



County of Chautauqua Industrial Development Agency

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February 17, 2021

SEE ATTACHED SCHEDULE OF ADDRESSEES

Re: Cassadaga Wind LLC Project

Ladies and Gentlemen:

On or about February 27, 2019, the County of Chautauqua Industrial Development Agency (the "Agency") acquired an interest in multiple parcels of property in connection with the above referenced Project, pursuant to the provisions of the New York State Industrial Development Agency Act (constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, Chapter 1030 of the 1969 Laws of New York), as amended, and Chapter 71 of the 1972 Laws of New York, as amended (collectively, the "Act") and pursuant to a Company Lease Agreement dated as of December 1, 2018 (as amended, the "Company Lease") between the Agency, as lessee and Cassadaga Wind LLC, as lessor (the "Company"), a memorandum of which has been recorded in the Office of the County Clerk of Chautauqua County, New York (the "Clerk's Office").

Under the Act, the Agency is regarded as performing a governmental function in the exercise of the powers conferred by the Act and "shall be required to pay no taxes or assessments upon any of the property acquired by it or under its jurisdiction or control or supervision or upon its activities".

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201 W. Third Street, Suite 115, Jamestown, NY 14701-6902  
PH 716-661-8900 / FAX 716-664-4515  
[ccida@ccida.com](mailto:ccida@ccida.com)  
[www.ccida.com](http://www.ccida.com)

Mark R. Geise/CEO  
[geisem@co.chautauqua.ny.us](mailto:geisem@co.chautauqua.ny.us)





County of Chautauqua Industrial Development Agency

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Pursuant to an Agency Lease Agreement, dated as of December 1, 2018 (as amended, the "Lease Agreement"), between the Agency, as sublessor, and the Company, as sublessee, a memorandum of which has been recorded in the Clerk's Office, the Agency has arranged to sublease its interest in said realty to the Company.

In connection with the Project, the Agency and the Company entered into an Amended and Restated Payment in Lieu of Taxes Agreement dated as of November 8, 2019 (the "Amended PILOT Agreement"), providing for the payment by the Company of payments in lieu of real property taxes with respect to the Facility (as defined in the Amended PILOT Agreement).

The Company and the Agency have entered into a certain Amendment No. 1 to Amended and Restated Payment in Lieu of Taxes Agreement dated as of December 1, 2020 between the Company and the Agency (the "Amendment"), pursuant to which the Company and the Agency have agreed to the addition of certain parcels of land to the Facility, the release of certain parcels of land from the Facility, and the amendment of the description of certain parcels of land included within the Facility. A copy of the Amendment is attached hereto as Exhibit A, together with the required Application for Amended Real Property Tax Exemption. Please change your records accordingly.

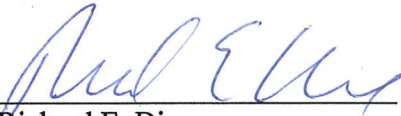
The parcels of land referenced in the preceding paragraph are also set forth by street address and by tax map designation on the tables attached hereto as Exhibit B.

Thank you for your attention to this matter.

Very truly yours,

COUNTY OF CHAUTAUQUA  
INDUSTRIAL DEVELOPMENT  
AGENCY

By

  
Richard E. Dixon  
Chief Financial Officer



County of Chautauqua Industrial Development Agency

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SCHEDULE OF ADDRESSEES

List of Assessors:

Town of Arkwright  
Signe Rominger  
P.O. Box 448  
Brocton, NY 14716  
[signe.rominger@gmail.com](mailto:signe.rominger@gmail.com)

Town of Charlotte  
Kevin Okerlund  
8 Lester Street  
P.O. Box 482  
Sinclairville, NY 14782  
[kpo@fairpoint.net](mailto:kpo@fairpoint.net)

Town of Cherry Creek  
Kevin Okerlund  
6845 Main Street  
P.O. Box 98  
Cherry Creek, NY 14723  
[kpo@fairpoint.net](mailto:kpo@fairpoint.net)

Town of Stockton  
DeaAnna Wheeler  
P.O. Box 54  
Stockton, NY 14784  
[stocktonasr@stny.rr.com](mailto:stocktonasr@stny.rr.com)

List of Chief Executive Officers of the Affected Tax Jurisdictions:

Paul M. Wendel, Jr., County Executive  
County of Chautauqua  
Gerace Office Building  
3 North Erie Street  
Mayville, New York 14757  
[wendelp@co.chautauqua.ny.us](mailto:wendelp@co.chautauqua.ny.us)



County of Chautauqua Industrial Development Agency

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Chautauqua County Department of Finance  
Attn: Kitty Crow, Director  
Gerace Office Building, 3 North Erie Street  
Mayville, NY 14757  
[CrowK@co.chautauqua.ny.us](mailto:CrowK@co.chautauqua.ny.us)

Jeffrey Chase, Board President  
Pine Valley Central School District  
7755 Route 83  
South Dayton, New York 14138

Bryna Moritz-Booth, Superintendent  
Pine Valley Central School District  
7755 Route 83  
South Dayton, NY 14138  
[bbooth@pval.org](mailto:bbooth@pval.org)

Town of Cherry Creek  
William Young, Town Supervisor  
6845 Main Street  
P.O. Box 98  
Cherry Creek, NY 14723  
[cherrycreek8050@yahoo.com](mailto:cherrycreek8050@yahoo.com)

Town of Charlotte  
Allen Chase, Town Supervisor  
8 Lester Street  
P.O. Box 482  
Sinclairville, NY 14782  
[marineawc@gmail.com](mailto:marineawc@gmail.com)

Town of Charlotte  
Susan L. Peacock, Town Clerk  
8 Lester Street, P.O. Box 482  
Sinclairville, NY 14782

Town of Arkwright  
Brian McAvoy, Town Supervisor  
8743 Center Road  
Cassadaga, NY 14718  
[mcavory\\_brian@yahoo.com](mailto:mcavory_brian@yahoo.com)



County of Chautauqua Industrial Development Agency

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Town of Arkwright  
Jane Lindquist, Clerk and Tax Collector  
9543 Center Road  
Fredonia, NY 14063  
[ark.town.clerk@gmail.com](mailto:ark.town.clerk@gmail.com)

Town of Cherry Creek  
Mary Pulliam, Town Clerk  
6845 Main Street  
P.O. Box 98  
Cherry Creek, NY 147232

Town of Stockton  
David Wilson, Town Supervisor  
7344 Route 380  
P.O. Box 129  
Stockton, NY 14784  
[dwilson@soilwater.org](mailto:dwilson@soilwater.org)

Town of Stockton  
Kathryn M. Palmer, Town Clerk  
7344 Route 380  
P.O. Box 129  
Stockton, NY 14784

Jeanne Oag, Board President  
Cassadaga Valley Central School  
5935 Route 60  
Sinclairville, NY 14782  
[Joag@cvcougars.org](mailto:Joag@cvcougars.org)

Charles Leichner, Superintendent  
Cassadaga Valley Central School  
P.O. Box 540  
Sinclairville, NY 14782  
[cleichner@cvcougars.org](mailto:cleichner@cvcougars.org)



**NYS DEPARTMENT OF TAXATION & FINANCE  
OFFICE OF REAL PROPERTY TAX SERVICES**

RP-412-a (1/95)

**INDUSTRIAL DEVELOPMENT AGENCIES  
APPLICATION FOR REAL PROPERTY TAX EXEMPTION  
(Real Property Tax Law, Section 412-a and General Municipal Law, Section 874)**

**1. INDUSTRIAL DEVELOPMENT AGENCY (IDA)**

Name COUNTY OF CHAUTAUQUA IDA  
Street 201 WEST THIRD STREET, SUITE 115  
City JAMESTOWN, NY 14701  
Telephone no. Day (716 ) 661-8900  
Evening ( ) \_\_\_\_\_  
Contact RICHARD E. DIXON  
Title CHIEF FINANCIAL OFFICER

**2. OCCUPANT (IF OTHER THAN IDA)**

(If more than one occupant attach separate listing)

Name CASSADAGA WIND LLC  
Street 1251 WATERFRONT PLACE, 3RD FLOOR  
City PITTSBURGH, PA 15220  
Telephone no. Day ( 412 ) 253-9400  
Evening ( ) \_\_\_\_\_  
Contact Richard Casey  
Title General Counsel

**3. DESCRIPTION OF PARCEL**

- a. Assessment roll description (tax map no./roll year) See Attached Amd. 1 to PILOT Agreement
- b. Street address See Attached Amd. 1 to PILOT Agreement
- c. City, Town or Village \_\_\_\_\_
- d. School District See Attached Amd. 1 to PILOT
- e. County See Attached Amd. 1 to PILOT Agt.
- f. Current assessment \_\_\_\_\_
- g. Deed to IDA (date recorded; liber and page) N/A

**4. GENERAL DESCRIPTION OF PROPERTY (if necessary, attach plans or specifications)**

- a. Brief description (include property use) Wind-powered electric generating facility.
- b. Type of construction Wind turbines and related electric generating equipment and improvements
- c. Square footage No change
- d. Total cost No change
- e. Date construction commenced No change
- f. Projected expiration of exemption (i.e. date when property is no longer possessed, controlled, supervised or under the jurisdiction of IDA) No change

**5. SUMMARIZE AGREEMENT (IF ANY) AND METHOD TO BE USED FOR PAYMENTS TO BE MADE TO MUNICIPALITY REGARDLESS OF STATUTORY EXEMPTION**

(Attach copy of the agreement or extract of the terms relating to the project).

- a. Formula for payment See attached Amendment No. 1 to PILOT Agreement pursuant to which (i) certain parcels of land are added to the Facility, (ii) certain parcels of land are released and excluded from the Facility, and (iii) certain descriptions of parcels of land within the Facility are amended. See also attached Table of Parcels.
- b. Projected expiration date of agreement No change

payments (as provided in the Pilot Agreement) following completion of the project.

c. Municipal corporations to which payments will be made

	Yes	No
County <u>Chautauqua</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Town/City <u>see attached</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Village <u>see attached</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
School District <u>See Attached</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Person or entity responsible for payment

Name Cassadaga Wind LLC  
 Title \_\_\_\_\_  
 Address 1251 Waterfront Place, 3rd Fl.  
Pittsburg, PA 14220

e. Is the IDA the owner of the property?  Yes  No (check one)

If "No" identify owner and explain IDA rights or interest in an attached statement. Telephone 412-253-9400  
 \* CCIDA HOLDS LEASEHOLD INTEREST

6. Is the property receiving or has the property ever received any other exemption from real property taxation? (check one)  Yes  No

If yes, list the statutory exemption reference and assessment roll year on which granted:  
 exemption GML 874 assessment roll year \_\_\_\_\_

7. A copy of this application, including all attachments, has been mailed or delivered on \_\_\_\_\_ (date) to the chief executive official of each municipality within which the project is located as indicated in Item 3.

**CERTIFICATION**

I, Richard E. Dixon, Chief Financial Officer of \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_  
County of Chautauqua Industrial Development Agency hereby certify that the information  
 Organization \_\_\_\_\_

on this application and accompanying papers constitutes a true statement of facts.

2/10/21  
Date

  
Signature

**FOR USE BY ASSESSOR**

1. Date application filed \_\_\_\_\_
2. Applicable taxable status date \_\_\_\_\_
- 3a. Agreement (or extract) date \_\_\_\_\_
- 3b. Projected exemption expiration (year) \_\_\_\_\_
4. Assessed valuation of parcel in first year of exemption \$ \_\_\_\_\_
5. Special assessments and special as valorem levies for which the parcel is liable:  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Assessor's signature

**EXHIBIT A**

Amendment

See Attached



**AMENDMENT NO. 1 TO AMENDED AND RESTATED  
PAYMENT IN LIEU OF TAXES AGREEMENT**

THIS AMENDMENT NO. 1 TO AMENDED AND RESTATED PAYMENT IN LIEU OF TAXES AGREEMENT (this “Amendment”) dated as of December 1, 2020 (the “Effective Date”), by and between the COUNTY OF CHAUTAUQUA INDUSTRIAL DEVELOPMENT AGENCY, a corporate governmental agency constituting a body corporate and politic and a public benefit corporation of the State of New York, having an office at 201 West Third Street, Suite 115, Jamestown, New York 14701 (the “Agency”), and CASSADAGA WIND LLC, a limited liability company organized under the laws of the State of Delaware and qualified to do business in the State of New York as a foreign limited liability company, having an address at 1251 Waterfront Place, Third Floor, Pittsburgh, Pennsylvania 15222 (the “Company”).

**WITNESSETH:**

WHEREAS, the Company presented an application for financial assistance (the “Application”) to the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) consisting of the following: (A) (1) the acquisition of an interest in approximately 40,000 acres of land by the Company, located in the towns of Charlotte, Cherry Creek, Arkwright, and Stockton (together, the “Towns”), County of Chautauqua, New York (collectively, the “Land”), (2) the acquisition and installation therein and thereon of certain furniture, fixtures, machinery and equipment, including approximately fifty-eight (58) wind turbine generators (as reduced to forty-eight (48) as permitted by the State) with a maximum capacity of 126 megawatts (“MW”) (the “Equipment”), (3) the acquisition, construction, installation, and equipping on the Land of: (i) an operations and maintenance building, (ii) a system of buried and overhead electrical collection lines, (iii) approximately 5.5 miles of 115 kV transmission line, (iv) meteorological towers, and (v) an interconnection substation facility and collection substation facility on the Land, and a system of gravel access roads, parking, landscaping and related improvements to the Land (collectively, the “Improvements”), all of the foregoing for use by the Company as a wind-powered electric generating facility (collectively, the “Project Facility”); (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions or partial exemptions from sales and use taxes, mortgage recording taxes and real property taxes (but not including special assessments and ad valorem levies); and (C) the lease of the Project Facility by the Company to the Agency and the sublease of the Project Facility by the Agency to the Company; and

WHEREAS, the Company is the owner of fee simple, leasehold, and/or easement interests in the Land; and

WHEREAS, the Company is the owner of the Equipment and the Improvements (collectively, the “Facility”); and

WHEREAS, the Company leased the Facility to the Agency pursuant to the terms and conditions set forth in the Company Lease Agreement dated as of December 1, 2018 between the Company and the Agency, as amended by Amendment No. 1 to Company Lease Agreement dated as of November 8, 2019 between the Company and the Agency and as further amended by Amendment No. 2 to Company Lease Agreement dated as of the date hereof between the Company and the Agency (as amended, the “Company Lease”); and

WHEREAS, the Agency appointed the Company as agent of the Agency to undertake the acquisition, construction, installation and equipping of the Facility and the Agency has subleased the Facility to the Company, all pursuant to the terms and conditions set forth in the Agency Lease Agreement dated as of December 1, 2018 between the Company and the Agency, as amended by Amendment No. 1 to Agency Lease Agreement dated as of November 8, 2019 between the Company and the Agency and as further amended by Amendment No. 2 to Agency Lease Agreement dated as of the date hereof between the Company and the Agency (as amended, the “Lease”), and the other Transaction Documents (as defined in the Lease); and

WHEREAS, the Agency and the Company entered into a Payment in Lieu of Taxes Agreement, dated as of December 1, 2018, as amended and restated pursuant to an Amended and Restated Payment in Lieu of Taxes Agreement dated as of November 8, 2019 between the Agency and the Company (as amended and restated, the “PILOT Agreement”), with respect to the Facility; and

WHEREAS, pursuant to the PILOT Agreement the first payment thereunder was due on July 31, 2021, but the Company erroneously paid \$504,000 (the “Overpayment”) on or about July 31, 2020 and said amount was distributed to the Taxing Entities; and

WHEREAS, the Company requested that the Agency consent to the amendment of the Lease, the Company Lease, the PILOT Agreement and the other Transaction Documents, as applicable, to reflect (a) the addition of certain parcels of land to the Facility, the release of certain parcels of land from the Facility, and the amendment of the description of certain parcels of land included within the Facility, and (b) the substitution of RWE Renewables Americas, LLC, a Delaware limited liability company, in place of IRUS Wind Development LLC, a Delaware limited liability company, as the guarantor of the obligations of the Company to the Agency under the Lease, the Company Lease, the PILOT Agreement and the other Transaction Documents;

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Company and the Agency mutually covenant, warrant and agree as follows:

## SECTION 1. DEFINITIONS.

SECTION 1.1 Interpretation. For purposes of this Amendment, unless otherwise defined herein, all capitalized terms used herein including, but not limited to, those capitalized terms used and/or defined in the recitals hereto, shall have the respective meanings assigned to such terms in the Transaction Documents.

SECTION 2. AMENDMENTS.

SECTION 2.1 Pursuant to Section 3 of the PILOT Agreement, the PILOT Agreement is hereby deemed amended such that the terms “Facility” and “Project Facility” shall be deemed to include a subleasehold interest in the Agency’s leasehold interest in the Company’s (a) fee simple interest in the parcels of real property described in Exhibit A-1 attached hereto, (b) leasehold interests in the parcels of real property referenced in Exhibit A-2 attached hereto, and (c) easement rights in the parcels of real property referenced in Exhibit A-3 attached hereto, in each case, together with any and all Project-related improvements and personal property (excluding personal property temporarily used or rented) now or hereafter located thereon or dedicated to the Project (collectively, the “Parcels”). Those Parcels not subject to exemption pursuant to the PILOT Agreement prior to the execution and delivery of this Amendment shall not be exempt from Real Property Taxes on the tax rolls of any Taxing Entity until the first tax year of such Taxing Entity following the taxable status date occurring subsequent to the filing by the Agency of the appropriate applications for tax exemption and receipts of such applications by the Assessors. The Company acknowledges and agrees that the Agency shall notify the Assessors that its interest in any parcels previously subject to exemption pursuant to the PILOT Agreement that are not included in Exhibits A-1, A-2 or A-3 (collectively, the “Released Parcels”) has terminated and that, pursuant to Section 520(2) of the New York State Real Property Tax Law, the Assessors are required to assess the Released Parcels at their value as of the date hereof, reclassify the Released Parcels as taxable real property and notify the owner(s) of the Released Parcels of such assessment and of the right of such owner(s) to a review of the assessment and reclassification, if appropriate.

SECTION 2.2 The PILOT Agreement is hereby further amended with regard to the Overpayment as follows:

(i) the Company shall be afforded a credit against the PILOT Payments according to the following schedule:

<b>PILOT Year</b>	<b>PILOT Payment Credit</b>
2022	\$26,526
2023	\$26,526
2024	\$26,526
2025	\$26,526
2026	\$26,526
2027	\$26,526
2028	\$26,526
2029	\$26,526

2030	\$26,526
2031	\$26,526
2032	\$26,526
2033	\$26,526
2034	\$26,526
2035	\$26,526
2036	\$26,526
2037	\$26,526
2038	\$26,526
2039	\$26,526
2040	\$26,526

The foregoing Schedule is intended to equal the Overpayment without interest, penalties or other amounts.

(ii) the Company waives all other claims against the Agency and the Taxing Entities with regard to the Overpayment.

### SECTION 3. CONDITIONS.

SECTION 3.1 Conditions Precedent. This Amendment shall only become effective upon the fulfillment, prior to or contemporaneously with the delivery hereof, of the following conditions precedent:

(A) the execution and delivery by the Company and the Agency of an original or counterpart originals of this Amendment;

(B) the Company shall deliver such other documents, instruments and agreements as the Agency may reasonably require in connection with the transactions contemplated by this Amendment;

(C) all other documents and legal matters in connection with this Amendment and the transactions contemplated by the PILOT Agreement as amended by this Amendment shall be satisfactory in form and substance to the Agency; and

(D) the Company shall pay the Agency's reasonable fees and expenses (including reasonable attorneys' fees and expenses) incurred by the Agency in connection with the preparation, execution and delivery of this Amendment and the closing of the transactions contemplated hereby.

### SECTION 4. MISCELLANEOUS.

#### SECTION 4.1 Representations and Warranties.

(A) All terms, conditions, covenants, representations and warranties of the Company contained in the Transaction Documents, except as expressly modified by this Amendment or by any document, instrument or agreement executed in connection with this Amendment, are ratified, confirmed and reaffirmed by the Company as of the date hereof, remain in full force and effect as of the date hereof, and are subject to the terms of this Amendment.

(B) The Company represents and warrants to the Agency that it has the necessary power and has taken all necessary action to make this Amendment the valid and enforceable obligation it purports to be, and that this Amendment constitutes the legal, valid and binding obligation of the Company, enforceable against the Company in accordance with its terms.

(C) The Company represents and warrants to the Agency that no Event of Default specified in any of the Transaction Documents has occurred and no event which with notice or lapse of time or both would become such an Event of Default has occurred and is continuing.

(D) Neither the Company nor any Affiliate of the Company has employed or retained any appointed or elected government official to solicit or secure the Agency's agreement to enter into this Amendment upon an agreement or understanding for a commission or percentage, brokerage or contingent fee.

SECTION 4.2 Additional Matters. All other documents and legal matters in connection with this Amendment and the transactions contemplated by the PILOT Agreement as amended by this Amendment shall be satisfactory in form and substance to the Agency.

SECTION 4.3 Survival of Representations and Warranties. All representations and warranties made in this Amendment or any other document, instrument or agreement furnished in connection with this Amendment shall survive the execution and delivery of this Amendment and no investigation by the Agency or any closing shall affect the representations and warranties or the right of the Agency to rely upon them.

SECTION 4.4 Reference to PILOT Agreement. The PILOT Agreement, the Transaction Documents and any and all other agreements, documents, or instruments heretofore, now or hereafter executed and delivered pursuant to the terms hereof or pursuant to the terms of the PILOT Agreement, as amended hereby, are hereby amended so that any reference to the PILOT Agreement in the PILOT Agreement, the Transaction Documents or such other agreements, documents or instruments executed in connection with the PILOT Agreement shall mean a reference to the PILOT Agreement, as amended hereby.

SECTION 4.5 Governing Law. This Amendment, the transactions described herein and the obligations of the parties hereto shall be construed under, and governed by, the laws of the State of New York, as in effect from time to time, without regard to principles of conflicts of laws.

SECTION 4.6 Successors and Assigns. The Company and the Agency, as such terms are used herein, shall include the legal representatives, successors and assigns of those parties.

SECTION 4.7 Counterparts. This Amendment may be executed in any number of counterparts and by the Company and the Agency on separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same Amendment. This Amendment may be modified only by a written agreement signed by Authorized Representatives of the Company and the Agency.

SECTION 4.8 Severability. Any provision of this Amendment held by a court of competent jurisdiction to be invalid or unenforceable shall not impair or invalidate the remainder of this Amendment and the effect thereof shall be confined to the provision so held to be invalid or unenforceable.

SECTION 4.9 Conflicting Provisions. In the event of any conflict in the terms and provisions of this Amendment and the terms and provisions of the PILOT Agreement, the terms and provisions of this Amendment shall govern.

SECTION 4.10 No Waiver. Except as expressly provided herein, this Amendment shall not be construed to be a waiver or modification, express or implied, of any of the terms or provisions of the PILOT Agreement, any other Transaction Document or any other agreement, document or instrument executed and/or delivered in connection with any of the foregoing, or of any of the Agency's rights thereunder, all of which are and shall remain in full force and effect. This Amendment shall not be construed to constitute a consent to other or further action by the Company or to entitle the Company to any other consent.

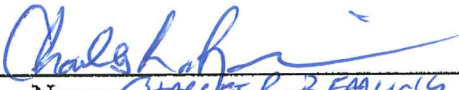
[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

SECTION 4.11 Entire Agreement. This Amendment (including the documents set forth in the exhibits hereto) constitutes the entire agreement and understanding between the parties hereto with respect to the transactions contemplated hereby and supersedes all prior negotiations, understandings, and agreements between such parties with respect to such transaction.

IN WITNESS WHEREOF, this Amendment has been duly executed by the parties hereto as of the day and year first above written.

Company:

CASSADAGA WIND LLC

By:   
Name: CHARLES R. REALING  
Title: VICE-PRESIDENT

Agency:

COUNTY OF CHAUTAUQUA INDUSTRIAL  
DEVELOPMENT AGENCY

By: \_\_\_\_\_  
Richard E. Dixon  
Chief Financial Officer

[Signature Page to Amendment No. 1 to PILOT Agreement]

SECTION 4.11 Entire Agreement. This Amendment (including the documents set forth in the exhibits hereto) constitutes the entire agreement and understanding between the parties hereto with respect to the transactions contemplated hereby and supersedes all prior negotiations, understandings, and agreements between such parties with respect to such transaction.

IN WITNESS WHEREOF, this Amendment has been duly executed by the parties hereto as of the day and year first above written.

Company:

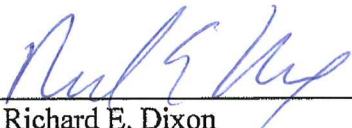
CASSADAGA WIND LLC

By: \_\_\_\_\_  
Andrew Young  
Chief Executive Officer

By: \_\_\_\_\_  
Richard Casey  
General Counsel and Secretary

Agency:

COUNTY OF CHAUTAUQUA INDUSTRIAL  
DEVELOPMENT AGENCY

By:  \_\_\_\_\_  
Richard E. Dixon  
Chief Financial Officer

[Signature Page to Amendment No. 1 to PILOT Agreement]



STATE OF *Illinois* )  
 )SS.:  
COUNTY OF *Cook* )

On the *21* day of December, 2020, before me, the undersigned, personally appeared *Charles Reading*, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



*Jason Franklin*  
\_\_\_\_\_  
Notary Public

STATE OF NEW YORK )  
 )SS.:  
COUNTY OF CHAUTAUQUA )

On the \_\_\_ day of December, 2020, before me, the undersigned, personally appeared Richard E. Dixon, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

[Acknowledgment Page to Amendment No. 1 to PILOT Agreement]

STATE OF )  
 )SS.:  
COUNTY OF )

On the \_\_\_ day of December, 2020, before me, the undersigned, personally appeared Andrew Young, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

---

Notary Public

STATE OF )  
 )SS.:  
COUNTY OF )

On the \_\_\_ day of December, 2020, before me, the undersigned, personally appeared Richard Casey, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

---

Notary Public

STATE OF NEW YORK )  
 )SS.:  
COUNTY OF CHAUTAUQUA )

On the 10<sup>th</sup> day of December, 2020, before me, the undersigned, personally appeared Richard E. Dixon, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



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Notary Public

[Acknowledgment Page to Amendment No. 1 to PILOT Agreement]

HEIDI L. DUBOSE. #01DU6410360  
Notary Public, State of New York  
Qualified in Chautauqua County  
My Commission Expires October 20, 2024

EXHIBIT A-1

Fee Parcels

**TRACT 13 – CASSADAGA WIND FEE PARCEL (236.00-2-2.3)**

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lot No. 60, Township 4 and Range 10 of the Holland Land Company's Survey, and being more particularly bounded and described as follows:

BEGINNING at an existing rebar at the northwesterly corner of said Lot No. 60;

THENCE South  $88^{\circ} 55' 26''$  East along the northerly line of said Lot No. 60, a distance of 191.64 feet to a set rebar on a southwesterly line of lands heretofore conveyed by George C. Wheeler and Marguerite Wheeler to the United States of America, Washington D.C., as described in a Warranty Deed dated April 20, 1957 and recorded in the Chautauqua County Clerk's Office on June 7, 1957 in Liber 1081 of Deeds at page 139;

THENCE along said lands conveyed to the United States of America, the following five (5) courses and distances:

(1) South  $30^{\circ} 44' 40''$  East, 65.46 feet to a set rebar;

THENCE (2) South  $59^{\circ} 15' 20''$  West, 90.00 feet to a set rebar;

THENCE (3) South  $30^{\circ} 44' 40''$  East, 135.00 feet to set rebar;

THENCE (4) North  $59^{\circ} 15' 20''$  East, 90.00 feet to a set rebar;

THENCE (5) South  $30^{\circ} 44' 40''$  East, 40.00 feet to a point on the existing centerline of Boutwell Hill Road (a 66 foot wide public right of way) and passing through a set rebar 25.00 feet distant northwesterly as measured along the last described line from said centerline;

THENCE along said centerline the following two (2) courses and distances:

(1) South  $59^{\circ} 15' 20''$  West, 67.26 feet to a point;

THENCE (2) South  $59^{\circ} 59' 36''$  West, 304.74 feet to a point on the westerly line of said Lot No. 60;

THENCE North  $01^{\circ} 02' 08''$  East along said easterly line of Lot No. 60, a distance of 397.12 feet to the rebar at the point of beginning and passing through a found rebar 24.73 feet distance northerly as measured along the last described line from said centerline. Containing 70,756 square feet or 1.62 acres of land, more or less.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situated in the same Town, County and State and the same Lot, Township and Range above described, and being more particularly bounded and described as follows:

COMMENCING at an existing rebar at the northwesterly corner of said Lot No. 60;

THENCE South 88° 55' 26" East along the northerly line of said Lot No. 60, a distance of 250.48 feet to a set rebar on the northeasterly line of lands heretofore conveyed by George C. Wheeler and Marguerite Wheeler to the United States of America, Washington D.C., as described in a Warranty Deed dated April 20, 1957 and recorded in the Chautauqua County Clerk's Office on June 7, 1957 in Liber 1081 of Deeds at page 139, said rebar being at the principle point of beginning of the parcel of land hereinafter described;

THENCE continuing South 88° 55' 26" East along said lot line, a distance of 234.46 feet to a point at its intersection with the existing centerline of Mill Creek Road, (a.k.a. East Road, a 49.5 foot wide public right of way);

THENCE continuing South 88° 55' 26" East along said lot line and along the centerline of Mill Creek Road, a distance of 124.76 feet to a point its intersection with the existing centerline of Boutwell Hill Road (a 66 foot wide public right of way);

THENCE along said centerline the following two (2) courses and distances:

(1) South 52° 05' 07" West, 160.49 feet to a point;

THENCE (2) South 59° 15' 20" West, 146.00 feet to point at the easterly corner of said lands conveyed to the United States of America;

THENCE North 30° 44' 40" West along the northeasterly line of said lands conveyed to the United States of America, a distance of 209.43 feet to the rebar at the point of beginning and passing through a set rebar 25.00 feet distant northwesterly as measured along the last described line from said centerline. Containing 33,425 square feet or 0.77 acre of land, more or less.

**TRACT 69 – CASSADAGA WIND FEE PARCEL (235.00-1-50.2)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua, State of New York, being part of Lot No. 19, Township 4 and Range 11 of the Holland Land Company's Survey and being more particularly bounded and described as follow:

BEGINNING at a point on the centerline of Cleland Road (a 49.5 foot wide public right of way) at its intersection with the northeasterly corner of said Lot No. 19; thence South 00° 56' 16" West along the easterly line of said Lot No. 19, a distance of 1,098.30 feet to a point at its intersection with the centerline of Boutwell Hill Road (a 49.5 foot wide public right of way); thence South 59° 42' 04" West along said centerline, a distance of 651.68 feet to a point; thence North 00° 56' 16" East, a distance of 42.36 feet to an existing iron stake; thence continuing North 00° 56' 16" East, a distance of 1,384.12 to an existing iron stake; thence continuing North 00° 56' 16" East, a distance of 4.44 feet to a point on the northerly line of said Lot No. 19; thence South 89° 36' 38" East along said north line of Lot No. 19, a distance of 518.52 feet to an existing iron stake; thence continuing along said Lot Line South 89° 36' 38" East, a distance of 38.71 feet to the point or place of beginning. Containing 16.175 acres, more or less.

EXHIBIT A-2

Leasehold Parcels

**TRACT 1(a) – ADAMS I (p/o 200.00-2-25)**

PARCEL II:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot Number 31, Township 4, Range 11 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a post standing on the west line of said Lot Number 31 at the distance of 31 chains and 6 links north of the southwest corner of said Lot;

RUNNING THENCE East on a line parallel with the south bounds of said Lot, 60 chains 58 links to a post;

THENCE North bounding on Lot Number 23, 16 chains and 48 links to a post;

THENCE West on a line parallel to the south line of lands hereby conveyed, 60 chains and 64 links to a post;

THENCE South bounded on Lot Number 39, 16 chains and 48 links to the place of beginning, containing 99.88 acres of land, be the same, more or less, being a part of the same land that was conveyed to Almira D. Hartwell by mortgage foreclosure under the statute and recorded in the County Clerk's Office at Mayville, New York in Book Number 144 of Mortgage at Page 364.

**TRACT 2 – ALDRICH I (183.00-1-45)**

ALL THAT PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Arkwright in the County of Chautauqua and State of New York being part of Lot No. 33 in Township 5 and Range 11, bounded north by Lot No. 34, 9 chains, 14 links; east by land deeded to G. Dorby 54 chains, 69 links; south by Township No. 4 in the said 11th Range 9 chains, 14 links and west by a line parallel to the west bounds of said Lot 33 at the distance of 27 chains, 41 links east therefrom, 54 chains, 71 links, containing 50 acres be the same more or less, and being the same land conveyed by John Duer and Wm. H. Seward survivors of Morris Robinson to Albert Tarbox by deed dated Nov. 7, 1850 and recorded in the Clerk's Office of Chautauqua County Dec. 4, 1850 in Liber 37 of Deeds at Page 267.

ALSO, ALL THAT OTHER PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Arkwright, County of Chautauqua and State of New York in Township 5 and Range 11, being a part of Lot No. 33 and bounded north by Lot No. 34, 14 chains, 62 links; east by land heretofore deeded by said Albert Tarbox 54 chains, 21 links; south by Township No. 4 in the 11th Range, 14 chains 62 links and west by land deeded to Albert Wiggins 54 chains, 73 links containing 80 acres of land be the same more or less. Being the same land conveyed by John Duer and William H. Seward survivors of Morris Robinson to Albert Tarbox by deed dated Oct. 28, 1854 and recorded in the Clerk's Office of said County of Chautauqua Dec. 15, 1854 in Liber 66 of Deeds at Page 463.

ALSO, ALL THAT OTHER PIECE OR PARCEL OF LAND, situate in Arkwright aforesaid in said County and State and is known and distinguished as being a part of Lot No. 33 in the 5th Township and 11th Range of

the Holland Land Company's survey and further distinguished as being 10 acres off from the south end of a piece of land formerly owned by Geo. Derby deceased on said Lot 33 and is bounded on the south by the south line of the said 5th Township 9 chains 15 links; on the west by land then owned by Albert Tarbox 10 chains 93 links; on the north by land then occupied by Frederick Tackley 9 chains 15 links and east then owned by William B. Luce 10 chains 93 links, containing 10 acres of land, more or less, and being the same lands conveyed by William Hilton and wife to Albert Tarbox by deed dated Nov. 30, 1868 and recorded in the Clerk's Office of Chautauqua County on the 18th day of January, 1869 in Liber 128 of Deeds at Page 275.

ALSO ALL THAT OTHER PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Arkwright aforesaid in said county and state distinguished as part of Lot 33, 5th Township 11th Range, bounded as follows:

COMMENCING at the southwest corner of land deeded to Abner Mattoon by Chandler Johnson;

THENCE East along the south line of said Mattoon's land to land owned by William Luce, 9 chains and 15 links;

THENCE South along said Luce's line, 81 links;

THENCE West 9 chains 15 links;

THENCE North 81 links to the place of beginning, containing  $\frac{74}{100}$  of an acre of land more or less and being some land quit claimed by Chandler Johnson and wife to Albert Tarbox by deed dated Sept. 4, 1869 and recorded in the Clerk's Office.

ALSO, ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Arkwright aforesaid and is known and distinguished as being a part of Lot No. 33 in the 5th Township and 11th Range and is bounded west by a line parallel to the west bounds of said Lot 33, 8 chains, 74 links; north by Lot 34, 9 chains 15 links; east by a line parallel to the west bounds of said Lot 33, 8 chains 74 links and south by a line parallel to the north bounds of said Lot 33, 9 chains 15 links being the north part of lands deeded by Nelson Brigham and wife to Chandler Johnson containing 8 acres more or less.

ALSO ALL THAT CERTAIN OTHER PIECE OR PARCEL OF LAND, situate, lying and being in Arkwright aforesaid and is known and distinguished as being a part of Lot 33 in the 5th Township and 11th Range of the Holland Land Company's Survey and is bounded north by a line parallel to the north line of said Lot at the distance of 8 chains 74 links south therefrom 9 chains 15 links; west by land now or lately owned by Albert Tarbox 7 chains 34 links; south by land now or lately owned by Frederick Tackley 9 chains 15 links and east by land heretofore deed by Abner R. Mattoon to Henry M. Tarbox 7 chains 34 links containing about 6 acres and a half of land more or less.

EXCEPTING AND NOT CONVEYING all lands to the north and east of Tarbox Road.

ALSO, EXCEPTING AND NOT CONVEYING, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Arkwright, County of Chautauqua and State of New York, being a part of Lot 33 in Township 5 and Range 11 of the Holland Land Company's Survey, and more particularly described as follows:

BEGINNING in the centerline of Tarbox Road (49.5 feet wide) as now laid out and occupied at the point located 1308.3 feet easterly along said centerline of Tarbox Road from the intersection thereof with the west line of Lot 33;

THENCE continuing easterly a distance of 792 feet along said centerline of Tarbox Road to an angle point therein;

THENCE southerly at an interior angle of 90°-00' a distance of 550 feet through lands of first party to an iron pin, and passing through an iron pin located 50.4 feet southerly along the last described course from said centerline of Tarbox Road;

THENCE Westerly at an interior angle of 792 feet through said lands of first party to an iron pin;

THENCE northerly at an interior angle of 90° -00' a distance of 550 feet through said lands of first party to the point or place of beginning, and passing through an iron pin located 24.75 feet southerly along the last described course from said centerline of Tarbox Road, and containing 10 acres of land more or less.

SUBJECT to the rights of others in Tarbox Road.

ALSO, EXCEPTING AND RESERVING from the above described several pieces of land, a portion thereof conveyed by Albert Tarbox and wife to Marcus Tarbox by deed dated July 13, 1883, which deed was recorded in the Clerk's Office of

Chautauqua County on the 12th day of February 1886 in Liber 209 of Deeds at Page 61 which said reserved portion is bounded and described as follows: being the northeast corner of land lately owned by Albert Tarbox on said Lot 33 and is bounded north by the north line of the lot; east by land heretofore deeded by the Holland Land Company to George Derby and south and west by the center of the highway running southeasterly from the north line of said Lot 33 to the north line of Township No. 4 in said Range 11 supposed to contain about 1 ½ acres of land more or less.

**TRACT 4 – ANDERSON (200.00-2-23)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua, State of New York, and being part of Lots No. 31 and 32. Township 4 and Range 11 of the Holland Land Company's survey and bounded and more particularly described as follows:

BEGINNING in the centerline of North Hill Road as now laid out and occupied at the point located 1146.5 feet southerly along said centerline of North Hill Road from the intersection thereof with the centerline of Cassadaga Road as now laid out and occupied;

THENCE continuing southerly a distance of 1031.9 feet along said centerline of North Hill Road to the southwesterly corner of lands, now or formerly owned by John J. Nalbone, Jr. and Deborah A. Nalbone;

THENCE easterly at an interior angle of 90 degrees, 25 minutes a distance of 1727.9 feet along the southerly line of said lands, now or formerly owned by John J. Nalbone, Jr. and Deborah A. Nalbone, to an existing iron pin, and passing through an iron pin located 33 feet easterly from said centerline of North Hill Road along the last described course;

THENCE northwesterly at an interior angle of 83 degrees, 37 minutes a distance of 1267.1 feet to an existing iron pin;

THENCE westerly at an interior angle of 95 degrees, 55 minutes a distance of 925.0 feet to an existing iron pin;

THENCE southwesterly at an interior angle of 154 degrees, 22 minutes a distance of 473.4 feet to an existing iron pin;

THENCE westerly at an interior angle of 203 degrees, 22 minutes a distance of 244.7 feet to the point or place of beginning, and passing through an iron pin located 33 feet easterly along the last described course from said centerline of North Hill Road, and containing 45.6 acres of land more or less.

**TRACT 6 – BAUER LP (Parcel I – 219.00-1-25; Parcel II – 219.00-1-34)**

PARCEL I

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, briefly described as follows: Distinguished as being a part of Lot number fifty-three in the Fourth Township and Tenth Range of the Holland Land Company's Survey and bounded as follows: BEGINNING at the southeast corner of lands heretofore deeded to David J. Wilcox; THENCE East nine chains, fifty-nine and three fourths links ( $9.59 \frac{3}{4}$ );

THENCE North parallel to the West boundary of said Lot; fifty-seven chains and twenty-seven links; THENCE West along the south line of lot number fifty-four, nine chains and fifty-nine and three fourths links ( $9.59 \frac{3}{4}$ ); THENCE South along the East line of David Wilcox Land, fifty-seven chains and twenty-seven links to the place of beginning, containing fifty-five acres of land more or less.

ALSO CONVEYING ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, described as follows: Distinguished as part of Lot number fifty-three in the Fourth Township and Tenth Range of the Holland Land Company's Survey and bounded on the North by Lot number fifty-four; on the West by land heretofore deeded to John D. Mount; on the South by Lot Number fifty-two; and on the East by a line parallel to the west line and far enough East thereof to make just twelve and one half ( $12 \frac{1}{2}$ ) acres of land to be the same more or less.

ALSO CONVEYING ALL THAT OTHER TRACT OR PARCEL OF LAND, situate on the Town of Cherry Creek, County of Chautauqua and State of New York, and described as follows: Distinguished as part of Lot number fifty-three in the Fourth Township and Tenth Range of the Holland Land Company's Survey and bounded as follows: Commencing four chains, sixty-seven and one half links ( $4.67 \frac{1}{2}$ ) from the center of the highway on land occupied or formerly occupied, by Artimus Hall; THENCE West six chains and thirty-three links; THENCE North fifty-seven chains and twenty-seven links to Lot number fifty-four; THENCE East six chains and thirty-three links to said Halls land; THENCE South parallel to said north line, fifty-seven chains and thirty-three links to the place of beginning, containing thirty-six and twenty-four one hundredths ( $36.24$ ) acres of land to the case more or less.

ALSO CONVEYING ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lot number fifty-three, in the Fourth Township and Tenth Range of the Holland Land Company's Survey, bounded and described as follows: On the North by the North line of said Lot number fifty-three; On the East by the East line of said lot number fifty-three; On the South by the South line of said Lot number fifty-three and on the West by lands owned and occupied by C.D. Mount in the year 1886; containing one hundred and two (102) acres of land to the same more or less.



## PARCEL II

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, and being part of Lots Nos. 37 and 45 and described as follows: Commencing at the northwesterly corner of Lot No. 45; RUNNING THENCE easterly along the northerly side of Lot 57.57 chains to the northeasterly corner thereof; THENCE southerly along the easterly line of said Lot No. 45, 28.54 chains, more or less; THENCE westerly and parallel to the northerly line of said Lot, 57.29 chains to the westerly line of said Lot No. 45; THENCE northerly along said Lot line, 28.54 chains, more or less, to the point or place of BEGINNING.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, and being part of Lot 37, according to the Holland Land Company's Survey and further described as follows: Commencing at the northwesterly corner of said Lot No. 37; THENCE southerly along the westerly line of Lot 37, 9 chains 72 links; THENCE easterly and parallel with the northerly line of said Lot to the center line of the highway; THENCE northwesterly along the center line of said highway to the intersection of said center line with the northerly line of Lot No. 37; THENCE westerly along the northerly line of Lot 37 to the point or place of BEGINNING.

Excepting and reserving premises conveyed by Robert J. Lichtenthal, et ux to Ronald L. Milks, et ux, by deed dated May 27, 1971, re-recorded in the Chautauqua County Clerk's Office in Liber 1402 of Deeds at Page 325, June 2, 1971.

### **TRACT 9 – CLYDE & JANICE RODGERS FAMILY TRUST (236.00-1-34)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, distinguished as being parts of Lots Number 44 and 45 in the 4<sup>th</sup> Township and 10<sup>th</sup> Range of the Holland Land Company's survey and bounded and described as follows:

COMMENCING in the west line of said Lot No. 45 at a point which is 14 chains, 27 links north of the southwest corner of said Lot;

THENCE South on the west line of said Lot No. 45 of the Southwest corner of said Lot; and on the west line of said Lot No. 44 about 61 chains, 88 links to the southwest corner of the lands on said Lot No. 44, owned by Milo Boutwell at the time of his death (January 4, 1899);

THENCE easterly along the southerly line of the lands on said Lot No. 44 by the said Milo Boutwell at the time of his death (January 4, 1899) to the centre of the highway leading southerly from the four corners or what is commonly known as the "Shattuck School-house" four corners; such highway running past the residence or farm formerly owned by Thomas D. Erwin, through the ravine or "gulf" to the road leading from Ellington to Sinclairville;

THENCE Northerly along the centre of said highway, 50 links;

THENCE Westerly along the southwesterly line of lands formerly owned by G. Games and the northeasterly line of lands owned by said Milo Boutwell at the time of his death to the west line of lands formerly owned by G. Games and to the east line of lands owned by said Milo Boutwell at the time of his death;

THENCE North on a line parallel to the east line of said Lot No. 44 and the east line of lands owned by the said Milo Boutwell at the time of his death to the southwest corner of the first two parcels of land conveyed by deed dated 19<sup>th</sup> January 1884 given the executors of Thomas Mount, deceased to Milo Boutwell, recorded in the Chautauqua County Clerk's Office in Liber 198 of Deeds at page 341, which corner is also the southwest corner of one of the numerous parcels of land owned by the said Milo Boutwell at the time of his death;

THENCE West parallel to the north line of said Lot No. 44, 5 chains, 66 links;

THENCE North on a line parallel to the east line of said Lot No. 44, and parallel to the east line of said Lot No. 45 to a point 14 chains, 27 links north of the south line of said Lot No. 45;

THENCE West parallel to the south line of said Lot No. 45 to the west line of said Lot No. 45 and to the place of beginning, containing about two hundred (200) acres, be the same more or less;

ALSO CONVEYING AS PART OF PARCEL A ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, distinguished as being part of Lot No. 52 in the 4<sup>th</sup> Township and 10<sup>th</sup> Range of the Holland Land Company's survey, bounded and described as follows:

On the south by the south line of Lot No. 52 and on the north line of Lot No. 51, 25 chains, 20 links;

On the east line of Lot No. 52 and on the west line of Lot No. 44, 15 chains, 89 links; and

On the west by the east line of lands formerly owned by Rugg, 15 chains, 89 links; and

On the north by a line parallel to the south line of Lot No. 52, 25 chains, 20 links;

containing forty (40) acres of land, be the same more or less; being the same land described in the last parcel of land set forth in deed dated 29<sup>th</sup> December 1887, given by Chauncey Abbey and wife to Milo Boutwell and recorded in Chautauqua County Clerk's office in Liber 210 of Deeds at page 254.

EXCEPTING, RESERVING AND NOT CONVEYING from the lands hereinbefore described as PARCEL A, any part thereof, heretofore conveyed by the Milo C. Boutwell and wife, Minnie A. Boutwell and Maud Crumb to the Village of Cherry Creek, New York, by deed bearing date of 23<sup>rd</sup> of July 1926. The lands conveyed by the Parcel A section of this instrument taken as a whole are the same as those conveyed by deed dated 19<sup>th</sup> August 1926, given by Minnie A. Boutwell to Maud Crumb and George Crumb, her husband, and recorded in the Chautauqua County Clerk's Office at Liber 530 of Deeds at Page 475.

EXCEPTING ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, distinguished as part of Lot No. 44 in the 4<sup>th</sup> Town and 10<sup>th</sup> range of Holland Land Company's survey bounded as follows:

COMMENCING at center of intersection of the West line of said Lot No. 44 and the highway leading to Cherry Creek, known as Boutwell Hill Road;

THENCE East along center of said highway a distance of 100 feet;

THENCE Southerly on a line parallel with West line of said lot 100 feet;

THENCE westerly on a line parallel with said highway a distance of 100 feet to West line of said lot which is McCoy's East line;

THENCE Northerly along said West line of said lot 100 feet to point of beginning, containing 0.229 acres, more or less.

ALSO EXCEPTING ALL THAT TRACT OR PARCEL OF LAND, conveyed from Roger Crumb to Ernest McCoy and Genevieve C. McCoy, his wife, by deed dated May 8, 1975, and recorded in the Chautauqua County Clerk's Office at Liber 1559 of Deeds at Page 226.

ALSO EXCEPTING ALL THAT TRACT OR PARCEL OF LAND, conveyed from Clyde B. Rodgers to Robert Rodgers, by deed dated October 21, 1999, and recorded October 25, 1999 in the Chautauqua County Clerk's Office at Liber 2426 of Deeds at Page 30.

ALSO EXCEPTING ALL THAT TRACT OR PARCEL OF LAND, conveyed from Clyde B. Rodgers to Michael Rodgers, by deed dated November 5, 1997, and recorded November 8, 1999 in the Chautauqua County Clerk's Office at Liber 2426 of Deeds at Page 976.

**TRACT 10 – CARLSTROM, D (234.00-1-1)**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot No. 44 in Town 4 on Range 11 and bounded on the north by lands now or formerly of James Rose; east by the center of the highway; south by land now or formerly of James Delahoy and west by the west line of Lot 44, containing 86 acres, more or less. Being the same land conveyed to F. Walter Tarbox by N. Roy Martin by deed recorded in Liber 436 at Page 8.

EXCEPTING and reserving therefrom, all that tract or parcel of land situate in the Town of Charlotte, County of Chautauqua and State of New York, and being a part of Lot 44, Town 4, Range 11 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point on the centerline of Hall Road on the northerly bounds of the lands of Gane, said point being 1749 feet southerly measured along said road centerline from the northerly bounds of Lot 44;

THENCE S. 01-59-47 E along said Hall Road centerline 625.31 feet to a point;

THENCE N. 80-16-12 W through the lands of Gane, 33.71 feet to an iron stake;

THENCE continuing along the same line 181.58 feet to an iron stake;

THENCE N. 04-38-16 W through the lands of said Gane, 624.13 feet to an iron stake on the said Northerly bounds of Gane;

THENCE N. 89-58-32 E along the said northerly bounds, 201.84 feet to an iron stake;

THENCE continuing along the same line 42.12 feet to the point or place of BEGINNING containing 3.286 acres according to as survey made by Donald R. Long, Land Surveyor, dated May 20, 1980.

ALSO EXCEPTING and reserving all that tract or parcel of land situate in the Town of Charlotte County of Chautauqua and State of New York and being a part of Lot 44, Town 4, Range 11 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point on the centerline of Hall Road, said point being 2826.75 feet southerly measured along said road centerline from the northerly bounds of Lot 44;

THENCE S. 01-59-47 E along said Hall Road centerline 233.81 feet to a point;

THENCE N. 88-58-02 W through the lands of Grace, 38.00 feet to an iron stake;

THENCE continuing along the same line 123.74 feet to an iron stake;

THENCE S. 01-59-47 E through the lands of said Gane, 95.62 feet to an iron stake on the southerly bounds of the lands of said Gane;

THENCE N. 88-58-02 W along said southerly bounds 282.31 feet to an iron stake;

THENCE N. 01-58-15 W through the lands of said Gane, 329.51 feet to an iron stake;

THENCE S. 88-57-24 E through the lands of said Gane, 405.57 feet to an iron stake;

THENCE continuing along the same line 38.33 feet to the point or place of BEGINNING containing 3.000 acres according to a survey made by Donald R. Long, Land Surveyor, dated May 20, 1980.

ALSO EXCEPTING and reserving all that tract or parcel of land situate in the Town of Charlotte, County of Chautauqua and State of New York and being a part of Lot 44, Town 4, Range 11 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at a point on the centerline of Hall Road, said point being 3060.56 feet southerly measured along said road centerline from the northerly bounds of Lot 44;

THENCE S. 01-59-47 E along said centerline 95.62 feet to a point on the southerly bounds of the lands of Gane:

THENCE N. 88-58-02 W along said southerly bounds 30.76 feet to an iron stake;

THENCE continuing along the same line, 130.98 feet to an iron stake;

THENCE N. 01-59-47 W through the lands of said Gane, 95.62 feet to an iron stake;

THENCE S. 88-58-02 E through the lands of said Gane, 123.74 feet to an iron stake;

THENCE continuing along the same line 38.00 feet to the point or place of BEGINNING containing 0.354 acres according to a survey made by Donald R. Long, Land Surveyor, dated May 20, 1980.

**TRACT 11 – CARLSTROM, H (216.00-3-34)**

PARCEL I

ALL THAT TRACT OR PARCEL OF LAND, in the Town of Charlotte, County of Chautauqua and State of New York, distinguished by the northeast part of Lot No. 52 in the 4<sup>th</sup> Township, 11<sup>th</sup> range according to the Holland Land Company's Survey bounded north by Lot No. 53, 20 chains; east by Lot No. 44, 26 chains and 39 links; south by a line parallel to the north bounds of said lot (at the distance of 26 chains and 39 links therefrom) 20 chains and 65 links; west by lands formerly owned by William H. Fox, 26 chains and 39 links; containing 53 acres and 63/100 of an acre, be the same more or less.

## PARCEL II

ALSO ALL THAT TRACT OR PARCEL OF LAND, in the Town of Charlotte, County of Chautauqua and State of New York, known as being part of Lot No. 44 in the 4<sup>th</sup> Township and 11<sup>th</sup> range of the Holland Land Company Survey, and bounded as follows:

West by Lot No. 52, 20 chains and 39 links, south by lands formerly owned or occupied by James Rose, 14 chains and 71 links; east by lands formerly owned by S.E. Widrig, 20 chains and 39 links; north by lot No. 45, 14 chains and 71 links to the place of beginning, containing 30 acres of land, more or less.

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua, and State of New York, known and distinguished as being a part of Lot No. 52 in the 4<sup>th</sup> Township of the 11<sup>th</sup> range according to the Holland Land Company's Survey, bounded as follows:

COMMENCING at a point in the north line of said Lot No. 52, 41 chains and 67 links east of the northwest corner of said lot 52;

THENCE RUNNING South along the west line of lands deeded to P. Harrington 26 chains and 39 links to lands formerly owned and occupied by Samuel F. Forbush;

THENCE West along said Forbush's north line to the center of the highway known as the old Fredonia Road, leading from Sinclairville to Fredonia;

THENCE Northerly along the center of said highway to the north line of said lot No. 52;

THENCE East on the said north line to the place of beginning, containing 61-1/2 acres of land, be the same more or less.

EXCEPTING THEREFROM ALL THAT TRACT OR PARCEL OF LAND, situate, lying and being in the Town of Charlotte, County of Chautauqua and the State of New York, distinguished as being part of Lot 52 in the 4<sup>th</sup> town and 11<sup>th</sup> range according to the Holland Land Company's Survey and further bounded and described as follows:

BEGINNING at a point on the north line of said lot No. 52, said point being 799.26 feet distant easterly as measured along said north line from a stone monument standing on the northwest corner of said lot, and said point being also the point of intersection of the center lines of State Highway No. 60 (Sinclairville to Cassadaga) and County Highway No. 327 (Charlotte Center to Cassadaga);

RUNNING THENCE South 15° 21' east along the center line of said State Highway No. 60, 615.00 feet to a point;

THENCE North 73° 55' east, 410.60 feet to an iron stake; north 15° 21' west 445.70 feet to a point on the center line of said County Highway No. 327;

THENCE North 83° 41' west along the center line of said County Highway 445.40 feet to the point of beginning, containing 5.00 acres of land to be the same more or less according to a survey made by David S. Findlay, Land Surveyor on April 29, 1951. All courses shown being measured from the magnetic meridian in April, 1951.

**TRACT 12 – CASE (218.00-1-26)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot 13, Town 4, Range 11 of the Holland Land Company's Survey, and bounded and described as follows:

BEGINNING at a point in the existing centerline of the East Road which point is S 89-16-31 E, 1158.68 feet from the west line of said Lot 13 as measured along the existing centerline of East Road;

THENCE N 01-52-04 E, 30 feet to an iron stake;

THENCE N 01-52-04 E, 937.69 feet to an iron stake;

THENCE N 01-52-04 E, 987.31 feet to an iron stake;

THENCE N 01-52-04 E, 445 feet to an iron stake;

THENCE S 89-16-31 E, 700 feet to an iron stake;

THENCE S 89-16-31 E, 700 feet to an iron stake;

THENCE S 01-52-04 W, 658.68 feet to an iron stake;

THENCE S 01-52-04 W, 541.32 feet to an iron stake;

THENCE S 01-52-04 W, 430 feet to an iron stake;

THENCE S 01-52-04 W, 740 feet to an iron stake;

THENCE S 01-52-04 W, 30 feet to the existing centerline of the East Road;

THENCE N 89-16-31 W, along the existing centerline of the East Road, 1400 feet to the point or place of beginning, containing 77.12 acres of land, be the same more or less.

LESS AND EXCEPTING THEREFROM that portion of land designated as 218.00-1-25 on the tax map of the assessor's office.

**TRACT 14 – CHARRINGTON CREEK (Parcel I – p/o 253.00-1-12; Parcel II – 236.00-2-31.1 & p/o 253.00-1-12)**

PARCEL I (p/o 253.00-1-12):

ALL that tract or parcel of land, situate in the Town of Cherry Creek, County of Chautauqua; State of New York; also being part of Lot No. 42, Town 4, Range 10 of the Holland Land Company's Survey, being further bounded and described as follows:

Beginning at an iron stake, said iron stake being North 89 degrees and 55 minutes and 01 second West, a distance of 1574.49 feet and North 00 degrees and 02 minutes and 18 seconds West, a distance of 197.43 feet from the southeast corner of the premises conveyed by Western New York Conference of The United Methodist Church to Charrington Creek, Inc. by deed recorded in the Chautauqua County Clerk's Office on October 20, 1978 in Liber 1802 of Deeds at Page 211;

THENCE North 00 degrees and 02 minutes and 18 seconds West, a distance of 483.69 to a point;

THENCE Southwesterly a distance of 488.11 feet to a point in the southerly line of the premises conveyed by Western New York Conference of The United Methodist Church to Charrington Creek, Inc., by deed recorded in the Chautauqua County Clerk's Office on October 20, 1978 in Liber 1802 of Deeds at Page 211;

THENCE South 89 degrees and 06 minutes and 06 seconds East, a distance of 73.92 feet to the point or place of BEGINNING.

Containing 0.4 acres, more or less.

PARCEL II (236.00-2-31.1 and p/o 253.00-1-12):

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, and being part of Lot No. 42 in the 4th township and 10th range of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at an iron stake standing at the northeast corner of premises which were deeded by Leonard Crumb and Clara Stolts to Clyde Johnson by warranty deed November 10th, 1930 and recorded November 11th, 1930, which point is also the southeast corner of premises deeded by the Federal Land Bank of Springfield to Hall G. Van Vlack and Mercy D. Van Vlack, by warranty deed dated August 7th, 1928, and recorded in Liber 551 of Deeds at Page 349, and now owned by Norman P. Van Vlack;

THENCE West, along the line between the premises so deeded by Crumb and Stolts to Johnson, and the premises so deeded by the Federal Land Bank of Springfield to VanVlack and one, 2191.90 feet to an iron stake;

THENCE South parallel with the east line of said Lot No. 42, 342.60 feet to an iron stake;

THENCE East parallel to the first described boundary herein, 2194.90 feet to the center of a maple tree standing in the east line of Lot No. 42;

THENCE North along the east line of Lot No. 42, 342.60 feet to the place of beginning, containing 17 acres be the same more or less.

ALSO CONVEYING ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cherry

Creek, County of Chautauqua and State of New York, and being part of Lot No. 50, town 4 and range 10 of the Holland Land Company's Survey, bounded as follows:

BEGINNING at the point of intersection of the east line of Lot No. 50 with the centerline of the County Highway leading from Thornton's Corners to the Village of Cherry Creek;

THENCE South along the east line of said Lot No. 50, 924 feet to the south line of premises which were deeded by Clyde Johnson to Louise A. Van Vlack by warranty deed dated September 6th, 1938 and recorded in Liber 639 of Deeds at Page 471;

THENCE West and along the south line of said premises so deeded to Louise A. Van Vlack, 355.08 feet to the center of said highway;

THENCE Northeasterly along the center of said highway, 997.26 feet to the place of beginning, containing 3.9 acres of land, be the same more or less, and being the same premises secondly described in said deed from Clyde Johnson to Louise A. Van Vlack.

ALSO CONVEYING ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, and being part of Lot No. 42, town 4 and range 10 of the Holland Land Company's Survey, bounded as follows:

BEGINNING at the point of intersection of the west line of Lot No. 42 with the center line of the County Highway leading from Thornton's Corners to the Village of Cherry Creek;

THENCE Northeasterly along the center of said highway 100.62 feet to the south line of premises which were deeded by Hall G. and Mercy D. Van Vlack to Norman P. Van Vlack by quit claim deed dated August 24th, 1933 and recorded in Liber 596 of Deeds at Page 113, which point is also in the north line of the premises which were conveyed by Clyde Johnson to Louise A. Van Vlack;

THENCE East along the south line of said premises so deeded to Norman P. Van Vlack, 1631.2 feet to iron stake standing at the northwest corner of premises which were deeded by Clyde Johnson to Jacques D. Van Vlack by deed dated February 24th, 1937 and recorded in Liber 623 of Deeds at Page 551;

THENCE South along the west line of premises so deeded to Jacques D. Van Vlack, 342.6 feet to an iron stake;

THENCE continuing south, 647.4 feet;

THENCE West, 1654.3 feet to a point in the west line of said Lot No. 42, which point is also the southeast corner of the premises first above described;

THENCE North along the west line of said Lot No. 42, 924 feet to the place of beginning, containing about 37.4 acres, be the same more or less and being the northwest portion of premises which were so conveyed by Clyde Johnson to Louise A. Van Vlack;

ALSO CONVEYING ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cherry Creek, County of Chautauqua and State of New York, and being a part of Lot No. 42, township 4 and range 10 of the Holland Land Company's Survey bounded and described as follows:



on the north by premises owned by Norman P. Van Vlack and Jacques D. Van Vlack; on the west by Lot No. 50 and lands heretofore owned by Adam Phillips; and on the south by lands heretofore owned by Phillips and by the south line of Lot No. 42; and on the east by the east line of Lot No. 42, containing 175 acres, be the same more or less.

ALSO CONVEYING ALL THAT TRACT OR PARCEL OF LAND situate in the Town County and State aforesaid and distinguished as being a part of Lot No. 50 in the 4<sup>th</sup> township and 10<sup>th</sup> range of the Holland Land Company's Survey, bounded as follows:

BEGINNING in the center of the highway; running by the property first hereinbefore conveyed; and

THENCE Northeasterly 15 chains and 11 links to lands formerly owned by S. Allnutt;

THENCE South along the east line of Lot No. 50, 14 chains;

THENCE West, 5 chains 38 links to the place of beginning; containing 3 and  $\frac{3}{4}$  acres of land, be the same more or less, and being the same premises conveyed to Clyde Johnson by Leonard Crumb and Clara A. Stolts by warranty deed dated November 10<sup>th</sup>, 1930 and recorded November 11, 1930 in Liber 550 of Deeds at Page 325.

EXCEPTING, HOWEVER, RESERVING AND NOT CONVEYING, ALL THAT TRACT OR PARCEL OF LAND, conveyed by Irwin A. Howard and Ellen J. Howard to Emory Kent by warranty deed dated March 7<sup>th</sup>, 1898 and recorded in Liber 277 of Deeds at Page 233, described as being that portion of said Lot No. 42 bounded as follows:

BEGINNING in the center of the highway running by the property first hereinbefore described; and  
THENCE Northeasterly 1 chain 7 links to lands formerly owned by Clark Cummings;

THENCE West 35 links to the lot and section line;

THENCE South 1 chain to the place of beginning, containing  $\frac{7}{32}$  of an acre of land, be the same more or less.

ALSO EXCEPTING, RESERVING AND NOT CONVEYING the premises deeded by Clyde Johnson to Carl Miller by warranty deed dated May 9<sup>th</sup>, 1936 and being a part of said Lot No. 42, bounded and described as follows:

BEGINNING on the east line of Lot No. 42 and running west parallel with the south line of said Lot No. 42 to the northeast corner of a 50 acre parcel of land once owned by Adam Phillips;

THENCE South on said east line of said Phillips' parcel and a continuation thereof to lands once owned by Ray Finley and Phillip Schenk;

THENCE East parallel with the north line hereof to the east line of Lot No. 42;

THENCE North on the lot line to the place of beginning, containing 26  $\frac{3}{4}$  acres of land, be the same more or less, also excepting 17 acres conveyed to Jacques D. VanVlack by deed dated February 24<sup>th</sup>, 1937.

EXCEPTING about 41.3 acres which were conveyed by Louise V.V. Nobbs to Hall G. and Mercy D. Van Vlack by quit claim deed dated July 30th, 1951 and recorded in the County Clerk's Office in Liber 909 of Deeds at Page 7.

ALSO CONVEYING ALL THAT TRACT OR PARCEL OF LAND, situate, lying and being in the Town of Cherry Creek, County of Chautauqua and State of New York, and being a part of Lot No. 43, township 4, range 10 of the Holland Land Company's Survey, and lying in the southeast corner of said lot, bounded and described as follows:

COMMENCING in the southeast corner of Lot No. 43;

THENCE North, along the east line of said lot, 1,960 feet to an iron stake;

THENCE West, parallel to the south line of Lot No. 43, about 1,750 feet, to the center of the paved highway;

THENCE Southwesterly, along the center of the paved highway to the northwest corner of premises heretofore deeded by Orpha B. Delahoy to Hall G. Van Vlack, Jr.;

THENCE East along the north line of premises so deeded by Delahoy to Van Vlack, 904.20 feet;

THENCE South still along the line of land so deeded by Delahoy to VanVlack, 1,042.14 feet to the south line of Lot No. 43;

THENCE East along the south line of Lot No. 43 about 2,050 feet to the place of beginning, containing 100 acres, be the same more or less.

ALSO CONVEYING ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, known as part of Lot No. 43 in the 4th township and 10th range of the Holland Land Company's Survey, bounded and described as follows;

COMMENCING in the center of the highway on the south line of said Lot No. 43;

THENCE East, along said lot line, 19 chains and 79 links;

THENCE North on a line parallel to the west line of said lot, 15 chains and 79 links;

THENCE West on a line parallel to the south line of said lot to the center of said highway, 13 chains and 70 links;

THENCE Southerly, along the center of said highway, 17 chains to the place of beginning, containing 26 acres and 49/100 of an acre of land, be the same more or less, being the same premises described in deed dated February 13th, 1896, given by James Delahoy and wife to Marquis D. Burdick and Susan Alice Burdick and recorded in the Chautauqua County Clerk's Office February 15<sup>th</sup>, 1896 in Liber 250 of Deeds at Page 162.

ALSO CONVEYING ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, distinguished as part of Lot No. 42 in the 4th township and 10th range of the Holland Land Company's Survey, bounded as follows:

On the north by Lot No. 43; on the east by part of Lot No. 34 on the south by land once articulated to J. O'Connor and B.J. Irish and on the west by the highway containing 91 acres of land more or less.

EXCEPTING THEREFROM by Deed made by Charrington Creek, Inc. to Michael A. Isula and Marcia M. Isula, as Husband and Wife, as Tenants by the Entirety, dated 12/23/2003 and recorded 1/5/2004 in Liber 2536 Page 13 as further described as follows;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lot 43, Town 4, Range 10 of the Holland Land Company's Survey, and further bounded and described as follows:

COMMENCING in the southerly line of lands conveyed from Carlson and Becker to Nelson by deed dated October 20, 1977 at the existing iron pin located at the intersection thereof with the east line of Lot 43, said point of commencing also being located 2468.5 feet southerly along said east Lot line from the intersection thereof with the centerline of County Road 62;

THENCE North 89° 45' West (record bearing) a distance of 1200.2 feet along said southerly line of Nelson lands to an iron pin at the point of beginning of the parcel to be described;

THENCE continuing North 89° 45' West a distance of 538.5 feet along said southerly line of Nelson lands to a point in said centerline of County Road 62, and passing through an existing iron pin located 39.9 feet easterly along the last described course from said centerline of County Road 62;

THENCE Southwesterly along said centerline of County Road 62 at a chord bearing of South 48° 55' West a distance along said chord of 163.6 feet to a point in the centerline of a culvert;

THENCE South 29° 18' East a distance of 500 feet along the centerline of a ravine to a deflection point therein;

THENCE South 53° 36' East a distance of 266 feet to an iron pin;

THENCE South 89° 45' East a distance of 200 feet to an iron pin;

THENCE North 0°15' East a distance of 700 feet to the point or place of beginning, and containing 8 acres of land more or less.

**TRACT 15 – CHASE (Parcel I – 201.00-1-18; Parcel II – 201.00-1-19; & Parcel III 201.00-1-30.1)**

Parcel I (Section 201.00 Block 1 Lot 18)

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York being part of Lot No. 15, Township 4, Range 11 according to the Holland Land Company's Survey and more particularly described as follows:

BEGINNING at a point on the northerly boundary of said Lot No. 15 which point is 19 chains 42 links West of the northeast corner of said Lot No. 15 as measured along said northerly boundary;

THENCE in a westerly direction along the northerly boundary of said Lot No. 15 a distance of 15 chains 71 links to a point;

THENCE in a southerly direction a distance of 62 chains 61 links to a point on the southerly boundary of said Lot No. 15;

THENCE in an easterly direction along the southerly boundary of Lot No. 15 a distance of 16 chains 68 links to a point in the center of Lewis Road which point is also 19 chains 25 links westerly from the southeast corner of said Lot No. 15 as measured along the southerly boundary of said Lot No. 15;

THENCE in a northerly direction along the centerline of said Lewis Road at the point or place of BEGINNING.

EXCEPING that portion of the above-described premises heretofore conveyed by party of the first part, Morris E. Chase, to Frances M. Rew, by Warranty Deed dated December 30, 1974 and recorded in the Chautauqua County Clerk's Office on December 30, 1974 in Liber 1541 of Deeds at page 101.

Parcel II (Section 201.00 Block 1 Lot 19)

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, known as being the west middle part of Lot No. 15 in the 4<sup>th</sup> Township and 11<sup>th</sup> Range according to the Holland Land Company's Survey and bounded as follows:

BEGINNING at a point in the South bounds of said Lot 15, it being at the southeast corner of lands deeded March 4, 1853 to N.W. Rood at the distance of 11 chains 63 links East from the southwest corner of said Lot 15;

RUNNING THENCE North and bounded on the East line of said Rood's land, 62 chains 70 links to Lot 16;

THENCE East and bounded on Lot 16, 11 chains 63 links to a stake;

THENCE south parallel to the West bounds of the lands herein described, 62 chains 61 links to Lot No. 14;

THENCE West and bounded on Lot 14, 11 chains 63 links to the place of beginning containing 73 acres be the same more or less.

Parcel III (Section 201.00 Block 1 Lot 30.1)

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot No. 16 in Town 4 on Range 11 and bounded by beginning on the East line of the Lot 12 chains 84  $\frac{3}{4}$  links North of its southeast corner;

THENCE North on the Lot line, 12 chains 84  $\frac{3}{4}$  links to the northeast corner of lands of Julia Chase Lewis;

THENCE West on the North line of said lands, 35 chains 50 links to a stake;

THENCE South parallel with the East line of the Lot, 12 chains 84  $\frac{3}{4}$  links to the North line of lands of Allen J. Chase, said point being marked by a stake;

THENCE East along said North line, 35 chains 50 links to the place of beginning containing 45.06 acres be the same more or less.

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, known as being the south part of Lot No. 16, 4<sup>th</sup> Township and 11<sup>th</sup> Range of Townships, bounded as follows: South by Lot No. 15, 58 chains and 40 links; East by Lot No. 8, 12 chains 84  $\frac{3}{4}$  links; North by a line parallel with the south line of said Lot No. 16, 58 chains and 40 links; West by Lot No. 24, 12 chains and 84  $\frac{3}{4}$  links; containing 75 acres of land be the same more or less.

ALSO EXCEPTING a right of way from the three corners of the highway near the within described lands, along the south line of Lot No. 16 east to the southwest corner of Lot No. 8; This right of way being over what was once a public highway.

ALSO EXCEPTING that portion of the above-described parcel heretofore conveyed by Morris E. Chase to Allen W. Chase by Warranty Deed dated September 17, 2003, and recorded in the Chautauqua County Clerk's Office on September 25, 2003 in Deed Book 02529 at Page 0328.

**TRACT 21 – EMKE (Parcel I – 254.00-1-1; Parcel II – 254.00-1-31; & Parcel III – 254.00-1-5.1)**

PARCEL I (Section 254.00 Block 1 Lot 1)

ALL THAT CERTAIN OTHER PIECE OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lot No. 34 in Township 4, Range 10 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the northwest corner of Lot No. 34;

RUNNING THENCE South on west line of said Lot, 14 chains and 28 links;

THENCE East parallel to the north line of said lot, 36 chains;

THENCE South to lands of J. Madison, 24 chains;

THENCE East on the line of lands owned by J. Madison & O.R. Mallory to the east line of said Lot 34, 25 chains and 36 links;

THENCE North on the east line of said lot to the northeast corner of said lot, 38 chains and 78 links;

THENCE West on the north line of said lot, 61 chains and 36 links to the place of BEGINNING.

Containing 149 and 12/100ths acres of land, be the same more or less.

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, known as part of Lot No. 34 in Township 4, Range 10 of the Holland Land Company's Survey, bounded as follows:

COMMENCING at a point on the west bounds of said lot and at the southwest corner of land owned (heretofore) by Franklin Hooker;

THENCE Easterly bounding on said Hooker land, 35 chains and 90 links to land formerly articulated to Ezra Northrup;

THENCE Southerly bounding on said Northrups, 13 chains and 93 links;

THENCE Westerly parallel to the first mentioned boundary, 15 chains and 78 links;

THENCE South 4 chains and 97 links;

THENCE westerly parallel to the above mentioned boundary 20 chains; 12 links to the west bounds of said lot;

THENCE Northerly along said west bounds 18 chains and 90 links to the place of BEGINNING.

Containing 60 acres be the same more or less.

ALSO ALL THAT OTHER PIECE OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York and known as the middle part of Lot No. 34 in Township 4, Range 10 of the Holland Land Company's Survey and bounded as follows:

BEGINNING at the southeast corner of land owned by Charles & John Samuelson;

THENCE southerly 9 chains and 96 links;

THENCE West parallel with Samuelson south line 11 chains;

THENCE North parallel with east line 4 chains 97 links;

THENCE West 4 chains and 81 links parallel with Samuelson south line;

THENE North 4 chains and 97 links;

THENCE East 15 chains and 78 links to the place of BEGINNING.  
Thirteen acres and 3 chains and 25 links as the old deed reads, more or less.

PARCEL II (Section 254.00 Block 1 Lot 31)

ALL THAT TRACT OR PARCEL OF LAND generally described on the Tax Maps of the County of Chautauqua as being Section 254.00; Block 0001, Lot 031.000.0000, formerly known as 063089-11-1-28.1, Lot Size 88.00 acres, more or less, in the Town/Village/City of: Cherry Creek, County of Chautauqua, State of New York.

ALL THAT TRACT OR PARCEL OF LAND generally described on the Tax Maps of the County of Chautauqua as being Section 254.00; Block 0001, Lot 032.000.0000, formerly known as 063089-11-1-28.2, Lot Size 2.00 acres, more or less, in the Town/Village/City of: Cherry Creek, County of Chautauqua, State of New York.

PARCEL III (Section 254.00 Block 1 Lot 5.1)

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of

Chautauqua and State of New York, being part of Lot 34 in the 4th township and 10th range of the townships of the Holland Land Purchase, and bounded as follows:

BEGINNING at a point in the southerly line of said Lot 34 distant 39 chains and 4 links east of the southwest corner of said lot 34:

THENCE Northerly and parallel with the west line of said Lot 34, 20 chains 50 links;

THENCE East and parallel with the south line of said Lot 34, 9 chains 75 links to the east line of the lands conveyed by James Matteson to William Yohn and Clara Yohn, his wife, by Deed dated January 2, 1909 and recorded in the Chautauqua County Clerk's Office in Liber 351 of Deeds at Page 47;

THENCE Southerly parallel with the west line of said Lot 34 and along the east line of the lands so conveyed to William Yohn and Clara Yohn, his wife, 20 chains 50 links to the south line of said Lot 34 and;

THENCE Westerly along the south line of said Lot 34, 9 chains 75 links to the place of BEGINNING containing 20 acres of land be the same more or less.

ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, Chautauqua County and State of New York, known and described as being the south 50 acres according to the Holland Land Company Survey, be the same more or less of Lot No. twenty-six (26) in the 4th Town and 10th Range of the said Holland Company's Survey in the Town of Cherry Creek, County of Chautauqua aforesaid.

ALSO ALL THAT OTHER CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Cherry Creek, County of Chautauqua and State of New York and is known on the Holland Company's Map as a part of Lot No. twenty-six (26) in the 4th Township and 10th Range of said township and is bounded as follows:

South by lands heretofore deeded to William S. Bullock, East by the east line of said lot, North by lands heretofore owned by Isaac C. Brown, West by the west line of said Lot No. twenty-six (26) containing thirty two and fifty six one hundredths acres of land, be the same more or less.

ALSO ALL THAT OTHER CERTAIN PIECE OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York and according to the Holland Company's survey a part of Lot No. thirty-four (34) in the fourth Town and tenth Range of township and is bounded as follows:

BEGINNING on the east line of said lot north from the southeast corner of said lot at the distance of five chains and ninety-one links (5-91) therefrom and running west by a line parallel to the south of said lot twelve chains and sixty-eight links (12.68);

THENCE North by a line parallel to the east line of said lot five chains and ninety-one links (5-91);

THENCE East by a line parallel to the south line of said lot twelve chains and sixty-eight links (12-68);

THENCE South on the east line of said lot five chains and ninety-one links (5-91) to the place of BEGINNING, containing seven and one-half acres of land, be the same more or less.

EXCEPTING AND RESERVING THEREFROM, premises conveyed by John J. Condon and Ann E. Condon to Mia M. Abbey and James R. Abbey by Warranty Deed dated November 16, 1989 and recorded in Chautauqua County Clerk's Office on February 7, 1990 in Liber 2214 of Deeds at Page 513.

ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the town of Cherry Creek County of Chautauqua and State of New York, and is known as part of Lot No. thirty-four (34) in the fourth town and tenth range of townships according to a survey made by Joseph Ellicott for the Holland Land Company and is bounded as follows:

BEGINNING at the southeast corner of said Lot No. thirty-four (34);

THENCE West bounding on the south line of said lot twelve chains and sixty-eight links (12-68);

THENCE North by a line parallel to the east bounds of said lot five chains and ninety-one links (5-91);

THENCE East by a line parallel to the south bounds of said lot twelve chains and sixty-eight links (12.68);

THENCE South bounding on the east line of said lot, five chains and ninety-one links (5-91) to the place of BEGINNING, containing seven and one-half acres of land, be the same more or less.

ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lot 25, Town 4 and Range 10 of the Holland Land Company's survey, bounded and described as follows:

Bounded on the north by the north line of the land conveyed to Nicholas A. Condon, Sr. and Josephine B. Condon, his wife, by Edward E. Pickup and Grace C. Pickup by a deed recorded in Chautauqua County Clerk's Office in Liber 1406 at Page 237; on the east by the east line of the premises conveyed by the deed described above; on the south by the south line of the land conveyed by the deed described above; on the west by the highway running north and south through the premises described in the deed referred to above, containing about twenty-two acres of land.

The subject property last described containing approximately 22 acres of land is bounded on the north by land now or formerly owned by Nicholas A. Condon, Sr. and Josephine B. Condon, his wife, bounded on the east by land now or formerly owned and occupied by Milo Lent; bounded on the south by land now or formerly owned and occupied by Raymond Milspaw and bounded on the west by the Pickup Hill Road.

EXCEPTING THEREFROM premises conveyed by Dennis K. Emke and Lorrie A. Emke, to Jeff Emke and Lisa Emke, dated 8/15/2008 and recorded on 8/15/2008 in Book 2659 Page 79.

**TRACT 25 – GRABER (219.00-1-24; 219.00-1-19)**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cherry Creek, County of Chautauqua and State of New York, known as being part of Lot Number fifty-three in the Fourth Township and Tenth Range of the Holland Land Company's Survey bounded as follows:

East by a line parallel to the east bounds of said lot number fifty-three and distant west therefrom thirty-four chains and ninety-two links, fifty-seven chains, twenty-seven links; North by lot number fifty-four, eight chains, seventy-four links; west by a line parallel with the line first in this instrument described fifty-seven



chains and twenty-seven links and south by lot number fifty-two, eight chains and fifty-four links, containing fifty acres of land, be the same more or less.

ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cherry Creek, County of Chautauqua and State of New York, and according to the Holland Land Company's survey, distinguished as being the west part of lot number fifty-three in the fourth township and tenth range, bounded as follows:

On the west by the west line of lot fifty-three;

On the south by part of lot number fifty-two;

On the east by a line parallel with said west line; and

On the north by a part of lot number fifty-four containing one hundred fourteen and one-half acres of land, be the same more or less, being the same premises as those described in the last parcel named and described in deed dated December 26, 1903, given by Wm. I. Phillips and wife to Elvarton B. Crissey and others, said deed having been recorded in the Chautauqua County Clerk's Office, December 29, 1903 in Liber No. 308 of Deeds at Page 384.

EXCEPTING AND RESERVING all that tract or parcel of land conveyed to Richard L. Stonebraker and Teresa Stonebraker by Thomas M. Graber and Kathleen A. Graber by Warranty Deed dated November 2, 1999, and recorded in the Chautauqua County Clerk's Office on February 15, 2000 in Book 2434 of Deeds at Page 929.

ALSO EXCEPTING AND RESERVING all that tract or parcel of land conveyed to Donald F. Minnick, Craig A. Minnick, Thomas J. Mehok and Connie Mehok, and Jeffrey S. Evans, by Thomas M. Graber and Kathleen A. Graber, by Warranty Deed dated February 4, 2000, and recorded in the Chautauqua County Clerk's Office on March 16, 2000 in Book 2437 of Deeds at Page 30.

**TRACT 29 – HOELZLE (219.00-1-9.2)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lots 61 and 62, Township 4 and Range 10 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the center line of Boutwell Hill (49.5 feet wide) Road, at the point of intersection of said center line with the east bounds of Lot 61;

THENCE Northerly and along the east bounds of Lot 61, a distance of 1150.65 feet to the northeast corner thereof;

THENCE continuing northerly and along the east bounds of Lot 61, a distance of 990.0 feet to a point;

THENCE Westerly at an interior angle of 90 44' 05" and along the south bounds of lands formerly owned by James W. Houd, a distance of 1140.12 feet to a point;

THENCE Southerly at an interior angle of 86 43' and parallel to the east bounds of Lot 62, a distance of 991.55 feet to the north bounds of Lot 61;

THENCE Westerly at an exterior angle of 86 43' and along the north bounds of Lot 61, a distance of 1421.0 feet to a point in the center line of Housington (49.5 feet wide) Road;

THENCE Southeasterly and along the center line of Housington Road, a distance of 920.1 feet to a point;

THENCE continuing southeasterly along the center line of said Housington Road along a curve to the left having a radius of 425.0 feet, a distance of 271.9 feet;

THENCE continuing southeasterly along the center line of Housington Road, a distance of 772.95 feet to its point of intersection with the center line of Boutwell Hill Road;

THENCE Northeasterly at an interior angle of 89 30'55" and along the center line of Boutwell Hill Road, a distance of 282.37 feet to a point;

THENCE continuing northeasterly along the center line of Boutwell Hill Road along a curve to the right having a radius of 488.0 feet, a distance of 245.4 feet to a point;

THENCE continuing northeasterly along the center line of Boutwell Hill Road, a distance of 498.0 feet to a point;

THENCE continuing northeasterly at an interior angle of 184 28'35" and along the center line of Boutwell Hill Road, a distance of 236.9 feet to a point;

THENCE Easterly along the center line of Boutwell Hill Road along a curve to the right having a radius of 359.0 feet, a distance of 244.5 feet to a point;

THENCE Southeasterly and along the center line of Boutwell Road, a distance of 352.6 feet to the point and place of beginning.

Containing 92.13 acres of land, more or less.

**TRACT 35 – KALODIMOS (200.00-2-26)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being parts of Lots numbered 30 and 31, Township 4, Range 11 of the Holland Land Company's survey, being bounded and described as follows:

COMMENCING at the southwest corner of said Lot 31, which point is also the center line of North Hill Road (49.5 feet wide), RUNNING THENCE:

1. North 00° 07' 45'' West and along the West line of Lot 31 and center line of North Hill Road a distance of 1,029.93 feet to a point on the South boundary of lands conveyed to James Clark by Liber 2287 of Deeds at Page 841;
2. RUNNING THENCE North 89° 39' 05'' East and along said South boundary of James Clark a distance of 1,708.25 feet to a point which is the southeast corner of said lands conveyed to James Clark;

3. RUNNING THENCE North  $00^{\circ} 08' 20''$  West and along said East boundary of lands conveyed to James Clark a distance of 1,019.23 feet to a point;
4. RUNNING THENCE North  $89^{\circ}$  degrees  $40' 42''$  East a distance of 2,290.21 feet to a point on the East boundary of said Lot 31;
5. RUNNING THENCE South  $00^{\circ} 07' 06''$  East and along the said East boundary of Lot 31 a distance of 2,073.19 feet more or less to the southeast corner of Lot 31;
6. RUNNING THENCE North  $89^{\circ} 59' 19''$  West and along said South boundary of Lot 31 a distance of 532.62 feet to the northwest corner of certain lands conveyed to Thompson by deed recorded in Liber 222 of Deeds at Page 352;
7. RUNNING THENCE South  $00^{\circ} 01' 24''$  West and along the West boundary of said lands conveyed to Thompson a distance of 1,639.04 feet to a point;
8. RUNNING THENCE South  $89^{\circ} 25' 24''$  West a distance of 3,186.15 feet to a point which is 269.61 feet East of the West boundary of said Lot No. 30;
9. RUNNING THENCE North  $00^{\circ} 18' 30''$  West a distance of 595.32 feet to a point;
10. RUNNING THENCE South  $89^{\circ} 25' 24''$  West a distance of 269.61 feet to the West boundary of said Lot No. 30;
11. RUNNING THENCE North  $00^{\circ} 18' 30''$  West and along said West boundary of Lot 30 a distance of 1,079.21 feet to the point or place of BEGINNING.

EXCEPTING FROM THE FOREGOING, all that portion thereof lying in Lot No. 30, Township 4, Range 11 of the Holland Land Company's survey.

**TRACT 37 – KRAUSE (PARCEL I-200.00-2-21; PARCEL II-200.00-2-17 & 200.00-2-22)**

PARCEL I (Section 200.00 Block 2 Lot 21):

ALL that tract or parcel of land, situate in the Town of Charlotte, County Chautauqua and State of New York, being part of Lots 31 and 32, Township 4, Range 11 of the Holland Land Company's Survey, and more particularly described as follows:

BEGINNING at a point in the center of Cassadaga Road at its intersection with the east line of Lot 32;

THENCE Southerly forming an interior angle with the center of said Cassadaga Road,  $87^{\circ} 13' 50''$  along the east line of said Lot 32, passing through an existing iron found at the southerly road right of way a distance of 2292.01 feet entering into Lot 31 and continuing along the east line of said Lot 31 through an existing iron found on line to a set rebar with cap, said rebar with cap being 36.00 feet northerly of the occupied south line of lands of Nalbene as described in Liber 2298 of Deeds at Page 92;

THENCE Westerly at an interior angle of  $90^{\circ} 42' 40''$  parallel to and 36.00 feet northerly of the south line of said lands of Nalbene, a distance of 659.80 feet to a set rebar with cap;

THENCE Northerly forming an interior angle of  $89^{\circ} 20' 10''$  a distance of 1285.73 feet and entering back into Lot 32 to a set rebar with cap;

THENCE Westerly at an interior angle of  $270^{\circ} 30' 00''$  a distance of 1687.17 feet to a set rebar with cap;

THENCE Northerly at an interior angle of  $90^{\circ} 22' 20''$ , a distance of 333.71 feet to a set rebar with cap;

THENCE Easterly forming an interior angle of  $90^{\circ} 15' 10''$  a distance of 18.10 feet to an existing iron;

THENCE Northerly at an interior angle of  $269^{\circ} 45' 10''$ , a distance of 16.10 feet to a set rebar with cap;

THENCE Easterly at an interior angle of  $89^{\circ} 37' 20''$  a distance of 2295.57 feet to a set rebar with cap;

THENCE Northerly forming an interior angle of  $269^{\circ} 27' 00''$ , a distance of 659.59 feet through a rebar with cap set on line at the southerly road right of way to the center of Cassadaga Road;

THENCE Easterly at an interior angle of  $92^{\circ} 46' 10''$  along the center of said Cassadaga Road, a distance of 40.05 feet to the point or place of BEGINNING, containing 38.96 acres of land, more or less.

PARCEL II (Section 200.00 Block 2 Lot 17 and Section 200.00 Block 2 Lot 22):

ALL that tract or parcel of land, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lots 31 and 32, Township 4, Range 11 of the Holland Land Company's Survey, and more particularly described as follows:

BEGINNING at a point in the center of Cassadaga Road said point being 1441.91 feet easterly of the east bounds of Lot 40 and center of North Hill Road by deed;

THENCE continuing along the center of Cassadaga Road, a distance of 276.29 feet a point;

THENCE Southerly forming an interior angle of  $87^{\circ} 58' 50''$  and through an existing iron found at the road right of way, a distance of 585.50 feet to an existing iron;

THENCE Westerly at an interior angle of  $90^{\circ} 14' 50''$ , a distance 18.10 feet to a set rebar with cap;

THENCE Southerly at an interior angle of  $269^{\circ} 44' 50''$ , a distance of 333.71 feet to a set rebar with cap;

THENCE Easterly at an interior angle of  $269^{\circ} 37' 40''$  a measured distance of 1687.17 feet to a set rebar with cap;

THENCE Southerly at an interior angle of  $89^{\circ} 30' 00''$  a measured distance of 1321.73 feet to a set rebar with cap;

THENCE Westerly at an interior angle of  $90^{\circ} 39' 50''$  a measured distance of 1633.84 feet to a set rebar with cap;

THENCE Northerly at an interior angle of  $96^{\circ} 23' 00''$ , a distance of 1267.17 feet to a set rebar with cap;

THENCE Westerly at an interior angle of  $264^{\circ} 04' 30''$ , a distance of 925.00 feet to a set rebar with cap;

THENCE Northerly at an interior angle of  $89^{\circ} 45' 00''$  a distance of 400 feet to an existing iron found at the southwest corner of lands of Nalbone now or formerly recorded in Liber 2298 of Deed at Page 92;

THENCE Easterly at an interior angle of  $94^{\circ} 21' 20''$  a distance of 772.42 feet to a set rebar with cap;

THENCE Northerly at an interior angle of  $265^{\circ} 39' 40''$ , a distance of 521.66 feet and passing through a rebar with cap set at the road right of way to the point of BEGINNING and forming an interior angle of  $92^{\circ} 01' 10''$  with the first mentioned course.

Said parcel containing 65.60 acres of land more or less.

**TRACT 40 – LeBARON, TEDDY (201.00-1-29.1)**

PARCEL I:

ALL that tract or parcel of land, situate in the Town of Charlotte, County of Chautauqua and State of New York, bounded as follows: by a line beginning at the Southeast corner of lot number twenty-three in the Fourth Township and Eleventh , Range;

RUNNING THENCE West twenty-five chains and seventy-three links, bounding on the South line of lot number twenty-three to the center of the highway;

THENCE North eleven degrees thirty minutes East sixteen chains eleven links along the center of the highway;

THENCE North twenty-one degrees East four chains seventy-five links along the center of the highway to land heretofore conveyed to W.W. Rood;

THENCE Easterly bounding on said Rood's land twenty-one chains forty-two links to the East line of said lot number twenty-three;

THENCE Southerly along the said East line of lot number twenty-three twenty chains to the place of BEGINNING, containing forty-three acres more or less.

EXCEPTING and reserving therefrom so much of the above-described premises as was conveyed by Teddy B. LeBaron to Randy Lee Pattyson by Deed dated 4/9/1996, recorded on 4/9/1996 in Liber 2346 Page 512 and which is described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Charlotte, County of Chautauqua, and State of New York; being part of Lot No. 23, Township 4 and Range 11 of the Holland Land Company's Survey; and being further bounded and described as follows:

COMMENCING at a point at the intersection of the southerly line of said Lot No. 23 and the existing center line of Rood Road (County Route No. 77);

THENCE northeasterly along the said center line of Rood Road 488 feet to a point, said point being at the principle point or place of beginning of the parcel of land hereinafter described;

THENCE North 09 degrees and 38 minutes and 35 seconds East along the existing center line of Rood Road, a distance of 287.41 feet to a point of curvature;

THENCE northeasterly along the existing center line of Rood Road and along a curve to the right having a radius of 1945.5 feet, an arc length of 195.91 feet, and a chord of North 12 degrees and 31 minutes and 40 seconds East, 195.83 feet to a point;

THENCE South 87 degrees and 39 minutes and 45 seconds East, a distance of 35.00 feet to an iron stake;

THENCE continuing along the same line South 87 degrees and 39 minutes and 45 seconds East, a distance of 326.02 feet to an iron stake;

THENCE South 10 degrees and 48 minutes and 45 seconds West, a distance of distance of 483.09 feet to an iron stake;

THENCE North 87 degrees and 39 minutes and 45 seconds West, a distance of 103.95 feet to an iron stake;

THENCE continuing along the same line North 87 degrees and 39 minutes and 45 seconds West, a distance of 222.07 feet to an iron stake;

THENCE continuing along the same line North 87 degrees and 39 minutes and 45 seconds West, a distance of 35.00 feet to the point or place of BEGINNING. Containing 4.00 acres.

ALSO EXCEPTING and reserving therefrom so much of the above-described premises as was conveyed by Teddy B. LeBaron to Brett G. LeBaron and Rebecca Hall LeBaron, husband and wife, by Deed dated 5/\_/1998, recorded on 8/10/1998 in Liber 2393 Page 891, and which is described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Charlotte, County of Chautauqua, and State of New York; being part of Lot No. 23, Township 4 and Range 11 of the Holland Land Company's Survey; and being further bounded and described as follows:

COMMENCING at a point at the intersection of the southerly line of said Lot No. 23 and the existing center line of Rood Road (County Route No. 77);

THENCE northeasterly along the said center line of Rood Road 488 feet to a point, being the southwest corner of premises conveyed by Teddy B. LeBaron to Randy Lee Pattyson by deed recorded in the Chautauqua County Clerk's Office on April 9, 1996 in Liber 2346 of Deeds at page 512;

THENCE South 87° 39' 45" East a distance of 361.02 feet to an iron stake, being the point and place of beginning of the parcel of land hereinafter described;

THENCE continuing on the same course, South 87° 39' 45" E a distance of approximately 389 feet to a point;

THENCE North 10° 48' 45" East a distance of approximately 800 feet to a point which is forty (40) feet distant from the northerly line of lands conveyed by deed to Teddy B LeBaron, recorded in the

Chautauqua County Clerk's Office on May 29, 1992 in Liber 2274 of Deeds at Page 444;

THENCE North 87° 39' 45" West, parallel to the northerly line of lands of LeBaron and forty (40) feet distant therefrom, to a point in the existing centerline of Rood Road;

THENCE along the existing centerline of Rood Road, a distance of 134.5 feet to a point;

THENCE continuing along the existing centerline of Rood Road, a distance of 208.29 feet to a point marking the northwest corner of lands conveyed by LeBaron to Pattyson, as aforesaid;

THENCE South 87° 39' 45" East along the northerly lines of lands conveyed by LeBaron to Pattyson a distance of 361.02 feet to an iron stake marking the northeast corner of lands conveyed by LeBaron to Pattyson;

THENCE South 10° 48' 45" West, a distance of 483.09 feet, along the easterly line of lands conveyed by LeBaron to Pattyson, to the point and place of BEGINNING.

ALSO EXCEPTING and reserving therefrom so much of the above-described premises as was conveyed by Teddy B. LeBaron to Mark G. LeBaron and Lisa M. LeBaron by Deed dated 7/23/2002, recorded on 7/24/2002 in Liber 2498 Page 633, and which is described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Charlotte, County of Chautauqua, and State of New York; being part of Lot No. 23, Township 4 and Range 11 of the Holland Land Company's Survey; and being further bounded and described as follows:

BEGINNING at the point of intersection of the southerly bounds of Lot 23 with the centerline of the Rood Road;

THENCE North 20° 51' 58" East 98.15 feet along the said centerline to a point;

THENCE North 14° 44' 36" East 116.40 feet continuing along the said road centerline to a point;

THENCE North 12° 02' 21" East 119.22 feet continuing along the said road centerline to a point;

THENCE North 10° 14' 47" East 161.35 feet along the said road centerline to a point;

THENCE South 87° 39' 44" East 35.00 feet to an iron pipe monumenting the southerly bounds of lands of Randy Lee Pattyson recorded in Liber 2346 of Deed at Page 512 in the Chautauqua County Clerk's Office;

THENCE continuing along the said southerly bounds of Pattyson, South 87° 39' 44" East 326.04 feet to an iron pipe monumenting the southeasterly corner of said lands of Pattyson;

THENCE continuing South 87° 39' 45" East 389.00 feet along the southerly bounds of lands of Brett G. and Rebecca LeBaron recorded in Liber 2393 of Deeds at Page 89 in the Chautauqua County Clerk's Office to a 1"- diameter iron pipe and cap set at the southeasterly corner of said lands of LeBaron;

THENCE South 10° 48' 45" West 483.31 feet to a 1" diameter iron pipe set on the southerly bounds of Lot-23;

THENCE North 88° 03' 38" West 249.11 feet along the said southerly Lot bounds to a 1" diameter iron pipe and cap;

THENCE continuing North 88° 03' 38" West 493.00 feet along the said lot bounds to a 1" diameter iron pipe and cap;

THENCE continuing North 88° 03' 38" West 35.00 feet to the point or place of BEGINNING.

CONTAINING 8.690 acres of land more or less according to a survey prepared by Steven A. Carlson, L.L.S., dated August 8, 2000 and designated as Job No. 6-6-00.

PARCEL II:

ALL that tract or parcel of land, situate in the Town of Charlotte, County of Chautauqua and State of New York, distinguished as the southeast part of Lot No. 24, and northeast and north part of Lot No. 23 in the 4th Township and 11th Range of the Holland Land Company's Survey; and bounded as follows:

BEGINNING at a post in the east line of said Lot No. 23, at the distance of 19 chains and 73 links north from the southeast corner of said Lot No. 23;

RUNNING THENCE West 29 chains and 97 links;

THENCE North 34 chains and 54 links;

THENCE West 30 chains and 36 links to the west line of said Lot No. 23;

THENCE North 8 chains 29 links;

THENCE East 14 chains and 90 links;

THENCE North 4 chains and 45 links;

THENCE East and bounded on land heretofore deeded to Daniel Hoisington but owned by W.W. Rood, at his decease, 45 chains 42 links to the east line Lot No. 24;

THENCE South 47 chains and 31 links to the place of BEGINNING, containing 173.80 acres, be the same more or less.

EXCEPTING and reserving therefrom so much of the above-described parcel of land, a certain tract of land which was deeded by William W. Rood and wife, Sally Rood, to William Luce, dated November 7, 1857, recorded in Chautauqua County Clerk's Office September 22, 1862 in Liber 94 of Deeds at Page 289. Said parcel of land contains about 12 5/16 acres.

ALSO ALL THAT OTHER PIECE OR PARCEL OF LAND situate, lying and being in the Town of Charlotte, County of Chautauqua and State of New York, known and distinguished as a part of Lot No. 24, Town 4, Range 11 of the Holland Land Company's Survey and bounded as follows:

BEGINNING at a post standing in the east line of Lot No. 24, at a distance of 16 chains and 36 links north of the southwest corner of said lot;

RUNNING THENCE West 45 chains 42 links;



THENCE South 12 chains 12 links;

THENCE East on a line parallel to the north bounds of the lands hereby conveyed, 45 chains 42 links;

THENCE North 12 chains 12 links to the place of BEGINNING, containing 55 acres, be the same more or less.

ALSO ALL THAT OTHER CERTAIN PIECE OR PARCEL OF LAND being the West part of Lot No. 15 in said township and range, bounded as follows:

BEGINNING at a post standing in the southwest corner of said Lot No 15;

RUNNING THENCE North bounding Lot 23, 62 chains 90 links;

THENCE East 11 chains 63 links to a post;

THENCE South on a line parallel to the west bounds of said lot, 62 chains 70 links to a post on the south line of said Lot No. 15;

THENCE West bounding on Lot No. 14, 11 chains 63 links to the place of BEGINNING, containing 73 acres of land, be the same more or less.

EXCEPTING and reserving therefrom so much of the above-described premises as was conveyed by Teddy B. LeBaron and Beverly Z. LeBaron to Jon T. LeBaron and Laura A. LeBaron by Deed dated 7/19/2005, recorded on 7/20/2005 in Liber 2577 Page 246, and which is described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Charlotte, County of Chautauqua, and State of New York; being part of Lot No. 24, Town 4 and Range 11 of the Holland Land Company's Survey and being further bounded and described as follows:

BEGINNING at a point on the center line of Rood Road, said point being the point of intersection of the southerly bounds of lands of Viola M. Dorman, et al. recorded in Liber 2119 of Deeds at Page 645 in the Chautauqua County Clerk's Office with the said road centerline and said point is also South 04° 29' 53" West 520.10 feet from the point of intersection of the said road centerline with the centerline of the Cassadaga Road;

THENCE South 04° 29' 53" West 400.00 feet along the centerline of Rood Road to a point;

THENCE North 88° 22' 51" West 33.00 feet to a 1" diameter iron pipe with cap;

THENCE continuing North 88° 22' 51" West 1167.00 feet to a 1" diameter iron pipe with cap;

THENCE North 02° 00' 33" East 399.50 feet to a 1" diameter iron pipe with cap on the said southerly bounds of Dorman;

THENCE South 88° 22' 51" East 1184.37 feet to a 1" diameter iron pipe with cap;

THENCE continuing South 88° 22' 51" East 33.00 feet to the point or place of BEGINNING.

CONTAINING 11.11 acres of land more or less according to a land survey prepared by Steven A. Carlson, L.L.S. dated January 30, 2003 and designated as Job No. 3-01-03.

EXCEPTING THEREFROM all right, title and interest in and to all of the oil, gas and other minerals in and under and that may be produced from the above described premises as contained in the Mineral Deed made by Teddy B. LeBaron and M. Herbert Jones to M. Herbert Jones, dated 7/3/1984 and recorded in the Chautauqua County Clerk's Office on 7/5/1984 in Liber 2012 Page 587.

ALSO EXCEPTING THEREFROM all right, title and interest in and to all of the oil, gas and other minerals in and under and that may be produced from the above described premises as contained in the Mineral Deed made by M. Herbert Jones to Universal Resources Holdings, Inc., dated 4/7/1986 and recorded in the Chautauqua County Clerk's Office on 4/25/1990 in Liber 2220 Page 150.

ALSO EXCEPTING THEREFROM all right, title and interest in and to all of the oil, gas and other minerals in and under and that may be produced from the above described premises as contained in the Quit Claim Deed made by M. Herbert Jones to Teddy B. LeBaron, dated 5/20/1992 and recorded in the Chautauqua County Clerk's Office on 5/29/1992 in Liber 2274 Page 444

**TRACT 44 – MILLIMAN (220.00-1-13)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lot 38, Township 4 and Range 10 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at a point on the east bounds of lot 38 at a distance of 1,417.21 feet southerly from the northeast corner of lot 38 as measured along the east bounds of lot 38; thence southerly along the east bounds of lot 38 a distance of 2,591.67 feet to a point on the south bounds of lot 38; thence westerly turning an interior angle of 89° 22' 40" along the south bounds of lot 38 a distance of 1,991.57 feet to a point; thence northerly turning an interior angle of 90° 71' 15" a distance of 3,327.19 feet to a point; thence easterly turning an interior angle of 88° 12' 30" a distance of 746.31 feet to a point; thence continuing easterly turning an exterior angle of 178° 55' 55" a distance of 610.0 feet to a point; thence southerly turning an interior angle of 90° 43' 25" a distance of 715.97 feet to a point; thence easterly turning an exterior angle of 89° 54' 15" a distance of 620.99 feet to the point of beginning, containing 140.44 acres more or less.

**TRACT 48 – POLLINA (200.00-2-1)**

ALL that tract or parcel of land, situate in the Town of Charlotte, Chautauqua County, New York, distinguished as part of Lot No. 40, Township 4 and Range 11 of the Holland Land Company's Survey and bounded as follows:

BEGINNING at the northeast corner of said Lot No. 40;

THENCE in a westerly direction, North 82 degrees 45' West, a distance of 3118.4 feet to a point;

THENCE in a southerly direction, South 06 degrees 39.50' West a distance of 1353.8 feet to an iron pin;

THENCE in an easterly direction, South 81 degrees 48.20' East a distance of 807.5 feet to an iron pin;

THENCE in a Southerly direction South 7 degrees 00.00' West a distance of 584.7 feet to an iron pin;

THENCE in an easterly direction, South 83 degrees 15' East a distance of 1250 feet to an iron pin;

THENCE in a southerly direction on a line parallel with the easterly boundary of said Lot 40 a distance of 94 feet to an iron pin;

THENCE in an easterly direction south 82 degrees 30' East a distance of 1078.6 feet to the east boundary of said Lot 40;

THENCE in a northerly direction North 6 degrees 15' East a distance of 2039.83 feet to the place of beginning.

ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Charlotte, County of Chautauqua and State of New York, distinguished as part of Lot No. 32, Township 4 and Range 11 of the Holland Land Company's Survey and described as follows:

BEGINNING at a point on the west boundary of said Lot No. 32, which point is 370.26 feet south from the northwest corner of said Lot No. 32;

THENCE Southerly along the west boundary of said Lot No. 32 a distance of 499.9 feet to a point;

THENCE in an easterly direction, South 82 degrees 45' east a distance of 3629 feet to an iron pin;

THENCE in a northerly direction, North 6 degrees 45' east a distance of 488.5 feet to a point;

THENCE in a westerly direction, North 82 degrees 34-20 west a distance of 3633 feet to the place of BEGINNING.

**TRACT 49 – RETTIG (p/o 203.00-1-11.1)**

ALL THAT PIECE OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lot No. 39. Township 4 and Range 10 of the Holland Land Company's Survey; and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly line of said Lot No. 39 (centerline Plank Road a 49.5 foot wide public right of way), said point being North 00° 11' 44" East as measured along said Lot Line, a distance of 1.063.77 feet from a point at the southwesterly corner of said Lot No. 39; thence continuing North 00° 11' 44" East along said Lot Line, a distance of 100.02 feet to point; thence through the lands of Robert J. Rettig as described in a Quit Claim Deed dated May 19, 1982 and recorded in the Chautauqua County Clerk's Office on June 3, 1982 in Liber 1932 of Deeds at page 282 the following six (6) courses and distances: (1) South 89° 50' 58" East, 439.73 feet to a point; thence (2) along a curve to the right having a radius of 337.52 feet, an arc length of 270.22 feet and a chord bearing and distance of South 66° 58' 09" East, 263.06 feet to a point; thence (3) South 44° 06' 40" East, 83.28 feet to a point; (4) along a curve right having a radius of 212.00 feet, an arc length of 709.08 feet and a chord bearing and distance of South 40° 00' 15" East, 421.81 feet to a point; thence (5) South 00° 35' 51" East, 600.31 feet to a point; thence (6) South 88° 40' 51" East, 651.48 feet to a point on the westerly line of lands of Stanley M. Dybka and Jacolyn K. Dybka as described in a deed recorded in the said Clerk's Office in Liber 2380 of Deeds at page 392; thence South 00° 39' 56" West along said westerly line of Dybka, a distance of 100.02 feet to a point on the centerline of Weaver Road (a 49.5 foot wide public right of way); thence North 88° 40' 51" West along said centerline, a distance of 700.92 feet to point; thence through the lands of said Rettig the following fourteen (14) courses and distances: (1) along a curve the right having a radius of 50.00 feet, an arc length of 76.80 feet and a chord bearing and distance of North 44° 45' 44" West, 69.47 feet to a point; thence (2) North 00° 35' 51" West, 614.13 feet to a point; thence (3)

along a curve to the right having a radius of 212.00 feet, an arc length of 304.24 feet and a chord bearing and distance of North 54° 09' 27" West, 278.79 feet to a point; thence (4) North 48° 18' 05" West, 59.02 feet to a point; thence (5) along a curve to the right having a radius of 37.46 feet, an arc length of 36.63 feet and a chord bearing and distance of North 19° 19' 07" West, 35.19 feet to a point; thence (6) North 08° 29' 04" East, 81.57 feet to a point; thence (7) North 44° 06' 40" West, 45.29 feet to a point; thence (8) along a curve to the left having a radius of 237.50 feet, an arc length of 187.56 feet and a chord bearing and distance of North 66° 35' 28" West, 182.73 feet to a point; thence (9) South 63° 34' 24" West, 72.04 feet to a point; thence (10) South 60° 22' 03" West, 77.51 feet to a point; thence (11) along a curve to the right having a radius of 204.64 feet, an arc length of 326.90 feet and a chord bearing and distance of North 78° 42' 20" West, 293.23 feet to a point; thence (12) North 82° 53' 55" West, 7.11 feet to a point; thence (13) North 15° 36' 59" West, 13.73 feet to a point; thence (14) North 89° 50' 55" West, 12.58 feet to the point or beginning. Containing 8.82 acres, more or less.

**TRACT 50 – REYNOLDS, T (202.00-1-53)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, in the County of Chautauqua and State of New York, and known as part of Lot #47, township #4, range #10, bounded as follows:

On the South by the South 100 acres of the said Lot #47;

On the East by Lot #39;

On the North by a line parallel to the North boundary of the said South 100 acres and far enough therefrom to contain 120 acres;

On the West by Lot #55, containing 120 acres. It being the premises conveyed to Abram E. Priest by Lorenzo Davis and wife by deed dated September 23<sup>rd</sup>, 1858 and recorded in Liber 116 at Page 263 of Deeds and also the premises conveyed by Henry Essex and wife to Abram Priest by Deed dated February 29, 1864, and recorded in Liber 121 of Deeds at Page 563.

ALSO CONVEYING ANOTHER TRACT OR PARCEL OF LAND in said Lot #47, bounded as follows:

On the South by the above described premises;

On the East by Lot #39;

On the North by lands formerly owned by Henry Water;

On the West by Lot #55;

Containing 80 acres of land, more or less. It being the premises conveyed to Abram E. Priest by Charles A. Judd and wife by deed dated March 19<sup>th</sup>, 1869 and recorded in Liber 134 of Deeds at Page 563.

**TRACT 51 – REYNOLDS, T+J (202.00-1-54)**

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cherry Creek, in the County of Chautauqua and State of New York, described as follows:

BEGINNING at the northeast corner of the said Lot #55;

THENCE South along the East boundary of the said lot 70.53 chains to the southeast corner thereof;

THENCE West along the South boundary of the said lot 33.88 chains to the west boundary of the land formerly of Etta E. Hooker;

THENCE North along the said west boundary and parallel to East boundary of the said Lot #55, 71.49 chains to the northerly boundary of the said Etta E. Hooker's lands;

THENCE southeasterly along said northerly boundary about 4.02 chains to a point in the center of a gore or ravine;

THENCE easterly along the center of the said ravine about 14.16 chains to a point 17.03 chains West of the East boundary of the said Lot #55;

THENCE North and parallel to the said Lot #55;

THENCE East along the said North boundary 17.03 chains to the place of beginning containing 234 acres or more.

ALSO ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Cherry Creek, County of Chautauqua and State of New York, distinguished as the south part of lot No. 47 in the 4<sup>th</sup> township and 10<sup>th</sup> range of the Holland Land Company's Survey and bounded as follows:

On the East by the highway leading to Cherry Creek;

On the South by land owned or formerly owned by Jasper Newton and Ara Kent;

On the West by land formerly owned by Daniel Hackett;

On the North by land formerly owned by Chauncey Abbey; and

On the East by the aforesaid highway containing 102 acres of land, be the same more or less.

**TRACT 63 – WAGNER (201.00-1-28)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, known as part of Lot No. Twenty-three in the Fourth Township and Eleventh Range of Township of the Holland purchase and bounded as follows:

BEGINNING on the southwest corner of said Lot No. 23; and

RUNNING THENCE along the west line of said lot north fifty-four chains, seventy-five links to lands formerly owned by one William W. Rood;

THENCE East along the south line of said lands so deeded to said Rood nineteen chains and fifty links;

THENCE south along the west line of lands formerly deeded to Joseph Skinner thirty-seven chains twenty-nine links to a point seventeen chains, forty-six links north from the south line of said Lot No. 23;

THENCE East and parallel to the south bounds of said Lot No. 23 eight chains and twenty-five links;

THENCE Southerly twelve chains and forty links to a point twenty-seven chains and twenty-nine links from the west bounds of said Lot;

THENCE East and parallel to the south bounds of said lot at the distance of four chains and ninety-seven links to the center of the highway;

THENCE South eleven degrees thirty minutes west along the center of said highway to the south line of said lot;

THENCE along the south line of said lot west thirty-five chains forty-nine links to the place of BEGINNING containing one hundred and twenty-five and eighty-seven one hundredths acres be the same more or less.

ALSO THE TRACT OF LAND deeded by Daniel Hoisington and wife to William Scott, recorded July 21, 1858, Liber 80 Page 501 and conveyed by will dated June 12, 1861, and same recorded in Chautauqua County Clerk's Office October 9, 1866, Liber 112 of Deeds, Page 309-10, to Sarah A. Burnham and described as follows:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate in the Town of Charlotte and known on the Holland Company's map as a part of Lot No. 23, in the Fourth Township and Eleventh Range and bounded as follows:

BEGINNING at a point seventeen chains and forty-six links from the south line of said Lot No. 23, nineteen chains and thirteen links from the west bounds of said Lot No. 23;

RUNNING THENCE Northerly thirty-seven chains twenty-nine links to a point nineteen chains and fifty links from the west bounds of said Lot No. 23;

THENCE Easterly and bounding on land heretofore deeded to William W. Rood, eleven chains and sixty links;

THENCE Southerly and bounding on said Rood land thirty-four chains and seventy-five links to a point within about twenty chains of the south bounds of said Lot No. 23;

THENCE Easterly and bounding on land heretofore deeded to William Rood, nine chains and nineteen links to the center of the highway;

THENCE along the center of the highway twenty degrees west four chains and seventy-five links;

THENCE farther along the highway eleven degrees thirty minutes west eleven chains and eleven links to a point within five chains from the south bounds of said Lot No. 23;

THENCE westerly by a parallel line to the south bounds of said Lot No. 23, nine chains and thirty-five links;

THENCE Northerly twelve chains and forty-nine links;

THENCE Westerly eight chains and twenty-five links to the place of BEGINNING, containing sixty acres of land be the same or less.

**TRACT 64 – WEBER (219.00-1-40)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, distinguished as part of Lot 46, Range 10 of the Holland Land Company's survey, bounded and described as follows: On the North by lands once owned and occupied by Ora Parks; on the West by land once owned and occupied by Warner S. Beebe and also by lands once owned and occupied by Avery S. Steward, on the South by lands once owned by Jasper Newton and on the East by lands once owned and occupied by Jasper Newton, containing 58 ¼ acres of land be the same more or less.

ALSO THAT CERTAIN OTHER PIECE OR PARCEL OF LAND, situate in said Town of Cherry Creek, distinguished as being a part of Lot 54, in Town 4, Range 10 of Holland Land Company's survey, bounded and described as follows: On the North by Lot 55; on the East by Lot 46; on the South by land once owned by Avery Steward; THENCE northerly on a line parallel with the East line and far enough West therefrom to make just 20 acres of land, be the same more or less.

Being the same lands conveyed by deed recorded in Chaut. Co. Clerk's Office in Liber 522 of Deeds at Page 71.

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, distinguished as part of Lot 46 in said Town 4, Range 10 of the Holland Land Company's survey, bounded and described as follows: Commencing at the northeast corner of said Lot 46, THENCE South on the East line to a point that is 25 chains, 49 links North of the southeast corner of said Lot 46, to lands once owned by Ira B. Tanner; South 40° w. 2 chains, 75 links; West on a line parallel to the South line of said Lot, 10 chains 65 links; South one degree west, 2 chains, 40 links; South 12° 45' West, 6 chains, 23 links to the center of a highway; North 56 West, 11 chains, 63 links to the North line of said Ira B. Tanner's land; THENCE northwesterly and southwesterly along the center of the above mentioned highway to the West line of the Lot; (this point from the southwest corner of the Lot is 23 chains, 84 links North therefrom); North on said West line 17 chains, 85 links to land once owned by Ora Parks; East on a line parallel to the South line of the Lot to the southeast corner of the said Parks land, on said Lot; North on a line parallel to the West line of the Lot to the North line thereof; East on said North line to the place of beginning, containing 175 acres and 13 rods of lands more or less.

Excepting, reserving and not conveying lands heretofore deeded to Town of Cherry Creek.

Also, excepting and reserving herefrom any and all interests in said land heretofore conveyed to New York State Electric and Gas Corporation.

EXCEPTING RESERVING AND NOT CONVEYING THE FOLLOWING DESCRIBED PARCEL OF LAND FROM THE FOREGOING CONVEYANCE:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York distinguished as part of Lot 46, Town 4, Range 10 of the Holland Land Company's Survey, bounded and described as follows: BEGINNING in the center line of the Farrington Hollow Road at the corner of lands conveyed to Gordon Mead by deed recorded in Liber 1117 of Deeds at Page 207; THENCE northeasterly along the lands of Gordon Mead, and which line is also the line of land now owned by Glen Weaver, a distance of 302.51 feet to a point; THENCE northwesterly at an interior angle of 99° 30' parallel to the center line of the said road; a distance of 187.43 feet to a point;

THENCE southwesterly at an interior angle of  $84^{\circ} 00'$ , a distance of 300.0 feet to a point in the centerline of the said Farrington Hollow Road; THENCE southeasterly of the said road and which line is also the line of lands so conveyed to said Mead, a distance of 206.0 feet to the place of beginning, containing 1.347 acres of land, more or less.

**TRACT 65(c) – WILLIAMS-CARLSTROM II (234.00-1-44.2)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being on Lots 43 and 44 in Town 4, on Range 11 and bounded as follows:

BEGINNING at a stake on the East line of Lot 43, which is a common corner of lands of H.A. Harper, George L. Bargar and the lands hereby conveyed;

THENCE West along said Bargar's North line, 17 chains, 71 links to the center of the road;

THENCE North along the center of the road, 12 chains  $1\frac{1}{2}$  links to the northeast corner of lands formerly owned by Eliza Bellows;

THENCE West on the North line of said Bellow's land, 42 chains, 29 links to the West line of Lot 44, which point is the northwest corner of said Eliza Bellow's land;

THENCE North on the Lot Line, 9 chains,  $78\frac{1}{2}$  links to a stake;

THENCE East parallel with the North line of said Bellow's land, 60 chains to the East line of Lot 44;

THENCE South on the East line of Lots 44 and 43, 21 chains, 80 links to the place of BEGINNING, containing 80 acres, be the same more or less.

ALSO EXCEPTING ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot 44 in Township 4 and Range 11 of the Holland Land Company's survey, and more particularly described as follows:

BEGINNING in the centerline of Hall Road (66 feet wide) as now laid out and occupied at the intersection thereof with the southerly line of lands conveyed from Delahoy to Noble by deed recorded in Liber 480 of Deeds at Page 543 in the office of the Chautauqua County Clerk, said point of beginning also being located 3806.5 feet southerly along said centerline of Hall Road from the intersection thereof with the north line of said Lot 44, said north line of Lot 44 also being the centerline of Hooker Road as now laid out and occupied;

THENCE westerly at an interior angle of  $87^{\circ} 01$  minute a distance of 320 feet along said southerly line of Noble lands to an iron pin, and passing through an iron pin located 33 feet westerly along the last described course from said centerline of Hall Road;

THENCE northerly at an interior angle of  $92^{\circ} 59$  minutes a distance of 273 feet through said Noble lands to an iron pin;

THENCE easterly at an interior angle of  $87^{\circ} 01$  minute a distance of 320 feet through said Noble lands to a point in said centerline of Hall Road, and passing through an iron pin located 33 feet westerly along the last described course from said centerline of Hall Road;



THENCE southerly along said centerline of Hall Road a distance of 273 feet to the point or place of BEGINNING, and containing 2 acres of land more or less.

EXHIBIT A-3

Easement Parcels

**TRACT 1(b) – ADAMS II (p/o 200.00-2-25, 200.00-1-16, & 200.00-1-13)**

PARCEL I:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot Number 39, Township 4, Range 11 of the Holland Land Company's Survey, bounded as follows:

COMMENCING at a point in the east line of the above Lot Number 39 and from the southeast corner thereof; 39 chains, 51 1/2 links north therefrom;

THENCE West on a line parallel to the south bounds of Lot Number 39, 44 chains, 38 links to lands deeded to Edwin Crawford;

THENCE North along the east line of said Crawford's land and parallel with the east line of said Lot, 22 chains, 77 1/2 links to the north line of said Lot Number 39;

THENCE East on a line parallel to the south bounds of said Lot, 44 chains 38 links to the east line of said Lot;

THENCE South on the said east line of Lot Number 39, 25 chains, 77 1/2 links to the place of beginning, containing 100 acres of land, be the same more or less.

PARCEL III:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot Number 40, Township 4, Range 11 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING in the center of a highway leading westerly from the four corner near Willard Luce's in said Town of Charlotte and on the west line of said Willard Luce's land and 16 chains and 30 links west from the east line of said Lot Number 40;

THENCE Westerly along the center of said highway; 1280 feet to a point in the center of said highway;

THENCE South on a line parallel with said Luce's west line to the south line of Lot Number forty;

THENCE East along the south line of Lot Number 40, approximately 1,000 feet to the southwest corner of Willard Luce's land;

THENCE North along the west line of said Luce's land 19 chains and 94 links to the place of beginning, containing 35 1/2, acres, more or less.

**TRACT 3 – ALLENBRAND (233.00-2-26)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, and being the south part of Lot 51, Township 4, Range 11 and bounded west, south and east by the Lot line and north by lands once owned by James Pierce, said north line being parallel with the south line of the Lot and containing 171 acres, more or less.

ALSO two adjoining parcels on Lot 43, containing 1 1/2 acres, more or less.

**TRACT 5- ARSENAULT (200.00-1-12)**

ALL that tract or parcel of land situate in Town of Charlotte, County of Chautauqua, State of New York, known as being part of Lot 40 in the Town 4, Range 11, and bounded as follows:

BEGINNING in the centerline of North Hill Road (49.5 feet wide) as now laid out and occupied at the intersection thereof with the centerline of Cassadaga Road (66 feet wide) as now laid out and occupied;

THENCE Southerly a distance of 1197.5 feet along said centerline of North Hill Road to the intersection thereof with the south line of Lot 40;

THENCE Westerly at an interior angle of 89°-23' a distance of 1086.4 feet along said south line of Lot 40 to an iron pin, and passing through an iron pin located 24.75 feet westerly along the last described course from said centerline of North Hill Road;

THENCE Northerly at an interior angle of 90°-32' a distance of 1292.1 feet along the westerly line of lands of first party to a point in said centerline of Cassadaga Road, and passing through an iron pin located 33.2 feet southerly along the last described course from said centerline of Cassadaga Road;

THENCE Easterly a distance of 1089.6 feet along said centerline of Cassadaga Road to the point or place of beginning, and containing 31 acres of land more or less.

**TRACT 7 – RAWLINGS-BLAKELY (203.00-1-15)**

ALL that tract, piece or parcel of land, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lot 38, Township 4 and Range 10 of the Holland Land Company survey bounded and described as follows:

BEGINNING at a point on the north bounds of lot 38 also being the center of Weaver Road at a distance of 1,223.02 feet westerly from the northeast corner of lot 38;

THENCE Southerly turning an interior angle of 89° 16' 35" a distance of 308.0 feet to a point;

THENCE Westerly turning an interior angle of 270° 43' 25" a distance of 746.0 feet to a point;

THENCE Southerly turning an interior angle 89° 16' 35" a distance of 388.09 feet to a point;

THENCE Easterly turning an interior angle of 91° 47' 30" a distance 746.31 feet to a point;

THENCE continuing easterly at an interior angle of 178° 55' 55" a distance of 610.0 feet to a point;

THENCE Northerly turning an interior angle of  $89^{\circ} 16' 35''$  a distance of 710.0 feet to the north bounds of lot 38 and the center of Weaver Road;

THENCE Westerly along the north bounds of lot 38 and the center of Weaver Road a distance of 610.0 feet to the point of beginning, containing 16.71 acres more or less.

**TRACT 8 – BROWN (218.00-1-30)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot No. 12, Township 4, Range 11 of the Holland Land Company's Survey described as follows:

COMMENCING at the northeast corner of Lot 12 at the intersection of the centerline of East Road with the centerline of Cleland Road;

THENCE South along the centerline of Cleland Road 350 feet;

THENCE East and parallel to the centerline of East Road 250 feet;

THENCE North and parallel to the centerline of Cleland Road 350 feet to the centerline of East Road;

THENCE West on the centerline of East Road 250 feet to the point of beginning.

**TRACT 18 – CUMMINGS (p/o 200.00-1-11)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot No. 40, Town 4 and Range 11 of the Holland Land Company's Survey, and being more particularly bounded and described as follows:

COMMENCING at a point on the centerline of Cassadaga Road at its intersection with the centerline of North Hill Road;

THENCE along said centerline of Cassadaga Road, the following two (2) courses and distances:

- (1) North  $83^{\circ} 34' 02''$  West, 834.97 feet to a point; thence
- (2) N  $81^{\circ} 59' 47''$  West, 255.78 feet to a point on the division line between land of Francis S. Lauricella and Dorothy M. Lauricella as described in a Warranty Deed dated September 19, 1996 and recorded in the Chautauqua County Clerk's Office in Liber 2354 of Deeds at Page 916 on the east and lands of Peter C. Cummings, hereinafter referenced, on the west, said point being at the principle point or place of beginning of the parcel of land hereinafter described;

THENCE continuing North  $81^{\circ} 59' 47''$  West along said centerline, a distance of 201.68 feet to a point;

THENCE North  $00^{\circ} 35' 38''$  E through said lands of Cummings, a distance of 813.65 feet to a set rebar on the northerly line of said Cummings and passing through a set rebar 33.28 feet distant northerly as measured along the last described line from said centerline;

THENCE South 88° 37' 10" East along said northerly line of Cummings, 200.02 feet to a found rebar at the northeasterly corner thereof;

THENCE South 00° 35' 38" West along the easterly line of said Cummings, 94.0 feet to a found iron stake at the northwesterly corner of said lands of Lauricella;

THENCE continuing South 00° 35' 38" West along said division line between Cummings on the west and Lauricella on the east, a distance of 716.3 feet to a found rebar;

THENCE continuing along the same line South 00° 35' 38" West, a distance of 26.61 feet to the point or place of beginning. Containing 3.79 acres, more or less.

**TRACT 19 – DYBKA (203.00-1-12)**

ALL that tract or parcel of land, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, distinguished as being part of Lot No. 39, Township 4, Range 10 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the southerly line of Lot No. 39, where the same is intersected by the westerly boundary line of the lands conveyed by David R. Dawley and Josephine L. Dawley to Robert C. Langless and Patricia A. Langless by deed dated July 7, 1971 which was recorded in the Chautauqua County Clerk's Office in Liber 1405 of Deeds at Page 67 on July 8, 1971;

RUNNING THENCE northerly along said westerly boundary line, 700 feet to a point;

RUNNING THENCE easterly, parallel with the said southerly line of said Lot No. 39, 250 feet to a point;

RUNNING THENCE southerly, parallel with the first mentioned course, 700 feet to the southerly line of said Lot No. 39;

RUNNING THENCE westerly, along said Lot No. 39 line, 250 feet to the point or BEGINNING, as shown on the survey made by Steve R. Gustafson, dated December 23, 1997 and designated as Job No. A-2737. Being the same premises conveyed by Robert C. Langless and Patricia A. Langless to Ronald L. Fisher by deed dated July 22, 1975 which was recorded in the Chautauqua County Clerk's Office in Liber 1572 of Deeds at Page 225 on July 25, 1975 and being the same premises conveyed by Richard R. Frame and Maria T. Frame to Donald R. Miner and Lucinda Miner by deed dated April 25, 1991 which was recorded in the Chautauqua County Clerk's Office in Liber 2247 of Deeds at Page 500 on May 2, 1991.

**TRACT 20 – EGLESTON-AVERELLO (219.00-1-9.1)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lot No. 61, Township 4, Range 10 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the centerline of Boutwell Hill Road (49.5 feet wide) as its intersection with the centerline of Housington Road (49.5 feet wide), THENCE northwesterly and along the centerline of Housington Road a distance of 772.95 feet to a point, THENCE continuing northwesterly along the centerline of Housington Road along a curve to the right having a radius of 425.0 feet a distance of 161.63 feet to a point; THENCE southeasterly and long the easterly line of lands conveyed to The People of the State of New York by

deed recorded in the Chautauqua County Clerk's Office in Liber 916 of Deeds at page 135 a distance of 383.72 feet to a point; THENCE continuing southeasterly at an interior angle of  $178^{\circ} 37'$  and along the easterly line of lands so conveyed to The People of the State of New York a distance of 597.76 feet to a point, THENCE continuing southeasterly at an interior angle of  $164^{\circ} 55'$  and along the easterly line of lands so conveyed to The People of the State of New York a distance of 70.88 feet to the centerline of Boutwell Hill Road, THENCE northeasterly at an interior angle of  $76^{\circ} 49'$  and along the centerline of Boutwell Hill Road a distance of 424.0 feet to a point and place of BEGINNING.

**TRACT 22 – FROST, W (203.00-1-13)**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lot 39, Township 4 and Range 10 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at a point on the south bounds of Lot 39 being the center of Weaver Road at a distance of 1,238.31 feet west of the southeast corner of Lot 39;

THENCE continuing westerly along the south bounds of Lot 39 also and the center of Weaver Road a distance 931.27 feet to a point;

THENCE Northerly turning an interior angle of  $90^{\circ} 38' 55''$  a distance of 700.0 feet to a point;

THENCE Westerly turning an exterior angle of  $90^{\circ} 38' 55''$  a distance of 250.0 feet to a point;

THENCE Northerly turning an interior angle of  $90^{\circ} 38' 55''$  a distance of 612.99 feet to a point;

THENCE Easterly turning an interior angle of  $90^{\circ} 34' 10''$  a distance of 1,175.36 feet to a point;

THENCE Southerly turning an interior angle of  $89^{\circ} 41'$  a distance of 1,337.93 to the point of beginning, containing 31.84 acres more or less.

**TRACT 23 – GASSMAN (219.00-1-23)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua, State of New York; being part of Lot 53, Town 4, Range 10, of the Holland Land Company's Survey and being bounded and described as follows:

BEGINNING at an existing rebar in a mound of stones at the northwest corner of Lot 53;

THENCE North 89 degrees 45 minutes 22 seconds East, along the north line of Lot 53, a distance of 497.54 feet to a set 3/4 inch rebar with cap;

THENCE South 00 degrees 14 minutes 46 seconds East, parallel to the west line of Lot 53, a distance of 394.05 feet to a set rebar with cap;

THENCE continuing on the same line, South 00 degrees 14 minutes 46 seconds East, parallel to the west line of Lot 53, a distance of 349.22 feet to a set rebar with cap;

THENCE continuing on the same line, South 00 degrees 14 minutes 46 seconds East, parallel to the west line of Lot 53, a distance of 309.15 feet to a set rebar with cap;

THENCE continuing on the same line, South 00 degrees 14 minutes 46 seconds East, parallel to the west line of Lot 53, a distance of 398.11 feet to a set rebar with cap;

THENCE continuing on the same line, South 00 degrees 14 minutes 46 seconds East, parallel to the west line of Lot 53, a distance of 40.18 feet to a point in the center of the Boutwell Hill Road;

THENCE along the center of the Boutwell Hill Road, the following courses and distances;

North 53 degrees 03 minutes 03 seconds West, 130.33 feet;

North 54 degrees 06 minutes 15 seconds West, 143.94 feet;

North 56 degrees 33 minutes 37 seconds West, 121.24 feet;

North 58 degrees 57 minutes 09 seconds West, 141.43 feet; and

North 60 degrees 37 minutes 11 seconds West, a distance of 64.13 feet to a point on the west line of Lot 53;

THENCE North 00 degrees 14 minutes 46 seconds West, along the west line of Lot 53, a distance of 45 feet to a set rebar with cap;

THENCE continuing along the west line of Lot 53, North 00 degrees 14 minutes 46 seconds West, a distance of 1109.64 feet to the point or place of BEGINNING.

**TRACT 24 – GIERLINGER (235.00-1-4.1; 235.00-1-5; & 218.00-1-37)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part or parcel of a certain township which on a map or survey of divers tracts of townships of land of the said Holland Land Company, made for the proprietors by Joseph Ellicott, surveyor, is distinguished by Township No. 4, in the 11<sup>th</sup> Range of said Townships, and which said tract of land on a certain other map or survey of said township, into lots made for the said proprietors by the said Joseph Ellicott is distinguished by part of Lot No. 21 in said township, bounded

East by land conveyed by deed to Luther Lake, 60 chains and 18 links;

South by Lot No. 20, 23 chains 88 links,

West by a line parallel to the west bounds of said Lot No. 21 (at the distance of 19 chains, 95 links east therefrom) 60 chains 15 links; and

North by Lot No. 22, 24 chains, 24 links, containing 145 acres be the same more or less.

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, and bounded as follows:

North by the said Lot No. 20's north line;

East by lands of Don Pratt;

South by the south line of said Lot No. 20; and

West by lands now or formerly owned by William A. Green, containing 73 acres of land more or less.

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town, County and State aforesaid and known as the middle and southeast parts of Lot No. 20 in the 4<sup>th</sup> Township and 11<sup>th</sup> Range of the Holland Land Company's Survey and bounded as follows:

BEGINNING in the center of the highway leading from Charlotte Center to Cherry Creek at the northeast corner of land conveyed by deed bearing date December 19, 1871, executed by Nathan M. Cleland and wife and Milo A. Cleland and wife to Addison Lake;

THENCE South along the east line of said Addison Lake's land to the southeast corner of said Lake's Land;

THENCE East along the south line of said Lot No. 20 at a distance sufficient so that by running north along a line parallel to said Lake's east line to the center of said highway and;

THENCE West along the center of said highway to the place of beginning, an area of 50 acres of land will be enclosed, the intention being to deed just 50 acres of land hereby in said locality.

EXCEPTING THEREFROM those premises conveyed in a deed from Frank X. Gierlinger, III to Peter M. Gierlinger and Andrea Gierlinger, husband and wife as tenants by the entirety, dated 6/16/2011 and recorded on 6/23/2011 as Instrument No. DE 2011002757.

**TRACT 26 – HALL (236.00-1-18)**

THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, known as part of Lot No. 43 in the 4th Township and 10th Range of the Holland Land Company's survey and bounded as follows:

COMMENCING in the center of the highway on the north line of said Lot at the northwest corner of land deeded by S. H. Reynolds to Horatio Hill;

THENCE West on the north line of said lot, 35 chains 72 links to the north west corner of said lot;

THENCE South along the west line of said lot, 11 chains 80 links;

THENCE East nine degrees north 32 chains 50 links to the center of the highway;

THENCE along the center of the highway, north 55 and 1/3 degrees east, 7 chains 22 links to the place of beginning, containing thirty acres of land.



ALSO CONVEYING ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the said Town of Cherry Creek, County of Chautauqua and State of New York, being a part of Lot No. 44 in the said Town of Cherry Creek and bounded as follows:

Commencing at the southwest corner of said lot;

THENCE East along the south line, 36 chains, 64 links to the center of the highway;

THENCE North 58.5 degrees east along said highway, 4 chains 50 links;

THENCE South 70 degrees West, 6 chains 50 links to the southwest corner of a lane;

THENCE West about thirteen and one-half degrees, north, to a point on the west line of said lot, distant 14 chains 60 links north of corner of lot;

THENCE South along the west line of lot, 14 chains 66 links to the place of beginning, containing forty acres and seventy-five hundredths of an acre of land.

ALSO CONVEYING ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, distinguished as part of Lot No. 43 in said Town and bounded as follows:

West by the west bounds of said Lot No. 43; North by thirty acres of land deeded to George N. Frost; and on the East and South by lands deeded to Gilbert James, containing fifty acres and six hundredths of an acre of land, be the same more or less.

The above described premises are the same as those conveyed by deed dated June 13, 1925 and given by Samuel N. Smith to Dewit H. Erwin and recorded in Chautauqua County Clerk's Office in Liber 521 of Deeds at Page 338.

EXCEPTING, RESERVING AND NOT CONVEYING from the above described premises that portion of same heretofore deeded to the County of Chautauqua for highway purposes as shown by deed recorded in Liber 595 of Deeds at page 140 in the Chautauqua County Clerk's Office.

The above described premises being the same as those described in deed dated November 12, 1946 and given by Robert N. Winner and one to Lawrence W. Lengerich, et al and recorded in the Chautauqua County Clerk's Office in Liber 761 of Deeds at page 592.

**TRACT 27 – HAMRICK (218.00-1-28)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua, State of New York, being part of Lot 12, Township 4, Range 11 of the Holland Land Company's Survey, and being more particularly described as follows:

BENNING at a point in the centerline of Cleland Road, said point being 575.00 feet southerly from the intersection of the centerline of Cleland Road and the centerline of East Road;

THENCE easterly a distance of 30.00 feet to an iron rebar with cap set;

THENCE easterly on a continuation of the last described course, a distance of 218.80 feet to an iron rebar with cap set;

THENCE northerly at an interior angle to the left of 268 deg. 46 min. 30 sec., a distance of 165.02 feet to an iron pipe with cap found at the southwest corner of lands conveyed to Frank W. Jr. and Patricia L. Cobb by deed recorded at the Chautauqua County Clerk's Office in Liber 2382 of deeds at page 122;

THENCE easterly at an interior angle to the left of 91 deg. 03 min. 30 sec. and along the south line of lands conveyed to said Cobb, a distance of 335.98 feet to an iron pipe with cap found;

THENCE northerly at an interior angle to the left of 270 deg. 00 min. 00 sec. and along the easterly line of lands conveyed to said Cobb, a distance of 59.96 feet to an iron pipe with cap found;

THENCE easterly at an interior angle to the left of 90 deg. 00 min. 00 sec. and along the southerly line of lands conveyed to said Cobb, a distance of 738.05 feet to an iron pipe with cap found on the westerly line of lands conveyed to Ralph L. and Virginia J. Dahmer by deed recorded at the Chautauqua County Clerk's Office in Liber 1597 of deed at page 194;

THENCE southerly at an interior angle of 88 deg. 59 min. 47 sec. to the left and along the west line of lands conveyed to said Dahmer, a distance of 606.68 feet to an iron rebar with cap set;

THENCE westerly at an interior angle to the left of 91 deg. 02 min. 49 sec., a distance of 1290.28 feet to an iron rebar with cap set;

THENCE westerly on a continuation of the last described course, a distance of 30.00 feet to a point in the centerline of Cleland Road;

THENCE northerly at an interior angle to the left of 89 deg. 12 min. 10 sec. and along the centerline of Cleland Road, a distance of 381.94 feet to the point of beginning containing 16.667 acres of land more or less.

**TRACT 28 – HIGGS (217.00-1-28.3 (part))**

ALL THAT REMAINING TRACT OF LAND situate in the Town of Charlotte, County of Chautauqua, State of New York, being part of Lot 44 in the Fourth Township of the Holland Land Company's Survey conveyed by Elsie M. Rose to Allan W. Higgs and Beverly A. Higgs by deed dated August 4, 1987 and recorded August 6, 1987 in Chautauqua County Clerk's Office in Liber 2131 of Deeds at Page 133.

**FURTHER DESCRIBED AS FOLLOWS:**

BEGINNING at a point being center of Hall Road and Southeast corner of lands conveyed by Allan W. Higgs and Beverly A. Higgs to David A. Higgs by deed dated 4-1-03 and recorded in Chautauqua County Clerk's Office in Liber of Deeds 02516 at Page 0176, continuing in a westerly direction along boundary of David A. Higgs 710 feet, intersecting with lands of Allan W. and

Beverly A. Higgs having been surveyed by Michael Rodgers Assoc. on December 23, 1987, continuing in same westerly direction 1950 feet along the Higgs boundary to an iron stake;

THENCE in a southerly direction 457.56 feet to an iron stake;

THENCE in an easterly direction 2199 feet to a point of intersection with lands conveyed by Allan W. and Beverly A. Higgs to Jeffrey J. Higgs by deed dated 5-2-05 and recorded in Chautauqua Co. Clerk's Office in Liber 02571 at Page 0506;

THENCE northerly 208 feet to a point;

THENCE easterly 416 feet to a point, being center of Hall Road;

THENCE northerly to point of BEGINNING.

**TRACT 31 – ISULA (236.00-2-32; 236.00-2-33; and 236.00-2-34)**

ALL that tract or parcel of land, situate in the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lots 43 and 44, Town 4, Range 10 of the Holland Land Company's survey, further described as follows:

BEGINNING in the centerline of Thornton Road (66 feet wide) as now laid out and occupied (also known as County Road 85 and as County Road 62) at the intersection thereof with the East line of Lot 44, said point of beginning also being the northeasterly corner of lands conveyed by Ramseyer to Mount by deed recorded in Liber 2295 of Deeds at Page 75 in the Office of the Chautauqua County Clerk;

RUNNING THENCE South 77 degrees 10 minutes West (record bearing) a distance of 750.52 feet along said centerline of Thornton Road to the northwesterly corner of lands conveyed by Mount to Caskey by deed dated July 31, 1991;

THENCE South 0 degrees 14 minutes 54 seconds East a distance of 328.56 feet along the easterly line of said Caskey lands to an iron pin at the southeasterly corner thereof, and passing through an existing iron pin located 31.59 feet southerly along the last described course from said centerline of Thornton Road;

THENCE South 89 degrees 46 minutes West a distance of 628.8 feet along said southerly line of Mount lands to a point in said centerline of Thornton Road, and passing through an iron pin located 33 feet southeasterly by radial measurement from said centerline of Thornton Road;

THENCE South 38 degrees 11 minutes West a distance of 316.8 feet along said centerline of Thornton Road to a point of curve therein;

THENCE Southwesterly along said centerline of Thornton Road an arc distance of 633.5 feet along a regular curve to the left having a radius of 1116.3 feet to a point of tangent therein;

THENCE South 5 degrees 31 minutes West a distance of 269 feet along said centerline of Thornton Road to a point of curve therein;

THENCE Southeasterly along said centerline of Thornton Road an arc distance of 279.5 feet following a regular curve to the left a radius of 347.7 feet to a point of reverse curve therein;

THENCE Southeasterly and southwesterly along said centerline of Thornton Road an arc distance of 322.3 feet following a regular curve to the right having a radius of 383.5 feet to a point of tangent therein;

THENCE South 7 degrees 37 minutes West a distance of 139.9 feet along said centerline of Thornton Road to a point of curve therein;

THENCE Southwesterly along said centerline of Thornton Road an arc distance of 182.5 feet along a regular curve to the right having a radius of 367.6 feet to the intersection thereof with the southerly line of lands conveyed by Carlson and Becker to Nelson by deed dated October 20, 1977;

THENCE South 89 degrees 45 minutes East, a distance of 1738.7 feet along said southerly line of Nelson lands to an existing iron pin at the southeasterly corner thereof, said last mentioned iron pin also being located in the east line of Lot 43, and said last described course passing through an existing iron pin located 357.8 feet easterly along the last described course from said centerline of Thornton Road;

THENCE Northerly a distance of 2468.5 feet along said east line of Lot 43 and also said east line of Lot 44 to the point or place of BEGINNING, and containing 83.3 acres of land more or less.

EXCEPTING therefrom premises recorded in the Chautauqua County Clerk's Office in Liber 2439 of Deeds at Page 614 and Liber 2372 of Deeds at Page 664.

**TRACT 32 – JOHNSON, D (234.00-2-1.2)**

ALL that tract or parcel of land situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot 28 in the 4<sup>th</sup> Township and 11<sup>th</sup> Range of the Holland Land Company's Survey and being more particularly described as follows:

COMMENCING in the centerline of the Charlotte Center Road (County Road No. 49) at the southwest corner of the premises now or formerly owned by B.M. Johnson;

THENCE East 815 feet to a point;

THENCE North and parallel to the centerline of the said Charlotte Center Road 980 feet to a point;

THENCE West parallel to and at a distant of 980 feet from the first described course 875 feet to a point in the centerline of said Charlotte Center Road;

THENCE South along the said centerline 980 feet to the point or place of BEGINNING.

Said premises being the southwest corner of B. M. Johnson Farm and being part of a parcel described on the Chautauqua County tax maps for the Town of Charlotte as Section 8 Block 1, Lot 12.

**TRACT 33 – JOHNSON, J I (234.00-2-1.1)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, described as follows:

BEING part of Lot 28 in Town 4 and Range 11 and bounded by beginning on the west line of the Lot 20 chains, 91 links south of its northwest corner;

THENCE East parallel with the north line of the lot, 5 chains;

THENCE North parallel with the west line of the lot, 3 chains 25 links;

THENCE East parallel with the north line of the lot, 35 chains 26 links to lands of Charles Main (formerly);

THENCE South along Main's land 10 chains 71 ½ links to lands of Saxton (formerly);

THENCE Westerly along Saxton's land 40 chains 11 links to the lot line;

THENCE North on the lot line, 7 chains 46 ½ links to the place of BEGINNING.

Containing 41-44/100 acres, more or less.

EXCEPTING AND RESERVING ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot 28 in Town 4 and Range 11 and bounded by beginning on the west line of the lot 20 chains 91 links (1380.06 feet) south of its northwest corner; said point being the centerline of County Road No. 49;

THENCE North 84 degrees 05 minutes east and parallel with the north line of the lot 30 feet to an iron stake;

THENCE continuing on the same course 120 feet to an iron stake;

THENCE continuing on the same course to a point 5 chains from the point of BEGINNING;

THENCE South 7 degrees 50 feet East, 4 chains;

THENCE South 84 degrees 05" West, 5 chains to a point in the center line of County Road 49 and in the west line of Lot 28;

THENCE North 7° 55' West along the centerline of said road 4 chains to the point and place of BEGINNING.

ALSO CONVEYING ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, in the County of Chautauqua and State of New York, in said District Number One;

Being part of Lot No. 28 in the 4<sup>th</sup> Township and 11<sup>th</sup> Range of the Holland Land Company's Survey, bounded South by land conveyed to Wealthy Vaughn by deed 60 chains and 55 links;

West by Lot No. 36, 9 chains and 91 links;

North by lands deeded to William Wright and Nathan Lake 60 chains and 60 links and East by Lot No. 20, 9 chains and 91 links, containing 60 acres, be the same more or less.

ALSO CONVEYING ALL THAT TRACT OR PARCEL OF LAND, being the South part of said Lot No. 28, bounded west by Lot No. 36, 9 chains and 91 links;

South by Lot No. 27, 60 chains and 50 links;

East by Lot No. 20, 9 chains and 91 links; and

North by a line parallel to the South bounds of said Lot 28, 60 chains and 55 links, containing 60 acres, be the same more or less.

ALSO CONVEYING ALL THAT TRACT OR PARCEL OF LAND, being part of Lot No. 28 in the same town, range and survey, and bounded as follows;

East by land conveyed by the Holland to Nathan Lake the 10<sup>th</sup> day of October 1832, 5 chains and 40 links;

North by land conveyed by the said Holland Land Company to Calvin Lake on the day aforesaid, 34 chains, 95 links;

West by Lot No. 36, 5 chains, 95 links, and

South by a line parallel to the south bounds of Lot No. 28 at the distance of 19 chains, 82 links North therefrom 34 chains and 92 links, containing 20 acres, be the same more or less.

ALSO CONVEYING ALL THAT TRACT OR PARCEL OF LAND, being part of Lot No. 28 in the same town, range and survey, commencing at a point in the westerly line of said Lot 28, 28 chains, 37 ½ links southerly from the northwest corner thereof;

THENCE easterly and parallel with the northerly line of said lot 40 chains and 11 links to a stake;

THENCE southerly and parallel with easterly bounds of said lot 12 chains and 12 ½ links to a stake;

THENCE westerly and parallel with the northerly line of said lot, 5 chains and 13 links to a stake;

THENCE northerly and parallel with the easterly line of said lot 5 chains and 32 links to a stake;

THENCE westerly and parallel with the northerly line of said lot 34 chains and 95 links to the westerly bounds of said lot;

THENCE northerly along said westerly bounds 6 chains and 80 ½ links to the place of BEGINNING, containing just 30 acres of land.

Excepting therefrom all that tract or parcel of land situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot 28 in the 4<sup>th</sup> Township and 11<sup>th</sup> Range of the Holland Land Company's Survey and being more particularly described as follows:

COMMENCING in the centerline of the Charlotte Center Road (County Road No. 49) at the southwest corner of the premises now or formerly owned by B.M. Johnson;

THENCE East 815 feet to a point;

THENCE North and parallel to the centerline of the said Charlotte Center Road 980 feet to a point;

THENCE West parallel to and at a distant of 980 feet from the first described course 875 feet to a point in the centerline of said Charlotte Center Road;

THENCE South along the said centerline 980 feet to the point or place of BEGINNING.

Said premises being the south west corner of B. M. Johnson Farm and being part of a parcel described on the Chautauqua County tax maps for the Town of Charlotte as Section 8 Block 1, Lot 12.

**TRACT 34 – DONNA R. JOHNSON & JASON R. JOHNSON (234.00-1-10)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being distinguished by the south part of Lot No. 36 in the 4<sup>th</sup> Township in the 11<sup>th</sup> Range of the Holland Land Company's Survey bounded as follows:

BEGINNING at a post standing in the south west corner of said Lot No. 36;

RUNNING THENCE East 60 chains;

THENCE North bounding on Lot No. 28, 20 chains 95 links;

THENCE West 60 chains, 5 links;

THENCE South 20 chains 5 links to the place of BEGINNING, containing 123 acres of land, more or less.

EXCEPTING AND RESERVING FROM THE ABOVE DESCRIBED PREMISES, all that piece or parcel of property designated as Parcel No. 4, situate in the Town of Charlotte, County of Chautauqua, State of New York, and being a part of Lot No. 36, Town 4, Range 11 of the Holland Land Company's Survey and described as follows:

BEGINNING at a point on the existing westerly highway boundary of the Sinclairville Charlotte Center County Road No. 49, said point being 24.75 feet distant westerly measured radially from station 113+71.70 of the hereinafter described new centerline of improvement of the said Sinclairville-Charlotte Center Road;

THENCE continuing along the first mentioned line 14.75± feet to a point;

THENCE N 31° 46' 30" E, 140.0± feet to a point;

THENCE N 24° 05' E, 116.50± feet to a point;

THENCE N 13° 12' E, 145.0 ± feet to a point;

THENCE S 83°14' E 6.75 ± feet to a point on the said existing westerly highway boundary, said point being 24.75 feet distant westerly measured at right angles from Station 118+00 of the said centerline of improvement;

THENCE in a southwesterly direction along said existing highway boundary to the point of BEGINNING, containing 0.17 acre more or less.

The above mentioned new centerline of improvement is the centerline of improvement for a portion of the relocation of the Sinclairville-Charlotte Center County Road No. 49 as shown on the Construction Plans on file in the Office of the County Superintendent of Highways of Chautauqua County Falconer, New York and described as follows:

BEGINNING at Station 110+38.43 a point in the center of the existing Sinclairville-Charlotte Center County Road No. 49, said point being 245.43 feet distant northerly measured along the center of the road from the division line between S. Dale Tarbell and Mary Tarbell (reputed owners) on the south and Frank R. Anderson and Doris L. Anderson (reputed owners) on the north,

THENCE N 46° 39' E, 201.61 feet to the P.C. of an 800 foot radius curve to the left;

THENCE along said curve, 554.54 feet to Station 117+94.58 centerline which equals Station 117+98.53 Base Line and being in the center of the existing Sinclairville-Charlotte Center Road;

THENCE N 6° 46' E along the existing centerline of said road.

**TRACT 36 – KINNEY (218.00-1-44)**

ALL THAT TRACT OR PARCEL OF LAND, situate, lying and being in the Town of Charlotte, County of Chautauqua and the State of New York, distinguished as being part of Lot No. 22 in the Fourth Township and Eleventh Range, according to the Holland Land Company's Survey and being further bounded and described as follows:

BEGINNING at the point of intersection of the centerline of Mill Road (as in 1960) with the west line of said Lot No. 22;

RUNNING THENCE South 89° 07' East, along the centerline of Mill Road, 66.80 feet to a point;

THENCE North 89° 42' East, still along the centerline of Mill Road, 200.00 feet to a point;

THENCE North 84° 39' East, still along the centerline of Mill Road, 233.20 feet to a point;

THENCE North 73° 48' East, still along the centerline of Mill Road, 161.80 feet to a point;

THENCE North 62° 11' East, still along the centerline of Mill Road, 786.75 feet to a point

THENCE North 65° 08' East, still along the centerline of Mill Road, 300.00 feet to a point;

THENCE North 65° 24' East, still along the centerline of Mill Road, 25.00 feet to a point;

THENCE North 68° 31' East, still along the centerline of Mill Road, 307.10 feet to a point; which point is the point of beginning of the parcel of land to be herein described;

RUNNING THENCE North 3° 35' East 457.60 feet to an iron stake standing on the northerly line of the "old Penhollow Farm";



THENCE North 41° 53' East, along the old fence line and said northerly line of the "old Penhollow Farm", 179.62 feet to a fence corner post;

THENCE South 54° 38' East along a fence line and said northerly line, 139.54 feet to a fence corner;

THENCE North 31° 32' East, along a fence line and said northerly line, 319.00 feet to an iron stake, which stake is a corner on the westerly line of land now owned and occupied by one David Hornburg;

THENCE South 2° 15' West, along said Hornburg westerly line, 752.40 feet to a point on the centerline of Mill Road, which point is also the southwesterly corner of said Hornburg Lands;

THENCE North 85° 09' West, along the centerline of Mill Road, 215.20 feet to a point;

THENCE South 75° 29' West, still along the centerline of Mill Road, 191.35 feet to the point of beginning; containing 4.933 acres of land, more or less; according to a survey made by David S. Findlay, Land Surveyor, on September 27, 1963.

**TRACT 38 – LAURICELLA (200.00-2-2)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot 40, Town 4, Range 11 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING in the centerline of North Hill Road (49.5 feet wide) as now laid out and occupied at the intersection thereof with the centerline of Cassadaga Road (66 feet wide) as now laid out and occupied;

THENCE northerly a distance of 843.7 feet along said centerline of North Hill Road to the intersection thereof with a northerly line of lands fifthly described in a deed from Horton to Nalbone recorded in Liber 2295 of Deeds at Page 617 in the Office of the Chautauqua County Clerk;

THENCE westerly at an interior angle of 90 degrees 50 minutes a distance of 1,082.7 feet along said northerly line of said fifthly described Nalbone lands to an existing iron pin at the northwesterly corner thereof, and passing through an iron pin located 24.75 feet westerly along the last described course from said centerline of North Hill Road;

THENCE southerly at an interior angle of 89 degrees 17 minutes a distance of 749.5 feet along the westerly line of said fifthly described Nalbone lands to a point in said centerline of Cassadaga Road, and passing through an iron pin located 33.2 feet northerly along the last described course from said centerline of Cassadaga Road;

THENCE southeasterly at an interior angle of 95 degrees 40 minutes a distance of 1,089.6 feet along said centerline of Cassadaga Road to the point or place of beginning, containing 19.8 acres of land more or less.

NOTE: The exact acreage is provided for information only. Policy does not insure exact acreage.

**TRACT 39 – LEBARON, MARK (201.00-1-24)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York; being part of Lot – 23, Town – 4, Range – 11 of the Holland Land Company's survey and being further bounded and described as follows:

BEGINNING at a point of intersection of the southerly bounds of Lot – 23 with the centerline of the Road Road;

THENCE North 20 degrees 51 minutes 58 seconds East 98.15 feet along the said road centerline to a point;

THENCE North 14 degrees 44 minutes 36 seconds East 116.40 feet continuing along the said road centerline to a point;

THENCE North 12 degrees 02 minutes 21 seconds East 119.22 feet continuing along the said road centerline to a point;

THENCE North 10 degrees 14 minutes 47 seconds East 161.35 feet along the said road centerline to a point;

THENCE South 87 degrees 39 minutes 44 seconds East 35.00 feet to an iron pipe monumenting the southerly bounds of lands of Randy Lee Pattyson recorded in Liber 2346 of Deeds at page 512 in the Chautauqua County Clerk's Office;

THENCE continuing along the said southerly bounds of Pattyson, South 87 degrees 39 minutes 44 seconds East 326.04 feet to an iron pipe monumenting the southeasterly corner of said lands of Pattyson;

THENCE continuing South 87 degrees 39 minutes 45 seconds East 389.00 feet along the southerly bounds of lands of Brett G. and Rebecca LeBaron recorded in Liber 2393 of Deed at page 89 in the Chautauqua County Clerk's Office to a 1 inch diam. iron pipe and cap set at the southeasterly corner of said lands of LeBaron;

THENCE South 10 degrees 48 minutes 45 seconds West 483.31 feet to a 1 inch diam. iron pipe set on the southerly bounds of Lot – 23;

THENCE North 88 degrees 03 minutes 38 seconds West 249.11 feet along the said southerly lot bounds to a 1 inch diam. iron pipe and cap;

THENCE continuing North 88 degrees 03 minutes 38 seconds West 493.00 feet along the said lot bounds to a 1 inch diam. iron pipe and cap;

THENCE continuing North 88 degrees 03 minutes 38 seconds West 35.00 feet to the point or place of BEGINNING.

**TRACT 41 – LEWIS (PARCEL I 201.00-1-2.1 AND PARCEL II 201.00-1-3)**

**PARCEL I:**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot No. 24, township four and range eleven of the Holland Land Company's Survey and bounded as follows, Vis:

COMMENCING at the northeast corner of land formerly owned by Moses Smith;

RUNNING THENCE West parallel with the north line of said lot fourteen chains and eighty four links (14-84) to the west line of said lot;

THENCE North along the West line of said Lot, nine chains and eighty seven links (9-87) to land owned by Frank Lewis;

THENCE East parallel with the first line fourteen chains and eighty four links (14-84);

THENCE South on a line parallel with the west line of said lot, six chains and fifty two links (6-52);

THENCE East parallel with the north line of said lot, forty five chains and sixteen links (45-16) to the East line of said lot;

THENCE South along said lot line sixteen chains and seventy eight links (16-78) to lands formerly owned by Moses Stevens;

THENCE South (83°) eighty three degrees West along said Stevens' land and into the center of a highway, thirty five chains and sixty four links (35-64);

THENCE South, eighty five degrees West (South 85° West) along the center of the highway eleven chains (-11-) to the east line of aforesaid Smith's lands;

THENCE North along said east line of eighteen chains and forty-seven links (18-47) to the place of BEGINNING containing eighty-two and one-half acres (82 ½) be the same more or less.

Also another tract or parcel of land situated in Lot 24, same Town, County and State, and described as follows:

COMMENCING on the east line of said lot and at the north-east corner of the above described parcel of land;

RUNNING FROM THENCE North along the east line of said lot, eight chains and eighty-eight and eight-ninths links (8-88 8/9) to land owned by Frank Lewis;

THENCE West along the south line of said Lewis' land, forty-five chains and sixteen links (45-16);

THENCE South on a line parallel to the east line of said lot, eight chains and eighty-eight and eight ninths links (8-88 8/9);

THENCE East on a line parallel to the north line of said lot, forty-five chains and sixteen links to the place of BEGINNING. Containing forty acres of land be the same more or less.

Being the same premises conveyed by Evangeline E. Griswold to Benjamin L. Lewis and Julia H. Lewis, his wife, by warranty deed February 10<sup>th</sup>, 1928 and recorded February 5<sup>th</sup>, 1953 in Book No. 947 of Deeds at Page 68 in the Chautauqua County Clerk's Office.

Excepting and reserving therefrom all that tract or parcel of land conveyed by Julia H. Lewis to Marvin A. Lewis and Louise Lewis by deed dated February 2, 1953, and recorded in Liber 948 of Deeds at Page 183 on February 24, 1953.

Excepting and reserving therefrom all that tract or parcel of land conveyed by George Lewis and Jean Lewis to Wayne C. York and Denise S. York by deed dated October 27, 1980, and recorded in Liber 1881 of Deeds at Page 82 on October 31, 1980.

Excepting and reserving therefrom all that tract or parcel of land conveyed by George C. Lewis to Dennis G. Lewis by deed dated December 1, 1998, and recorded in Liber 2402 of Deeds at Page 707 on December 3, 1998.

Excepting and reserving therefrom all that tract or parcel of land conveyed by George C. Lewis to Judith A. Lewis by deed dated October 17, 2003, and recorded in Liber 2532 of Deeds at Page 247 on November 3, 2003.

**PARCEL II:**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot 24, Township 4 and Range 11 of the Holland Land Company's Survey and further bounded and described as follows:

BEGINNING at a point in the center line of Rood Road (also known as County Route 77) where said centerline intersects with the centerline of Cassadaga Road;

THENCE North 00° 00' 00'' East along the centerline of Rood Road, 564.48 feet to a point at the southeasterly corner of lands conveyed by Louise Lewis to Dennis G. Lewis by deed dated January 7, 1984 and recorded in the Chautauqua County Clerk's Office February 1, 1984 in Liber 1997 of Deeds at Page 22;

THENCE North 90° 00' 00'' West along the southerly line of said Dennis Lewis, 150.00 feet to a point;

THENCE North 00° 00' 00'' East along the Westerly line of said Dennis Lewis, 100.00 feet to an iron stake;

THENCE North 90° 00' 00'' West, 303.09 feet to an iron stake;

THENCE South 05° 11' 32'' East, 704.23 feet to an iron stake;

THENCE continuing along the same course, South 05° 11' 32'' East 33.13 feet to a point in the centerline of Cassadaga Road;

THENCE North 79° 45' 04'' East along the centerline of Cassadaga Road, 392.62 feet to the point of beginning, containing 6.4216 acres of land to be the same more or less.

**TRACT 42 – MANSFIELD LLC (219.00-1-42.1)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua, State of New York and known and described on a map made for the Holland Land Company by Joseph Ellicott, as being in Township 4 in the 10<sup>th</sup> Range and the south part of Lot No. 46 in said township and range, bounded south by Lot 45, 57 chains, 57 links; East by Lot No. 38, 20 chains, 84 links; North by land deeded to Anson Newton, 57 chains, 57 links; West by Lot No. 54, 20 chains 84 links; together with another piece or parcel deeded by Anson Newton and Sarah, his wife, to Ira B. Tanner, containing 6.30 acres;

RESERVING AND NOT CONVEYING three and one-fourth acres deeded by said Ira B. Tanner to Anson Newton, containing 123.07, be the same more or less.

EXCEPTING AND RESERVING therefrom, the following described premises:

COMMENCING at the intersection of the centerline of an existing pavement of a highway known as Farrington-Hollow Road, with an extension southerly of the centerline of another highway known as Plank Road;

THENCE Northerly measured on the centerline of said highway known as Plank Road, 575 feet;

THENCE Westerly at right angles from said centerline and passing through an iron stake set 40 feet westerly from said centerline, 175 feet;

THENCE Southerly parallel to the first described course, about 380 feet to the centerline of the existing pavement of the highway known as Farrington-Hollow Road;

THENCE Easterly along the centerline of the pavement of said highway at the place of beginning.

ALSO EXCEPTING premises conveyed by Richard H. Mansfield to Mary A. Mansfield and Tammy S. Brumagin by deed dated June 21, 2000 and recorded in the Chautauqua County Clerk's Office in Liber 2444 of Deeds at Page 891 on June 30, 2000.

ALSO EXCEPTING premises conveyed by Richard H. Mansfield to Terry L. and Cinda L. Howard by deed dated March 13, 2007 and recorded in the Chautauqua County Clerk's Office in Liber 2622 of Deeds at Page 198 on March 22, 2007.

ALSO EXCEPTING premises conveyed by Richard H. Mansfield to Joseph L. and Bernadette Vallone by deed dated March 13, 2007 and recorded in the Chautauqua County Clerk's Office in Liber 2623 of Deeds at Page 122 on April 2, 2007.

ALSO EXCEPTING premises conveyed by Richard H. and Sharon L. Mansfield to Jacob R. and Emily A. Scott by deed dated January 22, 2015 and recorded in the Chautauqua County Clerk's Office as Instrument No. DE2015001302 on January 28, 2015, subject to non-exclusive right of way granted in said deed.

ALSO EXCEPTING premises conveyed by Richard H. and Sharon L. Mansfield to Jacob R. and Emily A. Scott by deed dated January 20, 2014 and recorded in the Chautauqua County Clerk's Office as Instrument No. DE2014001308 on January 27, 2014.

**TRACT 43 – McMILLAN (218.00-1-31)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot 13, Town 4 and Range 11 of the Holland Land Company's Survey and further bounded and described as follows:

BEGINNING at a point in the centerline of East Road and south line of said Lot 13, said point located S 89° 16' 31" E a distance of 658.68 feet from the southwest corner of Lot 13, said point

of beginning being the southeasterly corner of lands conveyed by Julia L. Sayles to Robert E. Mettler and Irene Mettler by Warranty Deed dated May 2, 1995 and recorded in the Chautauqua County Clerk's Office May 12, 1995 in Liber 2330 of Deeds at Page 133;

THENCE N 01° 52' 04" E along the easterly line of said Mettler, 30.00 feet to an iron stake;

THENCE continuing along the same course, N 01° 52' 04" E and still along the easterly line of Mettler 2,370.00 feet to an iron stake marking the southwesterly corner of lands conveyed by S. Brian Willson and Julia L. Sayles to David W. Tanner and William G. Tanner by Warranty Deed dated June 22, 1984 and recorded in the Chautauqua County Clerk's Office June 29, 1984, in Liber 2012 of Deeds at Page 255;

THENCE S 89° 16' 31" E along the southerly line of said Tanner, 500.00 feet to an iron stake marking the northwesterly corner of lands conveyed by S. Brian Wilson and Julia L. Sayles to James M. Case and Jeanne M. Case by Warranty Deed dated April 13, 1983 and recorded in the Chautauqua County Clerk's Office April 28, 1983 in Liber 1967 of Deeds at Page 137;

THENCE S 01° 52' 04" W along the westerly line of said lands of Case, 2,370.00 feet to an iron stake;

THENCE continuing along the same course, S 01° 52' 04" W and still along the westerly line of said Case, 30.00 feet to a point in the centerline of East Road and south line of Lot 13;

THENCE N 89° 16' 31' W along the centerline of East Road and south line of Lot 13, 500.00 feet to the point of BEGINNING, containing 27.548 acres of land to be the same more or less.

**TRACT 46 – MORLEY (234.00-1-37; 234.00-1-42)**

**PARCEL I**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York being part of lot 43, in town 4 on range 11 and bounded north by lot 44, 22 chains 63 links West by a line at right angles to the lot line 10 chains 18 links; south by a line parallel with the north line of the lot 22 chains 63 links; and east by the center of the highway 10 chains 18 links containing 23-4/10 acres more or less.

Also a parcel on lot 44 in said town and range and bounded south by lot 43, 42 chains 29 links; west by lot 52, 1 chain 83-½ links; north by a line parallel with the south line of the lot 42 chains 29 links and east by the center of the highway 1 chain 83-½ links containing 7-76/100 acres more or less and being the same lands conveyed to Jasper Lown by deed recorded in Liber 337 at Page 105.

Also a parcel on said lot 43 which is bounded north by lot 44, 19 chains 66 links west by lot 51, 60 chains 28 links; south by lot 42, 19 chains 66 links and east by a line parallel with the west line of the lot 60 chains 12 links containing 118 acres more or less.

Excepting, however, three parcels containing 10-¼ acres more or less conveyed by Amos Denison, one to Lewis Higgins, one to Orrin Billard and one to Harrison Nichols being the land conveyed to Jasper Lown by deed recorded in Liber 337 at Page 104.

**PARCEL II**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot 43, in Town 4, on Range 11 and bounded by beginning on the south line of the Lot in the center

of the road leading past the place once owned by Luther Lewis. Thence N. 4° 50' E. in the center of the road 447 feet to an angle in the road, thence N. 17° E. in the center of the road 1069 feet to the north line of the 8 acre parcel deed by Geo. L. Bargar to F.W. Tarbox. Thence West parallel with the south line of the Lot 1548.34 feet to the other lands of Frank and Hilda L. Morley. Thence S. 1° 35' W. parallel with the east line of the Lot 1476.44 feet to a stake in the south line of the Lot. Thence N. 89° 50' E. on the Lot line 1101.35 feet to the place of beginning. Containing 43.29 acres more or less.

**TRACT 47 – PATTYSON (218.00-1-5.1)**

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua, and State of New York, being part of Lot No. 22, Township 4 and Range 11 of the Holland Land Company's Survey, bounded and described more particularly as follows:

BEGINNING at a point on the north line of Lot No. 22 distant 8 chains east of the center of the Villenova Road;

RUNNING THENCE along the lot line between Lots Nos. 22 and 23, East 17.85 chains to the Common Corner of Lots Nos. 22, 23, 15 and 14;

THENCE along the lot line between Lots Nos. 14 and 22, South 29.98 chains to land now or formerly of William Gane;

THENCE by said land, South 78° West 20.75 chains to land now or formerly of Elbert E. Luce;

THENCE North 30° 30' West, 10.75 chains to a stake in the middle of a brook at an angle in said Luce's line;

THENCE South 30° West (2.81 chains along said Luce's line and 11.65 chain along Bailey's line), 14.46 chains to a point distant 2.795 chains North 30° East from the center of a road;

THENCE Northwesterly 3.08 chains to a point distant 4.25 chains north of the center of said road;

THENCE parallel to said road and 4.25 chains north of said road, southwesterly 5.25 chains;

THENCE parallel to the west line of Lot No. 22, North 16.18 chains to the center of the Villenova Road, aforesaid at the line now or formerly of James Hopkins;

THENCE along the center of Villenova Road, northeasterly 19.56 chains to land formerly of James Walker;

THENCE by said Walker's land, South 34° 30' East, 19.86 chains; and

THENCE still by said Walker's land, North 22.93 chains to the point or place of BEGINNING; containing 95 acres, more or less.

EXCEPTING; HOWEVER, from said premises a tract or parcel of land; bounded and described more particularly as follows:

BEGINNING at the point of intersection of the westerly line of the above described premises with Villenova Road; also known as Rood Road;

RUNNING THENCE along the westerly line of the above described premises, southerly 595 feet;

THENCE parallel to said Road, northeasterly 116 feet;

THENCE parallel to the westerly line of the above described premises, northerly to the road; and

THENCE along said Road, southwesterly 116 feet to the point or place of BEGINNING; containing 2 acres, more or less.

Said Premises, less said Exception, containing 93 acres, more or less.

ALSO ALL THAT TRACT OR PARCEL OF LAND, on said Lot 22, bounded by

COMMENCING at a point in the north line of said lot and in the center of the highway leading from Charles Leroy's to Wilson W. Rood's;

THENCE East on said north line, 8 chains;

THENCE South at right angles to said north line, 22 chains, 93 links to land owned by Edmund Stafford;

THENCE Northwesterly bounded by said Stafford's lands to the center of said highway;

THENCE Northerly in the center of said highway, to the place of BEGINNING, containing 14 acres, more or less.

EXCEPTING AND RESERVING that portion of the above described premises conveyed by Executor's Deed to Salvatore P. Russo and Susan M. Russo, described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and the State of New York; being a part of Lot 22, Town 4 and Range 11 of the Holland Land Company's survey and being further bounded and described as follows;

BEGINNING at a 1/2" diam. iron pin and cap found at the southeasterly corner of lands of Salvatore P. and Susan Russo recorded in Liber 1472 of Deeds at Page 93 in the Chautauqua County Clerk's Office, said point being South 66° 24' 50" East 535.96 feet measured along the southerly bounds of said lands of Russo from the centerline of Rood Road and the point of beginning of those lands described in Liber 1472 of Deeds at Page 93;

THENCE South 02° 19' 30" West 366.30 feet along the westerly bounds of lands of L. Jay Pattyson recorded in Liber 868 of Deeds at Page 76 in the Chautauqua County Clerk's Office to a 1" diam. iron pipe set;

THENCE North 69° 49' 20" East 346.50 feet along the southerly bounds of said lands of Pattyson to a 1" diam. iron pipe;



THENCE South 70° 59' 30" East 203.28 feet continuing along the said southerly bounds to a 1" diam. iron pipe, said point being North 30° 00' 00" East 184.47 feet from the centerline of Mill Creek Road;

THENCE North 30° 00' 00" East 629.80 feet along the easterly bounds of said lands of Pattyson to a 1" diam. iron pipe;

THENCE North 51° 24' 50" West 879.05 feet through the said lands of Pattyson to a 3/4" diam. iron pipe;

THENCE continuing North 51° 24' 50" West 19.47 feet to a point on the centerline of Rood Road and the northerly corner of said lands of Russo;

THENCE South 02° 19' 30" West 612.67 feet along the easterly bounds of said lands of Russo to a 1/2" diam iron pin;

THENCE South 47° 54' 30" West 116.00 feet to a 1/2" diam iron pin;

THENCE South 02° 19' 30" West 103.30 feet to the point or place of BEGINNING.

Containing 12.58 acres of land more or less according to a survey by Steven A. Carlson, L.L.S. dated October 26, 1998 and designated as Job No. 4-10-98.

ALSO EXCEPTING AND RESERVING that portion of the above described premises conveyed by Warranty Deed to Peter A. Snyder, Jr. and Nicole D. Casler, described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and the State of New York, being a part of Lot 22, Town 4 and Range 11 of the Holland Land Company's Survey and being further bounded and described as follows:

BEGINNING at a point on the centerline of Rood Road at the northeasterly corner of lands of Salvatore and Susan Russo recorded in Liber 1427 of Deeds at Page 93 in the Chautauqua County Clerk's Office;

THENCE North 38° 16' 07" East 106.42 feet along the said road centerline to a point;

THENCE North 36° 49' 46" East 115.45 feet along the said road centerline to a point;

THENCE North 34° 56' 45" East 28.24 feet along said road centerline to a point;

THENCE South 51° 24' 50" East 35.00 feet to a 1" diam. iron pipe and cap;

THENCE continuing South 51° 24' 50" East 317.66 feet to a 1" diam. iron pipe and cap;

THENCE South 38° 35' 10" West 250.00 feet to a 1" diam. iron pipe and cap;

THENCE North 51° 24' 50" West 327.27 feet to an existing iron pipe;

THENCE continuing North 51° 24' 50" West 19.47 feet to the point or place of BEGINNING.

EXCEPTING AND RESERVING that portion of the above described premises conveyed by Deed to Samuel G. Pantall, Jr. and Paula K. Pantall, as joint tenants, with right of survivorship, dated 10/9/2003 and recorded in the Office of the Chautauqua County Clerk on 10/10/2003 in Book 2530 Page 656, which is described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and the State of New York; being a part of Lot 22, Town 4 and Range 11 of the Holland Land Company's Survey and being further bounded and described as follows:

COMMENCING at a point on the centerline of Rood Road at the northeasterly corner of lands of Salvatore and Susan Russo recorded in Liber 1427 of Deeds at Page 93 in the Chautauqua County Clerk's Office;

THENCE North 38° 16' 07" East, 106.42 feet along the said road centerline to a point;

THENCE North 36° 49' 46" East, 115.45 feet along the said road centerline to a point;

THENCE North 34° 56' 45" East, 28.24 feet along the said road centerline to the northeasterly corner of lands conveyed to Peter & Carol Snyder and the point of BEGINNING;

THENCE North 34° 56' 45" East, 91.12 feet along the said road centerline to a point;

THENCE North 34° 16' 21" East, 112.57 feet along the said road centerline to a point;

THENCE North 33° 44' 42" East, 120.10 feet along the said road centerline to a point;

THENCE North 33° 15' 01" East, 69.34 feet along the said road centerline to a point;

THENCE South 82° 37' 51" East, 39.52 feet to a 1" diam. iron pipe w/cap;

THENCE continuing South 82° 37' 51" East, 273.04 feet to a 1" diam. iron pipe w/cap;

THENCE South 01° 35' 51" East, 292.88 feet to a 1" diam. iron pipe w/cap;

THENCE South 51° 01' 04" West, 338.09 feet to a 1" diam. iron pipe w/cap at the southeasterly corner of said lands conveyed to Snyder;

THENCE North 51° 24' 50" West, 317.66 feet along the lands of Snyder to a 1" diam. iron pipe w/cap;

THENCE continuing North 51° 24' 50" West, 35.00 feet to the point or place of BEGINNING.

Containing 4.39 acres of land more or less according to a land survey prepared by Steven A. Carlson, L.L.S. and shown on a map dated July 12, 2000 and last revised May 6, 2003.

**TRACT 52 – RICE-ALTEMUS (218.00-1-27)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and the State of New York, being a part of Lot 12, Town 4, and Range 11 of the Holland Land Company's Survey and being further bounded and described as follows:

COMMENCING at the northwesterly corner of Lot 12, said point being the intersection of the centerline of East Road with the centerline of Cleland Road;

THENCE South 89° 40' 00" East 250.00 feet along the centerline of Cleland Road to the point of beginning;

THENCE South 89° 30' 00" East 1071.15 feet along the said road centerline to a point;

THENCE South 01° 17' 00" West 29.49 feet along the easterly bounds of lands conveyed to Kenneth L. Oakes by Deed recorded in Liber 2375 of Deeds at Page 622 and 624 in the Chautauqua County Clerk's office to a 3/4" diam. iron pipe;

THENCE continuing South 01° 17' 00" West 320.51 feet along the said easterly bounds of Oakes to a 1" diam. iron pipe;

THENCE North 89° 30' 00" West 737.95 feet to a 1" diam. iron pipe;

THENCE South 00° 30' 00" West 59.96 feet to a 1" diam. iron pipe;

THENCE North 89° 30' 00" West 335.98 to a 1" diam. iron pipe;

THENCE North 01° 33' 30" East 380.00 feet to a 1" diam. Iron pipe;

THENCE continuing North 01° 33' 30" East 30.00 feet to the point or place of BEGINNING.

Containing 9.07 acres of land more or less.

**TRACT 53 – RODGERS, R (219.00-1-26) (Will confirm once easement is finalized)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua, State of New York, distinguished as being part of Lot No. 45 in the fourth Township and tenth Range of the Holland Land Company's Survey and more particularly described as follows:

BEGINNING at a rebar at the southwesterly corner of said Lot No. 45; said rebar being on the easterly line of lands of Robert Rodgers as set forth in a Warranty Deed dated October 21, 1999 and recorded in the Chautauqua County Clerk's Office on October 25, 1999 in Liber 2426 of Deeds at page 30;

THENCE North 01° 03' 07" East along the westerly line of said Lot No. 45 and along said westerly line of Rodgers, a distance of 379.78 feet to an existing rebar;

THENCE along said lands of Rodgers the following two courses and distances: (1) South 88° 56' 53" E, 485.00 feet to a point;

THENCE (2) South 01° 03' 07" West, 374.7 feet, more or less to a point on the southerly line of said Lot No. 45;

THENCE westerly along said southerly line of Lot No. 45, a distance of 485.0 feet, more or less to the rebar at the point of beginning. Containing 4.2 acres, more or less

North is related to the New York State Plane Coordinate System

**TRACT 54 – ROWAN TRUST (235.00-1-54)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, Chautauqua County, New York, being part of Lot 19, Town 4, Range 11 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING in the centerline of Torrey Road at the point where said centerline intersects the easterly boundary line of those premises conveyed by James Torrey, et al. to Mattie Torrey Swanson and One by deed dated May 31, 1922 and recorded in Liber 440 of Deeds at Page 531;

RUNNING THENCE North on Swanson's easterly line to the North line of Lot 19;

THENCE East on said Lot line to the West boundary line of those premises conveyed by Celia G. Klinginsmith to Neill W. Klinginsmith, Jr. and One by deed dated September 15, 1975, and recorded in Liber 1595 of Deeds at Page 103;

THENCE South on said boundary line to a point in the centerline of Torrey Road;

THENCE southwesterly along said road centerline to the point and place of BEGINNING.

**TRACT 55 – SPINLER (200.00-1-8.1)**

All That Tract or Parcel of Land, situate in the Town of Charlotte, County of Chautauqua and State of New York, known as part of Lot No. 48 in the 4<sup>th</sup> Township and 11<sup>th</sup> Range, according to the Holland Land Company's Survey and bounded as follows:

BEGINNING at a point in the east line of said lot and 11 chains 8 links south of the northeast corner thereof; and

RUNNING THENCE South 19 chains 63 links;

THENCE West 30 chains 27 links to the center of the highway;

THENCE northerly along the center of said highway 19 chains 75 links;

THENCE East on a line parallel to the north line of said lot, 31 chains 51 links to the place of BEGINNING, containing 60.81 acres, be the same more or less and being the same premises described in affidavits for a statute foreclosure of a mortgage, executed by Edwin Crawford and wife to George W. Briggs, which were recorded in the Clerk's Office of said County in Liber 117 of Mortgages at Page 197&c.

Also All That Certain Other Parcel of Land lying in said Town of Charlotte, and known as parts of Lots 40 and 48, in the same township, and range and bounded as follows:

BEGINNING at the northwest corner of said Lot No. 40, and

RUNNING THENCE East 12 chains 22 links;

THENCE South on a line parallel with the west bounds of said lot, 44 chains to the center of the highway;

THENCE West along the center of said highway on said Lots No. 40 and 48, 46 chains 76 links;

THENCE North on a line parallel with the west bounds of said Lot No. 48, and bounded west by lands of John Simmons 13 chains 25 links;

THENCE East on a line parallel with the north bounds of said Lot No. 48, 32 chains 74 links to the west line of Lot No. 40;

THENCE North along the west line of said Lot No. 40, 31 chains 3 links to the place of BEGINNING, containing 93 ½ acres more or less.

RESERVING, however, out of the southeast corner of said last described premises a parcel thereof heretofore conveyed to Thomas Horton and also a parcel thereof conveyed to the school district in which the same is located.

EXCEPTING AND RESERVING THEREFROM, those lands as described in a certain deed from Raymond Bulger and Sally Bulger, his wife, to Fred E. Dake, Jr., and Patricia A. Dake, his wife, said deed dated September 9, 1967 and recorded in Chautauqua County Clerk's Office October 20, 1967 in Liber 1325 of Deeds at Page 168.

EXCEPTING AND RESERVING THEREFROM, those lands as described in a certain deed from Jack Ingalls and Kay Ingalls, his wife, to Fred E. Dake, Jr., and Patricia A. Dake, his wife, said deed dated May 16, 1970 and recorded in the Chautauqua County Clerk's Office May 22, 1970 in Liber 1378 of Deeds at Page 275.

EXCEPTING AND RESERVING THEREFROM, those lands as described in a certain deed from Harold R. Spinler to Kevin H. Spinler and Jan C. Spinler, his wife, said deed dated September 20, 1983 and recorded in the Chautauqua County Clerk's Office October 5, 1983 in Liber 1983 of Deeds at Page 366.

ALSO EXCEPTING AND RESERVING THEREFROM, those lands as described in a certain deed from Harold R. Spinler to Adam L. Kelley and Katie L. Kelley, said deed dated July 17, 2009 and recorded in the Chautauqua County Clerk's Office July 27, 2009 in Book 2681, Page 489.

**TRACT 56 STATE OF NEW YORK (218.00-2-21, 218.00-2-8, 218.00-2-7, 219.00-1-10, 219.00-1-8):**

All that piece or parcel of land situate in the Town of Charlotte and the Town of Cherry Creek, County of Chautauqua and State of New York, being part of Lot No. 5. Township 4 and Range 11 and Lot No. 61, Township 4 and Range 10 of the Holland Land Company's Survey and being more particularly bounded and described as follows:

BEGINNING at a point on the centerline of Boutwell Hill Road (a 49.5 foot wide public right of way) at its intersection with the easterly corner of lands of The People of the State of New York, as described in a Warranty Deed dated October 5, 1951 and recorded in the Chautauqua County Clerk's Office in Liber 916 of Deeds at page 135 and further being the easterly corner of Proposal "R" as shown on Map No. 11256 (Sheet

No. 3 of 4) dated March 15, 1995 entitled "Map showing a Retracement of a Portion of the Boundaries Comprising Chautauqua Reforestation Area No. 1 and Chautauqua Reforestation Area No. 7", made by Niagara Boundary & Mapping Services, L.S.P.C., original copy of which is filed at the Albany, New York Central office of the New York State Department of Environmental Conservation; thence along said centerline the following three (3) courses and distances: (1) South 37°45'39" West, 1,248.11 feet to a point; thence (2) South 38°01'19" West, 821.70 feet to a point; thence (3) South 45°36'59" West, 90.47 feet to a point; thence North 88°55'26" West through lands of The People of the State of New York, hereinafter referenced, a distance of 34.72 feet to a point on the northwesterly highway boundary of Boutwell Hill Road; thence continuing North 88°55'26" West, a distance of 105.00 feet to a point at the northeasterly corner of lands of Edward Green and Catherine L. Green, as described in a Quit Claim Deed dated February 10, 1992 and recorded in said Clerk's Office in Liber 2268 of Deeds at page 773; thence along said lands of Green the following three (3) courses and distances: (1) North 88°55'26" West, 165.00 feet to a found rebar; thence (2) South 00°40'16" East, 103.32 feet to a point on the northerly highway boundary of Mill Creek Road (a 49.5 foot wide public right of way in the Town of Cherry Creek); thence continuing Sough 00°40'16" East, 24.91 feet to a point on the centerline of Mill Creek Road; thence along the centerline of Mill Creek Road the following two (2) courses and distances : (1) North 84°15'24" West, 285.92 feet to a point of curvature; thence (2) northwesterly along a curve to the right having a radius of 3,220.00 feet, an arc length of 155 ± feet to a point on the division line between the Town of Cherry Creek on the east and the Town of Charlotte on the west; thence continuing along the centerline of Mill Creek Road (a 66 foot wide public right of way in the Town of Charlotte between the aforementioned Town division line and East Road) the following five (5) courses and distances: (1) northwesterly along the same 3,220.00 foot radius curve to the right, an arc length of 216± feet to a point of tangent, said point being 370.95 feet distant northwesterly as measured along the 3,220.00 foot radius centerline of Mill Creek Road and a chord bearing and distance of North 80°57'23" West, 370.75 feet from the previously described point of curvature; thence (2) North 77°39'22" West, 1,014.25 feet to a point; thence (3) North 77°06'47" West, 406.75 feet to a point; thence (4) North 78°03'15" West, 696.47 feet to a point of curvature; thence (5) northwesterly along a curve to the left having a radius of 1,863.00 feet, an arc length of 364.04 feet and a chord bearing and distance of North 83°39'07" West, 363.46 feet to a point of compound curvature; thence southwesterly transitioning from the centerline of Mill Creek Road to the centerline of East Road (a 66 foot wide public right of way) along a curve to the left having a having a radius of 212.88 feet, an arc length of 75.76 feet and a chord bearing and distance of South 80°33'19" West, 75.36 feet to a point of tangent; thence South 70°21'37" West along the centerline of East Road, a distance of 140.65 feet to a point; thence northwesterly parallel to the centerline of Mill Creek Road and 100 feet distant southwesterly measured radially or at right angles therefrom the following three (3) courses and distances: (1) northwesterly along a curve to the right having a radius of 410.00 feet, an arc length of 45.69 feet to a point on the northwesterly highway boundary of East Road; thence (2) continuing northwesterly along the same curve to the right having a radius of 410.00 feet, an arc length of 44.44 feet to a point of tangent, said point being North 58°06'55" West, a distance of 89.95 feet from the previously described point at the intersection of the 410.00 radius curve with the centerline of East Road; thence (3) North 51°49'01" West, 231.04 feet to a point on the westerly line of lands of The People of the State of New York, as described in a deed dated March 11, 1936 and recorded in the Chautauqua County Clerk's Office in Liber 443 of Deeds at page 191 and further being the westerly line of Proposal "N" as shown on said map or plat of Reforestation Areas No. 1 and No. 7; thence North 00°24'58" East along said westerly line of lands of The People of the State of New York (Liber 443, page 191) and along said westerly line of Proposal "N", a distance of 95.19 feet to a point on the southwesterly highway boundary of Mill Creek Road (a 49.5 foot wide public right of way west of its intersection with East Road); thence continuing North 00°24'58" East along the same line, a distance of 31.31 feet to a point on the centerline of Mill Creek Road; thence South 51°49'01" East along said centerline of Mill Creek Road, a distance of 274.69 feet to a point; thence easterly along a curve to the right having a radius of 1,963.00 feet, an arc length of 35.50 feet to a point on the northeasterly highway boundary of Mill Creek Road; thence generally easterly, southeasterly, northeasterly, the following twelve (12) courses and distances: (1) southeasterly along

the same 1,963.00 foot radius curve to the right, an arc length of 597.82 feet to a point of tangent, said point being South 87°17'48" East, a distance of 630.58 from the previously described point of intersection of the 1,963.00 foot radius curve with the centerline of Mill Creek Road; thence (2) South 78°03'15" East, 697.29 feet to a point; thence (3) South 77°06'47" East, 407.10 feet to a point; thence (4) South 77°39'22" East, 1,013.78 feet to a point of curvature; thence (5) Southeasterly along a curve to the left having a radius of 3,120.00 feet, an arc length of 359.43 feet and a chord bearing and distance of South 80°57'23" East, 359.23 feet to a point of tangent; thence (7) South 84°15'24" East, 73.42 feet to a point; thence (8) North 59°43'53" East, 213.78 feet to a point; thence (9) South 88°55'26" East, 280.00 feet to a point; thence (10) North 45°36'59" East, 41.94 feet to a point; thence (11) North 38°01'19" East, 814.84 feet to a point; thence (12) North 37°45'39" East, 1,282.20 feet to a point on the northeasterly line of lands of The People of the State of New York as described in said Liber 916 of Deeds at page 135, said point also being on the northeasterly line of said Proposal "R"; thence along said northeasterly line of lands of The People of the State of New York and along Proposal "R: the following three (3) courses and distances: (1) South 25°16'52" East, 36.58 feet to a point; thence (2) South 37°29'40" East, 44.10 feet to a point on the northwesterly highway boundary of Boutwell Hill Road; thence (3) continuing South 37°29'40" East, 25.59 feet to the point of beginning. Containing 14.44 acres of land, more or less.

North is tied to the New York State Plane Coordinate System, Western Zone, having a Central Meridian of 78°35'00" West Longitude.

AS SHOWN on a map entitled "Survey and Map of Proposed Utility Easement to be Granted by The People of the State of New York to Cassadaga Wind LLC," dated July 13, 2018, and filed in the Chautauqua County Clerk's Office on July 13, 2018 as Instrument No. SD2018000002.

SUBJECT TO any rights of the public in and to those portions of East Road, Mill Creek Road and Boutwell Hill Road lying within the bounds of the above described easement.

**TRACT 57 – STEC-ZIRKLE (218.00-2-28 & 218.00-2-29)**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Charlotte, County of Chautauqua, State of New York, being part of Lot 13, Town 4, Range 11 of the Holland Land Company's Survey and further bounded and described as follows:

BEGINNING at a point in the centerline of Mill Creek Road at the southeasterly corner of lands conveyed by S. Brian Willson and Julia L. Sayles to David W. and William G. Tanner by Deed dated June 22, 1984 and recorded June 29, 1984 in the Chautauqua County Clerk's Office in Liber 2012 of Deeds at Page 255;

THENCE S 54° 20' 14" E along the centerline of Mill Creek Road, 55.00 feet to a point;

THENCE S 52° 53' 53" E and still along the centerline of Mill Creek Road 249.87 feet to a point;

THENCE S 47° 04' 47" E and still along the centerline of Mill Creek Road, 134.28 feet to a point;

THENCE S 37° 51' 17" E and still along the centerline of Mill Creek Road, 96.63 feet to a point at the northeast corner of the grantor, being also the northwest corner of lands of Raymond J. and Virginia M. Barthold as described in a deed recorded February 6, 1968 in the Chautauqua County Clerk's Office in Liber 1330 of Deeds at Page 552;

THENCE S 00° 27' 37" W along the westerly line of said Barthold, 80.00 feet to an iron stake;

THENCE continuing on the same course, S 00° 27' 37" W and still along the westerly line of said Barthold, 965.13 feet to an iron stake

THENCE N 89° 16' 31" W, 489.77 feet to an iron stake in the easterly line of lands of Allan McMillan and Larry Powenski as described in a deed recorded July 1, 1983 in the Chautauqua County Clerk's Office in Liber 1973 of Deeds at Page 392;

THENCE N 00° 39' 26" E along the easterly line of said McMillan and Powenski 175.00 feet to an iron stake marking the northeast corner of said McMillan and Powenski;

THENCE N 89° 16' 31" W, 315.54 feet to an iron stake marking the northwest corner of said McMillan and Powenski, said iron stake being in the easterly line of lands conveyed by S. Brian Willson and Julia L. Sayles to James M. Case and Jeanne M. Case as described in a deed recorded in the Chautauqua County Clerk's Office in Liber 1967 of Deeds at Page 137;

THENCE N 01° 52' 04" E along the easterly line of said Case, 141.32 feet to an iron stake;

THENCE continuing on the same course N 01° 52' 04" E and still along the easterly line of said Case, 658.68 feet to an iron stake marking the northeast corner of said Case and a southeasterly corner of the grantee;

THENCE continuing on the same course N 01° 52' 04" E and still along the easterly line of the grantee, 422.10 feet to an iron stake;

THENCE S 88° 17' 57" E, 299.27 feet to an iron stake;

THENCE returning on the same course, S 88° 17' 57" E, 71.08 feet to the point of beginning, containing 22.59 acres of land be the same more or less.

**TRACT 58 – NOBLES (237.00-1-1.1)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cherry Creek, County of Chautauqua and the State of New York; being a part of Lot 36, Town 4 and Range 10 of the Holland Land Company's survey and being further bounded and described as follows:

BEGINNING at a railroad spike at the point of intersection of the centerline of the Farrington Hollow Road with the centerline of Center Road;

THENCE North 00 degrees 28 minutes 06 seconds West 1315.90 feet along the centerline of the Farrington Hollow Road to a point;

THENCE South 89 degrees 30 minutes 00 seconds East 30.66 feet to a 1 inch diam. iron pipe;

THENCE continuing South 89 degrees 30 minutes 00 seconds East 1327.84 feet to a 1 inch diam. iron pipe;

THENCE South 00 degrees 30 minutes 00 seconds West 499.64 feet to a 1 inch diam. iron pipe;

THENCE North 89 degrees 30 minutes 00 seconds West 503.83 feet to a 1 inch diam. iron pipe;



THENCE South 00 degrees 30 minutes 00 seconds West 500.00 feet to a 1 inch diam. iron pipe;

THENCE North 89 degrees 30 minutes 00 seconds West 172.26 feet to a 1 inch diam. iron pipe;

THENCE South 00 degrees 30 minutes 00 seconds West 291.39 feet to a 1 inch diam. iron pipe;

THENCE continuing South 00 degrees 30 minutes 00 seconds West 24.75 feet to a point on the centerline of Center Road;

THENCE North 89 degrees 30 minutes 00 seconds West 660.20 feet along the said road centerline to the point or place of BEGINNING.

Containing 30.01 acres of land more or less according to a survey by Steven A. Carlson, L.L.S. dated July 3, 1991, last revised November 15, 1999, and designated as Job No. 11-5-91.

EXCEPTING AND RESERVING THEREFROM so much of the above described premises as was conveyed to Wow Butler LLC by Deed made by Sharon Howe Sweeting dated 11/12/2019 and recorded on 11/19/2019 in Instrument No. DE2019007646, and which is more particularly bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cherry Creek, County of Chautauqua and the State of New York; being a part of Lot 36, Town 4 & Range 10 of the Holland Land Company's survey and being further bounded and described as follows:

BEGINNING at a point on the centerline of Center Road, said point being South 89 degrees 30 minutes 00 seconds East 510.20 feet from the point of intersection of said road centerline with the centerline of Farrington Hollow Road;

THENCE North 00 degrees 30 minutes 00 seconds East 316.14 feet to a point;

THENCE South 89 degrees 30 minutes 00 seconds East 150.00 feet to a point;

THENCE South 00 degrees 30 minutes 00 seconds West 316.14 feet to a point on the centerline of Center Road;

THENCE North 89 degrees 30 minutes 00 seconds West 150.00 feet along the said road centerline to the point or place of BEGINNING.

**TRACT 59 – TABONE (233.00-2-31)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua, State of New York, being part of Lot 59 in the 4th Township and 11th Range and bounded as follows:

BEGINNING at a point 7 chains 50 links north of the southwest corner of the lot;

THENCE North on the west line of the Lot 20 chains 71 links;

THENCE East, 6 chains, 78 links;

THENCE North 1 chain 11 links to lands of Mrs. C.O. Nichols;

THENCE East along said Nichols's land 50 chains 22 links to the East line of the lot;

THENCE South on the lot line 29 chains 50 links to the southeast corner of the lot;

THENCE West on the lot line 17 chains;

THENCE North parallel with the east line of the lot 7 chains, 50 links and

THENCE West 40 chains to the place of BEGINNING, containing 136-1/4 acres more or less, being the same land described in Liber 275 of Deeds at Page 449.

EXCEPTING AND RESERVING ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua, State of New York being part of Lot 59, Town 4, Range 11 of the Holland Land Company's Survey being further bounded and described as follows:

COMMENCING at a point in the centerline of New York State Route 60 and west line of said Lot 59 located North  $01^{\circ}53'49''$  West a distance of 973.00 feet from the southwest corner of Lot 59, said point of commencement being also the northwesterly corner of land of Richard and Donna Daniels as described in a deed recorded October 18, 1988 in the Chautauqua County Clerk's Office in Liber 2172 of Deeds at Page 462;

THENCE North  $88^{\circ}27'30''$  East along the northerly line of said Daniels, 1252.42 feet to an iron stake and point of beginning of the parcel hereinafter described;

THENCE North 56-48-43 East 373.27 feet to an iron stake;

THENCE North 66-32-30 East 446.79 feet to an iron stake;

THENCE South 87-36-19 East 645.70 feet to an iron stake;

THENCE South 05-59-14 East 78.39 feet to an iron stake;

THENCE South 22-51-34 West 124.34 feet to an iron stake;

TEHNCE South 09-44-14 West 286.34 feet to an iron stake;

THENCE South 78-52-46 West 80.99 feet to an iron stake;

THENCE South 06-23-38 East 57.48 feet to an iron stake;

THENCE South 75-25-11 West 643.83 feet to an iron stake in the easterly bounds of aforementioned Daniels;

THENCE North 01-53-49 West along the easterly bounds of said Daniels 370.00 feet to an iron stake;

THENCE returning South  $88^{\circ}27'30''$  West along the northerly line of said Daniels 570.58 feet to the point of beginning containing 12.810 acres of land be the same more or less.

ALSO EXCEPTING THOSE premises conveyed in a deed from Andrew J. Hopkins to Judson Pratt dated May 29, 1916 and recorded August 29, 1916 in Liber 422 of Deeds at Page 409.

ALSO EXCEPTING THOSE premises conveyed in a deed from Andrew J. Hopkins and One to Judson Pratt dated March 25, 1918, recorded March 28, 1918 in Liber 427 at Page 296.

ALSO EXCEPTING THOSE premises conveyed in a deed from John A. Smith and Ruth Smith to Richard M. Daniels and Donna M. Daniels dated September 30, 1988, recorded October 18, 1988 in Liber 2172 of Deeds at Page 462.

ALSO EXCEPTING THOSE premises appropriated by Notice of Appropriation dated January 11, 1955 and recorded January 17, 1955 in Liber 1009 at Page 36.

**TRACT 60 – TODARO (218.00-1-40)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot No. 22, in Town 4 on Range 11 of the Holland Land Company's Survey and being approximately 33.5 acres including all of Chautauqua County Tax Map Lot 14.2 of Section 5, Block 1, south of the centerline of the Mill Creek Road; also described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot No. 22, in Town 4, on Range 11 and plotted in a search from the Chautauqua County Clerk's Office, dated February 10th, 1905, in seven different parcels and described in one as follows:

BEGINNING at the southwest corner of Lot No. 22;

THENCE East on the lot line, 42 chains, 18 links to lands once owned by Nelson Abbey;

THENCE Northwesterly on two courses, 20 chains, 80 links, and 11 chains 40 links along said Abbey's land to lands once known as the Garret Wheeler Farm;

THENCE S 31° 10' W along said Wheeler farm, 11 chains, 60 links to a parcel of land once owned by Byron Lewis;

THENCE Westerly on two courses, bounding the said Wheeler's land on its south, 10 rods, 3 feet and 5 chains, 25 links to another portion of said Earl Penhollow's lands (now or formerly) to a point which is 21 chains, 48 links east of the west line of Lot No. 22;

THENCE North 5 chains, 55 links to a point marking the northeasterly corner of said Penhollow's last mentioned part of land;

THENCE N 62° W, 7 chains 95 links to the highway;

THENCE Southwesterly along the center of the highway to the west line of Lot No. 22;

THENCE South on the lot line to the place of BEGINNING.

EXCEPTING AND RESERVING, however, from the above described premises the following:

ALL THAT TRACT OR PARCEL OF LAND, situate, lying and being in the Town of Charlotte, County of Chautauqua and State of New York, distinguished as being part of Lot No. 22 in the 4th Township and 11th Range according to the Holland Land Company's Survey and being further bounded and described as follows:

BEGINNING at the southwest corner of said Lot No. 22;

RUNNING THENCE Northerly along the west line of said Lot, 465.00 feet, more or less, to the center line of the Mill Road;

THENCE Easterly along the centerline of the Mill Road, 500.00 feet to a point;

THENCE Southerly parallel to the west line of said Lot, 560.00 feet to a point;

THENCE Westerly along the south line of said Lot 500.00 feet more or less, to the point of BEGINNING, containing 6.00 acres of land more or less, according to a description prepared by David S. Findlay, Land Surveyor, on August 3, 1960.

ALSO EXCEPTING AND RESERVING from the above described premises, the land conveyed by Mary Penhollow to the Town of Charlotte by warranty deed dated July 23, 1958 and recorded in Chautauqua County Clerk's Office in Liber 1108 of Deeds, at Page 475, being 0.44 acres for road widening. The premises herein described being a portion of the premises conveyed by Earl B. Penhollow to Earl B. and Mary N. Penhollow, his wife, by deed dated August 19, 1939 and recorded June 6, 1942 in Chautauqua county Clerk's Office in Liber 562 of Deeds at Page 313.

ALSO EXCEPTING AND RESERVING, ALL THAT TRACT OR PARCEL OF LAND, situate, lying and being in the Town of Charlotte, County of Chautauqua and the State of New York, distinguished as being part of Lot No. 22 in the Fourth Township and Eleventh Range, according to the Holland Land Company's Survey and being further bounded and described as follows:

BEGINNING at the point of intersection of the center line of Mill Road (as in 1960) with the west line of said Lot No. 22;

RUNNING THENCE South  $89^{\circ} 07'$  east, along the center line of Mill Road, 66.80 feet to a point;

THENCE North  $89^{\circ} 42'$  east, still along the center line of Mill Road, 200.00 feet to a point;

THENCE North  $84^{\circ} 39'$  east, still along the center line of Mill Road, 233.20 feet to a point;

THENCE North  $73^{\circ} 48'$  W east, still along the center line of Mill Road, 161.80 to a point;

THENCE North  $62^{\circ} 11'$  east to a point, which point is the point of beginning of the parcel of land to be herein described;

RUNNING THENCE North  $62^{\circ} 11'$  east still along the center line of Mill Road, 771.75 feet to a point;

THENCE North  $65^{\circ} 24'$  east, still along the center line of Mill Road, 300.00 feet to a point;

THENCE North  $65^{\circ} 24'$  east, still along the center line of Mill Road, 25.00 feet to a point;

THENCE South 27° 44' east 407.75 feet to an iron stake;

THENCE South 49° 41' west 546.00 feet to an iron stake;

THENCE South 81° 41' west 140.00 feet to an iron stake;

THENCE North 46° 19' west 270.00 feet to an iron stake;

THENCE South 62° 11' west 410.00 feet to an iron stake;

THENCE North 12° 40' west 248.65 feet to the point of BEGINNING, containing 13.90 acres of land more or less. According to a survey made by David S. Findlay, Land Surveyor, on September 19, 1963. All courses shown being measured from the true meridian.

ALSO EXCEPTING AND RESERVING and not conveying, ALL THAT TRACT OR PARCEL OF LAND situate, lying and being in the Town of Charlotte, County of Chautauqua and State of New York, distinguished as being part of Lot No. 22 in the Fourth Township and Eleventh Range, according to the Holland Land Company's Survey and being further bounded and described as follows:

BEGINNING at the point of intersection of the center line of Mill Road (as in 1960) with the west line of said Lot No. 22;

RUNNING THENCE South 89° 07' east, along the center line of Mill Road 66.80 feet to a point;

THENCE North 89° 42' east, still along the center of Mill Road 200.00 feet to a point;

THENCE North 84° 39' east still along the center line of Mill Road, 233.20 feet to a point;

THENCE North 73° 48' east, still along the centerline of Mill Road, 161.80 feet to a point;

THENCE North 62° 11' east, still along the center line of Mill Road 786.75 feet to a point;

THENCE North 65° 08' east, still along the center line of Mill Road, 300.00 feet to a point;

THENCE North 65° 24' east, still along the center line of Mill Road, 25.00 feet to a point;

THENCE North 68° 31' east, still along the center line of Mill Road, 307.10 feet to a point which point is the point of beginning of the parcel of land to be herein described;

RUNNING THENCE North 3° 35' east 457.60 feet to an iron stake standing on the northerly line of the "Old Penhollow Farm";

THENCE North 41° 53' east, along an old fence line and said northerly line of the "Old Penhollow Farm", 179.62 feet to a fence corner post;

THENCE South 54° 38' east, along a fence line and said northerly line 139.54 feet to a fence corner;

THENCE North 31° 32' east, along a fence line and said northerly line, 319.00 feet to an iron stake which stake is a corner of the westerly line of land now owned and occupied by one David Hornburg (now or formerly);

THENCE South 2° 15' west, along said Hornburg westerly line, 752.40 feet to a point on the center line of Mill Road, which point is also the southwesterly corner of said Hornburg land;

THENCE North 85° 09' west, along the center line of Mill Road, 215.20 feet to a point;

THENCE South 75° 29' West still along the center line of Mill Road, 191.35 feet to the point of BEGINNING, containing 4.933 acres of land, more or less; according to a survey made by David S. Findlay, Land Surveyor on September 27, 1963. All courses shown being measured from the true meridian.

ALSO QUIT CLAIM AND CONVEYING all right, title and interest in and to a triangle of land bounded on the east by the west line of Lot No. 22; on the south by the centerline of the road; on the northwest by the centerline of the road leading from Charlotte Center to Towns Corners.

ALSO EXCEPTING AND RESERVING all of the lands north of the centerline of Mill Creek Road.

**TRACT 61 – TORGALSKI (235.00-1-10)**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Charlotte, County of Chautauqua and the State of New York, being a part of Lot 20, Town 4 and Range 11 of the Holland Land Company's survey and being further bounded and described as follows:

COMMENCING at the northeast corner of Lot 20 at the point of intersection of the centerline of East Road with the centerline of Cleland Road;

THENCE South 00 deg. 53' 41" West, 760.00 feet along the said centerline of Cleland Road to the point of BEGINNING;

THENCE South 00 deg. 53' 41" West, 1039.22 feet along the said road centerline to a point;

THENCE South 89 deg. 56' 59" West, 29.89 feet to a 1" diam. iron pipe w/cap;

THENCE continuing South 89 deg. 56' 59" West, 605.78 feet to a 1" diam. iron pipe;

THENCE South 00 deg. 47' 06" East, 499.59 feet to a mag nail drilled into a rock;

THENCE South 89 deg. 56' 59" West, 708.37 feet to a 1" diam. iron pipe w/cap set on the occupation fence line between the lands of Frank X. Gierlinger, III on the west and the former lands of the Estate of Reuben Cleland on the east;

THENCE North 00 deg. 21' 43" East, 2320.61 feet along the said fence line to a 1" diam. iron pipe w/cap;

THENCE continuing North 00 deg. 21' 43" East, 30.00 feet to a point on the centerline of East Road;

THENCE South 89 deg. 06' 57" East, 50.00 feet along the said road centerline to a point;

THENCE South 00 deg. 21' 43" West, 30.00 feet to a 1" diam. iron pipe w/cap;

THENCE continuing South 00 deg. 21' 43" West, 370.00 feet to a 1" diam. iron pipe w/cap;

THENCE South 89 deg. 06' 54" East, 1067.07 feet to a 1" diam. iron pipe w/cap;

THENCE South 00 deg. 53' 41" West, 360.00 feet to a 1 diam. iron pipe w/cap;

THENCE South 89 deg. 06' 57" East 200.00 feet to a 1" diam. iron pipe w/cap;

THENCE continuing South 89 deg. 06' 57" East, 30.00 feet to the point or place of BEGINNING.

Containing 50.019 acres of land more less according to a survey prepared by Steven A. Carlson, L.L.S., dated December 17, 2001 and designated as Job No. 10-10-01.

**TRACT 62 – VAN RENSSELAER (218.00-2-24)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, known as being part of Lot 13, in Town 4, on Range 11 and bounded east by the east line of said lot; south by the south line of said lot being the center of the highway; west by a line parallel to the east line of said lot and north by the center of the new road which crosses lands formerly owned by Dana Rugg, about midway between lots 12 and 14, containing 25 acres, be the same more or less.

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, known as part of Lot No. 5, in the 4th Township and 11<sup>th</sup> Range of the Holland Land Company's survey and bounded as follows:

By a line beginning at a point in the west line of said Lot No. 5 at its intersection with the center line of the highway leading from Charlotte Center to Cherry Creek and distant about 75 links from the southwest corner of said lot;

RUNNING THENCE North 3 ¼ degrees east along said west lot line, 22 chains, 26 links to the center of the new road in the west part of said lot;

THENCE South 71 degrees east along center of new road, 2 chains and 24 links to an angular in said road;

THENCE South 48 1/2 degrees east still along center of said road, 14 chains and 43 links to a stake;

THENCE South 3 ¼ degrees west parallel with west line of said lot and distant thence from 13 chains and 41 links and 5 chains and 62 links to center of 1st said mentioned road;

THENCE South 79 1/2 degrees west along center of said road, 2 chains 38 links to an angle in said road;

THENCE still along center of said road, 12 chains 92 links to the place of BEGINNING, containing 18 and 73/100 of an acre of land, more or less.

**TRACT 65(a) – WILLIAMS (234.00-1-38 & 234.00-1-16.2)**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lots 35 and 43, Town 4 and Range 11 of the Holland Land Company's survey and further bounded and described as follows:

BEGINNING at a point at the intersection of the centerline of Hall Road (66 foot right of way) with the southerly line of said Lot 43, said point of beginning being also the northwesterly corner of lands of Richard P. Abbey, as described in a deed recorded in the Chautauqua County Clerk's office in Liber 1024 of Deeds at Page 234;

THENCE N 03°-17'-22" E, along the centerline of Hall Road, 159.02 feet to a point;

THENCE N 05°-51'-53" E, and still along the centerline of Hall Road, 215.77 feet to a point;

THENCE N 09°-09'-42" E, and still along the centerline of Hall Road, 120.24 feet to a point;

THENCE N 14°-44'-21" E, and still along the centerline of Hall Road, 140.11 feet to a point;

THENCE N 16°-36'-57" E, and still along the centerline of Hall Road, 572.85 feet to a point at the southwesterly corner of lands of Casey Wiles, as described in a deed recorded in the Chautauqua County Clerk's office in Liber 2579 of Deeds at Page 504;

THENCE S 87°-58'-20" E, along the southerly line of Wiles, 34.40 feet to an existing iron stake;

THENCE continuing along the same course S 87°-58'-20" E, and still along the southerly line of Wiles, 457.61 feet to an existing iron stake;

THENCE N 00°-06'-55" W, along the easterly line of Wiles, 19.68 feet to an existing iron stake;

THENCE continuing along the same course N 00°-06'-55" W, and still along the easterly line of Wiles, 299.16 feet to an existing iron stake in the southerly line of lands of Darren Carlstrom, as described in a deed recorded in the Chautauqua County Clerk's office in Liber 2419 of Deeds at Page 83;

THENCE N 89°-50'-00" E, along the southerly line of said Carlstrom, 629.28 feet to an existing iron stake in the line separating Lot 43 to the west and said Lot 35 to the east;

THENCE N 01°-35'-00" E, along the easterly line of Carlstrom and along the line separating Lot 43 to the west and Lot 35 to the east, 1174.91 feet to a set rebar with cap at the southwesterly corner of lands of Teddy B. LeBaron, as described in a deed recorded in the Chautauqua County Clerk's office in Liber 2523 of Deeds at Page 610;

THENCE N 89°-59' 06" E, along the southerly line of said LeBaron, 1262.25 feet to an existing iron stake at the northwesterly corner of lands of Charlene Shreve, as described in a deed recorded in the Chautauqua County Clerk's office in Liber 2391 of Deeds at Page 267;

THENCE S 02°-33'-02" W, along the westerly line of said Shreve, 119.46 feet to an existing iron stake;



THENCE S 07°-25'-42" W, 1227.37 feet to a set rebar with cap in the northerly line of lands of John Ceranowicz, as described in a deed recorded in the Chautauqua County Clerk's office in Liber 1395 of Deeds at Page 216;

THENCE N 89°-52'-59" W, along the northerly line of said Ceranowicz, 479.59 feet to an existing iron stake;

THENCE S 00°-28'-40" W, along the westerly line of Ceranowicz, 1175.10 feet to an existing iron stake;

THENCE continuing along the same course S 00°-28'-40" W, and still along the westerly line of Ceranowicz, 138.34 feet to a point in the northerly line of the lands of David G. Bohnsack, as described in a deed recorded in the Chautauqua County Clerk's office in Liber 2489 of Deeds at Page 103, said point being also in the line separating Lot 35 to the north and Lot 34 to the south;

THENCE S 89°-50'-00" W along the northerly line of said Bohnsack and further along the northerly line of aforementioned Abbey and along the line separating Lot 35 to the North and Lot 34 to the south, 127.32 feet to a set rebar with cap;

THENCE continuing along the same course S 89°-50'-00" W, and still along the northerly line of Abbey and still along the line separating Lot 35 to the north and Lot 34 to the south, 511.56 feet to a point at the southwesterly corner of Lot 35 and the northwesterly corner of Lot 34, said point being also the southeasterly corner of Lot 43 and the northeasterly corner of Lot 42, said point being located 0.74 feet northwesterly of an existing iron stake;

THENCE continuing along the same course S 89°-50'-00" W, and still along the northerly line of Abbey and along the line separating Lot 43 to the north and Lot 42 to the south, 1338.15 feet to an existing iron stake;

THENCE continuing along the same course S 89°-50'-00" W, and still along the northerly line of Abbey and still along the line separating Lot 43 to the North and Lot 42 to the South, 33.25 feet to the point of BEGINNING containing 95.0246 acres of land to be the same more or less.

**TRACT 65(b) – WILLIAMS-CARLSTROM I (234.00-1-40)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, being part of Lot 43, Town 4, Range 11 of the Holland Land Company's Survey, and bounded as follows:

BEGINNING at a stake in the East line of said lot 43 at the distance of 1476.4 feet northerly from the southeast corner of said lot which point is the northeast corner of an 88 acre piece of land, situate in the southeast corner of said lot;

THENCE RUNNING South 89 degrees 50 minutes West 2596.44 feet (39.34 chains) to lands of one Loun;

THENCE North 1 degree 35 minutes East parallel to the East line of said lot 1819.64 feet to the southwest corner of a 40 acre piece of land owned by Loun and Johnson;

THENCE easterly parallel to the North line of Lot 43 and 671.88 feet South therefrom 2596.44 feet (39.34 chains) to the East bounds of said lot;

THENCE South 1 degree and 35 minutes West along the said East line of Lot 43 to the place of BEGINNING containing 109.2 acres more or less.

EXCEPTING, reserving and not conveying that portion of the above described premises West of Hall Road; it being the intention of the parties hereto that only that portion of the above-described premises on the East side of Hall Road as conveyed by Deed recorded as Instrument No.DE2015007441.

**TRACT 66 – YUSCZYK (235.00-1-3)**

ALL THAT TRACT OF PARCEL OF LAND, situate in the Town of Charlotte, County of Chautauqua and State of New York, known as being the west part of Lot No. 20, in said Township 4 and Range 11, of the Holland Land Company's Survey, bounded South by part of Lot 19, 20 chains 4 links; West by Lot 28, 60 chains; North by a part of Lot 21, 20 chains 4 links; and on the East by a line parallel to the west bounds of Lot 20, 59 chains 78 links, containing 120 acres of land be the same more or less.

EXCEPTING those premises conveyed by Harold H. and Carrie Spaulding to Lee and Elsie Livermore by deed dated November 16, 1977, recorded in Liber 1730 of Deeds at page 204.

ALSO excepting those premises conveyed by Harold H. and Carrie Spaulding to William J. and Christine V. Kirkland by deed dated February 16, 1978, recorded in Liber 1752 of Deeds at page 66.

**TRACT 67 – FROST, W+R (p/o 220.00-1-1.2)**

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cherry Creek, County of Chautauqua, State of New York, distinguished as being part of Lot no. 38 in the Fourth (4<sup>th</sup>) Township and Tenth (10<sup>th</sup>) Range of the Holland Land Company's Survey and bounded as follows:

COMMENCING at the point on the Weaver Road where said road is intersected by boundary line separating premises now and formerly owned by the Ismael Brandi and William C. Brown and Wife; THENCE easterly along the South boundary line of Weaver Road, 746 feet to a point; THENCE southerly at right angles to the Weaver Road a distance of 308 feet; THENCE westerly along a parallel to the Weaver Road, a distance of 746 feet to a point on the Grantor's West boundary line, which is the East boundary line of premises now and formerly owned by William C. Brown and Wife; THENCE North along the said boundary line 308 feet to the South line of Weaver Road, said point being the place of beginning.

**EXHIBIT B**

Description of Parcels of Real Property  
Affected by the Amendment

See Attached

**TABLE OF PROPERTIES TO RP-412-A FORM**

**Cassadaga Landowners - List of Changes:**

***DELETED PARCELS:***

<u>Owner</u>	<u>Address</u>	<u>County</u>	<u>Tax Map Designation</u>	<u>SWIS CODE</u>
James R. Abbey and Mia M. Abbey	Corner of Route 85 and Boutwell Road Cherry Creek, NY	Chautauqua	236.00-1-23	063000 Cherry Creek
			236.00-1-30	630000 Cherry Creek
John J. Burkholder, Jr. and Fannie K. Burkholder	No# Risley-Hunt-Fuller G Roads Cherry Creek, NY	Chautauqua	254.00-1-29	063000 Cherry Creek
Sandra L. Cherico	7294 Plank Road Cherry Creek, NY	Chautauqua	219.00-1-36	063000 Cherry Creek
Terry L. Howard and Cinda L. Howard	No# Farrington Hollow Road Cherry Creek, NY	Chautauqua	219.00-1-42.2	063000 Cherry Creek
Paula Perez	3608 Route 60 Stockton, NY	Chautauqua	233.00-1-14	066889 Stockton
Robert Rodgers	1220 Boutwell Road Cherry Creek, NY	Chautauqua	236.00-1-37	063000 Cherry Creek

***ADDED PARCELS:***

<u>Owner</u>	<u>Address</u>	<u>County</u>	<u>Tax Map Designation</u>	<u>SWIS CODE</u>
Colleen B. Aldrich and Douglas L. Aldrich	2841 Tarbox Road, Arkwright, NY	Chautauqua	183.00-1-45	062000 Arkwright
Rick Brown and Michelle Brown	6984 Cleland Rd Sinclairville NY 14782	Chautauqua	218.00-1-30	062689 Charlotte
Cassadaga Wind LLC	No # Boutwell Road, Cherry Creek, NY	Chautauqua	235.00-1-50.2	062689 Charlotte
Stanley M. Dybka and Jacolyn K. Dybka	1010 Weaver Rd Cherry Creek NY 14723	Chautauqua	203.00-1-12	063000 Cherry Creek
Dennis Emke and Lorrie Emke	No# Risley Rd Rear Cherry Creek NY 14723 No# Pickup Hill Rd Cherry Creek NY 14723	Chautauqua	254.00-1-31	063000 Cherry Creek
			254.00-1-1	
Gary W. Higgs and Roberta A. Higgs	No# Hall Rd	Chautauqua	217.00-1-28.3	062689_Chocolate
Michael E. Isula and Lori Isula	No# Erwin Rd Cherry Creek NY 14723	Chautauqua	236.00-2-33	063000 Cherry Creek

	6578 Erwin Rd Cherry Creek NY 14723		236.00-2-34	
Odysseas Kalodimos and Alexis Kalodimos	7512 North Hill Rd Sinclairville NY 14782	Chautauqua	200.00-2-26	062689 Charlotte
Mark G. LeBaron	7534 Rood Rd Sinclairville NY 14782	Chautauqua	201.00-1-24	062689 Charlotte
Dennis Lewis and Elizabeth Lewis	No# Rood Rd	Chautauqua	201.00-1-3	062689 Charlotte
Anna M. Morley	No# Nelson Hill Rd	Chautauqua	234.00-1-37	062689 Charlotte
Niagara Mohawk Power Corporation	No# Route 60 Stockton, NY	Chautauqua	233.00-1-36.3	066889 Stockton
Nelson Nobles	No # Farrington Hollow Road, Cherry Creek, NY	Chautauqua	237.00-1-1.1	063000 Cherry Creek
Daniel B. Wagner, et al.	No# Rood Rd	Chautauqua	201.00-1-28	062689 Charlotte
State of New York	No# Mill Creek Rd Sinclairville NY 14782	Chautauqua	218.00-2-21	062689 Charlotte
	No# Mill Creek Rd Sinclairville NY 14782		218.00-2-7	062689 Charlotte
	No# Mill Creek Rd Sinclairville NY 14782		218.00-2-8	062689 Charlotte
	No# Housington Rd Cherry Creek NY 14723		219.00-1-8	063000 Cherry Creek
	No# Boutwell & No# Mill Creek Rd (Sinclairville NY 14782)		219.00-1-10	063000 Cherry Creek

**OTHER CHANGES:**

<u>Owner</u>	<u>Address</u>	<u>County</u>	<u>Tax Map Designation</u>	<u>SWIS CODE</u>
H. Carlstrom (owner was listed as Heather Howe)	3175 Hooker Road Charlotte, NY	Chautauqua	216.00-3-34	062689 Charlotte
Rawlings-Blakely (owner was listed as Pamela Langless and April Langless)	No# Weaver Road Cherry Creek, NY	Chautauqua	203.00-1-15	063000 Cherry Creek
Charles G. Stec, Jr. and Lori A. Zirkle (last name was spelled Zerkle)	No# Mill Creek Road Charlotte, NY	Chautauqua	218.00-2-28	062689 Charlotte
			218.00-2-29	062689 Charlotte

**TABLE OF PARCELS TO RP-412-A FORM**

<u>Owner</u>	<u>Address</u>	<u>County</u>	<u>Tax Map Designation</u>	<u>SWIS CODE</u>
David Adams and Lisa Adams	No# North Hill Road Charlotte, NY	Chautauqua	200.00-2-25	062689
			200.00-1-13	062689
			200.00-1-16	062689
Colleen B. Aldrich and Douglas L. Aldrich	2841 Tarbox Road, Arkwright, NY	Chautauqua	183.00-1-45	062000
Anthony J. J. Allenbrand and Diane L. Allenbrand	County Highway Charlotte, NY	Chautauqua	233.00-2-26	062689
Philip Arsenault and Mary Ann Arsenault	No# North Hill Road Charlotte, NY	Chautauqua	200.00-1-12	062689
Jack E. Anderson	7650 North Hill Road Charlotte, NY	Chautauqua	200.00-2-23	062689
Bauer Family Limited Partnership	No# Boutwell Road Cherry Creek, NY	Chautauqua	219.00-1-25	063000
	No# Farrington Hollow Road Cherry Creek, NY		219.00-1-34	063000
Rick Brown and Michelle Brown	6984 Cleland Rd Sinclairville NY 14782	Chautauqua	218.00-1-30	062689
Darren J. Carlstrom	No# Hall Road Charlotte, NY	Chautauqua	234.00-1-1	062689
H. Carlstrom	3175 Hooker Road Charlotte, NY	Chautauqua	216.00-3-34	062689
James M. Case and Jeanne M. Case	2154 East Road Charlotte, NY	Chautauqua	218.00-1-26	062689
Cassadaga Wind LLC	No # Boutwell Road, Cherry Creek, NY	Chautauqua	236.00-2-2.3	063000
Cassadaga Wind LLC	No# North Hill Road Charlotte, NY	Chautauqua	235.00-1-50.2	062689
Charrington Creek, Inc.	No# Erwin Road Cherry Creek, NY	Chautauqua	236.00-2-31.1	063000
			253.00-1-12	063000
Morris E. Chase and Barbara J. Chase	No# Cook Road Charlotte, NY	Chautauqua	201.00-1-18	062689
	No# Cook Road Charlotte, NY		201.00-1-19	062689
	2148 Cook Road Charlotte, NY		201.00-1-30.1	062689
Peter C. Cummings	2816 Cassadaga Road Charlotte, NY	Chautauqua	200.00-1-11	062689
Stanley M. Dybka and Jacolyn K. Dybka	1010 Weaver Rd Cherry Creek NY 14723	Chautauqua	203.00-1-12	630000
Marc Egleston and Mario Avarello	Boutwell and Housington Cherry Creek, NY	Chautauqua	219.00-1-9.1	063000
Dennis Emke and Lorrie Emke	6281 Pickup Hill Road Cherry Creek, NY	Chautauqua	254.00-1-5.1	063000
	No# Pickup Hill Rd	Chautauqua	254.00-1-1	063000

<u>Owner</u>	<u>Address</u>	<u>County</u>	<u>Tax Map Designation</u>	<u>SWIS CODE</u>
	Cherry Creek NY 14723			
	No# Risley Rd Rear Cherry Creek NY 14723	Chautauqua	254.00-1-31	063000
Robert C. Frost and Wendy S. Frost	No# Weaver Hill Road Cherry Creek, NY	Chautauqua	220.00-1-1.2	063000
Wendy Frost	No# Weaver Road Cherry Creek, NY	Chautauqua	203.00-1-13	063000
Jennifer Gassman	1536 Boutwell Road Cherry Creek, NY	Chautauqua	219.00-1-23	063000
Frank X. Gierlinger III	No# East Road Charlotte, NY	Chautauqua	235.00-1-4.1	062689
	2329 East Road Charlotte, NY		235.00-1-5	062689
	No# East Road Charlotte, NY		218.00-1-37	062689
Thomas Graber and Kathleen Graber, Trustees of the Graber Irrevocable Trust dated September 21, 2017	No# Boutwell Road Cherry Creek, NY	Chautauqua	219.00-1-24	063000
			219.00-1-19	063000
Grant David Hall and Nancy Hall	6705 Erwin Road Cherry Creek, NY	Chautauqua	236.00-1-18	063000
Cynthia E. Hamrick	No# Cleland Road Charlotte, NY	Chautauqua	218.00-1-28	062689
Gary W. Higgs and Roberta A. Higgs	No# Hall Rd	Chautauqua	217.00-1-28.3	062689
Timothy J. Hoelzle and Linda J. Hoelzle	1604 Boutwell Hill Road, Cherry Creek, NY	Chautauqua	219.00-1-9.2	063000
Michael E. Isula and Lori Isula	6578 Erwin Road Cherry Creek, NY	Chautauqua	236.00-2-32	063000
	No# Erwin Rd Cherry Creek NY 14723		236.00-2-33	063000
	No# Pickup Hill Rd Cherry Creek NY 14723		236.00-2-34	063000
Deborah A. Johnson	6810 Charlotte Center Road Charlotte, NY	Chautauqua	234.00-2-1.2	062689
Jason R. Johnson	No# Charlotte Center Road Charlotte, NY	Chautauqua	234.00-2-1.1	062689
Jason R. Johnson & Deborah A. Johnson; Subject to a Life Estate reserved by Donna R. Johnson	6749 Charlotte Center Road Charlotte, NY	Chautauqua	234.00-1-10	062689
Odyseas Kalodimos and Alexis Kalodimos	7512 North Hill Rd Sinclairville NY 14782	Chautauqua	200.00-2-26	062689
Ernest Kinney	No# Millcreek Road Charlotte, NY	Chautauqua	218.00-1-44	062689
Josef G. Krause and Carole J. Krause	Cassadaga Road Charlotte, NY	Chautauqua	200.00-2-21	062689
			200.00-2-17	062689
			200.00-2-22	062689

<u>Owner</u>	<u>Address</u>	<u>County</u>	<u>Tax Map Designation</u>	<u>SWIS CODE</u>
Francis S. Lauricella and Dorothy M. Lauricella	2716 Cassadaga Road Charlotte, NY	Chautauqua	200.00-2-2	062689
Parcel I: Teddy B. LeBaron Parcel II: Teddy B. LeBaron and Beverly Z. LeBaron	7717 Rood Road Charlotte, NY	Chautauqua	201.00-1-29.1	062689
Mark G. LeBaron	7534 Rood Rd Sinclairville NY 14782	Chautauqua	201.00-1-24	062689
Dennis Lewis and Elizabeth Lewis	No# Rood Road and 7895 Rood Road Charlotte, NY	Chautauqua	201.00-1-2.1	062689
	No# Rood Rd	Chautauqua	201.00-1-3	
Mark R. Mansfield, LLC	No# Farrington Hollow Road Cherry Creek, NY	Chautauqua	219.00-1-42.1	063000
Allan McMillan and Katherine F. McMillan, husband and wife, and Kim McMillan Miller, with rights of survivorship	2170 East Road Charlotte, NY	Chautauqua	218.00-1-31	062689
Lee Milliman and Debora A. Milliman	No# Weaver Road Cherry Creek, NY	Chautauqua	220.00-1-13	063000
Anna M. Morley	No# Nelson Hill Rd	Chautauqua	234.00-1-37	062689
Donald Morley and Ann Morley	6593 Nelson Hill Road Charlotte, NY	Chautauqua	234.00-1-42	062689
Nelson Nobles	No # Farrington Hollow Road, Cherry Creek, NY	Chautauqua	237.00-1-1.1	063000
New York, State of	No# Mill Creek Rd Sinclairville NY 14782 No# Mill Creek Rd Sinclairville NY 14782 No# Mill Creek Rd Sinclairville NY 14782 No# Housington Rd Cherry Creek NY 14723 No# Boutwell & No# Mill Creek Rd (Sinclairville NY 14782)	Chautauqua	218.00-2-21	062689
			218.00-2-7	062689
			218.00-2-8	062689
			219.00-1-8	063000
			219.00-1-10	063000
Niagara Mohawk Power Corporation	No# Route 60 Stockton, NY	Chautauqua	233.00-1-36.3	066889
Phillip W. Pattyson and Shannon L. Pattyson	7502 Rood Road Charlotte, NY	Chautauqua	218.00-1-5.1	062689
Neal Pollina	No# North Hill Road Charlotte, NY	Chautauqua	200.00-2-1	062689
Rawlings-Blakely	No# Weaver Road	Chautauqua	203.00-1-15	063000



<u>Owner</u>	<u>Address</u>	<u>County</u>	<u>Tax Map Designation</u>	<u>SWIS CODE</u>
	Cherry Creek, NY			
Robert J. Rettig	No# Plank Road Cherry Creek, NY	Chautauqua	203.00-1-11.1	063000
Thomas H. Reynolds and James E. Reynolds	No# Plank Road Rear Cherry Creek, NY	Chautauqua	202.00-1-54	063000
Thomas H. Reynolds; Subject to a Life Estate reserved by Virginia B. Reynolds	7619 Plank Road Cherry Creek, NY	Chautauqua	202.00-1-53	063000
Lisa L. Rice and Crystal Rose Altemus	2211 East Road Charlotte, NY	Chautauqua	218.00-1-27	062689
Michael Rodgers, or his/her successor, as Trustee of the Clyde & Janice Rodgers Family Trust I u/a dated June 22, 2016	No# Boutwell Hill Road Cherry Creek, NY	Chautauqua	236.00-1-34	063000
Robert Rodgers	1316 Boutwell Road Cherry Creek, NY	Chautauqua	219.00-1-26	063000
Nicholas S. Rowan Trust c/o Michael J. Rowan	No# Boutwell Hill Road Charlotte, NY	Chautauqua	235.00-1-54	062689
Eric L. Spinler and Maria C. Spinler; Subject to a Life Estate reserved by Harold R. Spinler	No# Hall Road Charlotte, NY	Chautauqua	200.00-1-8.1	062689
Charles G. Stec, Jr. and Lori A. Zirkle	No# Mill Creek Road Charlotte, NY	Chautauqua	218.00-2-28 218.00-2-29	062689 062689
Paul S. Tabone	No# Route 60 Charlotte, NY	Chautauqua	233.00-2-31	062689
Frank J. Todaro and Cecile L. Todaro	No # Mill Creek Road Charlotte, NY	Chautauqua	218.00-1-40	062689
Darryl Torgalski and Maria J. Belinsky	6935 Cleland Road Charlotte, NY	Chautauqua	235.00-1-10	062689
Robert Vanrensselaer and Cynthia Vanrensselaer	2148 East Road Charlotte, NY	Chautauqua	218.00-2-24	062689
Daniel B. Wagner, et al.	No# Rood Rd	Chautauqua	201.00-1-28	062689
Karl E. Weber, Jr., Richard C. Weber, David W. Weber and Barbara J. Schreader	No# Farrington Hollow Road Cherry Creek, NY	Chautauqua	219.00-1-40	063000
Scott Allen Williams and Vicki Williams		Chautauqua	234.00-1-16.2 234.00-1-38	062689 062689
Scott A. Williams, Vicki J. Williams and Jake W. Carlstrom	No# Hall Road Charlotte, NY	Chautauqua	234.00-1-40	062689

<u>Owner</u>	<u>Address</u>	<u>County</u>	<u>Tax Map Designation</u>	<u>SWIS CODE</u>
Scott A. Williams, Vicki J. Williams and Jake W. Carlstrom		Chautauqua	234.00-1-44.2	062689
Thomas J. Yuszczk	2447 East Road Charlotte, NY	Chautauqua	235.00-1-3	062689