



**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 Amendment reflects: (1) a change in the configuration of the two tax lots constituting the Site (Block 2134, Lots 1 and 150); and (2) a de minimis change to the Site boundary to remove 0.002 acres from the Site along the western edge of Lot 150. The attached Site Figure (Exhibit A) shows the prior and new Site boundary and configuration. The attached Tax Map (Exhibit B) shows the new Site boundary and configuration. Exhibit C includes the confirmatory deeds for Lot 1 and Lot 150, confirming that the owners of Lot 1 (470 Kent Ave Associates LLC) and Lot 150 (470 Kent Ave Associates II LLC) remain the owners of those Lots after the change in tax lot configuration.

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

BCP SITE NAME: 470 Kent Avenue	BCP SITE CODE: C224053
NAME OF CURRENT APPLICANT(S): 470 Kent Ave Associates LLC	
INDEX NUMBER OF AGREEMENT: C224053-07-14	DATE OF ORIGINAL AGREEMENT: 09/08/2014

**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:			
			<b>Y</b>	<b>N</b>
1. Is the requestor authorized to conduct business in New York State?			<input type="radio"/>	<input type="radio"/>
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?			<input type="radio"/>	<input type="radio"/>
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?			<input type="radio"/>	<input type="radio"/>
4. If the requestor is an LLC, the names of the members/owners must be provided. Is this information attached?			N/A <input type="radio"/>	<input type="radio"/>
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: <input type="checkbox"/> Existing Applicant <input type="checkbox"/> New Applicant <input type="checkbox"/> 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?	<input type="radio"/>	<input type="radio"/>
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site?	<input type="radio"/>	<input type="radio"/>
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.	<input type="radio"/>	<input type="radio"/>
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.	<input type="radio"/>	<input type="radio"/>
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.	<input type="radio"/>	<input type="radio"/>
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?	<input type="radio"/>	<input type="radio"/>
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?	<input type="radio"/>	<input type="radio"/>
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?	<input type="radio"/>	<input type="radio"/>

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?		<input type="radio"/>	<input type="radio"/>
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?		<input type="radio"/>	<input type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?		<input type="radio"/>	<input type="radio"/>
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:			
<input type="checkbox"/> <b>PARTICIPANT</b>  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.	<input type="checkbox"/> <b>VOLUNTEER</b>  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.  <b>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.</b>		
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?		N/A <input type="radio"/>	Y <input type="radio"/> N <input type="radio"/>
14. Requestor's relationship to the property (check all that apply):  <input type="checkbox"/> Prior Owner <input type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input type="checkbox"/> 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 <input type="radio"/>	Y <input type="radio"/> N <input type="radio"/>

**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: 470 Kent Avenue

CITY/TOWN: Brooklyn

ZIP CODE: 10019

CURRENT PROPERTY INFORMATION

TOTAL ACREAGE OF CURRENT SITE:

PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE
462-490 Kent Avenue, Brooklyn	3	2134	1	2.42
1-9 Division Avenue, Brooklyn	3	2134	p/o 150	1.22

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
1-9 Division Avenue, Brooklyn	2	2134	p/o 150	0.002

TOTAL ACREAGE TO BE REMOVED: 0.002

☒

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

NEW PROPERTY INFORMATION:

PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE
462-490 Kent Avenue, Brooklyn	3	2134	1	2.26
1-9 Division Avenue, Brooklyn	3	2134	p/o 150	1.38

3. TOTAL REVISED SITE ACREAGE: 3.638

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
<input checked="" type="radio"/>	<input type="radio"/>

**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?	<input type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
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.	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down as defined below?	<input type="radio"/>	<input type="radio"/>
<p><b>From ECL 27-1405(31):</b></p> <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>		
5. Is the project and affordable housing project as defined below?	<input type="radio"/>	<input type="radio"/>
<p><b>From 6 NYCRR 375-3.2(a) as of August 12, 2016:</b></p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p>		

APPLICATION SUPPLEMENT FOR NYC SITES (continued)	Y	N
<p>6. Is the project a planned renewable energy facility site as defined below?</p> <p><b>From ECL 27-1405(33) as of April 9, 2022:</b></p> <p>"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.</p> <p><b>From Public Service Law Article 4 Section 66-p as of April 23, 2021:</b></p> <p>(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.</p>	<input type="radio"/>	<input type="radio"/>
<p>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?</p> <p><b>From ECL 75-0111 as of April 9, 2022:</b></p> <p>(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.</p>	<input type="radio"/>	<input type="radio"/>



**PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT****EXISTING AGREEMENT INFORMATION**

BCP SITE NAME: 470 Kent Avenue

BCP SITE CODE: C224053

NAME OF CURRENT APPLICANT(S): 470 Kent Ave Associates LLC

INDEX NUMBER OF AGREEMENT: C224053-07-14

DATE OF ORIGINAL AGREEMENT 09/08/2014

**Declaration of Amendment:**

By the requestor(s) and/or applicant(s) signature(s) below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from obligations held under the Agreement or those same laws.

**STATEMENT OF CERTIFICATION AND SIGNATURES: NEW REQUESTOR**

*Complete the appropriate section (individual or entity) below only if this Amendment adds a new requestor. Attach additional pages as needed.*

(Individual)

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

\_\_\_\_\_ 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: \_\_\_\_\_



**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)

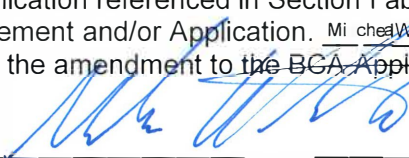
I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application,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

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

Print Name: \_\_\_\_\_

(Entity)

I hereby affirm that I am Authorized Signatory (title) of 470 Kent Ave Associates 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. Michael Witek's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 3/6/2025 Signature: Print Name: Michael Witek

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: 09/08/2014

Signature by the Department:

DATED: 5/1/25NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION

By:

  
 Janet E. Brown, Assistant Director  
 Division of Environmental Remediation

## INSTRUCTIONS FOR COMPLETING AN APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

This form must be used to add or remove a party, reflect a change in property ownership to all or part of the site, modify a property description, or reduce/expand property boundaries for an existing BCP Agreement.

*NOTE: DEC requires a standard full BCP application to request major changes to the description of the property set forth in the 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). The application must be submitted to DEC in the same manner as the original application to participate.*

### COVER PAGE

Please select all options that apply. Provide a brief narrative of the nature of the amendment requested.

### SECTION I: CURRENT AGREEMENT INFORMATION

*This section must be completed in its entirety. The information entered here will auto-populate throughout the application and amendment.*

Provide the site name, site code and name(s) of current requestor(s) exactly as this information appears on the existing agreement. This should reflect any changes made by previous amendments to the site name or parties on the BCA. Provide the agreement index number and the date of the initial BCA.

### SECTION II: NEW REQUESTOR INFORMATION

*This section is to be completed only if a new requestor is being added to the BCA, or if the name of the existing requestor has changed with the NYSDOS.*

#### Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information.) The requestor is the person or entity seeking DEC review and approval of the remedial program.

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 NYS Department of State's Corporation & Business Entity Database.

#### Requestor, Consultant and Attorney Contact Information

Provide the contact name, mailing address, telephone number and e-mail address for each of the following contacts:

*Requestor's Representative:* This is the person to whom all correspondence, notices, etc., will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative unless another contact name and address is provided with the application.

*Requestor's Consultant:* Include the name of the consulting firm and the contact person.

*Requestor's Attorney:* Include the name of the law firm and the contact person.

#### *Required Attachments for Section II:*

- 1. NYSDOS Information: A print-out of entity information from the NYSDOS database to document that the applicant is authorized to do business in NYS. The requestor's name must appear throughout the application exactly as it does in the database.*
- 2. LLC Organization: If the requestor is an LLC, provide a list of the names of the members/owners of the LLC.*
- 3. Authority to Bind: Proof must be included that shows that the party signing this application and amendment is authorized to do so on behalf of the requestor. This documentation may be in the form of corporate organizational papers, a Corporate Resolution or Operating Agreement or Resolution.*

### **SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION**

*Complete this section only if a transfer of ownership has taken place for all or part of the site property. Attach additional pages for each new owner if applicable.*

Provide the relationship of the owner to the site by selecting one of the check-box options.

#### Owner Name, Address, etc.

Provide information for the new owner of the property. List all new parties holding an interest in the property. Attach separate pages as needed.

#### Operator Name, Address, etc.

Provide information for the new operator, if applicable.

*NOTE: 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 form was not previously submitted, it must be included with this application. See <http://www.dec.ny.gov/chemical/76250.html> for additional information.*

#### *Required Attachments for Section III:*

- 1. Copy of deed as proof of ownership.*
- 2. Ownership/Nominee Agreement, if applicable.*
- 3. Change of Use form, if not previously submitted to the Department.*

### **SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION**

*For additional information regarding requestor eligibility, please refer to ECL §27-1407.*

Provide a response to each question listed. If any question is answered in the affirmative, provide an attachment with detailed relevant information. It is permissible to reference specific sections of existing property reports; however, such information must be summarized in an attachment. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

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.

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 signing the BCA and throughout the BCP project, including the ability to place an easement on the site. A purchase contract does not suffice as proof of access.

#### *Required Attachments for Section IV:*

- 1. Detailed information regarding any questions answered in the affirmation, if applicable.*
- 2. Statement describing why the requestor should be considered a volunteer, if applicable.*
- 3. Site access agreement, as described above, if applicable.*

## SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES

*NOTE: DEC requires a standard full BCP application to request major changes to the description of the property set forth in the 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). The application must be submitted to DEC in the same manner as the original application to participate.*

### Property Information on Existing Agreement

Provide the site address and tax parcel information exactly as it appears on the current agreement (including as it has been modified in previous amendments).

### Addition of Property

Provide the tax parcel information and acreage for each parcel to be added. Provide the total acreage to be added below the far-right column.

### Reduction of Property

Provide the tax parcel information and acreage for each parcel to be removed. Provide the total acreage to be removed below the far-right column.

### Change to address, SBL or metes and bounds description

Provide the new address and tax parcel information.

### Total Revised Site Acreage

Provide the new total site acreage after addition or removal of property. If no change to site boundary, this should match the acreage provided above, under Property Information on Existing Agreement.

All requested changes to this section should be accompanied by a revised survey or other acceptable map depicting the proposed new site boundary. Additionally, provide a county tax map with the site boundary outlined, as well as a USGS 7.5-minute quadrangle map with the site location clearly identified.

### *Required Attachments for Section V:*

1. *For all additions and removal of property:*
  - a. *Site map clearly identifying the existing site boundary and proposed new site boundary*
  - b. *County tax map with the new site boundary clearly identified*
  - c. *USGS 7.5-minute quadrangle map with the site location clearly identified*
2. *For address changes, lot mergers, subdivisions and any other change to the property description:*
  - a. *County tax map with the site boundary and all SBL information clearly identified*
  - b. *USGS 7.5-minute quadrangle map with the site location clearly identified*
  - c. *Approved application for lot merger or apportionment, or the equivalent thereof, as proof from the municipality of the SBL change(s)*

## **SUPPLEMENT TO THE APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT – QUESTIONS FOR SITES 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 responses to each question. If any question is answered in the affirmative, provide required documentation as applicable.

### ***Required Attachments for NYC Site Supplement:***

- 1. For sites located all or partially in an En-zone: provide a map with the site boundary clearly identified and the En-zone overlay showing that all or a portion of the site is located within an En-zone. This map must also indicate the census tract number in which the site is located. See [DEC's website](#) for additional information.*
- 2. For affordable housing projects: provide the affordable housing regulatory agreement and any additional relevant information.*
- 3. For renewable energy site projects: for (a) planned renewable energy facilities generating/storing less than twenty-five (25) megawatts, provide a local land use approval; or, for (b) planned renewable energy facilities generating/storing twenty-five (25) megawatts or greater, provide the permit issued by the NYS Office of Renewable Energy Siting.*
- 4. For sites located within a disadvantaged community and a conforming Brownfield Opportunity Area: provide a map with the site boundary clearly identified and the disadvantaged community overlay showing that the site is located within a disadvantaged community.*

## **PART II: BROWNFIELD CLEANUP PROGRAM AMENDMENT**

The information in the “EXISTING AGREEMENT INFORMATION” section should auto-populate with the information provided on page 2.

If a new requestor is applying to enter the program, provide the required information and signature at the bottom of page 8 and the required information and signature on page 9.

If no new requestor is applying to the program but any other change has been made, provide the required information and signature on page 9.

# **Exhibit A**





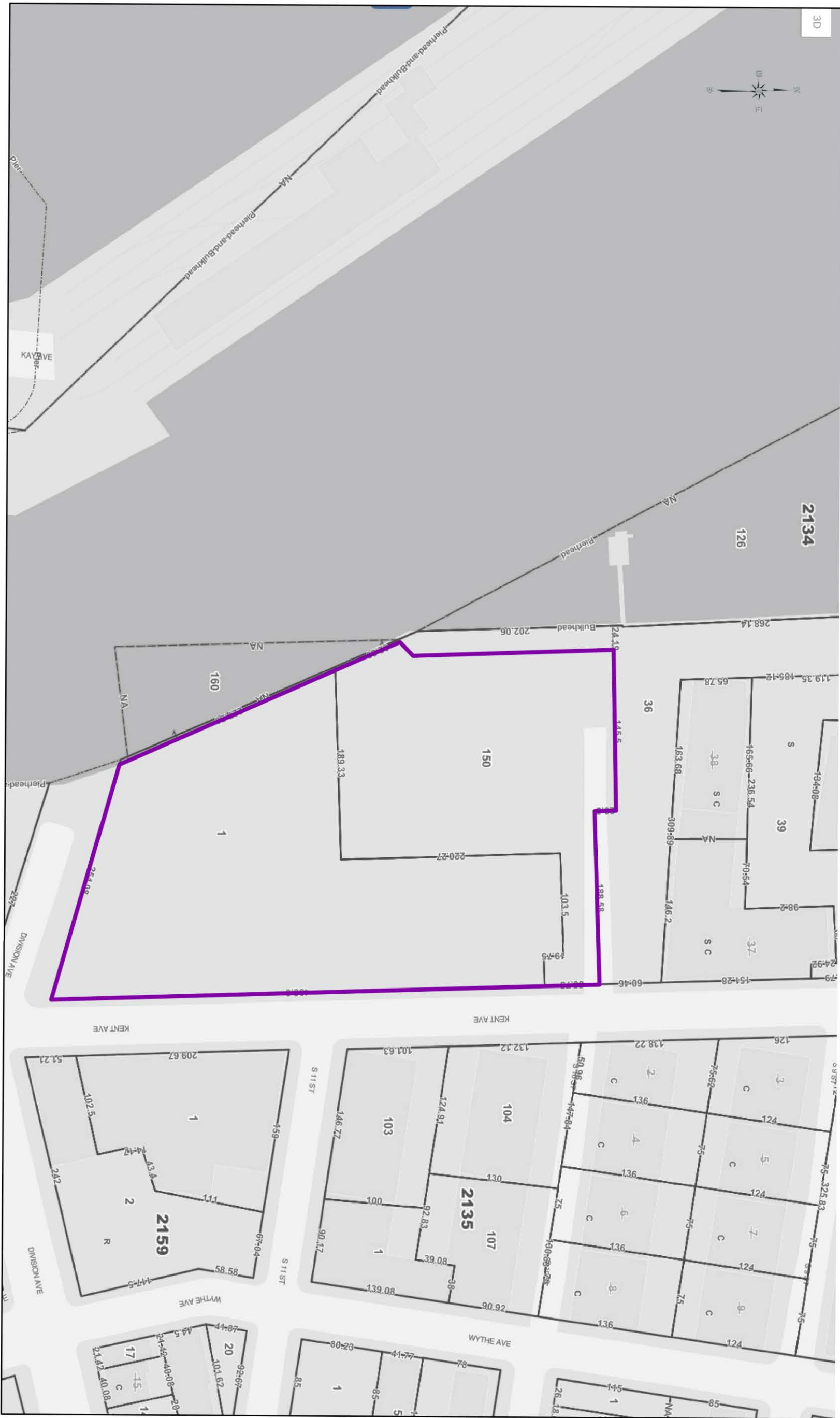
**Legend**

-  New BCP Site  
(3.64 acres)
-  Tax Lot 1
-  Tax Lot 150

**Approximate Tax Lot Areas  
within the New BCP Site**  
**470 Kent Avenue**  
**Brooklyn, New York**  
**Block 2134, Lots 1 & 150**



## **Exhibit B**



Legend  
BCP Site Extents

0 50 100 200  
Feet

Drawing Title

Tax Map

Drawing No

Figure 2

Drawn By

LM

Checked By

MC

Date

March 2025

Scale

As Noted

TENEN  
ENVIRONMENTAL

Tenen Environmental, LLC  
121 West 27th Street  
Suite 303  
New York, NY 10001  
O: (646) 606-2332  
F: (646) 606-2379

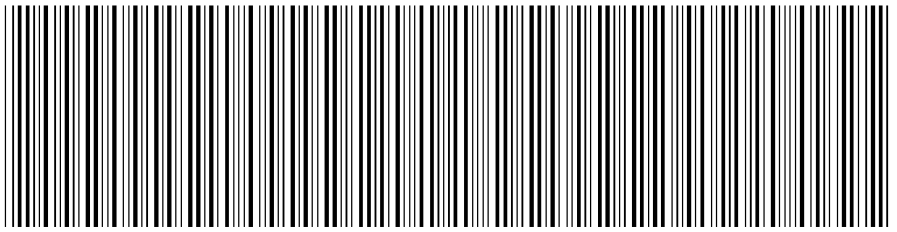
Site

470 Kent Avenue  
Brooklyn, New York  
Block 2134, Lots 1 & 150

# **Exhibit C**

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.



2024052400566001003EE5D7

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 11

Document ID: 2024052400566001

Document Date: 05-21-2024

Preparation Date: 06-10-2024

Document Type: DEED

Document Page Count: 9

PRESENTER:

ROYAL ABSTRACT OF NEW YORK LLC (TITLE# 916792)  
125 PARK AVENUE, SUITE 1610  
NEW YORK, NY 10017  
212-376-0900  
sdejesus@ROYALABSTRACT.COM

RETURN TO:

ROYAL ABSTRACT OF NEW YORK LLC (TITLE# 916792)  
125 PARK AVENUE, SUITE 1610  
NEW YORK, NY 10017  
212-376-0900  
sdejesus@ROYALABSTRACT.COM

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	2134	1	Entire Lot	N/A KENT AVENUE
Property Type: RESIDENTIAL VACANT LAND				

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:

470 KENT AVE ASSOCIATES LLC  
C/O NAFTALI GROUP, 152 WEST 57TH STREET  
NEW YORK, NY 10019

GRANTEE/BUYER:

470 KENT AVE ASSOCIATES LLC  
C/O NAFTALI GROUP, 152 WEST 57TH STREET  
NEW YORK, NY 10019

☒ Additional Parties Listed on Continuation Page

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: \$ 82.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 0.00

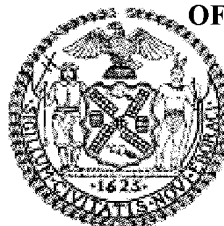
RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE

CITY OF NEW YORK

Recorded/Filed 06-20-2024 16:13

City Register File No.(CRFN):

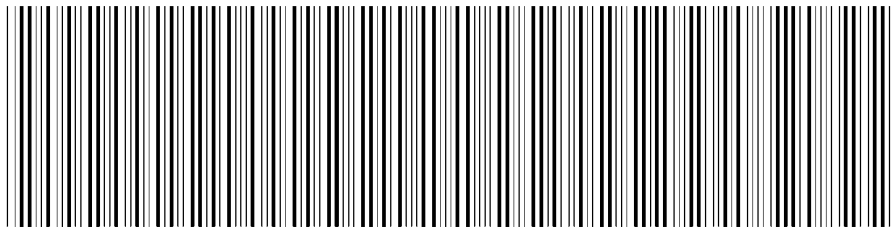
2024000156694



*Colette N. Chiu-Jacques*

City Register Official Signature

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2024052400566001003CE757

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 11

Document ID: 2024052400566001 Document Date: 05-21-2024 Preparation Date: 06-10-2024  
Document Type: DEED

PARTIES

GRANTOR/SELLER:  
470 KENT AVE ASSOCIATES II LLC  
C/O NAFTALI GROUP, 152 WEST 57TH STREET  
NEW YORK, NY 10019

**CONFIRMATORY DEED**

---

**470 KENT AVE ASSOCIATES LLC AND 470 KENT AVE ASSOCIATES II LLC,**

**GRANTOR**

**TO**

**470 KENT AVE ASSOCIATES LLC,**

**GRANTEE**

**RECORD AND RETURN TO:**

Fried, Frank, Harris, Shriver & Jacobson LLP

One New York Plaza

New York, New York 10004

Attention: Michael J. Werner, Esq

**CONFIRMATORY DEED**

THIS INDENTURE made as of the 31<sup>st</sup> day of April, 2024, between 470 KENT AVE ASSOCIATES LLC ("Lot 1 Owner") and 470 KENT AVE ASSOCIATES II LLC ("Lot 150 Owner"), each a Delaware limited liability company, having an address at c/o Naftali Group, 152 West 57th Street, New York, NY 10019 (Lot 1 Owner and Lot 150 Owner, collectively, "Grantor"), and 470 KENT AVE ASSOCIATES LLC, a Delaware limited liability company, having an address at c/o Naftali Group, 152 West 57th Street, New York, NY 10019 ("Grantee").

**WITNESSETH:**

WHEREAS, Lot 1 Owner is the owner in fee of certain real property with the building(s) and improvement(s) thereon erected, situate, lying and being, in the Borough of Brooklyn, Kings County, City and State of New York, known and designated on the Tax Map of the City of New York, Kings County, as Block 2134, Lot 1 (the "Lot 1 Premises"), as more particularly described on Exhibit A annexed hereto, pursuant to that certain indenture dated as of March 2, 2022, and recorded in the Office of the City Register of the City of New York at City Register File Number 2022030201321001, between Lot 1 Owner and Lot 1 Owner, with respect to the Lot 1 Premises;

WHEREAS, Lot 1 Owner has submitted an application to the New York City Department of Finance to modify the tax lot boundaries of the Lot 1 Premises (as modified, the "New Lot 1 Premises");

WHEREAS, this instrument is being executed and delivered for recording to confirm the present metes and bounds description and ownership of the New Lot 1 Premises; and

WHEREAS, simultaneously herewith, Grantor is executing and delivering for recording a confirmatory deed to confirm the present metes and bounds description and ownership of that certain real property in the Borough of Brooklyn, Kings County, City and State of New York, known and designated on the Tax Map of the City of New York, Kings County, as Block 2134, Lot 150;

NOW THEREFORE, in consideration of the foregoing, Grantor does hereby grant and release unto Grantee, the heirs or successors and assigns of Grantee forever:

ALL that certain plot, piece or parcel of land, with the building(s) and improvement(s) thereon erected, situate, lying and being in the Borough of Brooklyn, Kings County, City and State of New York, being more particularly described on Exhibit B attached hereto;

TOGETHER WITH all right, title and interest, if any, of Grantor in and to any streets and roads abutting the above-described premises to the center lines thereof;

TOGETHER WITH all easements, rights of way, air or development rights, strips, gores, reservations, privileges, appurtenances and all other estates and rights of Grantor in and to said premises;



TO HAVE AND TO HOLD the premises herein granted unto Grantee, its heirs or successors and assigns forever.

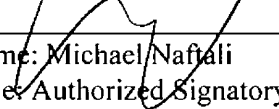
AND in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvements at the premises and will apply the same first to the payment of the cost of the improvements before using any part of the total of the same for any other purposes.

[Signature page follows]

[Signature page to Lot 1 Confirmatory Deed]

GRANTOR:

470 KENT AVE ASSOCIATES II LLC,  
a Delaware limited liability company

By:   
Name: Michael Naftali  
Title: Authorized Signatory

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

On the 7<sup>th</sup> day of ~~April~~ May, in the year 2024, before me, the undersigned, a notary public in and for said state, personally appeared Michael Naftali, 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 on behalf of which the individual acted, executed the instrument.

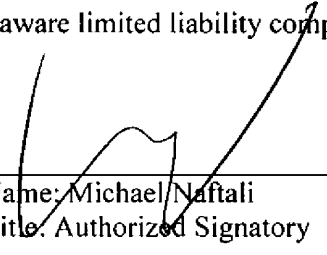
BEATRICE BAREMBOYM  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BA6445771  
Qualified in Kings County  
Commission Expires 01/03/2027

  
Notary Public

[SIGNATURES CONTINUE ON FOLLOWING PAGE]


GRANTEE:

470 KENT AVE ASSOCIATES LLC,  
a Delaware limited liability company

By:   
Name: Michael Naftali  
Title: Authorized Signatory

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

On the 7<sup>th</sup> day of May, in the year 2024, before me, the undersigned, a notary public in and for said state, personally appeared Michael Naftali, 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 on behalf of which the individual acted, executed the instrument.



Notary Public

BEATRICE BAREMBOYM  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BA6445771  
Qualified In Kings County  
Commission Expires 01/03/2027

## **EXHIBIT A**

### **DESCRIPTION OF LOT 1 PREMISES**

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

BEGINNING at the corner formed by the intersection of the westerly side of Kent Avenue with the northerly side of Division Avenue;

RUNNING THENCE N 70°58'00" W, along the northerly side of Division Avenue, a distance of 254.085 feet, to the United States Pierhead and Bulkhead Line, approved by the Secretary of War, February 25, 1918;

RUNNING THENCE N 21°09'30" W, along the United States Pierhead and Bulkhead Line, a distance of 275.29 feet, to the centerline of former South 11<sup>th</sup> Street;

RUNNING THENCE S 79°43'02" E, along the centerline of former South 11<sup>th</sup> Street, a distance of 200.92 feet, to a point;

RUNNING THENCE N 00°02'46" W, a distance of 30.50 feet, to the low water line of the East River as shown on the map of the Village of Williamsburg; adopted August 14, 1827, by resolution of the Board of Trustees of the Village of Williamsburg;

RUNNING THENCE the following ten courses and distances along said low water line:

1. THENCE N 02°46'03" W, a distance of 12.42 feet, to a point;
2. THENCE N 04°09'35" E, a distance of 27.53 feet, to a point;
3. THENCE N 01°03'02" E, a distance of 10.29 feet, to a point;
4. THENCE N 07°58'55" E, a distance of 37.36 feet, to a point;
5. THENCE N 04°52'56" E, a distance of 22.32 feet, to a point of curvature;
6. THENCE along a curve bearing to the left, having a radius of 30.73 feet, an arc length of 19.48 feet, to a point of tangency;
7. THENCE N 31°26'28" W, a distance of 7.08 feet, to a point of curvature;
8. THENCE along a curve bearing to the right, having a radius of 35.52 feet, an arc length of 23.10 feet, to a point of intersection. Said curve having a chord bearing of N 12°48'21" W, with a chord length of 22.70 feet;
9. THENCE N 10°17'55" W, a distance of 14.41 feet, to a point;
10. THENCE N 01°25'13" E, a distance of 10.74 feet, to a point;

RUNNING THENCE N 90°00'00" E, a distance of 148.65 feet, to the westerly side of Kent Avenue;

RUNNING THENCE S 00°00'00" E, along the westerly side of Kent Avenue a distance of 515.35 feet to the point or place of beginning.

**EXHIBIT B**

**DESCRIPTION OF NEW LOT 1 PREMISES**

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

Beginning at the corner formed by the intersection of the westerly side of Kent Avenue with the northerly side of Division Avenue;

RUNNING THENCE N 70°58'00" W, along the northerly side of Division Avenue, a distance of 254.085 feet, to the United States Pierhead and Bulkhead Line, approved by the Secretary of War, February 25, 1918;

RUNNING THENCE N 21°09'30" W, along the United States Pierhead and Bulkhead Line, a distance of 227.56 feet, to a point;

RUNNING THENCE N 90°00'00" E, a distance of 189.33 feet, to a point;

RUNNING THENCE N 00°00'00" E, a distance of 220.27 feet, to a point.

RUNNING THENCE N 90°00'00" E, a distance of 103.50 feet, to a point;

RUNNING THENCE S 00°00'00" E, a distance of 19.75 feet, to a point.

RUNNING THENCE N 90°00'00" E, a distance of 29.50 feet, to the westerly side of Kent Avenue;

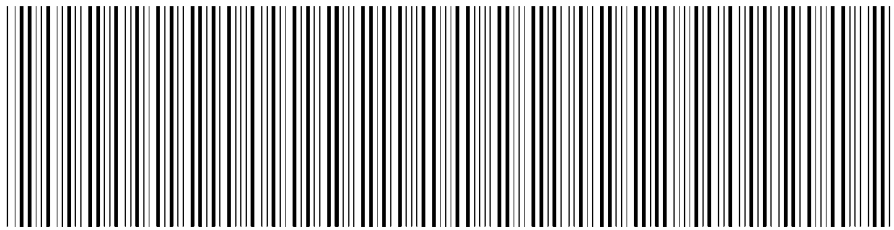
RUNNING THENCE S 00°00'00" E, along the westerly side of Kent Avenue a distance of 495.60 feet to the point or place of beginning.

The above-described parcel having a parcel area of 98,354 square feet, or 2.2579 acres.

The bearings indicated above refer to an assumed meridian holding Kent Ave as North and South.



NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2024052400566001003S2B56

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2024052400566001  
Document Type: DEED

Document Date: 05-21-2024

Preparation Date: 06-10-2024

ASSOCIATED TAX FORM ID: 2024052100479

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

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

1  
1

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  N/A  KENT AVENUE  BROOKLYN  11249  
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name  470 KENT AVE ASSOCIATES LLC   
 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  1  # of Parcels OR ☐ Part of a Parcel

5. Deed Property Size  FRONT FEET X  DEPTH OR  ACRES

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

Check the boxes below as they apply:

6. Ownership Type is Condominium ☐7. New Construction on Vacant Land ☐

8. Seller Name  470 KENT AVE ASSOCIATES LLC   
 LAST NAME / COMPANY FIRST NAME  
 470 KENT AVE ASSOCIATES II LLC   
 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 ☐ One Family Residential C ☐ Residential Vacant Land E ☒ Commercial G ☐ Entertainment / Amusement I ☐ Industrial  
 B ☐ 2 or 3 Family Residential D ☐ Non-Residential Vacant Land F ☐ Apartment H ☐ Community Service J ☐ Public Service

## SALE INFORMATION

10. Sale Contract Date  5 / 21 / 2024  
 Month Day Year

11. Date of Sale / Transfer  5 / 21 / 2024  
 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 ☐ Sale Between Relatives or Former Relatives  
 B ☐ Sale Between Related Companies or Partners in Business  
 C ☐ One of the Buyers is also a Seller  
 D ☐ Buyer or Seller is Government Agency or Lending Institution  
 E ☐ Deed Type not Warranty or Bargain and Sale (Specify Below)  
 F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)  
 G ☐ Significant Change in Property Between Taxable Status and Sale Dates  
 H ☐ Sale of Business is Included in Sale Price  
 I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)  
 J ☒ None

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

15. Building Class  D 7 16. Total Assessed Value (of all parcels in transfer)  4 3 3 4 1 2 2

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

BROOKLYN 2134 1

202405210047920101

**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****BUYER'S ATTORNEY**

BUYER SIGNATURE		DATE		LAST NAME		FIRST NAME	
C/O NAFTALI GROUP 152 WEST 57TH STREET							
STREET NUMBER		STREET NAME (AFTER SALE)		AREA CODE		TELEPHONE NUMBER	
NEW YORK		NY		10019		SELLER	
CITY OR TOWN		STATE		ZIP CODE		SELLER SIGNATURE	
						DATE	

2024052100479201

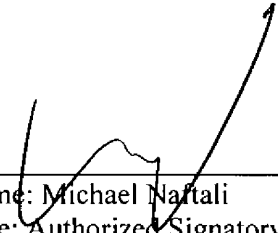
SIGNATURE RIDER TO NEW YORK CITY REAL PROPERTY TRANSFER REPORT  
(RP-5217NYC)

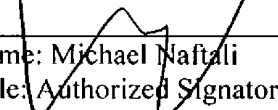
SELLER:

470 KENT AVE ASSOCIATES LLC  
AND 470 KENT AVE ASSOCIATES II LLC

SELLER'S ATTORNEY:

Fried, Frank, Harris,  
Shriver & Jacobson LLP  
Michael Werner, Esq.  
Telephone Number: (212) 859-8213

By:   
Name: Michael Naftali  
Title: Authorized Signatory

By:   
Name: Michael Naftali  
Title: Authorized Signatory

*[Signature Page Continues on Following Page]*

SIGNATURE RIDER TO NEW YORK CITY REAL PROPERTY TRANSFER REPORT  
(RP-5217NYC) (con't)

BUYER:

470 KENT AVE ASSOCIATES LLC

By: 

Name: Michael Naftali  
Title: Authorized Signatory

By: 

Name: Michael Naftali  
Title: Authorized Signatory

BUYER'S ATTORNEY:

Fried, Frank, Harris,  
Shriver & Jacobson LLP  
Michael Werner, Esq.  
Telephone Number: (212) 859-8213



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: BROOKLYN      BLOCK: 2134      LOT: 1
- (2) Property Address: N/A KENT AVENUE, BROOKLYN, NY 11249
- (3) Owner's Name      470 KENT AVE ASSOCIATES LLC
- 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.

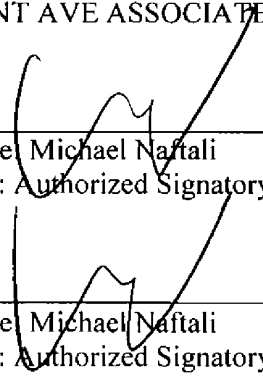
Print Name of Owner:

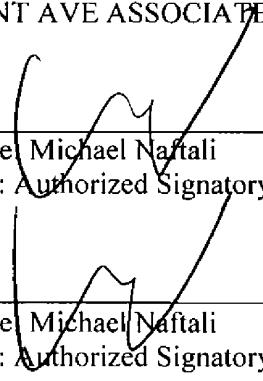
Signature: \_\_\_\_\_ Date (mm/dd/yyyy)

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

GRANTEE:

470 KENT AVE ASSOCIATES LLC

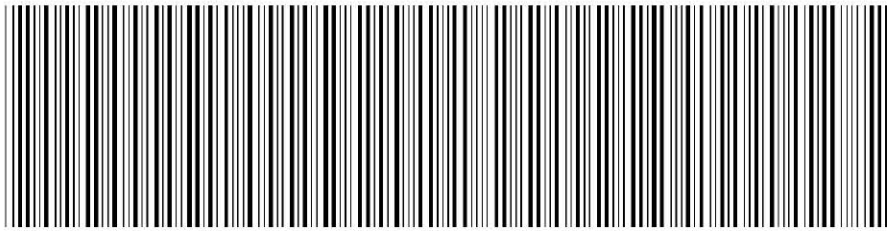
By:   
Name: Michael Naftali  
Title: Authorized Signatory

By:   
Name: Michael Naftali  
Title: Authorized Signatory



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.



2024052400566002003EE593

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 12

Document ID: 2024052400566002

Document Date: 05-21-2024

Preparation Date: 06-10-2024

Document Type: DEED

Document Page Count: 10

PRESENTER:

ROYAL ABSTRACT OF NEW YORK LLC (TITLE# 916792)  
125 PARK AVENUE, SUITE 1610  
NEW YORK, NY 10017  
212-376-0900  
sdejesus@ROYALABSTRACT.COM

RETURN TO:

ROYAL ABSTRACT OF NEW YORK LLC (TITLE# 916792)  
125 PARK AVENUE, SUITE 1610  
NEW YORK, NY 10017  
212-376-0900  
sdejesus@ROYALABSTRACT.COM

Borough	Block	Lot	Unit	Address
BROOKLYN	2134	150	Entire Lot	N/A KENT AVENUE
Property Type: RESIDENTIAL VACANT LAND				

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:

470 KENT AVE ASSOCIATES LLC  
C/O NAFTALI GROUP, 152 WEST 57TH STREET  
NEW YORK, NY 10019

GRANTEE/BUYER:

470 KENT AVE ASSOCIATES II LLC  
C/O NAFTALI GROUP, 152 WEST 57TH STREET  
NEW YORK, NY 10019

☒ Additional Parties Listed on Continuation Page

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: \$ 87.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 0.00

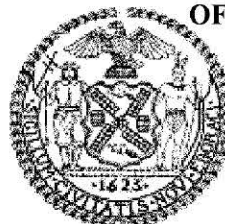
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OF THE CITY REGISTER OF THE

CITY OF NEW YORK

Recorded/Filed 06-20-2024 16:13

City Register File No.(CRFN):

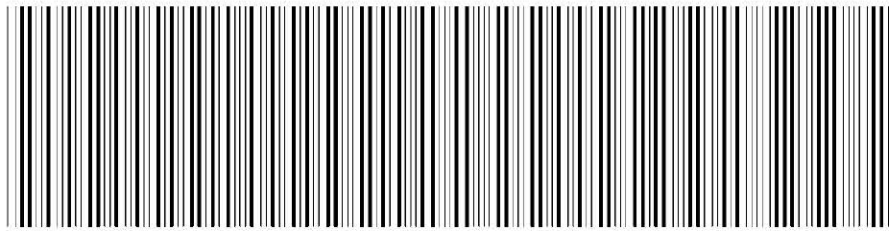
2024000156695



*Colette McChia-Jacques*

City Register Official Signature

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2024052400566002003CE713

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 12

Document ID: 2024052400566002 Document Date: 05-21-2024 Preparation Date: 06-10-2024  
Document Type: DEED

PARTIES

GRANTOR/SELLER:  
470 KENT AVE ASSOCIATES II LLC  
C/O NAFTALI GROUP, 152 WEST 57TH STREET  
NEW YORK, NY 10019

**CONFIRMATORY DEED**

---

**470 KENT AVE ASSOCIATES LLC AND 470 KENT AVE ASSOCIATES II LLC,**

**GRANTOR**

**TO**

**470 KENT AVE ASSOCIATES II LLC,**

**GRANTEE**

**RECORD AND RETURN TO:**

**Fried, Frank, Harris, Shriver & Jacobson LLP**

**One New York Plaza**

**New York, New York 10004**

**Attention: Michael J. Werner, Esq**

### **CONFIRMATORY DEED**

THIS INDENTURE made as of the 21<sup>st</sup> day of April, 2024, between 470 KENT AVE ASSOCIATES LLC ("Lot 1 Owner") and 470 KENT AVE ASSOCIATES II LLC ("Lot 150 Owner"), each a Delaware limited liability company, having an address at c/o Naftali Group, 152 West 57th Street, New York, NY 10019 (Lot 1 Owner and Lot 150 Owner, collectively, "Grantor"), and 470 KENT AVE ASSOCIATES II LLC, a Delaware limited liability company, having an address at c/o Naftali Group, 152 West 57th Street, New York, NY 10019 ("Grantee").

### **WITNESSETH:**

WHEREAS, Lot 150 Owner is the owner in fee of certain real property with the building(s) and improvement(s) thereon erected, situate, lying and being, in the Borough of Brooklyn, Kings County, City and State of New York, known and designated on the Tax Map of the City of New York, Kings County, as Block 2134, Lot 150 (the "Lot 150 Premises"), as more particularly described on Exhibit A annexed hereto, pursuant to that certain indenture dated as of November 16, 2022, and recorded in the Office of the City Register of the City of New York at City Register File Number 2022111500346001, between Lot 1 Owner and Lot 150 Owner, with respect to the Lot 150 Premises;

WHEREAS, Lot 1 Owner has submitted an application to the New York City Department of Finance to modify the tax lot boundaries of the Lot 150 Premises (as modified, the "New Lot 150 Premises");

WHEREAS, this instrument is being executed and delivered for recording to confirm the present metes and bounds description and ownership of the New Lot 150 Premises; and

WHEREAS, simultaneously herewith, Grantor is executing and delivering for recording a confirmatory deed to confirm the present metes and bounds description and ownership of that certain real property in the Borough of Brooklyn, Kings County, City and State of New York, known and designated on the Tax Map of the City of New York, Kings County, as Block 2134, Lot 1;

NOW THEREFORE, in consideration of the foregoing, Grantor does hereby grant and release unto Grantee, the heirs or successors and assigns of Grantee forever:

ALL that certain plot, piece or parcel of land, with the building(s) and improvement(s) thereon erected, situate, lying and being in the Borough of Brooklyn, Kings County, City and State of New York, being more particularly described on Exhibit B attached hereto;

TOGETHER WITH all right, title and interest, if any, of Grantor in and to any streets and roads abutting the above-described premises to the center lines thereof;

TOGETHER WITH all easements, rights of way, air or development rights, strips, gores, reservations, privileges, appurtenances and all other estates and rights of Grantor in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto Grantee, its heirs or successors and assigns forever.

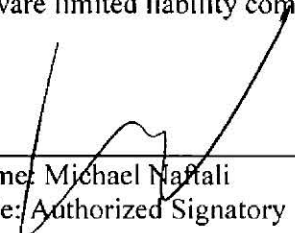
AND in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvements at the premises and will apply the same first to the payment of the cost of the improvements before using any part of the total of the same for any other purposes.

[Signature page follows]

IN WITNESS WHEREOF, the Grantor has duly executed this instrument as of the day and year first above written.

GRANTOR:

470 KENT AVE ASSOCIATES LLC,  
a Delaware limited liability company

By:   
Name: Michael Naftali  
Title: Authorized Signatory

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

On the 7<sup>th</sup> day of ~~April~~ <sup>May</sup>, in the year 2024, before me, the undersigned, a notary public in and for said state, personally appeared Michael Naftali, 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 on behalf of which the individual acted, executed the instrument.

BEATRICE BAREMBOYM  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BA6445771  
Qualified in Kings County  
Commission Expires 01/03/2027

  
Notary Public

[SIGNATURES CONTINUE ON FOLLOWING PAGE]



GRANTEE:

470 KENT AVE ASSOCIATES II LLC,  
a Delaware limited liability company

By: \_\_\_\_\_

Name: Michael Naftali

Title: Authorized Signatory

STATE OF NEW YORK )

) ss.:

COUNTY OF KINGS )

On the 7<sup>th</sup> day of ~~April~~ <sup>May</sup>, in the year 2024, before me, the undersigned, a notary public in and for said state, personally appeared Michael Naftali, 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 on behalf of which the individual acted, executed the instrument.

B B

Notary Public

BEATRICE BAREMBOYM  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BA6445771  
Qualified in Kings County  
Commission Expires 01/03/2027



**EXHIBIT A**

**DESCRIPTION OF LOT 150 PREMISES**

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

BEGINNING at a point on the westerly side of Kent Avenue distant 515.35 feet northerly from the corner formed by the intersection of the westerly side of Kent Avenue with the northerly side of Division Avenue;

RUNNING THENCE N 00°00'00" E, along the westerly side of Kent Avenue, a distance of 36.00 feet, to a point;

RUNNING THENCE N 90°00'00" W, a distance of 188.58 feet, to a point;

RUNNING THENCE N 00°00'00" E, 23.50 feet to a point;

RUNNING THENCE N 90°00'00" W, a distance of 145.50 feet,

RUNNING THENCE S 00°00'00" E, 0.50 feet to a point;

RUNNING THENCE N 90°00'00" W, a distance of 24.19 feet, to the United States Bulkhead Line approved by the Secretary of War, February 25, 1918;

RUNNING THENCE S 01°42'21" E, along the United States Bulkhead Line, a distance of 202.06 feet, to the United States Pierhead and Bulkhead Line approved by the Secretary of War, February 25, 1918;

RUNNING THENCE S 21°09'30" E, along the United States Pierhead and Bulkhead Line, a distance of 35.16 feet, to the centerline of former South 11<sup>th</sup> Street;

RUNNING THENCE S 79°43'02" E, along the centerline of former South 11<sup>th</sup> Street, a distance of 200.92 feet, to a point;

RUNNING THENCE N 00°02'46" W, a distance of 30.50 feet, to the low water line of the East River as shown on the map of the Village of Williamsburg, adopted August 14, 1827, by resolution of the Board of Trustees of the Village of Williamsburg;

RUNNING THENCE the following ten courses and distances along said low water line:

1. THENCE N 02°46'03" W, a distance of 12.42 feet, to a point;
2. THENCE N 04°09'35" E, a distance of 27.53 feet, to a point;
3. THENCE N 01°03'02" E, a distance of 10.29 feet, to a point;
4. THENCE N 07°58'55" E, a distance of 37.36 feet, to the Low Water Line of East River as per filed map;
5. THENCE N 04°52'56" E, a distance of 22.32 feet, to a point of curvature;
6. THENCE along a curve bearing to the left, having an arc length of 19.48 feet, a radius of 30.73 feet, to a point of tangency;
7. THENCE N 31°26'28" W, a distance of 7.08 feet, to a point of curvature;
8. THENCE along a curve bearing to the right, having a radius of 35.52 feet, an arc length of 23.10 feet, to a point of intersection. Said curve having a chord bearing of N 12°48'21" W, with a chord length of 22.70 feet;
9. THENCE N 10°17'55" W, a distance of 14.41 feet, to a point;
10. THENCE N 01°25'13" E, a distance of 10.74 feet, to a point;

RUNNING THENCE N 90°00'00" E, a distance of 148.65 feet, to the westerly side of Kent Avenue, the point or place of beginning.

**EXHIBIT B**

**DESCRIPTION OF NEW LOT 150 PREMISES**

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

BEGINNING at a point on the westerly side of Kent Avenue distant 495.60 feet northerly from the corner formed by the intersection of the westerly side of Kent Avenue with the northerly side of Division Avenue;

RUNNING THENCE N 00°00'00" E, along the westerly side of Kent Avenue, a distance of 55.75 feet, to a point;

RUNNING THENCE N 90°00'00" W, a distance of 188.58 feet, to a point;

RUNNING THENCE N 00°00'00" E, 23.50 feet to a point;

RUNNING THENCE N 90°00'00" W, a distance of 145.50 feet,

RUNNING THENCE S 00°00'00" E, 0.50 feet to a point;

RUNNING THENCE N 90°00'00" W, a distance of 24.19 feet, to the United States Bulkhead Line approved by the Secretary of War, February 25, 1918;

RUNNING THENCE S 01°42'21" E, along the United States Bulkhead Line, a distance of 202.06 feet, to the United States Pierhead and Bulkhead Line approved by the Secretary of War, February 25, 1918;

RUNNING THENCE S 21°09'30" E, along the United States Pierhead and Bulkhead Line, a distance of 82.89 feet, to a point;

RUNNING THENCE N 90°00'00" E, a distance of 189.33 feet, to a point;

RUNNING THENCE N 00°00'00" E, a distance of 220.27 feet, to a point.

RUNNING THENCE N 90°00'00" E, a distance of 103.50 feet, to a point;

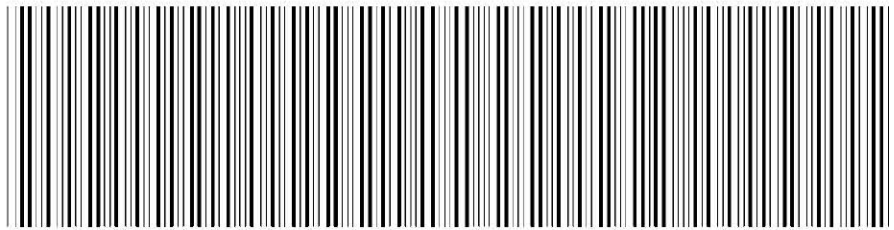
RUNNING THENCE S 00°00'00" E, a distance of 19.75 feet, to a point.

RUNNING THENCE N 90°00'00" E, a distance of 29.50 feet, to the westerly side of Kent Avenue, the point or place of beginning.

The above described parcel having a parcel area of 64,845 square feet, or 1.4886 acres.

The bearings indicated above refer to an assumed meridian holding Kent Ave as North and South.

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2024052400566002003S2B12

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2024052400566002  
Document Type: DEED

Document Date: 05-21-2024

Preparation Date: 06-10-2024

ASSOCIATED TAX FORM ID: 2024052100465

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

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

1  
1

C1. County Code  C2. Date Deed Recorded  /  /   
Month Day Year  
C3. Book OR  C4. Page   
C5. CRFN



STATE OF NEW YORK  
STATE BOARD OF REAL PROPERTY SERVICES

**RP - 5217NYC**

1. Property Location	N/A	KENT AVENUE	BROOKLYN	11249
	STREET NUMBER	STREET NAME	BOROUGH	ZIP CODE

2. Buyer Name	470 KENT AVE ASSOCIATES II LLC	
	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 1 # of Parcels OR    Part of a Parcel

**4A. Planning Board Approval - N/A for NYC**

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

6. Dead Property                      X                      OR                      ACRES

**Check the boxes below as they apply:**

6. Ownership Type is Condominium

### 7. New Construction on Vacant Land

8. Seller Name	470 KENT AVE ASSOCIATES LLC	
	LAST NAME   COMPANY	FIRST NAME
	470 KENT AVE ASSOCIATES II LLC	
	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 checked="" type="checkbox"/>	Residential Vacant Land	E	<input 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

10. Sale Contract Date 5 / 21 / 2024  
Month / Day / Year

11. Date of Sale / Transfer 5 / 21 / 2024  
Month Day Year

12. Full Sale Price \$

( 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 <b>not</b> 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

15. Building Class V, 0 16. Total Assessed Value (of all parcels in transfer): 2,423,108

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

BROOKLYN 2134 150

**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****BUYER'S ATTORNEY**

BUYER SIGNATURE		DATE		LAST NAME		FIRST NAME	
C/O NAFTALI GROUP 152 WEST 57TH STREET							
STREET NUMBER		STREET NAME (AFTER SALE)		AREA CODE		TELEPHONE NUMBER	
NEW YORK		NY		10019		SELLER	
CITY OR TOWN		STATE		ZIP CODE		SELLER SIGNATURE	
						DATE	

2024052100465201

SIGNATURE RIDER TO NEW YORK CITY REAL PROPERTY TRANSFER REPORT  
(RP-5217NYC)

SELLER:

470 KENT AVE ASSOCIATES LLC  
AND 470 KENT AVE ASSOCIATES II LLC

By: \_\_\_\_\_

Name: Michael Naftali  
Title: Authorized Signatory

By: \_\_\_\_\_

Name: Michael Naftali  
Title: Authorized Signatory

SELLER'S ATTORNEY:

Fried, Frank, Harris,  
Shriver & Jacobson LLP  
Michael Werner, Esq.  
Telephone Number: (212) 859-8213

*[Signature Page Continues on Following Page]*



SIGNATURE RIDER TO NEW YORK CITY REAL PROPERTY TRANSFER REPORT  
(RP-5217NYC) (con't)

BUYER:

470 KENT AVE ASSOCIATES II LLC

By: 

Name: Michael Naftali  
Title: Authorized Signatory

By: 

Name: Michael Naftali  
Title: Authorized Signatory

BUYER'S ATTORNEY:

Fried, Frank, Harris,  
Shriver & Jacobson LLP  
Michael Werner, Esq.  
Telephone Number: (212) 859-8213



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: BROOKLYN BLOCK: 2134 LOT: 150
- (2) Property Address: N/A KENT AVENUE, BROOKLYN, NY 11249
- (3) Owner's Name: 470 KENT AVE ASSOCIATES II LLC
- 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.

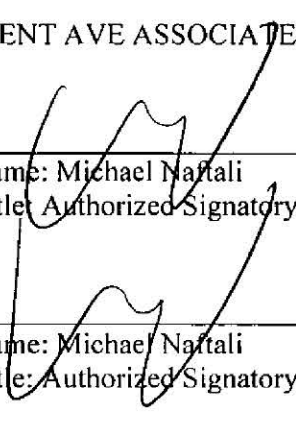
Print Name of Owner:

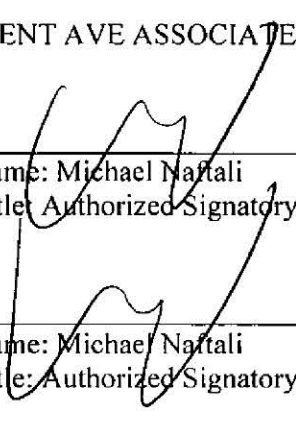
Signature: \_\_\_\_\_ Date (mm/dd/yyyy)

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

GRANTEE:

470 KENT AVE ASSOCIATES II LLC

By:   
Name: Michael Naftali  
Title: Authorized Signatory

By:   
Name: Michael Naftali  
Title: Authorized Signatory