




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.	 2019042500049001001EE338																																							
RECORDING AND ENDORSEMENT COVER PAGE PAGE 1 OF 8																																								
Document ID: 2019042500049001 Document Date: 04-24-2019 Preparation Date: 04-25-2019 Document Type: SUNDRY MISCELLANEOUS Document Page Count: 7																																								
PRESENTER: FIRST AMERICAN TITLE INSURANCE COMPANY 666 THIRD AVENUE-5TH FLOOR 3020-958013-CQ NEW YORK, NY 10017 212-850-0670 CQUARTARARO@FIRSTAM.COM	RETURN TO: CSC 4540 PROPERTY CO LLC 261 FIFTH AVE SUITE 1802 NEW YORK, NY 10016																																							
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RECORDED OR FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK Recorded/Filed 04-25-2019 10:36 City Register File No.(CRFN): 2019000132072   City Register Official Signature																																								

NOTICE OF MODIFICATION OF CERTIFICATE OF COMPLETION
Brownfield Cleanup Program
6 NYCRR Part 375-1.9(e)

Paragon Paint and Varnish Corp., Site ID No. C241108
5-49 46th Avenue, Long Island City, Queens County, New York
Tax Map Identification Number(s): 4-26-4

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) previously issued a Certificate of Completion (COC) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) on December 16, 2016 to 549 46TH AVENUE LLC, Anable Beach, Inc., and Vernon 4540 Realty LLC, for a parcel approximately .759 acres in size located at 5-49 46th Avenue, Long Island City, Queens County, and is known as the Paragon Paint and Varnish Corp. site, Site ID No. C241108.

PLEASE TAKE NOTICE, that, due to an oversight by the COC holders, the owner of the site, CSC 4540 Property Co, LLC, was not added to the Brownfield Cleanup Agreement prior to issuance of the COC.

PLEASE TAKE NOTICE, that CSC 4540 Property Co, LLC has incurred significant costs in remediating the site, which may be eligible for tax credits pursuant to the ECL and New York State Tax Law. CSC 4540 Property Co, LLC also has been voluntarily performing site management activities and been complying with the environmental easement at the property, without a regulatory relationship with the Department.

PLEASE TAKE NOTICE, that, in letters of December 19 and 22, 2017 respectively, 549 46TH AVENUE LLC and Vernon 4540 Realty LLC consented to a modification of the COC to add CSC 4540 Property Co, LLC as an additional certificate holder. Anable Beach, Inc. sent a letter to the Department on May 6, 2014, withdrawing as an applicant, and the Department incorrectly included them as a COC holder.

PLEASE TAKE NOTICE, that the Department hereby finds that good cause exists under 6 NYCRR § 371-1.9(e)(v) to modify the COC to include the current owner, CSC 4540 Property Co, LLC, as a COC holder and to remove Anable Beach, Inc. as a COC holder. 549 46TH AVENUE LLC and Vernon 4540 Realty LLC are unaffected as COC holders pursuant to this determination.

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long-term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Queens County as 2015000400038. CSC 4540 Property Co, LLC recognize(s) and agree(s) to implement the Department-approved Site Management Plan (SMP), and any amendments thereto. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

Paragon Paint and Varnish Corp., C241108, 5-49 46th Avenue, Long Island City

PLEASE TAKE NOTICE, provided that the EE, SMP and COC are complied with, CSC 4540 Property Co, LLC as a COC 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 COC 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.

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

PLEASE TAKE NOTICE, the COC may be only be transferred to the COC 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 COC.

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

PLEASE TAKE NOTICE, the COC may be revoked if the EE as implemented, if applicable, is not protective or enforceable.

PLEASE TAKE FURTHER NOTICE, that CSC 4540 Property Co, LLC shall file this Notice of Modification of COC, attaching the December 16, 2016 COC, in the Queens County Clerk's Office within thirty days of its signature below.

WHEREFORE, the undersigned has signed this Notice of Modification of COC

CSC 4540 Property Co, LLC

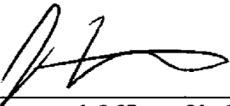
By: 

Title: Authorized Signatory

Date: 4/24/2019

STATE OF NEW YORK) SS:
COUNTY OF)

On the 24th day of April, in the year 2019, before me, the undersigned, personally appeared Arac Rustgi, 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

JARED D WHITE
NOTARY PUBLIC-STATE OF NEW YORK
No. 02WH6297662
Qualified in New York County
My Commission Expires 02-24-2022

Please record and return to:
CSC 4540 Property Co, LLC
C/O CSC 4540 LLC
261 Fifth Ave, Suite 1802
New York, NY 10016

3020-958013
**First American Title
Insurance Company**
666 Third Avenue 5th fl
New York, N.Y. 10017
Phone: (212) 922-9700
Fax: (212) 922-0881

EXHIBIT A

**METES AND BOUNDS
FROM THE EASEMENT**

County: Queens Site No.: C241108 Brownfield Cleanup Agreement Index : W2-1119-08-03
as last amended July 18, 2011

SCHEDULE "A" PROPERTY DESCRIPTION

ALL THAT CERTAIN plot, piece or parcel of land, together with the buildings and improvements thereon erected, situate, lying and being at Long Island City in the County of Queens, City of New York, known as Lot Numbers 4, 5, 6, 7, 13 14, 15 and 16, in Block 21 "Map of Hunter Van Alst and Debevoise Farms" situate in the 1st, 2nd and 3rd Wards, Long Island, Queens County, surveyed by Peter Van Alst for the Trustees of Union College bounded and described as follows:

BEGINNING at a point on the westerly side of Vernon Boulevard, distant 75 feet northerly from the corner formed by the intersection of the westerly side of Vernon Boulevard and the northerly side of 46th Avenue;

RUNNING THENCE south 75 degrees 17 minutes 05 seconds west and parallel with 46th Avenue, 100 feet;

THENCE south 14 degrees 42 minutes 55 seconds east and parallel with Vernon Boulevard, 75 feet to the northerly side of 46th Avenue;

THENCE south 75 degrees 17 minutes 05 seconds west along the northerly side of 46th Avenue, 100 feet to the easterly line of Lot 17 on the aforesaid map;

THENCE north 14 degrees 42 minutes 55 seconds west along the easterly line of Lot 17 and parallel to Vernon Boulevard, 231 feet, 6 inches to the southerly line of the 11th Street Basin;

THENCE north 75 degrees 17 minutes 05 minutes east along the southerly line of the 11th Street Basin and parallel to 46th Avenue, 49 feet to the westerly line of Lot 10;

THENCE south 14 degrees 42 minutes 55 seconds east along the westerly line of Lot 10 and parallel to Vernon Boulevard, 1 foot 6 inches;

THENCE north 75 degrees 17 minutes 05 seconds east along said southerly side of Lot 10 and parallel with 46th Avenue, 51 feet to the westerly side of Lot 9 on said map;

THENCE south 14 degrees 42 minutes 55 seconds east and parallel with Vernon Boulevard and along the westerly sides of Lots 9 and 8, 55 feet to the northerly side of Lot 7 on said map;

THENCE north 75 degrees 17 minutes 05 seconds east and along the northerly side of Lot 7 and parallel with the northerly side of 46th Avenue, 100 feet to the westerly side of Vernon Boulevard;

THENCE south 14 degrees 42 minutes 55 seconds east and along the westerly side of Vernon Boulevard, 100 feet to the point or place of **BEGINNING**.

Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

(Vernon Boulevard a/k/a Vernon Avenue f/k/a Central Avenue)

(46th Avenue a/k/a 10th Street f/k/a West 10th Street)

(11th Street Basin f/k/a The Canal)

EXHIBIT B

SURVEY FIGURE

