



January 24, 2019

VIA FEDEX

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

**RE: Change of Use and BCA Amendment
Former Labelon Corp. Facility
DEC Site No. C835016**

Dear Kelly:

Enclosed please find an original Change of Use form and BCA Amendment application, with attachments for the above-mentioned site.

Please accept the electronic copy I emailed to you on January 24, 2019, as the required electronic copy.

Thank you, and please do not hesitate to contact me if you have any questions.

Sincerely,

KNAUF SHAW LLP

MELISSA M. VALLE

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JAN 25 2019

Bur. Of Tech. Support



Department of Environmental Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

Check the appropriate box below based on the nature of the amendment modification requested:

Amendment to [check one or more boxes below]

- Add
- Substitute
- Remove
- Change in Name

applicant(s) to the existing Brownfield Cleanup Agreement [*Complete Section I-IV below and Part II*]

Does this proposed amendment involve a transfer of title to all or part of the brownfield site? Yes No

If yes, pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been previously submitted. If not, please submit this form with this Amendment. See <http://www.dec.ny.gov/chemical/76250.html>

Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]

Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]

Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY: Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.

Other (explain in detail below)

Please provide a brief narrative on the nature of the amendment:

As indicated on the Change of Use, dated December 3, 2018, the Site was transferred from Canandaigua Crossroads, LLC, the Volunteer for the Site, to 2240 North Forest Road, LLC on June 8, 2018. See attached Deed. 2240 North Forest Road, LLC now seeks to be added to the BCA as a Volunteer.

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Please refer to the attached instructions for guidance on filling out this application

Section I. Existing Agreement Information		
BCP SITE NAME: Former Labelon Corp. Facility		BCP SITE NUMBER: C835016
NAME OF CURRENT APPLICANT(S): Canandaigua Crossroads, LLC		
INDEX NUMBER OF EXISTING AGREEMENT: C835016-12		DATE OF EXISTING AGREEMENT: 1/25/11
Section II. New Requestor Information (if no change to Current Applicant, skip to Section V)		
NAME 2240 North Forest Road, LLC		
ADDRESS 2 Wendling Court		
CITY/TOWN Lancaster, New York		ZIP CODE 14086
PHONE (716) 681-1600	FAX (716) 681-2825	E-MAIL sams@savarinocompanies.com
Is the requestor authorized to conduct business in New York State (NYS)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<ul style="list-style-type: none"> 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 (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS. 		
NAME OF NEW REQUESTOR'S REPRESENTATIVE Samuel J. Savarino		
ADDRESS 500 Seneca Street, Suite 508		
CITY/TOWN Buffalo, New York		ZIP CODE 14204
PHONE (716) 332-5959	FAX (716) 332-5968	E-MAIL sams@savarinocompanies.com
NAME OF NEW REQUESTOR'S CONSULTANT (if applicable) Michael P. Rumrill, Leader		
ADDRESS 271 Marsh Road, Suite 2		
CITY/TOWN Pittsford, New York		ZIP CODE 14534
PHONE (585) 248-2413	FAX (585) 248-2834	E-MAIL mrumrill@leaderlink.com
NAME OF NEW REQUESTOR'S ATTORNEY (if applicable) Alan J. Knauf		
ADDRESS 1400 Crossroads Building, 2 State Street		
CITY/TOWN Rochester, NY		ZIP CODE 14614
PHONE 585-546-8430	FAX 585-546-4324	E-MAIL AKnauf@nyenvlaw.com
Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Describe Requestor's Relationship to Existing Applicant:		
The Requestor is the owner of the Site for which the Existing Applicant is the Volunteer.		<p>RECEIVED</p> <p>JAN 25 2019</p> <p>Bur. Of Tech. Support</p>

Section III. Current Property Owner/Operator Information (only include if new owner/operator or new existing owner/operator information is provided, and highlight new information)

OWNER'S NAME (if different from requestor) 2240 North Forest Road, LLC

ADDRESS 2 Wendling Court

CITY/TOWN Lancaster, New York

ZIP CODE 14086

PHONE (716) 681-1600

FAX (716) 681-2825

E-MAIL sams@savarinocompanies.com

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? Yes No
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site? Yes No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Yes No
Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the subject law; ii) any order or determination; iii) any regulation implementing ECL Article 27 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, Department 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 the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department? 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 NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL §27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination 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 contamination.	<input checked="" type="checkbox"/> 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. See below
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in red.

Requestor's Relationship to Property (check one):

Prior 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
 N/A

Note: a purchase contract does not suffice as proof of access.

Section V. Property description and description of changes/additions/reductions (if applicable)						
ADDRESS						
CITY/TOWN				ZIP CODE		
TAX BLOCK AND LOT (TBL) (in existing agreement)						
Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage	

VOLUNTEER STATEMENT: The Requestor, 2240 North Forest Road, LLC, only became a Site owner in June 2018, after the Site had been in the BCP for many years. The Requestor is in the process of engaging Leader to complete the necessary environmental work. The Requestor has no prior relationship with any past owners or operators of the Site other than Canandaigua Crossroads, LLC. The Requestor did not cause any of the contamination of the Site, which predates the involvement of both the Requestor and Canandagua Crossroads LLC at the Site.

Supplement to the Application To Amend Brownfield Cleanup Agreement And Amendment - Questions for Sites Seeking Tangible Property Credits in New York City ONLY.

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 Tax Law 21(6)? Please see DEC's website for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>From ECL 27-1405(31):</p> <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>	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>From 6 NYCRR 375- 3.2(a) as of August 12, 2016:</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p>	

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

Existing Agreement Information	
BCP SITE NAME: Former Labelon Corp. Facility	BCP SITE NUMBER: C835016
NAME OF CURRENT APPLICANT(S): Canandaigua Crossroads, LLC	
INDEX NUMBER OF EXISTING AGREEMENT: C835016-12-10	
EFFECTIVE DATE OF EXISTING AGREEMENT: 1.25.11	

Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (if applicable)

(Individual)

I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am (title Agent) of (entity 2240 North Forest Road, LLC); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

My _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 1/16/19 Signature: _____

Print Name: Samuel J. Savarino

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

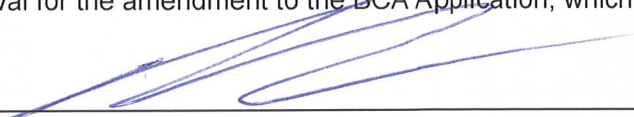
I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Member (title) of Canandaigua Crossroads, LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 1/16/19 Signature: 

Print Name: Thomas E. Masaschi

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination 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 contamination.	<input type="checkbox"/> 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 contamination.
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Effective Date of the Original Agreement:

Signature by the Department:

DATED:

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By:

Michael J. Ryan, P.E., Director
Division of Environmental Remediation

SUBMITTAL INFORMATION:

- **Two (2)** copies, one hard 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 DEPARTMENT USE ONLY

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

PROJECT MANAGER: _____



Ontario County Clerk Recording Page

Return To

BOND SCHOENECK AND KING PLLC
350 LINDEN OAKS THIRD FLOOR
ROCHESTER, NY 14625

Matthew J. Hoose, County Clerk
Ontario County Clerk
20 Ontario Street
Canandaigua, New York 14424
(585) 396-4200

Document Type: **DEED**

Receipt Number: 363998

Grantor (Party 1)
CANANDAIGUA CROSSROADS LLC

Grantee (Party 2)
2240 NORTH FOREST ROAD LLC

Fees	
Recording Fee	\$20.00
Pages Fee	\$25.00
State Surcharge	\$20.00
TP-584 Form Fee	\$5.00
RP-5217 Form Fee	\$250.00
Total Fees Paid:	\$320.00

Consideration: \$1.00

Control #: 201806080163
Ref #: TX 2018 003185

Property located in **City of Canandaigua**

State of New York
County of Ontario

Recorded on June 8th, 2018 at 3:13:59 PM
in Liber **01408** of **Deeds**
beginning at page **0278**, ending at page **0282**,
with a total page count of **5**.

Ontario County Clerk

This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York

VAK

Do Not Detach

Quit Claim Deed (Individual)

THIS INDENTURE

Made the 31st day of May 2018

Between CANANDAIGUA CROSSROADS LLC, a New York limited liability company,
with a business address at 2604 Elmwood Avenue, No. 352, Rochester, New York 14618

party of the first part and

2240 NORTH FOREST ROAD, LLC, a New York Limited Liability Company,
with a business address at 2 Wendling Court, Lancaster, NY 14086

party of the second part,

Witnesseth, that the said party of the first part, in consideration of One & No More Dollars (\$ 1.00 & No More) lawful money of the United States, paid by the party of the second part, does hereby remise, release and forever Quit-Claim unto the said party of the second part, its successors and assigns forever,

All that Tract or Parcel of Land, situate in the City of Canandaigua, County of Ontario and State of New York and more particularly described in Schedule A attached hereto and made a part hereof.

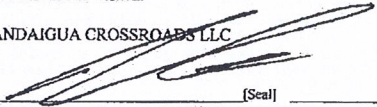
TOGETHER with the rights and subject to the burdens of easements, restrictions and rights-of-way of record, if any.

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

To have and to hold the above granted premises unto the said party of the second part, its heirs and assigns forever.

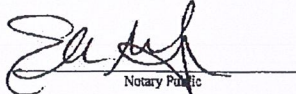
In Witness Whereof the said party of the first part has hereunto set their hands and seals the day and year first above written.

CANANDAIGUA CROSSROADS LLC

By:  [Seal] _____ [Seal]
Member

STATE OF New York COUNTY Monroe ss:

On the 31st day of May, 2018 before me, the undersigned, personally appeared Thomas Masaschi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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.


Notary Public

ELLEN A. MCGRATH
Notary Public, State of New York
No. 01662045228
Qualified in Monroe County
Commission Expires 11th 21, 2018

Stewart Title Insurance Company
Order # NA

Deeds at page 130; thence south seventy (70) degrees, twenty-nine (29) minutes, thirty (30) seconds west, in the northerly line of Chapin Street a distance of one hundred eighty-eight and eighty-five hundredths (188.85) feet to the southeasterly corner of lands conveyed by John J. Linder et al to Ellsworth S. Brown and wife by deed dated July 17, 1945, and recorded in Ontario County Clerk's Office in Liber 426 of Deeds at page 174; thence north nineteen (19) degrees, thirty-four (34) minutes west along the easterly line of said Brown's lands a distance of one hundred fourteen and ninety-hundredths (114.90) feet to the southwesterly corner of lands conveyed by B. Raymond Church, et al, to Ray O. Nicholson by deed dated April 11, 1944 and recorded in Ontario County Clerk's Office in Liber 414 of Deeds at page 131; thence north seventy-one (71) degrees, six (6) minutes east along the southerly line of said Nicholson's lands and the southerly line of the "Public Square", so called which was conveyed by Oliver Phelps and Nathaniel Gorham to the Supervisors of the County of Ontario by deed dated July 18, 1800 and recorded in the Ontario County Clerk's Office in Liber 7 of Deeds at page 16, a distance of one hundred eighty-eight and eighty-eight one hundredths (188.88) feet to the northwesterly corner of said lands of Nathaniel S. Parago and Edwin C. Parago; thence south nineteen (19) degrees, thirty-four (34) minutes east along the westerly line of said Parago's lands a distance of one hundred twelve and eighty-nine hundredths (112.89) feet to the north line of Chapin Street and the point of beginning, and containing four hundred fifty-eight thousandths (0.458) acres of land more or less according to a map of a survey dated October 13, 1945 made by Charles J. Brown, licensed Surveyor. Being the same property conveyed by Charles J. Briggs, trustee, et al, to Lester Boyce by deed dated July 26, 1950 and recorded in the Ontario County Clerk's Office July 31, 1950 in Liber 495 of Deeds at page 353, together with all right of way easements and subject to all right of way easements set forth in the deed from Spencerport Ordnance, Inc. to Velo-King Inc. recorded in the Ontario County Clerk's Office July 11, 1947 in Liber 448 of Deeds at page 270 and subject to the right of way from S. C. Brown Company and another to George T. Thompson Sons, Inc. recorded in the Ontario County Clerk's Office June 11, 1947 in Liber 446 of Deeds at page 573.

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Canandaigua, County of Ontario and State of New York, bounded on the north by West Avenue, on the east by the west line of the Public Square, on the south by a public lane fifteen feet wide and on the west by a public lane leading from West Avenue to the first mentioned lane.

Also, ALL THAT CERTAIN OR PARCEL OF LAND, situate in the City of Canandaigua, County of Ontario and State of New York, and being a part of an original Lot No. One (1) west of Main Street and south of the Square and bounded and described as follows: Beginning at a point at the southwest corner of the Public Square, thence north nineteen (19) degrees thirty-four (34) minutes west along the west line of the Public Square a distance of forty-one and twenty hundredths (41.20) feet to the south line of a fifteen (15) foot lane; thence south seventy-one (71) degrees, twenty-nine (29) minutes and thirty (30) seconds west along the south line of said lane a distance of forty and twenty hundredths (40.20) feet to the northeast corner of lands conveyed by John J. Lindner, et al. to Silsworth S. Brown, et al. by deed dated July 17, 1945 and recorded in Ontario County Clerk's Office in Liber 426 of Deeds at page 176; thence south nineteen (19) degrees thirty-four (34) minutes east along the east line of said Brown's lands a distance of forty-one and forty-seven hundredths (41.47) feet to the northwest corner of lands now or formerly owned by Randolph V. Miller (formerly Miller Corsets, Inc.); thence north seventy-one (71) degrees six hundredths (.06) minutes east along the north line of said Miller's land a distance of forty and twenty hundredths (40.20) feet to the point of beginning, and containing thirty-eight thousandths (0.038) acres, more or less.

TOGETHER with all right, title and interest of the grantor herein in and to the right to use in common with others a right of way fifteen (15) feet wide running westerly from the Public Square and northerly to West Avenue, and also conveying all the right, title and interest of the grantor herein in and to a further right to use the right of way twelve and one half (12 1/2) feet wide running south to Chapel Street at the westerly end of the first above mentioned right of way.

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through December 14, 2018.

Selected Entity Name: 2240 NORTH FOREST ROAD, LLC

Selected Entity Status Information

Current Entity Name: 2240 NORTH FOREST ROAD, LLC

DOS ID #: 5082212

Initial DOS Filing Date: FEBRUARY 08, 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)

THE LIMITED LIABILITY COMPANY

2 WENDLING COURT

LANCASTER, NEW YORK, 14086

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
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**RESOLUTIONS OF THE MANAGING MEMBER
OF
2240 NORTH FOREST ROAD, LLC**

The undersigned, being the Managing Member of 2240 North Forest Road, LLC (hereinafter the "LLC"), hereby consents to the following actions:

WHEREAS, the LLC was formed on February 8, 2017 by the filing of its Articles of Organization with the New York Department of State; and

WHEREAS, on May 31, 2018, the LLC acquired the real property commonly known as 10 Chapin Street, Canandaigua, New York (hereinafter the "Property"); and

WHEREAS, the LLC is working with the New York State Department of Environmental Conservation (hereinafter the "DEC") to implement a Remedial Action Work Plan concerning the Property, and otherwise concerning the associated Brownfield Cleanup Program; and

WHEREAS, the Managing Member wishes and desires to adopt the following resolutions.

NOW, THEREFORE, it is hereby

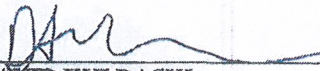
RESOLVED, that Samuel Savarino is hereby appointed as the agent of the LLC for the purpose of communicating with, and otherwise dealing with, the DEC in regard to the implementation of the Remedial Action Work Plan concerning the Property, and in regard to the Brownfield Cleanup Program concerning the Property; and it is further

RESOLVED, that, notwithstanding the foregoing, Samuel Savarino is not authorized or empowered to incur any expenses in the name of the LLC, without the Managing Member's prior written approval; and it is further

Resolutions of the Managing Member
-Page 2-

RESOLVED, that Samuel Savarino shall continue as the agent of the LLC hereunder until such time as his agency is revoked in writing by the LLC and/or its Managing Member.

Dated: December 20, 2018



DAVID KULBACKI
Managing Member