

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)

*CERTIFICATE OF COMPLETION*

**CERTIFICATE HOLDER(S):**

**Name**

VC Atlantic Partners LLC  
539 Vanderbilt Partners LLC  
550 Clinton Partners LLC

**Address**

56 West 22nd Street, 10th Floor, New York, NY 10010  
56 West 22nd Street, 10th Floor, New York, NY 10010  
56 West 22nd Street, 10th Floor, New York, NY 10010

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 3/6/17    **Agreement Execution:** 4/6/17  
**Agreement Index No.:** C224228-03-17

**Application Approval Amendment:** 9/5/19

**Agreement Execution Amendment:** 9/5/19

**Application Approval Amendment:** 7/18/22

**Agreement Execution Amendment:** 7/18/22

**SITE INFORMATION:**

**Site No.:** C224228    **Site Name:** 805-825 Atlantic Avenue

**Site Owner:** Superior Associates, LLC  
Lichter Family LLC  
The Clarence A. Greifinger Trust  
550 Clinton Partners LLC  
539 Vanderbilt Partners LLC

**Street Address:** 539 Vanderbilt Avenue and 550 Clinton Avenue

**Municipality:** Brooklyn    **County:** Kings    **DEC Region:** 2

**Site Size:** 0.484 Acres

**Tax Map Identification Number(s):** 2010-1, 2010-59

**Percentage of site located in an EnZone:** 0 - 49 %

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

**CERTIFICATE ISSUANCE**

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

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

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

**For Parcel 2010-1: See Exhibit A**

**Allowable Uses under the BCP:** Restricted-Residential, Commercial, and Industrial

**Cleanup Track 2:** Restricted use with site-specific soil cleanup objectives

**Tax Credit Provisions:**

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 40 %.

Eligibility for Tangible Property Credit is available because the certificate holder submitted documentation to the Department's satisfaction that the project was an Affordable Housing project. If affordable housing is not constructed there is no Tangible Property Credits.

Tangible Property Credit is 10%. Comprised of 10% Base.

**For Parcel 2010-59: See Exhibit A**

**Allowable Uses under the BCP:** Restricted-Residential, Commercial, and Industrial

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

**Tax Credit Provisions:**

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 28 %.

Eligibility for Tangible Property Credit is available because the certificate holder submitted documentation to the Department's satisfaction that the project was an Affordable Housing project. If affordable housing is not constructed there is no Tangible Property Credits.

Tangible Property Credit is 10%. Comprised of 10% Base.

Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24 %.

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Kings County as 2022000254585 and 2022000254586.

**LIABILITY LIMITATION**

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

**CERTIFICATE MODIFICATION/REVOCATION**

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

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

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

Basil Seggos  
Commissioner  
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 8/9/2022

Andrew O. Guglielmi, Director  
Division of Environmental Remediation

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director

625 Broadway, 12th Floor, Albany, New York 12233-7011

P: (518) 402-9706 | F: (518) 402-9020

[www.dec.ny.gov](http://www.dec.ny.gov)

August 9, 2022

550 Clinton Partners LLC &  
539 Vanderbilt Partners LLC  
VC Atlantic Partners LLC  
Jeffrey Gershon  
c/o Hope Street Capital  
56 West 22<sup>nd</sup> Street, 10<sup>th</sup> Floor  
New York, NY 10010  
[jgershon@hopestreet.com](mailto:jgershon@hopestreet.com)

Superior Associates, LLC  
c/o Crosstown Management Corp.  
97-77 Queens Boulevard, Suite 1120  
Rego Park, NY 11374  
[tony@ctnyc.com](mailto:tony@ctnyc.com)

Lichter Family LLC  
551 5<sup>th</sup> Avenue, 24<sup>th</sup> Floor  
New York, NY 10176

The Clarence A Greifinger Trust  
c/o Audrey Pearlman  
24262 Cherry Hill Place  
Laguna Niguel, CA 92677

Re: Certificate of Completion  
805-825 Atlantic Avenue  
Brooklyn, Kings County  
Site No. C224228

Dear Mr. Gershon, Ms. Schain, Ms. Pearlman:

Congratulations on having satisfactorily completed the remedial program at the 805-825 Atlantic Avenue site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.



Department of  
Environmental  
Conservation

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

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.
- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:  
Ruth Curley, Remedial Bureau B  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233
- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days;
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in December 2023.

If you have any questions, please do not hesitate to contact Ruth Curley, the Department's project manager, at 518.402.9480.

Sincerely,

*Andrew Guglielmi*

Andrew Guglielmi  
Division Director  
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

M. Burke	<a href="mailto:mburke@langan.com">mburke@langan.com</a>
S. Knoop	<a href="mailto:sknoop@langan.com">sknoop@langan.com</a>
K. Semon	<a href="mailto:ksemon@langan.com">ksemon@langan.com</a>
S. Russo	<a href="mailto:russos@gtlaw.com">russos@gtlaw.com</a>
C. Vooris	NYSDOH, <a href="mailto:christine.vooris@health.ny.gov">christine.vooris@health.ny.gov</a>
S. McLaughlin	NYSDOH <a href="mailto:scarlett.mclaughlin@health.ny.gov">scarlett.mclaughlin@health.ny.gov</a>
S. Bogardus	NYSDOH <a href="mailto:sara.bogardus@health.ny.gov">sara.bogardus@health.ny.gov</a>
Matt Gokey	<a href="mailto:matthew.gokey@tax.ny.gov">matthew.gokey@tax.ny.gov</a>
Paul Takac	<a href="mailto:paul.takac@tax.ny.gov">paul.takac@tax.ny.gov</a>

ec w/o enc.:

R. Curley, G. Burke, J. O'Connell, J. Andaloro, K. Lewandowski

## **NOTICE OF CERTIFICATE OF COMPLETION**

### **Brownfield Cleanup Program**

#### **6 NYCRR Part 375-1.9(d)**

**805-825 Atlantic Avenue, Site ID No. C224228**

**539 Vanderbilt Avenue and 550 Clinton Avenue, Brooklyn, NY 11238**

**Brooklyn, Kings County, Tax Map Identification Numbers: Block 2010 Lot 59**

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to 550 Clinton Partners LLC, 539 Vanderbilt Partners LLC and VC Atlantic Partners LLC for a parcel approximately 0.24 acres located at 550 Clinton Avenue in Brooklyn, Kings County.

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

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

- ☐ Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- ☐ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ☒ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ☒ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ☒ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

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

**PLEASE TAKE NOTICE**, the remedial program relies upon use restrictions or the long-term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Kings County as City Register File Number 2022000254585.

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

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

**805-825 Atlantic Avenue, C224228**  
**539 Vanderbilt Avenue and 550 Clinton Avenue, Brooklyn, NY 11238**

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

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

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

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

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

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 47-40 21<sup>st</sup> Street, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C224228/>.

**WHEREFORE**, the undersigned has signed this Notice of Certificate

Superior Associates, LLC

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

Title: \_\_\_\_\_

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

STATE OF NEW YORK            ) SS:  
COUNTY OF                    )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgment



805-825 Atlantic Avenue, C224228  
539 Vanderbilt Avenue and 550 Clinton Avenue, Brooklyn, NY 11238

550 Clinton Partners LLC

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

Title: \_\_\_\_\_

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

STATE OF NEW YORK        ) SS:  
COUNTY OF                )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgment

**Please record and return to:**

VC Atlantic Partners LLC  
c/o Mr. J. Gershon  
Hope Street Capital  
56 West 22nd Street, 10th Floor  
New York, NY 10010

**NOTICE OF CERTIFICATE OF COMPLETION**

**Brownfield Cleanup Program**

**6 NYCRR Part 375-1.9(d)**

**805-825 Atlantic Avenue, Site ID No. C224228**

**539 Vanderbilt Avenue and 550 Clinton Avenue, Brooklyn, NY 11238**

**Brooklyn, Kings County, Tax Map Identification Number: Block 2010 Lot 1**

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to 550 Clinton Partners LLC, 539 Vanderbilt Partners LLC and VC Atlantic Partners LLC for a parcel approximately 0.244 acres located at 539 Vanderbilt Avenue in Brooklyn, Kings County.

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

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

- ☐ Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- ☐ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ☒ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ☒ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ☒ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

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

**PLEASE TAKE NOTICE**, the remedial program relies upon use restrictions or the long-term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Kings County as City Register File Number 2022000254586.

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

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

**805-825 Atlantic Avenue, C224228**  
**539 Vanderbilt Avenue and 550 Clinton Avenue, Brooklyn, NY 11238**

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

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

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

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

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

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 47-40 21<sup>st</sup> Street, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C224228/>.

**WHEREFORE**, the undersigned has signed this Notice of Certificate

Lichter Family LLC

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

Title: \_\_\_\_\_

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

STATE OF NEW YORK            ) SS:  
COUNTY OF                    )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgment

805-825 Atlantic Avenue, C224228  
539 Vanderbilt Avenue and 550 Clinton Avenue, Brooklyn, NY 11238

The Clarence A Greifinger Trust

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

Title: \_\_\_\_\_

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

STATE OF NEW YORK        ) SS:  
COUNTY OF                )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgment

805-825 Atlantic Avenue, C224228  
539 Vanderbilt Avenue and 550 Clinton Avenue, Brooklyn, NY 11238

539 Vanderbilt Partners LLC

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

Title: \_\_\_\_\_

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

STATE OF NEW YORK        ) SS:  
COUNTY OF                )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgment

**Please record and return to:**

VC Atlantic Partners LLC  
c/o Mr. J. Gershon  
Hope Street Capital  
56 West 22nd Street, 10th Floor  
New York, NY 10010

**Exhibit A**

**Site Description**

TRACK 4 Area

**SCHEDULE "A" PROPERTY DESCRIPTION**

All that certain plot, piece or parcel of land, 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 northerly side of Atlantic Avenue and the westerly side of Clinton Avenue;

RUNNING THENCE northwesterly along said northerly side of Atlantic Avenue, a distance of 148 feet 2 3/4 inches to a point;

THENCE northerly and parallel with Vanderbilt Avenue, a distance of 82 feet 4 1/2 inches to a point along the northerly side of Atlantic Avenue;

THENCE easterly and at right angles to Vanderbilt Avenue, a distance of 15 feet 5 inches to a point;

THENCE southerly and parallel with Vanderbilt Avenue, a distance of 1 feet 0 1/2 inches to a point;

THENCE easterly and at right angles to Vanderbilt Avenue, a distance of 14 feet 0 inches to a point;

THENCE southerly and parallel with Vanderbilt Avenue, a distance of 44 feet 0 inches to a point;

THENCE easterly and at right angles to Vanderbilt Avenue, a distance of 106 feet 0 inches to a point;

THENCE southerly along with said westerly side of Clinton Avenue, a distance of 97 feet 7 1/4' to the POINT or PLACE of BEGINNING.

Area containing 10,446.78 Square Feet



TRACK 2 AREA

**SCHEDULE "A" PROPERTY DESCRIPTION**

All that certain plot, piece or parcel of land, 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 northerly side of Atlantic Avenue and the easterly side of Vanderbilt Avenue;

RUNNING THENCE northerly along said easterly side of Vanderbilt Avenue, a distance of 131 feet 6 inches to a point;

THENCE easterly and at right angles to Vanderbilt Avenue, a distance of 80 feet to a point;

THENCE southerly and parallel with Vanderbilt Avenue, a distance of 77 feet 10 ½ inches to a point;

THENCE westerly and at right angles to Vanderbilt Avenue, a distance of 15 feet 5 inches to a point;

THENCE southerly and parallel with Vanderbilt Avenue, a distance of 82 feet 4 ½ inches to a point along the northerly side of Atlantic Avenue;

THENCE northwesterly and forming an interior angle of 66 degrees 0 minutes 22 seconds with said northerly side of Atlantic Avenue, a distance of 70 feet 8 ¼' to the POINT or PLACE of BEGINNING.

Area containing 10,621.27 Square Feet

## **Exhibit B**

### **Site Survey**

METES AND BOUNDS DESCRIPTION FOR COMBINED LOTS (1 & 59)  
All that certain plot, piece or parcel of land, 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 northerly side of Atlantic Avenue and the easterly side of Vanderbilt Avenue;  
RUNNING THENCE northerly along said easterly side of Vanderbilt Avenue, a distance of 131 feet 6 inches to a point;  
THENCE easterly and at right angles to Vanderbilt Avenue, a distance of 80 feet to a point;  
THENCE southerly and parallel with Vanderbilt Avenue, a distance of 78 feet 11 inches to a point;  
THENCE easterly and at right angles to Vanderbilt Avenue, a distance of 14 feet 0 inches to a point;  
THENCE southerly and parallel with Vanderbilt Avenue, a distance of 44 feet 0 inches to a point;  
THENCE easterly and at right angles to Vanderbilt Avenue, a distance of 106 feet 0 inches to a point;  
THENCE southerly along the westerly side of Clinton Avenue, a distance of 97 feet 7 1/4 inches to a point formed by the intersection of the northerly side of Atlantic Avenue and the westerly side of Clinton Avenue;  
THENCE northwesterly and forming an interior angle of 66 degrees 0 minutes 22 seconds with said northerly side of Atlantic Avenue, a distance of 218 feet 11 inches to the POINT or PLACE OF BEGINNING.

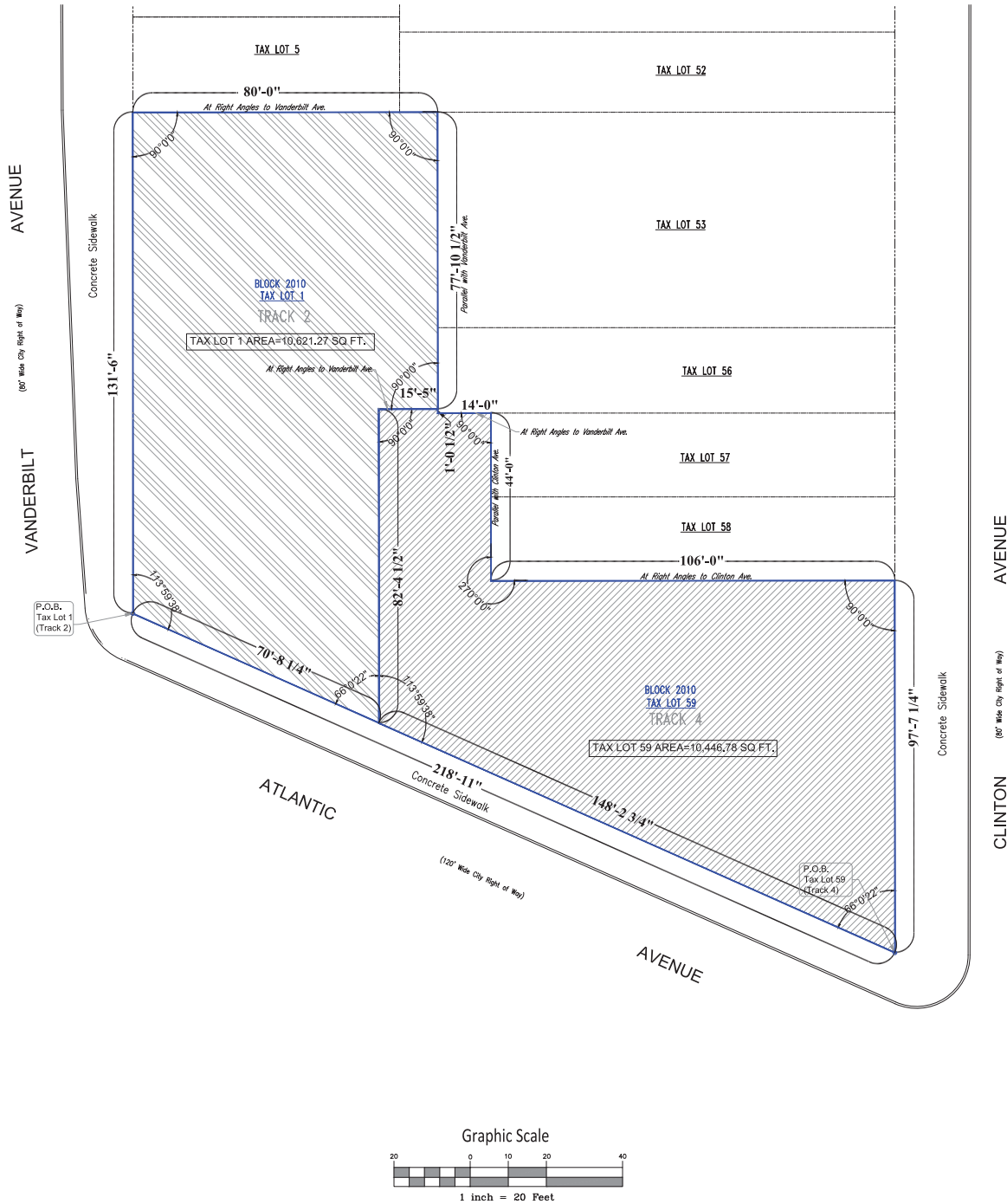
COMBINED LOT AREA=21,068.01 SQ. FT.

METES AND BOUNDS DESCRIPTION FOR TAX LOT 1 (TRACK 2)  
All that certain plot, piece or parcel of land, 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 northerly side of Atlantic Avenue and the easterly side of Vanderbilt Avenue;  
RUNNING THENCE northerly along said easterly side of Vanderbilt Avenue, a distance of 131 feet 6 inches to a point;  
THENCE easterly and at right angles to Vanderbilt Avenue, a distance of 80 feet to a point;  
THENCE southerly and parallel with Vanderbilt Avenue, a distance of 77 feet 10 1/2 inches to a point;  
THENCE westerly and at right angles to Vanderbilt Avenue, a distance of 15 feet 5 inches to a point;  
THENCE southerly and parallel with Vanderbilt Avenue, a distance of 82 feet 4 1/2 inches to a point along the northerly side of Atlantic Avenue;  
THENCE northwesterly and forming an interior angle of 66 degrees 0 minutes 22 seconds with said northerly side of Atlantic Avenue, a distance of 70 feet 8 1/2 inches to the POINT or PLACE OF BEGINNING.

TAX LOT 1 AREA=10,621.27 SQ. FT.

METES AND BOUNDS DESCRIPTION FOR TAX LOT 59 (TRACK 4)  
All that certain plot, piece or parcel of land, 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 northerly side of Atlantic Avenue and the westerly side of Clinton Avenue;  
RUNNING THENCE northwesterly along said northerly side of Atlantic Avenue, a distance of 148 feet 2 3/4 inches to a point;  
THENCE northerly and parallel with Vanderbilt Avenue, a distance of 82 feet 4 1/2 inches to a point along the northerly side of Atlantic Avenue;  
THENCE easterly and at right angles to Vanderbilt Avenue, a distance of 15 feet 5 inches to a point;  
THENCE southerly and parallel with Vanderbilt Avenue, a distance of 1 foot 0 1/2 inches to a point;  
THENCE easterly and at right angles to Vanderbilt Avenue, a distance of 14 feet 0 inches to a point;  
THENCE southerly and parallel with Vanderbilt Avenue, a distance of 44 feet 0 inches to a point;  
THENCE easterly and at right angles to Vanderbilt Avenue, a distance of 106 feet 0 inches to a point;  
THENCE southerly along with said westerly side of Clinton Avenue, a distance of 97 feet 7 1/4 inches to the POINT or PLACE OF BEGINNING.

TAX LOT 59 AREA=10,446.78 SQ. FT.



Map Amendments

NO.	DATE	DESCRIPTION	DRAWN BY	APPROVED BY

Miscellaneous Notes

- UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
- "COPIES FROM THE ORIGINAL OF THIS SURVEY MAP NOT MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL NOT BE CONSIDERED A VALID TRUE COPY."
- BEFORE PERFORMING ANY EXCAVATION OR DRILLING ON THIS SITE, IT IS REQUIRED THAT SUBSURFACE SERVICE, INCLUDING THE UNDERGROUND MAINS, DUCTS, AND CABLES BE MARKED AND IDENTIFIED BY THE UTILITY COMPANY OR AGENCY INVOLVED. THIS SHOULD BE DONE BY PROVIDING THE AFFECTED UTILITY WITH THE NOTICE REFERRED TO IN THE STATE OF NEW YORK INDUSTRIAL CODE §3.

NYS DEC Note

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN MORE DETAIL IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT [DERWEB@DEC.NY.GOV](mailto:DERWEB@DEC.NY.GOV).

nycls

New York City Land Surveyors, PC  
63 Montgomery Avenue, S.I., NY 10301  
Phone: 718-816-8182 Fax: 718-816-8124  
[www.nyclsurveyors.com](http://www.nyclsurveyors.com)

Client: HOPE STREET CAPITAL

Map of Survey of Property  
in the  
County of Kings  
Borough of Brooklyn  
City of New York

Site Address:  
550 Clinton Avenue &  
805-809 Atlantic Avenue  
Brooklyn NY 11238

Block: 2010 / Lots: 1 & 59  
Combined Lot Area: 21,068.01 sq.ft. (0.4836 Acres)

Project Number: 2020-04-2010K

Survey Date: 12-22-2021

Survey Title: NYS DEC EASEMENT SURVEY

Scale: 1"=20'

Drawn By: J. DeAngelis / Approved By: P. Jones

CERTIFIED BY:  
Patrick Benedict Jones  
New York State Licensed Land Surveyor  
License No. 050624



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
Site Management Form  
8/5/2022



**SITE DESCRIPTION**

**SITE NO.** C224228

**SITE NAME** 805-825 Atlantic Avenue

**SITE ADDRESS:** 539 Vanderbilt Avenue and 550 Clinton Avenue **ZIP CODE:** 11238

**CITY/TOWN:** Brooklyn

**COUNTY:** Kings

**ALLOWABLE USE:** Restricted-Residential, Commercial, and Industrial

**SITE MANAGEMENT DESCRIPTION**

**SITE MANAGEMENT PLAN INCLUDES:** YES NO

IC/EC Certification Plan



Monitoring Plan



Operation and Maintenance (O&M) Plan



Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 12/12/2023

**Description of Institutional Control**

**Lichter Family LLC**

551 5th Avenue, 24th Floor

**539 Vanderbilt Avenue**

Environmental Easement

Block: 2010

Lot: 1

Sublot:

Section:

Subsection:

S\_B\_L Image: 2010-1

Ground Water Use Restriction

IC/EC Plan

O&M Plan

Site Management Plan

**Superior Associates, LLC**

c/o Crosstown Management Corp., 29-27 41st Ave, 2nd Fl

**550 Clinton Avenue**

Environmental Easement

Block: 2010  
Lot: 59  
Sublot:  
Section:  
Subsection:  
S\_B\_L Image: 2010-59  
Ground Water Use Restriction  
IC/EC Plan  
Landuse Restriction  
Monitoring Plan  
O&M Plan  
Site Management Plan

#### Description of Engineering Control

**Lichter Family LLC**

551 5th Avenue, 24th Floor  
**539 Vanderbilt Avenue**  
Environmental Easement

Block: 2010  
Lot: 1  
Sublot:  
Section:  
Subsection:  
S\_B\_L Image: 2010-1  
Vapor Mitigation

**Superior Associates, LLC**

c/o Crosstown Management Corp., 29-27 41st Ave, 2nd Fl  
**550 Clinton Avenue**

Environmental Easement  
Block: 2010  
Lot: 59  
Sublot:  
Section:  
Subsection:  
S\_B\_L Image: 2010-59  
Air Sparging/Soil Vapor Extraction  
Cover System  
Monitoring Wells  
Vapor Mitigation