

# New York State Department of Environmental Conservation

## Division of Environmental Remediation

Office of the Director, 12th Floor

625 Broadway, Albany, New York 12233-7011

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

Website: [www.dec.ny.gov](http://www.dec.ny.gov)

DEC 31 2012



Joe Martens  
Commissioner

Santarosa Holdings, Inc.  
c/o Grant Wooley  
4870 Packard Road  
Niagara Falls, New York 14304

RE: Certificate of Completion  
Site Name: 1501 College Avenue Site  
Site No. C932134  
Niagara Falls, Niagara County

Dear Mr. Wooley:

Congratulations on having satisfactorily completed the remedial program at the 1501 College Avenue Site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (DEC) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

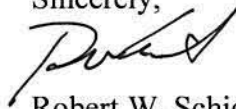
Please note that you are required to perform the following tasks:

- If you are the site owner, you must record a notice of the COC in the recording office for the County (or Counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record a notice of the COC within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the notice of COC is recorded within the time frame specified. A standard notice form is enclosed to this letter;
- Provide a notice of the COC and a fact sheet describing the institutional and engineering controls (IC/EC) that are required at the site to the Brownfield Site Contact list within ten (10) days of issuance of the COC;
- Implement the DEC-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to DEC in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the enclosed Site Management Form. The first PRR including the certification of the IC/ECs is due to DEC by June 30, 2014; and

- You and your lessees must submit an annual report to the New York State Department of Taxation and Finance within one (1) year and for each of the following eleven (11) years after the execution of the Brownfield Site Cleanup Agreement. The Report must provide the information required by Chapter 390 of the Laws of 2008, Tax Law Section 171-s.

If you have any questions regarding any of these items, please contact the project manager, Mr. Michael J Hinton, P.E., at 716-851-7220.

Sincerely,



Robert W. Schick, P.E.

Director

Division of Environmental Remediation

cc: K. Anders, DOH  
M. Forcucci, DOH  
M. Hinton, DEC  
G. Sutton, DEC  
M. Cruden, DEC  
J. Charles, DEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)  
*CERTIFICATE OF COMPLETION*

**CERTIFICATE HOLDER(S):**

Name	Address
SANTAROSA HOLDINGS INC.	4870 PACKARD ROAD, Niagara Falls, NY 14304

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 11/26/07    **Agreement Execution:** 12/13/07    **Agreement Index No.:** B9-0757-07-10

**Application Approval Amendment:** none                      **Agreement Execution Amendment:** 1/31/11

**SITE INFORMATION**

**Site No.:** C932134    **Site Name:** 1501 College Avenue Site  
**Site Owner:** SANTAROSA HOLDINGS INC.  
**Street Address:** 1501 College Avenue  
**Municipality:** Niagara Falls    **County:** Niagara    **DEC Region:** 9  
**Site Size:** 12.357 Acres  
**Tax Map Identification Number(s):** 130.18-2-19, 139.18-2-3.212  
**Percentage of site located in an EnZone:** 100 %

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

**CERTIFICATE ISSUANCE**

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the Site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

**Allowable Uses under the BCP:** Industrial

**Cleanup Track:** Track 4: Restricted use with site-specific soil cleanup objectives

**Tax Credit Provisions for Entities Taxable Under Article 9, 9-A, 32, and 33:**

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 20 %.  
Tangible Property Credit Component Rate is 20 %.

**Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:**

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 18 %.  
Tangible Property Credit Component Rate is 18 %.

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Niagara County as Instru#:2012-27063.

#### **LIABILITY LIMITATION**

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

#### **CERTIFICATE TRANSFERABILITY**

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375-1.9.

#### **CERTIFICATE MODIFICATION/REVOCATION**


This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon a finding that:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;
- (4) there is good cause for such modification or revocation;
- (5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;
- (6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Joseph J. Martens  
Commissioner  
New York State Department of Environmental Conservation

By:

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

Date:

December 31, 2012

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

**1501 College Avenue Site ID No. C932134, 1501 College Avenue**  
**City of Niagara Falls, Niagara County, Tax ID No. 130.18-2-19, 139.18-2-3.212**

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to Santarosa Holdings for a parcel approximately 12.25 acres located at 1501 College Avenue in the City of Niagara Falls, Niagara County.

**PLEASE TAKE NOTICE**, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

**PLEASE TAKE NOTICE**, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

**PLEASE TAKE NOTICE**, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Niagara County as Instrument #2012-27063.

**PLEASE TAKE NOTICE**, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

**PLEASE TAKE NOTICE**, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

**PLEASE TAKE NOTICE**, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

**1501 College Ave, #C932134), 1501 College Ave, Niagara Falls, New York**

**PLEASE TAKE NOTICE**, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

**PLEASE TAKE NOTICE**, the Certificate may be only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

**PLEASE TAKE NOTICE**, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

**PLEASE TAKE NOTICE**, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 9 located at 270 Michigan Ave, Buffalo New York 14203-2999, by contacting the Regional Environmental Remediation Engineer.

**WHEREFORE**, the undersigned has signed this Notice of Certificate

Santarosa Holdings, Inc.

By: \_\_\_\_\_

Title: \_\_\_\_\_

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

STATE OF NEW YORK        ) SS:  
COUNTY OF                )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgment

**Please record and return to:**  
Santarosa Holdings, Inc.  
c/o Grant Wooley  
4870 Packard Road  
Niagara Falls, New York 14304

\_\_\_\_\_  
\_\_\_\_\_



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Site Management Form**  
 12/28/2012



**SITE DESCRIPTION**

**SITE NO.** C932134

**SITE NAME** 1501 College Avenue Site

**SITE ADDRESS:** 1501 College Avenue      **ZIP CODE:** 14304

**CITY/TOWN:** Niagara Falls

**COUNTY:** Niagara

**ALLOWABLE USE:** Industrial

**SITE MANAGEMENT DESCRIPTION**

SITE MANAGEMENT PLAN INCLUDES:	YES	NO
IC/EC Certification Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Monitoring Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Operation and Maintenance (O&M) Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Periodic Review Frequency: once a year	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Periodic Review Report Submitted Date: 06/30/2014		

**Description of Institutional Control**

**Santarosa Holdings, Inc**  
 4870 PAckard Rd  
**1501 College Avenue Site**  
 Environmental Easement  
 Block: 2  
 Lot: 3  
 Sublot: 212  
 Section: 130  
 Subsection: 18  
 S\_B\_L Image: 139.18-2-3.212  
 Ground Water Use Restriction  
 IC/EC Plan  
 Landuse Restriction  
 Site Management Plan  
 Soil Management Plan

**Santarosa Holdings, Inc.**  
 4870 Packard Road  
**1501 College Avenue Site**

Environmental Easement

Block: 2

Lot: 19

Sublot:

Section: 130

Subsection: 18

S\_B\_L Image: 130.18-2-19

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Site Management Plan

Soil Management Plan

### Description of Engineering Control

**Santarosa Holdings, Inc**

4870 PAckard Rd

**1501 College Avenue Site**

Environmental Easement

Block: 2

Lot: 3

Sublot: 212

Section: 130

Subsection: 18

S\_B\_L Image: 139.18-2-3.212

Cover System

**Santarosa Holdings, Inc.**

4870 Packard Road

**1501 College Avenue Site**

Environmental Easement

Block: 2

Lot: 19

Sublot:

Section: 130

Subsection: 18

S\_B\_L Image: 130.18-2-19

Cover System

Fencing/Access Control



Exhibit A

**SCHEDULE "A" PROPERTY DESCRIPTION**

***ALL THAT TRACT OR PARCEL OF LAND*** situate in the City of Niagara Falls, County of Niagara and State of New York being part of Lots 32 and 33 of The Mile Reservation and being more particularly bounded and described as follows:

BEGINNING at a point in the east Right Of Way of 15<sup>th</sup> Street (60' wide), said point being 30.0 feet south of the south right of way line of College Avenue (60' wide) (formerly Whirlpool Street); thence southerly along the east right of way line of 15<sup>th</sup> Street S 00° - 06' - 55" E a distance of 422.18 feet to a point; thence S 49° - 02' - 20" E a distance of 286.53 feet to a point; thence N 89° - 57' - 24" E , 606.12 feet to a point; thence N 58° - 52' - 35" E a distance of 113.33 feet to a point; thence N 00° - 11' - 48" E a distance of 550.98 feet to a point being 30.00 feet south of the south Right of Way of College Avenue as measured at right angles thereto, said point being in the south line of lands formerly of the Penn Central Railroad; thence N 90° - 00' - 00" W along the south line of lands of the Penn Central Railroad and parallel with the south Right of Way of College Avenue a distance of 922.25 feet to the point of beginning.

Containing 12.357+/- acres of land, more or less.

NEW YORK STATE D.E.C.
SITE: 1501 COLLEGE AVENUE
SITE CODE: C932134

REFERENCES:
LIBER 3423 PAGE 251, DESCRIBES S.B.L. NOS.
130.18-2-15, 16, 17, 3, 22, 3, 211, 3, 212 INCLUSIVE.
REPUTED OWNER: SANTAROSA HOLDINGS, INC.
FILED 12/13/2007

LOTS 1,2,3,5,5A,6,7,8,9,10,11 AS DEPICTED ON
MICROFILM MAP BOOK 53, PAGES 5390, 5391
& MICROFILM MAP BOOK 55, PAGES 5552, 5553

MAP REFERENCES:
MICROFILM MAP BOOK 51, PAGES 5043, 5044, FILED 5/26/89
MICROFILM MAP BOOK 51, PAGES 4946, 4947, FILED 12/22/1987
MICROFILM MAP BOOK 53, PAGES 5390, 5391, FILED 3/1/1993
MICROFILM MAP BOOK 55, PAGES 5552, 5553, FILED 5/26/1989

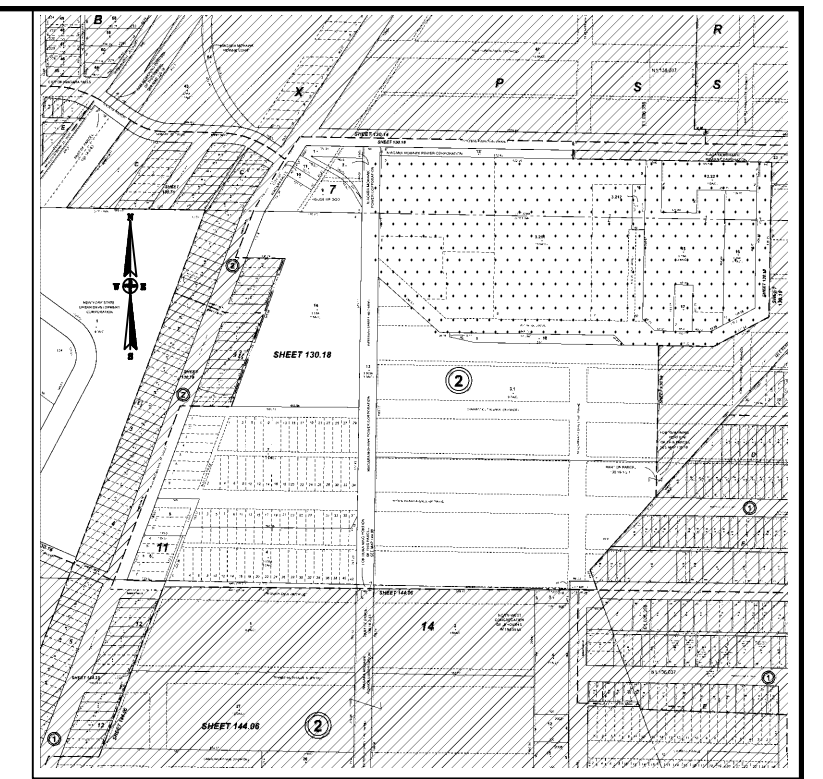
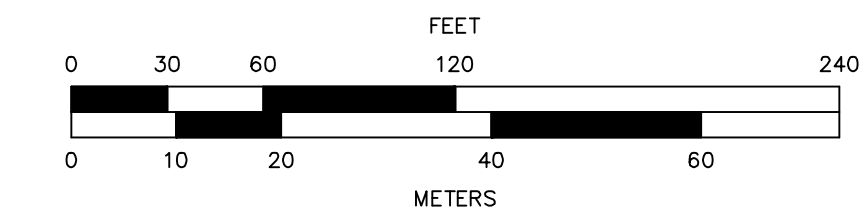
NOTE: SUBJECT PROPERTY ZONING DESIGNATION
"M-2: HEAVY INDUSTRIAL DISTRICT"

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT
HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE
NEW YORK ENVIRONMENTAL CONSERVATION LAW.

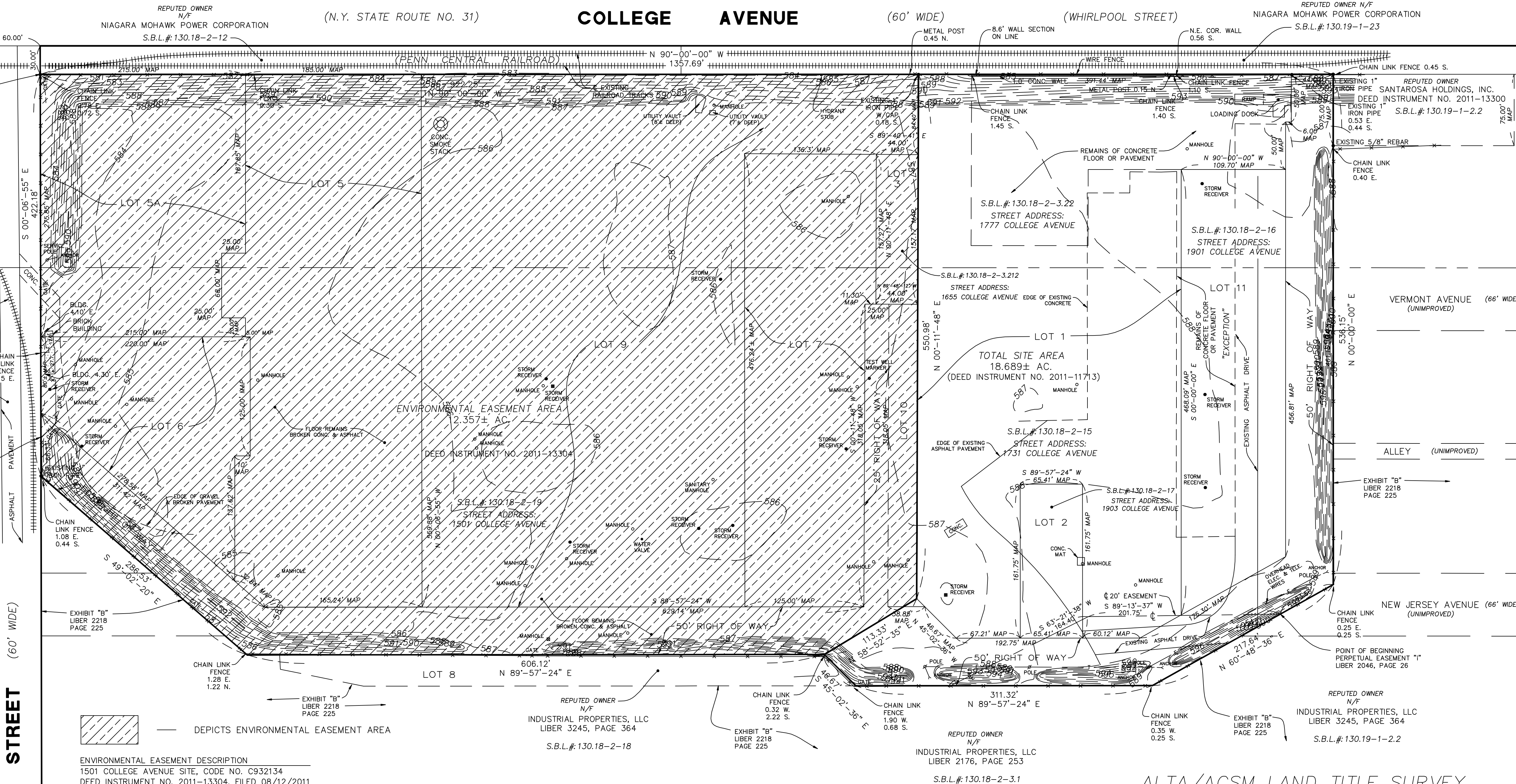
THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT
ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF
THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN
THE PROPERTY. THE SMP CAN BE OBTAINED FROM NYS DEPARTMENT
OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL
REMEDATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233
OR AT "derweb@gw.dec.state.ny.us".

- NOTES:
1. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND
APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS
OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.
2. THIS SURVEY HAS BEEN REVISED WITH THE BENEFIT OF ABSTRACT SEARCH NO. 30405
AS PREPARED BY CAPITAL ABSTRACT COMPANY, DATED FEBRUARY 16, 2011.
3. THERE WAS OBSERVABLE EVIDENCE OF EARTH MOVING WORK. CURRENTLY THERE IS NO
OBSERVABLE EVIDENCE OF BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE SITE.
4. AT THE TIME OF THE SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS
A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
5. THE BASIS OF BEARINGS FOR THIS SURVEY IS N 90°-00'-00" ALONG THE SOUTH LINE
OF COLLEGE AVENUE AS DESCRIBED IN THE RECORD DESCRIPTION.
6. CHAIN LINK FENCES & GATES ALONG THE PERIMETER OF THE SURVEYED PROPERTY VARY
AND ARE LOCATED ON THE SURVEYED PROPERTY AND ONTO ADJOINING PROPERTY.
7. THE SURVEYED PROPERTY IS CURRENTLY ACCESSED FROM 15TH STREET.

- LEGEND:
HYD. - HYDRANT
UT. - UTILITY POLE
RCVR. - RECEIVER
M.H. - MANHOLE
P.A. - POLE ANCHOR
W.V. - WATER VALVE
CONC. - CONCRETE
E - OVERHEAD ELECTRIC WIRES
T - OVERHEAD TELEPHONE WIRES
CLF - CHAIN LINK FENCE
- - - - - EXISTING CONTOUR



HIGHLAND AVENUE



EASEMENTS, SERVITUDES, RIGHTS OF WAY,
ACCESS AND RECORD DOCUMENTS
CAPITAL ABSTRACT COMPANY ORDER NO. 30405
DATED FEBRUARY 16, 2011
SET OUT 12: EASEMENT TO NIAGARA MOHAWK POWER CORPORATION
FROM NIAGARA VEST, INC. RECORDED IN LIBER 2114 OF DEEDS AT PAGE 131
GRANTS THE RIGHT AND EASEMENT TO CONSTRUCT, MAINTAIN, OPERATE
ETC. AN ELECTRIC LINE WITH THE NECESSARY POLES, CABLES,
WIRES ETC. UPON AND ACROSS LANDS DESCRIBED IN
LIBER 2048 OF DEEDS AT PAGE 28. EXISTING POLES, GUY WIRES,
OVERHEAD WIRES ARE PLOTTED HEREON.

RECORD DESCRIPTION:
DEED INSTRUMENT NO. 2011-11713, FILED 07/14/2011.
CAPITAL ABSTRACT COMPANY NO. 30405, DATED FEBRUARY 16, 2011.

ENVIRONMENTAL EASEMENT DESCRIPTION
1501 COLLEGE AVENUE SITE, CODE NO. C932134
DEED INSTRUMENT NO. 2011-13304, FILED 08/12/2011
ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF NIAGARA FALLS,
COUNTY OF NIAGARA, STATE OF NEW YORK, BEING PART OF LOTS 32 AND 33 OF
THE MILE RESERVE, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT IN THE EAST R.O.W. LINE OF 15TH STREET (60' WIDE),
30.00 FEET SOUTH OF THE SOUTH RIGHT OF WAY LINE OF COLLEGE AVENUE (60'
WIDE) (FORMERLY WHIRLPOOL STREET);
THENCE S 00 DEGREES 06' 55" E ALONG THE EAST RIGHT OF WAY OF 15TH
STREET, 422.18 FEET;
THENCE S 49 DEGREES 02' 20" E, 286.53 FEET;
THENCE N 89 DEGREES 57' 24" E A DISTANCE OF 606.12 FEET;
THENCE SOUTHEASTERLY MAKING A DEFLECTION ANGLE TO THE RIGHT OF 45
DEGREES WITH THE LAST MENTIONED COURSE, 46.67 FEET;
THENCE N 89 DEGREES 57' 24" E, 311.32 FEET;
THENCE N 60 DEGREES 48' 36" E, 217.64 FEET;
THENCE N 00 DEGREES 00' 00" E, 536.15 FEET TO A POINT 30.00 FEET SOUTH
OF THE SOUTH RIGHT OF WAY LINE OF COLLEGE AVENUE, SAID POINT BEING IN THE
SOUTH LINE OF LANDS OF THE PENN CENTRAL RAILROAD;
THENCE N 90 DEGREES 00' 00" W ALONG SAID BOUNDARY AND 30.00 FEET
SOUTH OF AND PARALLEL TO THE SOUTH LINE OF COLLEGE AVENUE, 1357.69 FEET
TO THE POINT OF BEGINNING.

ENVIRONMENTAL EASEMENT DESCRIPTION
1501 COLLEGE AVENUE SITE, CODE NO. C932134
DEED INSTRUMENT NO. 2011-13304, FILED 08/12/2011
ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF NIAGARA FALLS,
COUNTY OF NIAGARA, STATE OF NEW YORK, BEING PART OF LOTS 32 AND 33 OF
THE MILE RESERVE, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT IN THE EAST RIGHT OF WAY OF 15TH STREET (60' WIDE),
SAID POINT BEING 30.00 FEET SOUTH OF THE SOUTH RIGHT OF WAY OF COLLEGE
AVENUE (60' WIDE) (FORMERLY WHIRLPOOL STREET);
THENCE SOUTHERLY ALONG THE EAST LINE OF 15TH STREET S 00°-06'-55" E
A DISTANCE OF 422.18 FEET TO A POINT;
THENCE S 49°-02'-20" E A DISTANCE OF 286.53 FEET TO A POINT;
THENCE N 89°-57'-24" E A DISTANCE OF 606.12 FEET TO A POINT;
THENCE N 58°-52'-35" E A DISTANCE OF 113.33 FEET TO A POINT;
THENCE N 00°-11'-48" E A DISTANCE OF 550.98 FEET TO A POINT BEING 30.00
FEET SOUTH OF THE SOUTH RIGHT OF WAY OF COLLEGE AVENUE AS MEASURED AT
RIGHT ANGLES THERETO, SAID POINT BEING IN THE SOUTH LINE OF LANDS FORMERLY
OF THE PENN CENTRAL RAILROAD;
THENCE N 90°-00'-00" W ALONG THE SOUTH LINE OF LANDS FORMERLY OF
THE PENN CENTRAL RAILROAD AND PARALLEL WITH THE SOUTH RIGHT OF WAY OF
COLLEGE AVENUE A DISTANCE OF 922.25 FEET TO THE POINT OF BEGINNING.

CERTIFICATION
TO:
THE PEOPLE OF THE STATE OF NEW YORK ACTING THROUGH ITS COMMISSIONER OF THE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND TO CAPITAL ABSTRACT COMPANY
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED
WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS
FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA
AND NSPS, AND INCLUDES ITEMS 1, 2, 4, 6, 7(a), 7(b), 11(a), & 16 OF TABLE A THEREOF.
THE FIELD WORK WAS COMPLETED ON 8/3/12.
DATE OF MAP: 8/13/2012, REVISED 11/15/12; REVISED 12/12/12
Christian J. Voss
CHRISTIAN J. VOSS, L.S. NEW YORK STATE LICENSE NO. 050637



APPEX CONSULTING SURVEY & ENGINEERING SERVICES, P.C.
NIAGARA COUNTY
102 EAST AVENUE, LOCKPORT, NEW YORK 14094
Phone: (716) 439-0188 FAX: (716) 439-0189
PART OF LOTS 32 & 33 OF THE MILE RESERVE,
SITUATE IN THE CITY OF NIAGARA FALLS,
COUNTY OF NIAGARA AND STATE OF NEW YORK.
Exhibit B
SCALE: 1" = 60' JOB NO. 10-130
DATE: 8/3/12 DWG. FILE: 10-130\_ALTA\_
DRAWN BY: CTA CHECKED BY: CJV
REVISIONS: 11/15/12: ADD SITE MANAGEMENT PLAN STATEMENT.
11/15/12: OMIT FORMER LIBER AND PAGE REFERENCES; 12/12/12 S.B.L. NUMBER
CHRISTIAN J. VOSS, L.S.
N.Y.S. LICENSE NO. 050637