920

Rec.: May 4, 1920

-To-

John J. Griffin

Liber 1508 of Deeds, page 390

Conveys: Subdivision Lot Nos. 7 to 9 inclusive in Block "H" according to a map filed under Cover No. 196 and more

81. John J. Griffin and
Eva, his wife

Warranty Deed

Dated: November 12, 1926

-To-

Rec.: December 10, 1926

The City of Buffalo

Liber 1930 of Deeds, page 186

Conveys: Subdivision Lot Nos. 7 to 9 inclusive in Block "H" according to a map filed under Cover No. 196 and more

Recites being the same property conveyed by a deed recorded in liber 1508 of Deeds at page 390

82. Joseph Kittinger and
Mary J., his wife

Warranty Deed

Dated: January 17, 1895

-To-

Rec.: February 21, 1895

Peter Glor and

Liber 784 of Deeds, page 279

Frederick D. Gridley

Conveys: Subdivision Lot Nos. 10 to 16 inclusive in Block "H" according to a map filed under Cover No. 196 and more, subject to the conditions of payments of the balance of unpaid paving tax amounting with interest to this date, to the sum of \$1012.16, which second parties assume and agree to pay

83. Peter Glor and
Frederick D. Gridley

**Purchase Money Mortgage
for \$4000.00**

Dated: January 17, 1895

-To-

Ack: February 21, 1895

Rec.: February 21, 1895

Joseph Kittinger

Liber 763 of Mortgages, page 236

Covers Subdivision Lot Nos. 10 to 16 inclusive in Block "H" according to a map filed under Cover No. 196 and more

84. Same

Mortgage for \$10,000.00

Dated: June 14, 1895

-To-

Rec.: June 24, 1895

The German Bank

Liber 744 of Mortgages, page 424

Covers: Subdivision Lot Nos. 10 to 16 inclusive in Block "H" according to a map filed under Cover No. 196 and more

-
85. Joseph Kittinger
vs
Peter Glor and Mary E. Glor
his wife, Frederick D.
Gridley and Annie B. Gridley
his wife, The Grand Trunk
Railway Company of Canada,
John G. McCullough and Eben
B. Thomas as receivers of
the New York, Lake Erie &
Western Railroad, Michael
Dohn, Philip Dohn, Josephine
Fischer, executrix of the
last will and testament of
Francis C. Fischer, deceased, Louis A. Fischer, The Canadian Bank of Commerce,
Jesse D. Hollingshead, David A. Gordon, James W. Steinhoff, Benjamin T. Hill,
Commercial State Bank, J. George Hammer, Lowell Manufacturing Company, Horace
A. Noble, Olive Williams, John R. Williams and Robert H. Williams
- Supreme Court Erie County
Lis Pendens
Filed: October 1, 1895
Recorded in liber 16
of Lis Pendens page 67
Attorney: Niles C. Bartholomew
- Lis Pendens to foreclose a mortgage recorded in liber 763 of Mortgages at page 236
Summons and Complaint filed herein recites that the German Bank and others have or claim to have some interest in or lien upon the said mortgaged property or some part thereof
-

86. George H. Lamy,
Sheriff
- SHERIFF'S DEED
- To-
- Dated: December 10, 1895
Rec.: December 13, 1895
- Joseph Kittinger
- Liber 766 of Deeds, page 68

Conveys: Subdivision Lot Nos. 10 to 16 inclusive in Block "H" according to a map filed under Cover No. 196 and more on foreclosure of a mortgage recorded in liber 763 of Mortgages at page 236

87. Joseph Kittinger and
Mary J., his wife
- Warranty Deed
- To-
- Dated: December 10, 1895
Rec.: December 13, 1895
- Louis A. Fischer
- Liber 787 of Deeds, page 174

Conveys: Subdivision Lot Nos. 10 to 16 inclusive in Block "H" according to a map filed under Cover No. 196 and more

88. Louis A. Fischer,
unmarried
- Warranty Deed
- Dated: February 25, 1901

-To-

Rec.: March 15, 1901

Josephine Fischer

Liber 913 of Deeds, page 584

Conveys: Subdivision Lot Nos. 13 to 16 inclusive in Block "H" according to a map filed under Cover No. 196

89. Will

Will

-of-

Dated: December 9, 1920

Josephine Fischer

Recorded: July 18, 1924

Case No. 73090

in liber 109 of Wills page 249
in Erie County Surrogate's Office

Directs after various bequests of monies and personal property she gives, devises and bequeaths the rest, residue and remainder of her estate of whatsoever name or nature to her daughters, Ida Fischer, Hattie Fischer, Bertha F. Beyer and Ella F. Weppner, share and share alike.

Appoints Louis A. Fischer and William J. Weppner executors with full power to sell and convey

Petition for Probate filed July 18, 1924 recites decedent died on or about June 25, 1924 leaving her surviving the above named children, her only heirs at law

Letters Testamentary issued to William J. Weppner July 18, 1924 recorded in liber 57 of Letters page 283

90. Ida Fischer and Hattie Fischer both unmarried, Bertha Fischer Beyer, Ella Fischer Weppner, daughters of and devisees under the last will and testament of Josephine Fischer, deceased

Warranty Deed

-To-

Dated: November 20, 1926

Rec.: December 10, 1926

The City of Buffalo

Liber 1930 of Deeds, page 187

Conveys: Subdivision Lot Nos. 13 to 16 inclusive in Block "H" according to a map filed under Cover No. 196

91. William J. Weppner, as executor of the last will and testament of Josephine Fischer, deceased

Executor's Deed

-To-

Dated: November 20, 1926

Rec.: December 10, 1926

Same

Liber 1854 of Deeds, page 58

Conveys: Subdivision Lot Nos. 13 to 16 inclusive in Block "H" according to a map filed under Cover No. 196

92. Louis A. Fischer,
unmarried

Warranty Deed

-To-

Dated: February 25, 1901

Rec.: March 15, 1901

Philip Dohn

Liber 919 of Deeds, page 86

Conveys: Subdivision Lot Nos. 10 to 12 inclusive in Block "H" according to a map filed under Cover No. 196

93 **Will**
-of-
Philip Dohn

Will

Dated: July 15, 1889

Rec.: June 13, 1905

in Liber 74 of Wills, page 480

Case No. 30143

UNDER THIS WILL SEARCH IS

MADE VS HARRIET DOHN AND

MINNIE DOHN ONLY

in Erie County Surrogate's Office

Devises and bequeaths unto his beloved wife, Harriet Dohn all his estate real, personal and mixed to have, hold and enjoy the same for and during the term of her natural life. From and after the decease of his said wife, he gives, devises and bequeaths his estate unto his daughter, Minnie, in case she or any child or children of her survive his said wife to have and to hold the same forever.

Appoints Louis A. Fischer, executor

Petition for Probate filed June 13, 1905 recites decedent died on or about May 31, 1905 leaving him surviving his widow, Harriet Dohn and Minnie Dohn, daughter, both of full age, his only heir at law

Letters Testamentary issued to Louis A. Fischer June 13, 1905 recorded in liber 31 of Letters page 75

94. **Affidavit**

Affidavit

-of-

Sworn to February 23, 1911

Rec: February 24, 1911

Harriet Dohn

Liber 1196 of Deeds, page 15

Recites: that she is the widow of Philip Dohn, deceased: that in and by the terms of the will of said Philip Dohn there is a contingent devise of decedent's property after her death to the brothers and sisters of the said decedent and to the brother and sister of deponent in the event that the daughter of said decedent should die leaving no issue before the death of deponent: that said decedent left him surviving the 10 following brothers and sisters and no others, all of whom are adults and all of whom are now living, to wit:- Delman Dohn, Susanna Bretzler, Mary Althouse, Michael Dohn, Barbara McDowell, Carrie Fry, Anna Bretzler, Margaret Kauth, Sarah Snyder, John Dohn married to Bertha Dohn: that she has one brother and one sister: that said brother is John Cosby, married Alice Cosby: that her sister is Mary Anderson married to James Anderson: that Mary Anderson died intestate over 10 years ago leaving her surviving no lineal ancestors or descendants, but only her husband, James Anderson and her brother, John Cosby and deponent as her heirs at law and

next of kin: that no children were born alive of the marriage of said Mary Anderson and her husband, James Anderson.

95. Harriet Dohn widow of Philip Dohn deceased, Minnie O. Dohn daughter of Philip Dohn, Susanna Dohn Bretzler, Mary Dohn Althouse, Michael Dohn and Lavina his wife, Barbara Dohn McDowell, Carrie Dohn Fry, Anna Dohn Bretzler, Margaret Dohn Kauth, Sarah Dohn Snyder, John Dohn and Bertha his wife, being all the brothers and sisters of Philip Dohn deceased, except a brother Dilman Dohn now deceased, Magdalena Dohn widow of Dilman Dohn deceased, Ella D. Johnson, Clara Dohn Putnam, John W. Dohn widower, Amelia Dohn Springer, Anna Dohn Springer, Margaret Dohn Bearss, Bertha Dohn, Frank Dohn and Cynthia his wife, Percy Dohn and Alice his wife, William Henry Dohn and Lillie May his wife, all of full age being all the heirs at law and children of the late Dilman Dohn, also John Cosby and Alice his wife, the sole brother of Harriet Dohn and her sole sister, now Mary Anderson, being now deceased leaving the said Harriet Dohn and John Cosby as her sole heirs at law
NO SEARCH VS GRANTORS EXCEPT
HARRIET DOHN AND MINNIE O. DOHN

Deed

Dated: October 1, 1914
Ack: October 23, 1914
Rec.: November 11, 1914

-To-

Louis A. Fischer, as executor of the last will and testament of Philip Dohn, deceased

Liber 1317 of Deeds, page 19

Conveys all real estate owned by Philip Dohn, deceased

96. In re
Harriet Dohn,

deceased

**Surrogate's Court Erie County
Petition for Administration
Filed: March 24, 1922**

Case No. 66697

Recites decedent died intestate on or about February 21, 1922 leaving her surviving her daughter, Minnie Dohn Heinrich, of full age, her only heir at law

97. Louis A. Fischer bachelor,
individually and as executor
of the last will and testa-
ment of Philip Dohn, deceased

Quit Claim Deed

-To-

Minnie Dohn Heinrich

Dated: May 26, 1922
Ack: May 26, 1922
Rec.: July 26, 1922

Liber 1565 of Deeds, page 507

Conveys all and every part and parcel of real estate or interest in real estate located in County of Erie of which said Philip Dohn died seized

98. Minnie Dohn Heinrich

Warranty Deed

-To-

The City of Buffalo

Dated: November 18, 1926
Rec.: December 10, 1926

Liber 1930 of Deeds, page 183

Conveys: Subdivision Lot Nos. 10 to 12 inclusive in Block "H" according to a map filed under Cover No. 196

99. The City of Buffalo

Quit Claim Deed

-To-

George F. Means

Dated: May 9, 1947
Ack: June 11, 1947
Rec.: August 8, 1947

Liber 4164 of Deeds, page 169

Conveys premises and more
Recites being given pursuant to a duly adopted resolution of the Common Council of the City of Buffalo No. 158 of the Council Proceedings of April 29, 1947.

100. George F. Means

Warranty Deed

-To-

Louis Fodor

Dated: August 8, 1947
Rec.: August 8, 1947

Liber 4164 of Deeds, page 173

SEARCH NO. 5099-00981

Conveys: Subdivision Lot Nos. 14 to 16 inclusive in Block "H" according to a map filed under Cover No. 196

101. Louis Fodor

Warranty Deed

Dated: July 15, 1951

-To-

Rec.: July 18, 1951

Direct-Winters Transport Ltd.

Liber 4956 of Deeds, page 470

Conveys: Subdivision Lot Nos. 14 to 16 inclusive in Block "H" according to a map filed under Cover No. 196

102. George F. Means

Warranty Deed

Dated: August 6, 1948

-To-

Rec.: August 6, 1948

Same

Liber 4375 of Deeds, page 404

Conveys: Subdivision Lot Nos. 7 to 13 inclusive in Block "H" according to a map filed under Cover No. 196

103. In re
Direct-Winters Transport Ltd.
Case No. 26311

**Certified Copy of Certificate
of Incorporation**

Dated: December 5, 1939

Filed: August 20, 1948

104. Direct-Winters Transport Ltd.

Warranty Deed

Dated: June 16, 1966

-To-

Rec.: June 20, 1966

International Greeting Card Inc.

Liber 7243 of Deeds, page 625

Conveys: premises *and more.*

105. In re
International Greeting Cards Inc.
Case No. 34147

Certificate of Incorporation

Dated: September 2, 1958

Filed: September 19, 1958

Certificate of Amendment of
the Certificate of Incorporation
Dated: June 13, 1966
Amended to read in the first para-
graph "The name of the corporation
is "Hanson International Inc."
filed July 19, 1966

106. Hanson International Inc.

Warranty Deed

-To-

Dated: November 27, 1967

Rec.: December 1, 1967

Canadian Freightways Limited,
an Ontario (Canada) corporation

Liber 7422 of Deeds, page 649

Conveys: premises *and more.*

Note:- We find no Certificate of Incorporation for Canadian Freightways Limited on record

107. Canadian Freightways Limited

Warranty Deed

-To-

Dated: December 22, 1967

Rec.: December 26, 1967

Freightways Terminal Company,
a Nevada corporation

Liber 7430 of Deeds, page 177

Conveys: premises *and more.*

Note:- We find no Certificate of Incorporation for Freightways Terminal Company on record.

108. Consolidated Freightways
Corporation of Delaware
NO SEARCH VS FIRST PARTY

Memorandum of Lease

-To-

Dated: January 21, 1974

Ack: January 23, 1974

Rec.: August 19, 1974

Niagara Cartage & Storage Inc.
NO SEARCH VS SECOND PARTY

Liber 8200 of Deeds, page 97

and more
Leases premises for a term of 37 months from December 1, 1973 to December 31, 1976
See terms and conditions contained herein

109. Niagara Cartage & Storage Inc.
NO SEARCH VS FIRST PARTY

Assignment

-To-

Dated: December 31, 1973

Ack: December 31, 1973

Rec.: August 19, 1974

Niagara Frontier Bank
of New York

NO SEARCH VS SECOND PARTY

Liber 7562 of Mortgages, page 433

Assigns all rents due or to become due on premises

110. Same
NO SEARCH VS FIRST PARTY

Assignment

-To-

Dated: December 31, 1973

Ack: December 31, 1973

Rec.: August 19, 1974

Same

NO SEARCH VS SECOND PARTY

Liber 8200 of Deeds, page 263

Assigns a lease recorded in liber 8200 of Deeds at page 97

111. Same
NO SEARCH VS FIRST PARTY

Memorandum of Sub Lease

-To-

Dated: January 21, 1974

Ack: January 21, 1974

Rec.: August 19, 1974

The Mason and Dixon Lines Inc.

NO SEARCH VS SECOND PARTY

Liber 8200 of Deeds, page 94

Subleases premises for a term of 3 years and 2 months commencing November 1, 1973 and to terminate December 31, 1976

112. Freightways Terminal Company

Warranty Deed

-To-

Dated: May 4, 1981

Rec.: May 13, 1981

Lubjo Markovich

Liber 9018 of Deeds, page 308

Conveys: premises *and more.*

113. Lubjo Markovich

Purchase Money Mortgage
For \$50,000.00

-To-

Dated: May 12, 1981
Rec.: May 13, 1981

Freightways Terminal Company

Liber 8417 of Mortgages, page 276

Covers: premises and more. [F]

114 Freightways Terminal Company

Assignment

-To-

Dated: January 15, 1982
Rec.: February 2, 1982

Consolidated Freightways

Liber 8499 of Mortgages, page 66

Corporation of Delaware, said corporation having its principle place of business located at 175 Linfield Drive, Menlo Park, California

Assigns: a mortgage recorded in liber 8417 of Mortgages at page 276

115 Consolidated Freightways
Corporation of Delaware, as
assignee of Freightways
Terminal Company

County Court of Erie County

Lis Pendens

-VS-

Filed: March 1, 1983
Recorded in Liber 342
of Lis Pendens page 213

Lubjo Markovich, People of
the State of New York, State
of New York, State Tax Commis-
sion, Lafayette General Hospital,
John Doe

Att'y: Hurwitz & Fine

Lis Pendens: to foreclose a mortgage recorded in liber 8417 of Mortgages at page 277

116. Same

viii

Same

County Court Erie County
Amended Lis Pendens
Filed: April 4, 1983
Recorded in liber 342
of Lis Pendens page 527
Attorney: Hurwitz & Fine

Amended Lis Pendens to foreclose a mortgage recorded in liber 8417 of Mortgages at page 276

117. Consolidated Freightways
Corporation of Delaware, as
Assignee of Freightways
Terminal Company
vs
Lubjo Markovich, Industrial
Commissioner of the State of
New York, Mold Masters Systems
of America Inc., State Tax
Commission, Rigidized Metal
Corporation, E.T. Dupont,
DeMemours & Co., John Doe
said name being fictitious
it being the intention of
plaintiff to designate any
and all occupants of the
premises being foreclosed herein

County Court Erie County
Second Amended Lis Pendens
Filed: January 8, 1985
Recorded in liber 349
of Lis Pendens page 205
Attorney: Hurwitz & Fine

Second Amended Lis Pendens to foreclose a mortgage recorded in liber 8417 of Mortgages at page 276

118. In re
Lubjo Markovich,
bankrupt
Chapter 11

Petition in Bankruptcy No. BK85-10171
Filed: March 26, 1985
For further proceedings see
United States District Court

119. Lubjo Markovich, by
Gary L. Mucci, Referee

Referee's Deed

-To-

Dated: March 26, 1985

Rec.: March 26, 1985

Consolidated Freightways

Liber 9433 of Deeds, page 23

Corporation of Delaware

Conveys: premises on foreclosure of a mortgage recorded in liber 8417 of Mortgages at page 276

Note:- We find no Certificate of Incorporation or Application for Authority for Consolidated Freightways Corporation of Delaware on record.

120. **Affidavit**

Affidavit

-of-

Sworn to April 8, 1988

Rec: June 27, 1988

R.C. McDonald
and R.C. Stetson

Liber 9880 of Deeds, page 82

Recites: that they are the Vice President and Assistant Secretary respectively of Consolidated Freightways Corporation of Delaware, a corporation organized under the laws of the State of Delaware with offices at 175 Linfield Drive, Menlo Park, California: that Consolidated Freightways Corporation of Delaware is the owner of certain real property located at 125 Chandler Street in the City of Buffalo, County of Erie and State of New York, said property having been acquired by the corporation by Referee's Deed recorded in liber 9433 of Deeds at page 23 as a result of the corporation's foreclosure of a first mortgage lien on the property which took place on March 26, 1985: that their attention has been called to a memorandum of lease recorded in liber 8200 of Deeds at page 97, an assignment recorded in liber 8200 of Deeds at page 263, an assignment of rents recorded in liber 7562 of Mortgages at page 433 and a memorandum of sub-lease recorded in liber 8200 of Deeds at page 94: that pursuant to the terms of the above-reference lease and sub-lease, and any options for renewal contained in same, the terms of said lease agreement have expired and that none of the above-named parties remain as tenants in the subject premises: that this affidavit is made for the purpose of clearing title to the premises and is made with the knowledge that the veracity of all the statements made herein will be relied upon by purchasers, mortgagees and title insurers of the above described premises.

121. Consolidated Freightways
Corporation of Delaware

Warranty Deed

-To-

Dated: April 8, 1988

Ack: April 8, 1988

Rec.: June 27, 1988

V.B.M. Plastics Inc.

Liber 9880 of Deeds, page 83

Conveys premises *and more.*

122. In re
V.B.M. Plastics Inc.

Certificate of Incorporation

Case No. 77096

Dated: October 23, 1985

**Filed in the Office of Secretary
of State December 12, 1985**

**and filed in Erie County Clerk's
Office January 15, 1986**

123. V.B.M. Plastics Inc.

Warranty Deed

-To-

Dated: October 31, 1988

Rec.: November 10, 1988

Bakery Salvage Corp.

Liber 9943 of Deeds, page 487

Conveys: premises *and more.*

SEARCH NO. 5099-00981

124. In re
Bakery Salvage Corp.

Case No. 26507

**Certified Copy of Certificate
of Incorporation**
Dated: December 24, 1948
Filed in the Office of Secretary
of State December 27, 1948
and filed in Erie County Clerk's
Office January 4, 1949

125. In re
Bakery Salvage Corp. c/o
Rita Olshan and David Olshan

Notice

Liber 398 of Lis Pendent Page 3751
Rec.: March 12, 1999

Notice to repair, demolish etc. a building at 125 Chandler, 3001 40th St E
of Howell pursuant to Chapter XII Section 113-3 and 113-4 of the Ordinances
of the City of Buffalo.

Klw
March 12, 1999
DPJ

TICOR TITLE INSURANCE COMPANY
Authorized Signature

SEARCH NO. 5099-00981

126. Bakery Salvage Corp.

Warranty Deed

-To-

Dated: April 15, 1999

Rec.: April 27, 1999

Mancini Enterprises Inc.

Liber 10950 of Deeds, page 5023, 2:53
P.M.

NO SEARCH VS GRANTEE

Conveys: ~~premises~~ (type out full legal)

127. Mancini Enterprises Inc.

Mortgage for \$17,000.00

-To-

Dated: April 27, 1999

Rec.: April 27, 1999

Bakery Salvage Corp.

Liber 12836 of Mortgages, page 1896

Covers: ~~premises~~ (type out full legal)

AMW

April 27, 1999, 2:55 P.M.

LSH

NATIONAL TITLE INSURANCE OF NEW YORK, INC.
by its Agent, CAPITAL ABSTRACT COMPANY OF WNY, INC.,
a New York Corporation doing business as CAPITAL ABSTRACT COMPANY

for a valuable consideration to it paid, **GUARANTEES** to the record owners of an interest in or a specific lien upon the premises described at **No. 128 below** on the date hereof and their successors in interest of record, that the set-outs designated herein by marginal number(s) **129-136**, inclusive, are all the references affecting title to said premises, which appear upon:

(a) **INDICES** to records, papers, files and documents in the Office of the Clerk of the County wherein said premises are situate, and

(b) **INDICES** to wills and administration of decedent's estate in the Office of the Surrogate of the County where said premises are situate, and

against the names of the parties appearing in the within abstract during the periods in which it appears there was a record interest in said premises under said names from **April 11, 2009** to the date hereof, and:

(c) **INDICES** to **BANKRUPTS** in the Office of the Clerk of the United States Bankruptcy Court for the Western District of New York for twenty (20) years last past;

(d) **JUDGMENT DOCKETS** for ten (10) years last past, filed in the Office of the Clerk of the County wherein said premises are situate, and

(e) **DOCKETS** of **FEDERAL TAX LIENS** for ten (10) years and thirty (30) days last past in the Office of the Clerk of the County wherein said premises are situate, and

(f) The index to **INACTIVE HAZARDOUS WASTE DISPOSAL SITES** as provided for by Section, Block and Lot, as provided for in Section 316-b of the Real Property Law since July 1, 1993; and

(g) A search has been made for any **TAX LIEN TRANSFER CERTIFICATES** on record in the Office of the Clerk of the County wherein said premises are situate since October 1, 2003, against the names of the parties appearing as Grantor(s) and/or Grantee(s) of the subject premises, and is limited only to the period covered by this Certificate.

against the names of the parties in such ownership in the office of the Clerk of the County wherein said premises are situate and the company **GUARANTEES FURTHER** that the set-outs herein are correctly set forth and that there is nothing more in said indexes that appears to affect the premises or any part thereof. The Guaranty under the Certificate shall not be limited by time.

WITNESS the seal of the corporation and the signature of its duly authorized officer:

Dated this 28th day of July, 2017__ at 8:59 o'clock a M

Mancini Enterprises, Inc.

No. 38745

CAPITAL ABSTRACT COMPANY

By


Authorized Signature

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Upon continuation from the date and hour last above this GUARANTEE, for a valuable consideration is reissued to the record owners of an interest in or a specific lien upon the premises particularly described in No. 128 the within abstract, including search against the grantee in marginal number 137 since the date of the deed showing all references affecting title to said premises to the date hereof that appear upon the indices and dockets particularly detailed as (a) and (c) above, designated by marginal numbers 137 inclusive.

Redated this 25th day of October 2017 at 2:27 o'clock PM
125 Chandler Street, LLC

CAPITAL ABSTRACT COMPANY

No. 38745

By 
Authorized Signature

Upon continuation from the date and hour last above this GUARANTEE, for a valuable consideration is reissued to the record owners of an interest in or a specific lien upon the premises particularly described in the within abstract, including search against the grantee in marginal number since the date of the deed showing all references affecting title to said premises to the date hereof that appear upon the indices and dockets particularly detailed as (a) and (c) above, designated by marginal numbers inclusive.

Redated this day of at o'clock M

CAPITAL ABSTRACT COMPANY

No. _____

By _____
Authorized Signature

Upon continuation from the date and hour last above this GUARANTEE, for a valuable consideration is reissued to the record owners of an interest in or a specific lien upon the premises particularly described in the within abstract, including search against the grantee in marginal number since the date of the deed showing all references affecting title to said premises to the date hereof that appear upon the indices and dockets particularly detailed as (a) and (c) above, designated by marginal numbers inclusive.

Redated this day of at o'clock M

CAPITAL ABSTRACT COMPANY

No. _____

By _____
Authorized Signature

128.

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 88, Township 11, Range 8 of the Holland Land Company's Survey and also part of Lot 253 of the Parish Tract and according to a map filed in the Erie County Clerk's Office under Cover No. 196 is known as part of Subdivision Lots Nos. 7, 8 and 9 and all of Subdivision Lots Nos. 10 through 16 inclusive in Block "H" and being further bounded and described as follows:

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BEGINNING at the intersection of the easterly line of Howell Street and the southerly line of Chandler Street; thence proceeding easterly along the southerly line of Chandler Street 190 feet to a point which is 10 feet east of the northwest corner of Subdivision Lot No. 7; thence proceeding southerly on a line parallel to the west line of Subdivision Lot No. 7, 85 feet to a point; thence proceeding easterly along a line parallel to Chandler Street 64 feet to a point; thence proceeding southerly along a line parallel to the west line of Subdivision Lot No. 7, 55 feet to a point in the south line of Subdivision Lot No. 9; thence proceeding easterly along the south lines of Subdivision Lots Nos. 9 through 16, 226 feet to the southeast corner of Subdivision Lot No. 16; thence proceeding northerly along the east line of Subdivision Lot No. 16, 140 feet to a point in the south line of Chandler Street; thence proceeding westerly along the south line of Chandler Street and along the north lines of Subdivision Lots Nos. 7 through 16, 290 feet to the point or place of beginning.

129.

In the Matter

-of-

Mancini Enterprises, Inc.

Q 64-2730

CERTIFICATE OF INCORPORATION

Dated: March 29, 1999

Filed in the Secretary of
State's Office on March 29,
1999 and Filed in the Erie
County Clerk's Office on May
28, 1999

Duration: None Given

130.

The County of Erie
-to-
The Wachovia Bank, National
Association, as Custodian
Tax Lien Services
(No Search against Second Party)

TAX LIEN CERTIFICATE
Dated: November 6, 2003
Ack: November 6, 2003
Rec: November 6, 2003 in
Liber 11062 of Deeds, Page 913
Consideration: \$10.00
Assigns all rights, title and
interest in and to certain
liens or encumbrances on real
property arising from unpaid
taxes and other liens affecting
property that became a lien or
encumbrance on the following
real property et al, prior to
July 1, 2003
SBL No: 77.84-1-1.2
Owner: Mancini Enterprises, Inc.
Property: 125 Chandler
Year: 2001-2002
(See terms and conditions
contained herein)

131.

The County of Erie
-to-
The Wachovia Bank, National
Association, as Custodian
Tax Lien Services
(No Search against Second Party)

TAX LIEN CERTIFICATE
Dated: December 30, 2003
Ack: December 30, 2003
Rec: December 30, 2003 in
Liber 11065 of Deeds, Page 7894
Consideration: \$10.00
Assigns all rights, title and
interest in and to certain
liens or encumbrances on real
property arising from unpaid

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taxes and other liens affecting
property that became a lien or
encumbrance on the following
real property et al, prior to
December 3, 2003
SBL No: 77.84-1-1.2
Owner: Mancini Enterprises, Inc.
Property: 125 Chandler
Year: 2003

(See terms and conditions
contained herein)

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132. The County of Erie
-to-
Manufacturers and Traders
Trust Company, as Custodian
Tax Lien Services
(No Search against Second Party)

TAX LIEN CERTIFICATE
Dated: December 29, 2004
Ack: December 29, 2004
Rec: December 29, 2004 in
Liber 11088 of Deeds, Page 5266
Consideration: \$10.00
Assigns all rights, title and
interest in and to certain
liens or encumbrances on real
property arising from unpaid
taxes and other liens affecting
property that became a lien or
encumbrance on the following
real property et al, prior to
November 26, 2004
SBL No: 77.84-1-1.2
Owner: Mancini Enterprises, Inc.
Property: 125 Chandler
Year: 2004

(See terms and conditions
contained herein)

133.

The County of Erie
-to-
Manufacturers and Traders
Trust Company, as Custodian
Tax Lien Services
(No Search against Second Party)

TAX LIEN CERTIFICATE
Dated: December 28, 2005
Ack: December 28, 2005
Rec: December 30, 2005 in
Liber 11107 of Deeds, Page 3917
Consideration: \$10.00
Assigns all rights, title and
interest in and to certain
liens or encumbrances on real
property arising from unpaid
taxes and other liens affecting
property that became a lien or
encumbrance on the following
real property et al, prior to
December 28, 2005
SBL No: 77.84-1-1.2
Owner: Mancini Enterprises, Inc.
Property: 125 Chandler
Year: 2005
(See terms and conditions
contained herein)

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134.

Affidavit
-of-
Leo Mancini

AFFIDAVIT
Dated: November 11, 2009
Recorded: November 17, 2009 in
Liber 11173 of Deeds, at
Page 1484
Deposes and says as follows:
That Mancini Enterprises, Inc.
is the owner of premises located at 125 Chandler Street, in the City
of Buffalo, County of Erie, by virtue of a Deed recorded in the Erie
County Clerk's Office on April 27, 1999, in Liber 10950 of Deeds, at

Page 5023. That Deponent's attention has been called to a certain Mortgage made by Mancini Enterprises, Inc. to Bakery Salvage Corp., recorded in the Erie County Clerk's Office on April 27, 1999, in Liber 12836 of Mortgages, at Page 1896, securing the principal sum of \$17,000.00. Said Mortgage was paid in full and satisfied in 2004. That there have been no payments made, nor have there been any attempts to collect, nor has any action been commenced in connection with said Mortgage in the past five years.

135.	Mancini Enterprises, Inc.	WARRANTY DEED
	-to-	Dated: November 11, 2009
	Dominic Gagliano	Ack: November 11, 2009
	(No Search against Grantor)	Recorded: November 17, 2009 in
		Liber 11173 of Deeds, at
		Page 1486
		Consideration: \$1.00 & More
		Conveys the following: 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. 88, Township 11,	
	Range 8 of the Holland Land Company's Survey and according to a map	
	filed in the Erie County Clerk's Office under Cover No. 196 is known	
	as Subdivision Lot No. 16 in Block "H", being 30 feet front and rear	
	by 140 feet in depth, situate on the south side of Chandler Street.	

136.	In the Matter	COUNTY COURT: ERIE COUNTY
	-of-	In Rem No. 165
	The Foreclosure of tax liens by	Serial No. 208
	proceeding In Rem pursuant to the	Affects: 125 Chandler, 260'
	In Rem Provisions of the Erie	X 140'
	County Tax Act and the Resolution	Filed: May 8, 2017
	of the Erie County Legislature as	Assessed Owner: Mancini
	shown by Resolution No. 32 at	Enterprises, Inc.
	Pages 177-208 of the Minutes of	

the Proceedings of said Legislature
for the Year 2017
(2017-600139)

Dated: July 28, 2017

At: 8:59 a.m.

Mancini Enterprises, Inc.

C VS G DEED

-to-

Dated: October 23, 2017

125 Chandler Street, LLC

Ack: October 23, 2017

(No search against grantee)

Rec: October 25, 2017 in

Liber 11320 of Deeds at

Page 6496

Consideration: \$10.00 and more

Conveys premises.

This conveyance is not all or
substantially all of the
property of the party of the
first part and is made in the
regular course of business.

Dated: October 25, 2017

At: 2:27 PM

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**NATIONAL TITLE INSURANCE OF NEW YORK, INC.,
by its Agent, CAPITAL ABSTRACT COMPANY OF WNY, INC.,
a New York Corporation doing business as CAPITAL ABSTRACT COMPANY**

Private Policy Notice

Purpose Of This Notice

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **Capital Abstract Company and/or National Title Insurance of New York, Inc.**

We may collect nonpublic personal information about you from the following sources:

Information we receive from you such as on applications and other forms.
Information about your transactions we secure from your files, or from (our affiliates) or others.
Information we receive from a consumer reporting agency.
Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Private Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

Financial service providers such as companies engaged in banking, consumer finance, securities and insurance. Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

File No: 38745

Property Address: 125 Chandler Street, Buffalo, NY

Section VII

Requestor Eligibility Information

Volunteer – 145 Chandler Street, LLC purchased 125 Chandler Street in May 2019 for future redevelopment. No activities or operations have occurred site purchase, other than gutting the building and use of site as parking lot. The impacts are associated with historical industrial fill. 145 Chandler Street, LLC has not operated the subject site, and therefore does not have responsibility for the contamination present at the site.

Section IX

Contact List

Contact List

Letter from Repository

Contact List		
Federal Representative		
U.S. Representative Brian Higgins – New York’s 26 th Congressional District 726 Exchange Street, Suite 601 Buffalo, NY 14210 (716) 852-3501	U.S. Senator Hon. Charles E. Schumer 130 S. Elmwood Avenue, #660 Buffalo, NY 14202 (716) 846-4111	U.S. Senator Hon. Kirsten Gillibrand 726 Exchange Street, Suite 511 Buffalo, NY 14201 (716) 854-9725
New York Representative		
New York State Senator Chris Jacobs – District 60 65 Court Street, Room 213 Buffalo, NY 14202 (716) 854-8705	New York State Assemblyman Sean Ryan – District 149 65 Grant Street Buffalo, NY 14213 (716) 885-9630	
Erie County Representative		
Erie County Executive Mark Poloncarz 95 Franklin Street, 16 th Floor Buffalo, New York 14202 (716) 858-8500	Erie County Clerk Michael P. Kearns 92 Franklin Street Buffalo, New York 14202 (716) 858-8785	Commissioner of Environment and Planning Thomas R. Hersey, Jr. 95 Franklin Street, 10 th Floor Buffalo, New York 14202 (716) 858-8390
City of Buffalo Representative		
Office of the Mayor Mayor Byron W. Brown 201 City Hall Buffalo, New York 14202 (716) 852-3300	Division of Environment Director - Environmental Affairs Jason Paananen 901 City Hall Buffalo, New York 14202 (716) 851-5406	Office of Strategic Planning Executive Director Brendan R. Mehaffy 901 City Hall Buffalo, New York 14202 (716) 851-4769
Planning Board Division of Planning Nadine Marrero 901 City Hall Buffalo, New York 14202 (716) 851-5029	North District Councilman Joseph Golombek, Jr. 1502 City Hall Buffalo, NY 14202 Phone: (716) 851-5116	
Adjacent Property Owners		
138 Chandler Street 138 Chandler LLC 134 Joseph Drive Tonawanda, NY 14150	140 Chandler Street 140 Chandler Street LLC 391 Washington Street Buffalo, NY 14203	155 Chandler Street R&M Leasing LLC 391 Washington Street Buffalo, NY 14203
114 Grote Street Robert Host 118 Grote Street Buffalo, NY 14207	118 Grote Street Host Robert J 118 Grote Street Buffalo, NY 14207	120 Grote Street Buffalo Edge LLC PO Box 734 Buffalo, NY 14213
120 Grote Street Occupant 120 Grote Street Buffalo, NY 14207	124 Grote Street Ribartis John & W 124 Grote Street Buffalo, NY 14207	126 Grote Street Wiewiorski Thaddeus 126 Grote Street Buffalo, NY 14207
130 Grote Street Wapniewski Edward & W 130 Grote Street	134 Grote Street Dar Ofer c/o ABS Enterprise LLC	134 Grote Street Occupant 134 Grote Street

Buffalo, NY 14207	2885 Sanford Avenue SW Grandville, MI 49418	Buffalo, NY 14207
136 Grote Street Brian Waligora 136 Grote Street Buffalo, NY 14207	138 Grote Street RJM Properties LLC PO Box 431 Buffalo, NY 14207	138 Grote Street Occupant 138 Grote Street Buffalo, NY 14207
142 Grote Street Przybylski Stanislaw & Antonia 2724 Ancho Court Deltona, FL 32738	142 Grote Street Occupant 142 Grote Street Buffalo, NY 14207	146 Grote Street Maywalt Michael F & Lynda 5500 Reiter Road East Aurora, NY 14052
146 Grote Street Occupant 146 Grote Street Buffalo, NY 14207	150 Grote Street Toczek Frank T Jr (LE) 147 Bush Street Buffalo, NY 14207	150 Grote Street Occupant 150 Grote Street Buffalo, NY 14207
109 Chandler Street Alessi Carolyn 251 Fayette Avenue Buffalo, NY 14223	99 Chandler Street Black Rock Chandler LLC 235 Lakefront Blvd. Buffalo, NY 14202	
Local News Media		
The Buffalo News One News Plaza P.O. Box 100 Buffalo, NY 14240 (716) 849-4444	WGRZ-TV Channel 2 259 Delaware Avenue Buffalo, NY 14202 (716) 849-2222	WIVB-TV Channel 4 and WNLO-TV Channel 23 2077 Elmwood Avenue Buffalo, NY 14207 (716) 874-4410
WKBW-TV Channel 7 7 Broadcast Plaza Buffalo, NY 14202 (716) 845-6100	WUTV-TV Channel 29 and WNYO-TV Channel 49 699 Hertle Avenue, Suite 100 Buffalo, New York 14207 (716) 447-3200	
Public Water Supplier		
Buffalo Water Authority 281 Exchange Street Buffalo, NY 14202 (716) 847-1065		
Persons who have requested to be on the list		
None requested		
Administrator of School and Daycare Facilities near the Property		
Elmwood Village Charter School 655 Hertel Avenue Buffalo, NY 14207 (716) 424-0555 Ms. Kathy Jamil - Principal		
No school within ¼ mile of the site		
Local Document Repositories		
North Park Library 975 Hertel Avenue Buffalo, NY 14216 716-875-3748 Paul Guminski – Branch Manager	NYSDEC Region 9 Office 270 Michigan Avenue Buffalo, NY 14203 716-851-7220	



Michele Wittman <michelewittmangeo@gmail.com>

Library Repository Request for 125-145 Chandler BCP #C915358

April Tompkins <tompkinsa@buffalolib.org>
To: Michele Wittman <michelewittmangeo@gmail.com>

Fri, Feb 28, 2020 at 12:24 PM

Good afternoon Michele,

Per your request, this is to inform you that the Buffalo and Erie County Public Library will be the repository for all document(s) submitted by your company for the Brownfield Cleanup Program at **125-145 Chandler Street in Buffalo, NY, identified as BCP #C915358..** These documents will be made available for public review at the North Park Library and/or any other library of your choice. Please refer to our procedure below.

We prefer that you do not take documents to individual libraries. Please bring or send your document(s), and cover letter, to the Central Library and we will process according to our procedure and distribute to the location of your choice. **If you would like a confirmation that your document was received, you will need to include the request in your cover letter and provide an email address.**

Please keep the following in mind:

- Documents (including updates) for public review should be either brought in person (to my attention) to the Central Library's administrative reception desk located on the second floor or sent via mail carrier. Documents sent via e-mail will not be accepted. The mailing address is:

Attention: April Tompkins

Re: Repository Documents

Buffalo and Erie County Public Library

1 Lafayette Square

Buffalo, NY 14203

- Documents are made available within three business days after receipt, excluding weekends and holidays. Documents for the Central/Downtown library are located on the first floor in the Information Services Department.
- If you would like the document(s) distributed at **libraries other than Central**, you will need to send or give us the appropriate quantity of copies with labels regarding their destination(s). We will distribution accordingly. We do not make copies for distribution.

- You have the choice regarding the format (hard copy print and / or disk) you wish to submit. If submitting in both formats, please be sure that they are titled/labeled accordingly. **If CD's are included, please secure to the corresponding printed document(s) to prevent it from getting lost or separated.** Although CD-ROMs cannot be used on public library computers, patrons may bring in their personal laptop to view the disc in-house. If optional, an alternative is the availability to go online using a provided link for patrons to read/review/print. Patrons are not allowed to take original repository documents out of the Library.

If you still have any questions/concerns, please feel free to contact me by replying to this e-mail or by phone at 716-858-7129. Thank you.

Regards,

April

April Tompkins, Sr. Library Clerk

Office of Chief Operating Officer & Technical Support

Buffalo and Erie County Public Library

1 Lafayette Square | Buffalo, NY 14203

Voice: 716-858-7129 | Fax: 716-858-6211

E-mail: tompkinsa@buffalolib.org

[Quoted text hidden]

Buffalo & Erie County Public Libraries have more than 3.2 million materials - books, eBooks, DVDs, music & more. Free library cards (traditional and eLibrary) are available to Erie County, New York residents and to those who work and/or attend school in Erie County, NY. Follow the library on Facebook, Twitter, Instagram, Pinterest, Flickr and on our podcast *All Booked Up!* Information: 716-858-8900 or <http://www.buffalolib.org>.

Section X

Land Use Factors

2. Current Use – 125 Chandler has been vacant since about 2015. Specific historical areas of usage and possible contaminant source areas are not known.

3. Reasonably Anticipated Use Post Remediation – The Site will be developed as commercial usage to include rehabilitation of existing building on 125 Street Chandler Site, as well as parking lot in remaining areas of the site. The parking lot will support nearby business located at 155 Chandler and 166 Chandler. Due to the proposed future usage, commercial usage will be cleanup goal/criteria.

4. Recent Development – The Requestor and subsidiary companies have invested \$30,000,000 into the Black Rock neighborhood over the past 4 years. The proposed use is consistent with recent development in the area.