

**** Electronically Filed Document ****

Instrument Number: 2024-53394 Originator CORPORATION SERVICE COMPANY
Recorded As: EX-D06 - DEED AGREEM
Recorded On: August 30, 2024
Recorded At: 03:48:50 pm Receipt Number: 3260455
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Book-VI/Pg: Bk-D VI-14534 Pg-729
Total Rec Fee(s): \$680.00

** Examined and Charged as Follows **

06 - DEED AGREEMENT	\$ 75.00	EX-Blocks - Deeds - \$300	\$ 600.00	EX-TP-584 Affidavit Fee	\$ 5.00
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	Tax Amount	Consid Amt	RS#/CS#		
Tax-Transfer	\$ 0	\$ 0	RE 2176	Basic	\$ 0.00
N. HEMPSTEAD				Local NY CITY	\$ 0.00
				Additional MTA	\$ 0.00
				Spec ASST	\$ 0.00
				Spec ADDL SONYMA	\$ 0.00
				Transfer	\$ 0.00

Tax Charge: \$ 0

Property Information:

Section	Block	Lot	Unit	Town Name

9	437	466		N. HEMPSTEAD
9	437	467		N. HEMPSTEAD
9	663	4A		N. HEMPSTEAD
9	663	4B		N. HEMPSTEAD
9	663	5		N. HEMPSTEAD

*****THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.



Maureen O'Connell
County Clerk Maureen O'Connell

AMENDMENT TO ENVIRONMENTAL EASEMENT

This Amendment to Environmental Easement is made as of this 19th day of August, 2024, by and between The People of the State of New York, acting through their Commissioner of the Department of Environmental Conservation ("NYSDEC" or the "Department") with its headquarters located at 625 Broadway, Albany, New York 12233, and Steel Allen Air LLC ("Grantor") with an office located at 999 South Oyster Bay Road, Suite 200, Bethpage, NY 11714.

RECITALS

1. Grantor, Steel Allen Air LLC, is the owner of real property located at the address of 235-255 East Second Street in the Town of North Hempstead, County of Nassau and State of New York, known and designated on the tax map of the Nassau County Clerk as tax map parcel numbers: Section 9 Block 437 Lots 466 & 467 and Section 9 Block 663 Lots 4A, 4B, & 5, being the same as that property conveyed to former owners, Steel Mineola Second Street LLC and Alkier Steel, LLC ("Former Owners"), through deeds recorded in Book/Page 13815/281 & 13815/288, and then conveyed to Grantor by deeds dated January 1, 2024, to be recorded in the Nassau County Clerk's Office.
2. The property referenced above comprises approximately 4.1504 +/- acres; and is hereinafter more fully described in Exhibit A.
3. The Department and Former Owners* entered into that certain Environmental Easement ("Easement Agreement") dated as of May 20, 2021 and recorded in the in the Nassau County Clerk's Office as Instrument No. 2021-91436.** Capitalized terms used herein without definition have the meanings ascribed to them in the Environmental Easement Agreement. * The Department of Environmental Conservation and Steel Mineola Second Street LLC and Alkier Steel, LLC
** Book 14106 Page 696
4. Pursuant to Section 1, 2, 3, 4, and 5 of the Easement Agreement, Grantor granted the Department rights and interests that run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of the Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of maintenance, monitoring or operation requirements; and to ensure the potential restriction of future uses of the land that are inconsistent with the stated purpose.
5. The Easement Agreement dated May 20, 2021 erroneously stated:
 - a. In the sixth "WHEREAS" paragraph that
 - i. the Controlled Property "comprises approximately 4.2 +/- acres"
 - ii. the Land Title Survey was "dated October 27, 2017 and last revised October 25, 2018 prepared by Barry M. Fahrer"
 - b. In the Schedule "A" Property Description, numerous scrivener errors.

SEC: 9
Block: 437
lots: 466, 467

SEC: 9
Block: 663
lots: 4A,
4B, 5

6. This Amendment to Environmental Easement is filed in order to correct the acreage, survey date, and legal description to that Environmental Easement dated May 20, 2021 and recorded in the in the Nassau County Clerk's Office as Instrument No. 2021-91436.
7. Pursuant to Section 8 of the Easement Agreement, the Department agrees to amend the Easement Agreement in the manner prescribed by Article 9 of the Real Property Law.

AMENDMENT OF ENVIRONMENTAL EASEMENT

- A. The above recitals are hereby incorporated into this Amendment of Environmental Easement.
- B. The Department and Grantor hereby agree that the sixth "WHEREAS" paragraph of the Environmental Easement is hereby amended to read as follows:

"WHEREAS, the property subject to this Environmental Easement (the "Controlled Property") comprises approximately 4.1504 +/- acres, and is hereinafter more fully described in the Land Title Survey dated May 24, 2019, and last revised August 1, 2024, prepared by Frank Galluzzo"

- C. The Department and Grantor hereby agree that the Schedule "A" Property Description to the Environmental Easement is hereby amended to read as follows:

"BEGINNING at a point on the southerly side of Second Street, distant 2240.00 feet easterly from the corner formed by the intersection of the southerly side of Second Street and the easterly side of Roslyn Road;

RUNNING THENCE along the southerly side of Second Street, North 82 degrees 08 minutes 10 seconds east, 644.10 feet;

THENCE south 7 degrees 51 minutes 50 seconds east 271.976 feet to the northerly side of the land of the Long Island Rail Road;

THENCE along the northerly side of the last mentioned land, south 82 degrees 08 minutes 10 seconds west 243.307 feet;

THENCE along the last mentioned land, south 2 degrees 54 minutes 20 seconds east 14.07 feet;

THENCE along said land, south 82 degrees 08 minutes 10 seconds west 399.59 feet;

THENCE north 7 degrees 51 minutes 50 seconds west 286.00 feet to the southerly side of Second Street, at the point or place of beginning."

- D. All other terms of the May 20, 2021 Environmental Easement shall remain in effect.
- E. This Amendment of Environmental Easement inures to and binds the parties hereto and their respective successors and assigns.
- F. This Amendment of Environmental Easement shall be governed by and interpreted in accordance with the laws of the State of New York.

WENZEL MARK RICHARD
Notary Public, State of New York
Reg. No. 01WE6367249
Qualified in Nassau County
Commission Expires November 13, 2025

**THIS AMENDMENT OF THE ENVIRONMENTAL EASEMENT IS HEREBY
ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through
the Department of Environmental Conservation as Designee of the Commissioner,**

By: Andrew Guglielmi
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 19TH day of August, in the year 2024, before me, the undersigned, personally appeared Andrew O. Guglielmi, 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 executed the same in his capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Brian Rashkow
Notary Public - State of New York

**Brian Rashkow
Notary Public, State of New York
No. 02RA0015985
Qualified in Saratoga County
Commission Expires November 10, 2027**

SCHEDULE "A" PROPERTY DESCRIPTION

BEGINNING at a point on the southerly side of Second Street, distant 2240.00 feet easterly from the corner formed by the intersection of the southerly side of Second Street and the easterly side of Roslyn Road;

RUNNING THENCE along the southerly side of Second Street, North 82 degrees 08 minutes 10 seconds east, 644.10 feet;

THENCE south 7 degrees 51 minutes 50 seconds east 271.976 feet to the northerly side of the land of the Long Island Rail Road;

THENCE along the northerly side of the last mentioned land, south 82 degrees 08 minutes 10 seconds west 243.307 feet;

THENCE along the last mentioned land, south 2 degrees 54 minutes 20 seconds east 14.07 feet;

THENCE along said land, south 82 degrees 08 minutes 10 seconds west 399.59 feet;

THENCE north 7 degrees 51 minutes 50 seconds west 286.00 feet to the southerly side of Second Street, at the point or place of beginning.