

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

Transmitted via E-mail and US Mail

December 30, 2022

Peninsula Rockaway Limited Partnership
EC A1 Limited Partnership
EC A1 Commercial LLC
c/o The Arker Companies
Daniel Moritz
1044 Northern Blvd.
Roslyn, NY 11576
dmoritz@arkercompanies.com

EC Parcel, L.L.C.; EC A2 Parcel, L.L.C.; EC B1 Parcel, L.L.C.; EC B2 Parcel, L.L.C.;
EC C1 Parcel, L.L.C.; EC C2 Parcel, L.L.C.; EC D1 Parcel, L.L.C.; EC D2 Parcel,
L.L.C.; EC E1 Parcel, L.L.C.; EC E2 Parcel, L.L.C.,
c/o Tishman Speyer
Michael Benner
45 Rockefeller Plaza
New York, NY 10111
mbenner@tishmanspeyer.com

EC A1 Housing Development Fund Corporation
Daniel Moritz
c/o Block Institute, Inc.
376 Bay 44th Street
Brooklyn, NY 11214

Re: Certificate of Completion
Former Peninsula Hospital Site
Far Rockaway, Queens County
Site No.: C241200

Dear Daniel Moritz and Michael Benner:

Congratulations on having satisfactorily completed the remedial program at the Former Peninsula Hospital 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 the Notice of Certificate of Completion 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 the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.
- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

Javier Perez-Maldonado, Bureau B
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233

- Provide the Notice of Certificate of Completion 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 2024.

If you have any questions, please do not hesitate to contact Javier Perez-Maldonado, the Department's project manager, at 518-402-8172 or javier.perez-maldonado@dec.ny.gov.

Sincerely,

Andrew Guglielmi

Andrew Guglielmi
Division Director
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

J. Brooks – ABLLP, jbrooks@abramsonbrooks.com
L. Schnapf – SLLC, larry@schnapflaw.com
S. Davis – FPM Group, s.davis@fpm-group.com
C. Vooris – NYSDOH, christine.vooris@health.ny.gov
S. McLaughlin – NYSDOH, scarlett.mclaughlin@health.ny.gov
S. Wagh – NYSDOH, sarita.wagh@health.ny.gov
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov

ec w/o enc.:

Javier Perez-Maldonado, javier.perez-maldonado@dec.ny.gov
William Bennett, william.bennett@dec.ny.gov
Jane O'Connell, jane.oconnell@dec.ny.gov
Jennifer Andalaro, jennifer.andalaro@dec.ny.gov
Kelly Lewandowski, kelly.lewandowski@dec.ny.gov

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)

CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

EC A1 Housing Development Fund Corporation
EC A1 Commercial LLC
EC A1 Limited Partnership
Peninsula Rockaway Limited Partnership
EC A2 Parcel, L.L.C.
EC B1 Parcel, L.L.C.
EC B2 Parcel, L.L.C.
EC C1 Parcel, L.L.C.
EC C2 Parcel, L.L.C.
EC D1 Parcel, L.L.C.
EC D2 Parcel, L.L.C.
EC E1 Parcel, L.L.C.
EC E2 Parcel, L.L.C.
EC Parcel, L.L.C.

Address

c/o The Arker Companies, 1044 Northern Blvd, Roslyn, NY 11576
c/o The Arker Companies, 1044 Northern Blvd, Roslyn, NY 11576
c/o The Arker Companies, 1044 Northern Blvd, Roslyn, NY 11576
c/o The Arker Companies, 1044 Northern Blvd, Roslyn, NY 11576
c/o Tishman Speyer, 45 Rockefeller Plaza, New York, NY 10111
c/o Tishman Speyer, 45 Rockefeller Plaza, New York, NY 10111
c/o Tishman Speyer, 45 Rockefeller Plaza, New York, NY 10111
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c/o Tishman Speyer, 45 Rockefeller Plaza, New York, NY 10111

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 10/5/17 **Agreement Execution:** 12/5/17

Agreement Index No.: C241200-08-17

Application Amendment Approval: 12/9/21

Agreement Amendment Execution: 12/9/21

Application Amendment Approval: 12/16/22

Agreement Amendment Execution: 12/16/22

Application Amendment Approval: 12/23/22

Agreement Amendment Execution: 12/23/22

Application Amendment Approval: 12/29/22

Agreement Amendment Execution: 12/29/22

SITE INFORMATION:

Site No.: C241200 **Site Name:** Former Peninsula Hospital Site

Site Owner: EC A1 Limited Partnership

EC Parcel, L.L.C.

EC A1 Commercial LLC

EC A1 Housing Development Fund Corporation

Street Address: 51-23 Beach Channel Drive, 51-25 Beach Channel Drive, 302 Beach 53rd Street, 51-19 Beach Channel Drive, Beach 53rd Street, Rockaway Beach Boulevard, Beach 50th Street

Municipality: Far Rockaway

County: Queens

DEC Region: 2

Site Size: 9.010 Acres

Tax Map Identification Number(s): 15843-1, 15843-1001, 15843-1002, 15843-1003, 15843-1004, 15843-25, 15843-35, 15843-45, 15843-55, 15843-65, 15843-75, 15843-85, 15843-95

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:

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

Eligibility for Tangible Property Credit is available because the certificate holder submitted documentation to the Department's satisfaction that the project was an Affordable Housing project. If affordable housing is not constructed there is no Tangible Property Credits. Tangible Property Credit is 10%. Comprised of 10% Base.

Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24 %.

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 2022000460076 and 2022000460075.

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; or
- (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: Andrew Guglielmi Date: 12/30/2022

Andrew O. Guglielmi, Director
Division of Environmental Remediation

Exhibit A

Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

DESCRIPTION FOR TAX LOTS 1, 25, 35, 45, 55, 65, 75, 85, 95, former Lot 15 (Lots 1001, 1002, 1003, 1004)
BLOCK No. 15843

BEACH CHANNEL DRIVE, ROCKAWAY BEACH BOULEVARD, BEACH 50TH STREET AND BEACH 53RD STREET
BOROUGH AND COUNTY OF QUEENS, CITY OF NEW YORK

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

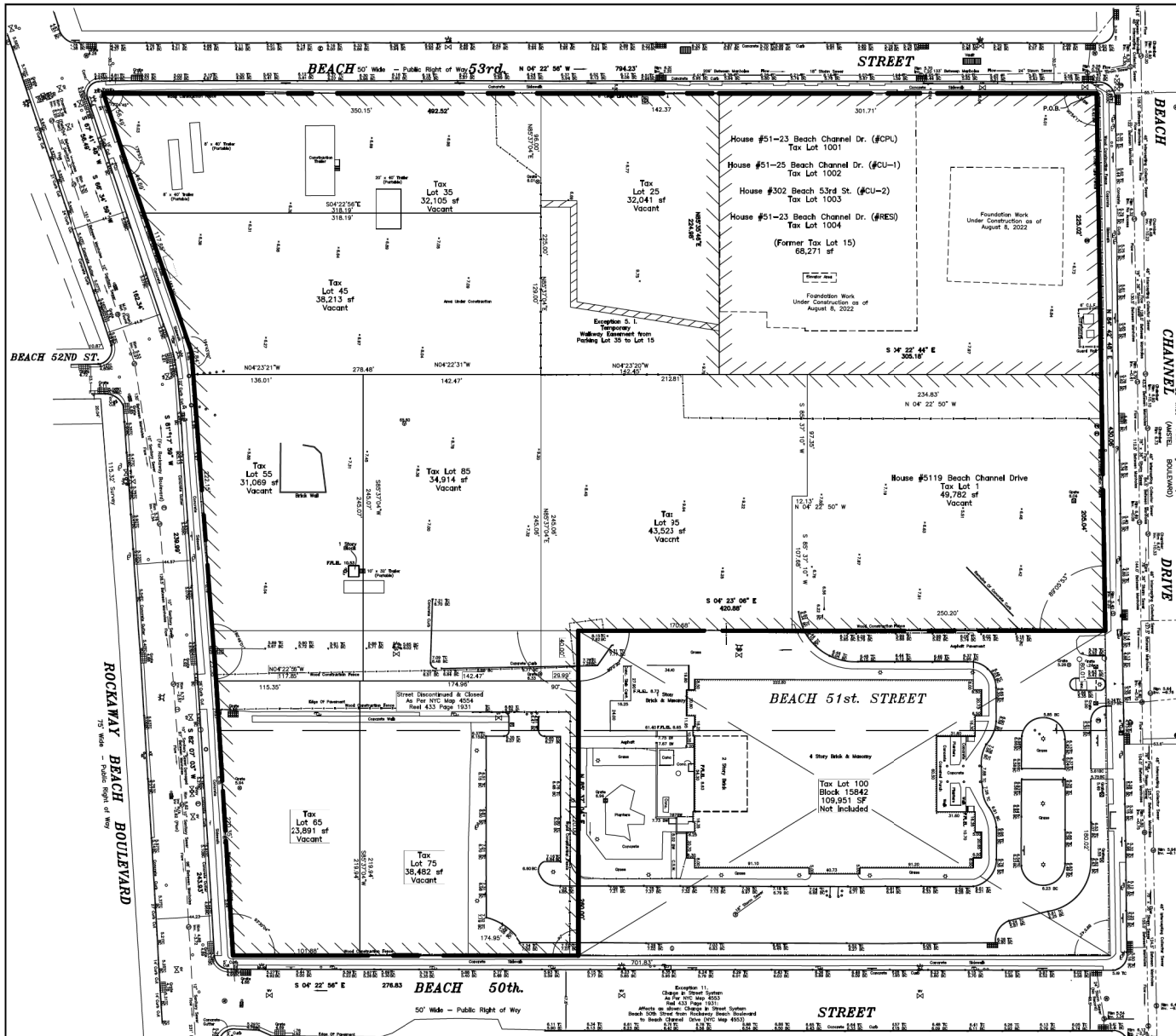
BEGINNING at the point formed by the intersection of the Southerly side of Beach Channel Drive (85' Wide) with the Easterly side of Beach 53rd Street (50' Wide) end running thence the following several courses;

1. Easterly along the said southerly side of Beach Channel Drive North 84° 42' 48" East, 430.06 feet to a point;
2. THENCE South 4° 23' 06" East, 420.88 feet to a point;
3. THENCE North 85° 37' 04" East, 260.00 feet to a point to the Westerly side of Beach 50th street (50' Wide);
4. THENCE Southerly along the said Westerly side of Beach 50th Street South 04 degrees 22 minutes 56 seconds East a distance of 276.83 feet to the corner formed by the intersection of the said Westerly side of Beach 50th Street with the Northerly side of Rockaway Beach Boulevard (75' wide);
5. THENCE Westerly along the said Northerly side of Rockaway Beach Boulevard South 82 degrees 07 minutes 03 seconds West a distance of 243.93 feet to an angle point;
6. THENCE continuing Westerly along the said Northerly side of Rockaway Beach Boulevard South 81 degrees 17 minutes 59 seconds West a distance of 239.99 feet to an angle point;
7. THENCE Southwesterly along the said Northwesterly side of Rockaway Beach Boulevard South 66 degrees 34 minutes 59 seconds West a distance of 162.34 feet to an angle point;
8. THENCE continuing Southwesterly along the said Northwesterly side of Rockaway Beach Boulevard South 67 degrees 41 minutes 48 seconds West a distance of 56.49 feet to the corner formed by the intersection of the said Northwesterly side of Rockaway Beach Boulevard with the said Easterly side of Beach 53rd Street;
9. THENCE Northerly along the said Easterly side of Beach 53rd Street North 4 degrees 22 minutes 56 seconds West a distance of 794.23 feet to a point on the said southerly side of Beach Channel Drive and the point or place of BEGINNING.

The above described parcel contains an area of 392,296 square feet or 9.006 acres.

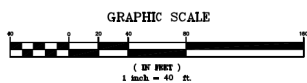
Exhibit B

Site Survey



Map of Survey
November 20, 2015
Tax Lots 1, 25, 35, 45, 55,
Tax Lots 65, 75, 85, 95 Block 15643
Borough of Queens
Queens County
New York, NY

THESE ARE THE RESULTS OF A SURVEY MADE BY THE ROYAL CANADIAN MOUNTED POLICE (RCMP) FOR THE PURPOSE OF DETERMINING THE BOUNDARIES OF THE LANDS OF THE ROYAL CANADIAN MOUNTED POLICE (RCMP) IN THE BOROUGH OF QUEENS, NEW YORK, NY. THE SURVEY WAS MADE BY THE ROYAL CANADIAN MOUNTED POLICE (RCMP) ON NOVEMBER 20, 2015. THE SURVEY WAS MADE BY THE ROYAL CANADIAN MOUNTED POLICE (RCMP) ON NOVEMBER 20, 2015. THE SURVEY WAS MADE BY THE ROYAL CANADIAN MOUNTED POLICE (RCMP) ON NOVEMBER 20, 2015.



NO.	DATE	BY	FILE
1	11/20/15	LS	158722
2	11/20/15	WS	158722
3	11/20/15	WS	158722
4	11/20/15	WS	158722
5	11/20/15	WS	158722
6	11/20/15	WS	158722
7	11/20/15	WS	158722
8	11/20/15	WS	158722
9	11/20/15	WS	158722
10	11/20/15	WS	158722

LEGEND	
UTILITY POLE	WELL
GAS VALVE	VAULT
WATER VALVE	SEIN
HYDRANT	POST
WATER SHUT OFF	BASEIN
CATCH BASIN	WETLANDS FLAG
GUY WIRE	FIRE ALARM
MAN HOLE	MONUMENT
MAN HOLE (SANITARY)	OIL FILL
MAN HOLE (STORM)	TELEPHONE
MAN HOLE (ELECTRIC)	GRATE (ROUND)
MAN HOLE (WATER)	GRATE (SQUARE)
GAS LINE MARKER	JUNCTION BOX
LIGHT POLE	MAIL BOX

DATUM NOTE
COORDINATES AND BEARINGS SHOWN ARE REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM (NAD 83, LONG ISLAND).
ELEVATIONS SHOWN ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

- DESCRIPTION FOR TAX LOTS 1, 25, 35, 45, 55, 65, 75, 85, 95, former Lot 15 (Dums 1001, 1002, 1003, 1004) BLOCK No. 15643
ROCKAWAY BEACH BOULEVARD, BEACH 50th STREET and BEACH 51st STREET
BOROUGH AND COUNTY OF QUEENS, CITY OF NEW YORK
- ALL that certain plot, place or parcel of land, situate, lying and being in the Borough and County of Queens, City and State of New York, bounded and described as follows:
1. Entirely along the said southerly side of Beach Channel Drive North 84° 42' 48" East, 430.06 feet to a point.
 2. THENCE South 4° 23' 04" East, 400.88 feet to a point.
 3. THENCE North 87° 37' 04" East, 200.00 feet to a point on the southerly side of Beach 50th Street (50' Wide).
 4. THENCE southerly along the said southerly side of Beach 50th Street South 82 degrees 07 minutes 03 seconds East a distance of 243.93 feet to an angle point.
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	<u>REVISIONS</u>
	NO. DATE BY FILE
	1 11/20/15 LS 158722
	2 11/20/15 WS 158722
	3 11/20/15 WS 158722
	4 11/20/15 WS 158722
	5 11/20/15 WS 158722
	6 11/20/15 WS 158722
	7 11/20/15 WS 158722
	8 11/20/15 WS 158722
	9 11/20/15 WS 158722
	10 11/20/15 WS 158722

NAVD 88	
THIS IS TO CERTIFY THAT THERE ARE NO CHARGES OR INTERDICTIONS ON THE PROPERTY DEBAR IN THE LISTED:	

COPYRIGHT 2022 ROGERS SURVEYING, PLLC
ALL RIGHTS RESERVED
IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF THE LICENSED LAND SURVEYOR, TO ALTER AN ITEM IN ANY MAP.
IF AN ITEM BEARING THE PROFESSIONAL SEAL OF THE LICENSED LAND SURVEYOR IS ALTERED, THE ALTERING LAND SURVEYOR SHALL BE RESPONSIBLE FOR THE ALTERATION AND THE VIOLATION ALTERED, BE FOLLOWED, BE THE DESCRIPTION OF THE ALTERATION.
LIMITS OF NYS DEC EASEMENT

These properties are subject to an environmental assessment held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the New York Environmental Conservation Law. The engineering and institutional maps (EIM and IIM) and the "LIMITS OF DEC EASEMENT" (LDE) map are available for review at the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broome Street, Albany, NY 12242 or at dec.state.ny.us

DESCRIPTION BLOCK No. 15643
TAX LOTS 1, 25, 35, 45, 55, 65, 75, 85, 95
QUEENS COUNTY, NEW YORK
House #51-23 Beach Channel Dr. (#CPL) Tax Lot 1001
House #51-25 Beach Channel Dr. (#CU-1) Tax Lot 1002
House #302 Beach 53rd St. (#CU-2) Tax Lot 1003
House #51-23 Beach Channel Dr. (#RES) Tax Lot 1004
(Former Tax Lot 15) 68,271 sf

ALL that certain plot, place or parcel of land, situate, lying and being in the Borough and County of Queens, City and State of New York, bounded and described as follows:
BEHINDING at the corner formed by the intersection of the southerly side of Beach Channel Drive, with the southerly side of Beach 53rd Street.
RUNNING THENCE southerly along the southerly side of Beach Channel Drive, 225.02 feet.
THENCE southerly along a line forming an interior angle of 89 degrees 05 minutes 32 seconds with the southerly side of Beach Channel Drive, 305.15 feet to a point.
THENCE southerly along a line forming an interior angle of 80 degrees 01 minutes 20 seconds with the previous course, 224.58 feet to a point on the southerly side of Beach 53rd Street.
THENCE southerly along the southerly side of Beach 53rd Street forming an interior angle of 89 degrees 05 minutes 32 seconds with the previous course, 201.71 feet to the corner first above mentioned, at the point of place of BEGINNING.
The above described parcel contains an area of 68,271 square feet or 1.567 acres.

DESCRIPTION BLOCK No. 15643
TAX LOTS 1, 25, 35, 45, 55, 65, 75, 85, 95
QUEENS COUNTY, NEW YORK
ALL that certain plot, place or parcel of land, situate, lying and being in the Borough and County of Queens, City and State of New York, bounded and described as follows:
BEHINDING at a point on the southerly side of Beach Channel Drive (85' Wide) said point being located 225.02 feet southerly of the 53rd Street by the said southerly side of Beach Channel Drive and the southerly side of Beach 53rd Street (50' Wide) and running thence the following several courses:

1. Entirely along the said southerly side of Beach Channel Drive North 84° 42' 48" East, 200.04 feet to a point.
2. THENCE South 4° 23' 04" East, 400.88 feet to a point.
3. THENCE North 87° 37' 04" East, 200.00 feet to a point on the southerly side of Beach 50th Street (50' Wide).
4. THENCE southerly along the said southerly side of Beach 50th Street South 82 degrees 07 minutes 03 seconds East a distance of 243.93 feet to an angle point.
5. THENCE southerly along the said southerly side of Beach 50th Street South 82 degrees 07 minutes 03 seconds East a distance of 243.93 feet to an angle point.
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ROCKAWAY BEACH BOULEVARD, BEACH 50th STREET and BEACH 51st STREET
BOROUGH AND COUNTY OF QUEENS, CITY OF NEW YORK

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JOB #		DATE	FB. / PG.
		4/24/18	
		2/25/18	
0000	43846	3/17/17	1042/11-12
		4/11/17	1005/26-27
		4/11/17	1005/26-27
	42718	11/9/16	977/14
	42718	3/11/16	
	43120		

Beach Channel Drive
Rockaway Beach Boulevard
Queens, New York

Drafted by: LS	Checked by: WS	Drawn by: WS	Date: 11/10/22
DE: EASEMENT SURVEY			F.R./P.C. VARIOUS



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

Former Peninsula Hospital, Site ID No. C241200
51-23 Beach Channel Drive, 51-25 Beach Channel Drive, 302 Beach 53rd Street, 51-19 Beach
Channel Drive, Beach 53rd Street, Rockaway Beach Boulevard, and Beach 50 Street
Far Rockaway, NY, 11691
Far Rockaway, Queens County, Tax Map Identification Numbers: 15843-1, 15843-25, 15843-35,
15843-45, 15843- 55, 15843-65, 15843-75, 15843-85, and 15843-95

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 Peninsula Rockaway Limited Partnership, EC A1 Commercial LLC, EC A1 Limited Partnership, EC A2 Parcel, L.L.C., EC B1 Parcel, L.L.C., EC B2 Parcel, L.L.C., EC C1 Parcel, L.L.C., EC C2 Parcel, L.L.C., EC D1 Parcel, L.L.C., EC D2 Parcel, L.L.C., EC E1 Parcel, L.L.C., EC E2 Parcel, L.L.C., EC A1 Housing Development Fund Corporation, and EC Parcel, L.L.C. for a parcel approximately 7.44 acres located at 51-19 Beach Channel Drive, Beach 53rd Street, Rockaway Beach Boulevard, and Beach 50 Street in Far Rockaway, Queens County.

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, 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 2022000460075.

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.

Former Peninsula Hospital Site, Site ID No. C241200
51-23 Beach Channel Drive, 51-25 Beach Channel Drive, 302 Beach 53rd Street, 51-19 Beach
Channel Drive, Beach 53rd Street, Rockaway Beach Boulevard, and Beach 50 Street
Far Rockaway, NY, 11691

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

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.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 1 Hunters Point Plaza, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C241212/>.

Former Peninsula Hospital Site, Site ID No. C241200
51-23 Beach Channel Drive, 51-25 Beach Channel Drive, 302 Beach 53rd Street, 51-19 Beach
Channel Drive, Beach 53rd Street, Rockaway Beach Boulevard, and Beach 50 Street
Far Rockaway, NY, 11691

WHEREFORE, the undersigned has signed this Notice of Certificate

EC Parcel, L.L.C.

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 2022, 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:

EC A1 Limited Partnership
c/o The Arker Companies
1044 Northern Blvd.
Roslyn, NY 11576

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

Former Peninsula Hospital Site, Site ID No. C241200
51-23 Beach Channel Drive, 51-25 Beach Channel Drive, and 302 Beach 53rd Street, 51-19 Beach
Channel Drive, Beach 53rd Street, Rockaway Beach Boulevard, and Beach 50 Street
Far Rockaway, NY, 11691
Far Rockaway, Queens County, Tax Map Identification Numbers:
15843-1001, 15843-1002, 15843-1003, and 15843-1004

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 Peninsula Rockaway Limited Partnership, EC A1 Commercial LLC, EC A1 Limited Partnership, EC A2 Parcel, L.L.C., EC B1 Parcel, L.L.C., EC B2 Parcel, L.L.C., EC C1 Parcel, L.L.C., EC C2 Parcel, L.L.C., EC D1 Parcel, L.L.C., EC D2 Parcel, L.L.C., EC E1 Parcel, L.L.C., EC E2 Parcel, L.L.C., EC A1 Housing Development Fund Corporation , and EC Parcel, L.L.C. for a parcel approximately 1.57 acres located at 51-23 Beach Channel Drive, 51-25 Beach Channel Drive, and 302 Beach 53rd Street in Far Rockaway, Queens County.

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, 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 2022000460076.

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.

Former Peninsula Hospital Site, Site ID No. C241200
51-23 Beach Channel Drive, 51-25 Beach Channel Drive, and 302 Beach 53rd Street, 51-19 Beach
Channel Drive, Beach 53rd Street, Rockaway Beach Boulevard, and Beach 50 Street
Far Rockaway, NY, 11691

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

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.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 1 Hunters Point Plaza, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C241212/>.

Former Peninsula Hospital Site, Site ID No. C241200
51-23 Beach Channel Drive, 51-25 Beach Channel Drive, and 302 Beach 53rd Street, 51-19 Beach
Channel Drive, Beach 53rd Street, Rockaway Beach Boulevard, and Beach 50 Street
Far Rockaway, NY, 11691

WHEREFORE, the undersigned has signed this Notice of Certificate

EC A1 Limited Partnership

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 2022, 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

Former Peninsula Hospital Site, Site ID No. C241200
51-23 Beach Channel Drive, 51-25 Beach Channel Drive, and 302 Beach 53rd Street, 51-19 Beach
Channel Drive, Beach 53rd Street, Rockaway Beach Boulevard, and Beach 50 Street
Far Rockaway, NY, 11691

WHEREFORE, the undersigned has signed this Notice of Certificate

EC A1 Commercial LLC

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 2022, 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

Former Peninsula Hospital Site, Site ID No. C241200
51-23 Beach Channel Drive, 51-25 Beach Channel Drive, and 302 Beach 53rd Street, 51-19 Beach
Channel Drive, Beach 53rd Street, Rockaway Beach Boulevard, and Beach 50 Street
Far Rockaway, NY, 11691

WHEREFORE, the undersigned has signed this Notice of Certificate

EC A1 Housing Development Fund Corporation

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 2022, 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:
EC A1 Limited Partnership
c/o The Arker Companies
1044 Northern Blvd.
Roslyn, NY 11576



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
12/30/2022



SITE DESCRIPTION

SITE NO. C241200

SITE NAME Former Peninsula Hospital Site

SITE ADDRESS: 51-19 Beach Channel Drive ZIP CODE: 11691

CITY/TOWN: Far Rockaway

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: 04/30/2024

Description of Institutional Control

EC A1 Commercial LLC

1044 Northern Blvd.

302 Beach 53rd Street

Environmental Easement

Block: 15843

Lot: 1003

Sublot:

Section:

Subsection:

S_B_L Image: 15843-1003

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

51-23 Beach Channel Dr.

Environmental Easement

Block: 15843

Lot: 1001

Sublot:

Section:

Subsection:

S_B_L Image: 15843-1001

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

51-25 Beach Channel Dr.

Environmental Easement

Block: 15843

Lot: 1002

Sublot:

Section:

Subsection:

S_B_L Image: 15843-1002

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

EC A1 Limited Partnership

1044 Northern Blvd.

51-23 Beach Channel Dr.

Environmental Easement

Block: 15843

Lot: 1004

Sublot:

Section:

Subsection:

S_B_L Image: 15843-1004

Ground Water Use Restriction

IC/EC Plan
Landuse Restriction
Monitoring Plan
O&M Plan
Site Management Plan
Soil Management Plan

EC Parcel, L.L.C.

45 Rockefeller Plaza

51-19 Beach Channel Dr.

Environmental Easement

Block: 15843

Lot: 1

Sublot:

Section:

Subsection:

S_B_L Image: 15843-1

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

N/A Beach 50 Street

Environmental Easement

Block: 15843

Lot: 75

Sublot:

Section:

Subsection:

S_B_L Image: 15843-75

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Lot: 85
Sublot:
Section:
Subsection:
S_B_L Image: 15843-85
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
O&M Plan
Site Management Plan
Soil Management Plan

Lot: 95
Sublot:
Section:
Subsection:
S_B_L Image: 15843-95
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
O&M Plan
Site Management Plan
Soil Management Plan

N/A Beach 53rd Street
Environmental Easement
Block: 15843
Lot: 25

Sublot:
Section:
Subsection:
S_B_L Image: 15843-25
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
O&M Plan
Site Management Plan
Soil Management Plan

Lot: 35
Sublot:
Section:
Subsection:
S_B_L Image: 15843-35
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
O&M Plan
Site Management Plan
Soil Management Plan

N/A Rockaway Beach

Environmental Easement
Block: 15843
Lot: 45
Sublot:
Section:
Subsection:
S_B_L Image: 15843-45
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
O&M Plan
Site Management Plan
Soil Management Plan

Lot: 55
Sublot:
Section:
Subsection:
S_B_L Image: 15843-55
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
O&M Plan

Site Management Plan

Soil Management Plan

Lot: 65

Sublot:

Section:

Subsection:

S_B_L Image: 15843-65

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

EC A1 Commercial LLC

1044 Northern Blvd.

302 Beach 53rd Street

Environmental Easement

Block: 15843

Lot: 1003

Sublot:

Section:

Subsection:

S_B_L Image: 15843-1003

Cover System

Monitoring Wells

Vapor Mitigation

51-23 Beach Channel Dr.

Environmental Easement

Block: 15843

Lot: 1001

Sublot:

Section:

Subsection:

S_B_L Image: 15843-1001

Cover System

Monitoring Wells

Vapor Mitigation

51-25 Beach Channel Dr.

Environmental Easement

Block: 15843

Lot: 1002
Sublot:
Section:
Subsection:
S_B_L Image: 15843-1002
Cover System
Monitoring Wells
Vapor Mitigation

EC A1 Limited Partnership

1044 Northern Blvd.

51-23 Beach Channel Dr.

Environmental Easement

Block: 15843

Lot: 1004

Sublot:

Section:

Subsection:

S_B_L Image: 15843-1004

Cover System

Monitoring Wells

Vapor Mitigation

EC Parcel, L.L.C.

45 Rockefeller Plaza

51-19 Beach Channel Dr.

Environmental Easement

Block: 15843

Lot: 1

Sublot:

Section:

Subsection:

S_B_L Image: 15843-1

Cover System

Monitoring Wells

Vapor Mitigation

N/A Beach 50 Street

Environmental Easement

Block: 15843

Lot: 75

Sublot:

Section:

Subsection:

S_B_L Image: 15843-75

Cover System

Monitoring Wells

Vapor Mitigation

Lot: 85

Sublot:

Section:

Subsection:

S_B_L Image: 15843-85

Cover System

Monitoring Wells

Vapor Mitigation

Lot: 95
Sublot:
Section:
Subsection:
S_B_L Image: 15843-95
Cover System
Monitoring Wells
Vapor Mitigation

N/A Beach 53rd Street

Environmental Easement

Block: 15843

Lot: 25

Sublot:

Section:

Subsection:

S_B_L Image: 15843-25

Cover System

Monitoring Wells

Vapor Mitigation

Lot: 35

Sublot:

Section:

Subsection:

S_B_L Image: 15843-35

Cover System

Monitoring Wells

Vapor Mitigation

N/A Rockaway Beach Boulevard

Environmental Easement

Block: 15843

Lot: 45

Sublot:

Section:

Subsection:

S_B_L Image: 15843-45

Cover System

Monitoring Wells

Vapor Mitigation

Lot: 55

Sublot:

Section:

Subsection:

S_B_L Image: 15843-55

Cover System

Monitoring Wells

Vapor Mitigation

Lot: 65

Sublot:

Section:

Subsection:

S_B_L Image: 15843-65

Cover System

Monitoring Wells

Vapor Mitigation