

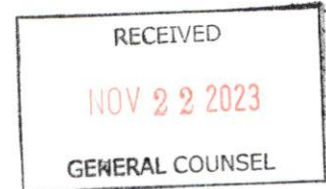
Kramer Levin



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T 212.715.9100
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November 9, 2023



Via FedEx

Environmental Easement Attorney
Bureau of Remediation
Office of General Counsel, 14th Floor
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1500

Re: **Proof of Notice to Municipality**
Environmental Easement for Newtown Creek Bud Site- North
Site ID No.: C241248/Long Island City, New York County

Dear Sir or Madam:

Attached please find (1) proof of filing of the environmental easement granted to the New York State Department of Environmental Conservation on September 28, 2023, by Bud North LLC f/k/a 55-01 F LLC, for the property located at 2-21 Malt Drive, City of New York, County of Queens, Tax Map No. Block 11, Lot 1, DEC Site No: C241248 and (2) an attorney affidavit attesting that notice of the easement was sent to the New York City Department of City Planning by certified mail on November 9, 2023.

Please feel free to contact me by phone or email with any questions.

Sincerely,

Charles S. Warren

CSW:tf
Encl.

cc: Via E-mail

Christopher Allan, christopher.allan@dec.ny.gov
Michael Murphy, michael.murphy@dec.ny.gov

AFFIDAVIT OF MAILING

I, Charles S. Warren, being sworn states:

1. I am a partner at the law firm of Kramer Levin Naftalis & Frankel LLP.
2. On the 9th day of November 2023, I mailed a copy of the environmental easement granted to the New York State Department of Environmental Conservation on September 28, 2023, by Bud North LLC f/k/a 55-01 F LLC, for property at 2-21 Malt Drive, City of New York, County of Queens by Certified Mail to the municipality of New York City to address set forth below:

N.Y.C. Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271


Charles S. Warren

Sworn to before me this
9th day of November 2023



Notary Public

MILES TRENT HARRIS
Notary Public, State of New York
No. 01HA6432683
Qualified in Queens County
Commission Expires 05/09/2026



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November 9, 2023

NOTICE TO MUNICIPALITY

Via Certified Mail/Return Receipt Requested

N.Y.C. Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Re: **Environmental Easement for 2-21 Malt Drive, Queens, NY**

Dear Sir or Madam:

Attached please find a copy of an environmental easement granted to the New York State Department of Environmental Conservation ("Department") on September 28, 2023, by Bud North LLC f/k/a 55-01 F LLC, for property at 2-21 Malt Drive, City of New York, County of Queens, Tax Map No. Block 11, Lot 1, DEC Site No: C241248.

This Environmental Easement restricts future use of the above-referenced property to restricted residential uses. Any on-site activity must be done in accordance with the Environmental Easement and the Site Management Plan which is incorporated into the Environmental Easement. Department approval is also required prior to any groundwater use.

Article 71, Section 71-3607 of the New York State Environmental Conservation Law requires that:

1. Whenever the department is granted an environmental easement, it shall provide each affected local government with a copy of such easement and shall also provide a copy of any documents modifying or terminating such environmental easement.
2. Whenever an affected local government receives an application for a building permit or any other application affecting land use or development of land that is subject to an environmental easement and that may relate to or impact such easement, the affected local government shall notify the department and refer such application to the department. The department shall evaluate whether the application is consistent with the environmental easement and shall notify the affected local government of its determination in a timely fashion, considering the time frame for the local government's review of the application. The affected



local government shall not approve the application until it receives approval from the department.

An electronic version of every environmental easement that has been accepted by the Department is available to the public at:
<http://www.dec.ny.gov/chemical/36045.html>. Please forward this notice to your building and/or planning departments, as applicable, to ensure your compliance with these provisions of New York State Environmental Conservation Law. If you have any questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,

Charles S. Warren

CSW:tf
Encl.

ORIGIN ID: NYCA (212) 715-9387
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KRAMER LEVIN NAFTALIS & FRANKEL LLP
1177 AVENUE OF THE AMERICAS

NEW YORK, NY 10036
UNITED STATES US

SHIP DATE: 21NOV23
ACTWGT: 0.50 LB
CAD: 112115347AWSX13400

BILL SENDER

TO ENVIRONMENTAL EASEMENT ATTORNEY
NYS DEPT. OF ENVIRONMENTAL CONSERVA
OFFICE OF GENERAL COUNSEL, 14TH FL.
625 BROADWAY
ALBANY NY 12233

58GJ5F0BZ9AE3

(518) 402-8014

REF: 061365-00005

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NY-US ALB

