

### AMENDMENT TO ENVIRONMENTAL EASEMENT

This Amendment to Environmental Easement is made as of this 3<sup>rd</sup> day of April 2023 between Owner(s) Zhong Chuang Properties, LLC, having an office at 37-24 30<sup>th</sup> Street, Long Island City, New York 11101, County of Queens, State of New York (the "Grantor"), and The People of the State of New York (the "Grantee"), 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.

#### RECITALS


1. Grantor is the owner of certain land known and designated on the tax map of the New York City Department of Finance, County of Queens and State of New York as tax map parcel number: Block 399 Lot 31, being the same as the property conveyed to Grantor by deed dated March 9, 2012 and recorded in the City Register of the City of New York as CRFN # 2012000122920.
2. The Department and Grantor entered into that certain Environmental Easement ("Easement Agreement") dated as of March 4, 2019, and recorded in the NYC Department of Finance Office of the City Register on March 4, 2019 as CRFN # 2019000081445. Capitalized terms used herein without definition have the meanings ascribed to them in the Environmental Easement Agreement.
3. 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 certain maintenance, monitoring or operation requirements; and to ensure the potential restriction of future uses of the land that are inconsistent with the stated purpose.
4. This Amendment to Environmental Easement is filed solely in order to revise Section 2 A of the Easement Agreement, the use of the Controlled Property.
5. 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 Section 2 A of the Easement Agreement is hereby amended to read as follows:
  - A. (1) The Controlled Property may be used for:  
  
**Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)**
- C. The Department and Grantor hereby agree Section B of the Easement Agreement is hereby amended to read as follows:
  - B. The Controlled Property shall not be used for Residential purposes as defined in 6 NYCRR 375-1.8(g)(2)(i) and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.
- D. All other terms of the March 4, 2019 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.

IN WITNESS WHEREOF, Grantor has caused this Amendment to Environmental Easement to be signed in its name.

Zhong Chuang Properties, LLC:

By: 

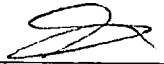
Print Name: Qi Hong Lin

Title: President Date: 01/26/23

**Grantor's Acknowledgment**

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

On the 26<sup>th</sup> day of January, in the year 2023, before me, the undersigned, personally appeared Qi Hong Lin, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
Notary Public - State of New York

SAMMIE HUANG  
Notary Public, State of New York  
Qualified in New York County  
No. 01HU6114472  
Commission Expires 8/16/ 2024

**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 Guglielmi, Director  
Division of Environmental Remediation

**Grantee's Acknowledgment**

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

On the 3<sup>rd</sup> day of April, in the year 2023 before me, the undersigned, personally appeared Andrew 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.

Jennifer Andoloro  
Notary Public - State of New York

JENNIFER ANDALORO  
Notary Public, State of New York  
No. 02AN6098246  
Qualified in Albany County 24  
Commission Expires January 14, 2024