

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

June 30, 2023

Inwood Lot 9 Associates LIHTC LLC  
George Tsapelas  
111 Eighth Avenue  
New York, NY, 10011  
[gtsapelas@tacon.com](mailto:gtsapelas@tacon.com)

Inwood Lot 9 Associates LLC  
George Tsapelas  
111 Fifth Avenue, 9<sup>th</sup> Floor  
New York, NY, 10003  
[gtsapelas@tacon.com](mailto:gtsapelas@tacon.com)

Inwood Lot 9 Development Associates LLC  
George Tsapelas  
111 Eighth Avenue  
New York, NY, 10011  
[gtsapelas@tacon.com](mailto:gtsapelas@tacon.com)

West 207 Grocery Owners, LLC  
Ed Balazs  
c/o AAG Management, 421 Seventh Ave, 15th Floor  
New York, NY, 10001  
[ebalazs@aagmgmt.com](mailto:ebalazs@aagmgmt.com)

Re: Certificate of Completion  
430 West 207th Street  
Manhattan, New York County  
Site No.C231144

Dear George Tsapelas and Ed Balazs:

Congratulations on having satisfactorily completed the remedial program at the 430 West 207th Street site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

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

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.
- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

Kyle Forster, Bureau B  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233

- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days.

If you have any questions, please do not hesitate to contact Kyle Forster, the Department's project manager, at (518) 402-8644.

Sincerely,

*Andrew Guglielmi*

Andrew Guglielmi  
Division Director  
Division of Environmental Remediation

Enclosure

cc w/ enclosure:

Jessica Taylor – [jtaylor@rouxinc.com](mailto:jtaylor@rouxinc.com)  
Noelle Clarke – [nclarke@rouxinc.com](mailto:nclarke@rouxinc.com)  
Valerie Sabatasso – [vsabatasso@rouxinc.com](mailto:vsabatasso@rouxinc.com)  
David Yudelson – [dyudelson@sprlaw.com](mailto:dyudelson@sprlaw.com)

Michael Bogin – [mbogin@sprlaw.com](mailto:mbogin@sprlaw.com)

C. Vooris, NYSDOH – [christine.vooris@health.ny.gov](mailto:christine.vooris@health.ny.gov)

S. Mclaughlin, NYSDOH – [scarlett.mclaughlin@health.ny.gov](mailto:scarlett.mclaughlin@health.ny.gov)

R. Ockerby, NYSDOH – [renata.ockerby@health.ny.gov](mailto:renata.ockerby@health.ny.gov)

Matt Gokey, NYS Tax – [matthew.gokey@tax.ny.gov](mailto:matthew.gokey@tax.ny.gov)

Paul Takac, NYS Tax – [paul.takac@tax.ny.gov](mailto:paul.takac@tax.ny.gov)

ec w/o enc.:

K. Forster, S. Quandt, J. O'Connell, M. Murphy, L. Schmidt, J. Andalaro,  
K. Lewandowski

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)  
*CERTIFICATE OF COMPLETION*

**CERTIFICATE HOLDER(S):**

<b>Name</b>	<b>Address</b>
Inwood Lot 9 Associates LIHTC LLC	111 Eighth Avenue, New York, NY 10011
Inwood Lot 9 Associates LLC	111 Fifth Avenue, 9 <sup>th</sup> Floor, New York, NY 10003
Inwood Lot 9 Development Associates LLC	111 Eighth Avenue, New York, NY 10011

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 7/14/21 **Agreement Execution:** 7/22/21  
**Agreement Index No.:** C231144-07-21  
**Application Amendment Approval:** 6/27/22 **Agreement Amendment Execution:** 6/27/22

**SITE INFORMATION:**

**Site No.:** C231144 **Site Name:** 430 West 207th Street  
**Site Owner:** West 207 Grocery Owners, LLC  
**Street Address:** 430 West 207th Street  
**Municipality:** New York **County:** New York **DEC Region:** 2  
**Site Size:** 1.376 Acres  
**Tax Map Identification Number(s):** 2203-9  
**Percentage of site located in an EnZone:** 100 %

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

**CERTIFICATE ISSUANCE**

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

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

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

**For a 1.321-acre area** – See Exhibits A and B

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

**Cleanup Track:** Track 1: Unrestricted use

**Tax Credit Provisions:**

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

Eligibility for Tangible Property Credit is available through: EnZone.

Tangible Property Credit Component Rate is 20%. Comprised of 10% Base, 5 % EnZone, 5% Track 1.

**For a 0.055-acre area** – See Exhibits A and B

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

**Cleanup Track:** Track 2: Restricted use with generic soil cleanup objectives

**Tax Credit Provisions:**

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 40%.

Eligibility for Tangible Property Credit is available through: EnZone.

Tangible Property Credit Component Rate is 15%. Comprised of 10% Base, 5 % EnZone.

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

#### **LIABILITY LIMITATION**

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

#### **CERTIFICATE TRANSFERABILITY**

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

#### **CERTIFICATE MODIFICATION/REVOCATION**

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

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached; or
- (4) there is good cause for such modification or revocation.

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

Basil Seggos  
Commissioner  
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 6/30/2023

Andrew O. Guglielmi, Director  
Division of Environmental Remediation

**Exhibit A**  
**Site Description**

**BCP SITE NO. C231144 (Lot 9) Metes and Bounds**

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, which upon a certain map entitled, "Map of 92 acres of land situate in the 12th ward of the City of New York, part of the estate of Isaac Dyckman, deceased, known as part first of the Dyckman Homestead Property" dated June 1, 1870 made by Rudolph Rosa, surveyor and filed in the Office of the Register of New York County on June 20, 1870 as map number 713, are designated as lots numbers 645 to 656 both inclusive which said lots taken together are bounded and described as follows:

Beginning at a point on the southerly side of 207th Street distant 100 feet westerly from the corner formed by the intersection of the said southerly side of 207th Street and the westerly side of 9th Avenue which point is at the easterly line of Lot 645 on said map;

Running thence southerly parallel with the westerly side of 9th Avenue 199 feet 10 inches to the northerly side of 206th Street;

Thence westerly along said northerly side of west 206th Street, 300 feet to the westerly line of Lot 625 on said map;

Thence northerly parallel with the westerly side of 9th Avenue, 199 feet 10 inches to the southerly side of 207th Street; and

Thence easterly along the southerly side of 207th Street, 300 feet to the point or place of beginning.

Area of Lot 9 = 59,952 s.f. or 1.376 ac.

The above description of Lot 9 is prepared with reference to a title report prepared by First American Title Insurance Company.

**TRACK 1 UNRESTRICTED USE AREA DESCRIPTION - BCP SITE NO. C231144**

All that certain plot, piece or parcel of land, situate, lying and being part of Lot 9, Block 2203, section 8, in the borough of Manhattan, city, county and state of New York, more particularly described as follows:

Beginning at a point on the southerly line of West 207th Street (100-foot wide right of way) distant 100.00 feet westerly from the corner formed by the intersection of the southerly line of West 207th Street and the westerly line of 9th Avenue (a.k.a. Columbus Avenue, 75-foot wide right of way);

Running thence southerly, parallel with the westerly line of 9th Avenue, at right angle to the previous course, a distance of 199.84 feet (199 feet-10 inches) to the northerly line of West 206th Street (60-foot wide right of way);

Thence westerly, along said northerly right of way line, at right angle to the previous course, a distance of 288.00 feet to a point;

Thence northerly, parallel with the westerly line of 9th Avenue and at right angle to the previous course, a distance of 199.84 feet (199 feet-1d inches) to a point on the southerly line of West 207th Street;

Thence easterly, along said southerly right of way line, at right angles to the previous course, 288.00 feet to the point or place of beginning.

Said parcel containing 57,554 square feet or 1.321 acres.

**TRACK 2 RESIDENTIAL AREA DESCRIPTION - BCP SITE NO. C231144**

All that certain plot, piece or parcel of land, situate, lying and being part of Lot 9, Block 2203, section 8, in the borough of Manhattan, city, county and state of New York, more particularly described as follows:

Beginning at a point on the southerly line of West 207th Street (100-foot wide right of way) distant 388.00 feet westerly from the corner formed by the intersection of the southerly line of West 207th Street and the westerly line of 9th Avenue (a.k.a. Columbus Avenue, 75-foot wide right of way);

Running thence southerly, parallel with the westerly line of 9th Avenue, at right angle to the previous course, a distance of 199.84 feet (199 feet-10 inches) to the northerly line of West 206th Street (60-foot wide right of way);

Thence westerly, along said northerly right of way line, at right angle to the previous course, a distance of 12.00 feet to the westerly line of said Lot 9, block 2203;

Thence northerly, along the westerly line of said Lot 9, parallel with the westerly line of 9th avenue and at right angle to the previous course, a distance of 199.84 feet (199 feet-10 inches) to a tmark on the southerly line of west 207th street;

Thence easterly, along said southerly right of way line, at right angles to the previous course, 12.00 feet to the point or place of beginning.

Said parcel containing 2,398 square feet or 0.055 acres.



**Exhibit B**

**Site Survey**

**NOTES**

- PROPERTY LOCATED AT 430 W. 207TH STREET, KNOWN AS P.O. LOT 9, BLOCK 2203, SECT ON B, VOL. 4, AS SHOWN ON THE TAX MAP OF THE BOROUGH OF MANHATTAN, CITY, COUNTY & STATE OF NEW YORK.
- AREA LOT 9 BCP SITE NO. C231144 TRACK 1 UNRESTRICTED USE AREA = 59,932 S.F. OR 1.376 AC. BCP SITE NO. C231144 TRACK 2 RESIDENTIAL AREA = 2,388 S.F. OR 0.055 AC.
- UNRECORDED UTILITIES HAVE NOT BEEN SHOWN. BEFORE ANY DUE DILIGENCE, PREPARATION OF LEGAL DOCUMENTS OR DECISIONS TO BEGIN, THE LOCATION OF UNDERGROUND UTILITIES SHOULD BE VERIFIED BY THE PROPER UTILITY COMPANIES.
- THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
- THIS SURVEY FOR LOT 9 IS PREPARED WITH REFERENCE TO A TITLE REPORT PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, TITLE NO. 3025-1194949Y1 WITH AN EFFECTIVE DATE OF 03/22/2022, AMENDED 04/07/2022, WHERE THE FOLLOWING SURVEY RELATED EXCEPTIONS APPEAR IN SCHEDULE B, SECTION 9:
  - DECLARATION AND WAIVER MADE BY PATHMARK STORES, INC. TO NEW ENGLAND CAPITAL CORPORATION DATED 07/19/89 AND RECORDED 07/20/97 IN FILE NO. 2043 PAGE 207 (DESCRIPTIVE PRIORITY).
  - MEMORANDUM OF SECOND AMENDMENT AND EXTENSION OF LEASE MADE BY AND BETWEEN WEST 207 GROCERY OWNERS, LLC LESSOR, AND ASP REAL PROPERTY, LLC, AS LESSEE, DATED 05/19/2013. LEASE DOCUMENT NOT PROVIDED - UNABLE TO REVIEW.

**WITH REGARD TO:**

- UNRECORDED MEMORANDUM OF LEASE - DOCUMENT NOT RECORDED - UNABLE TO REVIEW.
- UNRECORDED SUBORDINATION, ASSIGNMENT AND ATTORNEY AGREEMENT MADE BY AND BETWEEN NEW YORK COMMUNITY BANK, ASP REAL PROPERTY, LLC AND WEST 207 GROCERY OWNERS, LLC, DATED 01-29-2019. DOCUMENT NOT RECORDED - UNABLE TO REVIEW.
- UNRECORDED FIRST AMENDMENT TO LEASE DATED 12/01/2016 AS RECORDED IN MEMORANDUM OF SECOND AMENDMENT AND EXTENSION OF LEASE RECORDED IN (NAD) CRFN 201900003136. DOCUMENT NOT RECORDED - UNABLE TO REVIEW.
- UNRECORDED ASSIGNMENT AND ASSUMPTION OF LEASE MADE BY ASP REAL PROPERTY, LLC AS ASSIGNEE, TO WEST 207 GROCERY OWNERS, LLC, AS ASSIGNEE, DATED AS OF 12/01/2016 AND AS RECORDED IN MEMORANDUM OF SECOND AMENDMENT AND EXTENSION OF LEASE RECORDED IN (NAD) CRFN 201900003136. DOCUMENT NOT RECORDED - UNABLE TO REVIEW. THE REMAINDER PARCEL DESCRIBED IN CRFN 201900003136 IS BLANKET IN NATURE.
- MEMORANDUM OF SECOND AMENDMENT AND EXTENSION OF LEASE MADE BY AND BETWEEN WEST 207 GROCERY OWNERS, LLC AND 410 WEST 207TH ACQUISITION LLC DATED AS OF 12/20/2018 AND RECORDED IN (NAD) CRFN 201900003136. THE PREMISES DESCRIBED BY DEED IS SUBJECT LOT 9 - BLANKET IN NATURE.

**WITH REGARD TO:**

- MEMORANDUM AND ASSUMPTION OF UNDERLYING LEASE FROM 410 WEST 207TH ACQUISITION LLC ASSIGNEE TO INWOOD LOT 9 ASSOCIATES, LLC ASSIGNEE, DATED AS OF 04/05/2021 AND RECORDED 05/07/2022 ON CRFN 20200018288.
- SUBORDINATION, NON-DISTURBANCE AND ATTORNEY AGREEMENT BY AND BETWEEN 410 WEST 207TH ACQUISITION LLC, WEST 207 GROCERY OWNERS, LLC AND RGA REINSURANCE COMPANY DATED AS OF 12/20/2018 AND RECORDED ON 03/03/2019 IN (NAD) CRFN 20190000114.
- THE PREMISES REFER TO IN THIS DEED IS SUBJECT LOT 9 - BLANKET IN NATURE.
- TERMS, COVENANTS, CONDITIONS AND AGREEMENTS CONTAINED IN A LEASE MADE BY AND BETWEEN WEST 207 GROCERY OWNERS, LLC LESSOR, AND 410 WEST 207TH ACQUISITION LLC, LESSEE, A MEMORANDUM OF WHICH DATED AS OF 12/01/2016 WAS RECORDED ON 03/23/2016 IN (NAD) CRFN 20160004522. THE PREMISES DESCRIBED BY DEED IS SUBJECT LOT 9 - BLANKET IN NATURE.
- ACQUISITION MAP NO. 02-8982 FILED 10/10/2002 UNDER ACQUISITION MAP FOR WIDENING OF FORCHAM BRIDGE AND BRIDGE APPROACHES FROM THE INTERSECTION OF WEST 207TH STREET AND 9TH AVENUE TO THE RIGHT OF WAY LINES FOR W. 207TH STREET AND W. 206TH STREET, AS DEPICED ON THE SURVEY, AGREE WITH THE INFORMATION INCLUDED IN THE ACQUISITION MAP.
- THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.
- ENCROACHMENTS AND VAULTS, IF ANY, BELOW SURFACE NOT SHOWN HEREON.
- THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT FOOTING, ETC.

**SCHEDULE "A" DESCRIPTION LOT 9**

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, WHICH UNDO A CERTAIN MAP ENTITLED, "MAP OF SAID LOTS 9 AND 10 OF THE 12TH WARD OF THE CITY OF NEW YORK, PART OF THE ESTATE OF ISAAC DYCKMAN, DECEASED, KNOWN AS PART FIRST OF THE DYCKMAN TRACT AS PROPOSED BY WILLIAM JONES, 1. 1870, REPRODUCED BY HENRI LUDWIG, SURVEYOR AND PLAIN BY THE OFFICE OF THE REGISTER OF NEW YORK COUNTY ON JUNE 26, 1870 AS MAP NUMBER 711, ARE DESIGNATED AS LOTS NUMBERS 645 TO 656 BOTH INCLUSIVE WHICH SAID LOTS WHEN TOGETHER ARE BOUND AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF 207TH STREET DISTANT 100 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE SAID SOUTHERLY SIDE OF 207TH STREET AND THE WESTERLY SIDE OF 9TH AVENUE WHICH POINT IS AT THE EASTERLY END OF LOT 645 ON SAID MAP;

RUNNING THENCE SOUTHERLY PARALLEL WITH THE WESTERLY SIDE OF 9TH AVENUE 199 FEET 10 INCHES TO THE NORTHERLY SIDE OF 206TH STREET;

THENCE WESTERLY ALONG SAID NORTHERLY SIDE OF WEST 206TH STREET, 300 FEET TO THE WESTERLY END OF LOT 625 ON SAID MAP;

THENCE NORTHERLY PARALLEL WITH THE PRESENTLY SIDE OF 9TH AVENUE, 199 FEET 10 INCHES TO THE SOUTHERLY SIDE OF 207TH STREET; AND

THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF 207TH STREET, 300 FEET TO THE POINT OR PLACE OF BEGINNING.

AREA OF LOT 9 - 59,932 S.F. OR 1.376 AC.

THE ABOVE DESCRIPTION OF LOT 9 IS PREPARED WITH REFERENCE TO A TITLE REPORT PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, TITLE NO. 3025-1194949Y1 WITH AN EFFECTIVE DATE OF 03/22/2022, AMENDED 04/07/2022.

**TRACK 1 UNRESTRICTED USE AREA DESCRIPTION - BCP SITE NO. C231144**

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE LYING AND BEING PART OF LOT 9, BLOCK 2203, SECTION 8, IN THE BOROUGH OF MANHATTAN, CITY, COUNTY AND STATE OF NEW YORK, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF WEST 207TH STREET (100 FEET WIDE RIGHT OF WAY) DISTANT 288.00 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY LINE OF WEST 207TH STREET AND THE WESTERLY LINE OF 9TH AVENUE (A.K.A. COLCATHA AVENUE) 76.99 FEET WIDE RIGHT OF WAY;

RUNNING THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF 9TH AVENUE AT RIGHT ANGLE TO THE PREVIOUS COURSE, A DISTANCE OF 199.84 FEET (199 FEET-10 INCHES) TO THE NORTHERLY LINE OF WEST 207TH STREET (80 FEET WIDE RIGHT OF WAY);

THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE, AT RIGHT ANGLE TO THE PREVIOUS COURSE, A DISTANCE OF 289.00 FEET TO A POINT;

THENCE NORTHERLY PARALLEL WITH THE WESTERLY LINE OF 9TH AVENUE AND AT RIGHT ANGLE TO THE PREVIOUS COURSE, A DISTANCE OF 199.84 FEET (199 FEET-10 INCHES) TO A POINT ON THE SOUTHERLY LINE OF WEST 207TH STREET;

"TRINITY FACTORY" IS A CONC. BAIN 42" THICK BY 8" DEPTH OF 8" W/4" IN. AT RIGHT ANGLE PER TO THE PREVIOUS COURSE- 388.10 FEET TO THE POINT OR PLACE OF BEGINNING.

SAID PARCEL CONTAINING 57,554 SQUARE FEET OR 1.321 ACRES.

**TRACK 2 RESIDENTIAL AREA DESCRIPTION - BCP SITE NO. C231144**

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE LYING AND BEING PART OF LOT 9, BLOCK 2203, SECTION 8, IN THE BOROUGH OF MANHATTAN, CITY, COUNTY AND STATE OF NEW YORK, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF WEST 207TH STREET (100 FEET WIDE RIGHT OF WAY) DISTANT 288.00 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY LINE OF WEST 207TH STREET AND THE WESTERLY LINE OF 9TH AVENUE (A.K.A. COLCATHA AVENUE) 76.99 FEET WIDE RIGHT OF WAY;

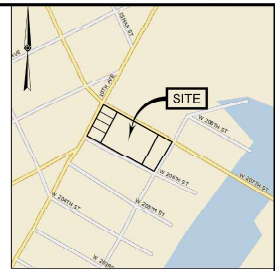
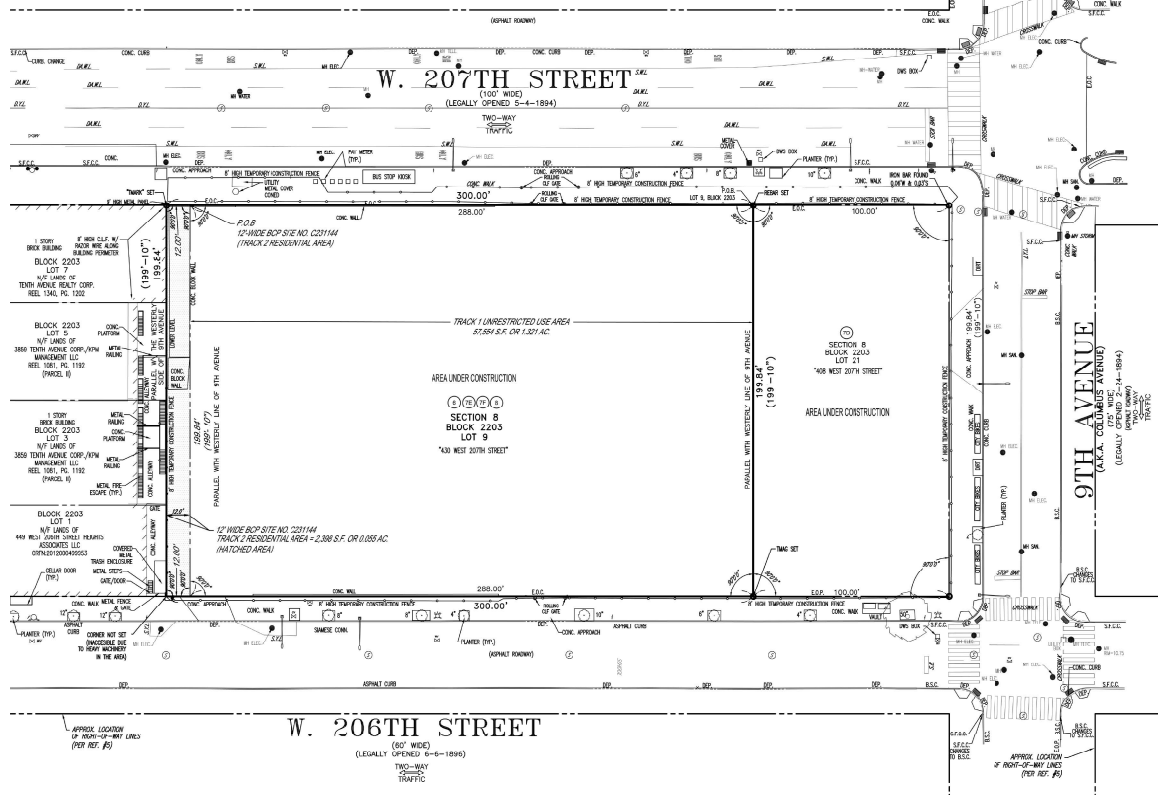
RUNNING THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF 9TH AVENUE AT RIGHT ANGLE TO THE PREVIOUS COURSE, A DISTANCE OF 199.84 FEET (199 FEET-10 INCHES) TO THE NORTHERLY LINE OF WEST 207TH STREET (80 FEET WIDE RIGHT OF WAY);

THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE, AT RIGHT ANGLE TO THE PREVIOUS COURSE, A DISTANCE OF 19.95 FEET TO THE WESTERLY LINE OF SAID LOT 9, BLOCK 2203;

THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT 9, PARALLEL WITH THE WESTERLY LINE OF 9TH AVENUE AND AT RIGHT ANGLE TO THE PREVIOUS COURSE, A DISTANCE OF 199.84 FEET (199 FEET-10 INCHES) TO A TRIANG ON THE SOUTHERLY LINE OF WEST 207TH STREET;

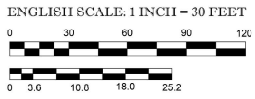
THENCE EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE, AT RIGHT ANGLE TO THE PREVIOUS COURSE, 12.00 FEET TO THE POINT OR PLACE OF BEGINNING.

SAID PARCEL CONTAINING 2,388 SQUARE FEET OR 0.055 ACRES.



**LEGEND**

- DEPRESSION CURB
- METAL SLIDE RAIL
- FENCE LINE AS DESCRIBED
- HYDRANT
- WATER VALVE
- UTILITY POLYGLASS FOLE
- TRAFFIC SIGNAL
- MONITORING WELL
- SIGN
- U.S. HIGHWAY
- CONC. ANGLE STOP
- ISLAND
- SECURITY CAMERA
- SATELLITE DSH
- CLEAN OUT
- DATED ARROWS
- POINTS TREE W/ TRUNK DIAMETER
- METAL COVER
- (P) CHAIN LINK FENCE
- (P) DEPRESSION CURB
- (P) FENCE OPENING
- (P) F.C.C.
- (P) STEEL FACED CONC. CURB
- (P) BLUE STONE CURB
- (P) R.O.S.G.
- (P) EDGE OF PAVEMENT
- (P) F.C.C.
- (P) TITLE REPORT EXCEPTION PER TITLE NO. 3025-1194949Y1
- (P) POINT OF BEGINNING
- (P) PROPERTY CORNER MONUMENT AS DESCRIBED
- ENVIRONMENTAL EASEMENT



**REFERENCES**

- THE NEW YORK CITY DIGITAL TAX MAP OF THE MANHATTAN BLOCK 2203, CITY, COUNTY AND STATE OF NEW YORK.
- MAP ENTITLED "MAP ACC. NO. 39131, SHOWING THE WIDENING OF THE FORCHAM BRIDGE AND BRIDGE APPROACHES FROM THE INTERSECTION OF WEST 207TH STREET AND 9TH AVENUE IN THE BOROUGH OF MANHATTAN TO THE INTERSECTION OF WEST FORCHAM ROAD AND EXTERIOR STREET IN THE BRONX, AND THE ESTABLISHMENT OF GRASSES AND OF ROADWAY TREATMENT, AND THE ADJUSTMENT OF BLOCK DIMENSIONS, AND THE DELINEATION OF A FOUNDATION MAINTENANCE CORRIDOR, DATED JANUARY 20, 1998, PROVIDED BY THE OFFICE OF THE PRESIDENT OF THE BOROUGH OF MANHATTAN, TOPOGRAPHICAL BUREAU.
- MAP ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY, ACADA REAL TRUST, LOTS 9 & 21, BLOCK 2203, W. 207TH STREET & 9TH AVENUE, INWOOD, BOROUGH OF MANHATTAN, CITY, COUNTY & STATE OF NEW YORK" PREPARED BY CONTROL POINT ASSOCIATES, INC., DATED JULY 15, 2005.
- MAP ENTITLED "CONTRACT NO. 4 NORTH MANHATTAN INTERCEPTS REVIEW, NORTH SECTION NINTH AVE., W. 207TH ST. TO W. 207TH ST., NINTH AVE. TO IND BURNBY YARD PLAN AND CONTROL PROVIDED BY CITY OF NEW YORK DEPARTMENT OF PUBLIC WORKS BUREAU OF WATER POLLUTION CONTROL, DIVISION OF PLANT DESIGN W. 14, NORTH RIVER WATER POLLUTION CONTROL PROJECT, DATED SEPTEMBER 9, 1968, SHEET 4 OF 11.
- FINAL SECTION MAP NO. 140, PROVIDED BY THE CITY OF NEW YORK, PRESIDENT OF THE BOROUGH OF MANHATTAN TOPOGRAPHICAL BUREAU.
- MAP ENTITLED "ALTAIR'S LAND TITLE SURVEY FACONING FRED MENDI'S PARTNERS LLC 800 & 909 W. 207TH STREET, LOTS 9 & 21, BLOCK 2203 INWOOD, BOROUGH OF MANHATTAN, CITY, COUNTY AND STATE OF NEW YORK" PREPARED BY CONTROL POINT ASSOCIATES, INC., DATED 01-10-2018, LAST REVISED 08-28-2022 (REVISED #10)
- MAP ENTITLED "ALTAIR'S LAND TITLE SURVEY FACONING INVESTMENTS PARTNERS LLC 420 W. 207TH STREET LOT 9, BLOCK 2203 INWOOD, BOROUGH OF MANHATTAN, CITY, COUNTY AND STATE OF NEW YORK", PREPARED BY CONTROL POINT ASSOCIATES, INC., DATE 07-08-2018.
- SKETCH ENTITLED "SITE SURVEY - BOTH PLOT" PROVIDED BY CLIENT ON 05-31-2022

UNA THOROUGH AT TENTION OR ADDITION TO A SURVEY MAP WITHOUT A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 209, SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

UNLAWFUL FOR THE ORIGINAL L.P. THIS SURVEY PAPER WITH AN ORIGINAL L.P. THE LAND SURVEYOR'S EMBOSSED OR INKED SEAL IS CONSIDERED TO BE VALID TRUE COPIES.



NO.	REVISION SURVEYOR'S NOTE NO.	DATE	BY	FOR	DATE
2	REVISED SURVEYOR'S NOTE NO. 2	NA	J.S.S.	J.S.S.	06-20-2023
1	ADDED DESCRIPTION FOR TRACK 1 UNRESTRICTED USE AREA - RESIDENTIAL AREA	NA	J.S.S.	J.S.S.	05-23-2023
1	DESCRIPTION OF RESURVEY	FILED	CONTROL POINT ASSOCIATES, INC.	UNLAWFUL	

REMEDIAL CLEANUP TRACKS - BCP SITE NO. C231144  
 430 W. 207TH STREET  
 LANDS NF OF WEST 207 GROCERY OWNERS LLC  
 PO LOT 9, BLOCK 2203, SECTION 8  
 BOROUGH OF MANHATTAN, CITY, COUNTY & STATE OF NEW YORK

**CONTROL POINT ASSOCIATES, INC. P.C.**  
 6 TIMES SQUARE, 210 WEST 41ST STREET, SUITE 1203  
 NEW YORK, NY 10018  
 TEL: 212-692-1100  
 FAX: 212-692-1101  
 WWW.CPA-INC.COM

DATE: 05-23-2023  
 TIME: 11:50 AM  
 SHEET: 1 OF 1  
 PROJECT: 05-23-2023  
 FILE NO: 04-10064-02-LOT-9-ACT

CONTROL POINT ASSOCIATES, INC. IS AN EQUAL OPPORTUNITY EMPLOYER. M/F/D/V. CONTROL POINT ASSOCIATES, INC. IS AN EQUAL OPPORTUNITY EMPLOYER. M/F/D/V.

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

**430 West 207th Street, Site ID No. C231144**  
**430 West 207th Street, Manhattan, NY, 10034**  
**Manhattan, New York County, Tax Map Identification Number: 2203-9**

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to Inwood Lot 9 Associates LIHTC LLC, Inwood Lot 9 Associates LLC, and Inwood Lot 9 Development Associates LLC for a parcel approximately 1.376 acres located at 430 West 207th Street in Manhattan, New York.

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

**PLEASE TAKE NOTICE**, the remedial program for a 1.321-acre portion of the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

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

**PLEASE TAKE NOTICE**, the remedial program for a 0.055-acre portion of the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

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

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

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

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

430 West 207th Street, C231144  
430 West 207th Street, Manhattan, NY, 10034

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

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

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 47-40 21<sup>st</sup> Street, Long Island City, 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C231144/>.

**WHEREFORE**, the undersigned has signed this Notice of Certificate

West 207 Grocery Owners, LLC

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF NEW YORK ) SS:  
COUNTY OF )

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

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgment

**Please record and return to:**  
George Tsapelas  
Inwood Lot 9 Associates LLC  
111 Fifth Avenue, 9th Floor  
New York, NY, 10003