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EDWARD P. "TAD" WRIGHT  
OF COUNSEL

December 5, 2023

NYS Office of the State Comptroller  
110 State Street  
14<sup>th</sup> Floor – Legal Services  
Albany, New York 12236

Re: Town of Mina, Chautauqua County, New York  
Findley Lake Sewer District


Dear Sir:

Enclosed is the original and one copy of an application from the Town of Mina, Chautauqua County, New York submitted pursuant to Town Law Section 209-f, requesting permission to establish the Findley Lake Sewer District.

Please return the State Comptroller's Certificate of Approval to me, and call me if you have any questions or need any additional information.

Very Truly Yours,

WRIGHT CALIMERI, PLLC

By:  Joseph M. Calimeri

JMC:kp  
Enclosure  
Cc: Town of Mina

**IN THE MATTER OF THE APPLICATION TO THE NEW YORK STATE COMPTROLLER  
FOR THE APPROVAL OF THE FINDLEY LAKE SEWER DISTRICT  
IN THE TOWN OF MINA, CHAUTAUQUA COUNTY, STATE OF NEW YORK,  
PURSUANT TO ARTICLE 12A OF TOWN LAW**

The Petition of the Town Board of the Town of Mina, Chautauqua County, New York and the Findley Lake Sewer District, respectfully shows:

1. On September 9, 2023 the Town of Mina held a Public Hearing to allow the public to provide comment on the Findley Lake Sewer District.
2. On November 9, 2023 the Town Board of the Town of Mina passed Resolution #23-2023, a certified copy of which is attached as Exhibit 1, creating the Findley Lake Sewer District.
3. On October 21, 2023 the Town of Mina held a public vote for proposed Findley Lake Sewer District, and the election results have been certified by the Chautauqua County Board of Election to be 252 vote in favor of the sewer district formation and 166 votes not in favor of district formation.
4. This application for permission from the State Comptroller is made pursuant to Town Law Section 209-f, since the anticipated average estimated cost in the proposed district to the typical one or two family home will exceed the Comptroller's threshold, above which the Comptroller's permission is required by statute.
5. As required by New York State Town Law Section 209-f:
  - (1) A certified copy of the Notice of Public Hearing with proof of publication is included as Exhibit 2. A copy of the Map, Plan and Report filed with the Town Clerk per Section 209(c) is included as Exhibit 3.
  - (2) Itemized statement of the outstanding indebtedness of the Town, the amount of budgetary appropriations for any indebtedness, the amount of indebtedness proposed to be contracted for the improvement, and the amounts, purposes and probable dates of issuances of any bonds, bond anticipation notes, capital notes, deferred payment notes and budget notes which the Town has authorized to be issued but which have not been issued on the date of this application –
    - Outstanding Indebtedness - \$325,000 (USDA RD for Highway Equipment)
    - Budgetary Appropriations for any Indebtedness - \$32,142
    - Proposed Indebtedness to be Contracted for Improvements – Not to exceed amount for the project is \$26,100,000. Actual indebtedness is anticipated to be approximately \$6,525,000 based on 75% grant.
    - Proposed Issuance of Bond Dates – Spring/Summer 2024 (pending this application's approval)

- (3) A statement of the aggregate assessed valuation of the real property situated in the proposed district as such assessed valuations are shown on the last completed assessment roll of the Town –

	<b>Tax Rate (per \$1,000 of assessed value)</b>
<b>County</b>	\$ 8.226924
<b>Town</b>	\$ 3.392321
<b>School</b>	\$ 13.035150
<b>Fire</b>	\$ 0.457651
<b>Other</b>	\$ 0.151756

- (4) A statement of the average full valuation of the taxable real property of the Town as determined in accordance with the provisions of Section 2.00 of the local finance law – \$208,585,728
- (5) It is proposed to finance the cost of the Findley Lake Sewer District through federal and state grants and loans. Grants are estimated to be 75% of the final total project cost. The final total project cost has a not to exceed amount of \$26,100,000. Grants are projected to come from a combination of New York State Department of Environmental Conservation Water Quality Improvement Program (NYSDEC WQIP), New York State Environmental Facilities Corporation Water Infrastructure Investment Act (NYSEFC WIIA), Clean Water State Revolving Fund (CWSRF) Hardship, and/or the Bipartisan Infrastructure Law (BIL) funding. The remaining balance is anticipated to be financed with a CWSRF Hardship loan over 30 years at 0% interest.

6. As outlined in the State Comptrollers Regulation (Part 85), the following information is provided per Section 85.4:

- (a) All required documentation outlined in Town Law is attached:
- (1) Resolution Adopting Findley Lake Sewer District – Exhibit 1
  - (2) Public Hearing Notice & Special Election Notice – Exhibit 2
  - (3) Map, Plan, and Report – Exhibit 3
- (b) In general, the improvements will include the installation of approximately 11,000 feet of 8-inch gravity sanitary sewer main, 68 manholes, 9 central pump station, 31,100 feet of HDPE pressurized sanitary sewer main, grinder pumps, service laterals, force main valves and cleanouts, and a wastewater treatment plant. A more detailed description of the proposed improvements is included in the Map, Plan and Report in Exhibit 3.
- (c) The maximum cost of the proposed improvements is \$26,100,000 as set forth in the November 19, 2023 Resolution included in Exhibit 1.

- (d) The factors that the Town Board considered in making its determination that the proposed improvements are in the public interest are described in the Map, Plan & Report included in Exhibit 3. In particular pages 2 and 3 of the report, which provide background information on the impairment of Findley Lake and references previous studies completed by NYSDEC and USEPA. These studies estimated that approximately 45% of the phosphorous loading in Findley Lake comes from nearby septic systems. Reducing nutrient loading on Findley Lake will help improve water quality. The proposed district was also voted on by proposed district property owners. The vote passed with 252 vote in favor and 166 votes not in favor of forming the district. All property upon which the sewer district assessments would be imposed will be benefitted by the improvements and no benefitted property has been excluded.
- (e) It is proposed to finance the cost of the Findley Lake Sewer District through federal and state grants and loans. Grants are estimated to be 75% of the final total project cost. The final total project cost has a not to exceed amount of \$26,100,000. Grants are projected to come from a combination of New York State Department of Environmental Conservation Water Quality Improvement Program (NYSDEC WQIP), New York State Environmental Facilities Corporation Water Infrastructure Investment Act (NYSEFC WIIA), Clean Water State Revolving Fund (CWSRF) Hardship, and/or the Bipartisan Infrastructure Law (BIL) funding. The remaining amount is anticipated to be financed with a CWSRF Hardship loan over 30 years at 0% interest. The Town has not submitted grant applications to these funding programs at this time because many of these programs require formation of the district before the application can be submitted. The Town intends to submit financing and grant applications for all the programs mentioned above once this application is approved by the NYS Comptroller's Office.
- (f) The cost of maintaining the proposed improvements is estimated to be \$300,000 per year, as set forth in Section 6.2 and Appendix D of the Map, Plan and Report. This includes the cost of labor, equipment, utilities, chemicals, materials, and short lived asset reserve savings required to operate and maintain the system. This estimate was done by the Town's contracted engineer that completed the Map, Plan and Report and is based on similarly sized sewer districts.
- (g) The costs of debt service and operation and maintenance will be raised through a District unit assessment based on 403.7 equivalent dwelling units, which is detailed in Section 4.0 and Appendix B of the Map, Plan & Report. The total project cost and amount to be expended is \$26,100,000, with an estimated 75% of final projects costs being funded by grant sources and the remaining project costs being financed using 30 year 0% interest hardship financing through NYS EFC. This will result in a total debt service charge of \$216,667 per year to the sewer district, which equates to approximately \$540 per EDU per year. Additional charges will include approximately \$780 per EDU per year for operation and maintenance, and short lived asset savings.
- (h) The aggregate assessment in the proposed district is: \$112,764,450

- (k) The average full valuation of real property in the Town is: \$208,585,728
- (l) The outstanding, and authorized but unissued, indebtedness, including this project, as of the date of the application for all Town purposes is:
- (1) Outstanding Indebtedness - \$325,000
  - (2) Authorized but unissued Indebtedness (for this project) – The not to exceed amount is \$26,100,000. Actual indebtedness is anticipated to be approximately \$6,525,000 based on 75% grant.
- (m) The appropriations made during the current fiscal year are detailed below:
- (1) Appropriations made during 2023 for repayment of debt principal: \$20,000
  - (2) Amount State or Federal aid available for the payment of debt principal: \$0
  - (3) Amount of debt which is excludable for purposes of computing the town’s debt limit under article VIII of the New York State Constitution: \$0
- (o) The current tax rates and assessments applicable to the taxable real property which will bear the cost of the proposed improvement:

	Tax Rate (per \$1,000 of assessed value)
County	\$ 8.226924
Town, including highway	\$ 3.392321
School	\$ 13.035150
Fire	\$ 0.457651
Other	\$ 0.151756

- (p) The assessed value of a typical property is: \$301,531
- (q) The maximum first year cost to an owner of a typical one family home (1 EDU) will be \$1,320 (\$110 per month) for debt service and O&M. The total maximum monthly charge is stated in the attached resolution and was voted on by district residents, and is based on the project receiving an estimated 75% of the total project cost in grant funding. In addition to debt service and O&M, property owners will be responsible for costs related to septic system decommissioning and required private infrastructure for hookup to the public sewer system. These costs are estimated to be approximately \$2,000 to \$3,000, which will be paid to a private contractor selected by the property owner and is not imposed by the Town. Additional information on the infrastructure property owners will be responsible for is included in Section 5.1 of the Map, Plan and Report. First year costs for properties not classified as one family homes could be charged more based on its EDU assessment. An EDU schedule is included in Appendix B of the Map, Plan and Report.

The breakdown of the first year cost for a typical one family home is:

Capital Debt (per EDU)	\$540
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Estimated O&M	\$620
Estimated Short Lived Assets	\$160
<b>Total Charge per EDU from Sewer District (first year)</b>	<b>\$1,320</b>

- (r) The maximum amount any real property owner will be required to pay to the sewer district in the first year for debt service and O&M is \$21,120 (Hotel, 16 EDUs @ \$1,320/EDU plus hookup costs). Similar to the one family home, all real property owners will be responsible for costs associated with private infrastructure. The breakdown for the maximum amount any real property owner will be required to pay is detailed below:

Capital Debt (per EDU)	\$8,640
Estimated O&M	\$9,920
Estimated Short Lived Assets	\$2,560
<b>Total Charge from Sewer District (first year)</b>	<b>\$21,120</b>

- (s) The only State land in the proposed district is the New York State Department of Environmental Conservation Fishing Access Area on Main Street. The property has boat docks, a kayak launch and an information kiosk. There are no structures on the property that will require a sewer hookup. This property will be assessed 0 EDUs and therefore will not be charged for sanitary sewer.
- (t) There is one parcel of property (192 acres) in the proposed district that is also in the New York State designated agricultural district. The property owner has requested inclusion in the proposed sewer district to accommodate the construction and operation of a large commercial warehouse distribution center that is in the final stages of the due diligence period. This property is currently assessed 7 EDUs on the EDU Assessment Table.
- (u) The estimated population of the area is 954. The number of one- and two-family homes, as well as other property types is detailed below:

Description	Number	Pop. Est.	Total AV	Average AV
One- Family	311	936	\$91,730,650	\$ 294,954
Two-Family	6	18	\$1,594,000	\$ 265,667
Commercial	33	0	\$9,648,000	\$ 292,364
Agricultural	1	0	\$566,000	\$ 566,000
Vacant	20	0	\$7,812,300	\$ 390,615

- (v) There are a total of 20 vacant buildable parcels in the proposed district. There are no proposals under consideration for the development or improvement of vacant land.
- (w) Although there are property owners outside of the proposed district who have expressed an interest in being included in the district, the Town board has not considered any of the requests and no decision has been made on selling service to any outside parcel. If the Town considers selling service to any outside parcel owner, the financial impact will be analyzed per parcel to ensure that the users in the proposed district are not negatively impacted and

that they do not bear any additional cost because of selling service to property owners outside the district.

- (x) There are no orders issued by a State or Federal agency or court on the proposed district.
- (y) In addition to the Public Hearing held on September 9, 2023, the Town held two public information sessions to allow the public to comment on the sewer district before finalizing the Map, Plan and Report. These public information sessions were held on September 10, 2022 and July 29, 2023. The Town also discussed the project at several public Town Board meetings held on May 9, 2022, June 21, 2022, and June 13, 2023; and held a special election on October 21, 2023 to determine if a majority of the community was in favor of creation of the sewer district.
- (z) The Town of Mina received written objections from eight property owners on the Final Map, Plan and Report that was the basis for the public sewer district formation vote, with the nature of the concerns as follows:
  - (1) & (2) Financial hardship for the property owner.
  - (3) Financial hardship for the property owner and residence 3/4 mile north of the lake.
  - (4) Septic system is fine; property owners on limited budget and residence 1/2 mile from the lake.
  - (5) Property owners who have complied with system upgrades are unhappy; residents with lower incomes are considering leaving the community; DEC indicated that removing septic systems will not change phosphorous levels; other contributing factors need to be addressed; DEC in-waterbody study not available before the vote.
  - (6) After the public vote was defeated in 2017, county health department should have brought properties around the lake into compliance and other measures should have been explored.
  - (7) The plan will not succeed in cleaning up the lake; will be required to pay to clean up a lake that the property owners have very little access to.
  - (8) Property is 350 feet from shoreline and septic system was designed/inspected by the health department and is properly installed/maintained. No guarantee of improved phosphorous levels, decreased vegetation/weeds, or elimination of algae blooms. Costly project with a very small number of property owners underwriting the entire financial burden.

After holding a public meeting and a public hearing where individuals were given the opportunity to express their concerns and have their questions answered, the Town of Mina held a special election on Sat., October 21, 2023 in which all of the property owners in the proposed district were given the opportunity to vote on the formation of the district as outlined in the August 2023 Final Map, Plan and Report. The Town of Mina contracted with the Chautauqua County Board of Elections to oversee the election including the absentee ballot count. The Chautauqua County Board of Elections certified the outcome of the special election and the results were as follows: 252 voters in favor of forming the district and 166 voters opposed to forming the district.

THEREFORE, the Town Board of the Town of Mina, Chautauqua County, New York, through its Supervisor respectfully requests permission to establish the Findley Lake Sewer District in the Town of Mina, Chautauqua County, New York.

Dated: December 5, 2023

TOWN OF MINA, Petitioner

By: Rebecca N. Brumagin  
Rebecca Brumagin, Supervisor

VERIFICATION

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

REBECCA BRUMAGIN, being duly sworn, deposes and says that she is the Supervisor of the Town of Mina, the Municipal corporation named in the within entitled action; that she has read the foregoing application and knows the contents thereof; and that the same is true to her own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters she believes it to be true.

Rebecca N. Brumagin  
REBECCA BRUMAGIN, SUPERVISOR  
TOWN OF MINA

Sworn to before me this 5<sup>th</sup> day of December 2023

Sherrie R. Tanner  
Notary Public

**SHERRIE R. TANNER**  
Notary Public, State of New York  
Qualified in Chautauqua County  
Reg. No. 01TA6282005  
My Commission Expires May 13, 2025



**Exhibit 1**

**Resolution Adopting Findley Lake Sewer District**

**TOWN OF MINA  
RESOLUTION #23-2023  
ADOPTING PROPOSED FINDLEY LAKE SEWER DISTRICT**

**WHEREAS**, the Town of Mina Town Board (the “Board”) has previously reviewed a Map, Plan and Report prepared by Barton & Loguidice, D.P.C., of a proposed sewer district in the Town of Mina to be known as the Findley Lake Sewer District; and

**WHEREAS**, said Map, Plan and Report was filed with the Office of Town Clerk of the Town of Mina, entitled, “Map, Plan and Report, Findley Lake Sewer District, August 2023” and

**WHEREAS**, the Board, pursuant to Article 12A of the Town Law of the State of New York, after public notice, held a public hearing on September 9, 2023 at 9:00 a.m. at the Town of Mina Town Hall, 2883 North Road, Findley Lake, New York and heard all interested persons pertaining to the proposed Findley Lake Sewer District as set forth in the Map, Plan and Report heretofore referred, and

**WHEREAS**, the Board has discussed the environmental impacts pertaining to the proposed action and the public benefits proposed by the formation of the proposed sewer district in open session; and

**WHEREAS**, the Town Board, pursuant to Article 12A of the Town Law of the State of New York, after the public hearing, held a Special Town Election on October 21, 2023 that the following proposition was voted on “Shall the Resolution and Order of the Town Board of the Town of Mina to approve the formation of the Findley Lake Sewer District pursuant to Article 12 of the Town Law be approved” and whereas an abstract of the resolution stated “The establishment of the Findley Lake Sewer District including the cost of improvements and expenses necessary in connection therewith at a maximum estimated cost of \$26.1 million and a maximum charge of \$110.00 per month for one equivalent dwelling unit during the first year of operation, in the Town of Mina. The project shall be completed in accordance with the Map, Plan and Report filed with the Office of the Town Clerk entitled “Map, Plan and Report, Findley Lake Sewer District, August 2023”. A negative declaration for purposes of SEQRA has been previously adopted with regard to this action; and

**WHEREAS**, the election results were certified by the Chautauqua County Board of Elections to be 252 votes in favor of the proposition and 166 votes not in favor of the proposition therefore approving the proposition by majority vote;

**NOW, THEREFORE BE IT,**

**RESOLVED**, that the notice of public hearing was published and posted as required by law and as otherwise sufficient; and

**BE IT FURTHER RESOLVED**, that all of the property and property owners within the proposed sewer district are benefited thereby; and

**BE IT FURTHER RESOLVED**, that all of the property and property owners benefited are included within the limits of the proposed sewer district; and

**BE IT FURTHER RESOLVED**, that the formation of the proposed sewer district is in the public's interest; and

**BE IT FURTHER RESOLVED**, that the formation of the proposed sewer district underwent a public referendum via a special election and the majority of the public votes were in favor of the formation of the proposed sewer district; and

**BE IT FURTHER RESOLVED**, that the Board has determined that the formation of the proposed sewer district will not result in any significant adverse environmental impact; and

**BE IF FURTHER RESOLVED**, that the Board does hereby approve the formation of a sewer district, to be known as the Findley Lake Sewer District, pursuant to the terms and boundaries as found in the Map, Plan and Report prepared by Barton & Loguidice, P.C., and filed in the Office of the Town Clerk of the Town of Mina, entitled, "Map, Plan and Report, Findley Lake Sewer District, August 2023" and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

Brumagin – Aye  
Burmester – Nay  
Roache – Nay  
Sullivan – Aye  
Watrous – Aye

Dated: November 9, 2023

I hereby certify that this resolution was adopted on 11/09/2023 and is recorded in the Meeting Minutes of the Town of Mina.

  
\_\_\_\_\_  
Sherrie R. Tanner

**Exhibit 2**

**Notice of Public Hearing and Special Elections  
Proof of Publication**

**The Post-Journal**

Covering The Way You Live  
www.postjournal.com

**AFFIDAVIT OF PUBLICATION**

The State of New York  
The County of CHAUTAUQUA  
The City of

I, JAN HARRINGTON, being duly sworn, deposes and says that she is the CLERK for Ogden Newspapers of New York, Inc. the publisher of Post Journal, a daily newspaper published in the City of JAMESTOWN, CHAUTAUQUA County, State of New York, and that a notice of which the annexed is a printed copy, was inserted and published in said newspaper on the following 21 Aug 2023

*Jan Harrington*  
\_\_\_\_\_  
JAN HARRINGTON, CLERK

Signed before me this 23 day of August 2023

*Barbara J. Musso*  
\_\_\_\_\_  
Notary Public

**BARBARA J. MUSSO, #01MU4890621**  
Notary Public, State of New York  
Qualified in Chautauqua County  
My Commission Expires 5/4/27

**Legal Notices**

**NOTICE OF  
PUBLIC HEARING  
TOWN OF MINA**

Be it resolved that the Town Board shall conduct a public hearing on September 9, 2023 at 9:00 am at the Mina-Findley Lake Community Center, 2883 North Road, Findley Lake, NY concerning the Findley Lake Sanitary Sewer District, and the Map, Plan and Report prepared by Barton & Loguidice. The purpose of which is to determine whether the Findley Lake Sanitary Sewer District is in the public interest and whether the Town shall hold a referendum as to the formation of the Findley Lake Sanitary Sewer District. A copy of the Map, Plan and Report is available at the Town Clerk's Office during regular business hours and on the Town's website. The Town Board will hold a Special Meeting following the public hearing at the Mina-Findley Lake Community Center.

By order of the  
Mina Town Board  
Sherrie R. Tanner  
Mina Town Clerk

Aug 21, 2023

AFFIDAVIT OF PUBLICATION

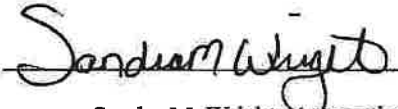
State of New York

County of Chautauqua

City of Jamestown

I, Sandra M. Wright, being duly sworn, deposes and says that  
She is the Principal Clerk for Ogden Newspapers of New York, Inc.  
The publisher of The Post-Journal, a daily newspaper published  
in the City of Jamestown, Chautauqua County, State of New York,  
and that a notice of which the annexed is a printed copy, was  
Inserted and published in said newspaper on the following

Date: September 26, 2023



Sandra M. Wright, Accounting Clerk

Signed before me this 11th day of October 2023



Notary Public

**BARBARA J. MUSSO, #01MU4890621**  
**Notary Public, State of New York**  
**Qualified in Chautauqua County**  
**My Commission Expires 5/4/27**

Legal Notices

TOWN OF MINA, NEW YORK  
NOTICE OF SPECIAL TOWN ELECTION TO BE HELD ON  
October 21, 2023  
(MANDATORY REFERENDUM)

IN THE MATTER OF THE ESTABLISHMENT OF THE FINDLEY LAKE SEWER DISTRICT  
Pursuant to Town Law Article 12-A

NOTICE IS HEREBY GIVEN that a Special Town Election/Referendum will be held on October 21, 2023, and the polls shall remain open from 9:00 a.m. and 8:00 p.m. at the following polling place:

Polling Place  
Mina-Findley Lake Community Center  
2883 North Road, Findley, New York

At said Referendum (Special Town Election) the following proposition is to be voted upon:

Shall the RESOLUTION AND ORDER of the town board of the town of mina TO APPROVE THE formation OF THE FINDLEY LAKE SEWER DISTRICT PURSUANT TO article 12 OF THE TOWN LAW be approved

An abstract of such resolution concisely stating the purpose and effect thereof, is as follows:

The establishment of the Findley Lake Sewer District including the cost of improvements and expenses necessary in connection therewith at a maximum estimated cost of \$27.1 million and a maximum charge of \$110.00 per month for one equivalent dwelling unit during the first year of operation, in the Town of Mina. The project shall be completed in accordance with the Map, Plan and Report filed with the Office of the Town Clerk entitled "Map, Plan and Report, Findley Lake Sewer District, August 2023". A negative declaration for purposes of SEQRA has been previously adopted with regard to this action."

That those qualified to vote in such Referendum/Special Town Election are the owners of taxable real property situate in the proposed Findley Lake Sewer District (which is bounded and described in the attached Schedule "A") as shown upon the latest completed assessment roll of the Town, all pursuant to Town Law § 209-a.

DATED: September \_\_, 2023

/s/Sherrie Tanner, Town Clerk  
(Seal)

SCHEDULE A  
LEGAL DESCRIPTION

Boundary Description  
Proposed Findley Lake Sewer District

The Findley Lake Sewer District, situated in the Town of Mina, County of Chautauqua, State of New York, being particularly described as follows. Tax Parcel information is based on Chautauqua County Parcel Viewer GIS data from July 2023.

Commencing at a point of beginning, said point being the southeastern property corner of Parcel 376.00-2-34.1; thence proceeding northerly along the eastern boundary of Parcel 376.00-2-34.1, to the northeastern corner of Parcel 376.00-2-34.1; thence proceeding westerly along the northern boundary of Parcel 376.00-2-34.1 to the southeastern corner of Parcel 359.00-2-14; thence proceeding northerly along the eastern boundary of Parcel 359.00-2-14 to the northeastern corner of Parcel 359.00-2-14; thence proceeding easterly along the southern boundary of Parcel 359.00-2-16 to the southeastern corner of Parcel 359.00-2-16; thence proceeding northerly along the eastern boundary of Parcel 359.00-2-16 to the southeastern corner of Parcel 359.00-2-11; thence proceeding westerly along the northern boundary of Parcel 359.00-2-16 to the southwestern corner of Parcel 359.00-2-11; thence proceeding northerly along the eastern boundary of Parcel 359.00-2-16 to the northwestern corner of Parcel 359.00-2-10; thence proceeding westerly along the northern boundary of Parcel 359.00-2-16 to the northeastern corner of Parcel 359.00-2-18; thence proceeding southerly along the western boundary of Parcel 359.00-2-16 to the southeastern corner of Parcel 359.00-2-18; thence proceeding westerly along the northern boundary of Parcel 359.00-2-16 to the southeastern corner of Parcel 359.15-2-38; thence proceeding northerly along the eastern boundary of Parcel 359.15-2-38 to the northeastern corner of Parcel 359.15-2-38; thence proceeding westerly along the northern boundary of Parcel 359.15-2-38 to the northwestern corner of Parcel 359.15-2-38; thence proceeding northerly across the highway boundary of Lakeview Avenue to the southeastern corner of Parcel 359.15-2-63; thence proceeding northerly along the eastern boundary of Parcels 359.15-2-63, 359.15-2-73, 359.15-2-62, 359.15-2-61, and 359.15-2-72 to the northwestern corner of Parcel 359.15-2-71; thence proceeding easterly along the southern boundary of Parcel 359.15-2-72 to the southeastern corner of Parcel 359.15-2-72; thence proceeding northerly along the eastern boundary of Parcel 359.15-2-72 to the northeastern corner of Parcel 359.15-2-72; thence proceeding westerly along the northern boundary of Parcel 359.15-2-72 to a point along the northern boundary of Parcel 359.15-2-72; thence proceeding perpendicularly across the highway boundary of Case Avenue to the southeastern corner of Parcel 359.15-1-37; thence proceeding northerly along the eastern boundary of Parcel 359.15-1-37 to the northeastern corner of Parcel 359.15-1-37; thence proceeding easterly along the southern boundary of Parcel 359.15-1-35 to the southeastern corner of Parcel 359.15-1-35; thence proceeding northerly along the eastern boundary of Parcels 359.15-1-35, 359.15-1-34, 359.15-1-26, 359.15-1-25, and 359.15-1-13 to the northeastern corner of Parcel 359.15-1-13; thence proceeding easterly along the southern boundary of Parcel 359.15-1-12 to the southeastern corner of Parcel 359.15-1-12; thence proceeding northerly along the eastern boundary of Parcels 359.15-1-12 and 359.15-1-11 to the northeastern corner of Parcel 359.15-1-11; thence proceeding easterly along the southern boundary of Parcels 359.15-1-4 and 359.00-2-21 to the southeastern corner of Parcel 359.00-2-21; thence proceeding northerly along the eastern boundary of Parcels 359.00-2-21, 359.11-1-4.1, and 359.11-1-3 to the northeastern corner of Parcel 359.11-1-3; thence proceeding westerly along the northern boundary of Parcel 359.11-1-3 to the northwestern corner of Parcel 359.11-1-3; thence proceeding northerly along the eastern boundary of Parcel 359.11-1-2 to the northeastern corner of Parcel 359.11-1-2; thence proceeding westerly along the northern boundary of Parcels 359.11-1-2, 359.06-3-33, 359.06-3-32, 359.06-3-30, 359.06-3-29, 359.06-3-28, and 359.06-3-27 to the northwestern corner of Parcel 359.06-3-27; thence proceeding southerly along the western boundary of Parcel 359.06-3-27 to the northeastern corner of Parcel 359.06-3-26; thence proceeding northwesterly along northeastern boundary of Parcels 359.06-3-26 and 359.06-3-25 to the northern corner of Parcel 359.06-3-25; thence proceeding southwesterly along the northwestern boundary of Parcel 359.06-3-25 to the eastern corner of Parcel 359.06-3-24; thence proceeding northwesterly along the northeastern boundary of Parcel 359.06-3-24 to the northern corner of Parcel 359.06-3-24; thence proceeding northeasterly along the southeastern boundary of Parcel 359.06-3-20 to the southeastern corner of Parcel 359.06-3-20; thence proceeding northerly along the eastern boundary of Parcel 359.06-3-20 to the northeastern corner of Parcel 359.06-3-20; thence proceeding westerly along the northern boundary of Parcel 359.06-3-20 to the northwestern corner of Parcel 359.06-3-20; thence proceeding southerly along the western boundary of Parcel 359.06-3-20 to the northeastern corner of Parcel 359.06-3-12.1; thence proceeding westerly along the northern boundary of Parcel 359.06-3-12.2, 359.06-3-4, and 359.06-3-3 to the northeastern corner of Parcel 359.06-3-3; thence proceeding westerly along the northern boundary of Parcels 359.06-3-3 and 359.06-3-2 to the northwestern corner of Parcel 359.06-3-2;





Road to the northwestern corner of Parcel 359 14-1-59; thence proceeding southerly along the western boundary of Parcel 359 14-1-59 to the southwestern corner of Parcel 359 14-1-59; thence proceeding easterly along the southern boundary of Parcel 359.14-1-59 to the southeastern corner of Parcel 359 14-1-59; thence proceeding northerly along the eastern boundary of Parcel 359 14-1-59 to the southwestern corner of Parcel 359.14-1-58; thence proceeding easterly along the southern boundary of Parcel of 359 14-1-58 to the southeastern corner of Parcel 359 14-1-58; thence proceeding northerly along the eastern boundary of Parcel 359 14-1-58 to the southwestern corner of Parcel 359.14-1-56; thence proceeding easterly along the southern boundary of Parcels 359.14-1-56, 359 14-1-44, 359.14-1-46, 359 14-1-47, 359.14-1-48, 359.14-1-49, 359.14-1-50, 359 14-1-51, 359 14-1-52, and 359 14-1-36 to the southwestern corner of Parcel 359 14-2-77; thence proceeding southerly along the western boundary of Parcels 359 14-4-4 and 359 14-4-3 to the southwestern corner of Parcel 359 14-4-3; thence proceeding easterly along the southern boundary of Parcels 359 14-4-3 and 359.14-4-6 to the southeastern corner of Parcel 359 14-4-6; thence proceeding southerly along the western highway boundary of Shadyside Road to the northeastern corner of Parcel 359 14-4-16; thence proceeding westerly along the northern boundary of Parcel 359.14-4-16 to the northwestern corner of Parcel 359 14-4-16; thence proceeding southerly along the western boundary of Parcel 359.14-4-16 to the northeastern corner of Parcel 359 14-4-17, thence proceeding westerly along the northern boundary of Parcel 359.14-4-17 to the northwestern corner of Parcel 359.14-4-17; thence proceeding southerly along the western boundary of Parcel 359.14-4-17 to the southwestern corner of Parcel 359 14-4-17; thence proceeding westerly along the northern boundary of Parcels 359 14-4-28 and 359.14-4-35 to the northwestern corner of Parcel 359.14-4-35; thence proceeding across the highway boundary of Ball Diamond Road to the northeastern corner of Parcel 359 14-5-32; thence proceeding westerly along the northern boundary of Parcels 359 14-5-32, 359 14-5-41.2, 359 14-5-41.3, 359 14-5-42, and 359 18-1-57 to the northwestern corner of Parcel 359 18-1-57; thence proceeding southerly along the western boundary of Parcels 359 18-1-57, 359 18-1-56, 359.18-1-55 to the southwestern corner of Parcel 359 18-1-55; thence proceeding westerly along the northern boundary of Parcel 359 18-1-54 to the northwestern corner of Parcel 359.18-1-54; thence proceeding southerly along the western boundary of Parcel 359 18-1-54 to the southwestern corner of Parcel 359 18-1-54; thence proceeding easterly along the southern boundary of Parcel 359.18-1-54 to the northwestern corner of Parcel 376.00-2-7.1; thence proceeding southerly along the western boundary of Parcel 376.00-2-7.1 to the southwestern corner of Parcel 376.00-2-7.1; thence proceeding easterly along the southern boundary of Parcels 376.00-2-7.1, 376.00-2-7.2, 376.00-2-7.1, 376.00-2-8, and 376.00-2-9 to the southeastern corner of Parcel 376.00-2-9; thence proceeding northeasterly along the southeastern boundary of Parcel 376.00-2-9 to the northeastern corner of Parcel 376.00-2-9; thence proceeding easterly along the southern highway boundary of Shadyside Road to the northwestern corner of Parcel 376.07-1-63; thence proceeding southerly along the western boundary of Parcel 376.07-1-63 to the southwestern corner of Parcel 376.07-1-63, thence proceeding easterly along the southern boundary of Parcels 376.07-1-63, 376.07-1-62, 376.07-1-61, 376.07-1-60, and 376.07-1-57, and continuing southeasterly along the western boundary of Parcels 376.07-1-54, 376.07-1-53, 376.07-1-52, 376.07-1-51, 376.07-1-49, and 376.07-1-48 to the southwestern corner of Parcel 376.07-1-48; thence proceeding easterly along the southern boundary of Parcel 376.07-1-48 to the southeastern corner of Parcel 376.07-1-48; thence proceeding southerly along the western highway boundary of Shadyside Road to the northeastern corner of Parcel 376.00-2-11; thence proceeding westerly along the northern boundary of Parcel 376.00-2-11 to the northwestern corner of Parcel 376.00-2-11; thence proceeding southerly along the western boundary of Parcel 376.00-2-11 to the southwestern corner of Parcel 376.00-2-11; thence proceeding easterly along the southern boundary of Parcels 376.00-2-11 and 376.00-2-13 to the northwestern corner of Parcel 376.00-2-16; thence proceeding southerly along the western boundary of Parcel 376.00-2-16 to the southwestern corner of Parcel 376.00-2-16; thence proceeding easterly along the southern boundary of Parcels 376.00-2-16, 376.00-2-17, and 376.00-2-16 to the southeastern corner of Parcel 376.00-2-16; thence proceeding northerly along the eastern boundary of Parcel 376.00-2-16 to the northeastern corner of Parcel 376.00-2-16; thence proceeding perpendicularly across the highway boundary of Shadyside Road to the southeastern corner of Parcel 376.07-2-57; thence proceeding northerly along the eastern boundary of Parcels 376.07-2-57, 376.07-2-12.1, 376.07-2-12.2.1, 376.07-2-12.2.2, 376.07-2-12.3, 376.07-2-12.1, and 376.07-2-16 to the southwestern corner of Parcel 376.07-2-16; thence proceeding easterly along the southern boundary of Parcel 376.07-2-16 to the southeastern corner of Parcel 376.07-2-16; thence proceeding perpendicularly across the highway boundary of State Route 426 to the southwestern corner of Parcel 376.00-2-34.1; thence proceeding easterly along the southern boundary of Parcel 376.00-2-34.1 to the southeastern corner of Parcel 376.00-2-34.1, said corner also being the Point of Beginning.

Sep 26, 2023

## **Exhibit 3**

### **Map, Plan, and Report Findley Lake Sewer District**