

STATE OF NEW YORK  
APPELLATE DIVISION : FOURTH JUDICIAL DEPARTMENT

---

MARGARET WOOSTER,  
CLAYTON S. "JAY" BURNEY, JR.,  
LYNDA K. STEPHENS, and  
JAMES E. CARR,

Petitioners—Appellants,

Affidavit of David C. Sanford

-vs-

Erie County Index No. 2016-000096

QUEEN CITY LANDING, LLC,  
CITY OF BUFFALO PLANNING BOARD, and  
CITY OF BUFFALO COMMON COUNCIL,

Respondents—Respondents.

---

BUFFALO RIVERKEEPER, INC.

Petitioner—Appellant,

-vs-

Erie County Index No. 807004/2016

CITY OF BUFFALO, and  
QUEEN CITY LANDING LLC,

Respondents—Respondents.

---

STATE OF NEW YORK )  
  )SS.  
COUNTY OF ERIE      )

David C. Sanford, being duly sworn, deposes and says:

1. I am a Vice President of RP Oak Hill Building Company, Inc. ("RP Oak Hill"), the General Contractor for the Queen City Landing, LLC ("QCL") Development at 975 and 1005 Fuhrmann Boulevard, Buffalo, NY ("Project Site") and as such, I am familiar with the facts and circumstances of this case.
2. As part of the contract we are overseeing certain Asbestos Abatement and Mass Demolition work on the Project Site to prepare it for the new parking ramp and 23-story tower.
3. On November 3, 2016 at approximately 3:00 PM, the City of Buffalo issued a demolition permit for the eastern portion of the structure and demolition started soon thereafter on November 3, 2016.
4. The photograph that I took this morning, attached as Exhibit A, shows the demolition of a portion of the eastern portion of the structure which occurred on November 3, 2016, subsequent to issuance of the demolition permit.
5. Accordingly, the eastern portion of the structure is now structurally unsound and demolition needs to continue without delay in order to prevent portions of the entire

structure from falling in a manner whereby debris and portions of the structure will fall into Lake Erie.

Dated: November 4, 2016  
Buffalo, New York

  
\_\_\_\_\_  
David C. Sanford

Sworn to before me this  
4<sup>th</sup> day of November, 2016

  
\_\_\_\_\_  
Notary Public

**PETER J. SORGI**  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires 12/08/ 2016

# Exhibit A

