



**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:

<input checked="" type="checkbox"/>	Amendment to modify the existing BCA (check one or more boxes below):
<input checked="" type="checkbox"/>	Add applicant(s)
<input type="checkbox"/>	Substitute applicant(s)
<input type="checkbox"/>	Remove applicant(s)
<input type="checkbox"/>	Change in name of applicant(s)
<input checked="" type="checkbox"/>	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 <input checked="" type="radio"/> No <input type="radio"/>
	b. <input type="checkbox"/> Change in ownership <input checked="" type="checkbox"/> 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 <input checked="" type="radio"/> No <input type="radio"/> Submitted on: <u>5/16/2023</u>
<input type="checkbox"/>	Amendment to modify description of the property(ies) listed in the existing BCA
<input type="checkbox"/>	Amendment to expand or reduce property boundaries of the property(ies) listed in the existing BCA
<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	Other (explain in detail below)

2. REQUIRED: Please provide a brief narrative describing the specific requests included in this amendment:

Franklin Point LLC is a prospective purchaser for the BCP Site and will be added as a Volunteer in the Brownfield Cleanup Agreement ("BCA"). Once this new Volunteer acquires the Site they will be substituted as the sole Volunteer for the current Volunteer and will be the sole remedial party for the BCP Site. Franklin Point LLC has no prior relationship with any current or past owners or operators at the Site other than being the prospective purchaser. Franklin Point LLC did not cause any of the contamination of the Site, therefore, Franklin Point LLC is a Volunteer. Current Volunteer 12 Franklin Property Co LLC will no longer be a Volunteer for this Site once Franklin Point LLC acquires the Site. This change of remedial party, when it occurs pursuant to another follow up BCA Amendment, will not affect the remedial efforts at the Site. See DOS Listing in Ex. A, Written Consent in Ex.B, Site Access Agreement in Ex.C, and Requestor Certification in Ex.D. The new Volunteer has also provided documents to meet the underutilized definition for the tangible property tax credit. Finally, there are 3 current owners of the Site and the BCA only listed one. The recent deed transfers and summary are attached in Ex.E. However, Once Franklin Point LLC acquires the Site it will be the owner.

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

BCP SITE NAME: 12 Franklin Street Site	BCP SITE CODE: C224286
NAME OF CURRENT APPLICANT(S): 12 Franklin Property Co LLC	
INDEX NUMBER OF AGREEMENT: C224286-03-19	DATE OF ORIGINAL AGREEMENT: 03/28/2019

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

NAME: Franklin Point LLC			
ADDRESS: 175 Great Neck Road, Suite 407			
CITY/TOWN: Great Neck, New York		ZIP CODE: 11021	
PHONE: (248) 765-4514	EMAIL: adam@astralweeks.com; raymond@astralweeks.com		
REQUESTOR CONTACT: Adam Schloff and Raymond Roubeni			
ADDRESS: 175 Great Neck Road, Suite 407			
CITY/TOWN: Great Neck, New York		ZIP CODE: 11021	
PHONE: (248) 765-4514	EMAIL: adam@astralweeks.com; raymond@astralweeks.com		
REQUESTOR'S CONSULTANT: Roux Associates	CONTACT: Robert Kovacs & Rachel Henke		
ADDRESS: 209 Shafter Street			
CITY/TOWN: Islandia, New York		ZIP CODE: 11749	
PHONE: (631) 232-2600	EMAIL: rkovacs@rouxinc.com; rhenke@rouxinc.com		
REQUESTOR'S ATTORNEY: Knauf Shaw LLP	CONTACT: Linda R. Shaw, Esq.		
ADDRESS: 2600 Innovation Square, 2 S. Clinton Avenue			
CITY/TOWN: Rochester, New York		ZIP CODE: 14604	
PHONE: (585) 546-8430	EMAIL: lshaw@nyenvlaw.com		
		<b>Y</b>	<b>N</b>
1. Is the requestor authorized to conduct business in New York State?		<input checked="" 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 checked="" 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 checked="" 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 checked="" type="radio"/>
5. Describe the new requestor's relationship to all existing applicants: Franklin Point LLC is a prospective purchaser and will become the new remedial party for the Site once it acquires the Site. There is no other relationship to the existing applicant.			

**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 checked="" type="checkbox"/> Existing Applicant		<input type="checkbox"/> New Applicant		<input checked="" type="checkbox"/> Non-Applicant	
OWNER'S NAME: See Ex. E for two additional owners and deed transfer history			CONTACT:		
ADDRESS: The additional current owners are not being added to the BCA.					
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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="radio"/>	
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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:

CITY/TOWN

ZIP CODE:

CURRENT PROPERTY INFORMATION

TOTAL ACREAGE OF CURRENT SITE:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE


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


TOTAL ACREAGE TO BE REMOVED: \_\_\_\_\_

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

NEW PROPERTY INFORMATION:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE


3. TOTAL REVISED SITE ACREAGE: \_\_\_\_\_

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 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 checked="" 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 checked="" 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 checked="" type="radio"/>
4. Is the property upside down as defined below?  <b>From ECL 27-1405(31):</b>  "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.	<input type="radio"/>	<input checked="" type="radio"/>
5. Is the project and affordable housing project as defined below?  <b>From 6 NYCRR 375-3.2(a) as of August 12, 2016:</b>  (a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty-seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units. (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' household's annual gross income. (2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for homeowners at a defined maximum percentage of the area median income. (3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States Department of Housing and Urban Development, or its successor, for a family of four, as adjusted for family size.	<input type="radio"/>	<input checked="" type="radio"/>

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 checked="" 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 checked="" type="radio"/>

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

BCP SITE NAME:12 Franklin Street Site

BCP SITE NUMBER:C224286

NAME OF CURRENT APPLICANT(S):12 Franklin Property Co LLC

INDEX NUMBER OF AGREEMENT: C224286-03-19

DATE OF ORIGINAL AGREEMENT:3/28/2019

**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 a Member \_\_\_\_\_ (title) of Franklin Point LLC \_\_\_\_\_ (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.

Raymond Roubeni's \_\_\_\_\_ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 5/4/2023 Signature: \_\_\_\_\_Print Name: Raymond Roubeni



**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 a Member (title) of 12 Franklin Property Co 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. Matthew Baron's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 45/12/23 Signature: 

Print Name: Matthew Baron

**PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS**

**REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT**

Status of Agreement:

<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 contamination.
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Effective Date of the Original Agreement: 03/28/2019

Signature by the Department:

DATED: \_\_\_\_\_

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By:

\_\_\_\_\_  
 Andrew O. Guglielmi, Director  
 Division of Environmental Remediation

# **EXHIBIT A**

# Department of State Division of Corporations

## Entity Information

[Return to Results](#)[Return to Search](#)

### Entity Details



<b>ENTITY NAME:</b> FRANKLIN POINT LLC	<b>DOS ID:</b> 6703175
<b>FOREIGN LEGAL NAME:</b>	<b>FICTITIOUS NAME:</b>
<b>ENTITY TYPE:</b> DOMESTIC LIMITED LIABILITY COMPANY	<b>DURATION DATE/LATEST DATE OF DISSOLUTION:</b>
<b>SECTION OF LAW:</b> LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW	<b>ENTITY STATUS:</b> ACTIVE
<b>DATE OF INITIAL DOS FILING:</b> 01/19/2023	<b>REASON FOR STATUS:</b>
<b>EFFECTIVE DATE INITIAL FILING:</b> 01/19/2023	<b>INACTIVE DATE:</b>
<b>FOREIGN FORMATION DATE:</b>	<b>STATEMENT STATUS:</b> CURRENT
<b>COUNTY:</b> NASSAU	<b>NEXT STATEMENT DUE DATE:</b> 01/31/2025
<b>JURISDICTION:</b> NEW YORK, UNITED STATES	<b>NFP CATEGORY:</b>

[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

#### Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

**Name:** THE LIMITED LIABILITY COMPANY

**Address:** 175 GREAT NECK ROAD, SUITE 407, GREAT NECK, NY, UNITED STATES, 11021

Electronic Service of Process on the Secretary of State as agent: Not Permitted

#### Chief Executive Officer's Name and Address

**Name:**

**Address:**

#### Principal Executive Office Address

**Address:**

#### Registered Agent Name and Address

**Name:**

**Address:**

#### Entity Primary Location Name and Address

**Name:**

**Address:**

Farmcorpflag

**Is The Entity A Farm Corporation:** NO

Stock Information

Share Value

Number Of Shares

Value Per Share

# **EXHIBIT B**

## CORPORATE RESOLUTION WRITTEN CONSENT

The undersigned, being the Operating Manager and Member of Astral Weeks LLC, which is the Manager and Sole Member of Franklin Point LLC, does hereby certify as follows:

1. Franklin Point LLC is a prospective volunteer for the Brownfield Cleanup Program (BCP) Site located at 12 Franklin Street, Brooklyn, New York (Tax Lot # 1-2614-3; DEC Site No.: C224286) (the “BCP Site”).

2. The following person, Raymond Roubeni, has been designated a managing member and authorized signatory of Franklin Point LLC, and is hereby authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteer Franklin Point LLC in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this document on this 4<sup>th</sup> day of May, 2023.

### FRANKLIN POINT LLC

By: Astral Weeks LLC,  
a New York limited liability company,  
Its Manager and sole Member

By:   
Name: Joseph Roubeni  
Its: Operating Manager and Member

# **EXHIBIT C**

**12 FRANKLIN STREET, BROOKLYN  
BROWNFIELD CLEANUP AMENDMENT  
ACCESS AND CONSENT AGREEMENT**

This ACCESS AND CONSENT AGREEMENT (this “**Agreement**”) made as of this \_\_\_ day of May 2023, by and between **12 Franklin Property Co LLC (“Grantor 1”)**, **12 FRANKLIN 230 LLC (“Grantor 2”)** and **12 FRANKLIN 197 LLC (“Grantor 3,”** and, together with Grantor 1 and Grantor 2, collectively as “**Grantor**”), having an address at 126 Fifth Avenue, 15th Floor, New York, New York 10011, and **Franklin Point LLC (“Grantee”)** having an address at 175 Great Neck Road, Suite 407, Great Neck, New York 11021.

WHEREAS, Grantor owns the real property located at 12 Franklin Street, Brooklyn, New York 11222 (S/B/L 1-2614-3) (the “**Property**”), together with the building and improvements thereon (“**Grantor’s Building**”) (the Property and Grantor’s Building shall be referred to collectively as “**Grantor’s Property**”) also known as NYS Brownfield Cleanup Program (“**BCP**”) 12 Franklin Street Site No. C224286; and

WHEREAS, Grantor, as sellers, and Astral Weeks LLC (“**Buyer**”), as buyer, are parties to that certain Sale-Purchase Agreement, dated as of January 12, 2023, as amended by that certain Amendment to Sale-Purchase Agreement, dated as of February 9, 2023, and further amended by that certain Second Amendment to Sale-Purchase Agreement, dated as of April 26, 2023, as the same may be further amended, supplemented or otherwise modified from time to time (collectively, the “**Purchase Agreement**”);

WHEREAS, buyer intends to assign ownership of the Property to Grantee after Closing (as defined in the Purchase Agreement);

WHEREAS, Grantor and Grantee are submitting an application to amend the existing Brownfield Cleanup Agreement (“**BCA**”), Index No. C224286-03-19 to add Grantee as an additional Volunteer under the BCP; and

WHEREAS, Grantee requires access to Grantor’s Property to perform any remaining BCP investigation and remediation work (hereinafter defined as “**Work**”) required pursuant to the BCP and BCA; and

WHEREAS, Grantor has agreed to grant access to Grantor’s Property and permit the performance of the Work, subject to the terms and conditions as set forth in this Agreement.

NOW, THEREFORE, in consideration of the foregoing and for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor and Grantee agree as follows:

1. Grantor hereby grants access and a license upon, into, under and through Grantor’s Property for the purpose of the entry thereon by Grantee, its agents, employees, architects, engineers, contractors and consultants, successors or assigns (collectively, the “**Grantee Related Parties**” and each a “**Grantee Related Party**”), vehicles, equipment and materials required by



Grantee in order to perform all tasks reasonable and necessary in connection with the Work as may be required for the issuance of the Certificate of Completion.

2. Grantee hereby acknowledges and agrees that the Grantee Related Parties shall be subject to the liabilities, obligations and requirements of the Buyer (as defined in the Purchase Agreement) in accordance with the terms of Section 3.3 of the Purchase Agreement, which terms are hereby incorporated by reference and made a part hereof.

3. Grantee Related Parties shall perform the Work in a workmanlike manner and in accordance with industry standards and in accordance with applicable laws, rules and regulations. The rights granted pursuant to paragraph 1 of this Agreement are nonexclusive, it being understood and agreed that Grantor, its agents, employees, workers, contractors and tenants during their tenancy will have full authority to access to Grantor's Property during the performance of the Work, until otherwise agreed by the parties in writing.

4. Grantee shall be responsible for obtaining all federal, state or local governmental approvals in relation to the Work.

5. In the event that the Grantor still owns the Grantor's Property at the time when an Environmental Easement is required in the BCP process pursuant to the BCA, Grantor shall execute such Environmental Easement and any federal, state and/or local governmental or other approvals required to perform the Work and earn the Certificate of Completion.


6. This Agreement shall be governed by and construed in accordance with the laws of the State of New York. Any proceedings initiated by either party to enforce the terms of or otherwise related to this Agreement shall be brought in the state or federal court in Westchester County, New York.

*(signatures on following page)*


IN WITNESS WHEREOF, this Agreement has been executed by Grantor and Grantee and is effective as of the date set forth above.

**Grantor:**


**12 FRANKLIN PROPERTY CO LLC**

By:   
Name: Matthew Baron  
Title: Authorized Signatory

**12 FRANKLIN 230 LLC**

By:   
Name: Matthew Baron  
Title: Authorized Signatory

**12 FRANKLIN 197 LLC**

By:   
Name: Matthew Baron  
Title: Authorized Signatory

**Grantee:**

**FRANKLIN POINT LLC**

By:   
Name: Raymond Roubeni  
Title: Member

# **EXHIBIT D**

## **REQUESTOR CERTIFICATION**

The Requestor Franklin Point LLC certifies it is a Volunteer, since it does not have nor has ever had a relationship with any of the past owners or operators of the Site that caused the contamination other than it is purchasing the Site from a past owner. Requestor also certifies that it did not have involvement with the Site at the time of disposal. The Requestor has performed all required environmental due diligence prior to acquiring the Site and has implemented due care of the Site to the extent it has accessed the Site.

# **EXHIBIT E-3**

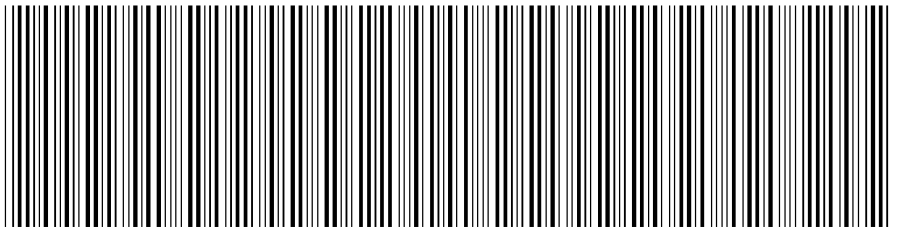
## **Transfer Summary**

The application for this Site was submitted in 2018. The deed included with the application was dated February 2, 2016, and transferred the property from 12 Franklin Street Realty Corp. to 12 Franklin Property Co LLC. Please see Exhibit E-1. By Deed dated June 16, 2016, 12 Franklin Property Co LLC transferred 34% undivided tenancy-in-common interest to 12 Franklin 230 LLC and retained 66% undivided tenancy-in-common interest. Please see Exhibit E-2. By Deed dated September 13, 2016, the property was transferred to 12 Franklin Property Co LLC, as to 49% undivided tenancy-in-common interest, 12 Franklin 230 LLC, as to 34% undivided tenancy-in-common interest, and 12 Franklin 197 LLC, as to 17% undivided tenancy-in-common interest. Please see Exhibit E-3. By Correction Deed dated December 7, 2017, the undivided tenancy-in-common interest in the property was divided as follows: 12 Franklin property Co LLC (8%), 12 Franklin 230 LLC (61%) and 12 Franklin 197 LLC (31%). Please see Exhibit E-4.

# **EXHIBIT E-1**

**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.



2016021000355001001EDE79

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 6**

**Document ID: 2016021000355001** Document Date: 02-02-2016 Preparation Date: 02-12-2016  
Document Type: DEED  
Document Page Count: 5

**PRESENTER:**  
ROYAL ABSTRACT OF NEW YORK LLC(907605)MB  
125 PARK AVENUE  
SUITE 1610  
NEW YORK, NY 10017  
212-376-0900  
MBASALATAN@ROYALABSTRACT.COM

**RETURN TO:**  
ROYAL ABSTRACT OF NEW YORK LLC(907605)MB  
125 PARK AVENUE  
SUITE 1610  
NEW YORK, NY 10017  
212-376-0900  
MBASALATAN@ROYALABSTRACT.COM

PROPERTY DATA				
Borough	Block	Lot	Unit	Address
BROOKLYN	2614	1	Entire Lot	7 NORTH 15 STREET
<b>Property Type:</b> COMMERCIAL REAL ESTATE				
Borough	Block	Lot	Unit	Address
BROOKLYN	2614	3	Entire Lot	12 FRANKLIN STREET
<b>Property Type:</b> COMMERCIAL REAL ESTATE				

**CROSS REFERENCE DATA**

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

**PARTIES**

**GRANTOR/SELLER:**  
12 FRANKLIN STREET REALTY CORP.  
40 RANICK ROAD  
HAPPAUGE, NY 11788

**GRANTEE/BUYER:**  
12 FRANKLIN PROPERTY CO LLC  
757 3RD AVENUE, 17TH FLOOR  
NEW YORK, NY 10017

**FEES AND TAXES**

Mortgage :		Filing Fee:	
Mortgage Amount:	\$ 0.00		\$ 250.00
Taxable Mortgage Amount:	\$ 0.00	NYC Real Property Transfer Tax:	\$ 491,400.00
Exemption:		NYS Real Estate Transfer Tax:	\$ 74,880.00
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		
<b>TOTAL:</b>	<b>\$ 0.00</b>		
Recording Fee:	\$ 65.00		
Affidavit Fee:	\$ 0.00		

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

**CITY OF NEW YORK**  
Recorded/Filed 02-19-2016 15:42  
City Register File No.(CRFN):  
**2016000056722**



*Annette McMill*

*City Register Official Signature*



Bargain and Sale Deed, with Covenant against Grantor's Acts - Individual or Corporation (Single Sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 2 day of February, 2016

BETWEEN

12 Franklin Street Realty Corp  
40 Ranick Rd, Hauppauge, NY

party of the first part, and

12 Franklin Property Co LLC, a Delaware limited liability company having an address at 757 Third Avenue, 17th Floor, New York, New York 10017

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten (\$10.00) dollars, lawful money of the United States, and other valuable consideration paid by the parties of the second part, does hereby grant and release unto the parties of the second part, the heirs or successors and assigns of the party of the second part forever.

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:

SEE SCHEDULE ATTACHED.

PREMISES known as 12 Franklin St, Brooklyn, NY, Block 2614; Lot 3 AND 7 NORTH 1ST ST  
*Brooklyn NY Block 2614 Lot 1*

TOGETHER with all right, title and interest, if any, of the party of the first part in an 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 cost 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.

This conveyance has been made with the consent of the holders of at least two-thirds of the outstanding shares of the party of the first part entitled to vote thereon at a meeting duly called.

Being the same premises described in the deed to the grantor from Roslyn Lederman dated 8/5/1991 and recorded 9/4/1991 in Reel 2737 page 1064.

**SCHEDULE A**  
**DESCRIPTION OF PREMISES PAGE 1**

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**PARCEL A:**

**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:

**PARCEL I:**

**BEGINNING** at a point on the southerly side of Meserole Avenue, distant 60 feet westerly from the corner formed by the intersection of the southerly side of Meserole Avenue with the westerly side of Gem Street;

**RUNNING THENCE** southerly parallel with Gem Street, 100 feet;

**THENCE** westerly at right angles to Gem Street, 86 feet, more or less, to the former high water mark of Bushwick Inlet or Creek;

**THENCE** northwesterly along said former high water mark of said inlet or creek to the easterly side of Franklin Street;

**THENCE** northerly along said easterly side of Franklin Street, 96 feet 6 1/4 inches, more or less, to the southerly line of Meserole Avenue;

**THENCE** easterly along said southerly line of Meserole Avenue, 61 feet 1 inch to the point or place of **BEGINNING**.

**PARCEL II:**

**BEGINNING** at the corner formed by the intersection of the easterly side of Franklin Street with the northerly side of North Fifteenth Street;

**RUNNING THENCE** northeasterly along the easterly side of Franklin Street, 19 feet, more or less, to the southwesterly corner of the lot first above described;

**THENCE** southeasterly along the southwesterly line of said first described lot to a point therein where it is cut by the southerly boundary line of said first above described parcel (said cutting line being a line parallel with Meserole Avenue and distant 100 feet therefrom);

**THENCE** in a straight line in a general westerly course to the point of place of **BEGINNING**.

For conveyancing only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

SCHEDULE A  
DESCRIPTION OF PREMISES PAGE 2

---

**PERIMETER DESCRIPTION (PARCEL I AND PARCEL II):**

**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 southerly side of Meserole Avenue, distant 60 feet westerly from the corner formed by the intersection of the southerly side of Meserole Avenue with the westerly side of Gem Street;

RUNNING THENCE southerly parallel with Gem Street, a distance of 100 feet to a point;

THENCE westerly along a line at right angles to the previous course, a distance of 86 feet to a point;

THENCE continuing westerly along a line forming an interior angle of 178 degrees 58 minutes 07 seconds with the previous course, a distance of 34 feet 8-1/2 inches to the easterly side of Franklin Street;

THENCE northerly along said easterly side of Franklin Street, a distance of 115 feet 10-3/4 inches to the southerly line of Meserole Avenue;

THENCE easterly along said southerly line of Meserole Avenue, a distance of 61 feet 1 inch to the point or place of BEGINNING.

For Information Only: Said premises are known as 12 Franklin Street a/k/a 2-6 Meserole Avenue, Brooklyn, NY and designated as Block 2614 Lots 3 as shown on the Tax Map of the City of New York, County of Kings.

For conveyancing only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

SCHEDULE A  
DESCRIPTION OF PREMISES PAGE 3

---

**PARCEL B:**

**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 Gem Street distant 100 feet southerly from the corner formed by the intersection of the westerly side of Gem Street with the southerly side of Meserole Avenue;

THENCE westerly along then northerly side of lot numbers 105 & 108 on Map of property of the Estate of Henry Hilton Dec'd and parallel with Meserole Avenue, 146 feet;

THENCE westerly along said lot 108, 34 feet 8- 1/2 inches to the corner formed by the intersection of the easterly side of Franklin Street with the northeasterly side of North 15th Street;

THENCE southeasterly along the northeasterly side of North 15th Street, 91 feet 8 -1/8 inches;

THENCE easterly parallel with Meserole Avenue, 138 feet 7-1/2 inches through a party wall to the westerly side of Gem Street;

THENCE northerly along the westerly side of Gem Street, 80 feet to the point or place of BEGINNING.

For Information Only: Said premises are known as 1 - 7 North 15th Street, Brooklyn, NY and designated as Block 2614 Lot 1 as shown on the Tax Map of the City of New York, County of Kings.

For conveyancing only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

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

12 Franklin Street Realty Corp.

By: *Samuel Brach*  
Samuel Brach, *PRESIDENT*

STATE OF NEW YORK }  
COUNTY OF *NASSAU* } ss.:  
*2nd*

On the *2nd* day of February in the year 2016 before me, the undersigned, a Notary Public in and for said State, personally appeared Samuel Brach, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/he/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.

*Cynthia Margaretten*  
Notary Public

CYNTHIA MARGARETEN  
Notary Public, State of New York  
No. 01MA4834255  
Qualified in Nassau County  
Commission Expires January 26, 20*17*

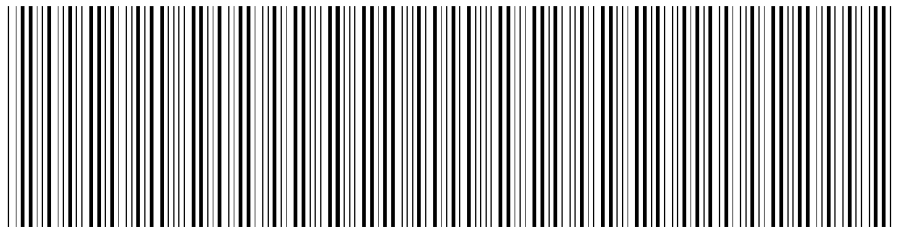
Record and Return To:

Westerman Ball Ederer Miller Zucker & Sharfstein, LLP  
Attn: Phillip Sharfstein, Esq.  
1201 RXR Plaza,  
Uniondale, New York 11556

*Block 2614  
Lot 1 and 3  
County of Kings*

*907605*  
Royal Abstract of New York, LLC  
125 Park Avenue, Suite 1610  
New York, N.Y. 10017  
(212) 376-0900

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2016021000355001001S10F8

**SUPPORTING DOCUMENT COVER PAGE**

**PAGE 1 OF 1**

**Document ID: 2016021000355001**  
Document Type: DEED

Document Date: 02-02-2016

Preparation Date: 02-12-2016

**ASSOCIATED TAX FORM ID:** 2016020100231

**SUPPORTING DOCUMENTS SUBMITTED:**

Page Count

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

4  
2

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  7  NORTH 15 STREET  BROOKLYN  11222  
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name  12 FRANKLIN PROPERTY CO 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  12 FRANKLIN STREET REALTY CORP.   
 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  9 / 25 / 2015  
 Month Day Year

11. Date of Sale / Transfer  2 / 2 / 2016  
 Month Day Year

12. Full Sale Price \$  1,872,000.00  
 ( 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  K, 1 16. Total Assessed Value (of all parcels in transfer)  9,715,500

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

BROOKLYN 2614 1  BROOKLYN 2614 3

**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**

<input checked="" type="checkbox"/> BUYER SIGNATURE 757 3RD AVENUE, 17TH FLOOR		DATE	LAST NAME		FIRST NAME
STREET NUMBER		STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER
NEW YORK		NY	10017	<b>SELLER</b> <i>Samuel Brach</i>	
CITY OR TOWN		STATE	ZIP CODE	SELLER SIGNATURE	DATE

by: Jonathan Simon - Authorized Signatory

by: Samuel Brach - President





①

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: 2614                      LOT: 1
- (2) Property Address: 7 NORTH 15 STREET, BROOKLYN, NY 11222
- (3) Owner's Name:            12 FRANKLIN PROPERTY CO LLC
- Additional Name:

### Affirmation:



You have visited DOF's Mailing Address Update website and indicated that your water & sewer bill should be sent to the mailing address provided on that site. If no information was entered your water & sewer bill be sent to the property address.

### 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:

**SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES**



①

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: 2614**                      **LOT: 1**
- (2) Property Address: **7 NORTH 15 STREET, BROOKLYN, NY 11222**
- (3) Owner's Name:            **12 FRANKLIN PROPERTY CO 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: *[Signature]*, Authorized Signatory Date (mm/dd/yyyy)

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

**SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES**

**Department of Finance**

## Newly Requested Mailing Address

Thank you. The changes have been submitted and will be updated in our system within 24 hours.  
Please print this page for your records.

- ▶ Update another Address
- ▶ Return to Finance Home Page

---

Borough-Block-Lot:	3-02614- 0001
Property Address:	7 NORTH 15 STREET Apt. BROOKLYN ,NY 11222
Mailing Address:	c/o:ATTN: TOM LI 757 3RD AVENUE 17TH FLOOR NEW YORK , NY 10017 UNITED STATES OF AMERICA
Telephone:	(646)532-3095
Requestor's Name:	TOM LI
Email Address:	TLI@SIMONBARON.COM

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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

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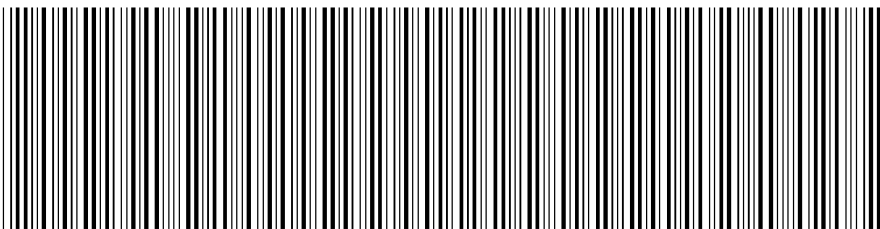
Borough	Block	Lot	Street	City	State	Zip
BROOKLYN	2614	3	12 FRANKLIN STREET	NY	NY	11222

201602010023110105

# **EXHIBIT E-2**

**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.



2016062201144004005E36DE

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 11**

**Document ID: 2016062201144004**

Document Date: 06-16-2016

Preparation Date: 06-28-2016

Document Type: DEED

Document Page Count: 9

**PRESENTER:**

ROYAL ABSTRACT OF NEW YORK LLC(908701)MB  
125 PARK AVENUE  
SUITE 1610  
NEW YORK, NY 10017  
212-376-0900  
MBASALATAN@ROYALABSTRACT.COM

**RETURN TO:**

ROYAL ABSTRACT OF NEW YORK LLC(908701)MB  
125 PARK AVENUE  
SUITE 1610  
NEW YORK, NY 10017  
212-376-0900  
MBASALATAN@ROYALABSTRACT.COM

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BROOKLYN	2614	3	Entire Lot	12 FRANKLIN STREET

**Property Type:** COMMERCIAL REAL ESTATE

Borough	Block	Lot	Unit	Address
BROOKLYN	2614	1	Entire Lot	7 NORTH 15 STREET

**Property Type:** COMMERCIAL REAL ESTATE

Additional Properties on Continuation Page

**CROSS REFERENCE DATA**

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

**PARTIES**

**GRANTOR/SELLER:**

12 FRANKLIN PROPERTY CO LLC  
757 THIRD AVENUE, 17TH FLOOR  
NEW YORK, NY 10017

**GRANTEE/BUYER:**

12 FRANKLIN PROPERTY CO LLC  
757 THIRD AVENUE, 17TH FLOOR  
NEW YORK, NY 10017

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: \$ 88.00

Affidavit Fee: \$ 0.00

**Filing Fee:**

\$ 250.00

NYC Real Property Transfer Tax:

\$ 145,050.41

NYS Real Estate Transfer Tax:

\$ 22,104.00

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

**CITY OF NEW YORK**

Recorded/Filed 07-01-2016 11:58

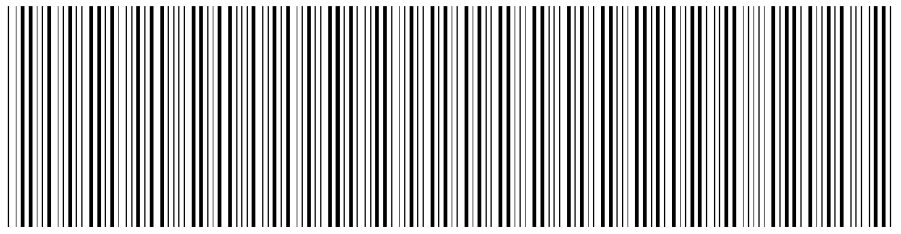
City Register File No.(CRFN):  
**2016000223875**



*Annette McMill*

**City Register Official Signature**

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2016062201144004005C345E

**RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)**

**PAGE 2 OF 11**

**Document ID: 2016062201144004**  
Document Type: DEED

Document Date: 06-16-2016

Preparation Date: 06-28-2016

**PROPERTY DATA**

<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BROOKLYN	2614 8 Entire Lot		8 MESEROLE AVENUE

**Property Type: COMMERCIAL REAL ESTATE**

**PARTIES**

**GRANTEE/BUYER:**  
12 FRANKLIN 230 LLC  
757 THIRD AVENUE, 17TH FLOOR  
NEW YORK, NY 10017

4

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 16 day of June, 2016

**BETWEEN**

12 FRANKLIN PROPERTY CO LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017,

party of the first part, and

12 FRANKLIN PROPERTY CO LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017, as to sixty six percent (66%) undivided tenancy-in-common interest; and 12 FRANKLIN 230 LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017, as to thirty four percent (34%) undivided tenancy-in-common interest

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second 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** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being known as and by

12 Franklin Street, Brooklyn, New York, Block 2614, Lot 3, 7 North 15<sup>th</sup> Street, Brooklyn, New York, Block 2614, Lot 1, and 8 Meserole Avenue, Brooklyn, New York, Block 2614, Lot 8 as more particularly described in Exhibit "A" attached hereto and incorporated herein.

**BEING AND INTENDED TO BE THE SAME PREMISES** conveyed to the grantor herein by deeds dated February 2, 2016 and recorded in the Office of the Register of the City of New York, Kings County on February 19, 2016 in CRFN 2016000056722 and CRFN 2016000056723.

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, 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 cost 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.

AND the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same; that the party of the second part shall quietly enjoy the said premises; that the said premises are free from encumbrances, except as set forth on Schedule



A; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the title to said premises.

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

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

IN PRESENCE OF:

12 FRANKLIN PROPERTY CO LLC

By: 

Name: Matthew Baron

Title: Authorized Signatory

**TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE**

State of New York, County of New York ss:

State of New York, County of \_\_\_\_\_ ss:

On the 15<sup>th</sup> day of June in the year \_\_\_\_\_ before me, the undersigned, personally appeared Matthew Barov personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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.

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ 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(s) 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)

\_\_\_\_\_  
(signature and office of individual taking acknowledgment)

**JONATHAN M. HOFFMAN**  
Notary Public, State of New York  
No. 02HO6038416  
Qualified in Nassau County  
Commission Expires March 13, 2011

**TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE**

State (or District of Columbia, Territory, or Foreign Country) of \_\_\_\_\_ ss:

ss:

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ 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(s) 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, and that such individual made such appearance before the undersigned in the \_\_\_\_\_

\_\_\_\_\_ in \_\_\_\_\_  
(insert the City or other political subdivision) (and insert the State or Country or other place the acknowledgment was taken)

\_\_\_\_\_  
(signature and office of individual taking acknowledgment)

SECTION  
BLOCK 2614  
LOTS 1, 3 and 8  
COUNTY OF KINGS  
12 Franklin Street, 7  
North 15<sup>th</sup> Street and 8  
Meserole Avenue,  
Brooklyn, New York

**WARRANTY DEED  
WITH FULL COVENANTS**

Title No. 908701

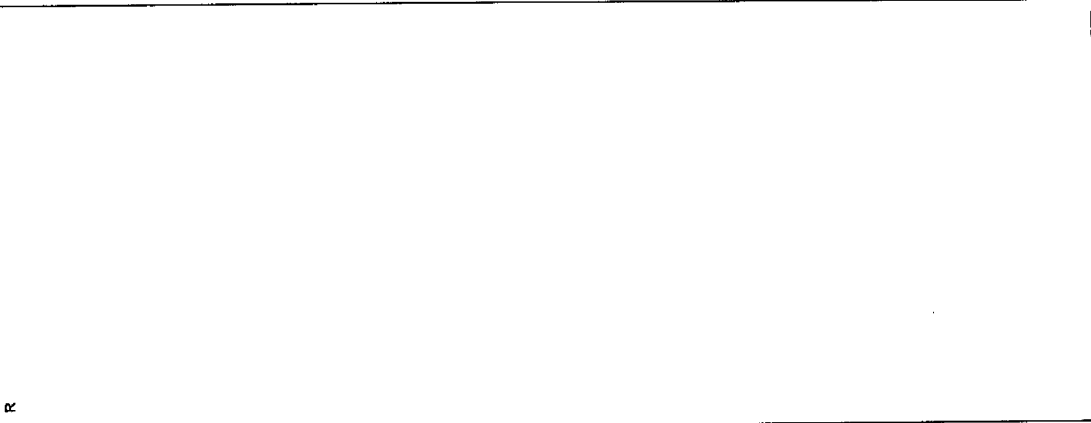
TO

Recorded at Request of  
Liberty Title Agency, LLC

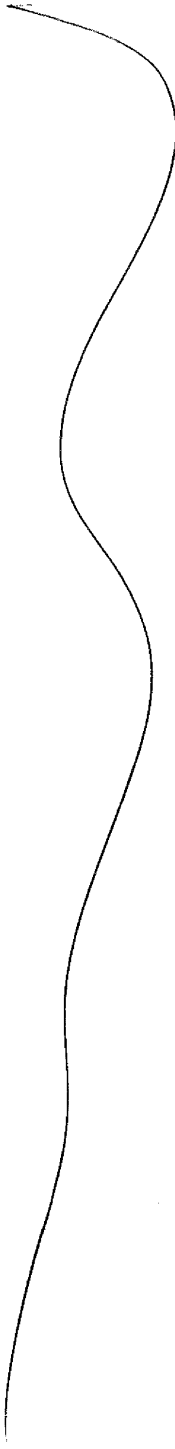
RETURN BY MAIL TO:

908701  
Royal Abstract of New York, LLC  
125 Park Avenue, Suite 1810  
New York, N.Y. 10017  
(212) 378-0900

Westerman Ball Ederer Miller Zucker & Sharfstein,  
LLP  
1201 RXR Plaza  
Uniondale, New York 11556  
Attn: Phillip L. Sharfstein, Esq.



**EXHIBIT A**



**SCHEDULE A**  
**DESCRIPTION OF PREMISES**

---

**PARCEL A:**

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:

**PARCEL I:**

BEGINNING at a point on the southerly side of Meserole Avenue, distant 60 feet westerly from the corner formed by the intersection of the southerly side of Meserole Avenue with the westerly side of Gem Street;

RUNNING THENCE southerly parallel with Gem Street, 100 feet;

THENCE westerly at right angles to Gem Street, 86 feet, more or less, to the former high water mark of Bushwick Inlet or Creek;

THENCE northwesterly along said former high water mark of said inlet or creek to the easterly side of Franklin Street;

THENCE northerly along said easterly side of Franklin Street, 96 feet 6 1/4 inches, more or less, to the southerly line of Meserole Avenue;

THENCE easterly along said southerly line of Meserole Avenue, 61 feet 1 inch to the point or place of BEGINNING.

**PARCEL II:**

BEGINNING at the corner formed by the intersection of the easterly side of Franklin Street with the northerly side of North Fifteenth Street;

RUNNING THENCE northeasterly along the easterly side of Franklin Street, 19 feet, more or less, to the southwest corner of the lot first above described;

THENCE southeasterly along the southwest line of said first described lot to a point therein where it is cut by the southerly boundary line of said first above described parcel (said cutting line being a line parallel with Meserole Avenue and distant 100 feet therefrom);

THENCE in a straight line in a general westerly course to the point or place of BEGINNING.

**SCHEDULE A  
DESCRIPTION OF PREMISES**

---

**PERIMETER DESCRIPTION (PARCEL I AND PARCEL II):**

**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 southerly side of Meserole Avenue, distant 60 feet westerly from the corner formed by the intersection of the southerly side of Meserole Avenue with the westerly side of Gem Street;

RUNNING THENCE southerly parallel with Gem Street, a distance of 100 feet to a point;

THENCE westerly along a line at right angles to the previous course, a distance of 86 feet to a point;

THENCE continuing westerly along a line forming an interior angle of 178 degrees 58 minutes 07 seconds with the previous course, a distance of 34 feet 8-1/2 inches to the easterly side of Franklin Street;

THENCE northerly along said easterly side of Franklin Street, a distance of 115 feet 10-3/4 inches to the southerly line of Meserole Avenue;

THENCE easterly along said southerly line of Meserole Avenue, a distance of 61 feet 1 inch to the point or place of BEGINNING.

For Information Only: Said premises are known as 12 Franklin Street a/k/a 2-6 Meserole Avenue, Brooklyn, NY and designated as Block 2614 Lots 3 as shown on the Tax Map of the City of New York, County of Kings.

**SCHEDULE A**  
**DESCRIPTION OF PREMISES**

---

**PARCEL B:**

**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 Gem Street distant 100 feet southerly from the corner formed by the intersection of the westerly side of Gem Street with the southerly side of Meserole Avenue;

THENCE westerly along then northerly side of lot numbers 105 & 108 on Map of property of the Estate of Henry Hilton Dec'd and parallel with Meserole Avenue, 146 feet;

THENCE westerly along said lot 108, 34 feet 8- 1/2 inches to the corner formed by the intersection of the easterly side of Franklin Street with the northeasterly side of North 15th Street;

THENCE southeasterly along the northeasterly side of North 15th Street, 91 feet 8 -1/8 inches;

THENCE easterly parallel with Meserole Avenue, 138 feet 7-1/2 inches through a party wall to the westerly side of Gem Street;

THENCE northerly along the westerly side of Gem Street, 80 feet to the point or place of BEGINNING.

For Information Only: Said premises are known as 1 - 7 North 15th Street, Brooklyn, NY and designated as Block 2614 Lot 1 as shown on the Tax Map of the City of New York, County of Kings.

**SCHEDULE A**  
**DESCRIPTION OF PREMISES**

---

**PARCEL C:**

**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 southerly side of Meserole Avenue with the westerly side of Gem Street;

RUNNING THENCE southerly along the westerly side of Gem Street, 100 feet;

THENCE westerly at right angles to Gem Street, 60 feet;

THENCE northerly parallel with Gem Street, 100 feet to the southerly side of Meserole Avenue;

THENCE easterly along the southerly side of Meserole Avenue, 60 feet to the point or place of BEGINNING.

For Information Only: Said premises are known as 8 Meserole Avenue a/k/a 37 Gem Street, Brooklyn, NY and designated as Block 2614 Lot 8 as shown on the Tax Map of the City of New York, County of Kings.

**SCHEDULE A  
DESCRIPTION OF PREMISES**

---

**PERIMETER DESCRIPTION (PARCEL A, PARCEL B AND PARCEL C):**

**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 southeasterly side of Meserole Avenue with the southwesterly side of Gem Street;

**RUNNING THENCE** southeasterly along the southwesterly side of Gem Street, a distance of 180 feet to a point;

**THENCE** southwesterly through a party wall and parallel with Meserole Avenue, a distance of 138.28 feet to the northeasterly side of North 15th Street;

**THENCE** northwesterly along northeasterly side of North 15th Street, a distance of 91.68 feet to the corner formed by the intersection of the easterly side of Franklin Street with the northeasterly side of North 15th Street;

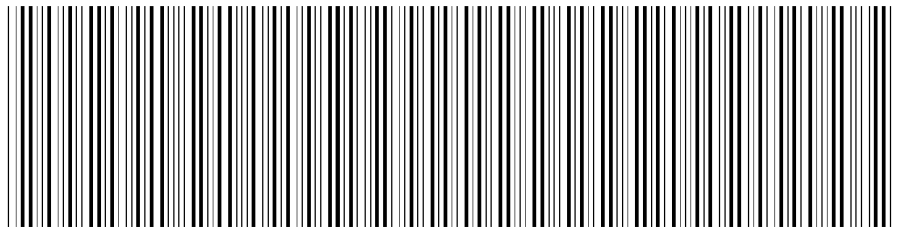
**THENCE** northerly along said easterly side of Franklin Street, a distance of 115.90 feet to the southeasterly line of Meserole Avenue;

**THENCE** northeasterly along said southeasterly line of Meserole Avenue, a distance of 121.08 feet to the point or place of **BEGINNING**.

**For Information Only:** Said premises are known as 1 - 7 North 15th Street, 12 Franklin Street a/k/a 2-6 Meserole Avenue and 8 Meserole Avenue a/k/a 37 Gem Street, Brooklyn, NY and designated as Block 2614 Lots 1, 3 and 8 as shown on the Tax Map of the City of New York, County of Kings.



NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2016062201144004005SF85F

**SUPPORTING DOCUMENT COVER PAGE**

**PAGE 1 OF 1**

**Document ID: 2016062201144004**  
Document Type: DEED

Document Date: 06-16-2016

Preparation Date: 06-28-2016

**ASSOCIATED TAX FORM ID:** 2016061300063

**SUPPORTING DOCUMENTS SUBMITTED:**

Page Count

RP - 5217 REAL PROPERTY TRANSFER REPORT

2

4

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  12  FRANKLIN STREET  BROOKLYN  11222  
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name  12 FRANKLIN PROPERTY CO LLC   
 LAST NAME / COMPANY FIRST NAME

12 FRANKLIN 230 LLC   
 LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address       
 Address 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  3  # 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  X  OR  ACRES  
 FRONT FEET DEPTH

Check the boxes below as they apply:  
 6. Ownership Type is Condominium   
 7. New Construction on Vacant Land

8. Seller Name  12 FRANKLIN PROPERTY CO 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 / 16 / 2016   
 Month Day Year

11. Date of Sale / Transfer  6 / 16 / 2016   
 Month Day Year

12. Full Sale Price \$  1,127,700.00   
 ( 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  E, 9  16. Total Assessed Value (of all parcels in transfer)  1,453,500.00   
 17. Borough, Block and Lot / Roll Identifier(s) ( If more than three, attach sheet with additional identifier(s) )  
 BROOKLYN 2614 3  BROOKLYN 2614 1  BROOKLYN 2614 8

**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**

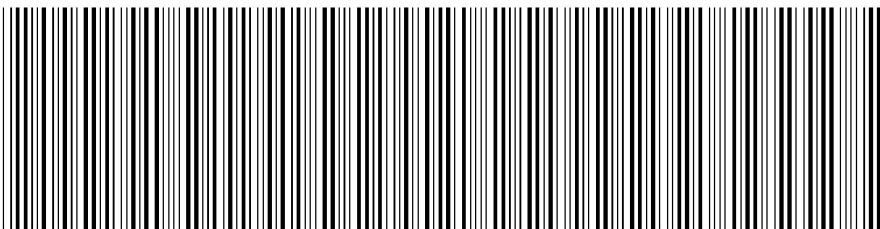
**BUYER'S ATTORNEY**

BUYER SIGNATURE 757 THIRD AVENUE, 17TH FLOOR		DATE Matthew Baron - Authorized Signatory	LAST NAME	FIRST NAME
STREET NUMBER NEW YORK	STREET NAME (AFTER SALE)	AREA CODE	TELEPHONE NUMBER	
CITY OR TOWN	STATE NY	ZIP CODE 10017	SELLER SIGNATURE Matthew Baron - Authorized Signatory	DATE

# **EXHIBIT E-3**

**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.



2016091900145001001E4A83

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 10**

**Document ID: 2016091900145001**

Document Date: 09-13-2016

Preparation Date: 09-20-2016

Document Type: DEED

Document Page Count: 8

**PRESENTER:**

ROYAL ABSTRACT OF NEW YORK LLC(909006)MB  
125 PARK AVENUE  
SUITE 1610  
NEW YORK, NY 10017  
212-376-0900  
MBASALATAN@ROYALABSTRACT.COM

**RETURN TO:**

ROYAL ABSTRACT OF NEW YORK LLC(909006)MB  
125 PARK AVENUE  
SUITE 1610  
NEW YORK, NY 10017  
212-376-0900  
MBASALATAN@ROYALABSTRACT.COM

**PROPERTY DATA**

<b>Borough</b>	<b>Block</b>	<b>Lot</b>	<b>Unit</b>	<b>Address</b>
BROOKLYN	2614	1	Entire Lot	7 NORTH 15 STREET

**Property Type:** COMMERCIAL REAL ESTATE

<b>Borough</b>	<b>Block</b>	<b>Lot</b>	<b>Unit</b>	<b>Address</b>
BROOKLYN	2614	3	Entire Lot	12 FRANKLIN STREET

**Property Type:** COMMERCIAL REAL ESTATE

Additional Properties on Continuation Page

**CROSS REFERENCE DATA**

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

**PARTIES**

**GRANTOR/SELLER:**

12 FRANKLIN PROPERTY CO LLC  
757 THIRD AVENUE, 17TH FLOOR  
NEW YORK, NY 10017

**GRANTEE/BUYER:**

12 FRANKLIN PROPERTY CO LLC  
757 THIRD AVENUE, 17TH FLOOR  
NEW YORK, NY 10017

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: \$ 83.00

Affidavit Fee: \$ 0.00

**Filing Fee:**

\$ 250.00

NYC Real Property Transfer Tax:

\$ 75,490.77

NYS Real Estate Transfer Tax:

\$ 11,504.00

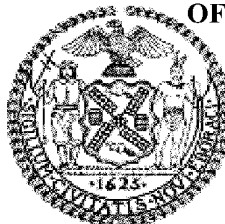
**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE**

**CITY OF NEW YORK**

Recorded/Filed 09-27-2016 13:55

City Register File No.(CRFN):

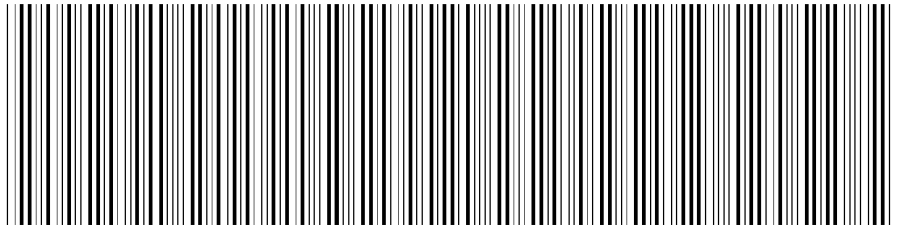
2016000337505



*Annette McHill*

City Register Official Signature

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2016091900145001001C4803

**RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)**

**PAGE 2 OF 10**

**Document ID: 2016091900145001**  
Document Type: DEED

Document Date: 09-13-2016

Preparation Date: 09-20-2016

**PROPERTY DATA**

<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BROOKLYN	2614 8 Entire Lot		8 MESEROLE AVENUE

**Property Type: COMMERCIAL REAL ESTATE**

**PARTIES**

**GRANTOR/SELLER:**  
12 FRANKLIN 230 LLC  
757 THIRD AVENUE, 17TH FLOOR  
NEW YORK, NY 10017

**PARTIES**

**GRANTEE/BUYER:**  
12 FRANKLIN 230 LLC  
757 THIRD AVENUE, 17TH FLOOR  
NEW YORK, NY 10017

**GRANTEE/BUYER:**  
12 FRANKLIN 197 LLC  
757 THIRD AVENUE, 17TH FLOOR  
NEW YORK, NY 10017

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 13<sup>th</sup> day of Sept., 2016

**BETWEEN**

12 FRANKLIN PROPERTY CO LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017 as to sixty six percent (66%) undivided tenancy-in-common interest; and 12 FRANKLIN 230 LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017, as to a thirty four percent (34%) undivided tenancy-in-common interest, collectively

party of the first part, and

12 FRANKLIN PROPERTY CO LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017, as to forty nine percent (49%) undivided tenancy-in-common interest; 12 FRANKLIN 230 LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017, as to a thirty four percent (34%) undivided tenancy-in-common interest; and 12 FRANKLIN 197 LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017, as to a seventeen percent (17%) undivided tenancy-in-common interest, collectively

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second 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** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being known as and by

12 Franklin Street, Brooklyn, New York, Block 2614, Lot 3, 7 North 15<sup>th</sup> Street, Brooklyn, New York, Block 2614, Lot 1, and 8 Meserole Avenue, Brooklyn, New York, Block 2614, Lot 8 as more particularly described in Exhibit "A" attached hereto and incorporated herein.

**BEING AND INTENDED TO BE THE SAME PREMISES** conveyed to the grantor herein by deed dated June 16, 2016 and recorded in the Office of the Register of the City of New York, Kings County on July 1, 2016 in CRFN 2016000223875.

**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, 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 cost 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.


**AND** the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same; that the party of the second part shall quietly enjoy the said premises; that the said premises are free from encumbrances, except as set forth on Schedule A; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the title to said premises.

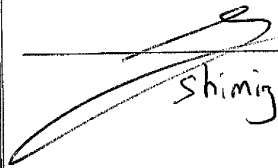
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

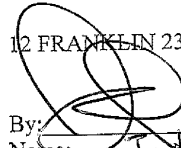
IN PRESENCE OF:

12 FRANKLIN PROPERTY CO LLC

By:   
Name: Matthew Baron  
Title: Authorized Signatory

  
Shiming Li

12 FRANKLIN 230 LLC

By:   
Name: Jonathan Simm  
Title: Authorized Signatory

  
Shiming Li



**TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE**

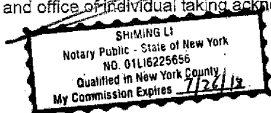
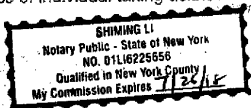
State of New York, County of New York ss: State of New York, County of New York ss:  
On the 9th day of September in the year 2016 before me, the undersigned, personally appeared Matthew Bern  
On the 9th day of September in the year 2016 before me, the undersigned, personally appeared Jonathan Simon

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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.

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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)

(signature and office of individual taking acknowledgment)



**TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE**

State (or District of Columbia, Territory, or Foreign Country) of \_\_\_\_\_ ss:  
On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ 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(s) 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, and that such individual made such appearance before the undersigned in the

\_\_\_\_\_ in \_\_\_\_\_  
(Insert the City or other political subdivision) (and insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

SECTION  
BLOCK 2614  
LOTS 1, 3 and 8  
COUNTY OF KINGS  
12 Franklin Street, 7  
North 15<sup>th</sup> Street and 8  
Meserole Avenue,  
Brooklyn, New York

**WARRANTY DEED  
WITH FULL COVENANTS**

Title No. \_\_\_\_\_

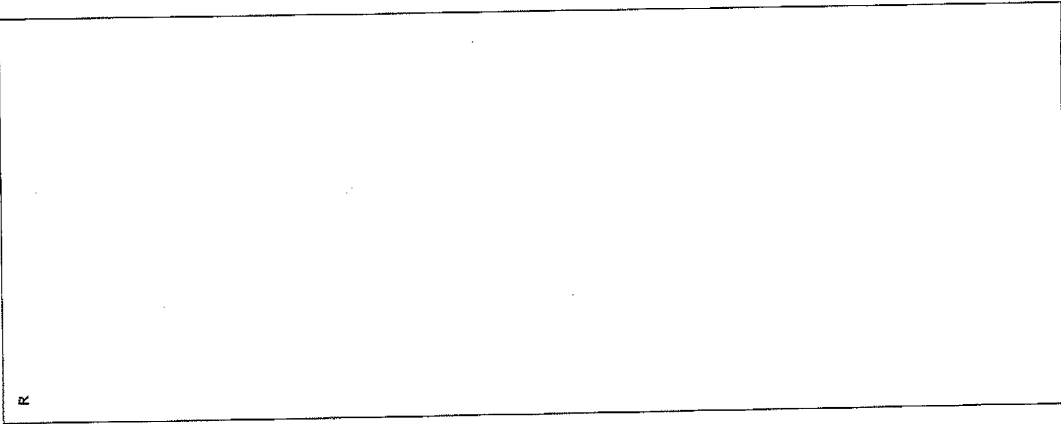
TO

909006  
Royal Abstract of New York, LLC  
125 Park Avenue, Suite 1610  
New York, N.Y. 10017  
(212) 376-0900

Recorded at Request of  
Liberty Title Agency, LLC

RETURN BY MAIL TO:

Westerman Ball Ederer Miller Zucker & Sharfstein,  
LLP  
1201 RXR Plaza  
Uniondale, New York 11556  
Attn: Phillip L. Sharfstein, Esq.



# Exhibit A

## SCHEDULE A DESCRIPTION OF PREMISES PAGE 1 OF 5

---

### PARCEL A:

**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:

### PARCEL I:

BEGINNING at a point on the southerly side of Meserole Avenue, distant 60 feet westerly from the corner formed by the intersection of the southerly side of Meserole Avenue with the westerly side of Gem Street;

RUNNING THENCE southerly parallel with Gem Street, 100 feet;

THENCE westerly at right angles to Gem Street, 86 feet, more or less, to the former high water mark of Bushwick Inlet or Creek;

THENCE northwesterly along said former high water mark of said inlet or creek to the easterly side of Franklin Street;

THENCE northerly along said easterly side of Franklin Street, 96 feet 6 1/4 inches, more or less, to the southerly line of Meserole Avenue;

THENCE easterly along said southerly line of Meserole Avenue, 61 feet 1 inch to the point or place of BEGINNING.

### PARCEL II:

BEGINNING at the corner formed by the intersection of the easterly side of Franklin Street with the northerly side of North Fifteenth Street;

RUNNING THENCE northeasterly along the easterly side of Franklin Street, 19 feet, more or less, to the southwest corner of the lot first above described;

THENCE southeasterly along the southwest line of said first described lot to a point therein where it is cut by the southerly boundary line of said first above described parcel (said cutting line being a line parallel with Meserole Avenue and distant 100 feet therefrom);

THENCE in a straight line in a general westerly course to the point or place of BEGINNING.

For conveyancing only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

**SCHEDULE A**  
**DESCRIPTION OF PREMISES PAGE 2 OF 5**

---

**PERIMETER DESCRIPTION (PARCEL I AND PARCEL II):**

**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 southerly side of Meserole Avenue, distant 60 feet westerly from the corner formed by the intersection of the southerly side of Meserole Avenue with the westerly side of Gem Street;

RUNNING THENCE southerly parallel with Gem Street, a distance of 100 feet to a point;

THENCE westerly along a line at right angles to the previous course, a distance of 86 feet to a point;

THENCE continuing westerly along a line forming an interior angle of 178 degrees 58 minutes 07 seconds with the previous course, a distance of 34 feet 8-1/2 inches to the easterly side of Franklin Street;

THENCE northerly along said easterly side of Franklin Street, a distance of 115 feet 10-3/4 inches to the southerly line of Meserole Avenue;

THENCE easterly along said southerly line of Meserole Avenue, a distance of 61 feet 1 inch to the point or place of BEGINNING.

For Information Only: Said premises are known as 12 Franklin Street a/k/a 2-6 Meserole Avenue, Brooklyn, NY and designated as Block 2614 Lots 3 as shown on the Tax Map of the City of New York, County of Kings.

For conveyancing only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

**SCHEDULE A**  
**DESCRIPTION OF PREMISES PAGE 3 OF 5**

---

**PARCEL B:**

**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 Gem Street distant 100 feet southerly from the corner formed by the intersection of the westerly side of Gem Street with the southerly side of Meserole Avenue;

THENCE westerly along then northerly side of lot numbers 105 & 108 on Map of property of the Estate of Henry Hilton Dec'd and parallel with Meserole Avenue, 146 feet;

THENCE westerly along said lot 108, 34 feet 8- 1/2 inches to the corner formed by the intersection of the easterly side of Franklin Street with the northeasterly side of North 15th Street;

THENCE southeasterly along the northeasterly side of North 15th Street, 91 feet 8 -1/8 inches;

THENCE easterly parallel with Meserole Avenue, 138 feet 7-1/2 inches through a party wall to the westerly side of Gem Street;

THENCE northerly along the westerly side of Gem Street, 80 feet to the point or place of BEGINNING.

For Information Only: Said premises are known as 1 - 7 North 15th Street, Brooklyn, NY and designated as Block 2614 Lot 1 as shown on the Tax Map of the City of New York, County of Kings.

For conveyancing only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

**SCHEDULE A**  
**DESCRIPTION OF PREMISES PAGE 4 OF 5**

---

**PARCEL C:**

**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 southerly side of Meserole Avenue with the westerly side of Gem Street;

**RUNNING THENCE** southerly along the westerly side of Gem Street, 100 feet;

**THENCE** westerly at right angles to Gem Street, 60 feet;

**THENCE** northerly parallel with Gem Street, 100 feet to the southerly side of Meserole Avenue;

**THENCE** easterly along the southerly side of Meserole Avenue, 60 feet to the point or place of **BEGINNING**.

For Information Only: Said premises are known as 8 Meserole Avenue a/k/a 37 Gem Street, Brooklyn, NY and designated as Block 2614 Lot 8 as shown on the Tax Map of the City of New York, County of Kings.

For conveyancing only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

**SCHEDULE A  
DESCRIPTION OF PREMISES PAGE 5 OF 5**

---

**PERIMETER DESCRIPTION (PARCEL A PRCEL B AND PARCEL C):**

**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 southeasterly side of Meserole Avenue with the southwesterly side of Gem Street;

RUNNING THENCE southeasterly along the southwesterly side of Gem Street, a distance of 180 feet to a point;

THENCE southwesterly through a party wall and parallel with Meserole Avenue, a distance of 138.28 feet to the northeasterly side of North 15th Street;

THENCE northwesterly along northeasterly side of North 15th Street, a distance of 91.68 feet to the corner formed by the intersection of the easterly side of Franklin Street with the northeasterly side of North 15th Street;

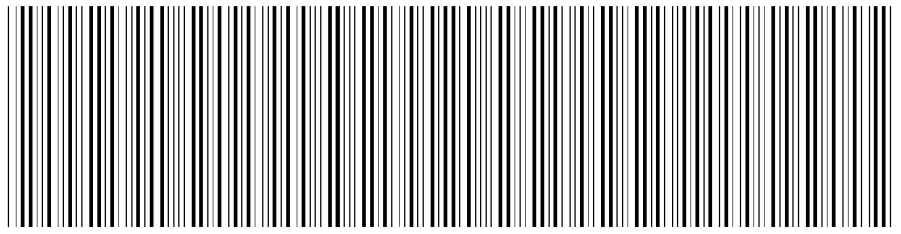
THENCE northerly along said easterly side of Franklin Street, a distance of 115.90 feet to the southeasterly line of Meserole Avenue;

THENCE northeasterly along said southeasterly line of Meserole Avenue, a distance of 121.08 feet to the point or place of BEGINNING.

For Information Only: Said premises are known as 1 - 7 North 15th Street, 12 Franklin Street a/k/a 2-6 Meserole Avenue and 8 Meserole Avenue a/k/a 37 Gem Street, Brooklyn, NY and designated as Block 2614 Lots 1, 3 and 8 as shown on the Tax Map of the City of New York, County of Kings.

For conveyancing only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2016091900145001001S8402

**SUPPORTING DOCUMENT COVER PAGE**

**PAGE 1 OF 1**

**Document ID: 2016091900145001**  
Document Type: DEED

Document Date: 09-13-2016

Preparation Date: 09-20-2016

**ASSOCIATED TAX FORM ID:** 2016090800380

**SUPPORTING DOCUMENTS SUBMITTED:**

Page Count

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

1  
4

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  7 NORTH 15 STREET BROOKLYN 11222  
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name  12 FRANKLIN PROPERTY CO LLC  
 LAST NAME / COMPANY FIRST NAME

12 FRANKLIN 230 LLC  
 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  3 # 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  12 FRANKLIN PROPERTY CO LLC  
 LAST NAME / COMPANY FIRST NAME

12 FRANKLIN 230 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  9 / 13 / 2016  
 Month Day Year

11. Date of Sale / Transfer  9 / 13 / 2016  
 Month Day Year

12. Full Sale Price \$  5 6 3 8 9 0 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  K 1 16. Total Assessed Value (of all parcels in transfer)  1 4 5 3 5 0 0

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

BROOKLYN 2614 1  BROOKLYN 2614 3  BROOKLYN 2614 8



**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

9/9/16

BUYER'S ATTORNEY

BUYER SIGNATURE  
757 THIRD AVENUE, 17TH FLOOR

DATE

LAST NAME

FIRST NAME

STREET NUMBER

STREET NAME (AFTER SALE)

AREA CODE

TELEPHONE NUMBER

NEW YORK

NY

10017

SELLER

9/9/16

CITY OR TOWN

STATE

ZIP CODE

SELLER SIGNATURE

DATE

by: Jonathan Simon - Authorized Signatory

by: Matthew Baron - Authorized Signatory

Grantee (Buyer)

12 FRANKLIN 197 LLC

LAST NAME / COMPANY

Grantor (Seller)

*Jonathan Simon - Authorized Signatory*

FIRST NAME

LAST NAME / COMPANY

Grantee (Buyer)

FIRST NAME

LAST NAME / COMPANY

Grantor (Seller)

FIRST NAME

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Grantee (Buyer)

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LAST NAME / COMPANY

Grantor (Seller)

FIRST NAME

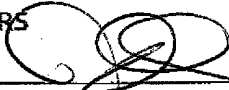
LAST NAME / COMPANY

FIRST NAME

### 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.

#### BUYERS

 9/9/16  
 Buyer Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Jonathan Simon Authorized  
 Buyer Signature \_\_\_\_\_ Date \_\_\_\_\_  
Signatory

Buyer Signature \_\_\_\_\_ Date \_\_\_\_\_

Buyer Signature \_\_\_\_\_ Date \_\_\_\_\_

Buyer Signature \_\_\_\_\_ Date \_\_\_\_\_

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Buyer Signature \_\_\_\_\_ Date \_\_\_\_\_

#### SELLERS

 9/9/16  
 Seller Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Matthew Baron Authorized  
 Seller Signature \_\_\_\_\_ Date \_\_\_\_\_  
Signatory

Seller Signature \_\_\_\_\_ Date \_\_\_\_\_

Seller Signature \_\_\_\_\_ Date \_\_\_\_\_

Seller Signature \_\_\_\_\_ Date \_\_\_\_\_

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Seller Signature \_\_\_\_\_ Date \_\_\_\_\_

Seller Signature \_\_\_\_\_ Date \_\_\_\_\_

Seller Signature \_\_\_\_\_ Date \_\_\_\_\_



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: 2614                      LOT: 1
- (2) Property Address: 7 NORTH 15 STREET, BROOKLYN, NY 11222
- (3) Owner's Name:            12 FRANKLIN PROPERTY CO LLC  
Additional Name:            12 FRANKLIN 230 LLC

### 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: \_\_\_\_\_

Matthew Baron (dd/yyyy)

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

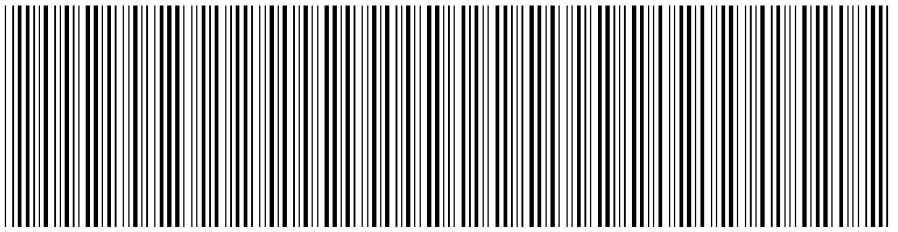
Authorized Signatory

**SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES**

# **EXHIBIT E-4**

**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.



2017121201204001002EC945

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 10**

**Document ID: 2017121201204001**

Document Date: 12-07-2017

Preparation Date: 12-14-2017

Document Type: CORRECTION DEED

Document Page Count: 8

**PRESENTER:**

ROYAL ABSTRACT OF NEW YORK LLC  
(910408)BL/MB  
125 PARK AVENUE  
SUITE 1610  
NEW YORK, NY 10017  
212-376-0900

**RETURN TO:**

ROYAL ABSTRACT OF NEW YORK LLC  
(910408)BL/MB  
125 PARK AVENUE  
SUITE 1610  
NEW YORK, NY 10017  
212-376-0900

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BROOKLYN	2614	3	Entire Lot	12 FRANKLIN STREET

**Property Type:** COMMERCIAL REAL ESTATE

Borough	Block	Lot	Unit	Address
BROOKLYN	2614	1	Entire Lot	7 NORTH 15 STREET

**Property Type:** COMMERCIAL REAL ESTATE

Additional Properties on Continuation Page

**CROSS REFERENCE DATA**

**CRFN:** 2016000337505

**PARTIES**

**GRANTOR/SELLER:**

12 FRANKLIN PROPERTY CO LLC  
C/O SIMON BARON DEVELOPMENT LLC, 757 THIRD AVE, 17TH FLOOR  
NEW YORK, NY 10017

**GRANTEE/BUYER:**

12 FRANKLIN PROPERTY CO LLC  
C/O SIMON BARON DEVELOPMENT LLC, 757 THIRD AVE, 17TH FLOOR  
NEW YORK, NY 10017

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
-----------------	----	------

<b>TOTAL:</b>	\$	0.00
---------------	----	------

Recording Fee:	\$	83.00
----------------	----	-------

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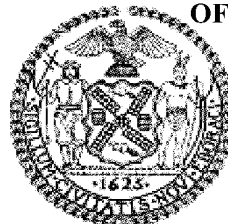
**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE**

**CITY OF NEW YORK**

Recorded/Filed 12-15-2017 11:34

City Register File No.(CRFN):

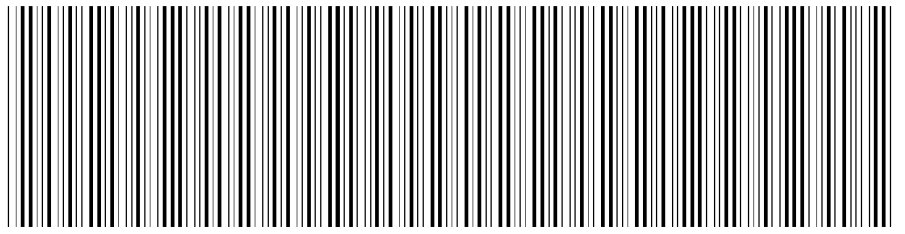
**2017000459465**



*Annette McHill*

**City Register Official Signature**

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2017121201204001002CCBC5

**RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)**

**PAGE 2 OF 10**

**Document ID: 2017121201204001**  
Document Type: CORRECTION DEED

Document Date: 12-07-2017

Preparation Date: 12-14-2017

**PROPERTY DATA**

<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BROOKLYN	2614 8 Entire Lot		8 MESEROLE AVENUE

**Property Type: COMMERCIAL REAL ESTATE**

**PARTIES**

**GRANTOR/SELLER:**

12 FRANKLIN 230 LLC  
C/O SIMON BARON DEVELOPMENT LLC, 757 THIRD  
AVE, 17TH FLOOR  
NEW YORK, NY 10017

**GRANTOR/SELLER:**

12 FRANKLIN 197 LLC  
C/O SIMON BARON DEVELOPMENT LLC, 757 THIRD  
AVE, 17TH FLOOR  
NEW YORK, NY 10017

**PARTIES**

**GRANTEE/BUYER:**

12 FRANKLIN 230 LLC  
C/O SIMON BARON DEVELOPMENT LLC, 757 THIRD  
AVE, 17TH FLOOR  
NEW YORK, NY 10017

**GRANTEE/BUYER:**

12 FRANKLIN 197 LLC  
C/O SIMON BARON DEVELOPMENT LLC, 757 THIRD  
AVE, 17TH FLOOR  
NEW YORK, NY 10017

①

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the <sup>as of</sup> 7<sup>TH</sup> day of ~~DECEMBER~~, 2017

**BETWEEN**

12 FRANKLIN PROPERTY CO LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017 as to forty nine percent (49%) undivided tenancy-in-common interest; 12 FRANKLIN 230 LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017, as to a thirty four percent (34%) undivided tenancy-in-common interest; and 12 FRANKLIN 197 LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017, as to a seventeen percent (17%) undivided tenancy-in-common interest, collectively

party of the first part, and

12 FRANKLIN PROPERTY CO LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017, as to eight percent (8%) undivided tenancy-in-common interest; 12 FRANKLIN 230 LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017, as to a sixty one percent (61%) undivided tenancy-in-common interest; and 12 FRANKLIN 197 LLC, a Delaware limited liability company having an address at 757 Third Avenue, Suite 1701, New York, New York 10017, as to a thirty one percent (31%) undivided tenancy-in-common interest, collectively

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second 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** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being known as and by

12 Franklin Street, Brooklyn, New York, Block 2614, Lot 3, 7 North 15<sup>th</sup> Street, Brooklyn, New York, Block 2614, Lot 1, and 8 Meserole Avenue, Brooklyn, New York, Block 2614, Lot 8 as more particularly described in Exhibit "A" attached hereto and incorporated herein.

**BEING AND INTENDED TO BE THE SAME PREMISES** conveyed to the grantor herein by deed dated September 13, 2016 and recorded in the Office of the Register of the City of New York, Kings County on September 27, 2016 in CRFN 2016000337505.

THIS CORRECTION DEED IS BEING RECORDED TO CORRECT THE UNDIVIDED TENANCY-IN-COMMON INTERESTS OF THE GRANTORS, WHICH TENANCY-IN-COMMON INTERESTS WERE INCORRECTLY APPORTIONED AMONG THE THREE GRANTORS IN THE DEED DATED SEPTEMBER 13, 2016 AND RECORDED SEPTEMBER 27, 2016 IN THE OFFICE OF THE REGISTER OF THE CITY OF NEW YORK, KINGS COUNTY AS CRFN 2016000337505.

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, 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 cost 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.

AND the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same; that the party of the second part shall quietly enjoy the said premises; that the said premises are free from encumbrances, except as set forth on Schedule A; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the title to said premises.

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




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

IN PRESENCE OF:

Zach Spellman

---

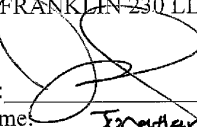
12 FRANKLIN PROPERTY CO LLC

By:   
Name: Jonathan Simon  
Title: Authorized Signatory

Zach Spellman

---

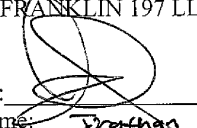
12 FRANKLIN 230 LLC

By:   
Name: Jonathan Simon  
Title: Authorized Signatory

Zach Spellman

---

12 FRANKLIN 197 LLC

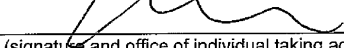
By:   
Name: Jonathan Simon  
Title: Authorized Signatory

**TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE**

State of New York, County of NY ss: State of New York, County of NY ss:

On the 6 day of December in the year 2017  
before me, the undersigned, personally appeared

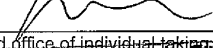
Jonathan Simon  
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) 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)

ANDREW L. TILL  
Notary Public, State of New York  
Registration #01TI6077946  
Qualified In New York County  
Commission Expires July 22, 2018

On the 6 day of December in the year 2017  
before me, the undersigned, personally appeared

Jonathan Simon  
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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)

ANDREW L. TILL  
Notary Public, State of New York  
Registration #01TI6077946  
Qualified In New York County  
Commission Expires July 22, 2018

**TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE**

State (or District of Columbia, Territory, or Foreign Country) of \_\_\_\_\_ ss:

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ 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(s) 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, and that such individual made such appearance before the undersigned in the

\_\_\_\_\_ in \_\_\_\_\_  
(insert the City or other political subdivision) (and insert the State or Country or other place the acknowledgment was taken)

\_\_\_\_\_  
(signature and office of individual taking acknowledgment)

SECTION  
BLOCK 2614  
LOTS 1, 3 and 8  
COUNTY OF KINGS  
12 Franklin Street, 7  
North 15<sup>th</sup> Street and 8  
Meserole Avenue,  
Brooklyn, New York

**WARRANTY DEED  
WITH FULL COVENANTS**

Title No. 910408

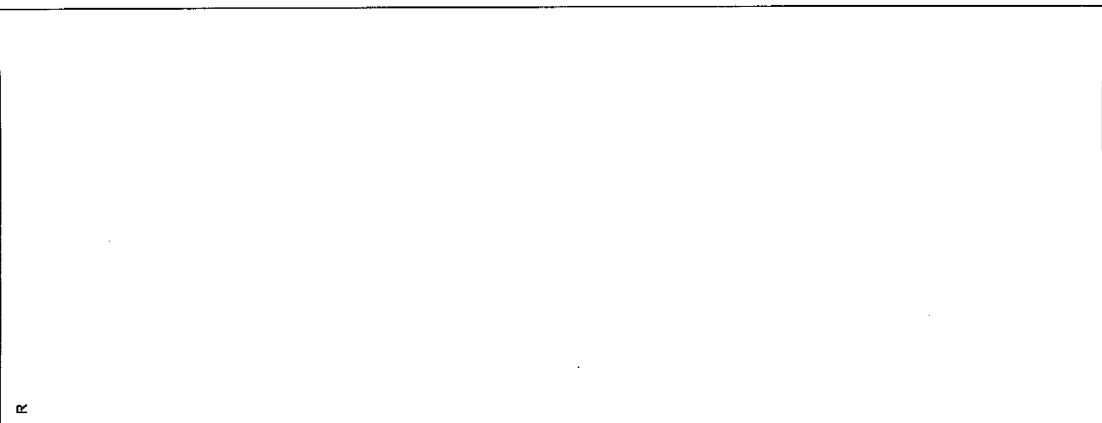
TO

Recorded at Request of  
Liberty Title Agency, LLC

RETURN BY MAIL TO:

Royal Abstract of New York, LLC  
125 Park Avenue, Suite 1610  
New York, N.Y. 10017  
(212) 376-0900

Westerman Ball Ederer Miller Zucker & Sharfstein,  
LLP  
1201 RXR Plaza  
Uniondale, New York 11556  
Attn: Phillip L. Sharfstein, Esq.



**EXHIBIT A**

**PERIMETER DESCRIPTION (PARCEL I AND PARCEL II):**

**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 southerly side of Meserole Avenue, distant 60 feet westerly from the corner formed by the intersection of the southerly side of Meserole Avenue with the westerly side of Gem Street;

RUNNING THENCE southerly parallel with Gem Street, a distance of 100 feet to a point;

THENCE westerly along a line at right angles to the previous course, a distance of 86 feet to a point;

THENCE continuing westerly along a line forming an interior angle of 178 degrees 58 minutes 07 seconds with the previous course, a distance of 34 feet 8-1/2 inches to the easterly side of Franklin Street;

THENCE northerly along said easterly side of Franklin Street, a distance of 115 feet 10-3/4 inches to the southerly line of Meserole Avenue;

THENCE easterly along said southerly line of Meserole Avenue, a distance of 61 feet 1 inch to the point or place of BEGINNING.

For Information Only: Said premises are known as 12 Franklin Street a/k/a 2-6 Meserole Avenue, Brooklyn, NY and designated as Block 2614 Lots 1 and 3 as shown on the Tax Map of the City of New York, County of Kings.

**PARCEL B:**

**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 Gem Street distant 100 feet southerly from the corner formed by the intersection of the westerly side of Gem Street with the southerly side of Meserole Avenue;

THENCE westerly along then northerly side of lot numbers 105 & 108 on Map of property of the Estate of Henry Hilton Dec'd and parallel with Meserole Avenue, 146 feet;

THENCE westerly along said lot 108, 34 feet 8- 1/2 inches to the corner formed by the intersection of the easterly side of Franklin Street with the northeasterly side of North 15th Street;

**EXHIBIT A**

Property

**PARCEL A:**

**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:

**PARCEL I:**

**BEGINNING** at a point on the southerly side of Meserole Avenue, distant 60 feet westerly from the corner formed by the intersection of the southerly side of Meserole Avenue with the westerly side of Gem Street;

**RUNNING THENCE** southerly parallel with Gem Street, 100 feet;  
**THENCE** westerly at right angles to Gem Street, 86 feet, more or less, to the former high water mark of Bushwick Inlet or Creek;

**THENCE** northwesterly along said former high water mark of said inlet or creek to the easterly side of Franklin Street;

**THENCE** northerly along said easterly side of Franklin Street, 96 feet 6 1/4 inches, more or less, to the southerly line of Meserole Avenue;

**THENCE** easterly along said southerly line of Meserole Avenue, 61 feet 1 inch to the point or place of **BEGINNING**.

**PARCEL II:**

**BEGINNING** at the corner formed by the intersection of the easterly side of Franklin Street with the northerly side of North Fifteenth Street;

**RUNNING THENCE** northeasterly along the easterly side of Franklin Street, 19 feet, more or less, to the southwesterly corner of the lot first above described;

**THENCE** southeasterly along the southwesterly line of said first described lot to a point therein where it is cut by the southerly boundary line of said first above described parcel (said cutting line being a line parallel with Meserole Avenue and distant 100 feet therefrom);

**THENCE** in a straight line in a general westerly course to the point of place of **BEGINNING**.

THENCE southeasterly along the northeasterly side of North 15th Street, 91 feet 8 -1/8 inches;

THENCE easterly parallel with Meserole Avenue, 138 feet 7-1/2 inches through a party wall to the westerly side of Gem Street;

THENCE northerly along the westerly side of Gem Street, 80 feet to the point or place of BEGINNING.

For Information Only: Said premises are known as 1 - 7 North 15th Street, Brooklyn, NY and designated as Block 2614 Lot 1 as shown on the Tax Map of the City of New York, County of Kings.

**PARCEL C:**

**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 southerly side of Meserole Avenue with the westerly side of Gem Street;

RUNNING THENCE southerly along the westerly side of Gem Street, 100 feet;

THENCE westerly at right angles to Gem Street, 60 feet;

THENCE northerly parallel with Gem Street, 100 feet to the southerly side of Meserole Avenue;

THENCE easterly along the southerly side of Meserole Avenue, 60 feet to the point or place of BEGINNING.

For Information Only: Said premises are known as 8 Meserole Avenue a/k/a 37 Gem Street, Brooklyn, NY and designated as Block 2614 Lot 8 as shown on the Tax Map of the City of New York, County of Kings.

**PERIMETER DESCRIPTION (PARCEL A, PARCEL B AND PARCEL C):**

**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 the corner formed by the intersection of the southeasterly side of Meserole Avenue with the southwesterly side of Gem Street;

RUNNING THENCE southeasterly along the southwesterly side of Gem Street, a distance of 180 feet to a point;

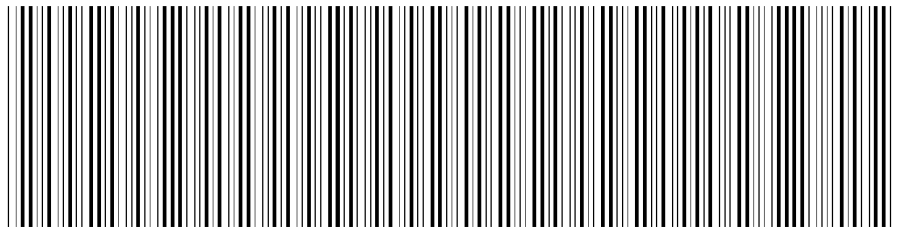
THENCE southwesterly through a party wall and parallel with Meserole Avenue, a distance of 138.28 feet to the northeasterly side of North 15th Street;

THENCE northwesterly along northeasterly side of North 15th Street, a distance of 91.68 feet to the corner formed by the intersection of the easterly side of Franklin Street with the northeasterly side of North 15th Street;

THENCE northerly along said easterly side of Franklin Street, a distance of 115.90 feet to the southeasterly line of Meserole Avenue;

THENCE northeasterly along said southeasterly line of Meserole Avenue, a distance of 121.08 feet to the point or place of BEGINNING.

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2017121201204001002S07C4

**SUPPORTING DOCUMENT COVER PAGE**

**PAGE 1 OF 1**

**Document ID: 2017121201204001**  
Document Type: CORRECTION DEED

Document Date: 12-07-2017

Preparation Date: 12-14-2017

**ASSOCIATED TAX FORM ID:** 2017120400326

**SUPPORTING DOCUMENTS SUBMITTED:**

Page Count

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

2  
5



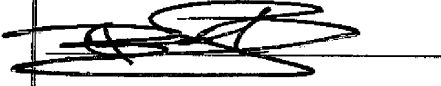


**CERTIFICATION**

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.


<b>BUYER</b> <i>SEE ATTACHED</i>			<b>BUYER'S ATTORNEY</b>		
BUYER SIGNATURE C/O SIMON BARON DEVELOPMENT LLC 757 THIRD AVE, 17TH FLOOR		DATE	LAST NAME		FIRST NAME
STREET NUMBER NEW YORK	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER	
CITY OR TOWN	STATE NY	ZIP CODE 10017	<b>SELLER</b> <i>SEE ATTACHED</i>		DATE
			SELLER SIGNATURE		

IN PRESENCE OF:

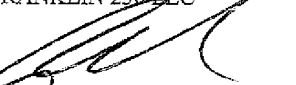


BRIAN S HART  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01HA6257074  
Qualified in New York County  
My Commission Expires March 05, 2016

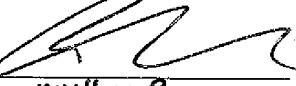
12 FRANKLIN PROPERTY CO LLC

By:   
Name: Matthew Barr  
Title: Authorized Signatory

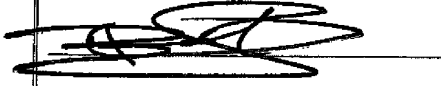
12 FRANKLIN 230 LLC

By:   
Name: Matthew Barr  
Title: Authorized Signatory

12 FRANKLIN 197 LLC

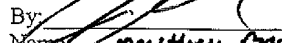
By:   
Name: Matthew Barr  
Title: Authorized Signatory

IN PRESENCE OF:

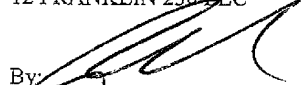


BRIAN S HART  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01HA6257074  
Qualified in New York County  
My Commission Expires March 05, 2016

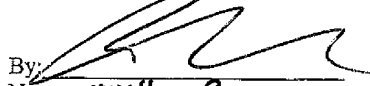
12 FRANKLIN PROPERTY CO LLC

By:   
Name: Matthew Baer  
Title: Authorized Signatory

12 FRANKLIN 230 LLC

By:   
Name: Matthew Baer  
Title: Authorized Signatory

12 FRANKLIN 197 LLC

By:   
Name: Matthew Baer  
Title: Authorized Signatory

Grantee (Buyer)

12 FRANKLIN 197 LLC

LAST NAME / COMPANY

Grantor (Seller)

12 FRANKLIN 197 LLC

LAST NAME / COMPANY

Grantee (Buyer)

LAST NAME / COMPANY

Grantor (Seller)

LAST NAME / COMPANY

Grantee (Buyer)

LAST NAME / COMPANY

Grantor (Seller)

LAST NAME / COMPANY

Grantee (Buyer)

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FIRST NAME



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: 2614                      LOT: 3
- (2) Property Address: 12 FRANKLIN STREET, BROOKLYN, NY 11222
- (3) Owner's Name:            12 FRANKLIN PROPERTY CO LLC  
Additional Name:            12 FRANKLIN 230 LLC

### 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)

12/4/2017

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	2614	1	7 NORTH 15 STREET	NY	NY	11222
BROOKLYN	2614	8	8 MESEROLE AVENUE	NY	NY	11222

201712040032610105

# **EXHIBIT F**





2600 Innovation Square  
100 South Clinton Avenue  
Rochester, New York 14604  
nyenvlaw.com

**LINDA R. SHAW**  
ATTORNEY AT LAW

T 585.546.8430  
C 585.414.3122  
lshaw@nyenvlaw.com

May 16, 2023

Site Control  
NYSDEC  
625 Broadway  
Albany, New York 12233

**Re: Tangible Property Tax Credit BCA Amendment Request for Eligibility Determination  
12 Franklin Street BCP Site #: C224286  
12 Franklin Street, Brooklyn, NY 11222**

Dear Andrew and Kelly:

Enclosed please find a BCP Amendment and package of documents, which collectively justify the eligibility of this Site for the BCP Tangible Property Tax Credits available in Tax Law §21 in accordance with the “underutilized” site definition in 6 NYCRR §375-3.2(1).<sup>1</sup> :

1. UNDERUTILIZED SITE TEST No. 1 [6 NYCRR §375-3.2(1)]: “no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years”. **The current building on this site has been vacant for more than three years. See Affidavit of Site Owner in Exhibit A.**
2. UNDERUTILIZED SITE TEST No. 2 [6 NYCRR §3.2(1)(2)(i)]: “the proposed use is at least seventy-five percent for commercial or commercial and industrial uses” **As discussed during the March 8, 2023 meeting with the Department, 100% of this building will be a commercial use per existing zoning. Given that the site is in an Industrial Commercial Zone, the City is unlikely to rezone the site residential. The Planned use of the Site is 100% commercial.**
3. UNDERUTILIZED SITE TEST No. 3 [6 NYCRR §3.2(1)(2)(ii)]: “the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located”: **Attached please find a certificate statement from the authorized signatory – Raymond Roubeni – of Franklin Point LLC certifying that without substantial government assistance in the form of the BCP tax credits, the economics of this project do not work since the projected future remediation costs are high. See Certification Statement in Exhibit B and a detailed spreadsheet analysis in support of the conclusions in the certification.**



Andrew Guglielmi, Esq.  
Kelly Lewandowski  
May 16, 2023  
Page 2

4. UNDERUTILIZED SITE TEST No. 4 [6 NYCRR §3.2(l)(2)(iii)(b)]: “a building is presently condemned or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard”. **Based on the Structural Assessment Report prepared by Roux, there are documented structural deficiencies in the on-Site building, as certified by a professional engineer See Structural Assessment Report in Exhibit C.**

Franklin Point LLC, as a new volunteer, respectfully requests NYSDEC to grant this Volunteer, which has met the underutilized test, the tangible property tax credit for this Site so that they can obtain the financing necessary to complete the remediation and the project. Assuming this package is acceptable, we will seek approval from the City of New York. Thank you for your anticipated execution of the BCA Amendment approving this request.

Sincerely,

**KNAUF SHAW LLP**

A handwritten signature in black ink that reads "Linda R. Shaw".

LINDA R. SHAW

cc: Jane O’Connell, DEC Region 2 Regional Engineer  
Richard Mustico, Project Manager

---

<sup>i</sup> 6 NYCRR §3.2(l) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and

(1) the proposed use is at least seventy-five percent for industrial uses; or

(2) at which:

(i) the proposed use is at least seventy-five percent for commercial or commercial and industrial uses;

(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and

(iii) one or more of the following conditions exists, as certified by the applicant:

(a) property tax payments have been in arrears for at least five years immediately prior to the application;

(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or

(c) there are no structures.

"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, from a governmental entity.

# **EXHIBIT F-A**


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

**AFFIDAVIT IN SUPPORT OF UNDERUTILIZED STATUS OF 12 FRANKLIN STREET  
SITE AT 12 FRANKLIN STREET, BROOKLYN, NEW YORK 11222**

MATTHEW BARON, an authorized signatory of 12 Franklin Property Co LLC, being duly sworn, deposes and says, in his representative capacity:

1. I am an authorized signatory of 12 Franklin Property Co LLC, a volunteer for the 12 Franklin Street Site located at 12 Franklin Street, Brooklyn, New York 11222, which has become Brownfield Cleanup Program ("BCP") Site No. C224286 (the "Site").
2. I certify that the current building located on the Site has been vacant for more than three years. Therefore, 0% of the permissible floor area of the building has been used under the applicable base zoning for at least three years prior to the application.
3. I declare under penalty of perjury that the foregoing is true and correct.

Executed:  
2023

May 16 2023  
  
Matthew Baron  
12 Franklin Property Co LLC  
Member

On the 16 day of May in the year 2023, before me, the undersigned, personally appeared Matthew M. Baron, 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 individual capacity.



ANDREW L. TILL  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01T16077946  
Qualified in New York County  
Commission Expires July 22, 2026

# **EXHIBIT F-B**

# FINANCIAL ANALYSIS CERTIFICATION

In Support of New York State Brownfield Cleanup Program ("BCP")  
Tangible Property Tax Credit Underutilized Site Financial Analysis

**CERTIFICATE ISSUER(S): New Requestor Representative Raymond Roubeni**

**CURRENT BCP PARTY: 12 Franklin Property Co LLC**

**NEW REQUESTOR: Franklin Point LLC**

**Address:** 175 Great Neck Road, Suite 407  
Great Neck, NY 11021

## **NYSDEC BROWNFIELD CLEANUP AGREEMENT:**

**Agreement Execution:** 3/28/2019

**Agreement Index:** C224286-03-19

**Application Approval Amendment:** 07/20/2016

## **SITE INFORMATION:**

**NYSDEC Site No.:** C224286

**Site Name:** 12 Franklin Street Site

**Site Owner:** 12 Franklin Property Co LLC

**Site Address:** 12 Franklin Street, Brooklyn, NY

**Municipality:** City of New York

**County:** Brooklyn

**NYSDEC Region:** 2

**Site Size:** 0.640 acres

**Tax Map Identification Number(s):** 1-2614-3

**Percentage of Site located in an EnZone:** 0%

## **CERTIFICATE ISSUANCE**

The Certificate Issuer has performed a financial analysis required pursuant to Title 6 of New York State's Code of Rules and Regulations ("NYCRR"), Part 375, Section 3.2(1)(2)(ii), to determine if the proposed development could take place without substantial government assistance. Based on the financial analysis performed, the Certificate Issuer has concluded the proposed development could not take place without substantial government assistance. The financial analysis is attached hereto in Exhibit A. This Certificate may be relied upon by the City of New York ("City") when the City issues its Certificate to the New York State Department of Environmental Conservation

## **CERTIFICATE TRANSFERABILITY**

This Certificate may be transferred to the Certificate holder's successors or assigns.

By:   
**Raymond Roubeni, Member, Franklin Point LLC**

Date: 5/5/2023

Name of Certificate Issuer and Company

Title of Issuer

# **EXHIBIT A**

## **Financial Analysis**

## FINANCIAL SUMMARY ANALYSIS CERTIFICATION

Franklin Point LLC has used its standard baseline rent, financing, and construction assumptions to arrive at the future Project's levered Internal Rate of Return (IRR), as shown in the attached Excel Spreadsheet in Tab Assumptions & Summary Exhibit A & Stack Exhibit B.

As shown in the Table below, the full future remediation and new building project would generate a levered IRR of 8.48 percent without any tax credits, which is substantially below the 16 to 20 percent levered IRR threshold typical for projects in the New York City market.

While the Site Preparation Tax Credit (SPC) slightly increases the project's IRR to 8.87 percent utilizing commercial Track 4 cleanup scenario, it does not result in an IRR that would meet target return thresholds, and thus it would not be possible to obtain financing for the project.

Even when the Qualified Tangible Property (QTP) tax credit is applied, the increased impact on projected returns in the baseline scenario increases the levered IRR to 11.53 percent. However, this is still well below the 16 to 18 percent levered IRR threshold observed for developments in the New York City area. However, by applying the Qualified Tangible Property (QTP) tax credit, this would at least make the project marginally financeable with more equity contributions being added.

	<b>Levered IRR</b>
Baseline	8.48%
Tax Credit Scenarios	
SPC Track 4 (25%) - $\$6,250,000 \times 25\% = \$1,562,500$	8.87%
SPC + QTP (10% - No En Zone Commercial) - $\$101,433,636 \times 10\% = \$10,143,363$	11.53%

In order to meet NYSDEC's guidelines for QTP support, a site must demonstrate that it meets the definition of "underutilized," including the requirement of governmental assistance to move forward. Based on Franklin Point LLC's financial analysis, we find that the project does not generate an acceptable return, and therefore would not proceed without governmental assistance. But for the applicability of the Qualified Tangible Property (QTP) tax credit, the full project remediation and build out is not economically viable.

Tim Holderbaum, who is the Director of Operations at Astral Weeks, the parent company for BCP Applicant Franklin Point LLC, is qualified to prepare the attached Financial Analysis because he has over 25 years' experience in budgeting and forecasting, of which 15+ year in real estate investing and developing.

---

Raymond Roubeni, Managing Member  
Franklin Point LLC



**EXHIBIT B**  
**FINANCIAL ANALYSIS**

# **EXHIBIT F-C**



## Stratford Engineering

Structural Engineers

3/4/2023

Mr. ADAM SCHLOFF  
Director of Development & Design  
Astral Weeks  
532 W. 25th St. 3rd Floor, New York, NY 10001

**Re: 12 Franklin Street, Brooklyn, New York  
Site visit report**

**Dear Adam,**

Per your request, I visited the site at the above-mentioned address, on 3/1/2023. The purpose main of this visit is to observe the existing roof condition to study the loading possibility of using part of roof as roof terrace/restaurant/event space.

As shown in the attached survey provided to us, this property consists of one two-story structure at the corner and three one-story structures around/next to it. All buildings have brick bearing walls, wood joists over steel beams over the steel columns. Two buildings have the upturned steel beams projecting higher than the common roof areas.

The three one-story structures are generally in poor conditions and the roof DO NOT have the needed strength/stiffness for the potential roof terrace use. In addition, all roofing (insulation and waterproofing) will need to be replaced, and some of the roof deck will need to be replaced, due to the apparent long term roof leaks. Some of the roof joists will need to be evaluated and repaired/reinforced as needed to ensure proper roof unsafe. All roof skylights will need to be repaired/replaced as part of roofing work. All roofs of these three buildings will need to be reinforced (by steel beams/columns/footings as needed) to increase the live loading capacity from the current roof use to 100 psf minimum live load, should part of all of them be converted to roof terraces, of a floor spaces be added on top. See attached photos taken from above and below the roofs.

321 Broadway, 5<sup>th</sup> Floor  
New York, NY 10007  
646-723-1280  
[www.stratfordengineers.com](http://www.stratfordengineers.com)



# Stratford Engineering

Structural Engineers



321 Broadway, 5<sup>th</sup> Floor  
New York, NY 10007  
646-723-1280  
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## Stratford Engineering

Structural Engineers



Generally speaking, all roof parapets are in poor or unstable conditions due to the severe rusting of steel lintels above the gates, doors and windows. Some of the existing lintels appear to be repaired/replaced in the past but most of parapets are left in severe out of plumb conditions. See photos below for some typical conditions.



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## **Stratford Engineering**

Structural Engineers

The corner two-story appears to in a slightly better condition, comparing to other three one-story structure. Its roof had been reinforced for the terrace use, and the DOB record indicates this roof has the code required 100 psf live loading. Please see attached CO from DOB record.

Please be aware that its 2<sup>nd</sup> floor has NOT been reinforced for the current "EATING AND DRINKING ESTABLISHMENT AND ACCESSORY KITCHEN" use.

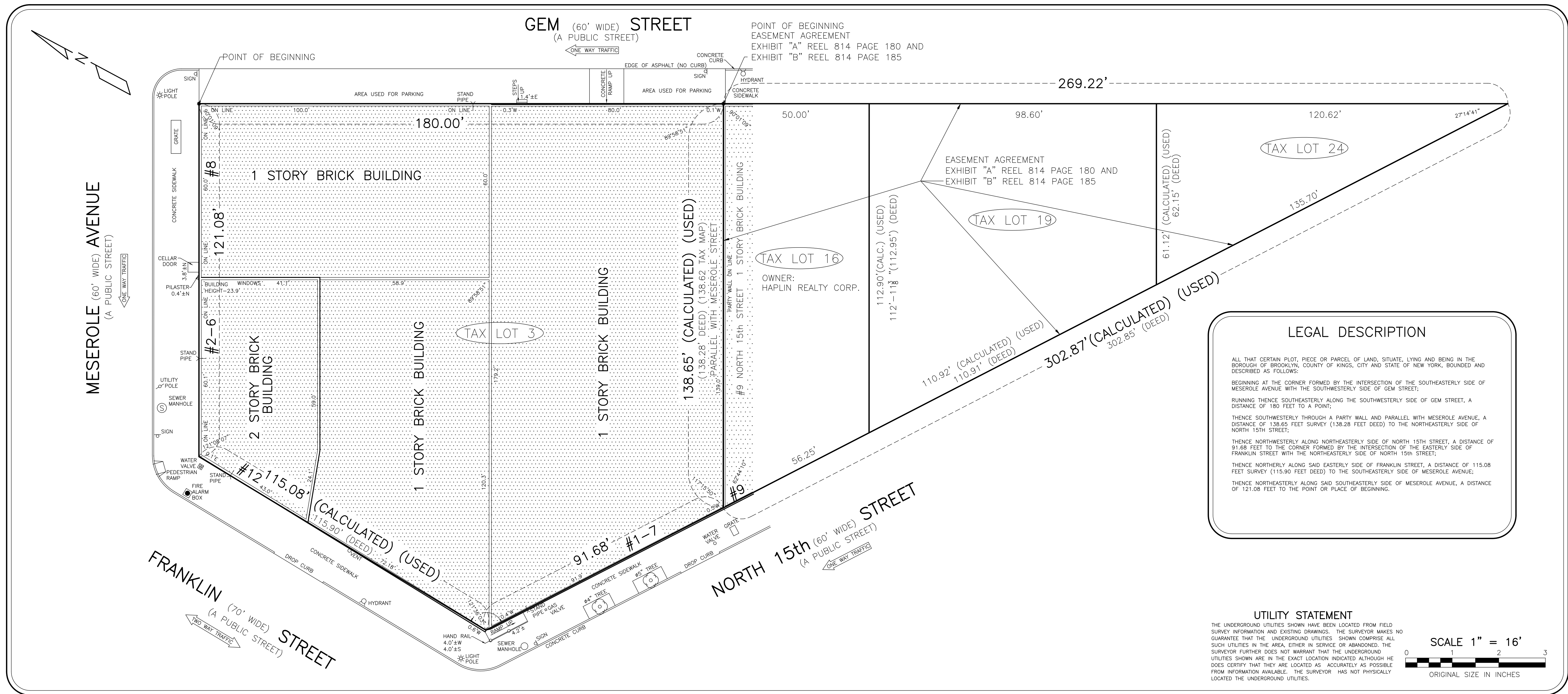
This report is based upon a walkthrough only and the purpose of this report is to document what I saw during the walkthrough. Stratford Engineering reserves its right to modify this report should more information becomes available.

Sincerely,

Karl Chen, PE, SE

Encl: Survey, and CO.

321 Broadway, 5<sup>th</sup> Floor  
New York, NY 10007  
646-723-1280  
[www.stratfordengineers.com](http://www.stratfordengineers.com)



**LEGAL DESCRIPTION**

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 THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHEASTERLY SIDE OF MESEROLE AVENUE WITH THE SOUTHWESTERLY SIDE OF GEM STREET;

RUNNING THENCE SOUTHWESTERLY ALONG THE SOUTHWESTERLY SIDE OF GEM STREET, A DISTANCE OF 180 FEET TO A POINT;

THENCE SOUTHWESTERLY THROUGH A PARTY WALL AND PARALLEL WITH MESEROLE AVENUE, A DISTANCE OF 138.65 FEET SURVEY (138.28 FEET DEED) TO THE NORTHEASTERLY SIDE OF NORTH 15TH STREET;

THENCE NORTHWESTERLY ALONG NORTHEASTERLY SIDE OF NORTH 15TH STREET, A DISTANCE OF 91.88 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE EASTERLY SIDE OF FRANKLIN STREET WITH THE NORTHEASTERLY SIDE OF NORTH 15TH STREET;

THENCE NORTHERLY ALONG SAID EASTERLY SIDE OF FRANKLIN STREET, A DISTANCE OF 115.08 FEET SURVEY (115.90 FEET DEED) TO THE SOUTHEASTERLY SIDE OF MESEROLE AVENUE;

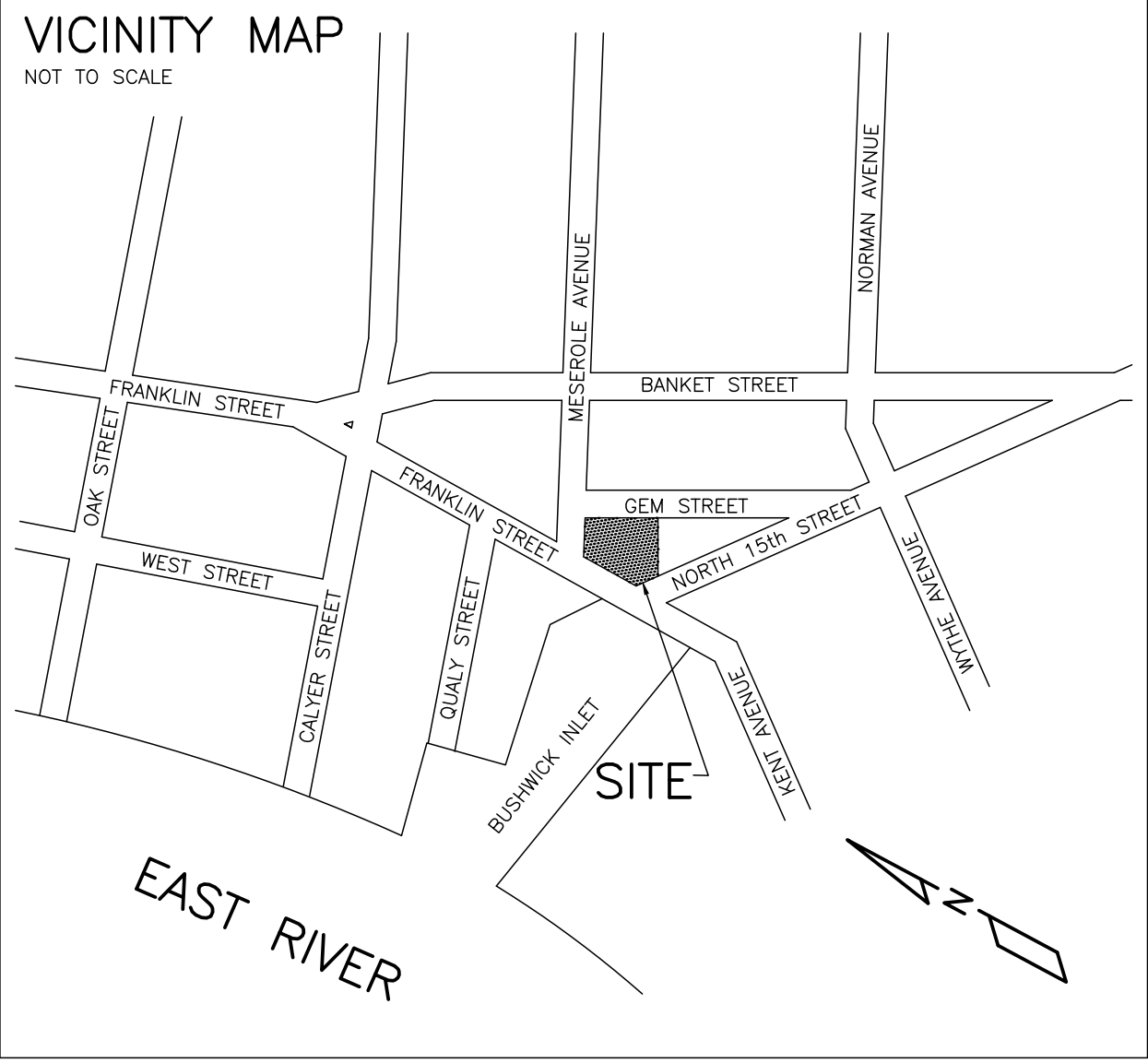
THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY SIDE OF MESEROLE AVENUE, A DISTANCE OF 121.08 FEET TO THE POINT OR PLACE OF BEGINNING.

**UTILITY STATEMENT**

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

**SCALE 1" = 16'**

0 1 2 3  
ORIGINAL SIZE IN INCHES



- PROJECTIONS LIST:**
- ON GEM STREET: 1. WINDOW GUARDS UP TO -1.7'±, 2. ROLL GATE - 1.5'±, 3. ROOF CAP - 0.2'±, 4. STAND PIPE - 0.5'±, 5. VENT - 0.4'±
  - ON MESEROLE AVENUE: 1. A/C UNITS - UP TO 2.0', 2. STAND PIPE - 0.5', 3. WINDOW GUARD UP TO 1.7', 4. WINDOW SILLS - 0.1'±, 5. ROOF CAP - 0.1'±, 6. ALARM BOX - 0.4'±, 7. OIL FILL - 0.6'±, 8. ROLL GATE - 1.5'±, 9. CONDUIT BOX - 0.3'±, 10. DEP BOX - 0.1'±, 11. SPEAKER BOX - 0.4'±, 12. SECURITY CAMERA - 0.7'±
  - ON FRANKLIN STREET: 1. METAL WINDOW GUARD - 1.7'±, 2. STAND PIPE - 0.6'±, 3. VENT PIPE - 0.4'±, 4. FIRE BELL - 0.5'±, 5. SIGN - 0.1'±, 6. ROOF CAP - 0.1'±, 7. HAND RAIL - 4.0'±
  - ON NORTH 15th STREET: 1. METAL WINDOW GUARD - 1.7'±, 2. STAND PIPE - 0.6'±, 3. SATELLITE ANTENNA - 2.0'±, 4. FIRE BELL - 0.5'±, 5. SIGN - 4.7'±, 6. ROOF CAP - 0.2'±, 7. BOLLARDS - 0.7'±, 8. HAND RAIL - 4.0'±

- ENCROACHMENT LIST:**
- ON NORTH 15th STREET: RAMP - 4.2'±, HAND RAIL - 4.0'
  - ON MESEROLE AVENUE: CELLAR DOOR - 3.8'±
  - ON GEM STREET: STEP - 1.4'±
- SCHEDULE 'B' EXCEPTIONS LIST:**
- EASEMENT AGREEMENT MADE BY WILLIAM BERKOFF AND ROSLYN LEDERMAN, DATED 11/6/1975 AND RECORDED 11/13/1975 IN REEL 814 PAGE 180 - PLOTTED.
  - PARTY WALL AGREEMENT MADE BY ROSLYN LEDERMAN AND WILLIAM BERKOFF, DATED 11/ /1975 AND RECORDED 11/13/1975 IN REEL 814 PAGE 185 - PLOTTED.

**CHART OF REVISIONS**

DATE	ITEM REVISED
12/04/2019	CERTIFICATION
12/10/2019	LEGAL DESCRIPTION
12/11/2019	LEGAL DESCRIPTION

**TABLE "A" SURVEY NOTES:**

- ADDRESS(ES) - AS SHOWN ON DRAWING.
- FLOOD ZONE CLASSIFICATION: THE PREMISES IS SUBJECT TO A 100 YEARS RETURN FREQUENCY FLOOD HAZARD, AND SUCH CONDITION IS SHOWN ON THE FEDERAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No.3604970202F DATED SEPTEMBER 5, 2007, FLOOD ZONE "AE" - BASE FLOOD ELEVATION - 10.
- GROSS LAND AREA - AS SHOWN ON DRAWING.
- THE SUBJECT PROPERTY LIES IN M1-2 (INDUSTRIAL MANUFACTURING DISTRICT) SET BACK REQUIREMENTS: FRONT YARD - NONE REQUIRED, SIDE YARD - NONE REQUIRED, REAR YARD - NONE REQUIRED.
- FLOOR AREA RATIO - 2.0 MAX, BUILDING HEIGHT - 20 FEET MAX.
- PARKING REQUIREMENTS - REQUIREMENTS VARY WITH DISTRICT AND USE.
- IF THE ZONING SETBACK REQUIREMENTS ARE SET FORTH IN A ZONING REPORT OR LETTER PROVIDED TO THE SURVEYOR BY THE CLIENT AND IF THOSE REQUIREMENTS DO NOT REQUIRE AN INTERPRETATION BY THE SURVEYOR, GRAPHICALLY DEPICT THE BUILDING SETBACK REQUIREMENTS. IDENTIFY THE DATE AND SOURCE OF THE REPORT OR LETTER - ZONING REPORT NOT PROVIDED.
- EXTERIOR DIMENSION OF BUILDINGS AT GROUND LEVEL - AS SHOWN ON DRAWING.
- SQUARE FOOTAGE OF EXTERIOR FOOTPRINT OF ALL BUILDINGS AT GROUND LEVEL - AS SHOWN ON DRAWING.
- MEASURED HEIGHT OF ALL BUILDINGS ABOVE GRADE - AS SHOWN ON DRAWING.
- SUBSTANTIAL FEATURES OBSERVED - AS SHOWN ON DRAWING.
- PARKING SPACES - NO PARKING SPACES ON SUBJECT PROPERTY.
- LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY - AS SHOWN ON DRAWING.
- THERE IS NO EARTH MOVING WORK ON SUBJECT PROPERTY.
- THERE WAS NO OBSERVABLE EVIDENCE OF WETLANDS.
- ANY PLOTTABLE OFFSITE EASEMENTS OF SERVITUDES PROVIDED TO THE SURVEYOR - AS SHOWN ON DRAWING.
- PROFESSIONAL LIABILITY INSURANCE POLICY OBTAINED BY THE SURVEYOR IN THE MINIMUM AMOUNT OF \$1,000,000.00.

**TITLE NO.: 912793**  
GROSS ACREAGE: 0.64  
(27868.56 SQUARE FEET)

**#12 FRANKLIN STREET, a/k/a #2-6 AND 8 MESEROLE, STREET, a/k/a #7 NORTH 15 STREET**  
BOROUGH OF BROOKLYN, COUNTY OF KINGS, STATE OF NEW YORK  
TAX MAP BLOCK 2614, LOT 3

**ALTA/NSPS LAND TITLE SURVEY**  
SURVEYORS' CERTIFICATION

TO:  
COMMONWEALTH LAND TITLE INSURANCE COMPANY  
CENTENNIAL BANK, ITS SUCCESSORS AND ASSIGNS  
12 FRANKLIN STREET LLC  
12 FRANKLIN 230 LLC  
12 FRANKLIN 197 LLC

THIS IS TO CERTIFY THAT THIS MAP OR PLOT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDED ITEMS 2, 3, 4, 6a, 6b, 7a, 7b(1), 7c, 8, 9, 11, 16, 18, 19, AND 20 "TABLE A" THEREOF.

THE FIELD WORK WAS COMPLETED ON FEBRUARY 5, 2016 AND LAST UPDATED ON NOVEMBER 25, 2019. DATE OF PLAT OR MAP DECEMBER 12, 2019.

GERALD T. O'BUCKLEY  
DATE: DECEMBER 12, 2019

**GERALD T. O'BUCKLEY**  
PROFESSIONAL LAND SURVEYORS  
NEW YORK LICENSE 039834  
42-12 192nd STREET, FLUSHING N.Y. 11358  
TEL. (718) 321-1231 FAX (718) 321-8076  
EMAIL: gtobuckley@nyc.rr.com

SHEET 1 of 1

# Certificate of Occupancy

**CO Number: 320690310T003**

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

<b>A.</b>	<b>Borough:</b> Brooklyn	<b>Block Number:</b> 02614	<b>Certificate Type:</b> Temporary
	<b>Address:</b> 12 FRANKLIN STREET	<b>Lot Number(s):</b> 3	<b>Effective Date:</b> 08/12/2014
	<b>Building Identification Number (BIN):</b> 3065477	<b>Building Type:</b> Altered	<b>Expiration Date:</b> 11/10/2014
<b>This building is subject to this Building Code: 1968 Code</b>			
<i>For zoning lot metes &amp; bounds, please see BISWeb.</i>			
<b>B.</b>	<b>Construction classification:</b> 3	(Prior to 1968 Code designation)	
	<b>Building Occupancy Group classification:</b> A-2	(2008 Code)	
	<b>Multiple Dwelling Law Classification:</b> None		
	<b>No. of stories:</b> 2	<b>Height in feet:</b> 30	<b>No. of dwelling units:</b> 0
<b>C.</b>	<b>Fire Protection Equipment:</b> Sprinkler system		
<b>D.</b>	<b>Type and number of open spaces:</b> None associated with this filing.		
<b>E.</b>	<b>This Certificate is issued with the following legal limitations:</b> None		
<b>Outstanding requirements for obtaining Final Certificate of Occupancy:</b>			
There are 7 outstanding requirements. Please refer to BISWeb for further detail.			
<b>Borough Comments:</b> None			



Borough Commissioner



Commissioner

*Certificate of Occupancy*

CO Number: **320690310T003**

Permissible Use and Occupancy						
All Building Code occupancy group designations below are 2008 designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
001	67	OG	A-2		6C	EATING AND DRINKING ESTABLISHMENT AND ACCESSORY STORAGE.
001		OG	F-1		17	MANUFACTURING.
002	57	50	A-2		6C	EATING AND DRINKING ESTABLISHMENT AND ACCESSORY KITCHEN.
002	10	50	A-2 E		6F	OFFICES.
RO F	66	100	A-2		6C	EATING AND DRINKING ESTABLISHMENT.
<b>END OF SECTION</b>						



Borough Commissioner



Commissioner

**END OF DOCUMENT**



2600 Innovation Square  
100 South Clinton Avenue  
Rochester, New York 14604  
nyenvlaw.com

**LINDA R. SHAW**  
ATTORNEY AT LAW

T 585.546.8430  
C 585.414.3122  
lshaw@nyenvlaw.com

May 16, 2023

**VIA ELECTRONIC MAIL**  
[DESiteControl@dec.ny.gov](mailto:DESiteControl@dec.ny.gov)

Chief, Site Control Section  
Division of Environmental Remediation  
625 Broadway, 11th Floor  
Albany, NY 12233-7020

**RE: Brownfield Cleanup Agreement Amendment Application**  
**BCP Site: 12 Franklin Street Site**  
**Site #: C224286**

To Whom It May Concern:

Enclosed please find a Brownfield Cleanup Agreement ("BCA") Amendment Application for the above-referenced BCP Site. Franklin Point LLC is the prospective purchaser for the BCP Site and will be added as a Volunteer in the Brownfield Cleanup Agreement at this time. Once this new Volunteer acquires the Site they will be substituted as the sole Volunteer for the current Volunteer and will be the sole remedial party for the BCP Site.

Please see the NYS DOS Entity Information for Franklin Point LLC attached as Exhibit A, Written Consent attached as Exhibit B, Site Access Agreement attached as Exhibit C, and the Requestor Certification attached as Exhibit D. The new Volunteer has also provided documents to meet the underutilized definition for the tangible property tax credit, please see Exhibit F for the Tangible Property Tax Credit Package.

Sincerely,

**KNAUF SHAW LLP**

LINDA R. SHAW, ESQ.

LRS/rro  
Enclosures