

SIVE | PAGET | RIESEL

KEVIN A. ROGERS
DIRECT DIAL: 646.378.7275
KROGERS@SPRLAW.COM

May 23, 2023

VIA FEDEX AND EMAIL

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

Re: 26-32 Jackson Avenue, DEC Site No. C241217
Post-Transfer of Certificate of Completion Notification

Dear Ms. Lewandowski:

On behalf of 2632 Property Owner LLC and Italic Realty, L.L.C., I am writing to confirm the closing for the above-referenced BCP Site on April 27, 2023. A copy of the previously submitted Change of Use form is enclosed as Attachment A.

The contact information for the new owner of this BCP Site is as follows:

Italic Realty, L.L.C.
1001 Pennsylvania Avenue, N.W., Suite 200 South
Washington, D.C., 20004
Phone: 212-257-6868
Email: hal@fetner.com

The contact information for the new owner's representative is as follows:

Hal Fetner
675 Third Avenue, Suite 2800
New York, NY 10017
Phone: 212-257-6868
Email: hal@fetner.com

The Certificate of Completion ("COC") for this BCP Site, dated December 29, 2022, was transferred in this conveyance. A Notice of Transfer of COC was executed by the former and new property owner and recorded in the Office of the City Register of the City of New York ("Registrar") on May 23, 2023, as City Register File Number ("CRFN") 2023000126864. A copy of the recorded Notice of Transfer of COC is enclosed as Attachment B.

Kelly Lewandowski
May 23, 2023
Page 2 of 3

Please do not hesitate to contact me if there are any questions or concerns.

Sincerely,



Kevin A. Rogers

Enclosure

Attachment A:

Previously Submitted Change of Use Form



60-Day Advance Notification of Site Change of Use, Transfer of Certificate of Completion, and/or Ownership

Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

To be submitted at least 60 days prior to change of use to:

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

I. Site Name: 26-32 Jackson Avenue **DEC Site ID No.** C241217

II. Contact Information of Person Submitting Notification:

Name: Kevin Rogers
Address1: 560 Lexington Avenue, 15th Floor
Address2: New York, NY 10022
Phone: (646) 378-7275 E-mail: krogers@sprlaw.com

III. Type of Change and Date: Indicate the Type of Change(s) (check all that apply):

- Change in Ownership or Change in Remedial Party(ies)
- Transfer of Certificate of Completion (CoC)
- Other (e.g., any physical alteration or other change of use)

Proposed Date of Change (mm/dd/yyyy):

IV. Description: Describe proposed change(s) indicated above and attach maps, drawings, and/or parcel information.

On or around April 7 2023, the current site owner, "2632 Property Owner LLC", will transfer fee title to the BCP site to a new owner, "Italic Realty, L.L.C.", as part of an internal reorganization. The site's COC, dated 12/29/2022, will also be transferred and assigned to "Italic Realty, L.L.C." as a part of this internal reorganization.

If "Other," the description must explain and advise the Department how such change may or may not affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

V. **Certification Statement:** Where the change of use results in a change in ownership or in responsibility for the proposed, ongoing, or completed remedial program for the site, the following certification must be completed (by owner or designated representative; see §375-1.11(d)(3)(i)):

I hereby certify that the prospective purchaser and/or remedial party has been provided a copy of any order, agreement, Site Management Plan, or State Assistance Contract regarding the Site's remedial program as well as a copy of all approved remedial work plans and reports.

Name: _____
(Signature)

3/21/23
(Date)

Albert Shirian / Hal Fetner
(Print Name)

Address1: 425 Northern Boulevard, Suite 6

Address2: Great Neck, NY 11021

Phone: 516-829-5883 / 212-257-6868 E-mail: albert.shirian@lionsgroupnyc.com / hal@fetner.com

VI. **Contact Information for New Owner, Remedial Party, or CoC Holder:** If the site will be sold or there will be a new remedial party, identify the prospective owner(s) or party(ies) along with contact information. If the site is subject to an Environmental Easement, Deed Restriction, or Site Management Plan requiring periodic certification of institutional controls/engineering controls (IC/ECs), indicate who will be the certifying party (attach additional sheets if needed).

Prospective Owner Prospective Remedial Party Prospective Owner Representative

Name: Italic Realty, L.L.C.

Address1: 1001 Pennsylvania Avenue, N.W., Suite 200 South

Address2: Washington, D.C., 20004

Phone: 516-829-5883 / 212-257-6868 E-mail: albert.shirian@lionsgroupnyc.com / hal@fetner.com

Certifying Party Name: Albert Shirian / Hal Fetner

Address1: 425 Northern Boulevard, Suite 6

Address2: Great Neck, NY 11021

Phone: 516-829-5883 / 212-257-6868 E-mail: albert.shirian@lionsgroupnyc.com / hal@fetner.com

V. **Certification Statement:** Where the change of use results in a change in ownership or in responsibility for the proposed, ongoing, or completed remedial program for the site, the following certification must be completed (by owner or designated representative; see §375-1.11(d)(3)(i)):

I hereby certify that the prospective purchaser and/or remedial party has been provided a copy of any order, agreement, Site Management Plan or State Assistance Contract regarding the Site's remedial program as well as a copy of all approved remedial work plans and reports.

Name: _____
(Signature)
Albert Shirian / Hal Fetner

(Print Name)

03/24/2023

(Date)

Address1: 425 Northern Boulevard, Suite 6

Address2: Great Neck, NY 11021

Phone: 516-829-5883 / 212-257-6868 E-mail: albert.shirian@lionsgroupnyc.com / hal@fetner.com

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Phone: 516-829-5883 / 212-257-6868 E-mail: albert.shirian@lionsgroupnyc.com / hal@fetner.com

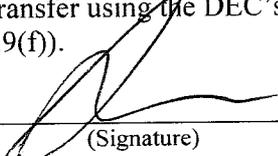
VII. Agreement to Notify DEC after Transfer: If Section VI applies, and all or part of the site will be sold, a letter to notify the DEC of the completion of the transfer must be provided. If the current owner is also the holder of the CoC for the site, the CoC should be transferred to the new owner using DEC's form found at <http://www.dec.ny.gov/chemical/54736.html>. This form has its own filing requirements (see 6NYCRR Part 375-1.9(f)).

Signing below indicates that these notices will be provided to the DEC within the specified time frames. If the sale of the site also includes the transfer of a CoC, the DEC agrees to accept the notice given in VII.3 below in satisfaction of the notice required by VII.1 below (which normally must be submitted within 15 days of the sale of the site).

Within 30 days of the sale of the site, I agree to submit to the DEC:

1. the name and contact information for the new owner(s) (see §375-1.11(d)(3)(ii));
2. the name and contact information for any owner representative; and
3. a notice of transfer using the DEC's form found at <http://www.dec.ny.gov/chemical/54736.html> (see §375-1.9(f)).

Name:


(Signature)

3/2/23
(Date)

Albert Shirian / Hal Fetner
(Print Name)

Address1: 425 Northern Boulevard, Suite 6

Address2: Great Neck, NY 11021

Phone: 516-829-5883 / 212-257-6868 E-mail: albert.shirian@lionsgroupnyc.com / hal@fetner.com

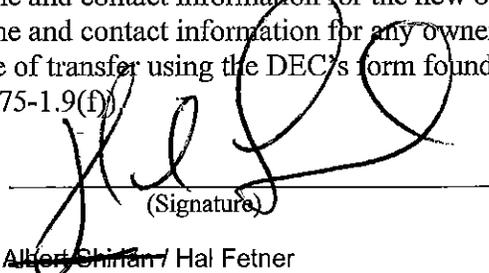
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2. the name and contact information for any owner representative; and
3. a notice of transfer using the DEC's form found at <http://www.dec.ny.gov/chemical/54736.html> (see §375-1.9(f)).

Name:



(Signature)

03/24/2023

(Date)

Albert Shirian / Hal Fetner

(Print Name)

Address1: 425 Northern Boulevard, Suite 6

Address2: Great Neck, NY 11021

Phone: 516-829-5883 / 212-257-6868 E-mail: albert.shirian@lionsgroupnyc.com / hal@fetner.com

Continuation Sheet

Prospective Owner/Holder Prospective Remedial Party Prospective Owner Representative
Name: _____
Address1: _____
Address2: _____
Phone: _____ E-mail: _____

Prospective Owner/Holder Prospective Remedial Party Prospective Owner Representative
Name: _____
Address1: _____
Address2: _____
Phone: _____ E-mail: _____

Prospective Owner/Holder Prospective Remedial Party Prospective Owner Representative
Name: _____
Address1: _____
Address2: _____
Phone: _____ E-mail: _____

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Address2: _____
Phone: _____ E-mail: _____

Prospective Owner/Holder Prospective Remedial Party Prospective Owner Representative
Name: _____
Address1: _____
Address2: _____
Phone: _____ E-mail: _____

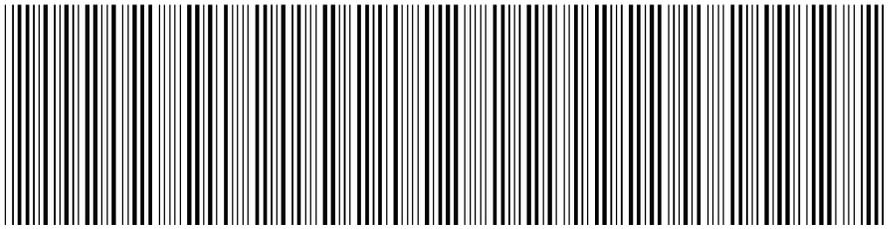
Prospective Owner/Holder Prospective Remedial Party Prospective Owner Representative
Name: _____
Address1: _____
Address2: _____
Phone: _____ E-mail: _____

Attachment B:

Recorded Notice of Transfer of Certificate of Completion

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2023050900543001003E04AC

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 8

Document ID: 2023050900543001

Document Date: 05-09-2023

Preparation Date: 05-23-2023

Document Type: SUNDRY MISCELLANEOUS

Document Page Count: 6

PRESENTER:

SIVE PAGET & RIESEL, P.C.
560 LEXINGTON AVENUE, 15TH FLOOR
NEW YORK, NY 10022
212-421-2150
NDUNCAN@SPRLAW.COM

RETURN TO:

SIVE PAGET & RIESEL, P.C.
560 LEXINGTON AVENUE, 15TH FLOOR
NEW YORK, NY 10022
212-421-2150
NDUNCAN@SPRLAW.COM

PROPERTY DATA

Borough	Block	Lot	Unit	Address
QUEENS	267	21	Entire Lot	26-32 JACKSON AVENUE

Property Type: COMMERCIAL REAL ESTATE

CROSS REFERENCE DATA

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

PARTIES

PARTY 1:

2632 PROPERTY OWNER LLC
2632 JACKSON AVE
LONG ISLAND CITY, NY 11101

Additional Parties Listed on Continuation Page

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: \$ 67.00

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 05-23-2023 11:14

City Register File No.(CRFN):

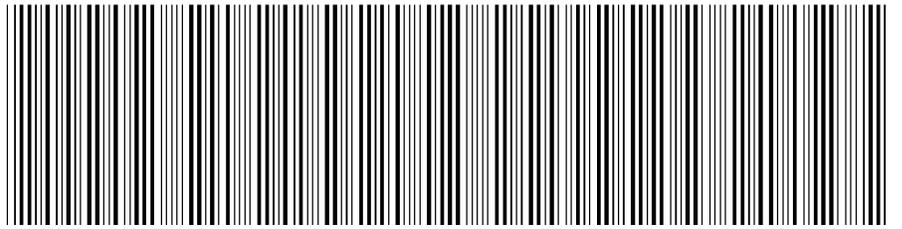
2023000126864



Annette McMill

City Register Official Signature

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2023050900543001003C062C

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)

PAGE 2 OF 8

Document ID: 2023050900543001

Document Date: 05-09-2023

Preparation Date: 05-23-2023

Document Type: SUNDRY MISCELLANEOUS

PARTIES

PARTY 1:

ITALIC REALTY, L.L.C.
1001 PENNSYLVANIA AVENUE, N.W., SUITE 200
SOUTH
WASHINGTON, DC 20004

NOTICE OF TRANSFER OF CERTIFICATE OF COMPLETION

Brownfield Cleanup Program

Pursuant to 6 NYCRR Part 375-1.9(f)

26-32 Jackson Avenue, Site ID No. C241217

26-32 Jackson Avenue,

Long Island City, NY 11101

PLEASE TAKE NOTICE, that pursuant to Article 27, Title 14 of the Environmental Conservation Law and 6 NYCRR 375-1.9(f), 2632 Property Owner LLC hereby transfers the Certificate of Completion (the “COC”) issued by the Department of Environmental Conservation (the “Department”) on December 29, 2022, for the site described below. Such COC was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Cleanup Agreement, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, Title 14 had been or would be achieved in accordance with the time frame, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, that 26-32 Jackson Avenue (the “Site”) is located at 26-32 Jackson Avenue, Long Island City, NY 11101. The Site is bearing DEC site number: C241217 and is more fully described on Schedule A attached hereto. The Tax Map Identification Number for the Site is: Queens, Block 267, Lot 21.

PLEASE TAKE NOTICE, that a Notice of Certificate of Completion for the Site was filed in the Office of the City Register of the City of New York (the “City Register”) on January 18, 2023, as City Register File Number (“CRFN”) 2023000015683.

PLEASE TAKE NOTICE, that on April 27, 2023, 2632 Property Owner LLC conveyed an 18.106% tenant-in-common interest in the title to the Site to 2632 Developer LLC by Bargain and Sale Deed Without Covenant Against Grantor’s Acts filed in the City Register on May 1, 2023, as CRFN 2023000106620.

PLEASE TAKE NOTICE, that on April 27, 2023, 2632 Developer LLC conveyed an 11.252% tenant-in-common interest in the title to the Site to 2632 Jackson LLC by Bargain and Sale Deed Without Covenant Against Grantor’s Acts filed in the City Register on May 1, 2023, as CRFN 2023000106621.

PLEASE TAKE NOTICE, that on April 27, 2023, 2632 Developer LLC conveyed a 6.854% tenant-in-common interest in the title to the Site to Genco Jackson 2 LLC by Bargain and Sale Deed Without Covenant Against Grantor’s Acts filed in the City Register on May 1, 2023, as CRFN 2023000106622.

PLEASE TAKE NOTICE, that on April 27, 2023, 2632 Property Owner LLC conveyed an 81.894% tenant-in-common interest in the title to the Site to 2632 Jackson LLC by Bargain and Sale Deed Without Covenant Against Grantor’s Acts filed in the City Register on May 1, 2023, as CRFN 2023000106623.

PLEASE TAKE NOTICE, that on April 27, 2023, Genco Jackson 2 LLC conveyed a 6.854% tenant-in-common interest in the title to the Site to Italic Venture, L.L.C. by Bargain and Sale Deed Without Covenant Against Grantor's Acts filed in the City Register on May 1, 2023, as CRFN 2023000106624.

PLEASE TAKE NOTICE, that on April 27, 2023, 2632 Jackson LLC conveyed an 11.252% tenant-in-common interest in the title to the Site to Italic Venture, L.L.C. by Bargain and Sale Deed Without Covenant Against Grantor's Acts filed in the City Register on May 1, 2023, as CRFN 2023000106625.

PLEASE TAKE NOTICE, that on April 27, 2023, Italic Venture, L.L.C. conveyed an 18.106% tenant-in-common interest in the title to the Site to Italic Mezz Member, L.L.C. by Bargain and Sale Deed Without Covenant Against Grantor's Acts filed in the City Register on May 1, 2023, as CRFN 2023000106626.

PLEASE TAKE NOTICE, that on April 27, 2023, Italic Mezz Member, L.L.C. conveyed an 18.106% tenant-in-common interest in the title to the Site to Italic Realty, L.L.C. by Bargain and Sale Deed Without Covenant Against Grantor's Acts filed in the City Register on May 1, 2023, as CRFN 2023000106627.

PLEASE TAKE NOTICE, that on April 27, 2023, 2632 Jackson LLC conveyed an 81.894% tenant-in-common interest in the title to the Site to Italic Realty, L.L.C. by Bargain and Sale Deed Without Covenant Against Grantor's Acts filed in the City Register on May 1, 2023, as CRFN 2023000106628.

PLEASE TAKE NOTICE, 2632 Property Owner LLC hereby transfers the COC to the following new property owner as provided for pursuant to Article 27, Title 14 of the Environmental Conservation Law and 6 NYCRR 375-1.9(f):

Italic Realty, L.L.C.
New Property Owner

1001 Pennsylvania Avenue, N.W.,
Suite 200 South
Washington, D.C., 20004
New Property Owner's Address

02-1076080
*New Property Owner's
Employer Identification Number*

Hal Fetner
*New Property Owner's
Representative*

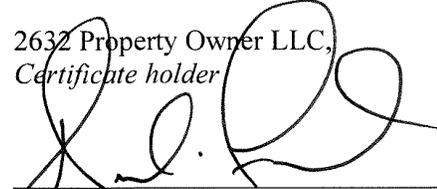
675 Third Avenue, Suite 2800,
New York, NY 10017
Representative's Address

PLEASE TAKE FURTHER NOTICE, that if there is an environmental easement for this site, that Italic Realty, L.L.C. recognizes and agrees to implement the Department-approved Site Management Plan, and any amendments thereto, and to fully comply with all restrictions and affirmative obligations contained therein as well as in the Environmental Easement for the Site.

[Signature pages follow]

WHEREFORE, the undersigned have signed this Notice of Transfer of Certificate of Completion as of this 10 of May 2023.

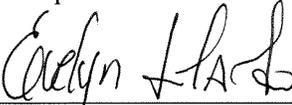
2632 Property Owner LLC,
Certificate holder



By: Hal Fetner,
Authorized Signatory

STATE OF NEW YORK)
) ss:
COUNTY OF New York)

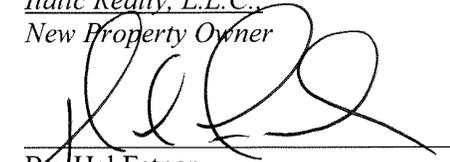
On the 10 day of May, in the year 2023, before me, the undersigned, personally appeared Harold Fetner, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed 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.



Notary Public - State of New York

EVELYN LITARDO
Notary Public - State of New York
No. 01LI0004336
Qualified in Orange County
Commission Expires March 28, 2027

Italic Realty, L.L.C.,
New Property Owner


By: Hal Fetner,
Authorized Signatory

STATE OF NEW YORK)
) ss:
COUNTY OF *New York*)

On the 10 day of May, in the year 2023 before me, the undersigned, personally appeared Harold Fetner, 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.



Notary Public - State of New York

EVELYN LITARDO
Notary Public - State of New York
No. 01LI0004336
Qualified in Orange County
Commission Expires March 28, 2027

SCHEDULE "A" PROPERTY DESCRIPTION

BLOCK 267, LOT 21

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, known and designated as Lots 3, 4, 5, 6 in Block 2 and bounded and described as follows:

BEGINNING at a point on the southerly side of Jackson Avenue, distant 50 feet westerly from the southwesterly corner of Jackson Avenue and Dutch Kills Street;

RUNNING THENCE westerly along Jackson Avenue, 100 feet;

THENCE southerly and parallel with Dutch Kills Street, 100 feet;

THENCE easterly and parallel with Jackson Avenue, 100 feet;

THENCE northerly and parallel with Dutch Kills Street, 100 feet to the southerly side of Jackson Avenue, at the point or place of BEGINNING.