



**ASTM E1528-14 Transaction Screen
Environmental Site Assessment Report For The Property
Identified as:**

**Tuck It Away Self Storage (Tuck it Away Associates Deegan LLC)
261 Walton Avenue
Bronx, New York 10451**

LCS PROJECT No. 15N2212.24

PREPARED FOR:

**MS. CLAIRE TOLMIE
M & T BANK
350 PARK AVENUE, 6TH FLOOR
NEW YORK, NEW YORK 10022**

PREPARED BY:

**LCS, INC.
40 LA RIVIERE DRIVE, SUITE 120
BUFFALO, NEW YORK 14202
(716) 845-6145, (800) 474-6802**

JUNE 8, 2015

1.0 EXECUTIVE SUMMARY

The following details specific findings presented in LCS' assessment. This section is provided for convenience to the reader. The reader is encouraged to read the entire report.

1.1 CONCLUSIONS/RECOMMENDATIONS:

LCS did not discover environmental issues that would prevent M & T Bank from accepting the subject property identified in the report as collateral subject to the following:

Based on the information contained in this report, LCS reports the following about the subject property:

1) The following items that would represent potential environmental concerns were identified:

- The subject property has historically been utilized as an auto wrecking yard and auto repair facility. Such historic operations of potential concern have been adequately investigated through subsurface investigation completed in 2012. Some elevated metal and semi-volatile organic compounds were identified on-site through that investigation; such were attributed to typical urban fill found throughout New York City and could not be directly attributed to a release associated with the historic operations of potential concern.
- The subject property was identified as a NY E-Designation site associated with Hazardous Materials program due to Phase I and Phase II studies conducted, Air Quality due to #2 or #4 fuel oil or natural gas for HVAC systems, and exhaust stack location limitations. The subject property's "E" designation indicates that the New York City Department of Environmental Protection (NYCDEP) would have to be contacted prior to any site re-development. Specifically, a building permit would not be provided unless and until the NYCDEP is satisfied with the study and remedial work completed on-site. In LCS' experience, that agency may be stricter than the NYSDEC on such matters.
- Adjacent properties of potential environmental concern were identified, including a south adjacent gasoline station. It should be noted LCS did not identify any visual evidence or records suggesting an on-site concern relative the noted adjacent listings/uses of potential concern. Additionally, LCS experience suggests the property owner would not be liable for onsite impact resulting from such off site sources.

Based upon the above, further investigation that would discover or characterize contamination of the subject property by hazardous or toxic substances is not warranted. However, should future site development/excavation work encounter any impacted soils and/or materials, such should be properly addressed at that time.

2) A full asbestos inspection was not completed. Based on LCS' limited observations, as suspected ACMs were not friable or greatly damaged, the materials can remain in-place. However, should significant renovations or demolition be anticipated, state and federal regulations require an asbestos survey and proper handling and disposal of ACMs. If such renovations or demolition is anticipated, costs for addressing ACMs should be provided in any project estimates. Any damaged materials encountered in the future should be properly addressed as a best management practice.

3) A full lead-based paint inspection was not completed. Based on LCS' limited observations, suspect lead-based paint surfaces were not considered to be peeling or chipping at the time of the site investigation. However, caution is recommended if renovations and/or remodeling of this facility are to take place. Although the on-site operations are not residential in nature, worker safety should be considered during any future site renovations or demolition. Any damaged materials encountered in the future should be properly addressed as a best management practice.

1.1 CONCLUSIONS/RECOMMENDATIONS (continued):

4) A cursory visual assessment for suspect mold was undertaken as a part of this environmental screen. A full mold inspection was not requested nor completed as part of this assessment. Based on LCS' limited observations, there was no visible evidence of mold and mold related odors at the time of the site inspection. It should be noted that molds can grow in hidden areas not observed during LCS' site reconnaissance. Of particular concern would be areas that experience water damage and areas of high humidity. Caution should be taken following any future water releases within the subject structure. Such water releases should be addressed immediately to help prevent the formation of the mold spores. Visual evidence of mold should be addressed immediately. It is recommended that professional remediation contractors be hired to properly address such issues.

1.2 LIMITATIONS

Due to stored materials on-site at the time of the site reconnaissance, observations on the subject property were limited. Additionally, the roof of the subject structure was not inspected as it was not readily accessible. Furthermore, review of historical operations was limited to the historical use sources identified within this report. Moreover, LCS has yet to receive all responses from regulatory information requests. Lastly, the owner/operator questionnaire was returned with some "unknown" responses. **LCS cannot be liable for information known only to the site owner or operator and not shared with LCS.**

To the best of LCS' knowledge, the information contained in this report is true and accurate. LCS personnel have exercised due diligence in the compilation of the information contained herein appropriate to environmental professionals engaged in investigations of this sort. LCS makes no guarantees regarding the accuracy of information gained from other sources.

The subject property location and boundaries as understood by LCS are depicted in the maps appended to this report. It is the responsibility of the reader to verify that the location and boundaries depicted herein are correct.

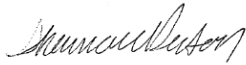
Refer to the appendices for additional limitations.

1.3 RELIANCE/SIGNATURES

LCS authorizes M & T Bank and/or M & T Real Estate Trust to use the above-referenced LCS report in order to determine its interest in the said subject property.

We appreciate the opportunity to be of service to you and look forward to servicing your environmental needs in the future. **Should you have any questions relative to this report, please contact Ms. Julie Daly, the LCS Senior Vice President associated with this project at (845) 406-0434.** We will make ourselves available at your convenience.

This report constitutes the findings and recommendations of LCS' investigation conducted for the referenced subject property as written and reviewed by the following:



Shannon Penton
Environmental Analyst



David Crandall
Vice President, Due Diligence Services

2.0 PURPOSE

The primary purpose of this Transaction Screen was to identify potential environmental concerns (PECs) on the subject property. A *potential environmental concern* is defined by the ASTM standard as “the possible presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a future release of any hazardous substance or petroleum products into structures or into the ground, ground water, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. (Note that “threat of release” is generally understood to be present when hazardous substances or petroleum products are poorly managed (for example in corroded tanks or damaged containers) but the release of the contaminants has not yet occurred, and there is an opportunity to take response action to prevent a release of the contaminants.)”

ASTM states that this practice is intended to provide the user with a limited level of environmental due diligence and evaluation of business environmental risk associated with the subject property. This study should not be considered a Phase I environmental site assessment and should not be misconstrued as being completed to meet either the USEPA AAI or the ASTM 1527-13 Standard. If the user of this report desires to qualify for one of the CERCLA Landowner Liability Protections, this practice should not be applied. Rather, the ASTM E 1527-13 (Phase I Environmental Site Assessment Process) should be used.

3.0 SCOPE OF WORK

The scope of this Limited Environmental Due Diligence: Transaction Screen Process included the following sources of information. (For a list of references see the appendix.)

- A) Historical fire insurance maps, historic topographic maps, city directories, limited local municipal information, and/or aerial photographs to assess historic site uses.
- B) Reasonably ascertainable federal and state Standard Environmental Record Sources to approximate minimum search distances as defined by ASTM 1528-14 as provided by EDR and purchased by LCS.
- C) Interviews with the site owner/representative (see enclosed Questionnaire) and local regulators.
- D) A visual site reconnaissance of the subject property and facilities and improvements on the subject property, including: review of on-site topography; assessment of chemical use, hazardous waste handling/disposal practices on the subject property; assessment of the presence or likely presence of a release or threatened release of hazardous substances and/or non-hazardous waste; review of suspect PCBs; review of bulk storage tanks including ASTs and USTs; and a visual review of immediately adjacent properties from the subject property. See enclosed Questionnaire.
- E) While not included in the ASTM standard, LCS' site reconnaissance also included a cursory visual inspection of the subject property, facilities and improvements for suspect mold, ACMs and lead-based painted surfaces. Such should not be considered a complete inspection for these items.

4.0 SITE RECONNAISSANCE

The subject property, identified as Tuck It Away Self Storage, located at 261 Walton Avenue, Bronx Borough, Bronx County, New York, is approximately 0.6 acres in size and is developed with a six-story 43,820 square foot structure that was constructed by 1908 with subsequent additions. The subject structure is utilized as a self-storage facility. Exterior portions of the property included various storage containers, asphalt-paved parking areas, and concrete sidewalks.

The site investigation was conducted on May 27, 2015 by Mr. Manny Nazario, Environmental Analyst for LCS. LCS was accompanied by Mr. Josh Guzman (employee associated with site for two years), who identified property boundaries and provided access to the subject property. A copy of our Site Condition Report is attached.

The following summarizes LCS' observations.

Item	Identified on-site	Comments
HS/PP ¹ with Identified Uses	Y	General cleaning supplies were noted in several containers of one-gallon or less and paint was noted in several containers of five-gallons or less throughout the subject structure.
Storage Tanks	N	None
Odors	N	None
Pools of Liquid	N	None
Drums	N	None
HS/PP without Identified Uses	N	None
Unidentified Substance Containers	N	None
Suspect PCBs	Y	Limited to an elevator and fluorescent lights within the subject structure.
Heating/Cooling	Y	Natural gas; one electric heater was noted in the lobby.
Interior Stains/Corrosion	N	None
Drains and Sumps	Y	A sump pump noted in the basement of the subject structure reportedly discharges to the municipal sewer system.
Pits, Ponds and Lagoons	N	None
Stained Soil or Pavement	N	None
Stressed Vegetation	N	None
Solid Waste	Y	General refuse and recyclables generated on-site are stored in a dumpster and transported off site by Action Carting Waste.
Hazardous/Regulated Waste	N	None
Waste Water (not sanitary)	N	None
Wells	N	None
Septic Systems	N	None
Suspect ACMs	Y	No friable or significant damage noted.
Suspect Lead-based Paint	Y	No significant damage noted.
Suspect Mold	N	None
Other Issues	Y	A gas station was noted on a south adjacent property.

¹ HS/PP – Hazardous substances/petroleum products

4.0 SITE RECONNAISSANCE (continued)

Photographs of the subject property were taken by LCS with the objective of documenting the physical condition of the subject property and any improvements thereon. Photographs are included in the appendix of this report.

5.0 OWNER/OPERATOR INTERVIEW

LCS provided the ASTM Transaction Screen Questionnaire to Mr. Tim Rutledge (Director of Tuck It Away and associated with the subject property for 20 years), representing the owner/operator of the subject property. This document requests information regarding historic and current site and adjacent site uses. It also requests information on environmental liens, litigation and other issues that may pose a concern to the subject property.

According to Mr. Rutledge,

- The subject property is currently used for an industrial use.
- The subject property has historically been utilized as a motor repair facility; as such a Phase II Subsurface Investigation has been performed on the subject property.
- An adjoining property is currently and has historically been utilized as a gas station.

It should be noted that some of the questions were answered with “unknown” responses. The ASTM standard warrants additional research relative to such “unknown” responses. **LCS cannot be liable for information known only to the owner or occupant and not provided to LCS.** A copy of the questionnaire is attached.

6.0 SUBJECT PROPERTY HISTORY AND USE

The historical use of the subject property has been researched through review of historic maps, city directories, historic topographic maps, and/or other reasonably obtainable municipal information. The following summarizes LCS' historical research.

Sanborn Maps

EDR provided, and LCS reviewed, historical maps (see attached). Based on those maps, the subject property has been identified as being developed as follows:

- 1891 and 1903: undeveloped
- 1908: Appears to be developed with a portion of the existing subject structure (utilized by Electrical Specialties) north portion utilized for lumber storage
- 1922 and 1928: appears to be undeveloped (it is unknown why the area of the subject property is not identified as being developed on these maps)
- 1935: Developed with portions of the existing subject structure (vacant); central portion of the property utilized as an auto wrecking yard
- 1944 and 1946: Developed with portions of the existing subject structure utilized by Reinhold-Gould Card and Paper Company (warehouse) and auto wrecking yard including various outbuildings
- 1947: Developed with portions of the existing subject structure utilized by a paper warehouse, and auto wrecking yard including several various outbuildings
- 1951: Developed with portions of the existing subject structure utilized by a paper warehouse, an additional structure (currently northern portion of subject structure) used for auto parts and repair, and including an auto wrecking yard with various outbuildings.

Sanborn Maps (continued)

- 1977, 1978, 1980, 1981, 1984, 1986, 1989, 1991-1996, 1998, and 2001-2007: Developed with the existing subject structure in its current configuration, utilized by 1st Rapids Furniture Company Inc. including show room and warehouse areas.

Adjacent property uses of potential concern included:

- A south adjacent filling station was identified in 1980, 1981, 1984, 1986, 1989, 1991-1996, 1998, and 2001-2007.
- A west adjacent property was identified as an Auto Service facility in 1977, 1978, 1980, 1981, 1984, 1986, 1989, 1991-1996, 1998, and 2001-2007.

City Directories

LCS reviewed a City Directory Abstract Report provided by EDR, which researches former on-site occupants through available street directories. Based on EDR's research, the following past occupants have been identified:

- 1927: Steck Geo and Co and Factory K
- 1940: Reinhold Card and Paper Company and Reinhold Max Paper
- 1929 and 1956: Reinhold-Gould Inc. Executive Offices
- 1961: Camero John Furn Company
- 1965 and 1971: Cameron John Furn To, Carpet Dept Inc., and First Rapids Furn Co.
- 1976, 1983, and 1993: Capet Dept Inc., First Rapids Furn Inc. Showroom and Veri Best Furniture Inc.
- 2005: Tuck it Away and Yonkers Contracting Inc.
- 2008: Tuck it Away
- 2013: Tuck it Away Associates LP

Municipal Information

According to information obtained through www.oasisnyc.net and www.nyc.gov, the subject property, BL No. 2344-60, measures approximately 0.6 acres. The subject property is currently owned by Tuck-it-Away Associates. No past owners were identified in these records. Records also indicate that the subject property is developed with a 43,820 square foot structure that was constructed in 1931 (estimated year – Sanborn maps suggest that portions of the existing structure were constructed by 1908). Certificates of Occupancy were on-file for in 1948 for an auto repair shop and 1962 for a furniture showroom.

Other Sources

No additional information was provided.

Historic Topographic Maps

The subject property is included on the Central Park Quadrangle Topographic Map dated 1995. Due to the extensive development in the area of the subject property, individual structures are not indicated on this map.

Previous Study

LCS previously completed a review of the following:

Title: Phase I Environmental Site Assessment
261 Walton Avenue, Block 2344, Lot 60, Bronx, NY
Consultant: Airtek Environmental Corporation (Airtek)
Date: December 13, 2011

Based on the report provided, the subject property is comprised of a 27,454 square foot (ft²) lot of land developed with a six-story building, two-story addition, and one-story addition of unknown ages and size. It is currently owned by Tuck-it-Away Associates and is utilized as a rental storage facility, commercial tenant space in use as a sign making facility, and a paved yard.

Historical research consisted of historic topographic maps, city directories, aerial photographs, and fire insurance maps and established the use of the subject property since 1891. An 1891 fire insurance map depicted the subject property as undeveloped; in 1908 the subject property was developed with an "electrical specialties" facility and a lumber storage facility; in 1935 the subject property contained an automotive wrecking yard; in 1944 the southern half of the subject property is developed with a card and paper warehouse and the northern half as an automotive wrecking yard. A 1951 fire insurance map indicated that one of the structures on the automotive wrecking yard portion of the property was in use for automotive repairs and the fire insurance maps dating from 1977 through 2007 depicted the subject property as developed with a furniture warehouse. [Based on review of the maps, it appears that the furniture warehouse is a redeveloped area of the subject property; the date of actual construction was not provided.]

The subject property was identified within the regulatory database review under Lot 60, Block 2344 as an E Designation site. Several other sites were identified within the database search radii; however, Airtek did not expect them to pose a concern to the subject property except for the adjacent gas stations.

The property was designated as e-designation E-227, referring to properties which fall under the CEQR Hazardous Materials Phase I and II Testing Protocol, air quality concerns, and exhaust stack location limitations. According to records maintained by the New York City Department of Buildings (NYCDOB), the land comprising the subject property was zoned for manufacturing and residential use. No further information was provided by Airtek.

During the site inspection, Airtek noted oil staining at the base of the elevator in the basement, a defunct combination natural gas/fuel oil boiler and metal plate with suspect AST vent and fill pipes

Airtek identified the following Recognized Environmental Conditions (REC):

- The E Designation and the auto wrecking operations on-site from potentially from 1909 through 1965. Airtek recommended further analytical investigation to determine if any onsite contamination may exist due to these operations.
- Adjacent BP gas station with an open LUST case that has impacted the subject property. Airtek recommended additional analytical investigation to determine on-site impacts.
- Northeast adjacent property with abandoned gas station with documented contamination. Airtek recommended further analytical investigation to determine on-site impacts.

Previous Study (continued)

Airtek noted the additional following issues:

- Oil staining noted at elevator equipment in basement; violations were issued due to excessive oil being added to elevator drum. Airtek recommended conducting regular monitoring and maintenance of the elevator machinery and pit. The elevator pit should be cleaned and inspected for any cracks or fissures through which petroleum products or other contaminants could infiltrate the subsurface of the subject property.
- Visible mold growth in the basement of the two-story addition. Airtek recommends abating visible mold growth and identifying the sources of any onsite water intrusion which may have cause onsite mold growth and sealing them in such a way as to prevent future intrusion.
- Suspect ACM on-site. Airtek recommends that, prior to any planned demolition or disturbance of suspect onsite materials an ACM study should be conducted by licensed professionals to determine whether and where ACM is present onsite.
- LBP may exist on subject property surfaces. Airtek recommends that, prior to any planned demolition or disturbance of painted materials, an LBP study should be conducted by licensed professionals to determine whether and where LBP is present onsite. Any renovation, repair, or painting of surfaces containing LBP must be conducted by firms certified under the EPA's Lead-Safe Renovation, Repairs, and Painting (RRP) program. In addition, Airtek recommends that painted surfaces on the subject property be maintained in good condition.

Subsequently, LCS was provided with and reviewed:

Title: Review of Limited Phase II Environmental Site Assessment
Tuck It Away Self-Storage, 261 Walton Avenue, Bronx, New York
Consultant: IVI Environmental, Inc. (IVI)
Date: February 16, 2012

IVI conducted a geophysical survey to locate subsurface utilities in proposed boring areas on January 24, 2012. IVI then advanced ten soil borings (B-1 through B-10) at the subject property located at 261 Walton Avenue. Due to the presence of shallow bedrock, the ten soil borings were advanced to depths between 10 inch below ground surface and 9 feet below ground surface (ft. bgs). Groundwater was not encountered in the soil borings that were completed on-site. During the advancement of the soil borings, IVI screened the soil with a photoionization detector (PID). No elevated PID readings were identified in the soil samples collected from the soil borings. Additionally, no staining was noted and no suspect odors were detected in the soil samples collected. IVI noted that during the advancement of the soil borings they observed evidence of urban fill in the soil borings which consisted of asphalt, cinders, and brick fragments.

Eight soil samples were collected for analysis from boring B-3 through B-10 and submitted for laboratory analysis for Target Compound List (TLC) volatile and semi-volatile organic compounds (VOCs and SVOCs), and Resource Conservation and Recovery Act (RCRA) metals via EPA Methods 5035/8260B, 8270C, 6010/7470, respectively. In addition soil samples from borings B-9 and B-10 were analyzed for Spill Technology and Remediation Series (STARS) list VOCs and SVOCs via EPA Methods 8260 and 8270, respectively. The soil laboratory results indicate that five metals were identified to exceed their respective New York State Department of Environmental Conservation (NYSDEC) Division of Environmental Remediation (DER-10) Soil Cleanup Objectives (SCOs) in borings B-3 through B-8. SVOCs were found to exceed their respective SCOs in soil samples from borings B-3, B-7 and B-8.

Previous Study (continued)

IVI concluded that, the elevated metal and SVOCs identified in the soil samples are typical of urban fill found throughout New York City. Historical site usage of the subject property for auto wrecking and repair may also have contributed to the contamination identified. However, the contaminants identified cannot be directly attributed to a release, and IVI did not identify evidence of a release in the form of elevated field readings with the PID, or visual or olfactory evidence. As such, the results of this Assessment were not required to be reported at that time. Furthermore, the subject property is “capped” with asphalt and the building itself, which prevents direct exposure to the soil, and as such, any remediation to the soil would be unnecessary and not required at this time.

As such, IVI had no further recommendations regarding the subsurface soils. However, in the event of future site redevelopment, IVI recommended that any excavated materials be managed in accordance with applicable federal, state, and local regulations.

7.0 PHYSICAL AND HYDROGEOLOGIC SETTING

The subject property is included on the Central Park Quadrangle Topographic Map dated 1995. This map indicates that the elevation of the subject property is approximately 20 feet above mean sea level.

The subject property does not have any open water bodies or surficial water bodies located on-site. Surface drainage appears to flow in a direction toward the lowest elevated points on-site and/or toward the closest storm drains on-site. Groundwater flow direction would be presumed to flow down the local topographic gradient.

8.0 REGULATORY DATABASE INFORMATION

Regulatory information involving the subject property was obtained through a commercial database search company. The following summarizes LCS’ regulatory research.

Federal and state environmental regulatory information was provided by EDR and is attached. [While ASTM-defined radii were used where appropriate, the radii may have been modified due to the size of the site or the nature of the area, as permitted under the ASTM standard. Databases not included in the ASTM standard required databases were searched to radii based on LCS’ experience.]

Any sites unplotable by EDR were also reviewed, to the extent practical based on site name and address, to assess whether they are also present within their appropriate radii. Any listings for the subject property or any adjacent sites are included in the details below.

To augment the information provided by EDR, a FOIA request was forwarded to the NYSDEC for information concerning the subject property. To date, a complete response has not been received by this agency.

No sites were identified within the appropriate radii, except for the following:

SUBJECT PROPERTY:

According to the EDR report, the subject property was identified as a NY E-Designation site associated with Hazardous Materials program due to Phase I and Phase II studies conducted, Air Quality due to #2 or #4 fuel oil or natural gas for HVAC systems, and exhaust stack location limitations.

ADJACENT SITES:

The following adjacent properties were also identified in the EDR report:

- A southeast adjacent property identified as Apartment Building and addressed 250 Walton Avenue was identified as NY Spills site. Spill No. 9802251 and involved the release of unknown petroleum; such is classified as “inactive.” [A status of “inactive” indicates the contamination may remain but no further remediation is required.]
- A suspect adjacent property listed Metropolitan Roofing Supplies Co and addressed at 355 Major Deegan Boulevard was identified as an UST/AST/Historic AST facility.
- A north adjacent property listed as 287 Walton Avenue was identified as an AST/Historic AST facility.
- A south adjacent property listed as 138 Petroleum, LLC/ BP Products/ Gasteteria North and addressed 115 East 138th Street was identified as the following:
 - UST facility
 - RCRA-Small Quantity Generator with no violations found and on the Manifest database in association with the RCRA listing.
 - LTANKS/NY Spills site with the following releases:
 - Spill No. 0207682 involving petroleum impact due to the failure of two USTs; such is classified as “closed.” [A status of “closed” indicates the spill was remediated and the NYSDEC file closed with no further remediation required.]
 - Spill No. 9408104 involved the impact of 52 gallons of petroleum to soil and is classified as “inactive.”

OTHER LISTINGS:

The following sites were also identified in the EDR report:

There are five NYSDEC listed hazardous waste sites (equivalent to NPL sites), including one vapor reopened site, located within a one-mile radius of the subject property. The closest such site (2568 Park at 2568 Park Avenue) is located over 500 feet from the subject property. Site investigation has yet to be completed at this site and no other environmental information is available. This information is not considered a potential environmental concern at the subject property based on the listed sites due to the distance to the subject property and status of the listed sites.

There are four NYSDEC listed solid waste facilities located within a one-half mile radius of the subject property. The closest such site (Con-Ed-Exterior Street at 281 Exterior Street) is located over 200 feet from the subject property and is listed as an inactive construction and debris processing facility. This information is not a potential environmental concern at the subject property based on the listed sites due to the lack of reasonably ascertainable or practically reviewable records indicating a significant release at the listed facilities and/or the distance to the subject property.

OTHER LISTINGS (continued):

In addition to the above noted adjacent sites, there are 12 NYSDEC listed spill sites attributed to LTANKs and 71 NY Spill sites located within a one-quarter mile radius of the subject property. Of these spill sites, six are still considered "active" by the NYSDEC, while the remaining sites are classified as either "inactive" or "closed." [A status of "closed" indicates the spill was remediated and the NYSDEC file closed with no further remediation required. A status of "inactive" indicates the contamination may remain but no further remediation is required. A status of "active" indicates further remediation or investigation is necessary.] The closest "active" site (Lot 27, Block 2344 at 215 Grand Concourse) is located over 300 feet from the subject property and involved petroleum contaminated soil found during excavation of an abandoned UST. Based on this limited information, this spill is not likely to pose a significant concern to the subject property. In addition, LCS' experience suggests the property owner would not be liable for on-site contamination that resulted from such an off-site release. This information is not a potential environmental concern at the subject property based on the listed spill sites due to the "closed" or "inactive" status of many of the listed spills and/or the distance to the subject property.

There is one NYSDEC listed Voluntary Cleanup Program site located within a one-half mile radius of the subject property. This site is located over one-quarter mile from the subject property. This information is not considered a potential environmental concern at the subject property based on the listed site due to the distance to the subject property and/or status of the listed site.

There are four NYSDEC listed NY Brownfield sites located within a one-half mile radius of the subject property. The closest such site (Former G and C Service at 255 East 138th Street) is located over one-eighth mile from the subject property. This site has been utilized as a former gas station and machine shop from 1935 through 1969 and included several spills associated with the excavation of USTs; such have been properly remediated, however soil vapor intrusion is still a concern. This site is not listed as a significant threat to human health or environment due to the vacant status of the site. This information is not considered a potential environmental concern at the subject property based on the listed sites due to the distance to the subject property and/or status of the listed sites.

The discussion included above regarding adjacent and/or nearby properties is based on information supplied to LCS as well as LCS' observations of nearby properties at the time of the site reconnaissance. It should be noted that any property can be affected by various sources of point and non-point source pollution. The number of reported spills and complaints in the vicinity of the subject property may be an indicator of point source pollution in the area of the subject property. Non-point sources are common in rural areas (e.g., runoff from agricultural fields). Further study would be required to positively confirm whether the subject property has been impacted by nearby properties.

9.0 RADON

Radon is a radioactive gas that occurs naturally from the breakdown of uranium in rock. Radon can be found in high concentrations in soils and rock containing uranium, shale, granite, phosphate and pitchblende. Radon may also be found in soils contaminated with certain types of industrial wastes such as the byproducts from uranium or phosphate mining. Radon gas can move through small fractures in soil and rock and can seep into a structure through dirt floors, cracks in the floors and walls, drains, sumps pipes and pores. Radon has been associated with increased risks of developing lung cancer.

The subject building is constructed with a full basement. The NYSDOH Radon Detector Distribution Program report for September 2014 suggests an average basement radon reading of 1.58 pCi/L for the Borough of Bronx. The NYSDOH recommends taking measures to reduce basement radon concentration to below 4.0 pCi/L. Based on the low average radon concentration for the area of the subject property, radon does not appear to pose a concern to the subject property.

APPENDIX

We have prepared this report for the exclusive use of M & T Bank and/or M & T Real Estate Trust. LCS' liability is limited to use by this client for a period of five years. Use by any other party is strictly prohibited except by authorization in writing from this consultant. LCS accepts no liability for others' use of this report. A copy of this report is given to the borrower as a courtesy only; use or reliance upon this report by the borrower in making a decision to purchase this property is not permitted.

This limited study is not to be considered as an environmental audit of the subject property, a Phase I Environmental Site Assessment as defined by ASTM E1527, or a complete environmental investigation of the subject site. This report is subject to the limitations identified by that standard. The scope of work completed was beyond that required of the Transaction Screen (ASTM 1528-14) standard and/or as modified by the client.

The client requested and ordered this study based on their knowledge of the site. Therefore, LCS assumes no liability in the selection of the appropriate level of due diligence for this property.

This study is intended to identify PECs in connection with the subject property and to reduce, but not eliminate, uncertainty regarding the potential for PECs in connection with a subject property. It should not be used by the parties hereto as a decision tool in purchasing the property or to seek shelter under the innocent landowner defense of CERCLA. Under CERCLA and Brownfield amendments promulgated in January 2002, an ASTM Phase I Environmental Site Assessment, ASTM E1527-13, is the only acceptable standard for the practice of environmental due diligence in seeking protection under the innocent landowners defense.

A potential environmental concern (PEC) is defined by the ASTM standard as "the possible presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a future release of any hazardous substance or petroleum products into structures or into the ground, ground water, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. (Note that "threat of release" is generally understood to be present when hazardous substances or petroleum products are poorly managed (for example in corroded tanks or damaged containers) but the release of the contaminants has not yet occurred, and there is an opportunity to take response action to prevent a release of the contaminants.)"

No sampling or analyses of materials, including soil, water, air, building materials, etc., were obtained as part of this assessment unless otherwise noted. LCS neither accepts, assumes nor warrants responsibility for the nature or toxicity of such substances.

LCS neither implies, warrants, guarantees nor accepts liability relative to the environmental conditions at the site regarding:

- 1) Site specific practices and/or disposal methods of the past or future owners.
- 2) The presence of asbestos, lead containing materials, or radon and/or the environmental impact of such substances on the subject site or building(s) and structure(s) on the subject site other than those observed during the site reconnaissance and documented within the report.
- 3) Adjacent property owners, their environmental practices, and/or impact of such properties and practices on the subject site other than those identified within the database reports and/or observed by those performing the site inspection of the subject property.

APPENDIX (continued)

4) Unreported spills.

5) Practices, waste disposal, environmental concerns, and/or modifications to waste site indexes after the date of this report.

6) Site groundwater or soil quality.

This report was prepared using data, information, and references available from federal, state, and local governmental agencies and information supplied by knowledgeable parties, relying in large part on owner or occupant interviews. LCS neither assumes nor accepts any liability for the completeness or accuracy of information gained from these sources or for any misstatements or misrepresentation of facts from parties interviewed during this process.

Observations made at the time of the site reconnaissance are contained herein. LCS cannot be held responsible for omissions as a result of any changes made to the subject property after the date of the site investigation.

Areas of the site where access was limited, obstructed, or denied are mentioned herein and LCS renders no opinion as to the presence or absence of potential environmental concerns, hazardous materials, or potential environmental liability associated with such. According to ASTM, asphalt pavement is considered a limitation.

LCS site personnel and the owner/borrower answered the ASTM Questionnaire. LCS neither accepts, assumes, implies nor warrants any liability for the accuracy, truthfulness, and completeness of the answers contained therein except as observed by LCS personnel during its site reconnaissance.

ACRONYMS/ABBREVIATIONS

ACM	Asbestos-Containing Materials
AIRS	Aerometric Information Retrieval System
AST	Aboveground Storage Tank
ASTM	American Society for Testing and Materials
CBS	Chemical Bulk Storage
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CERCLIS	Comprehensive Environmental Response, Compensation and Liability Information System
CORRACTS	Corrective Action
EDR	Environmental Data Resources
ERNS	Emergency Response and Notification System
FINDS	Facility Index System
FOIA	Freedom of Information Act
FOIL	Freedom of Information Law
FWM	Freshwater Wetlands Map
LCS	Lender Consulting Services, Inc.
LQG	Large Quantity Generator
LTANK	Leaking Tank
LUST	Leaking Underground Storage Tank
MOSF	Major Oil Storage Facility
MSDS	Material Data Safety Sheets
mVOC	Microbial Volatile Organic Compound
N/A	Not Available, Not Applicable
NFRAP	No Further Remedial Action Planned
NPDES	National Pollution Discharge Elimination System
NPL	National Priorities List ("Superfund")
NRCS	Natural Resource Conservation Service (by County)
NWI	National Wetlands Inventory
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
PBS	Petroleum Bulk Storage
PCB	Polychlorinated Biphenyl
PCi/L	Pico Curies per Liter
PEC	Potential Environmental Concern
RCRA	Resource Conservation and Recovery Act
RCRIS	Resource Conservation and Recovery Information System
REC	Recognized Environmental Condition
SPDES	State Pollution Discharge Elimination System
SQG	Small Quantity Generator
TSDF	Treatment, Storage and Disposal Facility
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United State Fish and Wildlife Service
USGS	United States Geological Survey
UST	Underground Storage Tanks