



## **EIGHT POINT WIND ENERGY CENTER**

**Case No. 16-F-0062**

**1001.13 Exhibit 13**

**Real Property**

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## Exhibit 13: Real Property

### 13(a) Real Property Map

Figure 4-3 illustrates the locations of Project facilities as well as property boundaries with tax map sheet, block and lot numbers; the owner of record and all parcels included in the Facility Site and for all adjacent parcels; land rights, easements, grants and related encumbrances on the Project 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 (as applicable). There is no zoning in the Towns of Greenwood and West Union, which are the towns which encompass the Project Area, and therefore that information is not included on Figure 4-3. The locations of Project facilities are indicated on the Real Property Map. Survey maps are included as Appendix 13-1 for the parcels that have been purchased by the Applicant. Data utilized in the preparation of Figure 4-3 was obtained from the Steuben County Office of Real Property Services.

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

Figure 3-1 illustrates the locations of proposed interconnection facilities as part of the Project, as well as right-of-way access drives and construction lay-down areas. There are no off-property accesses proposed as part of the interconnection facilities. Figure 3-2 depicts the 16.5-mile transmission line that will interconnect the Project to the Point of Interconnection which is the existing NYSEG Bennett Substation. The transmission line it is not part of the Project for this Article 10 Application and instead will be permitted separately under Article VII of the New York Public Service Law.

### 13(c) Demonstration that the Application has Obtained Title or Leasehold Interest in the Facility Site

The Applicant has nearly all of the land required for the Project. The vast majority of the wind Project properties are contracted under an easement option agreement. One property has been purchased and one property has a purchase option agreement in place. Examples of the Project agreements for land parcels within the Project Area are summarized below and Appendix 13-2 contains examples of the easement agreements.

Wind Farm Easement Agreement: In general, this agreement has an option term that lasts for a period of three years with the option to extend the option for an additional two years. Should the option be exercised, the Applicant will gain easements including but not limited to construction, operation and maintenance of all Project components, vehicular and pedestrian ingress and egress, and capturing of wind currents. Fixed annual payments are made during the Option Term. Once the Option is exercised, additional payments will be made to the landowners depending upon the components on the property. The term of the agreement is forty five years, with the opportunity to extend for two consecutive twenty year terms. Upon termination, the agreement has a provision for removal of physical material pertaining to the Project Facilities and restoration of the area to substantially the same physical condition immediately before the installation of Project Facilities.

Option, Collection and Access Easement Agreement: In general, this agreement has an option term that lasts for a period of three years with the option to extend the agreement for an additional three years. If the option is exercised, the Applicant gains collection and access easements, generally 100 feet in width, for the purposes of construction, operation, and maintenance of all components related to the collection system. Landowners receive annual option payments during the option term, then annual installment payments thereafter if components are constructed on the property. The initial term of the agreement is forty five years and there is an opportunity for two extensions of twenty years each.

Purchase of Property for Project Components: The Applicant has purchased one property and has an option to purchase one property. The purchase option is for the property that will host the operations and maintenance building and the Project collection substation. The purchased property will host collection lines and potentially a laydown yard.

Meteorological Agreement: The term of this agreement typically lasts for five years. The Applicant pays the landowner lump-sum payments annually to construct, operate, and maintain temporary meteorological instruments on the property.

### 13(d) Demonstration that the Applicant Has Obtained Property Rights to Interconnection Site

The Applicant has nearly all of the land required Project interconnections as well as for the Article VII interconnection facilities. Project interconnections are contracted under wind farm and collection easements as discussed in the section above. The vast majority of the transmission line properties are contracted under a transmission easement agreement. Two properties have been purchased. The transmission line agreement is briefly summarized below and an example of the agreement is provided in Appendix 13-2.

Option and Transmission Easement Agreement: Generally, the option term lasts for a period of three years with the option to extend the agreement for an additional three years. Upon exercise of the option, the Applicant is given an easement for construction, installation, maintenance, use, operation, repair, and removal of all components related to the transmission system on the property. Most of the transmission easement agreements grant a 100-foot wide easement. The transmission easement agreement is irrevocable unless the Applicant terminates the Agreement. Upon termination, the agreement contains a provision for removal of physical material pertaining to the project facilities and restoring the property to the approximate physical condition immediately before the installation of Project Facilities.

Purchase of Property for Project Components: The Applicant has purchased two properties in connection with the transmission line facilities.

### 13(e) Improvement District Extension

No improvement district expansions will be necessary for the Project.