

PROTECTIVE COVENANTS

CROSSROADS INDUSTRIAL PARK

GLOVERSVILLE, NY

Adopted By

Fulton County Industrial Development Agency

September 28, 1988

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CROSSROADS INDUSTRIAL PARK

Gloversville, NY

The Fulton County Industrial Development Agency (“IDA”) hereby declares that the following protective and restrictive covenants shall apply to all those parcels of land located in the **CROSSROADS INDUSTRIAL PARK**, Harrison Street and NYS Route 29, Gloversville, Fulton County, New York and shall be binding upon all grantees, transferees, lessees or occupants and their covenants, restrictions, reservations and easements upon said property as herein set forth, and shall be in addition to such other restrictions applicable by law.

SECTION I SHORT TITLE

This document shall be known and may be cited as the “Crossroads Industrial Park Protective Covenants.

SECTION II GENERAL DEVELOPMENT STANDARDS

1. Permitted Uses: Uses permitted within the Crossroads Industrial Park shall include:
 - A. Offices for executive or administrative purposes.
 - B. Scientific or research laboratories.
 - C. Distribution facilities or warehouse or wholesale operations, if associated with a manufacturing facility or office facility.
 - D. Manufacture, fabrication and assembly of products.

2. Prohibited Uses: The following uses, among others not specifically stated herein, but of similar or like use, are prohibited in the Crossroads Industrial Park: abattoir, contractor storage yard, fuel storage yards, junk yards, sawmills, rolling mills, sand, gravel or clay pits, stock yards, grease, lard, fat or tallow rendering or refining or reduction, petroleum refining, smelting, tanning, curing of raw hides or skins, wool pulling or scouring; manufacture of acetylene, ammonia, bleaching powder, coloring, animal black, bone black, lamp black, asphalt, celluloid or pyroxyline, explosives, fireworks, gun powder, glue, size or gelatin, rubber reclaiming, sulfuric nitrate, hydrochloric or other corrosive acids, tallow, grease or lard.

3. Minimum Lot Size, Building Coverage and Minimum Building Setback: The minimum lot size, lot/building coverage, and minimum setback standard be in conformance with the City of Gloversville zoning ordinance for the Crossroads Industrial Park.

4. Parking and Driveways:

a. The location of off-street parking and private driveways shall be subject to the review and approval of the IDA.

b. All parking areas shall be paved with an asphalt or concrete surface.

c. One passenger car parking space shall be provided for each employee per shift, unless a lesser number is approved by the IDA.

d. Handicapped parking areas shall be provided as required by all pertinent laws, rules and regulations.

5. Loading and Unloading: Any and all loading, unloading or deliveries shall occur off public streets. All loading and unloading areas shall have either a concrete or asphaltic concrete pavement of at least minimum surfacing standards. Appropriate ingress, egress and circulation shall be provided in addition to the loading and unloading.

6. Open Storage: When necessary to store or keep materials in the open, the lot or area where such materials are stored shall be screened by such walls, fences, and landscaping, and barriers at least six (6) but not more than eight (8) feet in height unless a different height otherwise is approved by the IDA. Said storage shall be subject to the specific written approval of the IDA. No articles, equipment, goods or materials, other than vehicles in approved parking areas, shall be exposed to public view, nor shall such storage equal or exceed the height of the fence, unless approval in writing is received from the IDA.

7. Billboards and Signs: No billboards or advertising signs other than those identifying the name, business and products of the person or firm occupying the premises shall be permitted, except that a sign offering the premises for sale or lease may be permitted. One sign identifying the company shall be allowed, affixed to the frontal wall of the building. Unless approval in writing is received from the IDA the sign shall project no more than one (1) foot from the building and cannot be above the roof line. Size of the sign shall not exceed one (1) square foot for every three (3) feet of the building frontage. One free-standing sign identifying the business is also permitted. Locational signs identifying parking, entrances, loading zones and the like, are also permitted.

8. Landscaping: All open portions of any lot not improved for parking, loading, driveways or walkways, shall be adequately drained and graded and shall be suitably landscaped with trees, shrubs or planted ground cover or by such other suitable means according to the site plan as approved by IDA. Ground area of not less than 12 percent of the total lot area shall be landscaped, unless a lesser percentage is approved by the IDA. Yards abutting streets shall be landscaped with an effective combination of trees, ground cover and shrubbery. Other unpaved areas shall be landscaped in a similar manner. Types and sizes of trees, ground cover and shrubbery shall be submitted to and approved by the IDA.

9. Waste Disposal: No waste material or refuse shall be dumped upon or permitted to remain upon any part of said property outside the building constructed thereon unless contained in an exterior waste disposal storage system approved by the IDA.
10. Drainage: Any surface water created by roofs, parking lots, or other man-made structures shall be collected by an underground storm drainage system.
11. General Maintenance: The owner, lessee or occupant shall maintain the roads within its own property and the structures in good condition, and the grounds, roads, parking areas, grass, shrubs and trees in a clean and tidy manner. Each property owner, lessee or occupant shall provide for the removal of trash and rubbish from its premises. During construction, it shall be the responsibility of each property owner, lessee or occupant to ensure that construction sites are kept free of unsightly accumulations of rubbish and scrap materials, and that construction material, shacks and the like are kept in a neat and orderly manner. In the event that the owner, lessee or occupant (if occupant has assumed such obligation under its lease of the property) fails to do so, IDA reserves the right, after advance written notice, to have the necessary work performed and billed to the owner, lessee and/or occupant.
12. Subdivision: Each individual site shall consist of at least one minimum lot. No subsequent owner shall initiate action to reduce the size of any lot or to subdivide any site without the written approval of the IDA.
13. Utilities and Power Lines: All utility, electrical, telephone or other lines shall be placed underground between buildings and lot lines and buildings or other structures.
14. Site Plan Approval: No buildings or structure shall be erected on any lot within the Crossroads Industrial Park, except in accordance with all regulations in this section and in accordance with Site Development Plans, Architectural Design Plans, and Landscaping Plans for such lot which has been approved by IDA. Changes or alterations to the above plans made subsequent to IDA approval must be resubmitted for approval. In acting on any site plan, IDA shall consider the following:
- a. The layout of the site with respect to the arrangement and widths of driveways and roadways on the site and access thereto.
 - b. Amount of space required for automobile parking and for the loading and unloading of goods and materials, the location of such space and access thereto.
 - c. The proposed improvement of roadways, parking areas, loading and unloading areas, by grading, surfacing, and the installation of drainage structures; the proposed installation of water and sanitary sewers and their connection with facilities existing in the industrial park; the proposed plan for landscaping all areas not utilized for buildings; driveways, walkways, parking or loading facilities or similar uses; all to such extent and in such manner as IDA may deem to be required by the circumstances of the particular case.

d. Site plans for the Crossroads Industrial Park shall include an appropriate design structure for buildings in relation to the physical characteristics of the site, conformity with adjacent developments. In the use of building materials, color and texture, massing, fenestration and advertising features, every effort shall be made to keep these elements in harmony with similar elements in the surrounding buildings, structures and landscaping.

15. Compliance with applicable Laws, Rules and Regulations: All structures and modifications thereof are to be built in compliance with applicable laws, rules and regulations of the United States, New York State, and City of Gloversville.

SECTION III
GENERAL PROVISIONS

16. Effective Date: These covenants shall become effective upon the recording hereof in the Fulton County Clerk's Office.

17. To Run With Land: Except as otherwise set forth herein, the covenants herein set forth shall run with the land and shall bind the present owner, its successors and assigns; and all parties claiming by, through or under them.

18. Life: Each of the conditions set forth above shall continue and be binding upon the grantee, upon its successors and assigns and upon each of them and all parties and persons claiming under or through them, from the recording hereof in the Fulton County Clerk's Office until December 31, 2030.

19. Separability: Invalidation of any of these covenants or any part thereof by judgment, court order or operation of law shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.

20. Amendment: These covenants and restrictions herein may be amended by duly authorized vote of the IDA, or its successor organization, upon recording thereof in the Fulton County Clerk's Office, taken after written notice and an opportunity to be heard has been provided to all owners of record in the Crossroads Industrial Park.

IN WITNESS THEREOF, the grantor, Fulton County Industrial Development Agency has cause this instrument to be signed in its name by its Chairman and attested by its Secretary by Order of its Board of Directors this 28th day of September, 1988.

[S E A L]

Chairman

Attest:

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

On this 28th day of September, 1988, before me personally came ARLENE M. SITTERLY, to me known, who being by me duly sworn, did depose and say that deponent resides at 460 N. Perry Street, Johnstown, New York 12095, that deponent is the Chairman of Fulton County Industrial Development Agency, the corporation described in and which executed the foregoing instrument and that deponent knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; and that deponent signed said instrument by like order.

Notary Public