



Department of
Environmental
Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

Please refer to the attached instructions for guidance on completing this application.

Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment seeks to add or subtract more than an insignificant acreage of property to the BCA, applicants are encouraged to consult with the DEC project team prior to submitting this application.

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

1. Check the appropriate box(es) below based on the nature of the amendment modification(s) requested:

☐	Amendment to modify the existing BCA (check one or more boxes below):
☐	Add applicant(s)
☐	Substitute applicant(s)
☐	Remove applicant(s)
☐	Change in name of applicant(s)
☐	Amendment to reflect a transfer of title to all or part of the brownfield site:
	a. A copy of the recorded deed must be provided. Is this attached? Yes ☐ No ☐ b. ☐ Change in ownership ☐ Additional owner (such as a beneficial owner) c. Pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been submitted prior to a transfer of ownership. If this has not yet been submitted, include the form with this application. Is this form attached? Yes ☐ No ☐ Submitted on: _____
☐	Amendment to modify description of the property(ies) listed in the existing BCA
☒	Amendment to expand or reduce property boundaries of the property(ies) listed in the existing BCA
☐	Sites in Bronx, Kings, New York, Queens or Richmond Counties ONLY: amendment to request determination that the site is eligible for tangible property credit component of the brownfield redevelopment tax credit.
☐	Other (explain in detail below)

2. REQUIRED: Please provide a brief narrative describing the specific requests included in this amendment: This BCA Amendment Application is being submitted to reduce the boundary of the BCP Site by 0.057 acres. Please see Exhibit A - Survey Showing Excluded Area and Exhibit B - Tax Map. The Site is adjacent to a number of private backyards on the western side of the BCP Site. In order to avoid having to access these private backyard properties, the support of excavation had to be pulled back slightly into the interior of the BCP Site along its western side. The current 0.788 acre Site is hereby reduced by 0.057 acre, and the BCP Site is now 0.731 acres. Please see Exhibit C - Legal Description of Excluded Area and Exhibit D - Legal Description of Reduced Acreage BCP Site.

SECTION I: CURRENT AGREEMENT INFORMATION*This section must be completed in full. Attach additional pages as necessary.*

BCP SITE NAME: Sonero Metro City Auto Site	BCP SITE CODE: C203148
NAME OF CURRENT APPLICANT(S): Whitlock Point LLC and Whitlock Point Services LLC	
INDEX NUMBER OF AGREEMENT: C203148-09-21	DATE OF ORIGINAL AGREEMENT: 10/21/2021

SECTION II: NEW REQUESTOR INFORMATION*Complete this section only if adding new requestor(s) or the name of an existing requestor has changed.*

NAME:				
ADDRESS:				
CITY/TOWN:			ZIP CODE:	
PHONE:	EMAIL:			
REQUESTOR CONTACT:				
ADDRESS:				
CITY/TOWN:			ZIP CODE:	
PHONE:	EMAIL:			
REQUESTOR'S CONSULTANT:		CONTACT:		
ADDRESS:				
CITY/TOWN:			ZIP CODE:	
PHONE:	EMAIL:			
REQUESTOR'S ATTORNEY:		CONTACT:		
ADDRESS:				
CITY/TOWN:			ZIP CODE:	
PHONE:	EMAIL:			
			Y	N
1. Is the requestor authorized to conduct business in New York State?			☐	☐
2. If the requestor is a corporation, LLC, LLP, or other entity requiring authorization from the NYS Department of State (NYSDOS) to conduct business in NYS, the requestor's name must appear exactly as given above in the NYSDOS Corporation & Business Entity Database. A print-out of entity information from the NYSDOS database must be submitted with this application. Is this print-out attached?			☐	☐
3. Requestor must submit proof that the party signing this application and amendment has the authority to bind the requestor. This would be documentation showing the authority to bind the requestor in the form of corporate organizational papers, a Corporate Resolution or an Operating Agreement or Resolution for an LLC. Is this proof attached?			☐	☐
4. If the requestor is an LLC, the names of the members/owners must be provided. Is this information attached?			N/A ☐	☐
5. Describe the new requestor's relationship to all existing applicants:				

SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION*Complete this section only if a transfer of ownership has taken place. Attach additional pages if necessary.*

Owner listed below is: ☐ Existing Applicant ☐ New Applicant ☐ Non-Applicant		
OWNER'S NAME:		CONTACT:
ADDRESS:		
CITY/TOWN:		ZIP CODE:
PHONE:	EMAIL:	
OPERATOR:		CONTACT:
ADDRESS:		
CITY/TOWN:		ZIP CODE:
PHONE:	EMAIL:	

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION*Complete this section only if adding new requestor(s). Attach additional pages if necessary.*

If answering "yes" to any of the following questions, please provide additional information as an attachment. Please refer to ECL § 27-1407 for details.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	☐	☐
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site?	☐	☐
3. Is the requestor subject to an outstanding claim by the Spill Fund for the site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	☐	☐
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the subject law; (ii) any order or determination; (iii) any regulation implementing ECL Article 27 Title 14; or (iv) any similar statute or regulation of the state or federal government? If so, provide additional information as an attachment.	☐	☐
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as site name, address, DEC site number, reason for denial, and any other relevant information.	☐	☐
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 or contaminants?	☐	☐
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?	☐	☐
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department?	☐	☐

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION (continued)		Y	N
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?		☐	☐
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?		☐	☐
11. Are there any unregistered bulk storage tanks on-site which require registration?		☐	☐
12. THE NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405(1) BY CHECKING ONE OF THE BOXES BELOW:			
☐ PARTICIPANT A requestor who either (1) was the owner of the site at the time of the disposal of contamination 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 contamination.	☐ 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 a 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 they have 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. If a requestor's liability arises solely as a result of ownership, operation of or involvement with the site, they must submit a statement describing why they should be considered a volunteer – be specific as to the appropriate care taken.		
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?		N/A ☐	Y ☐ N ☐
14. Requestor's relationship to the property (check all that apply): ☐ Prior Owner ☐ Current Owner ☐ Potential/Future Purchaser ☐ Other: _____			
15. If the 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 being added to the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?		N/A ☐	Y ☐ N ☐

SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES

Complete this section only if property is being added to or removed from the site, a lot merger or other change to site SBL(s) has occurred, or if modifying the site address for any reason.

1. Property information on current agreement (as modified by any previous amendments, if applicable):

ADDRESS: 1001 Whitlock Avenue

CITY/TOWN Bronx, New York

ZIP CODE: 10459

CURRENT PROPERTY INFORMATION

TOTAL ACREAGE OF CURRENT SITE: 0.788

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

1001 Whitlock Avenue

Bronx

2756

85

0.788

2. Requested change (check appropriate boxes below):

☐

a. Addition of property (may require additional citizen participation depending on the nature of the expansion – see instructions)

PARCELS ADDED:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

TOTAL ACREAGE TO BE ADDED: _____

☒

b. Reduction of property

PARCELS REMOVED:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

Portion of 1001 Whitlock Avenue

Bronx

2756

p/o 85

0.057

TOTAL ACREAGE TO BE REMOVED: 0.057

☐

c. Change to SBL (e.g., lot merge, subdivision, address change)

NEW PROPERTY INFORMATION:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

3. TOTAL REVISED SITE ACREAGE: 0.731

4. For all changes requested in this section, documentation must be provided. Required attachments are listed in the application instructions. Is the required documentation attached?

☒

Y

☐

N

**APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT SUPPLEMENT
QUESTIONS FOR SITE SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY**

Complete this section only if the site is located within the five counties comprising New York City and the requestor is seeking a determination of eligibility for tangible property credits. Provide supporting documentation as required. Refer to the application instructions for additional information.

	Y	N
1. Is the site located in Bronx, Kings, New York, Queens or Richmond County?	☐	☐
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	☐	☐
3. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	☐	☐
4. Is the property upside down as defined below?	☐	☐
From ECL 27-1405(31): "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.		
5. Is the project and affordable housing project as defined below?	☐	☐
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' household's 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 homeowners 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.		

APPLICATION SUPPLEMENT FOR NYC SITES (continued)	Y	N
6. Is the project a planned renewable energy facility site as defined below? From ECL 27-1405(33) as of April 9, 2022: "Renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system. From Public Service Law Article 4 Section 66-p as of April 23, 2021: (b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.	☐	☐
7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law? From ECL 75-0111 as of April 9, 2022: (5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.	☐	☐

STATEMENT OF CERTIFICATION AND SIGNATURES: EXISTING APPLICANT(S)

An authorized representative of each applicant must complete and sign the appropriate section (individual or entity) below. Attach additional pages as needed.

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Sole Member (title) of Whitlock Point LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. Mark Stagg's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 10/15/2023 Signature: [Signature]Print Name: Mark Stagg

PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

**PARTICIPANT**

A requestor who either (1) was the owner of the site at the time of the disposal of contamination 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 contamination.

**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 contamination.

Effective Date of the Original Agreement: 10/21/2021

Signature by the Department:

DATED: 10/26/2023NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:

Janet E BrownJanet E Brown, Assistant Director
Division of Environmental Remediation

STATEMENT OF CERTIFICATION AND SIGNATURES: EXISTING APPLICANT(S)

An authorized representative of each applicant must complete and sign the appropriate section (individual or entity) below. Attach additional pages as needed.

(Individual)

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Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Member (title) of Whitlock Point Services LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. Mark Stagg's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 10/5/2023 Signature: [Signature]Print Name: Mark Stagg

PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

**PARTICIPANT**

A requestor who either (1) was the owner of the site at the time of the disposal of contamination 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 contamination.

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Effective Date of the Original Agreement: 10/21/2021

Signature by the Department:

DATED: 10/26/2023NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:

Janet E Brown
Janet E Brown, Assistant Director
Division of Environmental Remediation

STATEMENT OF CERTIFICATION AND SIGNATURES: EXISTING APPLICANT(S)

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Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am _____ (title) of _____ (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS**REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT**

Status of Agreement:

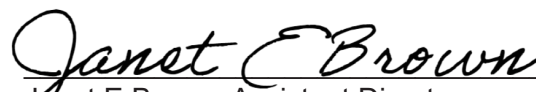
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Effective Date of the Original Agreement: 10/21/2021

Signature by the Department:

DATED: 10/26/2023NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:



Janet E Brown, Assistant Director
Division of Environmental Remediation

EXHIBIT A

(FOR TITLE PURPOSES)

LEGEND

NO. NORTH | SO. SOUTH | E. EAST | F.E. FIRE ESCAPE | W.W. WINDOW WELL | C.D. CELLAR DOOR | ENT. UNDER | ENT. ENTRANCE | L.A. LOW AREA | A. AREAWAY | CL. CLEAR | RT. RIGHT

LIGHT POST | UTILITY POLE | CATCH BASIN | WATER VALVE | GAS VALVE | PARKING METER | TRAFFIC SIGN | HYDRANT | ELECTRIC BOX | TREE | PIT | SEWER MANHOLE | ELECTRIC MANHOLE | TELEPHONE MANHOLE | D.W.S. WATER

ALTA/NSPS Land Title Survey

SURVEYED SEPTEMBER 18, 2023

Conditional Track 1 Area

Track 2 Area

JOB # 24002-BX

Legal Description (Lot 85)

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

BEGINNING at a point on the northwesterly side of Whitlock Avenue distant 203.78 feet southwesterly from the corner formed by the intersection of the northwesterly side of Whitlock Avenue (80 feet wide) and the Southerly side of East 165th Street (60 feet wide);

RUNNING THENCE westerly at right angles to Whitlock Avenue, 126.72 feet;

THENCE in a general southerly direction along a line forming an interior angle of 79 degrees 24 minutes 10.3 seconds with the last mentioned course, 466.74 feet;

THENCE along northwesterly and southwesterly sides of Whitlock Avenue in a general northeasterly direction along a curve having a radius of 1150.00 feet a distance of 307.55 to a point;

THENCE along Westerly side of Whitlock Avenue 154.89 feet to the POINT OR PLACE OF BEGINNING

Acreage 0.788

Track 2 Area Legal Description

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

BEGINNING at a point on the northwesterly side of Whitlock Avenue distant 203.78 feet southwesterly from the corner formed by the intersection of the northwesterly side of Whitlock Avenue (80 feet wide) and the Southerly side of East 165th Street (60 feet wide);

RUNNING THENCE westerly at right angles to Whitlock Avenue, 126.72 feet;

THENCE in a general southerly direction along a line forming an interior angle of 79 degrees 24 minutes 10.3 seconds with the last mentioned course, 28.30 feet;

THENCE in a general Easterly forming an interior angle of 90 degrees 03 minutes 21 seconds with the last mentioned course, 7.48 feet;

THENCE in a general southerly direction along a line forming an interior angle of 270 degrees 05 minutes 09 seconds with the last mentioned course, 350.96 feet;

THENCE in a general Easterly forming an interior angle of 269 degrees 51 minutes 29 seconds with the last mentioned course, 6.60 feet;

THENCE in a general southerly direction along a line forming an interior angle of 90 degrees with the last mentioned course, 2.57 feet;

THENCE in a general Easterly direction along a line forming an interior angle of 88 degrees 47 minutes 51 seconds with the last mentioned course, 15.11 feet;

THENCE in a general Easterly direction along a line forming an interior angle of 184 degrees 29 minutes 05 seconds with the last mentioned course, 21.70 feet;

THENCE along northwesterly and southwesterly sides of Whitlock Avenue in a general northeasterly direction along a curve having a radius of 1150.00 feet a distance of 215.84 to a point;

THENCE along Westerly side of Whitlock Avenue 154.89 feet to the POINT OR PLACE OF BEGINNING

Acreage: 0.694

Conditional Track 1 Area Legal Description

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

BEGINNING at a point on the northwesterly side of Whitlock Avenue distant 203.78 feet southwesterly from the corner formed by the intersection of the northwesterly side of Whitlock Avenue (80 feet wide) and the Southerly side of East 165th Street (60 feet wide);

RUNNING THENCE westerly at right angles to Whitlock Avenue, 126.72 feet;

THENCE in a general southerly direction along a line forming an interior angle of 79 degrees 24 minutes 10.3 seconds with the last mentioned course, 28.30 feet;

THENCE in a general Easterly forming an interior angle of 90 degrees 03 minutes 21 seconds with the last mentioned course, 7.48 feet;

THENCE in a general southerly direction along a line forming an interior angle of 270 degrees 05 minutes 09 seconds with the last mentioned course, 350.96 feet;

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THENCE in a general Easterly direction along a line forming an interior angle of 184 degrees 29 minutes 05 seconds with the last mentioned course, 21.70 feet;

THENCE along northwesterly and southwesterly sides of Whitlock Avenue in a general northeasterly direction along a curve having a radius of 1150.00 feet a distance of 215.84 to a point;

THENCE along Westerly side of Whitlock Avenue 154.89 feet to the POINT OR PLACE OF BEGINNING

Acreage: 0.694

EXCLUDED PARCEL

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

BEGINNING at a point on the northwesterly side of Whitlock Avenue distant 203.78 feet southwesterly from the corner formed by the intersection of the northwesterly side of Whitlock Avenue (80 feet wide) and the Southerly side of East 165th Street (60 feet wide);

RUNNING THENCE westerly at right angles to Whitlock Avenue, 126.72 feet;

THENCE in a general southerly direction along a line forming an interior angle of 79 degrees 24 minutes 10.3 seconds with the last mentioned course, 28.30 feet;

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THENCE in a general Easterly direction along a line forming an interior angle of 184 degrees 29 minutes 05 seconds with the last mentioned course, 21.70 feet;

THENCE along northwesterly and southwesterly sides of Whitlock Avenue in a general northeasterly direction along a curve having a radius of 1150.00 feet a distance of 215.84 to a point;

THENCE along Westerly side of Whitlock Avenue 154.89 feet to the POINT OR PLACE OF BEGINNING

Acreage 0.731

BCP Site/Environmental Easement Area Legal Description (Portion of Lot 85)

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

BEGINNING at a point on the northwesterly side of Whitlock Avenue distant 203.78 feet southwesterly from the corner formed by the intersection of the northwesterly side of Whitlock Avenue (80 feet wide) and the Southerly side of East 165th Street (60 feet wide);

RUNNING THENCE westerly at right angles to Whitlock Avenue, 126.72 feet;

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THENCE in a general Easterly direction along a line forming an interior angle of 184 degrees 29 minutes 05 seconds with the last mentioned course, 21.70 feet;

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THENCE along Westerly side of Whitlock Avenue 154.89 feet to the POINT OR PLACE OF BEGINNING

Acreage 0.731

NOTE:

ZONE X - AREA OF MINIMAL FLOODING

COMMUNITY PANEL NUMBER - 3360497 0084 F

EFFECTIVE DATE : SEPTEMBER 5, 2007

ALL ELEVATIONS REFER TO BRONX TOPOGRAPHICAL DATUM WHICH IS 1.508 FEET BELOW NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)

ALL UTILITIES WERE LOCATED ON THE FIELD BY THE SURVEYOR

ALDUS AVE.
(60' WIDE)

WHITLOCK SHERIDAN AVENUE
(80' WIDE)

E 165th STREET
(60' WIDE)

TAX LOT No. 55
No. 1002
N/F RAMON HERNANDEZ

TAX LOT No. 56
No. 1004
N/F ROSA, JACQUELINE

TAX LOT No. 57
No. 1006
N/F WESTREICH, STEVEN

TAX LOT No. 58
No. 1010
N/F 1010 LONGFELLOW AVE LLC

TAX LOT No. 59
No. 1012
N/F 1012 LONGFELLOW AVE H D F C

TAX LOT No. 60
No. 1014
N/F VIVIAN CHEN

TAX LOT No. 61
No. 1016
N/F MONTANEZ, EVELYN

TAX LOT No. 62
No. 1020
N/F DHANRAJ MANRAJ

TAX LOT No. 63
No. 1022
N/F PHARAOH OSEI CRANSTON

TAX LOT No. 64
No. 1024
N/F VOLUNT, LIONEL

TAX LOT No. 65
No. 1026
N/F FERREIRA, RENALDO

TAX LOT No. 66
No. 1030
N/F 1031 LONGFELLOW AVE LLC

TAX LOT No. 67
No. 1032
N/F LUIS N. JR. DIAZ

TAX LOT No. 68
No. 1034
N/F 1 LONGFELLOW REALTY LLC

TAX LOT No. 69
No. 1036
N/F 1036 LONG FELLOW LLC

TAX LOT No. 70
No. 1040
N/F DHANRAJ RAJUMAR

TAX LOT No. 71
No. 1042
N/F RESTORING COMMUNITIES HOUSING DEVELOPMENT FUND COR

TAX LOT No. 72
No. 1044
N/F FERNANDO P. TROCHE

TAX LOT No. 73
No. 1046
N/F NEW SHORE BUILDERS INC

TAX LOT No. 74
No. 1050
N/F DIAZ, ISABEL

TAX LOT No. 75
No. 1052

TAX LOT No. 76
No. 1054

TAX LOT No. 85
AREA=34334.6 SQ.F.

TAX LOT No. 90

SONERO Metro City Auto Site Brownfield Cleanup Program
Site No. C203148
Tax ID: P/O Block 2756 Lot 85
P/O 1001 Whitlock Avenue Bronx, NY 10459
Acres: 0.731

EXCLUDED PARCEL
AREA

EXHIBIT B

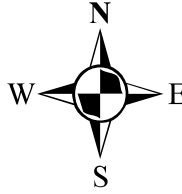


NYC Digital Tax Map

Effective Date : 11-01-2022 10:28:48

End Date : Current

Bronx Block: 2756



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- BCP Site Boundary



EXHIBIT C

Excluded Area

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

BEGINNING at a point on the northwesterly side of Whitlock Avenue distance 203.78 feet southwesterly from the corner formed by the intersection of the northwesterly side of Whitlock Avenue (80 feet wide) and the Southerly side of East 165th Street (60 feet wide) and westerly at right angle 126.72 feet, Thence southerly having an angle 79°24'10.3" distance 28.3 feet to a point of BEGINNING;

RUNNING THENCE Southerly distant 350.97 feet;

THENCE at 90° angle, distant 6.60 feet;

THENCE Northerly having an interior angle of 90°08'31", distant 350.96 feet;

THENCE Westerly having an interior angle of 89°54'51" distant 7.48 feet to the POINT OR PLACE OF BEGINNING

Acreage 0.057

EXHIBIT D

Reduced BCP Site Legal Description (Portion of Lot 85)

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

BEGINNING at a point on the northwesterly side of Whitlock Avenue distant 203.78 feet southwesterly from the corner formed by the intersection of the northwesterly side of Whitlock Avenue (80 feet wide) and the southerly side of East 165th Street (60 feet wide);

RUNNING THENCE westerly at right angles to Whitlock Avenue, 126.72 feet;

THENCE in a generally southerly direction along a line forming an interior angle of 79 degrees 24 minutes 10.3 seconds with the last mentioned course, 28.30 feet;

THENCE in a general Easterly forming an interior angle of 90 degrees 03 minutes 21 seconds with the last mentioned course, 7.48 feet;

THENCE in a general Southerly direction along a line forming an interior angle of 270 degrees 05 minutes 09 seconds with the last mentioned course, 350.96 feet;

THENCE in a general Westerly forming an interior angle of 269 degrees 51 minutes 29 seconds with the last mentioned course, 6.60 feet;

THENCE in a general Southerly direction along a line forming an interior angle of 90 degrees with the last mentioned course, 87.47 feet;

THENCE along northwesterly and southwester sides of Whitlock Avenue in a general northeasterly direction along a curve having a radius of 1150.00 feet a distance of 307.55 to a point;

THENCE along Westerly side of Whitlock Avenue 154.89 feet to the POINT OR PLACE OF BEGINNING

Acreage 0.731

EXHIBIT E

WRITTEN CONSENT

The undersigned, being the Sole Member of Whitlock Point LLC does hereby certify as follows:

1. Whitlock Point LLC is the prospective volunteer for the prospective Brownfield Cleanup Program (BCP) Site located at a portion of 1125 Whitlock Avenue, Bronx, New York 10459, tax Block 2756, p/o Lot 85 (the "BCP Site").

2. The following person, Mark Stagg, the Sole Member of Whitlock Point LLC, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteer Whitlock Point LLC in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 30 day of March, 2021.



Whitlock Point LLC

Mark Stagg, Sole Member

WRITTEN CONSENT

The undersigned, being a Member of Whitlock Point Services LLC, does hereby certify as follows:

1. Whitlock Point Services LLC is the prospective volunteer for the prospective Brownfield Cleanup Program (BCP) Site located at a portion of 1125 Whitlock Avenue, Bronx, New York 10459, tax Block 2756, p/o Lot 85 (the "BCP Site").

2. The following person, Mark Stagg, a member of Whitlock Point Services LLC, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteer Whitlock Point Services LLC in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 30 day of March, 2021.



Whitlock Point Services LLC

Mark Stagg, Member