

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

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints
50 E. North Temple St.
Salt Lake City, Utah 84150
Attn: Dr. Grant S. Cooper, P.E.

Re: Certificate of Completion
Site No. C241158
Site: CPB Site
New York City, Queens County

Dear Mr. Cooper:

Congratulations on having satisfactorily completed the remedial program at the CPB 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 a notice of the COC 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 a notice of the COC within 30 days of the date that you acquire the site. A copy of the recorded notice should be provided to the Department's project manager. If you are a non-owner, you must work with the owner to assure the notice of COC is recorded within the time frame specified. A standard notice form is attached to this letter. Please return the proof of recording to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

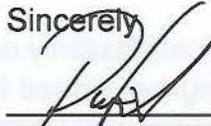


Department of
Environmental
Conservation

- Provide the notice of the COC 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;
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in April of 2018.

If you have any questions regarding any of these items, please contact Christopher Magee at (518) 402-9813.

Sincerely



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

ec w/ enclosure:

- G. Cooper - Corp of the Presiding Bishop Church of Jesus Christ of LDS (coopergs@ldschurch.org)
- J. Ellsworth –Kirton McConkie (jellsworth@kmclaw.com)
- K. Brown – Latham & Watkins (Kegan.Brown@lw.com)
- N. Rabah – TRC Solutions (nrabah@trcsolutions.com)
- H. Potter – TRC Environmental Corp (hpotter@trcsolutions.com)
- K. Anders - NYSDOH
- A. Ghosh - NYSDOH

ec w/o enc.:

- C. Magee
- A. Czuhanich
- M. Cruden
- J. O'Connell
- J. Nehila
- K. Lewandowski
- G. Heitzman

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name	Address
Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints	50 E. North Temple St., 12th Floor, Salt Lake City, UT

BROWNFIELD CLEANUP AGREEMENT:

Execution: June 6, 2014	Agreement Index No.: C241158-04-14
Application Approval Amendment: none	Agreement Execution Amendment: none

SITE INFORMATION:

Site No.: C241158 **Site Name:** CPB Site
Site Owner: Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints
Street Address: 3229 Far Rockaway Boulevard
Municipality: Far Rockaway **County:** Queens **DEC Region:** 2
Site Size: 1.145 Acres
Tax Map Identification Number(s): 60-15950-29
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):

Allowable Uses under the BCP: Restricted-Residential, Commercial, and Industrial
Cleanup Track: Track 4: Restricted use with site-specific soil cleanup objectives

Tax Credit Provisions for Entities Taxable Under Article 9, 9-A, 32, and 33:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 28%.
Tangible Property Credit Component Rate is 20%.

Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 28%.
Tangible Property Credit Component Rate is 18%.

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Queens County as 2015000447636.

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.

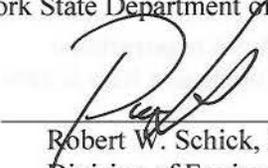
CERTIFICATE MODIFICATION/REVOCATION

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 a finding that:

- (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;
- (4) there is good cause for such modification or revocation;
- (5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;
- (6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

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

Date: *December 16, 2016*

NOTICE OF CERTIFICATE OF COMPLETION

Brownfield Cleanup Program

6 NYCRR Part 375-1.9(d)

CPB Site, Site ID No. C241158

3229 Far Rockaway Boulevard, Far Rockaway, NY 11691

New York City, Queens County, Tax Map Identification Number Section 60, Block 15950, Lot 29

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 The Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter Day Saints for a parcel approximately 1.14 acres located at 3229 Far Rockaway Boulevard in Far Rockaway, Queens County, New York City.

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 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.

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, 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 New York City as 2015000447636.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. 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.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are 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

CPB Site, C241158, 3229 Far Rockaway Boulevard, Far Rockaway, NY 11691

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

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 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, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 located at 1 Hunter's Point Plaza, 47-40 21st Street, Long Island City, NY 11101-5401 by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

Corporation of the Presiding Bishop of the Church of
Jesus Christ of Latter-day Saints

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 2016, 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:
Corporation of the Presiding Bishop of the
Church of Jesus Christ of Latter-day Saints
50 E. North Temple St.
Salt Lake City, Utah 84150

SCHEDULE "A" PROPERTY DESCRIPTION

**Legal Description of Easement Area
CPB Site – Queens, New York
NYSDEC Brownfields Cleanup Program
Site No. C241158**

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF FAR ROCKAWAY BOULEVARD (AS NOW OPEN AND IN USE, 50 FEET WIDE, 60 FEET FINAL), DISTANT 150.00 FEET WESTERLY FROM A CORNER FORMED BY THE INTERSECTION OF SAID SOUTHERLY SIDE OF FAR ROCKAWAY BOULEVARD AND THE WESTERLY SIDE OF BEACH 32ND STREET (AS NOW OPEN AND IN USE, 50 FEET WIDE, 60 FEET FINAL, A/K/A CHANNEL AVENUE);

RUNNING THENCE SOUTHERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 85 DEGREES 54 MINUTES 46.4 SECONDS WITH THE SOUTHERLY SIDE OF FAR ROCKAWAY BOULEVARD, 208.03 FEET TO THE NORTHERLY SIDE OF ROCKAWAY FREEWAY (AS NOW AND OPEN IN USE, 50 FEET WIDE, A/K/A LONG ISLAND RAIL ROAD FREEWAY);

THENCE WESTERLY ALONG THE NORTHERLY SIDE OF ROCKAWAY FREEWAY, 204.19 FEET;

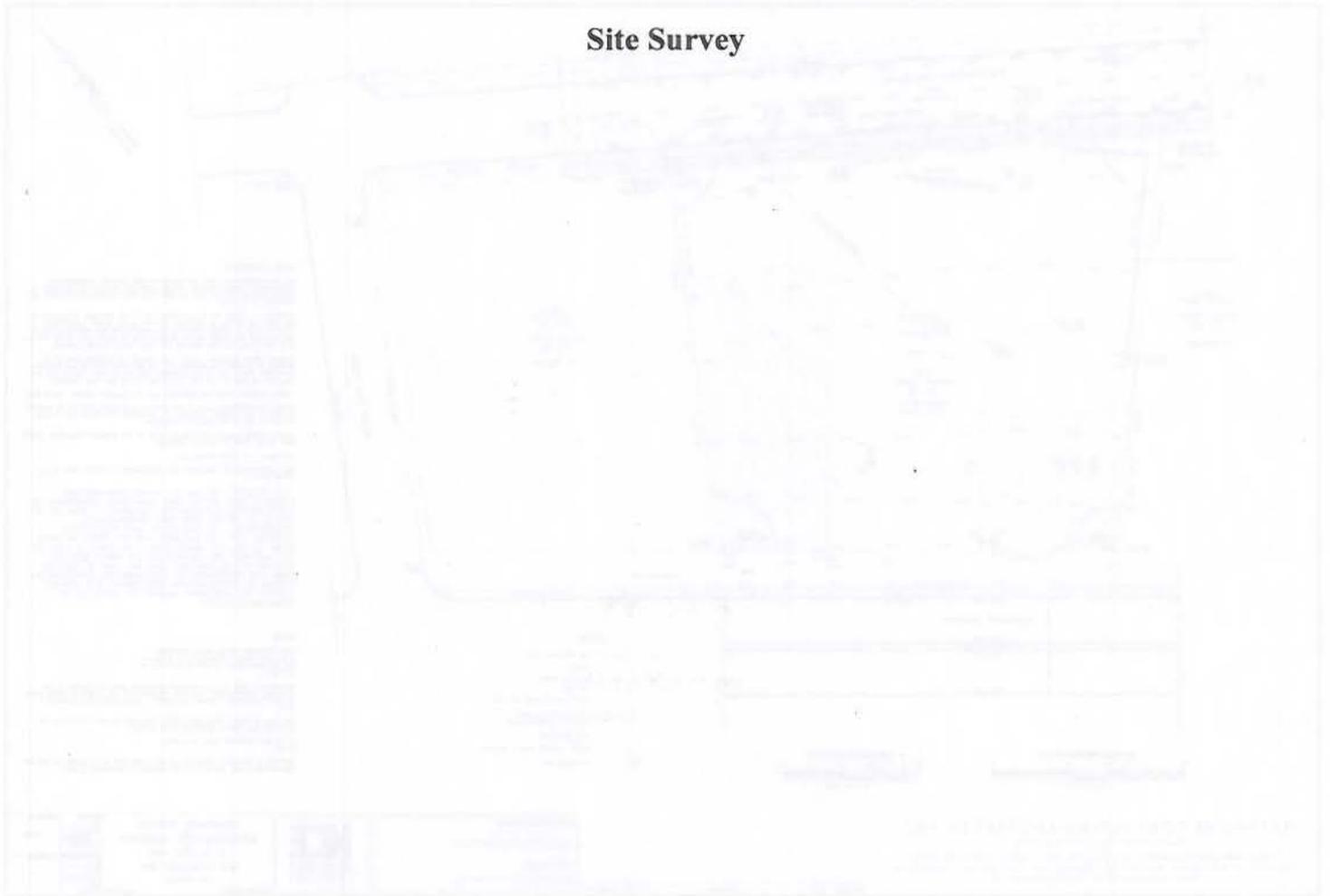
THENCE NORTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 96 DEGREES 20 MINUTES 54.1 SECONDS WITH THE LAST MENTIONED LINE, 225.98 FEET TO THE SOUTHERLY SIDE OF FAR ROCKAWAY BOULEVARD;

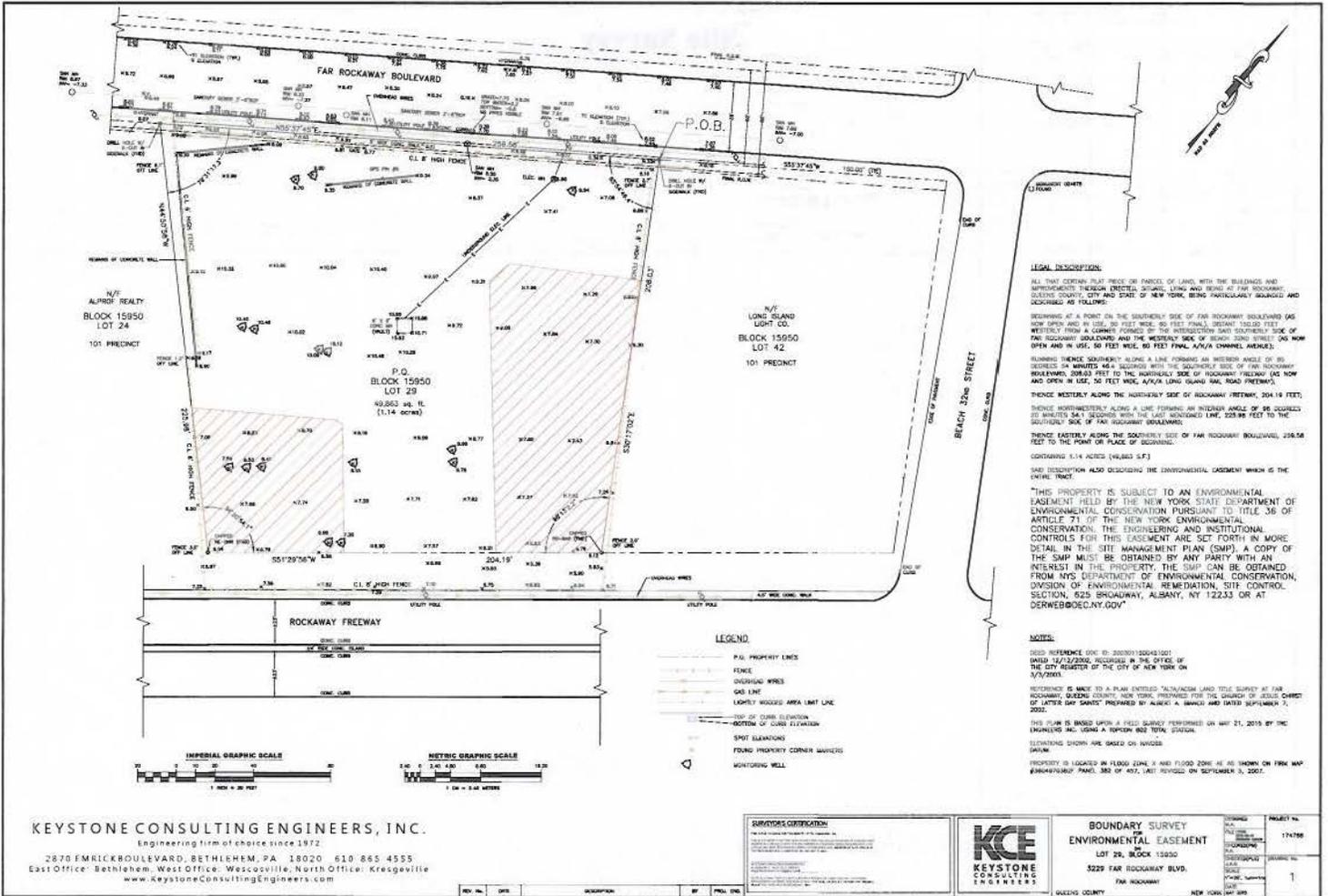
THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF FAR ROCKAWAY BOULEVARD, 259.58 FEET TO THE POINT OR PLACE OF BEGINNING.

CONTAINING 1.1447 ACRES (49,863 S.F.)

Exhibit B

Site Survey





LEGAL DESCRIPTION:
 ALL THAT CERTAIN PLAT PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND APPURTENANCES THEREON, BEING SPECIAL, LEGAL AND BOUND AS FAR ROCKAWAY BOULEVARD, QUEENS COUNTY, CITY AND STATE OF NEW YORK, BEING PARTICULARLY SHOWN AND DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF FAR ROCKAWAY BOULEVARD (AS NOW OPEN AND IN USE, 30 FEET WIDE, 80 FEET FINAL, BEARING 150.00 FEET WESTERLY FROM A CORNER FORMED BY THE INTERSECTION SAID SOUTHERLY SIDE OF FAR ROCKAWAY BOULEVARD AND THE WESTERLY SIDE OF BEACH 126TH STREET (AS NOW OPEN AND IN USE, 50 FEET WIDE, 80 FEET FINAL, A/V/A SWANELL AVENUE);
 THENCE SOUTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 88 DEGREES 04 MINUTES 48.4 SECONDS WITH THE SOUTHERLY SIDE OF FAR ROCKAWAY BOULEVARD, 208.63 FEET TO THE INTERSECTION OF ROCKAWAY FREEWAY (AS NOW OPEN AND IN USE, 50 FEET WIDE, A/V/A LONG ISLAND PAL ROAD FREEWAY);
 THENCE WESTERLY ALONG THE NORTHERLY SIDE OF ROCKAWAY FREEWAY, 204.18 FEET, THENCE NORTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 88 DEGREES 02 MINUTES 54.1 SECONDS WITH THE LAST MENTIONED LINE, 228.98 FEET TO THE SOUTHERLY SIDE OF FAR ROCKAWAY BOULEVARD;
 THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF FAR ROCKAWAY BOULEVARD, 258.58 FEET TO THE POINT OF BEGINNING;
 CONTAINING 1.14 ACRES (49,883 S.F.)
 SAID DESCRIPTION ALSO DESCRIBING THE ENVIRONMENTAL EASEMENT WHICH IS THE ENTIRE TRACT.
 THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION, THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN MORE DETAIL IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY, THE SMP CAN BE OBTAINED FROM THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERHEB@DEC.NY.GOV"

NOTES:
 1. THIS REFERENCE ONE TO 2003011000431001 UNDER 15/23/2003, REGISTERED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK ON 11/17/03.
 2. REFERENCE IS MADE TO A PLAN ENTITLED "ALTAZANAS LAND TITLE SURVEY AT FAR ROCKAWAY, QUEENS COUNTY, NEW YORK, PREPARED FOR THE BOARD OF SOLID CORNER OF LATER DAY SURVEY" PREPARED BY ALBERT A. HANCOCK AND DATED SEPTEMBER 3, 2002.
 3. THIS SURVEY IS BASED UPON A FIELD SURVEY PERFORMED ON MAY 21, 2010 BY THE ENGINEER, INCLUDING A TOTAL STATION.
 4. ELEVATIONS SHOWN ARE BASED ON NAD83 DATUM.
 5. PROPERTY IS LOCATED IN FLOOD ZONE X AND FLOOD ZONE AS IS SHOWN ON FIRM MAP #80487849P PANEL 382 OF 437, LAST REVISED ON SEPTEMBER 3, 2007.

- LEGEND:**
- P.O.B. PROPERTY LINES
 - FENCE
 - OVERHEAD WIRES
 - GAS LINE
 - LIGHTLY WOODS AREA LIMIT LINE
 - TOP OF CURB ELEVATION
 - BOTTOM OF CURB ELEVATION
 - SPOT ELEVATIONS
 - FOUND PROPERTY CORNER MARKERS
 - MONITORING WELL



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SURVEYS CERTIFICATION <small>STATE OF NEW YORK I, the undersigned, being duly sworn, depose and say that I am a duly Licensed Professional Engineer in the State of New York, and that I am the Engineer of Record for the above described survey, and that the contents of the same are true and correct to the best of my knowledge and belief, and that I am not aware of any fraud or deceit in the execution of the same.</small>		BOUNDARY SURVEY ENVIRONMENTAL EASEMENT LOT 29, BLOCK 15950 3229 FAR ROCKAWAY BLVD. QUEENS COUNTY FAR ROCKAWAY NEW YORK 11430	DRAWING NO. 174780 SHEET NO. 1

Description of Engineering Control

Corp of Presiding Bishop of the CJCLDS

50 E. North Temple Street

3229 Far Rockaway Boulevard

Environmental Easement

Block: 15950

Lot: 29

Sublot:

Section: 60

Subsection:

S_B_L Image: 60-15950-29

Alternate Water Supply

Cover System

Vapor Mitigation