

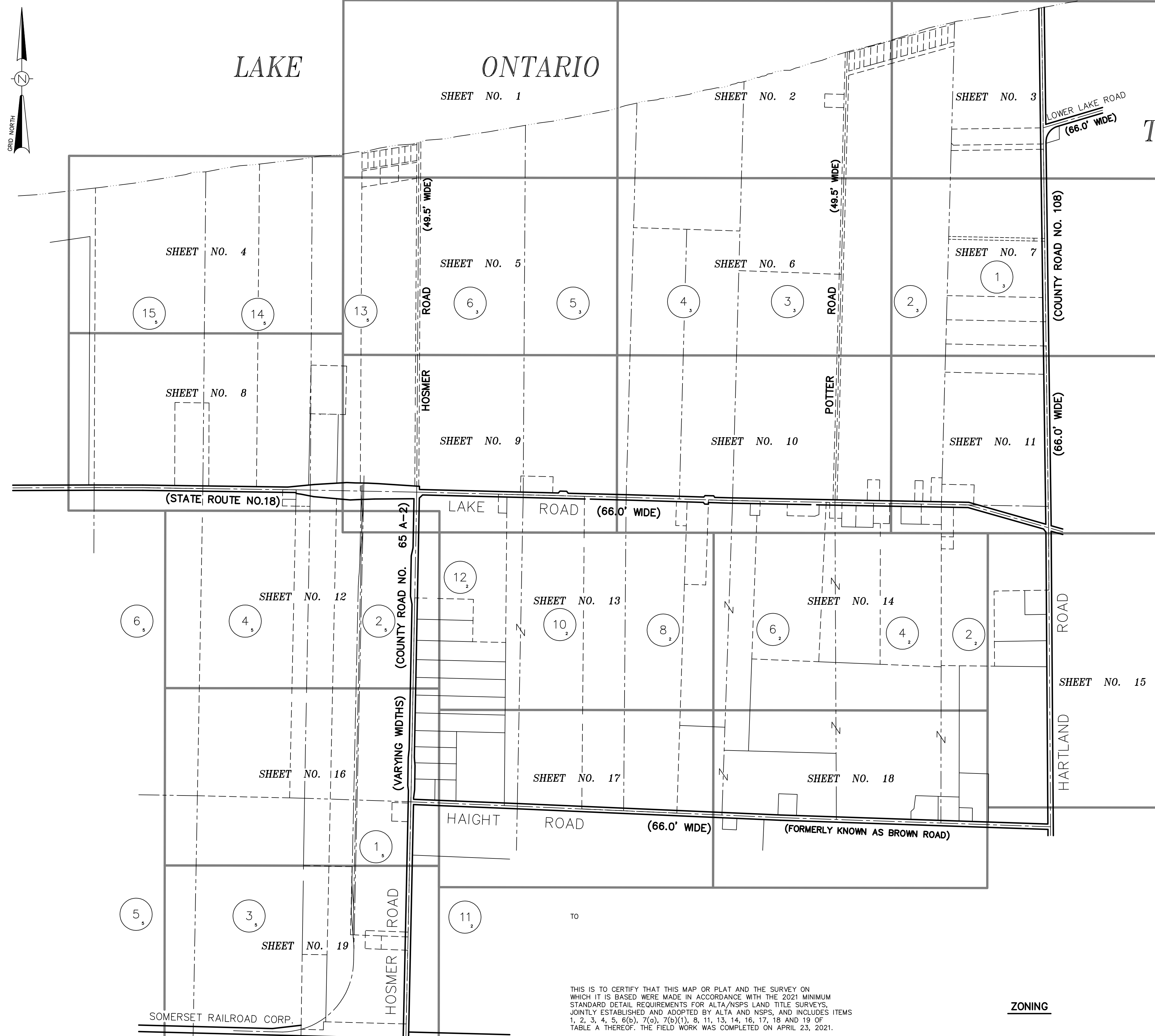
INDEX MAP

ALTA/NSPS LAND TITLE SURVEY

7725 LAKE ROAD

BEING PART OF LOTS-1,2,4,13,14 & 15, SECTION-5 &
BEING PART OF LOTS-1,2,3,4,5 & 6, SECTION-3 &
BEING PART OF LOTS-2,4,6,8,10 & 12, SECTION-2,
TOWNSHIP-16, RANGE-6, HOLLAND PURCHASE

TOWN OF SOMERSET, NIAGARA COUNTY, NEW YORK



NOTES:

- The bearings shown hereon are referenced to the New York State Plane coordinate System Transverse Mercator Projection, Western Zone (NAD 1983/96 HARN-Feet) through control ties to the following published NGS HARN control stations:
A) NGS Monument - THIRTY N 1,229,669,722 ft. E 1,173,626,767 ft.
B) NGS Monument - LOCKPORT N 1,154,232,511 ft. E 1,117,842,098 ft.
- The perimeter and ties to control monuments were accomplished by procedures necessary to achieve an accuracy of 1 part in 10,000 or better.
- Distances shown hereon are grid distances.
- Combined Factor: 0.999928514
- Background planimetrics shown were compiled from aerial imagery flown on April 6, 2021. Contours shown were derived from LIDAR data flown on April 7, 2021. Planimetric and contour information was prepared by EA Maps, LLC.
- See sheet no. 20 for tabulation of bearings, distances, point numbers & coordinates.
- See sheet no. 21 for Schedule "A" description. (Survey Description)
- See terms & conditions of a resolution of the Town Board of the Town of Somerset granting permission to New York State Electric & Gas Corporation, its successors and assigns, to transmit natural gas, through, along and under any of the highways, streets, lanes & public places in said Town; said resolution being recorded in the Niagara County Clerk's Office in L-1296, P-106. See Schedule B, Item No. 5.
- See terms & conditions of a resolution of the Town Board of the Town of Somerset granting to New York State Electric & Gas Corporation, its successors and assigns, permission to transmit natural gas, through, along and under any of the highways, streets, lanes & public places in said Town; said resolution being recorded in the Niagara County Clerk's Office in L-1486, P-302. See Schedule B, Item No. 6.
- See sheet no. 22 for Notes Corresponding to Schedule B.
- The Property described on this Survey lies within Zone X and Zone AE of the Flood Insurance Rate Map identified as Town of Somerset, Community Panel No. 360512, Panel No.'s 103 & 104 of 430, Map Suffix E, bearing an effective date of September 17, 2010 and Community Panel No. 360512, Panel No.'s 101 & 102 of 430, Map Suffix F, bearing an effective date of May 4, 2021.
- Note to the client, insurer, and lender - with regard to Table A, item 11 information from the sources checked will be combined with observed evidence of utilities pursuant to Section 5.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or similar utility located requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation may be necessary.
- At the time of the alta survey there was observable evidence of earth moving work and building demolition.
- At the time of the alta survey there were no changes in street right of way lines either completed or proposed, and available from the controlling jurisdiction or observable evidence of recent street or sidewalk construction repairs.
- Elevations shown are based upon (NAVD 88)

LEGEND

- EXCEPTION AREAS
- EASEMENT AREA RESERVED BY NYSEG
- INTERNAL PROPERTY LINE
- PROJECT BOUNDARY
- EDGE OF WATER
- GREAT LOT LINE
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC & TELEPHONE
- GREAT LOT NUMBER
- SECTION NUMBER
- TELEPHONE BOX
- POWER POLE/ LIGHT POLE
- POWER POLE
- INDICATES IRON PIPE/REBAR/PIN (FOUND OR SET)
- CONCRETE MONUMENT
- STONE MONUMENT
- NOT FIELD VERIFIED
- FORMERLY
- LIBER & PAGE REFERENCE
- APPENDIX IDENTIFICATION AS SHOWN IN NGE GENERATION, INC. TRANSFER L-2801, P-1
- COGO POINT NUMBER
- NOTES CORRESPONDING TO SCHEDULE B II

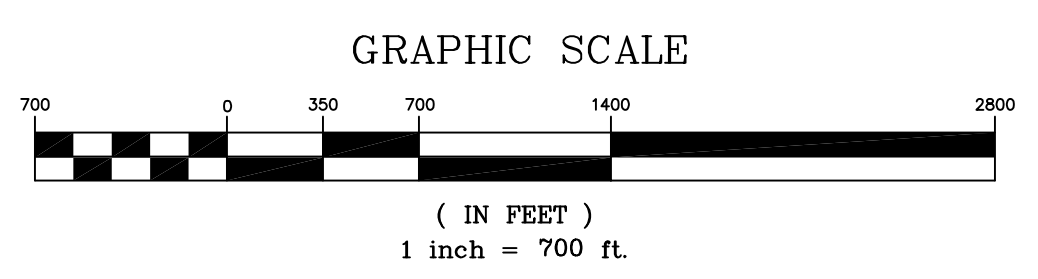
NEW YORK STATE ELECTRIC & GAS CORPORATION
L-1818, P-337
APPENDIX A-36

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(b), 7(a), 7(b)(1), 8, 11, 13, 14, 16, 17, 18 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 23, 2021.

ZONING

- 1) PREMISES ZONED - "PUD" PLANNED UNIT DEVELOPMENT ZONING INFORMATION OBTAINED FROM ? BY THE SURVEYOR.
- Minimum yards.
- FRONT: 50 FEET FROM ANY STREET RIGHT OF WAY
 - SIDE: 25 FEET; EXCEPT 200 FEET IF ABUTTING AN AGRICULTURAL OR RESIDENTIAL DISTRICT.
 - REAR: 25 FEET; EXCEPT 200 FEET IF ABUTTING AN AGRICULTURAL OR RESIDENTIAL DISTRICT.

APRIL 23, 2021
DATE OF PLAT OR MAP
JOHN E. MCINTOSH, III
LICENSE NO. 49928



NO.	DATE	DESCRIPTION	BY
6	4/23/2021	RESURVEYED PREMISES	JEM
5	5/2/2016	REVISED PER AMENDED PROFORMA	JEM
4	1/29/2016	RESURVEYED PREMISES	JEM
3	5/3/2012	RESURVEYED PREMISES	JEM
2	4/17/1999	ADD FOOTPRINT PARCEL & CERT. NAMES	JEM
1	3/29/1999	RESURVEYED PREMISES	JEM

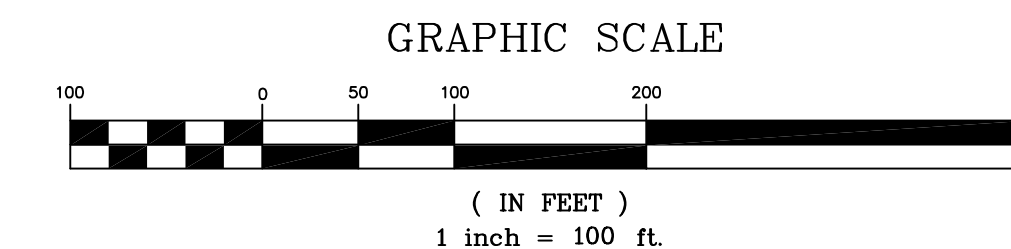
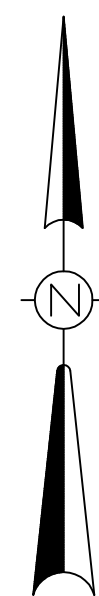
NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

PREPARED BY
McINTOSH & McINTOSH, P.C.
CONSULTING ENGINEERS, LAND SURVEYORS, PLANNERS
LOCKPORT, NEW YORK BUFFALO, NEW YORK
PHONE 434-9138 PHONE 625-8360

JOB NO. 3115 SCALE: 1"=700' DATE: MAY 1998

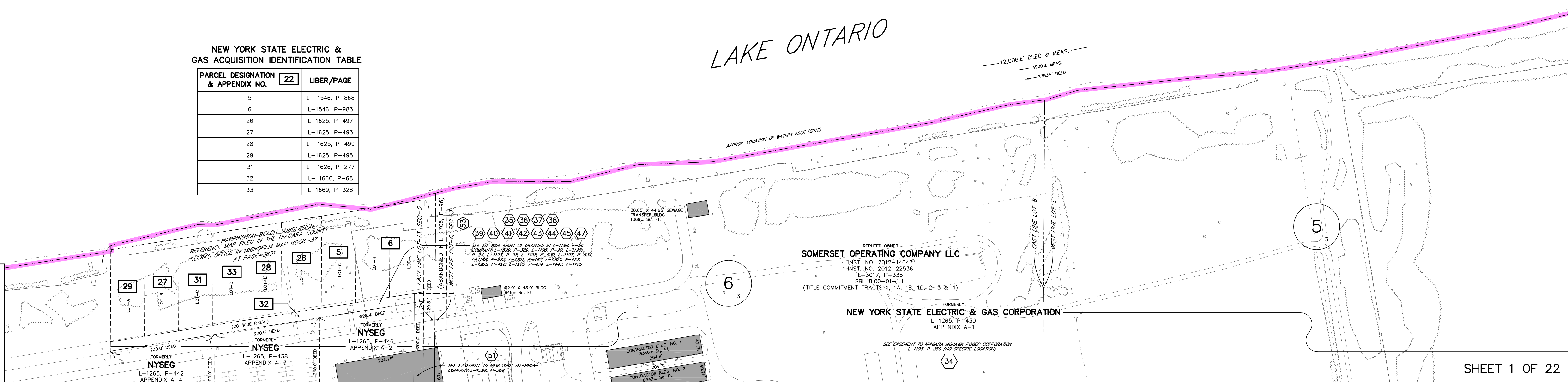
© 1998 McINTOSH & McINTOSH, P.C.
ALL RIGHTS RESERVED

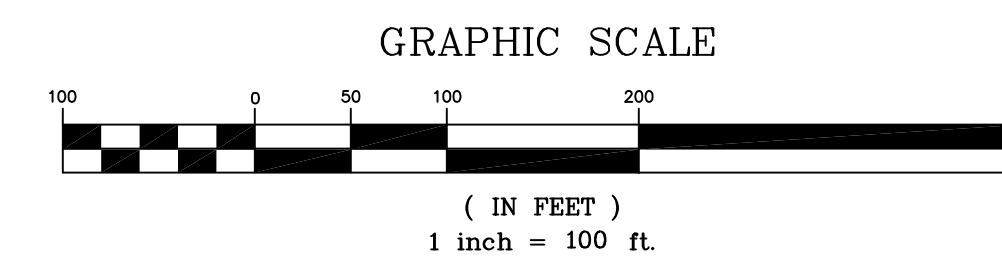
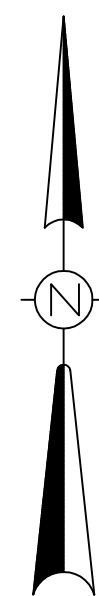


NEW YORK STATE ELECTRIC & GAS ACQUISITION IDENTIFICATION TABLE

PARCEL DESIGNATION & APPENDIX NO.	22	LIBER/PAGE
5		L- 1546, P-868
6		L-1546, P-983
26		L-1625, P-497
27		L-1625, P-493
28		L- 1625, P-499
29		L-1625, P-495
31		L- 1626, P-277
32		L- 1660, P-68
33		L-1669, P-328

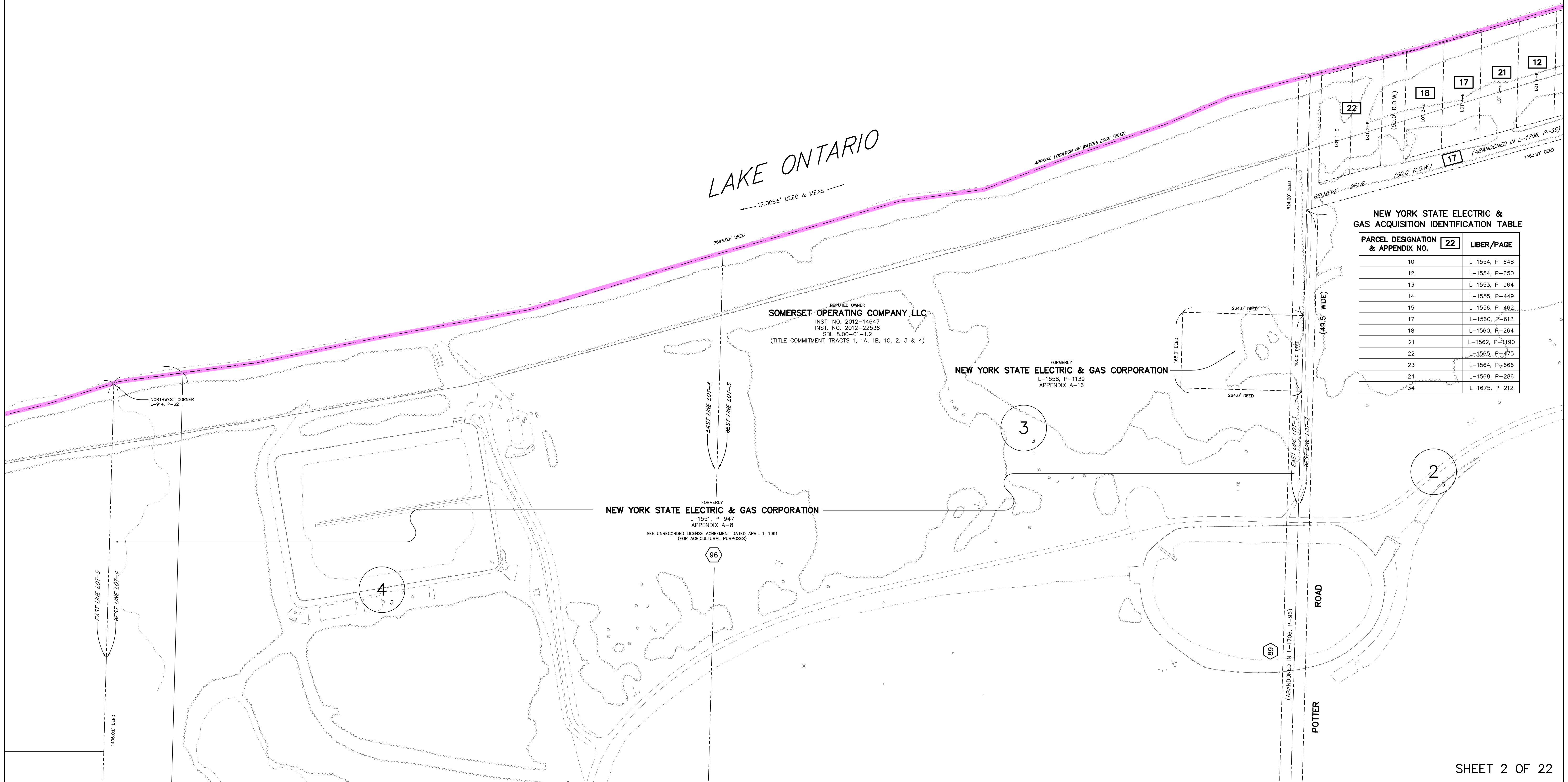
LAKE ONTARIO





SHEET 1 OF 22

SHEET 3 OF 22



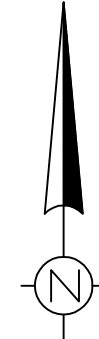
NEW YORK STATE ELECTRIC & GAS ACQUISITION IDENTIFICATION TABLE

PARCEL DESIGNATION & APPENDIX NO.	LIBER/PAGE
10	L-1554, P-648
12	L-1554, P-650
13	L-1553, P-964
14	L-1555, P-449
15	L-1556, P-462
17	L-1560, P-612
18	L-1560, P-264
21	L-1562, P-1190
22	L-1565, P-475
23	L-1564, P-666
24	L-1568, P-286
34	L-1675, P-212

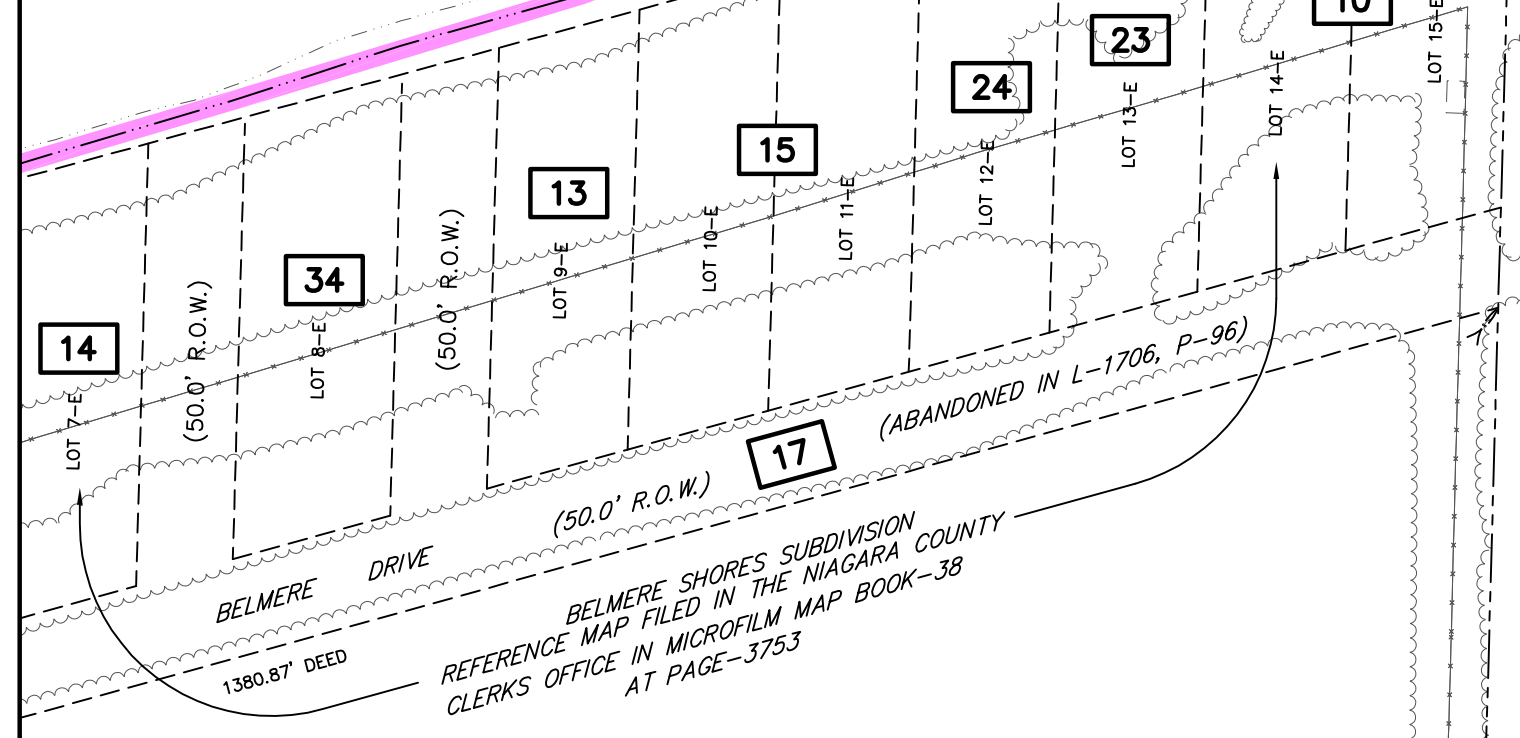
SHEET 2 OF 22

SHEET 6 OF 22

LAKE ONTARIO



12,006.4' DEED & MEAS.



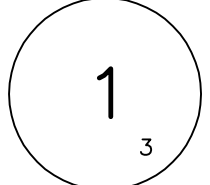
NEW YORK STATE ELECTRIC & GAS ACQUISITION IDENTIFICATION TABLE

PARCEL DESIGNATION & APPENDIX NO.	LIBER/PAGE
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12	L-1554, P-650
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14	L-1555, P-449
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22	L-1565, P-475
23	L-1564, P-666
24	L-1568, P-286
34	L-1675, P-212

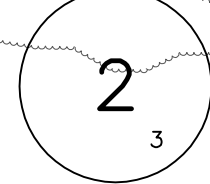
SHEET 2 OF 22

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION
L-2035, P-113
APPENDIX A-51

REPUTED OWNER
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
INST. NO. 2012-22536
SBL 8.00-01-1.2
(TITLE COMMITMENT TRACTS 1, 1A, 1B, 1C, 2, 3 & 4)



REPUTED OWNER
JAMIE L. WELLER
L-3315, P-752



POINT OF BEGINNING
SOUTHEAST COR. NYSEAG
L-2035, P-113
N 123°53'5.899"
E 1130'12.284'

REPUTED OWNER
DAVID J. & DIANE E. BISHOP
INST. NO. 2018-12349

REPUTED OWNER
TOWN OF SOMERSET
L-1774, P-324

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION
L-1936, P-1
APPENDIX A-46
SEE OIL & GAS LEASE GRANTED TO THE
NIAGARA OIL & GAS COMPANY L-211, P-376

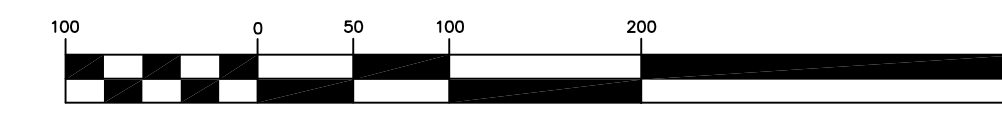


REPUTED OWNER
SIDNEY & LYNN SILSBY
L-2862, P-276

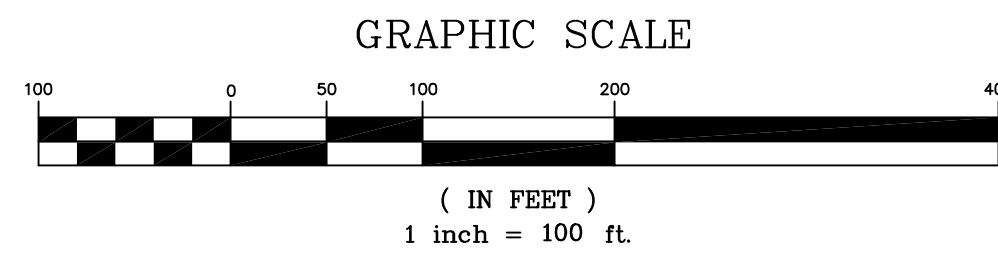
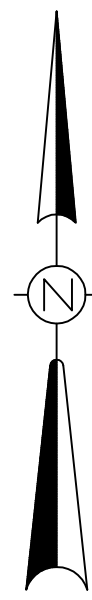
LOWER LAKE ROAD
(66.0' WIDE)

(66.0' WIDE)

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



LAKE ONTARIO

APPROX. LOCATION OF WATERS EDGE (2012)

12,006±' DEED & MEAS.
4920±' MEAS.

2059.4±' DEED = 2058.6±' DEED

REPORTED OWNER
BOT-ROCCA CORPORATION
L-2257, P-242

REPORTED OWNER
BOT-ROCCA CORPORATION
L-2258, P-68

REPORTED OWNER
TERROIR DEVELOPMENT LLC
INST. NO. 2018-22935
SBL 7.00-03-28
(TITLE COMMITMENT TRACT 6)

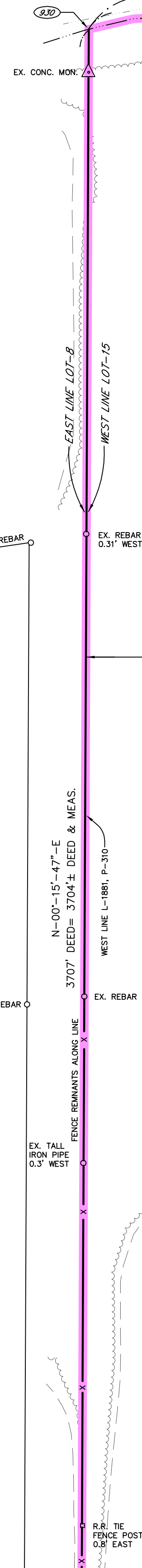
FORMERLY
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
INST. NO. 2012-22536

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION
L-1881, P-310
APPENDIX A-40
SEE UNRECORDED LEASE AGREEMENT
DATED APRIL 1, 1991
(FOR AGRICULTURAL PURPOSES)

FORMERLY
NGE GENERATION, INC.
L-2808, P-1

REPORTED OWNER
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
INST. NO. 2012-22536
L-3017, P-335 - INTENDED ONLY TO CREATE A
SEPARATE TAX MAP PARCEL NO. SBL 8.00-01-1.11
(TITLE COMMITMENT TRACTS 1, 1A, 1B, 1C, 2, 3 & 4)

SEE MEMORANDUM OF AGREEMENT TO THE
NIAGARA DEL. GAS COMPANY L-211, P-592



15
5

14
5

13
5

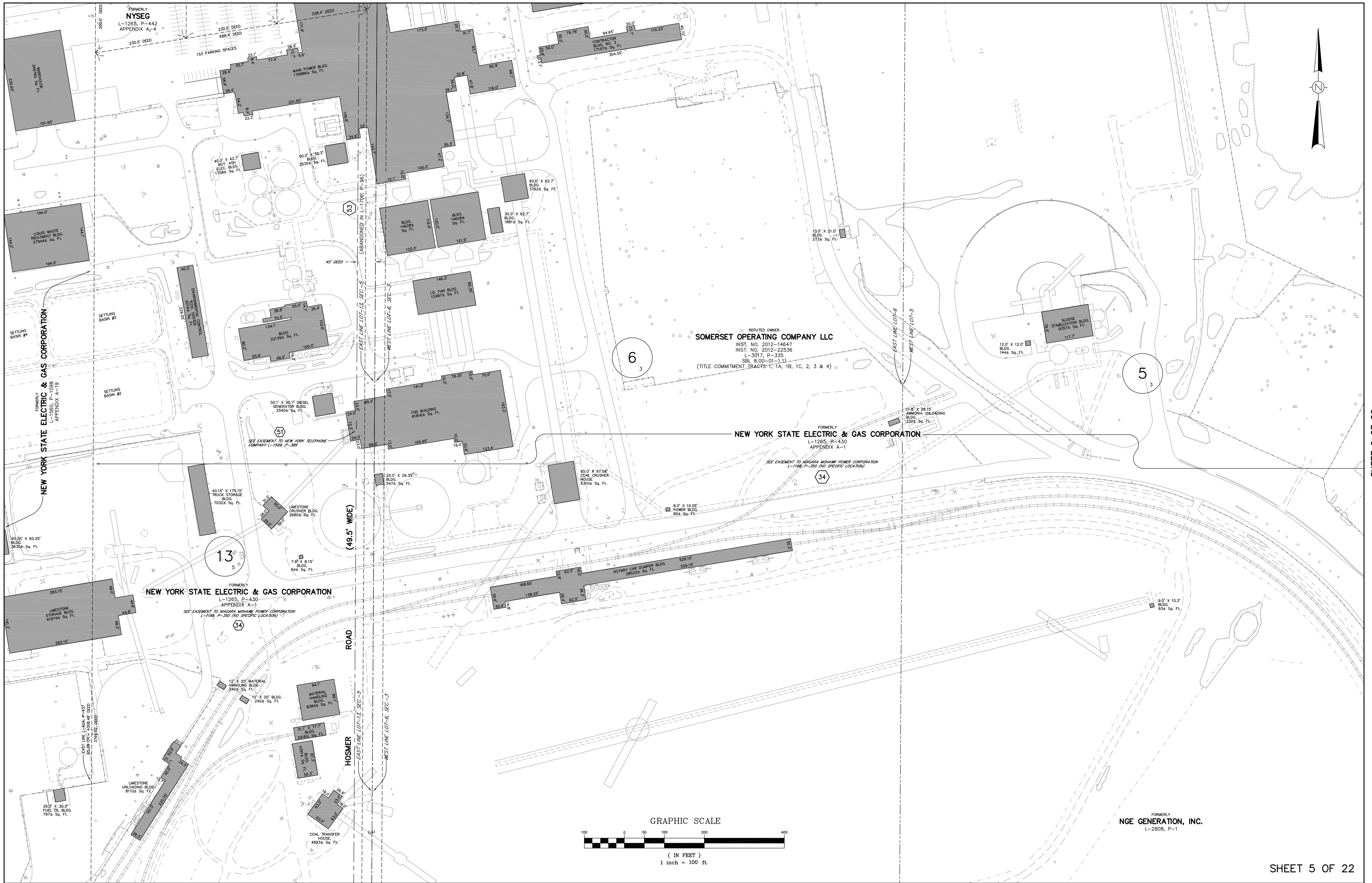
29

SHEET 4 OF 22

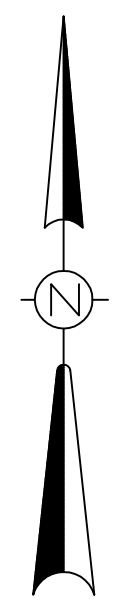
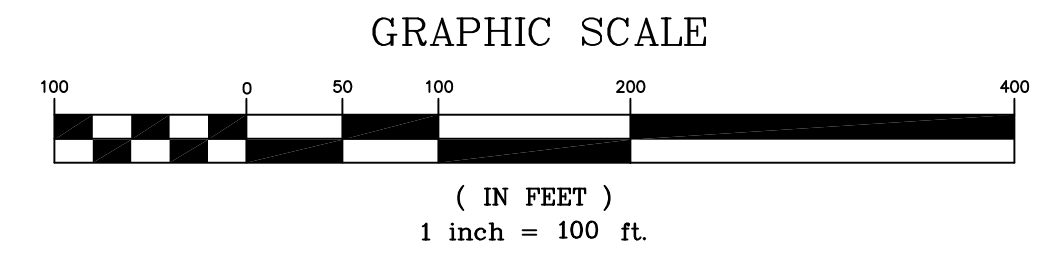
SHEET 8 OF 22

SHEET 1 OF 22

SHEET 5 OF 22

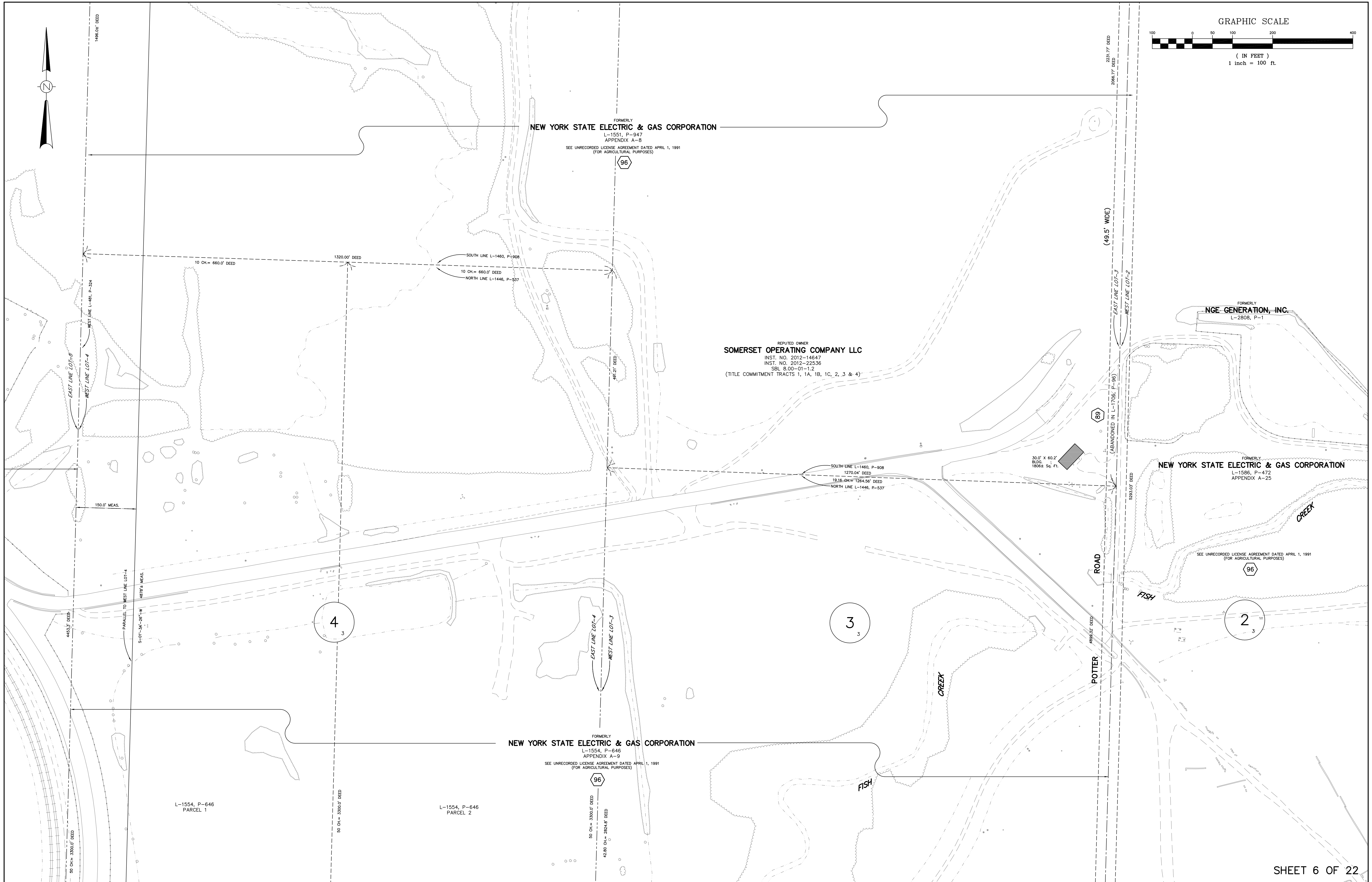


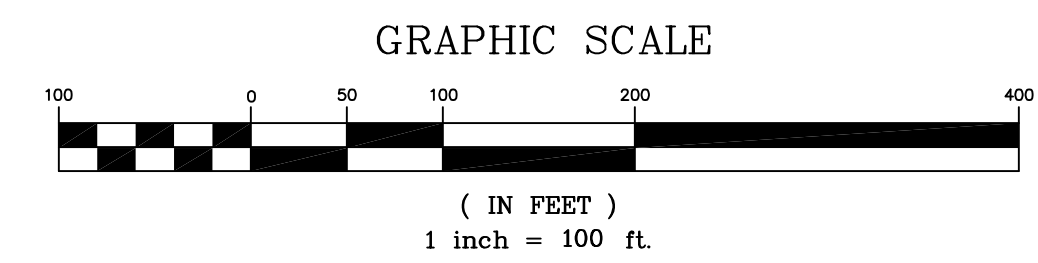
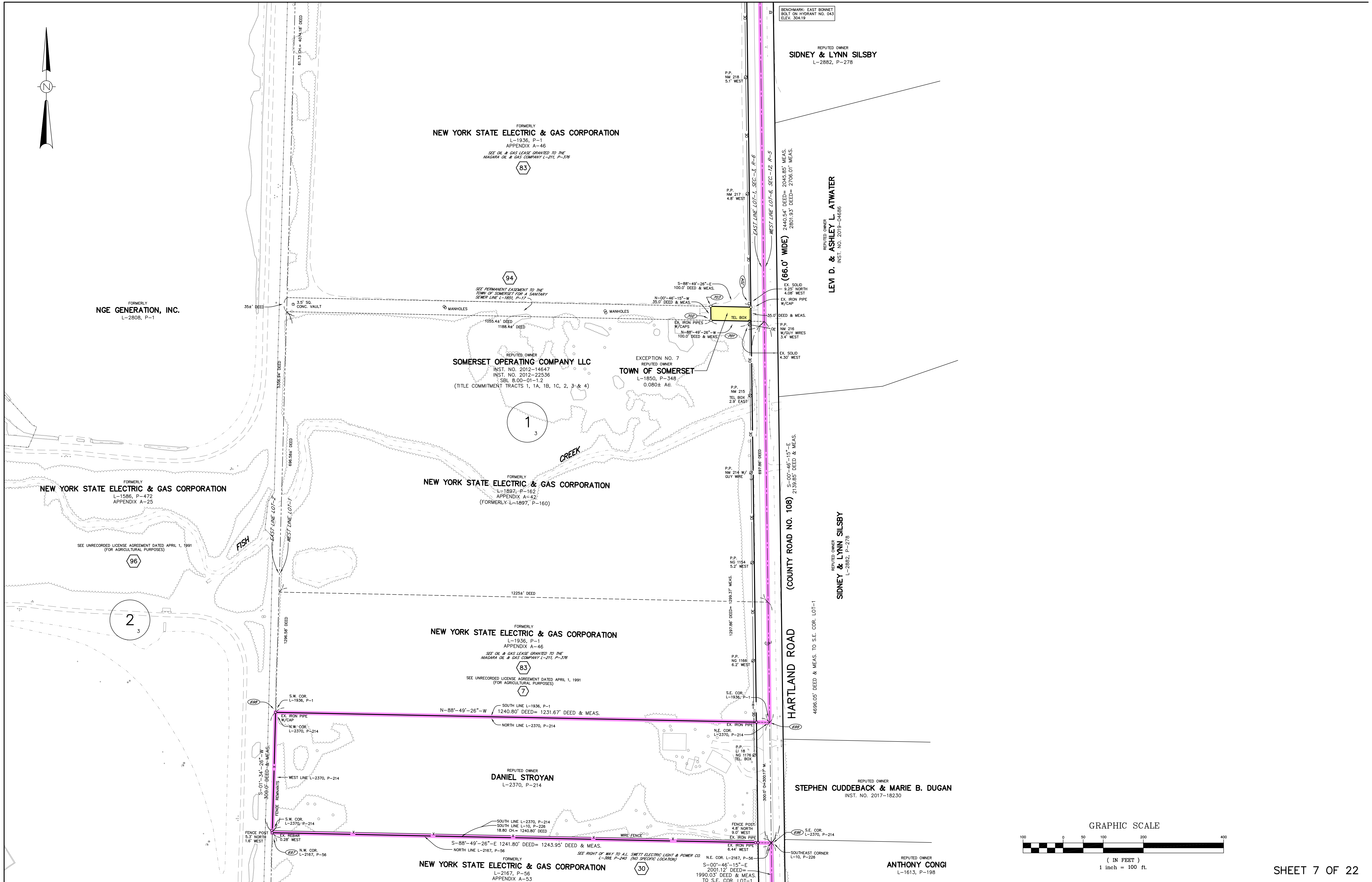
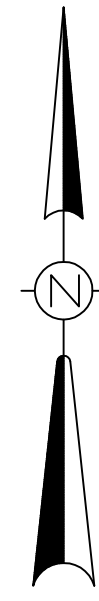
FORMERLY
NGE GENERATION, INC.
 L-2808, P-1

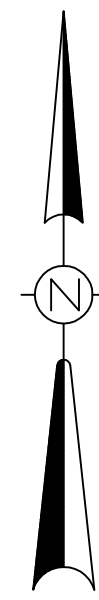


SHEET 5 OF 22

SHEET 7 OF 22







REPUTED OWNER
TERROIR DEVELOPMENT LLC
INST. NO. 2018-22935
SBL 7.00-03-28
(TITLE COMMITMENT TRACT 6)

FORMERLY
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
INST. NO. 2012-22536

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION

SEE UNRECORDED LEASE AGREEMENT
DATED APRIL 1, 1991
(FOR AGRICULTURAL PURPOSES)

SEE UNRECORDED LEASE AGREEMENT DATED JUNE 3, 1997
(FOR HISTORICAL SOCIETY PURPOSES)

FORMERLY
NGE GENERATION, INC.
L-2808, P-1

REPUTED OWNER
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
INST. NO. 2012-22536
L-3017, P-335 - INTENDED ONLY TO CREATE A
SEPARATE TAX MAP PARCEL. SBL 8.00-01-1.11
(TITLE COMMITMENT TRACTS 1, 1A, 1B, 1C, 2, 3 & 4)

FORMERLY
NYSEG
L-1560, P-1098
APPENDIX A-19

SEE L-2926, P-96
6.12 Ac. EXCEPTION IN DEED
REPUTED OWNER
**NEW YORK STATE ELECTRIC
& GAS CORPORATION**
L-1560, P-1098 & P-1100
SUBSTATION PARCEL
6.117± Ac.
AS AMENDED & RESTATED IN
EXHIBIT B IN L-2926, P-70 AND ALSO
AS FURTHER AMENDED & RESTATED IN
APPENDIX B IN L-2928, P-44
AS FURTHER AMENDED & RESTATED IN
INST. NO. 2012-14647
SBL 7.00-03-26

EXCEPTION RESERVED
IN DEED TO
NGE GENERATION, INC.
L-2808, P-1
APPENDIX-B

REPUTED OWNER
BOT-ROCCA CORPORATION
L-22585, P-68

15

14

13

111

FORMERLY
NYSEG
L-1818, P-337
APPENDIX A-36

36.1' X 64.1' BLDG.
2314± Sq. Ft.

40.5' X 80.4' BARN
3296± Sq. Ft.

20.15' X 24.55' BLDG.
494± Sq. Ft.

18.3' X 26.5' BLDG.
485± Sq. Ft.

24.35' X 30.45' BLDG.
738± Sq. Ft.

BARCOCK HOUSE
1863± Sq. Ft.

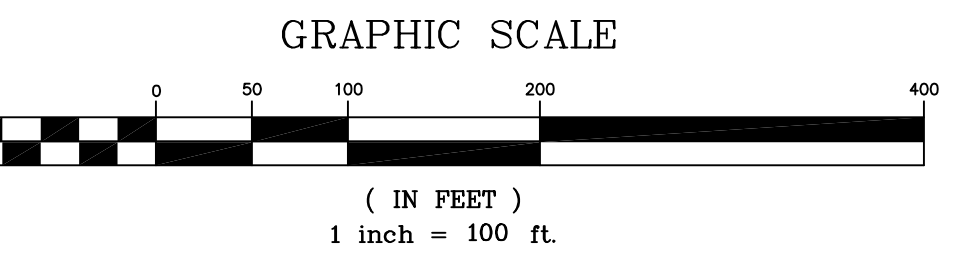
LAKE ROAD
(STATE ROUTE NO. 18)
(66.0' WIDE)

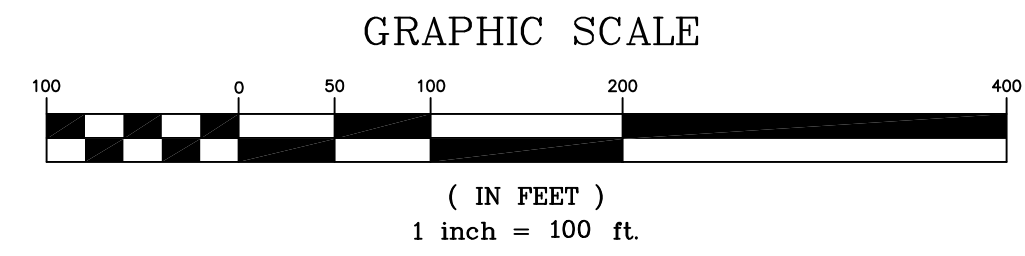
REPUTED OWNER
JOSEPH RIZZO FAMILY TRUST
INST. NO. 2014-19795

REPUTED OWNER
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
SBL 7.00-03-28
(TITLE COMMITMENT PARCEL 6)

EXCEPTION NO. 1
REPUTED OWNER
ROGER C. & KAREN M. PAYNE
L-1484, P-649
0.773± Ac.

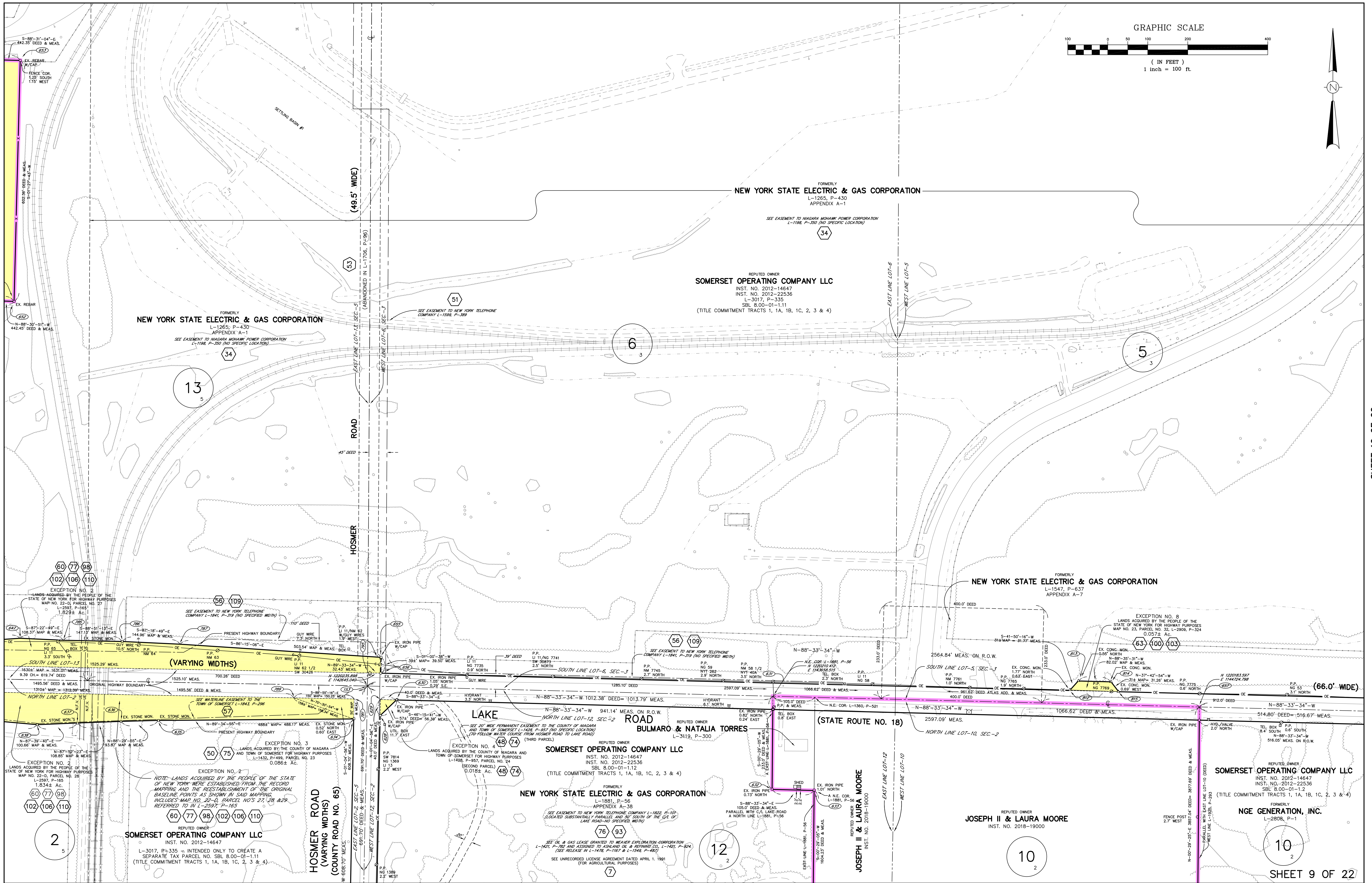
REPUTED OWNER
NEW YORK STATE ELECTRIC & GAS CORPORATION
L-1264, P-431,435 & 443

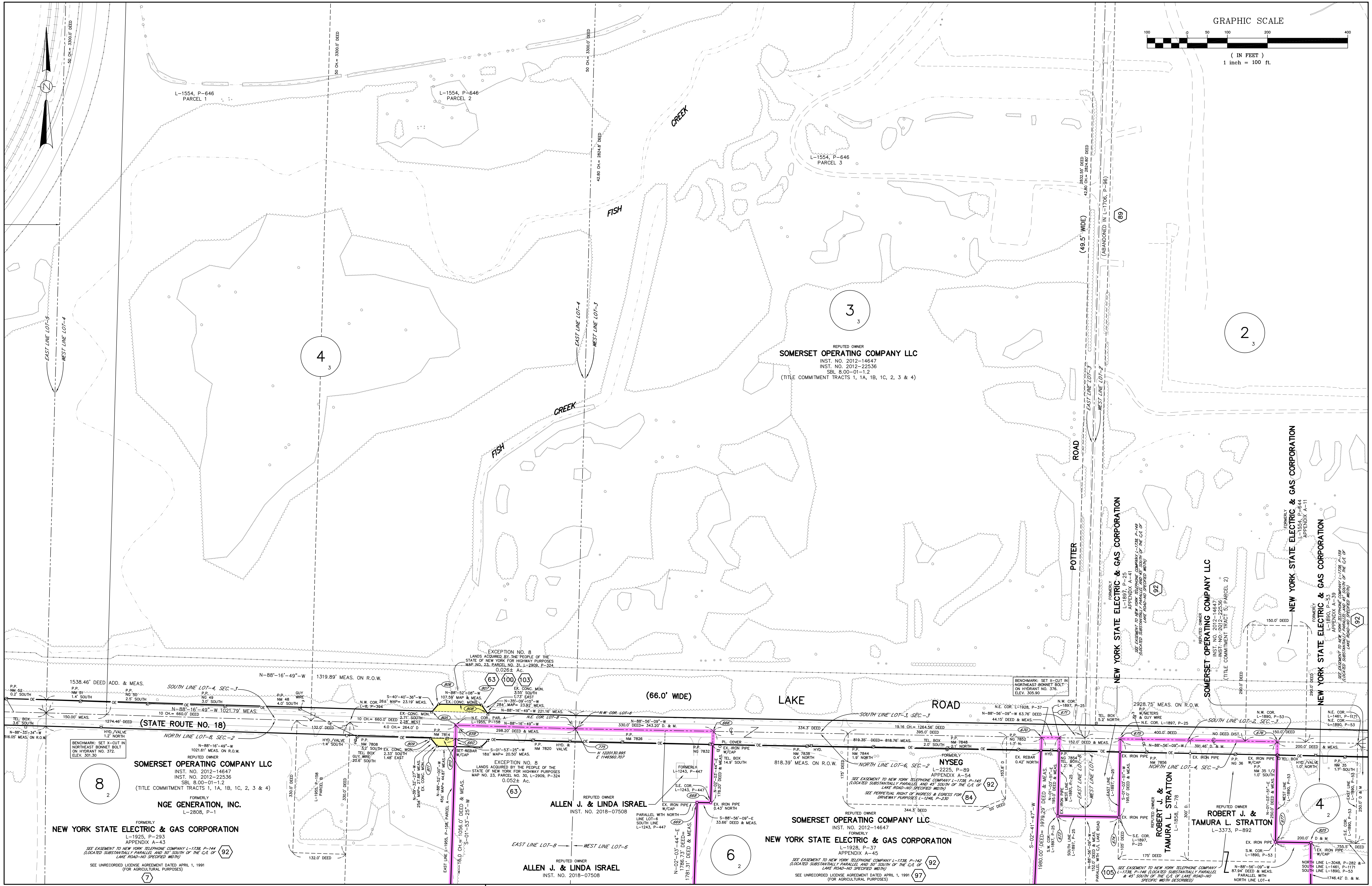
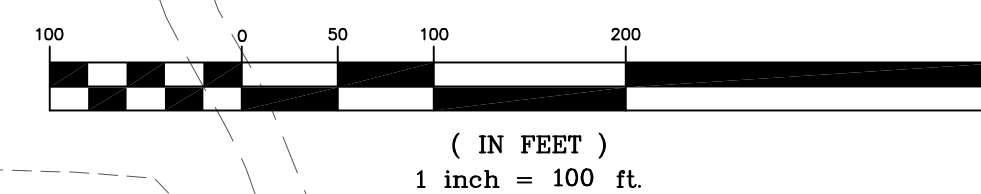


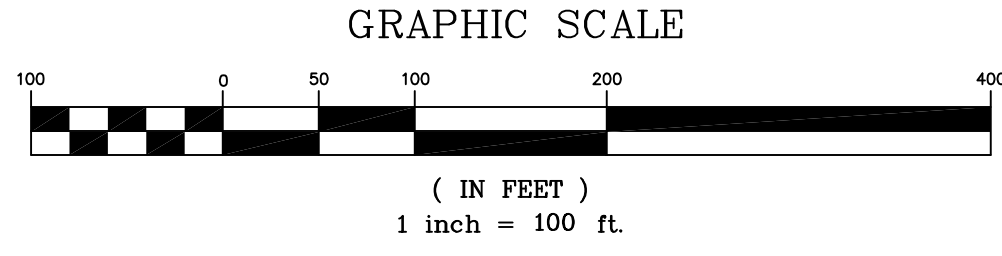
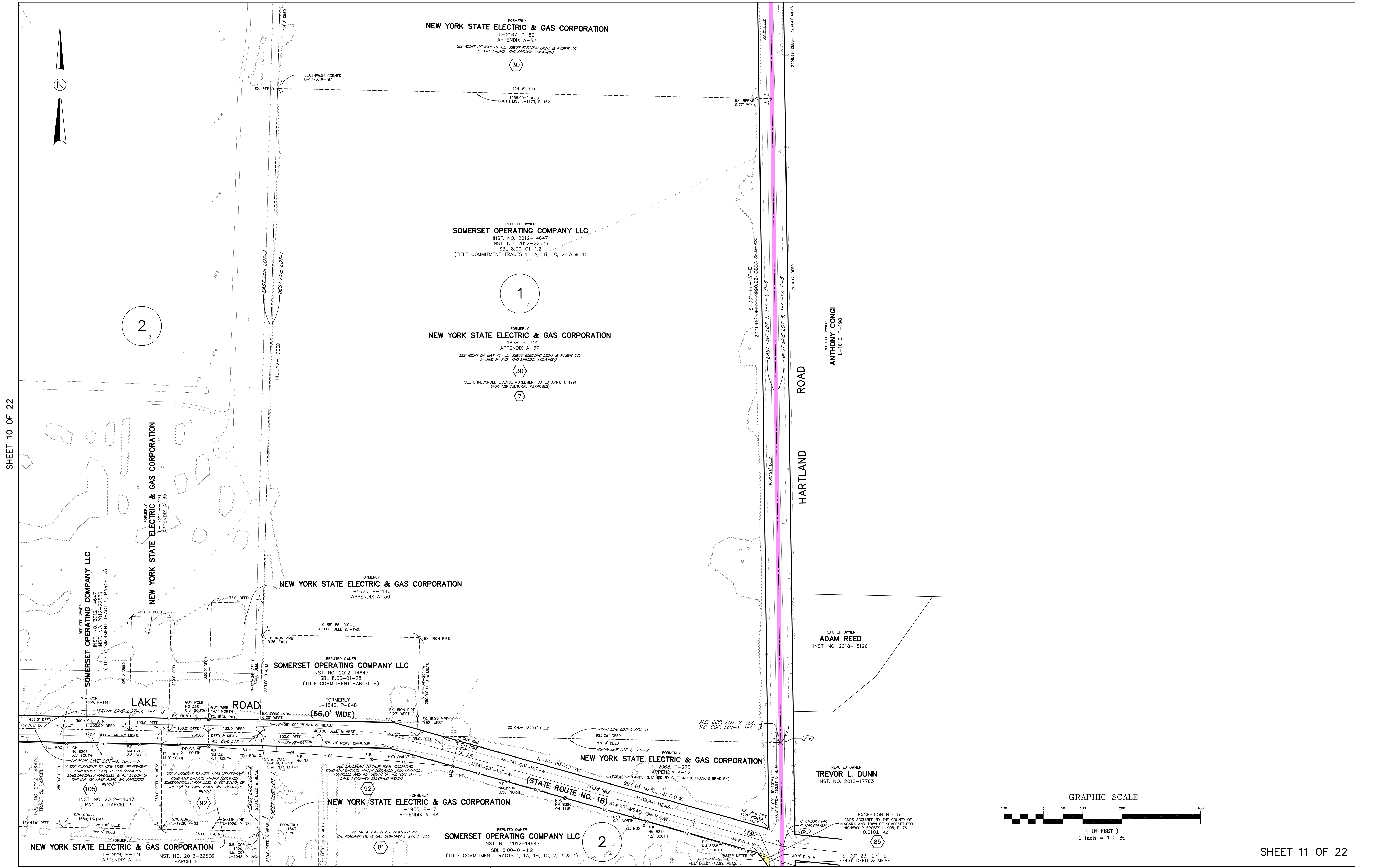


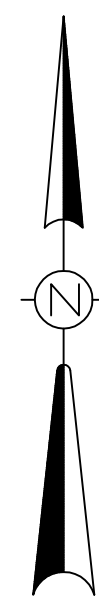
SHEET 8 OF 22

SHEET 10 OF 22









REPUTED OWNER
JOSEPH RIZZO FAMILY TRUST
INST. NO. 2014-19795

N-01'-01'-01" E
3811.57' DEED= 3810.55' DEED & MEAS.
EAST LINE LOT-6

WEST LINE L-1846, P-191
WEST LINE LOT-4

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION
L-1946, P-191
APPENDIX A-47
SEE UNRECORDED LICENSE AGREEMENT DATED APRIL 1, 1991
(FOR AGRICULTURAL PURPOSES.)

REPUTED OWNER
TERROR DEVELOPMENT LLC
INST. NO. 2018-22935
SBL 7.00-03-28
(TITLE COMMITMENT TRACT 6)

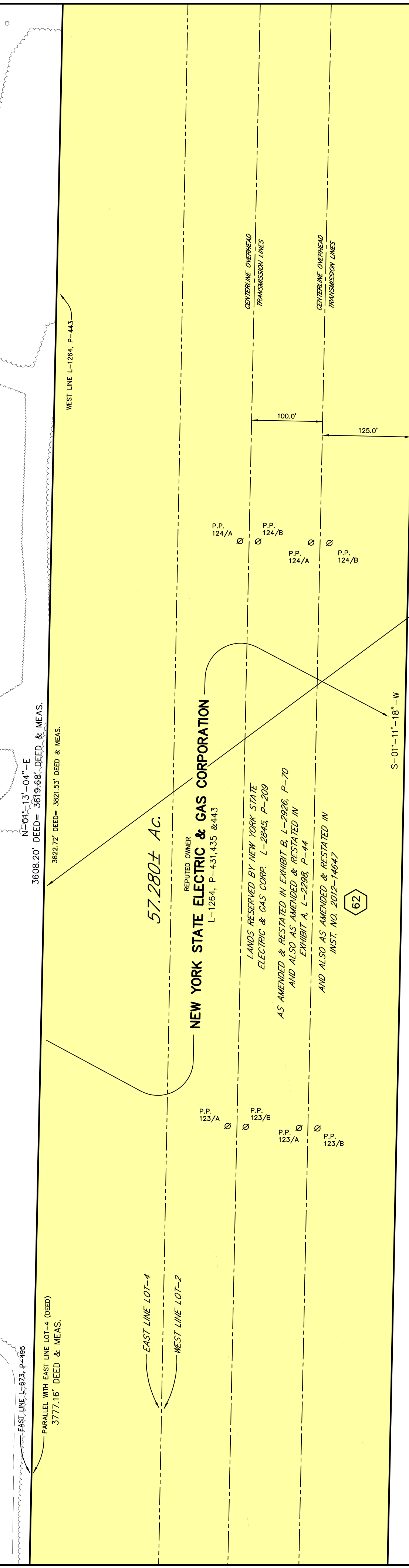
FORMERLY
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
INST. NO. 2012-22536
(TITLE COMMITMENT TRACTS 1, 1A, 1B, 1C, 2, 3 & 4)

FORMERLY
NGE GENERATION, INC.
L-2808, P-1
SEE OIL & GAS LEASE GRANTED TO THE
NIAGARA CO. & GAS COMPANY L-211, P-297

4
5

7

27 108



57.280± AC.

REPUTED OWNER
NEW YORK STATE ELECTRIC & GAS CORPORATION
L-1264, P-431, 435 & 443

LANDS RESERVED BY NEW YORK STATE
ELECTRIC & GAS CORP. L-2845, P-209
AS AMENDED & RESTATED IN EXHIBIT B, L-2926, P-70
AND ALSO AS AMENDED & RESTATED IN
EXHIBIT A, L-2208, P-44
AND ALSO AS AMENDED & RESTATED IN
INST. NO. 2012-14647

REPUTED OWNER
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
INST. NO. 2012-22536
(TITLE COMMITMENT TRACTS 1, 1A, 1B, 1C, 2, 3 & 4)
L-2017, P-335 - INTENDED ONLY TO CREATE A
SEPARATE TAX PARCEL NO. SBL 8.00-01-111

2
5

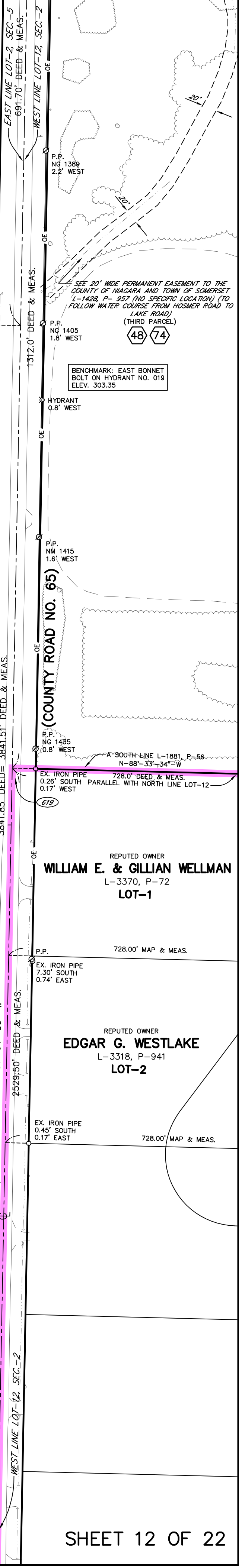
REPUTED OWNER
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
L-3017, P-335 - INTENDED ONLY TO CREATE A
SEPARATE TAX PARCEL NO. SBL 8.00-01-111
(TITLE COMMITMENT TRACTS 1, 1A, 1B, 1C, 2, 3 & 4)

2
5

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION
L-1264, P-443

HOSMER ROAD
(VARYING WIDTHS)
(COUNTY ROAD NO. 65)

HOSMER ROAD
(VARYING WIDTHS)
(COUNTY ROAD NO. 65)



EXCEPTION NO. 3
LANDS ACQUIRED BY THE COUNTY OF NIAGARA
AND TOWN OF SOMERSET PARCEL NO. 22
L-1432, P-499
0.275± AC.

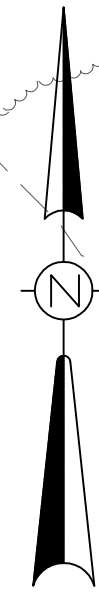
SEE 20' WIDE PERMANENT EASEMENT TO THE
COUNTY OF NIAGARA AND TOWN OF SOMERSET
L-1428 & 357 TWO SPECIFIC LOCATIONS TO
FOLLOW WATER COURSE FROM HOSMER ROAD TO
LAKE ROAD
(THIRD PARCEL)

BENCHMARK: EAST BONNET
BOLT ON HYDRANT NO. 019
ELEV. 303.35

EX. IRON PIPE
0.06' SOUTH PARALLEL WITH NORTH LINE LOT-12
N-88°-33'-54" W

EX. IRON PIPE
7.30' SOUTH
0.17' EAST

EX. IRON PIPE
0.45' SOUTH
0.17' EAST

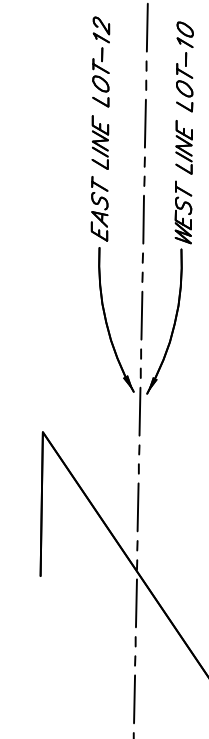
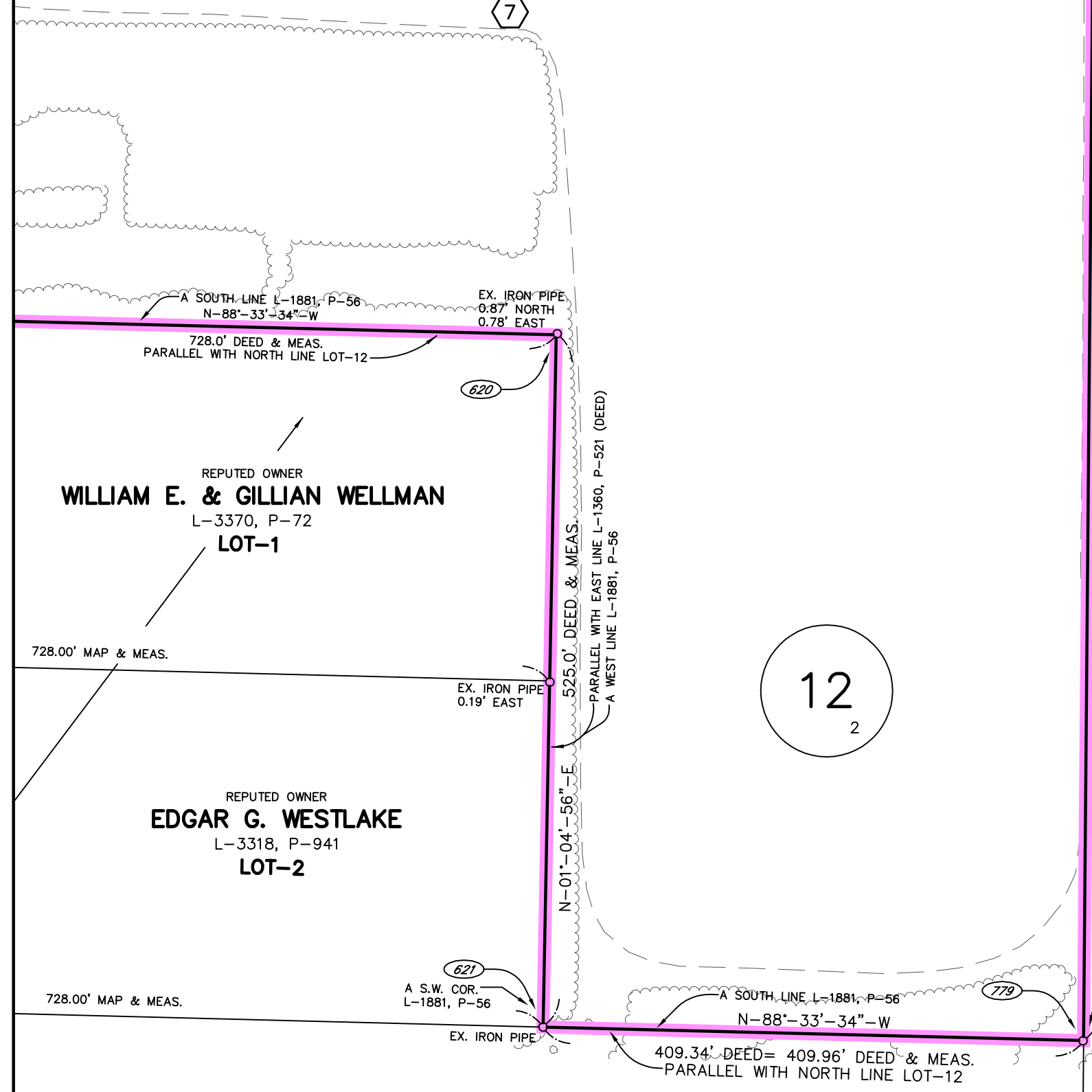


REPUTED OWNER
SOMERSET OPERATING COMPANY LLC
 INST. NO. 2012-14647
 INST. NO. 2012-22536
 SBL 8.00-01-1.2
 (TITLE COMMITMENT TRACTS 1, 1A, 1B, 1C, 2, 3 & 4)

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION

L-1881, P-56
 APPENDIX A-38
 SEE EASEMENT TO NEW YORK TELEPHONE COMPANY L-1822, P-101
 (LOCATED SUBSTANTIALLY PARALLEL AND 50' SOUTH OF THE C/A OF
 LAKE ROAD-NO SPECIFIED WIDTH)
 (76) (93)
 SEE OIL & GAS LEASE GRANTED TO HEWLEN EXPLORATION CORPORATION
 L-1421, P-782 AND ASSIGNED TO ASHLAND OIL & REFINING CO., L-1421, P-824
 (SEE RELEASE IN L-1476, P-1167 & L-1548, P-487)
 SEE UNRECORDED LICENSE AGREEMENT DATED APRIL 1, 1991
 (FOR AGRICULTURAL PURPOSES)

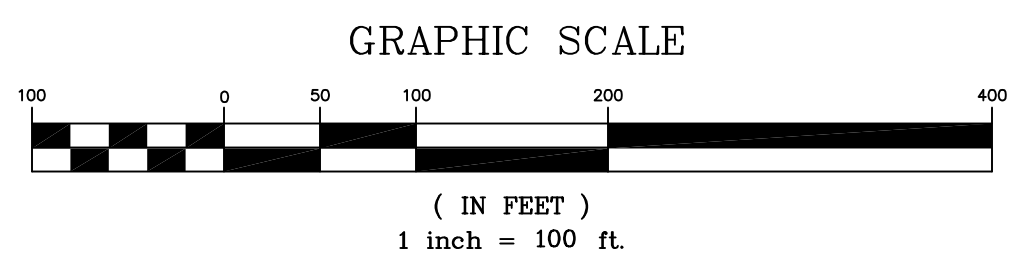
EAST LINE L-1881, P-56
 EAST LINE L-1881, P-56



REPUTED OWNER
JOSEPH II & LAURA MOORE
 INST. NO. 2018-19000

(10)
 2

N-00°-29'-25"-E 3857.04' DEED & MEAS.
 PARALLEL WITH EAST LINE LOT-10 (DEED)
 WEST LINE L-1925, P-293



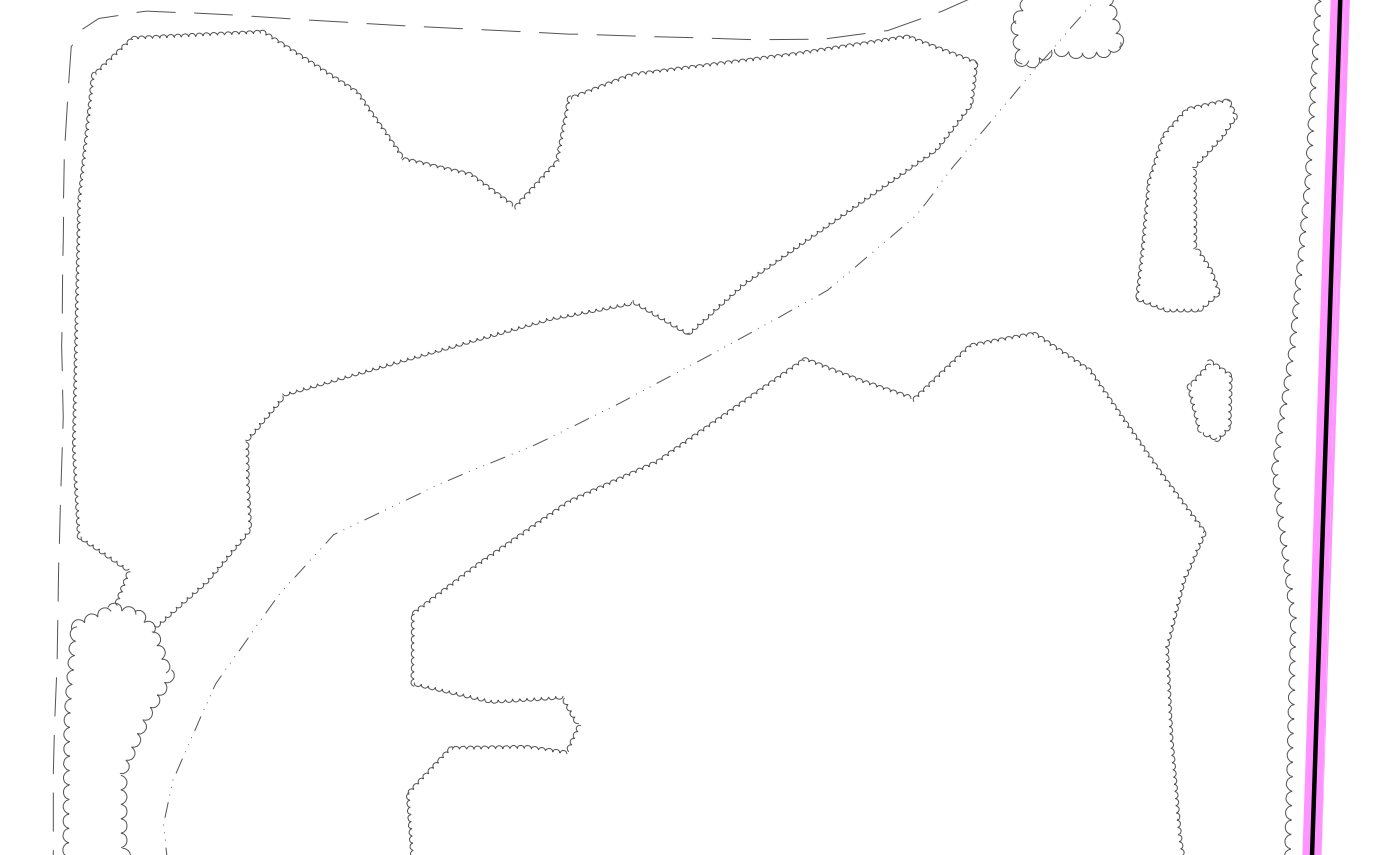
REPUTED OWNER
SOMERSET OPERATING COMPANY LLC
 INST. NO. 2012-14647
 INST. NO. 2012-22536
 SBL 8.00-01-1.2
 (TITLE COMMITMENT TRACTS 1, 1A, 1B, 1C, 2, 3 & 4)
 FORMERLY
NGE GENERATION, INC.
 L-2808, P-1

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION
 L-1925, P-293
 APPENDIX A-43
 SEE EASEMENT TO NEW YORK TELEPHONE COMPANY L-1728, P-144
 (LOCATED SUBSTANTIALLY PARALLEL AND 50' SOUTH OF THE C/A OF
 LAKE ROAD-NO SPECIFIED WIDTH)
 (92)
 SEE UNRECORDED LICENSE AGREEMENT DATED APRIL 1, 1991
 (FOR AGRICULTURAL PURPOSES)
 (7)

(8)
 2

EAST LINE LOT-10
 WEST LINE LOT-8

EAST LINE L-1925, P-293
 PARALLEL WITH EAST LINE LOT-8 (DEED)
 PARALLEL WITH EAST LINE LOT-8 (DEED)
 3881.46' DEED 3881.18' MEAS.

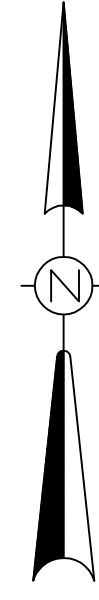


REPUTED OWNER
ALLEN J. & LINDA ISRAEL
 INST. NO. 2018-07508

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION
 L-1955, P-158
 APPENDIX A-49
 SEE EASEMENT TO NEW YORK TELEPHONE COMPANY L-1728, P-144
 (LOCATED SUBSTANTIALLY PARALLEL AND 50' SOUTH OF THE C/A OF
 LAKE ROAD-NO SPECIFIED WIDTH)
 (92)

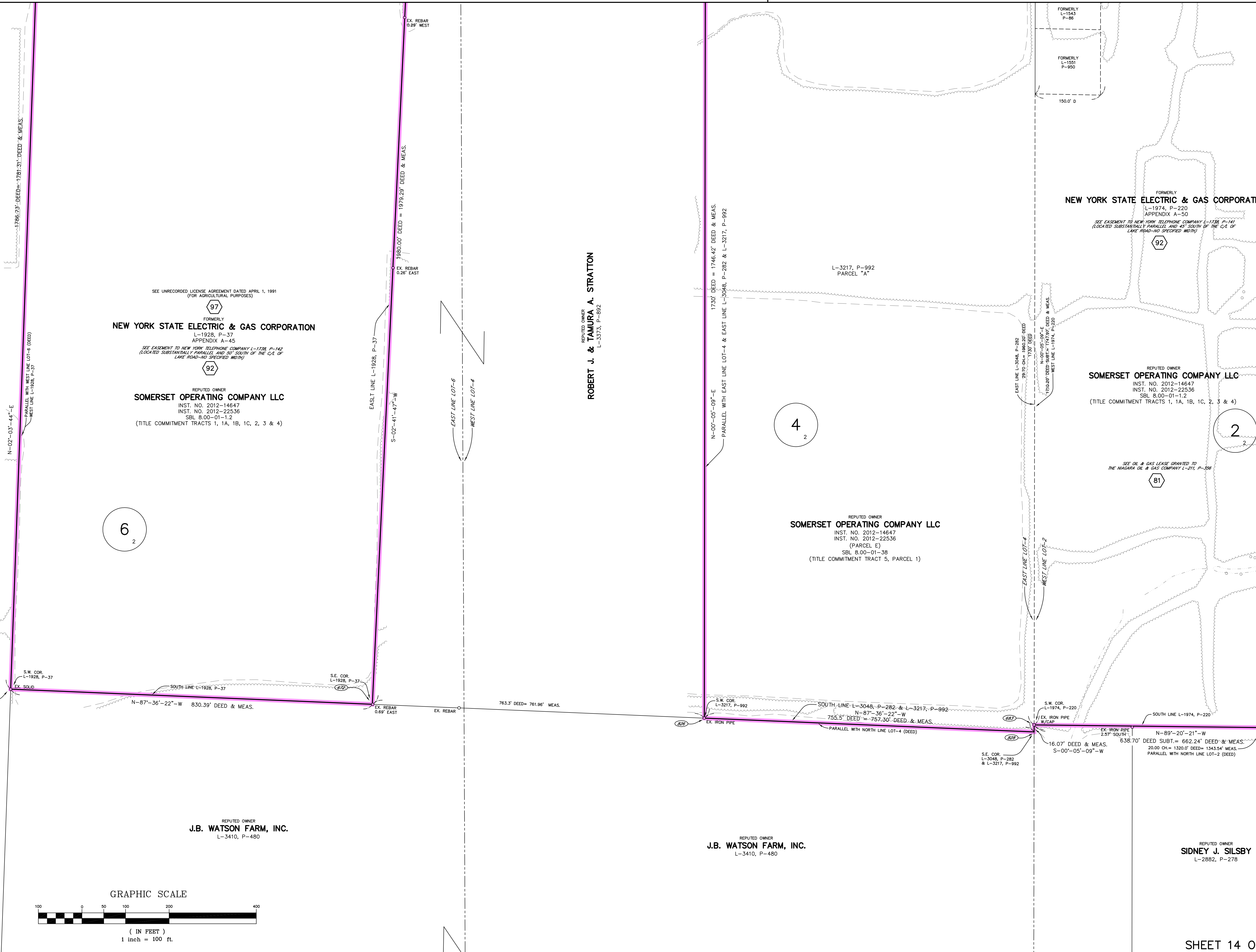
SOUTH LINE L-1955, P-158
 PARALLEL WITH NORTH LINE LOT-8
 N-88°-16'-49"-W
 10.0 CH = 264.0' DEED & MEAS.
 EX. IRON PIPE W/CAP 15' NORTH
 EX. IRON PIPE W/CAP 15' NORTH

EAST LINE L-1955, P-158
 PARALLEL WITH EAST LINE LOT-8 (DEED)
 PARALLEL WITH EAST LINE LOT-8 (DEED)
 2839.18' DEED & MEAS.



SHEET 13 OF 22

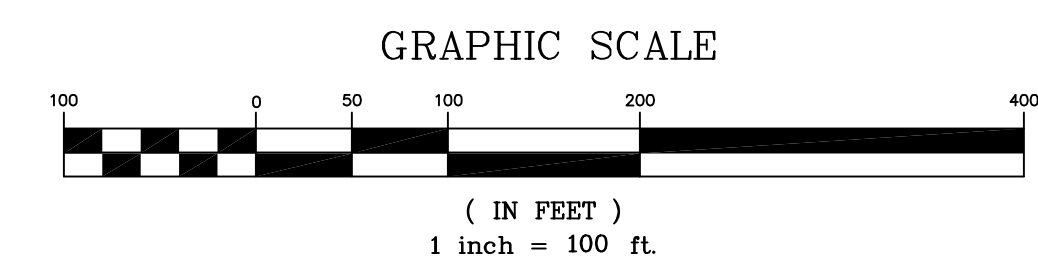
SHEET 15 OF 22

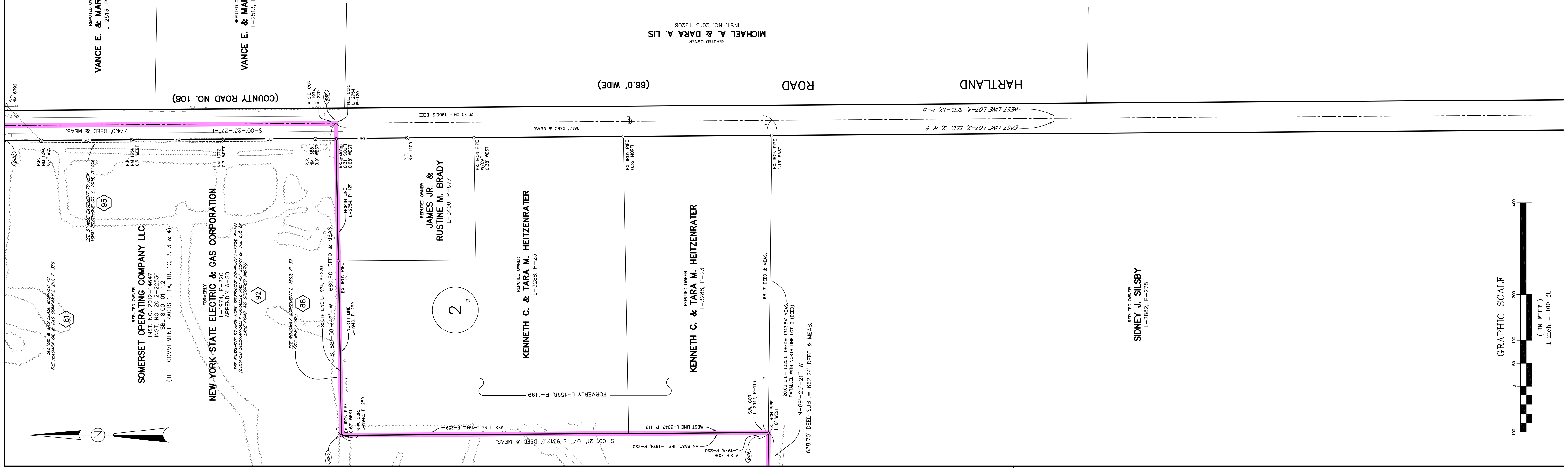


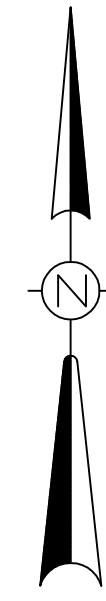
6
2

4
2

2
2







REPUTED OWNER
JOSEPH RIZZO FAMILY TRUST
INST. NO. 2014-19795

N-01-01-21'-E
3811.52' DEED= 3810.55' DEED & MEAS.
EAST LINE LOT-6
WEST LINE LOT-4
MEANDERING FENCE REMNANTS
WEST LINE L-1946, P-191

4
5

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION
L-1946, P-191
APPENDIX A-47

SEE UNRECORDED LICENSE AGREEMENT DATED APRIL 1, 1991
(FOR AGRICULTURAL PURPOSES)

REPUTED OWNER
TERRIO DEVELOPMENT LLC
INST. NO. 2018-22935
SBL. 7.00-03-28
(TITLE COMMITMENT TRACT 6)

FORMERLY
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
INST. NO. 2012-22536
(TITLE COMMITMENT TRACTS 1, 1A, 1B, 1C, 2, 3 & 4)

FORMERLY
NGE GENERATION, INC.
L-2808, P-1
SEE OIL & GAS LEASE GRANTED TO THE
NIAGARA OIL & GAS COMPANY L-211, P-297

27 (108)

S.E. COR. LOT-6
SOUTH LINE LOT-6
NORTH LINE LOT-5
EX. REBAR

S.W. COR. L-1946, P-191
S.W. COR. LOT-4
MEANDERING FENCE REMNANTS

SOUTH LINE L-1946, P-191
SOUTH LINE LOT-4
1329.44' DEED ADD. =
1328.92' DEED & MEAS.

1144.44' DEED = 1143.92' MEAS.
N-88-39-41'-W
NORTH LINE LOT-3

S.W. COR. L-1264, P-443
EX. CONC. MON. 0.76' SOUTH

185.0' DEED & MEAS.
S.W. COR. LOT-2
EX. CONC. MON.
N.W. COR. LOT-1

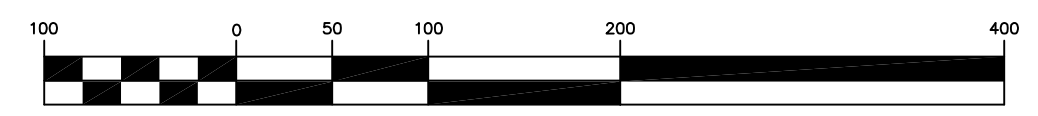
N-00-51-11'-E 2986.58' DEED ADD. = 2865.75' DEED & MEAS.
EAST LINE L-745, P-489

1936.76' DEED & MEAS.
WEST LINE LOT-1

REPUTED OWNER
DAVID D. ALT
INST. NO. 2017-24981

3
5

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

57.280± AC.
NEW YORK STATE ELECTRIC & GAS CORPORATION
LANDS RESERVED BY NEW YORK STATE ELECTRIC & GAS CORP. L-2845, P-209 AS AMENDED & RESTATED IN EXHIBIT B, L-2928, P-70 AND ALSO AS AMENDED & RESTATED IN EXHIBIT A, L-2298, P-44 AND ALSO AS AMENDED & RESTATED IN INST. NO. 2012-14647

REPUTED OWNER
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
(TITLE COMMITMENT TRACTS 1, 1A, 1B, 1C, 2, 3 & 4)
L-3017, P-535 INTENDED ONLY TO CREATE A SEPARATE TAX PARCEL. NO. SBL. 9.00-01-1.11

2
5

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION
L-1284, P-443

FORMERLY
NGE GENERATION, INC.
L-2845, P-209
154.814± AC. EXCLUDING ROAD APPROPRIATIONS
APPENDIX A-55

SEE UNRECORDED LICENSE AGREEMENT
(FOR AGRICULTURAL PURPOSES)

S-06-47-34'-W
101± MAP= 100.50' MEAS.

S-01-04-56'-W
350.0' MAP & MEAS.

EXCEPTION NO. 3
LANDS ACQUIRED BY THE COUNTY OF NIAGARA AND TOWN OF SOMERSET, PARCEL NO. 21 L-1432, P-499 0.099± AC.

S-08-22-48'-E
61± MAP= 60.83' MEAS.

140' MAP & MEAS.

FORMERLY
NYSEG
L-1560, P-972
P.P. 1/2
N.W. 1/2
4.6' WEST

REPUTED OWNER
JAMES N. & MARY M. SALERNO
INST. NO. 2015-20162

11
2

REPUTED OWNER
JOHN E. & ARTHUR P. SWEENEY
INST. NO. 2013-9087

ROAD

HOSMER

HAIGHT ROAD
(66.0' WIDE)

FISH CREEK

(VARYING WIDTHS)

LOT-7

LOT-8

12
2

48 74

LOT-10

(FIRST DESCRIBED PARCEL)
LANDS ACQUIRED BY THE COUNTY OF NIAGARA AND TOWN OF SOMERSET, PARCEL NO. 20 L-1428, P-957

REPUTED OWNER
JAMES N. & MARY M. SALERNO
INST. NO. 2015-20162

11
2

REPUTED OWNER
JOHN E. & ARTHUR P. SWEENEY
INST. NO. 2013-9087

REPUTED OWNER
ALLEN J. & LINDA ISRAEL
INST. NO. 2018-07508

REPUTED OWNER
JOHN & JANE VOELPEL
L-3235, P-892

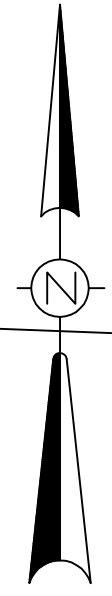
REPUTED OWNER
SOMERSET OPERATING COMPANY LLC
INST. NO. 2012-14647
INST. NO. 2012-22536
SBL 8.00-01-12
(TITLE COMMITMENT TRACTS 1, 1A, 1B, 1C, 2, 3 & 4)

FORMERLY
NEW YORK STATE ELECTRIC & GAS CORPORATION
L-1925, P-293
APPENDIX A-43
SEE EASEMENT TO NEW YORK TELEPHONE COMPANY L-1238, P-144
(LOCATED SUBSTANTIALLY PARALLEL, AND 50' SOUTH OF THE C/L OF
LANE ROAD-NO SPECIFIED WIDTH)
SEE UNRECORDED LICENSE AGREEMENT DATED APRIL 1, 1981
(FOR AGRICULTURAL PURPOSES)

REPUTED OWNER
JOHN & ALICE M. WOLANYK
L-3439, P-338

REPUTED OWNER
JOSEPH II & LAURA MOORE
INST. NO. 2018-19000





EX. IRON PIPE
REPUTED OWNER
ALLEN J. & LINDA ISRAEL
INST. NO. 2018-07508

REPUTED OWNER
J.B. WATSON FARM, INC.
L-3410, P-480

REPUTED OWNER
J.B. WATSON FARM, INC.
L-3410, P-480

REPUTED OWNER
SIDNEY J. SILSBY
L-2882, P-276

6
2

4
2

REPUTED OWNER
JOHN & JANE VOELPEL
L-3235, P-892

EAST LINE LOT-8
WEST LINE LOT-6

EAST LINE LOT-6
WEST LINE LOT-4

EAST LINE LOT-4
WEST LINE LOT-2

SOUTH LINE LOT-6

EX. IRON PIPE

SOUTH LINE LOT-4

SOUTH LINE LOT-2

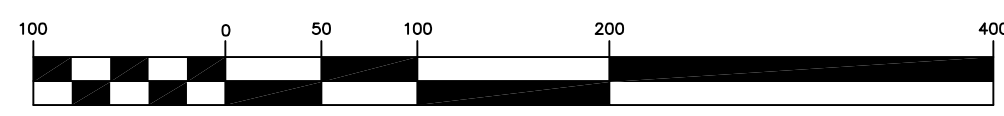
HAIGHT ROAD
(66.0' WIDE)

(FORMERLY KNOWN AS BROWN ROAD)

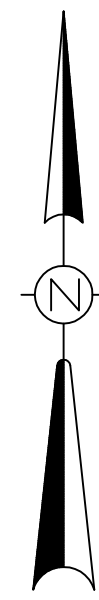
SHEET 17 OF 20

SHEET 15 OF 20

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



EAST LINE LOT-5
WEST LINE LOT-3

REPUTED OWNER
DAVID D. ALT
INST. NO. 2017-24981

3
5

62 113
PERMANENT EASEMENT & RIGHT OF WAY
RESERVED BY NEW YORK STATE ELECTRIC
& GAS CORP. L-2945, P-209
6.473± AC.

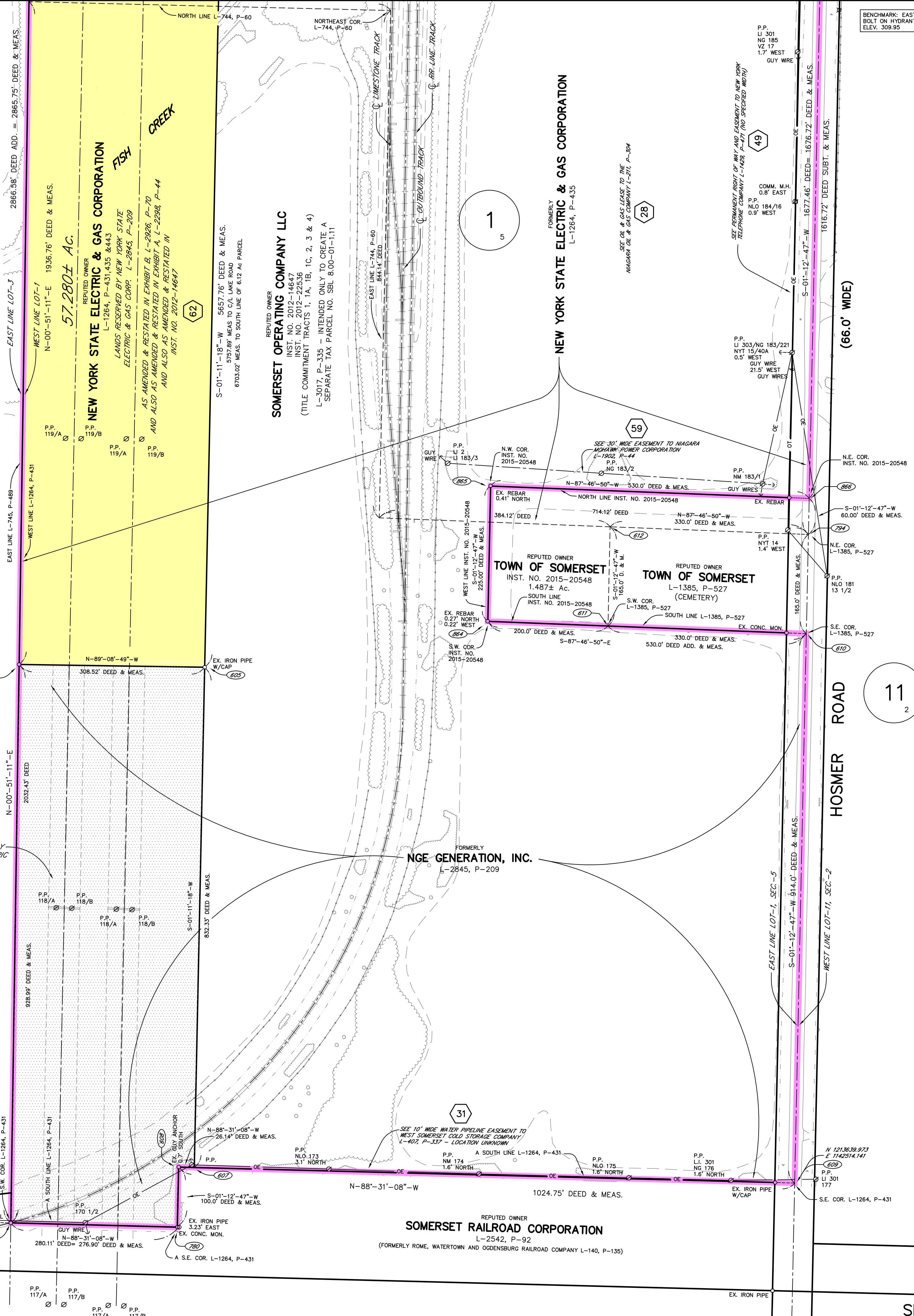
REPUTED OWNER
SOMERSET RAILROAD CORPORATION
L-1820, P-11

REPUTED OWNER
SOMERSET RAILROAD CORPORATION
(FORMERLY ROME, WATERTOWN AND OGDENSBURG RAILROAD COMPANY L-140, P-135)

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



REPUTED OWNER
JOSEPH C. & JACQUELINE CZELUSTA
L-1630, P-153

11
2

BENCHMARK: EAST BONNET
BOLT ON HYDRANT NO. 015
ELEV. 309.95

DESCRIPTION OF SURVEYED PREMISES

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Somerset, County of Niagara, State of New York, being part of Lots 1, 2, 4, 13, 14 and 15, Section 5; also being part of Lots 1, 2, 3, 4, 5 and 6, Section 3; also being part of Lots 2, 4, 6, 8, 10 and 12, Section 2, Township 16, Range 6 of the Holland Land Company survey (so-called), bounded and described as follows: BEGINNING AT A POINT on the east line of Lot 1, Section 3 (the east line of Lot 1 being also the centerline of Hartland Road); at its intersection with the centerline of Lower Lake Road; said point being further described as being 4696.05 feet northerly, measured along the centerline of said Hartland Road (being also the east line of Lot 1, Section 3) from the southeast corner thereof; said point of beginning being further described as being at the southeast corner of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 2035 of Deeds at Page 113; RUNNING THENCE: S-00-46-15-E, along the centerline of said Hartland Road (being also the east line of Lot 1, Section 3), a distance of 200.0 feet to the northeast corner of lands conveyed to the Town of Somerset by deed recorded in the Niagara County Clerk's Office in Liber 1774 of Deeds at Page 324; RUNNING THENCE: S-89-13-45-W, along the north line of said Town of Somerset lands, a distance of 117.32 feet to an angle therein; CONTINUING THENCE: N-44-37-51-W, along the northerly line of said Town of Somerset lands, a distance of 34.65 feet to the northwest corner thereof; being also a point on the division line between Lot 1, Section 3, on the east and Lot 2, Section 3, on the west; RUNNING THENCE: S-01-34-26-W, along the westerly line of said Town of Somerset lands (being also the division line between Lot 1, Section 3, on the east and Lot 2, Section 3, on the west), a distance 91.06 feet to the southwest corner of said Town of Somerset lands; RUNNING THENCE: N-89-13-45-E, along the south line of said Town of Somerset lands, a distance of 1145.05 feet to a point on the centerline of Hartland Road (being also the east line of Lot 1, Section 3), at the southeast corner of said Town of Somerset lands; RUNNING THENCE: S-00-46-15-E, along the centerline of Hartland Road (being also the east line of Lot 1, Section 3), a distance of 2139.85 feet to the southeast corner of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1936 of Deeds at Page 1; said point being further described as being the northeast corner of lands conveyed to Daniel Stroyan by deed recorded in the Niagara County Clerk's Office in Liber 2370 of Deeds at Page 214; RUNNING THENCE: N-88-49-26-W, along the south line of said lastly referred to New York State Electric & Gas Corporation lands (being also the north line of said Stroyan lands), a distance of 1231.67 feet to the southwest corner of said lastly referred to New York State Electric & Gas Corporation lands; being also the northwest corner of said Stroyan lands and being also on the division line between Lot 1, Section 3, on the east and Lot 2, Section 3, on the west; RUNNING THENCE: S-01-34-26-W, along the west line of said Stroyan lands (being also the division line between Lot 1, Section 3, on the east and Lot 2, Section 3, on the west), a distance of 300.0 feet to the northwest corner of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 2167 of Deeds at Page 56; said point being further described as being the southwest corner of said Stroyan lands; RUNNING THENCE: S-88-49-26-E, along the north line of said lastly referred to New York State Electric & Gas Corporation lands (being also the south line of said Stroyan lands), a distance of 1243.95 feet to the northeast corner of said lastly referred to New York State Electric & Gas Corporation; being also the southeast corner of said Stroyan lands; RUNNING THENCE: S-00-46-15-E, along the centerline of Hartland Road; being also the east line of Lot 1, Section 3, at the northeast corner of said lastly referred to New York State Electric & Gas Corporation; being also the southeast corner of said Stroyan lands; CONTINUING THENCE: S-00-46-15-E, along the centerline of said Hartland Road; being also the east line of Lot 2, Section 2, a distance of 263.81 feet to its intersection with the centerline of Lake Road; CONTINUING THENCE: S-00-23-27-E, along the centerline of Hartland Road (being also the east line of Lot 2, Section 2), a distance of 774.0 feet to a southeast corner of lands conveyed to the New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1974 of Deeds at Page 220; said point being further described as being the northeast corner of lands conveyed to Michael K. Mattorn and Christine Demelia by deed recorded in the Niagara County Clerk's Office in Liber 2754 of Deeds at Page 129; RUNNING THENCE: S-88-58-42-W, along the south line of said lastly referred to New York State Electric & Gas Corporation lands; being also along the north line of said Mattorn and Demelia lands and the north line of lands conveyed to Thomas Oliver by deed recorded in the Niagara County Clerk's Office in Liber 1940 of Deeds at Page 259, a distance of 680.60 feet to the northwest corner of said Oliver lands and an angle point in said lastly referred to New York State Electric & Gas Corporation lands; RUNNING THENCE: S-00-21-07-E, along an east line of said lastly referred to New York State Electric & Gas Corporation lands; being also in part along the west line of said lastly referred to Thomas Oliver lands; being also in part along the west line of lands conveyed to Thomas A. Oliver by deed recorded in the Niagara County Clerk's Office in Liber 2047 of Deeds at Page 113, a distance of 931.10 feet to a southeast corner of said lastly referred to New York State Electric & Gas Corporation lands (being also at the southwest corner to said lastly referred to Oliver lands); RUNNING THENCE: N-89-20-21-W, along the south line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 662.24 feet to the southwest corner of said lastly referred to New York State Electric & Gas Corporation lands, at a point on the division line between Lot 2, Section 2, on the east and Lot 4, Section 2, on the west; RUNNING THENCE: S-00-05-09-W, along a projection southerly of the west line of said lastly referred to New York State Electric & Gas Corporation lands, and being along the division line between Lot 2, Section 2, on the east and Lot 4, Section 2, on the west, a distance of 16.07 feet to the southeast corner of lands conveyed to AES Somerset, LLC by deed recorded in the Niagara County Clerk's Office in Liber 3217 of Deeds at Page 992; RUNNING THENCE: N-87-36-22-W, along the south line of said lastly referred to AES Somerset, LLC lands, a distance of 757.30 feet to the southwest corner thereof; RUNNING THENCE: N-00-05-09-E, along the west line of said lastly referred to AES Somerset, LLC lands, a distance of 1746.42 feet to a point on the south line of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1890 of Deeds at Page 53, said point being 87.94 feet easterly measured along the south line of said lastly referred to New York State Electric & Gas Corporation lands from the southwest corner thereof; RUNNING THENCE: N-88-56-09-W, along the south line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 87.94 feet to the southwest corner thereof; RUNNING THENCE: N-01-03-51-E, along the west line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 250.0 feet to a point on the centerline of Lake Road (being also the north line of Lot 4, Section 2), at the northwest corner of said lastly referred to New York State Electric & Gas Corporation lands; RUNNING THENCE: N-88-56-09-W, along the centerline of said Lake Road (being also the north line of Lot 4, Section 2), a distance of 391.46 feet to the northeast corner of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1897 of Deeds at Page 25; RUNNING THENCE: S-01-03-51-W, along the east line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 195.0 feet to the southeast corner thereof; RUNNING THENCE: N-88-56-09-W, along the south line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 152.0 feet to the southwest corner thereof; RUNNING THENCE: N-01-03-51-E, along the west line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 195.0 feet to a point on the centerline of Lake Road; being also the north line of Lot 6, Section 2, and the northwest corner of said lastly referred to New York State Electric & Gas Corporation lands; RUNNING THENCE: N-88-56-09-W, along the centerline of said Lake Road (being also the north line of Lot 6, Section 2), a distance of 44.15 feet to the northeast corner of lands conveyed to the New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1928 of Deeds at Page 37; RUNNING THENCE: S-02-41-47-W, along the east line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 1979.29 feet to the southeast corner thereof;

RUNNING THENCE: N-87-36-22-W, along the south line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 830.39 feet to the southwest corner thereof; RUNNING THENCE: N-02-03-44-E, along the west line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 1781.31 feet to an angle point in said lastly referred to New York State Electric & Gas Corporation lands; said angle point being further described as being on the south line of lands conveyed to Otto F. and Katherine P. Israel Cleary's Office in the Niagara County Clerk's Office in Liber 1243 of Deeds at Page 447; RUNNING THENCE: S-88-56-09-E, along a north line of said lastly referred to New York State Electric & Gas Corporation lands (being also the south line of said Israel lands), a distance of 33.66 feet to an angle point in said New York State Electric & Gas Corporation lands and the southeast corner of said Israel lands; RUNNING THENCE: N-02-03-44-E, along a west line of said lastly referred to New York State Electric & Gas Corporation lands (being also the east line of said Israel lands), a distance of 178.20 feet to a point on the centerline of Lake Road (being also the north line of Lot 6, Section 2); RUNNING THENCE: N-88-56-09-W, along the centerline of said Lake Road (being also the north line of Lot 6, Section 2), a distance of 343.20 feet to the northeast corner of Lot 6, Section 2 (being also the northeast corner of Lot 8, Section 2); RUNNING THENCE: N-88-16-49-W, along the centerline of said Lake Road, being also the north line of Lot 8, Section 2, a distance of 298.20 feet to the northeast corner of Parcel A of lands conveyed to the New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1965 of Deeds at Page 158; RUNNING THENCE: S-01-53-25-W, along the east line of said lastly referred to Parcel A of New York State Electric & Gas Corporation lands, a distance of 1056.0 feet to a southeast corner thereof; RUNNING THENCE: N-88-16-49-W, along the south line of said lastly referred to Parcel A of New York State Electric & Gas Corporation lands, a distance of 264.0 feet to the southwest corner thereof; being also a point on the east line of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1925 of Deeds at Page 293; RUNNING THENCE: S-01-53-25-W, along the east line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 2839.18 feet to a point on the centerline of Haight Road; said centerline of Haight Road; being also the south line of Lot 8, Section 2, and at the southeast corner of said lastly referred to New York State Electric & Gas Corporation lands; RUNNING THENCE: N-87-30-37-W, along the centerline of said Haight Road (being also the south line of Lot 8, Section 2, and the south line of Lot 10, Section 2), a distance of 1179.77 feet to the southwest corner of said lastly referred to New York State Electric & Gas Corporation lands; RUNNING THENCE: N-00-29-25-E, along the west line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 3577.69 feet to a point on the centerline of Lake Road; said centerline of Lake Road being also the north line of Lot 10, Section 2; RUNNING THENCE: N-88-33-34-W, along the centerline of said Lake Road (being also the north line of Lot 10, Section 2, and Lot 12, Section 2), a distance of 1066.62 feet to the northeast corner of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1881 of Deeds at Page 56; RUNNING THENCE: S-00-20-05-W, along the east line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 233.0 feet to an angle therein; RUNNING THENCE: S-88-33-34-E, along a north line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 105.0 feet to a northeast corner of said lastly referred to New York State Electric & Gas Corporation lands; RUNNING THENCE: S-00-29-05-W, along the east line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 1604.23 feet to the southeast corner thereof; RUNNING THENCE: N-88-33-34-W, along a south line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 409.96 feet to a southeast corner thereof; RUNNING THENCE: N-01-04-56-E, along a west line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 525.0 feet to an angle therein; RUNNING THENCE: N-88-33-34-W, along a south line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 728.0 feet to a point on the centerline of Hosmer Road; said centerline being also the west line of Lot 2, Section 2, and the east line of Lot 2, Section 5; RUNNING THENCE: S-01-04-56-W, along the centerline of said Hosmer Road (being also the division line between Lot 12, Section 2 on the east and Lot 2, Section 5 on the west), a distance of 2529.50 feet to the southeast corner of said Lot 2, Section 5 (being also the northeast corner of Lot 1, Section 5); CONTINUING THENCE: S-01-12-47-W, along the centerline of said Hosmer Road (being a division line between Lot 11, Section 2 on the east and Lot 1, Section 5 on the west), a distance of 1616.72 feet to the northeast corner of lands conveyed to the Town of Somerset by deed recorded in the Niagara County Clerk's Office as Inst. No. 2015-20548; RUNNING THENCE: N-87-46-50-W, along the north line of said Town of Somerset lands, a distance of 530.0 feet to the northwest corner thereof; RUNNING THENCE: S-01-12-47-W, along the west line of said Town of Somerset lands, a distance of 225.0 feet to the southwest corner thereof; RUNNING THENCE: N-87-46-50-E, along the south line of said Town of Somerset lands and the south line of lands conveyed to the Town of Somerset by deed recorded in the Niagara County Clerk's Office in Liber 1385 of Deeds at Page 527, a distance of 530.0 feet to a point on the centerline of Hosmer Road; being also the east line of Lot 1, Section 5 at the southeast corner of said lands conveyed to the lastly referred to Town of Somerset; RUNNING THENCE: S-01-12-47-W, along the centerline of said Hosmer Road (being also the division line between Lot 11, Section 2 on the east and Lot 1, Section 5 on the west), a distance of 914.0 feet to the southeast corner of lands conveyed to the New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1264 of Deeds at Page 431; RUNNING THENCE: N-88-31-08-W, along a south line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 1024.75 feet to an angle therein; RUNNING THENCE: S-01-12-47-W, along an east line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 100.0 feet to a southeast corner thereof; RUNNING THENCE: N-88-51-08-W, along a south line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 276.90 feet to the southwest corner thereof; being a point on the division line between Lot 1, Section 5, on the east and Lot 3, Section 5, on the west; said lastly referred to New York State Electric & Gas Corporation lands and also in part along the west line of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1264 of Deeds at Page 435 (being also the division line between Lot 1, Section 5, on the east and Lot 3, Section 5, on the west), a distance of 2865.75 feet to the northwest corner of Lot 1, Section 5; being also the northeast corner of Lot 3, Section 5, and further described as being the southwest corner of Lot 2, Section 5, and also being the southeast corner of Lot 4, Section 5; RUNNING THENCE: N-88-39-41-W, along the south line of said Lot 4, Section 5; being also along the south line of lands conveyed to the New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1945 of Deeds at Page 191, a distance of 1328.92 feet to the southwest corner of said lastly referred to New York State Electric & Gas Corporation lands; being the southwest corner of Lot 4, Section 5 and also the southeast corner of Lot 6, Section 5; RUNNING THENCE: N-01-01-21-E, along the westerly line of said lastly referred to New York State Electric & Gas Corporation lands (being also the division line between Lot 4, Section 5, on the east and Lot 6, Section 5, on the west), a distance of 3810.55 feet to a point on the centerline of Lake Road, at the northwest corner of said Lot 4, Section 5, and the northeast corner of Lot 6, Section 5; said point being further described as being the southwest corner of Lot 14, Section 5, and the southeast corner of Lot 15, Section 5; RUNNING THENCE: N-89-12-55-W, along the centerline of said Lake Road (being also the south line of Lot 15, Section 5), a distance of 743.72 feet to an angle point therein; CONTINUING THENCE: N-89-53-25-W, along the centerline of said Lake Road (being also the south line of Lot 15, Section 5), a distance of 604.47 feet to the southwest corner of Lot 15, Section 5; being also the southeast corner of Lot 8, Section 5, and being further described as being the southwest corner of lands conveyed to the New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1881 of Deeds at Page 310;

RUNNING THENCE: N-00-15-47-E, along the west line of said lastly referred to New York State Electric & Gas Corporation lands (being also the division line between Lot 15, Section 5 on the east and Lot 8, Section 5 on the west), a distance of approximately 3704 feet to the water's edge of Lake Ontario; referred to New York State Electric & Gas Corporation lands as follows: a distance of approximately 12,006 feet to its intersection with the east line of Lot 1, Section 3; being also the northeast corner of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 2035 of Deeds at Page 113; RUNNING THENCE: S-00-46-15-E, along the east line of Lot 1, Section 3 (being also the east line of said lastly referred to New York State Electric & Gas Corporation lands), a distance of approximately 1,490 feet to the POINT OR PLACE OF BEGINNING; EXCEPTING therefrom the following described parcel of land commonly referred to as the Substation Parcel: COMMENCING at the point of intersection of the north bounds of Lake Road (being a 66.0 foot wide right-of-way) with the west line of lands conveyed to New York State Electric & Gas Corporation by deed filed in the Niagara County Clerk's Office on February 17, 1984, in Liber 1861 of Deeds at Page 310; said point being 33.0 feet northerly from the southwest corner of the last mentioned deed and the southwest corner of Lot 15, Section 5, Township 16, Range 6 (said Point of Commencing being formerly a concrete monument which has now been disturbed); Thence N-71-42-08-E, a distance of 2,816.55 feet to the Point or Place of Beginning; Thence N-01-28-16-E, a distance of 602.34 feet to a point; Thence S-88-31-04-E, a distance of 442.35 feet to a point; Thence S-01-27-43-W, a distance of 602.36 feet to a point; Thence N-88-30-51-W, a distance of 442.45 feet to the POINT OR PLACE OF BEGINNING, containing 6.17 acres, be the same, more or less; ALSO EXCEPTING therefrom the following described parcel of land: ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Somerset, County of Niagara, State of New York, and being part of Lots 1, 2, and 4, Section 5, Township 16, Range 6 of the Holland Land Company survey (so-called), bounded and described as follows: COMMENCING AT A POINT on the north line of Lot 4, Section 5 (the north line of Lot 4 being also the centerline of Lake Road), at the northwest corner of lands conveyed to the New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1264 of Deeds at Page 443; RUNNING THENCE: S-01-13-04-W, along the west line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 44.37 feet to the southwest corner of Parcel No. 28 as shown on Map No. 22D of lands acquired by The People of the State of New York for highway purposes by deed recorded in the Niagara County Clerk's Office in Liber 2597 of Deeds at Page 165, and the POINT OR PLACE OF BEGINNING of the exception herein described; RUNNING THENCE: S-80-50-54-E, along the south line of said Parcel No. 28, a distance of 63.43 feet to an angle therein; CONTINUING THENCE: S-79-12-40-E, along the south line of said Parcel No. 28, a distance of 159.36 feet to an angle therein; CONTINUING THENCE: S-84-52-55-E, along the south line of said Parcel No. 28, a distance of 283.63 feet to a point; RUNNING THENCE: S-01-11-18-W, a distance of 5657.76 feet to a point; RUNNING THENCE: N-89-08-49-W, a distance of 308.52 feet to a point on the division line between Lot 1, Section 5, on the east and Lot 3, Section 5, on the west; said division line being also described as being the west line of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1264 of Deeds at Page 431; RUNNING THENCE: N-00-51-11-E, in part along the west line of said lastly referred to New York State Electric & Gas Corporation lands and also in part along the west line of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1264 of Deeds at Page 435; being also the division line between Lot 1, Section 5, on the east and Lot 3, Section 5, on the west, a distance of 1936.76 feet to the northwest corner of Lot 1, Section 5 being also the northeast corner of Lot 3, Section 5, and further described as being the southwest corner of Lot 2, Section 5; and also being the southeast corner of Lot 4, Section 5; RUNNING THENCE: N-88-39-41-W, along the south line of said Lot 4, Section 5, and along the south line of lands conveyed to the New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1264 of Deeds at Page 443, a distance of 185.0 feet to the southwest corner of said lastly referred to New York State Electric & Gas Corporation lands; RUNNING THENCE: N-01-13-04-E, along the west line of said lastly referred to New York State Electric & Gas Corporation lands, a distance of 3777.16 feet to the POINT OR PLACE OF BEGINNING, containing 57,280 acres, be the same, more or less. SUBJECT to the portion of the public in and to that portion of the above described premises lying within the bounds of Lake, Hosmer and Hartland Roads. EXCEPTION 1: Lands conveyed to Roger C. and Karen Payne by deed recorded in the Niagara County Clerk's Office in Liber 1484 of Deeds at Page 649; EXCEPTION 2: Lands acquired (Map No. 22D, Parcel No. 27, and Map No. 22D, Parcel No. 28) for highway purposes and permanent easement acquired (Map No. 22D, Parcel No. 29) for drainage ditch purposes by The People of the State of New York by deed recorded in the Niagara County Clerk's Office in Liber 2597 of Deeds at Page 165; EXCEPTION 3: Lands acquired (Parcel 21, Parcel 22, Parcel 23) by the County of Niagara and Town of Somerset for highway purposes by deed recorded in the Niagara County Clerk's Office in Liber 1432 of Deeds at Page 489; EXCEPTION 4: Lands acquired (Parcel 24) by the County of Niagara and Town of Somerset for highway purposes by deed recorded in the Niagara County Clerk's Office in Liber 1428 of Deeds at Page 957; EXCEPTION 5: Lands acquired by the County of Niagara and Town of Somerset for highway purposes by deed recorded in the Niagara County Clerk's Office in Liber 905 of Deeds at Page 76; EXCEPTION 7: Lands acquired to the Town of Somerset by deed recorded in the Niagara County Clerk's Office in Liber 1850 of Deeds at Page 346; EXCEPTION 8: Also excepting therefrom those premises taken/appropriated by the State of New York pursuant to map filed 3/26/1999 as Map No. 23, Parcel Nos. 30, 31, 32 and pursuant to Notice of Appropriation filed 3/26/1999 in Liber 2809 of Deeds, Page 324.

Subject to the following two described permanent easements and rights-of-way: 1) ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Somerset, County of Niagara, State of New York, and being part of Lot 1, Section 5, Township 16, Range 6 of the Holland Land Company survey (so-called), bounded and described as follows: BEGINNING AT A POINT on the division line between Lot 1, Section 5, on the east and Lot 3, Section 5, on the west, at the southwest corner of lands conveyed to New York State Electric & Gas Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1264 of Deeds at Page 431; RUNNING THENCE: N-00-51-11-E, along the west line of said lastly referred to New York State Electric & Gas Corporation lands, being also the division line between Lot 1, Section 5, on the east and Lot 3, Section 5, on the west, a distance of 928.99 feet to a point; RUNNING THENCE: S-89-08-49-E, at right angles to the last described line, a distance of 308.52 feet to a point; RUNNING THENCE: S-01-11-18-W, a distance of 832.33 feet to a point on a south line of said New York State Electric & Gas Corporation lands; RUNNING THENCE: N-88-31-08-W, along a south line of said New York State Electric & Gas Corporation lands, a distance of 26.14 feet to an angle therein; RUNNING THENCE: S-01-12-47-W, along an east line of said New York State Electric & Gas Corporation lands, a distance of 100.0 feet to a southeast corner thereof; RUNNING THENCE: N-88-31-08-W, along a south line of said New York State Electric & Gas Corporation lands, a distance of 276.90 feet to the southwest corner thereof and the POINT OR PLACE OF BEGINNING, containing 6.473 acres, be the same, more or less. 2) ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Somerset, County of Niagara, State of New York, being part of Lots 13 and 14, Section 5, Township 16, Range 6 of the Holland Land Company Survey (so-called) bounded and described as follows: COMMENCING AT THE SOUTHWEST CORNER OF A 6.12 acre parcel of land reserved by New York State Electric and Gas Corporation as set forth and described in Appendix B in a deed from New York State Electric & Gas Corporation to NGE Generation, Inc., recorded in the Niagara County Clerk's Office in Liber 2808 of Deeds at Page 1; RUNNING THENCE: S-88-30-51-E (N-81-12-44-E, Plant Grid Bearing System), along the south line of said 6.12 acre reservation, a distance of 3.17 feet to the Point of Beginning of the Permanent Easement herein described; CONTINUING THENCE: S-88-30-51-E (N-81-12-44-E, Plant Grid Bearing System), along the south line of said 6.12 acre reservation, a distance of 350.0 feet to a point; RUNNING THENCE: S-01-11-18-W, a distance of 852.25 feet to a point on the north line of lands acquired by The People of the State of New York (Map No. 22D, Parcel No. 27) for highway purposes; RUNNING THENCE: N-89-12-55-W, along the north line of said Parcel No. 27, a distance of 281.14 feet to an angle therein; CONTINUING THENCE: S-84-34-19-W, along the north line of said Parcel No. 27, a distance of 70.32 feet to a point; RUNNING THENCE: N-01-11-18-E, a distance of 885.80 feet to the POINT OR PLACE OF BEGINNING, containing 6.975 acres, be the same, more or less.

NOTE: SEE INDEX MAP FOR NOTES & CERTIFICATIONS

NOTES CORRESPONDING TO SCHEDULE B-II
"FIRST AMERICAN TITLE INSURANCE COMPANY TITLE NO. 3020-1030106NY1"
DATED: NOVEMBER 12, 2020

5. Easement(s) reserved in a deed recorded on September 5, 1958 in (as) Liber 1296, Page 106. (Affects streets only – all parcels) (SEE NOTE 8 ON INDEX SHEET)
6. Easement(s) reserved in a deed recorded on November 7, 1968 in (as) Liber 1486, page 302. Affects streets only – all parcels) (SEE NOTE 9 ON INDEX SHEET)
7. Unrecorded License Agreement between New York State Electric & Gas Corporation and George Staples dated 4/1/1991 granting to said Staples permission to use a portion of the subject premises for agriculture purposes. (SEE SHEET NO'S 4, 7, 8, 9, 10, 11, 12, 13 & 16)
10. Unrecorded easements, discrepancies or conflicts in boundary lines, shortage in area, encroachments, or any other facts which a current and accurate survey would disclose.
15. Railroad easements or rights of way, if any, traversing the land and the rights of railroad companies to any tracks, siding, ties and rails associated therewith.
THE FOLLOWING MATTERS AFFECT TRACTS 1, 1A, 1B & 1C
27. Terms, covenants, conditions and agreements contained in a Memorandum of Agreement and Lease made by and between Louton Pettit, Lessor, and Edgar A. Taylor, Trustee for The Niagara Oil and Gas Company, Lessee, a memorandum of which dated June 12, 1891 was recorded on July 1, 1891 in (as) Liber 211, Page 297. (SEE SHEET NO'S 12 & 16)
28. Terms, covenants, conditions and agreements contained in a Memorandum of Agreement and Lease made by and between Edwin Hixson, Lessor, and Edgar A. Taylor, Trustee for The Niagara Oil and Gas Company, Lessee, a memorandum of which dated June 11, 1891 was recorded on July 21, 1891 in (as) Liber 211, Page 304. (SEE SHEET NO'S 16 & 19)
29. Terms, covenants, conditions and agreements contained in a Memorandum of Agreement and Lease made by and between Joel H. Pettit, Lessor, and Edgar A. Taylor, Trustee for The Niagara Oil and Gas Company, Lessee, a memorandum of which dated June 17, 1891 was recorded on July 21, 1891 in (as) Liber 211, Page 392. (SEE SHEET NO'S 4 & 8)
30. Utility Easement(s) reserved in a deed recorded on August 5, 1915 in (as) Liber 388, page 240. (SEE SHEET NO'S 7 & 11)
31. Water Pipe Line Easement(s) reserved in a deed recorded on September 28, 1916 in (as) Liber 407, Page 337. (SEE SHEET NO. 19)
As assigned to New York State Electric & Gas Corporation by Deed recorded July 31, 1957 in Liber 1264, Page 428. (SEE SHEET NO. 19)
34. Utility Easement(s) reserved in a deed recorded on October 28, 1955 in (as) Liber 1198, Page 350. (SEE SHEET NO'S 1, 5 & 9)
35. Covenants and Restrictions recited in a deed recorded 10/26/1955 in Liber 1198 of Deeds, page 86. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
36. Covenants and Restrictions recited in a deed recorded 10/26/1955 in Liber 1198 of Deeds, page 90. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
37. Covenants and Restrictions recited in a deed recorded 10/26/1955 in Liber 1198 of Deeds, page 94. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
38. Covenants and Restrictions recited in a deed recorded 10/26/1955 in Liber 1198 of Deeds, page 98. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
39. Covenants and Restrictions recited in a deed recorded 10/31/1955 in Liber 1198 of Deeds, page 530. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
40. Covenants and Restrictions recited in a deed recorded 10/31/1955 in Liber 1198 of Deeds, page 534. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
41. Covenants and Restrictions recited in a deed recorded 10/31/1955 in Liber 1198 of Deeds, page 575. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
42. Covenants and Restrictions recited in a deed recorded 11/23/1955 in Liber 1201 of Deeds, page 497. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
43. Covenants and Restrictions recited in a deed recorded 8/8/1957 in Liber 1265 of Deeds, page 422. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
44. Covenants and Restrictions recited in a deed recorded 8/8/1957 in Liber 1265 of Deeds, page 426. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
45. Covenants and Restrictions recited in a deed recorded 8/8/1957 in Liber 1265 of Deeds, page 434. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
46. Terms, covenants, conditions and agreements contained in an unrecorded lease made by and between New York State Electric & Gas Corporation, Lessor, and Dickinson Farms Inc., Lessee, dated 1/1/1958. (SEE SHEET NO. 16)
47. Covenants and Restrictions recited in a deed recorded 10/21/1965 in Liber 1443 of Deeds, page 1165. Policy insures that any violations thereof will not result in a forfeiture or reversion of title. (SEE SHEET NO. 1)
48. Dedication/Road Deed (Hosmer Road/County Road 65A-2) recorded August 17, 1964 in Liber 1428, Page 957. (SEE SHEET NO'S 9, 12 & 16)
49. Utility Easement(s) reserved in a deed recorded on September 4, 1964 in (as) Liber 1429, Page 471. (SEE SHEET NO'S 16 & 19)
50. Dedication/Road Deed (Hosmer Road/County Road 65A-2) recorded December 2, 1964 in Liber 1432, Page 499. (SEE SHEET NO'S 9, 12 & 16)
51. Agreement (Underground Facilities) recorded May 18, 1977 in Liber 1599, Page 389. (SEE SHEET NO'S 1, 5 & 9)
53. Abandonment/Vacation of Town Highways (Hosmer Road) recorded March 25, 1980 in Liber 1706, Page 96. (SEE SHEET NO'S 1, 5 & 9)
54. Rights of the Town of Somerset to maintain, operate, repair or replace existing utility lines located within the bed of Hosmer Road, now vacated.
55. Rights of utility companies, if any, lying within the bed of Hosmer Road, now vacated.
56. Agreement (Underground Facilities) recorded March 23, 1983 in Liber 1841, Page 319. (SEE SHEET NO. 8 & 9)
57. Agreement (Underground Facilities) recorded April 13, 1983 in Liber 1843, Page 296. (SEE SHEET NO. 9)
58. Agreement (Underground Facilities) recorded July 27, 1984 in Liber 1902, Page 39. (See SHEET NO. 8)
59. Utility Agreement(s) reserved in a deed recorded on July 27, 1984 in Liber 1902, Page 44. (SEE SHEET NO. 19)
60. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded August 8, 1995 in Liber 2597, Page 165. (SEE SHEET NO'S 8 & 9)
61. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded February 13, 1998 in Liber 2808, Page 1. (SEE SHEET NO. 8)
As Corrected by Deed of Correction and Confirmation recorded May 20, 1999, in Liber 2926, Page 70. (SEE SHEET NO. 8)
62. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded July 20, 1998 Liber 2845, Page 209. (SEE SHEET NO'S 12, 16 & 19)
63. New York State Department of Transportation, Appropriation of Property in Deed recorded March 26, 1999 in Liber 2909, Page 324. (SEE SHEET NO'S 9 & 10)
64. Amended and Restated Reciprocal Easement Agreement recorded May 20, 1999 in Liber 2928 Page 44. (SEE SHEET NO. 8)
As amended by Amendment to Amended and Restated Reciprocal Easement Agreement recorded July 17, 2012 in Instrument No. 2012-14648. (SEE SHEET NO. 8)
65. Terms, covenants, conditions and agreements contained in a Memorandum of Lease made by and between AES Eastern Energy, L.P., a Delaware limited partnership, Lessor, and Niagara County Industrial Development Agency, a public benefit corporation, Lessee, a memorandum of which dated January 1, 2007 was recorded on January 16, 2007 in (as) Liber 3386, Page 754.
Terms, covenants, conditions and agreements contained in a Memorandum of Leaseback made by and between Niagara County Industrial Development Agency, a public benefit corporation, Lessor, and AES Eastern Energy, L.P., a Delaware limited partnership, Lessee, a memorandum of which dated January 1, 2007 was recorded on January 16, 2007 in (as) Liber 3386, Page 761.
(a) Memorandum of Amended and Restated Lease made by and between AES Eastern Energy, L.P., a Delaware limited partnership and Niagara County Industrial Development Agency, a public benefit corporation dated June 1, 2012 and recorded on July 17, 2012 in (as) Instrument No. 2012-14644.
(b) Memorandum of Amended and Restated Leaseback made by and between Niagara County Industrial Development Agency, a public benefit corporation and AES Eastern Energy, L.P., a Delaware limited partnership dated June 1, 2012 and recorded on July 17, 2012 in (as) Instrument No. 2012-14645.
(c) First Amendment to Amended and Restated Lease Agreement made by and between Somerset Operating Company, LLC, a Delaware limited liability company and Niagara County Industrial Development Agency, a public benefit corporation dated February 1, 2015 and recorded on February 26, 2015 in (as) Instrument No. 2015-03038.
(d) First Amendment to Amended and Restated Leaseback Agreement made by and between Somerset Operating Company, LLC, a Delaware limited liability company and Niagara County Industrial Development Agency, a public benefit corporation dated February 1, 2015 and recorded on February 26, 2015 in (as) Instrument No. 2015-03039.
(e) Second Amendment to Lease Agreement made by and between Somerset Operating Company, LLC, a Delaware limited liability company and Niagara County Industrial Development Agency, a public benefit corporation dated September 1, 2015 and recorded on September 16, 2015 in (as) Instrument No. 2015-15909.
(f) Second Amendment to Leaseback Agreement made by and between Niagara County Industrial Development Agency, a public benefit corporation and Somerset Operating Company, LLC, a Delaware limited liability company dated September 1, 2015 and recorded on September 16, 2015 in (as) Instrument No. 2015-15910.
(g) 2016 Amendment to Amended and Restated Lease Agreement made by and between Somerset Operating Company, LLC, a Delaware limited liability company and Niagara County Industrial Development Agency, a public benefit corporation dated February 1, 2016 and recorded on February 11, 2016 in (as) Instrument No. 2016-02460.
(h) 2016 Amendment to Amended and Restated Leaseback Agreement made by and between Somerset Operating Company, LLC, a Delaware limited liability company and Niagara County Industrial Development Agency, a public benefit corporation dated February 1, 2016 and recorded on February 11, 2016 in (as) Instrument No. 2016-02461.
(i) 2018 Amendment to Amended and Restated Lease Agreement made by and between Somerset Operating Company, LLC, a Delaware limited liability company and Niagara County Industrial Development Agency, a public benefit corporation dated October 1, 2018 and recorded on November 29, 2018 in (as) Instrument No. 2018-20987.
(j) 2018 Amendment to Amended and Restated Leaseback Agreement made by and between Somerset Operating Company, LLC, a Delaware limited liability company and Niagara County Industrial Development Agency, a public benefit corporation dated October 1, 2018 and recorded on November 29, 2018 in (as) Instrument No. 2018-20988.
66. Right of First Refusal Agreement recorded July 17, 2012 in Instrument No. 2012-14550.
71. Rights public and private of the railroad bounding/crossing premises in question.
72. Access rights of Ingress and Egress is hereby not insured for the railroad running along, crossing and bounding said premises.
THE FOLLOWING MATTERS AFFECT TRACT 2
74. Dedication/Road Deed (Hosmer Road/County Road 65A-2) recorded August 17, 1964 in Liber 1428, Page 957. (SEE SHEET NO'S 9 & 12)
75. Dedication/Road Deed (Hosmer Road/County Road 65A-2) recorded December 2, 1964 in Liber 1432, Page 499. (SEE SHEET NO'S 9, 12 & 16)
76. Utility Easement(s) reserved in a deed recorded on September 23, 1982 in (as) Liber 1822, Page 101. (SEE SHEET NO'S 9 & 13)
77. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded August 8, 1995 in Liber 2597, Page 165. (SEE SHEET NO'S 8 & 9)
78. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded February 13, 1998 in Liber 2808, Page 1. (SEE SHEET NO. 8)
As Corrected by Deed of Correction and Confirmation recorded May 20, 1999, in Liber 2926, Page 70. (SEE SHEET NO. 8)
79. Amended and Restated Reciprocal Easement Agreement recorded May 20, 1999 in Liber 2928, Page 44. (SEE SHEET NO. 8)
As amended by Amendment to Amended and Restated Reciprocal Easement Agreement recorded July 17, 2012 in Instrument No. 2012-14648. (SEE SHEET NO. 8)
80. Right of First Refusal Agreement recorded July 17, 2012 in Instrument No. 2012-14650.
THE FOLLOWING MATTERS AFFECT TRACT 3
81. Terms, covenants, conditions and agreements contained in a Memorandum of Agreement and Lease made by and between W. M. McAdams, Lessor, and Edgar A. Taylor, Trustee for The Niagara Oil and Gas Company, Lessee, a memorandum of which dated June 17, 1891 was recorded on July 21, 1891 in (as) Liber 211, Page 356. (SEE SHEET NO'S 11, 14 & 15)
82. Terms, covenants, conditions and agreements contained in a Memorandum of Agreement and Lease made by and between M. E. Mead and Mary Mead, Lessor, and Edgar A. Taylor, Trustee for The Niagara Oil and Gas Company, Lessee, a memorandum of which dated June 16, 1891 was recorded on July 21, 1891 in (as) Liber 211, Page 359. (DOES NOT AFFECT SURVEYED PREMISES)
83. Terms, covenants, conditions and agreements contained in a Memorandum of Agreement and Lease made by and between S. C. Bateman and V. D. Bateman, Lessor, and Edgar A. Taylor, Trustee for The Niagara Oil and Gas Company, Lessee, a memorandum of which dated June 16, 1891 was recorded on July 21, 1891 in (as) Liber 211, Page 376. (SEE SHEET NO'S 3 & 7)
84. Easement(s) reserved in a deed recorded on January 9, 1957 in (as) Liber 1246, page 230. (SEE SHEET NO. 10)
85. Dedication/Road Deed (Hartland Road/County Road 108, Pt. 4) recorded March 10, 1948 in Liber 905, Page 76. (SEE SHEET NO. 11)
88. 20' Ingress and Egress Easement in Deed recorded May 10, 1977 in Liber 1599, page 39. (SEE SHEET NO. 15)
89. Abandonment/Vacation of Town Highways (Potter Road and Belmere Drive) recorded March 25, 1980 in Liber 1706, Page 96. (SEE SHEET NO'S 2, 6 & 10)
90. Rights of the Town of Somerset to maintain, operate, repair or replace existing utility lines located within the bed of Hosmer Road, now vacated.
91. Rights of utility companies, if any, lying within the bed of Hosmer Road, now vacated.
92. Utility Easements reserved in deeds recorded on October 15, 1980 in (as) Liber 1738, Page 141, Liber 1738, Page 142, Liber 1738, Page 144, Liber 1738, Page 145, Liber 1738, Page 147, Liber 1738, Page 148, Liber 1738, Page 149, Liber 1738, Page 154 and Liber 1738, Page 159. (SEE SHEET NO'S 9, 10, 11, 13, 14 & 15)
93. Easement(s) reserved in a deed recorded on September 23, 1982 in (as) Liber 1822, Page 101. (SEE SHEET NO'S 9 & 13)
94. Sanitary Sewer Easement(s) reserved in a deed recorded on June 20, 1983 in (as) Liber 1851, Page 17. (SEE SHEET NO. 7)
95. Easement(s) reserved in a deed recorded on August 27, 1984 in (as) Liber 1906, Page 104. (SEE SHEET NO. 15)
96. Unrecorded License Agreement between New York State Electric & Gas Corporation and Dwight D. Horning and Irene Horning dated 4/1/1991 granting to said Hornings permission to use a portion of the subject premises for agriculture purposes. (SEE SHEET NO'S 2, 6 & 7)
97. Unrecorded License Agreement between New York State Electric & Gas Corporation and Duane Langendorfer dated 4/1/1991 granting to said Langendorfer permission to use a portion of the subject premises for agriculture purposes. (SEE SHEET NO'S 10 & 14)
98. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded August 8, 1995 in Liber 2597, Page 165. (SEE SHEET NO'S 8 & 9)
99. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded February 13, 1998 in Liber 2808, Page 1. (SEE SHEET NO. 8)
100. New York State Department of Transportation, Appropriation of Property in Deed recorded March 26, 1999 in Liber 2909, Page 324. (SEE SHEET NO'S 9 & 10)
101. Right of First Refusal Agreement recorded July 17, 2012 in Instrument No. 2012-14650.
THE FOLLOWING MATTERS AFFECT TRACT 4
102. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded August 8, 1995 in Liber 2597, Page 165. (SEE SHEET NO'S 8 & 9)
103. New York State Department of Transportation, Appropriation of Property in Deed recorded March 26, 1999 in Liber 2909, Page 324. (SEE SHEET NO'S 9 & 10)
104. Right of First Refusal Agreement recorded July 17, 2012 in Instrument No. 2012-14650.
THE FOLLOWING MATTERS AFFECT TRACT 5
105. Utility Easements reserved in deeds recorded on October 15, 1980 in (as) Liber 1738, Page 146 (DOES NOT AFFECT SURVEYED PREMISES – SEE SHEET 10) and Liber 1738, Page 155. (SEE SHEET NO. 11)
106. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded August 8, 1995 in Liber 2597, Page 165. (SEE SHEET NO'S 8 & 9)
107. Right of First Refusal Agreement recorded July 17, 2012 in Instrument No. 2012-14650.
THE FOLLOWING MATTERS AFFECT TRACT 6
108. Terms, covenants, conditions and agreements contained in a Memorandum of Agreement and Lease made by and between Louton Pettit, Lessor, and Edgar A. Taylor, Trustee for The Niagara Oil and Gas Company, Lessee, a memorandum of which dated June 18, 1891 was recorded on July 21, 1891 in (as) Liber 211, Page 297. (SEE SHEET NO'S 12 & 16)
109. Easement(s) reserved in a deed recorded on March 23, 1983 in (as) Liber 1841, Page 319. (SEE SHEET NO'S 8 & 9)
110. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded August 8, 1995 in Liber 2597, Page 165. (SEE SHEET NO'S 8 & 9)
111. Terms, covenants, conditions and agreements contained in an unrecorded lease made by and between New York State Electric & Gas Corporation, Lessor, and The Town of Somerset Historical Society, Lessee, dated 6/3/1997. (SEE SHEET NO. 8)
112. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded February 13, 1998 in Liber 2808, Page 1. (SEE SHEET NO. 8)
As Corrected by Deed of Correction and Confirmation recorded May 20, 1999, in Liber 2926, Page 70. (SEE SHEET NO. 8)
113. Covenants, Restrictions, Reservations and Easements as reserved in Deed recorded July 20, 1998 in Liber 2845, Page 209. (SEE SHEET NO. 6)
114. Amended and Restated Reciprocal Easement Agreement recorded May 20, 1999 in Liber 2928, Page 44. (SEE SHEET NO. 8)
As amended by Amendment to Amended and Restated Reciprocal Easement Agreement recorded July 17, 2012 in Instrument No. 2012-14648. (SEE SHEET NO. 8)
115. Right of First Refusal Agreement recorded July 17, 2012 in Instrument No. 2012-14650.

NOTE: SEE INDEX MAP FOR NOTES & CERTIFICATIONS