

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director
625 Broadway, 12th Floor, Albany, New York 12233-7011
P: (518) 402-9706 | F: (518) 402-9020
www.dec.ny.gov

December 29, 2020

DD West 29th LLC
Steven Charno
c/o Douglaston Development
7 Penn Plaza, 6th Floor
New York, NY 10001

West Side 11th & 29th LLC
c/o Marjorie E. Nesbitt
445 Park Avenue, Suite 1503
New York, NY 10022

Re: Certificate of Completion
West 29th Street
New York, New York County
Site Code C231107

Dear Mr. Charno and Ms. Nesbitt:

Congratulations on having satisfactorily completed the remedial program at the West 29th Street site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

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

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.

- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

Steven Walsh, Bureau B
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7016

- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days;
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in April 2022.

If you have any questions regarding any of these items, please contact Steven Walsh at 518-402-9824.

Sincerely,



Michael J. Ryan, P.E.

Director

Division of Environmental Remediation

Enclosure

ec w/ enclosure:

A. Bosco, abosco@akrf.com
C. Warren, cwarren@kramerlevin.com
C. Vooris, Christine.Vooris@health.ny.gov
S. McLaughlin, Scarlett.McLaughlin@health.ny.gov
J. Nealon, Jacquelyn.Nealon@health.ny.gov
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov

ec w/o enc.:

S. Walsh, steven.walsh@dec.ny.gov

J. Grathwol, john.grathwol@dec.ny.gov

G. Burke, Gerard.burke@dec.ny.gov

J. O'Connell, jane.oconnell@dec.ny.gov

H. Leibowitz, heather.leibowitz@dec.ny.gov

K. Lewandowski, kelly.lewandowski@dec.ny.gov

J. Andaloro, jennifer.andaloro@dec.ny.gov

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

DD West 29th LLC

Address

c/o Douglaston Development, 7 Penn Plaza, 6th Floor, New York, NY 10001

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 12/1/17 **Agreement Execution:** 3/30/18

Agreement Index No.: C231107-02-18

Application Approval Amendment: 12/06/19

Agreement Execution Amendment: 2/12/20

Application Approval Amendment: 08/10/20

Agreement Execution Amendment: 12/11/20

SITE INFORMATION:

Site No.: C231107 **Site Name:** West 29th Street

Site Owner: West Side 11th & 29th LLC
DD West 29th LLC

Street Address: 601 West 29th Street

Municipality: New York

County: New York

DEC Region: 2

Site Size: 1.13 Acres

Tax Map Identification Number: Portion of 1-675-12

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

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

CERTIFICATE ISSUANCE

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

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

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

Allowable Uses under the BCP:

Cleanup Track: Track 1 (0.875 Acres – See Exhibit A):

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 50 %.

Eligibility for Tangible Property Credit is available because the certificate holder submitted documentation to the Department's satisfaction that the project was an Affordable Housing project. If affordable housing is not constructed there is no Tangible Property Credits. Tangible Property Credit is 15%. Comprised of 10% Base, 5% Track 1.

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

Cleanup Track: Track 4 (0.255 Acres – See Exhibit A):

Tax Credit Provisions:

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

Eligibility for Tangible Property Credit is available because the certificate holder submitted documentation to the Department's satisfaction that the project was an Affordable Housing project. If affordable housing is not constructed there is no Tangible Property Credits. Tangible Property Credit is 10%. Comprised of 10% Base.

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

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for New York County as 2020000361549 .

LIABILITY LIMITATION

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

CERTIFICATE TRANSFERABILITY

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375-1.9.

CERTIFICATE MODIFICATION/REVOCATION

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

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

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

Basil Seggos
Commissioner
New York State Department of Environmental Conservation

By:  Date: 12/29/2020

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

NOTICE OF CERTIFICATE OF COMPLETION
Brownfield Cleanup Program
6 NYCRR Part 375-1.9(d)

West 29th Street, Site ID No. C231107
601 West 29th Street, New York, NY 10001
New York, New York County, Tax Map Identification Number: Portion of 1-675-12

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to DD West 29th LLC for a parcel approximately 1.13 acres located at 601 West 29th Street in the City of New York, New York County.

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

PLEASE TAKE NOTICE, the remedial program for a 0.875-acre portion of the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

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

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

PLEASE TAKE NOTICE, the remedial program for a 0.255-acre portion of the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

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

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

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for New York County as 2020000361549.

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

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

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

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

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

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

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

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 located at 1 Hunter's Point Plaza, 47-40 21st Street, Long Island City, NY 11101-5401, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C231107>

WHEREFORE, the undersigned has signed this Notice of Certificate

West Side 11th & 29th LLC

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

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

Signature and Office of individual
taking acknowledgment

WHEREFORE, the undersigned has signed this Notice of Certificate

DD West 29th LLC

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

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

Signature and Office of individual
taking acknowledgment

Please record and return to:
DD West 29th LLC
Steven Charno
c/o Douglaston Development
7 Penn Plaza, 6th Floor
New York, NY 10001

Exhibit A
Site Description

July 21, 2020
170253901

**WRITTEN DESCRIPTION OF FULL BROWNFIELD SITE
BLOCK 675, P/O LOT 12
BUILDING TRACK 1 AND GARAGE TRACK 4 SITE
IN THE BOROUGH OF MANHATTAN, CITY OF NEW YORK
NEW YORK COUNTY, NEW YORK**

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

BEGINNING at a point formed by the intersection of the northerly side of West 29th Street (60' wide) and the westerly side of Eleventh Avenue (100' wide), being the POINT OR PLACE OF BEGINNING, and running; thence

Westerly, along said northerly side of West 29th Street, a distance of 398.37 feet to a point; thence

Northerly, and parallel with said westerly side of Eleventh Avenue, forming an interior angle of 90° with the previous course, a distance of 98.75 feet to the point; thence

Easterly, and parallel with said northerly side of West 29th Street, forming an interior angle of 90° with the previous course, a distance of 298.37 feet to a point; thence

Northerly, and parallel with said westerly side of Eleventh Avenue, forming an interior angle of 270° with the previous course, a distance of 98.75 feet to a point in the southerly side of West 30th Street (60' wide); thence

Easterly, along said southerly side of West 30th Street, forming an interior angle of with the previous course, a distance of 100.00 feet to a point formed by the intersection of the aforementioned southerly side of West 30th Street with said westerly side of Eleventh Avenue; thence

Southerly along said westerly side of Eleventh Avenue, forming an interior angle of 90° with the previous course, a distance of 197.50 feet to the POINT OR PLACE OF BEGINNING;

Encompassing and area of 49,214 Square Feet (1.130 ACRES).

This description is prepared in accordance with a plan entitled, "DEC Easement Plan" prepared by Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C., New York, New York, Project No. 170253901, dated 07/21/2020, Drawing No. DEC-01.

TRACK 1 WRITTEN DESCRIPTION

BUILDING TRACK 1 AREA

ALL THAT CERTAIN PLOT PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, COUNTY OF NEW YORK, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF WEST 29TH STREET (60' WIDE) AND THE WESTERLY SIDE OF ELEVENTH AVENUE (100' WIDE), BEING THE POINT OR PLACE OF BEGINNING, AND RUNNING THENCE;

WESTERLY, ALONG SAID NORTHERLY SIDE OF WEST 29TH STREET, A DISTANCE OF 285.80 FEET TO A POINT; THENCE

NORTHERLY, AND PARALLEL WITH SAID WESTERLY SIDE OF ELEVENTH AVENUE, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 98.75 FEET TO THE POINT; THENCE

EASTERLY, AND PARALLEL WITH SAID NORTHERLY SIDE OF WEST 29TH STREET, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 185.80 FEET TO A POINT; THENCE

NORTHERLY, AND PARALLEL WITH SAID WESTERLY SIDE OF ELEVENTH AVENUE, FORMING AN INTERIOR ANGLE OF 270° WITH THE PREVIOUS COURSE, A DISTANCE OF 98.75 FEET TO A POINT IN THE SOUTHERLY SIDE OF WEST 30TH STREET (60' WIDE); THENCE

EASTERLY, ALONG SAID SOUTHERLY SIDE OF WEST 30TH STREET, FORMING AN INTERIOR ANGLE OF WITH THE PREVIOUS COURSE, A DISTANCE OF 100.00 FEET TO A POINT FORMED BY THE INTERSECTION OF THE AFOREMENTIONED SOUTHERLY SIDE OF WEST 30TH STREET WITH SAID WESTERLY SIDE OF ELEVENTH AVENUE; THENCE

SOUTHERLY ALONG SAID WESTERLY SIDE OF ELEVENTH AVENUE, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 197.50 FEET TO THE POINT OR PLACE OF BEGINNING.

ENCOMPASSING AND AREA OF 38,098 SQUARE FEET (0.875 ACRES).

DEC EASEMENT WRITTEN DESCRIPTION

GARAGE TRACK 4 AREA

ALL THAT CERTAIN PLOT, PIECE, OR PARCEL OF LAND, SITUATE, LYING, AND BEING IN THE BOROUGH OF MANHATTAN, COUNTY OF NEW YORK, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT A DISTANCE OF 285.80 FEET WESTERLY ALONG THE NORTHERLY SIDE OF WEST 29TH STREET (60' WIDE), FROM THE CORNER FORMED BY THE INTERSECTION OF SAID NORTHERLY SIDE OF WEST 29TH STREET AND THE WESTERLY SIDE OF ELEVENTH AVENUE (100' WIDE), BEING THE POINT OR PLACE OF BEGINNING, AND RUNNING; THENCE

WESTERLY, ALONG SAID NORTHERLY SIDE OF WEST 29TH STREET, A DISTANCE OF 112.57 FEET TO A POINT; THENCE

NORTHERLY, AND PARALLEL WITH SAID WESTERLY SIDE OF ELEVENTH AVENUE, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 98.75 FEET TO THE POINT IN THE CENTERLINE OF THE BLOCK; THENCE

EASTERLY, ALONG SAID CENTERLINE OF THE BLOCK AND PARALLEL WITH SAID NORTHERLY SIDE OF WEST 29TH STREET, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 112.57 FEET TO A POINT; THENCE

SOUTHERLY, AND PARALLEL WITH SAID WESTERLY SIDE OF ELEVENTH AVENUE, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 98.75 FEET TO A POINT BEING THE POINT OR PLACE OF BEGINNING;

ENCOMPASSING AN AREA OF 11,116 SQUARE FEET (0.255 ACRES).

LEGEND

(SYMBOLS NOT SHOWN TO SCALE)

- | | |
|---------------|----------------------------------|
| HYDRANT | ANCHOR POLE |
| STREET LIGHT | BOLLARD |
| SIGNAL POLE | FENCE (TYPE AS NOTED) |
| MANHOLE | OVERHEAD WIRE |
| WATER VALVE | GUIDE RAIL (TYPE AS NOTED) |
| GAS VALVE | TREE LINE |
| UNKNOWN VALVE | PROPERTY/RIGHT-OF-WAY LINE |
| CATCH BASIN | FILL VALVE |
| METAL COVER | BENCH |
| ELECTRIC BOX | TRAFFIC FLOW |
| DOOR | MONITORING WELL |
| DOUBLE DOOR | BORING |
| GARAGE DOOR | FLAG POLE |
| PARKING METER | CONC. CONCRETE |
| MAILBOX | FND. FOUNDATION |
| CLEAN OUT | FNC. FENCE |
| TREE | BLD. BUILDING |
| DROP CURB | COL. COLUMN |
| SIGN | P.O.B. POINT OF BEGINNING |
| POLE | DEC EASEMENT AREA-GARAGE TRACK 4 |
| NORTH | BUILDING TRACK 1 AREA |
| SOUTH | |
| EAST | |
| WEST | |
| ON LINE | |

TRACK 1 WRITTEN DESCRIPTION
BUILDING TRACK 1 AREA

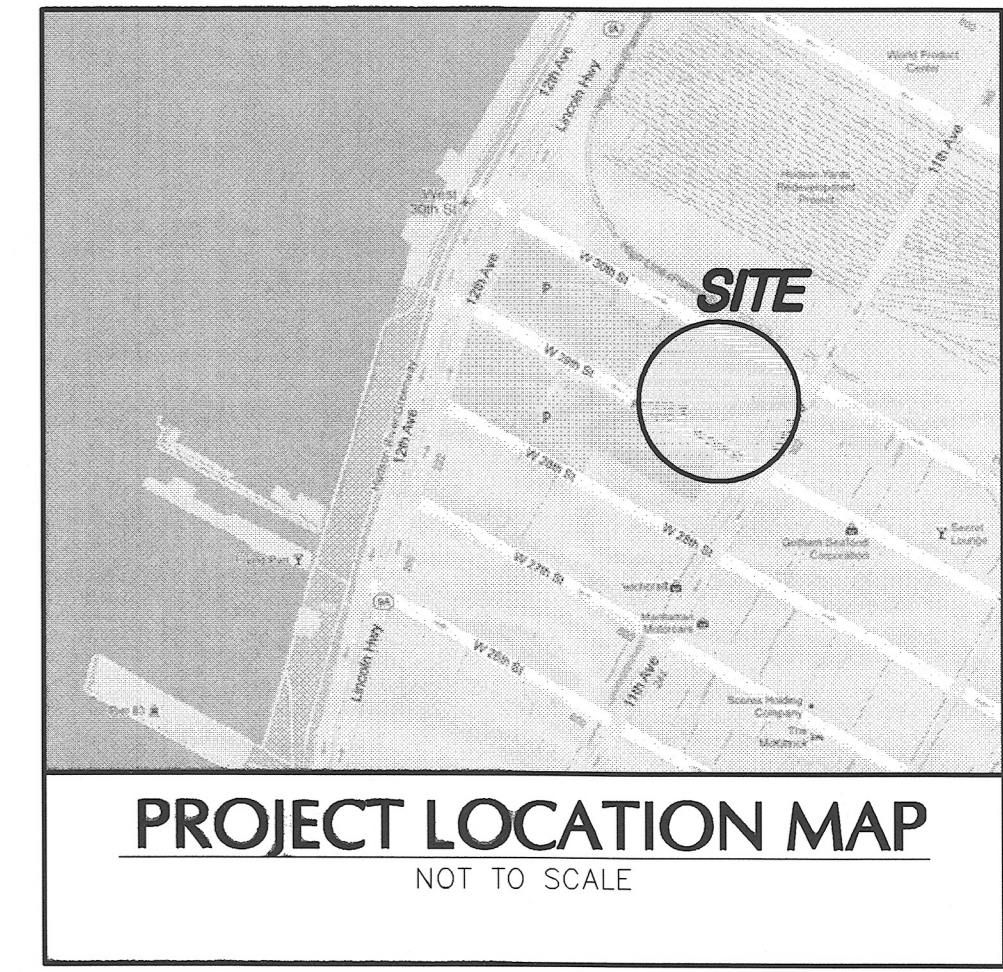
ALL THAT CERTAIN PLOT PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, COUNTY OF NEW YORK, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF WEST 29TH STREET (60' WIDE) AND THE WESTERLY SIDE OF ELEVENTH AVENUE (100' WIDE), BEING THE POINT OR PLACE OF BEGINNING, AND RUNNING THENCE: WESTERLY, ALONG SAID NORTHERLY SIDE OF WEST 29TH STREET, A DISTANCE OF 285.80 FEET TO A POINT; THENCE NORTHERLY, AND PARALLEL WITH SAID WESTERLY SIDE OF ELEVENTH AVENUE, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 98.75 FEET TO THE POINT; THENCE: EASTERLY, AND PARALLEL WITH SAID NORTHERLY SIDE OF WEST 29TH STREET, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 185.80 FEET TO A POINT; THENCE: NORTHERLY, AND PARALLEL WITH SAID WESTERLY SIDE OF ELEVENTH AVENUE, FORMING AN INTERIOR ANGLE OF 270° WITH THE PREVIOUS COURSE, A DISTANCE OF 98.75 FEET TO A POINT IN THE SOUTHERLY SIDE OF WEST 30TH STREET (60' WIDE); THENCE: EASTERLY, ALONG SAID SOUTHERLY SIDE OF WEST 30TH STREET, FORMING AN INTERIOR ANGLE OF WITH THE PREVIOUS COURSE, A DISTANCE OF 100.00 FEET TO A POINT FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF WEST 30TH STREET WITH SAID WESTERLY SIDE OF ELEVENTH AVENUE; THENCE: SOUTHERLY ALONG SAID WESTERLY SIDE OF ELEVENTH AVENUE, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 197.50 FEET TO THE POINT OR PLACE OF BEGINNING. ENCOMPASSING AN AREA OF 38,098 SQUARE FEET (0.875 ACRES).

DEC EASEMENT WRITTEN DESCRIPTION
GARAGE TRACK 4 AREA

ALL THAT CERTAIN PLOT, PIECE, OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, COUNTY OF NEW YORK, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT A DISTANCE OF 285.80 FEET WESTERLY ALONG THE NORTHERLY SIDE OF WEST 29TH STREET (60' WIDE), FROM CORNER FORMED BY THE INTERSECTION OF SAID NORTHERLY SIDE OF WEST 29TH STREET AND THE WESTERLY SIDE OF ELEVENTH AVENUE (100' WIDE), BEING THE POINT OR PLACE OF BEGINNING, AND RUNNING THENCE: WESTERLY, ALONG SAID NORTHERLY SIDE OF WEST 29TH STREET, A DISTANCE OF 112.57 FEET TO A POINT; THENCE NORTHERLY, AND PARALLEL WITH SAID WESTERLY SIDE OF ELEVENTH AVENUE, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 98.75 FEET TO THE POINT IN THE CENTERLINE OF THE BLOCK; THENCE EASTERLY, ALONG SAID CENTERLINE OF THE BLOCK AND PARALLEL WITH SAID NORTHERLY SIDE OF WEST 29TH STREET, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 112.57 FEET TO A POINT; THENCE SOUTHERLY, AND PARALLEL WITH SAID WESTERLY SIDE OF ELEVENTH AVENUE, FORMING AN INTERIOR ANGLE OF 90° WITH THE PREVIOUS COURSE, A DISTANCE OF 98.75 FEET TO A POINT BEING THE POINT OR PLACE OF BEGINNING. ENCOMPASSING AN AREA OF 11,116 SQUARE FEET (0.255 ACRES).

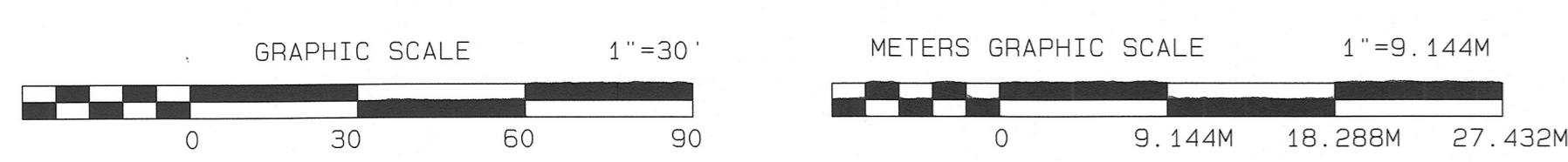
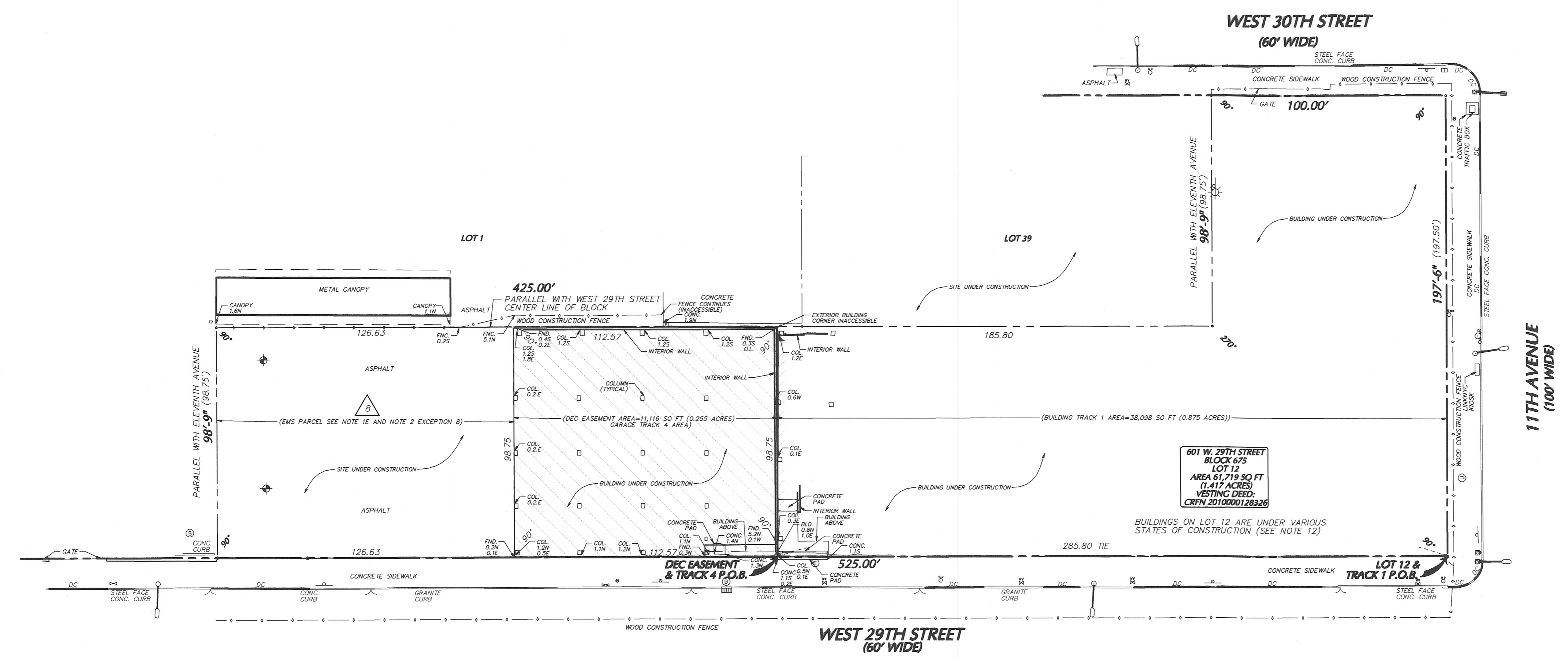
LOT 12 DEED DESCRIPTION

ALL THAT CERTAIN PLOT PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, COUNTY OF NEW YORK, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY LINE OF WEST 29TH STREET (60' WIDE) AND THE WESTERLY LINE OF ELEVENTH AVENUE (100' WIDE); RUNNING THENCE WESTERLY, ALONG SAID NORTHERLY LINE OF WEST 29TH STREET, A DISTANCE OF 525 FEET (525.00 FEET) TO A POINT; THENCE NORTHERLY, AND PARALLEL WITH SAID WESTERLY LINE OF ELEVENTH AVENUE, A DISTANCE OF 98 FEET 9 INCHES (98.75 FEET) TO A POINT IN THE CENTERLINE OF THE BLOCK; THENCE EASTERLY, ALONG THE CENTERLINE OF THE BLOCK AND PARALLEL WITH THE NORTHERLY LINE OF WEST 29TH STREET, A DISTANCE OF 425 FEET (425.00 FEET) TO A POINT; THENCE NORTHERLY, AND PARALLEL WITH SAID WESTERLY LINE OF ELEVENTH AVENUE, A DISTANCE OF 98 FEET 9 INCHES (98.75 FEET) TO A POINT ON THE SOUTHERLY LINE OF WEST 30TH STREET (60' WIDE); THENCE EASTERLY, ALONG SAID SOUTHERLY LINE OF WEST 30TH STREET, A DISTANCE OF 100 FEET (100.00 FEET) TO THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY LINE OF WEST 30TH STREET WITH SAID WESTERLY LINE OF ELEVENTH AVENUE; THENCE SOUTHERLY, ALONG SAID WESTERLY LINE OF ELEVENTH AVENUE, A DISTANCE OF 197 FEET 6 INCHES (197.5 FEET) TO THE POINT OR PLACE OF BEGINNING. CONTAINING AN AREA OF 61,719 SQUARE FEET, 1.417 ACRES, MORE OR LESS.



NOTES

- THIS SURVEY IS BASED UPON EXISTING PHYSICAL CONDITIONS FOUND AT THE SUBJECT SITE, AND THE FOLLOWING REFERENCES:
 - A. BOROUGH OF MANHATTAN SECTION MAP NO. 40.
 - B. CURRENT TAX MAP.
 - C. "ALTA SURVEY", DATED 6/17/2013, PROJECT NO. 170253901, DRAWING NO.07.01, BY LANGAN.
 - D. CERTIFICATE OF TITLE BY ROYAL ABSTRACT OF NEW YORK LLC, AS AGENT FOR STEWART TITLE INSURANCE COMPANY, CHICAGO TITLE INSURANCE COMPANY, FIRST AMERICAN TITLE INSURANCE AND OLD REPUBLIC TITLE INSURANCE COMPANY, TITLE NO. 911890, EFFECTIVE DATE 2/2/2019.
 - E. ULURP DRAWING SET DATED 6/20/2018, SHEET 2-101A "GROUND FLOOR PLAN" DATED 10/23/2018.
 - F. ALTA/1975 LAND TITLE SURVEY PREPARED BY LANGAN, PROJECT 170253901, DRAWING NO. 01, DATED 4/15/2019.
 - G. SITE PLAN 501 WEST 29TH STREET, PREPARED BY AKRF, PROJECT NO. 170087, FIGURE 2, DATED 6/2/2020.
- THE SURVEYED PROPERTY IS SUBJECT BUT NOT LIMITED TO THE FOLLOWING FACTS AS REVEALED BY THE HEREON REFERENCED INFORMATION. THE INFORMATION SHOWN HEREON DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION THAT MAY AFFECT THE QUALITY OF TITLE TO BOTH THE SUBJECT AND ADJOINING PARCELS SHOULD BE VERIFIED BY AN ACCURATE AND CURRENT TITLE REPORT.
 - CERTIFICATE OF TITLE BY ROYAL ABSTRACT OF NEW YORK LLC, AS AGENT FOR STEWART TITLE INSURANCE COMPANY, CHICAGO TITLE INSURANCE COMPANY, FIRST AMERICAN TITLE INSURANCE AND OLD REPUBLIC TITLE INSURANCE COMPANY TITLE NO. 911890, EFFECTIVE DATE 2/2/2019, SCHEDULE B.
- TERMS, COVENANTS, CONDITIONS, PROVISIONS AND REVERTER SET FORTH IN CITY WATER GRANT DATED 6/15/1856 AND RECORDED 11/9/1868 IN LIBER 469 OF DEEDS, PAGE 137 (AND ALSO FILED IN LIBER H OF CITY GRANTS, PAGE 142) [ILLEGIBLE]
- A) CONFIRMATORY CITY WATER GRANT DATED 6/9/1866 AND RECORDED 6/9/1866 IN LIBER 469 OF DEEDS, PAGE 229 (AND ALSO FILED IN LIBER I OF CITY GRANTS, PAGE 336) [ILLEGIBLE]
- UNRECORDED PERMANENT EASEMENT AND DECLARATION OF RESTRICTIVE COVENANTS DATED AS OF 12/17/2009 [NOT PLOTTABLE]
- RESTRICTIVE DECLARATION, DATED 12/5/2018, RECORDED 12/11/2018 AS CRFN 201800408223 [NOT PLOTTABLE]
- RIGHTS OF THE CITY OF NEW YORK AND THE FIRE DEPARTMENT OF THE CITY OF NEW YORK IN AND TO THE PORTION OF PREMISES DESCRIBED. [PLOTTED PER DOCUMENT CITED IN NOTE 1E]
- LEASE AGREEMENT, DATED 11/27/2018, RECORDED 11/29/2018 IN CRFN 2018000394874 [NOT PLOTTABLE]
- UNRECORDED TEMPORARY EASEMENT DATED AS OF 12/17/2009 [NOT PLOTTED- EASEMENT EXPIRES BY ITS TERMS ON 12/17/2019]
- THE MERIDIAN OF THIS SURVEY IS REFERENCED TO APPROXIMATE NORTH (SEE NOTE 1A).
- STREET NAMES, R.O.W. WIDTHS, BLOCK, AND LOT NUMBERS AS PER MAPS REFERENCED IN NOTES 1A AND 1B.
- PLANIMETRIC INFORMATION SHOWN HEREON HAS BEEN OBTAINED FROM GROUND SURVEYS BY LANGAN ENGINEERING, ENVIRONMENTAL SURVEYING, LANDSCAPE ARCHITECTURE AND GEOLOGY, D.P.C. DURING JULY OF 2020.
- OFFSETS (IF SHOWN) ARE FOR SURVEY REFERENCES ONLY AND ARE NOT TO BE USED IN CONSTRUCTION OF ANY TYPE.
- WETLANDS, ENVIRONMENTAL AND/OR HAZARDOUS MATERIALS LOCATION, IF ANY, NOT COVERED UNDER THIS CONTRACT.
- UNLESS SPECIFICALLY NOTED HEREON, STORM AND SANITARY SEWER INFORMATION (INCLUDING PIPE INVERT, PIPE MATERIAL, AND PIPE SIZE) WAS OBSERVED AND MEASURED AT FIELD LOCATED STRUCTURES (MANHOLES/CATCH BASINS, ETC.). CONDITIONS CAN VARY FROM THOSE ENCOUNTERED AT THE TIMES WHEN AND THE LOCATIONS WHERE DATA WAS OBTAINED, DESPITE MEETING THE REQUIRED STANDARD OF CARE. THE SURVEYOR CANNOT AND DOES NOT WARRANT THAT PIPE MATERIAL AND/OR PIPE SIZE THROUGHOUT THE PIPE RUN ARE THE SAME AS THOSE OBSERVED AT EACH STRUCTURE OR THAT THE PIPE RUN IS STRAIGHT.
- ADDITIONAL UTILITY (WATER, GAS, ELECTRIC ETC.) DATA MAY BE SHOWN FROM FIELD LOCATED SURFACE MARKINGS (BY OTHERS), EXISTING STRUCTURES, AND/OR FROM EXISTING DRAWINGS.
- UNLESS SPECIFICALLY NOTED HEREON THE SURVEYOR HAS NOT EXCAVATED TO PHYSICALLY LOCATE THE UNDERGROUND UTILITIES. THE SURVEYOR MAKES NO GUARANTEES THAT THE SHOWN UNDERGROUND UTILITIES ARE EITHER IN SERVICE, ABANDONED OR SUITABLE FOR USE, NOR ARE IN THE EXACT LOCATION OR CONFIGURATION INDICATED HEREON.
- PRIOR TO ANY DESIGN OR CONSTRUCTION THE PROPER UTILITY AGENCIES MUST BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
- THIS IS TO CERTIFY THAT THERE ARE NO STREAMS NOR NATURAL WATERCOURSES ON THE PROPERTY AS SHOWN ON THIS SURVEY.
- UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
- THIS PLAN NOT VALID UNLESS EMBOSSED OR BLUE INK STAMPED WITH THE SEAL OF THE PROFESSIONAL.
- BUILDINGS ON LOT 12 WERE UNDER VARIOUS STATES OF CONSTRUCTION. CONDITIONS SHOWN REFLECT PHYSICAL CONDITIONS OF GARAGE TRACK 4 ON THE DATE OF THE FIELD WORK.



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

Date	Description	No.
10/09/20	TRACK 1 DESCRIPTION	1
	REVISIONS	

I hereby state that this plan is based on a field survey made by me or under my immediate supervision in accordance with NYSPLS Code of Practice and that I am a duly licensed Professional Engineer and in my professional opinion, the same is correct and reliable, and in my professional opinion, the same is correct and reliable, and in my professional opinion, the same is correct and reliable, and in my professional opinion, the same is correct and reliable.

LANGAN
Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
21 Penn Plaza, 360 West 31st Street, 8th Floor
New York, NY 10001
T: 212.479.5400, F: 212.479.5444 www.langan.com

Project
601 WEST 29TH STREET
BLOCK No. 675, LOT No. 12
BOROUGH OF MANHATTAN
CITY OF NEW YORK
NEW YORK COUNTY

Drawing Title
DEC EASEMENT SURVEY

Project No. 170253901
Date 7/21/2020
Scale 1"=30'
Drawn By JM
Checked By PDF

Drawing No. **DEC-01**
Sheet 1 of 1



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/22/2020



SITE DESCRIPTION

SITE NO. C231107

SITE NAME West 29th Street

SITE ADDRESS: 601 West 29th Street ZIP CODE: 10001

CITY/TOWN: New York

COUNTY: New York

ALLOWABLE USE: Multiple Uses Allowed

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:	YES	NO
IC/EC Certification Plan	■	□
Monitoring Plan	■	□
Operation and Maintenance (O&M) Plan	□	■

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/30/2022

Description of Institutional Control

West Site 11th & 29th LLC

445 Park Avenue, Suite 1503

609 West 29th Street

Environmental Easement

Block: 675

Lot: 12

Sublot:

Section: 1

Subsection:

S_B_L Image: Portion of 1-675-12
 Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Description of Engineering Control

West Site 11th & 29th LLC

445 Park Avenue, Suite 1503

609 West 29th Street

Environmental Easement

Block: 675

Lot: 12

Sublot:

Section: 1

Subsection:

S_B_L Image: Portion of 1-675-12

Cover System