

# 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)



Joe Martens  
Commissioner

AUG 15 2014

Timothy Webster, Esq.  
Frontier Site Remedial Group  
Webster Szanyi  
1400 Liberty Building  
Buffalo, New York 14202

5335 River Road, Inc., Owner  
c/o Peter Ruppar Esq.  
Duke, Holzman, Photiadis & Gresens  
1800 Main Place Tower  
Buffalo, New York 14202

RE: Certificate of Completion and Registry Reclassification  
Site Name: Frontier Chemical - Royal Avenue  
Site No. 932110  
Niagara Falls, Niagara County

Dear Mr. Webster and Mr. Ruppar:

Congratulations on having satisfactorily completed the remedial program at the Frontier Royal Avenue hazardous waste 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. This also results in the reclassification of the site on the Registry of Inactive Hazardous Waste Disposal Sites ("Registry").

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. In all cases, proof of filing must be provided to DEC within 30 days of receipt. A standard notice form is enclosed to this letter.
- Place the notice of the COC in the document repository for the site within ten (10) days of issuance of the COC; and
- Implement the DEC-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program. 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 in August 2015.

DEC will prepare and distribute to the Site Contact List a fact sheet describing the institutional and engineering controls that are required at the site, and notifications relating to the reclassification or delisting of the site on the Registry.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'RWS', is written over the typed name.

Robert W. Schick, P.E.

Director

Division of Environmental Remediation

Enclosures

cc: Krista Anders, DOH  
Matt Forcucci, DOH  
Michael Ryan, DEC  
Michael Hinton, DEC  
Gregory Sutton, DEC  
Michael Cruden, DEC  
Patrick Foster, DEC  
Benjamin Conlon, DEC  
Andrew Guglielmi, DEC



NYSDEC STATE SUPERFUND PROGRAM (SSF)  
***CERTIFICATE OF COMPLETION***

**CERTIFICATE HOLDER(S):**

**Name**

Frontier Chemical Royal Ave PRP Group  
as defined in Consent Order B9-0571-00-01  
with Modification Dated June 20, 2014

**Address**

1400 Liberty Bldg, Buffalo, NY 14202

**SITE INFORMATION**

**Site No.:** 932110 **Site Name:** Frontier Chemical - Royal Avenue

**Order on Consent:** Index No. B9-0571-00-01 **Order Execution Date:** March 27, 2013 and June 20, 2014

**Site Owner:** 5335 River Road, Inc

**Street Address:** 4626 Royal Avenue

**Municipality:** Niagara Falls **County:** Niagara **DEC Region:** 9

**Site Size:** 9.810 Acres

**Tax Map Identification Number(s):** 160.09-1-6

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 6 NYCRR §375-1.9.

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 Order on Consent as well as any other relevant information regarding the Site, that the applicable remediation requirements set forth in the Environmental Conservation Law (ECL) and 6NYCRR Part 375 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:

**Allowable Uses under the SSF:** Industrial

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 with recording identifier INSTRU 2014-D4701.

**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 6NYCRR §375-2.9. 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 6NYCRR §375-2.9(d). The liability limitation shall be subject to all rights reserved to the State by ECL §27-1321 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 6NYCRR §375-1.9(f)-(g).


## **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 6NYCRR §375-1.9(e)(2) upon a finding that:

- (1) the remedial party has failed to manage the controls or monitoring in full compliance with the terms of the approved remedial program;
- (2) there has been a failure to comply with the terms and conditions of the order;
- (3) there was a misrepresentation of a material fact tending to demonstrate that the cleanup levels were reached;
- (4) the terms and conditions of any environmental easement have been intentionally violated or found to be not protective or enforceable;
- (5) for good cause;
- (6) environmental contamination at, on, under, or emanating from the site if, in light of such conditions, the site is no longer protective of public health or the environment, and the remedial party is not in good faith negotiating, and/or following its approval by the Department, implementing a work plan to achieve conditions at the site which are protective of public health and the environment;
- (7) non-compliance with the terms of the order, the remedial work plan, site management plan, or the certificate of completion after notice of the failure and reasonable opportunity to cure has been afforded to the remedial party by the Department as provided for at paragraph 375-1.9(e)(2);
- (8) fraud related to the remedial program for the site committed by the certificate holder;
- (9) a finding by the Department that a change in an environmental standard, factor, or criterion upon which the remedial work plan was based renders the remedial program implemented at the site no longer protective of public health or the environment, and the remedial party is not in good faith negotiating, and/or following its approval by the Department, implementing a work plan to achieve conditions at the site which are protective of public health and the environment; or
- (10) a change in the site's use subsequent to the Department's issuance of the certificate of completion, unless additional remediation is undertaken which shall meet the standard for protection of the public health and environment that applies to this site.

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:  Date: August 15, 2014  
Robert W. Schick, P.E., Director  
Division of Environmental Remediation



**NOTICE OF CERTIFICATE OF COMPLETION**  
**Inactive Hazardous Waste Disposal Site Program**  
**Pursuant to 6 NYCRR Part 375-1.9(d)**

**Frontier Chemical - Royal Ave, Site ID No. 932110**  
**Niagara Falls, New York 14303**  
**City of Niagara Falls, Niagara County, Tax Map Identification Number 160.09-1-6**

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to 6 NYCRR Part 375 to 5335 River Road Inc for a parcel approximately 9.81 acres located at 4626 Royal Ave 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 Order on Consent, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, Title 13 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 # 2014-D4701.

**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 6 NYCRR Part 375-2.9. 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 6 NYCRR Part 375-2.9. The liability limitation shall be subject to all rights reserved to the State by 6 NYCRR Part 375-2.9 and any other applicable provision of law.

**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 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 office located at 270 Michigan Ave Buffalo New York 14202-2999, by contacting the Regional Environmental Remediation Engineer.

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

Frontier Site Remedial Group

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

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

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

STATE OF NEW YORK        ) SS:  
COUNTY OF                )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 2014, 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:**  
Timothy Webster, Esq.  
Frontier Site Remedial Group  
Webster Szanyi  
1400 Liberty Building  
Buffalo, New York 14202

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

5335 River Road, Inc., Owner

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

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

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

STATE OF NEW YORK        ) SS:  
COUNTY OF                )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 2014, 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:**  
5335 River Road, Inc., Owner  
c/o Peter Ruppard, Esq.  
Duke, Holzman, Photiadis & Gresens  
1800 Main Place Tower  
Buffalo, New York 14202

12/03/09



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
Site Management Form  
8/5/2014



SITE DESCRIPTION

SITE NO. 932110

SITE NAME Frontier Chemical - Royal Avenue

SITE ADDRESS: 4626 Royal Avenue ZIP CODE: 14303

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 checked="" type="checkbox"/>	<input type="checkbox"/>
Operation and Maintenance (O&M) Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Periodic Review Frequency: 1 year

Periodic Review Report Submittal Date: 09/16/2015

Description of Institutional Control

5335 River Road Inc

4626 Royal Ave.

Environmental Easement

Block: 1

Lot: 6

Sublot:

Section: 160

Subsection: .09

S\_B\_L Image: 160.09-1-6

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control



5335 River Road Inc

4626 Royal Ave.

Environmental Easement

Block: 1

Lot: 6

Sublot:

Section: 160

Subsection: .09

S\_B\_L Image: 160.09-1-6

Cover System

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**SCHEDULE "A" PROPERTY DESCRIPTION**

PHYSICAL ADDRESS: 4626 Royal Avenue, City of Niagara Falls, Niagara County, NY  
TAX MAP: 160.09-1-6

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 47 and 48 of the Mile Reserve, bounded and described as follows:  
BEGINNING at the point of intersection of the northerly line of Royal Avenue with the westerly line of 47th Street (formerly Union Street); running thence westerly along the northerly line of Royal Avenue, 741.15 feet to the southwest corner of lands conveyed to Kimberly-Clark Corporation by deed dated August 10, 1931 and recorded in Niagara County Clerk's Office in Liber 570 of Deeds at page 397, September 22, 1931; thence northerly making an interior angle of  $89^{\circ} 49' 15''$  and along the westerly line of lands so conveyed to Kimberly-Clark Corporation by deed dated as aforesaid 295.13 feet to the southwest corner of lands conveyed by Innis Speiden & Company to Kimberly-Clark Corporation by deed dated March 24, 1949 and recorded in Niagara County Clerk's Office in Liber 948 of Deeds at page 32, April 15, 1949; thence easterly along said southerly line of lands so conveyed by said last mentioned deed 182.44 feet to the southeast corner of said lands; thence northerly along a line making an exterior angle of  $90^{\circ} 10' 45''$  with the last mentioned course and along the easterly line of lands so conveyed to Kimberly-Clark Corporation by last mentioned deed 344.2 feet more or less to the northwesterly line of lands conveyed by the Niagara Falls Power Company to Isco Chemical Company, Inc. by deed dated February 15, 1930 and recorded in Niagara County Clerk's Office in Liber 565 of Deeds at page 288, May 3, 1930, said northwesterly line being a curved line having a radius of 291.67 feet; thence northeasterly along said curved line 67.51 feet to an iron pin at a point of tangency; thence northeasterly tangent to said curve 38.35 feet to an iron pin in the southerly line of a railway reserve 32 feet wide; thence easterly making an interior angle  $168^{\circ} 08' 30''$ , 460.20 feet to an iron pin in the west line of 47th Street; thence southerly along the west line of 47th Street, 668.52 feet to the north line of Royal Avenue at the place of beginning.

LEGAL DESCRIPTION

Per Schedule "A", Title No. 10-188608, Stewart Title Insurance Company, Effective Date 10/10/2013

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 Nos. 47 and 48 of the Mile Reserve and bounded and described as follows:  
BEGINNING at the point of intersection of the northerly line of Royal Avenue with the westerly line of 47th Street (formerly Union Street), running thence westerly along the northerly line of Royal Avenue, 741.15 feet to the southwest corner of lands conveyed to Kimberly-Clark Corporation by deed dated August 10, 1931 and recorded in Niagara County Clerk's Office in Liber 570 of Deeds at page 397, September 22, 1931; thence northerly making an interior angle of 89° 48' 15" and along the westerly line of lands so conveyed to Kimberly-Clark Corporation by deed dated as aforesaid, 295.13 feet to the southwest corner of lands conveyed by Inis Spalden & Company to Kimberly-Clark Corporation by deed dated March 24, 1949 and recorded in Niagara County Clerk's Office in Liber 946 of Deeds at page 32, April 15, 1949; thence easterly along said southerly line of lands so conveyed by said last mentioned deed, 182.44 feet to the southeast corner of said lands; thence northerly along a line making an exterior angle of 80° 10' 45" with the last mentioned course and along the easterly line of lands so conveyed to Kimberly-Clark Corporation by last mentioned deed, 344.2 feet more or less to the northwesterly line of lands conveyed by The Niagara Falls Power Company to Isco Chemical Company, Inc. by deed dated February 15, 1930 and recorded in Niagara County Clerk's Office in Liber 565 of Deeds at page 288, May 3, 1930, said northwesterly line being a curved line having a radius of 291.67 feet; thence northeasterly along said curved line, 67.51 feet to an iron pin at a point of tangency; thence northeasterly tangent to said curve, 38.35 feet to an iron pin in the southerly line of a railway reserve 32 feet wide; thence easterly making an interior angle of 168° 08' 30", 468.20 feet to an iron pin in the west line of 47th Street; thence southerly along the west line of 47th Street, 668.52 feet to the north line of Royal Avenue at the place of beginning.

Said premises containing 9.81 acres, more or less.

"BEING THE PARCEL OF LAND CONVEYED TO 5335 RIVER ROAD INC. FROM FRANCIS WILLIAMS, JAMES H. WILLIAMS & LAWRENCE REGER FORMERLY D/B/A NIAGARA INDUSTRIAL WAREHOUSING BY DEED DATED SEPTEMBER 13, 1992 RECORDED ON MAY 18, 2001 IN LIBER 3118 AT PAGE 293 IN NIAGARA COUNTY CLERK'S OFFICE"

NOTE:

"This Survey has been revised with the benefit of Title Report Prepared by Stewart Title Insurance Company, Commitment No. 10-1888608, dated November 15, 2013."

FRONTIER CHEMICAL SITE  
DEC SITE NO. 9-32-110

ENVIRONMENTAL EASEMENT AREA DESCRIPTION

SAME AS THE SURVEYOR'S LEGAL DESCRIPTION

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 REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, N.Y. 12233 OR AT [derweb@sgw.dec.state.ny.us](mailto:derweb@sgw.dec.state.ny.us)

ENGINEERING AND INSTITUTIONAL CONTROLS

ALL ENGINEERING CONTROLS MUST BE OPERATED AND MAINTAINED AS SPECIFIED IN THE SITE MANAGEMENT PLAN (SMP).

ALL ENGINEERING CONTROLS ON THE CONTROLLED PROPERTY MUST BE INSPECTED AT A FREQUENCY AND IN A MANNER DEFINED IN THE SMP.

GROUNDWATER MONITORING AND OTHER ENVIRONMENTAL OR PUBLIC HEALTH MONITORING MUST BE PERFORMED AS DEFINED IN THE SMP.

GROUNDWATER USE RESTRICTION - THE USE OF GROUNDWATER UNDERLYING THE PROPERTY IS PROHIBITED WITHOUT TREATMENT RENDERING IT SAFE FOR INTENDED USE.

VAPOR INTRUSION - THE POTENTIAL FOR VAPOR INTRUSION MUST BE EVALUATED FOR ANY BUILDINGS DEVELOPED ON THE SITE; AND ANY POTENTIAL IMPACTS THAT ARE IDENTIFIED MUST BE MONITORED OR MITIGATED.

VEGETABLE GARDENS AND FARMING ON THE PROPERTY ARE PROHIBITED.

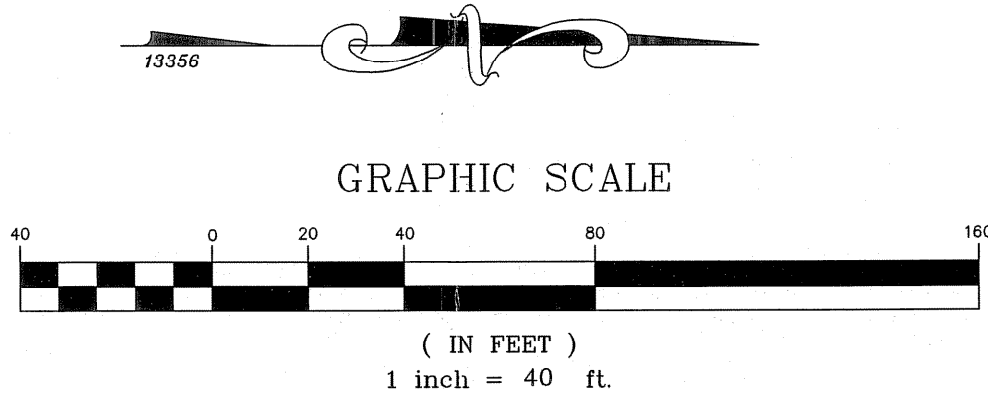
LAND USE - THE USE AND DEVELOPMENT OF THE SITE IS LIMITED TO INDUSTRIAL USES ONLY AS DEFINED IN 6 NYCRR PART 375-1.8(g)(2)(iv)

ENVIRONMENTAL EASEMENT AREA ACCESS

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

INSTRUMENT(S) UTILIZED IN DETERMINING LOCATION OF BOUNDARY LINES: Head of Search  
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED IN SAID ABSTRACT.  
NOTE: PROPERTY CORNER MONUMENTS WERE NOT PLACED AS PART OF THIS SURVEY.

I HEREBY CERTIFY TO: People of the State of New York acting through the Commissioner of the Department of Environmental Conservation and Street Use Insurance Company THAT THIS SURVEY MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT STANDARDS FOR LAND SURVEYS ADOPTED BY THE ONE COUNTY BAR ASSOCIATION. THIS CERTIFICATION SHALL EXTEND ONLY TO THE ENTITIES LISTED HEREON AND TO THE SUCCESSORS AND ASSIGNEES OF THE THESE ENTITIES. THIS CERTIFICATION IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS OTHER THAN STATED ABOVE. PROFESSOR OF SURVEYING MILLARD, MACKAY & DELLES NYPLS NO. 008477	©COPYRIGHT 2013 BY: <b>Millard, MacKay &amp; Delles</b> LAND SURVEYORS, LLP 150 AERO DRIVE BUFFALO, NEW YORK 14225 PHONE (716) 631-5140 ~ FAX 631-3811	AMEND: "B" SURVEY DATE: 10-10-13 DRAWING DATE: 11-18-13 SCALE: 1" = 40' "ALL RIGHTS RESERVED" THIS MAP VOID UNLESS EMBOSSED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL. ALTERING ANY ITEM ON THIS MAP IS A VIOLATION OF THE LAW EXCEPT AS PROVIDED IN SECTION 7209, PART 2, OF THE NEW YORK STATE EDUCATION LAW. SBL No. 160.09-1-6
PART OF LOT 47&48 SECTION _____ TOWNSHIP _____ RANGE _____ OF THE: _____ Mile Reserve SURVEY - _____ Niagara COUNTY, N.Y.	SURVEY OF: 4626 Royal Avenue, City of Niagara Falls	



LEGEND	R.O.W. RIGHT OF WAY
UTILITY / SERVICE POLE	CONC. CONCRETE
WATER LINE VALVE	INV. INVERT
FIRE HYDRANT	M.H. MANHOLE
D.I. (DROP INLET - STORM)	GAS LINE
MANHOLE (STORM)	WATER LINE
MANHOLE (ELECTRIC)	TELEPHONE LINE
MANHOLE (TRAFFIC)	ELECTRIC LINE
MANHOLE (SANITARY)	UTILITY LINES
LDR (LIGHT DUTY RECEIVER - STORM)	CABLE LINES
BYD (BACKYARD DRAIN INLET - STORM)	D. DEED
GAS LINE VALVE	M. MEASURED
LIGHT STANDARD	L. LIBER
SIGN	P. PAGE
H.C. HANDICAP	

EXCEPTIONS

Per Schedule "B", Title No. 10-188608, Stewart Title Insurance Company, Effective Date 10/10/2013

12. License Agreement made between Isco Chemical Company, Incorporated and The Niagara Falls Power Company dated August 17, 1934 and recorded May 11, 1935 in Liber 616 of Deeds at page 560 - not plottable as described (railroad siding shown on map in said deed has been removed)

13. Benefits of Agreement made between City of Niagara Falls, New York and International Minerals & Chemical Corporation dated September 27, 1956 and recorded October 18, 1956 in Liber 1238 of Deeds at page 215 - not plottable as described

