

# NOTICE OF TERMINATION OF AGREEMENT

**This Notice** is made by MacArthur Holding B, Inc. (the "Volunteer"), a Florida not-for-profit corporation, having its principal place of business at 140 S. Dearborn Street, Suite 1200, Chicago, Illinois 60603-5285, as of the 17<sup>th</sup> day of February, 2016, regarding a parcel of real property located at 69-60 188th St. (address that was being used by a business; legal address is 69-62 188th Street), New York, Queens County, New York and more particularly described on Exhibit A hereto (the "Property"); and

**WHEREAS**, Volunteer had entered into a certain agreement (Index #W2-0885-01-05) (the "Agreement") with the New York State Department of Environmental Conservation ("NYSDEC") concerning the remediation of contamination present on the Property under the New York Voluntary Cleanup Program ("VCP"), which Agreement was signed by the Commissioner of the Department on March 8, 2002;

**WHEREAS**, in connection with the Agreement, a Notice of Agreement was executed and dated as of November 20, 2003 and recorded in the Office of the Register of the City of New York, Queens County, on January 31, 2004 as CRFN 2004000058423 ("Notice of Agreement"); and

**WHEREAS**, in 2005, with the approval of NYSDEC, Volunteer transitioned its work at the Property from the VCP to the New York Brownfield Cleanup Program ("BCP") and addressed contamination at the Property under the BCP.

**NOW, THEREFORE**, Volunteer, for itself and for its successors and assigns, declares that the Notice of Agreement is terminated.

**IN WITNESS WHEREOF**, Volunteer has executed this Notice of Termination of Agreement by its duly authorized representative.

MacArthur Holding B, Inc.

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

Joshua J. Mintz  
President

Dated: June 29, 2015

STATE OF \_\_\_\_\_ )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

On the 29<sup>th</sup> day of June, in the year 2015, before me, the undersigned, personally appeared Joshua J. Mintz, 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.

Nancy A. Rinder  
Notary Public - State of Illinois



The New York State Department of Conservation has approved the filing of this Notice of Termination of Agreement.

New York State Department of Environmental  
Conservation

By: 

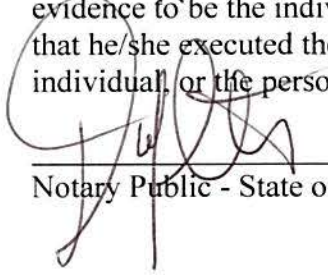
Name: Robert W. Schick

Title: Director, DER

Dated: February 19, 2016

STATE OF )  
 ) ss:  
COUNTY OF )

On the 19<sup>th</sup> day of February, in the year 2016, before me, the undersigned, personally appeared Robert W. Schick, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public - State of New York

**David J. Chiusano**  
Notary Public, State of New York  
No. 01CH5032146  
Qualified in Schenectady County  
Commission Expires August 22, 2018

## EXHIBIT A

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

BEGINNING at a point following two (2) courses and distances:

- 1) along westerly side of 188<sup>th</sup> Street distant 227.65 feet northerly from the corner formed by the intersection of the westerly side of 188<sup>th</sup> Street with the northerly side of 73<sup>rd</sup> Avenue;
- 2) westerly along part of building wall line 164.12 feet;

RUNNING THENCE westerly along building wall 12.00 feet;

THENCE southerly along building wall line forming an exterior angle of 89 degrees 57 minutes 48 seconds with the last mentioned course, 31.28 feet;

THENCE westerly along building wall line forming an interior angle of 90 degrees 17 minutes 16 seconds with the last mentioned course, 12.15 feet;

THENCE northerly along a line forming an interior angle of 89 degrees 40 minutes 32 seconds with the last mentioned course, 5.82 feet;

THENCE westerly at right angles to the last mentioned course, 16.42 feet;

THENCE northerly at the right angles to the last mentioned course, 37.53 feet;

THENCE easterly at right angles to the last mentioned course, 40.55 feet;

THENCE southerly at right angles to the last mentioned course, 12.00 feet to the point or place of BEGINNING.

Area is 1286.0 sq.ft. = 0.02952 acres

Premises commonly known as 69-62 188<sup>th</sup> Street

Section 32 Block 7115 Part of Lot 30