



Department of
Environmental
Conservation

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

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

1. Check the appropriate box(es) below based on the nature of the amendment modification requested:

☐ Amendment to modify the existing BCA: [check one or more boxes below]

- ☐ Add applicant(s)
- ☐ Substitute applicant(s)
- ☐ Remove applicant(s)
- ☐ Change in Name of applicant(s)

☒ Amendment to reflect a transfer of title to all or part of the brownfield site

1a. A copy of the recorded deed must be provided. Is this attached? ☒ Yes ☐ No

1b. ☒ Change in ownership ☐ Additional owner (such as a beneficial owner)

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

☒ Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]

☐ Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]

☐ **Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY:** Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.

☒ Other (explain in detail below)

2. Required: Please provide a brief narrative on the nature of the amendment:

The purpose of this BCA application to amend is to:

- 1) reflect a change in site ownership following a partial conveyance of fee title to the future affordable condominium units (i.e., new lot 1502) to "270 West 96th Street Housing Development Fund Corporation". The Existing Volunteer, "AMP Property Owner L.P." retains beneficial ownership of the affordable condo units and retains fee ownership of the remainder of the BCP Site (i.e., new Lots 1501 and 1503).
- 2) modify the Section/Block/Lot designation, following recording of the NYSOAG-approved condominium declaration and NYCDOF Tax Map Unit-approved tax lot maps. The BCP Site is now comprised of Block 1243, Lots 1501, 1502, and 1503.
- 3) modify the total acreage of the BCP Site from 0.243 acres as currently stated on the BCA to 0.239 acres. More accurate site boundary information generated by the environmental easement survey identified a minor error in the total site acreage as currently stated on the BCA. The surveyor has verified that the total site acreage is 0.239 acres.

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

Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment involves more than an insignificant change in acreage, applicants are encouraged to consult with the DEC project team prior to submitting this application.

Section I. Current Agreement Information			
BCP SITE NAME: 266-270 West 96th Street		BCP SITE NUMBER: C231133	
NAME OF CURRENT APPLICANT(S): 266 West 96th Street Associates LLC; AMP Property Owner L.P.; West 96th Street Venture L.P.			
INDEX NUMBER OF AGREEMENT: C231133-06-2019 DATE OF ORIGINAL AGREEMENT: 8/20/2019			
Section II. New Requestor Information (complete only if adding new requestor or name has changed)			
NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
1. Is the requestor authorized to conduct business in New York State (NYS)? <input type="checkbox"/> Yes <input type="checkbox"/> No • If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.			
NAME OF NEW REQUESTOR'S REPRESENTATIVE			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF NEW REQUESTOR'S CONSULTANT (if applicable)			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF NEW REQUESTOR'S ATTORNEY (if applicable)			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
2. Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached? <input type="checkbox"/> Yes <input type="checkbox"/> No			
3. Describe Requestor's Relationship to Existing Applicant:			

Section III. Current Property Owner/Operator Information (only include if new owner/operator)
Owner below is: ☐ Existing Applicant ☐ New Applicant ☒ Non-Applicant

OWNER'S NAME (if different from requestor) 270 West 96th Street Housing Development Fund Corporation [Fee Owner - Lot 1502]

ADDRESS C/O Settlement Housing Fund, Inc., 247 West 37th Street, 4th Floor

CITY/TOWN New York, NY

ZIP CODE 10017

PHONE (212) 265-6530

FAX

E-MAIL FSiddiqui@shfinc.org

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

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

See Attachment A re: HDFC's recorded deed

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

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

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

Section III. Current Property Owner/Operator Information (only include if new owner/operator)
Owner below is: ☒ Existing Applicant ☐ New Applicant ☐ Non-Applciant

OWNER'S NAME (if different from requestor) AMP Property Owner L.P. [Beneficial Owner - Lot 1502]

ADDRESS c/o Fetner Management LLC, 675 Third Avenue, Suite 2800

CITY/TOWN New York, NY

ZIP CODE 10017

PHONE (212) 257-6868

FAX

E-MAIL hal@fetner.com

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

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

See Attachment A re: recorded Nominee Agreement

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

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

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

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

☐ PARTICIPANT

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

☐ VOLUNTEER

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

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

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

12. Requestor's Relationship to Property (check one):

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

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

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

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

1. Property information on current agreement:

ADDRESS 266-270 West 96th Street

CITY/TOWN New York, NY

ZIP CODE 10025

TAX BLOCK AND LOT (SBL)

TOTAL ACREAGE OF CURRENT SITE: 0.243

Parcel Address	Section No.	Block No.	Lot No.	Acreage
266 West 96th Street, New York, NY	Manhattan	1243	57	~0.120
268 West 96th Street, New York, NY	Manhattan	1243	59	~0.057
270 West 96th Street, New York, NY	Manhattan	1243	60	~0.066

2. Check appropriate boxes below:

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

2a. PARCELS ADDED:

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

Total acreage to be added: _____

☐ Reduction of property

2b. PARCELS REMOVED:

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

Total acreage to be removed: _____

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

2c. NEW SBL INFORMATION:

Parcel Address	Section No.	Block No.	Lot No.	Acreage
270 West 96th Street, New York, NY	Manhattan	1243	1501, 1502, 1503	0.239

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

3. TOTAL REVISED SITE ACREAGE: 0.239

See Attachment B re: SBL modification
See Attachment C re: revised site acreage

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

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
From ECL 27-1405(31): "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
From 6 NYCRR 375- 3.2(a) as of August 12, 2016: (a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units. (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income. (2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income. (3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.	

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

Existing Agreement Information	
BCP SITE NAME: 266-270 West 96th Street	BCP SITE NUMBER: C231133
NAME OF CURRENT APPLICANT(S): 266 West 96th Street Associates LLC; AMP Property Owner L.P.; West 96th Street Venture L.P.	
INDEX NUMBER OF AGREEMENT: C231133-06-2019	
EFFECTIVE DATE OF ORIGINAL AGREEMENT: 8/20/2019	

Declaration of Amendment:

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

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

Statement of Certification and Signatures: New Requestor(s) (if applicable)

(Individual)

I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

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

_____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

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

(Individual)

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

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Authorized Signatory (title) of 266 West 96th Street Associates LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. Hal Fetner's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 11/1/2022 Signature: _____

Print Name: Hal Fetner / 266 West 96th Street Associates LLC

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Please see the following page for submittal instructions.

NOTE: Applications submitted in fillable format will be rejected.

Status of Agreement:



PARTICIPANT

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



VOLUNTEER

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

Effective Date of the Original Agreement: 8/20/2019

Signature by the Department:

DATED: 12/23/2022

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By: Andrew Guglielmi

~~Susan Edwards, P.E., Acting Director~~ Andrew Guglielmi
Division of Environmental Remediation

Site Code: C231133

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

(Individual)

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

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Authorized Signatory (title) of AMP Property Owner L.P. (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. Ian M. Christ's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 11/1/2022 Signature: 

Print Name: Ian M. Christ / AMP Property Owner L.P.

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Please see the following page for submittal instructions.

NOTE: Applications submitted in fillable format will be rejected.

Status of Agreement:

☐

PARTICIPANT

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

☒

VOLUNTEER

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

Effective Date of the Original Agreement: 8/20/2019

Signature by the Department:

DATED: 12/23/2022

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:



~~Susan Edwards, P.E., Acting Director~~ Andrew Guglielmi
Division of Environmental Remediation

Site Code: C231133

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

(Individual)

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

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Authorized Signatory (title) of West 96th Street Venture L.P. (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. Ian M. Christ's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 11/1/2022 Signature: 

Print Name: Ian M. Christ / West 96th Street Venture L.P.

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Please see the following page for submittal instructions.

NOTE: Applications submitted in fillable format will be rejected.

Status of Agreement:

☐

PARTICIPANT

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

☒

VOLUNTEER

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

Effective Date of the Original Agreement: 8/20/2019

Signature by the Department:

DATED: 12/23/2022

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By: Andrew Guglielmi

~~Susan Edwards, P.E., Acting~~ Director Andrew Guglielmi
Division of Environmental Remediation

Site Code: C231133

SUBMITTAL REQUIREMENTS:

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

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

- **NOTE: Applications submitted in fillable format will be rejected.**

FOR DEPARTMENT USE ONLY

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

PROJECT MANAGER:_____

[266-270 West 96th Street \(C231133\) Post-Condo Declaration Tax Lots - Digital Tax Map - New York City Dept. of Finance \(9/6/2022\)](#)



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- | | |
|---|---|
| Borough Boundary | C50 Condo Flag/Condo Number |
| Tax Block Boundary | A50 Air Right Flag/Lot Number |
| 50 Tax Block Number | S50 Subterranean Right Flag/Lot Number |
| Tax Lot Boundary | R REUC Flag |
| 50 Tax Lot Number | Under Water Tax Lot Boundary |
| Condo FKA Tax Lot Number | Other Boundary |
| 50.5 Tax Lot Dimension | Possession Hook |
| +/-5.5 Approximate Tax Lot Dimension | Misc Miscellaneous Text |
| Condo Units Range Label | Small Tax Lot Dimension |
| Building Footprint | Surface Water |

Legal Description of Environmental Easement Area

(Block 1243 Lot 57):

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

BEGINNING at a point on the southerly side of 96th Street distant 96 feet 9 inches (96.75 feet tax map) easterly from the corner formed by the intersection of the southerly side of 96th Street and the easterly side of West End (formerly 11th Avenue

THENCE southerly, parallel with West End Avenue, 26 feet 4 inches (26.33 feet tax map);

THENCE westerly, parallel with 96th Street, 1 foot 9 inches (1.75 feet tax map);

THENCE southerly, again parallel with West End Avenue, 49 feet 2-1/2 inches (49.21 feet tax map);

THENCE easterly, again parallel with 96th Street, 5 feet;

THENCE southerly, again parallel with West End Avenue, 25 feet 2 inches (25.17 feet tax map) to the center line of the block between 95th and 96th Streets;

THENCE easterly, along said center line 100 feet;

THENCE northerly, again parallel with West End Avenue, 100 feet 8-1/2 inches (100.71 tax map) to the southerly side of 96th Street;

THENCE westerly, along said southerly side of 96th Street, 103 feet 3 inches (103.25 feet tax map) to the point or place of BEGINNING.

Lot Area: 10,402.62 SQ. Ft., 0.239 ACRES

Legal Description from 12.16.2021 Deed from 270 W. 96th St. HDfC to AMP Property Owner L.P. (2022000000317)

(Parcel 1) Block 1243 Lot 57 (Via Old Lot 57 and Old Lot 58):

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

BEGINNING at a point on the southerly side of 96th Street distant 125 feet westerly from the corner formed by the intersection of the southerly side of 96th Street with the westerly side of Broadway, formerly known as the Boulevard;

RUNNING THENCE southerly and parallel with Broadway 100 feet & 1/2 inches to the middle line of the block between 95th and 96th Streets;

THENCE westerly along said middle line of the block 25 feet;

THENCE northerly and again parallel with Broadway 100 feet & 1/2 inches to the southerly side of 96th Street; THENCE easterly along the southerly side of 96th Street

25 feet to the point or place of BEGINNING.

And:

All that certain piece or parcel of land, situated in the Borough of Manhattan, City of New York, bounded and described as follows:

BEGINNING at a point on the southerly side of 96th Street distant 150 feet westerly from the southwest corner of 96th Street and Broadway;

THENCE RUNNING southerly 100 feet & 1/2 inches to the middle line of the block; THENCE westerly along the same 25 feet;

THENCE northerly and parallel with Broadway, 100 feet & 1/2 inches to 96th Street;

THENCE easterly along the same 25 feet to the point or BEGINNING. Said Lot 57 is also described as follows:

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

BEGINNING at a point on the southerly side of 96th Street distant 125 feet westerly from the corner formed by the intersection of the southerly side of 96th Street with the westerly side of Broadway, formerly known as the Boulevard;

RUNNING THENCE southerly and parallel with Broadway 100 feet & 1/2 inches to the middle line of the block between 95th and 96th Streets;

THENCE westerly along said middle line of the block 50 feet;

THENCE northerly and again parallel with Broadway 100 feet & 1/2 inches to the southerly side of 96th Street;

FOR CONVEYANCING ONLY IF INTENDED TO BE CONVEYED: Together with all the rights, title and interest of the party of the first part, of in and to any streets and roads abutting the above described premises

THENCE easterly along the southerly side of 96th Street 50 feet to the point or place of BEGINNING.

(Parcel 2) Block 1243 Lot 59:

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

BEGINNING at a point on the southerly side of 96th Street distant 175 feet westerly from the corner formed by the intersection of the southerly side of 96th Street with the westerly side of Broadway, formerly known as the Boulevard;

THENCE southerly, again parallel with West End Avenue, 100 feet & 1/2 inches to the middle line of the block between 95th and 96th Streets;

THENCE westerly, westerly along said middle line of the block, 25 feet;

THENCE northerly, again parallel with West End Avenue, 100 feet & 1/2 inches to the southerly side of 96th Street; THENCE easterly, along the southerly side of 96th Street,

25 feet the point or place of BEGINNING.

(Parcel 3) Block 1243 Lot 60:

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

BEGINNING at a point on the southerly side of 96th Street, distant 96 feet 9 inches eastwardly from the corner formed by the intersection of the southerly side of 96th Street and the easterly side of West End (formerly 11th) Avenue;

THENCE southwardly, parallel with West End Avenue, 26 feet 4 inches; THENCE westwardly, parallel with 96th Street, 1 foot 9 inches;

THENCE southwardly, again parallel with West End Avenue, 49 feet 2 1/2 inches; THENCE eastwardly, again parallel with 96th Street, 5 feet;

THENCE southwardly, again parallel with West End Avenue, 25 feet 2 inches to the center line of the block between 95th and 96th Streets;

THENCE eastwardly, along said center line 25 feet;

THENCE northwardly, again parallel with West End Avenue, 100 feet & 1/2 inches to the southerly side of 96th Street; THENCE westwardly, along said southerly side of 96th Street, 28 feet 3 inches to the point or place of BEGINNING.

Overall Description for Parcels 1, 2 & 3, Block 1243 Lots 57, 59 & 60:

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

BEGINNING at a point on the southerly side of 96th Street, distant 96 feet 9 inches (96.75 feet tax map) easterly from the corner formed by the intersection of the southerly side of 96th Street and the easterly side of West End (formerly 11th) Avenue;

THENCE southerly, parallel with West End Avenue, 26 feet 4 inches (26.33 feet tax map); THENCE westerly 1/2, parallel with 96th Street, 1 foot 9 inches (1.75 feet tax map);

THENCE southerly, again parallel with West End Avenue, 49 feet 2 1/2 inches (49.21 feet tax map); THENCE easterly, again parallel with 96th Street, 5 feet;

THENCE southerly, again parallel with West End Avenue, 25 feet 2 inches (25.17 feet tax map) to the center line of the block between 95th and 96th Streets;

THENCE easterly, along said center line 100 feet;

THENCE northerly, again parallel with West End Avenue, 100 feet & 1/2 inches (100.71 feet tax map) to the southerly side of 96th Street;

THENCE westerly, along said southerly side of 96th Street, 103 feet 3 inches (103.25 feet tax map) to the point or place of BEGINNING.

SCHEDULE B ECEPTIONS
Per First Nationwide Title Insurance Company, title number FN-42037-NY, with an Effective date of 8/10/2021, the following may affect the subject property:

5.) Covenants, conditions, restrictions, easements, agreements of record, etc., as follows: NONE OF RECORD

NOTES:

1) ELEVATIONS SHOWN ON THIS SURVEY MAP REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 AS ESTABLISHED AND MAINTAINED BY NATIONAL GEODETIC SURVEY OF THE NATIONAL OCEAN SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OR SUCCESSOR AGENCY.

MANHATTAN BORD DATUM BENCHMARK 1164 WAS USED FOR THIS SURVEY AND CONVERTED TO NORTH AMERICAN VERTICAL DATUM OF 1988

2) ALL DIMENSIONS SHOWN HEREON ARE IN THE UNITED STATES STANDARD OF MEASUREMENT.

3) THIS IS TO CERTIFY THAT THERE ARE NO STREAMS OR NATURAL WATER COURSES VISIBLE ON THE PREMISES SHOWN HEREON.

4) THE SUBSURFACE UTILITY INFORMATION SHOWN HEREON HAS BEEN EXTRACTED FROM INFORMATION OBTAINED FROM THE VARIOUS MUNICIPAL DEPARTMENTS AND PRIVATE COMPANIES WHO IS PLACED ON THIS SURVEY FOR SCHEMATIC PURPOSES ONLY. SUCH INFORMATION IS NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS EITHER BY SAID DEPARTMENTS OR COMPANIES NOR BY THE UNDERSIGNED.

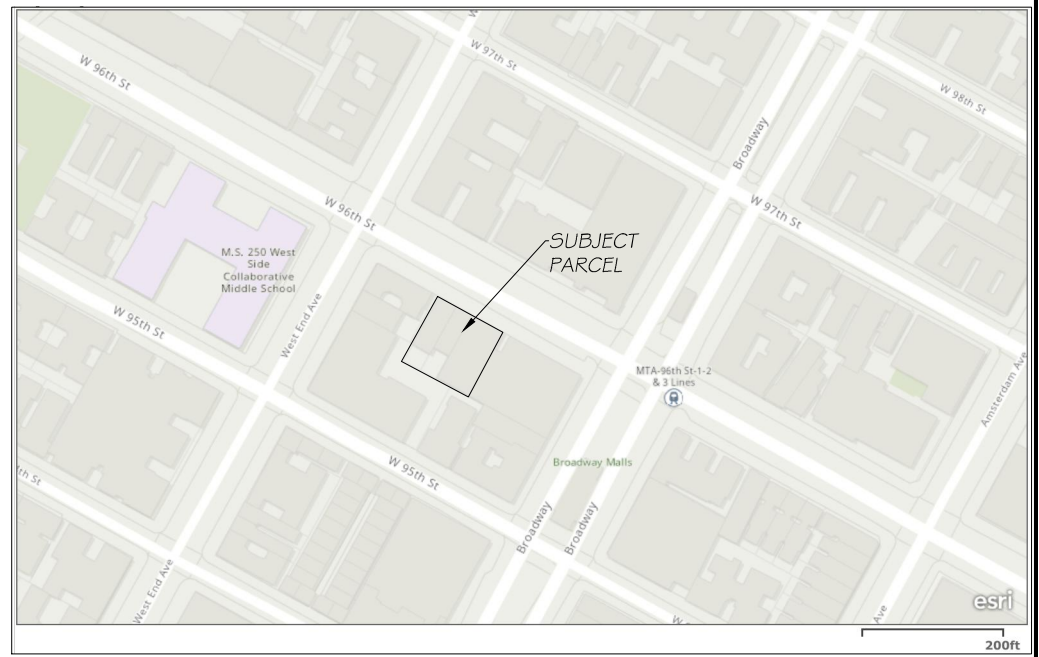
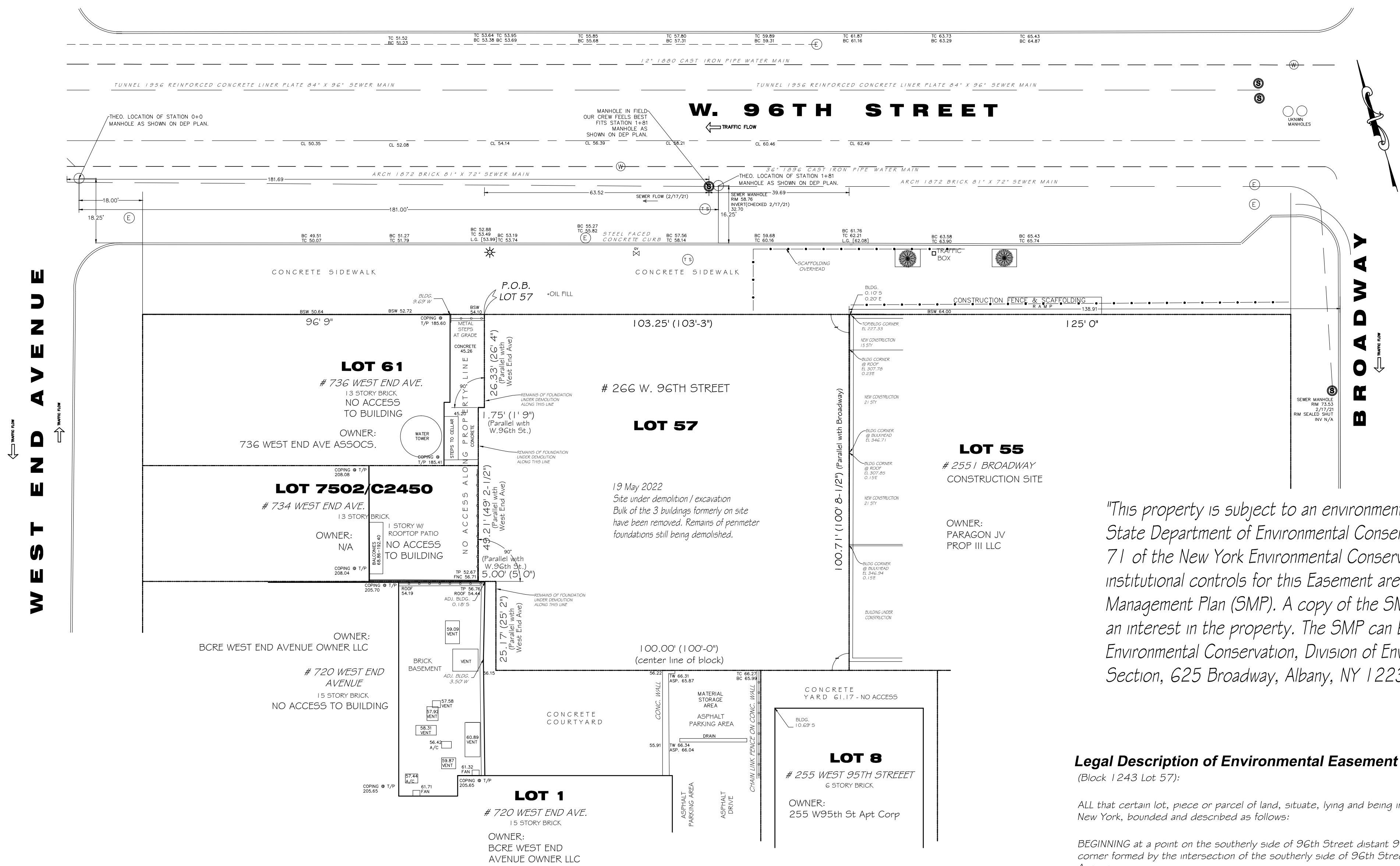
5) BEFORE ANY DRILLING, DOWNGRABING OR CONSTRUCTION ON OR NEAR THE PREMISES SHOWN HEREON, IT IS REQUIRED BY NEW YORK STATE INDUSTRIAL CODE 53 THAT THE SUBSURFACE UTILITIES BE MARKED OUT AND IDENTIFIED BY THE COMPANIES OR AGENCIES HAVING JURISDICTION.

UTILITY MAPS SUPPLIED BY RESPECTIVE UTILITY AND GOVERNMENTAL AGENCY, AND AS SUCH IT IS RECOMMENDED THAT BEFORE CONSTRUCTION COMMENCES THAT THE APPROPRIATE UTILITIES ARE CONTACTED.

6) STREET NAMES AND R.O.W. WIDTHS, BLOCK, AND LOT NUMBERS AS PER CURRENT TAX MAPS.

7) OFFSETS (IF SHOWN) ARE FOR SURVEYING REFERENCES ONLY AND ARE NOT TO BE USED IN CONSTRUCTION OF ANY TYPE.

8) ELECTRIC AND GAS CON ED MAPS ARE NO LONGER AVAILABLE TO THIRD PARTIES. THIS INFORMATION MUST BE OBTAINED BY OWNERSHIP. UPON RECEIPT OF THIS INFORMATION FROM OWNERSHIP PLAT WILL BE APPROPRIATELY AMENDED.



- LEGEND:
- TC-TOP OF CURB
 - BC-BOTTOM OF CURB
 - LC-LOCAL DRIVE
 - TR-TOP OF WALL
 - BR-BOTTOM OF WALL
 - CL-CHALK LINE TRACE
 - ASPH-ASPHALT PAVEMENT
 - CON-CONCRETE PAVEMENT
 - PH-FIRE HYDRANT
 - S-SEWER
 - E-ELECTRIC
 - W-WATER
 - OV-GAS VALVE
 - WV-WATER VALVE
 - OV-OL VALVE
 - T-TELEPHONE
 - TP-TOP MANHOLE
 - LI-UTILITY POLE
 - LM-MONITORING WELL
 - LD-LEAK DRAIN
 - BEW-BACK OF SIDEWALK
 - IC-EXPRESSED CURB
 - RP-ROOF DRAIN
 - SO-SOIL
 - MP-METAL POST

"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".

Legal Description of Environmental Easement Area (Block 1243 Lot 57):

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

BEGINNING at a point on the southerly side of 96th Street distant 96 feet 9 inches (96.75 feet tax map) easterly from the corner formed by the intersection of the southerly side of 96th Street and the easterly side of West End (formerly 11th) Avenue;

THENCE southerly, parallel with West End Avenue, 26 feet 4 inches (26.33 feet tax map);

THENCE westerly, parallel with 96th Street, 1 foot 9 inches (1.75 feet tax map);

THENCE southerly, again parallel with West End Avenue, 49 feet 2-1/2 inches (49.21 feet tax map);

THENCE easterly, again parallel with 96th Street, 5 feet;

THENCE southerly, again parallel with West End Avenue, 25 feet 2 inches (25.17 feet tax map) to the center line of the block between 95th and 96th Streets;

THENCE easterly, along said center line 100 feet;

THENCE northerly, again parallel with West End Avenue, 100 feet & 1/2 inches (100.71 tax map) to the southerly side of 96th Street;

THENCE westerly, along said southerly side of 96th Street, 103 feet 3 inches (103.25 feet tax map) to the point or place of BEGINNING.

Lot Area : 10,402.62 SQ.FT. , 0.239 ACRES

I CERTIFY TO:
FETNER
THE NEW YORK CITY BUILDING DEPARTMENT
THAT THIS SURVEY WAS PREPARED AND REVIEWED
UNDER MY SUPERVISION IN THE OFFICE AND THE FIELD.

DEC ENVIRONMENTAL EASEMENT SURVEY
SITUATED IN
THE BOROUGH OF MANHATTAN
CITY OF NEW YORK
STATE OF NEW YORK
266 WEST 96TH STREET
NY, NY, 10007
TAX MAP BLOCK 1243 LOT 57 (FORMERLY LOTS 57, 59, & 60)

True North Surveyors, P.C.
111 Kosciuszko Road, Whitehouse Station, NJ 08889
phone: (908) 534-6248 fax: (908) 534-6237
John J. Vida
Professional Land Surveyor