



# **GARNET ENERGY CENTER**

**Case No. 20-F-0043**

**1001.13 Exhibit 13**

**Real Property**

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## **Exhibit 13: Real Property**

This Exhibit will track the requirements of Final Stipulation 13, dated March 5, 2021, and therefore, the requirements of 16 New York Codes, Rules and Regulations (NYCRR) § 1001.13.

### **13(a) Real Property Map**

Figure 4-3 of Exhibit 4 illustrates the locations of Project Components as well as property boundaries with tax map sheet, block, and lot numbers; the owner of record of all parcels included in the Project Area and for all adjacent parcels; land rights, easements, grants and related encumbrances on the Project Area parcels; public and private roads on or adjoining or planned for use as access to the Project Area; local designations applicable to the Project Area and adjoining properties. The Town of Conquest does not have zoning regulations. Therefore, no zoning information for the Town of Conquest is included on Figure 4-4. However, zoning districts in municipalities within the Project's Study Area for Towns with zoning regulations have been included in Figure 4-4. The locations of Project Components are indicated on Figure 13-1, the Real Property Map. The survey map is included as Appendix 13-1 for the parcels that are under lease by the Applicant. Data used in the preparation of Figure 4-4 was obtained from the Town of Cato Zoning Map, the Town of Mentz Zoning Map, the Town of Brutus Zoning Map, the Town of Victory Zoning Map, and the Town of Ira, as well as the boundary survey prepared for the Applicant.

### **13(b) Right-of-Way Map of Interconnection Facilities**

Figure 3-1 of Exhibit 3 illustrates the locations of proposed interconnection facilities as part of the Project, as well as right-of-way (ROW) access drives and construction laydown/staging areas. No off-property access roads are proposed as part of the interconnection facilities. Figure 3-1 depicts the existing New York Power Authority's (NYPA's) Clay to Pannell 345-kilovolt (kV) transmission line and proposed switchyard that will interconnect the Project to the Point of Interconnection via a proposed approximately 770-foot 345-kV transmission line. The 770-foot transmission line is part of the Project for this Article 10 Application and is not required to be permitted separately under Article VII of the New York Public Service Law.

### **13(c) Demonstration of Title or Leasehold Interest in the Project Area**

The 2,288.7 acres that comprise the Project Area are contracted under lease option agreements. In general, the agreements have terms that last for no less than the expected useful life of the

Project plus any necessary extension periods. Should the options be exercised, the Applicant will gain easement rights including but not limited to development, construction, operation and maintenance of all Project Components, vehicular and pedestrian ingress and egress, and capturing of the sun's rays. Annual payments are made during the option period. Once the options are exercised, additional payments will be made to landowners, primarily dependent upon the total acreage of components sited on the property. We have acquired the required land rights for all parcels within the Project Area. There are ten executed agreements, of which eight have a memorandum of recording. Two could not be recorded in time for the application filing; however, the memoranda for the eight parcels are attached as Appendix 13-2. The remaining two memoranda will be prepared and recorded as soon as practicable.

#### **13(d) Demonstration of Property Rights to Interconnection Site**

The Applicant has the rights to all of the land required for the Project interconnections facilities. Project interconnection facilities are contracted under the easements discussed in Section 13(c).

#### **13(e) Improvement District Extensions**

No improvement district expansions will be necessary for the Project; therefore, this section is not applicable.