

**New York State Department of Environmental
Conservation**
BROWNFIELD CLEANUP APPLICATION

For:

**FORMER METRO-NORTH PROPERTY
(MOTT HAVEN)**
672 CONCOURSE VILLAGE WEST
BRONX, NEW YORK 10451

Submitted by:



**NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY
30-30 THOMPSON AVENUE
LONG ISLAND CITY, NY 11101-3045**

Prepared by:



**URS CORPORATION
201 WILLOWBROOK BOULEVARD
WAYNE, NJ 07470**

January 27, 2005

**BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION**

ECL ARTICLE 27, TITLE 14

9/3/04

Applicant Information

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF APPLICANT'S REPRESENTATIVE

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

THE APPLICANT MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

 PARTICIPANT

An applicant who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

 VOLUNTEER

An applicant other than a participant, including an applicant whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, the applicant certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; and iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

Applicant Relationship to Property (check one):

 Previous Owner Current Owner Potential /Future Purchaser Other _____**Current Owner/Operator Information**

OWNER'S NAME (if different from applicant)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from applicant)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Site Information

SITE NAME							
SITE ADDRESS	CITY/TOWN	ZIP CODE					
COUNTY	SITE SIZE (ACRES)						
LATITUDE (degrees/minutes/seconds)	°	'	"	LONGITUDE (degrees/minutes/seconds)	°	'	"

PLEASE ATTACH A COUNTY TAX MAP WITH IDENTIFIER NUMBERS, ALONG WITH ANY FIGURES NEEDED TO SHOW THE LOCATION AND BOUNDARIES OF THE SITE. ALSO INCLUDE A USGS 7.5 MINUTE QUAD MAP IN WHICH THE SITE IS LOCATED.

- DO THE SITE BOUNDARIES CORRESPOND TO TAX MAP METES AND BOUNDS? YES NO
IF NO, PLEASE ATTACH A METES AND BOUNDS DESCRIPTION OF THE SITE.
- IS THE SITE PART OF A DESIGNATED BROWNFIELD OPPORTUNITY AREA PURSUANT TO GML970-R? IF YES, IDENTIFY AREA (NAME) _____ YES NO
- IS THE SITE PART OF A DESIGNATED EN-ZONE PURSUANT TO TL § 21(b)(6)? FOR MORE INFORMATION GO TO: http://www.nylovesbiz.com/Productivity_Energy_and_Environment/BrownField_Redevelopment/default.asp YES NO
IF YES, IDENTIFY AREA (NAME) _____

Applicant Eligibility Information (Please refer to ECL § 27-1407)

- ARE ANY ENFORCEMENT ACTIONS PENDING AGAINST THE APPLICANT REGARDING THIS SITE? YES NO
- IS THE APPLICANT SUBJECT TO AN OUTSTANDING CLAIM BY THE SPILL FUND FOR THIS SITE? YES NO
- HAS THE APPLICANT VIOLATED ANY PROVISION OF ECL ARTICLE 27? YES NO
- HAS THE APPLICANT BEEN PREVIOUSLY DENIED ENTRY TO THE BCP? YES NO
- HAS THE APPLICANT COMMITTED A NEGLIGENT OR INTENTIONALLY TORTIOUS ACT REGARDING HAZARDOUS WASTE OR PETROLEUM? YES NO
- HAS THE APPLICANT BEEN CONVICTED OF A CRIMINAL OFFENSE THAT INVOLVES A VIOLENT FELONY, FRAUD, BRIBERY, PERJURY, THEFT, OR OFFENSE AGAINST PUBLIC ADMINISTRATION? YES NO
- HAS THE APPLICANT KNOWINGLY FALSIFIED STATEMENTS OR CONCEALED MATERIAL FACTS IN A MATTER RELATED TO THE DEPARTMENT? YES NO
- HAS THE APPLICANT, BASED ON THE PROVISIONS OF ECL ARTICLE 27-1407 (OR A SIMILAR PROVISION OF FEDERAL OR STATE LAW), COMMITTED AN ACT OR FAILED TO ACT, AND SUCH ACT OR FAILURE TO ACT COULD BE THE BASIS FOR DENIAL OF A BCP APPLICATION? YES NO

Site Eligibility Information (Please refer to ECL § 27-1405)

- DOES THE SITE MEET THE DEFINITION OF A BROWNFIELD SITE (REAL PROPERTY, THE REDEVELOPMENT OR REUSE OF WHICH MAY BE COMPLICATED BY THE PRESENCE OR POTENTIAL PRESENCE OF A HAZARDOUS WASTE, PETROLEUM, POLLUTANT, OR CONTAMINANT)? YES NO
- IS THE SITE LISTED ON THE NATIONAL PRIORITIES LIST? YES NO
- IS THE SITE LISTED ON THE NYS REGISTRY OF INACTIVE HAZARDOUS WASTE DISPOSAL SITES? YES NO
IF YES, PLEASE PROVIDE: SITE # _____ CLASS # _____
- IS THE SITE SUBJECT TO A PERMIT UNDER ECL ARTICLE 27, TITLE 9, OTHER THAN AN INTERIM STATUS FACILITY? YES NO
- IS THE SITE SUBJECT TO A CLEANUP ORDER UNDER NAVIGATION LAW ARTICLE 12 OR ECL ARTICLE 17 TITLE 10? YES NO
- IS THE SITE SUBJECT TO A STATE OR FEDERAL ENFORCEMENT ACTION RELATED TO HAZARDOUS WASTE OR PETROLEUM? YES NO

Project Description

PLEASE ATTACH A DESCRIPTION OF THE PROJECT WHICH INCLUDES THE FOLLOWING COMPONENTS:

- PURPOSE AND SCOPE OF THE PROJECT See Addendum 4
- ESTIMATED PROJECT SCHEDULE

Site's Environmental History

TO THE EXTENT THAT EXISTING INFORMATION/STUDIES/REPORTS ARE AVAILABLE TO THE APPLICANT, PLEASE ATTACH THE FOLLOWING:

1. ENVIRONMENTAL DATA

A PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT PREPARED IN ACCORDANCE WITH ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), AND ALL ENVIRONMENTAL REPORTS RELATED TO CONTAMINANTS ON OR EMANATING FROM THE SITE.

IF A FINAL INVESTIGATION REPORT IS INCLUDED, INDICATE WHETHER IT MEETS THE REQUIREMENTS OF ECL ARTICLE 27-1415(2):

YES NO

2. OWNERS

A LIST OF PREVIOUS OWNERS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OWNER LISTED. IF NO RELATIONSHIP, PUT "NONE").

3. OPERATORS

A LIST OF PREVIOUS OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBER (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OPERATOR LISTED. IF NO RELATIONSHIP, PUT "NONE").

Contact List Information

PLEASE ATTACH, AT A MINIMUM, THE NAMES AND ADDRESSES OF THE FOLLOWING:

1. THE CHIEF EXECUTIVE OFFICER AND ZONING BOARD CHAIRPERSON OF EACH COUNTY, CITY, TOWN AND VILLAGE IN WHICH THE SITE IS LOCATED.
2. RESIDENTS, OWNERS, AND OCCUPANTS OF THE SITE AND PROPERTIES ADJACENT TO THE SITE.
3. LOCAL NEWS MEDIA FROM WHICH THE COMMUNITY TYPICALLY OBTAINS INFORMATION.
4. THE PUBLIC WATER SUPPLIER WHICH SERVICES THE AREA IN WHICH THE SITE IS LOCATED.
5. ANY PERSON WHO HAS REQUESTED TO BE PLACED ON THE SITE CONTACT LIST.
6. THE ADMINISTRATOR OF ANY SCHOOL OR DAY CARE FACILITY LOCATED ON OR NEAR THE SITE.
7. THE LOCATION OF A DOCUMENT REPOSITORY FOR THE PROJECT (E.G., LOCAL LIBRARY)

Contaminant Information

INDICATE KNOWN OR SUSPECTED CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN OR SUSPECTED TO HAVE BEEN AFFECTED:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOCs					
SVOCs					
Metals					
Pesticides					
PCBs					
Other*					

*Please describe: _____

Land Use Factors (Please refer to ECL § 27-1415(3))

Current Use: Residential Commercial Industrial Other _____

Future Use: Residential Commercial Industrial Other _____

Please check the appropriate boxes and provide an explanation as an attachment if appropriate.

Yes No Unknown

1. Do current historical and/or recent development patterns support the proposed use?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2. Is the proposed use consistent with applicable zoning laws/maps?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

3. Is the proposed use consistent with applicable brownfield opportunity area designations? (See GML 970-r)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, other adopted land use plans?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)).	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
6. Are there any federal or State land use designations relating to this site?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
7. Do the population growth patterns and projections support the proposed use?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
8. Is the site accessible to existing infrastructure?	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
9. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites proximate to the site?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
10. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species proximate to the site?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
11. Are there floodplains proximate to the site?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
12. Are there any institutional controls currently applicable to the site?	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
13. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas. See Addendum 3	
14. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the site, including proximity to wellhead protection and groundwater recharge areas. See Addendum 3	
15. Describe on attachment the geography and geology of the site. See Addendum 3	
(Note: the 16 th criteria relates to comments from the public, which would not be received at the time of application)	

Statement of Certification

(By applicant who is an individual)

I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____ Signature: _____ Print Name: _____

(By an applicant other than an individual)

I certify that I am Sr. Vice President (title) of NYLSCA (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 12/29/04 Signature: SL Print Name: Steven Lawitts

SUBMITTAL INFORMATION:

Three (3) complete copies are required.

- Two (2) copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, must be sent to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020
- One (1) hard copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.state.ny.us/website/der/index.html>

FOR DEPARTMENT USE ONLY

BCP SITE NO: _____ BCP SITE T&A CODE: _____ PROJECT MANAGER: _____



0 2000 4000
SCALE (FEET)

URS

WAYNE, NEW JERSEY



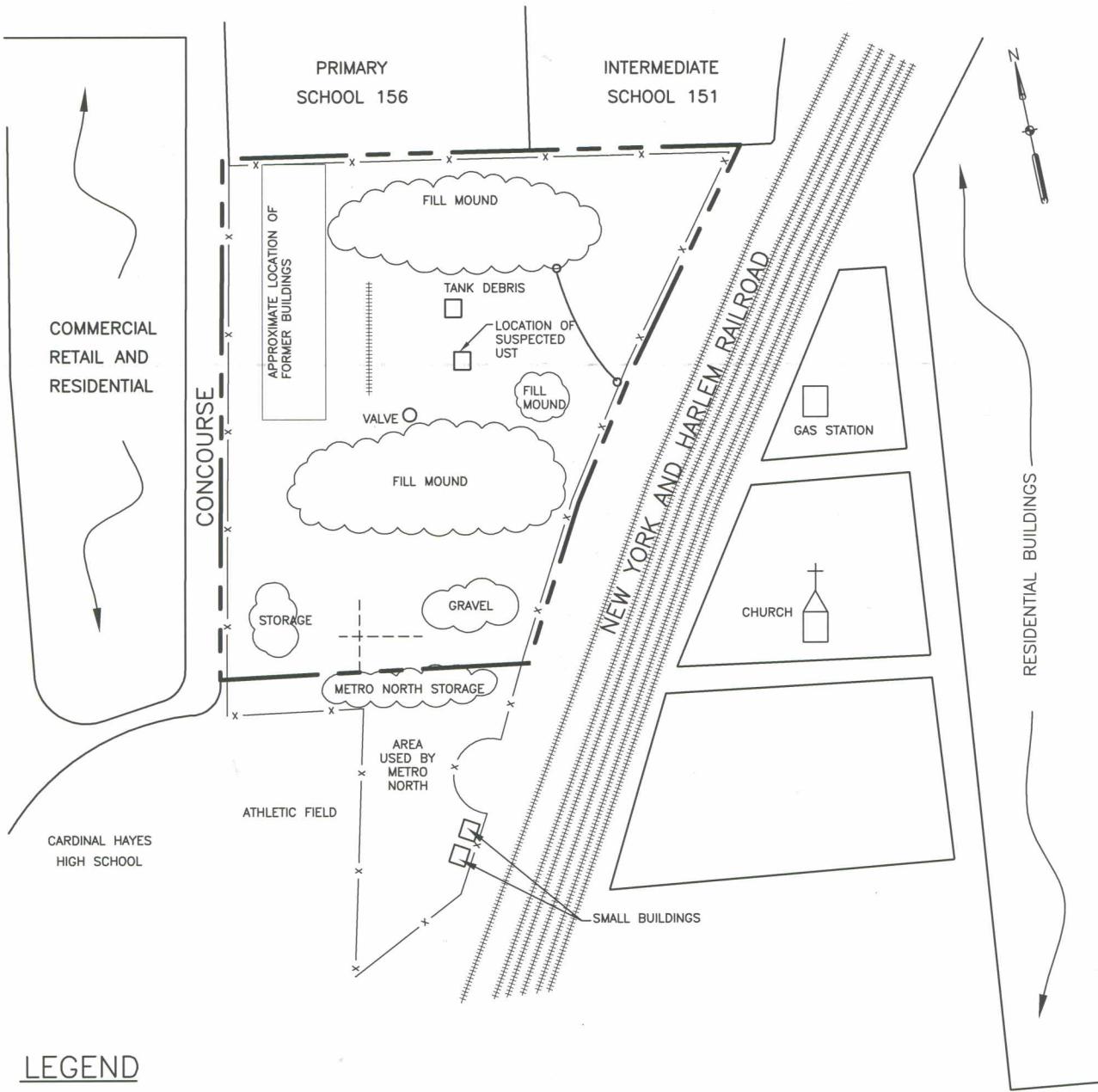
SITE LOCATION MAP

SITE: FORMER METRO NORTH
672 CONCOURSE VILLAGE WEST
BRONX, NY 10451

CLIENT: SCHOOL CONSTRUCTION AUTHORITY

MAP SOURCE:

U.S.G.S. 7.5 MINUTE SERIES QUADRANGLE OF CENTRAL
PARK, N.Y.-N.J., DATED 1965, PHOTOREVISED 1979.



LEGEND

- PROPERTY LINE
- UNDERGROUND SEWER LINE WITH MANHOLES
- SUSPECTED LOCATION OF UNDERGROUND UTILITIES INFERRED FROM GEOPHYSICAL SURVEY
- ==== SECTION OF RAILROAD TRACK EMBEDDED IN CONCRETE

SITE FEATURES MAP

0 100 200 400
SCALE (FEET)

CLIENT:	SCHOOL CONSTRUCTION AUTHORITY	URS WAYNE, NEW JERSEY
SITE:	FORMER METRO NORTH PROPERTY BLOCK 2443 LOT 78 BRONX, NY 10451	
PROJECT #:	47-01E04046.00/00018	SCALE: AS SHOWN DRAWN BY: J.L.
FIGURE 2		

Brownfield Cleanup Program Application Addendum 1

Site: Former Metro North Property

Section on: Site's Environmental History

1. Environmental Data

a) Phase I Environmental Site Investigation Report, Former Metro North Property, 672 Concourse Village West, Bronx, New York 10451, Prepared by URS Corporation for New York City School Construction Authority, July 20, 2001
b) Phase II Environmental Site Investigation Report, Former Metro North Property, 672 Concourse Village West, Bronx, New York 10451, Prepared by URS Corporation for New York City School Construction Authority, August 24, 2001

NYCSCA provided hard copies of reports to NYSDEC on November 22, 2004. No new copies required.

2. and 3. Previous Owners and Operators

Name	Last Known Address	Telephone	Applicant's Relationship	Comment
Pennsylvania New York Central Transportation Company	Not available	Not available	None	Acquired title to property prior to 1940
City of New York	1 Centre St., NY, NY	212-669-7000	City of New York	Deed - Recorded: 04-03-1968. Instrument: Bk 339, Pg 259

Source of information: EDR Project No. NO01-1174.doc, July 2001 (in Phase I ESA)

- End Of Section -

Brownfield Cleanup Program Application Addendum 2

Site: Former Metro North Property

Section on: Contact List Information

1. The Chief Executive Officer and Zoning Board Chairperson of Each County, City, Town and Village in which the Site is Located:

The Honorable Michael R. Bloomberg
Mayor, City of New York
City Hall
New York, NY 10007

Amanda M. Burden, AICP
Chairperson
City Planning Commission
22 Reade Street
New York, NY 10007

2. Residents, Owners and Occupants of the Site and Properties Adjacent to the Site

Adjoining Property Address	Block-Lot	Owner
East 149 th Street	2443-1	MN-LTL/MTA 347 Madison Avenue New York, NY 10017
East 149 th Street	2443-1	"
Sheridan Avenue	2443-72	"
650 East 153 rd Street	2443-53	Catholic High School Association #1856 1011 1 st Avenue New York, NY 10022
750 Concourse Village West	2443-79	NYC Department of Education 52 Chambers Street New York, NY 10007
250 East 156 th Street	2443-190	"
670 Grand Concourse	2458-1	Herk Elevator Co., Inc. 670 Grand Concourse Bronx, NY 10451
676 Grand Concourse	2458-2	Sherman Concourse LLC c/o Pryor Cashman Sherman & Flynn, LLP 410 Park Avenue New York, NY 10022 Attn: Eric B. Woldenberg
700 Grand Concourse	2458-6	Sun Gold Associates 3081 Villa Avenue Bronx, NY 10468
702 Grand Concourse	2458-13	German Lysogorsky 39 Wescott Street Old Tappan, NJ 07675-7431

2. Cont'd

730 Grand Concourse	2458-16	730 GC Realty Corp. c/o Residential Management 40 Exchange Place New York, NY 10005-2701
740 Grand Concourse	2458-25	Sevens GC Corp. c/o Residential Management 40 Exchange Place, Suite 11 New York, NY 10005-2701
750 Grand Concourse	2458-26	Ved Parkash 172-14 89 th Avenue Jamaica, NY 11432-4634
180 East 156 th Street	2458-35	North Lex Realty Corp. 35 East Grassy Sprain Road, Suite 209 Yonkers, NY 10710-4613
737 Concourse Village West	2458-43	Calvary Deliverance Christian Assembly, Inc. Fordham Station P.O. Box 944 Bronx, NY 10451
741 Concourse Village West	2458-49	Concourse West LLC 54 Larch Hill Road Lawrence, NY 11559-1926
249 East 153 rd Street	2442-34	NYC Department of Housing Preservation & Development 100 Gold Street, 7 th Floor New York, NY 10038
Morris Avenue	2442-59	"
2996 Concourse Village East	2442-60	"
253 East 153 rd Street	2442-56	Greater Universal Baptist Church, Inc. 253 East 153 rd Street Bronx, NY 10451
699 Morris Avenue	2442-65	Robert Heredia 926B Union Avenue Bronx, NY 10459-3955

3. Local News Media From Which the Community Typically Obtains Information

The New York Times
229 West 43rd Street
New York, NY 10036

New York Post
1211 Avenue of the Americas
New York, NY 10036-8790

New York Daily News
450 West 33rd Street
New York, NY 10001

Newsday
80-02 Kew Gardens Road, 4th Floor
Kew Gardens, NY 11415-1154

4. The Public Water Supplier which Services the Area in Which the Site is Located

New York City Department of Environmental Protection
59-17 Junction Boulevard
Corona, NY 11368

5. Any person who has requested to be placed on the site contact list

None.

6. The administrator of any school or day care facility located on or near the site.

Maxine O'Connor
Principal
P.S. 156
750 Concourse Village West
Bronx, NY 10451

John Piazza
Principal
J.H.S. 151
250 East 156th Street
Bronx, NY 10451

Brother Christopher Keogan
Principal
Cardinal Hayes High School
650 Grand Concourse
Bronx, NY 10451

7. The location of a document repository for the project (e.g., local library)

Mott Haven Branch Library
New York Public Library
321 East 140th Street
Bronx, NY 10454

- End Of Section -

Brownfield Cleanup Program Application Addendum 3

Site: Former Metro North Property

Section on: Land Use Factors (Please refer to ECL § 27-1415(3))

Item 13 Description of Proximate Land Uses

The Site is a vacant lot located at 672 Concourse Village West, Block 2443, Lot 78, in the South Bronx, New York. Figure A1-1 shows the location of the Site. Figure A1-2 shows the layout of the Site and the surrounding land use.

The adjacent properties include Primary School No. 156 and Intermediate School No. 151 to the north; New York and Harlem Railroad to the east; New York and Harlem Railroad and Cardinal Hayes High School to the south; and apartment buildings, Herk Elevators, Live Poultry and Nationwide Warehouse to the west.

The Site is located in a topographic depression. The properties to the north and west are approximately 30 feet higher than the Site. To the north, Primary School No. 156 and Intermediate School No. 151 are constructed on 30 foot-high concrete columns. The properties and Concourse Village West to the west are separated from the Site by a 30-foot-high retaining wall. The properties to the south are at approximately the same elevation as the Site. To the east of the site, the ground again rises to approximately 20 feet above the Site.

Item 14 Description of Potential Vulnerability of Groundwater

Data collected during the Phase II Environmental Site Investigation indicate that the depth to groundwater varies from four to eleven feet below ground surface. Overburden groundwater flow direction, based on temporary piezometers, is from northwest to southeast. Estimated ground water levels and/or flow directions may vary due to seasonal fluctuation in precipitation, geology, underground structures, or dewatering operations and seasonal fluctuation in precipitation. The site is in an urban setting. Public water supplies are provided by NYDEP. There are no primary or principal aquifers in this area. Therefore it is anticipated that the site will not have a significant impact on groundwater. The investigation proposed for the site will provide further information on this matter.

Item 15 Description of Geography and Geology

According the United States Geological Survey (USGS) 7.5 Minute Quadrangle Map, Central Park, New York – New Jersey, dated 1965 (photorevised 1979) the elevation of the Site is approximately 20 feet above mean sea level. The Site is generally flat and depressed relative to properties immediately to the north, west, and east.

Bedrock in the New York City area consists of metamorphic rocks, which are Precambrian and lower Paleozoic in age. There are three predominant rock formations in the Bronx - the Fordham Gneiss, the Manhattan Schist, and Inwood Marble. These rocks crop out mainly in the Bronx and Manhattan, so that the soil overburden in these areas tend to be relatively thin. Soils overlying these rocks consist of typically unsorted Pleistocene glacial material and recent stream and swamp deposits.

The thin soil overburden consists of brown to black sand with one-inch gravel. The subsurface soils consist of brown silty sand and gravel, with typical construction debris (C&D) type materials such as brick, concrete and wood.

Based on the results of the Phase II Environmental Site Investigation (Phase II ESI), the depth to bedrock at the Site ranges from 4 to greater than 15.5 feet below grade surface (ngs). During the Phase II ESI, shallow refusal was encountered in three Geoprobe® borings. Two of these borings were in the center of the Site and the third was at the southern property boundary. These areas were subsequently investigated by test pit excavation and bedrock was recorded

Brownfield Cleanup Program Application Addendum 3 cont'd

at elevations ranging from 4 to 5.5 feet bgs. In all of the other seven Geoprobe® borings, no refusal/bedrock was encountered at depths of up to 15.5 feet bgs.

- End Of Section -

Brownfield Cleanup Program Application Addendum 4

Site: Former Metro North Property

Section on: Project Description

The project is for four new schools for approximately 2300 students. There will be one charter school for PS/IS; one Intermediate HS and two High Schools. The construction of the schools will be phased with the earliest school opening in 9/08. The schools will share common spaces on the lower two levels.

The estimated schedule is:

	Scope	
Start of Construction	-	July 2006
Phase I Completion	Lower Levels (Full podium/concourse) and one High School	July 2008
Phase II Completion	Complete three schools	July 2009
Phase III Completion	Athletic Fields	July 2010

Brownfield Cleanup Program Application Addendum 5

Site: Former Metro North Property

Section on: Site Information

1. Tax Map Bl 2443, Lot 90, New 94, Date 03-21-95 - Enclosed
2. Legal Description Metes and Bounds - Enclosed

The attached Tax Map reflects the current status of the property for taxing purposes. The metes and bounds refer to the entire property as currently configured. Per request of the New York City Department of Transportation (NYCDOT), an irregularly shaped 150 foot wide portion of the property along the southern property boundary is to be transferred to NYCDOT in the 2005 - 2006 timeframe to support their reconstruction of a bridge for E. 153rd St. This irregularly shaped property segment is identified as Operable Unit 2 (OU-2). The remainder of the property is designated as Operable Unit 1 (OU-1). OU-1 and OU-2 are depicted within the property boundaries on Figure 1. The metes and bounds for the Operable Units will be provided by NYCSCA within 30 days.

Source documents from:

Tax Map: K. Ou, SCA

Base survey information: P. Vitale, SCA

-END-

(5)

BL. LOT NEW DATE

2443

90

94

03.21.95

SEE PAGE 18

SEE PAGE 19

SEE PAGE 20

CONCOURSE

VILLAGE

694.18

691.24

355.02

78

78

406.97

ST.

WAY

320.86

80

9080

2443

483.15

4.5

5.03

1996-97
WEST

305.66

281.44

94

176.25

211.50

229.92

103.40

SEE PAGE 13

ST.

1996-97

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17

CONCOURSE

VILLAGE

SEE PAGE 3

SEE PAGE 2

EAST

MP27-15

BB27-15B

31.43

66.04

133.10

45.40

36.2.34

45.40

259.200

242.56

24.8.45

100

100

CONCOURSE

VILLAGE

EAST

SEE PAGE 5

4

4

BX

9/6

SCALE, ONE INCH=100 FEET

SEE VOL. 5

LEGAL DESCRIPTION Metro North (Mott Haven) Property

LEGAL DESCRIPTION
Tax Block 2443 Tax Lot 78
Survey No. 57239

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

BEGINNING at a point on the northerly line of East 153rd Street (50 feet wide), as said street is shown on the Tax Maps of the City of New York, distant westerly as measured along the same, 110.360 feet from the corner formed by its intersection with the westerly line of Concourse Village East (formerly Park Avenue);

RUNNING THENCE South 79 degrees 58 minutes 40 seconds West, along the said northerly line of East 153rd Street, 411.057 feet to its intersection with the easterly line of Concourse Village West (formerly Sheridan Avenue);

RUNNING THENCE North 04 degrees 57 minutes 30 seconds West, along the easterly line of Concourse Village West, 694.177 feet to the southwesterly corner of that parcel of land described and designated as Parcel B in deed dated December 14, 1966 from The New York Central Railroad Company to The City of New York recorded in the Office of the Register of The City of New York in Bronx County in Record Liber 180 Page 251;

RUNNING THENCE North 83 degrees 44 minutes 07 seconds East, along the southerly line of those parcels of land designated as Parcels B and A in the aforementioned deed, 691.24 feet to a point;

RUNNING THENCE North 02 degrees 14 minutes 41 seconds West, along the easterly line of that parcel of land designated as Parcel A in the aforesaid deed, 295.66 feet to the southerly side of E 156th Street as shown on the City Plan;

RUNNING THENCE North 83 degrees 44 minutes 07 seconds East, along the southerly line of E 156th Street, 126.99 feet to the westerly line of Concourse Village East (formerly Morris Avenue);

RUNNING THENCE South 06 Degrees 15 minutes 53 seconds East along the westerly line of Concourse Village East (formerly Morris Avenue), 31.426 feet;

RUNNING THENCE South 20 degrees 58 minutes 23 minutes West, 42.34 feet to the division line between lands now or formerly of the Pennsylvania New York Central Transportation Company on the west and lands of The New York and Harlem Railroad Company on the east;

RUNNING THENCE along the division line between said lands, the following two courses and distances:

1. South 79 degrees 44 minutes 25 seconds West, 11.806 feet to a point;
2. South 20 degrees 25 minutes 25 seconds West, 394.680 feet to a point;

RUNNING THENCE through lands now or formerly of Pennsylvania New York Central Transportation Company, the following three courses and distances:

1. South 25 degrees 26 minutes 23 seconds West, 175.578 feet to a point;
2. South 15 degrees 32 minutes 23 seconds West, 236.334 feet to a point;
3. South 11 degrees 56 minutes 25 seconds West, 179.66 feet to the point or place of BEGINNING.

