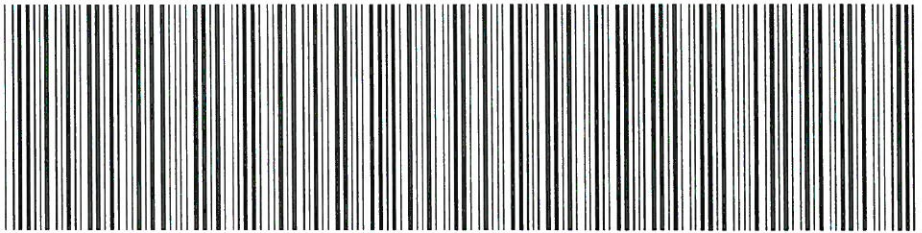


NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER

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RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 11

Document ID: 2016011200518001

Document Date: 12-15-2015

Preparation Date: 01-12-2016

Document Type: CERTIFICATE

Document Page Count: 10

PRESENTER:

PICK-UP BY GAIL S 1525474
STEWART TITLE INSURANCE COMPANY
711 WESTCHESTER AVENUE, SUITE 302
WHITE PLAINS, NY 10604
914-993-9393
NYMETRORECORDINGS@STEWART.COM

RETURN TO:

PICK-UP BY GAIL S 1525474
STEWART TITLE INSURANCE COMPANY
711 WESTCHESTER AVENUE, SUITE 302
WHITE PLAINS, NY 10604
914-993-9393
NYMETRORECORDINGS@STEWART.COM

PROPERTY DATA

Borough	Block	Lot	Unit	Address
QUEENS	268	4	Entire Lot	27-21 44TH DRIVE

Property Type: COMMERCIAL REAL ESTATE

Borough	Block	Lot	Unit	Address
QUEENS	268	23	Entire Lot	N/A PURVIS STREET

Property Type: NON-RESIDENTIAL VACANT LAND

CROSS REFERENCE DATA

CRFN _____ or DocumentID _____ or Year _____ Reel _____ Page _____ or File Number _____

PARTIES

PARTY 1:

PURVES DEVELOPMENT LLC
42-22 22ND STREET
LONG ISLAND CITY, NY 11101

FEES AND TAXES

Mortgage :

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

TOTAL: \$ 0.00

Recording Fee: \$ 90.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 0.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 0.00

RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE

CITY OF NEW YORK

Recorded/Filed 01-13-2016 16:10

City Register File No.(CRFN):

2016000013518



Annita McMillan

City Register Official Signature

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Purves Development LLC

Address

42-22 22nd Street, Long Island City, NY 11101

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 6/11/14 **Agreement Execution:** 7/1/14 **Agreement Index No.:** C241164-06-14

Application Approval Amendment: 1/22/15

Agreement Execution Amendment: 1/22/15

SITE INFORMATION:

Site No.: C241164 **Site Name:** Purves Street Development

Site Owner: Purves Development LLC

Street Address: 44-18 Purves Street and 27-21 44th Drive

Municipality: Long Island City **County:** Queens **DEC Region:** 2

Site Size: 0.265 Acres

Tax Map Identification Number(s): 268-23, 268-4

Percentage of site located in an EnZone: 0 - 49 %

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 12 %.

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 10 %.

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 2015000365905.

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

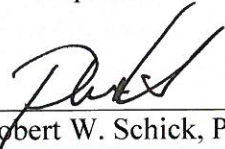
This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon a finding that:

- (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 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
Acting Commissioner
New York State Department of Environmental Conservation

By:


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

Date:

December 15, 2015

Purves Street Development, Site No.: C241164, Long Island City, New York

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 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 DEC's Region 2 office located at 47-40 21st Street, Long Island City, New York, 11101, by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

Purves Development LLC

By: Mark Gold

Title: Administrative Member

Date: 1/8/16

STATE OF NEW YORK) SS:
COUNTY OF Queens)

On the 8th day of January, in the year 2016, before me, the undersigned, personally appeared Mark Gold, 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]
Signature and Office of individual
taking acknowledgment



Please record and return to:

Purves Development LLC

Attn: Mark Gold

44-22 22nd Street

Long Island City, NY 11101

SEAL

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

Purves Street Development, Site ID No.: C241164, Brownfield Cleanup Index:
C241164-06-14

Site Address: 44-18 Purves Street and 27-21 44th Drive,
Long Island City, Queens County, NY 11101
Tax Map Identification Number(s): 268-4 and 268-23

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 Purves Development LLC for a parcel approximately 0.265 acres located at 44-18 Purves Street and 27-21 44th Drive in Long Island City, Queens County, New York.

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):

- ✓ Check all that apply
- ☐ 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 Queens County as 2015000365905.

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.





NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
12/8/2015



SITE DESCRIPTION

SITE NO. C241164

SITE NAME Purves Street Development

SITE ADDRESS: 44-18 Purves Street and 27-21 44th Drive **ZIP CODE:** 11101

CITY/TOWN: Long Island City

COUNTY: Queens

ALLOWABLE USE: Restricted-Residential, Commercial, and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:	YES	NO
IC/EC Certification Plan	☒	☐
Monitoring Plan	☒	☐
Operation and Maintenance (O&M) Plan	☒	☐

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/30/2017

Description of Institutional Control

Purves Development LLC

42-22 22nd Street

27-21 44th Drive

Environmental Easement

Block: 268

Lot: 4

Sublot:

Section:

Subsection:

S_B_L Image: 268-4

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

44-18 Purves Street

Environmental Easement

Block: 268

Lot: 23

Sublot:

Section:

Subsection:

S_B_L Image: 268-23

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

Purves Development LLC

42-22 22nd Street

27-21 44th Drive

Environmental Easement

Block: 268

Lot: 4

Sublot:

Section:

Subsection:

S_B_L Image: 268-4

Cover System

Vapor Mitigation

44-18 Purves Street

Environmental Easement

Block: 268

Lot: 23

Sublot:

Section:

Subsection:

S_B_L Image: 268-23

Cover System

Vapor Mitigation

Exhibit A

Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

**Legal Description of Environmental Easement: 27-21 44th Drive and 44-18 Purves Street,
Long Island City, NY, BCP Site No. C241164, Queens Block 268, Lots 4 and 23**

DESCRIPTION FOR TAX LOTS 4 & 23

ALL those certain plots, pieces or parcels of land, with the building and improvements thereon erected, situate, lying and being in the Borough and County of Queens, City and State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of 44th Drive (Nott Avenue) distant 59.94 feet northerly from the corner formed by the intersection of the easterly side of 44th Drive with the northeasterly side of Thompson Avenue;

RUNNING THENCE northerly along the easterly side of 44th Drive 100.04 feet (deed) (100.09 feet survey);

THENCE easterly and parallel with the southerly side of Jackson Avenue 92.11 feet (deed) (92.56 feet survey);

THENCE southerly along a line forming an interior angle of 90 degrees 21 minutes 40 seconds (deed) (90 degrees survey) with the last mentioned course 25 feet;

THENCE easterly parallel to Jackson Avenue 100.00 feet to the westerly side of Purves Street;

THENCE southerly at right angles with the last mentioned course 25.00 feet;

THENCE westerly at right angles with the last mentioned course 100.00 feet;

THENCE southerly at right angles with the last mentioned course 50.00 feet;

THENCE westerly along a line forming an interior angle of 89 degrees 38 minutes 20 seconds (deed) (90 degrees survey) with the last mentioned course 88.54 feet (deed) (88.38 feet survey) to the easterly side of 44th Drive and the point or place of BEGINNING.

Exhibit B

Site Survey

