

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

December 29, 2020

Tristan Nadal
GO HPS LLC
c/o Gotham Organization LLC
432 Park Ave, 2nd Floor
New York, NY 10016

Stephanie Rhoades
South Point Housing Development Fund Corporation
432 Park Ave, 2nd Floor
New York, NY 10016

Stephanie Rhoades
GO HPS LIHTC LLC
432 Park Ave, 2nd Floor
New York, NY 10016

Re: Certificate of Completion
HPS Parcel F
Queens County
Site Code C241225

Dear Mr. Nadal and Ms. Rhoades:

Congratulations on having satisfactorily completed the remedial program at the HPS Parcel F 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:

Christopher Allan
New York State Department of Environmental Conservation
Division of Environmental Remediation
47-40 21st Street,
Long Island City, NY 11101

- 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 2022.

If you have any questions regarding any of these items, please contact Christopher Allan at (718) 482-4065.

Sincerely,



Michael J. Ryan, P.E.

Director

Division of Environmental Remediation

Enclosure

ec w/ enclosure:

Christine Vooris– NYSDOH, christine.vooris@health.ny.gov
Scarlett McLaughlin – NYSDOH, scarlett.mclaughlin@health.ny.gov
Jacquelyn Nealon – NYSDOH, jacquelyn.nealon@health.ny.gov
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov
Joe Duminuco, jduminuco@rouxinc.com
Adam Stolorow, astolorow@sprlaw.com

ec w/o enc.:

G. Burke

J. O'Connell

M. Yau

C. Allan

J. Simpson

P. Foster

K. Lewandowski

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

GO HPS LIHTC LLC
South Point Housing Development Fund
Corporation GO HPS LLC

Address

432 Park Avenue South, New York, NY 10016
432 Park Avenue South, New York, NY 10016
c/o Gotham Organization LLC, 432 Park Avenue South, New York,
NY 10016

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 11/21/18 **Agreement Execution:** 12/3/18
Agreement Index No.: C241225-11-18

Application Approval Amendment: 7/15/20

Agreement Execution Amendment: 7/15/20

Application Approval Amendment: 10/5/20

Agreement Execution Amendment: 10/5/20

Application Approval Amendment: 11/6/20

Agreement Execution Amendment: 11/6/20

SITE INFORMATION:

Site No.: C241225 **Site Name:** HPS Parcel F

Site Owner: South Point Housing Development Fund Corporation
GO HPS LLC
GOHPS LIHTC LLC

Street Address: 1-15 57th Ave

Municipality: Long Island City

County: Queens

DEC Region: 2

Site Size: 0.750 Acres

Tax Map Identification Number(s): 6 - 30

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 2: Restricted use with generic soil cleanup objectives

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 40 %.

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 2020000283092.

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

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing is not received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Basil Seggos
Commissioner
New York State Department Environmental Conservation

By:  Date: 12/29/2020

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)

HPS Parcel F, Site ID No. C241225
1-15 57th Ave, Long Island City, NY 11101
Long Island City, Queens County, Tax ID No. Block 6, Lot 30

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 GO HPS LLC, South Point Housing Development Fund Corporation, and GO HPS LIHTC LLC for a parcel approximately 0.75 acres located at 1-15 57th Ave, Long Island City, 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, 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 2020000283092.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's 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

HPS Parcel F, Site No. C241225
1-15 57th Ave, Long Island City, NY 11101

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 47-40 21st Street, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C241225/>.

WHEREFORE, the undersigned has signed this Notice of Certificate

GO HPS LIHTC 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.

GO HPS 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.

South Point Housing Development Fund Corporation

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:
GO HPS LIHTC LLC
South Point Fund Housing Development Fund Corporation
Stephanie Rhoades
432 Park Ave South, 2nd Floor
New York, NY 10016

GO HPS LLC
Tristan Nadal
c/o Gotham Organization LLC
432 Park Ave South, 2nd Floor
New York, NY 10016

Exhibit A
Site Description

HPS Parcel F – Queens Block 6, Lot 30 (1-15 57th Avenue)
Legal Description - Environmental Easement

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 a point 150.00' westerly from the corner formed by the intersection of the northeasterly side of 57th Avenue (60 feet wide) with the westerly side of 2nd Street (75 feet wide);

RUNNING THENCE westerly along the northerly side of 57th Avenue, 156.61 feet to a point;

RUNNING THENCE northerly along the easterly side of Center Boulevard, along a curve to the left having a radius of 497.80 feet and length of 145.11 feet to a point;

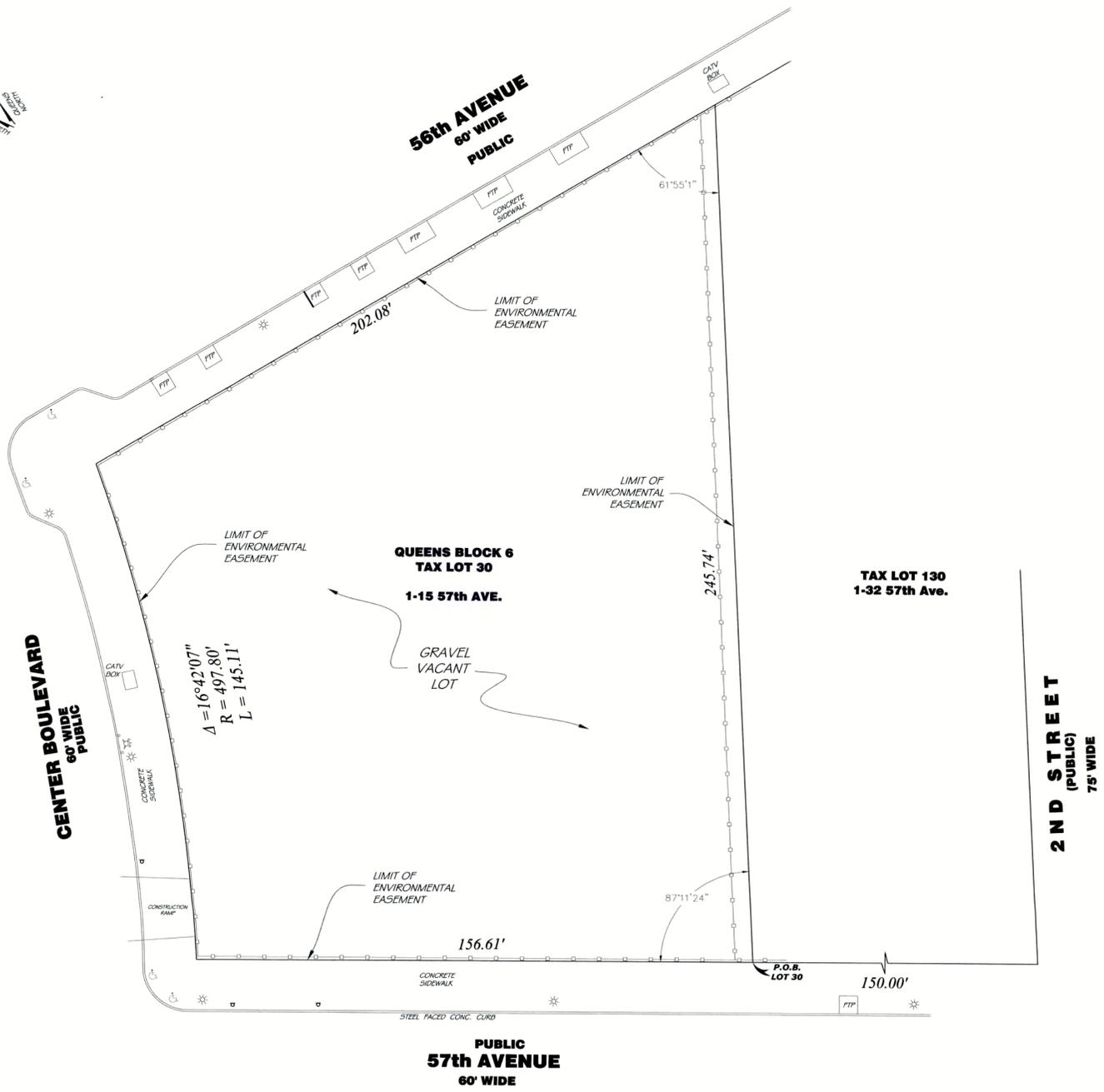
RUNNING THENCE northeasterly along the southerly side of 56th Avenue, 202.08 feet to a point;

RUNNING THENCE southerly along a line forming an interior angle of 61 degrees 55 minutes 1 second with the southerly side of 56th Avenue, 245.74 feet to the point and place of beginning.

CONTAINING 32,492.64 square feet or 0.75 acre of land more or less

Exhibit B

Site Survey



- NOTES:**
- 1) ALL DIMENSIONS SHOWN HEREON ARE IN THE UNITED STATES STANDARD OF MEASUREMENT.
 - 2) STREET NAMES AND R.O.W. WIDTHS, BLOCK, AND LOT NUMBERS AS PER CURRENT TAX MAPS AND INFORMATION SUPPLIED BY CLIENT.
 - 3) THE PROPERTY DESCRIPTION CLOSES MATHEMATICALLY.
 - 4) THERE ARE NO ENCROACHMENTS AFFECTING PROPERTY.
 - 5) THIS IS TO CERTIFY THAT THERE ARE NO STREAMS OR NATURAL WATER COURSES VISIBLE ON THE PREMISES SHOWN HEREON.
VAULTS, IF ANY, BELOW SIDEWALK LEVEL, ARE NOT LOCATED OR SHOWN HEREON.
UTILITY MAPS SUPPLIED BY RESPECTIVE UTILITY AND GOVERNMENTAL AGENCY, AND AS SUCH RECOMMENDED THAT BEFORE CONSTRUCTION COMMENCES THAT THE APPROPRIATE UTILITIES ARE CONTACTED. THE UTILITIES SHOWN ON THIS SURVEY MAP HAVE BEEN LOCATED BY FIELD OBSERVATIONS AND GUARANTEE IS GIVEN AS TO THE COMPLETENESS, LOCATION, SIZE OR TYPE OF UTILITY. IT IS RECOMMENDED THAT BEFORE CONSTRUCTION COMMENCES THAT THE APPROPRIATE UTILITIES ARE CONTACTED.
 - 6) ALL AREAS LABELED AS FUTURE TREE PIT (FTP) FILLED IN WITH CONCRETE AT TIME OF FIELD VISIT.
 - 7) UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S EMBOSSED SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW
 - 8) ONLY COPIES OF THIS MAP BEARING THE LICENSED LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID, TRUE COPIES

Legal Description

All that certain plot, piece 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 a point 150.00' westerly from the corner formed by the intersection of the northeasterly side of 57th Avenue (60 feet wide) with the westerly side of 2nd Street (75 feet wide)

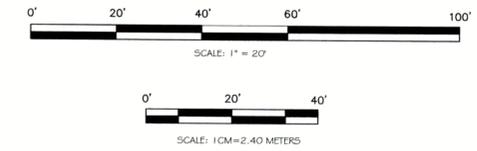
Running thence westerly along the northerly side of 57th Avenue, 156.61 feet to a point;

Running thence northerly along the easterly side of Center Boulevard, along a curve to the left having a radius of 497.80 feet and length of 145.11 feet to a point;

Running thence northeasterly along the southerly side of 56th Avenue, 202.08 feet to a point;

Running thence southerly along a line forming an interior angle of 61 degrees 55 minutes 1 second with the southerly side of 56th Avenue, 245.74 feet to the point and place of beginning.

Containing 32,492.64 square feet or 0.75 acre of land more or less



- LEGEND:**
- ⊗ FH—FIRE HYDRANT
 - ⊙ LIGHT POLE
 - ⊕ UTILITY POLE
 - ⊙ SIGN POST
 - ⊙ FTP—FUTURE TREE PIT
 - ♿ PR—PEDESTRIAN RAMP

"This property is subject to an environmental easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the New York Environmental Conservation Law. The engineering and institutional controls for this Easement are set forth in the Site Management Plan (SMP). A copy of the SMP must be obtained by any party with an interest in the property. The SMP can be obtained from NYS Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at ["derweb@dec.ny.gov"](mailto:derweb@dec.ny.gov)

REVISION	AUTH.	DATE	FIELD DATE: 1-7-20
			FB PG
			SCALE: 1:25
			DRAWN BY: ARV
			CHKD BY: JJV
			COMP FILE: 1-10-20

ENVIRONMENTAL EASEMENT SURVEY
SITUATED IN

THE BOROUGH OF QUEENS
CITY OF NEW YORK
STATE OF NEW YORK

BLOCK 6 LOT 30
1-15 57th Avenue, Long Island City, New York

True North Surveyors, P.C.
111 Kosciuszko Road, Whitehouse Station, NJ 08889
phone: (908) 534-6248 fax: (908) 534-6237



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form**

10/7/2020



SITE DESCRIPTION

SITE NO. C241225

SITE NAME HPS Parcel F

SITE ADDRESS: Center Blvd. between 56th Ave and 57th Ave 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Monitoring Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operation and Maintenance (O&M) Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/30/2022

Description of Institutional Control

Stephanie Rhoades

432 Park Ave South, 2nd Floor

Center Blvd. btwn 56th and 57th Aves

Environmental Easement

Block: 6

Lot: 30

Sublot:

Section:

Subsection:

S_B_L Image: 6 - 30

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Site Management Plan

Description of Engineering Control

Soil Cover