



Department of
Environmental
Conservation

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

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

Check the appropriate box below based on the nature of the amendment modification requested:

☒ Amendment to [check one or more boxes below]

- ☒ Add
- ☐ Substitute
- ☐ Remove
- ☐ Change in Name

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applicant(s) to the existing Brownfield Cleanup Agreement [*Complete Section I-IV below and Part II*]

Does this proposed amendment involve a transfer of title to all or part of the brownfield site? ☒ Yes ☐ No

If yes, pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been previously submitted. If not, please submit this form with this Amendment. See <http://www.dec.ny.gov/chemical/76250.html>

- ☐ Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]
- ☐ Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]
- ☐ **Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY:** Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.
- ☐ Other (explain in detail below)

Please provide a brief narrative on the nature of the amendment:
The amendment is sought to add to the BCA the name(s) of the owner(s) of the property in addition to the remedial party.

Please refer to the attached instructions for guidance on filling out this application

Section I. Existing Agreement Information

BCP SITE NAME: Former NY Cleaning and Dyeing Site BCP SITE NUMBER: C224264

NAME OF CURRENT APPLICANT(S): Rose Castle Redevelopment II LLC

INDEX NUMBER OF EXISTING AGREEMENT: C224264-01-18 DATE OF EXISTING AGREEMENT: 2/23/18

Section II. New Requestor Information (if no change to Current Applicant, skip to Section V)

NAME Flushing & Little Nassau LLC

ADDRESS 266 Broadway, Suite 301

CITY/TOWN Brooklyn

ZIP CODE 11211

PHONE (718) 599-1145

FAX

E-MAIL zelig@riversideny.com

Is the requestor authorized to conduct business in New York State (NYS)?



Yes



No

- 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 (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

NAME OF NEW REQUESTOR'S REPRESENTATIVE Zelig Weiss

ADDRESS 266 Broadway, Suite 301

CITY/TOWN Brooklyn

ZIP CODE 11211

PHONE (718) 599-1145

FAX

E-MAIL zelig@riversideny.com

NAME OF NEW REQUESTOR'S CONSULTANT (if applicable) Charles B. Sosik

ADDRESS Environmental Business Consultants, Inc. 1808 Middle Country Road

CITY/TOWN Ridge

ZIP CODE 11961

PHONE (631) 504-6000

FAX

E-MAIL csosik@ebcincny.com

NAME OF NEW REQUESTOR'S ATTORNEY (if applicable) Jon Schuyler Brooks

ADDRESS Freeborn & Peters LLP 230 Park Avenue, Suite 630

CITY/TOWN New York

ZIP CODE 10169

PHONE (646) 993-4469

FAX

E-MAIL jbrooks@freeborn.com

Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached?



Yes



No

Describe Requestor's Relationship to Existing Applicant:

The principals behind the existing applicant and the requestor are the same

Section III. Current Property Owner/Operator Information (only include if new owner/operator or new existing owner/operator information is provided, and highlight new information)

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Section IV. Eligibility Information for New Requestor (Please refer to ECL § 27-1407 for more detail)

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

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☒ No
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site? ☐ Yes ☒ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? ☐ Yes ☒ No
Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the subject law; ii) any order or determination; iii) any regulation implementing ECL Article 27 Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, Department assigned site number, the reason for denial, and other relevant information. ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☒ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of 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? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☒ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☒ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☒ No

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

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.

☒ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

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.

Requestor's Relationship to Property (check one):

☐ Prior Owner ☒ Current Owner ☐ Potential /Future Purchaser ☐ Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached? ☐ Yes ☐ No

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

Section V. Property description and description of changes/additions/reductions (if applicable)

ADDRESS

CITY/TOWN

ZIP CODE

TAX BLOCK AND LOT (TBL) (in existing agreement)

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

Check appropriate boxes below:

☐

Changes to metes and bounds description or TBL correction

☐

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

Approximate acreage added: _____

ADDITIONAL PARCELS:

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

☐

Reduction of property

Approximate acreage removed: _____

PARCELS REMOVED:

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

If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, or acceptable site map to this application.

Supplement to the Application To Amend Brownfield Cleanup Agreement And Amendment - Questions for Sites Seeking Tangible Property Credits in New York City ONLY.

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. 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="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
From ECL 27-1405(31): "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
From 6 NYCRR 375- 3.2(a) as of August 12, 2016: (a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units. (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income. (2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income. (3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.	

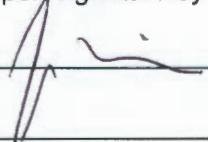
PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

Existing Agreement Information	
BCP SITE NAME: Former NY Cleaning and Dyeing Site	BCP SITE NUMBER: C224264
NAME OF CURRENT APPLICANT(S): Rose Castle Redevelopment II LLC	
INDEX NUMBER OF EXISTING AGREEMENT: C224264-01-18	
EFFECTIVE DATE OF EXISTING AGREEMENT: February 23, 2018	

Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures 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 any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (if applicable)
<p>(Individual)</p> <p>I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: _____ Signature: _____</p> <p>Print Name: _____</p>
<p>(Entity)</p> <p>I hereby affirm that I am (title <small>Managing Member of FLN Member LLC, the Managing Member</small>) of (entity <u>Flushing & Little Nassau LLC</u>); 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.</p> <p>My _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: <u>11/15/20</u> Signature: </p> <p>Print Name: <u>Zelig Weiss</u></p>

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(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 Managing Member (title) of Rose Castle Redevelopment II 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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 11/15/20 Signature: _____

Print Name: Zelig Weiss

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.

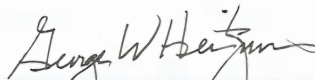
Effective Date of the Original Agreement: February 23, 2018

Signature by the Department:

DATED: December 17, 2020

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:



Michael J. Ryan, P.E., Director
Division of Environmental Remediation

SUBMITTAL INFORMATION:

- **Two (2)** copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) must be sent to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

PROJECT MANAGER: _____

BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING A BCP AMENDMENT APPLICATION

This form must be used to add a party, modify a property description, or reduce/expand property boundaries for an existing BCP Agreement and/or Application. **NOTE: DEC requires a standard 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.**

SECTION II NEW REQUESTOR INFORMATION

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. If an LLC, the members/owners names need to be provided on a separate attachment). 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. A print-out of entity information from the database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

Requestor Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Representative Name, Address, etc.

Provide information for the requestor's authorized 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.

Consultant Name, Address, etc.

Provide information for the requestor's consultant.

Attorney Name, Address, etc.

Provide information for the requestor's attorney.

SECTION III CURRENT PROPERTY OWNER/OPERATOR INFORMATION - only include if new owner/operator or new existing owner/operator information is provided, and highlight new information in form.

Owner Name, Address, etc.

Provide information for the new owner of the property. List all new parties holding an interest in the property.

Operator Name, Address, etc.

Provide information for the new operator (if different from the new requestor or owner).

SECTION IV**NEW REQUESTOR ELIGIBILITY INFORMATION**

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

SECTION V PROPERTY DESCRIPTION AND DESCRIPTION OF CHANGES / ADDITIONS / REDUCTIONS (IF APPLICABLE)

NOTE: DEC requires a standard 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 Address

Provide a street address, city/town, and zip code. For properties with multiple addresses, provide information for all.

Tax Parcel Information

Provide the tax parcel/section/block/lot information. If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, and/or acceptable site map to this application. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears.

RESOLUTION OF LIMITED LIABILITY COMPANY

The undersigned, being the sole Member and Manager of Flushing & Little Nassau LLC, a Delaware limited liability company (the "Company"), does hereby resolve that:

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

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

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

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

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

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

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

FLN MEMBER LLC
A New York Limited Liability Company

By: 
ZELIG WEISS
Managing Member

Dated: Brooklyn, New York
November 13, 2020

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through November 16, 2020.

Selected Entity Name: FLUSHING & LITTLE NASSAU LLC

Selected Entity Status Information

Current Entity Name: FLUSHING & LITTLE NASSAU LLC

DOS ID #: 5761319

Initial DOS Filing Date: JUNE 04, 2020

County: KINGS

Jurisdiction: DELAWARE

Entity Type: FOREIGN LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

FLUSHING & LITTLE NASSAU LLC

266 BROADWAY, SUITE 301

BROOKLYN, NEW YORK, 11211

Registered Agent

NONE

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

***Stock Information**

of Shares

Type of Stock

\$ Value per Share

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
JUN 04, 2020	Actual	FLUSHING & LITTLE NASSAU LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

[Search Results](#) [New Search](#)

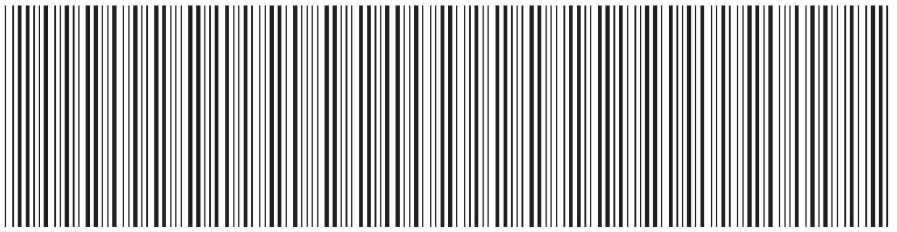
[Services/Programs](#) | [Privacy Policy](#) | [Accessibility Policy](#) | [Disclaimer](#) | [Return to DOS](#)
[Homepage](#) | [Contact Us](#)

STATEMENT PURSUANT TO SECTION IV OF THE REQUEST TO AMEND THE BCA

Requestor, Flushing & Little Nassau LLC, is a newly-formed entity. Its principals are the same as the principals of the Existing Applicant, a Volunteer. As with the Existing Applicant, the Requestor has no connection to any prior owner or operate of the Site.

**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.



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RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 6

Document ID: 2020061500611007

Document Date: 06-02-2020

Preparation Date: 07-06-2020

Document Type: DEED

Document Page Count: 5

PRESENTER:

EXECUTIVE ABSTRACT GROUP, INC.
16 ISRAEL ZUPNICK DRIVE, SUITE 117
EAG-3102
MONROE, NY 10950
845-782-2400
MAIL@EXECUTIVE-ABSTRACT.COM

RETURN TO:

FLUSHING & LITTLE NASSAU LLC
266 BROADWAY, SUITE 301
BROOKLYN, NY 11211

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	1884	40	Entire Lot	376 FLUSHING AVENUE

Property Type: COMMERCIAL REAL ESTATE

Borough	Block	Lot	Unit	Address
BROOKLYN	1884	48	Entire Lot	378 FLUSHING AVENUE

Property Type: COMMERCIAL REAL ESTATE

CROSS REFERENCE DATA

CRFN _____ or DocumentID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____

PARTIES

GRANTOR/SELLER:

LOTUS RESIDENCES LLC
266 BROADWAY, SUITE 301
BROOKLYN, NY 11211

GRANTEE/BUYER:

FLUSHING & LITTLE NASSAU LLC
266 BROADWAY, SUITE 301
BROOKLYN, NY 11211

FEES AND TAXES

Mortgage :

Mortgage Amount:	\$	0.00
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Taxable Mortgage Amount:	\$	0.00
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Exemption:

TAXES: County (Basic):	\$	0.00
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City (Additional):	\$	0.00
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Spec (Additional):	\$	0.00
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TASF:	\$	0.00
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MTA:	\$	0.00
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NYCTA:	\$	0.00
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Additional MRT:	\$	0.00
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TOTAL:	\$	0.00
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Recording Fee:	\$	65.00
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Affidavit Fee:	\$	0.00
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Filing Fee:

\$	250.00
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NYC Real Property Transfer Tax:

\$	0.00
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NYS Real Estate Transfer Tax:

\$	0.00
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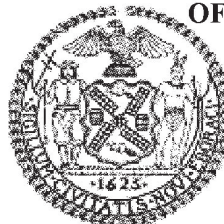
**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE**

CITY OF NEW YORK

Recorded/Filed 07-07-2020 15:36

City Register File No.(CRFN):

2020000192568



Annette McMill

City Register Official Signature

BARGAIN AND SALE DEED

THIS INDENTURE, made as of ^{June}~~May~~ ^{2nd}~~2nd~~, 2020

BETWEEN

Lotus Residences LLC, having a mailing address at 266 Broadway, Suite 301, Brooklyn, NY 11211, party of the first part,

and

FLUSHING & LITTLE NASSAU LLC, a Delaware limited liability company, having a mailing address at 266 Broadway, Suite 301, Brooklyn, NY 11211, party of the second part,

WITNESSETH, that the party of the first part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL of the right, title and interest of the party of the first part in and to all those certain, plots, pieces or parcels of land, with the buildings and improvements thereon erected, situate, lying and being in the County of Kings, State of New York, bounded and described in the attached Schedule A.

BEING a portion of the land conveyed by deed from Franklin Realty Owners LLC, (having converted from Franklin Realty Owners pursuant to a Certificate of Conversion filed on December 23, 2013 with the Secretary of State of the State of New York) dated 03/06/2014 recorded 03/21/2014 in CRFN # 2014000099861 in the Office of the City Register of the City of New York, Kings County.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

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

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

Schedule A Description

Title Number **EAG-3102**

Page **1**

As to Block 1884 Lot 40:

All that certain plot, piece or parcel of land, 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 northerly side of Little Nassau Street distant 50.00 feet easterly from an intersection of the easterly side of Kent Avenue with the northerly side of Little Nassau Street;

RUNNING THENCE northerly along the line forming an interior angle 89 degrees 51 minutes 23 seconds with Little Nassau Street a distance of 87.29 feet (Survey) 87.32 (Tax Map) to a point;

THENCE easterly along the line forming an interior angle 91 degrees 28 minutes 03 seconds with the previous course a distance of 149.48 feet (Survey) 149.5 feet (Tax Map) to a point;

THENCE southerly along the line forming an interior angle 89 degrees 04 minutes 41 seconds with the previous course a distance of 90.75 feet to a point on the northerly side of Little Nassau Street;

THENCE westerly along the northerly side of Little Nassau Street a distance of 150.29 feet (Survey) 150.00 (Tax Map and Deed) to the point or place of **BEGINNING**.

For information only:

Said premises also known as: 31/37 Little Nassau Street, Brooklyn, New York,
Block: 1884 Lot: 40

Continued On Next Page

Schedule A Description - continued

Title Number **EAG-3102**

Page **2**

As to Block 1884 Lot 48:

All that certain plot, piece or parcel of land, 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 southerly side of Flushing Avenue distant 50.06 feet (Survey) 50.02 (Tax Map) easterly from the corner formed by the intersection of the southerly side of Flushing Avenue with the easterly side of Kent Avenue;

RUNNING THENCE easterly along the southerly side of Flushing Avenue, 268.85 feet (Survey) 268.58 (Tax Map) ;

THENCE southerly along the westerly side of Franklin Avenue, 102.75 feet;

THENCE westerly at right angles to Franklin Avenue, 118.25 feet;

THENCE northerly along the line forming an interior angle of 90 degrees 57 minutes 17 seconds with the previous course a distance of 4.625 feet (Survey) 4.62 (Tax Map) to a point;

THENCE westerly along the line forming an exterior angle 89 degrees 4 minutes 41 seconds with the previous course a distance of 149.48 feet (Survey) 149.5 (Tax Map) to a point;

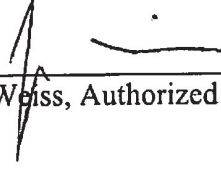
THENCE northerly along the line forming an exterior angle 91 degrees 28 minutes 03 seconds with the previous course a distance of 87.29 feet (Survey) 87.32 (Tax Map) to the point on the southerly side of Flushing Avenue, which is the point or place of BEGINNING.

For information only:

Said premises also known as: 376/392 Flushing Avenue, a/k/a 30 Franklin Avenue, Brooklyn, New York,
Block: 1884 Lot: 48

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

Lotus Residences LLC

By: 
Zelig Weiss, Authorized Signatory

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

On the 2nd day of May, in the year 2020, before me, the undersigned, personally appeared Zelig Weiss, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

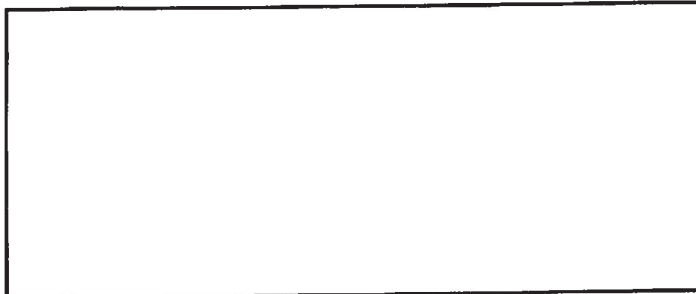
Bargain and Sale Deed

TO

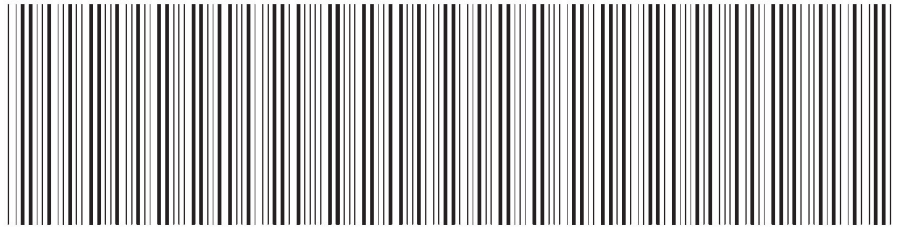
Section
Block 1884
Lots 40 and 48
Kings County
Street Address 31/37 Little Nassau Street, and
376/392 Flushing Avenue, a/k/a 30 Franklin
Avenue Brooklyn, NY 11205

RACHEL FRANCOZ (MITTELMAN)
NOTARY PUBLIC, STATE OF NEW YORK
No. 01M18306050
Qualified in Kings County
Commission Expires June 16, 2022

Return By Mail To:



NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2020061500611007015SD01B

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2020061500611007
Document Type: DEED

Document Date: 06-02-2020

Preparation Date: 07-06-2020

ASSOCIATED TAX FORM ID: 2020052800036

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

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

2
2



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

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service: BOROUGH: BROOKLYN BLOCK: 1884 LOT: 40
- (2) Property Address: 376 FLUSHING AVENUE, BROOKLYN, NY 11205
- (3) Owner's Name: FLUSHING & LITTLE NASSAU 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 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: _____

Zelig Weiss, Member

Date (mm/dd/yyyy) 06/03/2020

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

SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES



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

Customer Registration Form for Water and Sewer Billing

Borough	Block	Lot	Street	City	State	Zip
BROOKLYN	1884	48	378 FLUSHING AVENUE	NY	NY	11205

202005280003610103

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 376 FLUSHING AVENUE BROOKLYN 11205
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name FLUSHING & LITTLE NASSAU 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 2 # of Parcels OR ☐ Part of a Parcel

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

5. Deed Property Size FRONT FEET X DEPTH OR ACRES

Check the boxes below as they apply:

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

8. Seller Name LOTUS RESIDENCES LLC
 LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

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

A ☐ 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 6 2 2020
 Month Day Year

11. Date of Sale / Transfer 6 2 2020
 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

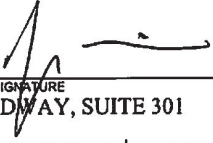

15. Building Class V, 3 16. Total Assessed Value (of all parcels in transfer) 8 6 0 4 0

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

BROOKLYN 1884 40 BROOKLYN 1884 48

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 6/3/20	LAST NAME	FIRST NAME
266 BROADWAY, SUITE 301				
STREET NUMBER	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER
BROOKLYN				
CITY OR TOWN	STATE NY	ZIP CODE 11211	SELLER	
			SELLER SIGNATURE 	DATE 6/3/20

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

State of New York }
County of } SS.:

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

376 FLUSHING AVENUE

Street Address Unit/Apt.

BROOKLYN

Borough

New York,

1884

Block

40

Lot

(the "Premises");

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

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

Lotus Residences LLC By:

Zelig Weiss, member

Name of Grantor (Type or Print)



Signature of Grantor

Sworn to before me

this 3rd day of June 2020


RACHEL FRANCOZ (MITTELMAN)
NOTARY PUBLIC, STATE OF NEW YORK
No. 01MI6306050
Qualified in Kings County
Commission Expires June 16, 2022

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

Lotus Residences LLC By:

Zelig Weiss, member

Name of Grantee (Type or Print)



Signature of Grantee

Sworn to before me

this 3rd day of June 2020

RACHEL FRANCOZ (MITTELMAN)
NOTARY PUBLIC, STATE OF NEW YORK
No. 01MI6306050
Qualified in Kings County
Commission Expires June 16, 2022

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

SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES

2020052800036101

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

Street Address	Unit/Apt	Borough	Block	Lot
378 FLUSHING AVENUE		BROOKLYN	1884	48