

30 August 2019

Rodney Strange  
386 Raecrest Circle  
Elmira, New York 14904

**Subject: Property Access Request  
Coldbrook Creek  
Elmira, New York**

Dear Mr. Strange:

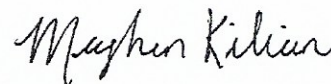
Geosyntec Consultants (Geosyntec) is currently conducting environmental sampling work related to the Former Sperry Remington Site located at 1051 South Main Street, Elmira, New York. This work is being done on behalf of Unisys Corporation (Unisys) under the direction of the New York Department of Environmental Conservation (NYSDEC). As part of this work, Geosyntec is requesting permission to access the following properties, which the Chemung County Tax Assessor's Office indicates you own:

- Section 100.17, Block 1, Lot 33
- Section 100.17, Block 1, Lot 45

Property access is requested for the purpose of collecting environmental samples from Coldbrook Creek and its banks. This work is tentatively scheduled for September and October 2019. However, we only anticipate requiring access to your property for 1 to 2 days during this timeframe, and you will be notified in advance.

The access agreement for your review and approval is attached, along with a stamped return envelope. Your assistance and cooperation with this matter is appreciated. Should you have any questions regarding the sampling event, please contact me at 312-416-3905 at your convenience.

Sincerely,



Meghan Kilian  
Geosyntec Project Scientist

Attachment: Access Agreement, Coldbrook Creek

## SITE ACCESS AGREEMENT

THIS SITE ACCESS AGREEMENT executed as of this \_\_\_\_ day of \_\_\_\_\_, 2019, by and among UNISYS CORPORATION (hereinafter referred to as “Unisys”), and Rodney Strange (herein referred to as “Owner”):

### WITNESSETH:

WHEREAS, the owner owns and is in possession and control of approximately 0.69 acres of real property located in the Town of Southport, New York designated as Section 100.17, Block 1, Lots 33 and 45 on the tax map of Chemung County, and as further described in a map showing the approximate extent of the property, which is attached as Exhibit A hereto (the “Property”);

WHEREAS, Unisys is a respondent under an Administrative Order on Consent, issued by the New York State Department of Environmental Conservation (“NYSEC”) that requires Unisys to access certain portions of the Property to investigate and potentially remediate environmental conditions at the Property, pursuant to a work plan or plans approved by NYSDEC (the “Remedial Program”);

WHEREAS, the Owner and Unisys believe that it serves their mutual best interests to facilitate the Remedial Program by allowing Unisys access to the Property;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Owner and Unisys agree as follows:

41. The Owner hereby grants a license to Unisys, and any of its contractors and their subcontractors beginning to enter upon the Property in order to perform the tasks and examinations required to satisfy the requirements of the Administrative Order on Consent, including, but not limited to field surveys, soil sampling, sediment sampling, photography, surface water sampling, and any other activities required by NYSDEC to complete the Remedial Program. This license shall include ingress and egress rights. This license for site access shall continue, and the Owner shall have no right or power, the same being expressly waived hereby, to revoke this license, until such time as Unisys has completed the Remedial Program to the satisfaction of NYSDEC. This agreement’s provision of access to undertake and complete the Remedial Program is not a lease, nor does it create in Unisys any interest in the Property or create a partnership, joint venture, agency, or any association or relationship between the Owner and Unisys other than that of licensor and licensee.
42. The Owner shall conduct its activities on the Property in such manner as to avoid or minimize disturbance to current environmental conditions or interference with Unisys’s performance of the Remedial Program. Unisys shall cooperate with the Owner concerning the implementation of Remedial Program activities on the Property in order to minimize interference with the Owner’s use of the Property, to the extent practicable and consistent with work plans approved by NYSDEC.

43. Upon Completion of the Remedial Program activities, Unisys shall restore any areas of the Property disturbed by Unisys to their condition at the inception of the Remedial Program activities to the extent practicable and consistent with the Administrative Order on Consent.
44. Unisys shall indemnify, defend, and hold harmless Owner and Owner's officers, directors and employees from any and all liabilities to third persons for personal injury and property damage resulting from the negligence or willful misconduct of Unisys, its employees, contractors, and subcontractors in performing the Remedial Program on the Property. This Paragraph 4 will survive the termination of this agreement.
45. The Owner represents that other than as set for the in Exhibit A, there are no other interests in the Property that may be infringed by the access granted under this agreement, including limitation leases, easements, holdover tenancies, or pending contracts for the sale, lease, or other interest in the Property. The Owner agrees that it shall provide a copy of this agreement to any potential purchaser or other grantee of any interest in the Property prior to the execution of any agreement or other instrument for such conveyance, or if an agreement for such conveyance exists as o the date first written above, prior to such conveyance. The Owner represents that the person signing this agreement for the Owner has the authority to bind the Owner and to grant the access conveyed hereby.

IN WITNESS WHEREOF, the undersigned have executed this agreement on the \_\_\_\_ day of \_\_\_\_\_, 2019.

WITNESSES

\_\_\_\_\_  
 \_\_\_\_\_

UNISYS CORPORATION



\_\_\_\_\_  
 \_\_\_\_\_

OWNER

\_\_\_\_\_

Phone: \_\_\_\_\_



 Properties to be Accessed	<b>Tax Parcel Map</b> <b>100.17-1-33, 100.17-1-45</b> Chemung County, New York	
<b>Notes:</b> Property parcels provided by Chemung County, NY on 30 August 2019. Data downloaded from: <a href="http://www.arcgis.com/apps/webappviewer/index.html?id=3ed0341f5c674c79a11e34f1f2c6728c/">http://www.arcgis.com/apps/webappviewer/index.html?id=3ed0341f5c674c79a11e34f1f2c6728c/</a>	 Geosyntec consultants	<b>Exhibit</b>  <b>A</b>
	Chicago, IL	August 2019