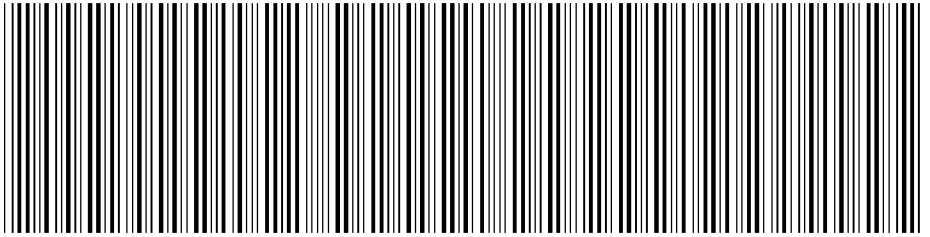


**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.

**2014090300405007002EC190****RECORDING AND ENDORSEMENT COVER PAGE****PAGE 1 OF 10****Document ID: 2014090300405007****Document Date: 08-25-2014****Preparation Date: 09-04-2014****Document Type: SUNDRY MISCELLANEOUS****Document Page Count: 8****PRESENTER:**

CHICAGO TITLE INSURANCE CO. (PICK-UP)
711 THIRD AVE, 5TH FLOOR
3612-0042
NEW YORK, NY 10017
212-880-1200
ctinyrecording@ctt.com

RETURN TO:

CHICAGO TITLE INSURANCE CO. (PICK-UP)
VENABLE LLP/PETER KOFFLER ESQ.
1270 AVENUE OF THE AMERICAS, 24TH FLOOR
NEW YORK, NY 10020

PROPERTY DATA

Borough	Block	Lot	Unit	Address
QUEENS	2529	1	Entire Lot	44-02 57TH AVENUE

Property Type: NON-RESIDENTIAL VACANT LAND

Borough	Block	Lot	Unit	Address
QUEENS	2552	45	Entire Lot	-000 57TH AVENUE

Property Type: NON-RESIDENTIAL VACANT LAND**CROSS REFERENCE DATA****CRFN: 2004000613061****PARTIES****PARTY 1:**

PHELPS DODGE REFINING CORPORATION
C/O FREEPORT-MCMORAN INC., 333 NORTH
CENTRAL AVENUE
PHOENIX, AZ 85004

PARTY 2:

SAGRES 8, LLC
C/O GALASSO TRUCKING INC., 2 GALASSO PLACE
MASPETH, NY 11378

☒ Additional Parties Listed on Continuation Page**FEES AND TAXES****Mortgage :**

Mortgage Amount:	\$	0.00
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Taxable Mortgage Amount:	\$	0.00
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Exemption:

TAXES: County (Basic):	\$	0.00
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City (Additional):	\$	0.00
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Spec (Additional):	\$	0.00
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TASF:	\$	0.00
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MTA:	\$	0.00
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NYCTA:	\$	0.00
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Additional MRT:	\$	0.00
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TOTAL:	\$	0.00
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Recording Fee:	\$	79.00
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Affidavit Fee:	\$	0.00
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Filing Fee:

\$	250.00
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NYC Real Property Transfer Tax:

\$	0.00
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NYS Real Estate Transfer Tax:

\$	0.00
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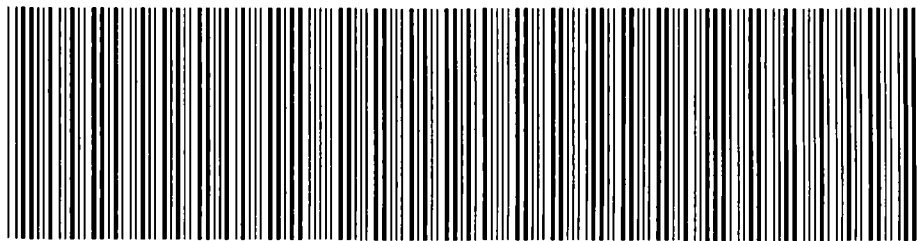
RECORDED OR FILED IN THE OFFICE**OF THE CITY REGISTER OF THE****CITY OF NEW YORK**

Recorded/Filed 09-12-2014 16:44

City Register File No.(CRFN):

2014000304101**City Register Official Signature**

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**



2014090300405007002CC310

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)

PAGE 2 OF 10

Document ID: 2014090300405007

Document Date: 08-25-2014

Preparation Date: 09-04-2014

Document Type: SUNDRY MISCELLANEOUS

PARTIES

PARTY 1:

SAGRES PARTNERS LLC
C/O GALASSO TRUCKING INC., 2 GALASSO PLACE
MASPETH, NY 11378

**TERMINATION OF
DECLARATION OF
COVENANTS AND EASEMENTS**

Dated: As of August 25, 2014
Location: Borough and County of Queens
Tax Map: Block 2529, Lot 1, Block 2552,
Lot 45
City and City of New York
State: State of New York

PREPARED BY, AND UPON
RECORDATION, RETURN TO:

VENABLE, LLP
1270 Avenue of the Americas, 24 Floor
New York, New York 10020
Attention: Peter Koffler, Esq.

**TERMINATION OF
DECLARATION OF COVENANTS AND EASEMENTS**

THIS TERMINATION OF DECLARATION OF COVENANTS AND EASEMENTS (hereinafter referred to as the "**Termination**") dated as of AUGUST ~~2014~~²⁰¹⁵, 2014 is made by and between PHELPS DODGE REFINING CORPORATION, a New York corporation, having an address at c/o Freeport-McMoRan Inc., 333 North Central Avenue, Phoenix, AZ 85004 ("**PDRC**"), SAGRES PARTNERS LLC, a New York limited liability company, having an address at c/o Galasso Trucking Inc., 2 Galasso Place, Maspeth, NY 11378 ("**Sagres Partners**"), and SAGRES 8, LLC, a Delaware limited liability company, having an address at c/o Galasso Trucking Inc., 2 Galasso Place, Maspeth, NY 11378 ("**Sagres 8**") (collectively, the "**Parties**").

EXPLANATORY STATEMENT

A. The Parties executed a Declaration of Covenants and Easements (the "**Declaration**") dated July 26, 2004, and recorded in in the Office of the Register of the City of New York on September 30, 2004 as CRFN 2004000613061.

B. The Parties now desire to terminate, extinguish, vacate, and release the Declaration of record as set forth below in this Termination.

NOW, THEREFORE, the Parties hereby confirm and declare as follows:

1. Explanatory Statement. The foregoing Explanatory Statement is hereby incorporated herein to the same extent as if set forth herein in full.

2. Termination of Declaration. The Parties hereby terminate, extinguish, release, and vacate the Declaration, which Declaration shall be of no further force or effect and shall no longer encumber the property described in the Declaration from and after the date of this Termination.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Parties have duly executed and delivered this Termination on the date first above written.

PHELPS DODGE REFINING CORPORATION,
a New York corporation

By: W E Cobb
Name: William E. Cobb
Title: Vice President

SAGRES PARTNERS LLC,
a New York limited liability company

By: _____
Name: Daniel S. Torchio
Title: Manager

SAGRES 8, LLC,
a Delaware limited liability company

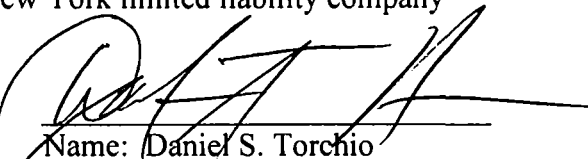
By: _____
Name: Frank Galasso
Title: Authorized Person

IN WITNESS WHEREOF, the Parties have duly executed and delivered this Termination on the date first above written.


PHELPS DODGE REFINING CORPORATION,
a New York corporation

By: _____
Name: William E. Cobb
Title: Vice President

SAGRES PARTNERS LLC,
a New York limited liability company

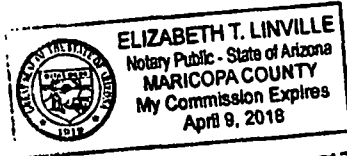
By:  _____
Name: Daniel S. Torchio
Title: Manager

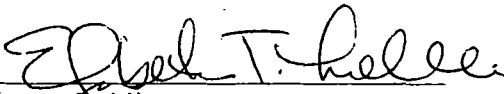
SAGRES 8, LLC,
a Delaware limited liability company

By:  _____
Name: Frank Galasso
Title: Authorized Person

STATE OF ARIZONA)
COUNTY OF MARICOPA) ss.:

On the 25th day of August, in the year 2014, before me, the undersigned, personally appeared WILLIAM E. COBB, 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, that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument, and that such individual(s) made such appearance before the undersigned in the City of Phoenix, State of Arizona.




Notary Public

STATE OF NEW YORK)
COUNTY OF) ss.:

SEAL

On the ____ day of August in the year 2014, before me, the undersigned, personally appeared DANIEL S. TORCHIO, 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, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF) ss.:

On the ____ day of August in the year 2014, before me, the undersigned, personally appeared FRANK GALASSO, 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, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

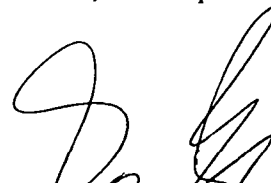
STATE OF ARIZONA)
COUNTY OF MARICOPA) ss.:

On the 25th day of August, in the year 2014, before me, the undersigned, personally appeared WILLIAM E. COBB, 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, that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument, and that such individual(s) made such appearance before the undersigned in the City of Phoenix, State of Arizona.

Notary Public

STATE OF NEW YORK)
COUNTY OF *New York*) ss.:

On the 25 day of August in the year 2014, before me, the undersigned, personally appeared DANIEL S. TORCHIO, 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, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.




(Notary Public

STATE OF NEW YORK)
COUNTY OF *New York*) ss.:

GARY POLLARD
Notary Public, State of New York
No. 01PO4827351
Qualified in New York County
Commission Expires April 30, 2014 *18*

SEAL

On the 25 day of August in the year 2014, before me, the undersigned, personally appeared FRANK GALASSO, 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, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.



Notary Public

GARY POLLARD
Notary Public, State of New York
No. 01PO4827351
Qualified in New York County
Commission Expires April 30, 2014 *18*

SEAL

EXHIBIT A

The Premises

Block 2552, Lot 45 (formerly a part of Block 2529, Lot 1)

ALL that certain, plot, piece or parcel of land situate, lying and being in the Borough and County of Queens, City and State of New York, bounded and described as follows:

BEGINNING at a point on the southerly side of 57th Avenue, the following two courses and distances from the corner formed by the intersection of the westerly side of 43rd Street (60 feet wide) with the southerly side of 57th Avenue (60 feet wide);

1. Easterly along the southerly side of 57th Avenue and along a curve to the right having a radius of 2807.62 feet per Deed (2807.618 feet per Survey), an arc length of 543.99 feet, being subtended by a chord of, North 85 degrees 57 minutes 54 seconds East a distance of 543.14 feet to a point of tangency;

2. THENCE, South 88 degrees 29 minutes 03 seconds East along the southerly side of 57th Avenue, a distance of 438.46 feet to the Point or Place of BEGINNING.

RUNNING THENCE, South 88 degrees 29 minutes 03 seconds East along the southerly side of 57th Avenue, a distance of 243.02 feet to a point of curvature;

RUNNING THENCE easterly along the southerly side of 57th Avenue and along a curve to the right having a radius of 447.12 feet and an arc length of 193.31 feet being subtended by a chord of, South 76 degrees 05 minutes 54 seconds East, a distance of 191.81 feet to a point;

RUNNING THENCE, North 13 degrees 18 minutes 10 seconds West, a distance of 100.41 feet to the land now or formerly of The Long Island Railroad;

RUNNING THENCE, North 71 degrees 53 minutes 20 seconds West, along the land now or formerly of The Long Island Railroad, a distance of 30.60 feet to a point;

RUNNING THENCE westerly along the land now or formerly of The Long Island Railroad and along a curve to the right having a radius of 1478.00 feet and an arc length of 44.26 feet, being subtended by a chord of, South 81 degrees 38 minutes 22 seconds West, a distance of 44.26 feet to a point;

RUNNING THENCE, South 13 degrees 17 minutes 00 seconds East, a distance of 5.32 feet to the northerly side of 57th Avenue;

RUNNING THENCE westerly along the northerly side of 57th Avenue and along a curve to the left having a radius of 507.12 feet and an arc length of 90.57 feet, being subtended by a chord of, North 83 degrees 22 minutes 04 seconds West, a distance of 90.45 feet to a point of tangency;

RUNNING THENCE, North 88 degrees 29 minutes 03 seconds West along the northerly side of 57th Avenue, a distance of 243.02 feet to a point;

RUNNING THENCE, South 01 degree 30 minutes 57 seconds West a distance of 60.00 feet to the southerly side of 57th Avenue, the point or place of BEGINNING.

