

November 17, 2021

Leszek Zielinski
New York State Department of Environmental Conservation
Petroleum Bulk Storage Division
47-40 21st Street
Long Island City, NY 11101

**RE: PBS Registration and Tank Closure Notification
241 West 28th Street
PBS Site No. 2-600623
NYSDEC BCP Site No. C231139
New York, New York
Langan Project No.: 170017004**

Dear Mr. Zielinski,

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) prepared this letter on behalf of 241 West 28th Street Owner LLC in conjunction with the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage (PBS) registration form to document underground storage tank (UST) closure activities at 241 West 28th Street in New York, New York (the site). The site consists of four former tax lots (Block 778, Lots 13, 16, 18, and 66) that were merged into one tax lot (Block 778, Lot 18). The existing PBS registration for the facility (PBS Site No. 2-600623) indicated that six 550-gallon gasoline USTs were previously closed in-place at the site (USTs 001 to 006). As part of site-wide remediation and redevelopment, eight 550-gallon USTs, one 1,080-gallon UST, and one 15-gallon UST were decommissioned. Excess tank contents, waste generated during decommissioning, and cleaned UST carcasses were disposed of off-site. The PBS Application for registration and closure of the ten USTs is included in Attachment A.

The site is undergoing remediation and construction of a mixed-use commercial and residential building with a cellar. Site-wide remediation is being performed through the NYSDEC Brownfield Cleanup Program (BCP) (Site No. C231139) and is being coordinated with the NYSDEC Project Manager, Michael MacCabe. UST decommissioning was performed under a NYSDEC-Approved March 16, 2020 Remedial Action Work Plan (RAWP), prepared by Langan.

PAL Environmental Services and their subcontractor, Mercury Tank & Pump Service, Inc. (Mercury), a New York City Fire Department (FDNY)-licensed contractor, decommissioned ten USTs in accordance with New York City Fire Code, Chapter 34, Section FC3404, Title 6 of the New York Codes Rules and Regulations (NYCRR), Section 613.9, and NYSDEC Division of

Environmental Remediation (DER)-10 Technical Guidance for Site Investigation and Remediation Section 5.5.

Ten USTs were discovered across the site during remedial excavation. The following is a summary of the UST discovery and decommissioning processes:

USTs 001 – 006

Between December 1 and 3, 2020, six about 550-gallon USTs were encountered within the northeastern part of the site:

- USTs 001 through 006 were observed to be concrete-encased and contained flowable fill and water. The existing NYSDEC PBS registration for Site No. 2-600623 associated with USTs 001 through 006 documents that these USTs formerly contained gasoline and were closed in-place. Photoionization detector (PID) readings up to 73.9 parts per million (ppm) and petroleum-like odors were identified at the UST portholes. Evidence of petroleum-like impacts was not observed on the concrete or soil surrounding the USTs.
- PAL, Mercury, and Kingdom (Foundation Contractor) conducted the following decommissioning activities:
 - On December 16, 2020, PAL and Mercury removed about 93 gallons of water from inside the USTs into a vacuum truck and exported the water to Clean Water of New York in Staten Island, NY;
 - Between December 17 and 22, 2020, PAL and Mercury cut the tops of the USTs, removed flowable fill, and exported the fill with nonhazardous petroleum-impacted soil/fill to Pure Soil Technologies, Inc. in Jackson Township, NJ; and
 - On December 21, 2020, Kingdom exported tank carcasses as scrap metal to Empire Metal Trading LLC in Brooklyn, NY.

UST 007

- One about 1,080-gallon concrete-encased UST was encountered beneath the West 29th Street sidewalk on December 14, 2020. PID readings up to 233 ppm were measured at the UST portholes. Following removal of the UST, an about 1-foot-wide by 8-foot-long area beneath the concrete encasement exhibited staining, petroleum-like odors, and a maximum PID reading of 30.3 ppm. In response to the observed subsurface conditions, Langan reported a spill to the NYSDEC and it was assigned Spill No. 2009358.
- The following decommissioning activities were performed:

- On February 11, 2021, PAL and Mercury removed about 2-inches of residual bottom sludge and containerized it in one 55-gallon drum for disposal at Republic Environmental Systems LLC in Hatfield, PA;
 - On February 12, 2021, Kingdom exported the tank carcass as scrap metal to Empire Metal Trading LLC in Brooklyn, NY; and
 - Exported petroleum-impacted soil associated with Spill No. 2009358 to Bayshore Soil Management, LLC in Keasbey, NJ in April 2021.
- Langan collected a confirmation endpoint soil sample (UST07_EL_16) at the base of the excavation beneath former UST 007 for analysis of Commissioner Policy 51 (CP-51) VOCs and SVOCs. The sample analytical results indicated that the soil beneath the former UST met the CP-51 Soil Cleanup Levels (SCL) for Gasoline- and Fuel Oil-Contaminated Soils. Based on the analytical results of the UST confirmation endpoint sample, the spill was closed with the NYSDEC on November 8, 2021.

UST 008

- One about 550-gallon UST containing oily water (presumed former gasoline tank from Sanborn Fire Insurance Maps) was encountered in the southwestern part of the site on February 8, 2021. PID readings up to 860 ppm were measured at the UST portholes. No petroleum-like impacts were identified in surrounding soil.
- The following decommissioning activities were performed:
 - On February 11, 2021, PAL and Mercury removed oily water via vacuum truck for off-site disposal at Clean Water of New York in in Staten Island, NY;
 - On February 11, 2021, PAL and Mercury cleaned the interior of the UST with absorbent pads and containerized them in a 55-gallon drum for off-site disposal at Republic Environmental Systems LLC in Hatfield, PA; and
 - On February 12, 201, Kingdom exported the tank carcass as scrap metal.
- Langan collected confirmation samples along the base and sidewalls of the UST grave (UST08_EP01_7, UST08_EP02_7, UST08_SW01_N_6.2, UST08_SW02_E_6.2, UST08_SW03_S_6.2, and UST08_SW04_W_6.2).
 - The preliminary analytical results indicated that the northern sidewall sample contained concentrations of VOCs and the eastern sidewall sample contained SVOCs above the Track 4 Restricted Residential Use (RRU) SCOs. The remaining

sidewall and base sample analytical results met the Track 4 SCO. The SVOCs detected above the Track 4 SCO within the eastern sidewall sample were consistent with historic fill, and thus over-excavation was not completed along the eastern sidewall of the UST excavation. As a result of the VOC concentrations in the northern sidewall sample, Kingdom extended the northern sidewall of the UST 008 grave 2 feet farther north. Langan then re-collected the northern sidewall confirmation sample (UST08_SW05_N_6-7), which met the Track 4 RRU SCOs.

UST 009

- One about 15-gallon corroded UST containing about 6 inches of residual dark brown liquid (waste oil) was encountered in the West 29th Street sidewalk on April 1, 2021. PID readings up to 2.4 ppm were measured at the top of the UST. Petroleum-like staining, odors, and a maximum PID reading of 1.4 ppm was identified in soil surrounding the UST. Based on the observed impacts, a spill was reported to the NYSDEC and was combined with existing Spill No. 2009358.
- The following decommissioning activities were performed:
 - On April 8, 2021, the corroded UST was determined to be too brittle to clean out for off-site disposal as scrap metal. As such, PAL and Mercury containerized the UST and its contents in a 55-gallon steel drum for off-site disposal at Republic Environmental Systems LLC in Hatfield, PA; and
 - In April 2021, Kingdom exported petroleum-impacted soil from beneath the tank associated with Spill No. 2009358 to Bayshore Soil Management, LLC in Keasbey, NJ.
- Langan collected a confirmation sample at the base of the excavation beneath the former UST (UST09_EL_16) for analysis of CP-51 VOCs and SVOCs. The sample analytical results indicated that the soil beneath the former UST met the CP-51 SCLs for Gasoline- and Fuel Oil-Contaminated Soils. Based on the analytical results of the UST confirmation endpoint sample, the spill was closed by the NYSDEC on November 8, 2021.

UST 010

- One about 550-gallon UST (presumed former gasoline tank from Sanborn Fire Insurance Maps) containing oily water was encountered in the southwestern part of the site on April 17, 2021. PID readings up to 30.8 ppm were measured at the UST portholes. Following removal of the UST, PID readings up to 12.4 ppm were measured at the base of the UST grave.

- The following decommissioning activities were performed:
 - On April 26, 2021, PAL and Mercury removed 532 gallons of oily water via vacuum truck for off-site disposal at Clean Water of New York in Staten Island, NY;
 - On April 26, 2021, PAL and Mercury cleaned the interior of the UST prior to off-site disposal of the carcass as scrap metal; and
 - In April and May 2021, Kingdom exported petroleum-impacted soil to Bayshore Soil Management, LLC in Keasbey, NJ.
- Langan collected base and sidewall confirmation samples from the UST grave (UST10_B_7, UST10_E_7, UST10_S_7, and UST10_W_7) for analysis of CP-51 VOCs and SVOCs. The sample analytical results indicated that the soil beneath the former UST met the CP-51 SCLs for Gasoline- and Fuel Oil-Contaminated Soils. A northern sidewall sample was not collected from the UST grave because the soil north of the UST was removed to construct the SOE berm and transported off-site for disposal prior to discovery of the UST.

This package was prepared to update the NYSDEC online PBS database to add USTs 007 through 010, list tanks 001 through 010 as closed and removed, and list the site as "inactive" under PBS Site No. 2-600623. Additionally, based on the UST removals and the analytical results of the UST confirmation endpoint sample, Spill No. 2009358 was closed with the NYSDEC on November 8, 2021.

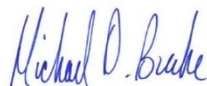
The FDNY tank removal affidavits are provided in Attachment B. UST closure documentation, including copies of the waste disposal manifests, scrap metal tickets, and invoices, are provided as Attachments C, D, and E, respectively.

The site owner is 249 W 28th Street Properties, LP as successor-in-interest to 249 W 28th Street Properties, LLC. Property deeds listing the owner as 249 W 28th Street Properties, LLC are included as Attachment F.

Please contact us at 212-479-5499 with any questions.

Sincerely,

**Langan Engineering, Environmental, Surveying,
Landscape Architecture and Geology, D.P.C**



Michael Burke, PG, CHMM
Principal/Vice President



Paul McMahon, PE
Senior Project Manager

CC: M. MacCabe (NYSDEC), G. Nicholls, E. Adkins (Langan)

Enclosures: Attachment A – PBS Application
Attachment B – FDNY Tank Removal Affidavits
Attachment C – Manifests
Attachment D – Scrap Metal Tickets
Attachment E – Invoices
Attachment F – Property Deeds

ATTACHMENT A
PBS APPLICATION

Petroleum Bulk Storage Application

Pursuant to the Environmental Conservation Law: Article 17, Title 10; and

Regulations 6 NYCRR Part 613 and 6 NYCRR Subpart 374-2

(Please Type or Print Clearly and Complete All Items for Sections A, B & C)


PBS Number:
2-600623

Return Completed Form To:



Section A - Facility/Property Owner/Contact Information

Expiration Date:

Transaction Type: <u>2/3</u> 1) Initial/New Facility 2) Change of Ownership 3) Tank Installation, Closing, or Repair 4) Information Correction 5) Renewal	F A C I L I T Y	Facility Name: 241 West 28th Street		Tax Map Info		TYPE OF PETROLEUM FACILITY (Check only one) <input type="checkbox"/> 01=Storage Terminal/Petrol. Distributor <input type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales <input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 06=Trucking/Transportation/Fleet <input type="checkbox"/> 07=Apartment/Office Building <input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm <input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi/Airport <input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 25=Auto Service/Repair (No Gasoline) <input type="checkbox"/> 28=Cemetery/Memorial <input type="checkbox"/> 26=Religious (Church, Synagogue, Mosque, Temple, etc.) <input type="checkbox"/> 27=Hospital/Nursing Home/Health Care <input type="checkbox"/> 52=Marina 53=Nuclear Power Plant <input checked="" type="checkbox"/> 99=Other (Specify): Former parking lot			
		Facility Address (Physical Address, No P.O. Boxes): 241 West 28th Street		Block: 778					
		Facility Address (cont.):		Lot: 18					
		City: New York		State: NY	ZIP Code: 10001				
		County: New York	Township/City: New York		Facility Phone Number: 212-339-3911				
Facility Operator: 241 West 28th Street Owner LLC									
NOTE: Fill in Property Owner information here....>>> Indicate Tank Owner in Section C.	O W N E R	Facility (Property) Owner (from Deed): 249 W 28th Street Properties, LP				Emergency Contact Name: Susi Yu		Emergency Telephone Number: 212-339-3911	
		Facility Owner Address (Street and/or P.O. Box): 110 Edison Place, Suite 300				I hereby certify, under penalty of law, that all of the information provided on this form is true and correct. False statements made herein may be punishable as a criminal offense and/or a civil violation in accordance with applicable state and federal law.			
		City: Newark		State: NJ	ZIP Code: 07102				
		Federal Tax ID Number:		Owner Telephone Number: 973-643-7700		Name of Owner or Authorized Representative: Susi Yu		Amount Enclosed: \$0	
		Type of Owner (check only one): 3 <input type="checkbox"/> Local Government 1 <input type="checkbox"/> Private Resident 2 <input type="checkbox"/> State Government		4 <input type="checkbox"/> Federal Government 5 <input checked="" type="checkbox"/> Corporate/Commercial/Other		Title: Authorized Representative		Signature:  Date: 10/29/21	
Official Use Only Date Received: ____/____/____ Date Processed: ____/____/____ Amount Received: \$_____ Reviewed By: _____ Rev. 8/2/2017	C O R R E S P O N D E N C E	(Please keep this information up to date.)							
		Facility Contact Person Name: Susi Yu							
		Contact Person Company Name: 241 West 28th Street Owner LLC							
		Address: 41 Flatbush Avenue							
		Address (cont.): 1st and 2nd Floors							
		City/State/ZIP Code: Brooklyn, New York 11217							
		Tel. Number: 212-339-3911				eMail Address: syu@magpartners.com			

PBS Number:
2-600623

Section B - Tank Information

Page 2 of 3

**(Please use the key located on the last page to complete
each item/column)**

Registration Expiration Date:

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)
Action	Tank Number	Tank Location	Status	Installation, out-of-service, or Permanent ClosureDate (mm/dd/yyyy) Application will be returned if blank	Capacity (Gallons)	Product Stored (If Gasoline w/ethanol or Biodiesel, list % additive)	Tank Type	Tank Internal Protection	Tank External Protection	Tank Secondary Containment	Tank Leak Detection	Tank Overfill Prevention	Tank Spill Prevention	Pumping/Dispensing Method	Piping Location	Piping Type	Piping External Protection	Piping Secondary Containment	Piping Leak Detection	Under Dispenser Containment (UDC) (Check box if present)
3	001	5	3	12/17/2020	550	0009	01	00	00	00	00	00	00	00	00		00		00	<input type="checkbox"/>
3	002	5	3	12/17/2020	550	0009	01	00	00	00	00	00	00	00	00		00		00	<input type="checkbox"/>
3	003	5	3	12/17/2020	550	0009	01	00	00	00	00	00	00	00	00		00		00	<input type="checkbox"/>
3	004	5	3	12/17/2020	550	0009	01	00	00	00	00	00	00	00	00		00		00	<input type="checkbox"/>
3	005	5	3	12/17/2020	550	0009	01	00	00	00	00	00	00	00	00		00		00	<input type="checkbox"/>
3	006	5	3	12/17/2020	550	0009	01	00	00	00	00	00	00	00	00		00		00	<input type="checkbox"/>
3	007	5	3	02/11/2021	1,080	0002	01	00	00	00	00	00	00	00	00		00		00	<input type="checkbox"/>
3	008	5	3	02/11/2021	550	0009	01	00	00	00	00	00	00	00	00		00		00	<input type="checkbox"/>
3	009	5	3	04/08/2021	15	0022	01	00	00	00	00	00	00	00	00		00		00	<input type="checkbox"/>
3	010	5	3	04/26/2021	550	0009	01	00	00	00	00	00	00	00	00		00		00	<input type="checkbox"/>
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Note: If you need to add tanks to your registration, write them in using blank lines above. Attach additional sheets as needed.
Blank Section B is available at http://www.dec.ny.gov/docs/remediation_hudson_pdf/pbsrenewal.pdf

PBS Number:

Petroleum Bulk Storage Application

Section C - Tank Ownership Information (for PBS tanks listed in Section B

<div>Tank Owner Information</div> <div><input checked="" type="checkbox"/> Check box if same as Facility (Property) Owner. If tank owner is different from property owner, fill out information below:</div>		
Tank Owner Name (Company/Individual):		
Contact Person:		
Tank Owner Address:		
City:	State:	ZIP:
Contact Person Telephone Number:	Contact Person email:	
<div>Specific Tanks Owned</div> <div><input type="checkbox"/> Check box if this owner owns all tanks at this facility. If not, list tanks owned by this owner below:</div>		
Tank Number:		
Name of Class B (Daily On-Site) Operator:	Authorization No:	
Name of Class A (Primary) Operator:	Authorization No:	

<div>Tank Owner Information</div> <div><input type="checkbox"/> Check box if same as Facility (Property) Owner. If tank owner is different from property owner, fill out information below:</div>		
Tank Owner Name (Company/Individual):		
Contact Person:		
Tank Owner Address:		
City:	State:	ZIP:
Contact Person Telephone Number:	Contact Person email:	
<div>Specific Tanks Owned</div> <div><input type="checkbox"/> Check box if this owner owns all tanks at this facility. If not, list tanks owned by this owner below:</div>		
Tank Number:		
Name of Class B (Daily On-Site) Operator:	Authorization No:	
Name of Class A (Primary) Operator:	Authorization No:	

PETROLEUM BULK STORAGE APPLICATION - SECTION B - TANK INFORMATION - CODE KEYS

Action (1)

1. Initial Listing
2. Add Tank
3. Close/Remove Tank
4. Information Correction
5. Repair/Reline Tank

Tank Location (3)

1. Aboveground-contact w/soil
2. Aboveground-contact w/impervious barrier
3. Aboveground on saddles, legs, stilts, rack or cradle
4. Partially buried tank (tank with 10% or more below ground)
5. Underground including vaulted with no access for inspection
6. Aboveground in Subterranean Vault w/access for inspections

Status (4)

1. In-service
2. Out-of-service
3. Closed-Removed
4. Closed- In Place
5. Tank converted to Non-Regulated use

Products Stored (7)

Heating Oils: On-Site Consumption

0001. #2 Fuel Oil
0002. #4 Fuel Oil
0259. #5 Fuel Oil
0003. #6 Fuel Oil
0012. Kerosene
0591. Clarified Oil
2711. Biodiesel (Heating)
2642. Used Oil (Heating)

Heating Oils: Resale/Redistribution

2718. #2 Fuel Oil
2719. #4 Fuel Oil
2720. #5 Fuel Oil
2721. #6 Fuel Oil
2722. Kerosene
2723. Clarified Oil

Motor Fuels

0009. Gasoline
2712. Gasoline/Ethanol

0008. Diesel
2710. Biodiesel
0011. Jet Fuel
1044. Jet Fuel (Biofuel)
2641. Aviation Gasoline

Emergency Generator Fuels

0001. #2 Fuel Oil
2730. Biodiesel (E-Gen)
2731. Diesel (E-Gen)

Lubricating/Cutting Oils

0013. Lube Oil
0015. Motor Oil
1045. Gear/Spindle Oil
0010. Hydraulic Oil
0007. Cutting Oil
0021. Transmission Fluid
1836. Turbine Oil
0308. Petroleum Grease

Oils Used as Building Materials

2626. Asphaltic Emulsions
0748. Form Oil

Petroleum Spirits

0014. White/Mineral Spirits
1731. Naptha

Mineral/Insulating Oils

0020. Insulating Oil (e.g., Transformer, Cable Oil)
2630. Mineral Oil

Waste/Used/Other Oils

- 0022 Waste/Used Oil
9999. Other-Please list:*

Crude Oil

0006. Crude Oil
0701. Crude Oil Fractions

Tank Type (8)

01. Steel/Carbon Steel/Iron
02. Galvanized Steel Alloy
03. Stainless Steel Alloy
04. Fiberglass Coated Steel
05. Steel Tank in Concrete
06. Fiberglass Reinforced Plastic (FRP)
07. Plastic
08. Equivalent Technology

09. Concrete
10. Urethane Clad Steel
99. Other-Please list:*

Internal Protection (9)

00. None
01. Epoxy Liner
02. Rubber Liner
03. Fiberglass Liner (FRP)
04. Glass Liner
99. Other-Please list:*

External Protection (10/18)

00. None
01. Painted/Asphalt Coating
02. Original Sacrificial Anode
03. Original Impressed Current
04. Fiberglass
05. Jacketed
06. Wrapped (Piping)
07. Retrofitted Sacrificial Anode
08. Retrofitted Impressed Current
09. Urethane
99. Other-Please list:*

Tank Secondary Containment (11)

00. None
01. Diking (AST Only)
02. Vault (w/access)
03. Vault (w/o access)
04. Double-Walled (UST Only)
05. Synthetic Liner
06. Remote Impounding Area
07. Excavation Liner
09. Modified Double-Walled (AST Only)
10. Impervious Underlayment (AST Only)**
11. Double Bottom (AST Only)**
12. Double-Walled (AST Only)
99. Other - Please list*

Tank Leak Detection (12)

00. None
01. Interstitial Electronic Monitoring
02. Interstitial Manual Monitoring
03. Vapor Well
04. Groundwater Well
05. In-Tank System (Auto Tank

06. Impervious Barrier/Concrete Pad (AST Only)
07. Statistical Inventory Reconciliation (SIR)
08. Weep holes in vaults with no access for inspection
99. Other-Please list: *

Overfill Protection (13)

00. None
01. Float Vent Valve
02. High Level Alarm
03. Automatic Shut-Off
04. Product Level Gauge (AST Only)
05. Vent Whistle
99. Other-Please list:*

Spill Prevention (14)

00. None
01. Catch Basin
99. Other-Please list:*

Pumping/Dispensing Method (15)

00. None
01. Presurized Dispenser
02. Suction Dispenser
03. Gravity
04. On-Site Heating System (Suction)
05. On-Site Heating System (Supply/Return)
06. Tank-Mounted Dispenser
07. Loading Rack/Transfer Pump

Piping Location (16)

00. No Piping
01. Aboveground
02. Underground/On-ground
03. Aboveground/Underground Combination

Piping Type (17)

00. None
01. Steel/Carbon Steel/Iron
02. Galvanized Steel
03. Stainless Steel Alloy
04. Fiberglass Coated Steel
05. Steel Encased in Concrete

06. Fiberglass Reinforced Plastic (FRP)
07. Plastic
08. Equivalent Technology
09. Concrete
10. Copper
11. Flexible Piping
99. Other-Please list:*

Piping Secondary Containment (19)

00. None
01. Diking (Aboveground Only)
02. Vault (w/access)
04. Double-Walled (Underground Only)
06. Remote Impounding Area
07. Trench Liner
12. Double-Walled (Aboveground Only)
99. Other-Please list: *

Pipe Leak Detection (20)

00. None
01. Interstitial Electronic Monitoring
02. Interstitial Manual Monitoring
03. Vapor Well
04. Groundwater Well
07. Pressurized Piping Leak Detector
09. Exempt Suction Piping
10. Statistical Inventory Reconciliation (SIR)
99. Other-Please list:*

Under Dispenser Containment (UDC) (21)

Check Box if Present

.....

* If other, please list on a separate sheet including tank number,

** Each of these codes must be combined with code 01 or 06 to meet compliance requirements.

ATTACHMENT B

FDNY TANK REMOVAL AFFIDAVITS

MERCURY TANK & PUMP SERVICE, INC.

88 Cabot Road
Massapequa, N.Y. 11758
(917) 559-5519



New York City Fire Department
Bulk Safety Unit
9 Metrotech
Brooklyn, N.Y. 11201

Re: 241 West 28TH Street Manhattan; permanent removal of six 550 gallon underground gasoline tanks which had previously been abandoned in place.

AFFIDAVIT

In accordance with R 3404-01 (d), the permanent removal of six 550 gallon underground gasoline tanks at 241 West 28TH Street Manhattan has been completed. These tanks had previously been abandoned in place.

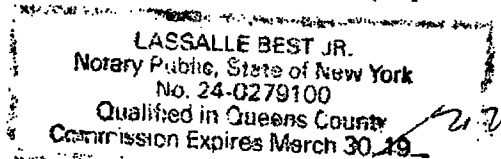
- 1) The contents of the tanks were completely removed.
- 2) The tanks were thoroughly cleaned and purged of combustible vapors
- 3) All pipes were removed
- 4) The fill boxes were removed
- 5) The tanks were removed from the premises
- 6) This work was completed on 17, December 2020

Sincerely,

Mark Salamack

Underground Tank Installer

Certificate of License #80151715 (Expires 16, June 2022)



Sworn before me this 23 day of DECEMBER, 2020

Notary Public

MERCURY TANK & PUMP SERVICE, INC.

88 Cabot Road
Massapequa, N.Y. 11758
(917) 559-5519



New York City Fire Department
Bureau of Fire Prevention
9 Metrotech
Brooklyn, N.Y. 11201

Re: 241 West 28TH Street Manhattan; permanent removal of one 1080 gallon underground #4 fuel oil tank.

AFFIDAVIT

In accordance with R 3404-01(d), the permanent removal of one 1080 gallon underground #4 fuel oil tank at 241 West 28TH Street Manhattan has been completed.

- 1) The contents of the tank were completely removed.
- 2) The tank was thoroughly cleaned and purged of combustible vapors
- 3) All pipes were removed
- 4) The fill box was removed
- 5) The tank was removed from the premises
- 6) This work was completed on 11, February 2021

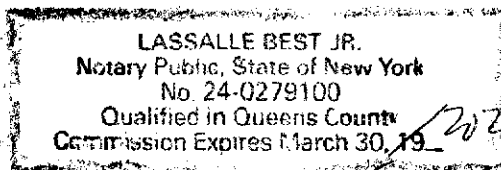
Sincerely



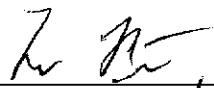
Mark Salamack

Underground Tank Installer

Certificate of License #80151715 (Expires 16, June 2022)



Sworn before me this 11 day of MARCH, 2021



Notary Public

MERCURY TANK & PUMP SERVICE, INC.

88 Cabot Road
Massapequa, N.Y. 11758
(917) 559-5519



New York City Fire Department
Bulk Safety Unit
9 Metrotech
Brooklyn, N.Y. 11201

Re: 241 West 28TH Street Manhattan; permanent removal of one 550 gallon underground gasoline tank.

AFFIDAVIT

In accordance with R 3404-01 (d), the permanent removal of one 550 gallon underground gasoline tank at 241 West 28TH Street Manhattan has been completed.

- 1) The contents of the tank were completely removed.
- 2) The tank was thoroughly cleaned and purged of combustible vapors
- 3) All pipes were removed
- 4) The fill box was removed
- 5) The tank was removed from the premises
- 6) This work was completed on 11, February 2021

Sincerely


Mark Salamack

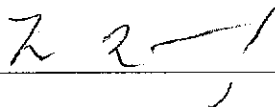
Underground Tank Installer

Certificate of License #80151715 (Expires 16, June 2022)

LASSALLE BEST JR.
Notary Public, State of New York
No. 24-0279100

Qualified in Queens County
Commission Expires March 30, 2025

Sworn before me this 11 day of MARCH, 2021



Notary Public

MERCURY TANK & PUMP SERVICE, INC.

88 Cabot Road
Massapequa, N.Y. 11758
(917) 559-5519



New York City Fire Department
Bulk Safety Unit
9 Metrotech
Brooklyn, N.Y. 11201

Re: 241 West 28TH Street Manhattan; permanent removal of one 550 gallon underground gasoline tank

AFFIDAVIT

In accordance with R 3404-01 (d), the permanent removal one 550 gallon underground gasoline tank at 241 West 28TH Street Manhattan has been completed.

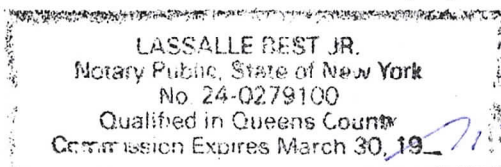
- 1) The contents of the tank was completely removed.
- 2) The tank was thoroughly cleaned and purged of combustible vapors
- 3) All pipes were removed
- 4) The fill box was removed
- 5) The tank was removed from the premises
- 6) This work was completed on 26, April 2021

Sincerely

Mark Salamack

Underground Tank Installer

Certificate of License #80151715 (Expires 16, June 2022)



Sworn before me this 27 day of July, 2021

Notary Public

ATTACHMENT C

MANIFESTS

NON-HAZARDOUS WASTE MANIFEST

Please print or type (Form designed for use on elite (12 pitch) typewriter)

NON-HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No.		Manifest Document No.		2. Page 1 of	
3. Generator's Name and Mailing Address 241 West 28th Street, owner LLC 142 West 87th Street New York NY 10019				241 West 28th St Manhattan NY			
4. Generator's Phone (917) 816 8172		6. US EPA ID Number		A. State Transporter's ID		B. Transporter 1 Phone 718 348 0902	
5. Transporter 1 Company Name PAL Environmental Service		8. US EPA ID Number		C. State Transporter's ID		D. Transporter 2 Phone	
7. Transporter 2 Company Name		10. US EPA ID Number		E. State Facility's ID		F. Facility's Phone	
9. Designated Facility Name and Site Address Clean Water of New York 3244 Richmond Terrace Staten Island NY 10303							
11. WASTE DESCRIPTION				Containers No. Type		13. Total Quantity	
a. Non Hazardous Non DOT Regulated Material (Coily Water)				001 TT		93 G	
b.							
c.							
d.							
G. Additional Descriptions for Materials Listed Above				H. Handling Codes for Wastes Listed Above			
15. Special Handling Instructions and Additional Information Approval # 47-562 Job # —							
16. GENERATOR'S CERTIFICATION: I hereby certify that the contents of this shipment are fully and accurately described and are in all respects in proper condition for transport. The materials described on this manifest are not subject to federal hazardous waste regulations.							
Printed/Typed Name Monique Cetrin						Signature MC	
						Date 12/15/20	
17. Transporter 1 Acknowledgement of Receipt of Materials						Date	
Printed/Typed Name Easi Wathier						Signature [Signature]	
						Date 12/16/20	
18. Transporter 2 Acknowledgement of Receipt of Materials						Date	
Printed/Typed Name						Signature	
						Date	
19. Discrepancy Indication Space							
20. Facility Owner or Operator: Certification of receipt of the waste materials covered by this manifest, except as noted in item 19.							
Printed/Typed Name Phil Pruma						Signature [Signature]	
						Date 12/31/20	

NON-HAZARDOUS WASTE

GENERATOR

TRANSPORTER

FACILITY



Wilson Linegs

Pure Soil Technologies
655 SOUTH HOPE CHAPEL RD
JACKSON, NJ 08527
732-657-8551

CUSTOMER:	CUSTOMER NO: 3673	TICKET NO: 282029
EARTHEFFICIENT		DATE: 12/22/20
30 W MAIN STREET SUITE 217		TIME: 12:52 PM
RIVERHEAD NY 11901		
631-209-4245		

JOB NAME:	JOB NO: 2011009	QUOTE NO: 2011-008	MANIFEST NO: 136344
241 WEST 28TH STREET (NYSDEC BCP#C231139)			
241 WEST 28TH STREET			PRODUCT: JR66
NEW YORK NY 10001			JR66 SOIL

CARRIER: MENDEZ TRUCKING	TRUCK NO: MEN84	LIC. PLATE: AW654G
--------------------------	-----------------	--------------------

<u>DAILY LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>	METRIC (MG)	ENGLISH (TN)
1	25.20	27.78	38.67 Mg	GROSS 42.62 TN
<u>TO-DATE LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>	13.46 Mg	TARE 14.84 TN
93	2417.34	2664.62	25.20 Mg	NET 27.78 TN

* = manual weight

RECIEVED BY: _____
WEIGHMASTER: JAMES MATTHEWS NJWMS #31489



PURE SOIL TECHNOLOGIES

P.O. Drawer 43

Farmingdale, NJ 07727

Phone: 732.308.1113 Fax: 732.462.9626

136344

Weigh Scale Ticket #
escala de boleto

NON-HAZARDOUS MATERIAL MANIFEST

You must return 4 copies of this manifest upon delivery.

SITE INFORMATION

Site Name: 241 WEST 28TH STREET SDEC BCP/C23

Address: 241 WEST 28TH STREET

City, State, Zip: NEW YORK, NY 10001

AGENT / CONSULTANT

Name: EARTH EFFICIENT LLC

Contact Name: Eirene Pavlakis

Phone: _____

Approval Number

2011009

Description of Material

Non-Haz Contaminated Soil

WC02-5-10

*** Must be Initialed By Authorized Agent.*

SITE

**INITIALS

Time Arrive: _____

Time Depart: _____

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, has been properly described, classified and packaged, and is in proper condition for transportation according to applicable regulations.

Eirene Pavlakis of Langan as agent for
241 W. 28th St Owner LLC
Generator/Authorized Agent Name (Print)

[Signature]
Signature

12/22/20
Shipment Date

TRANSPORTER

Transporter Name: Mendez

Address: _____

City, State, Zip: Bellerose NJ

Driver Name (Print): X Langan

Vehicle License No/State/EPA No.: AW654GT

Truck Number: 84

I hereby certify that the above named material was picked up at the generator site listed above.

I hereby certify that the above named material was delivered without incident to the destination listed below.

[Signature]
Driver Signature

12/22/20
Date

[Signature]
Driver Signature

12/22/20
Date

DESTINATION

Site Name: PURE SOIL TECHNOLOGIES

Phone: (732) 657-8551

Address: 655 SOUTH HOPE CHAPEL ROAD, JACKSON, NJ 08527

Business hours are: Monday through Friday 7 AM to 5 PM. Saturday By Appointment Only.

I hereby certify that the above named material has been accepted and to the best of my knowledge the foregoing is true and accurate.

Name of Authorized Agent

[Signature]
Signature

12/22/20
Receipt Date

Form: PST CB

TRANSPORTER COPY



Wilmer Parra

Pure Soil Technologies
655 SOUTH HOPE CHAPEL RD
JACKSON, NJ 08527
732-657-8551

CUSTOMER:	CUSTOMER NO: 3673	TICKET NO: 282032
EARTHEFFICIENT		DATE: 12/22/20
30 W MAIN STREET SUITE 217		TIME: 01:04 PM
RIVERHEAD NY 11901		
631-209-4245		

JOB NAME:	JOB NO: 2011009	QUOTE NO: 2011-008	MANIFEST NO: 136343
241 WEST 28TH STREET (NYSDEC BCP#C231139)			
241 WEST 28TH STREET			PRODUCT: JR66
NEW YORK NY 10001			JR66 SOIL

CARRIER: MENDEZ TRUCKING	TRUCK NO: MEN75	LIC. PLATE: AW583M
--------------------------	-----------------	--------------------

<u>DAILY LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>	<u>METRIC (MG)</u>	<u>ENGLISH (TN)</u>
2	49.01	54.02	36.83*Mg	GROSS 40.60*TN
<u>TO-DATE LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>	13.03 Mg	TARE 14.36 TN
94	2441.15	2690.86	23.81 Mg	NET 26.24 TN

*= manual weight

RECIEVED BY: _____
WEIGHMASTER: JAMES MATTHEWS NJWMS #31489



PURE SOIL TECHNOLOGIES

P.O. Drawer 43

Farmingdale, NJ 07727

Phone: 732.308.1113 Fax: 732.462.9626

136343

Weight Scale Ticket #

escala de boleto

NON-HAZARDOUS MATERIAL MANIFEST

You must return 4 copies of this manifest upon delivery.

SITE INFORMATION

Site Name: 241 WEST 28TH STREET (NYSDEC BCP#C23)

Address: 241 WEST 28TH STREET

City, State, Zip: NEW YORK, NY 10001

AGENT / CONSULTANT

Name: EARTHEFFICIENT LLC

Contact Name: Eirone Parolakis

Phone:

Approval Number

2011009

Description of Material

Non-Haz Contaminated Soil

W102-5-10

** Must be Initialed By Authorized Agent.

SITE

**INITIALS

Time Arrive:

Time Depart:

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, has been properly described, classified and packaged, and is in proper condition for transportation according to applicable regulations.

Eirone Parolakis of Langan as agent for 241 W 28th St owner LLC
Generator/Authorized Agent Name (Print)

Signature

12/22/20
Shipment Date

TRANSPORTER

Transporter Name: Mendez

Address:

City, State, Zip: Belleville NJ

Driver Name (Print): X W Parolakis

Vehicle License No/State/EPA No.: AW583M

Truck Number: 75

I hereby certify that the above named material was picked up at the generator site listed above.

I hereby certify that the above named material was delivered without incident to the destination listed below.

X W Parolakis
Driver Signature

12/22/20
Date

W Parolakis
Driver Signature

12/22/2020
Date

DESTINATION

Site Name: PURE SOIL TECHNOLOGIES

Phone: (732) 657-8651

Address: 655 SOUTH HOPE CHAPEL ROAD, JACKSON, NJ 08627

Business hours are: Monday through Friday 7 AM to 5 PM. Saturday By Appointment Only.

I hereby certify that the above named material has been accepted and to the best of my knowledge the foregoing is true and accurate.

Name of Authorized Agent

Signature

12/22/20
Receipt Date



Nelson Vera.

Pure Soil Technologies
655 SOUTH HOPE CHAPEL RD
JACKSON, NJ 08527
732-657-8551

CUSTOMER: EARTHEFFICIENT 30 W MAIN STREET SUITE 217 RIVERHEAD NY 11901 631-209-4245	CUSTOMER NO: 3673	TICKET NO: 282035 DATE: 12/22/20 TIME: 01:33 PM
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JOB NAME: 241 WEST 28TH STREET (NYSDEC BCP#C231139) 241 WEST 28TH STREET NEW YORK NY 10001	JOB NO: 2011009 QUOTE NO: 2011-008	MANIFEST NO: 136342 PRODUCT: JR66 JR66 SOIL
---	---------------------------------------	---

CARRIER: MENDEZ TRUCKING	TRUCK NO: MEN03	LIC. PLATE: AW652G
--------------------------	-----------------	--------------------

<u>DAILY LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>	<u>METRIC (MG)</u>	<u>ENGLISH (TN)</u>
3	76.84	84.70	41.05 Mg	GROSS 45.25 TN
<u>TO-DATE LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>	<u>METRIC (MG)</u>	<u>ENGLISH (TN)</u>
95	2468.98	2721.54	13.22 Mg	TARE 14.57 TN
			27.83 Mg	NET 30.68 TN

*= manual weight

RECIEVED BY: _____
WEIGHMASTER: JAMES MATTHEWS NJWMS #31489

Nelson Vera 03

**PURE SOIL TECHNOLOGIES**

P.O. Drawer 43

Farmingdale, NJ 07727

Phone: 732.308.1113 Fax: 732.462.9626

136342**Weigh Scale Ticket #**
escala de boleto**NON-HAZARDOUS MATERIAL MANIFEST**You must return 4 copies of this manifest upon delivery.**SITE INFORMATION**

Site Name: _____

Address: _____

City, State, Zip: NEW YORK NY 10001**AGENT / CONSULTANT**Name: EARTH FLIGHT LLCContact Name: Eugene Pavlakis

Phone: _____

Approval Number2011009**Description of Material**

Non-Haz Contaminated Soil

WCO2-5-10**** Must be Initialed By Authorized Agent.**SITE**INITIALS

Time Arrive: _____

Time Depart: _____

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, has been properly described, classified and packaged, and is in proper condition for transportation according to applicable regulations.

Generator/Authorized Agent Name (Print) _____

Signature _____

Shipment Date 12/22/20**TRANSPORTER**Transporter Name: MendezDriver Name (Print): X Nelson Vera

Address: _____

Vehicle License No/State/EPA No.: AW652GCity, State, Zip: Belleville NJTruck Number: 03

I hereby certify that the above named material was picked up at the generator site listed above.

I hereby certify that the above named material was delivered without incident to the destination listed below.

Driver Signature X Nelson VeraDate 12/22/20Driver Signature Nelson VeraDate 12/22/20**DESTINATION**Site Name: PURE SOIL TECHNOLOGIESPhone: (732) 657-0551Address: 655 SOUTH HOPE CHAPEL ROAD, JACKSON, NJ 08527

Business hours are: Monday through Friday 7 AM to 5 PM. Saturday By Appointment Only.

I hereby certify that the above named material has been accepted and to the best of my knowledge the foregoing is true and accurate.

Name of Authorized Agent _____

Signature _____

Receipt Date 12/22/20



#70 Angel Canizales

Pure Soil Technologies
655 SOUTH HOPE CHAPEL RD
JACKSON, NJ 08527
732-657-8551

CUSTOMER:	CUSTOMER NO: 3673	TICKET NO: 282040
EARTHEFFICIENT		DATE: 12/22/20
30 W MAIN STREET SUITE 217		TIME: 01:42 PM
RIVERHEAD NY 11901		
631-209-4245		

JOB NAME:	JOB NO: 2011009	QUOTE NO: 2011-008	MANIFEST NO: 136341
241 WEST 28TH STREET (NYSDEC BCP#C231139)			
241 WEST 28TH STREET			PRODUCT: JR66
NEW YORK NY 10001			JR66 SOIL

CARRIER: MENDEZ TRUCKING	TRUCK NO: MEN70	LIC. PLATE: AW582M
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<u>DAILY LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>	<u>METRIC (MG)</u>	<u>ENGLISH (TN)</u>
4	102.97	113.50	39.34 Mg	GROSS 43.36 TN
<u>TO-DATE LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>		
96	2495.11	2750.34	13.21 Mg	TARE 14.56 TN
			26.13 Mg	NET 28.80 TN

*= manual weight

RECIEVED BY: _____
WEIGHMASTER: JAMES MATTHEWS NJWMS #31489



PURE SOIL TECHNOLOGIES

P.O. Drawer 43

Farmingdale, NJ 07727

Phone: 732.308.1113 Fax: 732.462.9626

136341

Weigh Scale Ticket #

escala de boleto

NON-HAZARDOUS MATERIAL MANIFEST

You must return 4 copies of this manifest upon delivery.

SITE INFORMATION

Site Name: 241 WEST 28TH STREET (NYSDEC BCP#C23)

Address: 241 WEST 28TH STREET

City, State, Zip: NEW YORK, NY 10001

AGENT / CONSULTANT

Name: EARTH EFFICIENT LLC

Contact Name: Eirene Pavlakis

Phone:

Approval Number

2011009

Description of Material

Non-Haz Contaminated Soil

WC02-5-10

** Must be Initialed By Authorized Agent.

SITE

**INITIALS

Time Arrive:

Time Depart:

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, has been properly described, classified and packaged, and is in proper condition for transportation according to applicable regulations.

Generator/Authorized Agent Name (Print)

Signature

Shipment Date

TRANSPORTER

Transporter Name: Mendez

Address:

City, State, Zip: Belleville NJ

Driver Name (Print):

Vehicle License No/State/EPA No.: AW582M

Truck Number: 70

I hereby certify that the above named material was picked up at the generator site listed above.

I hereby certify that the above named material was delivered without incident to the destination listed below.

Driver Signature

Date

Driver Signature

Date

DESTINATION

Site Name: PURE SOIL TECHNOLOGIES

Phone: (732) 657-8551

Address: 655 SOUTH HOPE CHAPEL ROAD, JACKSON, NJ 08527

Business hours are: Monday through Friday 7 AM to 5 PM. Saturday By Appointment Only.

I hereby certify that the above named material has been accepted and to the best of my knowledge the foregoing is true and accurate.

Name of Authorized Agent

Signature

Receipt Date

Form: PST CB

TRANSPORTER COPY



Mendez R

Pure Soil Technologies
655 SOUTH HOPE CHAPEL RD
JACKSON, NJ 08527
732-657-8551

CUSTOMER:	CUSTOMER NO: 3673	TICKET NO: 282042
EARTHEFFICIENT		DATE: 12/22/20
30 W MAIN STREET SUITE 217		TIME: 01:49 PM
RIVERHEAD NY 11901		
631-209-4245		

JOB NAME:	JOB NO: 2011009	QUOTE NO: 2011-008	MANIFEST NO: 136340
241 WEST 28TH STREET (NYSDEC BCP#C231139)			
241 WEST 28TH STREET			PRODUCT: JR66
NEW YORK NY 10001			JR66 SOIL

CARRIER: MENDEZ TRUCKING	TRUCK NO: MEN24	LIC. PLATE: AW612B
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<u>DAILY LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>	<u>METRIC (MG)</u>	<u>ENGLISH (TN)</u>
5	133.15	146.77	43.82 Mg	GROSS 48.30 TN
<u>TO-DATE LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>	<u>METRIC (MG)</u>	<u>ENGLISH (TN)</u>
97	2525.29	2783.61	13.64 Mg	TARE 15.03 TN
			30.18 Mg	NET 33.27 TN

*= manual weight

RECIEVED BY: _____
WEIGHMASTER: JAMES MATTHEWS NJWMS #31489

**PURE SOIL TECHNOLOGIES**

P.O. Drawer 43

Farmingdale, NJ 07727

Phone: 732.308.1113 Fax: 732.462.9626

*Mendez***136340****Weigh Scale Ticket #****# escala de boleto****NON-HAZARDOUS MATERIAL MANIFEST**You must return 4 copies of this manifest upon delivery.**SITE INFORMATION**Site Name: 241 WEST 28TH STREET (NYSDEC BCP#C23)Name: EARTHEFFICIENT LLCAddress: 241 WEST 28TH STREETContact Name: Eirene PaulakisCity, State, Zip: NEW YORK, NY 10001

Phone: _____

AGENT / CONSULTANT

Approval Number

2011009

Description of Material

Non-Haz Contaminated Soil

WC02-5-10**** Must be Initialed By Authorized Agent.**SITE**INITIALS

Time Arrive: _____

Time Depart: _____

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, has been properly described, classified and packaged, and is in proper condition for transportation according to applicable regulations.

*E Paulakis of Longman as agent for
241 W. 28th St Owner LLC*

Generator/Authorized Agent Name (Print)

Signature

12/22/20
Shipment Date**TRANSPORTER**Transporter Name: MendezDriver Name (Print): X M Mosios

Address: _____

Vehicle License No/State/EPA No.: AW612BCity, State, Zip: Belleville NJTruck Number: 24

I hereby certify that the above named material was picked up at the generator site listed above.

I hereby certify that the above named material was delivered without incident to the destination listed below.

Driver Signature

Date

Driver Signature

Date

DESTINATIONSite Name: PURE SOIL TECHNOLOGIESPhone: (732) 657-8551

Address: _____

655 SOUTH HOPE CHAPEL ROAD, JACKSON, NJ 08527

Business hours are: Monday through Friday 7 AM to 5 PM. Saturday By Appointment Only.

I hereby certify that the above named material has been accepted and to the best of my knowledge the foregoing is true and accurate.

Name of Authorized Agent

Signature

12/22/20
Receipt Date

Form: PST CB

TRANSPORTER COPY



Orqel Arriaga
Pure Soil Technologies
655 SOUTH HOPE CHAPEL RD
JACKSON, NJ 08527
732-657-8551

CUSTOMER:		CUSTOMER NO: 3673	TICKET NO: 282044
EARTHEFFICIENT			DATE: 12/22/20
30 W MAIN STREET SUITE 217			TIME: 01:54 PM
RIVERHEAD NY 11901			
631-209-4245			
JOB NAME:	JOB NO: 2011009	QUOTE NO: 2011-008	MANIFEST NO: 136339
241 WEST 28TH STREET (NYSDEC BCP#C231139)			
241 WEST 28TH STREET			PRODUCT: JR66
NEW YORK NY 10001			JR66 SOIL

CARRIER: MENDEZ TRUCKING TRUCK NO: MEN28 LIC. PLATE: AU550Z

<u>DAILY LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>	METRIC (MG)	ENGLISH (TN)	
6	160.64	177.07	41.24 Mg	GROSS	45.46 TN
<u>TO-DATE LOADS</u>	<u>METRIC</u>	<u>TONNAGE</u>	13.75 Mg	TARE	15.16 TN
98	2552.78	2813.91	27.49 Mg	NET	30.30 TN

* = manual weight

RECIEVED BY: _____
WEIGHMASTER: JAMES MATTHEWS NJWMS #31489

**PURE SOIL TECHNOLOGIES**

P.O. Drawer 43

Farmingdale, NJ 07727

Phone: 732.308.1113 Fax: 732.462.9626

Orgel A:

136339**Weigh Scale Ticket #****# escala de boleto****NON-HAZARDOUS MATERIAL MANIFEST**You must return 4 copies of this manifest upon delivery.**SITE INFORMATION**Site Name: 241 WEST 28TH STREET (NYSDEC BCP#C23)Address: 241 WEST 28TH STREETCity, State, Zip: NEW YORK, NY 10001**AGENT / CONSULTANT**Name: EARTHEFFICIENT LLCContact Name: Eirene Pavlakis

Phone: _____

Approval Number2011009**Description of Material**

Non-Haz Contaminated Soil

WC02-5-10**** Must be Initialed By Authorized Agent.****SITE******INITIALS**

Time Arrive: _____

Time Depart: _____

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, has been properly described, classified and packaged, and is in proper condition for transportation according to applicable regulations.

Generator/Authorized Agent Name (Print)

Signature

Shipment Date

TRANSPORTERTransporter Name: Mender

Address: _____

City, State, Zip: Bellerike NJDriver Name (Print): X Orgel ArriagaVehicle License No/State/EPA No: AU550219Truck Number: 28

I hereby certify that the above named material was picked up at the generator site listed above.

I hereby certify that the above named material was delivered without incident to the destination listed below.

Driver Signature

Date

Driver Signature

Date

DESTINATIONSite Name: PURE SOIL TECHNOLOGIESPhone: (732) 667-8661Address: 655 SOUTH HOPE CHAPEL ROAD, JACKSON, NJ 08527

Business hours are: Monday through Friday 7 AM to 5 PM. Saturday By Appointment Only.

I hereby certify that the above named material has been accepted and to the best of my knowledge the foregoing is true and accurate.

Name of Authorized Agent

Signature

Receipt Date

Form: PST CB

TRANSPORTER COPY

NON-HAZARDOUS WASTE MANIFEST

Front Tank

Please print or type (Form designed for use on elite (12 pitch) typewriter)

NON-HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. N/A		Manifest Document No. W 28 - 2		2. Page 1 of 1	
3. Generator's Name and Mailing Address 241 West 28th Street Owner LLC 142 West 57th St. New York, NY 10019				241 West 28th Street New York, NY			
4. Generator's Phone (917) 816-8172							
5. Transporter 1 Company Name PAL Environmental Services, Inc		6. US EPA ID Number NYR000134791		A. State Transporter's ID			
				B. Transporter 1 Phone		718-349-0900	
7. Transporter 2 Company Name		8. US EPA ID Number		C. State Transporter's ID			
				D. Transporter 2 Phone			
9. Designated Facility Name and Site Address Clean Waters of New York 3244 Richmond Terrace Staten Island, NY 10303		10. US EPA ID Number NYD000968545		E. State Facility's ID			
				F. Facility's Phone		718-981-4600	
11. WASTE DESCRIPTION			Containers No. Type		13. Total Quantity		14. Unit Wt./Vol.
a. Non Hazardous, Non DOT Regulated Material (Oily Water)			001 TT		511		G
b.							
c.							
d.							
G. Additional Descriptions for Materials Listed Above				H. Handling Codes for Wastes Listed Above			
15. Special Handling Instructions and Additional Information 1) 11a.) Approval Number 47-562 Job Number 20-6544							
16. GENERATOR'S CERTIFICATION: I hereby certify that the contents of this shipment are fully and accurately described and are in all respects in proper condition for transport. The materials described on this manifest are not subject to federal hazardous waste regulations.							
Printed/Typed Name				Signature		Date	
Monique Cuthrie				M. Cuthrie		Month Day Year 2 11 21	
17. Transporter 1 Acknowledgement of Receipt of Materials						Date	
Printed/Typed Name				Signature		Month Day Year	
Eusi Watkins				Watkins		2 11 21	
18. Transporter 2 Acknowledgement of Receipt of Materials						Date	
Printed/Typed Name				Signature		Month Day Year	
19. Discrepancy Indication Space							
20. Facility Owner or Operator: Certification of receipt of the waste materials covered by this manifest, except as noted in item 19.						Date	
Printed/Typed Name				Signature		Month Day Year	
Alexian Acevedo				[Signature]		2 11 21	

GENERATOR

TRANSPORTER

FACILITY

NON-HAZARDOUS WASTE MANIFEST

2/24 4289267

Please print or type (Form designed for use on elite (12 pitch) typewriter)

NON-HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. N/A		Manifest Document No. W 2 8 - 1		2. Page 1 of 2	
3. Generator's Name and Mailing Address 241 West 28th Street Owner LLC 142 West 57th St. New York, NY 10019				241 West 28th Street New York, NY			
4. Generator's Phone (212) 816-8172							
5. Transporter 1 Company Name PAL Environmental Services, Inc		6. US EPA ID Number NYR000134791		A. State Transporter's ID			
7. Transporter 2 Company Name Innovative Recycling Technology		8. US EPA ID Number NYR000134940		B. Transporter 1 Phone 718-349-0900			
9. Designated Facility Name and Site Address Republic Environmental Systems (PA), LLC 2869 Sandstone Drive Hartfield, PA 19440		10. US EPA ID Number PAD085690592		C. State Transporter's ID			
				D. Transporter 2 Phone 631-225-3044			
				E. State Facility's ID			
				F. Facility's Phone 215-822-8995			
11. WASTE DESCRIPTION				Containers		13. Total Quantity	
				No.	Type	14. Unit Wt./Vol.	
a. Non Hazardous, Non DOT Regulated Material (Tank Bottom Sludge)				2	DM	400	P
b.							
c.							
d.							
G. Additional Descriptions for Materials Listed Above				H. Handling Codes for Wastes Listed Above			
15. Special Handling Instructions and Additional Information 1) 11a.) Approval Number _____ Job Number 20-6544 DOC#098399-21							
16. GENERATOR'S CERTIFICATION: I hereby certify that the contents of this shipment are fully and accurately described and are in all respects in proper condition for transport. The materials described on this manifest are not subject to federal hazardous waste regulations.							
Printed/Typed Name Monique Curtin				Signature M. Curtin		Date 2/11/2021	
17. Transporter 1 Acknowledgement of Receipt of Materials				Printed/Typed Name Jose R Portillo		Signature [Signature]	
18. Transporter 2 Acknowledgement of Receipt of Materials				Printed/Typed Name Francis M. Shant		Signature [Signature]	
19. Discrepancy Indication Space						Date 2/15/21	
20. Facility Owner or Operator: Certification of receipt of the waste materials covered by this manifest, except as noted in item 19.							
Printed/Typed Name MARVEV DUTIN				Signature [Signature]		Date 02/24/21	

NON-HAZARDOUS WASTE

GENERATOR

TRANSPORTER

FACILITY

CERTIFICATE OF TREATMENT, RECYCLING, AND/OR DISPOSAL

CleanEarth

Page # 1

Generator: 660038 - 241 WEST 28TH STREET OWNER

Facility: REPUBLIC ENV SYS (PA) LLC

241 WEST 28TH STREET

2869 SANDSTONE DRIVE

NEW YORK NY, 10001

HATFIELD PA, 19440

EPA ID: CESQG

EPA ID: PAD085690592

Manifest #: W28-1

Waste Receipt #: HAT-7147X

Date Received: 02/24/2021

Line Profile	Material Description	Treatment/ Disposal Description
1 1715001-00	NON HAZARDOUS TANK BOTTOMS, NON DOT REGULATED MATERIAL	H141 STORAGE, BULKING, AND/OR TRANSFER OFF-SITE - NO TREATMENT/RECOVERY/BLENDING

Name: MARCIA THOMAS

Signature :

Marcia Thomas

Title : Logistic Coordinator

NON-HAZARDOUS WASTE MANIFEST

4354592 4/16

Please print or type (Form designed for use on elite (12 pitch) typewriter)

NON-HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. N/A		Manifest Document No. W 2 8 - 4		2. Page 1 of 2	
3. Generator's Name and Mailing Address 241 West 28th Street Owner LLC 142 West 57th St. New York, NY 10019				241 West 28th Street New York, NY			
4. Generator's Phone (917) 816-8172							
5. Transporter 1 Company Name PAL Environmental Services, Inc		6. US EPA ID Number NYR000134791		A. State Transporter's ID			
7. Transporter 2 Company Name Innovative Recycling Technology		8. US EPA ID Number NYR000134940		B. Transporter 1 Phone 718-349-0900			
9. Designated Facility Name and Site Address Republic Environmental Systems (PA), LLC 2869 Sandstone Drive Hatfield, PA 19440		10. US EPA ID Number PAD085690592		C. State Transporter's ID			
				D. Transporter 2 Phone 631-225-3044			
				E. State Facility's ID			
				F. Facility's Phone 215-822-8995			
11. WASTE DESCRIPTION		Containers		13. Total Quantity		14. Unit Wt./Vol.	
		No. Type					
a. Non Hazardous, Non DOT Regulated Material (Tank Bottom Sludge)		1 DM		200		P	
b.							
c.							
d.							
G. Additional Descriptions for Materials Listed Above				H. Handling Codes for Wastes Listed Above			
15. Special Handling Instructions and Additional Information 1) 11a.) Approval Number Doc# 219112-Z1 Job Number 20-6544							
16. GENERATOR'S CERTIFICATION: I hereby certify that the contents of this shipment are fully and accurately described and are in all respects in proper condition for transport. The materials described on this manifest are not subject to federal hazardous waste regulations.							
Printed/Typed Name Monique Cuthbert				Signature M. Cuthbert		Date Month Day Year 4 8 2021	
17. Transporter 1 Acknowledgement of Receipt of Materials				Signature		Date Month Day Year 4 8 2021	
Printed/Typed Name Joseph R. B...				Signature		Date Month Day Year 4 8 2021	
18. Transporter 2 Acknowledgement of Receipt of Materials				Signature		Date Month Day Year 4 14 21	
Printed/Typed Name James V...				Signature		Date Month Day Year 4 14 21	
19. Discrepancy Indication Space							
20. Facility Owner or Operator: Certification of receipt of the waste materials covered by this manifest, except as noted in item 19.							
Printed/Typed Name MALVEV...				Signature		Date Month Day Year 04/16/21	

NON-HAZARDOUS WASTE

GENERATOR

TRANSPORTER

FACILITY



NON-HAZARDOUS WASTE MANIFEST (Continuation Sheet)		19. Generator ID Number N/A	20. Page 2	21. Waste Tracking Number W28-4	
22. Generator's Name 241 West 28th Street NY					
23. Transporter 3 Company Name Appl Env Sph Lp LLC			U.S. EPA ID Number R00182661381		
24. Transporter _____ Company Name			U.S. EPA ID Number		
GENERATOR	25. Waste Shipping Name and Description		26. Containers		27. Total Quantity
			No.	Type	28. Unit Wt./Vol.
29. Special Handling Instructions and Additional Information					
30. Transporter 3 Acknowledgment of Receipt of Materials					
Printed/Typed Name Paul B. [Signature]		Signature [Signature]		Month 9	Day 15
31. Transporter _____ Acknowledgment of Receipt of Materials					
Printed/Typed Name		Signature		Month	Day
32. Discrepancy					

DESIGNATED FACILITY

TRANSPORTER

CERTIFICATE OF TREATMENT, RECYCLING, AND/OR DISPOSAL

CleanEarth

Page # 1

Generator: 660038 - 241 WEST 28TH STREET OWNER
241 WEST 28TH STREET
NEW YORK NY, 10001

EPA ID: CESQG

Facility: REPUBLIC ENV SYS (PA) LLC
2869 SANDSTONE DRIVE
HATFIELD PA, 19440

EPA ID: PAD08569059

Manifest #: W28-4
Waste Receipt #: HAT-4384Y
Date Received: 04/16/2021

Line Profile	Material Description	Treatment/ Disposal Description
1 1715001-00	NON HAZARDOUS TANK BOTTOMS, NON DOT REGULATED MATERIAL	H141 STORAGE, BULKING, AND/OR TRANSFER OFF-SITE - NO TREATMENT/RECOVERY BLENDING

Name: MARCIA THOMAS

Signature: Marcia Thomas

Title: Logistic Coordinator

NON-HAZARDOUS WASTE MANIFEST

Please print or type (Form designed for use on elite (12 pitch) typewriter)

Back Tank

NON-HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. N/A		Manifest Document No. W 2 8 - 5		2. Page 1 of 1			
3. Generator's Name and Mailing Address 241 West 28th Street Owner LLC 142 West 57th St. New York, NY 10019				241 West 28th Street New York, NY					
4. Generator's Phone (917) 816-8172									
5. Transporter 1 Company Name PAL Environmental Services, Inc		6. US EPA ID Number NYR000134791		A. State Transporter's ID		B. Transporter 1 Phone 718-349-0900			
7. Transporter 2 Company Name		8. US EPA ID Number		C. State Transporter's ID		D. Transporter 2 Phone			
9. Designated Facility Name and Site Address Clean Waters of New York 3244 Richmond Terrace Staten Island, NY 10303		10. US EPA ID Number NYD000968545		E. State Facility's ID		F. Facility's Phone 718-981-4800			
11. WASTE DESCRIPTION				Containers		13. Total Quantity			
				No. Type					
				a. Non Hazardous, Non DOT Regulated Material (Oily Water)		001 TT		532	
				b.					
				c.					
d.									
G. Additional Descriptions for Materials Listed Above				H. Handling Codes for Wastes Listed Above					
15. Special Handling Instructions and Additional Information 1) 11a.) Approval Number 47-562 Job Number 20-6544									
16. GENERATOR'S CERTIFICATION: I hereby certify that the contents of this shipment are fully and accurately described and are in all respects in proper condition for transport. The materials described on this manifest are not subject to federal hazardous waste regulations.									
Printed/Typed Name Max Latwin EE				Signature 		Date 4/26/21			
17. Transporter 1 Acknowledgement of Receipt of Materials				Signature 		Date 4/26/21			
Printed/Typed Name Euseb Watkins				Signature 		Date 4/26/21			
18. Transporter 2 Acknowledgement of Receipt of Materials				Signature		Date			
Printed/Typed Name				Signature		Date			
19. Discrepancy Indication Space									
20. Facility Owner or Operator: Certification of receipt of the waste materials covered by this manifest, except as noted in item 19.									
Printed/Typed Name Carlos Herrera				Signature 		Date 5/3/21			

NON-HAZARDOUS WASTE

GENERATOR

TRANSPORTER

FACILITY

ATTACHMENT D

SCRAP METAL TICKETS



1301 GRAND STREET
BROOKLYN, NY 11211

718-497-1950
NYC DCA 2029037
NYSDEC 24V30001
DSNY 2017-SR-010

Weigh Ticket#: A32801 Recv Date: 12/21/2020

Account:
C. KEARNEY
3100 LAUREL HILL BLVD

Ship fr Code:
3100 LAUREL HILL BLVD
MASPETH NY

MASPETH NY 11378

Driver Lic#:

Control #: 329071

Nite Ctl#:

Carrier:

Truck #:

Plate #:

COMMODITY: STEEL

	<u>WEIGHT</u>	<u>DATE & TIME Printed:</u>
Gross:	48200 Lbs.	
Tare:	42400 Lbs.	12/21/2020 3:42:41 PM
Wgt Adj/Deduct:	0 Lbs.	Weigher: FLC
Net:	5800 Lbs.	

This is to certify that I delivered the above material for the above named Seller/Supplier, and that the above load does not contain any unacceptable/prohibited materials, and complies with Empire Metal Trading LLC's Recycling & Emissions Reduction Policy.

Seller:

****THIS TICKET IS REQUIRED FOR PAYMENT****



1301 GRAND STREET
BROOKLYN, NY 11211

718 497 1900

NYC DEC 201939

NY501C 2400001

CENY 2017ER-212

Weight Ticket# A34890

Rec'd Date 03/02/2001

Account

C KEARNEY

3100 LAUREL HILL BLVD

Ship to Code

3100 LAUREL HILL BLVD

MASPETH NY

MASPETH

NY

11378

Driver Lic#

Control # 331818

Nitz C#

Carrier

Truck #

Plate #

COMMODITY STEEL

	<u>WEIGHT</u>	<u>DATE & TIME (Pickup)</u>
Gross	22150 Lbs.	
Tare	19080 Lbs.	03/02/2001 10:17:33 AM
Wgt. Adj/Deduct	0 Lbs.	Weighter 20
Net	3100 Lbs.	

This is to certify that I delivered the above material for the above named Seller/Supplier and that the above load does not contain any unacceptable/prohibited materials and complies with Empire Metal Trading LLC's Recycling & Emissions Reduction Policy.

Seller

THIS TICKET IS REQUIRED FOR PAYMENT

ATTACHMENT E

INVOICES



December 9, 2020

PAL Proposal Number P-S20-1954 REVISED
Page 1 of 2

Earth Efficient
30 W. Main Street
Riverhead, NY 11901
Attn: Mr. Ethan Szerlip
Office: 631-209-4245
Mobile: 631-339-0927
Email: Ethan@earthefficient.com

Ref: 241 W. 28th Street, New York NY

Re: PAL Proposal # P-S20-1954; Fuel Oil System Removal

In accordance with your request, I have provided herewith a proposal for additional environmental contracting services at the referenced location. We propose to supply the necessary Insurance, labor, materials and equipment to perform the following:

A. SCOPE OF WORK:

- Pump and cut off the top of two (2) 550 gallon UST's containing oily water and concrete slurry.
- Transportation and disposal of six (6) 550 gallon UST tank scraps.
- Transportation and dispose of all waste generated during tank cleaning activities.
- Provide an FDNY affidavit for the closure of the UST's.

Price for this work:

Labor, equipment and materials to pump out oily water from UST's @ \$	\$	0
Labor, equipment and materials to cut tops of two (2) UST's @ \$	\$	0
Transportation and disposal of tanks @ \$	\$	0
Transportation and disposal of fuel oil/water @ \$	\$	0
FDNY Affidavit (Gasoline Tanks) @ \$	\$	0
TOTAL ESTIMATE	\$	0

B. CONDITIONS, CLARIFICATIONS AND EXCLUSIONS

- Our price is contingent upon the receipt of a Certificate of Capital Improvement (CCI). If no CCI, sales tax shall be assessed.
- Price based on non union labor during normal business hours.
- Holidays and weekends are excluded.
- Tanks to be excavated and loaded into PAL truck by others.
- The tops of the remaining four (4) UST's to be cut by others. If you would like PAL to remove the tops of the remaining (4) UST's an additional \$1,000.00 would apply.
- Concrete slurry to be removed from the tank interiors and disposed by others.
- NYSDEC filings and closure report to be done by others.
- Endpoint/sidewall sampling to be done by others.

Page Number 2
Proposal P-S20-1954
241 W. 28th Street
December 9, 2020

- A purchase order or contract agreement for the work described in this proposal must be issued prior to the start of work. Please be advised that in the event a purchase order or contract agreement is not issued insurance coverage will not bind to this project.

C. INSURANCE

- \$2 mil. each occurrence, \$4 mil. general aggregate with a \$23 mil. Umbrella policy.
- Includes asbestos, lead and pollution coverage.
- Increased limits are available upon request.

D. PAYMENT SCHEDULE

- Payments are due 30 days upon completion. A finance charge of 1.5% per month (18% per annum) shall be added to past due balances.

If you have questions, I can be contacted on mobile (516)779-5234 or office (718) 349-0900.

Respectfully Submitted,



Michael Baldwin
Project Manager

A fully executed Contract or Purchase Order for the full contract price shall be necessary in order to initiate project commencement. By signing below, the client acknowledges his/her authority and intention to enter into such an agreement based upon the above proposal.

Date Accepted: 12.11.20

Signed: 

Print: Ethan Szerlip

Title: Environmental Scientist



PAL

ENVIRONMENTAL SERVICES

February 10, 2021

PAL Proposal Number P-S21-0237 REVISED

Page 1 of 2

Earth Efficient
30 W. Main Street
Riverhead, NY 11901
Attn: Mr. Ethan Szerlip
Office: 631-209-4245
Mobile: 631-339-0927
Email: Ethan@earthefficient.com

Ref: 241 W. 28th Street, New York NY

Re: PAL Proposal # P-S21-0237; Fuel Oil System Removal

In accordance with your request, I have provided herewith a proposal for additional environmental contracting services at the referenced location. We propose to supply the necessary Insurance, labor, materials and equipment to perform the following:

A. SCOPE OF WORK:

- Pump, cut, clean and dispose of one (1) 550 gallon underground storage tank (UST) containing gasoline and water and one (1) 1,080 gallon UST containing #4 fuel oil.
- Transportation and dispose of all waste generated during tank cleaning activities.
- Provide an FDNY affidavit for the closure of the UST's.

Price for this work:

Labor, equipment and materials to cut, clean UST's @	lift	
Transportation and disposal of fuel oil/water @	allon (estimated 300 gallon min))
Transportation and disposal of tank bottom sludge @	um (estimated 2 drums))
FDNY Affidavit (Gasoline Tank) @)	10
FDNY Affidavit (Fuel Oil Tank) @		

TOTAL ESTIMATE

B. CONDITIONS, CLARIFICATIONS AND EXCLUSIONS

- Our price is contingent upon the receipt of a Certificate of Capital Improvement (CCI). If no CCI, sales tax shall be assessed.
- Price based on non union labor during normal business hours.
- Holidays and weekends are excluded.
- Tanks to be excavated and disposed of by others.
- NYSDEC filings and closure report to be done by others.
- Endpoint/sidewall sampling to be done by others.

Page Number 2
Proposal P-S21-0237
241 W. 28th Street
February 10, 2021

- A purchase order or contract agreement for the work described in this proposal must be issued prior to the start of work. Please be advised that in the event a purchase order or contract agreement is not issued insurance coverage will not bind to this project.

C. INSURANCE

- \$2 mil. each occurrence, \$4 mil. general aggregate with a \$23 mil. Umbrella policy.
- Includes asbestos, lead and pollution coverage.
- Increased limits are available upon request.

D. PAYMENT SCHEDULE

- Payments are due 30 days upon completion. A finance charge of 1.5% per month (18% per annum) shall be added to past due balances.

If you have questions, I can be contacted on mobile (516)779-5234 or office (718) 349-0900.


Respectfully Submitted,



Michael Baldwin
Project Manager

A fully executed Contract or Purchase Order for the full contract price shall be necessary in order to initiate project commencement. By signing below, the client acknowledges his/her authority and intention to enter into such an agreement based upon the above proposal.

Date Accepted: 02/10/21

Signed:  Ethan Szerlip,
LEED GA

Print: Ethan Szerlip

Title: Environmental Project Manager



PAL

ENVIRONMENTAL SERVICES

April 6, 2021

PAL Proposal Number P-S21-0590

Page 1 of 2

Earth Efficient
30 W. Main Street
Riverhead, NY 11901
Attn: Mr. Ethan Szerlip
Office: 631-209-4245
Mobile: 631-339-0927
Email: Ethan@earthefficient.com

Ref: 241 W. 28th Street, New York NY

Re: PAL Proposal # P-S21-0590; Fuel Oil System Removal

In accordance with your request, I have provided herewith a proposal for additional environmental contracting services at the referenced location. We propose to supply the necessary Insurance, labor, materials and equipment to perform the following:

A. SCOPE OF WORK:

- Cut, clean and dispose of one (1) 15 gallon waste oil tank.
- Transportation and dispose of all waste generated during tank cleaning activities.
- Provide an FDNY affidavit for the closure of the UST.

Price for this work:

Labor, equipment and materials to cut and clean tank @	\$	0
Transportation and disposal of tank @	\$	n
Transportation and disposal of tank bottoms @ \$ /drum (1 drum)	\$	
FDNY Affidavit @ \$	\$	
TOTAL ESTIMATE	\$	

B. CONDITIONS, CLARIFICATIONS AND EXCLUSIONS

- Our price is contingent upon the receipt of a Certificate of Capital Improvement (CCI). If no CCI, sales tax shall be assessed.
- Price based on non union labor during normal business hours.
- Holidays and weekends are excluded.
- NYSDEC filings and closure report to be done by others.
- Endpoint/sidewall sampling to be done by others.
- **A purchase order or contract agreement for the work described in this proposal must be issued prior to the start of work. Please be advised that in the event a purchase order or contract agreement is not issued insurance coverage will not bind to this project.**

Page Number 2
Proposal P-S21-0590
241 W. 28th Street
April 6, 2021

C. INSURANCE

- \$2 mil. each occurrence, \$4 mil. general aggregate with a \$23 mil. Umbrella policy.
- Includes asbestos, lead and pollution coverage.
- Increased limits are available upon request.

D. PAYMENT SCHEDULE

- Payments are due 30 days upon completion. A finance charge of 1.5% per month (18% per annum) shall be added to past due balances.

If you have questions, I can be contacted on mobile (516)779-5234 or office (718) 349-0900.


Respectfully Submitted,



Michael Baldwin
Project Manager

A fully executed Contract or Purchase Order for the full contract price shall be necessary in order to initiate project commencement. By signing below, the client acknowledges his/her authority and intention to enter into such an agreement based upon the above proposal.

Date Accepted: 04.07.21

Signed:  Ethan Szerlip,
LEED GA

Print: Ethan Szerlip

Title: Environmental Scientist



April 21, 2021

PAL Proposal Number P-S20-1954B
Page 1 of 2

EarthEfficient
30 W. Main Street
Riverhead, NY 11901
Attn: Mr. Ethan Szerlip
Office: 631-209-4245
Mobile: 631-339-0927
Email: Ethan@earthefficient.com

Ref: 241 W. 28th Street, New York NY

Re: PAL Proposal # P-S20-1954B; Fuel Oil System Removal

In accordance with your request, I have provided herewith a proposal for additional environmental contracting services at the referenced location. We propose to supply the necessary Insurance, labor, materials and equipment to perform the following:

A. SCOPE OF WORK:

- Pump, cut, clean, and dispose of one (1) 550 gallon underground storage tank (UST) containing approximately 550 gallons of fuel oil and water.
- Transportation and dispose of all waste generated during tank cleaning activities.
- Provide an FDNY affidavit for the closure of the UST.

Price for this work:

Vacuum Truck and Operator @ \$	1 shift (estimated 1 shift)	\$)
Labor, equipment and materials to clean UST @	1 shift (estimated 1 shift)	\$)
Transportation and disposal of fuel oil tank bottoms @	100/drum (estimated 1 drum)	\$	
Transportation and disposal of fuel oil/water @ \$	1 (estimated 550 gallon)	\$	
FDNY Affidavit (Fuel Oil Tanks) @ \$		\$	

TOTAL ESTIMATE

\$

B. CONDITIONS, CLARIFICATIONS AND EXCLUSIONS

- Our price is contingent upon the receipt of a Certificate of Capital Improvement (CCI). If no CCI, sales tax shall be assessed.
- Price based on non union labor during normal business hours.
- Holidays and weekends are excluded.
- Tanks to be excavated and loaded into PAL truck by others.
- Price does not include removal and disposal of contaminated soil/groundwater.
- PBS tank registration and tank closure to be done by others.
- Endpoint sampling to be done by others.

Page Number 2
Proposal P-S20-1954B
241 W. 28th Street
April 21, 2021

- A purchase order or contract agreement for the work described in this proposal must be issued prior to the start of work. Please be advised that in the event a purchase order or contract agreement is not issued insurance coverage will not bind to this project.

C. INSURANCE

- \$2 mil. each occurrence, \$4 mil. general aggregate with a \$23 mil. Umbrella policy.
- Includes asbestos, lead and pollution coverage.
- Increased limits are available upon request.

D. PAYMENT SCHEDULE

- Payments are due 30 days upon completion. A finance charge of 1.5% per month (18% per annum) shall be added to past due balances.

If you have questions, I can be contacted on mobile (516)779-5234 or office (718) 349-0900.

Respectfully Submitted,



Michael Baldwin
Project Manager

A fully executed Contract or Purchase Order for the full contract price shall be necessary in order to initiate project commencement. By signing below, the client acknowledges his/her authority and intention to enter into such an agreement based upon the above proposal.

Date Accepted: 04/21/21

Signed:  Ethan Szerlip,
LEED GA

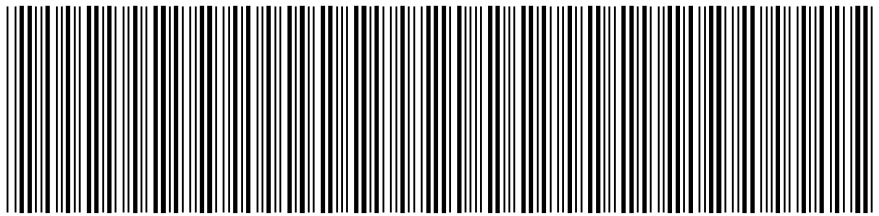
Print: Ethan Szerlip

Title: Environmental PM

ATTACHMENT F
PROPERTY DEEDS

**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.



2010112400175001001EC3AD

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 6

Document ID: 2010112400175001

Document Date: 11-18-2010

Preparation Date: 11-24-2010

Document Type: DEED

Document Page Count: 5

PRESENTER:

FIRST AMERICAN TITLE INSURANCE- PICK UP
GSULLIVAN
633 THIRD AVENUE
3008-335034 ML ACCOM
NEW YORK, NY 10017
212-850-0670

RETURN TO:

VICTORIA A. MORRISON, ESQ
100 WASHINGTON STREET
NEWARK, NJ 07102

PROPERTY DATA

Borough	Block	Lot	Unit	Address
MANHATTAN	778	13	Entire Lot	249 WEST 28TH STREET

Property Type: COMMERCIAL REAL ESTATE

Borough	Block	Lot	Unit	Address
MANHATTAN	778	66	Entire Lot	250 WEST 29TH STREET

Property Type: COMMERCIAL REAL ESTATE

CROSS REFERENCE DATA

CRFN _____ or Document ID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____

PARTIES

GRANTOR/SELLER:

EDISON PROPERTIES LLC
100 WASHINGTON STREET
NEWARK, NJ 07102

GRANTEE/BUYER:

249 W. 28TH STREET PROPERTIES, LLC
100 WASHINGTON STREET
NEWARK, NJ 07012

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: \$ 65.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 0.00

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

Recorded/Filed 11-26-2010 16:01

City Register File No.(CRFN):

2010000398414



Annette McHill

City Register Official Signature

DEED

THIS INDENTURE, made as of the 18th day of November, 2010, between Edison Properties, LLC, having an address at 100 Washington Street, Newark, New Jersey 07102, ("EPL"), and 249 W. 28th Street Properties, LLC, having an address at 100 Washington Street, Newark, New Jersey 07102, ("249"),

WITNESSETH

WHEREAS, EPL received title to the property described on Exhibit A attached hereto (the "Property") pursuant to deeds recorded in the Office of the City Register, New York County dated December 29, 2000 and recorded on February 15, 2001 in the Office of the City Register of the City of New York in Reel 3240, Page 0281, and by confirmatory deed dated August 31, 2001 and recorded on November 20, 2001 in the Office of the City Register of the City of New York in Reel 3394, Page 0103 (the "Original Deeds");

WHEREAS, EPL intended to convey the Property to EPL Realty Holdings, LLC ("Holdings") pursuant to that certain deed dated December 22, 2003 and recorded on September 23, 2004 in the Office of the City Register, New York County at City Register File No 2004000597559 (the "12/2003 Deed");

WHEREAS, as a result of a scrivener's error, a recitation stated that only part of the property previously conveyed by the Original Deeds was being conveyed and the 12/2003 deed contained an unintended reservation of oil, gas and mineral rights to EPL;

WHEREAS, EPL at all times intended to and has believed that it conveyed the Property and did not retain any interest therein whatsoever;

WHEREAS, Holdings, the grantee under the 12/2003 Deed, conveyed the entirety of the Property conveyed to EPL by the Original Deeds, to Paula and Jerry Gottesman Family Supporting Foundations, Inc. ("Foundations") by deed dated as of August 31, 2004, recorded September 23, 2004 in the Office of the City Register, New York County as CRFN 2004000597560 (the "8/2004 Deed");

WHEREAS, Foundations, the grantee under the 8/2004 Deed conveyed the entirety of the Property conveyed to Holdings by the 12/2003 Deed to 249 by deed dated as of August 31, 2004, recorded September 23, 2004 in the Office of the City Register, New York County as CRFN 2004000597561;

WHEREAS, EPL desires to correct this scrivener's error and confirm that the 12/2003 Deed was intended to convey all of its right, title and interest in and to the Property without exception;

WHEREAS, to correct such scrivener's error EPL, hereby grants this confirmatory deed and does hereby grant and release unto 249, the heirs or successors and assigns of 249 forever,

ALL right, title and interest of EPL, in and to all that certain plot, piece or parcel of land, with the buildings and improvements thereon, erected, situate, lying and being in the City of New York, County of New York and State of New York, and more particularly bounded and described on Exhibit A attached hereto and made a part hereof:

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

TOGETHER with all oil, gas and minerals, on and under the Property owned by EPL, if any;

TOGETHER with the appurtenances and all the estate and rights of EPL in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto 249, the heirs, or successors and assigns of 249 forever.

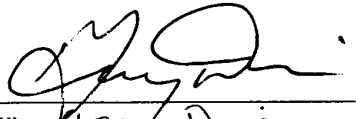
AND EPL, in compliance with Section 13 of the Lien Law, covenants that EPL will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payments 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.

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

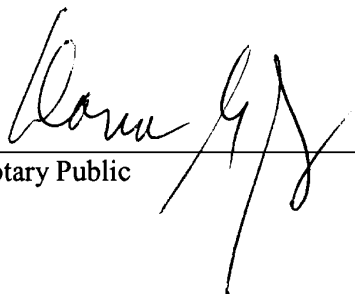
EDISON PROPERTIES, LLC

By: Edison Parking Corporation, Manager


By: GARY PORIN
Its: AUTHORIZED SIGNATORY

STATE OF NEW JERSEY)
) ss.:
COUNTY OF ESSEX)

On the 18th day of November, 2010, before me, the undersigned, personally appeared GARY PORIN, 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 capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed this instrument.



Notary Public

SEAL

DONNA M. POLGAR
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Apr. 15, 2012

Exhibit A

Parcel 1: Beginning at a point on the southerly side of 29th Street distant 155 feet easterly from the corner formed by the intersection of the easterly side of 8th Avenue with the southerly side of 29th Street running;

Thence southerly parallel with 8th Avenue, 40 feet 1 ½ inches, more or less, to land formerly of Hammersley and Cudlip;

Thence easterly in a diagonal line extending towards 29th Street along said Hammersley's land 25 feet 1-3/4 inches to land formerly of Thomas Cramer;

Thence northerly parallel with 8th Avenue, 37 feet 5-1/2, more or less, to the southerly side of 29th Street, and then westerly along the southerly side of 29th Street, 25 feet to the point or place of BEGINNING.

Said Premises being now known as and by the street number 250 West 29th Street; and as Lot 66 in Block 778

Parcel 2: An outstanding strip lying North of the northerly wall of the building on premises known as 249-251 W. 28th Street and as tax lot 13 in Block 778 Section 3 through the southerly line Parcel 1 above.

BARGAIN & SALE DEED
Without Covenant Against Grantors' Acts

EDISON PROPERTIES, LLC

A New Jersey limited liability company

-to-

249 W. 28TH STREET PROPERTIES, LLC

A New York limited liability company

Block 778

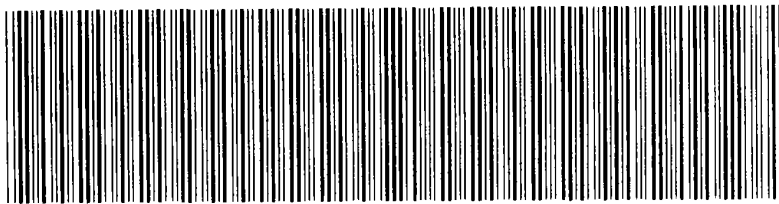
Lot 66 and 13

County: New York

Record and Return to:

Victoria A. Morrison, Esq.
100 Washington Street
Newark, New Jersey 07102

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**



2010112400175001001S0D2C

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2010112400175001

Document Date: 11-18-2010

Preparation Date: 11-24-2010

Document Type: DEED

ASSOCIATED TAX FORM ID: 2010111800335

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

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

2
3



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: MANHATTAN BLOCK: 778 LOT: 13
- (2) Property Address: 249 WEST 28TH STREET, NEW YORK, NY 10001
- (3) Owner's Name: 249 W. 28TH STREET PROPERTIES, LLC
- Additional Name: _____

Affirmation:



Your water & sewer bills will be sent to the property address shown above.

Customer Billing Information:

Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit www.nyc.gov/dep to provide us with the other party's information.

Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

249 W. 28th Street Properties, LLC

Print Name of Owner:

Signature:

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

GARY DORIN

VICE PRESIDENT

EDISON PARKING CORPORATION

(MANAGER OF LIMITED LIABILITY COMPANY) Date (mm/dd/yyyy)

SEAL

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
MANHATTAN	778	66	250 WEST 29TH STREET	NY	NY	10001

201011180033510103

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

(Rev 11/2002)

PROPERTY INFORMATION

1. Property Location 249 WEST 28TH STREET MANHATTAN 10001
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name 249 W. 28TH STREET PROPERTIES, 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

4. Indicate the number of Assessment Roll parcels transferred on the deed 2 # of Parcels OR ☐ Part of a Parcel

5. Deed Property Size X OR ACRES
 FRONT FEET DEPTH

6. Seller Name EDISON PROPERTIES LLC
 LAST NAME / COMPANY FIRST NAME

7. New Construction on Vacant Land ☐

8. 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 11 / 18 / 2010
 Month Day Year

11. Date of Sale / Transfer 11 / 18 / 2010
 Month Day Year

12. Full Sale Price \$ 0
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

14. Check one or more of these conditions as applicable to transfer:

A ☐ Sale Between Relatives or Former Relatives
 B ☒ Sale Between Related Companies or Partners in Business
 C ☐ One of the Buyers is also a Seller
 D ☐ Buyer or Seller is Government Agency or Lending Institution
 E ☐ Deed Type not Warranty or Bargain and Sale (Specify Below)
 F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)
 G ☐ Significant Change in Property Between Taxable Status and Sale Dates
 H ☐ Sale of Business is Included in Sale Price
 I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)
 J ☐ None

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

15. Building Class G_6 16. Total Assessed Value (of all parcels in transfer) 6 2 8 2 0 0

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))
MANHATTAN 778 13 MANHATTAN 778 66

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 I 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 GARY DORIN 11/18/10
 VICE PRESIDENT
 EDISON PARKING CORPORATION
 (MANAGER OF LIMITED LIABILITY COMPANY)

BUYER SIGNATURE LAST NAME FIRST NAME

STREET NUMBER 100 Washington Street STREET NAME (AFTER SALE)
 CITY OR TOWN Neward STATE N.J. ZIP CODE 07102

BUYER'S ATTORNEY



AREA CODE TELEPHONE NUMBER
 SELLER

SELLER SIGNATURE GARY DORIN 11/18/10
 VICE PRESIDENT
 EDISON PARKING CORPORATION
 (MANAGER OF LIMITED LIABILITY COMPANY)

10111800335201

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 SIGNATURE		11/18/10 BUYER GARY DORIN VICE PRESIDENT EDISON PARKING CORPORATION (MANAGER OF LIMITED LIABILITY COMPANY)		BUYER'S ATTORNEY	
100 Washington St STREET NUMBER STREET NAME (AFTER SALE)		AREA CODE		TELEPHONE NUMBER	
Newark CITY OR TOWN		NJ STATE		07102 ZIP CODE	
 SELLER SIGNATURE		11/18/10 DATE		SELLER GARY DORIN VICE PRESIDENT EDISON PARKING CORPORATION (MANAGER OF LIMITED LIABILITY COMPANY)	

2010111800335201

TP - 584 Location and description of property conveyed

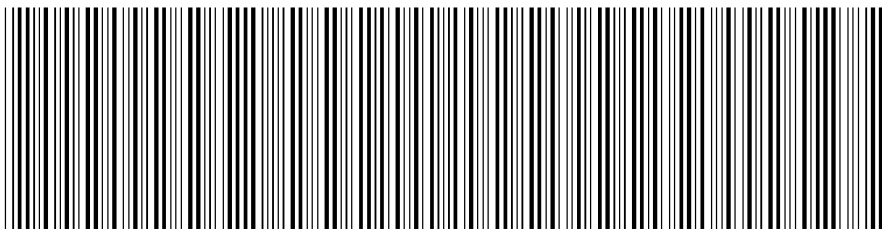
ATTACHMENT

Tax map designation			Address	City/village	Town	County
Section	Block	Lot				
1	778	66	250 WEST 29TH STREET	NEW YORK		MANHATTAN / NEW YORK

201011180033530103

**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.



2020073000559001001EB04C

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 6

Document ID: 2020073000559001

Document Date: 07-30-2020

Preparation Date: 07-30-2020

Document Type: DEED

Document Page Count: 5

PRESENTER:

LAUREN SILK
501 MADISON AVENUE
NEW YORK, NY 10022
917-734-4511
LAUREN@JOSHUASTEIN.COM

RETURN TO:

JOSHUA STEIN PLLC
501 MADISON AVENUE
SUITE 402
NEW YORK, NY 10022
212-688-3300
lauren@joshuastein.com

PROPERTY DATA

Borough	Block	Lot	Unit	Address
MANHATTAN	778	18	Entire Lot	241 WEST 28TH STREET
Property Type: OTHER				

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:

JAY STREET ASSOCIATES, LLC
C/O: EDISON PARKING CORPORATION, 110 EDISON
PLACE, SUITE 300
NEWARK, NJ 07102

GRANTEE/BUYER:

249 W 28TH STREET PROPERTIES, LLC
C/O: EDISON PARKING CORPORATION, 110 EDISON
PLACE, SUITE 300
NEWARK, NJ 07102

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: \$ 62.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 0.00

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

CITY OF NEW YORK

Recorded/Filed 07-31-2020 15:27

City Register File No.(CRFN):

2020000217453



Annette McMill

City Register Official Signature

THIS INSTRUMENT WAS PREPARED BY, AND
AFTER RECORDING PLEASE RETURN, TO:

Joshua Stein PLLC
501 Madison Avenue, Suite 402
New York, NY 10022
Att'n: Joshua Stein, Esq.
File No. 144-02

SPACE ABOVE LINE FOR RECORDER'S USE ONLY

BARGAIN AND SALE DEED WITHOUT COVENANT

JAY STREET ASSOCIATES, LLC, a New York limited
liability company,

GRANTOR

TO

249 W 28TH STREET PROPERTIES, LLC, a New York
limited liability company,

GRANTEE

July 30, 2020

This instrument affects real and personal property situated, lying, and being in the City of New York, State of New York, known as:

Block:	778
Lot:	18
Street Address:	241 West 28th Street
County:	New York

BARGAIN AND SALE DEED WITHOUT COVENANT

THIS BARGAIN AND SALE DEED WITHOUT COVENANT (this “Deed”) is made as of July 30, 2020 (the “Effective Date”), between **JAY STREET ASSOCIATES, LLC** (“Grantor”) and **249 W 28TH STREET PROPERTIES, LLC** (“Grantee”), each a New York limited liability company, and each having an address at 100 Washington Street, Newark, NJ 07102.

Grantor, in consideration of Ten Dollars and other good and valuable consideration paid by Grantee, does forever grant and release unto Grantee and Grantee’s heirs, successors and assigns, forever:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND situate, lying and being in the County of New York, State of New York, more particularly described in **Exhibit A** (the “Land”), which Land is commonly known as 241 West 28th Street, New York, New York, and is (and is intended to be) the same as the premises conveyed to Grantor by deed dated August 8, 2006, and recorded on August 18, 2006 in the Office of the City Register of the City of New York at CRFN 2006000467924;

TOGETHER WITH all buildings and other structures, improvements, and fixtures erected, installed, or located in, on, or at the Land (the “Improvements”; with the Land, the “Property”);

TOGETHER WITH all of Grantor’s right, title, and interest in and to all: (i) easements, rights of way, and other rights appurtenant to the Property; (ii) land lying in the bed of any street or highway, opened or proposed, abutting, in front of or adjoining the Land, to the center line of that street or highway; (iii) strips or gores abutting or adjacent to the Land; and (iv) appurtenances to the Property;

TO HAVE AND TO HOLD the Property unto Grantee and its heirs, successors, and assigns forever;

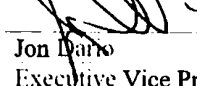
AND Grantor, in compliance with Section 13 of the New York Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will so apply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

IN WITNESS WHEREOF, Grantor has duly executed this Deed as of the Effective Date.

GRANTOR

JAY STREET ASSOCIATES, LLC, a New York limited liability company

By: **EMISON PARKING CORPORATION**, a New Jersey corporation, its Manager

By: 
Name: Jon Dario
Title: Executive Vice President

Attachments:

Acknowledgment
Exhibit A = Legal Description

ACKNOWLEDGMENT

STATE OF NEW JERSEY)
)
COUNTY OF ESSEX)
_____)

On the 24th day of July in the year 2020, before me, the undersigned, personally appeared JON DARJO, 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 capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

VALERIE KLEIN

NOTARY PUBLIC OF NEW JERSEY

Comm. # 50070271

My Commission Expires 10/18/2022

EXHIBIT A

LEGAL DESCRIPTION

All that certain real property lying, being and situate in the City of New York,
County of New York, and State of New York, more particularly described as follows:

BEGINNING at a point on the northerly side of West 28th Street, distant 254 feet 4 inches easterly from the corner formed by the intersection of the northerly side of West 28th Street and the easterly side of 8th Avenue;

RUNNING THENCE northerly along a line forming an interior angle of 91 degrees 03 minutes 40 seconds a distance of 167 feet 9 inches;

THENCE westerly along a line forming an exterior angle of 84 degrees 55 minutes 30 seconds a distance of 1 foot 2- $\frac{3}{4}$ inches;

THENCE northerly along a line forming an interior angle of 83 degrees 51 minutes 50 seconds a distance of 29 feet 11- $\frac{1}{4}$ inches to the southerly side of West 29th Street;

THENCE easterly along the southerly side of West 29th Street 50 feet

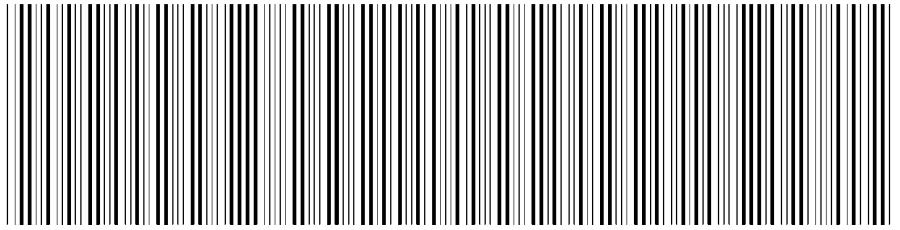
THENCE southerly at right angles to the southerly side of West 29th Street 24 feet 6- $\frac{3}{4}$ inches;

THENCE westerly along a line forming an exterior angle of 83 degrees 51 minutes 50 seconds a distance of 10- $\frac{5}{8}$ inches;

THENCE southerly 173 feet 1 inch to a point on the northerly side of West 28th Street distant 49 feet 9 inches from the point of BEGINNING; and

THENCE westerly along the northerly side of West 28th Street 49 feet 9 inches to the point or place of BEGINNING.

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2020073000559001001S7ECD

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2020073000559001
Document Type: DEED

Document Date: 07-30-2020

Preparation Date: 07-30-2020

ASSOCIATED TAX FORM ID: 2020010600290

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

RP - 5217 REAL PROPERTY TRANSFER REPORT

3

C1. County Code C2. Date Deed Recorded / /
Month Day Year

C3. Book C4. Page

OR

C5. CRFN



STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

1. Property Location	241	WEST 28TH STREET	MANHATTAN	10001
	STREET NUMBER	STREET NAME	BOROUGH	ZIP CODE

2. Buyer Name 249 W 28TH STREET PROPERTIES, 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 1 # of Parcels OR Part of a Parcel

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

5. Deed
Property
Size

FRONT FEET X DEPTH OR ACRES

6. Ownership Type is Condominium


7. New Construction on Vacant Land

8. Seller Name	JAY STREET ASSOCIATES, LLC	
	LAST NAME / COMPANY	FIRST NAME
	LAST NAME / COMPANY	FIRST NAME

A	<input type="checkbox"/>	One Family Residential	C	<input type="checkbox"/>	Residential Vacant Land	E	<input checked="" type="checkbox"/>	Commercial	G	<input type="checkbox"/>	Entertainment / Amusement	I	<input type="checkbox"/>	Industrial
B	<input type="checkbox"/>	2 or 3 Family Residential	D	<input type="checkbox"/>	Non-Residential Vacant Land	F	<input type="checkbox"/>	Apartment	H	<input type="checkbox"/>	Community Service	J	<input type="checkbox"/>	Public Service

10. Sale Contract Date 7 / 30 / 2020
Month Day Year

11. Date of Sale / Transfer 7 / 30 / 2020
Month / Day / Year

12. Full Sale Price \$ 

(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

A	<input type="checkbox"/>	Sale Between Relatives or Former Relatives
B	<input type="checkbox"/>	Sale Between Related Companies or Partners in Business
C	<input type="checkbox"/>	One of the Buyers is also a Seller
D	<input type="checkbox"/>	Buyer or Seller is Government Agency or Lending Institution
E	<input type="checkbox"/>	Deed Type not Warranty or Bargain and Sale (Specify Below)
F	<input type="checkbox"/>	Sale of Fractional or Less than Fee Interest (Specify Below)
G	<input type="checkbox"/>	Significant Change in Property Between Taxable Status and Sale Dates
H	<input type="checkbox"/>	Sale of Business is Included in Sale Price
I	<input type="checkbox"/>	Other Unusual Factors Affecting Sale Price (Specify Below)
J	<input checked="" type="checkbox"/>	None

15. Building Class G 6

16. Total Assessed Value (of all parcels in transfer) 2 2 6 4 8 5 0

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

MANHATTAN 778 18

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
C/O: EDISON PARKING CORPORATION 110 EDISON PLACE, SUITE
300

STREET NUMBER
NEWARK

STREET NAME (AFTER SALE)

STATE
NJ

ZIP CODE
07102

CITY OR TOWN

LAST NAME
FIRST NAME

AREA CODE
TELEPHONE NUMBER

SELLER


SELLER SIGNATURE
DATE

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.

SELLER:

JAY STREET ASSOCIATES, LLC, a New York limited liability company

By: **EDISON PARKING CORPORATION**, its Manager

By: 
Name: Jon Dario
Title: Executive Vice President

BUYER:

249 W 28TH STREET PROPERTIES, LLC, a New York limited liability company

By: **EDISON PARKING CORPORATION**, its Manager

By: 
Name: Jon Dario
Title: Executive Vice President

Deed

THIS INDENTURE, made the 27th day of February, nineteen hundred and ninety-eight

BETWEEN The Ellen S. Gottesman Trust, the Robin I. Gottesman Trust, and the Andrew K. Gottesman Trust, each of which Trusts was formed under Agreement of Trust dated December 21, 1973 made by Harold A. Gottesman, and the Sara A. Gottesman Trust, the Margery S. Gottesman Trust, the Jane L. Gottesman Trust, and the Abbie G. Gottesman Trust each of which Trusts was formed under Agreement of Trust dated December 21, 1973 made by Jerome W. Gottesman, with an address at 100 Washington Street, Newark, New Jersey 07102, party of the first part, and

249 W 28th Street Properties, LLC, a New York limited liability company, with an address at 100 Washington Street, Newark, New Jersey 07102, 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 in the City of New York, County of New York and State of New York, as more particularly described in Schedule "A" attached hereto and made a part hereof.

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.

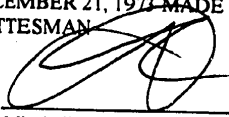
AND the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same; that the party of the second part shall quietly enjoy the said premises; that the said premises are free from

incumbrances, 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; provided, however, that (a) said covenants and warranty shall only inure to the benefit of, and be enforceable by, the party of the second part and shall not inure to the benefit of, or be enforceable by, the heirs, successors or assigns of the party of the second part and (b) the liability of the party of the first part in connection with said covenants and warranty shall be limited to any title insurance proceeds received by the party of the first part. If any claim is made by the party of the second part against the party of the first part as the result of a breach of said covenants or warranty, and that claim may be covered by any title insurance policy owned by the party of the first part, the party of the first part shall make such claim against the insurance company and diligently pursue same, or permit the party of the second part, in the name of the party of the first part, to make and diligently pursue such claim, at the expense of the party of the second part.

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.

THE ELLEN S. GOTTESMAN TRUST, THE ROBIN I. GOTTESMAN TRUST, AND THE ANDREW K. GOTTESMAN TRUST, EACH OF WHICH TRUSTS WAS FORMED UNDER AGREEMENT OF TRUST DATED DECEMBER 21, 1973 MADE BY HAROLD A. GOTTESMAN

By: 
Mitchell N. Baron, Designated Trustee

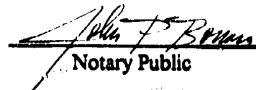
THE SARA A. GOTTESMAN TRUST, THE MARGERY S. GOTTESMAN TRUST, THE JANE L. GOTTESMAN TRUST, AND THE ABBIE G. GOTTESMAN TRUST, EACH OF WHICH TRUSTS WAS FORMED UNDER AGREEMENT OF TRUST DATED DECEMBER 21, 1973 MADE BY JEROME W. GOTTESMAN

By: 
Mitchell N. Baron, Designated Trustee

State of New York)
) ss.:
 County of New York)

On the 27th day of February in the year 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Mitchell N. 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 capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

JOHN P. BONURA
 Notary Public, State of New York
 No 01806086261
 Qualified in New York County
 Certificate Filed in New York County
 Commission Expires Oct. 6, 19 ~~1999~~


 Notary Public

State of New York)
) ss.:
 County of New York)

On the 27th day of February in the year 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Mitchell N. 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 capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

JOHN P. BONURA
 Notary Public, State of New York
 No 01806086261
 Qualified in New York County
 Certificate Filed in New York County
 Commission Expires Oct. 6, 19 ~~1999~~


 Notary Public

Schedule APARCELA:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, 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 Northerly side of 28th Street, opposite the Easterly face of the Easterly Independent wall of the building known as 253-255 West 28th Street, which point is distant 154 feet 10 inches Easterly from the corner formed by the intersection of the Easterly side of 8th Avenue with the Northerly side of 28th Street; RUNNING THENCE Easterly along the Northerly side of 28th Street; 49 feet 8 inches to a point opposite the Westerly face of the Westerly Independent wall of the building known as 245-247 West 28th Street; THENCE Northerly along the westerly face of the said westerly wall last mentioned, and along a line in prolongation thereof, 159 feet and 7 1/4 inches, more or less to the point of intersection in a line prolongation easterly of the northerly face of the northerly wall of the 2 story building standing on the premises hereby described;

THENCE westerly along said line in prolongation easterly of the northerly face of the said northerly wall and along the northerly face of the said northerly wall, and along a line in prolongation thereof westerly 49 feet and 4 inches more or less, to its intersection with a line drawn in prolongation of the easterly face of the said easterly wall of the building known as 253-255 West 28th Street;

THENCE southerly along the said line prolongation of the easterly face of the said easterly wall of said building 253 and 255 West 28th Street, and along the said easterly face of said easterly wall last mentioned, 155 feet and 4 1/2 inches to the point or place of BEGINNING.

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 Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at a point on the Southerly side of West 29th Street distant one hundred eighty feet easterly from the corner formed by the intersection of the southerly side of West 29th Street with the easterly side of Eighth Avenue; RUNNING THENCE Southerly parallel with Eighth Avenue thirty-seven feet and three and one-half inches; THENCE RUNNING Easterly on a line forming an angle of 83 degrees 53 minutes 40 seconds on its northerly side with the last mentioned course twenty-one feet and eight and one-quarter inches; THENCE Southerly on a line forming an angle of 91 degrees 3 minutes and 40 seconds on its easterly side with the northerly side of West 28th Street one hundred sixty-two feet and six and one-half inches to the northerly side of West 28th Street; THENCE Easterly along the northerly side of West 28th Street, forty-nine feet and nine inches; THENCE Northerly on a line forming an angle of 88 degrees 56 minutes 20 seconds on its westerly side with the northerly side of West 28th Street, one hundred sixty-seven feet and ten and one-half inches; THENCE Westerly on a line forming an angle of 84 degrees 57 minutes 20 seconds on its southerly side with the last mentioned course, one foot and four and one-quarter inches; THENCE Northerly on a line forming an interior angle on its westerly side with the last mentioned course, 96 degrees 5 minutes 20 seconds, twenty-nine feet and nine and one-half inches to the southerly side of West 29th Street; THENCE Westerly along the southerly side of West 29th Street seventy feet, more or less, to the point or place of Beginning

Premises being known by street numbers 245-7 West 28th Street and 244 West 29th Street.

055674

RECORDED BY
JAYERS TITLE INSURANCE
CORPORATION
708 THIRD AVENUE
NEW YORK, NY 10017
212 512-6170

Deed

The Ellen S. Gottesman Trust, the Robin I. Gottesman Trust, and the Andrew K. Gottesman Trust, each of which Trusts was formed under Agreement of Trust dated December 21, 1973 made by Harold A. Gottesman, and the Sara A. Gottesman Trust, the Margery S. Gottesman Trust, the Jane L. Gottesman Trust, and the Abbie G. Gottesman Trust each of which Trusts was formed under Agreement of Trust dated December 21, 1973 made by Jerome W. Gottesman

to

249 W 28th Street Properties, LLC

Block 778, Lots 13 and 16
County or Town: New York

Return by Mail to:

Morgan, Lewis & Bockius LLP
101 Park Avenue
New York, New York 10178
Attention: Mitchell N. Baron, Esq.

DEED 0101
47.00
10/17 CSAR REPT DATE TIME
1-1 8 31876 0-1-1-99 9:49

NEW YORK
COUNTY
003621

LOC. VER. BY ADDRESS

RECORDED IN NEW YORK COUNTY

REC. FEE	47
SST \$	2180
REPT #	R12213

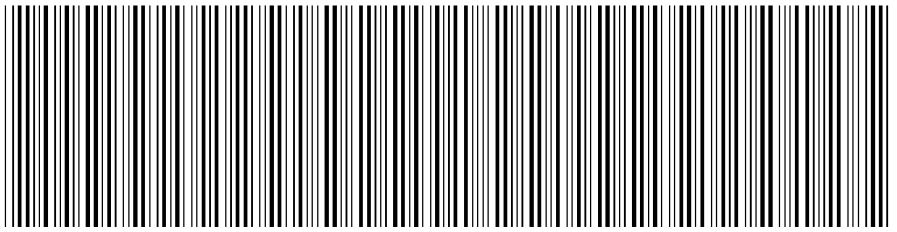
NY02A/156472.3

1998 OCT -1 A 9 31

CITY REGISTER

**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.



2018121800086002001EEF6F

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 11

Document ID: 2018121800086002

Document Date: 12-13-2018

Preparation Date: 12-18-2018

Document Type: MEMORANDUM OF LEASE

Document Page Count: 9

PRESENTER:

FIRST NATIONWIDE TITLE AGENCY LLC
HOLD FOR DENNISE A. TO PICK UP - FN-14166-NY
50 CHARLES LINDBERGH BLVD - SUITE 600
UNIONDALE, NY 11553
212-499-0100
RECORDING@FIRSTNATIONWIDETITLE.COM

RETURN TO:

FIRST NATIONWIDE TITLE AGENCY LLC
HOLD FOR DENNISE A. TO PICK UP - FN-14166-NY
50 CHARLES LINDBERGH BLVD - SUITE 600
UNIONDALE, NY 11553
212-499-0100
RECORDING@FIRSTNATIONWIDETITLE.COM

PROPERTY DATA

Borough	Block	Lot	Unit	Address
MANHATTAN	778	13	Entire Lot	251 WEST 28TH STREET

Property Type: COMMERCIAL REAL ESTATE

Borough	Block	Lot	Unit	Address
MANHATTAN	778	16	Entire Lot	247 WEST 28TH 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

LESSOR:

249 W 28TH STREET PROPERTIES, LLC
C/O: EDISON PARKING CORPORATION, 100
WASHINGTON STREET
NEWARK, NJ 07102

LESSEE:

241 WEST 28TH STREET OWNER LLC
C/O: L&L HOLDING COMPANY, 142 WEST 57TH
STREET
NEW YORK, NY 10019

☒ 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:	\$	91.00
Affidavit Fee:	\$	0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 480,000.00

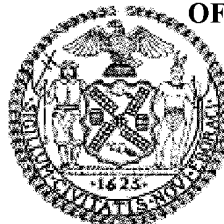
**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE**

CITY OF NEW YORK

Recorded/Filed 12-20-2018 09:54

City Register File No.(CRFN):

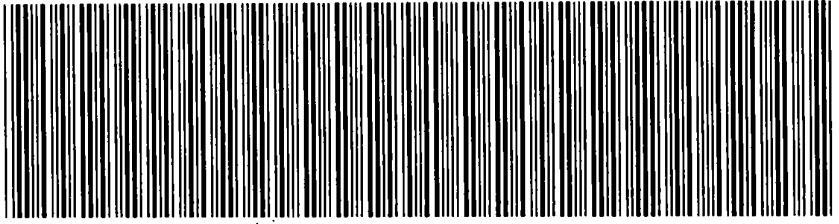
2018000418672



Annette McMill

City Register Official Signature

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**



2018121800086002001CEDEF

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)

PAGE 2 OF 11

Document ID: 2018121800086002

Document Date: 12-13-2018

Preparation Date: 12-18-2018

Document Type: MEMORANDUM OF LEASE

PROPERTY DATA

Borough	Block Lot	Unit	Address
MANHATTAN	778 18 Entire Lot		241 WEST 28TH STREET
Property Type: COMMERCIAL REAL ESTATE			
Borough	Block Lot	Unit	Address
MANHATTAN	778 66 Entire Lot		250 WEST 29TH STREET
Property Type: COMMERCIAL REAL ESTATE			

PARTIES

LESSOR:

JAY STREET ASSOCIATES, LLC
C/O: EDISON PARK CORPORATION, 100
WASHINGTON STREET
NEWARK, NJ 07102

RECORD AND RETURN TO:

Fried, Frank, Harris, Shriver & Jacobson LLP
One New York Plaza
New York, New York 10004
Attention: Jonathan L. Mechanic, Esq.
File No.: _____
Title Order No.: _____

249 W 28TH STREET PROPERTIES, LLC, a New York limited liability company,

AND

JAY STREET ASSOCIATES, LLC, a New York limited liability company,

Together, as LANDLORD

AND

241 WEST 28TH STREET OWNER LLC, a Delaware limited liability company,

as TENANT

MEMORANDUM OF LEASE

December 13, 2018

This instrument affects real and personal property situated, lying, and being in the City of New York, State of New York, known as follows:

Block(s):	<u>778</u>
Lot(s):	<u>13, 16, 18 & 66</u>
Street Address:	<u>241 West 28th Street and 250 West 29th Street, New York. New York 10001</u>

MEMORANDUM OF LEASE

This **MEMORANDUM OF LEASE** (the "Memorandum") is entered into as of Dec 13, 2018 (the "Effective Date"), by and between **249 W 28TH STREET PROPERTIES, LLC** and **JAY STREET ASSOCIATES, LLC**, each a New York limited liability company with an address c/o Edison Parking Corporation, 100 Washington Street, Newark, NJ 07102, Attn: EVP Real Estate (together, "Landlord"), and **241 WEST 28TH STREET OWNER LLC**, a Delaware limited liability company, having an address c/o L&L Holding Company, LLC, 142 West 57th Street, New York, NY 10019 Attn: Kevin Fallon ("Tenant"). Terms may be used in this Memorandum before being defined.

By executing and recording this Memorandum, Landlord and Tenant give notice of the facts below. Any person taking any interest in the Premises shall do so subject to all documents (including all terms of those documents) and other matters that this Memorandum refers to or discloses.

1. *Premises.* Landlord owns the real property commonly known as 241 West 28th Street and 250 West 29th Street, New York, New York 10001 and more particularly described in **Exhibit A** (the "Premises").

2. *Fee Estate.* The "Fee Estate" means Landlord's fee simple interest in the Premises.

3. *Lease.* Landlord and Tenant entered into a Ground Lease dated the Effective Date (the "Lease").

4. *Demise of Premises.* For good and valuable consideration, Landlord has demised and hereby demises to Tenant the Premises, all as the Lease provides.

5. *Term.* The "Commencement Date" of the Lease is the Effective Date. The Term of the Lease began on the Commencement Date and ends at 11:59 p.m. on July 31, 2117,¹ unless terminated sooner under the Lease. The Lease grants Tenant no option or other right to expand, renew, extend or purchase.

Lien Law Trust Fund. Landlord, in compliance with Lien Law Section 13, covenants that Landlord will receive the consideration for this conveyance and will hold the right to receive that consideration as a trust fund to be applied first to pay the cost of the improvements at the Premises for which Landlord is responsible. Landlord will apply that consideration first to the payment of the cost of those improvements before using any part of it for any other purpose.

6. *Notice of Nonresponsibility.* LANDLORD SHALL UNDER NO CIRCUMSTANCE BE RESPONSIBLE OR OBLIGATED TO PAY (AND THE FEE ESTATE SHALL NOT BE SUBJECT TO ANY LIEN) FOR ANY MATERIALS, LABOR, SERVICES

¹ Confirm date and update Ground Lease.

OR EQUIPMENT PROVIDED TO TENANT OR ANY CONTRACTOR, SUBCONTRACTOR OR MATERIAL SUPPLIER OF TENANT FOR OR IN CONNECTION WITH ANY WORK OF IMPROVEMENT, OR ANY OTHER "COSTS OF IMPROVEMENT" (AS DEFINED IN THE NEW YORK LIEN LAW) RELATING TO THE PREMISES OR ANY PART OF IT AND DIRECTLY OR INDIRECTLY CAUSED BY ACTS OR OMISSIONS OF TENANT, OR OTHERWISE ACTUALLY OR POTENTIALLY THE BASIS FOR A LIEN UNDER THE NEW YORK LIEN LAW ARISING FROM THE ACTS OR OMISSIONS OF TENANT OR TENANT'S CONTRACTOR, SUBCONTRACTOR OR MATERIAL SUPPLIER OR ANYONE CLAIMING BY OR THROUGH ANY OF THEM OR ON ACCOUNT OF DEALINGS WITH ANY OF THEM (A "LIEN"). THE FEE ESTATE SHALL NOT BE SUBJECT TO ANY LIEN.

7. *No Effect on Lease.* The parties have prepared, signed and acknowledged this Memorandum only for recording purposes. It does not modify, increase, decrease or in any other way affect any party's rights, duties or obligations under the Lease. Landlord and Tenant each has rights, duties and obligations (and conditions to its rights) under the Lease but not stated here. If the Lease and this Memorandum conflict, the Lease governs. Nothing in this Memorandum constitutes a representation or warranty by either party. To the extent, if any, that the Lease limits anyone's liability, that limitation also applies to any liability under this Memorandum.

8. *Termination.* This Memorandum shall automatically terminate and be of no force or effect upon any termination of the Lease, including any termination by Landlord upon an Event of Default as the Lease provides.

9. *Further Assurances.* Each party shall execute, acknowledge (where necessary) and deliver such further documents, and perform such further acts, as are reasonably necessary to achieve the parties' intent as expressed in the Lease and this Memorandum. To the extent that the Lease terminates or expires, in whole or in part, Tenant shall execute, acknowledge, and deliver such documents as Landlord reasonably requires or as any title insurance, abstract company, or institutional lender requires to remove this Memorandum of record, if it has not already expired by its terms.

10. *Miscellaneous.* The Lease and this Memorandum bind and benefit the parties and their successors and assigns. This does not limit any restrictions on assignment or other transfer in the Lease. This Memorandum may be executed in counterparts. The parties waive jury trial in any dispute arising from this Memorandum.

[Signatures on Next Page]

IN WITNESS WHEREOF, Landlord and Tenant have executed this Memorandum as of the Effective Date.

LANDLORD

249 W. 28TH STREET PROPERTIES, LLC, a New York limited liability company

By: **EDISON PARKING CORP.**, its Manager

By:

Name: Benjamin Feigenbaum

Title: Executive Vice President

JAY STREET ASSOCIATES, LLC, a New York limited liability company

By: **EDISON PARKING CORP.**, its Manager

By:

Name: Benjamin Feigenbaum

Title: Executive Vice President

TENANT

241 WEST 28TH STREET OWNER LLC, a Delaware limited liability company

By: see attached ☺

Name: _____

Title: _____

Attachments:

Acknowledgments


Exhibit A—The Premises

IN WITNESS WHEREOF, Landlord and Tenant have executed this Memorandum as of the Effective Date.

LANDLORD

249 W. 28TH STREET PROPERTIES, LLC, a New York limited liability company

By: **EDISON PARKING CORP.**, its Manager


By: see attached 

Name: Benjamin Feigenbaum

Title: Executive Vice President

JAY STREET ASSOCIATES, LLC, a New York limited liability company

By: **EDISON PARKING CORP.**, its Manager

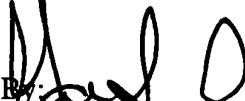
By: see attached 

Name: Benjamin Feigenbaum

Title: Executive Vice President

TENANT

241 WEST 28TH STREET OWNER LLC, a Delaware limited liability company

By: 

Name: Mary Anne Gilman

Title: Authorized Signatory

Attachments:

Acknowledgments
Exhibit A—The Premises

ACKNOWLEDGMENTS

STATE OF NEW JERSEY)
)
COUNTY OF ESSEX) ss:
)
)

On the 29 day of November in the year 2018, before me, the undersigned, personally appeared Benjamin Ferguson, 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.

Valerie Klein
Notary Public **VALERIE KLEIN**
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50070271
My Commission Expires 10/18/2022

STATE OF NJ)
)
COUNTY OF ESSEX) ss:
)
)

On the 29 day of November in the year 2018, before me, the undersigned, personally appeared Benjamin Ferguson, 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.

Valerie Klein
Notary Public **VALERIE KLEIN**
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50070271
My Commission Expires 10/18/2022



ACKNOWLEDGMENTS

STATE OF NEW JERSEY)
)
COUNTY OF ESSEX) ss:
)
_____)

On the _____ day of _____ in the year 2018, 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.

Notary Public

STATE OF New York)
)
COUNTY OF New York) ss:
)
_____)

On the 7 day of December in the year 2018, before me, the undersigned, personally appeared Mary Anne Gilman, 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.

Kimberly Malik
Notary Public
KIMBERLY A. MALIK
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MA6284049
Qualified in New York County
My Commission Expires 06-17-2021



EXHIBIT A

Premises

As to Parcel I (Block 778 Lot 13 for information only):

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 northerly side of 28th Street, opposite the easterly face of the easterly independent wall of the building known as 253-255 West 28th Street, which point is distant 154 feet 10 inches easterly from the corner formed by the intersection of the easterly side of 8th Avenue with the northerly side of 28th Street;

RUNNING THENCE easterly along the northerly side of 28th Street 49 feet 8 inches to a point opposite the westerly face of the westerly independent wall of the building known as 245-247 West 28th Street;

THENCE northerly along the westerly face of the building westerly wall last mentioned, and along a line in prolongation thereof, 159 feet and 7-1/4 inches, more or less to the point of intersection in a line prolongation easterly of the northerly face of the northerly wall of the 2 story building standing on the premises hereby described;

THENCE westerly along said line in prolongation easterly of the northerly face of the said northerly wall and along the northerly face of the said northerly wall, and along a line in prolongation thereof westerly 49 feet and 4 inches more or less, to its intersection with a line drawn in prolongation of the easterly face of the said easterly wall of the building known as 253-255 West 28th Street;

THENCE southerly along the said line prolongation of the easterly face of the said easterly wall of said building 253 and 255 West 28th Street, and along the said easterly face of said easterly wall last mentioned, 155 feet 4-1/2 inches to the point or place of **BEGINNING**.

As to Parcel II (Block 778 Lot 16 for information only):

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 West 29th Street distant 180 feet easterly from the corner formed by the intersection of the southerly side of West 29th Street with the easterly side of 8th Avenue;

RUNNING THENCE southerly parallel with 8th Avenue 37 feet and 3-1/2 inches;

THENCE RUNNING easterly on a line forming an angle of 83 degrees 53 minutes 40 seconds on its northerly side of with the last mentioned course 21 feet 8-1/4 inches;

THENCE southerly on a line forming an angle of 91 degrees 3 minutes 40 seconds on its easterly side with the northerly side of West 28th Street 162 feet 6-1/2 inches to the northerly side of West 28th Street;

THENCE easterly along the northerly side of West 28th Street, 49 feet and 9 inches;

THENCE northerly on a line forming an angle of 88 degrees 56 minutes 20 seconds on its westerly side with the northerly side of West 28th Street, 167 feet 10-1/2 inches;

THENCE westerly on a line forming an angle of 84 degrees 57 minutes 20 seconds on its southerly side with the last mentioned course, 1 foot 4-1/4 inches;

THENCE northerly on a line forming an interior angle on its westerly side with the last mentioned course, 96 degrees 5 minutes 20 seconds, 29 feet 9-1/2 inches to the southerly side of West 29th Street;

THENCE westerly along the southerly side of West 29th Street 70 feet, more or less, to the point or place of **BEGINNING**.

As to Parcel III (Block 778 Lot 66 for information only)

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 29th Street distant 155 feet easterly from the corner formed by the intersection of the easterly side of 8th Avenue with the southerly side of 29th Street;

RUNNING THENCE southerly parallel with 8th Avenue, 40 feet 1-1/2 inches, more or less to land formerly of Hammersley & Codlip;

THENCE easterly in a diagonal line extending towards 29th Street along said Hammersley's land 25 feet 1-3/4 inches to land formerly of Thomas Cramer;

THENCE northerly parallel with 8th Avenue, 37 feet 5-1/2 inches, more or less, to the southerly side of 29th Street; and

THENCE westerly along the southerly side of 29th Street, 25 feet to the point or place of **BEGINNING**.

As to Parcel IV (Block 778 Lot 18 for information only):

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

BEGINNING at a point on the northerly side of West 28th Street, distant 254 feet 4 inches easterly from the corner formed by the intersection of the northerly side of West 28th Street and the easterly side of 8th Avenue;

RUNNING THENCE northerly along a line forming an interior angle of 91 degrees 03 minutes 40 seconds a distance of 167 feet 9 inches;

THENCE westerly along a line forming an exterior angle of 84 degrees 55 minutes 30 seconds a distance of 1 foot 2-3/4 inches;

THENCE northerly along a line forming an interior angle of 83 degrees 51 minutes 50 seconds a distance of 29 feet 11-1/4 inches to the southerly side of West 29th Street;

THENCE easterly along the southerly side of West 29th Street 50 feet;

THENCE southerly at right angles to the southerly side of West 29th Street 24 feet 6-3/4 inches;

THENCE westerly along a line forming an exterior angle of 83 degrees 51 minutes 50 seconds a distance of 10-5/8 inches;

THENCE southerly 173 feet 1 inch to a point on the northerly side of West 28th Street distant 49 feet 9 inches from the point of **BEGINNING**; and

THENCE westerly along the northerly side of West 28th Street 49 feet 9 inches to the point or place of **BEGINNING**.