TOWN OF ORCHARD PARK
PLANNING DEPARTMENT

S.4295 SOUTH BUFFALO STREET
ORCHARD PARK, NEW YORK 14127
(716) 662-6432

MEMORANDUM

DATE: November 13, 2026

TO: Bill Even, Town Clerk
Jennifer Brady, Deputy Town Clerk
Tom Minor, Building Inspector

FROM: Anna Worang-Zizzi, Director of Community Development

SUBJECT: November 18, 2026 - TB Agenda "Old Business Item(s)"

NEW BUSINESS:

The Tree Conservancy Committee Recommends the following Resolution:

WHEREAS, the Street Tree Planting Policy was changed in 2020 and few trees were planted after the policy change,

NOW, THEREFORE be it

RESOLVED, that the Town should revert to the updated 2001 "Street Tree Policy", placing the burden of planting the required Street Trees on the Highway Department.

Town of Orchard Park

Tree Planting Policies and Procedures

Procedures

This tree planting requirement involves several departments. Following are the procedures relating to the billing, collecting and accounting for these Fees:

1. The Building Inspectors Office will bill the Tree Planting fee ($500 single family home, $1,000 two family home) along with the building permit fee. The Tree Planting fee will be separate and distinct from building permit fee.

2. The Tree Planting Fee is then collected by the Town Clerk (along with the building permit fee). The Town Clerk will report the amounts collected for the Tree Planting fee separate from building permit fees **and** transmit such on a monthly basis to the Accounting Office. The Town Clerk will send a copy of amounts collected (and who such are collected from) to the Highway Department.

3. Upon receipt of information from the Town Clerk's Office, the Highway Department will maintain a record of individuals who have paid such fee and location.

4. Upon receipt of information and funds from the Town Clerk's Office, the Accounting Office will record the funds received in the Highway Fund Deferred Revenue. The cost of the trees should be recorded as prepaid

5. Upon Completion of the house, the Building Inspector's Office will issue a Certificate of Completion. A copy of the Competition Certificate will be sent by the Building Inspector's Office to the Highway Department. Upon receipt of the Certificate of Completion, the Highway· Department will schedule a tree to be planted (two trees in the case of a double) in the next planting season (either the next spring or fall).

6. In the case where it is not feasible or desirable to plant a tree on the site, the tree will be planted elsewhere in Town.

7. The Highway Department will plant such trees and at that time the fund will be released from deferred revenue and charged to account B00000 42188. The cost of the tree will be charged to account B08560 50400 out of prepaid. Any labor associates with Street Tree Planting should be charged to B08560 50105.

8. In the case where the Tree Planting Fee is received in one year, but the tree is not planted until the next, the funds will be reserved at year end based upon the Highway Department listing of the number of trees still to be planted.

Naughty or Nice 5K

RESOLVED, that the Town Board does hereby approve the Special Event Permit request for the Naughty or Nice 5K Run to be held on Saturday December 19, 2026 from 11AM – 1PM pending all fees have been paid and insurances have been provided.

Town of Orchard Park
Recreation Department
4520 California Rd
Orchard Park NY 14127
welchk@orchardparkny.gov

11/18/26
To: Town Board
From: Kristin Welch
Recreation Director

Item 1: Appt. to the staff of the Town of Orchard Park Recreation Department PT Staffing effective 11/30/26

Kerl, Rian	$16.75 Program Coordinator 1
Serafin, Colin	$16.75 Program Coordinator 1

Robert Parker new hire

WHEREAS, the Orchard Park Highway Department has an open laborer position; and

WHEREAS,, there are funds in the 2026 budget to fund a laborer position; and

WHEREAS,, Andrew Slotman, Orchard Park Highway Superintendent, has determined that Robert Parker is ready and able to serve as a laborer in the Orchard Park Highway Department.

NOW, THEREFORE be it

RESOLVED, that based on the recommendation of Andrew Slotman, Orchard Park Highway Superintendent, Robert Parker is appointed as a laborer in the Orchard Park Highway Department as a Blue Collar Laborer at Step 1 of the Blue Collar Contract at a rate of $27.06 per hour effective November 16, 2026.

Highway – Authorization to purchase 2 Trucks for the Highway Department

RESOLVED, that based on the recommendation of Andrew Slotman, Highway Superintendent, the Town Board does hereby accept the Bid from Delacy Ford, Inc. under New York State Bid Group number 40440-23166, for two 2026 Ford F-150 4WD Super Cab Work trucks with VIN 1FTEW2LPXTFB58307 and VIN 1FTEW2LP9TFB79357.

WHEREAS, the Town of Orchard Park Police Department maintains a budget appropriation for the purchase and replacement of patrol vehicles under Public Safety – Police – Patrol Cars (PS 3120 50215); and

WHEREAS, the Police Department currently has an unexpended balance of $80,947.00 within this budget line for the 2026 fiscal year; and

WHEREAS, maintaining a consistent and reliable fleet replacement schedule is essential to ensuring that the Police Department has safe, dependable, and properly equipped vehicles necessary to provide uninterrupted public safety services to the community; and

WHEREAS, the replacement of police vehicles is based on operational needs, vehicle age, mileage, condition, and anticipated service life, which may result in varying vehicle expenditures from year to year; and

WHEREAS, preserving these funds for future vehicle purchases will allow the Police Department to maintain its established fleet replacement schedule, avoid unnecessary delays in replacing aging patrol vehicles, and reduce the potential for increased maintenance costs and unanticipated future budgetary demands; and

WHEREAS, the Town maintains a restricted fund designated for vehicle purchases under Public Safety Fund – Restricted for Vehicles (PS 0000 30860);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Orchard Park hereby authorizes the transfer of **$80,947.00** from Public Safety – Police – Patrol Cars (PS 3120 50215) to Public Safety Fund – Restricted for Vehicles (PS 0000 30860), subject to applicable municipal accounting requirements; and

BE IT FURTHER RESOLVED, that said funds shall be designated for future Police Department vehicle purchases and replacements to support the continued implementation of the Department's fleet replacement schedule and ensure the availability of reliable patrol vehicles

Legal Notice

Notice is hereby given that that a Public Hearing will be held by the Town Board of the Town of Orchard Park, Erie County, New York at the Municipal Building, S4295 South Buffalo Street, Orchard Park, New York on the 16th day of December 2026 at 7:00 P.M., in the matter of the adoption of the Orchard Park Active Mobility Action Plan developed by "GOBike".

The Plan can be found at the Town Clerk's Office, and on The Town Website at www.orchardparkny.gov

Bill Even Town Clerk
November 18, 2025

Schedule a Joint Public Hearing regarding the annexation of a Town Property to Village.

RESOLVED, that the Town Board does hereby schedule a Joint Public Hearing for December 2, 2026 at 6:30pm for the purpose of hearing public comment on a petition to annex 1 parcel (SBL# 162.13-3-5 North Freeman Road by Taliesin Development LLC) from the Town of Orchard Park into the Village of Orchard Park.

ERIE COUNTY
PUBLIC NOTICE

VILLAGE OF ORCHARD PARK

TOWN OF ORCHARD PARK

NOTICE IS HEREBY GIVEN that a joint Public Hearing has been scheduled by the Village of Orchard Park Board of Trustees and the Town of Orchard Park Board Members for Wednesday December 2, 2026 at 6:30 pm, at the Orchard Park Municipal Center, 4295 South Buffalo Street, Orchard Park, New York.

The purpose of the hearing is to review the annexation petition of the following parcels:

162.13-3-5 N. Freeman Road

The petition requests the annexation of this Town property into the Village. All persons concerned with or interested in the above proposal will be given the opportunity to be heard at the public hearing.

The meeting room is wheelchair accessible. Those needing special arrangements should call the Village Clerk's office at 662-9327 or the Town Clerk's office at 662-6410.

Heather Tucciarone-Richeal
Village Clerk-Treasurer
Village of Orchard Park

William C. Even
Town Clerk
Town of Orchard Park

October 28, 2026

Schedule a Public Hearing for December 16, 2026 regarding the rezoning of 3444 & 3438 Orchard Park Rd.

At its meeting of November 12, 2026, the Planning Board recommended the following:

With regard to P.B. File# 32-25, 3444 & 3438 Orchard Park Road, Southtowns Financial, Northwest Corner of Orchard Park Road and Hart Place, Zoned B-4. (SBL #152.20-2-26, 152.20-2-25). The Planning Board recommend the Town Board Approve the request to rezone the west portion of the properties at 3444 and 3438 Orchard Park Road from a combination of B-4 and R-2 to R-2, for the purpose of building a new single-family residence, based on the following conditions and stipulations:

1. All public notices have been filed.
2. This is an Unlisted SEQR action based on the submitted Short EAF, and a Negative Declaration is made.
3. Fees shall be paid in accordance with Section 144-70C, of the Town Code prior to publication of the Public Hearing Notice.
4. The recommendation is contingent upon the Applicant completing the project as proposed on the preliminary development plans, and shall revert to its original Zoning Classification if the project is not completed per Section 144-67 of the Town Code.

Please set a Public Hearing date for December 16 this rezoning.

Legal Notice

Notice is hereby given that that a Public Hearing will be held by the Town Board of the Town of Orchard Park, Erie County, New York at the Municipal Building, S4295 South Buffalo Street, Orchard Park, New York on the 16th day of December 2026 at 7:00 P.M., in the matter of the proposed rezoning of a portion of the properties at 3444 and 3438 Orchard Park Road. (SBL #152.20-2-26, 152.20-2-25) from a combination of B-4 and R-2 to R-2, for the purpose of building a new single-family residence with access on Hart Place.

A complete application package is on file in the Town Clerk's Office.

Bill Even Town Clerk
November 18, 2025

HONORABLE TOWN BOARD OF ORCHARD PARK COUNTY OF ERIE, NEW YORK

IN THE MATTER OF THE PETITION OF:

DANIEL BLAKE
Name

3438 ORCH PK RD.
Street Address

ORCH. PARK, N.Y. 14127
Town, State, Zip Code

Name

Street Address

Town, State, Zip Code

TO AMEND THE ZONING ORDINANCE OF THE TOWN OF ORCHARD PARK.

TO THE HONORABLE TOWN BOARD OF ORCHARD PARK, COUNTY OF ERIE, NEW YORK

DATED: This 4 day of NOV., 2025

1. That the petitioner(s) is (are) the owner(s) (or, if not the owner, indicate petitioner's interest) of certain premises situated in the Town of Orchard Park County of Erie and State of New York, located (indicate location by reference to existing highways): NORTHWEST CORNER OF ORCHARD PARK RD + HART PLACE (REAR PORTION)
2. A description of said premises by metes and bounds is annexed hereto marked Exhibit "A" and made a part hereof. Exhibit "A" shall also be e-mailed to the Town of Orchard Park Planning Office.
3. A survey of the premises to be rezoned is annexed hereto marked Exhibit "B" and made a part hereof.
4. That the name and address of the record title owner(s) to the premises is (are)

DANACH LLC
Name

3438 ORCH PK RD
Street Address

ORCHARD PARK N.Y. 14127
Town, State, Zip Code

Name

Street Address

Town, State, Zip Code

5. That petitioner's interest in the premises to be rezoned is: TO USE REAR 100' OF LOT TO BUILD A SINGLE FAMILY HOME.
6. The present use of said premises is: VACANT - B4
7. The proposed use of said premise is: RESIDENCE
8. The present zoning classification of said premises is: B4

WHEREFORE, the petitioner(s) respectfully request that the Zoning Ordinance of the Town of Orchard Park be amended to change the zoning of the above premises from its present classification of _____ TO (New Zoning) _____.

DATED: This 4 day of NOVEMBER, 2025

Owner's Signature

Owner's Signature

STATE OF NEW YORK)
COUNTY OF ERIE)
TOWN OF ORCHARD PARK) **SS:**

_____ being duly sworn deposes and says:

That he is (they are) the petitioner(s) above named. That he has (they have) read the foregoing petition and know the contents thereof and that the same is true to the knowledge of the petitioner(s) except as to those matters stated to be on information and belief, and as to those matters petitioner(s) believes to be true.

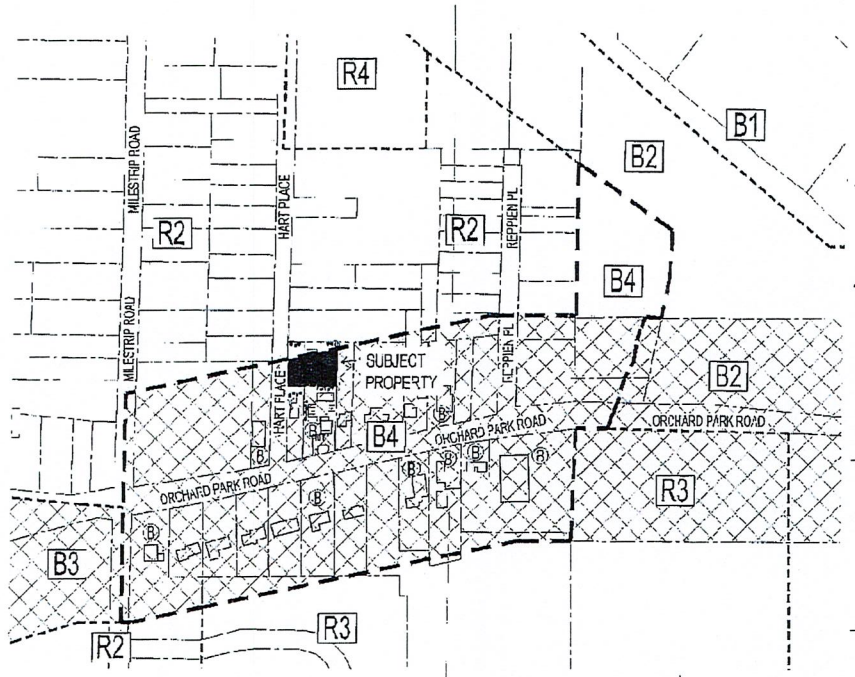
Signature

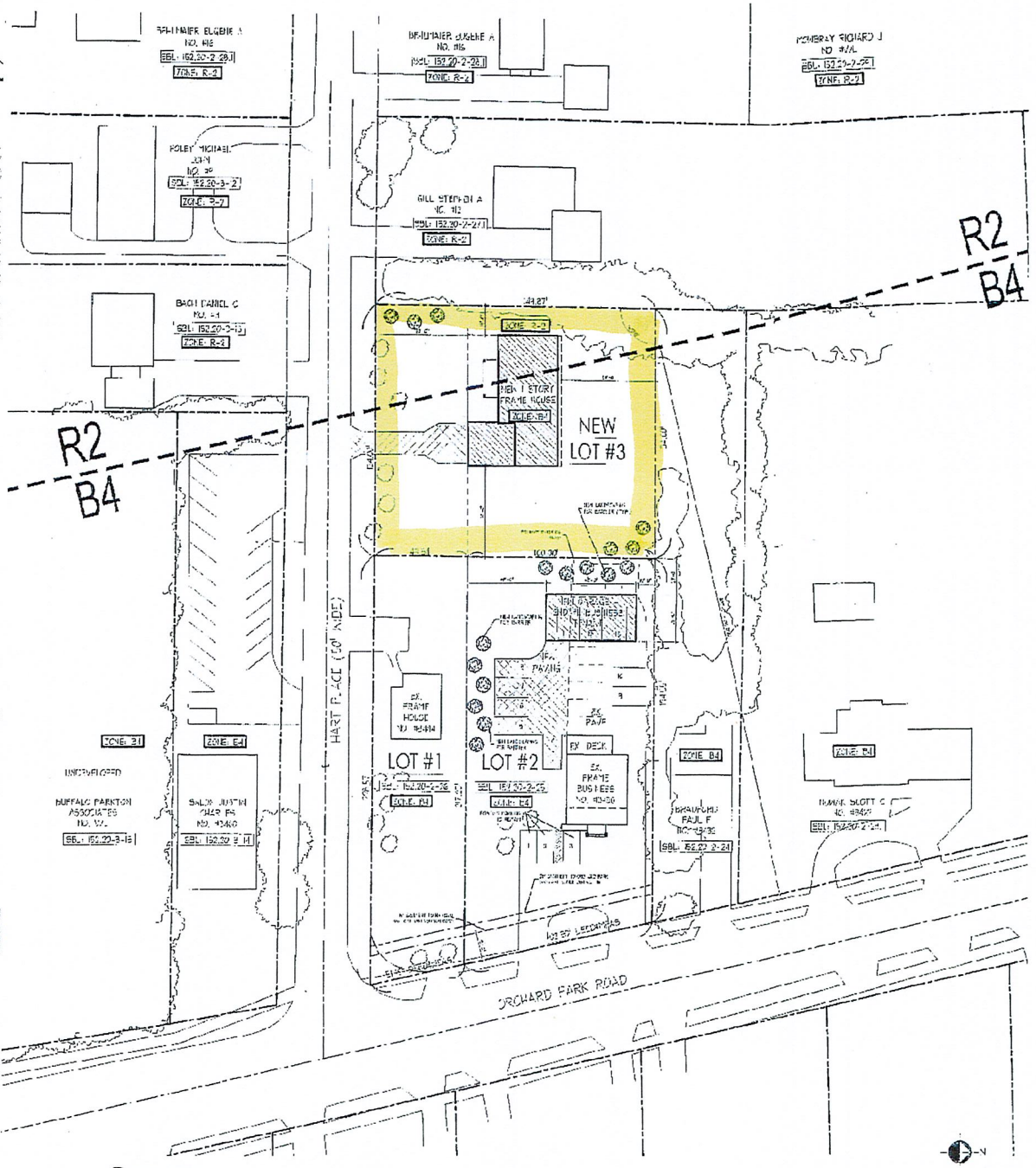
Sworn before me this 4th day of, November, 2025

Notary Public

Justin Larosa
Notary Public, State of New York
Reg. No. 01LA6427888
Qualified in Erie County
Commission Expires 01/03/26

Revised – 1/2012





LOT #1 EXISTING NON CONFORMING

TOTAL SITE: 11,020 SQUARE FEET 0.25 ACRES

ZONE: BUSINESS B-1

MINIMUM LOT DIMENSIONS (B-4 ZONE)
LOT WIDTH: 80 FEET MINIMUM — PROPOSED: 149.15 FEET EXIST. TO REMAIN
LOT DEPTH: 150 FEET MINIMUM — PROPOSED: 107.25 FEET

MINIMUM YARD DIMENSIONS (B-4 ZONE)
FRONT YARD: 50 FEET MINIMUM — PROPOSED: EXISTING TO REMAIN
SIDE YARD: 10 FEET MINIMUM — PROPOSED: EXISTING TO REMAIN
REAR YARD: 50 FEET MINIMUM — PROPOSED: 1.82 FEET

LOT #2

TOTAL SITE: 25,020 SQUARE FEET 0.58 ACRES

ZONE: BUSINESS B4
EXISTING BUSINESS TO REMAIN
ADDING A NEW PRIMARY STRUCTURE: 1 STORY 2254 SQ FT BUILDING

OFF-STREET PARKING SCHEDULE -
PROFESSIONAL OR BUSINESS OFFICES: ONE OFF-STREET PARKING SPACE FOR EACH 200 SQUARE FEET OF FLOOR AREA, PLUS ONE SPACE FOR EACH PATRON OR GUEST OF OFFICES OF THE SAME TENANCY.

2,850 SQ FT FOR ALL PRIMARY BUILDINGS / 200 SQ FT = 14 PARKING SPACES
+ 1 SPACE FOR EACH OFFICE / SUITE = 15 TOTAL PARKING SPACES

EXISTING PARKING SPACES: 12 SPACES
PROPOSED 15 SPACES

GREEN SPACE REQUIREMENTS:
MIN REQUIRED 20.0% — 4,560 SQ FT
PROPOSED 47.0% — 10,920 SQ FT

MINIMUM LOT DIMENSIONS (B-4 ZONE)
LOT WIDTH: 80 FEET MINIMUM — 100.00' EXISTING TO REMAIN
LOT DEPTH: 150 FEET MINIMUM — PROPOSED: 149.85 FEET

MINIMUM YARD DIMENSIONS (B-4 ZONE) — NEW BUILDING
FRONT YARD: 50 FEET MINIMUM — APPROXIMATELY 61 FEET
SIDE YARD: 10 FEET MINIMUM — PROPOSED: 0 FEET
REAR YARD: 20 FEET MINIMUM — PROPOSED: 20 FEET

NEW LOT #3

TOTAL SITE: 21,100 SQUARE FEET 0.48 ACRES

ZONE: REZONED TO RESIDENTIAL R2 (BUSINESS B4 EXISTING)
NEW SINGLE STORY RESIDENCE WITH ATTACHED GARAGE
NEW OFF-STREET PARKING

MINIMUM LOT DIMENSIONS (R2 ZONE)
AREA: 20,000 SQ FT — PROPOSED: 20,764 SQ FT
LOT WIDTH: 100 FEET MINIMUM — PROPOSED: 194.09 FEET (COMPLIANT R2)
LOT DEPTH: 150 FEET MINIMUM — PROPOSED: 149.87 EXIST. TO REMAIN

MINIMUM YARD DIMENSIONS (R2 ZONE)
FRONT YARD: 50 FEET MINIMUM — PROPOSED: 50 FEET
SIDE YARD: REAR YARD 50 FEET MINIMUM — PROPOSED: 5/100'
REAR YARD: 50 FEET MINIMUM — PROPOSED: 50 FEET

VARIANCES

LOT #3
-REZONE TO COMPLY WITH R2 ZONING
-LOT DEPTH MIN REQ = 150 FEET — PROPOSED 149.87' — 0.13' RELIEF

M:\projects\files\2025\05-08 8488 orchard park rd - dan klaudt\8488 orchard park rd site planning
2/26/2026 2:04 PM

32-25

Bammel Architects, PC
6264 West Quaker St., Orchard Park, NY 14127
phone (716) 662-2482 fax (716) 662-2487

January 14, 2025

LETTER OF INTENT
3438 & 3444 Orchard Park Road

The Honorable Town Board of Orchard Park,

Our client, Daniel Blake, Owner of Southtowns Financial Group, Inc. and the two properties related to this matter, is looking to develop a structure in the rear yards of these properties.

This rear portion of the properties is split with B-4 and R-2 zonings.
Combining both of these rear portions into a NEW LOT allows for a conforming lot and is unique in that it fronts Hart Place, a residential street.

Being at the rear of these +/- 340' deep properties, a new business use would not have successful exposure. The immediate neighboring is residential, and it feels residential in vernacular. The best use is logically residential.

Lot -1, #3444 is Existing Non-Conforming, due to its narrow width, the proposed change in depth is irrelevant.

Lot -2, #3438 remains compliant with the proposed change, again the change in depth is irrelevant.

NEW LOT is split zoned R-2 (28%) and B-4 (72%); It will be compliant with Area and Setbacks for R-2 (note: lot dept is 149.87' whereas 150' is required); A new residence will be built; Access would be from Hart Place- a residential street; The 78% is in the Overlay District and could remain subject to that review for a residence or waived.

The request is to allow the creation of this NEW LOT to allow development of the rear yards and rezone the NEW LOT from R-2/B-4 to all R-2 Residential.

Taxes: the rear portion of these lots are residual; creating a new lot increases the tax base

Proposed Legal Description

Sublot No. 3 – Hart Place
Orchard Park, New York
3 Lot Subdivision Orchard Park Road & Hart Place

All That Tract or Parcel of Land, situated in the Town of Orchard Park, County of Erie, State of New York, being part of Lot No. 19, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

Beginning at the intersection of the north line of Hart Place (50'wide), formerly Maple Avenue and the east line of sublot 35 of Map Cover 1487 filed in the Erie County Clerk's Office.

Thence N 00°56'32" E along the east line of sublot 35 of Map Cover 1487, a distance of 150.00 feet to a point.

Thence S 89°03'28" E along a line parallel with Hart Place (50' wide), a distance of 134.00 feet to a point at the northwest corner of sublot 2 of a proposed 3 Lot Subdivision Orchard Park Road & Hart Place.

Thence S 00°56'32" W along the division line of sublot's 2 & 3 of said proposed Subdivision, a distance 150.00 feet to a point on the north line of Hart Place (50' wide) and the southwest corner of sublot 1 of said proposed Subdivision.

Thence N 89°03'28" W along the north line of Hart Place, a distance of 134.00 feet to the Point or Place of Beginning and containing 20,100.00 square feet of land more or less.

Pro-Housing Communities Pledge

WHEREAS, the Town of Orchard Park (hereinafter "local government") believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State's economic growth and community well-being;

WHEREAS, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities;

WHEREAS, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant;

NOW, THEREFORE be it

RESOLVED, that the Town of Orchard Park, in order to take positive steps to alleviate the housing crisis, adopts the ProHousing Communities pledge, which will have us endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

Approve Site Plan and Building Permit for 3720-3740 California Rd.

At its meeting of November 12, 2026, the Planning Board recommended the following resolution:

With regard to P.B. File #24-25, 3720-3740 California Road, located at the northwest corner of Webster Road and California Road, Zoned I-1. (SBL #161.09-1-16.121),

WHEREAS; the Planning Board recommend that the Town Board APPROVE the presented AMMENDED Site Plan, received 10/26/2026 and AUTHORIZE a Building Permit, for construction of a 21,440 square foot warehouse building, along with associated utility, site lighting and landscape improvements, based on the following conditions and stipulations:

1. All public notices have been filed.
2. This is an Unlisted Action, based on the submitted Short EAF and a Negative Declaration is recommended.
3. The site lighting is limited to those fixtures and poles indicated on the approved Site Plan. Light fixtures shall have flat lenses and all lighting is to be directed downward and toward the site.
4. No outside storage or display is permitted.
5. Any future dumpsters shall be screened, in accordance with Section 144-25 of the Town Code.
6. The Applicant is to provide the Town of Orchard Park Assessor with an "independent" appraisal for the completed project by a Certified Commercial Appraiser
7. A GML 239n referral was submitted to the ECDEP on 9/25/2026. Comments were received on 10/20/2026. Alterations were made based on these comments.
8. The Site Plan dated 10/26/26 has been determined by the Building Inspector to be Compliant as presented.
9. Town Engineering approval was granted on 11/09/26.

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQR) the Town has reviewed this Unlisted SEQR Action and a negative Declaration is hereby made;

NOW THEREFORE BE IT RESOLVED, The Town Board does hereby APPROVE the presented AMMENDED Site Plan, received 10/26/2026 and AUTHORIZE a Building Permit

Approve Site Plan and Building Permit for 3565 Southwestern Blvd.

At its meeting of November 12, 2026, the Planning Board recommended the following resolution:

With regard to P.B. File #25-26, 3565 Southwestern Blvd, located on the Southeastern Side of Southwestern Blvd., Zoned B-2. (SBL# 161.07-7-11.1).

WHEREAS The Planning Board recommended move to recommend that the Town Board APPROVE the presented Site Plan, received 8/6/26 and AUTHORIZE a Building Permit, for a 4,550 square foot addition, based on the following conditions and stipulations:

1. All public notices have been filed.
2. This is an Unlisted Action, based on the submitted Short EAF and a Negative Declaration is recommended.
3. No additional site lighting is planned.
4. No outside storage or display is permitted.
5. Any future dumpsters shall be screened, in accordance with Section 144-25 of the Town Code.
6. The Applicant is to provide the Town of Orchard Park Assessor with an "independent" appraisal for the completed project by a Certified Commercial Appraiser
7. A GML 239n referral was submitted to the ECDEP on 9/25/26. Comments were received on 10/15/26. No recommendation was made.
8. The Site Plan dated 8/6/26, has been determined by the Building Inspector to be Compliant as presented.
9. Town Engineering is not involved as per a memo dated 9/25/26.

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQR) the Town has reviewed this Unlisted SEQR Action and a negative Declaration is hereby made;

NOW THEREFORE BE IT RESOLVED, The Town Board does hereby APPROVE the presented Site Plan, received 8/6/26 and AUTHORIZE a Building Permit

TOWN OF ORCHARD PARK

BUILDING INSPECTOR MONTHLY REPORT **MONTH OF October 2026**

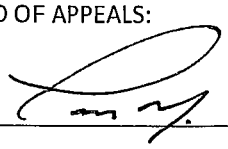
BUILDING PERMITS	# OF	VALUE	BUILDING PERMITS	# OF	VALUE
NEW CONSTRUCTION:			ABOVE GROUND POOLS		
SINGLE DWELLING	6	4,391,874	INGROUND POOLS		
DOUBLE DWELLING			DECKS	3	47,790
APT/MULTI-FAMILY	2	1,500,000	ELECTRICAL	13	454,293
COMMERCIAL			FENCES	6	107,370
ADDITIONS:			GARAGE/BARN/POLE BARN	4	83,000
RESIDENTIAL	3	245,000	GENERATORS	10	127,589
COMMERCIAL			MISC.(OPERATING/DEMO)	4	7,200
ALTER/REPAIR:			PORCH/PATIO		
RESIDENTIAL	5	120,050	SHEDS	9	61,339
COMMERCIAL / TENANT BO	3	676,100	SIGNS	3	21,625
COMMERCIAL MISC.	3	144,690	RESIDENTIAL MISC.	20	331,084
SOLAR PV SYSTEM	4	89,595	**TOTAL:**	**99**	**8,408,599**

INSPECTIONS	NUMBER OF INSPECTIONS PER ZONE				TOTAL
TYPE:	**1**	**2**	**3**	**4**	
NEW CONSTRUCTION:					
RESIDENTIAL	13	3	5		21
COMMERCIAL		6	2	6	14
ADDITIONS:					
RESIDENTIAL	1	5	2	1	9
COMMERCIAL		3			
ALTER/REPAIR:					
RESIDENTIAL	6	4	2	6	18
COMMERCIAL / TENANT BO		3	6	3	12
ABOVE GROUND POOLS			1		1
INGROUND POOLS	1	2	1		4
DECKS	1	2	3	1	7
ELECTRICAL					
FENCES	18	1		3	22
GARAGE/BARN/POLE BARN	2	3	1	3	9
GENERATORS		1	3		4
MISC.	7		2	6	15
PROPERTY MAINTANICE	6	8	10	30	54
SHEDS	7	2	1	2	12
SIGNS					
SOLAR PV SYSTEM					
FIRE INSPECTIONS	1	7	8	22	38
CLOSEOUT INSPECTIONS					
TOTAL INSPECTIONS:	63	50	47	83	243

Meetings Attended	Town Board	Planning Board	Z B A	Court
Tom Minor	3	2		1
Jake Klahn				2
Paul Tatko				
Natalie Nawrocki			1	

ZONING BOARD OF APPEALS: GRANTED: 5 DENIED: 0 Undefined 2

REMARKS:

SIGNATURE:  DATE: 10/4/2026

F/TOWN/BLDGINSP/MONTHLYREPORTS2023

WHEREAS, following due and timely notice, a public hearing relating to the matter of Local Law 6-2026 Local Law 6-2026 Gateway Mixed Use (GMU) & Update to Stadium Mixed Use (SMU) was conducted on October 7, 2026, at which time all interested parties were given an opportunity to speak.

NOW, THEREFORE, be it

RESOLVED, that the Town Board is hereby authorized to adopt Local Law 6-2026 which provides as follows:

WHEREAS, in accordance with the New York State Environmental Quality Review regulations (SEQR), the Town of Orchard Park announced its intent to serve as Lead Agency on August 19, 2026, to conduct an environmental review of Zoning Ordinance and Map Amendments for the Gateway Mixed-Use and Stadium Mixed-Use zones

1. The Town Board has determined that the proposed action is a "Type I" as defined under SEQR.

2. The Town Board, in its capacity as Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.

4. On August 28, 2026, the Town notified the Involved and Interested Agencies of its intention to act as Lead Agency for this project and circulated Part 1 of the Long Environmental Assessment Form.

5. Comments received on the project have been addressed in Part 2 of the Environmental Assessment Form.

6. The Town Board has considered the Environmental Record prepared for this action, including any comments received from the Involved Agencies, and the proposed Negative Declaration.

NOW THEREFORE BE IT RESOLVED, the Town Board declares that, based on the Environmental Record which has been prepared, the project will result in no major impacts and, therefore, will not cause significant damage to the environment. A Negative Declaration under SEQR is therefore issued for this project; and be it further resolved

WHEREAS, the Town Board of the Town of Orchard Park desires to amend Chapter 144, Zoning, of the Code of the Town of Orchard Park to establish the Gateway Mixed Use (GMU) zoning district and to make related revisions to the Gateway Mixed Use (GMU) and Stadium Mixed Use (SMU) zoning districts; and

WHEREAS, such amendments include revisions to permitted uses, definitions, dimensional requirements, schedules of use controls, and the Town Zoning Map; and

WHEREAS, the Town Board has completed all required reviews and procedures applicable to the proposed zoning amendments;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Orchard Park hereby amends § 144-6, Establishment of Districts, to add the Gateway Mixed Use (GMU) zoning district; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts the amendments to Attachments 14, 15, and 17 of Chapter 144, as set forth in the attached documentation, to implement the proposed revisions to the GMU and SMU zoning districts; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts new Attachment 18, Gateway Mixed Use Schedule of Use Controls, as set forth in the attached documentation; and

BE IT FURTHER RESOLVED, that the Town Board hereby amends the Zoning Map referenced in § 144-7 of Chapter 144 to establish and depict the Gateway Mixed Use (GMU) zoning district in the locations shown on the attached Zoning Map amendment and as described in the accompanying survey description; an

BE IT FURTHER RESOLVED, that all amendments, schedules, maps, and descriptions attached hereto are hereby incorporated into and made a part of this resolution; and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized and directed to make such filings and publications as may be required by law and to incorporate the adopted amendments into Chapter 144 and the official Zoning Map of the Town of Orchard Park.

Additions are <u>underlined</u>
Deletions are denoted by a ~~strikethrough~~

144 Attachment 17

Schedule of Use Controls
Stadium Mixed-Use (SMU)

<u>Permitted Principal Uses</u>	**<u>Permitted Accessory Uses</u>**	**<u>Special Exception Uses</u>**	**<u>Prohibited Uses</u>**
• Single-family dwellings attached • College/university facilities • Community center • Cultural facility • Day Care facility • ~~Emergency services~~ • ~~Urgent care~~ • ~~Government services~~ • Park/Recreation facilities • Schools • Sports facilities • Business and professional offices, including medical • Eating or drinking establishment • Indoor recreation facility • Shopping center • Retail store • Hotel, ~~Motel~~ • ~~Brewpub~~ • <u>Mixed-use Development</u>	• Parking, including parking decks, as an accessory use	• Outdoor recreation facility • Outdoor entertainment facility • Convenience store with <u>or without</u> fuel services • Bed & Breakfast • Parking, including parking decks, as principal uses • ~~Single-family dwellings, detached~~ • Drive-in service facilities • ~~Mixed-use Development~~	• Adult Uses

• Conference and Event Center			

Additions are underlined
Deletions are denoted by a ~~strikethrough~~

144 Attachment 18

Schedule of Use Controls
Gateway Mixed-Use (GMU)

Permitted Principal Uses	Permitted Accessory Uses	Special Exception Uses	Prohibited Uses
• College/university facilities • Community center • Cultural facility • Day Care facility • Park/Recreation facilities • Schools • Sports facilities • Business and professional offices, including medical • Eating or drinking establishment • Service establishment • Shopping center • Retail store • Hotel • Mixed-use development • Conference and Event Center	• Parking, including parking decks, as an accessory use	• Outdoor recreation facility • Outdoor entertainment facility • Convenience store with or without fuel services • Bed & Breakfast • Parking, including parking decks, as principal uses • Drive-in service facilities • Hospitals • Light Industrial • Single-family dwellings, attached	• Adult Uses

The following amendments are proposed for Article II, Section 144-5:

Additions are underlined
Deletions are denoted by a ~~strikethrough~~

Mixed-Use Development: ~~A building which contains dwellings located above the ground floor of an institutional, civic, office, commercial, or retail use~~ A building containing a combination of residential and nonresidential uses, including retail, restaurants, offices, personal services, civic, entertainment, lodging, and other permitted commercial or compatible uses. Nonresidential uses may occupy any floor of the building; however, residential dwelling units shall be limited to floors above the ground floor. A minimum of 20 percent of the building's gross floor area shall be devoted to permitted non-residential uses.

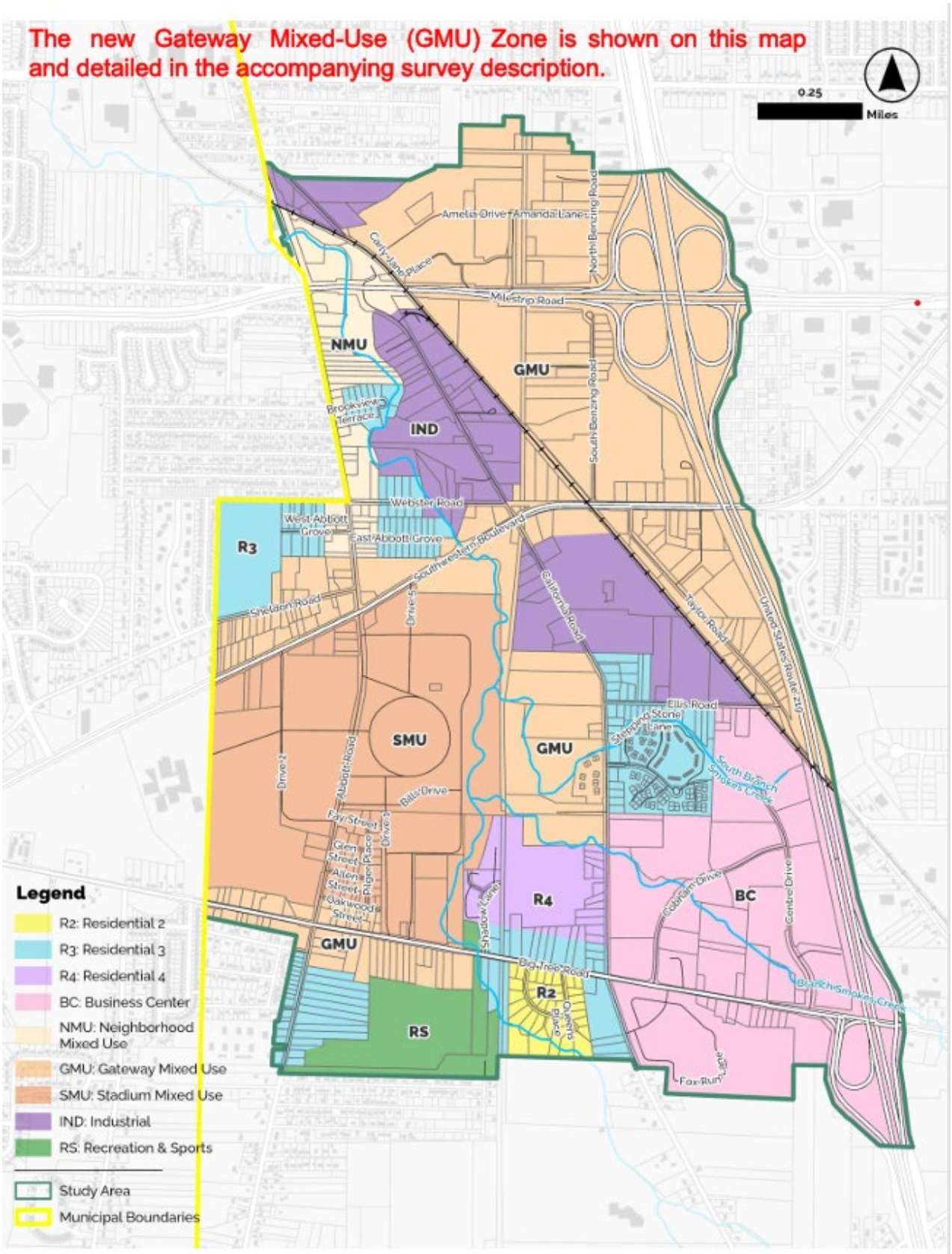
Conference and Event Center: A facility primarily designed and used for scheduled gatherings for business, professional, educational, social, ceremonial, recreational, or similar purposes, including conferences, meetings, seminars, training programs, workshops, weddings, receptions, banquets, celebrations, fundraisers, and similar events. Accessory uses may include food and beverage service, entertainment, exhibition space, administrative offices, recreational amenities, and other activities and facilities customarily incidental to such gatherings.

Eating or Drinking Establishment: ~~A commercial use where food or beverages are offered for purchase, and/or are available to or consumed by customers or patrons. This includes facilities such as restaurants, bars, and cafés.~~ An establishment primarily engaged in the preparation, service, or sale of food or beverages for consumption on or off the premises, including restaurants, cafés, coffee shops, bars, taverns, and similar establishments. This may also include brewpubs, a restaurant that prepares handcrafted beer as an accessory use intended for consumption on the premises provided production capacity shall be limited to not more than 5,000 barrels per year and that such accessory use may
occupy up to 30 percent of the gross floor area of the restaurant.

Additions are underlined
Deletions are denoted by a ~~strikethrough~~

Attachments 14 & 15 Amendments
Schedule of Height, Lot, Yard and Bulk Regulations
Gateway Mixed Use (GMU)

Zoning District	Area (square feet)	Area Dwelling Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear (feet)	Rear for Accessory Buildings (feet)	Maximum Height of Buildings (feet)	Maximum Height Accessory Areas (feet)	Maximum Lot Coverage
GMU Stadium Mixed Use											
One-family, detached		7,500	45	120	40	15	40	10	35	35	60%
One-family, attached		7,500	45	120	40	0	40	10	35	35	60%
Commercial or Mixed-Use	20,000		150	150	40	25	40		60	35	60%
Light Industrial	40,000		150	200	50	10	20		40		40%


The new Gateway Mixed-Use (GMU) Zone is shown on this map and detailed in the accompanying survey description.
0.25
Miles
Amelia Drive
Amanda Lane
Carly Jane Place
North Benzing Road
Milestrip Road
NMU
GMU
Brookview Terrace
IND
South Benzing Road
Webster Road
West Abbott Grove
East Abbott Grove
R3
Southwestern Boulevard
Sheldon Road
Drive 4
California Road
Taylor Road
United States Route 219
Ellis Road
Stepping Stone Lane
SMU
GMU
Drive 2
Abbott Road
Bills Drive
Fay Street
Glen Street
Allen Street
Oakwood Street
Pilger Place
Drive 3
South Branch Smokes Creek
R4
BC
Cobham Drive
Centre Drive
Shadow Lane
GMU
Big Tree Road
R2
Owens Place
RS
Fox Run
Legend
R2: Residential 2
R3: Residential 3
R4: Residential 4
BC: Business Center
NMU: Neighborhood Mixed Use
GMU: Gateway Mixed Use
SMU: Stadium Mixed Use
IND: Industrial
RS: Recreation & Sports
Study Area
Municipal Boundaries

PROPOSED REZONING DESCRIPTION TO BE REZONED AS GATEWAY MIXED USE (GMU)

DATE: March 04, 2026
CLIENT: Town of Orchard Park
PROJECT: Preliminary Stadium Area Comprehensive Development Plan

ALL that tract or parcel of land, situate in the Town of Orchard Park, County of Erie, and State of New York, being part of Lot Number 39, Township 9, Range 7 of the Holland Land Company's Survey, being more particularly bounded and described as follows:

BEGINNING at a point in the centerline of Big Tree Road at the intersection with the southerly extension of the west line of lands of The County of Erie by Erie County Legislature Authorization and Condemnation proceeds as described by reference deed recorded in the Erie County Clerk's Office in Liber 7902 of Deeds at Page 245, said point also being the intersection of said centerline of Big Tree Road and the southerly extension of the east line of lands conveyed to Johnathan Patrick Payne and Nicole Payne, husband and wife, by deed recorded in the Erie County Clerk's Office in Liber 11445 of Deeds at Page 3072, said point also being the intersection of said centerline of Big Tree Road and the southerly extension of the east line of lands shown on a map entitled "William F. Pilger's sub-division of part of Lot No. 39, TWP. 9, Range 7" and filed in the Erie County Clerk's Office under Map Cover No. 1541 ;

THENCE, Northerly along the said southerly extension and the said west line of the latter said lands conveyed to The County of Erie as referenced by Liber 7902 of Deeds at Page 245, the said southerly extension and the said east line of lands conveyed to Payne, said east line conveyed to Payne being also the east line of Sublot No. 19 of Block No. 1 of said Map Cover No. 1541 and along the east line of said Subdivision Map Cover No. 1541 , a distance of about 155.73 feet to a point, said point being the northeast corner of said lands conveyed to Payne and the northeast corner of said Sublot No. 19 of Block No.1 of said Map Cover No. 1541, said point also being the southeast corner of lands conveyed to Matthew C. Cavanagh by deed recorded in the Erie County Clerk's Office in Liber 11153 of Deeds at Page 8888, said point also being the southeast corner of Sublot No. 20 of Block No. 1 of said Map Cover No. 1541;

THENCE Northerly along the said west line of the lands of The County of Erie as referenced by Liber 7902 of Deeds at Page 245, along the east line of said lands conveyed to Cavanagh and the northerly extension thereof, said east line conveyed to Cavanagh also being the east line of Sublot No. 20 of Block No. 1 of said Map Cover No. 1541 and the northerly extension thereof and the said east line of Map Cover No. 1541, a total distance of about 178.72 feet to a point on the centerline of Oakwood Avenue, being 50.0 feet wide, designated as 'A' Street on said Map Cover No. 1541;

THENCE West-Northwesterly along said centerline of Oakwood Avenue, a distance of about 794.49 feet to a point on the centerline of Abbott Road, being 66.0 wide;

THENCE, South-Southwesterly along said centerline of Abbott Road, a distance of about 139.35 feet to a point, said point being distant about 220 feet north-northeast of the said centerline of Big Tree Road as measured along said centerline of Abbott Road, said point also being a southeast corner of the lands conveyed to Erie County by deed recorded in the Erie County Clerk's Office in Liber 7551 of Deeds at Page 607, said point also being the northeast corner by the first described "parcel one" of the lands conveyed to 4270 Abbott Road, LLC by deed recorded in the Erie County Clerk's Office in Liber 11053 of Deeds at Page 2188;

THENCE, West-Northwesterly along the south line of the latter said lands conveyed to The County of Erie, and along the north line of said first described "parcel one" of lands and continuing west-northwesterly along the west-northwest extension of said first described "parcel one", and along the second described "parcel two" of lands conveyed to 4270 Abbott Road, LLC., by said deed, a total distance of about 377 feet to a point in a ditch, said point being the northwest corner of said second described "parcel two" of lands conveyed to 4270 Abbott Road, LLC, a southwest corner of the latter said lands conveyed to the County or Erie, said point also being on the northeast line of lands conveyed to Jacob R. Leckel and Allison J. Leckel, husband and wife, by deed recorded in Erie County Clerk's Office in Liber 11336 of Deeds at Page 2195;

THENCE Northwesterly along a southwest line of the latter said lands conveyed to The County of Erie and along the said northeast line of lands conveyed to Leckel, a distance of about 63.78 feet to a point, said point being the north corner of said lands conveyed to Leckel, said point being a northeast corner of the second described Parcel "B" of lands conveyed to Alden Four Rod, LLC. by deed recorded in the Erie County Clerk's Office in Liber 11437 of Deeds at Page 7062;

THENCE continuing Northwesterly along a southwest line of the latter said lands conveyed to The County of Erie and the northeast line of the said second described Parcel “B” of lands conveyed to Alden Four Rod, LLC., a distance of about 10.46 feet to a point, said point being a northeast corner of the said second described Parcel “B” of lands conveyed to Alden Four Rod, LLC., said point also being an angle point of the latter said lands conveyed to The County of Erie;
THENCE West-Northwesterly along a south line of the latter said lands conveyed to The County of Erie and along the north line of the second described Parcel “B” of said lands conveyed to Alden Four Rod, LLC, a distance of about 93.393 feet to a point, said point being the northwest corner of the second described Parcel “B” of said lands conveyed to Alden Four Rod, LLC., said point also being the northeast corner of the first described Parcel “A” of said lands conveyed to Alden Four Rod, LLC. by said deed;
THENCE Continuing West-Northwesterly along the south line of the latter said lands conveyed to The County of Erie and the north line of the said first described Parcel “A” of lands conveyed to Alden Four Rod, LLC., a distance of about 150.039 feet to a point, said point being the northwest corner of the said first described Parcel “A” of lands conveyed to Alden Four Rod, LLC, said point also being the northeast corner of the second described parcel of lands conveyed to Caylor J. Mangino and Sarah M. Mangino, husband and wife, by deed recorded in the Erie County Clerk’s Office in Liber 11401 of Deeds at Page 1060;
THENCE West-Northwesterly along the south line of the latter said lands conveyed to The County of Erie, along a centerline of a creek and the north line of the said second described parcel of lands conveyed to Mangino, a distance of about 100 feet to a point, said point being the northwest corner of said second described parcel of lands conveyed to Mangino, said point also being the northeast corner of the first described parcel of said lands conveyed to Mangino;
THENCE Continuing West-Northwesterly along the south line of the latter said lands conveyed to The County of Erie and along the north line of the said first described parcel of lands conveyed to Mangino, a distance of about 50.013 feet to a point, said point being the northwest corner of the said first described parcel of lands conveyed to Mangino and said point being on the east line of the first described Parcel “A” of lands conveyed to David A. Hulin by deed recorded in the Erie County Clerk’s Office in Liber 11133 of Deeds at Page 2636;
THENCE North-Northeasterly along a west line of the latter said lands conveyed to The County of Erie and the east line of said first described Parcel “A” of lands conveyed to Hulin, a distance of about 3 feet to the northeast corner of the said first described Parcel “A” of lands conveyed to Hulin, said point also being a corner of the latter said lands conveyed to The County of Erie;
THENCE West-Northwesterly along the south line of the latter said lands conveyed to The County of Erie and the north line of said first described Parcel “A” of lands conveyed to Hulin, a distance of about 50.013 feet to a point, said point being the northwest corner of said first described Parcel “A” of lands conveyed to Hulin, said point also being on the east line of the second described Parcel “B” of said lands conveyed to Hulin by said deed;
THENCE North-Northeasterly along a west line of the latter said lands conveyed to The County or Erie and the east line of said second described Parcel “B” of said lands conveyed to Hulin, a distance of about 1.14 feet to a point, said point being the northeast corner of said second described Parcel “B” of said lands conveyed to Hulin, said point also being a corner of the latter said lands conveyed to The County of Erie;
THENCE West-Northwesterly along the south line of the latter said lands conveyed to the County or Erie, and north line of said second described Parcel “B” of said lands conveyed to Hulin, a distance of about 50.013 feet to a point, said point being the northwest corner of said second described Parcel “B” of lands conveyed to Hulin, said point also being on the east line of the third described Parcel “C” of lands conveyed to Hulin by said deed;
THENCE North-Northeasterly along a west line of the latter said lands conveyed to The County or Erie and the said east line of first described Parcel “C” of lands conveyed to Hulin, a distance of about 1.14 feet to a point, said point being the northeast corner of said first described Parcel “C” of said lands conveyed to Hulin, said point also being a corner of the latter said lands conveyed to The County of Erie;
THENCE West-Northwesterly along the south line of the latter said lands conveyed to The County or Erie and the north line of said third described Parcel “C” of lands conveyed to Hulin, a distance of about 50.013 feet to a point, said point being the northwest corner of said third described Parcel “C” of said lands conveyed to Hulin, said point also being the northeast corner of the second described parcel of lands conveyed to Timothy Comstock and Tracey Rae Comstock, husband and wife, by deed recorded in the Erie County Clerk’s Office in Liber 11202 of Deeds at Page 7877;
THENCE Continuing West-Northwesterly along the south line of the latter said lands conveyed to The County of Erie and along the north line of said second described parcel of lands conveyed to Comstock, a distance of about 100 feet to a point, said point being the northwest corner of said second described parcel of lands conveyed to Comstock, said point also being the northeast corner of the first described parcel of lands conveyed to Comstock by said deed;

THENCE Continuing West-Northwesterly along the south line of the latter said lands conveyed to The County of Erie the and north line of the said first described parcel of lands conveyed to Comstock, a distance of about 50 feet to a point, said point being the northwest corner of said first described parcel of lands conveyed to Comstock, said point also being the northeast corner of lands conveyed to Jason W. Knavel and Michelle C. Newman, as joint tenants, by deed recorded in the Erie County Clerk's Office in Liber 10911 of Deeds at Page 53;
THENCE Westerly along the south line of the latter said lands conveyed to The County of Erie, along the centerline of a ditch, and along the north line of said lands conveyed to Knavel and Newman, a distance of about 71.85 feet to a point, said point being the northwest corner of said lands conveyed to Knavel and Newman, said point also being the northeast corner of the lands conveyed to Jonathan M. Dolinar
THENCE Westerly along a south line of the latter said lands conveyed to The County of Erie, along the centerline of a ditch, and along the north line of said lands conveyed to Dolinar, a distance of about 81.90 feet to a point, said point being the northwest corner of said lands conveyed to Dolinar, said point also being the northeast corner of the lands conveyed to Daniel L. Childress and Julie K. Childress, his wife, by deed recorded in the Erie County Clerk's Office in Liber 11217 of Deeds at Page 8851;
THENCE Westerly along the south line of the latter said lands conveyed to The County of Erie, along the centerline of a ditch, and along the north line of said lands conveyed to Childress, a distance of 132.945 feet to an angle point;
THENCE Southwesterly along a southeast line of the latter said lands conveyed to The County of Erie, along the centerline of a ditch, and along a northwest line of said lands conveyed to Childress, a distance of about 44.80 feet to a point, said point being the northwest corner of said lands conveyed to Childress, said point also being a southwest corner of the latter said lands conveyed The County of Erie, said point also being on an east line of the said lands of the first mentioned lands conveyed to The County of Erie by Liber 8521 of Deeds at Page 585, said point also being on the west line of the said Lot No. 39, said point also being on the east line of Lot No. 47, Township 9, Range 7 of the said Holland Land Company's Survey of the said Town of Hamburg, said point also being on the west line of said Town of Orchard Park, said point also being on the east line of said Town of Hamburg;
THENCE, Southerly along the west line of said Lot No. 39 being the west line of said Town of Orchard Park, also southerly along the said east line of Lot No. 47 being the east line of said Town of Hamburg and along the west line of said lands conveyed to Childress, a distance of 162.15 feet to a point at the said centerline of Big Tree Road, said point being the southwest corner of the said lands conveyed Childress, said point also being about 1401.7 feet west of the said centerline of Abbott Road as measured along the said centerline of Big Tree Road;
THENCE, Southerly continuing along the said west line of Lot No. 39 being the said west line of the Town of Orchard Park, along the said east line of Lot No. 47 being the said east line of the Town of Hamburg, along the northerly extension of the west line of lands conveyed to Michael Clarence Bachert and Sandra Lee Bachert by deed recorded in the Erie County Clerk's Office in Liber 8780 of Deeds at Page 231 and along the northerly extension of sub lot number 23 and the west line of a map cover both as shown on a map entitled "Greenfield Subdivision Map" and filed in the Erie County Clerk's Office under Map Cover No. 875, a distance of about 185.95 feet to the southwest corner of said lands of Bachert, said point being the southwest corner of said sublot 23;
THENCE, Easterly along the south line of said lands of Bachert, along the south line of said sublot 23 and continuing along the south line of sublot 22 of said map cover, a distance of 95.74± feet to the southeast corner of said lands of Bachert, said point being 32.00 feet distant easterly measured at right angles from the west line of said sublot 22, said point also being the southwest corner of lands conveyed to Jack E. Hertenstein and Mary C. Hertenstein by deed recorded in the Erie County Clerk's Office in Liber 8283 of Deeds at Page 439;
THENCE, Easterly along the south line of said lands of Hertenstein, along the south line of said sublot 22 and continuing along the south line of sublot 21 of said map cover, a distance of 100.00 feet to the southeast corner of said lands of Hertenstein, said point being the southeast corner of said sublot 21, said point also being the southwest corner of lands conveyed to Frederick J. Bauer, Jr. and Juanita L. Bauer by deed recorded in the Erie County Clerk's Office in Liber 10497 of Deeds at Page 603, said point also being the southwest corner of sublot 20 of said map cover;
THENCE, Easterly along the south line of said lands of Bauer, along the south line of said sublot 20 and continuing along the south line of sublots No. 19 and No. 18 of said map cover, a distance of 198.00 feet to the southeast corner of said lands of Bauer, said point being the southeast corner of said sublot 18, said point also being the southwest corner of lands conveyed to William C. Tyrrell and Kathleen M. Tyrrell, his wife, by deed recorded in the Erie County Clerk's Office in Liber 11104 of Deeds at Page 837, said point also being the southwest corner of sublot 17 of said map cover;
THENCE, Easterly along the south line of said lands of Tyrrell, along the south line of said sublot 17, a distance of 66.00 feet to the southeast corner of said lands of Tyrrell, said point being the southeast corner of said sublot 17, said point also being the southwest corner of lands conveyed to JMS-S Properties by deed recorded in the Erie

County Clerk's Office in Liber 11136 of Deeds at Page 3632, said point also being the southwest corner of sublot 16 of said map cover;
THENCE, Easterly along the south line of said lands of JMS-S Properties, along the south line of said sublot 16, a distance of 66.00 feet to the southeast corner of said lands of JMS-S Properties, said point being the southeast corner of said sublot 16, said point also being the southwest corner of lands conveyed to Francis Woodley by deed recorded in the Erie County Clerk's Office in Liber 11160 of Deeds at Page 5993, said point also being the southwest corner of sublot 15 of said map cover;
THENCE, Easterly along the south line of said lands of Woodley, along the south line of said sublot 15 and continuing along the south line of sublot 14 of said map cover, a distance of 132.00 feet to the southeast corner of said lands of Woodley, said point being the southeast corner of said sublot 14, said point also being the southwest corner of lands conveyed to Cullen Mangino and Caylor Mangino, Co-Trustees of the Mangino 2022 Family Trust Dated May 24, 2022 by deed recorded in the Erie County Clerk's Office in Liber 11403 of Deeds at Page 2002, said point also being the southwest corner of sublot 13 of said map cover;
THENCE, Easterly along the south line of said lands of the Mangino 2022 Family Trust, along the south line of said sublot 13, a distance of 66.00 feet to the southeast corner of said lands of the Mangino 2022 Family Trust, said point being the southeast corner of said sublot 13, said point also being the southwest corner of lands conveyed to Mark D. Ebeling by deed recorded in the Erie County Clerk's Office in Liber 11410 of Deeds at Page 9412, said point also being the southwest corner of sublot 12 of said map cover;
THENCE, Easterly along the south line of said lands of Ebeling, along the south line of said sublot 12 and continuing along the south line of sublot 11 of said map cover, a distance of 100.00 feet to the southeast corner of said lands of Ebeling, said point being 34.00 feet distant easterly measured at right angles from the west line of said sublot 11, said point also being the southwest corner of the first described parcel of lands conveyed to 4300 Abbott Road, Inc. by deed recorded in the Erie County Clerk's Office in Liber 10931 of Deeds at Page 7438, said point also being 32.00 feet distant westerly measured at right angles from the east line of said sublot 11;
THENCE, Easterly along the south line of the said first described parcel of lands of 4300 Abbott Road, Inc. along the south line of said sublot 11 and continuing along the south line of sublots No. 10, No. 9, and No. 8 of said map cover, a distance of 230.00 feet to the southeast corner of the said first described parcel of lands of 4300 Abbott Road, Inc., said point being the southeast corner of said sublot 8, said point also being the southwest corner of the second described parcel of lands designated as Parcel "B" also conveyed to 4300 Abbott Road, Inc. by said deed, said point also being the southwest corner of sublot 7 of said map cover;
THENCE, Easterly along the south line of the said second described parcel of lands designated as Parcel "B" of lands of 4300 Abbott Road, Inc. and along the south line of said sublot 7 and continuing along the south line of sublot 6 of said map cover, a distance of 66.00 feet to a corner of the said second described parcel of lands designated as Parcel "B" of lands of 4300 Abbott Road, Inc., said point being the southeast corner of said sublot 6, said point also being on the west line of sublot 3 of said map cover;
THENCE, Southerly along a west line of the said second described parcel of lands designated as Parcel "B" of lands of 4300 Abbott Road, Inc. and along the west line of said sublot 3 and continuing along the west line of sublots No. 2 and No. 1 of said map cover and the southerly extension of said west lines, a distance of 175.00 feet to a point on the centerline of Penhurst Street, being 50.0 feet wide;
THENCE, Easterly along the said centerline of Penhurst Street, a distance of 183.00 feet to a point on the said centerline of Abbott Road;
THENCE, Southerly along said centerline of Abbott Road, a distance of about 170.53 feet to a point at the southwest corner of the lands conveyed to Yellow Brick, LLC by deed recorded in the Erie County Clerk's Office in Liber 11302 of Deeds at Page 3755, said point being a distance of 528.53 feet south of the said centerline of Big Tree Road as measured along the said centerline of Abbott Road;
THENCE, Easterly along the south line of said lands of Yellow Brick, LLC and parallel with the said centerline of Big Tree Road, a distance of 481.41 feet to a point at the southeast corner of said lands conveyed to Yellow Brick, LLC by said deed, said point also being the southwest corner of lands conveyed to Yellow Brick, LLC by deed recorded in the Erie County Clerk's Office in Liber 11319 of Deeds at Page 6066;
THENCE, Easterly along the south line of latter said lands of Yellow Brick, LLC and parallel with the said centerline of Big Tree Road, a distance of 164.99 feet to a point at the southeast corner of latter said lands conveyed to Yellow Brick, LLC, said point also being on the west line of lands conveyed to Nelson E. Cameron, as Life Tenant and Denise Cameron, as Remainderman by deed recorded in the Erie County Clerk's Office in Liber 11326 of Deeds at Page 21;
THENCE, Southerly along the said west line of lands of Cameron, a distance of 101.00 feet to a point at the southwest corner of the said lands conveyed to Cameron;

THENCE, Easterly along the south line of said lands of Cameron and parallel with the said centerline of Big Tree Road, a distance of 203.65 feet to a point at the southeast corner of said lands conveyed to Cameron, said point being on a west line of lands conveyed to The Town of Orchard Park by deed recorded in the Erie County Clerk's Office in Liber 11138 of Deeds at Page 7939;
THENCE, Northerly about parallel with the east line of said Lot Number 39, Township 9, Range 7 of the Holland Land Company's Survey and along the east line of the said lands of Cameron and the west line of said lands of The Town of Orchard Park, a distance of about 111.13 feet to the southwest corner of lands conveyed to Yellow Brick, LLC by deed recorded in the Erie County Clerk's Office in Liber 11261 of Deeds at Page 7328, said point also being about 525.00 feet south of the said centerline of Big Tree Road as measured along the said west line of lands conveyed to the latter said Yellow Brick LLC, said point also being a northwest corner of said lands conveyed to The Town of Orchard Park;
THENCE, Easterly along the south line of latter said lands conveyed to Yellow Brick, LLC, a north line of said lands conveyed to The Town of Orchard Park and parallel with the said centerline of Big Tree Road, a distance of about 92.3 feet to a point at the southeast corner of the latter said lands conveyed to Yellow Brick, LLC, said point being the southwest corner of lands conveyed to Christopher A. Acquard and Rachel M. Eising, as Trustees of The Acquard Family Income Only Trust dated December 11, 2024 by a deed recorded in the Erie County Clerk's Office in Liber 11440 of Deeds at Page 482;
THENCE, Easterly along the south line of said lands conveyed to The Acquard Family Income Only Trust, a north line of said lands conveyed to The Town of Orchard Park and parallel with the said centerline of Big Tree Road, a distance of 84.00 feet to a point at the southeast corner of the said lands conveyed to The Acquard Family Income Only Trust, said point being the southwest corner of lands conveyed to Robert W. Fessler, Jr. and Deborah Fessler, his wife, by a deed recorded in the Erie County Clerk's Office in Liber 9437 of Deeds at Page 362;
THENCE, Easterly along the south line of said lands conveyed to Fessler, a north line of said lands conveyed to The Town of Orchard Park and parallel with the said centerline of Big Tree Road, a distance of 84.00 feet to a point at the southeast corner of the said lands conveyed to Fessler, said point being the southwest corner of lands conveyed to Edward P. Gramse and Crystal G. Gramse, husband and wife, by a deed recorded in the Erie County Clerk's Office in Liber 11359 of Deeds at Page 2053;
THENCE, Easterly along the south line of said lands conveyed to Gramse, a north line of said lands conveyed to The Town of Orchard Park and parallel with the said centerline of Big Tree Road, a distance of 84.00 feet to a point at the southeast corner of the said lands conveyed to Gramse, said point being the southwest corner of lands conveyed to Michael T. Kapsiak and Ruth A. Kapsiak, his wife, by a deed recorded in the Erie County Clerk's Office in Liber 10502 of Deeds at Page 359;
THENCE, Easterly along the south line of said lands conveyed to Kapsiak, a north line of said lands conveyed to The Town of Orchard Park and parallel with the said centerline of Big Tree Road, a distance of 84.00 feet to a point at the southeast corner of the said lands conveyed to Kapsiak, said point being the southwest corner of lands conveyed to George R. Schmelzer and Mary Lou Schmelzer, his wife, by deed recorded in the Erie County Clerk's Office in Liber 7954 of Deeds at Page 147;
THENCE, Easterly along the south line of said lands conveyed to Schmelzer, a north line of said lands conveyed to The Town of Orchard Park and parallel with the said centerline of Big Tree Road, a distance of 84.00 feet to a point at the southeast corner of the said lands conveyed to Schmelzer, said point being the southwest corner of lands conveyed to David E. Gross and Michelle A. Gross, husband and wife, by deed recorded in the Erie County Clerk's Office in Liber 11440 of Deeds at Page 5157;
THENCE, Easterly along the south line of said lands conveyed to Gross, a north line of said lands conveyed to The Town of Orchard Park and parallel with the said centerline of Big Tree Road, a distance of 84.00 feet to a point at the southeast corner of the said lands conveyed to Gross, said point being the southwest corner of the first described parcel of land and the southwest corner of the exception parcel of land, both conveyed to Allen F. Baur by deed recorded in the Erie County Clerk's Office in Liber 10197 of Deeds at Page 687; said point now being a corner of said lands conveyed to The Town of Orchard Park;
THENCE Easterly through the said lands conveyed to The Town of Orchard Park, a distance of about 266.00 feet to a point at the southwest corner of lands conveyed to Jonathan A. Gill by deed recorded in the Erie County Clerk's Office in Liber 11246 of Deeds at Page 2627, said point also being a corner of said lands conveyed to The Town of Orchard Park;
THENCE, Easterly along the south line of said lands conveyed to Gill, a north line of said lands conveyed to The Town of Orchard Park and parallel with the said centerline of Big Tree Road, a distance of 84.00 feet to a point at the southeast corner of the said lands conveyed to Gill, said point being the southwest corner of lands conveyed to Big G Properties, LLC by a deed recorded in the Erie County Clerk's Office in Liber 11420 of Deeds at Page 6555;

THENCE, Easterly along the south line of said lands conveyed to Big G Properties, LLC, a north line of said lands conveyed to The Town of Orchard Park and along the westerly extension of the south line of lands conveyed to August Monk and Helen Monk, his wife, by a deed recorded in the Erie County Clerk's Office in Liber 2706 of Deeds at Page 90, a distance of 112.50 feet to a point at the southeast corner of the said lands conveyed to Big G Properties, LLC, said point being the southwest corner of the second described parcel of lands designated as Parcel "B" of lands conveyed to New York State Electric and Gas Corporation by a deed recorded in the Erie County Clerk's Office in Liber 11357 of Deeds at Page 6327;
THENCE, Easterly along the south line of the said second described parcel of lands designated as Parcel "B" of said lands of New York State Electric and Gas Corporation and along the said westerly extension of the south line of lands of Monk, and continuing easterly along the south line of lands of the first described parcel of land designated as Parcel "A" of said lands conveyed to New York State Electric and Gas Corporation by said deed, said Parcel "A" being the former lands of Monk and along a north line of said lands conveyed to The Town of Orchard Park, a total distance of 269.50 feet to a point at the southeast corner of said first described parcel of land designated as Parcel "A" of said lands conveyed to New York State Electric and Gas Corporation, said point also being a northeast corner of said lands conveyed to The Town of Orchard Park;
THENCE, Northerly parallel with the east line of said Lot Number 39 and distant 331.20 feet westerly measured at right angles therefrom and along the east line of the said first described parcel of land designated as Parcel "A" of lands conveyed to New York State Electric and Gas Corporation, a distance of 465.10 feet to the said centerline of Big Tree Road;
THENCE, Westerly along the said centerline of Big Tree Road, a distance of about 1200.7 feet to **THE POINT OF BEGINNING.**

INTENDING to describe the outer perimeter of one of multiple newly created and proposed Gateway Mixed Use (GMU) rezoning areas for the Town of Orchard Park, and to include all parcels of land internal to this outer perimeter description above. This description is compiled from miscellaneous deeds of record and various tax maps and surveys and is not to be used for conveyances of land parcels.

PROPOSED REZONING DESCRIPTION TO BE REZONED AS GATEWAY MIXED USE (GMU)

DATE: June 19, 2026
CLIENT: Town of Orchard Park
PROJECT: Preliminary Stadium Area Comprehensive Development Plan

ALL that tract or parcel of land, situate in the Town of Orchard Park, County of Erie, and State of New York, being part of Lots No. 24, No. 32 and No. 40, Township 9, Range 7 of the Holland Land Company's Survey and part of Lots No. 26, No. 27, No. 28, No. 29, No. 30 and No. 31, Township 10, Range 7 of the Buffalo Creek Indian Reservation being more particularly bounded and described as follows:
BEGINNING at a point in the centerline of Southwestern Boulevard at the intersection of the west line of said Lot No. 40, also being of the east line of Lot No. 48, Township 9, Range 7 of the said Holland Land Company's Survey of the Town of Hamburg also of said county of Erie, said point of beginning also being on the west line of the said Town of Orchard Park and the east line of the said Town of Hamburg, said point also being on the northerly extension of an easterly line of lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 8521 of Deeds at page 585, said point also being on the northerly extension of the westerly line of lands conveyed to Northstar Development-Realty, Inc. by deed recorded in the Erie County Clerk's Office in Liber 10969 of Deeds at page 2693;
THENCE, Northeasterly along said centerline of Southwestern Boulevard to the intersection of the centerline of Southwestern Boulevard with the centerline of Abbott Road, being 66.0 feet wide, a distance of about 2050 feet to a point;
THENCE, continuing northeasterly along the said centerline of Southwestern Boulevard, a distance of 852.22 feet to a point, said point being the northwest corner of lands described as Parcel 'A' and conveyed to Victor Liberatore, Sr., Victor Liberatore, Jr., Michelle Ahrens and Margaret Bueme, as joint tenants by deed recorded in the Erie County Clerk's Office in Liber 10932 of Deeds at page 6084, said point also being the northeast corner of

lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 8515 of Deeds at page 311;
THENCE, Southerly along the west line of said lands conveyed to Victor Liberatrore, Sr. et al. and the east line of the latter said lands conveyed to the County of Erie, a distance of 191.33 feet to a point, said point being the southwest corner of said lands conveyed to Victor Liberatore Sr. et al., said point also being the southeast corner of the latter said lands conveyed to County of Erie, said point being on the south line of lands conveyed to Charles Druse by deed recorded in the Erie County Clerk's Office in Liber 471 of Deeds at page 317, said point also being on a north line of lands conveyed to County of Erie by deed recorded in the Erie County Clerk's Office in Liber 7901 of Deeds at page 301;
THENCE, Easterly along the south line of said lands conveyed to Victor Liberatore, Sr. et al. and the easterly extension thereof and along the said south line of lands conveyed to Druse and along a south line of lands conveyed to Kingfisher Holdings, LLC, by deed recorded in the Erie County Clerk's Office in Liber 11324 of Deeds at page 7406 and a north line of the latter said lands conveyed to the County of Erie, a total distance of 1,078.77 feet to a point, said point being a northeast corner of the latter said lands conveyed to the County of Erie on the west line of Kingfisher Holdings, LLC, said point also being on the east line of said Lot No. 40 and on the west line of Lot No. 32, Township 9, Range 7 of the Holland Land Company's Survey of the said Town of Orchard Park;
THENCE, Southerly along the said east line of Lot No. 40, the said west line of Lot No. 32, the said west line of the lands conveyed to the Kingfisher Holdings, LLC and the east line of the latter said lands conveyed to the County of Erie, a distance of about 750 feet to a point, said point being the southwest corner of the said lands conveyed to Kingfisher Holdings, LLC, said point also being the northwest corner of lands conveyed to formerly Niagara, Lockport and Ontario Power Company, now owned by Niagara Mohawk Power Corporation, by deed recorded in the Erie County Clerk's Office in Liber 1655 of Deeds at page 632;
THENCE, continuing southerly along the said east line of Lot No. 40, the said west line of said Lot No. 32, the said east line of the latter said lands conveyed to the County of Erie, and the west line of the said lands conveyed to Formerly Niagara, Lockport and Ontario Power Company, now owned by Niagara Mohawk Power Corporation, a distance of 617.81 feet to a point, said point being the southwest corner of said lands conveyed to Formerly Niagara, Lockport and Ontario Power Company, now owned by Niagara Mohawk Power Corporation, said point also being the northwest corner of said lands conveyed to formerly Niagara, Lockport and Ontario Power Company, now owned by Niagara Mohawk Power Corporation, by deed recorded in the Erie County Clerk's Office in Liber 1655 of Deeds at page 298;
THENCE, continuing southerly along the said east line of Lot No. 40, the said west line of said Lot No. 32, the said east line of the latter said lands conveyed to the County of Erie and the latter west line of the said lands conveyed to Formerly Niagara, Lockport and Ontario Power Company, now owned by Niagara Mohawk Power Corporation, a distance of 1454.85 feet to a point, said point being the southeast corner of said Lot No. 40 and the southwest corner of said Lot No. 32, said point also being the southeast corner of the latter said lands conveyed to the County of Erie, said point also being the southwest corner of the latter said lands conveyed to Formerly Niagara, Lockport and Ontario Power Company, now owned by Niagara Mohawk Power Corporation, said point also being a point on the north line of Old Big Tree Road, being 66.0 feet wide and now abandoned, as conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 8948 of Deeds at page 482 as shown in Rem Action No. 136 by Parcel No. 206;

THENCE, Easterly along the south line of said Lot No. 32, the south line of the latter said lands conveyed to Formerly Niagara, Lockport and Ontario Power Company, now owned by Niagara Mohawk Power Corporation, the said north line of Old Big Tree Road and the said north line of the latter said lands conveyed to the County of Erie by said parcel No. 206, a distance of about 50 feet to a point, said point being the southeast corner of the latter said lands conveyed to Formerly Niagara, Lockport and Ontario Power Company, now owned by Niagara Mohawk Power Corporation, said point also being the southwest corner of the lands conveyed to Christopher Robert Gonser and Ryan Michael Gonser, as joint tenants with rights of survivorship and reserving a life estate for Robert A. Gonser, Jr., by deed recorded in the Erie County Clerk's Office in Liber 11442 of Deeds at page 7459, said point also being the northeast corner of the latter said lands of the County of Erie by said parcel No. 206, said point also being the northwest corner of lands conveyed to Robert A. Gonser, Jr. by deed recorded in the Erie County Clerk's Office in Liber 8972 of Deeds at page 343;

THENCE, Southerly along the west line of the latter said lands conveyed to Robert A. Gonser, Jr., and the east line of the latter said lands conveyed to the County of Erie by said parcel No. 206, a distance of about 33 feet to a point on the centerline of Old Big Tree Road, said point being the southwest corner of the latter said lands conveyed to Robert A. Gonser, Jr., said point also being the northwest corner of lands of the second described parcel of lands conveyed to Orchard Grove Holdings, LLC by deed recorded in the Erie County Clerk's office in Liber 11276 of Deeds at page 7344;

THENCE Easterly along the said centerline of Old Big Tree Road and the south line of the latter said lands conveyed to Robert A. Gonser, Jr., and the north line of the latter said lands of the second described parcel conveyed to Orchard Grove Holdings, LLC, a distance of 237.24 feet to the northeast corner of the latter said lands of the second described parcel conveyed to Orchard Grove Holdings, LLC, said corner also being the northwest corner of lands conveyed to Anthony Pacella and Carol Ann Pacella by deed recorded in the Erie County Clerk's office in Liber 9234 of Deeds at page 319;

THENCE, Southerly along the west line of said lands conveyed to Pacella and the east line of the latter said lands of the second described parcel of lands conveyed to Orchard Grove Holdings, LLC, a distance of about 33 feet to a point on the south line of said Old Big Tree Road, said point being on the north line of said Lot No. 31, said point being the southeast corner of the latter said lands of the second described parcel conveyed to Orchard Grove Holdings, LLC, said point also being the northeast corner of the first described parcel of said lands conveyed to Orchard Grove Holdings, LLC, by said deed;

THENCE, Southerly continuing through said Lot No. 31 and along the said west line of lands conveyed to Pacella and the east line of the latter said lands of the first described parcel of lands conveyed to Orchard Grove Holdings, LLC, a distance of about 366.99 feet to a point, said point being 367 feet south of the north line of Lot No, 31 as measured along a parallel line to the west line of Lot No. 31 and distant 287.10 feet east of the west line of Lot No. 31 as measured along the said north line of Lot No. 31 from the northwest corner of Lot No. 31, said point being the southwest corner of the said lands conveyed to Pacella, said point also being the northwest corner of Parcel "A" of the lands conveyed to Orchard Grove Holdings LLC by deed recorded in the Erie County Clerk's office in Liber 11276 of Deeds at page 7341;

THENCE Easterly continuing through said Lot No. 31 and along the south line of said lands conveyed to Pacella and along the north line of the said lands of Parcel "A" of the latter said lands conveyed to Orchard Grove Holdings LLC, a distance of 820.75 feet to a point, said point being the northeast corner of said lands of Parcel "A" of the latter said lands conveyed to Orchard Grove Holdings LLC, said point also being the northwest corner of lands conveyed by Charles A. Corbo to Charles J. Corbo, reserving a life estate for Charles A. Corbo and Blanche M. Corbo, his wife, by deed recorded in the Erie County Clerk's office in Liber 11086 of Deeds at page 2860, said point also being the northwest corner of subdivision Lot No. 1 shown on a map entitled "Colucci Heights Subdivision" and filed in the Erie County Clerk's Office under Map Cover No. 2297;

THENCE Easterly continuing through said Lot No. 31 and along the said south line of lands conveyed to Pacella and along the north line of said lands conveyed to Corbo and along the north line of said subdivision Lot No. 1 of said Map Cover No. 2297, a distance of 250.04 feet to a point, said point being the northeast corner of said lands of Corbo, said point also being the northeast corner of said subdivision Lot No. 1 of said Map Cover No. 2297;

THENCE Easterly continuing through said Lot No. 31 and along the said south line of lands conveyed to Pacella and along the easterly extension of the said north line of lands conveyed to Corbo and the easterly extension of the north line of said subdivision Lot No. 1 of said Map Cover No. 2297, a distance of about 33.01 feet to a point on the centerline of California Road, being 66.0 feet wide, said point being the southeast corner of said lands conveyed to Pacella;

THENCE Northerly along the said centerline of California Road and along the east line of said lands conveyed to Pacella and continuing through said Lot No. 31 and continuing northerly of the said north line of Lot No. 31, a distance of 400 feet to a point on the said centerline of Old Big Tree Road, said point being the northeast corner of said lands conveyed to Pacella, said point also being the southeast corner of the latter said lands conveyed to Robert A. Gonser, Jr.;

THENCE Northerly along the said centerline of California Road and along the east line of the latter said lands conveyed to Robert A. Gonser, Jr., a distance of about 33 feet to a point on the said north line of Old Big Tree Road, said point being on the said south line of Lot No. 32, said point also being the intersection of said centerline of California Road and the easterly extension of the south line of first mentioned lands conveyed to Christopher

Robert Gonser and Ryan Michael Gonser, reserving a life estate for Robert A. Gonser, Jr. by said deed recorded in the Erie County Clerk's Office in Liber 11442 of Deeds at page 7459;
THENCE Northerly continuing through said Lot No. 32 and along the said centerline of California Road and passing by the following six owners' lands located on the west side of California Road and their respective deeds recorded in the Erie County Clerk's Office:

1. Christopher Robert Gonser and Ryan Michael Gonser, reserving a life estate for Robert A. Gonser, Jr. by Liber 11442 of Deeds at page 7459,
2. Sheffer Farms Townhomes Homeowner's Association, Inc. by Liber 11414 of Deeds at Page 5560,
3. Orchard Park Equity Associates LLC by Liber 11357 of Deeds at Page 766,
4. Edmund Kuntz and Lorraine Kuntz, husband and wife, as Life Tenants and Jonathan S. Kuntz by Liber 11287 of Deeds at Page 3461,
5. Paul Ciraulo and Susan Ciraulo, husband and wife, by Liber 11395 of Deeds at Page 6553,
6. Duane A. Platz by Liber 10926 of Deeds at Page 628,

a total distance of approximately 1694.25 feet to an angle point in California Road located to the east of the lands conveyed to Joseph DeMarco and Diane L. DeMarco, married individuals, by said deed recorded in the Erie County Clerk's Office in Liber 11419 of Deeds at page 2944;
THENCE Northwesterly continuing through said Lot No. 32 and along the said centerline of California Road, a distance of 112.89 feet deed and 102.17 feet measured, more or less, to a point, said point being the intersection of said centerline of California Road and the north line of said lands conveyed to DeMarco, said point also being the intersection of said centerline of California Road and the easterly extension of the south line of lands conveyed to 3964 California Road, Inc. by said deed recorded in the Erie County Clerk's Office in Liber 11107 of Deeds at page 369;
THENCE continuing Northwesterly, continuing through said Lot No. 32 and along the said centerline of California Road, a distance of 287.32 feet deed and 287.35 feet measured, more or less, to a point, said point being the intersection of said centerline of California Road and the easterly extension of the north line of lands conveyed to 3964 California Road, Inc., said point also being the intersection of said centerline of California Road and the easterly extension of the south line of lands conveyed to Sean Hanley and Maria Hanley, his wife, by deed recorded in the Erie County Clerk's Office in Liber 10416 of Deeds at page 687;
THENCE Westerly, continuing through said Lot No. 32 and along the said easterly extension of the north line and the said north line of lands conveyed to 3964 California Road, Inc. and the said easterly extension of the south line and the said south line of said lands conveyed to Hanley, a distance of 425.60 feet to a point, said point being the southwest corner of said lands conveyed to Hanley, said corner also being the southeast corner of lands conveyed to W & N Properties, LLC by deed recorded in the Erie County Clerk's Office in Liber 11260 of Deeds at page 7452;
THENCE Westerly, continuing through said Lot No. 32 and along the said north line of lands conveyed to 3964 California Road, Inc. and the south line of said lands conveyed to W & N Properties, LLC, a distance of 520.29 feet to a point, said point being the southeast corner and northeast corner of lands conveyed to Niagara, Lockport and Ontario Power Company by deeds recorded in the Erie County Clerk's Office in Liber 1665 of Deeds at page 303 and in Liber 1665 of Deeds at page 632, respectively, said point also being the northwest corner of said lands conveyed to 3964 California Road, Inc., said point also being the southwest corner of said lands conveyed to W & N Properties, LLC;
THENCE Northerly, continuing through said Lot No. 32 and along the said east line of lands conveyed to Niagara, Lockport and Ontario Power Company, a distance of about 1512.79 feet to the said centerline of California Road and passing by the following five owners' lands located adjacent to the said east line of said lands conveyed to Niagara, Lockport and Ontario Power Company and their respective deeds recorded in the Erie County Clerk's Office:

1. W & N Properties, LLC by deed recorded in the Erie County Clerk's Office in Liber 11260 of Deeds at page 7452,
2. KJA Properties, LLC by deed recorded in the Erie County Clerk's Office in Liber 11443 of Deeds at page 2254,
3. 3860 California, LLC by deed recorded in the Erie County Clerk's Office in Liber 11341 of Deeds at page 2031,
4. Michael Simoncelli by deed recorded in the Erie County Clerk's Office in Liber 10416 of Deeds at page 689,

5. Erie County Water Authority by deed recorded in the Erie County Clerk's Office in Liber 7092 of Deeds at page 79 and its northerly extension of the westerly line thereof;

THENCE Southeasterly, continuing through said Lot No. 32 and along the said centerline of California Road, a distance of about 179.23 feet to a point, said point being the intersection of said centerline of California Road and the southwesterly extension of the southeast line of lands conveyed to ABMD Real Estate LLC by deed recorded in the Erie County Clerk's Office in Liber 11342 of Deeds at page 7221, said point also being the intersection of said centerline of California Road and the southwesterly extension of the northwest line of the second described parcel of the lands conveyed to 3815 California Rd., LLC by deed recorded in the Erie County Clerk's Office in Liber 11296 of Deeds at Page 5408;
THENCE Northeasterly, continuing through said Lot No. 32 and along the said southeast line of lands conveyed to ABMD Real Estate LLC and along the said northwest line of the second described parcel of the lands conveyed to 3815 California Rd., LLC, a distance of 176.08 feet to a point, said point being the southeast corner of said lands conveyed to ABMD Real Estate LLC, said point also being the southwest corner of lands conveyed to People Services to the Developmentally Disable Adult, Inc. by deed recorded in the Erie County Clerk's Office in Liber 9512 of Deeds at Page 245;
THENCE Northeasterly, continuing through said Lot No. 32 and along the said southeast line of lands conveyed to People Services to the Developmentally Disable Adult, Inc. and along the said northwest line of the second described parcel of the lands conveyed to 3815 California Rd., LLC, a distance of 135.00 feet to a point, said point being the southeast corner of said lands conveyed to People Services to the Developmentally Disable Adult, Inc., said point also being the north corner of the second described parcel of said lands conveyed to 3815 California Rd., said point being an angle point in the lands conveyed to McGard, LLC by deed recorded in the Erie County Clerk's Office in Liber 11093 of Deeds at Page 773, said point being 405.38 feet south of the north line of said Lot No. 32 as measured along the east line of lands conveyed to Rose by deed recorded in the Erie County Clerk's Office in Liber 2865 of Deeds at Page 405 and as measured along the west line of lands conveyed to Spicer L. Perkins by deed recorded in the Erie County Clerk's Office in Liber 376 of Deeds at Page 103;
THENCE Easterly, continuing through said Lot No. 32 and through the said lands conveyed to McGard, LLC, a distance of about 777 feet to the intersection of the centerline of lands now or formerly of The Baltimore & Ohio Railroad Company with the westerly extension of the north line of the lands conveyed to Iroquois Gas Corporation by deed recorded in the Erie County Clerk's Office in Liber 5933 of Deeds at Page 143, said point also being the same intersection of the said centerline of lands now or formerly of The Baltimore & Ohio Railroad Company with the westerly extension of the south line of the lands conveyed to J. D. Properties 1, LLC by deed recorded in the Erie County Clerk's Office in Liber 11097 of Deeds at Page 3215;
THENCE Southeasterly, continuing through said Lot No. 32 and into said Lot No. 24 along the said centerline of lands now or formerly of The Baltimore & Ohio Railroad Company, a distance of about 4007 feet to the intersection of the centerline of lands now or formerly of The Baltimore & Ohio Railroad Company with the centerline of lands of The Southern Expressway (New York State Route 219) and passing by the following eleven owners' lands located adjacent to and northeast of said lands now or formerly of The Baltimore & Ohio Railroad Company and their respective deeds recorded in the Erie County Clerk's Office:

1. J. D. Properties 1, LLC by deed recorded in the Erie County Clerk's Office in Liber 11097 of Deeds at Page 3215,
2. Repp Associates, Inc. by deed recorded in the Erie County Clerk's Office in Liber 10315 of Deeds at Page 92,
3. J. D. Properties I, LLC by deed recorded in the Erie County Clerk's Office in Liber 11341 of Deeds at Page 8427,
4. William Sahlem by deed recorded in the Erie County Clerk's Office in Liber 11440 of Deeds at Page 6451,
5. Timbury LLC by deed recorded in the Erie County Clerk's Office in Liber 11354 of Deeds at Page 4065,
6. Louis J. Flis and Elizabeth A. Flis, his wife, by deed recorded in the Erie County Clerk's Office in Liber 10050 of Deeds at Page 195,
7. Thomas J. Campion by deed recorded in the Erie County Clerk's Office in Liber 11345 of Deeds at Page 8277,
8. John Meiller by deed recorded in the Erie County Clerk's Office in Liber 10288 of Deeds at Page 199,

9. Northwind Holdings, LLC by deed recorded in the Erie County Clerk's Office in Liber 10986 of Deeds at Page 6575,
10. Michael R. Amborski by deed recorded in the Erie County Clerk's Office in Liber 10902 of Deeds at Page 1983,
11. J. D. Properties I, LLC by deed recorded in the Erie County Clerk's Office in Liber 11082 of Deeds at Page 1673;

THENCE Northwesterly, continuing through said Lot No. 24, through said Lot No. 32, through said Lot No. 26 and through said Lot No. 27 along the said centerline of The Southern Expressway (New York State Route 219), a total distance of about 7951 feet to a point, said point being the intersection of said centerline of the Southern Expressway (New York State Route 219) and the easterly extension of the north line of lands conveyed to 3371 N. Benzing, Inc. by deed recorded in the Erie County Clerk's Office in Liber 11345 of Deeds at Page 3060, said point also being the intersection of said centerline of the Southern Expressway (New York State Route 219) and the easterly extension of the south line of lands conveyed to Benzing Properties LLC by deed recorded in the Erie County Clerk's Office in Liber 11271 of Deeds at Page 1078, and while passing through said Lot No. 24 and through said Lot No. 32 passing by the following eleven owners' lands located adjacent to and southwest of the acquired lands of the Southern Expressway (New York State Route 219) and their respective deeds recorded in the Erie County Clerk's Office:

1. Michael Kopacz by deed recorded in the Erie County Clerk's Office in Liber 11306 of Deeds at Page 2131,
2. Mark G. Spelman Living Trust dated August 12, 2021 by deed recorded in the Erie County Clerk's Office in Liber 11405 of Deeds at Page 7455,
3. Rachel C. Iafallo by deed recorded in the Erie County Clerk's Office in Liber 11371 of Deeds at Page 7840,
4. Stephen J. Gregoire and Virginia A. Gregoire, husband and wife, by deed recorded in the Erie County Clerk's Office in Liber 11155 of Deeds at Page 1047,
5. Stephen J. Gregoire and Virginia A. Gregoire, husband and wife, by deed recorded in the Erie County Clerk's Office in Liber 11155 of Deeds at Page 1049,
6. David Hartman by deed recorded in the Erie County Clerk's Office in Liber 11260 of Deeds at Page 2853,
7. Mohammed Harbi Abdellatif by deed recorded in the Erie County Clerk's Office in Liber 11404 of Deeds at Page 3854,
8. Mercy Hospital of Buffalo by deed recorded in the Erie County Clerk's Office in Liber 10432 of Deeds at Page 559,
9. Mercy Hospital of Buffalo by deed recorded in the Erie County Clerk's Office in Liber 9661 of Deeds at Page 501,
10. Mercy Hospital of Buffalo by deed recorded in the Erie County Clerk's Office in Liber 11369 of Deeds at Page 867,
11. Mercy Hospital of Buffalo by deed recorded in the Erie County Clerk's Office in Liber 9060 of Deeds at Page 556,

to the north line of said Lot No. 32 and the south line of said Lot No. 26 at the said centerline of Southwestern Boulevard and then while passing through said Lot No. 26 passing by the following eight owners' lands located adjacent to and southwest of the acquired lands of the Southern Expressway (New York State Route 219) and their respective deeds recorded in the Erie County Clerk's Office:

1. Octavus Storage NY LLC by deed recorded in the Erie County Clerk's Office in Liber 11334 of Deeds at Page 8895,
2. DBT Development, LLC by deed recorded in the Erie County Clerk's Office in Liber 11165 of Deeds at Page 4460,
3. William J. Lawson IV and Alyssa M. Larivev, as joint tenants with rights of survivorship by deed recorded in the Erie County Clerk's Office in Liber 11346 of Deeds at Page 6981,
4. Sharon E. O'Conner by deed recorded in the Erie County Clerk's Office in Liber 11295 of Deeds at Page 3992,
5. Dean S. Rozler and Johanna M. Rozler, husband and wife, by deed recorded in the Erie County Clerk's Office in Liber 11134 of Deeds at Page 4006,
6. Joseph DeMarco, Jr. by deed recorded in the Erie County Clerk's Office in Liber 11170 of Deeds at Page 2948,

7. Jeffrey C. Magavern by deed recorded in the Erie County Clerk's Office in Liber 11420 of Deeds at Page 288,
8. Sharon G. Fiederowicz and Diane M. Fiederowicz, reserving a life estate for Richard R. Fiederowicz and Florence Fiederowicz by deed recorded in the Erie County Clerk's Office in Liber 11060 of Deeds at Page 2051,

to the north line of said Lot No. 26 and the south line of said Lot No. 27 at the centerline of Milestrip Road (County Route No. 460) and then while passing through said Lot No. 27 passing by the following seven owners' lands located adjacent to and southwest of the acquired lands of the Southern Expressway (New York State Route 219) and their respective deeds recorded in the Erie County Clerk's Office:

1. Sprague Ventures LLC and 123 Dance, LLC by deed recorded in the Erie County Clerk's Office in Liber 11370 of Deeds at Page 5050,
2. William M. Castellano and Cheryl A. Castellano, husband and wife, by deed recorded in the Erie County Clerk's Office in Liber 10910 of Deeds at Page 3611,
3. 3421 North Benzing Road, LLC by deed recorded in the Erie County Clerk's Office in Liber 11227 of Deeds at Page 3345,
4. Carl A. Schleelein by deed recorded in the Erie County Clerk's Office in Liber 9865 of Deeds at Page 570,
5. Christopher Robert Gonser and Ryan Michael Gonser, as joint tenants with rights of survivorship and reserving a life estate for Robert A. Gonser, Jr., by deed recorded in the Erie County Clerk's Office in Liber 11442 of Deeds at Page 7452,
6. The Peter Sr. and Mary L. Liberatore Family Limited Partnership by deed recorded in the Erie County Clerk's Office in Liber 11007 of Deeds at Page 8343,
7. 3371 N. Benzing, Inc. by said deed recorded in the Erie County Clerk's Office in Liber 11345 of Deeds at Page 3060;

THENCE Westerly, continuing through said Lot No. 27 and leaving the said centerline of The Southern Expressway (New York State Route 219) and along the said easterly extension of the north line of said lands conveyed to 3371 N. Benzing, Inc. and along the said north line thereof and the westerly extension of the said north line thereof and along the said easterly extension of the south line of said lands conveyed to Benzing Properties LLC and along the said south line thereof and the westerly extension of the said south line thereof respectively, a distance of about 750 feet to the centerline of Benzing Road, being 49.5 feet wide, said centerline being the west line of said Lot No. 27, said centerline also being the east line of said Lot No. 28;

THENCE Northerly along the said centerline of Benzing Road and along the said west line of Lot No. 27 and along the said east line of Lot No. 28, a distance of about 245 feet to the intersection with the easterly extension of the centerline of Summit Avenue, being 50.0 feet wide;

THENCE Westerly, continuing through said Lot No. 28 and along the said centerline of Summit Avenue, a distance of about 259.5 feet to a point, said point being the intersection of said centerline of Summit Avenue and the southerly extension of the west line of lands conveyed to Hawk Properties, LLC. by deed recorded in the Erie County Clerk's Office in Liber 11332 of Deeds at page 9829, said point also being the intersection of said centerline of Summit Avenue and the southerly extension of the east line of Parcel "A" of S.B.L. 152.13-3-24.2 of the lands conveyed to Alan B. Huegel, Jr. by deed recorded in the Erie County Clerk's Office in Liber 11447 of Deeds at page 1859;

THENCE Northerly continuing through said Lot No. 28 and leaving the said centerline of Summit Avenue and along the said southerly extension of the west line of said lands conveyed to Hawk Properties, LLC. and along the said west line thereof and along the said southerly extension of the east line of said Parcel "A" of S.B.L. 152.13-3-24.2 of the lands conveyed to Huegel and along the said east line thereof, parallel with the said centerline of Benzing Road, a distance of about 126.66 feet to a point, said point being a northeast corner of said Parcel "A" of S.B.L. 152.13-3-24.2 of the lands conveyed to Huegel, said point also being a corner of said lands conveyed to Hawk Properties, LLC.;

Thence Westerly continuing through said Lot No. 28 and along the north line of said Parcel "A" of S.B.L. 152.13-3-24.2 of the lands conveyed to Huegel and along the south line of said lands conveyed to Hawk Properties, LLC., parallel with the said centerline of Summit Avenue, a distance of 45 feet to a point, said point being a corner of Parcel "A" of S.B.L. 152.13-3-24.2 of the said lands conveyed to Huegel, said point also being a southwest corner of said lands conveyed to Hawk Properties, LLC.;

THENCE Northerly continuing through said Lot No. 28 and along the east line of said Parcel "A" of S.B.L. 152.13-3-24.2 of the lands conveyed to Huegel and along the west line of said lands conveyed to Hawk Properties, LLC., parallel with the said centerline of Benzing Road, a distance of 101.65 feet to a point, said point being the northeast corner said Parcel "A" of S.B.L. 152.13-3-24.2 of the lands conveyed to Huegel, said point also being the northwest corner of said lands conveyed to Hawk Properties, LLC., said point also being on the south line of Parcel "A" of the lands conveyed to 3310 Benzing Rd., LLC by deed recorded in the Erie County Clerk's Office in Liber 11136 of Deeds at page 279;
Thence Westerly continuing through said Lot No. 28 along the north line of said Parcel "A" of S.B.L. 152.13-3-24.2 of the lands conveyed to Huegel, along the said south line of Parcel "A" of the lands conveyed to 3310 Benzing Rd., LLC, parallel with the said centerline of Summit Avenue, a distance of 464.53 feet to a point, said point being on the east line of lands conveyed to New York State Electric and Gas Corporation by deed recorded in the Erie County Clerk's Office in Liber 5121 of Deeds at page 596, said point also being the northwest corner said Parcel "A" of S.B.L. 152.13-3-24.2 of the lands conveyed to Huegel,
Thence Westerly continuing through said Lot No. 28 and through the said lands conveyed to New York State Electric and Gas Corporation and through the lands conveyed to Niagara, Lockport and Ontario Power Company by deed recorded in the Erie County Clerk's Office in Liber 1665 of Deeds at page 322, a distance of about 125 feet to a point on the west line of said lands conveyed to Niagara, Lockport and Ontario Power Company, said point being the northeast corner of lands conveyed to New York State Electric and Gas Corporation by deed recorded in the Erie County Clerk's Office in Liber 5255 of Deeds at page 403, said point also being a southeast corner of said Parcel "B" of S.B.L. 152.13-3-24.2 of lands conveyed to Huegel;
THENCE Northerly continuing through said Lot No. 28 and along the east line of said Parcel "B" of S.B.L. 152.13-3-24.2 of lands conveyed to Huegel and along the said west line of lands conveyed to Niagara, Lockport and Ontario Power Company, a distance of 231.81 feet to a point, said point being the northeast corner of said Parcel "B" of S.B.L. 152.13-3-24.2 of lands conveyed to Huegel, said point also being the southeast corner of lands conveyed to Edward P. Inskip by deed recorded in the Erie County Clerk's Office in Liber 10950 of Deeds at page 689;
Thence Westerly continuing through said Lot No. 28 and along the north line of said Parcel "B" of S.B.L. 152.13-3-24.2 of lands conveyed to Huegel and along the south line of said lands conveyed to Inskip, parallel with the North line of said Lot No. 28, a distance of 241.75 feet to a point, said point being a northwest corner of said Parcel "B" of S.B.L. 152.13-3-24.2 of lands conveyed to Huegel, said point also being the southwest corner of said lands conveyed to Inskip, said point also being on the east line of lands conveyed to Thomas A. Glenn and Marilyn A. Glenn, his wife, by deed recorded in the Erie County Clerk's Office in Liber 8825 of Deeds at page 688;
Thence Southerly continuing through said Lot No. 28 and along a west line of said Parcel "B" of S.B.L. 152.13-3-24.2 of lands conveyed to Huegel and along the said east line of lands conveyed to Glenn, parallel with the west line of said Lot No. 28, a distance of 118.36 feet to a point, said point being a corner of said Parcel "B" of S.B.L. 152.13-3-24.2 of lands conveyed to Huegel, said point also being the southeast corner of said lands conveyed to Glenn;
Thence Westerly continuing through said Lot No. 28 and along a north line of said Parcel "B" of S.B.L. 152.13-3-24.2 of lands conveyed to Huegel, along the south line of said lands conveyed to Glenn and along the south lines of the following:

1. Samantha J. Ventura, David L. Ventura, Daniel A. Ventura and Bonnie A. Ventura, as Remainderman and reserving a life estate for Pamela M. Ventura by deed recorded in the Erie County Clerk's Office in Liber 11424 of Deeds at page 3885,
2. Azem Hadzic and Adisa Hadzic, his wife, by deed recorded in the Erie County Clerk's Office in Liber 11083 of Deeds at page 6161,
3. Sarah Bridges by deed recorded in the Erie County Clerk's Office in Liber 11429 of Deeds at page 4561,
4. Richard Parolino and Anna Parolino, his wife, by deed recorded in the Erie County Clerk's Office in Liber 7492 of Deeds at page 617,

parallel with the said North line of said Lot No. 28, a total distance of 553.11 feet to a point on the west line of said Lot No. 28, said west line of Lot No. 28 also being on the east line of said Lot No. 31, said point being the northwest corner of said Parcel "B" of S.B.L. 152.13-3-24.2 of lands conveyed to Huegel, said point being the northwest corner of Sublot No. 31 Block "A" of lands as shown on a map entitled "Windom Park" subdivision and filed in the Erie County Clerk's Office under Map Cover No. 965; said point also being the southwest corner of said lands conveyed to Parolino, said point also being on the east line of lands conveyed to Jude DeMarco, III by deed recorded in the Erie County Clerk's Office in Liber 11412 of Deeds at page 3474;

Thence Southerly continuing along the said west line of Lot No. 28, along the said east line of Lot No. 31, along the west line of said sublot No. 31 Block "A", the west line of said Parcel "B" of S.B.L. 152.13-3-24.2 of lands conveyed to Huegel and along the said east line of latter said lands conveyed to DeMarco, and continuing southerly along the east line of Sublot No. 44 as shown on a map entitled "Pellman's Summit Acres" subdivision and filed in the Erie County Clerk's Office under Map Cover No. 916, said east line of Sublot No. 44 being an east line of a portion of lands conveyed to Dale Hauser and Theresa A. Hauser, his wife, by deed recorded in the Erie County Clerk's Office in Liber 8923 of Deeds at page 291, a distance of 301.95 feet to a point on the north line of said Summit Avenue, said point being the southwest corner of said sublot No. 31 Block "A", said point also being the southwest corner of said Parcel "B" of S.B.L. 152.13-3-24.2 of lands conveyed to Huegel, said point also being the southeast corner of Sublot No. 44 of said portion of lands conveyed to Hauser;

Thence Southerly continuing along the said west line of Lot No. 28, along the said east line of Lot No. 31, and southern through Summit Avenue, a distance of about 50 feet to a point on the south line of said Summit Avenue, said point being the northwest corner of sublot No. 37 Block "E" of said "Windom Park" subdivision by said Map Cover No. 965, said point also being the northwest corner of lands of Parcel "A" conveyed to Quaker Crossing, LLC by deed recorded in the Erie County Clerk's Office in Liber 10909 of Deeds at page 8407, said point also being a northeast corner of said lands conveyed to Hauser and the Sublot No. 45 of said "Pellman's Summit Acres" subdivision;

Thence Southerly continuing along the said west line of Lot No. 28, along the said east line of Lot No. 31, along the west line of said sublot No. 37 Block "E", along the west line of latter said lands of Parcel "A" conveyed to Quaker Crossing, LLC, along the east line of said lands conveyed to Hauser and along the east line of said Sublot No. 45 and a distance of 167.62 feet to a point, said point being the southeast corner of said lands conveyed to Hauser at the southeast corner of said Sublot No. 45 and the southeast corner of said "Pellman's Summit Acres" subdivision, said point also being a northeast corner of lands conveyed to QC Properties, LLC by deed recorded in the Erie County Clerk's Office in Liber 11065 of Deeds at page 7155;

Thence Westerly leaving the said west line of Lot No. 28 and through said Lot No. 31, along a north line of said lands conveyed to QC Properties, LLC and the south line of said lands conveyed to Hauser, the south lines of said Sublot No. 45 and Sublots No. 46 through No. 50 inclusive of said "Pellman's Summit Acres" subdivision and then continuing westerly along a portion of the south line of Sublot No. 51 of said "Pellman's Summit Acres" subdivision being a portion of the south line of lands conveyed to Reginald T. Mason and Melonie J. Battle, husband and wife, by deed recorded in the Erie County Clerk's Office in Liber 11390 of Deeds at page 2191, a total distance of 309.23 feet to a point on the centerline of a 20.0 foot wide sanitary sewer easement , said point being a northwest corner of said lands conveyed to QC Properties, LLC, said point also being the northeast corner of lands conveyed to B & G Properties, LLC by deed recorded in the Erie County Clerk's Office in Liber 11244 of Deeds at page 1289;

Thence Southwesterly continuing through said Lot No. 31, along the said centerline of a 20.0 foot wide sanitary sewer easement, along a northwest line of said lands conveyed to QC Properties, LLC and along a southeast line of said lands conveyed to B & G Properties, LLC, a distance of 36.70 feet to an angle point;

Thence Southwesterly continuing through said Lot No. 31, along the said centerline of a 20.0 foot wide sanitary sewer easement, along a northwest line of said lands conveyed to QC Properties, LLC and along a southeast line of said lands conveyed to B & G Properties, LLC, a distance of about 353.18 feet to a point, said point being the southeast corner of said lands conveyed to B & G Properties, LLC, said point also being the northeast corner of lands conveyed to B & G Properties, LLC by deed recorded in the Erie County Clerk's Office in Liber 11244 of Deeds at page 1283;

Thence Southwesterly continuing through said Lot No. 31, along the said centerline of a 20.0 foot wide sanitary sewer easement, along a northwest line of said lands conveyed to QC Properties, LLC and along a southeast line of latter said lands conveyed to B & G Properties, LLC, a distance of 47.03 feet to an angle point;

Thence Southwesterly continuing through said Lot No. 31, along the said centerline of a 20.0 foot wide sanitary sewer easement, along a northwest line of said lands conveyed to QC Properties, LLC and along a southeast line of latter said lands conveyed to B & G Properties, LLC, a distance of 313.02 feet to an angle point;

Thence Southwesterly continuing through said Lot No. 31, along the said centerline of a 20.0 foot wide sanitary sewer easement, along a northwest line of said lands conveyed to QC Properties, LLC and along a southeast line of latter said lands conveyed to B & G Properties, LLC, a distance of 137.35 feet to a point, said point being the southeast corner of latter said lands conveyed to B & G Properties, LLC, said point also being a northeast corner of

remaining lands conveyed to Quaker Crossing, LLC by deed recorded in the Erie County Clerk's Office in Liber 10909 of Deeds at page 8407;
Thence Southwesterly continuing through said Lot No. 31, along a northwest line of said lands conveyed to QC Properties, LLC and along a southeast line of latter said lands conveyed to Quaker Crossing, LLC, a distance of 219.16 feet record and 219.30 feet measured, more or less, to an angle point;
Thence Southwesterly continuing through said Lot No. 31, along a northwest line of said lands conveyed to QC Properties, LLC and along a southeast line of latter said lands conveyed to Quaker Crossing, LLC, a distance of 85.10 feet record and 84.98 feet measured, more or less, to a point on the northeast line of lands conveyed to John W. Fleming by deed recorded in the Erie County Clerk's Office in Liber 11026 of Deeds at page 6235, said point being a west corner of said lands conveyed to QC Properties, LLC, said point also being a south corner of latter said remaining lands conveyed to Quaker Crossing, LLC;
Thence Southeasterly continuing through said Lot No. 31, along a southwest line of said lands conveyed to QC Properties, LLC, along the said northeast line of lands conveyed to Fleming and parallel with the centerline of said California Road, a distance of 170.00 feet to a point, said point being a corner of said lands conveyed to QC Properties, LLC, said point also being a east corner of said lands conveyed to Fleming;
Thence Westerly continuing through said Lot No. 31, along a north line of said lands conveyed to QC Properties, LLC and along the south line of said lands conveyed to Fleming, a distance of 248.25 feet to a point, said point being a northwest corner of said lands conveyed to QC Properties, LLC, said point also being the northeast corner of lands conveyed to The Town of Orchard Park by deed recorded in the Erie County Clerk's Office in Liber 10922 of Deeds at page 875;
Thence Westerly continuing through said Lot No. 31, and along the north line of said lands conveyed to The Town of Orchard Park and the westerly extension thereof and along the said south line of lands conveyed to Fleming, a distance of 101.74 feet to a point on the centerline of said California Road, said point being the southwest corner of said lands conveyed to Fleming;
Thence Southeasterly continuing through said Lot No. 31, and along the said centerline of California Road, a distance of about 207.91 feet to a point, said point being the intersection of said centerline of California Road and the said centerline of lands now or formerly of The Baltimore & Ohio Railroad Company;
THENCE Southeasterly continuing through said Lot No. 31 and passing by lands located adjacent to and northeast of the lands now or formerly of The Baltimore & Ohio Railroad Company by the first described parcel conveyed to QC Properties, LLC by said deed recorded in the Erie County Clerk's Office in Liber 11065 of Deeds at page 7155 to the south line of said Lot No. 31 and the north line of said Lot No. 30 at the centerline of Milestrip Road (County Route No. 460),
Then southeasterly through said Lot No. 30 along the said centerline of the lands now or formerly of The Baltimore & Ohio Railroad Company and passing by the lands located adjacent to and northeast of the lands now or formerly of The Baltimore & Ohio Railroad Company conveyed to Quaker Northwest, LLC by deed recorded in the Erie County Clerk's Office in Liber 11333 of Deeds at page 7540 to the east line of said Lot No. 30 and the west line of said Lot No. 29,
Then southeasterly through said Lot No. 29 along the said centerline of the lands now or formerly of The Baltimore & Ohio Railroad Company and passing by the lands located adjacent to and northeast of the lands now or formerly of The Baltimore & Ohio Railroad Company conveyed by "Parcel 1" to Wal-Mart Stores East, LP by deed recorded in the Erie County Clerk's Office in Liber 11135 of Deeds at page 1158, and a total distance of about 3199 feet through said Lot Nos. 31, No. 30 and No. 29 to a point, said point being the intersection of said centerline of the lands now or formerly of The Baltimore & Ohio Railroad Company with the northerly extension of the most north segment of the west lines of "Parcel 1" of the lands conveyed to formerly Niagara, Lockport and Ontario Power Company, now owned by Niagara Mohawk Power Corporation, by deed recorded in the Erie County Clerk's Office in Liber 1665 of Deeds at page 299,
Thence Southerly continuing through said Lot No. 29 and leaving the said centerline of the lands now or formerly of The Baltimore & Ohio Railroad Company, along the said northerly extension of the most north segment of the west lines of "Parcel 1", the said north segment and the south segment of the west line of "Parcel 1" of the latter said lands conveyed to formerly Niagara, Lockport and Ontario Power Company, now owned by Niagara Mohawk Power Corporation, a distance of about 739.89 feet to the northeast corner of the first described parcel of lands conveyed to New York State Electric and Gas Corporation by deed recorded in the Erie County Clerk's Office in

Liber 5542 of Deeds at page 420, said corner also being the southeast corner of lands conveyed to David P. Paschke by deed recorded in the Erie County Clerk's Office in Liber 8483 of Deeds at page 401;
Thence Westerly continuing through said Lot No. 29 along the north line of the latter said first described parcel of lands conveyed to New York State Electric and Gas Corporation and the south line of said lands conveyed to Paschke, a distance of 100.00 feet to a point, said point being the northwest corner of the said first described parcel of lands conveyed to New York State Electric and Gas Corporation, said corner also being the northeast corner of lands conveyed to David Paschke by deed recorded in the Erie County Clerk's Office in Liber 9837 of Deeds at page 23;
Thence Southerly continuing through said Lot No. 29 along the west line of the said first described parcel of lands conveyed to New York State Electric and Gas Corporation and the southerly extension thereof and along the east line of the latter said lands conveyed to Paschke, a distance of 255.42 feet to a point on the south line of said Lot No. 29, said south line being the centerline of Webster Road, being 66.0 feet wide, said south line also being the north line of said Lot No. 32, said point being the southeast corner of latter said lands conveyed to Paschke;
Thence Westerly continuing along the said south line of Lot No. 29, along the said north line of Lot 32 and along the said centerline of Webster Road, a distance of 77.94 feet to a point, said point being the intersection of said centerline of Webster Road and the centerline of said California Road, said point being the southwest corner of latter said lands conveyed to Paschke, said point also being the northeast corner of lands conveyed to 5475 Webster Road, LLC by deed recorded in the Erie County Clerk's Office in Liber 11064 of Deeds at Page 6370;
Thence Westerly continuing along the said south line of Lot No. 29, along the said north line of Lot No. 32, continuing along the north line of said Lot No. 40 and along the said centerline of Webster Road, a distance of 182.71 feet to a point, said point being the northwest corner of said lands conveyed to 5475 Webster Road, LLC, said point also being the northeast corner of Parcel "A" of lands conveyed to Edward A. Simoncelli and John J. Simoncelli by deed recorded in the Erie County Clerk's Office in Liber 11331 of Deeds at Page 3232;
Thence Westerly continuing along the said south line of Lot No. 29, along the said north line of Lot No. 40 and along the said centerline of Webster Road, a distance of 200 feet to a point, said point being the northwest corner of Parcel "B" of said lands conveyed to Simoncelli, said point also being the northeast corner of lands conveyed to Gerald A. Struck and Carol A. Struck, his wife, by deed recorded in the Erie County Clerk's Office in Liber 7078 of Deeds at Page 39;
Thence Westerly continuing along the said south line of Lot No. 29, along the said north line of Lot No. 40 and along the said centerline of Webster Road, a distance of 100 feet to a point, said point being the northwest corner of said lands conveyed to Struck, said point also being the northeast corner of lands conveyed to Silvia E. Fakler by deed recorded in the Erie County Clerk's Office in Liber 11071 of Deeds at Page 491;
Thence Southwesterly continuing through said Lot No. 40 and along the northwest line of said lands conveyed to Struck and the southeast line of said lands conveyed to Fakler, a distance of 200 feet to a point, said point being the southwest corner of said lands conveyed to Struck, said point also being the northwest corner of said Parcel "A" of lands conveyed to Simoncelli;
Thence Southwesterly continuing through said Lot No. 40 and along the northwest line of said lands conveyed to Simoncelli and the southeast line of said lands conveyed to Fakler, a distance of about 274.5 feet to a point at the centerline of Smokes Creek, said point being the most west corner of said Parcel "A" of lands conveyed to Simoncelli; said point also being the southeast corner of said lands conveyed to Fakler, said point being the northeast corner of lands conveyed to Stephen F. Tripodi and C.N. Robert Wong by deed recorded in the Erie County Clerk's Office in Liber 9971 of Deeds at Page 223, said point also being the southeast corner of lands conveyed to Shawn M. Martz and Nadine M. Karaga, as joint tenants by deed recorded in the Erie County Clerk's Office in Liber 11146 of Deeds at Page 2555;
Thence Westerly continuing through said Lot No. 40 and along the centerline of Abbott Grove Avenue, being 50.0 feet wide, as shown on a map produced by Ellsworth Brothers and filed in the Erie County Clerk's Office on August 11, 1913 under Map Cover No. 897 and along the north line of said lands conveyed to Tripodi and Wong and along the south line of said lands conveyed to Martz and Karaga, a distance of about 222.5 feet to a point, said point being the northwest corner of said lands conveyed to Tripodi and Wong at the intersection of said centerline of Abbott Grove Avenue with the northerly extension of the east line of sublot No. 43 and the west line of sublot No. 44 of said Map Cover No. 897, said point also being a southwest corner of said lands conveyed to Martz and Karaga at the intersection of said centerline of Abbott Grove Avenue with the southerly extension of the east line of sublot No. 46 and the west line of sublot No. 45 of said Map Cover No. 897;

Thence Southerly continuing through said Lot No. 40 and through Abbott Grove Avenue, along the west line of said lands conveyed to Tripodi and Wong and along the said northerly extension of the east line of sublot No. 43 and the west line of sublot No. 44, a distance of about 25 feet to a point on the south line of said Abbott Grove Avenue, said point being the northwest corner of said sublot No. 44, said point also being the northeast corner of said sublot No. 43 and northeast corner of lands conveyed to Paul R. Winkler and Theresa A. Winkler, husband and wife, by deed recorded in the Erie County Clerk's Office in Liber 11135 of Deeds at Page 4443;
Thence Southerly continuing through said Lot No. 40, along the said west line of sublot No. 44 and the said west line of lands conveyed to Tripodi and Wong and along the east line of said sublot No. 43 and the east line of said lands conveyed to Winkler, a distance of about 212.4 feet to a point at the northeast corner of lands taken in fee by The People of The State of New York by notice of appropriation by deed recorded in the Erie County Clerk's Office in Liber 11122 of Deeds at Page 9956 and referred to in the notice of appropriation as Map No. 336 Parcel 381;
Thence Westerly continuing through said Lot No. 40, through said Sublot No. 43, along the north line of said lands taken in fee by The People of The State of New York, a distance of about 48 feet to a point, said point being a northwest corner of said lands taken in fee by The People of The State of New York;
Thence Southerly continuing through said Lot No. 40, through said Sublot No. 43, along the west line of said lands taken in fee by The People of The State of New York, a distance of about 21 feet to a point on the south line of said lands conveyed to Winkler, said point also being on the south line of said sublot No. 43 and the south line of said Map Cover No. 897, said point also being a southwest corner of said lands taken in fee by The People of The State of New York, said point also being on the north line of lands conveyed to S-3819 Southwestern Blvd, LLC by deed recorded in the Erie County Clerk's Office in Liber 11251 of Deeds at Page 9351;
Thence Westerly continuing through said Lot No. 40, along the north line of said lands conveyed to S-3819 Southwestern Blvd, LLC, along the said south line of Map Cover No. 897, along the said south line and remaining lands conveyed to Winkler being the said south line of sublot No. 43 and along the south lines of sublots No. 42 through No. 33 inclusive of said Map Cover No. 897 and the westerly extension of said south line of sublot No. 33, a distance of about 1052.43 feet to a point on the said centerline of Abbott Road, said point being the northwest corner of said lands conveyed to S-3819 Southwestern Blvd, LLC, said point also being the northeast corner of "Parcel A" of lands conveyed to Robert A. Jakubowski and Maureen A. Jakubowski, his wife, by deed recorded in the Erie County Clerk's Office in Liber 10242 of Deeds at Page 27, said point also being the easterly extension of the south line of sublot No. 29 of said Map Cover No. 897;
Thence Westerly continuing through said Lot No. 40, along the north line of said "Parcel A" and continuing along the north line of "Parcel B" of said lands conveyed to Jakubowski, along the said south line of Map Cover No. 897, along the said easterly extension of the south line of sublot No. 29 and along a portion of the said south line of sublot No. 29 thereof, a total distance of 352.75 feet to a point, said point being the northwest corner of said "Parcel B" of lands conveyed to Jakubowski, said point also being the northeast corner of lands conveyed to Orchard Park Apartments, LLC by deed recorded in the Erie County Clerk's Office in Liber 11077 of Deeds at Page 6496;
Thence Westerly continuing through said Lot No. 40, along the north line of said lands conveyed to Orchard Park Apartments, LLC, along the said south line of Map Cover No. 897, along the remaining portion of the said south line of sublot No. 29 and along the south lines of sublots No. 24 through No. 21 inclusive of said Map Cover No. 897 and a portion of the south line of sublot No. 20 of said Map Cover No. 897, a distance of 335 feet to a point, said point being the northwest corner of said lands conveyed to Orchard Park Apartments, LLC, said point also being the northeast corner of "Parcel A" of lands conveyed to CCD Property Management LLC, Series G by deed recorded in the Erie County Clerk's Office in Liber 11296 of Deeds at Page 2355;
Thence Westerly continuing through said Lot No. 40, along the north line of said lands conveyed to CCD Property Management LLC, Series G, along the said south line of Map Cover No. 897, along the remaining portion of the said south line of sublot No. 20 and along the south lines of sublots No. 19 through No. 17 inclusive of said Map Cover No. 897, a distance of 231.14 feet to a point on an east line of lands conveyed to The Board of Education of Central School District No. 1 of the Towns of Orchard Park, Aurora, Hamburg, Elma, West Seneca and Boston, Erie County, New York by deed recorded in the Erie County Clerk's Office in Liber 5770 of Deeds at Page 233, said point being the northwest corner of said "Parcel A" of lands conveyed to CCD Property Management LLC, Series G;
Thence Southerly continuing through said Lot No. 40, along the west line of said "Parcel A" of lands conveyed to CCD Property Management LLC, Series G and along the said east line of lands conveyed to The Board of Education

of Central School District No. 1 of the Towns of Orchard Park, Aurora, Hamburg, Elma, West Seneca and Boston, Erie County, New York, a distance of about 194.47 feet to a point, said point being the northeast corner of "Parcel A" of lands conveyed to Miller Seven, Inc. by deed recorded in the Erie County Clerk's Office in Liber 10999 of Deeds at Page 3119, said point also being a southeast corner of said lands conveyed to The Board of Education of Central School District No. 1 of the Towns of Orchard Park, Aurora, Hamburg, Elma, West Seneca and Boston, Erie County, New York;

Thence Westerly continuing through said Lot No. 40 along the north line of said "Parcel A" and continuing westerly along the north line of "Parcel B" of said lands conveyed to Miller Seven, Inc. and along a south line of said lands conveyed to The Board of Education of Central School District No. 1 of the Towns of Orchard Park, Aurora, Hamburg, Elma, West Seneca and Boston, Erie County, New York, a total distance of 125 feet to a point, said point being the northwest corner of said "Parcel B" of lands conveyed to Miller Seven, Inc., said point also being a corner of said lands conveyed to The Board of Education of Central School District No. 1 of the Towns of Orchard Park, Aurora, Hamburg, Elma, West Seneca and Boston, Erie County, New York;

Thence Southerly continuing through said Lot No. 40, along the west line of said "Parcel B" of lands conveyed to Miller Seven, Inc. and along an east line of said lands conveyed to The Board of Education of Central School District No. 1 of the Towns of Orchard Park, Aurora, Hamburg, Elma, West Seneca and Boston, Erie County, New York, a distance of 447.2 feet to a point on the centerline of Sheldon Road, being 66.0 feet wide, said point being the southwest corner of said "Parcel B" of lands conveyed to Miller Seven, Inc., said point also being a southeast corner of said lands conveyed to The Board of Education of Central School District No. 1 of the Towns of Orchard Park, Aurora, Hamburg, Elma, West Seneca and Boston, Erie County, New York;

Thence Westerly continuing through said Lot No. 40, along the said centerline of Sheldon Road, a distance of 673.49 feet to an angle point and passing by a portion of said lands conveyed to The Board of Education of Central School District No. 1 of the Towns of Orchard Park, Aurora, Hamburg, Elma, West Seneca and Boston, Erie County, New York located adjacent to the north line of said Sheldon Road and passing by the following nine owners' lands located adjacent to the south line of said Sheldon Road and their respective deeds recorded in the Erie County Clerk's Office:

1. Robert McCabe III and Danielle Baker, as joint tenants with rights of survivorship by deed recorded in the Erie County Clerk's Office in Liber 11421 of Deeds at Page 7867,
2. Sasa Corhasanovic and Milena Corhasanovic, as life tenants and reserving a life estate for Milena Corhasanovic by deed recorded in the Erie County Clerk's Office in Liber 11231 of Deeds at page 715,
3. Zenon M. Katrij, Jr. by deed recorded in the Erie County Clerk's Office in Liber 11281 of Deeds at Page 5777,
4. Robert J. Pocobello, reserving a life estate for Joseph F. Pocobello and Diana M. Pocobello, his wife, by deed recorded in the Erie County Clerk's Office in Liber 11095 of Deeds at page 6034,
5. Jason Bauman and Nicholas Korzkowski by deed recorded in the Erie County Clerk's Office in Liber 11438 of Deeds at page 5206,
6. Francis A. Vanderbosch and Barbara Vanderbosch, his wife, by deed recorded in the Erie County Clerk's Office in Liber 7892 of Deeds at page 527,
7. Daniel J. Wozniak and Rachel A. Wozniak, his wife, by deed recorded in the Erie County Clerk's Office in Liber 11026 of Deeds at page 7239,
8. Joshua E. Roman by deed recorded in the Erie County Clerk's Office in Liber 11361 of Deeds at page 6051,
9. A portion of Parcel "B" of lands conveyed to Jeffrey P. Anderson and Tammy L. Anderson, his wife, by deed recorded in the Erie County Clerk's Office in Liber 11116 of Deeds at page 2977;

Thence Westerly continuing through said Lot No. 40 and continuing along the said centerline of Sheldon Road and passing the said remaining lands conveyed to The Board of Education of Central School District No. 1 of the Towns of Orchard Park, Aurora, Hamburg, Elma, West Seneca and Boston, Erie County, New York located adjacent to the north line of said Sheldon Road and passing by the remaining portion of said Parcel "B" and Parcel "A" of said lands conveyed to Anderson adjacent to the south line of said Sheldon Road, a distance of 60.84 feet deeded and 70.91 feet measured more or less to a point said point being the southwest corner of said lands conveyed to The Board of Education of Central School District No. 1 of the Towns of Orchard Park, Aurora, Hamburg, Elma, West Seneca and Boston, Erie County, New York, said point also being the northwest corner of said Parcel "A" of lands conveyed to Anderson, said point being on the said west line of Lot No. 40 and on the said west line of the Town of Orchard Park, said point also being on the said east line of Lot No. 48 and the said east line of the Town of Hamburg;

Thence Southerly continuing along the said west line of Lot No. 40, along the said west line of the Town of Orchard Park, along the said east line of Lot No. 48, along the said east line of the Town of Hamburg and along the west line of said Parcel "A" of lands conveyed to Anderson, a distance of 362.09 feet to a point, said point being the southwest corner of said Parcel "A" of lands conveyed to Anderson, said point also being the northwest corner of lands conveyed to Dennis P. Przybl and Rita M. Przybl, husband and wife, by deed recorded in the Erie County Clerk's Office in Liber 11266 of Deeds at page 4696;
Thence Southerly continuing along the said west line of Lot No. 40, along the said west line of the Town of Orchard Park, along the said east line of Lot No. 48, along the said east line of the Town of Hamburg and along the west line of said lands conveyed to Przybl and the southerly extension thereof, a distance of about 392.46 feet to the **POINT OF BEGINNING.**

INTENDING to describe the outer perimeter of one of multiple newly created and proposed Gateway Mixed Use (GMU) rezoning areas for the Town of Orchard Park, and to include all parcels of land internal to this outer perimeter description above. This description is compiled from miscellaneous deeds of record and various tax maps and surveys and is not to be used for conveyances of land parcels.

Proposed rezoning description containing Development/Research 2 zone to be rezoned as Gateway Mixed Use (GMU) Located at the northwest corner of Milestrip Road and Southwestern Boulevard including S.B.L. 152.19-1-25.132

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Orchard Park, County of Erie and State of New York, being part of Lot nos. 18, 19 & 24, Township 10, Range 7 of the Buffalo Creek Indian Reservation and described as follows:

BEGINNING at the southwest corner of lands conveyed to Orchard Park Commerce Center, Inc. by a deed recorded in the Erie County Clerk's Office in Liber 10292 of Deeds at Page 476, said southwest corner also being the southwest corner of said lot no. 18, said corner also being the northwest corner of said lot no. 19, said corner also being on the east line of said lot no. 24;

THENCE: Northerly along the west line of said lot no. 18, the west line of said lands of Orchard Park Commerce Center, Inc. and the said east line of lot no. 24 to a point on the northwest line of lands conveyed to The Town of Orchard Park by a deed recorded in the Erie County Clerk's Office in Liber 10912 of Deeds at Page 5834 for Windward Road, having a full width of 60.0 feet, said point being the southeast corner of lands conveyed to 4050 Seneca Street, Inc. by a deed recorded in the Erie County Clerk's Office in Liber 11428 of Deeds at Page 4293;

THENCE: Southwesterly leaving the said lot lines nos. 18 & 24 and leaving the said west line of lands of Orchard Park Commerce Center, Inc. and along the said northwest row of Windward Road and the southeast line of said lands of 4050 Seneca Street, Inc., a distance of 114.13 feet to a point of curvature;

THENCE: Southwesterly along said northwest row of Windward Road and the southeast line of said lands of 4050 Seneca Street, Inc., and along a curve to the right, having a radius of 491.00 feet, an arc distance of 243.15 feet to a point of tangency;

THENCE: Westerly along the north row of Windward Road and the south line of said lands of 4050 Seneca Street, Inc., a distance of 208.86 feet to a point, said point being the southwest corner of said lands conveyed to 4050 Seneca Street, Inc., said point also being 423.42 feet easterly of the northwest corner of said lands of The Town of Orchard Park and Windward Road as measured along said north row;

THENCE: Northerly along the west line of said lands of 4050 Seneca Street, Inc., a distance of 457.67 feet to the northwest corner of said lands of 4050 Seneca Street, Inc.;

THENCE: Easterly along the north line of said lands of 4050 Seneca Street, Inc., a distance of 550.90 feet to the northeast corner of said lands of 4050 Seneca Street, Inc. on the said east line of lot no. 24 and the said west line of lot no. 18;

THENCE: Northerly along the east line of said lot no. 24 and along the west line of said lot no. 18 and along the west line of said lands of Orchard Park Commerce Center, Inc. to a point, said point being 385.11 feet south of the north line of said lot no. 18;

THENCE: Easterly along the north line of said lands of Orchard Park Commerce Center, Inc. and parallel with the said north line of lot no. 18, a distance of 1000.00 feet to a point;

THENCE: Northerly along a west line of said lands of Orchard Park Commerce Center, Inc. and parallel with the west line of said lot no. 18, a distance of 196.35 feet to a point;

THENCE: Easterly along a north line of said lands of Orchard Park Commerce Center, Inc. and parallel with the said north line of lot no. 18, a distance of 600.00 feet to a point;

THENCE: Southerly along an east line of said lands of Orchard Park Commerce Center, Inc., a distance of 971.56 feet to a point, said point being 100.00 feet north of the south line of said lot no. 18, said south line also being the north line of lot 19;

THENCE: Easterly along a north line of said lands of Orchard Park Commerce Center, Inc. and parallel with the said south line of lot no. 18 to a point on the centerline of Southwestern Boulevard, having a full width of 100.00 feet;

THENCE: Southwesterly along the said centerline of Southwestern Boulevard to the intersection with the south line of said lot no. 19, said south line also being the original centerline of Milestrip Road;

THENCE: Westerly along the said south line of lot no. 19 and the original centerline of Milestrip Road to the southwest corner of said lot no. 19, said corner also being the southeast corner of lot no. 24, said corner also being the southwest corner of Parcel “B” of lands conveyed to Liberatore Management Group II, LLC. by a deed recorded in the Erie County Clerk’s Office in Liber 11339 of Deeds at Page 1391;

THENCE: Northerly along the west line of said lot no. 19, the west line of said Parcel “B” of said lands of Liberatore Management Group II, LLC. and the east line of lot 24 to a point on the south line of lands conveyed to The Town of Orchard Park by a deed recorded in the Erie County Clerk’s Office in Liber 10918 of Deeds at Page 9698;

THENCE: Northerly continuing along the west line of said lot no. 19, the west line of said Parcel “B” of lands of Liberatore Management Group II, LLC. and the east line of lot 24 and through the said lands conveyed to The Town of Orchard Park, a distance of 1.00 feet more or less to a point on the north line of latter said lands conveyed to The Town of Orchard Park;

THENCE: Northerly continuing along the west line of said lot no. 19, the west line of said Parcel “B” of lands of Liberatore Management Group II, LLC. and the east line of lot 24 to the northwest corner of said Parcel “B” of lands of Liberatore Management Group II, LLC., said point being a total distance of 234.67 feet north of the said southwest corner of lot no. 19 as measured along the said west line of lot no. 19, said northwest corner of said Parcel “B” also being the southwest corner of Parcel “C” of said lands conveyed to Liberatore Management Group II, LLC. by said deed;

THENCE: Northerly continuing along the west line of said lot no. 19, the west line of said Parcel “C” of lands of Liberatore Management Group II, LLC. and the east line of lot 24, a distance of 101 feet to the northwest corner of said Parcel “C” of lands of Liberatore Management Group II, LLC., said northwest corner of said Parcel “C” being the southwest corner of lands conveyed to V.V.M.M., LLC by a deed recorded in the Erie County Clerk’s Office in Liber 11006 of Deeds at Page 2890;

THENCE: Northerly continuing along the west line of said lot no. 19, the west line of said lands conveyed to V.V.M.M., LLC and the east line of lot 24, a distance of 1061.16 feet more or less to the said northwest corner of lot no. 19 and said **POINT OF BEGINNING**, said point also being the northwest corner of said lands conveyed to V.V.M.M., LLC.

Excepting, from the above description, lands conveyed to The Town of Orchard Park within the bounds of Windward Road, having a full width of 60.0 feet, by a deed recorded in the Erie County Clerk's Office in Liber 10912 of Deeds at Page 5834.

INTENDING to describe the outer perimeter of one of multiple newly created and proposed Gateway Mixed Use (GMU) rezoning areas for the Town of Orchard Park, and to include all parcels of land internal to this outer perimeter description above. This description is compiled from miscellaneous deeds of record and various tax maps and surveys and is not to be used for conveyances of land parcels.