

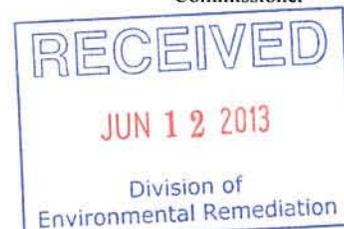
New York State Department of Environmental Conservation
Division of Environmental Remediation
Office of the Director, 12th Floor
625 Broadway, Albany, New York 12233-7011
Phone: (518) 402-9706 • Fax: (518) 402-9020
Website: www.dec.ny.gov



Joe Martens
Commissioner

Joshua Mintz
MacArthur Holding B, Inc.
140 S. Dearborn Street
Suite 1100
Chicago, Illinois 60603

June 6, 2013



Re: Brownfield Cleanup Agreement Amendment
Site Name: New York Express Dry Cleaners
Site No.: C241050
BCA Index No.: W2-1010-04-06
Amendment No. 1

Dear Mr. Mintz:

This letter is forwarded to your attention in response to the request submitted to the New York State Department of Environmental Conservation (DEC) to amend the Brownfield Cleanup Agreement (“BCA” or “Agreement”) executed on April 19, 2005. The letter, submitted by MacArthur Holding B, Inc., requested that the above referenced BCA be amended to reduce the size of the site by modifying the site description, deleting approximately 0.2705 acres section of the parcel, and attaching a revised map of the site.

In reliance upon, and in furtherance of the application and previous discussions, if any, of this matter between the DEC's staff and the BCP applicant's representatives to date, the request to amend the BCA is hereby granted and incorporated into and is enforceable pursuant to the subject Agreement, effective immediately upon the receipt of this counter-signed Amendment to DEC. Specifically, the acreage of the site is hereby changed from 0.3 acres to 0.0295 acres (excluding approximately 0.2705 acres) and the reference to Tax Map/Parcel No. is amended to read Block 7115, Lot 30 (formerly known as part of Lot 2) of the County of Queens as depicted on the revised Site Map attached to the letter request and attached hereto as a new Exhibit A.

This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Please print this Amendment and have the authorized representative counter-sign this letter to acknowledge acceptance of this Amendment, and send an original signature back to DEC, along **with submitting proof that the party executing the BCA Amendment are authorized to bind the Requestors at:**

New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, New York 12233-7011

Please keep a copy of this letter as proof of the BCA Amendment.

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

Please contact me if you have any questions in this regard. Thank you for your assistance in this matter.

Sincerely,



Robert W. Schick, P.E.
Director
Division of Environmental Remediation

The following Applicant, in signing this letter, does hereby acknowledge and accept the Amendment to the BCA as set forth above.



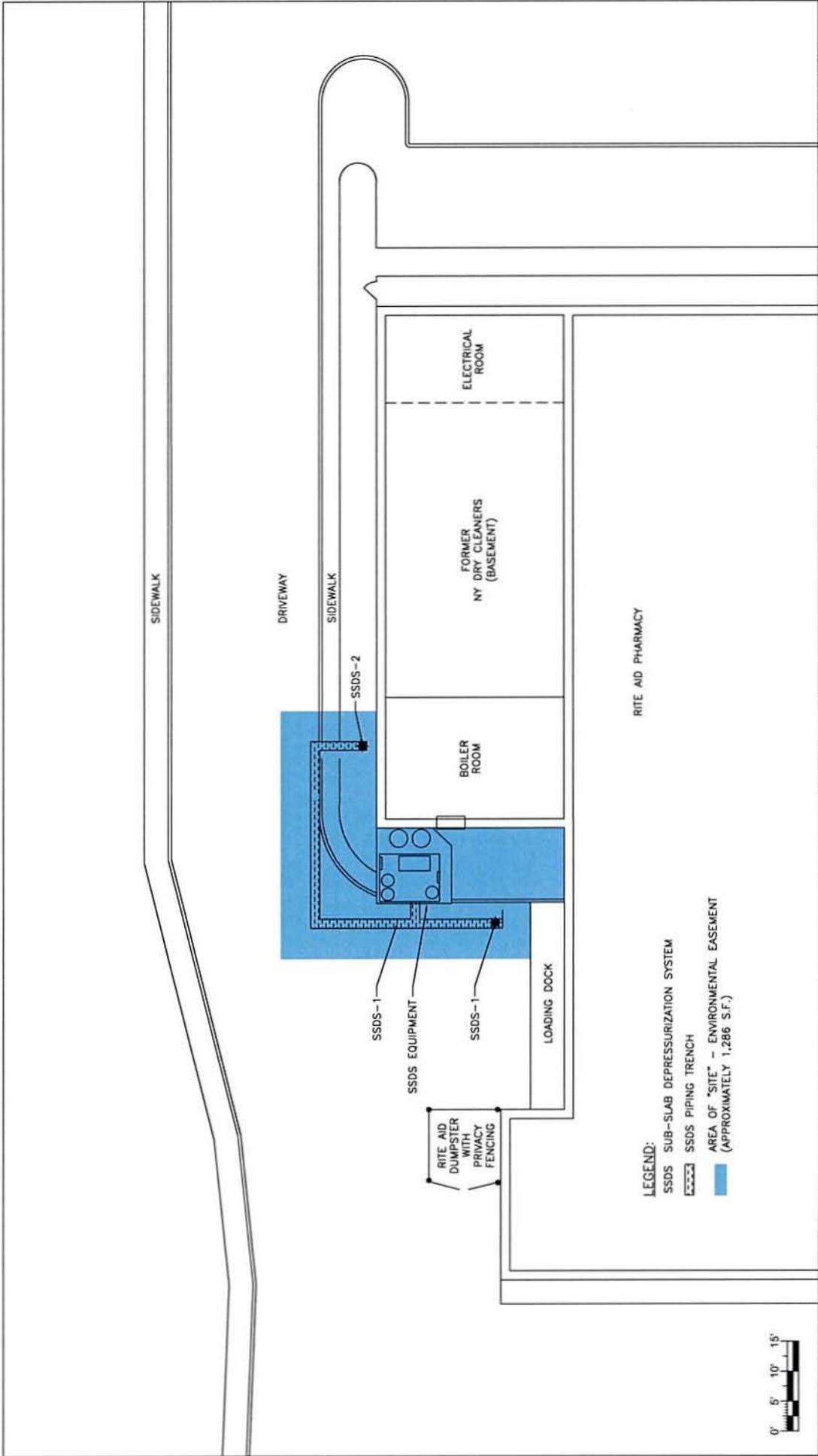
Joshua Mintz – MacArthur Holding B, Inc.

June 7, 2013

Date

cc: Lou Oliva, DEC
Gal Hintz, DEC
Robert Cozzy, DEC
Jane O'Connell, DEC
Mandy Yau, DEC
Sue Bolesky, DEC
Kelly Lewandowski, DEC

EXHIBIT A
SITE MAP



LEGEND:
 SSDS SUB-SLAB DEPRESSURIZATION SYSTEM
 SSDS PIPING TRENCH
 AREA OF "SITE" - ENVIRONMENTAL EASEMENT
 (APPROXIMATELY 1,286 S.F.)



<p>MACTEC Engineering and Consulting, P.C. 502 West Germantown Pike Plymouth Meeting, PA 19462</p>	<p>FIGURE 2 SITE FEATURES MAP 73rd Avenue Shopping Center (AKA New York Express Dry Cleaners) Queens Tax Map Block 7115, Lot 30 (formerly known as part of Lot 2)</p>	<p>Project No. 3485050051</p>
	<p>DATE: 05/20/2013</p>	<p>DRAWN BY: JC/SPM</p>
	<p>CHECKED BY: DS</p>	

MacArthur Holding B, Inc.

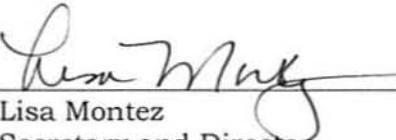
ASSISTANT SECRETARY'S CERTIFICATE

The undersigned hereby certifies that (1) She is the duly-elected and acting Secretary and Director of MacArthur Holding B, Inc., a Florida not-for-profit corporation (the "Company"); (2) In said capacity, she has access to the minute book and seal of the Company; and (3) The following individual was duly-elected and holds the position at the Company set forth opposite his name and signature.

Joshua J. Mintz - President and Director -



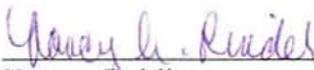
Date: June 11, 2013



Lisa Montez
Secretary and Director

[Corporate Seal]

Subscribed and sworn to this
11th day of June, 2013 by:



Notary Public

