

TB: 7/27/26
PB: 8/5/26
PH:

TOWN OF AURORA

575 OAKWOOD AVENUE, EAST AURORA, NY 14052
BUILDING DEPARTMENT
(716) 652-7591

MEMO

TO: Town Supervisor Snyder and Town Board
FROM: Richard Miga, Assistant Code Enforcement Officer
DATE: July 8, 2026

The Building Department has accepted a Special Use Permit application for 2100 Lewis Road, (SBL #201.00-3-13.132), as submitted by Jackson Guthrie of Green Spark Solar, for the 16-panel (one array) expansion to an existing ground-mounted solar array and system. This property is in the Rural Residential and Agricultural zoning districts. The existing solar array and system was permitted back in 2015, prior to the Town Code change, and the requirement for Special Use Permit.

Under Town Code section §116-42A, the Town Board may take the following actions:

- (1) Take no action
- (2) Request that the applicant modify the application and resubmit.
- (3) Request that the applicant submit an application for site plan review to be made in tandem with the application for a special use permit.
- (4) Refer the application(s) for review to, and recommendation by, the Planning Board.

If the Town Board refers the application to the Planning Board, then once their recommendation is received, a public hearing must be scheduled. A SEQR determination must be made prior to the Town Board's decision.

This is an Unlisted action for purposes of SEQR.

If you have any questions, please contact me at 652-7591.

Richard Miga



Town of Aurora Town Board
575 Oakwood Avenue, East Aurora NY, 14052

Special Use Permit Application Form

I. PROJECT INFORMATION (Applicant/Petitioner):

Business/Project Name: Fontaine - Ground Mount Expansion
Business/Project Address: 2100 Lewis Road, South Wales, NY 14139
Applicant Name: Jackson Guthrie
Mailing Address: 176 East Main Street, Rochester, NY 14604
City Rochester State NY ZIP 14604
Phone (585) 265 - 2384 Ext. 108 Fax _____ Email jackson.guthrie@greensparksolar.com
Interest in the property (ex: owner/purchaser/developer) Contractor

II. PROPERTY OWNER INFORMATION (If different than Applicant AND the Owner does not sign below, please submit and original, notarized "Owner Authorization" form - attached):

Property Owner(s) Name(s) Robert Fontaine
If a corporate, please name a responsible party/designated officer: _____
Address 2100 Lewis Road
City South Wales State NY ZIP 14139
Phone (716) 560 - 4900 Fax _____ Email rob@upstatedoor.com

III. SPECIAL USE AND PROPERTY INFORMATION:

Property Address 2100 Lewis Road, South Wales, NY 14139
SBL# 201.00-3-13.132
Describe Special Use requested (use additional pages if needed): Installation of a ground mounted solar system expansion
Property size in acres 27.40 Property Frontage in feet _____
Zoning District RR/A Surrounding Zoning RR/A
Current Use of Property Single Family Home
Size of existing building(s): 4,915 sf Size of proposed building(s) _____ sf
Present/Prior tenant/use: _____
Parking spaces: Existing: _____ Proposed additional spaces: _____ Total #: _____

Proposed water service: _____ public _____ private (well) ✓ n/a Is this existing Y/N

Proposed sanitary sewer: _____ public _____ private (septic) ✓ n/a Is this existing Y/N

Hours of operation (if applicable):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	By Appt.
Hours								

Peak hours: _____

Number of employees (if applicable): Full-time _____ Part-time _____ Seasonal _____

Upon approval of this application, the applicant intends to apply for: (Check all that apply)

a. Building Permit ✓

b. Sign Permit _____

IV. SIGNATURE (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 4.)

Jackson Guthrie
Signature of Applicant/Petitioner

Jackson Guthrie

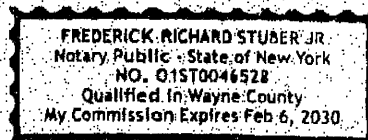
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 6th day of July in the year 2026 before me, the above individual appeared, personally known 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/she/they executed the same for the purposes therein stated.

[Signature]
Notary Public

(Notary stamp)



Office Use Only:

Date received: _____

Receipt #: _____

Application reviewed by: _____

Town of Aurora
575 Oakwood Avenue
East Aurora, NY 14052
www.townofaurora.com

**Special Use Permit
Application
Owner Authorization**

The undersigned, who is the owner of the premises know as:

2100 Lewis Rd, South Wales, NY 14139, identified as Tax Map (SBL)# 201.00-3-13.132
(address)

hereby authorizes GreenSpark Solar to bring an application for a special use permit before the Town of Aurora Town Board for review and potential approval. The undersigned further permits the Town or its authorized representative(s) access to the property to review existing site conditions during the review process.

ROBERT FONTAINE
Owner (print)

7/7/26
Date

Robert Fontaine
Owner (signature)

STATE OF NEW YORK)
 Wyoming) SS
COUNTY OF ERIE)

On this 7th day of July, 2026, before me, the undersigned, a notary public in and for said state, personally appeared Robert J Fontaine, personally known to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Carolee Tucker
Notary Public
CAROLEE TUCKER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01TU6112066
Qualified in Wyoming County
Commission Expires June 28, 2028

GREENSPARK SOLAR

July 6th, 2026

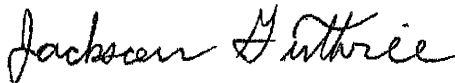
Town of Aurora
575 Oakwood Avenue,
East Aurora, NY 14052

To the Town Board of Aurora:

Under the jurisdiction of the Town of Aurora, GreenSpark Solar seeks to apply for a special use building permit at 2100 Lewis Road, South Wales, NY 14139 to install a 7.04 kW-DC ground mounted PV system expansion. After review of the town code GreenSpark Solar would like to formally request the special use permit requirement be waived for this submission.

It is the opinion of GreenSpark Solar that this project aligns with the Town's desire to accommodate the use of solar energy systems as a clean and reliable energy source, and the project should have no significant impact on the overall character, nature, and beauty of the Town of Aurora. The size and intent of this project is to support only direct electrical use onsite, and will not include any offsite sale of electricity generation. Furthermore, the project is utilizing only 21 square feet of field space that is already cleared adjacent to the previously installed arrays on the property, in compliance with zoning and location requirements.

Sincerely,



Jackson Guthrie
Residential Project Manager
Jackson.guthrie@greensparksolar.com



Loyal to People. Loyal to Planet.

greensparksolar.com | 585 265 2384

GREENSPARK SOLAR

July 6th, 2026

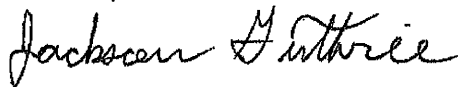
Town of Aurora
575 Oakwood Avenue,
East Aurora, NY 14052

To the Building Department:

Under the jurisdiction of the Town of Aurora, GreenSpark Solar seeks to apply for a special use building permit at 2100 Lewis Road, South Wales, NY 14139 to install a 7.04 kW-DC ground mounted PV system expansion. The proposed system would be installed as one array, on the grounds of the residence, comprised of 16 modules, and utilize an IronRidge Racking system with American Ground Screws. Included with the application is a signed applicant authorization of representation by GreenSpark Solar, a brief project description, a copy of the project site plan, an electrical 3-line diagram of the array interconnection with the utility, and cut sheets on the major components to include the modules, inverter, racking, and attachments. Additionally, there is a copy of the Certificate of Liability provided by GreenSpark's insurance company. If any further documentation or information is required, or if questions arise from any of the inclusions, please feel free to call.

I look forward to working with the Town of Aurora once more on renewable energy development for this project and any future projects that may arise. Thank you for your time and attention.

Sincerely,

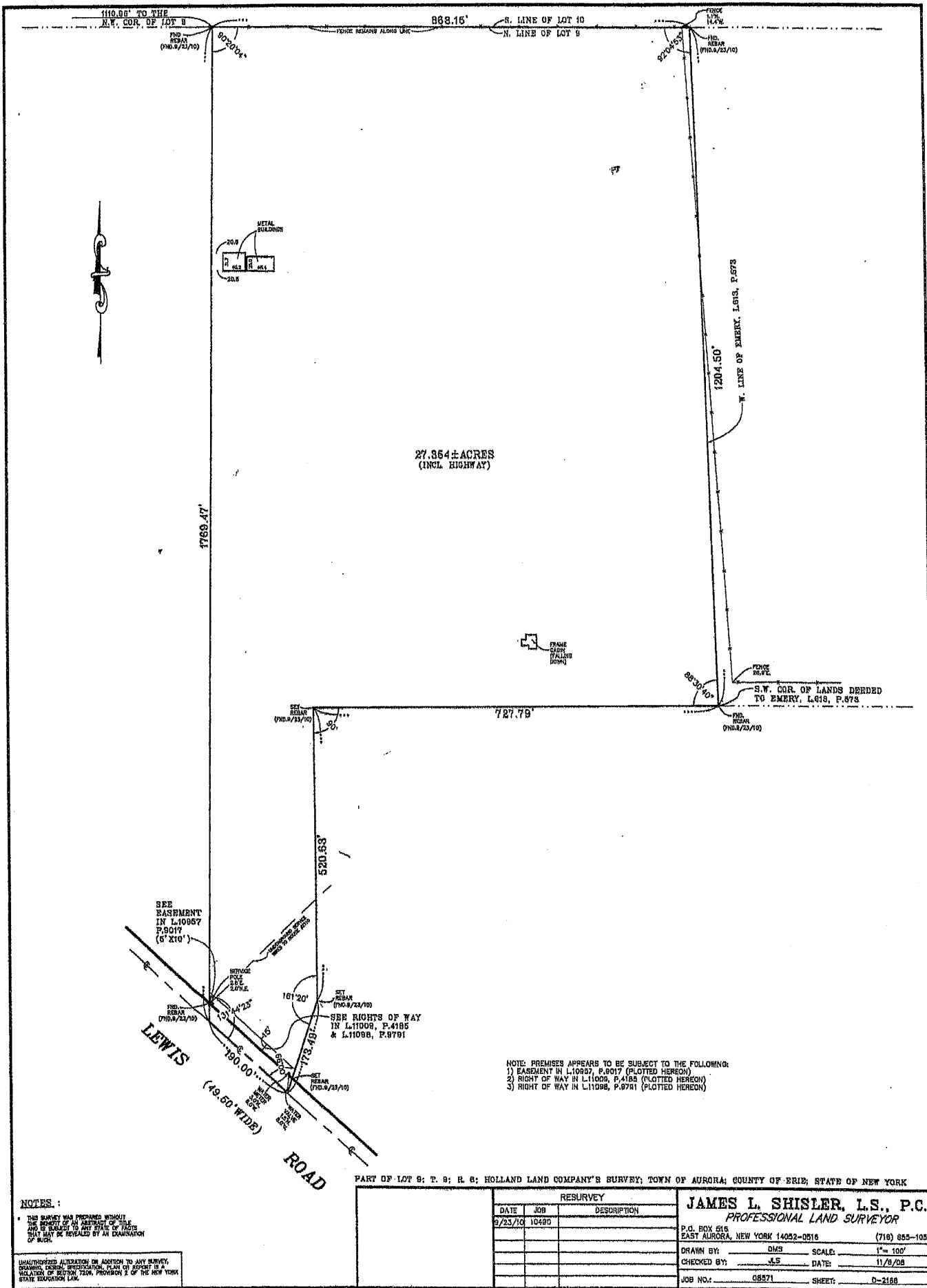


Jackson Guthrie
Residential Project Manager
Jackson.guthrie@greensparksolar.com



Loyal to People. Loyal to Planet.

greensparksolar.com | 585 265 2384



NOTES:

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

UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY, MEASUREMENT, DESIGN, MODIFICATION, PLAN OR REPORT IS A VIOLATION OF SECTION 1710, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

PART OF LOT 8; T. 9; R. 6; HOLLAND LAND COMPANY'S SURVEY; TOWN OF AURORA; COUNTY OF ERIE; STATE OF NEW YORK

RESURVEY		JAMES L. SHISLER, L.S., P.C.	
DATE	JOB	PROFESSIONAL LAND SURVEYOR	
9/23/10	10490	P.O. BOX 616 EAST AURORA, NEW YORK 14052-0516 (716) 855-1058	
		DRAWN BY: DWS SCALE: 1" = 100'	
		CHECKED BY: JLS DATE: 11/8/08	
		JOB NO.: 98871 SHEET: D-2188	

7.04 KW-DC SOLAR EXPANSION PV GROUND MOUNT SYSTEM FOR 2100 LEWIS RD, SOUTH WALES, NY 14139



EPC

SUSTAINABLE ENERGY DEVELOPMENTS DBA. GREENSPARK SOLAR
176 E MAIN ST.
ROCHESTER, NY 14604

SYSTEM SUMMARY:

TOTAL DC SYSTEM SIZE
TOTAL AC SYSTEM SIZE

MODULE MODEL

MODULE QUANTITY

MODULE TILT

MODULE AZIMUTH

INVERTER MANUFACTURER

INVERTER MODEL

INVERTER QUANTITY

SCOPE OF WORK:

The new (2) DC strings will be combined in the existing DC trench. There will be a new DC trench from the new PV array to the existing array. The new SMA system will be interconnected in the 200A ATS and will be separate from the existing line-side tap in the 200A MSP.

Refer to the page A-102 or SML stamped plan-set in order to coordinate ground screw spacing.

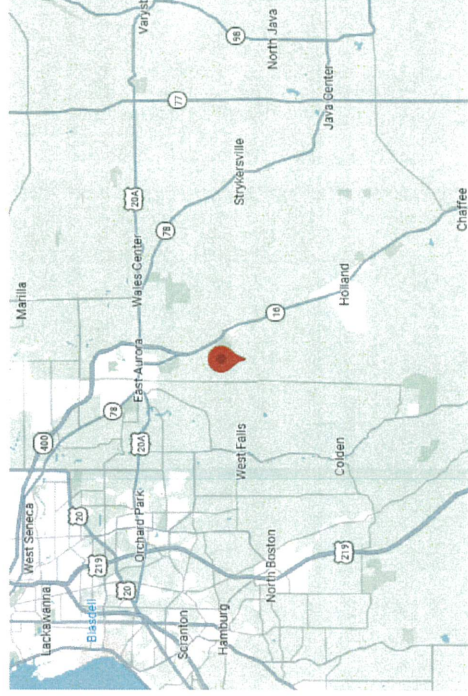
DRAWING INDEX

GENERAL
T-000 TITLE SHEET

ARRAY
A-101 SITE LAYOUT
A-102 GROUND SCREW LAYOUT
A-103 PROPERTY LAYOUT
A-104 EQUIPMENT DATA SHEET

ELECTRICAL
E-101 THREE LINE DRAWING
E-102 ELECTRICAL CALCULATIONS DETAILS
E-103 LABELING DETAIL

VICINITY MAP



PROJECT	Rob Fontaine Solar Electric Project	DRAWN BY	C. Dawson	REV #	0	DESCRIPTION	INITIAL	DATE	5/29/26	BY	CJD
ADDRESS	2100 Lewis Rd, South Wales, NY 14139	ISSUE DATE	5/29/26	SCALE	NA	REV #	1	DATE	5/29/26	BY	CJD
SHEET TITLE	2100 Lewis Rd, South Wales, NY 14139	SCALE	NA	REV #	2	DESCRIPTION	INITIAL	DATE	5/29/26	BY	CJD
1 of 1											
DRAWING NUMBER	T-000										

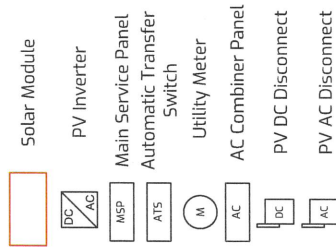
PV System Details

• System Size:	Existing: 13.52 DC New: 7.04kW-DC
• Module:	Existing: KYOCERA KD260GX-LFB2, (52) Units, New: SEG SOLAR, YUKON N SERIES SEG-440-BTD-BG 440W, UL61703, (16) Units
• Inverters:	Existing: SMA SUNNYBOY SB7000TL-US, 7.0kW, UL1741 (2) Units, New: SMA, SBSE5.8_US-50, 5.76kW, UL1741-SB (1) Unit
• Racking:	IronRidge, XR1000 Clear
• Foundation:	American Ground Screws
• Orientation:	180° Azimuth & 30° Tilt

Notes:

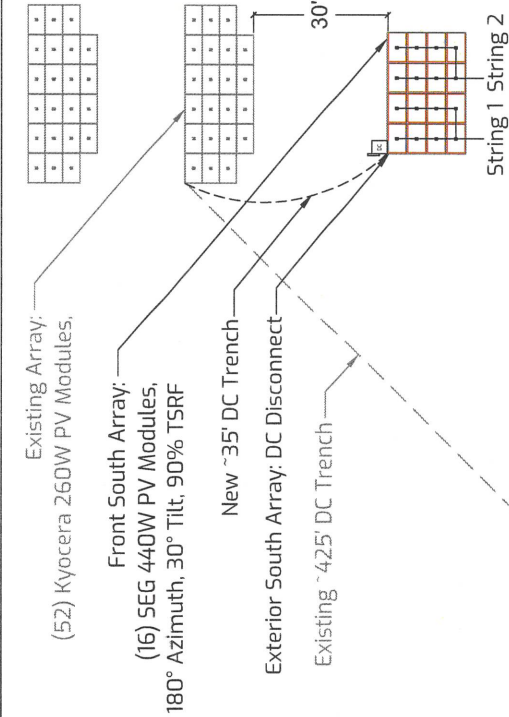
1. All equipment to be installed in accordance with the manufacturers installation instructions.
2. All equipment locations are approximate and require field verification.
3. Confirm the DC Trench, Array Location & BOS location with the customer.
4. The bottom leading edge of the array will be "10" from the ground due to the IronRidge engineering and 30 degree tilt of the array.
6. Distance between the equipment is not drawn to scale. Refer to A-102 for a more accurate array location.

Key:



Exterior South West House Wall:
Utility Meter

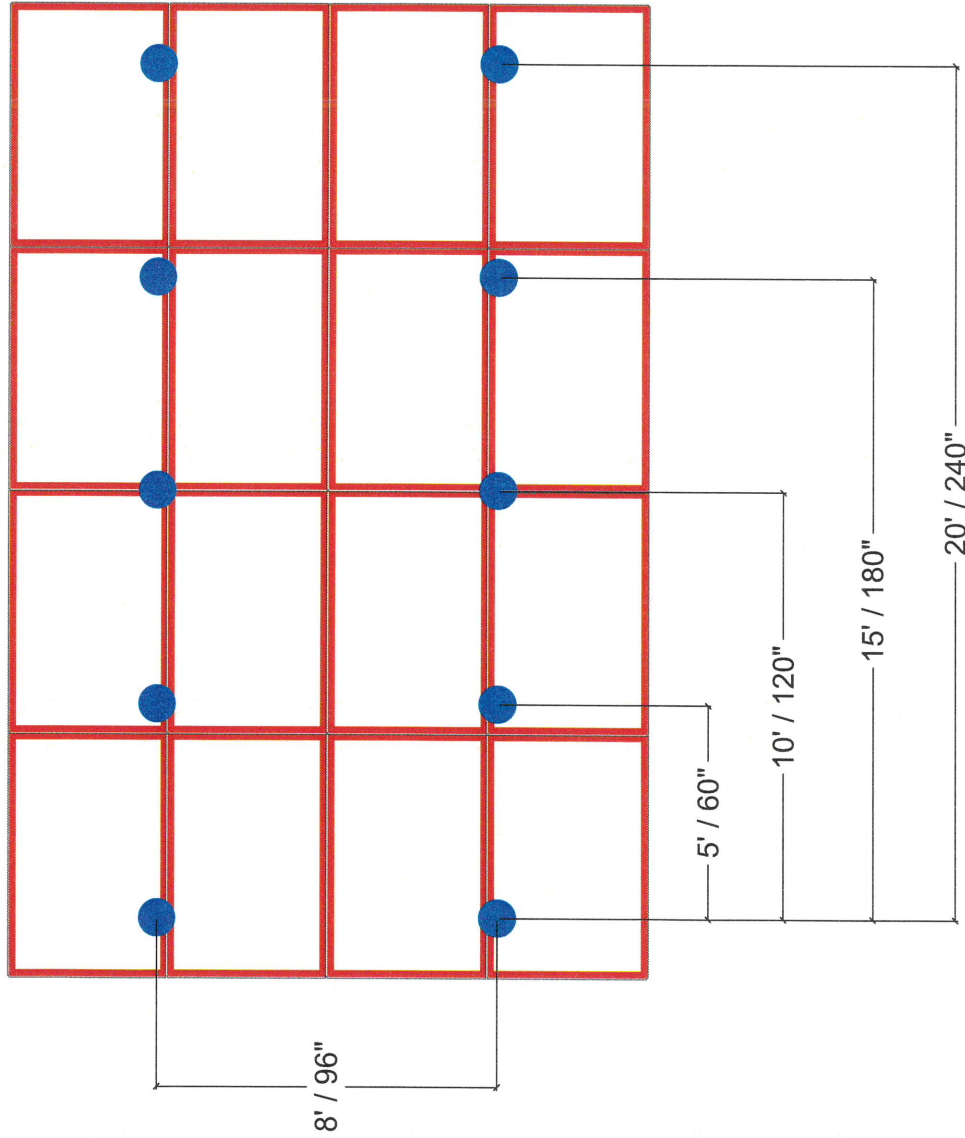
Interior South West Basement Wall:
Existing: (2) SMA Inverter, AC Combiner, AC Disconnect, ATS & MSP.
New: SMA Inverter, Fused AC Disconnect & Point of Interconnection



PROJECT	Rob Fontaine Solar Electric Project	DRAWN BY	C. Dawson	REV #	0	DATE	5/29/26	BY	CJD
ADDRESS	2100 Lewis Rd, South Wales, NY 14139	ISSUE DATE	5/29/26	SCALE	3/32" = 1'	DESCRIPTION	INITIAL	DATE	5/29/26
SHEET TITLE	Site Layout	1 of 4	DRAWING NUMBER	A-101					

Key:

-  Solar Module
-  Ground Screws



- | | | | |
|--------------------|-----------|------------------------------|--------------------|
| Slope: Q = | 30.0 deg | Post Size & type: | 3" Pipe Sch. 40 |
| Orientation: | Landscape | Height of South Post: | 3.67 ft |
| Panel Weight: Wp = | ~ 2.5 psf | Horizontal Pipe Size & type: | 3" Pipe Sch. 40 |
| Rail Weight RL = | ~ 1.0 plf | Rail type: | IronRidge XR1000 |
| Number of panels: | n = 4 | Numbers of rails: | 2 per panel module |
| N-S Post Spacing: | 8.00 ft | System type: | UNBRACED |
| E-W Post Spacing: | 5.00 ft | Foundation system: | Ground Screws |

DRAWING NUMBER		A-102	
2 of 4			
PROJECT	Rob Fontaine Solar Electric Project		
ADDRESS	2100 Lewis Rd, South Wales, NY 14139		
SHEET TITLE	Ground Screw Layout		
SCALE	1/2" = 1'		
DRAWN BY	C. Dawson	ISSUE DATE	5/29/26
REV #	0	1	
DESCRIPTION	INITIAL		
DATE	5/29/26	CJD	
BY			
176 E Main St. Rochester, NY 14604 Phone: 585-265-2384			
			



Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

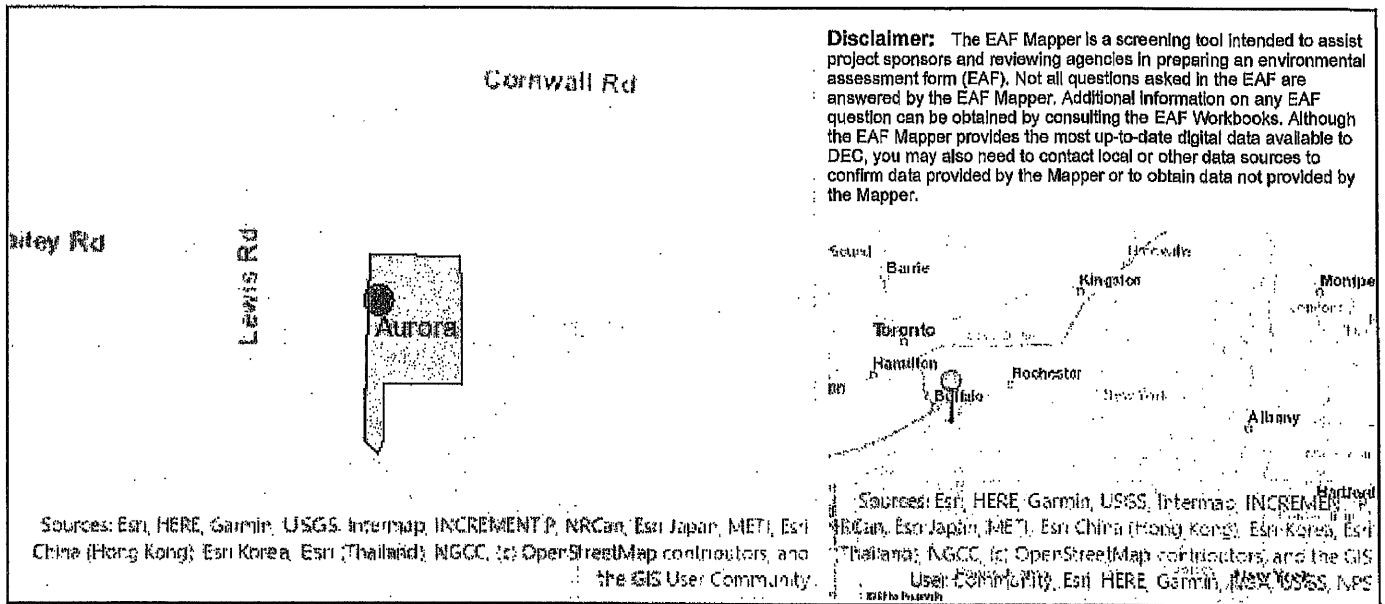
Part 1 – Project and Sponsor Information			
Contractor: GreenSpark Solar Project: Residential Ground Mount Solar Expansion			
Name of Action or Project: Rob Fontaine - Residential Ground Mount Solar Expansion			
Project Location (describe, and attach a location map): 2100 Lewis Road, South Wales, NY 14139			
Brief Description of Proposed Action: Installation of a residential ground mount solar system expansion comprised of 16 SEG Yukon N-Series Modules.			
Name of Applicant or Sponsor: GreenSpark Solar		Telephone: (585) 265 - 2384 Ext. 108 E-Mail: jackson.guthrie@greensparkssolar.com	
Address: 176 East Main Street			
City/PO: Rochester		State: NY	Zip Code: 14604
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If No, continue to question 2.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: TDA Bldg PERMIT		☐	☒
3. a. Total acreage of the site of the proposed action?		27.40	acres
b. Total acreage to be physically disturbed?		0.001	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		27.40	acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify:	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☒ Forest ☒ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☒	YES ☐
16. Is the project site located in the 100-year or 500-year flood plain?	NO ☒	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☒	YES ☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO ☒	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO ☒	YES ☐
21. Is the project located within, or within ½ mile of, a disadvantaged community?	NO ☒	YES ☐
If No, could impacts from the project affect a disadvantaged community?	☒	☐
If Yes to either question in 21, answer the following question.		
a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management):		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Jackson Guthrie</u> Date: <u>06/29/2026</u>		
Signature: <u>Jackson Guthrie</u> Title: _____		

EAF Mapper Summary Report

Monday, June 29, 2026 2:44 PM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 or 500 Year Floodplain]	No
Part 1 / Question 20 [Remediation Site]	No
Part 1 / Question 21 [Disadvantaged Community]	No

FOR COUNTY USE ONLY

C1. SWIS Code

142489

C2. Date Deed Recorded

10/29/10

C3. Book

11190

C4. Page

8794

New York State Department of
Taxation and Finance

Office of Real Property Tax Services

RP-5217

Real Property Transfer Report (8/10)



PROPERTY INFORMATION

AURORA ASSESSOR'S OFFICE

NOV 29 2010

RECEIVED

1. Property Location

Lewis Road

Aurora 14052

2. Buyer Name

FONTAINE Robert J.

FONTAINE Cathryn E.

3. Tax Billing Address

Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)

4. Indicate the number of Assessment Roll parcels transferred on the deed

1

of Parcels

OR

Part of a Parcel

(Only if Part of a Parcel) Check as they apply:

4A. Planning Board with Subdivision Authority Exists

4B. Subdivision Approval was Required for Transfer

4C. Parcel Approved for Subdivision with Map Provided

5. Deed Property Size

27 X 190 OR 0.00 2740

6. Seller Name

DIAZ Jay M.

DIAZ Deborah M.

*7. Select the description which most accurately describes the use of the property at the time of sale:

C. Residential Vacant Land

Check the boxes below as they apply:

8. Ownership Type is Condominium

9. New Construction on a Vacant Land

10A. Property Located within an Agricultural District

10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

SALE INFORMATION

11. Sale Contract Date

08/25/2010

*12. Date of Sale/Transfer

10/29/2010

*13. Full Sale Price

100,000.00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

15. Check one or more of these conditions as applicable to transfer:

- ☐ A. Sale Between Relatives or Former Relatives
- ☐ B. Sale between Related Companies or Partners in Business.
- ☐ C. One of the Buyers is also a Seller
- ☐ D. Buyer or Seller is Government Agency or Lending Institution
- ☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)
- ☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)
- ☐ G. Significant Change in Property Between Taxable Status and Sale Dates
- ☐ H. Sale of Business is Included in Sale Price
- ☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)
- ☒ J. None

Comment(s) on Condition:

14. Indicate the value of personal property included in the sale

0.00

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken (YY) 10

*17. Total Assessed Value 18,700

*18. Property Class 322

*19. School District Name East Aurora

*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

201.00-3-13.132

CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

Deborah M. Diaz 10/27/2010

BUYER SIGNATURE

Robert J. Fontaine 10/29/10

BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

FONTAINE Robert J. & Cathryn E.

12940 Sanders Hill Road

Holland NY 14080

BUYER'S ATTORNEY

COLLIGAN David J.

(716) 852-3540

This Indenture

Made the 27th day of October, Two Thousand Ten (2010)

Between: **JAY M. DIAZ and DEBORAH M. DIAZ, husband and wife**
70 E. Ivanhoe Street
Gilbert, AZ 85295

Grantors, and

ROBERT J. FONTAINE and CATHRYN E. FONTAINE, husband and wife
12940 Sanders Hill Road
Holland, NY 14080

Grantees

Witness to, that the said Grantors in consideration of One and More dollars (\$1.00 & More) lawful money of the United States, paid by the Grantees do hereby grant and release unto the Grantees, their successors, heirs and assigns forever.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Aurora, County of Erie and State of New York being part of Lot No. 9, Township 9, Range 6 of the Holland Land Company's Survey, bounded as follows:

BEGINNING at the northwest corner of Lot No. 9; thence east along the north line of Lot No. 9 a distance of 1110.95 feet to the principal point or place of beginning; thence south at an interior angle of 90° 20' 4" a distance of 1769.47 feet to a point in the center line of Lewis Road (being 49.5 feet in width); thence southeasterly along the center line of Lewis Road at an interior angle of 131° 44' 23" a distance of 190 feet to a point in the center line of Lewis Road; thence northeasterly at an interior angle of 66°, a distance of 173.49 feet to a point; thence north at an interior angle of 161° 20', a distance of 520.63 feet to a point; thence east at an exterior angle of 90°, a distance of 727.79 feet to a point, which point is also the southwest corner of lands conveyed to Emery in Liber 613 of Deeds at page 573; thence north along the west line of said Emery's lands a distance of 1204.5 feet to a point in the north line of Lot No. 9; thence west along the north line of Lot No. 9, a distance of 863.15 feet to a point or place of beginning.

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TOGETHER with the appurtenances and all the estate and rights of the Grantors in and to the said premises.

TO HAVE AND TO HOLD, the above granted premises unto the said Grantees.

AND the said Grantors do covenant with the said Grantees as follows:

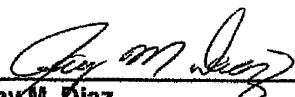
FIRST - That the Grantees shall quietly enjoy the said premises.

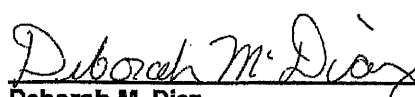
SECOND - That the Grantors will forever WARRANT the title to said premises.

THIRD - Subject to the trust fund provisions of section thirteen of the Ilen law.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

IN THE PRESENCE OF

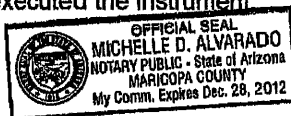

Jay M. Diaz


Deborah M. Diaz

STATE OF ARIZONA)

COUNTY OF Maricopa) ss:

On the 24th day of October in the year 2010, before me, the undersigned, a Notary Public in and for the State, personally appeared JAY M. DIAZ, 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 attached 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 on behalf of which the individual acted, executed the instrument




NOTARY PUBLIC (affix stamp)

STATE OF ARIZONA)

COUNTY OF Maricopa) ss:

On the 24th day of October in the year 2010, before me, the undersigned, a Notary Public in and for the State, personally appeared DEBORAH M. DIAZ, 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 attached instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.




NOTARY PUBLIC (affix stamp)



ERIE COUNTY CLERKS OFFICE
County Clerk's Recording Page

Return To:

BOX 129

Party 1:

DIAZ JAY M

Party 2:

FONTAINE ROBERT J

Book: 11190 Page: 8794

Page Count: 3

Doc Type: DEED-VACANT\$250

Rec Date: 10/29/2010

Rec Time: 01:05:59 PM

Control #: 2010197734

User ID: elleen

Trans Num: 973782

DEED SEQ: TT2010004892

MTG SEQ:

UCC:

SCAR:

INDEX:

Recording Fees:

RECORDING	\$35.00
COE CO \$1 RET	1.00
TRANSFER	\$400.00
NFTA TT	\$500.00
COE STATE \$14.25 GEN	\$14.25
COE STATE \$4.75 RM	\$4.75
RP5217 COUNTY \$9 RET	\$9.00
RP5217 ST-NON RES \$241	\$241.00
TP584	10.00

Consideration Amount: \$100,000.00

BASIC	\$0.00
SONYMA	\$0.00
ADDL	\$0.00
NFTA MT	\$0.00
TRANSFER	\$400.00
NFTA TT	\$500.00

Total: \$1,215.00

STATE OF NEW YORK
 ERIE COUNTY CLERK'S OFFICE

WARNING - THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT,
 REQUIRED BY SECTIONS 319&316-a (5) OF THE REAL PROPERTY LAW
 OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Kathleen C. Hochul
 County Clerk