

THOMAS, COLLISON & MEAGHER

Attorneys at Law
1201 Monroe Street
Post Office Box 329
Endicott, NY 13761-0329

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Robert B. Thomas (1925 – 2017)
Joseph B. Meagher *
Charles H. Collison (1938 – 2021)
*Also Admitted in Pennsylvania

Gary H. Collison

July 25, 2022

TO ALL THOSE ON THE ATTACHED DISTRIBUTION LIST

Please take notice that the Tioga County Industrial Development Agency has deeded property located in the Town of Nichols, Tioga County, New York, more commonly known as 55 Berry Road, Town of Nichols, Tioga County, New York and more particularly described as Tioga County Tax Map Number 149.00-1-6.31, to Nichols Distribution, LLC. And, therefore, the terms of the Payment-in-Lieu-of-Tax Agreement entered into by and between Nichols Distribution, LLC and the Tioga County Industrial Development Agency on September 1, 2002 have been met and the PILOT Agreement is terminated.

Please adjust your records accordingly.

Very truly yours,

THOMAS, COLLISON & MEAGHER



Joseph B. Meagher
Counsel
Tioga County Industrial Development Agency

DISTRIBUTION LIST

1. Tioga County Department of Law
Ronald E. Dougherty County Office Building
56 Main Street
Owego, New York 13827

Attn: Peter DeWind, Esq.
County Attorney
2. James McFadden
Tioga County Treasurer
Ronald E. Dougherty County Office Building
56 Main Street
Owego, New York 13827
3. Steven Palinosky
Acting Director
Tioga County Real Property
Ronald E. Dougherty County Office Building
56 Main Street
Owego, New York 13827
4. Kevin Engelbert
Supervisor
Town of Nichols
54 East River Road
Nichols, New York 13812
5. Denise Spaulding
Assessor
Town of Nichols
P.O. Box 359
Nichols, New York 13812
6. Corey A. Green
Superintendent
Owego Apalachin Central School District
5 Sheldon Guile Boulevard
Owego, New York 13827
7. Martha Sauerbrey
Legislative Chair
Tioga County Legislature
Ronald E. Dougherty County Office Building
56 Main Street
Owego, New York 13827

TERMINATION OF MEMORANDUM OF LEASE

KNOW ALL MEN BY THESE PRESENTS, that the TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY, a public-benefit corporation duly organized and validly existing under the laws of the State of New York, with an office for the transaction of business located at 56 Main Street, Owego, New York 13827 (referred to in a certain Lease Agreement under date of September 1, 2002 as the "Issuer"), and NICHOLS DISTRIBUTION, LLC, a limited liability company duly organized and validly existing under the laws of the State of Minnesota and authorized to do business in the State of New York, with its principal office located at 7601 Penn Avenue South, Richfield, Minnesota 55423 (referred to in the aforementioned Lease Agreement as the "Company") do hereby terminate a certain Memorandum of Lease between the Agency and the Company dated September 1, 2002 and duly recorded in the office of the Clerk of the County of Tioga on September 12, 2002 in Book 0703 of Deeds at Page 206.

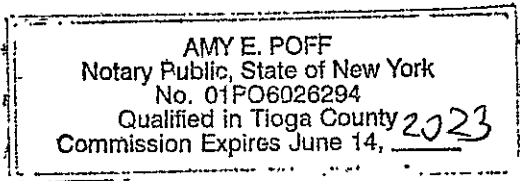
TIOGA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: 
Jenny Ceccherelli, Chairperson

NICHOLS DISTRIBUTION, LLC

By: 
Buddy Davenport
VP, Enterprise Real Estate

STATE OF NEW YORK:
: ss.:
COUNTY OF TIOGA :



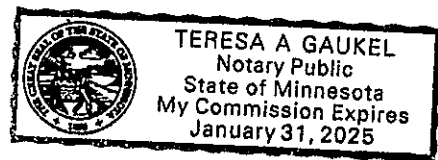
On 20th of July, 2022, before me, the undersigned, personally appeared JENNY CECCHERELLI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Amy E. Poff
Notary Public

STATE OF MINNESOTA :
: ss.:
COUNTY OF HENNEPIN:

On June 28, 2022, before me, the undersigned, personally appeared BUDDY DAVENPORT, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Teresa A. Gaukel
Notary Public



Please record and return to: Joseph B. Meagher, Esq.
Thomas, Collison & Meagher
1201 Monroe Street
P.O. Box 329
Endicott, New York 13761-0329

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Nichols, County of Tioga and State of New York, more particularly described as follows:

BEGINNING at a ¾" rebar set this survey at the intersection of the southerly line of Stanton Hill Road and the southwesterly line of Berry Road.

THENCE S 31° 42' 27" E, along the southwesterly line of said Berry Road, a distance of 70.57 feet to a ¾" rebar with cap set this survey.

THENCE southeasterly along the southwesterly line of said Berry Road and along a 4483.44' radius curve to the left, an arc length of 405.00' (having a chord of S 34° 17' 43" E 404.86'), to a ¾" rebar with cap set this survey.

THENCE S 36° 53' 00" E, along the southwesterly line of said Berry Road, a distance of 279.57' to a ¾" rebar with cap set this survey.

THENCE southerly, along the westerly line of said Berry Road and along a 392.04' radius curve to the right, an arc length of 469.38' (having a chord of S 02° 35' 02" E 441.84') to a ¾" rebar with cap set this survey:

THENCE S 31° 42' 56" W, along the northwesterly line of said Berry Road, a distance of 222.15' to a ¾" rebar with cap set this survey.

THENCE southerly, along the westerly line of said Berry Road and along a 458.04' radius curve to the left, an arc length of 280.64' (having a chord of S 14° 09' 47" W 276.27') to a ¾" rebar with cap set this survey.

THENCE southerly, along the westerly line of said Berry Road and along a 392.04' radius curve to the right, an arc length of 449.85' (having a chord of S 29° 29' 00" W 425.57') to a ¾" rebar with cap set this survey.

THENCE southwesterly, along the northwesterly line of said Berry Road and along a 458.04' radius curve to the left, an arc length of 447.25' (having a chord of S 34° 22' 59" W 429.69') to a ¾" rebar with cap set this survey.

THENCE S 06° 24' 37" W, along the westerly line of said Berry Road, a distance of 145.72' to a ¾" rebar with cap set this survey.

THENCE southwesterly, along the northwesterly line of said Berry Road and along a 392.04' radius curve to the right, an arc length of 485.02' (having a chord of S 41° 51' 10" W 454.67') to a ¾" rebar with cap set this survey.

EXHIBIT "A" (Continued)

THENCE S 77° 17' 44" W, along the northerly line of said Berry Road, a distance of 966.54' to a ¾" rebar with cap set this survey.

THENCE N 57° 18' 25" W a distance of 479.07' to a ¾" rebar with cap set this survey.

THENCE S 54° 41' 21" W a distance of 78.30' to a ¾" rebar with cap set this survey.

THENCE N 35° 18' 39" W a distance of 193.83' to a ¾" rebar with cap set this survey.

THENCE N 57° 18' 25" W a distance of 673.29' to a ¾" rebar with cap set this survey.

THENCE N 54° 04' 25" W a distance of 367.24' to a ¾" rebar with cap set this survey.

THENCE N 46° 59' 25" W a distance of 42.00' to a ¾" rebar with cap set this survey.

THENCE N 43° 00' 40" E a distance of 163.65' to a ¾" rebar with cap set this survey.

THENCE 46° 59' 25" W a distance of 198.52' to a ¾" rebar with cap set this survey.

THENCE N 29° 46' 58" E a distance of 345.90' to a ¾" rebar with cap set this survey.

THENCE N 41° 59' 45" E a distance of 295.33' to a ¾" rebar with cap set this survey.

THENCE N 49° 14' 01" E a distance of 656.13' to a ¾" rebar with cap set this survey.

THENCE S 85° 34' 00" E a distance of 665.70' to a ¾" rebar with cap set this survey.

THENCE N 04° 47' 38" W a distance of 53.06' to a ¾" rebar with cap set this survey in the southerly line of Stanton Hill Road.

THENCE easterly, along the southerly line of Stanton Hill Road and along an 1101.11' radius curve to the left, an arc length of 247.22' (having a chord of N 80° 28' 12" E 246.70') to a ¾" rebar with cap set this survey.

THENCE N 69° 55' 36" E, along the southerly line of Stanton Hill Road, a distance of 77.77' to a ¾" rebar with cap set this survey.

THENCE N 64° 19' 23" E, along the southerly line of Stanton Hill Road, a distance of 129.12' to a ¾" rebar with cap set this survey.

THENCE northeasterly, along the southeasterly line of Stanton Hill Road and along a 1093.11' radius curve to the left, an arc length of 190.74' (having a chord of N 58° 14' 20" E 190.49') to a ¾" rebar with cap set this survey.

EXHIBIT "A" (Continued)

THENCE N 53° 14' 24" E, along the southeasterly line of Stanton Hill Road, a distance of 924.65' to a ¾" rebar with cap set this survey.

THENCE S 75° 34' 45" E, along the southerly line of Stanton Hill Road, a distance of 95.35' to the POINT OF BEGINNING, containing 138.35 acres according to a survey by George R. Williams dated July 19, 2002, Job No. 2002-115.

Andrea L. Klett, County Clerk
16 Court Street
PO Box 307
Owego, NY 13827
(607) 687-8660

Tioga County Clerk Recording Cover Sheet

Received From :
THOMAS, COLLISON & MEAGHER
1201 MONROE ST
PO BOX 329
ENDICOTT, NY 13761-0329

Return To :
THOMAS, COLLISON & MEAGHER
1201 MONROE ST
PO BOX 329
ENDICOTT, NY 13761-0329

Method Returned : PICK UP

First GRANTOR

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

First GRANTEE

NICHOLS DISTRIBUTION LLC

Index Type : Deeds

Deed Number : 2022-00003332

Book : Page :

Type of Instrument : Bargain & Sale Deed

Type of Transaction : Deed Commercial

Recording Fee: \$325.00

Recording Pages : 6

The Property affected by this instrument is situated in Nichols (Town), in the County of Tioga, New York

Real Estate Transfer Tax

RETT # : 1786
Deed Amount : \$0.00
RETT Amount : \$0.00
Total Fees : \$325.00

State of New York

County of Tioga

I hereby certify that the within and foregoing was recorded in the Clerk's office for Tioga County, New York

On (Recorded Date) : 07/26/2022

At (Recorded Time) : 1:22:02 PM



Doc ID - 009226560006

Andrea Klett
Andrea L. Klett, County Clerk



Bargain & Sale Deed

This Indenture, made the 20th day of July, Two Thousand Twenty-Two

Between TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY, a public-benefit corporation organized and existing under the laws of the State of New York, with an office for the transaction of business located at 56 Main Street, Owego, New York 13827,

Party of the First Part, and

NICHOLS DISTRIBUTION, LLC, a limited liability company organized and existing under the laws of the State of Minnesota and authorized to do business in the State of New York, with an office for the transaction of business located at 7601 Penn Avenue South, Richfield, Minnesota 55423,

Party of the Second Part,

Witnesseth that the Party of the First Part, in consideration of One Dollar (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the Party of the Second Part, does hereby grant and release unto the Party of the Second Part, its successors and assigns, forever .

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Nichols, County of Tioga and State of New York, more particularly described on Exhibit "A" attached hereto.

BEING the same premises conveyed to the Tioga County Industrial Development Agency by Warranty Deed of Nichols Distribution, LLC dated September 12, 2002 and recorded in the Tioga County Clerk's Office on September 12, 2002 in Book 703 of Deeds at Page 200.

This sale does not constitute all or substantially all of the assets of the Tioga County Industrial Development Agency and is made in the regular course of its business activities.

Together with all right, title and interest, if any, of the Party of the First Part in and to any streets and roads abutting the above described premises to the center lines thereof,

Together with the appurtenances and all the estate and rights of the Party of the First Part in and to said premises,

To have and to hold the premises herein granted unto the Party of the Second Part, its successors and assigns, forever.

And the Party of the First Part covenants that the Party of the First Part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except

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3/28/02 4:30 PM

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