

**FORMER BOYLE AUTO WRECKERS SITE**  
**1346 BLONDELL AVENUE, BRONX, NY**  
**Block 4134 Lot 1**

---

**NEW YORK STATE**  
**BROWNFIELD CLEANUP PROGRAM**  
**APPLICATION AND SUPPLEMENTAL**  
**INFORMATION**



**New York State Department of Environmental Conservation**  
**Brownfields and Voluntary Cleanup Section**  
**625 Broadway, 11th floor**  
**Albany, NY 12233-7015**

December 2016  
Revised - February 2017

*Program Requestor:*

Blondell Equities LLC  
477 Madison Ave, 6th Floor  
NY, NY 10022

*Prepared By:*

**EBC**

**ENVIRONMENTAL BUSINESS CONSULTANTS**

1808 Middle Country Road  
Ridge, NY 11961

---

**TABLE OF CONTENTS**  
**BCP APPLICATION - SUPPLEMENTAL INFORMATION**  
**Former Boyle Auto Wreckers**  
**1346 Blondell Avenue, Bronx, NY**

---

BCP Application Form

<b>I</b>	<b>REQUESTOR INFORMATION</b> .....	1
<b>II</b>	<b>PROJECT DESCRIPTION</b> .....	1
2.1	Project Overview .....	1
2.2	Project Schedule .....	2
<b>III</b>	<b>ENVIRONMENTAL HISTORY</b> .....	2
3.1	Summary of Previous Investigations .....	2
3.1.1	<i>Phase II Subsurface Investigation Report (AKRF 2006)</i> .....	3
3.1.2	<i>Phase II Environmental Site Assessment Report (HydroTech – Dec 2015)</i> .....	5
3.1.3	<i>Subsurface Investigation Data Summary (EBC – May 2016)</i> .....	5
<b>IV</b>	<b>PROPERTY INFORMATION</b> .....	6
4.1	Tax Parcel Information .....	6
4.2	Enzone .....	6
4.3	Property Description Narrative .....	6
4.3.1	<i>Location</i> .....	6
4.3.2	<i>Site Features</i> .....	6
4.3.3	<i>Current Zoning and Land Use</i> .....	6
4.3.4	<i>Past Use of the Site</i> .....	7
4.3.5	<i>Site Geology and Hydrogeology</i> .....	7
4.3.6	<i>Environmental Assessment</i> .....	7
<b>V</b>	<b>ADDITIONAL REQUESTOR INFORMATION</b> .....	9
5.1	Representative.....	9
5.2	Consultant .....	9
5.3	Attorney .....	9
<b>VI</b>	<b>CURRENT PROPERTY OWNER / OPERATOR ELIGIBILITY INFORMATION</b> .....	9
<b>VII</b>	<b>REQUESTOR ELIGIBILITY INFORMATION</b> .....	10
<b>VIII</b>	<b>PROPERTY ELIGIBILITY INFORMATION</b> .....	14
<b>IX</b>	<b>CONTACT LIST INFORMATION</b> .....	14
9.1	Local Government Contacts .....	14
9.2	Adjacent Property Owner Contacts .....	16
9.3	Local News Media .....	19
9.4	Public Water Supplier .....	20
9.5	Requested Contacts.....	20
9.6	Schools and Childcare Facilities .....	20
9.7	Document Repository .....	21
<b>X</b>	<b>LAND USE FACTORS</b> .....	22
10.1	Current Use .....	22
10.2	Post Remedial Use .....	22

---

**TABLE OF CONTENTS**  
**BCP APPLICATION - SUPPLEMENTAL INFORMATION**  
**Former Boyle Auto Wreckers**  
**1346 Blondell Avenue, Bronx, NY**

---

***FIGURES***

---

Figure 1	USGS 7.5 Minute Quadrangle
Figure 2A	NYC Tax Map - Current
Figure 2B	NYC Tax Map - Former (Showing Lots Prior to Merger)
Figure 3	Site Plan
Figure 4	Project Site and Adjacent Properties
Figure 5	Surrounding Land Use
Figure 6	Area Schools and Daycare Centers
Figure 7	En-Zone Map
Figure 8	Environmental Justice Area
Figure 9	Flood Zone Map

***ATTACHMENTS***

---

Attachment A	Property Survey / Metes and Bounds Description
Attachment B	Environmental Reports (Digital Files on CD): Phase II Subsurface Investigation Report - AKRF 2006 Phase II Environmental Site Assessment Report - HydroTech Dec 2015 Subsurface Investigation Data Summary - EBC May 2016
Attachment C	Cost Analysis for Established Environmental Conditions
Attachment D	Deed and Authorization to Sign on Behalf of LLC
Attachment E	Repository Acknowledgement Letters



# BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

**Yes**

**No**

**If yes, provide existing site number:** \_\_\_\_\_

**PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 7***

<b>Section I. Requestor Information - See Instructions for Further Guidance</b>			DEC USE ONLY BCP SITE #: _____
NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
<p>Is the requestor authorized to conduct business in New York State (NYS)? <span style="float: right;">Yes    No</span></p> <ul style="list-style-type: none"> <li>• If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the <a href="#">NYS Department of State's Corporation &amp; Business Entity Database</a>. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application, to document that the requestor is authorized to do business in NYS.</li> </ul> <p>Do all individuals that will be certifying documents meet the requirements detailed below? <span style="float: right;">Yes    No</span></p> <ul style="list-style-type: none"> <li>• Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of <a href="#">DER-10: Technical Guidance for Site Investigation and Remediation</a> and Article 145 of New York State Education Law. <b>Documents that are not properly certified will be not approved under the BCP.</b></li> </ul>			
<b>Section II. Project Description</b>			
1. What stage is the project starting at?		Investigation	Remediation
2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see <a href="#">DER-10 / Technical Guidance for Site Investigation and Remediation</a> for further guidance).			
3. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2):		Yes	No
4. Please attach a short description of the overall development project, including:			
<ul style="list-style-type: none"> <li>• the date that the remedial program is to start; and</li> <li>• the date the Certificate of Completion is anticipated.</li> </ul>			

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through September 6, 2016.

---

Selected Entity Name: BLONDELL EQUITIES LLC

Selected Entity Status Information

**Current Entity Name:** BLONDELL EQUITIES LLC

**DOS ID #:** 4871110

**Initial DOS Filing Date:** DECEMBER 30, 2015

**County:** BRONX

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

**DOS Process (Address to which DOS will mail process if accepted on**

**behalf of the entity)**

BLONDELL EQUITIES LLC  
477 MADISON AVENUE  
6TH FLOOR  
NEW YORK, NEW YORK, 10022

**Registered Agent**

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate.](#)

**\*Stock Information**

<b># of Shares</b>	<b>Type of Stock</b>	<b>\$ Value per Share</b>
--------------------	----------------------	---------------------------

No Information Available

\*Stock information is applicable to domestic business corporations.

**Name History**

<b>Filing Date</b>	<b>Name Type</b>	<b>Entity Name</b>
DEC 30, 2015	Actual	BLONDELL EQUITIES LLC

### Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

**1. Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).

**2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.**

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

\*Please describe: \_\_\_\_\_

**3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:**

- **SAMPLE LOCATION**
- **DATE OF SAMPLING EVENT**
- **KEY CONTAMINANTS AND CONCENTRATION DETECTED**
- **FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE**
- **FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5**
- **FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX**

**THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.**

**ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?\***

(\*answering No will result in an incomplete application)

Yes          No

**4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):**

Coal Gas Manufacturing	Manufacturing	Agricultural Co-op	Dry Cleaner
Salvage Yard	Bulk Plant	Pipeline	Service Station
Landfill	Tannery	Electroplating	Unknown

Other: \_\_\_\_\_

**Section IV. Property Information - See Instructions for Further Guidance**

PROPOSED SITE NAME

ADDRESS/LOCATION

CITY/TOWN

ZIP CODE

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

COUNTY

SITE SIZE (ACRES)

LATITUDE (degrees/minutes/seconds)

LONGITUDE (degrees/minutes/seconds)

COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage

1. Do the proposed site boundaries correspond to tax map metes and bounds? Yes    No  
If no, please attach a metes and bounds description of the property.
2. Is the required property map attached to the application? Yes    No  
(application will not be processed without map)
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? Yes    No  
(See [DEC's website](#) for more information)  
If yes, identify census tract : \_\_\_\_\_  
Percentage of property in En-zone (check one):      0-49%      50-99%      100%
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes    No  
If yes, identify name of properties (and site numbers if available) in related BCP applications: \_\_\_\_\_
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? Yes    No
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? Yes    No  
If yes, attach relevant supporting documentation.
7. Are there any lands under water? Yes    No  
If yes, these lands should be clearly delineated on the site map.



**Section IV. Property Information (continued)**

8. Are there any easements or existing rights of way that would preclude remediation in these areas?  
If yes, identify here and attach appropriate information.  Yes  No

Easement/Right-of-way Holder

Description

City of New York

Mapped Road - Fink Avenue

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

No permits were identified

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

Yes  No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?  
If yes, requestor must answer questions on the supplement at the end of this form.

Yes  No

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?

Yes  No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application?

Yes  No

**NOTE:** If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor:  \_\_\_\_\_

**BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)**

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____
--	---

NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE

ADDRESS

CITY/TOWN	ZIP CODE
-----------	----------

PHONE	FAX	E-MAIL
-------	-----	--------

NAME OF REQUESTOR'S CONSULTANT

ADDRESS

CITY/TOWN	ZIP CODE
-----------	----------

PHONE	FAX	E-MAIL
-------	-----	--------

NAME OF REQUESTOR'S ATTORNEY

ADDRESS

CITY/TOWN	ZIP CODE
-----------	----------

PHONE	FAX	E-MAIL
-------	-----	--------

**Section VI. Current Property Owner/Operator Information – if not a Requestor**

CURRENT OWNER'S NAME	OWNERSHIP START DATE:
----------------------	-----------------------

ADDRESS

CITY/TOWN	ZIP CODE
-----------	----------

PHONE	FAX	E-MAIL
-------	-----	--------

CURRENT OPERATOR'S NAME

ADDRESS

CITY/TOWN	ZIP CODE
-----------	----------

PHONE	FAX	E-MAIL
-------	-----	--------

**IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.**  
**PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".**

**Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)**

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? Yes    No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes    No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. Yes    No

**Section VII. Requestor Eligibility Information (continued)**

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that 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
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? Yes No
11. Are there any unregistered bulk storage tanks on-site which require registration? Yes No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

**PARTICIPANT**

A requestor 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**

A requestor other than a participant, including a requestor 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, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site 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; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste. See Attached

**If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.**

**Section VII. Requestor Eligibility Information (continued)**

Requestor Relationship to Property (check one):

Previous Owner    Current Owner    Potential /Future Purchaser    Other\_\_\_\_\_

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?

Yes                  No

**Note: a purchase contract does not suffice as proof of access.**

**Section VIII. Property Eligibility Information - See Instructions for Further Guidance**

- 1. Is / was the property, or any portion of the property, listed on the National Priorities List?  
If yes, please provide relevant information as an attachment. Yes    No
- 2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? Yes    No  
If yes, please provide:    Site #\_\_\_\_\_                  Class # \_\_\_\_\_
- 3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? Yes    No  
If yes, please provide:    Permit type:\_\_\_\_\_                  EPA ID Number:\_\_\_\_\_                  Date permit issued:\_\_\_\_\_                  Permit expiration date:\_\_\_\_\_
- 4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. Yes    No
- 5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?  
If yes, please provide:    Order #\_\_\_\_\_ Yes    No
- 6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?  
If yes, please provide explanation as an attachment. Yes    No

**Section IX. Contact List Information**

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

- 1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- 2. Residents, owners, and occupants of the property and properties adjacent to the property.
- 3. Local news media from which the community typically obtains information.
- 4. The public water supplier which services the area in which the property is located.
- 5. Any person who has requested to be placed on the contact list.
- 6. The administrator of any school or day care facility located on or near the property.
- 7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property.
- 8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

Section X. Land Use Factors	
<p>1. What is the current zoning for the site? What uses are allowed by the current zoning?  Residential      Commercial      Industrial  If zoning change is imminent, please provide documentation from the appropriate zoning authority.</p>	
<p>2. Current Use:    Residential    Commercial    Industrial    Vacant    Recreational    (check all that apply)  <b>Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.</b></p>	
<p>3. Reasonably anticipated use Post Remediation:    Residential    Commercial    Industrial (check all that apply) <b>Attach a statement detailing the specific proposed use.</b></p> <p>If residential, does it qualify as single family housing? <span style="float: right;">Yes    No</span></p>	
4. Do current historical and/or recent development patterns support the proposed use?	Yes    No
5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.	Yes    No
6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.	Yes    No

**XI. Statement of Certification and Signatures**

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. 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 a requestor other than an individual)

I hereby affirm that I am managing partner (title) of Blondell Equities LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree to execute a BCA within 60 days of the date of DEC's approval letter. 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: 2/9/17 Signature: \_\_\_\_\_

Print Name: Craig Livingston

**SUBMITTAL INFORMATION:**

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), 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

**FOR DEC USE ONLY**  
**BCP SITE T&A CODE:** \_\_\_\_\_ **LEAD OFFICE:** \_\_\_\_\_

**Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY.** Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

**BCP App Rev 7**

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	Yes	No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	Yes	No
<b>Please answer questions below and provide documentation necessary to support answers.</b>		
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see <a href="#">DEC's website</a> for more information.	Yes	No
2. Is the property upside down or underutilized as defined below?	Upside Down?	Yes No
	Underutilized?	Yes No
<b>From ECL 27-1405(31):</b>	see supplemental information	
<p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p> <p><b>From 6 NYCRR 375-3.2(I) as of August 12, 2016:</b> (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p> <p>375-3.2:</p> <p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>		

**Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)**

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

Project is an Affordable Housing Project - Regulatory Agreement Attached;

Project is Planned as Affordable Housing, But Agreement is Not Yet Available\*  
(\*Checking this box will result in a “pending” status. The Regulatory Agreement would need to be provided to the Department prior to issuance of the CoC in order for a positive determination to be made.);

This is Not an Affordable Housing Project.

**From 6 NYCRR 375- 3.2(a) as of August 12, 2016:**

(a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) “Area median income” means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.



**BCP Application Summary (for DEC use only)**

<b>Site Name:</b> <b>City:</b>	<b>Site Address:</b> <b>County:</b>	<b>Zip:</b>		
<b>Tax Block &amp; Lot Section (if applicable):</b>	<b>Block:</b>	<b>Lot:</b>		
<b>Requestor Name:</b> <b>City:</b>	<b>Requestor Address:</b> <b>Zip:</b>	<b>Email:</b>		
<b>Requestor's Representative (for billing purposes)</b> <b>Name:</b> <b>City:</b>	<b>Address:</b> <b>Zip:</b>	<b>Email:</b>		
<b>Requestor's Attorney</b> <b>Name:</b> <b>City:</b>	<b>Address:</b> <b>Zip:</b>	<b>Email:</b>		
<b>Requestor's Consultant</b> <b>Name:</b> <b>City:</b>	<b>Address:</b> <b>Zip:</b>	<b>Email:</b>		
<b>Percentage of site within an En-Zone:</b>	<b>0%</b>	<b>&lt;50%</b>	<b>50-99%</b>	<b>100%</b>
<b>Requestor's Requested Status:</b>	<b>Volunteer</b>	<b>Participant</b>		

## I REQUESTOR INFORMATION

Name: Blondell Equities LLC  
Name of all members / owners: Craig Livingston, Michael Callahan  
Contact: Craig Livingston  
Address: 477 Madison Avenue, 6th Floor, New York, NY 10022  
Phone: 646-706-5502  
Email: clivingston@exactcapital.com

## II PROJECT DESCRIPTION

Blondell Equities LLC seeks to remediate and redevelop a property located at 1346 Blondell Avenue in the Bronx, NY (the "Site") (see **Figure 1**). The Site is known as the Former Boyle Auto Wreckers property, and is comprised of single Tax lot identified as Block 4134 Lot 1 (**Figure 2A Tax Map and Figure 3 - Site Plan**). Lot 1 includes seven former tax parcels which were recently merged into one lot. The former seven lots are identified as Block 4133, Lot 12, Block 4134 Lots 1, 2, 4, 62, 63 and 70 (**Figure 2B - Former Tax Map**) With the exception of temporarily leasing parking spaces, the property is currently vacant but has historically been used as an auto wrecking yard, auto repair shop, motorcycle repair shop, auto body shop and as a truck / equipment yard.

The historic use of the properties as well as the presence of elevated levels of contaminants in soil and groundwater, suspected additional contaminants and historic fill materials are complicating redevelopment of the Site.

Blondell Equities LLC plans a Track 1 cleanup and residential redevelopment of the Site. The nature and extent of existing and suspect contamination, however, complicates the redevelopment plan. Accordingly, Blondell Equities LLC is submitting its application for entry into the BCP to the New York State Department of Environmental Conservation (NYSDEC). This document contains the supplemental information as required in the application package.

### 2.1 Project Overview

The Requestor intends to redevelop the property with a new nine story mixed-use building. The project will include 212 affordable housing apartment units, 22,000 square feet (sf) of retail space and underground parking for 90 cars. The developer is currently in the process of rezoning the property from M1-1 light manufacturing to R7A residential with a C2-4 commercial overlay. One hundred percent of the lot would be excavated to a depth of approximately 11 feet for the cellar level of the proposed building.

As discussed in more detail in this application, contamination at the Site requires remediation since because contaminants exceed the restricted residential soil cleanup objectives. The BCP will allow applicant to satisfy this requirement as well as to limit its liability to on-site contamination by virtue of its status as a "volunteer" under the BCP.

As a result, the lender/investors for this project will require any cleanup be conducted with oversight of the NYSDEC so that the NYSDEC can issue a certificate of completion and liability release from the State of New York. The remediation of the existing contamination will increase project costs because of expenses or "premiums" associated with disposal of contaminated soil, increased labor or "trade" premium due to the need to use HAZWOPER-trained-workers in and around the contaminated materials as well as ancillary monitoring and reporting costs. In addition, there will be scheduling impacts associated with soil sampling and excavation site constraints that will extend the timeframes customarily required for traditional site excavation. Moreover, the BCP will enable the applicant to qualify for hazardous waste program fee exemption.

The tax credits available under the Brownfield Cleanup Program will make the project more economically feasible and result in substantial public benefits such as construction jobs and full-time employees as well as facilitate the redevelopment of the area. An estimated 200 construction jobs will be created during this project along with 30 to 50 permanent retail jobs.

## 2.2 Project Schedule

*BCP Milestones* Based on an assumed date of early December 2016 for execution of the BCP agreement, the following schedule of BCP milestones is anticipated.

Submit Citizen Participation Plan and Scoping Sheet	December 2016
Submit Remedial Investigation Report (RIR)	February 2017
Submit Remedial Action Work Plan (RAWP)	April 2017
Begin Building Construction and Remedial Action	June 2017
Continue Remedial Action	Approximately 24 months
Submit Draft Env. Easement (Track 4)	June 2019
Submit Draft Site Management Plan (Track 4)	August 2019
Submit Draft Final Engineering Report	September 2019
Anticipated Date Certificate of Completion Issued	December 2019

## III ENVIRONMENTAL HISTORY

The environmental history of the subject lot was investigated previously through the review of Federal and State Environmental databases, Environmental Sanborn Fire Insurance maps, NYC Department of Building records and the NYC Department of Finance databases as part of a Phase I Environmental Site Assessment completed in 2006 by AKRF Inc.

### 3.1 Summary of Environmental Investigations / Reports / Remedial Work Plans

Environmental investigations performed at the Site include the following:

- Phase II Subsurface Investigation Report - AKRF, Inc. July, 2006
- Phase II Environmental Site Assessment Report - HydroTech Environmental Corp., December 2015
- Subsurface Investigation Data Summary - Environmental Business Consultants, May 2016

### 3.1.1 July 2006 - Phase II Subsurface Investigation Report (AKRF)

A Phase II Subsurface Investigation Report was prepared by AKRF Inc. in July, 2006. The report included a summary of a Phase I Environmental Site Assessment which was prepared by AKRF in February 2006.

AKRF identified the following environmental conditions:

- "The subject property was listed twice on the closed status New York State Department of Environmental Conservation (NYSDEC) spills database. On October 8, 1997, an unknown quantity of gasoline and waste oil was reported spilled onto the ground surface. The listing reported that spills from vehicles were a regular occurrence at the site and that tires were burned on a daily basis. This spill was closed in March 1998. A spill was reported on December 8, 1997 in which an unknown material and quantity was spilled at the property. The spill was closed in July 2003. According to John Mercorella, a representative of the property owner, an oil and gasoline spill had occurred in the northeastern portion of the site several years ago. Based on the details provided, this spill may be associated with the database listed on-site spill reported in October 1997, though this could not be positively confirmed. The surface pavement at the site was observed to be in poor condition and a portion of the site was surfaced with gravel. Surficial oil staining was observed by AKRF on visible exterior portions of the paved and gravel surfaces. These reported spills or releases from vehicles could have affected subsurface soil and groundwater."
- "A 275-gallon storage tank was located in the basement of the northernmost dwelling at the site. Based on observations made during the site visit by AKRF, this tank may be a used oil tank operated by the south-adjacent motorcycle repair shop. A 275-gallon used oil aboveground storage tank was listed on the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage (PBS) database for Boyle Auto Wreckers, Inc., a previous tenant of the 1346 Blondell Avenue property. It is possible that this listing represents the 275-gallon aboveground storage tank located in the basement of the residential dwelling. However, AKRF did not have access to the motorcycle repair shop building. Other petroleum storage tanks may be present inside this structure that could be related to the PBS listing for the subject site. In addition, a violation for an unregistered waste oil tank at the site was issued by the NYSDEC, as noted in the December 1997 spill listing for the site."
- "The study site was labeled as an "Auto Junk Yard" on historic Sanborn maps from 1977 to 1996. Historic operations as a junk yard may have affected the subsurface soil and/or groundwater at the property."
- "Historical land use maps, the regulatory database search, and results of the site reconnaissance indicated that the surrounding area has a long history of auto-related, manufacturing and light industrial operations. Such land use included the presence of historic gasoline filling stations directly across Ponton Avenue to the north and across Blondell Avenue to the southwest. Several fuel oil spills were noted in the NY SPILLS database in the area surrounding the subject site. Known and potential releases from these sites may have affected the local groundwater quality."

The Phase II investigation completed by AKRF included the installation of 8 soil borings and the collection and analysis of 8 soil samples and 5 groundwater samples. Overburden soil consisted entirely of fill material to the groundwater surface which was encountered at a depth of approximately six feet below grade.

AKRF concluded the following:

"Laboratory analytical results indicated that volatile organic compounds (VOCs) were detected in soil samples S-2, S-3, and S-4 that are typically associated with gasoline, including benzene, ethylbenzene, toluene, and xylenes (BTEX), as well as naphthalene and several benzene-related compounds. The laboratory results and the field screening results, which included the detection of petroleum-like odors and elevated photoionization detector (PID) readings, suggest that releases of gasoline and/or other petroleum products in these areas have affected soil and groundwater."

"The results of the analyses for VOCs and SVOCs in groundwater suggest potential gasoline contamination to groundwater in samples collected from borings S-2, S-3, S-4, and to a lesser extent in S-8, where only methyl tert butyl ether (MTBE) was detected. The concentration of gasoline-related contaminants on the northern portion of the site may suggest that contaminated groundwater could have migrated on-site from the historic gasoline station properties to the north identified by AKRF's Phase IESA dated February 2006. Specifically, one of these historic sites was identified directly across Ponton Avenue from the subject site. These historic gasoline station properties were located in a presumed upgradient groundwater flow direction. However, similar compounds and petroleum-like odors and elevated PID readings were detected in the soil samples from these soil boring locations indicating that reported and/or unreported on-site petroleum spills may have been the main source of the groundwater impact."

"In addition, the site has a history of petroleum use related to automotive and motorcycle repair operations. The New York State Department of Environmental Conservation (NYSDEC) spill listings for the site note the repeated discharge of gasoline and oil to the ground surface. The detected concentrations of metals in the soil, including those above the TAGM guidelines and established eastern U.S. background levels, may be attributable to the urban fill at the site and not necessarily to environmental contamination from historic on-site operations. However, the elevated lead levels may be related to the past use and release of leaded gasoline or lead-containing batteries. Based on the results, elevated levels of lead may exceed the threshold for characterization as hazardous waste under Title 40 of the Code of Federal Regulations when reanalyzed for Toxicity Characteristic Leaching Procedure (TCLP), an analysis for the characterization of waste for disposal. Such soil may require management as hazardous waste if excavated as part of site development activities."

"Soil excavated as part of any future site development activities at the site should be managed in accordance with all applicable regulations. Soil intended for off-site disposal should be tested in accordance with the requirements of the receiving facility. Transportation of material leaving the site for off-site disposal should be in accordance with federal, state and local requirements covering licensing of haulers and trucks, placarding, truck routes, and manifesting, etc. If dewatering is necessary for construction and development purposes, groundwater may require treatment as part of the dewatering handling and discharge process. Prior to initiating any dewatering activities, a

groundwater sample should be analyzed to insure it meets the New York City Department of Environmental Protection (NYCDEP) criteria for effluent to municipal sewers, should these be the selected course of action for development."

A copy of the complete AKRF Phase II Report is provided in digital form in **Attachment A**.

### 3.1.2 December 2015 – Phase II Environmental Site Assessment Report (HydroTech)

A Phase II investigation consisting of six soil borings and the collection and analysis of six soil samples and three groundwater samples.

Based on the results obtained during the investigation, HydroTech concluded the following:

- Petroleum related VOCs were detected in soil samples beneath the northern portion of the Site at concentrations exceeding their respective Unrestricted SCOs and a petroleum odor was also detected in these samples during soil screening;
- SVOCs characterized as PAHs and metals most likely related to urban fill materials were detected in soil throughout the Site at concentrations greater than their respective regulatory standards.
- No VOCs or SVOCs were identified in the groundwater above their respective GQS.
- Three dissolved metals including magnesium, manganese and sodium were identified in the groundwater at concentrations exceeding their respective GQS.
- The impacts identified during this investigation appear to be the effects of the closed NYSDEC spill incident.

### 3.1.3 May 2016 – Subsurface Investigation Data Summary (EBC)

A supplemental subsurface investigation consisting of 11 borings with analysis of 7 soil and 5 groundwater samples was completed in May 2016.

Laboratory analysis included VOCs, PAHs, pesticides / PCBs and metals for all soil samples and VOCs for the groundwater samples. The results of the investigation identified petroleum contamination (VOCs) in four of seven samples collected with petroleum SVOC contamination reported in one of the four samples with elevated VOCs. Fill material was reported to be present at depths ranging from 2 to 7 ft below the surface. One or more metals and /or SVOCs were reported above restricted residential SCOs in the fill samples.

Groundwater at the Site is present at a depth of approximately 5-6 feet below surface grade. Petroleum VOCs were reported above groundwater standards in one of the samples with Chlorinated VOCs (CVOCs) reported in another sample. Figures for soil exceedances groundwater and soil vapor detections are included. A copy of the complete Data Summary is provided in digital form in **Attachment A**.

## IV PROPERTY INFORMATION

### 4.1 Tax Parcel Information

Blondell Equities LLC seeks to remediate and redevelop the Site. The address of the Site is 1346 Blondell Avenue, Bronx, NY 10454. It is comprised of seven tax parcels which were recently merged into a single lot (Block 4134 Lot 1) as a prerequisite to site development (**Figure 2A**). The former lots are identified as Block 4133, Lot 12, Block 4134 Lots 1, 2, 4, 62, 63 and 70 (**Figure 2B**). The boundaries of the Site correspond to the survey and metes and bounds description as provided in **Appendix A**.

### 4.2 Enzone

In October 2003, the New York State Brownfield Cleanup Program was signed into law under Title 14 of the ECL, Article 27. The Department of Labor has mapped boundaries of Environmental Zones (En-Zone) in which tax credits offered under the BCP are enhanced. The subject site is within Census Tract 284 which is not within a designated En-Zone (see **Figure 7**).

### 4.3 Property Description Narrative

#### 4.3.1 Location

The Site to be remediated and redeveloped is located in the South Bronx (Bronx County) and is comprised of a six tax parcels covering 46,360 sf (1.064 acres). The subject property is located in the City of New York and Borough of the Bronx (Bronx County).

The property has approximately 205.93 feet of street frontage on Blondell Avenue (west boundary). The east side of the site is bordered by a NYC Transit Rail Yard, the south side by Block 4133 Lot 10 and Cooper Avenue and to the north by Block 4139 Lot 14. An easement is shown on the tax map running through Lot 62 and portions of Lot 1, Lot 12 and Lot 62.

#### 4.3.2 Site Features

The Site is currently owned by Blondell Equities LLC. While a portion of the property is being used for parking, the one-story 944 sf building constructed in 1931 on Lot 4, one-story 4,500 sf commercial building constructed in 1920 on Lot 2 and one-story 766 sf building constructed in 1930 on Lot 1 are all currently vacant.

#### 4.3.3 Current Zoning and Land Use

The Lot is currently zoned M1-1 commercial. M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Nearly all industrial uses are allowed in M1 districts if they meet the stringent M1 performance standards. Offices, hotels and most retail uses are also permitted. The land use in the immediate vicinity of the Site (**Figures 4 and 5**) includes a NYC Transit Authority rail yard and related facilities to the east, commercial properties to the north and west consisting primarily of auto repair shops and warehouse buildings, and residential and commercial office buildings to the south.

There are two schools located within a 1,000 feet of the project Site including PS 721 located at 2697 Westchester Ave., approximately 700 feet to the east and the Herbert H. Lehman High School located at 3000 E. Tremont Ave approximately 850 ft to the southeast (see **Figure 6**). There were no daycare centers, nursing homes or hospitals within 1,000 feet of the Site.

The proposed project, which includes 212 affordable housing apartment units, 22,000 square feet (sf) of retail space and underground parking for 90 cars will require a change in zoning. The developer is currently in the process of rezoning the property from M1-1 light manufacturing to R7A residential with a C2-4 commercial overlay.

#### 4.3.4 Past Use of the Site

A review of Sanborn maps indicated that the Site was historically occupied by vacant lots, residential dwellings and an auto repair building. The site was also identified as an auto junk yard from 1977 to 1996 and was most recently occupied by a motorcycle repair shop.

#### 4.3.5 Site Geography and Geology

Subsurface soils at the Site consist of historic fill materials to a depth of approximately 6 feet below the surface followed by native silty-sand and clay layers. According to the USGS topographic map for the area (Central Park Quadrangle), the elevation of the property is approximately 7 feet above the National Geodetic Vertical Datum (NGVD). The area topography gradually slopes to the east toward the rail yard. Groundwater occurs beneath the Site at a depth of approximately 6 feet below grade under water table conditions. Based on regional flow maps and the proximity to surface water, groundwater flow is expected to be to the southeast toward the Hutchinson River. As shown on **Figure 7**, the entire Site is located within a designated moderate risk flood zone area.

#### 4.3.6 Environmental Assessment

Soil:

The following compounds were reported above unrestricted use and / or groundwater protection SCOs:

Benzene to	860 ug/kg
Ethylbenzene to	11,000 ug/kg
p/m Xylene to	48,000 ug/kg
Napthalene to	46,000 ug/kg
Toluene to	7,500 ug/kg
1,3,5,-Trimethylbenzene to	19,000 ug/kg
n-propylbenzene to	9,100 ug/kg
o-xylene to	870 ug/kg
PCBs to	210 ug/kg
Chromium to	34.8 mg/kg
Nickel to	44.8 mg/kg



The following compounds were reported above Restricted Residential use SCOs:

1,2,4-Trimethylbenzene to	55,000 µg/kg
Mercury to	1.9 mg/kg
Cadmium to	6.92 mg/kg
Zinc to	4,910 mg/kg

The following compounds were reported above Commercial use SCOs:

Benzo(a)anthracene to	38,000 µg/kg
Benzo(a)pyrene to	37,000 µg/kg
Benzo(b)fluoranthene to	36,000 µg/kg
Benzo(k)fluoranthene to	34,000 µg/kg
Chrysene to	40,000 µg/kg
Dibenz(a,h)anthracene to	5,400 µg/kg
Indeno(1,2,3-cd)pyrene to	24,000 µg/kg
Arsenic to	34.8 mg/kg
Copper to	612 mg/kg
Lead to	2,400 mg/kg

Groundwater:

The following petroleum-related VOCs exceeded groundwater standards:

1,2,4-Trimethylbenzene -	15 ug/L
benzene -	76 ug/L
cis-1,2-dichloroethene -	6 ug/L
ethylbenzene -	14 ug/L
isopropylbenzene -	35 ug/L
m&p xylenes -	430 ug/L
o xylene -	38 ug/L
n-butylbenzene -	6 ug/L
sec-butylbenzene -	6.8 ug/L
n-propylbenzene -	140 ug/L
isopropylbenzene -	87 ug/L
naphthalene -	27 ug/L
n-Propylbenzene -	51 ug/L
toluene -	120 ug/L
MTBE -	14 ug/L

## V ADDITIONAL REQUESTOR INFORMATION

### 5.1 Requestors Authorized Representative

Craig Livingston  
477 Madison Ave, 6th Floor, New York, New York 10022  
646-706-5502  
clivingston@exactcapital.com

### 5.2 Consultant

Environmental Business Consultants (EBC)  
1808 Middle Country Road, Ridge, New York 11961  
(631)504-6000  
[csosik@ebcincny.com](mailto:csosik@ebcincny.com); [creilly@ebcincny.com](mailto:creilly@ebcincny.com)

### 5.3 Attorney

Lawrence Schnapf - Schnapf LLC  
55 East 87th Street #8B New York, New York 10128  
212-876-3189  
[Larry@SchnapfLaw.com](mailto:Larry@SchnapfLaw.com)

## VI CURRENT PROPERTY OWNER / OPERATOR INFORMATION

Blondell Equities LLC is the applicant for the project and is applying to the program as a Volunteer.

While a portion of the property is being used for parking, the three buildings are all currently vacant. The current owner of the property (see property deed **Attachment D**) is as follows:

Title Holder: HP MJM Housing Development Fund Company, Inc.  
Address: 242 West 36th Street, 3rd Floor, New York, NY 10018

Beneficial Owner: Blondell Equities LLC  
Address: 477 Madison Avenue, 6th Floor, New York, NY 10022

As per the property deed and the declaration of interest and nominee agreement (**Attachment D**), HP MJM Housing Development Fund Company, a New York not-for-profit corporation, is acting as the nominee title holder for Blondell Equities, LLC which possesses the entire equitable and beneficial ownership interest in the property and the project.

The current owner is temporarily leasing parking spaces at the property:

Operator: Blondell Equities LLC  
Address: 477 Madison Avenue, 6th Floor, New York, NY 10022

## VII REQUESTOR ELIGIBILITY INFORMATION

The Requestor qualifies as a volunteer because (i) it performed a *Phase I Environmental Site Assessment* that complies with the EPA All-Appropriate Inquiries Rule (40 CFR 312), (ii) all disposals/releases of hazardous substances occurred prior to the time of ownership and (iii) the Requestor does not have affiliation with potentially responsible parties. Since acquiring title, the Requestor has exercised appropriate care by implementing a *Phase II Investigation* and applied to the BCP to address the releases of hazardous substances that occurred prior to the Requestor acquiring title. In addition, there have not been any ongoing releases and there have not been any new or threatened releases during Requestor’s ownership of the Property. A listing of previous owners and operators for the property is as follows:

**Table 1 – Previous Owners**

**Block 4134 Lot 1**

Dates	Name	Comments	Contact Info
Prior to 8/7/1978	Thomas D. Cormick	Deed	1 Thomas Place, Bridgeport CT. 06604
From 8/7/1978 to 8/24/2011	Boyle Auto Wreckers	Deed	1346 Blondell Avenue, Bronx, NY 10461
From 8/24/2011 to 3/23/2016	Blondell Realty Corp.	Deed	411 Bryant Avenue, Bronx, NY 10474
From 3/23/2016 to 8/23/2016	NYC Partnership Housing Development Fund Company as title holder on behalf of Blondell Equities, LLC	Deed	NYC Partnership Housing Dev. Corp.: 242 West 36 <sup>th</sup> Street, 3 <sup>rd</sup> Floor, New York, NY 10018  Blondell Equities, LLC: 477 Madison Avenue, 6 <sup>th</sup> Floor, New York, NY 10022
From 8/23/2016 to Present	HP MJM Housing Development Fund Company as title holder on behalf of Blondell Equities, LLC	Deed	NYC Partnership Housing Dev. Corp.: 242 West 36 <sup>th</sup> Street, 3 <sup>rd</sup> Floor, New York, NY 10018  Blondell Equities, LLC: 477 Madison Avenue, 6 <sup>th</sup> Floor, New York, NY 10022

Note: Blondell Equities, LLC is in no way affiliated with Boyle Auto Wreckers or any of the prior owners of the property.

**Block 4134 Lot 2**

Dates	Name	Comments	Contact Info
Prior to 11/16/1971	Albert S. Baxter Jr	Deed	1338 Blondell Avenue, Bronx, NY 10461
From 11/16/1971 to 8/24/2011	Boyle Auto Wreckers	Deed	1346 Blondell Avenue, Bronx, NY 10461
From 8/24/2011 to 3/23/2016	Blondell Realty Corp.	Deed	411 Bryant Avenue, Bronx, NY 10474
From 3/23/2016 to Present	NYC Partnership Housing Development Fund Company as title holder on behalf of Blondell Equities, LLC	Deed	NYC Partnership Housing Dev. Corp.: 242 West 36 <sup>th</sup> Street, 3 <sup>rd</sup> Floor, New York, NY 10018  Blondell Equities, LLC: 477 Madison Avenue, 6 <sup>th</sup> Floor, New York, NY 10022

From 8/23/2016 to Present	HP MJM Housing Development Fund Company as title holder on behalf of Blondell Equities, LLC	Deed	NYC Partnership Housing Dev. Corp.: 242 West 36 <sup>th</sup> Street, 3 <sup>rd</sup> Floor, New York, NY 10018  Blondell Equities, LLC: 477 Madison Avenue, 6 <sup>th</sup> Floor, New York, NY 10022
---------------------------	---	------	--

Note: Blondell Equities, LLC is in no way affiliated with Boyle Auto Wreckers or any of the prior owners of the property.

**Block 4134 Lot 4**

Dates	Name	Comments	Contact Info
Prior to 8/29/1967	Annette Nicholas	Deed	1303 Blondell Avenue, Bronx, NY 10461
From 8/29/1967 to 8/24/2011	Boyle Auto Wreckers	Deed	1346 Blondell Avenue, Bronx, NY 10461
From 8/24/2011 to 3/23/2016	Blondell Realty Corp.	Deed	411 Bryant Avenue, Bronx, NY 10474
From 3/23/2016 to Present	NYC Partnership Housing Development Fund Company as title holder on behalf of Blondell Equities, LLC	Deed	NYC Partnership Housing Dev. Corp.: 242 West 36 <sup>th</sup> Street, 3 <sup>rd</sup> Floor, New York, NY 10018  Blondell Equities, LLC: 477 Madison Avenue, 6 <sup>th</sup> Floor, New York, NY 10022
From 8/23/2016 to Present	HP MJM Housing Development Fund Company as title holder on behalf of Blondell Equities, LLC	Deed	NYC Partnership Housing Dev. Corp.: 242 West 36 <sup>th</sup> Street, 3 <sup>rd</sup> Floor, New York, NY 10018  Blondell Equities, LLC: 477 Madison Avenue, 6 <sup>th</sup> Floor, New York, NY 10022

Note: Blondell Equities, LLC is in no way affiliated with Boyle Auto Wreckers or any of the prior owners of the property.

**Block 4134 Lots 62, 63 and 64**

**Block 4133 Lot 12**

Dates	Name	Comments	Contact Info
Prior to 6/30/1969	George J. Tilger	Deed	1348 Cooper Avenue, Bronx, NY 10461
From 6/30/1969 to 8/24/2011	Boyle Auto Wreckers	Deed	1346 Blondell Avenue, Bronx, NY 10461
From 8/24/2011 to 3/23/2016	Blondell Realty Corp.	Deed	411 Bryant Avenue, Bronx, NY 10474
From 3/23/2016 to Present	NYC Partnership Housing Development Fund Company as title holder on behalf of Blondell Equities, LLC	Deed	NYC Partnership Housing Dev. Corp.: 242 West 36 <sup>th</sup> Street, 3 <sup>rd</sup> Floor, New York, NY 10018  Blondell Equities, LLC: 477 Madison Avenue, 6 <sup>th</sup> Floor, New York, NY 10022
From 8/23/2016 to Present	HP MJM Housing Development Fund Company as title holder on behalf of Blondell Equities, LLC	Deed	NYC Partnership Housing Dev. Corp.: 242 West 36 <sup>th</sup> Street, 3 <sup>rd</sup> Floor, New York, NY 10018  Blondell Equities, LLC: 477 Madison Avenue, 6 <sup>th</sup> Floor, New York, NY 10022

Note: Blondell Equities, LLC is in no way affiliated with Boyle Auto Wreckers or any of the prior owners of the property

**Block 4134 Lot70**

<b>Dates</b>	<b>Name</b>	<b>Comments</b>	<b>Contact Info</b>
Prior to 6/23/1969	City of New York	Deed	Commissioner of Real Estate of the City of New York, One Centre St. New York, NY 10007
From 6/23/1969 to 8/24/2011	Boyle Auto Wreckers	Deed	1346 Blondell Avenue, Bronx, NY 10461
From 8/24/2011 to 3/23/2016	Blondell Realty Corp.	Deed	411 Bryant Avenue, Bronx, NY 10474
From 3/23/2016 to Present	NYC Partnership Housing Development Fund Company as title holder on behalf of Blondell Equities, LLC	Deed	NYC Partnership Housing Dev. Corp.: 242 West 36 <sup>th</sup> Street, 3 <sup>rd</sup> Floor, New York, NY 10018  Blondell Equities, LLC: 477 Madison Avenue, 6 <sup>th</sup> Floor, New York, NY 10022
From 8/23/2016 to Present	HP MJM Housing Development Fund Company as title holder on behalf of Blondell Equities, LLC	Deed	NYC Partnership Housing Dev. Corp.: 242 West 36 <sup>th</sup> Street, 3 <sup>rd</sup> Floor, New York, NY 10018  Blondell Equities, LLC: 477 Madison Avenue, 6 <sup>th</sup> Floor, New York, NY 10022

Note: Blondell Equities, LLC is in no way affiliated with Boyle Auto Wreckers or any of the prior owners of the property

**Table 2 – Previous Operators  
Block 4134 Lot 1**

<b>Dates</b>	<b>Name</b>	<b>Comments</b>	<b>Contact Info</b>
1931 - 1976	Residential Occupants	City Directory	1338 Blondell Ave., Bronx, NY 10461
2016-present	Blondell Equities, LLC	Owner is leasing parking spaces temporarily	477 Madison Avenue, 6 <sup>th</sup> Floor, New York, NY 10022

Note: Blondell Equities, LLC is currently leasing parking spaces but is no way affiliated with any of the prior occupants / operators of the property

**Block 4134 Lot 2**

<b>Dates</b>	<b>Name</b>	<b>Comments</b>	<b>Contact Info</b>
1961 - 1976	TD McCormick Contracting	City Directory	1342 Blondell Av, Bronx, NY 10461
1971 - 1983	Atlantic Instrument Co.	City Directory	1340 Blondell Av, Bronx, NY 10461
1976	Branch Boiler and Plate Erectors	City Directory	1342 Blondell Av, Bronx, NY 10461
1983 - 2008	Boyle Auto Wreckers	City Directory Sanborn Maps	1342 and 1346 Blondell Av, Bronx, NY 10461
2005 - 2013	Caveman Cycles Inc.	City Directory	1342 and 1346 Blondell Ave, Bronx, NY 10461

Note: Blondell Equities, LLC is in no way affiliated with Caveman Cycles, Boyle Auto Wreckers or any of the prior occupants / operators of the property

**Block 4134 Lot 4**

<b>Dates</b>	<b>Name</b>	<b>Comments</b>	<b>Contact Info</b>
1969 - 2007	Boyle Auto Wreckers	City Directory Sanborn Maps Deed	1346 Blondell Avenue, Bronx, NY 10461
2007 - 2014	New City Carting Corp.	City Directory Sanborn Maps	1346 Blondell Avenue, Bronx, NY 10461  2915 Throop Ave, Bronx, New York 10469

Note: Blondell Equities, LLC is in no way affiliated with New City Carting, Boyle Auto Wreckers or any of the prior occupants / operators of the property.

**Block 4134 Lot 63**

<b>Dates</b>	<b>Name</b>	<b>Comments</b>	<b>Contact Info</b>
1931 - 1965	Residential Occupants	City Directory	1348 Cooper Avenue, Bronx, NY 10461

Note: Blondell Equities, LLC is in no way affiliated with any of the prior occupants / operators of the property.

**Block 4134 Lots 62 and 70**

**Block 4133 Lot 12**

<b>Dates</b>	<b>Name</b>	<b>Comments</b>	<b>Contact Info</b>
1969 - 2014	See Lot 4 above	No info. Use appears to be same as Lot 4 from aerial photos.	1342 and 1344 Cooper Avenue, Bronx, NY 10461

Note: Blondell Equities, LLC is in no way affiliated with any of the prior occupants / operators of the property.

## **VIII PROPERTY ELIGIBILITY INFORMATION**

None of the questions were answered in the affirmative.

## **IX CONTACT LIST INFORMATION**

The following sub-sections provide the minimum contact list information as required in the BCP application form.

### **9.1 Local Government Contacts**

#### City of New York

William de Blasio  
Mayor of New York City  
City Hall  
New York, NY 10007

Ruben Diaz, Jr.  
Bronx Borough President  
851 Grand Concourse, Suite 301  
Bronx, New York 10451  
Telephone (718) 590-3500

Anthony Vitaliano  
Chair, Bronx Community Board 11  
1741 Colden Avenue  
Bronx, NY 10462  
TEL: (718) 892-6262

Jeremy Warneke  
District manager, Bronx Community Board 11  
1741 Colden Avenue  
Bronx, NY 10462  
TEL: (718) 892-6262

James Vacca  
New York City Council Member – District 13  
3040 East Tremont Ave. Room 104  
Bronx, New York 10461  
Telephone (718) 931-1721

Carl Weisbrod  
Chair of City Planning (Zoning)  
22 Reade St.-Third Floor  
New York, NY 10007

Carol Samol  
Director, NYC Planning Commission – Bronx Office  
1 Fordham Plz.  
Bronx, New York 10458  
Telephone (718) 220-8500  
Fax (718) 584-8628

Constance Moran  
New York City Department of Transportation  
Bronx Borough Commissioner  
55 Water Street, 9th Floor  
New York, NY 10041  
212-748-6680

Bronx County Clerk's Office  
Luis M. Diaz, County Clerk  
851 Grand Concourse, Room 118  
Bronx, New York 10451  
Telephone (866) 797-7214

Ms. Letitia James  
Public Advocate  
1 Centre Street, 15<sup>th</sup> Floor  
New York, NY 10007  
Email: [kjfoyl@pubadvocate.nyc.gov](mailto:kjfoyl@pubadvocate.nyc.gov)

Hon. Scott M. Stringer  
Office of the Comptroller  
1 Centre Street  
New York, NY 10007  
Email: [intergov@comptroller.nyc.gov](mailto:intergov@comptroller.nyc.gov)

John Wuthenow  
Office of Environmental Planning & Assessment  
NYC Dept. of Environmental Protection  
96-05 Horace Harding Expressway  
Flushing, NY 11373

Daniel Walsh  
NYC Department of Environmental Remediation  
100 Gold Street  
New York, NY 10038



New York State

Senator Jeffrey D. Klein  
Senatorial District: 34  
1250 Waters Place, Suite 1202  
Bronx, NY 10461  
Phone: (718) 822-2049

Assemblyman Michael Benedetto  
82nd Assembly District  
3602 E. Tremont Ave. Suite 201  
Bronx, NY 10465  
Telephone (718) 892-2235

Federal

Hon. Charles Schumer  
U.S. Senator  
757 Third Avenue, Suite 17-02  
New York, NY 10017

Hon. Kirsten Gillibrand  
U.S. Senator  
780 Third Avenue, Suite 2601  
New York, NY 10017

Rep. José E. Serrano  
Congressional District: 15  
1231 Lafayette Avenue, 4th Floor  
Bronx, New York 10474  
Telephone (718) 620-0084  
Fax (718) 620-0658

## 9.2 Adjacent Property Owner Contacts

Properties adjacent to the project site are shown in **Figure 4**. Contact information for the identified owners, as listed in the New York City ACRIS Database, are as follows:

NORTH

1.  
Occupant / Operator  
Dom's Auto Body  
1364 Blondell Avenue  
Bronx, NY 10461  
(718) 822-0794

Owner  
Messuri, Rita  
20 Orchard Rd.  
Katonah, NY 10536

2.  
Occupant / Operator  
M&J Innovations  
1369 Blondell Avenue  
Bronx, NY 10461  
(347) 202-5212

Owner  
JJA Holding Corp.  
P.O. Box 817  
Yonkers, NY 10704-0817

WEST

3.  
Occupant / Operator  
Platinum Autoworks Inc.  
1345 Blondell Ave b  
Bronx, NY 10461  
(718)518-7075

Owner  
Blondell Avenue Enterprises Corp.  
120 E. 131<sup>st</sup> Street  
New York, NY 10037-3824

4.  
Occupant / Operator  
A&A Auto Body of the Bronx  
1341 Blondell Avenue  
Bronx, NY 10461  
(718) 863-9070

Owner  
Antonio Assalone  
1341 Blondell Ave.  
Bronx, NY 10461-2618

5.  
Occupant / Operator  
1337 Blondell Avenue  
Bronx, NY 10461

Owner  
Shaban Dedushi  
189 E. 205th Street  
Bronx, NY 10458-1234

6.  
Occupant / Operator  
Platinum Plus Cars  
2633 Fink Avenue  
Bronx, NY 10461  
(347) 691-3200

Occupant / Operator  
Miranda Auto Repair Inc  
2631 Fink Avenue  
Bronx, NY 10461  
(718) 892-3611

Owner  
West Square Realty  
1250 Waters Place, Ph 1  
Bronx, NY 10461-2731

SOUTH

7.  
Occupant / Operator  
Kokonuts Nightclub  
1332 Blondell Avenue  
Bronx, NY 10461

Occupant / Operator  
Side Street Catering  
1332 Blondell Avenue  
Bronx, NY 10461  
(718) 409-0001

Owner  
Ramos, Arthur  
1332 Blondell Ave.  
Bronx, NY 10461-2674

8.  
Occupant / Operator  
HCS Tax Services  
1314 Blondell Avenue  
Bronx, NY 10461  
(718) 931-9300

Owner  
1314 Blondell Avenue Corp.  
1314 Blondell Ave.  
Bronx, NY 10461-2621

9.  
Owner / Operator  
Elsaja Cooper LLC  
1306 Cooper Avenue  
Bronx, NY 10461

EAST

10.  
Owner / Operator  
New York City Transit

**9.3 Local News Media**

**Bronx Times**  
900 E. 132nd Street  
Bronx, NY 10454  
(718) 597-1116

**New York Times**  
620 Eighth Ave.  
New York, NY 10018

**New York Daily News**  
450 W. 33 Street  
New York, NY 10001

## **New York Post**

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

### **9.4 Public Water Supplier**

New York City Department of Environmental Protection  
Bureau of Water Supply  
1250 Broadway - 8th Floor  
Manhattan, NY 10001

### **9.5 Requested Contacts**

No requests have been made at this time.

### **9.6 Schools and Daycare Facilities**

There are three school campuses located within 1,000 ft of the project Site as follows:

1.

P.S 721 Steven McSweeney School  
2697 Westchester Avenue  
Bronx, NY 10461  
FRANK DEGENNARO, PRINCIPAL  
(718) 597-6404

2.

Herbert H. Lehman High School  
3000 E Tremont Avenue  
Bronx, NY 10461  
JOHN POWERS, PRINCIPAL  
(718) 904-4200

2.

Renaissance High School For Musical Theater & Technology  
3000 E Tremont Avenue  
Bronx, NY 10461  
MARIA HERRERA, PRINCIPAL  
(718) 430-6390

2.  
The Bronx River High School  
3000 E Tremont Avenue  
Bronx, NY 10461  
GREG FUCHECK, PRINCIPAL  
(718) 904-4210

2.  
Westchester Square Academy  
3000 E Tremont Avenue  
Bronx, NY 10461  
SARA DINGLEDY, PRINCIPAL  
(718) 904-5050

2.  
Pelham Lab High School  
3000 E Tremont Avenue  
Bronx, NY 10461  
JASON WAGNER, PRINCIPAL  
(718) 904-5090

3.  
Lewis and Clark School  
2555 Tratman Avenue  
Bronx, NY 10461  
(718)409-9040

## 9.7 Document Repository

The following locations will serve as a repository for public access to documents generated under the BCP program:

### **New York Public Library - Pelham Bay Branch**

3060 Middletown Road  
Bronx, NY 10461  
(718) 792-6744

#### **Hours:**

Nov 20 SUN	Closed
Nov 21 MON	10 AM–7 PM
Nov 22 TUES	10 AM–7 PM
Nov 23 WED	10 AM–7 PM
Nov 24 THURS	Closed
Nov 25 FRI	10 AM–5 PM
Nov 26 SAT	10 AM–5 PM

## **Bronx 11 Community District**

1741 Colden Avenue  
Bronx, NY 10462  
TEL: (718) 892-6262

### **Hours:**

Mon 9:00 AM - 5:00 PM  
Tue 9:00 AM - 5:00 PM  
Wed 9:00 AM - 5:00 PM  
Thu 9:00 AM - 5:00 PM  
Fri 9:00 AM - 5:00 PM  
Sat closed  
Sun closed

Repository acknowledgement letters are included in **Appendix F**.

## **X LAND USE FACTORS**

### **10.1 Current Use**

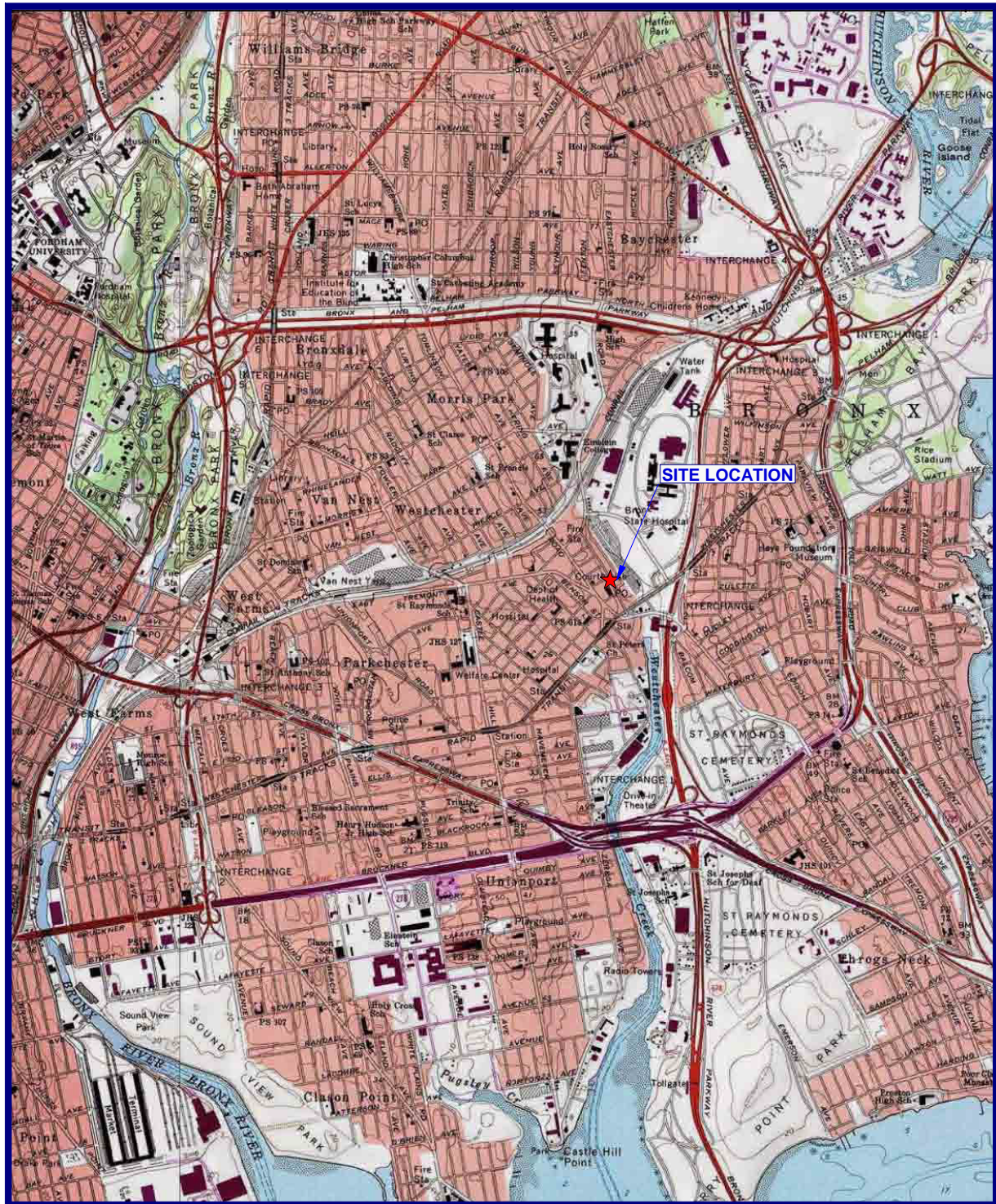
With the exception of leasing temporary parking spaces, the property is currently vacant but has historically been used as an auto wrecking yard, auto repair shop, motorcycle repair shop, auto body shop and as a truck / equipment yard.

### **10.2 Post- Remedial Use**

The Requestor intends to redevelop the property with The Requestor intends to redevelop the property with a new nine story mixed-use building. The project will include 212 affordable housing apartment units, 22,000 square feet (sf) of retail space and underground parking for 90 cars. The developer is currently in the process of rezoning the property from M1-1 light manufacturing to R7A residential with a C2-4 commercial overlay. One hundred percent of the lot would be excavated to a depth of approximately 11 feet for the cellar level of the proposed building. It is estimated that a total of 8,962 cubic yards (13,444 tons) of soil will require excavation and off-Site disposal.

## **FIGURES**





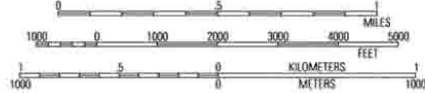
73°53.000' W

73°52.000' W

73°51.000' W

73°50.000' W

WGS84 73°49.000' W



USGS Flushing, NY Quadrangle 1995, Contour Interval = 10 feet



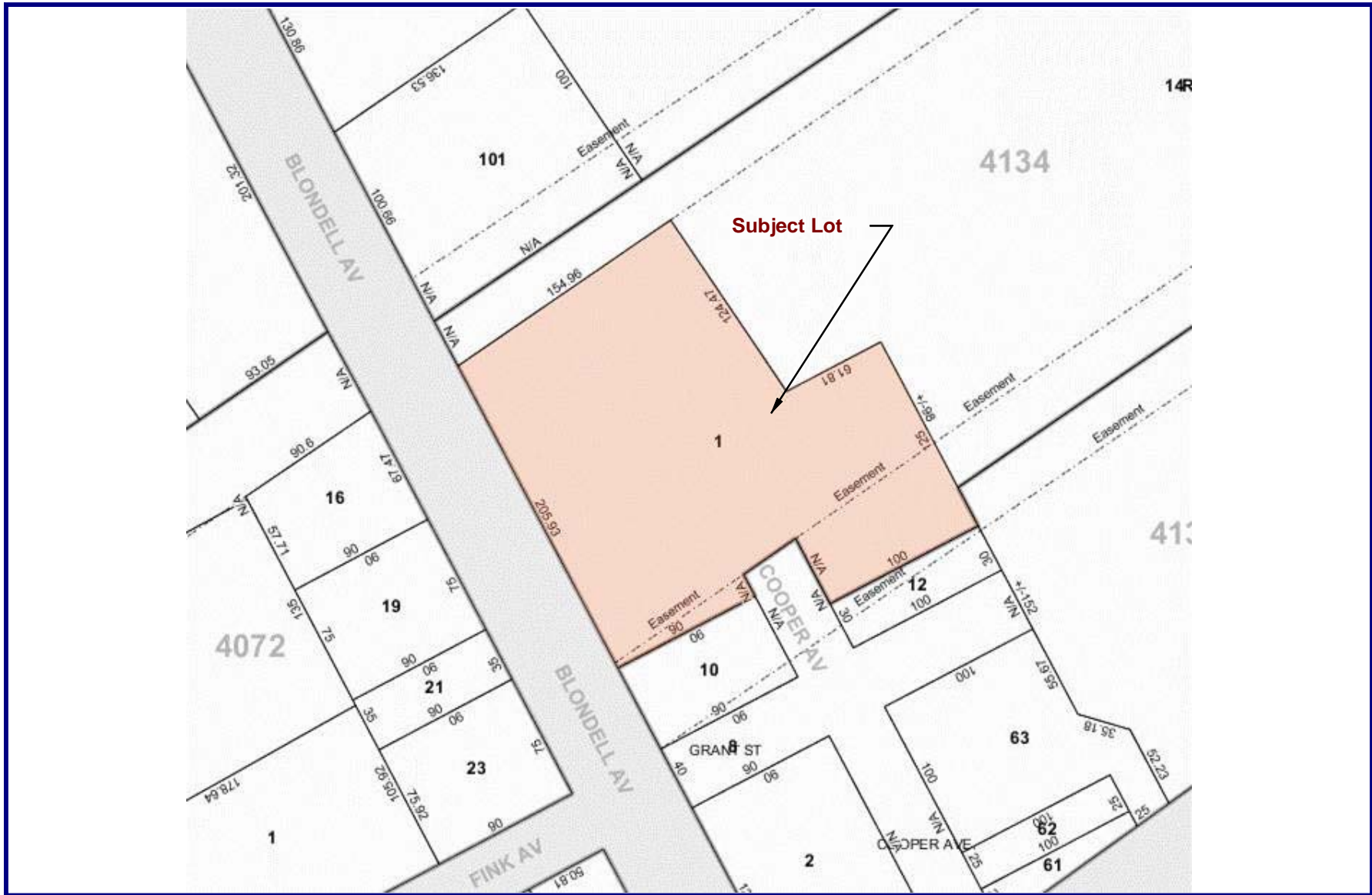
**ENVIRONMENTAL BUSINESS CONSULTANTS**

Phone 631.504.6000  
Fax 631.924.2870

Former Boyle Auto Wreckers Site  
1346 Blondell Avenue, Bronx NY

**FIGURE 1**

**SITE LOCATION MAP**



**ENVIRONMENTAL BUSINESS CONSULTANTS**

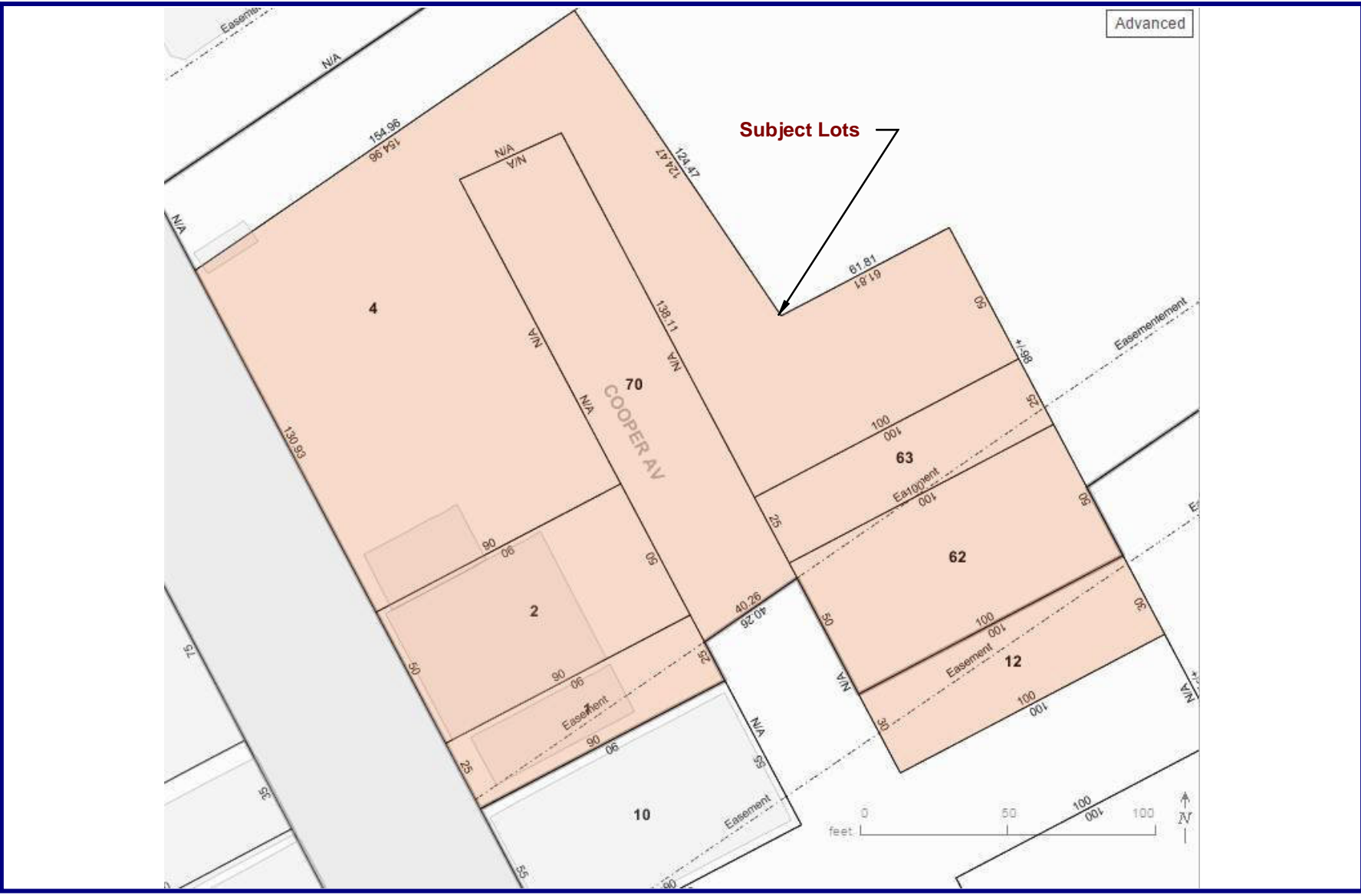
1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone 631.504.6000

Fax 631.924.2780

FORMER BOYLE AUTO WRECKING, INC.  
1346 BLONDELL AVENUE, BRONX, NY

**FIGURE 2A** NYC TAX MAP  
CURRENT LOT



Advanced

Subject Lots

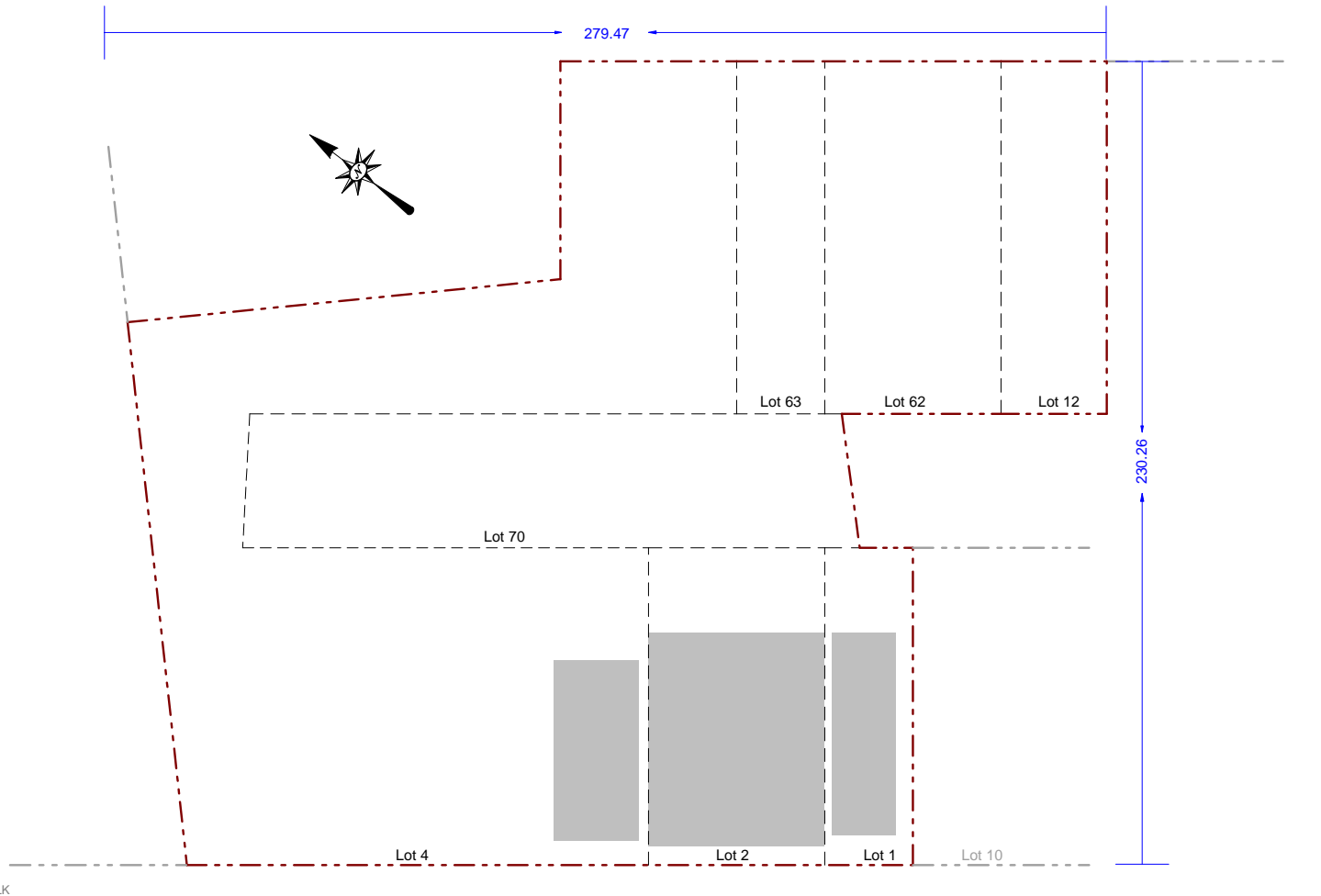


**ENVIRONMENTAL BUSINESS CONSULTANTS**  
 1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone 631.504.6000  
 Fax 631.924.2780

**FORMER BOYLE AUTO WRECKING, INC.**  
 1346 BLONDELL AVENUE, BRONX, NY

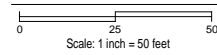
**FIGURE 2B** NYC TAX MAP  
 PRIOR TO MERGER



**KEY:**

- Property Boundary
- Former Lots

**SCALE:**



**EBC**

ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000  
Fax 631.924.2870

Figure No.  
**3**

Site Name: **FORMER BOYLE AUTO WRECKERS SITE**

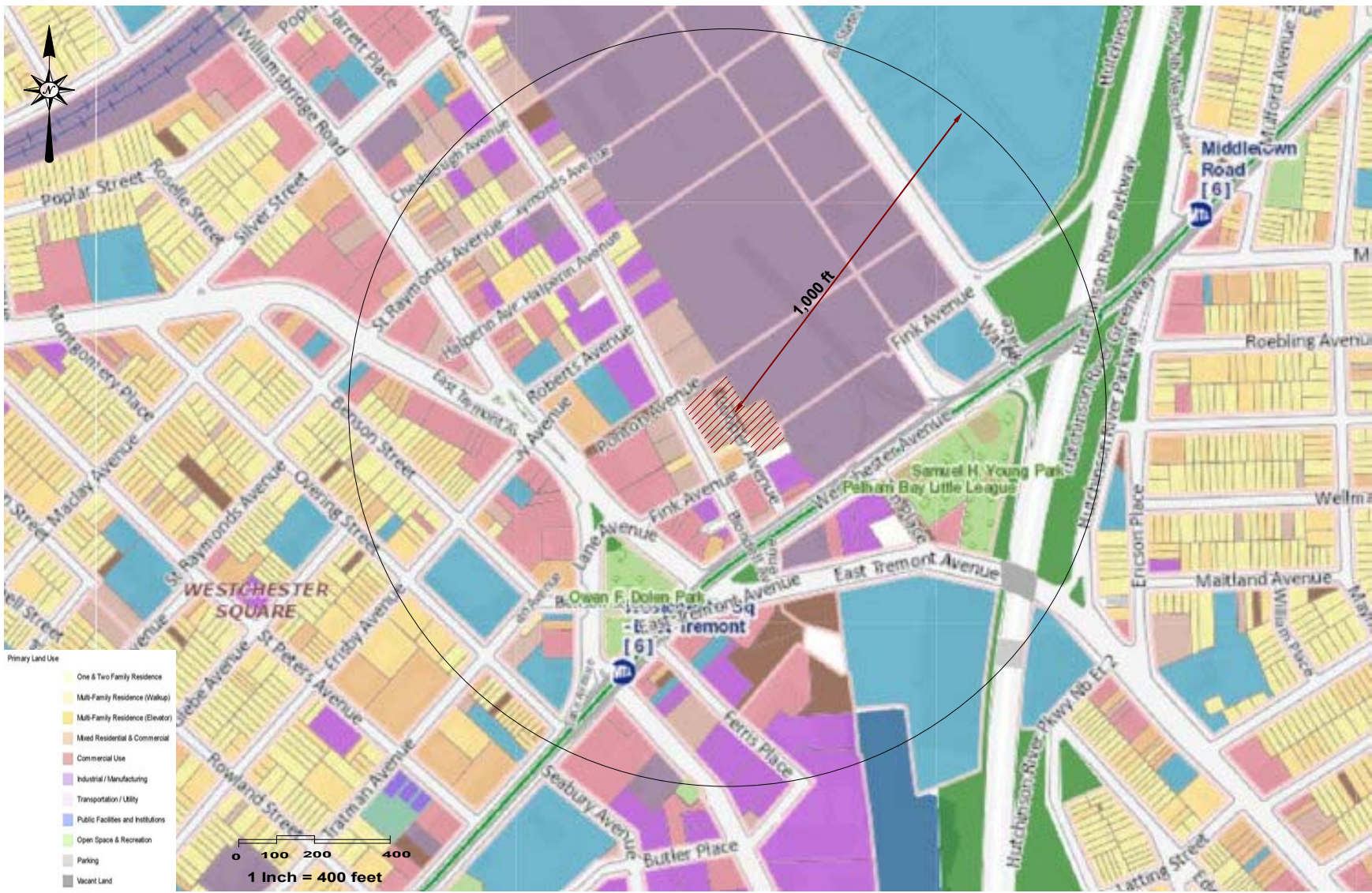
Site Address: **1346 BLONDELL AVENUE, BRONX NY**

Drawing Title: **SITE PLAN MAP**




**EBC**  
**ENVIRONMENTAL BUSINESS CONSULTANTS**  
 1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961  
 Phone: 631.504.6000  
 Fax: 631.924.2780

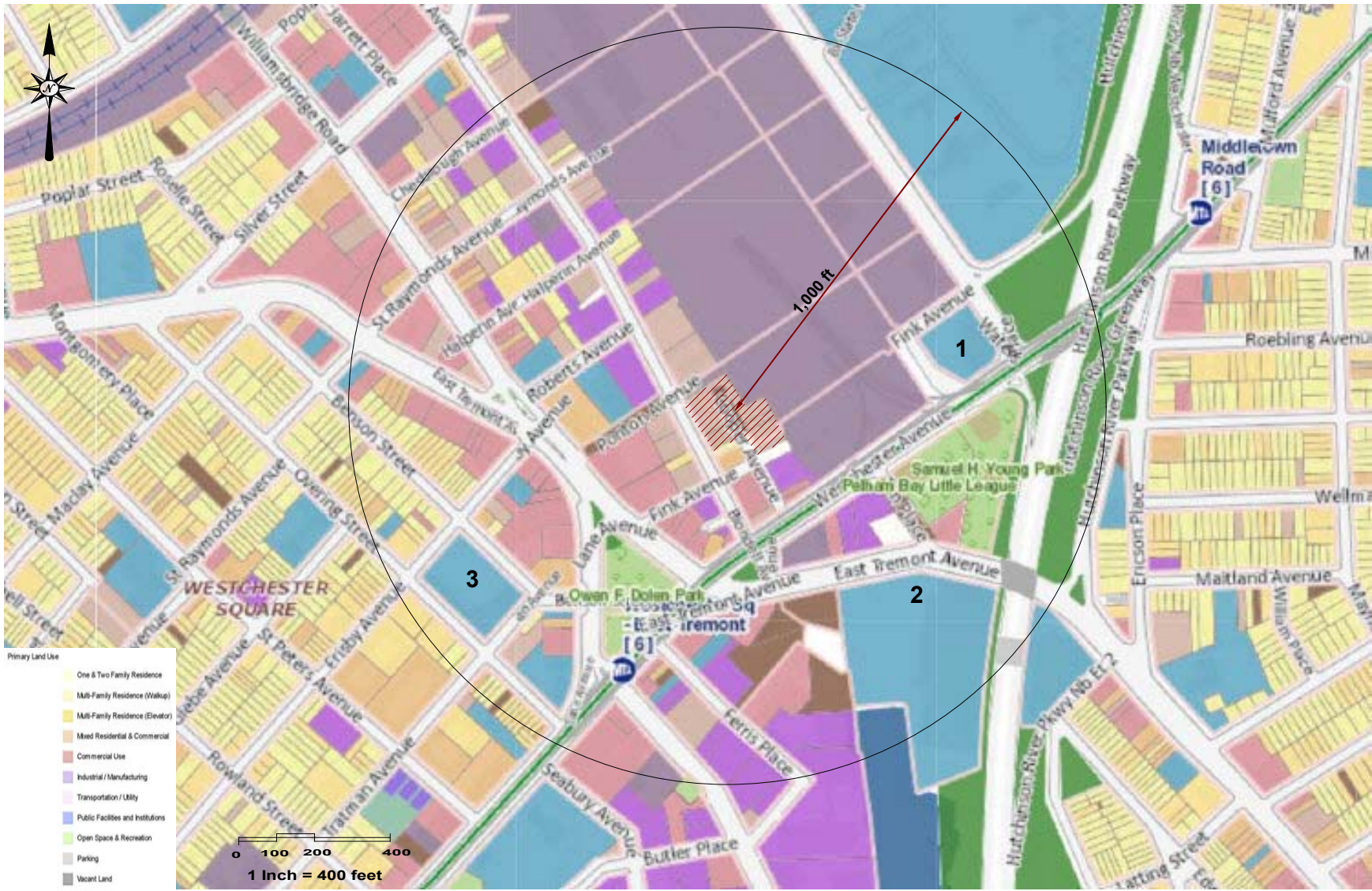
Former Boyle Auto Wreckers Site  
 1346 Blondell Avenue, Bronx NY  
**FIGURE 4** PROJECT SITE AND ADJACENT PROPERTIES



- Primary Land Use
- One & Two Family Residence
  - Multi-Family Residence (Walkup)
  - Multi-Family Residence (Elevator)
  - Mixed Residential & Commercial
  - Commercial Use
  - Industrial / Manufacturing
  - Transportation / Utility
  - Public Facilities and Institutions
  - Open Space & Recreation
  - Parking
  - Vacant Land


0 100 200 400  
1 Inch = 400 feet

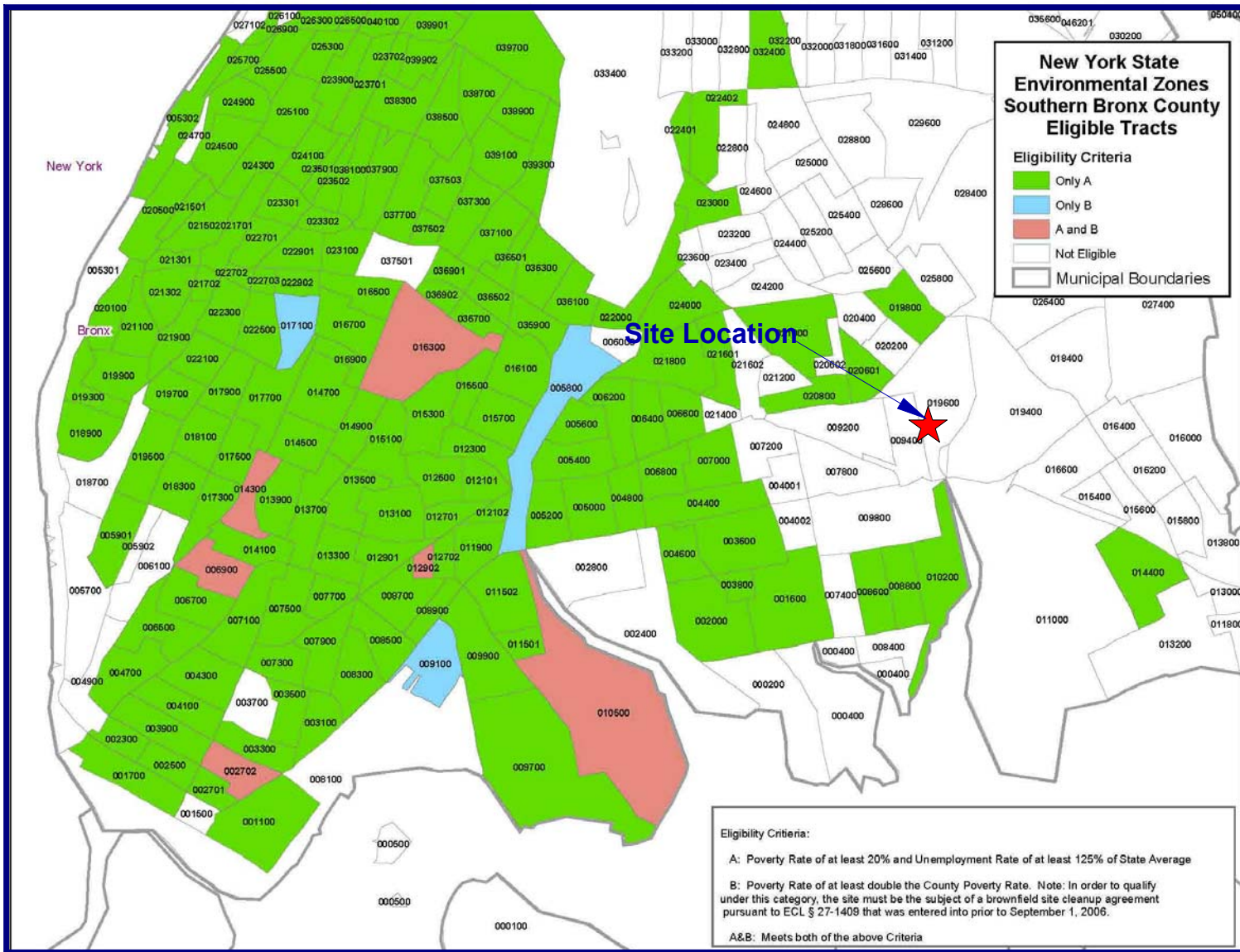
 <b>ENVIRONMENTAL BUSINESS CONSULTANTS</b>	Phone 631.504.6000 Fax 631.924.2870	<b>Figure No.</b> <b>5</b>	Site Name: <b>FORMER BOYLE AUTO WRECKERS SITE</b>
			Site Address: <b>1346 BLONDELL AVENUE, BRONX, NY</b>
			Drawing Title: <b>SURROUNDING LAND USE MAP</b>



- Primary Land Use
- One & Two Family Residence
  - Multi-Family Residence (Walkup)
  - Multi-Family Residence (Elevator)
  - Mixed Residential & Commercial
  - Commercial Use
  - Industrial / Manufacturing
  - Transportation / Utility
  - Public Facilities and Institutions
  - Open Space & Recreation
  - Parking
  - Vacant Land

0 100 200 400  
1 Inch = 400 feet

 <b>ENVIRONMENTAL BUSINESS CONSULTANTS</b>	Phone 631.504.6000 Fax 631.924.2870	<b>Figure No.</b> <b>6</b>	Site Name: <b>FORMER BOYLE AUTO WRECKERS SITE</b>
			Site Address: <b>1346 BLONDELL AVENUE, BRONX, NY</b>
			Drawing Title: <b>AREA SCHOOLS &amp; DAYCARE CENTERS</b>



**EBC**  
**ENVIRONMENTAL BUSINESS CONSULTANTS**  
 1 BOB MIDDLE COUNTRY ROAD, RIDGE, NY 11961  
 Phone: 631.504.6000  
 Fax: 631.924.2780

**FORMER BOYLE AUTO WRECKERS SITE**  
 1346 BLONDELL AVENUE, BRONX, NY  
**FIGURE 7** NYS ENVIRONMENTAL ZONES



# Potential Environmental Justice Areas in East Central Bronx County, New York

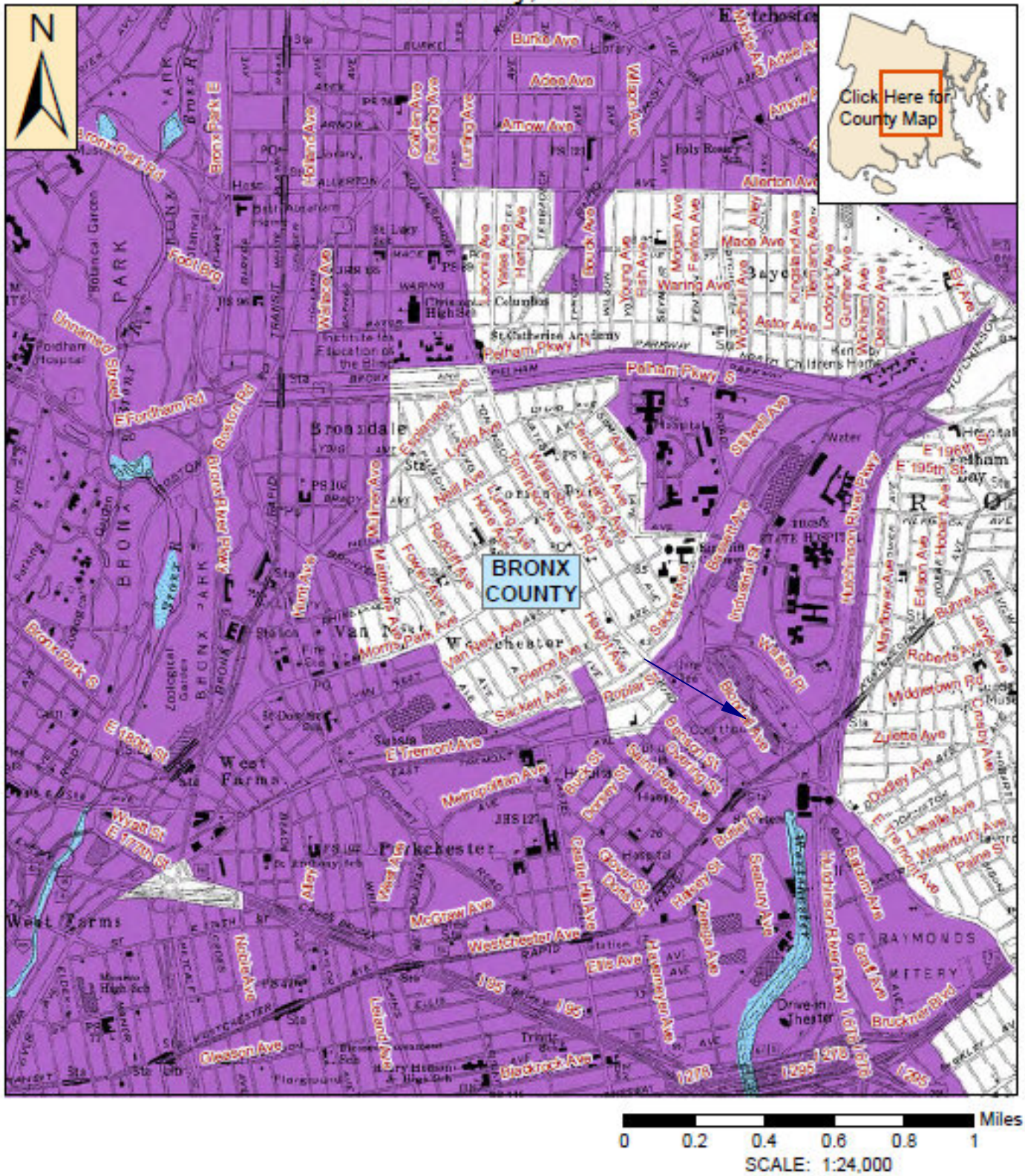
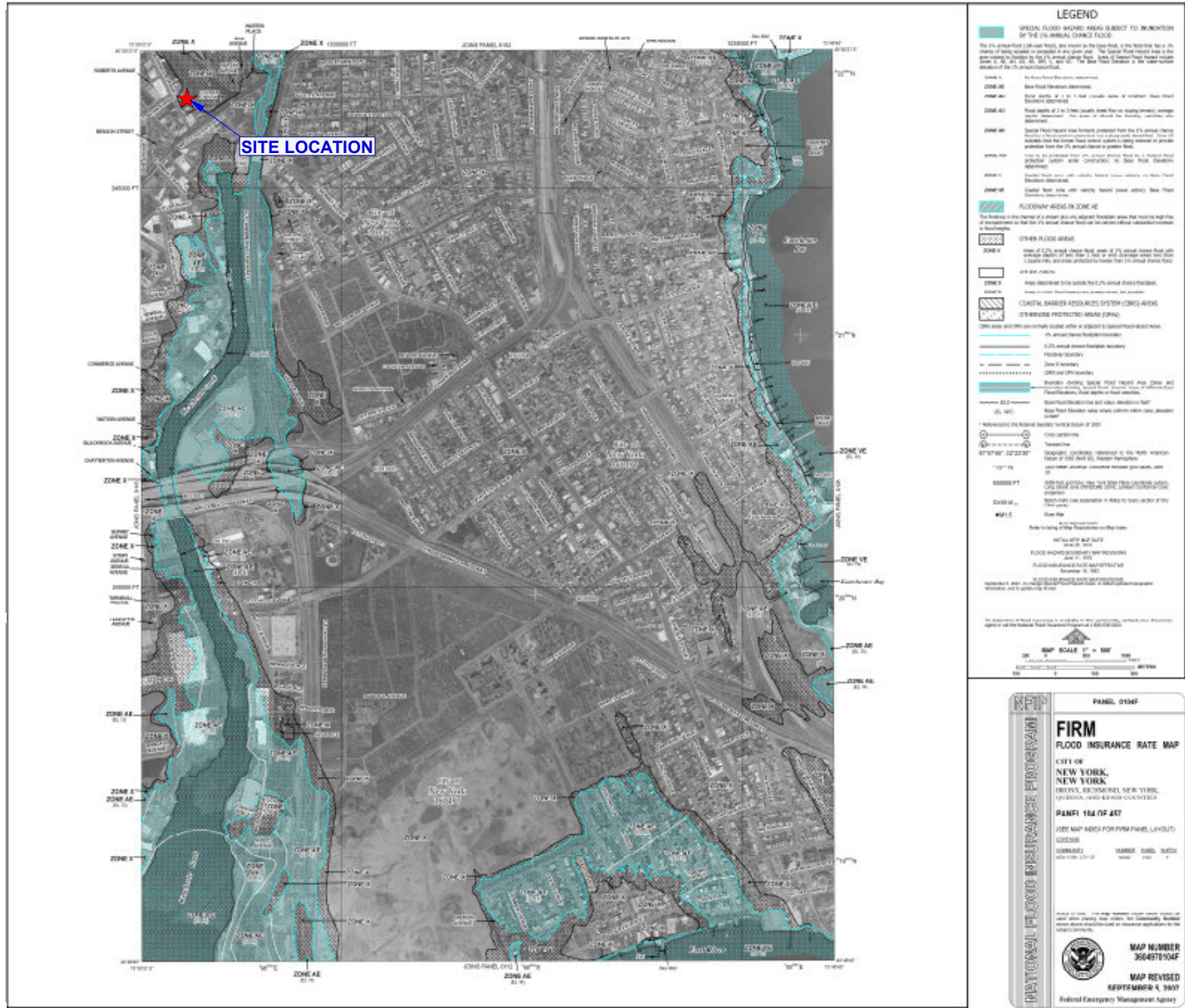


Figure No. 8

Site Name: Former Boyle Auto Wreckers Site  
 Site Address: 1346 Blondell Avenue, Bronx, NY  
 Drawing Title: Environmental Justice Area Map



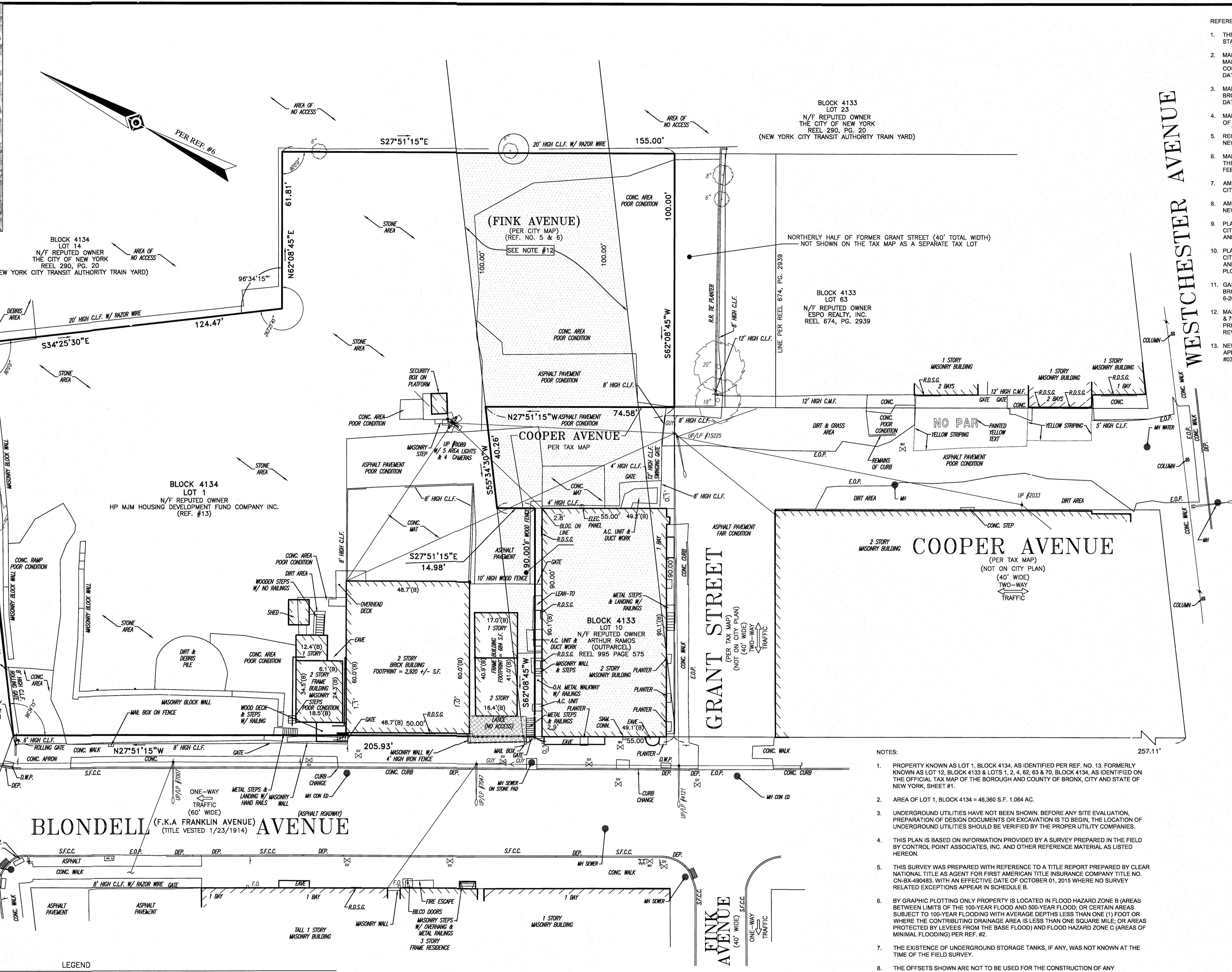
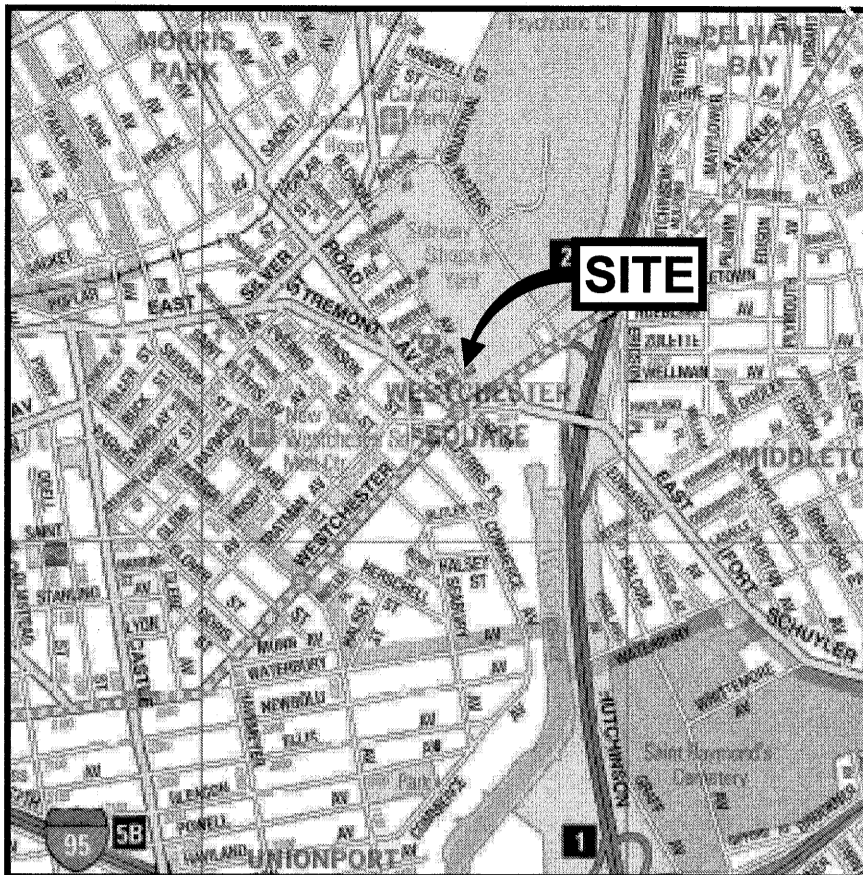
**EBC**  
 ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000  
 Fax 631.924.2870

Figure No.  
**9**

Site Name: **FORMER BOYLE AUTO WRECKERS SITE**  
 Site Address: **1346 BLONDELL AVENUE, BRONX, NY**  
 Drawing Title: **FLOOD ZONE MAP**

**ATTACHMENT A**  
***Property Survey and Metes and Bounds  
Description***



- REFERENCES:
- THE OFFICIAL TAX ASSESSOR'S MAP OF THE BOROUGH AND COUNTY OF BRONX, CITY AND STATE OF NEW YORK, SHEET #1.
  - MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, CITY OF NEW YORK, NEW YORK, RICHMOND, NEW YORK, QUEENS AND KINGS COUNTIES, PANEL 17 OF 131", COMMUNITY-PANEL NUMBER 360497 0017 B, EFFECTIVE DATE: NOVEMBER 16, 1983.
  - MAP ENTITLED "SURVEY OF PROPERTY SITUATE IN THE BOROUGH & COUNTY OF THE BRONX, CITY AND STATE OF NEW YORK," PREPARED BY LINK LAND SURVEYORS, P.C., DATED 8/31/2004.
  - MAP ENTITLED "SECTION 15, BLOCKS 4091 TO 4335," SHEET 27, PROVIDED BY THE OFFICE OF THE PRESIDENT OF THE CITY OF NEW YORK, TOPOGRAPHICAL BUREAU.
  - RECORD MAP, SECTION 46 PROVIDED BY THE OFFICE OF THE PRESIDENT OF THE CITY OF NEW YORK, TOPOGRAPHICAL BUREAU, AMENDED TO NOVEMBER 12TH, 1999.
  - MAP ENTITLED "MAP OR PLAN OF SECTION 51, U.S.C.&S.," PROVIDED BY THE OFFICE OF THE PRESIDENT OF THE CITY OF NEW YORK, TOPOGRAPHICAL BUREAU, AMENDED TO FEBRUARY 29TH, 1996.
  - AMENDED MAP OF SECTION 46, PROVIDED BY THE OFFICE OF THE PRESIDENT OF THE CITY OF NEW YORK, TOPOGRAPHICAL BUREAU, ORIGINAL SECTION FILED APRIL 5, 1912.
  - AMENDED SECTION 51, PROVIDED BY THE OFFICE OF THE PRESIDENT OF THE CITY OF NEW YORK, TOPOGRAPHICAL BUREAU, ORIGINAL SECTION FILED OCTOBER 16, 1911.
  - PLANS SHOWING THE LOCATION OF UNDERGROUND SEWER FACILITIES PROVIDED BY THE CITY OF NEW YORK, DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER AND SEWERS.
  - PLANS SHOWING THE LOCATION OF UNDERGROUND WATER FACILITIES PROVIDED BY THE CITY OF NEW YORK, DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER AND SEWERS, DETAILED DISTRIBUTION MAP NUMBERS L-37-07, L-37-08, L-37-12 & L-37-13, PLOTTED 2-15-05.
  - GAS MAINS AND SERVICE PLATES PROVIDED BY CONSOLIDATED EDISON CO. OF N.Y. - BRONX, PLATE NO. 18-W, LAST MODIFIED 10-27-2005; PLATE NO. 19-W, LAST MODIFIED 6-20-2005.
  - MAP ENTITLED "ALTA/ACSM LAND TITLE SURVEY, LOT 12, BLOCK 4133 & LOTS 1, 2, 4, 62, 63 & 70, BLOCK 4134, BOROUGH AND COUNTY OF BRONX, CITY AND STATE OF NEW YORK" PREPARED BY CONTROL POINT ASSOCIATES, INC., DATED DECEMBER 14, 2015, LAST REVISED MARCH 11, 2016 AS REVISION NO. 2.
  - NEW YORK CITY DEPARTMENT OF FINANCE APPLICATION FOR MERGERS OR APPORTIONMENTS (RP-602), PREPARED BY ARIEL AUFANG REGISTERED ARCHITECT #032789, ISSUED OCTOBER 20, 2016

NOTE: PHYSICAL FEATURES SHOWN ARE THOSE EXISTING ON 11-20-15 AND REVISED THROUGH 03-11-16. CURRENT CONDITIONS HAVE NOT BEEN SHOWN.

PREPARED BY:  
**CONTROL POINT ASSOCIATES INC. PC**  
 14 PENN PLAZA, 225 WEST 34TH STREET  
 NEW YORK, NY 10122  
 646.780.0411 - 908.668.9595 FAX  
 WWW.CPASURVEY.COM

WARREN, NJ 908.668.0099  
 CHALFONT, PA 215.712.9800  
 MT. LAUREL, NJ 609.857.2099  
 LONG ISLAND, NY 631.280.2648  
 SOUTHBOROUGH, MA 508.948.3000

NO.	DATE	BY	DESCRIPTION	APPROVED
REVISIONS				

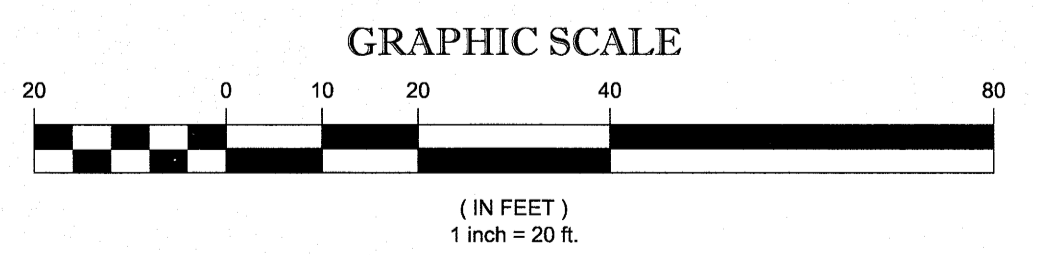
PROJECT NAME  
**VAN ZANDT AGENCY**  
 LOT 12, BLOCK 4133 &  
 LOTS 1, 2, 4, 62, 63 & 70, BLOCK 4134  
 BOROUGH AND COUNTY OF BRONX  
 CITY AND STATE OF NEW YORK

DRAWING TITLE  
**LOT CONSOLIDATION PLAN**

SEAL & SIGNATURE	FIELD DATE:	N/A
 NOT A VALID ORIGINAL DOCUMENT UNLESS EMBOSSED WITH A BLUE INK SEAL	FIELD BK:	N/A
	F. B. PAGE:	N/A
	DATE:	11/03/16
	SCALE:	1"=20'
	PROJECT No.:	C06008.02
	DRAWING BY:	J.R.R.
	CHK BY:	A.P.W.
	APPROVED BY:	J.C.W.
	DWG No.:	V-001.0.0
	CAD FILE No.:	PAGE No.:
	C06008.02	1 OF 1

CONTROL POINT ASSOCIATES INC. PC - ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CONTROL POINT ASSOCIATES INC. PC.

- LEGEND
- |              |   |             |   |          |                         |
|--------------|---|-------------|---|----------|-------------------------|
| --- 123 ---  | EXISTING CONTOUR  | --- G ---   | UNCONFIRMED LOC. UNDERGROUND GAS LINE PER REF. #11 & UTILITY MARKOUT                          | o.f.o.   | FUEL OIL FILL CAP       |
| x 123.45     | EXISTING SPOT ELEVATION                                       | --- E ---   | UNCONFIRMED LOC. UNDERGROUND ELEC. LINE PER REF. #12 & #13 (NOT FIELD VERIFIED, SEE NOTE #3)  | -        | METAL POST              |
| x TO 123.45  | EXIST. TOP OF CURB ELEVATION                                  | --- 12" --- | UNCONFIRMED LOC. & SIZE UNDERGROUND WATER LINE PER REF. #10 (NOT FIELD VERIFIED, SEE NOTE #3) | ---      | SIGN                    |
| x 122.95     | EXIST. GUTTER ELEVATION                                       | OH          | OVERHEAD WIRES  | C.M.F.   | CHAIN LINK FENCE        |
| x TW 123.45  | EXIST. TOP OF WALL ELEVATION                                  | DWP.        | DEPRESSED CURB  | D.E.P.   | CORRUGATED METAL FENCE  |
| x BW 122.95  | EXIST. BOTTOM OF WALL ELEVATION                               | D.W.P.      | UTILITY POLE  | D.W.P.   | DEPRESSED CURB          |
| x DS 123.45  | EXIST. DOOR SILL ELEVATION                                    | ↑           | UTILITY POLE/LIGHT POLE   | D.E.P.   | DETECTABLE WARNING PAD  |
| x OF 122.95  | EXIST. GARAGE FLOOR ELEVATION                                 | ↑           | GUY WIRE  | E.O.C.   | EDGE OF CONC.           |
| x [LG 123.4] | LEGAL GRADE PER REF. #7 & #8                                  | ↑           | TITLE REPORT EXCEPTION  | E.O.P.   | EDGE OF PAVEMENT        |
| (T)          | TREE W/ TRUNK DIAMETER  | ↑           | AREA LIGHT  | R.D.S.G. | ROLL DOWN SECURITY GATE |
| (O)          | OFFSET OF STRUCTURE AT GROUND LEVEL RELATIVE TO PROPERTY LINE | ↑           | WATER VALVE   | E.P.C.   | ELECTRIC PANEL          |
| (B)          | EXTERIOR DIMENSION OF BUILDING                                | ↑           | GAS VALVE   | ↑        | HYDRANT                 |
|              |   | ---         |   | ---      | DENOTES TAX LOT LINE    |



UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.  
 ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

NOTES:

- 1. PROPERTY KNOWN AS LOT 12, BLOCK 4133 & LOTS 1, 2, 4, 62, 63 & 70, BLOCK 4134, AS IDENTIFIED ON THE OFFICIAL TAX MAP OF THE BOROUGH AND COUNTY OF BRONX, CITY AND STATE OF NEW YORK, SHEET #1.
2. AREA OF LOT 12, BLOCK 4133 = 3,000 S.F. OR 0.069 AC. AREA OF LOT 1, BLOCK 4134 = 2,250 S.F. OR 0.052 AC. AREA OF LOT 2, BLOCK 4134 = 4,500 S.F. OR 0.103 AC. AREA OF LOT 4, BLOCK 4134 = 22,185 S.F. OR 0.509 AC. AREA OF LOT 62, BLOCK 4134 = 5,000 S.F. OR 0.115 AC. AREA OF LOT 63, BLOCK 4134 = 2,500 S.F. OR 0.057 AC. AREA OF LOT 70, BLOCK 4134 = 6,925 S.F. OR 0.159 AC. TOTAL AREA = 46,360 S.F. 1.064 AC.

- 3. LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. ALL LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE ASBUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES. CONTROL POINT ASSOCIATES, INC. DOES NOT GUARANTEE THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED.
4. THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
5. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE RESTRICTIONS, COVENANTS AND/OR EASEMENTS THAT MAY BE CONTAINED THEREIN.
6. BY GRAPHIC PLOTTING ONLY PROPERTY IS LOCATED IN FLOOD HAZARD ZONE B (AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING INTO AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD) AND FLOOD HAZARD ZONE C (AREAS OF MINIMAL FLOODING) PER REF. #2.
7. THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.

UTILITIES:

THE FOLLOWING COMPANIES WERE NOTIFIED BY THE NEW YORK CITY ONE-CALL SYSTEM (1-800-272-4480) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER(S): 60230526 & 60230530

Table with 2 columns: UTILITY COMPANY and PHONE NUMBER. Includes Cablevision, Con Edison, and Empire City Subway.



THE STATE OF NEW YORK requires notification by excavators, designers, or any person preparing to disturb the earth's surface anywhere in the state.

METES AND BOUNDS DESCRIPTION
LOTS 1, 2, 4, 62, 63 & 70, BLOCK 4134
BOROUGH & COUNTY OF BRONX
CITY & STATE OF NEW YORK

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE NORTHEASTERLY LINE OF BLONDELL AVENUE (F.K.A. FRANKLIN AVENUE) (60 FEET WIDE), WITH THE SOUTHEASTERLY LINE OF PONTON AVENUE (60 FEET WIDE), SAID POINT BEING THE WESTERLY CORNER OF THE HEREIN DESCRIBED PARCEL AND FROM SAID POINT OF BEGINNING, THENCE;

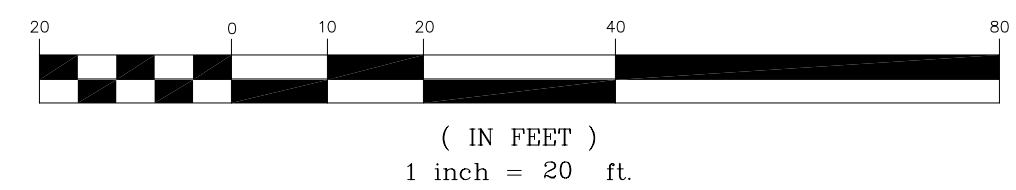
- 1. ALONG SAID SOUTHEASTERLY LINE OF PONTON AVENUE, NORTH 55 DEGREES - 34 MINUTES - 30 SECONDS EAST, A DISTANCE OF 154.96 FEET TO A POINT AT THE WESTERLY CORNER OF LOT 14, BLOCK 4134 (N/F CITY OF NEW YORK, NEW YORK CITY TRANSIT AUTHORITY, REEL 290, PAGE 20), THENCE; ALONG SAID LANDS, THE FOLLOWING THREE (3) COURSES:
2. SOUTH 34 DEGREES - 25 MINUTES - 30 SECONDS EAST, A DISTANCE OF 124.47 FEET TO A POINT, THENCE;
3. NORTH 62 DEGREES - 08 MINUTES - 45 SECONDS EAST, A DISTANCE OF 61.81 FEET TO A POINT, THENCE;
4. SOUTH 27 DEGREES - 51 MINUTES - 15 SECONDS EAST, A DISTANCE OF 155.00 FEET TO A POINT ON THE NORTHERLY HALF OF FORMER GRANT STREET, THENCE;
5. ALONG THE NORTHEASTERLY LINE OF THE FORMER GRANT STREET, SOUTH 62 DEGREES - 08 MINUTES - 45 SECONDS WEST, A DISTANCE OF 100.00 FEET TO A POINT ON THE NORTHEASTERLY LINE OF COOPER AVENUE, THENCE; ALONG THE NORTHEASTERLY LINE OF COOPER AVENUE AND ALONG LOT 12, BLOCK 4133, LOT 62, BLOCK 4134, LOT 70, BLOCK 4134, LOT 1, BLOCK 4134, THE FOLLOWING THREE COURSES:
6. NORTH 27 DEGREES - 51 MINUTES - 15 SECONDS WEST, A DISTANCE OF 74.58 FEET, THENCE;
7. SOUTH 55 DEGREES - 34 MINUTES - 30 SECONDS WEST, A DISTANCE OF 40.26 FEET, THENCE;
8. SOUTH 27 DEGREES - 51 MINUTES - 15 SECONDS EAST, A DISTANCE OF 14.98 FEET TO A POINT AT THE NORTHERLY CORNER OF LOT 10, BLOCK 4133 (N/F ARTHUR RAMOS, REEL 995, PAGE 575), THENCE;
9. ALONG THE NORTHWESTERLY LINE OF THE SAID LANDS, SOUTH 62 DEGREES - 08 MINUTES - 45 SECONDS WEST, A DISTANCE OF 90.00 FEET TO A POINT ON THE NORTHEASTERLY LINE OF BLONDELL AVENUE, THENCE;
10. ALONG THE NORTHEASTERLY LINE OF BLONDELL AVENUE, NORTH 27 DEGREES - 51 MINUTES - 15 SECONDS WEST, A DISTANCE OF 205.93 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 46,360 SQUARE FEET OR 1.064 ACRES

LEGEND

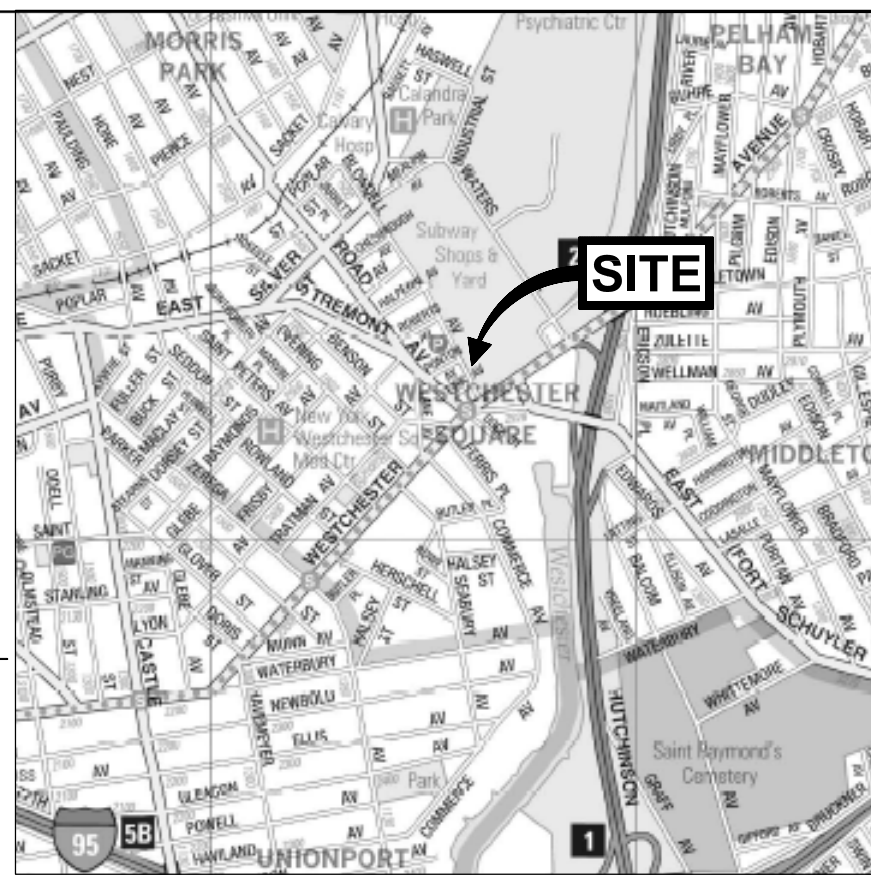
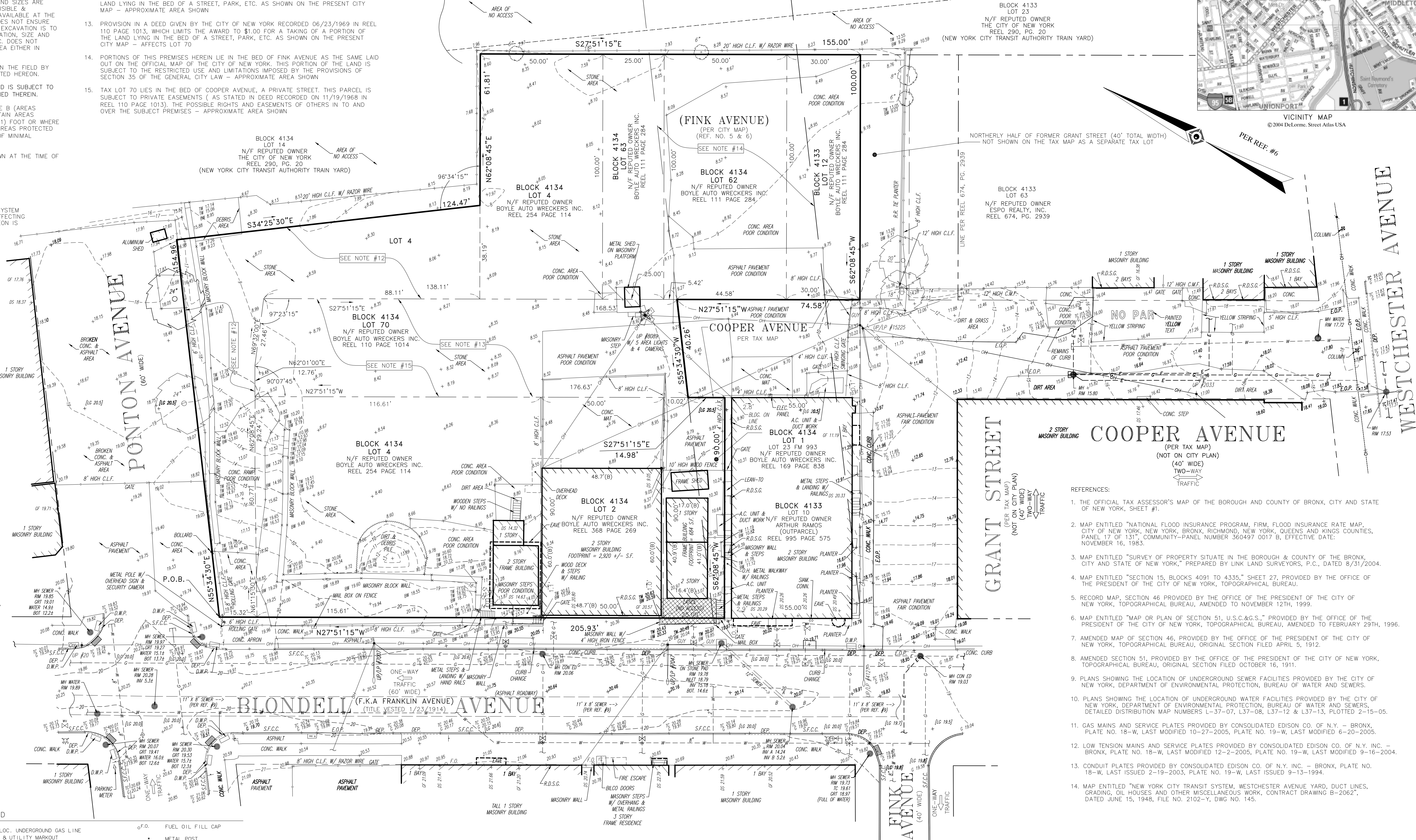
Legend table listing symbols for existing contours, elevations, utility lines, fences, and other features.

GRAPHIC SCALE



(IN FEET) 1 inch = 20 ft.

- 8. ELEVATIONS ARE BASED UPON THE BOROUGH OF BRONX HIGHWAY DATUM, REPUTED TO BE 2.608 FEET ABOVE MEAN SEA LEVEL AT SANDY HOOK, REF. BM #5109, ELEV. = 21.63.
9. THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC.
10. THERE WERE NO NATURAL STREAMS OR WATERCOURSES VISIBLE AT THE TIME OF THE FIELD SURVEY.
11. ENCROACHMENTS AND VAULTS, IF ANY, BELOW SURFACE NOT SHOWN HEREON.
12. PROVISION DEED GIVEN BY THE CITY OF NEW YORK RECORDED 05/28/1956 IN LIBER 2185 CP 110, WHICH LIMITS THE AWARD TO \$1.00 FOR A TAKING OF A PORTION OF THE LAND LYING IN THE BED OF A STREET, PARK, ETC. AS SHOWN ON THE PRESENT CITY MAP - APPROXIMATE AREA SHOWN.
13. PROVISION IN A DEED GIVEN BY THE CITY OF NEW YORK RECORDED 06/23/1969 IN REEL 110 PAGE 1013, WHICH LIMITS THE AWARD TO \$1.00 FOR A TAKING OF A PORTION OF THE LAND LYING IN THE BED OF A STREET, PARK, ETC. AS SHOWN ON THE PRESENT CITY MAP - AFFECTS LOT 70.
14. PORTIONS OF THIS PREMISES HEREIN LIE IN THE BED OF FINK AVENUE AS THE SAME LAID OUT ON THE OFFICIAL MAP OF THE CITY OF NEW YORK. THIS PORTION OF THE LAND IS SUBJECT TO THE RESTRICTED USE AND LIMITATIONS IMPOSED BY THE PROVISIONS OF SECTION 35 OF THE GENERAL CITY LAW - APPROXIMATE AREA SHOWN.
15. TAX LOT 70 LIES IN THE BED OF COOPER AVENUE, A PRIVATE STREET. THIS PARCEL IS SUBJECT TO PRIVATE EASEMENTS (AS STATED IN DEED RECORDED ON 11/19/1968 IN REEL 110 PAGE 1013). THE POSSIBLE RIGHTS AND EASEMENTS OF OTHERS IN AND OVER THE SUBJECT PREMISES - APPROXIMATE AREA SHOWN.



VICINITY MAP © 2004 DeLorme Street Atlas USA

REFERENCES:

- 1. THE OFFICIAL TAX ASSESSOR'S MAP OF THE BOROUGH AND COUNTY OF BRONX, CITY AND STATE OF NEW YORK, SHEET #1.
2. MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, CITY OF NEW YORK, NEW YORK, RICHMOND, NEW YORK, QUEENS AND KINGS COUNTIES, PANEL 17 OF 131", COMMUNITY-PANEL NUMBER 360497 0017 B, EFFECTIVE DATE: NOVEMBER 16, 1983.
3. MAP ENTITLED "SURVEY OF PROPERTY SITUATE IN THE BOROUGH & COUNTY OF THE BRONX, CITY AND STATE OF NEW YORK", PREPARED BY LINK LAND SURVEYORS, P.C., DATED 8/31/2004.
4. MAP ENTITLED "SECTION 15, BLOCKS 4091 TO 4335," SHEET 27, PROVIDED BY THE OFFICE OF THE PRESIDENT OF THE CITY OF NEW YORK, TOPOGRAPHICAL BUREAU.
5. RECORD MAP, SECTION 46 PROVIDED BY THE OFFICE OF THE PRESIDENT OF THE CITY OF NEW YORK, TOPOGRAPHICAL BUREAU, AMENDED TO NOVEMBER 12TH, 1999.
6. MAP ENTITLED "MAP OR PLAN OF SECTION 51, U.S.C.A.G.S.," PROVIDED BY THE OFFICE OF THE PRESIDENT OF THE CITY OF NEW YORK, TOPOGRAPHICAL BUREAU, AMENDED TO FEBRUARY 29TH, 1996.
7. AMENDED MAP OF SECTION 46, PROVIDED BY THE OFFICE OF THE PRESIDENT OF THE CITY OF NEW YORK, TOPOGRAPHICAL BUREAU, ORIGINAL SECTION FILED APRIL 5, 1912.
8. AMENDED SECTION 51, PROVIDED BY THE OFFICE OF THE PRESIDENT OF THE CITY OF NEW YORK, TOPOGRAPHICAL BUREAU, ORIGINAL SECTION FILED OCTOBER 16, 1911.
9. PLANS SHOWING THE LOCATION OF UNDERGROUND SEWER FACILITIES PROVIDED BY THE CITY OF NEW YORK, DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER AND SEWERS.
10. PLANS SHOWING THE LOCATION OF UNDERGROUND WATER FACILITIES PROVIDED BY THE CITY OF NEW YORK, DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER AND SEWERS, DETAILED DISTRIBUTION MAP NUMBERS L-37-07, L37-08, L37-12 & L37-13, PLOTTED 2-15-05.
11. GAS MAINS AND SERVICE PLATES PROVIDED BY CONSOLIDATED EDISON CO. OF N.Y. - BRONX, PLATE NO. 18-W, LAST MODIFIED 10-27-2005, PLATE NO. 19-W, LAST MODIFIED 6-20-2005.
12. LOW TENSION MAINS AND SERVICE PLATES PROVIDED BY CONSOLIDATED EDISON CO. OF N.Y. INC. - BRONX, PLATE NO. 18-W, LAST MODIFIED 12-2-2005, PLATE NO. 19-W, LAST MODIFIED 9-16-2004.
13. CONDUIT PLATES PROVIDED BY CONSOLIDATED EDISON CO. OF N.Y. INC. - BRONX, PLATE NO. 18-W, LAST ISSUED 2-19-2003, PLATE NO. 19-W, LAST ISSUED 9-13-1994.
14. MAP ENTITLED "NEW YORK CITY TRANSIT SYSTEM, WESTCHESTER AVENUE YARD, DUCT LINES, GRADING, OIL HOUSES AND OTHER MISCELLANEOUS WORK, CONTRACT DRAWING B-2062", DATED JUNE 15, 1948, FILE NO. 2102-Y, DWG NO. 145.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

NOT A VALID ORIGINAL DOCUMENT UNLESS EMBOSSED WITH RAISED IMPRESSION OR BLUE INK SEAL

GREGORY S. GALAS NEW YORK PROFESSIONAL LAND SURVEYOR #50124

Table with 2 columns: FIELD DATE, FIELD BOOK NO., and DATE. Includes dates 6-13-2007, 6-19-2006, and 6-15-07.

BOUNDARY & TOPOGRAPHIC SURVEY VAN ZANDT AGENCY LOT 12, BLOCK 4133 & LOTS 1, 2, 4, 62, 63 & 70, BLOCK 4134 BOROUGH AND COUNTY OF BRONX CITY AND STATE OF NEW YORK. Includes logo for CONTROL POINT ASSOCIATES, INC. and contact information for Warren, NJ.

**ATTACHMENT B**  
***Environmental Reports (Digital Files on CD)***

**ATTACHMENT C**  
***Detailed Cost Analysis of Established  
Environmental Conditions***

**FORMER BOYLE AUTO WRECKERS SITE**  
**1346 Blondell Avenue**  
**Bronx, NY**

**Summary of Project Costs**

**NYS Brownfields Cleanup Program**  
**Costs by Task**

**TASK**

BCP Entry Documents	\$	27,850.00
RI Investigation, Work Plans and Reports	\$	115,800.00
Remedial Work Plan, Remedy Scoping & Coordination	\$	18,750.00
Soil Transportation and Disposal	\$	1,595,177.50
Confirmatory Sampling and Analysis	\$	54,325.00
Field Monitoring, Oversight and Project Management	\$	116,100.00
Final Engineering Report DEC Fees, etc.	\$	18,000.00
Subtotal	\$	1,946,002.50
15% Contingency	\$	291,900.38
<b>Total</b>	<b>\$</b>	<b>2,237,902.88</b>



**ATTACHMENT D**

***Deed and Authorization to Sign on Behalf of LLC***

## RESOLUTION OF LIMITED LIABILITY COMPANY

The undersigned, being a member and manager of Blondell Equities LLC, a New York limited liability company (the "Company"), does hereby resolve that:

1. Craig Livingston is an officer of the Company and has the full power and authority on behalf of the Company to:

(a) Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the "BCP");

(b) Enter into agreements with the New York State Department of Environmental Protection (the "DEC") in connection with the Company's participation in the BCP;

(c) Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to applications, agreements, and tax returns;

(d) Take any action necessary to the furtherance of the Company's participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.

2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the passage of this unanimous consent are hereby approved and ratified. The authority hereby conferred is in addition to that conferred by any other consent heretofore or hereafter delivered to the DEC and shall continue in full force and effect until the DEC shall have received notice in writing, certified by the sole member of this company, of the revocation hereof by a resolution duly adopted by the sole member of this company. Any such revocation shall be effective only as to actions taken by this company subsequent to DEC's receipt of such notice.

3. The undersigned hereby represents and warrants that (i) the undersigned is a member and manager of the Company; and (ii) the consent of any member and manager is sufficient to authorize the Company to take the aforementioned actions.

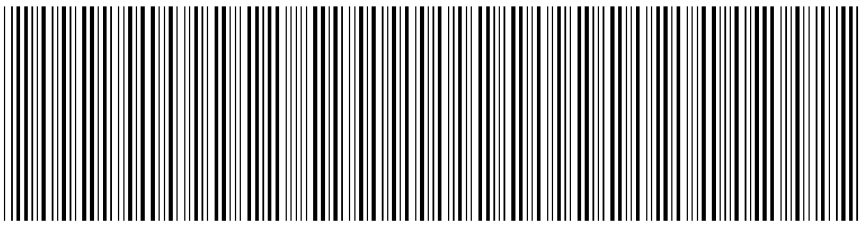


---

Dated: February 7, 2017  
Manhattan, NY

**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.



2016100301292002002E623A

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 7**

**Document ID: 2016100301292002**  
Document Type: DEED  
Document Page Count: 5

Document Date: 08-23-2016

Preparation Date: 10-04-2016

**PRESENTER:**

TITLEVEST AGENCY  
44 WALL STREET, R-BX-556116  
10TH FLOOR  
NEW YORK, NY 10005  
212-757-5800  
RECORDINGS@TITLEVEST.COM

**RETURN TO:**

TITLEVEST AGENCY  
44 WALL STREET, R-BX-556116  
10TH FLOOR  
NEW YORK, NY 10005  
212-757-5800  
RECORDINGS@TITLEVEST.COM

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BRONX	4134	1	Entire Lot	1338 BLONDELL AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>				

Borough	Block	Lot	Unit	Address
BRONX	4134	2	Entire Lot	1340 BLONDELL AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>				

Additional Properties on Continuation Page

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or DocumentID \_\_\_\_\_ or Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**GRANTOR/SELLER:**

NYC PARTNERSHIP HOUSING DEVELOPMENT FUND COMPANY, INC., 242 WEST 36TH STREET, THIRD FLOOR NEW YORK, NY 10018

**GRANTEE/BUYER:**

HP MJM HOUSING DEVELOPMENT FUND COMPANY, INC., 242 WEST 36TH STREET, THIRD FLOOR NEW YORK, NY, NY 10018

**FEES AND TAXES**

**Mortgage :**

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

**TOTAL: \$ 0.00**

Recording Fee: \$ 79.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 0.00

**RECORDED OR FILED IN THE OFFICE**

**OF THE CITY REGISTER OF THE**

**CITY OF NEW YORK**

Recorded/Filed 10-21-2016 10:08

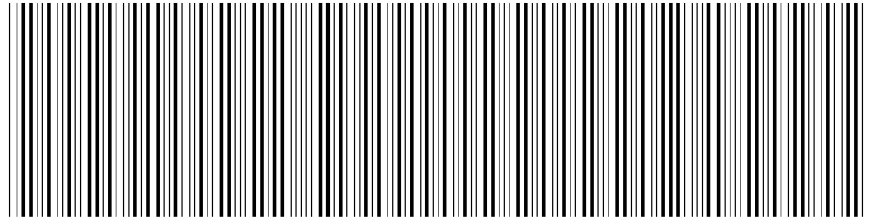
City Register File No.(CRFN):

**2016000371123**



*Annette McMill*

*City Register Official Signature*



2016100301292002002C60BA

**RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 7**

**Document ID: 2016100301292002**  
Document Type: DEED

Document Date: 08-23-2016

Preparation Date: 10-04-2016

**PROPERTY DATA**

<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BRONX	4134 4	Entire Lot	1346 BLONDELL AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>			
<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BRONX	4134 70	Entire Lot	N/A COOPER AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>			
<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BRONX	4133 12	Entire Lot	1342 COOPER AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>			
<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BRONX	4134 62	Entire Lot	1344 COOPER AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>			
<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BRONX	4134 63	Entire Lot	1348 COOPER AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>			

THIS INDENTURE, made as of the 23rd day of August, in the year 2016

BETWEEN,

**NYC PARTNERSHIP HOUSING DEVELOPMENT FUND COMPANY, INC.**, a New York not-for-profit corporation, having an address of 242 West 36<sup>th</sup> Street, Third Floor, New York, NY 10018, party of the first part, and

**HP MJM HOUSING DEVELOPMENT FUND COMPANY, INC.**, a New York not-for-profit corporation, having an address of 242 West 36<sup>th</sup> Street, Third Floor, New York, NY 10018, party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of ten (\$10.00) dollars and other valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough and County Bronx, City and State of New York, bounded and described as follows:

See legal description attached hereto as Schedule A.

Being and intended to be the same premises as conveyed to the grantor herein who acquired title by deed dated March 10, 2016 from Blondell Realty Corp., recorded as CRFN 2016000101959 in the Office of the New York City Register, Bronx County.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

Said premises known as :


- 1338 Blondell Avenue; Block: 4134 ; Lot: 1
- 1340 Blondell Avenue; Block: 4134 ; Lot: 2
- 1344 Blondell Avenue; Block: 4134 ; Lot: 4
- N/A Cooper Avenue; Block: 4134 ; Lot: 70
- 1342 Cooper Avenue; Block: 4133 ; Lot: 12
- 1344 Cooper Avenue; Block: 4134 ; Lot: 62
- 1348 Cooper Avenue; Block: 4134 ; Lot: 63

(E)

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

WITNESS:

NYC PARTNERSHIP HOUSING DEVELOPMENT  
FUND COMPANY, INC., a New York not-for-profit  
corporation

By:   
Name: Daniel Marks Cohen  
Title: Vice President

Acknowledgement

STATE OF NEW YORK            )  
  ) ss.  
COUNTY OF NEW YORK        )

On the <sup>29<sup>th</sup></sup> day of July in the year 2016, before me, the undersigned, a Notary Public in and for said state, personally appeared **DANIEL MARKS COHEN**, 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/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the individual or the entity upon behalf of which the individual acted, executed the instrument.

WITNESS my hand and official seal.

Signature: 

NINA SEMONE CAMPBELL  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CA6331313  
Qualified in Bronx County  
My Commission Expires October 05, 2019

<p align="center"><b>Bargain and Sale Deed</b> WITH COVENANT AGAINST GRANTOR'S ACTS TITLE No: CN-BX-490483 NYC Partnership Housing Development Fund Company, Inc. TO HP MJM Housing Development Fund Company, Inc.</p>	<p>Section</p> <p>Blocks                   4134;                   4133;</p> <p>Lots                     1, 2, 4, 70, 62 &amp; 63     12</p> <p>County or Town       Bronx</p>
	<p>RETURN BY MAIL TO:</p> <p>Goldstein Hall PLLC 80 Broad Street, Suite 303, New York, NY 10004</p>

**CLEAR NATIONAL TITLE AGENCY LLC as agent for  
FIRST AMERICAN TITLE INSURANCE COMPANY**

**SCHEDULE A**

*(Description)*

**TITLE NUMBER: CN-BX-490483**

**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, known and distinguished on a Map of the Property of William Cooper, Deceased, surveyed by James L. Serrell under the direction of James B. Lockwood, Referee, and filed in the Office of the Register of the County of Westchester on 6/1/1891 as Lot No. 23 and which lot according to the survey is bounded and described as follows:

BEGINNING at a point on the easterly side of Blondell Avenue 160 feet wide, which point is 257.11 feet northerly from the corner formed by the intersection of said easterly side of Blondell Avenue with the northerly side of Westchester Avenue (100 feet wide);

RUNNING THENCE easterly at right angles to Blondell Avenue 90 feet to a point;

THENCE northerly at right angles to the last mentioned line 25 feet to a point;

THENCE westerly at right angles to the last mentioned course 90 feet to the easterly side of the aforesaid Blondell Avenue; and

THENCE southerly along said Blondell Avenue and at right angles with the last mentioned course 25 feet to the point or place of BEGINNING.

FOR INFORMATION ONLY: Also known as Block 4134 Lot 1

**Parcel B:**

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, known and distinguished on a "Map of the Property of William Cooper, Deceased, surveyed by James L. Serrell, C.E., dated July 1891" and filed in the Register's Office of Westchester County, now County Clerk's Office, Division of Land Records, as Map No. 993 on August 9, 1891, being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Blondell Avenue distant 130.93 feet southerly from the corner formed by the intersection of the easterly side of Blondell Avenue with the southerly side of Ponton (Cooper) Avenue, as the said Avenues are shown on the Final Topographical Maps of the City of New York, 60 feet wide, and which point of beginning is where the dividing line between Lots 20 and 21 shown on said Map intersects the easterly side of Blondell Avenue;

FOR CONVEYANCING ONLY, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

**CLEAR NATIONAL TITLE AGENCY LLC as agent for  
FIRST AMERICAN TITLE INSURANCE COMPANY**

**SCHEDULE A**

*(Description)*

**TITLE NUMBER: CN-BX-490483**

RUNNING THENCE easterly at right angles to the easterly side of Blondell Avenue and along the dividing line between Lots 20 and 21 as shown on said Map, 90 feet to the westerly side of Cooper Avenue;

THENCE southerly parallel with the easterly side of Blondell Avenue, 50 feet to the dividing line between Lots 20 and 21 as shown on said Map;

THENCE westerly along said dividing line and again at right angles to the easterly side of Blondell Avenue, 90 feet to the easterly side of Blondell Avenue; and

THENCE northerly along the easterly side of Blondell Avenue 50 feet, to the point or place of BEGINNING.

FOR INFORMATION ONLY: Also known as Block 4134 Lot 2

**Parcel C:**

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 a point at the intersection of the easterly line of Blondell Avenue with the southerly line of Ponton Avenue; and,

RUNNING THENCE eastwardly along the southerly line of Ponton Avenue (not legally opened) 154.96 feet;

THENCE southwardly at right angles to the last described course 124.47 feet;

THENCE eastwardly on a line forming an angle of 96 degrees 34 minutes 15 seconds east 61.81 feet;

THENCE southwardly at right angles to the last mentioned course 50 feet;

THENCE westwardly on a line at right angles to the last mentioned course along the southerly line of Tax Lot 64, 100 feet;

THENCE northwesterly at right angles to the last mentioned course, 138.11 feet to a point;

THENCE westwardly on a line forming an angle with the last mentioned course of 97 degrees 23 minutes 15 seconds 27.46 feet to a point;

THENCE southwesterly to the last mentioned course at an angle of 187 degrees 31 minutes 00 seconds 12.76 feet; continuing,



**CLEAR NATIONAL TITLE AGENCY LLC as agent for  
FIRST AMERICAN TITLE INSURANCE COMPANY**

**SCHEDULE A**

*(Description)*

**TITLE NUMBER: CN-BX-490483**

THENCE southwardly on a line forming an angle with the last mentioned course of 90 degrees 07 minutes 45 seconds, 116.61 feet;

THENCE on a line at right angles to the last mentioned course 90 degrees to the easterly side of Blondell Avenue;

THENCE northwardly at right angles to the last mentioned course along the easterly line of Blondell Avenue 130.93 feet, to the point or place of BEGINNING.

FOR INFORMATION ONLY: Also known as Block 4134 Lot 4

**Parcel D:**

ALL that certain piece, plot or parcel of land, situate, lying and being in the Borough and County of Bronx, City and State of New York, designated on the Tax Map of the City of New York as: Section 15, Block 4134, Lot 70.

FOR INFORMATION ONLY: Also known as Block 4134 Lot 70

**Parcels E, F, G:**

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, which are known and designated as and by the Lot Numbers 43, 44, 45 and 46 on a map entitled "Map of Property Belonging to the Estate of William Cooper, deceased, situated in the Town of Westchester, County of Westchester, N.Y.", by James E. Serrell, C.S. and filed in the office of the Register of the County of Westchester on August 1, 1891, as Map No. 993, which said lots taken together are bounded and described as follows:

WESTERLY in front by Cooper Avenue as laid down on said map, 105 feet;

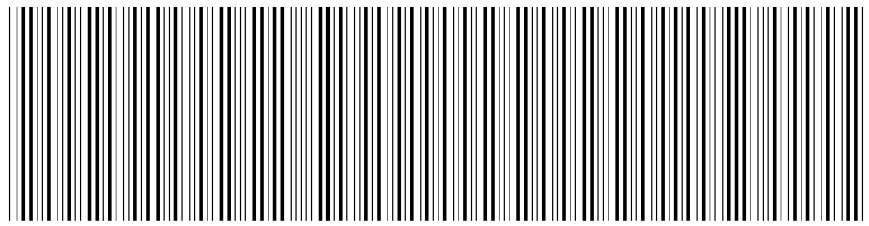
NORTHERLY by lot No. 47 as laid down on said map, 100 feet;

EASTERLY by lot No. 52 as laid down on said map, 105 feet; and

SOUTHERLY by Grant Street as laid down on said map, 100 feet.

FOR INFORMATION ONLY: Also known as Block 4134 Lots 62 & 63 and Block 4133 Lot 12

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2016100301292002002SACBB

**SUPPORTING DOCUMENT COVER PAGE**

**PAGE 1 OF 1**

**Document ID: 2016100301292002**  
Document Type: DEED

Document Date: 08-23-2016

Preparation Date: 10-04-2016

**ASSOCIATED TAX FORM ID:** 2016060900553

**SUPPORTING DOCUMENTS SUBMITTED:**

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING  
RP - 5217 REAL PROPERTY TRANSFER REPORT  
SMOKE DETECTOR AFFIDAVIT

2  
3  
2



The City of New York  
Department of Environmental Protection  
Bureau of Customer Services  
59-17 Junction Boulevard  
Flushing, NY 11373-5108

## Customer Registration Form for Water and Sewer Billing

### Property and Owner Information:

- (1) Property receiving service: **BOROUGH: BRONX**                      **BLOCK: 4134**                      **LOT: 1**
- (2) Property Address: **1338 BLONDELL AVENUE, BRONX, NY 10461**
- (3) Owner's Name:        **HP MJM HOUSING DEVELOPEMNT FUND COMPANY, INC.**
- Additional Name:

### Affirmation:

- Your water & sewer bills will be sent to the property address shown above.

### Customer Billing Information:

#### Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit [www.nyc.gov/dep](http://www.nyc.gov/dep) to provide us with the other party's information.

### Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner:

Signature: \_\_\_\_\_

*08/02/2016*  
Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable: \_\_\_\_\_

*Daniel Marks Cohen, vice president*

**SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES**



The City of New York  
Department of Environmental Protection  
Bureau of Customer Services  
59-17 Junction Boulevard  
Flushing, NY 11373-5108

## Customer Registration Form for Water and Sewer Billing

### Property and Owner Information:

- (1) Property receiving service: BOROUGH: BRONX                      BLOCK: 4134                      LOT: 1
- (2) Property Address: 1338 BLONDELL AVENUE, BRONX, NY 10461
- (3) Owner's Name:            HP MJM HOUSING DEVELOPMENT FUND COMPANY, INC.
- Additional Name:

### Affirmation:



Your water & sewer bills will be sent to the property address shown above.

### Customer Billing Information:

#### Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit [www.nyc.gov/dep](http://www.nyc.gov/dep) to provide us with the other party's information.

### Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner:

Signature: \_\_\_\_\_ Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable:

**SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES**



The City of New York  
Department of Environmental Protection  
Bureau of Customer Services  
59-17 Junction Boulevard  
Flushing, NY 11373-5108

## Customer Registration Form for Water and Sewer Billing

---

Borough	Block	Lot	Street	City	State	Zip
BRONX	4134	2	1340 BLONDELL AVENUE	NY	NY	10461
BRONX	4134	4	1346 BLONDELL AVENUE	NY	NY	10461
BRONX	4134	70	N/A COOPER AVENUE	NY	NY	00000
BRONX	4133	12	1342 COOPER AVENUE	NY	NY	10461
BRONX	4134	62	1344 COOPER AVENUE	NY	NY	10461
BRONX	4134	63	1348 COOPER AVENUE	NY	NY	10461

201606090055310105

FOR CITY USE ONLY

C1. County Code  C2. Date Deed Recorded  /  /   
 Month Day Year

C3. Book  OR C4. Page

C5. CRFN



**REAL PROPERTY TRANSFER REPORT**  
 STATE OF NEW YORK  
 STATE BOARD OF REAL PROPERTY SERVICES  
**RP - 5217NYC**

**PROPERTY INFORMATION**

1. Property Location  1338  BLONDELL AVENUE  BRONX  10461  
STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name  HP MJM HOUSING DEVELOPMENT FUND COMPANY, INC.   
LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address  Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)  
LAST NAME / COMPANY FIRST NAME

STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed  7  # of Parcels OR  Part of a Parcel

4A. Planning Board Approval - N/A for NYC  
 4B. Agricultural District Notice - N/A for NYC

5. Deed Property Size  FRONT FEET X  DEPTH OR  ACRES

Check the boxes below as they apply:  
 6. Ownership Type is Condominium   
 7. New Construction on Vacant Land

8. Seller Name  NYC PARTNERSHIP HOUSING DEVELOPMENT FUND COMI   
LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

9. Check the box below which most accurately describes the use of the property at the time of sale:

A <input type="checkbox"/> One Family Residential	C <input type="checkbox"/> Residential Vacant Land	E <input checked="" type="checkbox"/> Commercial	G <input type="checkbox"/> Entertainment / Amusement	I <input type="checkbox"/> Industrial
B <input type="checkbox"/> 2 or 3 Family Residential	D <input type="checkbox"/> Non-Residential Vacant Land	F <input type="checkbox"/> Apartment	H <input type="checkbox"/> Community Service	J <input type="checkbox"/> Public Service

**SALE INFORMATION**

10. Sale Contract Date  8 / 23 / 2016   
Month Day Year

11. Date of Sale / Transfer  8 / 23 / 2016   
Month Day Year

12. Full Sale Price \$  0   
( Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

14. Check one or more of these conditions as applicable to transfer:

A <input type="checkbox"/> Sale Between Relatives or Former Relatives
B <input type="checkbox"/> Sale Between Related Companies or Partners in Business
C <input type="checkbox"/> One of the Buyers is also a Seller
D <input type="checkbox"/> Buyer or Seller is Government Agency or Lending Institution
E <input type="checkbox"/> Deed Type not Warranty or Bargain and Sale (Specify Below)
F <input type="checkbox"/> Sale of Fractional or Less than Fee Interest (Specify Below)
G <input type="checkbox"/> Significant Change in Property Between Taxable Status and Sale Dates
H <input type="checkbox"/> Sale of Business is Included in Sale Price
I <input type="checkbox"/> Other Unusual Factors Affecting Sale Price (Specify Below)
J <input checked="" type="checkbox"/> None

**ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill**

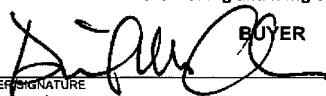
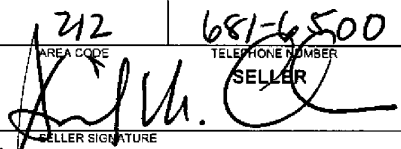
15. Building Class  A, 2  16. Total Assessed Value (of all parcels in transfer)  6 3 4 7 8 3   
Month Day Year

17. Borough, Block and Lot / Roll Identifier(s) ( If more than three, attach sheet with additional identifier(s) )

BRONX 4134 1  BRONX 4134 2  BRONX 4134 4

**CERTIFICATION**

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

		BUYER		8/2/16		SKOLNIK		BUYER'S ATTORNEY		Sharon	
BUYER SIGNATURE		DATE		LAST NAME		FIRST NAME		242 WEST 36TH STREET, THIRD FLOOR			
STREET NUMBER		STREET NAME (AFTER SALE)		212		681-6500					
NEW YORK, NY		NY		10018		SELLER				8/2/16	
CITY OR TOWN		STATE		ZIP CODE		SELLER SIGNATURE				DATE	
Daniel Marks Cohen, vice president				Daniel Marks Cohen, vice president							

RP - 5217 NYC

ATTACHMENT

<b>Borough</b>	<b>Block</b>	<b>Lot</b>
BRONX	4134	70
BRONX	4133	12
BRONX	4134	62
BRONX	4134	63

201606090055320107



**AFFIDAVIT OF COMPLIANCE  
WITH SMOKE DETECTOR REQUIREMENT  
FOR ONE- AND TWO-FAMILY DWELLINGS**

State of New York )  
 ) SS.:  
County of New York

The undersigned, being duly sworn, depose and say under penalty of perjury that they are the grantor and grantee of the real property or of the cooperative shares in a cooperative corporation owning real property located at

1338 BLONDELL AVENUE

Street Address Unit/Apt.  
BRONX New York, 4134 1  
Borough Block Lot (the "Premises");

That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of Title 27 of the Administrative Code of the City of New York concerning smoke detecting devices;

That they make affidavit in compliance with New York City Administrative Code Section 11-2105 (g). (The signatures of at least one grantor and one grantee are required, and must be notarized).

Daniel Marks Cohen, Vice  
Name of Grantor (Type or Print) President  
[Signature]  
Signature of Grantor

Daniel Marks Cohen, vice president  
Name of Grantee (Type or Print)  
[Signature]  
Signature of Grantee

Sworn to before me  
this 29<sup>th</sup> date of July 20 16  
NINA SEMONE CAMPBELL  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CA6331313  
Qualified in Bronx County  
My Commission Expires October 05, 2019

Sworn to before me  
this 29<sup>th</sup> date of July 20 16  
NINA SEMONE CAMPBELL  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CA6331313  
Qualified in Bronx County  
My Commission Expires October 05, 2019

These statements are made with the knowledge that a willfully false representation is unlawful and is punishable as a crime of perjury under Article 210 of the Penal Law.

**NEW YORK CITY REAL PROPERTY TRANSFER TAX RETURNS FILED ON OR AFTER FEBRUARY 6th, 1990, WITH RESPECT TO THE CONVEYANCE OF A ONE- OR TWO-FAMILY DWELLING, OR A COOPERATIVE APARTMENT OR A CONDOMINIUM UNIT IN A ONE- OR TWO-FAMILY DWELLING, WILL NOT BE ACCEPTED FOR FILING UNLESS ACCOMPANIED BY THIS AFFIDAVIT.**

**SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES**

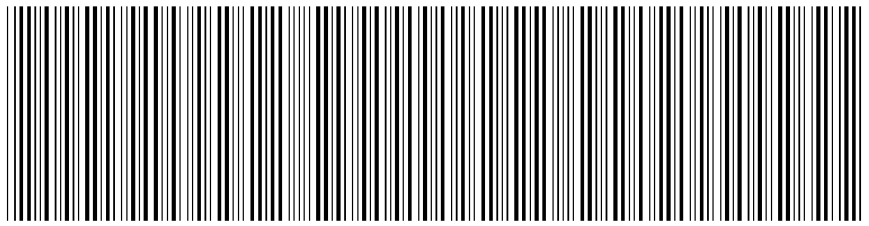
**Applicable properties compliant with the  
Smoke Detector requirement**

Street Address	Unit/Apt	Borough	Block	Lot
1340 BLONDELL AVENUE		BRONX	4134	2
1346 BLONDELL AVENUE		BRONX	4134	4
N/A COOPER AVENUE		BRONX	4134	70
1342 COOPER AVENUE		BRONX	4133	12
1344 COOPER AVENUE		BRONX	4134	62
1348 COOPER AVENUE		BRONX	4134	63



**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.



2016100301292003002EA207

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 16**

**Document ID: 2016100301292003**  
Document Type: AGREEMENT  
Document Page Count: 14

Document Date: 08-02-2016

Preparation Date: 10-11-2016

**PRESENTER:**

TITLEVEST AGENCY  
44 WALL STREET, R-BX-556116  
10TH FLOOR  
NEW YORK, NY 10005  
212-757-5800  
RECORDINGS@TITLEVEST.COM

**RETURN TO:**

TITLEVEST AGENCY  
44 WALL STREET, R-BX-556116  
10TH FLOOR  
NEW YORK, NY 10005  
212-757-5800  
RECORDINGS@TITLEVEST.COM

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BRONX	4134	1	Entire Lot	1338 BLONDELL AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>				

Borough	Block	Lot	Unit	Address
BRONX	4134	2	Entire Lot	1340 BLONDELL AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>				

Additional Properties on Continuation Page

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or DocumentID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**PARTY 1:**  
HP MJM HOUSING DEVELOPMENT FUND COMPANY, INC.  
242 WEST 36TH STREET, THIRD FLOOR  
NEW YORK, NY, NY 10018

**PARTY 2:**  
BLONDELL EQUITIES LLC  
477 MADISON AVENUE, 6TH FLOOR  
NEW YORK, NY 10022

**FEES AND TAXES**

Mortgage :		Filing Fee:	
Mortgage Amount:	\$ 0.00		\$ 0.00
Taxable Mortgage Amount:	\$ 0.00	NYC Real Property Transfer Tax:	\$ 0.00
Exemption:		NYS Real Estate Transfer Tax:	\$ 0.00
TAXES: County (Basic):	\$ 0.00		
City (Additional):	\$ 0.00		
Spec (Additional):	\$ 0.00		
TASF:	\$ 0.00		
MTA:	\$ 0.00		
NYCTA:	\$ 0.00		
Additional MRT:	\$ 0.00		
<b>TOTAL:</b>	<b>\$ 0.00</b>		
Recording Fee:	\$ 124.00		
Affidavit Fee:	\$ 0.00		

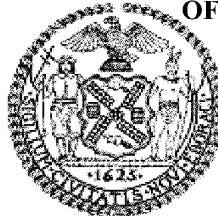
**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE**

**CITY OF NEW YORK**

Recorded/Filed 10-21-2016 10:08

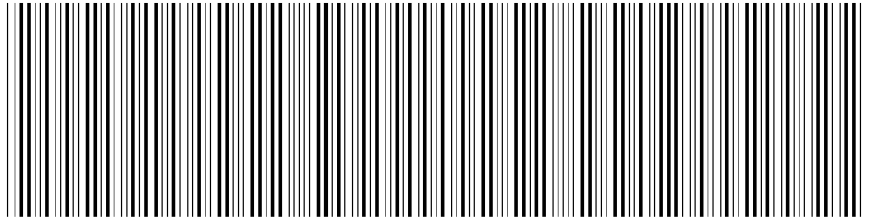
City Register File No.(CRFN):

**2016000371124**



*Annette McMill*

*City Register Official Signature*



2016100301292003002CA087

**RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 16**

**Document ID: 2016100301292003** Document Date: 08-02-2016 Preparation Date: 10-11-2016  
Document Type: AGREEMENT

**PROPERTY DATA**

<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BRONX	4134 4	Entire Lot	1346 BLONDELL AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>			
<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BRONX	4134 70	Entire Lot	N/A COOPER AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>			
<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BRONX	4133 12	Entire Lot	1342 COOPER AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>			
<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BRONX	4134 62	Entire Lot	1344 COOPER AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>			
<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BRONX	4134 63	Entire Lot	1348 COOPER AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>			

**DECLARATION OF INTEREST AND NOMINEE AGREEMENT**

This DECLARATION OF INTEREST AND NOMINEE AGREEMENT (this "Agreement") is made as of this 2nd day of August, 2016, by and between HP MJM Housing Development Fund Company, Inc., a New York not-for-profit corporation organized pursuant to Article XI of the Private Housing Finance Law of the State of New York ("Article XI") and Section 402 of the Not-for-Profit Corporation Law of the State of New York, having its principal office at 242 West 36<sup>th</sup> Street, 3<sup>rd</sup> Floor, New York, New York 10018 (the "HDFC"), and, Blondell Equities LLC, a New York limited liability company having its principal office at 477 Madison Avenue, 6<sup>th</sup> Floor, New York, New York 10022 (the "LLC").

**WITNESSETH:**

WHEREAS, the premises described in Schedule "A" annexed hereto and made a part hereof and the improvements situated thereon (the "Property") are being acquired this day by the HDFC, solely as nominee legal or record title holder on behalf of the LLC, for the construction, rehabilitation, operation, and redevelopment thereon of an affordable residential rental project for persons and families of low and moderate income with ancillary commercial and community facility space (the "Project") in accordance with Article XI; and

WHEREAS, the LLC and the HDFC desire that the HDFC hold legal or record title to the Property solely as nominee on behalf of the LLC, with the LLC retaining all of the equitable and beneficial ownership of the Property and the Project; and

WHEREAS, on or before the date hereof, the HDFC was authorized by its Board of Directors to acquire and hold legal or record title to the Property and the Project on behalf of and as nominee of the LLC, which shall possess the entire equitable and beneficial ownership interest in the Property and the Project; and

WHEREAS, the parties desire to set forth their agreement and understanding concerning all of the foregoing.

NOW, THEREFORE, in consideration of the sum of Ten and 00/100 Dollars (\$10.00), as well as other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties hereby agree as follows:

1. The HDFC's acceptance of the deed to the Property and its acquisition and holding of legal or record title to the Property were each and all effected and performed by the HDFC solely as a nominee of, and on behalf of, the LLC. Although the HDFC will hold legal or record title to the Property, such title shall only be as nominee legal or record titleholder on behalf of the LLC. As a result, the parties hereby acknowledge and agree that the LLC possesses all of the equitable and beneficial ownership and interest in the Property, and will possess all the equitable and beneficial ownership and interest in the Project, such that the LLC, and not the HDFC, shall have an:

(a) unconditional obligation to bear the economic risk of depreciation and diminution in value of the Property and the Project due to obsolescence or exhaustion, and shall bear the risk of loss if the Property and the Project is destroyed or damaged;

(b) unconditional right to receive all economic benefits associated with the Property and the Project (i.e., appreciation and increase in value), including the right to retain all of the net proceeds from any sale or refinancing of the Property and the Project;

(c) unconditional obligation to keep the Property and the Project in good condition and repair;

(d) unconditional and exclusive right to the possession of the Property and the Project;

(e) unconditional obligation to maintain insurance coverage on, and such reserves with respect to, the Property and the Project as may be required by the partners of the LLC and/or any mortgage lenders with respect to the Property and the Project, which coverage shall include the HDFC as an additional named insured;

(f) unconditional obligation to pay all taxes levied on, and assessments made with respect to the Property and the Project, as well as the right to challenge such taxes and assessments and receive refunds;

(g) unconditional and exclusive right to receive rental and any other income or profits from the operation of the Property and the Project;

(h) unconditional obligation to pay for all of the capital investment in the Property and the Project;

(i) unconditional obligation to pay for all maintenance and operating costs in connection with the Property and the Project;

(j) unconditional and exclusive right to include all income earned from the operation of the Property and the Project and claim all deductions and credits generated with respect to the Property and the Project on its annual federal, state and local tax returns;

(k) unconditional and exclusive right to develop, lease, operate and manage the Property and the Project in accordance with this Agreement and any and all documents executed in connection with the financing, development, operation and management of the Property and the Project, as such documents may be amended from time to time (the "Project Documents"); and

(l) unconditional and exclusive right to enter into easement agreements and to grant any and all easements in connection with the development and operation of the Property and the Project.

5. The HDFC agrees that all proceeds of any insurance policies and condemnation proceeds received by it which relate to its ownership of the Property shall be received in its capacity as nominee of the LLC and shall be immediately deposited in the LLC's name in LLC accounts, including, but not limited to, liability, property, casualty and title insurance proceeds.

6. The HDFC hereby irrevocably and unconditionally agrees, promptly upon the request of the LLC, to execute and deliver to the LLC a deed in proper recordable form transferring and conveying to the LLC all of the HDFC's right, title and interest in and to the Property. The HDFC hereby unconditionally and unequivocally constitutes and appoints the LLC to be its lawful and true agent and attorney-in-fact coupled with an interest, with full power of substitution to either separately or jointly execute and record any such bargain and sale deed and any other documents or instrument required to convey the Property on behalf of the HDFC, in the name, place and stead of the HDFC with the same force and effect as if such deed was executed and recorded by the HDFC. The parties agree that HDFC's failure to comply with the provisions of this Paragraph 4 shall cause irreparable harm to the LLC for which no adequate remedy at law will be available and, in addition to any other available remedies, the LLC shall be entitled to the right of specific performance in the event of a breach by the HDFC of the provisions of this Paragraph 4.

7. The HDFC agrees that the LLC shall have all management authority and control over the Property and the Project with respect to, but not by way of limitation, performance and enforcement of all leases and agreements with regard to the assignment, sale, transfer, conveyance, subletting, encumbrance or other disposition of the Property or any interest therein or otherwise, and any covenants concerning the Property.

8. The HDFC covenants and agrees to perform all acts reasonably requested by the LLC in regard to or arising from the ownership, management and operation of the Property.

9. The LLC and the HDFC on behalf of themselves and their respective successors and assigns, hereby jointly and severally represent, warrant, acknowledge, covenant and agree as follows:

(a) So long as the HDFC shall hold legal title to the Property, the LLC shall have complete and exclusive possession and control of the Property and the Project and the HDFC shall not have any right to possess or control the Property or the Project;

(b) The LLC is the "owner" of the Property and the HDFC is not in any respects an "owner" of the Property, as such term is defined in Section 2 of the New York Lien Law, for federal tax purposes and the LLC is entitled to tax benefits, including depreciation and low-income housing tax credits;

(c) The HDFC is not, and shall not be, entitled to receive any proceeds of any loans to the LLC and/or otherwise have any rights, title, interests or benefits from, of, to and/or under any such loans;



(d) Except at the direction of the LLC, the HDFC shall not have any power, right and/or authority to sell, encumber, lien, and/or create or grant any rights and/or interests in or to the Property or the Project, and/or any part or parts thereof, and any sale, encumbrance, lien, right and/or interest purported to be undertaken, created, granted, permitted and/or resulting from any action or inactions of the HDFC in connection with the Property and the Project and/or any part or parts thereof shall be void, unenforceable and of no effect whatsoever and shall not be binding in any manner upon the LLC;

(e) The HDFC shall not have any power, right and/or authority to employ, and/or agree to employ, any persons and/or entities in connection with and/or with respect to the Property or the Project, and/or any part or parts thereof and/or to purchase, and/or agree to purchase any goods, materials and/or services in connection with, any of the Property or the Project and/or any part or parts thereof, and any such employment, purchase and/or agreement to employ or purchase purported to be made by the HDFC shall be void, unenforceable and of no force or effect and shall not be binding upon the LLC;

(f) The HDFC shall, at the LLC's request, join in and be a party to any legal action or proceeding commenced against or relating to the Property or the Project, provided that the HDFC be entitled to separate counsel of its choice, whose expenses, costs and reasonable legal fees, including appeals shall be paid by the LLC, and the LLC shall indemnify the HDFC against any and all claims arising from any such legal actions or proceedings;

(g) Unless specifically authorized in writing by the LLC, the HDFC shall have no rights, powers and/or authority over, with respect to and/or in connection with the Property or any part or parts thereof in any the bankruptcy or other proceeding in which the LLC may hereafter be a party, and no shareholder, officer, trustee, receiver, administrator, legal representative, regulator or creditor of the HDFC shall have any right, power and/or authority over, with respect to and/or in connection with the Property or any part or parts thereof;

(h) No actions may be taken by the HDFC nor may the HDFC permit any other person to take any actions which relate to or will impact or affect the Property or any part or parts thereof or any interest therein, except with the prior written consent of the LLC, which may be withheld in its sole discretion. Further, any and all actions taken by the HDFC with respect to the Property or any part or parts thereof shall be taken solely in its capacity as nominee for the LLC and not for its own ends or purposes;

(i) The HDFC shall hold any policy of insurance with respect to the Property and/or any parts thereof that may be issued to it, and all claims and payments to be received thereunder, solely for the benefit of the LLC and will take such action under such policy or policies as the LLC may direct, but at the expense of the LLC. In the event there is an action in eminent domain, any award in respect thereof shall be received by the HDFC as agent for the LLC, and all proceeds in respect thereof shall be paid to the LLC directly by the governmental authority upon issuance of a letter of direction by the HDFC;

(j) The HDFC may make no settlement in respect of casualty or taken in the nature of eminent domain without the express written authorization of the LLC;

(k) So long as the HDFC shall hold legal title to the Property or any portion of the Project, any and all notices, statements and communications received by the HDFC, as holder of record title with respect to the Project, shall be promptly delivered to the LLC;

(l) The HDFC and the LLC each have full power and authority to enter into this Agreement and to comply with all of the terms, provisions and conditions contained in this Agreement;

(m) Upon the request of the LLC, the HDFC shall notify all third parties that pursuant to this Agreement, the HDFC is acting solely as nominee of the LLC with respect to the Property and the Project. The HDFC shall provide the LLC with evidence of such notification reasonably satisfactory to the LLC. The HDFC shall also obtain any written acknowledgments which are necessary and advisable from all interested third parties with respect to the HDFC holding title to the Property and the Project as nominee of the LLC; and

(n) Neither the execution, delivery or recording of this Agreement, nor the fulfillment of or compliance with the terms, conditions or provisions of this Agreement, conflicts with, violates or results in a breach of the terms, conditions or provisions of any agreement, instrument, law, rule or regulation of which the HDFC and/or the LLC is now a party or by which either or both may be bound or affected or results in the creation of any lien, charge or encumbrance upon the Property, the Project and/or any part or parts thereof.

10. Notwithstanding Section 1 above, the LLC shall have the unconditional and exclusive right to all of the tax attributes of ownership, including, without limitation, the right to claim depreciation or cost recovery deductions and the right to claim the low-income housing tax credit described in Section 42 of the Internal Revenue Code of 1986, as amended, and the right to amortize capital costs and to claim any other federal or state tax benefits attributable to the Project.

#### 11. Miscellaneous Provisions.

(a) This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

(b) If any provision of this Agreement shall be or become invalid under any provision of Federal, state, or local law, such invalidity shall not affect the validity or enforceability of any other provision hereof.

(c) This Agreement sets forth the entire agreement between the parties with respect to the subject matter hereof, and no amendment, change or modification shall be effective unless in writing and signed by the parties hereto. Moreover, this Agreement may not be amended or terminated without the prior written consent of the other parties.

(d) No party may assign this Agreement, or its rights and/or obligations hereunder, without the prior written consent of the other parties.

(e) The waiver of a breach of any provision of this Agreement by any party shall not operate or be construed as a waiver of any subsequent breach.

(f) Unless otherwise specified, notices or consents required to be given by any party to the others under this Agreement shall be in writing and personally delivered or sent by registered or certified mail, return receipt requested, or overnight mail to the undersigned representative of the recipient at its address first stated above, or as changed pursuant to a notice served as prescribed by this Section. Such notices shall be deemed to be effective on the date when they are mailed or personally delivered.

(g) No party is authorized to act as agent for the other or to incur any liability or dispose of any assets in the name of or on behalf of the others unless provided in this Agreement or specifically authorized by the party which will be responsible for the obligation.

(h) Any third party may rely on this Agreement with respect to the rights and obligations of the LLC and the HDFC hereunder.

(i) This Agreement may be executed in any number of counterparts and by separate parties hereto in separate counterparts, each of which when so executed and delivered shall be deemed an original, but all of which counterparts together shall constitute but one and the same instrument.

(j) Notwithstanding anything contained herein to the contrary, if there is an Event of Default under any Government Financing Document, as defined herein, the HDFC shall have the right to enter the Property to cure the default as agent for and on behalf of the LLC, provided that the LLC is not diligently acting to cure such default. For purposes of this provision, "Government Financing Document" shall mean all City, State or Federal loan documents, including but not limited to mortgages, regulatory agreements and financing commitments.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the parties hereto have executed this Declaration of Interest and Nominee Agreement as of the date and year first written above.

HP MJM HOUSING DEVELOPMENT FUND COMPANY, INC., a New York not-for-profit corporation

By: \_\_\_\_\_  
Name: Daniel Marks Cohen  
Title: Vice President

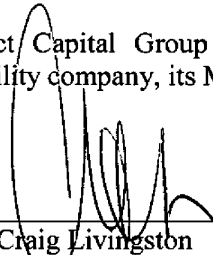
BLONDELL EQUITIES LLC, a New York limited liability company

By: Exact Blondell Managers LLC, a New York limited liability company, its sole member

By: Exact Blondell LLC, a New York limited liability company, its sole member


By: Exact Blondell Equities LLC, a New York limited liability company, its Managing Member

By: Exact Capital Group LLC, a New York limited liability company, its Manager

By:  \_\_\_\_\_  
Name: Craig Livingston  
Title: Manager

IN WITNESS WHEREOF, the parties hereto have executed this Declaration of Interest and Nominee Agreement as of the date and year first written above.

HP MJM HOUSING DEVELOPMENT FUND COMPANY, INC., a New York not-for-profit corporation

By: 

Name: Daniel Marks Cohen  
Title: Vice President

BLONDELL EQUITIES LLC, a New York limited liability company

By: Exact Blondell Managers LLC, a New York limited liability company, its sole member

By: Exact Blondell LLC, a New York limited liability company, its sole member

By: Exact Blondell Equities LLC, a New York limited liability company, its Managing Member

By: Exact Capital Group LLC, a New York limited liability company, its Manager

By: \_\_\_\_\_  
Name: Craig Livingston  
Title: Manager

ACKNOWLEDGEMENTS

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF NEW YORK )

On the \_\_\_\_ day of July, 2016, before me, the undersigned, a Notary Public in and or said State, personally appeared Daniel Marks Cohen, 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 upon behalf of which the individual acted, executed the instruments.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF NEW YORK )

On the 28 day of July, 2016, before me, the undersigned, a Notary Public in and or said State, personally appeared Craig Livingston, 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 upon behalf of which the individual acted, executed the instruments.

Deborah S. Rappin  
Notary Public

Deborah S. Rappin  
Commission # 2431450  
Notary Public, State of New Jersey  
My Commission expires  
March 21, 2018

**ACKNOWLEDGMENTS**

STATE OF NEW YORK    )  
                                  )    SS.:  
COUNTY OF NEW YORK )

On the \_\_\_\_ day of July, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared, Craig Livingston, 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 upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public – State of New York

STATE OF NEW YORK    )  
                                  )    SS.:  
COUNTY OF NEW YORK )

On the 29<sup>th</sup> day of July, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared, Daniel Marks Cohen, 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 upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public – State of New York

**NINA SEMONE CAMPBELL**  
**NOTARY PUBLIC-STATE OF NEW YORK**  
**No. 01CA6331313**  
**Qualified in Bronx County**  
**My Commission Expires October 05, 2019**

SCHEDULE "A"

LEGAL DESCRIPTION OF THE LAND

[Continued on Following Pages]



**CLEAR NATIONAL TITLE AGENCY LLC as agent for  
FIRST AMERICAN TITLE INSURANCE COMPANY**

**SCHEDULE A CONTINUATION**

Title Number: **CN-BX-490483**

Policy Number: **5011436-0099434E**

**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, known and distinguished on a Map of the Property of William Cooper, Deceased, surveyed by James L. Serrell under the direction of James B. Lockwood, Referee, and filed in the Office of the Register of the County of Westchester on 6/1/1891 as Lot No. 23 and which lot according to the survey is bounded and described as follows:

BEGINNING at a point on the easterly side of Blondell Avenue 60 feet wide, which point is 257.11 feet northerly from the corner formed by the intersection of said easterly side of Blondell Avenue with the northerly side of Westchester Avenue (100 feet wide);

RUNNING THENCE easterly at right angles to Blondell Avenue 90 feet to a point;

THENCE northerly at right angles to the last mentioned line 25 feet to a point;

THENCE westerly at right angles to the last mentioned course 90 feet to the easterly side of the aforesaid Blondell Avenue; and

THENCE southerly along said Blondell Avenue and at right angles with the last mentioned course 25 feet to the point or place of BEGINNING.

FOR INFORMATION ONLY: Also known as Block 4134 Lot 1

**Parcel B:**

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, known and distinguished on a "Map of the Property of William Cooper, Deceased, surveyed by James L. Serrell, C.E., dated July 1891" and filed in the Register's Office of Westchester County, now County Clerk's Office, Division of Land Records, as Map No. 993 on August 9, 1891, being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Blondell Avenue distant 130.93 feet southerly from the corner formed by the intersection of the easterly side of Blondell Avenue with the southerly side of Ponton (Cooper) Avenue, as the said Avenues are shown on the Final Topographical Maps of the City of New York, 60 feet wide, and which point of beginning is where the dividing line between Lots 20 and 21 shown on said Map intersects the easterly side of Blondell Avenue;

RUNNING THENCE easterly at right angles to the easterly side of Blondell Avenue and along the dividing line between Lots 20 and 21 as shown on said Map, 90 feet to the westerly side of Cooper Avenue;

**CLEAR NATIONAL TITLE AGENCY LLC as agent for  
FIRST AMERICAN TITLE INSURANCE COMPANY**

**SCHEDULE A CONTINUATION**

Title Number: **CN-BX-490483**

Policy Number: **5011436-0099434E**

THENCE southerly parallel with the easterly side of Blondell Avenue, 50 feet to the dividing line between Lots 20 and 21 as shown on said Map;

THENCE westerly along said dividing line and again at right angles to the easterly side of Blondell Avenue, 90 feet to the easterly side of Blondell Avenue; and

THENCE northerly along the easterly side of Blondell Avenue 50 feet, to the point or place of BEGINNING.

FOR INFORMATION ONLY: Also known as Block 4134 Lot 2

**Parcel C:**

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 a point at the intersection of the easterly line of Blondell Avenue with the southerly line of Ponton Avenue; and,

RUNNING THENCE eastwardly along the southerly line of Ponton Avenue (not legally opened) 154.96 feet;

THENCE southwardly at right angles to the last described course 124.47 feet;

THENCE eastwardly on a line forming an angle of 96 degrees 34 minutes 15 seconds east 61.81 feet;

THENCE southwardly at right angles to the last mentioned course 50 feet;

THENCE westwardly on a line at right angles to the last mentioned course along the southerly line of Tax Lot 64, 100 feet;

THENCE northwesterly at right angles to the last mentioned course, 138.11 feet to a point;

THENCE westwardly on a line forming an angle with the last mentioned course of 97 degrees 23 minutes 15 seconds 27.46 feet to a point;

THENCE southwesterly to the last mentioned course at an angle of 187 degrees 31 minutes 00 seconds 12.76 feet; continuing,

THENCE southwardly on a line forming an angle with the last mentioned course of 90 degrees 07 minutes 45 seconds, 116.61 feet;

**CLEAR NATIONAL TITLE AGENCY LLC as agent for  
FIRST AMERICAN TITLE INSURANCE COMPANY**

**SCHEDULE A CONTINUATION**

Title Number: **CN-BX-490483**

Policy Number: **5011436-0099434E**

THENCE on a line at right angles to the last mentioned course 90 degrees to the easterly side of Blondell Avenue;

THENCE northwardly at right angles to the last mentioned course along the easterly line of Blondell Avenue 130.93 feet, to the point or place of BEGINNING.

FOR INFORMATION ONLY: Also known as Block 4134 Lot 4

**Parcel D:**

ALL that certain piece, plot or parcel of land, situate, lying and being in the Borough and County of Bronx, City and State of New York, designated on the Tax Map of the City of New York as: Section 15, Block 4134, Lot 70.

FOR INFORMATION ONLY: Also known as Block 4134 Lot 70

**Parcels E, F, G:**

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, which are known and designated as and by the Lot Numbers 43, 44, 45 and 46 on a map entitled "Map of Property Belonging to the Estate of William Cooper, deceased, situated in the Town of Westchester, County of Westchester, N.Y.", by James E. Serrell, C.S. and filed in the office of the Register of the County of Westchester on August 1, 1891, as Map No. 993, which said lots taken together are bounded and described as follows:

WESTERLY in front by Cooper Avenue as laid down on said map, 105 feet;

NORTHERLY by lot No. 47 as laid down on said map, 100 feet;

EASTERLY by lot No. 52 as laid down on said map, 105 feet; and

SOUTHERLY by Grant Street as laid down on said map, 100 feet.

FOR INFORMATION ONLY: Also known as Block 4134 Lots 62 & 63 and Block 4133 Lot 12

**ATTACHMENT E**  
***Repository Acknowledgement Letters***



**ENVIRONMENTAL BUSINESS CONSULTANTS**

---

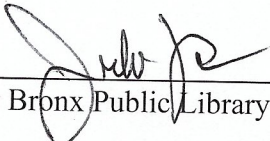
December 5, 2016

**New York Public Library - Pelham Bay Branch**  
3060 Middletown Road  
Bronx, NY 10461  
(718) 792-6744

**Re: NYS Brownfield Cleanup Program Application**  
**Former Boyle Auto Wreakers Site – 1346 Blondell Avenue, Bronx, NY**

In compliance with the requirements of the NYSDEC Brownfield Clean-up Program, the Bronx Public Library, Pelham Bay Branch, located at 3060 Middletown Road, Bronx, NY 10461 agrees to serve as a designated repository for the above referenced project to facilitate citizen access to project documents such as Work Plans, Technical Specifications and Investigative Reports.

Please sign below and return the original copy to our office at the address shown below.

Accepted by:  Date 12/12/16  
for Bronx Public Library – Pelham Bay Branch



**ENVIRONMENTAL BUSINESS CONSULTANTS**

1800 MIDDLE COUNTRY ROAD  
RIDGE, NY 11961

PHONE 631.504.6000  
FAX 631.924.2870