

C-3

NOTICE OF CLAIM FORM

ERIE COUNTY WATER AUTHORITY
295 MAIN STREET – ROOM 350
BUFFALO, NEW YORK 14203-2494
(716) 849-8465

Claimant(s) Name	81 PAXFORD LLC, by Nick Navarro, Member		
Address	c/o Nick Navarro, 150 Burch Avenue, West Seneca, NY 14210	Cell Phone #	[REDACTED]
Email Address	[REDACTED]	Home Phone #	N/A

Accident / Damage / Injury Location	81 Paxford Place, Town of West Seneca, NY 14224 (SBL 134.69-2-16) — basement, driveway, rear yard (24-inch water main break on Potters Road at/near Paxford Place, West Seneca)		
Date of Incident	Friday, August 7, 2026	Time of Incident	10:26 a.m. / p.m.
Police Contacted?	UNKNOWN Yes / No	Police Report Taken?	UNKNOWN Yes / No
Name of Police Agency	Unknown — Town of West Seneca DPW believed to have responded to the scene		

PROPERTY DAMAGE CLAIMS ONLY

N/A if not applicable

If this is not your property, give the name and address of the owner:

Name	N/A — Claimant is the record owner of the premises		
Address	N/A	Zip Code	N/A
Home Phone #	N/A	Work Phone #	N/A

PLEASE ATTACH ESTIMATES

Repair Estimates	\$ See annexed Exhibit B-2 (Itemized)	\$ \$684.71 incurred; balance reserved
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PROPERTY DAMAGE AND PERSONAL INJURY WITNESSES

Name	Brandon Klubek, tenant in possession	Name	Adjacent owners on Potters Rd / Paxford Pl
Address	81 Paxford Place, West Seneca, NY 14224	Address	who also flooded — names to be supplied by supplement
Phone	[REDACTED]	Phone	—

Attach copies of Medical bills once submitted to health insurance or automobile insurance.

ONLY PROVIDE COPIES OF THE MEDICAL BILLS. DO NOT PROVIDE MEDICAL RECORDS WITH THIS CLAIM FORM.



Claimant's Statement (please print legibly and be specific):

1. Claimant 81 PAXFORD LLC is a New York limited liability company (DOS ID 7483202, EIN 33-2674966) and is the record owner of the two-family dwelling at 81 Paxford Place, Town of West Seneca, New York 14224 (SBL 134.69-2-16), by deed recorded January 14, 2025 in Liber 11441 of Deeds at page 790. Nick Navarro is its sole Member.
2. On Friday, August 7, 2026, employees, agents, servants and/or contractors of the Erie County Water Authority struck, damaged and/or caused the failure of a 24-inch water transmission main on Potters Road at or near its intersection with Paxford Place, West Seneca, New York, during excavation and/or repair operations. The undersigned was notified by the tenant in possession at approximately 10:26 a.m.
3. Water discharged in a large and uncontrolled manner for in excess of forty-five minutes before the main was isolated, flooding the roadway, driveways and rear yards in the vicinity and entering the basement of the premises to a depth of approximately twelve to eighteen inches. The Town of West Seneca DPW is believed to have responded.
4. Claimant sustained damage to the building and its systems, including the basement slab and finishes, sill plate and framing, and mechanical and electrical equipment. Both furnaces and both hot water tanks were submerged and required flushing and relighting. Claimant engaged J.L.C. LLC of 766 French Road for emergency water removal, cleaning, drying and mold treatment; its invoice no. 861 dated August 7, 2026 in the sum of \$684.71 is annexed. Claimant discloses that the principal of J.L.C. LLC is Brandon Klubek, the tenant of the lower unit, whose separate claim for personal property is filed herewith and does not duplicate that invoice.
5. This claim arises out of the negligence, carelessness and recklessness of the Erie County Water Authority, its officers, agents, servants, employees and contractors, in the excavation, locating, marking, protection, inspection, maintenance, operation, control and repair of the subject water main; in failing to timely isolate and shut down the main following the break; and in failing to warn or otherwise protect nearby property owners.
6. An itemized listing of damages is annexed as Exhibit B-2. Inspection of the gas appliances and below-grade structure is ongoing and this claim will be supplemented as information becomes available.

All statements herein are made under penalty of perjury.

Add Additional Pages if necessary

Date: 30 Sep, 2026


Claimant's Signature

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On this 30th day of Sept, 2026 before me, personally appeared, Nick Navarro personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

HYACINTH SAMARASENA
Notary Public, State of New York
Qualified in Erie County
Reg. No. 01SA0027256

My Commission Expires July 29, 2028

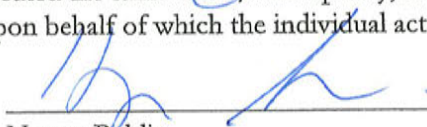

Notary Public

EXHIBIT B-2 — ITEMIZED SCHEDULE OF DAMAGES

Annexed to the Notice of Claim of **81 PAXFORD LLC**, record owner

DOS ID 7483202 · EIN 33-2674966 · Nick Navarro, Sole Member

Claim against the Erie County Water Authority

Premises: 81 Paxford Place, Town of West Seneca, New York 14224 (SBL 134.69-2-16)

Date of loss: Friday, August 7, 2026, at or about 10:26 a.m.

Event: failure of a 24-inch water transmission main on Potters Road at or near Paxford Place; water in the basement to a depth of approximately 12 to 18 inches

This schedule contains the owner's real property damage, remediation cost and consequential loss. It contains no claim for the tenant's personal property, which is claimed separately. Only the J.L.C. LLC invoice has been incurred and quantified to date; the remaining categories are expressly reserved pending inspection and written estimates.

Incurred to date

Item	Description	Amount
J.L.C. LLC invoice no. 861 dated 8/7/2026	Emergency response: removal of 1 to 1½ feet of water from the basement, cleaning of all floors, placement of air movers to dry, application of mold detergent to all walls and floor, and flushing and relighting of both furnaces and both hot water tanks (tax included)	\$684.71
	TOTAL INCURRED TO DATE	\$684.71

Reserved — not yet quantified

Category	Description	Amount
Structure	Basement slab and finishes, sill plate and framing — inspection, dry-out and repair	Reserved
Mechanicals	Two furnaces and two hot water tanks submerged and flushed/relit 8/7/2026. Licensed inspection and gas-control certification or replacement pending. Electrical outlets and below-grade wiring to be inspected	Reserved
Remediation	Professional dehumidification, antimicrobial treatment and post-remediation mold clearance testing	Reserved
Contents	Owner-supplied fixtures and equipment damaged, if any	Reserved
Loss of use	Rent abatement / loss of rental income during remediation of the lower unit	Reserved
Other	Debris removal and disposal (performed by the owner per the contractor invoice) and incidental costs	Reserved

Related-party disclosure. Brandon Klubek is both the tenant in possession of the lower unit at 81 Paxford Place and the principal of J.L.C. LLC, 766 French Road, the contractor engaged by the owner 81 PAXFORD LLC to perform the emergency water removal and remediation at the premises. This relationship is disclosed on the face of both Notices of Claim.

No duplication. Mr. Klubek's original handwritten loss list dated August 10, 2026 included a trash pump rental (\$130.00), an air mover rental (\$100.00) and eight hours of labor (\$400.00). That same work is billed on J.L.C. LLC invoice no. 861 dated August 7, 2026 in the sum of \$684.71. Those three items have therefore been **removed** from the tenant's personal-property schedule and the work is claimed once, and once only, by the owner. The combined sum claimed to date by both claimants is \$3,734.71.

Documents annexed to this Notice of Claim

Ex.	Description
A	Claimant's sworn statement (page 3 of the Notice of Claim form)
B-2	This itemized schedule of damages
C	Photographs of the discharge, the flooded yard and driveway, and the flooded basement
D	Quit claim deed to 81 PAXFORD LLC, recorded January 14, 2025, Liber 11441 of Deeds p. 790, with the Erie County Clerk's recording page — proof of ownership
E	J.L.C. LLC invoice no. 861 dated August 7, 2026 — \$684.71

Ex.	Description
F	ECWA contact: Molly Jo Musarra, Claims Representative / Risk Manager, who delivered the claim packet to the premises and spoke with the tenant. Business card annexed.

Claimant expressly reserves the right to amend and supplement this schedule as additional items of damage are identified and as inspections, estimates and receipts are received.