

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

NOV -1 2019

QPP LLC
Attn: Alexander Durst
One Bryant Park
New York, NY 10006
alexander@durst.org

Re: Certificate of Completion
Queens Plaza North
29-19 41st Avenue, 29-47 Northern Boulevard & 29-23 Queens Plaza North
Long Island City, Queens, C241171

Dear Mr. Durst:

Congratulations on having satisfactorily completed the remedial program at the Queens Plaza North. 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;

If you have any questions regarding any of these items, please contact Ruth Curley at 518-402-9480 or ruth.curley@dec.ny.gov.

Sincerely,



Michael J. Ryan, P.E.
Director
Division of Environmental Remediation

ec w/ enclosure:

M. Burke- Langan mburke@langan.com
L. Schapf - Schnapf LLC larry@schnapflaw.com
C. Vooris - NYSDOH
W. Kuehner - NYSDOH
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov

ec w/o enc.:

R. Curley
M. Komoroske
G. Burke
J. O'Connell
K. McCarthy -OGC
J. Andaloro -OGC
K. Lewandowski

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name
QPP LLC

Address
One Bryant Park, New York, NY 10036

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 5/20/15 **Agreement Execution:** 7/23/15
Agreement Index No.: C241171-05-15

Application Approval Amendment: 3/29/17

Agreement Execution Amendment: 3/29/17

Application Approval Amendment: 7/19/18

Agreement Execution Amendment: 7/19/18

SITE INFORMATION:

Site No.: C241171 **Site Name:** Queens Plaza North

Site Owner: QPP LLC

Street Address: 29-19 41st Avenue, 29-47 Northern Boulevard and 29-23 Queens Plaza North

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

Site Size: 0.521 Acres

Tax Map Identification Number(s): 4-403-11, p/o 4-403-10, p/o 4-403-3

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: Unrestricted, Residential, Restricted-Residential, Commercial, and Industrial
Cleanup Track: Track 1: Unrestricted use

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 50 %.

Tangible Property Credit Component Rate is 22 %.

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

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 50 %.

Tangible Property Credit Component Rate is 20 %.

No Environmental Easement has been granted pursuant to ECL Article 71, Title 36 as there are no use restrictions and there is no reliance on the long-term employment of institutional controls.

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/REVOCAION

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.

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:  Date: 11/1/19

Michael J. Ryan, P.E., Director
Division of Environmental Remediation

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

Queens Plaza North, Site ID No. C241171
29-19 41st Avenue, 29-47 Northern Boulevard and 29-23 Queens Plaza North
Long Island City, NY 11101
Long Island City, Queens,

Tax Map Identification Numbers part of 4-403-3; part of 4-403-10; and 4-403-11.

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 QPP LLC for a parcel approximately 0.521 acres located at the 29-19 41st Avenue, 29-47 Northern Boulevard and 29-23 Queens Plaza North in Long Island City, Queens.

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.

PLEASE TAKE NOTICE, provided that the Certificate is 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, 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.

**Queens Plaza North, C241171,
29-19 41st Avenue, 29-47 Northern Boulevard and 29-23 Queens Plaza North
Long Island City, NY 11101**

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

WHEREFORE, the undersigned has signed this Notice of Certificate

QPP LLC

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 20__, 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:
QPP LLC
attn: Alexander Durst
One Bryant Park
New York, NY 10036

Exhibit A
Site Description

29 August 2019
170316402

**WRITTEN DESCRIPTION
BCP PARCEL
BLOCK 403
PART OF TAX LOTS: 3, 10 & 11
IN THE BOROUGH OF QUEENS, CITY OF NEW YORK
QUEENS COUNTY, NEW YORK**

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

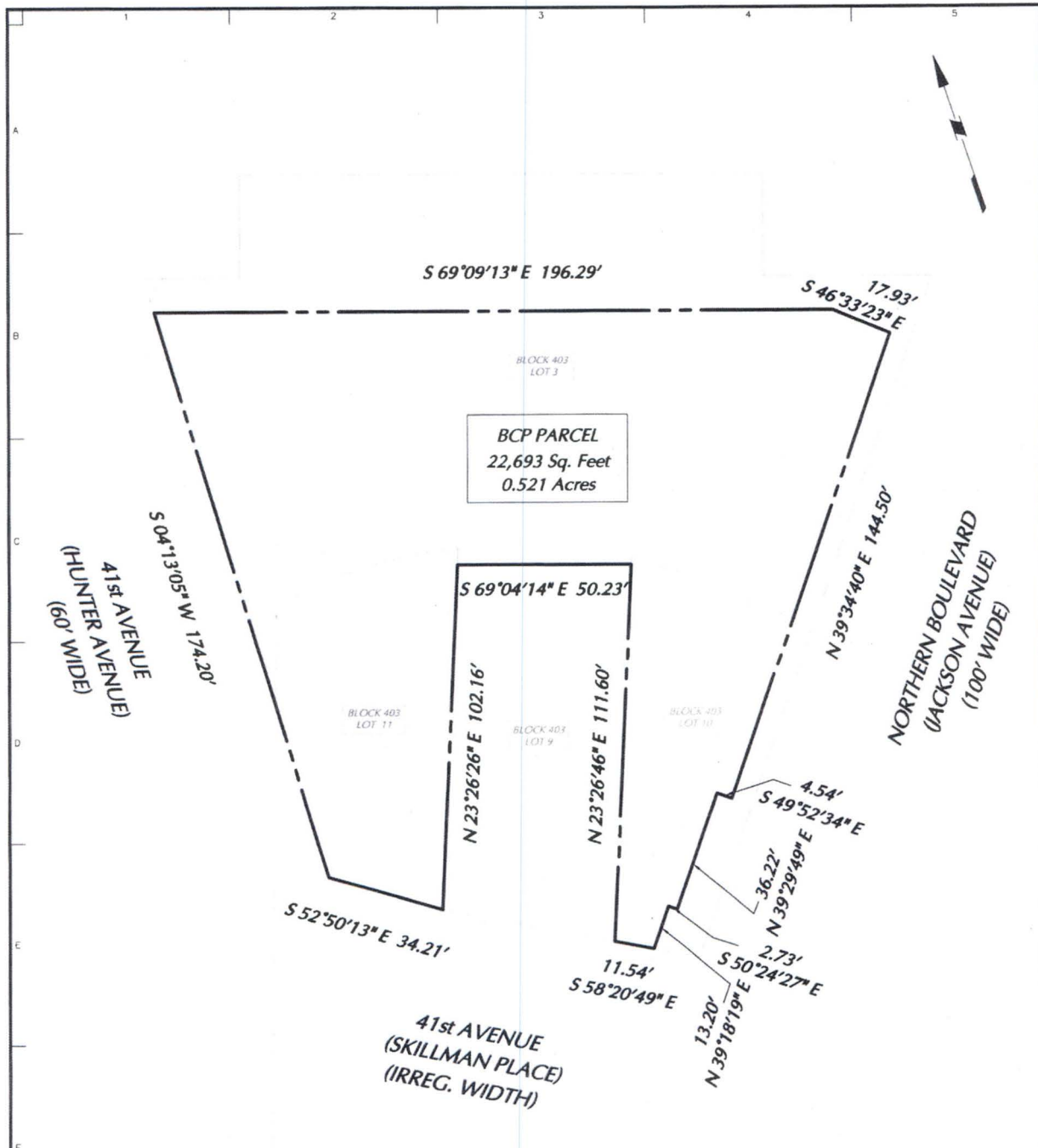
COMMENCING at the intersection of the easterly side of 41st Avenue (aka Hunter Avenue- 60' wide) with the northerly side of 41st Avenue (aka Skillman Place- Irregular Width), said point being the Point or Place of Beginning and running thence;

1. Along said easterly line of 41st Avenue (aka Hunter Avenue- 60' wide) North 04°13'05" East, a distance of 174.20 feet to a point, thence;
2. South 69°09'13" East, a distance of 196.29 feet to a point, thence;
3. South 46°33'23" East, a distance of 17.93 feet to a point, thence;
4. South 39°34'40" West, a distance of 144.50 feet to a point, thence;
5. North 49°52'34" West, a distance of 4.54 feet to a point, thence;
6. South 39°29'49" West, a distance of 36.22 feet to a point, thence;
7. North 50°24'27" West, a distance of 2.73 feet to a point, thence;
8. South 39°18'19" West a distance of 13.20 feet to said northerly side of 41st Avenue (aka Skillman Place- Irregular Width), thence;
9. Along said northerly side of 41st Avenue (aka Skillman Place- Irregular Width), North 58°20'49" West, a distance of 11.54 feet to a point, thence;
10. North 23°26'46" East, a distance of 111.60 feet to a point, thence;
11. North 69°04'14" West, a distance of 50.23 feet to a point, thence;
12. South 23°26'26" West a distance of 102.16 feet to said northerly side of 41st Avenue (aka Skillman Place- Irregular Width), thence;

13. Along said northerly side of 41st Avenue (aka Skillman Place- Irregular Width), North 52°50'13" West, a distance of 34.21 feet to the Point or Place of Beginning.

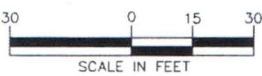
Encompassing an area of 22,708.5 square feet or 0.52 acres.

Exhibit B
Site Survey



NOTES

- SKETCH SHOWN PER THE FOLLOWING REFERENCES:
 - "FINAL SURVEY, 29-37 21ST AVENUE, BLOCK 403, LOTS NO. 6, 9, 10 & 11", BY LANGAN, PROJECT NO. 170316402, DRAWING NO. FS101, DATED 10/16/2017.
 - SOE ELEVATED NYCT STRUCTURE, QUEENS PLAZA PARK, QUEENS, NY 11101, PLAN NO. SOE-101.00, REVISED 03-16-2018.
- THE MERIDIAN OF THIS SURVEY IS REFERENCED TO NAD1983 NY LONG ISLAND STATE PLANE COORDINATE SYSTEM.
- STREET NAMES, R.O.W. WIDTHS, BLOCK AND LOT NUMBERS AS PER DRAWING REFERENCED IN NOTE 1A.
- THE INTENT OF THIS SKETCH IS TO PROVIDE THE BCP BOUNDARY FOR THE PROJECT SITE.



"I hereby state that this plan is based on a field survey made by me or under my immediate supervision in accordance with NYSPLS Code of Practice for Land Surveys, and to the best of my professional knowledge, information and belief, and in my professional opinion, correctly represents the conditions found on the date of the field survey at the subject property."

SIGNATURE: *Paul Fisher*
 PAUL FISHER
 PROFESSIONAL LAND SURVEYOR NY Lic. No. 050784-1
 DATE SIGNED: 8-20-19

<p>LANGAN 21 Penn Plaza, 350 West 31st Street, 10th Floor New York, NY 10021 T: 212.479.5400 F: 212.479.5444 www.langan.com Langan Engineering, Environmental, Surveying and Landscape Architecture, P.C. S.A. Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. Langan Engineering and Environmental Services, Inc. Langan Inc. Langan International LLC Collectively known as Langan</p>	Project	Drawing Title	Project No.	Drawing No.	
	QUEENS PLAZA PARK	BCP BOUNDARY	170316402	SK-1	
	BLOCK No. 403, P/O LOT Nos. 6, 10 & 11 BOROUGH OF QUEENS CITY OF NEW YORK QUEENS COUNTY NEW YORK		Date	08-29-2019	
			Scale	1"=30'	
			Drawn By	Checked By	
			TA, JM	PDF	
			Submission Date	Sheet 01 of 01	