

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Remedial Bureau C
625 Broadway, 11th Floor, Albany, NY 12233-7014
P: (518) 402-9662 | F: (518) 402-9679
www.dec.ny.gov

JUL 13 2015

BPA North LLC
Attn: Gary Kesner
42nd – 22nd Street
Long Island City, NY 11101

295 Locust Associates LLC
Attn: Joseph Kelleher
1250 Waters Place, PH 1
Bronx, NY 10461

Re: Certificate of Completion
Site Name: 295 Locust Avenue Site
Site No. C203053
Bronx, Bronx County

Dear Mr. Kesner and Mr. Kelleher:

Congratulations on having satisfactorily completed the remedial program at the 295 Locust Avenue Site. Enclosed please find an original, signed Certificate of Completion. The New York State Department of Environmental Conservation (DEC) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the Certificate of Completion (COC) to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record a notice of the COC in the recording office for the County (or Counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record a notice of the COC within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the notice of COC is recorded within the time frame specified. A standard notice form is attached to this letter;
- Place the notice of the COC in the document repository for the site within 10 days of issuance of the COC;
- Implement the DEC-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to DEC in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications.



Department of
Environmental
Conservation

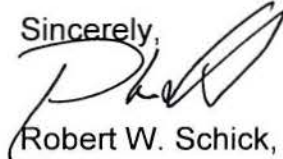
The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to DEC in February 2017; and

- You and your lessees must submit an annual report to the New York State Department of Taxation and Finance within one year and for each of the following eleven years after the execution of the Brownfield Site Cleanup Agreement. The Report must provide the information required by Chapter 390 of the Laws of 2008, Tax Law Section 171-s.

The DEC will prepare and distribute to the Site Contact List a fact sheet describing the institutional and engineering controls that are required at the site.

If you have any questions regarding any of these items, please contact the site Project Manager, Randy Whitcher at 518-402-9662.

Sincerely,



Robert W. Schick, P.E.

Director

Division of Environmental Remediation

Enclosures

ec: Krista Anders, DOH
Christopher Doroski, DOH
Randy Whitcher, DEC
Amen Omorogbe, DEC
John Nehila, DEC
George Heitzman, DEC
Louis Oliva, DEC
Andrew Guglielmi, DEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

295 Locust Associates LLC

BPA North LLC

Address

1250 Waters Place, PH 1, Bronx, NY 10461

42nd - 22nd Street, Long Island City, NY 11101

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 11/15/10 **Agreement Execution:** 6/4/12 **Agreement Index No.:**C203053-05-12

Application Approval Amendment: 6/18/15

Agreement Execution Amendment: 6/18/15

SITE INFORMATION:

Site No.: C203053 **Site Name:** 295 Locust Avenue

Site Owner: BPA North LLC

Street Address: Locust Ave, E. 139th, E. 140th and E. 141st Sts.

Municipality: Bronx **County:** Bronx **DEC Region:** 2

Site Size: 1.837 Acres

Tax Map Identification Number(s): 2-2598-46, 2-2598-74, 2-2598-86

Percentage of site located in an EnZone: 50 - 99 %

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

CERTIFICATE ISSUANCE

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the Site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

Allowable Uses under the BCP: Commercial and Industrial

Cleanup Track: Track 4: Restricted use with site-specific soil cleanup objectives

Tax Credit Provisions for Entities Taxable Under Article 9, 9-A, 32, and 33:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 25 %.

Tangible Property Credit Component Rate is 20 %.

Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 25 %.

Tangible Property Credit Component Rate is 18 %.

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Bronx County as 2015041400629001.

LIABILITY LIMITATION

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

CERTIFICATE TRANSFERABILITY

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375-1.9.

CERTIFICATE MODIFICATION/REVOCAION

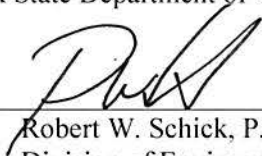
This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon a finding that:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;
- (4) there is good cause for such modification or revocation;
- (5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;
- (6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Joseph J. Martens
Commissioner
New York State Department of Environmental Conservation

By:



Robert W. Schick, P.E., Director
Division of Environmental Remediation

Date: JULY 13, 2019

NOTICE OF CERTIFICATE OF COMPLETION

Brownfield Cleanup Program

6 NYCRR Part 375-1.9(d)

295 Locust Avenue Site, Site ID No. C203053
Locust Avenue, East 139th Street, East 140th Street and East 141 Street
City of the Bronx, Bronx County, Tax Map Identification Number(s) **2-2598-46, 2-2598-74, 2-2598-86**

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to BPA North LLC and 295 Locust Associates LLC for a parcel approximately 1.837 acres located at Locust Avenue, East 139th Street, East 140th Street and East 141 Street in the City of the Bronx, Bronx County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for New York City as 2015041400629001.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

295 Locust Avenue, C203053, Locust Ave, E. 139th, E. 140th and E. 141st Streets.

PLEASE TAKE NOTICE, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

PLEASE TAKE NOTICE, the Certificate may be only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

PLEASE TAKE NOTICE, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

PLEASE TAKE NOTICE, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 1 Hunter's Point Plaza, 47-40 21st Street, Long Island City NY 11101, by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

BPA North LLC

295 Locust Associates LLC

By: _____
Gary Kesner
Title: _____
Date: _____

By: _____
Joseph Kelleher
Title: _____
Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 20__, before me, the undersigned, personally appeared _____, 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.

Signature and Office of individual
taking acknowledgment

Please record and return to:
295 Locust Associates LLC
1250 Waters Place, PH1
Bronx, NY 10461



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
7/9/2015

SITE DESCRIPTION

SITE NO. C203053

SITE NAME 295 Locust Avenue

SITE ADDRESS: Locust Ave, E. 139th, E. 140th and E. 141st Sts. ZIP CODE: 10454

CITY/TOWN: Bronx

COUNTY: Bronx

ALLOWABLE USE: Commercial and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:

IC/EC Certification Plan	<input checked="" type="checkbox"/>
Monitoring Plan	<input checked="" type="checkbox"/>
Operation and Maintenance (O&M) Plan	<input checked="" type="checkbox"/>

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 02/13/2017

Description of Institutional Control

295 Locust Associates LLC

1250 Waters Place, PH 1

275-297 Loc,880-908 E

Environmental Easement

Block: 2598

Lot: 46

Sublot:

Section: 2

Subsection:

S_B_L Image: 2-2598-46

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

900-902 East 141st Street

Environmental Easement

Block: 2598

Lot: 74

Sublot:

Section: 2

Subsection:

S_B_L Image: 2-2598-74

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

901-903 East 140th Street

Environmental Easement

Block: 2598

Lot: 86

Sublot:

Section: 2

Subsection:

S_B_L Image: 2-2598-86

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

295 Locust Associates LLC

1250 Waters Place, PH 1

275-297 Loc,880-908 E 140,881 E 139

Environmental Easement

Block: 2598

Lot: 46

Sublot:

Section: 2

Subsection:

S_B_L Image: 2-2598-46

Cover System

Vapor Mitigation

900-902 East 141st Street

Environmental Easement

Block: 2598

Lot: 74

Sublot:

Section: 2

Subsection:

S_B_L Image: 2-2598-74

Cover System

Vapor Mitigation

Exhibit A

Site Description

Parcel A

All that certain plot, piece or parcel of land, situate, lying and being in the borough and county of Bronx, city and state of New York, bounded and described as follows:

Beginning at the corner formed by the intersection of the northerly side of East 139th Street and the easterly side of Walnut Avenue;

Running thence northerly, along the easterly side of Walnut Avenue, 200 feet to the corner formed by the intersection of the easterly side of Walnut Avenue and the southerly side of East 140th Street;

Thence easterly, along the southerly side of East 140th Street, 350 feet to the corner formed by the intersection of the southerly side of East 140th Street and the westerly side of Locust Avenue;

Thence southerly, along the westerly side of Locust Avenue, 200 feet to the corner formed by the intersection of the westerly side of Locust Avenue and the northerly side of East 139th Street;

Thence westerly, along the northerly side of the East 139th Street, 350 feet to the corner formed by the intersection of the northerly side of East 139th Street and the easterly side of Walnut Avenue, at the point or place of beginning.

Parcels B and C

All that certain plot, piece or parcel of land, situate, lying and being in the 23rd ward of the City of New York, Borough and County of the Bronx and the state of New York, bounded and described as follows:

Beginning at a point on the southerly side of East 141st Street, distant 100 feet westerly from the corner formed by the intersection of the southerly side of East 141st Street with the westerly side of Locust Avenue;

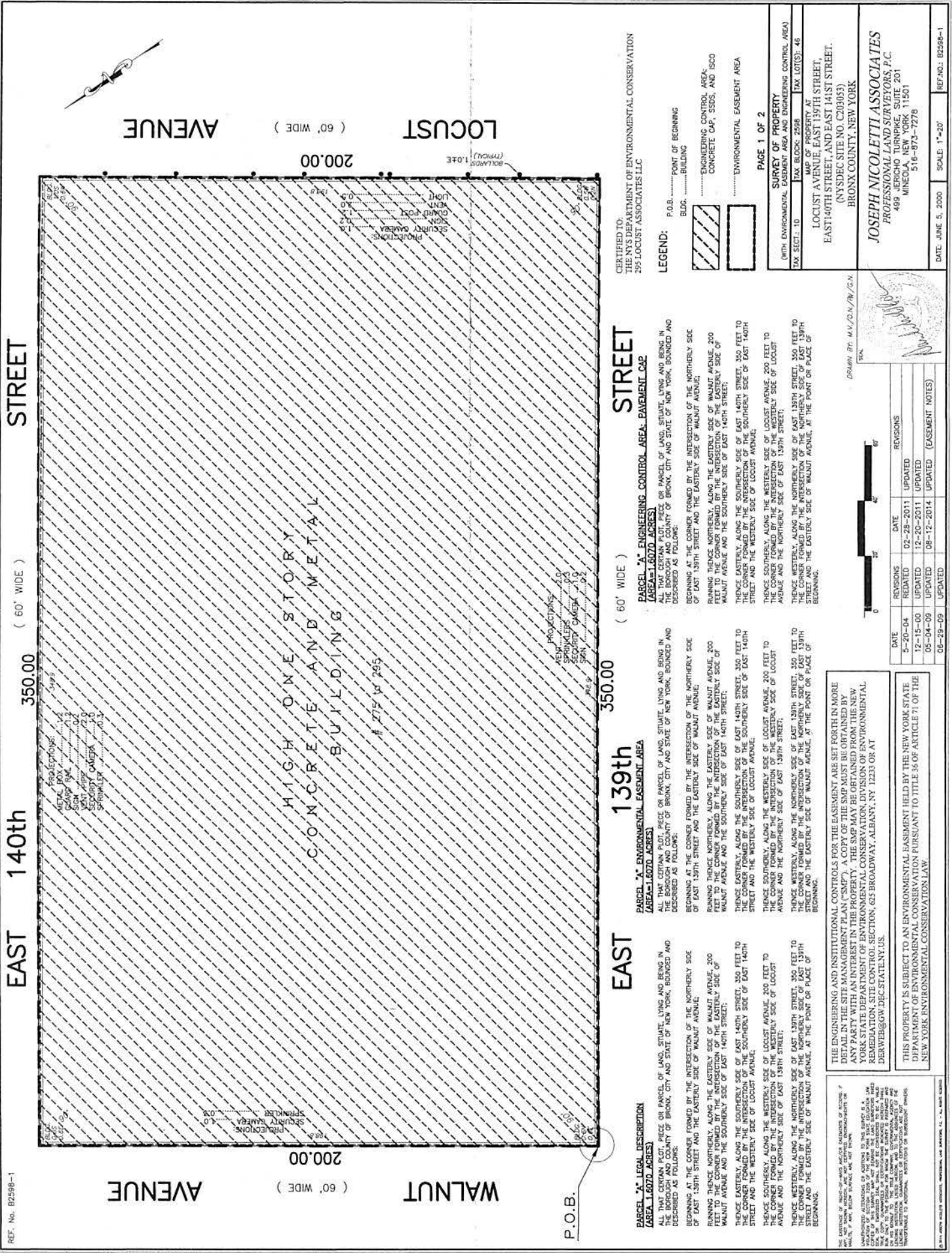
Running thence southerly, parallel with Locust Avenue, 200 feet on the northerly side of East 140th Street;

Thence westerly, along the northerly side of East 140th Street, 50 feet;

Thence northerly, parallel with Locust Avenue, 200 feet to the southerly side of East 141st Street;

Thence easterly, along the southerly side of East 141st Street, 50 feet to the point or place of beginning.

Exhibit B
Site Survey



EAST 140th STREET (60' WIDE)

350.00

EAST 140th STREET (60' WIDE)

350.00

WALNUT AVENUE (60' WIDE)

200.00

LOCUST AVENUE (60' WIDE)

200.00

HIGH ONE STORY
CONCRETE AND METAL
BUILDING
275 to 295

P.O.B.

PARCEL "A" LEGAL DESCRIPTION (AREA=1.6070 ACRES)
ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH AND COUNTY OF BROOK, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF EAST 139TH STREET AND THE EASTERLY SIDE OF WALNUT AVENUE;
RUNNING THENCE NORTHERLY, ALONG THE EASTERLY SIDE OF WALNUT AVENUE, 200 FEET TO THE INTERSECTION OF THE NORTHERLY SIDE OF EAST 140TH STREET;
THENCE EASTERLY, ALONG THE SOUTHERLY SIDE OF EAST 140TH STREET, 350 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF EAST 140TH STREET AND THE WESTERLY SIDE OF LOCUST AVENUE;
THENCE SOUTHERLY, ALONG THE WESTERLY SIDE OF LOCUST AVENUE, 200 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF LOCUST AVENUE AND THE NORTHERLY SIDE OF EAST 139TH STREET;
THENCE WESTERLY, ALONG THE NORTHERLY SIDE OF EAST 139TH STREET, 350 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF EAST 139TH STREET AND THE EASTERLY SIDE OF WALNUT AVENUE, AT THE POINT OR PLACE OF BEGINNING.

PARCEL "A" ENVIRONMENTAL EASEMENT AREA (AREA=1.6070 ACRES)
ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH AND COUNTY OF BROOK, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF EAST 139TH STREET AND THE EASTERLY SIDE OF WALNUT AVENUE;
RUNNING THENCE NORTHERLY, ALONG THE EASTERLY SIDE OF WALNUT AVENUE, 200 FEET TO THE INTERSECTION OF THE NORTHERLY SIDE OF EAST 140TH STREET;
THENCE EASTERLY, ALONG THE SOUTHERLY SIDE OF EAST 140TH STREET, 350 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF EAST 140TH STREET AND THE WESTERLY SIDE OF LOCUST AVENUE;
THENCE SOUTHERLY, ALONG THE WESTERLY SIDE OF LOCUST AVENUE, 200 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF LOCUST AVENUE AND THE NORTHERLY SIDE OF EAST 139TH STREET;
THENCE WESTERLY, ALONG THE NORTHERLY SIDE OF EAST 139TH STREET, 350 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF EAST 139TH STREET AND THE EASTERLY SIDE OF WALNUT AVENUE, AT THE POINT OR PLACE OF BEGINNING.

PARCEL "B" ENGINEERING CONTROL AREA - PAVEMENT CAP (AREA=1.6070 ACRES)
ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH AND COUNTY OF BROOK, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF EAST 139TH STREET AND THE EASTERLY SIDE OF WALNUT AVENUE;
RUNNING THENCE NORTHERLY, ALONG THE EASTERLY SIDE OF WALNUT AVENUE, 200 FEET TO THE INTERSECTION OF THE NORTHERLY SIDE OF EAST 140TH STREET;
THENCE EASTERLY, ALONG THE SOUTHERLY SIDE OF EAST 140TH STREET, 350 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF EAST 140TH STREET AND THE WESTERLY SIDE OF LOCUST AVENUE;
THENCE SOUTHERLY, ALONG THE WESTERLY SIDE OF LOCUST AVENUE, 200 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF LOCUST AVENUE AND THE NORTHERLY SIDE OF EAST 139TH STREET;
THENCE WESTERLY, ALONG THE NORTHERLY SIDE OF EAST 139TH STREET, 350 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF EAST 139TH STREET AND THE EASTERLY SIDE OF WALNUT AVENUE, AT THE POINT OR PLACE OF BEGINNING.

PARCEL "A" ENGINEERING CONTROL AREA - PAVEMENT CAP (AREA=1.6070 ACRES)
ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH AND COUNTY OF BROOK, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF EAST 139TH STREET AND THE EASTERLY SIDE OF WALNUT AVENUE;
RUNNING THENCE NORTHERLY, ALONG THE EASTERLY SIDE OF WALNUT AVENUE, 200 FEET TO THE INTERSECTION OF THE NORTHERLY SIDE OF EAST 140TH STREET;
THENCE EASTERLY, ALONG THE SOUTHERLY SIDE OF EAST 140TH STREET, 350 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF EAST 140TH STREET AND THE WESTERLY SIDE OF LOCUST AVENUE;
THENCE SOUTHERLY, ALONG THE WESTERLY SIDE OF LOCUST AVENUE, 200 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF LOCUST AVENUE AND THE NORTHERLY SIDE OF EAST 139TH STREET;
THENCE WESTERLY, ALONG THE NORTHERLY SIDE OF EAST 139TH STREET, 350 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF EAST 139TH STREET AND THE EASTERLY SIDE OF WALNUT AVENUE, AT THE POINT OR PLACE OF BEGINNING.

CERTIFIED TO:
THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION
295 LOCUST ASSOCIATES LLC

LEGEND:
P.O.B. POINT OF BEGINNING
BLDG. BUILDING
ENGINEERING CONTROL AREA:
CONCRETE CAP, SDDS, AND ISCO
ENVIRONMENTAL EASEMENT AREA

PAGE 1 OF 2

SURVEY OF PROPERTY
(WITH ENVIRONMENTAL EASEMENT AREA AND ENGINEERING CONTROL AREA)

TAX SECT.: 10 MAP OF PROPERTY AT TAX BLOCK: 2598 TAX LOTS: 46

LOCUST AVENUE, EAST 139TH STREET,
EAST 140TH STREET, AND EAST 141ST STREET,
(NYSDEC SITE NO. C20B053)
BRONX COUNTY, NEW YORK

JOSEPH NICOLETTI ASSOCIATES
PROFESSIONAL LAND SURVEYORS, P.C.
499 JERICHO TURNPIKE, SUITE 201
MINEOLA, NY 11501
516-874-7278

DATE: JUNE 5, 2000 SCALE: 1"=20'

REF. NO.: B2598-1

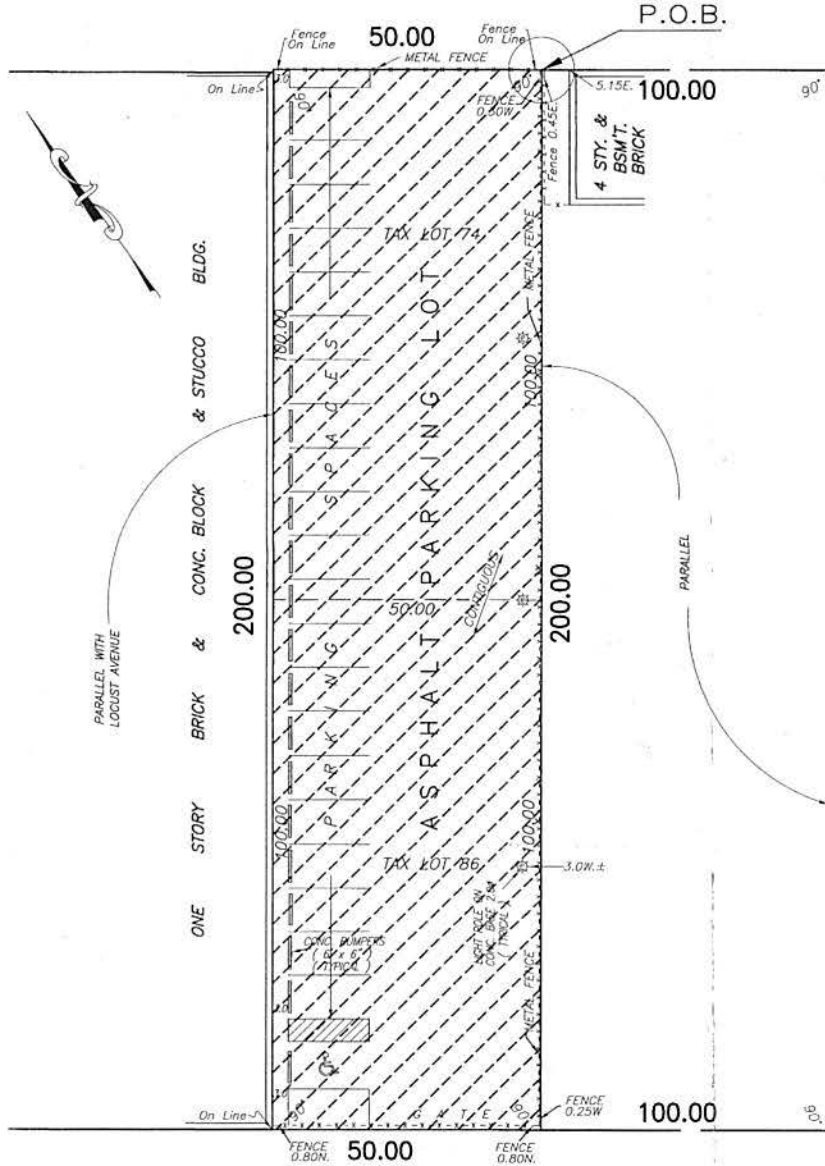
THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THE EASEMENT ARE SET FORTH IN MORE DETAIL IN THE SITE MANAGEMENT PLAN ("SMP"). A COPY OF THE SMP MUST BE OBTAINED BY THE YORKE STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DEAWEB@GW.DEC.STATE.NY.US.

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 56 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW.

DATE	REVISIONS	DATE	REVISIONS
5-20-04	RELEASD	02-29-2011	UPDATED
12-19-00	UPDATED	12-20-2011	UPDATED
05-04-09	UPDATED	08-12-2014	UPDATED (EASEMENT NOTES)
06-29-09	UPDATED		

DRAWN BY: M.V./O.N./M./G.N.

EAST 141st (60' WIDE) STREET



EAST 140th (60' WIDE) STREET

LEGEND:

- P.O.B. POINT OF BEGINNING
 - STY. STORY
 - BSMT. BASEMENT
 - BLDG. BUILDING
 - CONC. CONCRETE
 - ♿ HANDICAPPED PARKING SPACE
 - ⊙ LIGHT POLE
 - - - - - FENCE
- ENGINEERING CONTROL AREA: PAVEMENT CAP
- ENVIRONMENTAL EASEMENT AREA

THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THE EASEMENT ARE SET FORTH IN MORE DETAIL IN THE SITE MANAGEMENT PLAN ("SMP"). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP MAY BE OBTAINED FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@CW.DEC.STATE.NY.US.

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW.

THE EXISTENCE OF RIGHT-OF-WAYS AND/OR EASEMENTS OF RECORD, IF ANY, NOT SHOWN HEREON, ARE NOT CERTIFIED. ENCROACHMENTS OR VAULTS, IF ANY, BELOW SURFACE ARE NOT SHOWN.

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S INKED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY. GUARANTEES OR CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION GUARANTEES OR CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

NO PROPERTY MONUMENTS, STAKES, PINS OR OTHER MARKERS WERE PLACED AS PART OF THE PREPARATION OF THIS SURVEY.

CERTIFIED TO:
THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION
295 LOCUST ASSOCIATES LLC

DATE	REVISIONS
05/04/2009	UPDATED
05/20/2004	REDATED
08/12/2014	UPDATED (EASEMENT NOTES)



PARCEL "B" AND "C" LEGAL DESCRIPTIONS (AREA=0.2296 ACRES)

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE 23RD WARD OF THE CITY OF NEW YORK, BOROUGH AND COUNTY OF BRONX AND STATE OF NEW YORK, KNOWN AND DESIGNATED AS LOT NUMBERS 34, 35, 80 AND 81 ON A MAP ENTITLED "MAP OF WILTON, PORT MORRIS AND EAST MORRISANIA, IN THE TOWN OF MORRISANIA, COUNTY OF WESTCHESTER, NEW YORK" SURVEYED BY J.C. BUCKHOUT, CIVIL ENGINEER, NEW YORK, JULY 12, 1857 AND FILED SEPTEMBER 29, 1857 IN THE OFFICE OF THE REGISTER, COUNTY OF WESTCHESTER, NEW YORK, AS MAP NO. 31, SAID LOTS, WHEN TAKEN TOGETHER, ARE BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF EAST 141ST STREET, DISTANT 100 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF EAST 141ST STREET WITH THE WESTERLY SIDE OF LOCUST AVENUE;

RUNNING THENCE SOUTHERLY, PARALLEL WITH LOCUST AVENUE, 200 FEET ON THE NORTHERLY SIDE OF EAST 140TH STREET;

THENCE WESTERLY, ALONG THE NORTHERLY SIDE OF EAST 140TH STREET, 50 FEET;

THENCE NORTHERLY, PARALLEL WITH LOCUST AVENUE, 200 FEET TO THE SOUTHERLY SIDE OF EAST 141ST STREET;

THENCE EASTERLY, ALONG THE SOUTHERLY SIDE OF EAST 141ST STREET, 50 FEET TO THE POINT OR PLACE OF BEGINNING.

PARCEL "B" AND "C" ENVIRONMENTAL EASEMENT AREA (AREA=0.2296 ACRES)

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE 23RD WARD OF THE CITY OF NEW YORK, BOROUGH AND COUNTY OF BRONX AND STATE OF NEW YORK, KNOWN AND DESIGNATED AS LOT NUMBERS 34, 35, 80 AND 81 ON A MAP ENTITLED "MAP OF WILTON, PORT MORRIS AND EAST MORRISANIA, IN THE TOWN OF MORRISANIA, COUNTY OF WESTCHESTER, NEW YORK" SURVEYED BY J.C. BUCKHOUT, CIVIL ENGINEER, NEW YORK, JULY 12, 1857 AND FILED SEPTEMBER 29, 1857 IN THE OFFICE OF THE REGISTER, COUNTY OF WESTCHESTER, NEW YORK, AS MAP NO. 31, SAID LOTS, WHEN TAKEN TOGETHER, ARE BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF EAST 141ST STREET, DISTANT 100 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF EAST 141ST STREET WITH THE WESTERLY SIDE OF LOCUST AVENUE;

RUNNING THENCE SOUTHERLY, PARALLEL WITH LOCUST AVENUE, 200 FEET ON THE NORTHERLY SIDE OF EAST 140TH STREET;

THENCE WESTERLY, ALONG THE NORTHERLY SIDE OF EAST 140TH STREET, 50 FEET;

THENCE NORTHERLY, PARALLEL WITH LOCUST AVENUE, 200 FEET TO THE SOUTHERLY SIDE OF EAST 141ST STREET;

THENCE EASTERLY, ALONG THE SOUTHERLY SIDE OF EAST 141ST STREET, 50 FEET TO THE POINT OR PLACE OF BEGINNING.

PARCEL "B" AND "C" ENGINEERING CONTROL AREA: PAVEMENT CAP (AREA=0.2296 ACRES)

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE 23RD WARD OF THE CITY OF NEW YORK, BOROUGH AND COUNTY OF BRONX AND STATE OF NEW YORK, KNOWN AND DESIGNATED AS LOT NUMBERS 34, 35, 80 AND 81 ON A MAP ENTITLED "MAP OF WILTON, PORT MORRIS AND EAST MORRISANIA, IN THE TOWN OF MORRISANIA, COUNTY OF WESTCHESTER, NEW YORK" SURVEYED BY J.C. BUCKHOUT, CIVIL ENGINEER, NEW YORK, JULY 12, 1857 AND FILED SEPTEMBER 29, 1857 IN THE OFFICE OF THE REGISTER, COUNTY OF WESTCHESTER, NEW YORK, AS MAP NO. 31, SAID LOTS, WHEN TAKEN TOGETHER, ARE BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF EAST 141ST STREET, DISTANT 100 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF EAST 141ST STREET WITH THE WESTERLY SIDE OF LOCUST AVENUE;

RUNNING THENCE SOUTHERLY, PARALLEL WITH LOCUST AVENUE, 200 FEET ON THE NORTHERLY SIDE OF EAST 140TH STREET;

THENCE WESTERLY, ALONG THE NORTHERLY SIDE OF EAST 140TH STREET, 50 FEET;

THENCE NORTHERLY, PARALLEL WITH LOCUST AVENUE, 200 FEET TO THE SOUTHERLY SIDE OF EAST 141ST STREET;

THENCE EASTERLY, ALONG THE SOUTHERLY SIDE OF EAST 141ST STREET, 50 FEET TO THE POINT OR PLACE OF BEGINNING.

SURVEY OF PROPERTY		
(WITH ENVIRONMENTAL EASEMENT AREA AND ENGINEERING CONTROL AREA)		
TAX SECT.: 10	TAX BLOCK: 2598	TAX LOT(S): 74 AND 86
MAP OF PROPERTY AT LOCUST AVENUE, EAST 139TH STREET, EAST 140TH STREET, AND EAST 141ST STREET. (NYSDEC SITE NO. C203053) BRONX COUNTY, NEW YORK		
JOSEPH NICOLETTI ASSOCIATES PROFESSIONAL LAND SURVEYORS, P.C. 499 JERICHO TURNPIKE, SUITE 201 MINEOLA, NEW YORK 11501 516-873-7278		
DATE: 09/09/2002	SCALE: 1"=16'	REF.NO.: B2598-001