



May 18, 2017

VIA FEDEX

Bradford Burns, Esq.  
New York State Department of Environmental Conservation  
Office of General Counsel  
625 Broadway  
Albany, NY 12233

**RE: Terminated Easement Agreement  
G & M Realty L.P.  
Former Neptune Meter Site #C241138  
22-34 Jackson Avenue, Long Island City, New York 11101**

Dear Brad,

Enclosed please find my affirmation in support of mailing the municipal notices, copies of the letters that have been sent to the municipalities, which included the recorded easement, and your copy of the recorded easement.

Please do not hesitate to contact me if you have any questions. Thank you.

Sincerely,

**KNAUF SHAW LLP**

MELISSA M. VALLE

NEW YORK STATE DEPARTMENT ENVIRONMENTAL CONSERVATION  
BROWNFIELD CLEANUP PROGRAM  
ECL § 27-1401 *et seq.*

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**Former Neptune Meter Site**

DEC Site No.: C241138

Located at: 22-34 Jackson Avenue  
Long Island City, New York

Volunteer:

G & M Realty L.P.  
1 Executive Drive  
Edgewood, New York 11717

**AFFIRMATION OF  
MELISSA M. VALLE  
IN SUPPORT OF MAILING  
MUNICIPAL NOTICES**

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I, Melissa M. Valle, an attorney admitted to practice in the State of New York, affirms under penalty of perjury the following:

1. Knauf Shaw LLP are the attorneys of record for G & M Realty L.P., which is the Volunteer for the New York State Brownfield Cleanup Program Site ("BCP"), Former Neptune Meter Site, Site Number C241138.
2. On May 18, 2017, I mailed a true copy of a Notice to Municipality to Carl Weisbrod, the Chairman of the City of New York Planning Commission, by depositing a true copy of the same enclosed in a first-class, postpaid addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.
3. On May 18, 2017, I mailed a true copy of a Notice to Municipality to Irving Poy, the Director of Planning and Development for the Borough of Queens, by depositing a true copy of the same enclosed in a first-class, postpaid addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

**WHEREFORE**, Melissa Valle respectfully requests that this affirmation is acceptable proof of mailing for the municipal notices required for the Brownfield Cleanup Program Site.

Dated: May 18, 2017

  
**MELISSA M. VALLE**

Notice to Municipality

5/18/2017

Irving Poy, Director  
Borough of Queens, Department of Planning and Development  
120-55 Queens Boulevard  
Kew Gardens, New York 11424

**Re: Termination and Release of Environmental Easement**

Dear Mr. Poy:

On November 4, 2016, I had sent you a Municipal Notice, informing you that an easement had been granted to the New York State Department of Environmental Conservation ("Department") on August 26, 2016, by G & M Realty L.P., 1 Executive Drive, Edgewood, New York, 11717, for property located at 22-34 Jackson Avenue, New York, NY, Tax Parcel Block 86, Lot 1 ("Site"), DEC Site No. C241138.

This Notice is to inform you that the above-referenced easement has been terminated. Attached please find a copy of the Termination and Release of Environmental Easement agreement, dated April 11, 2017, and recorded on May 10, 2017.

There is no longer a need for any institutional controls, including but not limited to, any use restrictions, or engineering controls at the Site. Accordingly, the Environmental Easement is no longer of any force and effect. Any and all rights granted by G & M Realty L.P. to the Department in the Environmental Easement are fully and completely terminated and the Department no longer retains any rights whatsoever arising from or in connection with either the Site or the Environmental Easement.

An electronic version of every environmental easement that has been accepted by the Department is available to the public at: <http://www.dec.ny.gov/chemical/36045.html>. This list also shows that the Environmental Easement has been terminated for this Site. Please forward this notice to your building and/or planning departments, as applicable, to ensure your compliance with these provisions of New York State Environmental Conservation Law. If you have any questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,



David Wolkoff

Notice to Municipality

5/18/2017

Carl Weisbrod,  
Commissioner Chair  
NYC Department of City Planning  
22 Reade St  
New York, NY 10007

**Re: Termination and Release of Environmental Easement**

Dear Mr. Weisbrod:

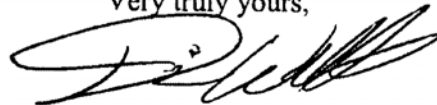
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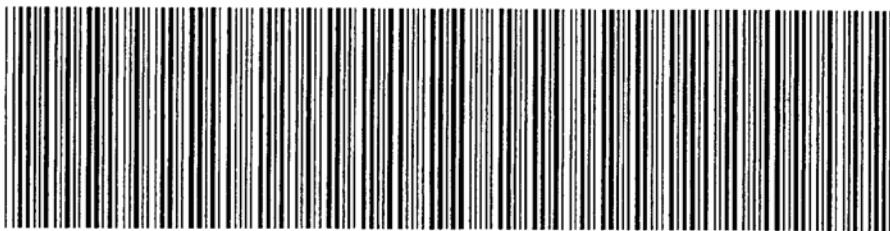
Very truly yours,



David Wolkoff

**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.



2017050100603001004E36C1

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 4**

Document ID: 2017050100603001 Document Date: 04-11-2017 Preparation Date: 05-09-2017  
 Document Type: SUNDRY MISCELLANEOUS  
 Document Page Count: 3

**PRESENTER:**  
 EAM LAND SERVICES, INC. (PICK UP - IRA)  
 6901 JERICHO TURNPIKE  
 (EAMCR114006Q)  
 SYOSSET, NY 11791  
 516-677-9757  
 DMCCORMICK@EAMLAN.COM

**RETURN TO:**  
 LINDA R. SHAW  
 1400 CROSSROADS BUILDING  
 2 STATE STREET  
 ROCHESTER, NY 14614

**PROPERTY DATA**

| Borough                                  | Block | Lot | Unit       | Address              |
|--|-------|-----|------------|----------------------|
| QUEENS                                   | 86    | 1   | Entire Lot | 22-44 JACKSON AVENUE |
| <b>Property Type:</b> APARTMENT BUILDING |       |     |            |                      |

**CROSS REFERENCE DATA**

CRFN: 2016000370465

**PARTIES**

**PARTY 1:**  
 THE PEOPLE OF THE STATE OF NEW YORK  
 625 BROADWAY  
 ALBANY, NY 12233

**PARTY 2:**  
 G & M REALTY L.P.  
 1 EXECUTIVE DRIVE  
 EDGEWOOD, NY 11717

**FEES AND TAXES**

|                               |    |       |                                 |         |
|-------------------------------|----|-------|---------------------------------|---------|
| <b>Mortgage :</b>             |    |       | <b>Filing Fee:</b>              |         |
| Mortgage Amount:              | \$ | 0.00  |                                 | \$ 0.00 |
| Taxable Mortgage Amount:      | \$ | 0.00  | NYC Real Property Transfer Tax: |         |
| Exemption:                    |    |       |                                 | \$ 0.00 |
| <b>TAXES: County (Basic):</b> | \$ | 0.00  | NYS Real Estate Transfer Tax:   |         |
| City (Additional):            | \$ | 0.00  |                                 | \$ 0.00 |
| Spec (Additional):            | \$ | 0.00  |                                 |         |
| TASF:                         | \$ | 0.00  |                                 |         |
| MTA:                          | \$ | 0.00  |                                 |         |
| NYCTA:                        | \$ | 0.00  |                                 |         |
| Additional MRT:               | \$ | 0.00  |                                 |         |
| <b>TOTAL:</b>                 | \$ | 0.00  |                                 |         |
| Recording Fee:                | \$ | 52.00 |                                 |         |
| Affidavit Fee:                | \$ | 0.00  |                                 |         |

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



Recorded/Filed 05-10-2017 15:32  
 City Register File No.(CRFN):  
 2017000177725

*Annette McMill*

**City Register Official Signature**

## **TERMINATION AND RELEASE OF ENVIRONMENTAL EASEMENT**

This Termination and Release of Environmental Easement is made as of 11<sup>th</sup> day of April 2017, by and between The People of the State of New York, acting through their Commissioner of the Department of Environmental Conservation ("NYSDEC" or the "Department") with its headquarters located at 625 Broadway, Albany, New York 12233, and Owner(s) G & M Realty L.P., having an office at 1 Executive Drive, Edgewood, New York 11717, County of Suffolk, State of New York ("the Grantor").

### **RECITALS**

1. Grantor, G & M Realty L.P., is the owner of certain land known as 22-34 Jackson Avenue, in the City of New York, County of Queens and State of New York, known and designated on the tax map of the New York City Department of Finance as tax map parcel number: Block 86, Lot 1 ("Property"), formerly known as Block 86, Lots 1, 6, 7, 8, and 22, and Block 72, Lot 80, being the same as that property conveyed to Grantor by deeds dated May 1, 1999, March 5, 2014, and March 5, 2014, and recorded in the City Register of the City of New York in Liber and Page 5470/638 and as CRFN #'s 2014000091160 and 201400009166, respectively.
2. The Department and Grantor entered into an Environmental Easement ("Easement Agreement") dated as of August 26, 2016, and recorded in the office of the City Register of the City of New York on October 20, 2016, City Register File No. ("CRFN") 2016000370465. Capitalized terms used herein without definition have the meanings ascribed to them in the Environmental Easement Agreement. The property comprises approximately 2.919 +/- acres, and is hereinafter more fully described in Exhibit A.
3. Pursuant to Section 1, 2, 3, 4, and 5 of the Easement Agreement, Grantor granted the Department rights and interests that run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of the Property at a level that has been determined to be safe for a specific use while ensuring the performance of maintenance, monitoring or operation requirements; and to ensure the potential restriction of future uses of the land that are inconsistent with the stated purpose.
4. The Parties do hereby agree that all applicable remediation requirements set forth in the New York State Environmental Conservation Law have been achieved, and that the Property may be used for Unrestricted use, meaning a use without imposed restrictions, such as an environmental easement or other land use controls, pursuant to 6 NYCRR §375-1.8(g).
5. The Parties do hereby agree that there is no longer a need for any institutional controls, including, but not limited to, any use restrictions, or engineering controls at the Controlled Property.
6. Therefore, pursuant to Section 9 of the Easement Agreement, the Department agrees to terminate and release the Easement Agreement.

**TERMINATION AND RELEASE OF ENVIRONMENTAL EASEMENT**

- A. The above recitals are hereby incorporated into this Termination and Release of Environmental Easement.
- B. The Department confirms that the date hereof is the "Termination Date" and the Department accordingly hereby terminates and releases the property as described in Exhibit A.
- C. This Termination and Release of Environmental Easement inures to and binds the parties hereto and their respective successors assigns.
- D. This Termination and Release of Environmental Easement shall be governed by and interpreted in accordance with the laws of the State of New York.

**THIS TERMINATION AND RELEASE OF THE EASEMENT AGREEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK**, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

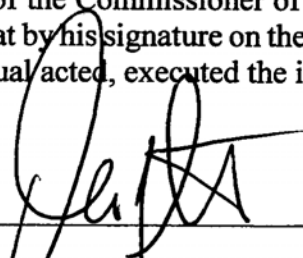
By:   
Robert W. Schick, Director  
Division of Environmental Remediation

**Grantee's Acknowledgement**

STATE OF NEW YORK     )  
  ) ss:  
COUNTY OF ALBANY     )

On the 11 day of April, in the year 2017, 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 executed the same in his capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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

  
Notary Public – State of New York

**EXHIBIT A- PROPERTY DESCRIPTION**

THE SUBJECT TRACT OF LAND WITH RESPECT TO WHICH THE FOREGOING PARTIES ARE THE PARTIES IN INTEREST AS AFORESAID IS KNOWN AS TAX LOT NUMBER BLOCK 86 LOT 1 (FORMERLY KNOWN AS TAX LOT NUMBERS 1, 6, 7, 8 AND 22 IN BLOCK 86 AND LOT 80 IN BLOCK 72) AS SHOWN ON THE TAX MAP OF THE CITY OF NEW YORK, QUEENS COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN LONG ISLAND CITY, COUNTY OF QUEENS AND STATE OF NEW YORK MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF JACKSON AVENUE AND THE EASTERLY SIDE OF CRANE STREET;

RUNNING THENCE FROM SAID POINT OR PLACE OF BEGINNING ALONG THE SOUTHERLY SIDE OF JACKSON AVENUE IN AN EASTERLY DIRECTION 200.00 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF JACKSON AVENUE WITH THE WESTERLY SIDE OF DAVIS STREET;

THENCE SOUTHERLY ALONG THE WESTERLY SIDE OF DAVIS STREET 640.00 FEET TO THE LAND OF THE LONG ISLAND RAILROAD;

THENCE ALONG THE LAND OF THE LONG ISLAND RAILROAD IN A WESTERLY DIRECTION 85.00;

THENCE CONTINUING ALONG SAID LAST MENTIONED LAND ALONG THE EASTERLY SIDE OF CRANE STREET ALONG THE ARC OF A CURVE BEARING TO THE RIGHT A DISTANCE OF 212.86 (213.0 FEET PER DEED) TO LAND OF OTHERS;

THENCE EASTERLY ALONG SAID LAST MENTIONED LAND 60.00 FEET TO THE EASTERLY SIDE OF CRANE STREET; AND,

THENCE ALONG THE EASTERLY SIDE OF CRANE STREET IN A NORTHERLY DIRECTION 525.00 FEET TO THE CORNER FIRST ABOVE MENTIONED AT THE POINT OR PLACE OF BEGINNING.

CONTAINING 127,156 SQUARE FEET OR 2.919 ACRES