

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director
625 Broadway, 12th Floor, Albany, New York 12233-7011
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www.dec.ny.gov

December 30, 2023

50th & 5th LIC LLC
Mr. Papamichael
Mr. Ohnemus
184 North 8th Street
Brooklyn, NY 11211
p.papamichael@vorea.com
s.ohnemus@vorea.com

Re: Certificate of Completion
Former FO Pierce Company
Long Island City, Queens County
Site No. C241251

Dear Mr. Papamichael and Mr. Ohnemus,

Congratulations on having satisfactorily completed the remedial program at the Former FO Pierce Company site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (NYSDEC) 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 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 NYSDEC's project manager. Please return the hard copy of the proof of recording to:
Ruth Curley, 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. NYSDEC 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 NYSDEC-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 NYSDEC 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 NYSDEC in April 2025.

If you have any questions, please do not hesitate to contact Ruth Curley, NYSDEC's project manager, at 518-402-9480.

Sincerely,

Andrew Guglielmi

Andrew Guglielmi
Division Director
Division of Environmental Remediation

ec w/ enclosure:

J. Brooks, Jbrooks@abramsonbrooks.com
C. McGuckin, cmcguckin@rouxinc.com
A. Policastro, apolicaastro@rouxinc.com
C. Papamichael, cpapamichael@thedomaincos.com
C. Vooris – NYSDOH, christine.vooris@health.ny.gov
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M. Gokey, matthew.gokey@tax.ny.gov
P. Takac, paul.takac@tax.ny.gov

ec w/o enclosure:

S. Deyette, J. O'Connell, D. MacNeal, R. Curley, L. Schmidt, K. McCarthy,
K. Lewandowski - NYSDEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

50th & 5th LIC LLC

Address

184 North 8th Street, Brooklyn, NY 11211

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 5/20/21 **Agreement Execution:** 6/4/21

Agreement Index No.: C241251-05-21

Application Amendment Approval: 12/18/23

Agreement Amendment Execution: 12/18/23

Application Amendment Approval: 12/19/23

Agreement Amendment Execution: 12/19/23

SITE INFORMATION:

Site No.: C241251 **Site Name:** Former FO Pierce Company

Site Owner: 50th & 5th LIC LLC

Street Address: 2-33 50th Avenue

Municipality: Long Island City

County: Queens

DEC Region: 2

Site Size: 1.745 Acres

Tax Map Identification Number(s): 17-1

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):

For a 1.108 acre area - See Exhibits A and B

Allowable Uses under the BCP: Unrestricted, Residential, Restricted-Residential, Commercial, and Industrial

Cleanup Track: Conditional Track 1 Unrestricted use, provided that the remedial goals for soil vapor intrusion and groundwater are achieved within five years of the date of the Certificate. If those goals are not achieved within five years, this Certificate shall be modified to a Track 2 Residential cleanup.

Tax Credit Provisions:

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

The Certificate Holder has sworn by affidavit that the project is an Affordable Housing Project because it is being developed and will be operated under the following affordable housing program: Affordable New York as described in section 421-a(16) of the New York Real Property Tax Law. Eligibility for Tangible Property Credits is available as an Affordable Housing Project only if the Certificate Holder presents a certification of compliance or other evidence of eligibility by a federal, state, or local government affordable housing agency that the redevelopment of the site meets the requirements of the aforementioned affordable housing program. Such documentation shall be provided to the Department and presented to the Department of Taxation & Finance (together with this Certificate) with each claim for Tangible Property Credits. If an affordable housing project is not constructed, the Site is not eligible for Tangible Property Credits.

Tangible Property Credit is 15%. Comprised of 10% Base, 5% Track 1.

For a 0.637 acre area – See Exhibits A and B

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 %.

The Certificate Holder has sworn by affidavit that the project is an Affordable Housing Project because it is being developed and will be operated under the following affordable housing program: Affordable New York as described in section 421-a(16) of the New York Real Property Tax Law. Eligibility for Tangible Property Credits is available as an Affordable Housing Project only if the Certificate Holder presents a certification of compliance or other evidence of eligibility by a federal, state, or local government affordable housing agency that the redevelopment of the site meets the requirements of the aforementioned affordable housing program. Such documentation shall be provided to the Department and presented to the Department of Taxation & Finance (together with this Certificate) with each claim for Tangible Property Credits. If an affordable housing project is not constructed, the Site is not eligible for 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%), if the site is located in a disadvantaged community and not located in an EnZone (5%), if the site is developed as a renewable energy facility site (5%), or if the site is used primarily for manufacturing activities (5%), the total 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 2023000336392.

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 finding any of the following:

- (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 of Environmental Conservation

By: Andrew Guglielmi Date: 12/30/2023

Andrew O. Guglielmi, Director
Division of Environmental Remediation



Exhibit A
Site Description

TRACK 4 Area

ENVIRONMENTAL EASEMENT DESCRIPTION

TRACK 4 AREA 1

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 the corner formed by the intersection of the westerly side of 5th Street (60 feet wide) with the northerly side of 50th Avenue (60 feet wide);

RUNNING THENCE westerly, along the northerly side of 50th Avenue, 285 feet to a point,

RUNNING THENCE northerly, at right angles to the northerly side of 50th Avenue, 74.85 feet to a point;

RUNNING THENCE easterly, at right angles to the last mentioned course, 100.75 feet to a point;

RUNNING THENCE southerly, at right angles to the last mentioned course, 22.11 feet to a point;

RUNNING THENCE southeasterly, along a line forming an angle of 255 degrees 43 minutes 18 seconds on the southwest with the last mentioned course, 39.77 feet to a point;

RUNNING THENCE northeasterly, along a line forming an angle of 120 degrees 43 minutes 18 seconds on the north with the last mentioned course, 43.16 feet to a point;

RUNNING THENCE southeasterly, at right angles to the last mentioned course, 30.00 feet to a point;

RUNNING THENCE easterly, along a line forming an angle of 135 degrees 00 minutes 00 seconds on the northeast with the last mentioned course, 50.32 feet to a point;

RUNNING THENCE northerly, at right angles to the last mentioned course, 7.86 feet to a point;

RUNNING THENCE easterly, at right angles to the last mentioned course, 36.16 feet to the westerly side of 5th Street;

RUNNING THENCE southerly, along the westerly side of 5th Street, 60.10 feet to the northerly side of 50th Avenue, the corner the point or place of BEGINNING.

The above-described track has an area of 17,857 sq. ft or 0.4100 acre.

TRACK 4 AREA 2

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 on the northerly side of 50th Avenue (60 feet wide), distance 325 feet westerly from the corner formed by the intersection of the westerly side of 5th Street (60 feet wide) with the northerly side of 50th Avenue;

RUNNING THENCE westerly, along the northerly side of 50th Avenue, 75.00 feet to a point,

RUNNING THENCE northerly, at right angles to the northerly side of 50th Avenue, 107.34 feet to a point;

RUNNING THENCE easterly, at right angles to the last mentioned course, 5.56 feet to a point;

RUNNING THENCE southeasterly, along a line forming an angle of 165 degrees 41 minutes 33 seconds on the south with the last mentioned course, 23.24 feet to a point;

RUNNING THENCE southerly, along a line forming an angle of 104 degrees 18 minutes 27 seconds on the southwest with the last mentioned course, 1.60 feet to a point;

RUNNING THENCE easterly, at right angles to the last mentioned course, 46.93 feet to a point;

RUNNING THENCE southerly, parallel with the westerly side of 5th Street, 100.00 feet to northerly side of 50th Avenue the point or place of BEGINNING.

The above-described track has an area of 7,641 sq. ft on 0.1754 Acre.

Track 4 Area 3

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 the following two courses and distances from the corner formed by the southerly side of 49th Avenue with the westerly side of 5th Street (60 feet wide);

THENCE westerly along the southerly side of 49th Avenue (60 feet wide), 307.00 feet to a point;

THENCE southerly at right angles to the southerly side of 49th Avenue, 12.50 feet to the point or place of BEGINNING.

RUNNING THENCE southerly at right angles to the southerly side of 49th Avenue, 25.00 feet to a point;

RUNNING THENCE westerly at right angles to the last mentioned course, 30.00 feet to a point;

RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to a point;

RUNNING THENCE easterly at right angles to the last mentioned course, 30.00 feet to the point or place of BEGINNING.

The above-described track has an area of 750 sq. ft or 0.0172 acre.

Track 4 Area 4

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 on the southerly side of 49th Avenue (60 feet wide), distance 135.00 feet westerly from the corner formed by the southerly side of 49th Avenue with the westerly side of 5th Street (60 feet wide);

RUNNING THENCE southerly at right angles to southerly side of 49th Avenue , 25.00 feet to a point;

RUNNING THENCE easterly at right angles to the last mentioned course, 25.00 feet to a point;

RUNNING THENCE southerly at right angles to the last mentioned course, 25.00 feet to a point;

RUNNING THENCE westerly at right angles to the last mentioned course, 30.00 feet to a point;

RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to a point;

RUNNING THENCE westerly at right angles to the last mentioned course, 25.00 feet to a point;

RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to the southerly side of 49th Avenue;

RUNNING THENCE easterly along the southerly side of 49th Avenue, 30.00 feet to the point or place of BEGINNING.

The above-described track has an area of 1,500 sq. ft or 0.0344 acre.

Conditional TRACK 1 Area

Conditional Track Area 1

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 corner formed by the intersection of the southerly side of 49th Avenue (60 feet wide) with the westerly side of 5th Street (60 feet wide);

RUNNING THENCE westerly along with southerly side of 49th Avenue, 135.00 feet to point;

RUNNING THENCE southerly at right angles to southerly side of 49th Avenue , 25.00 feet to a point;

RUNNING THENCE easterly at right angles to the last mentioned course, 25.00 feet to a point;

RUNNING THENCE southerly at right angles to the last mentioned course, 25.00 feet to a point;

RUNNING THENCE westerly at right angles to the last mentioned course, 30.00 feet to a point;

RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to a point;

RUNNING THENCE westerly at right angles to the last mentioned course, 25.00 feet to a point;

RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to the southerly side of 49th Avenue;

RUNNING THENCE westerly along the southerly side of 49th Avenue, 235.00 feet to a point;

RUNNING THENCE southerly parallel with the westerly side of 5th Street, 92.66 feet to a point;

RUNNING THENCE easterly at right angles to the last mentioned course, 5.56 feet to a point;

RUNNING THENCE southeasterly along a line forming an angle of 165 degrees 41 minutes 33 seconds on the south with the last mentioned course 23.24 feet to a point;

RUNNING THENCE southerly along a line forming an angle of 104 degrees 18 minutes 27 seconds on the southwest with the last mentioned course, 1.60 feet to a point;

RUNNING THENCE easterly at right angles to the last mentioned course, 86.93 feet to a point;

RUNNING THENCE southerly at right angles to the last mentioned course, 25.15 feet to a point;

RUNNING THENCE easterly at right angles to the last mentioned course, 108.25 feet to a point;

RUNNING THENCE southerly at right angles to the last mentioned course, 22.11 feet to a point;

RUNNING THENCE southeasterly along a line forming an angle of 255 degrees 43 minutes 18 seconds on the west with the last mentioned course, 39.77 feet to a point;

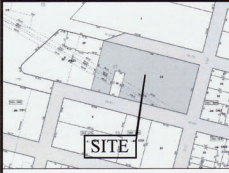
RUNNING THENCE northeasterly along a line forming an angle of 120 degrees 43 minutes 18 seconds on the north with the last mentioned course, 43.16 feet to a point;

RUNNING THENCE southeasterly at right angles to the last mentioned course, 30.00 feet to a point;
RUNNING THENCE easterly along a line forming an angle of 135 degrees 00 minutes 00 seconds on the northeast with the last mentioned course, 50.32 feet to a point;
RUNNING THENCE northerly at right angles to the last mentioned course, 7.86 feet to a point;
RUNNING THENCE easterly at right angles to the last mentioned course, 36.16 feet to the westerly side of 5th Street;
RUNNING THENCE northerly along the westerly side of 5th Street, 139.90 feet to the southerly side of 49th Avenue the corner the point or place of BEGINNING;
 Excepting therefrom the following piece or parcel of land;
BEGINNING at a point the following two courses and distances from the corner formed by the intersection of the southerly side of 49th Avenue (60 feet wide) with the westerly side of 5th Street (60 feet wide);
 THENCE westerly along the southerly side of 49th Avenue, 307.00 feet to a point;
 THENCE southerly at right angles to the southerly side of 49th Avenue, 12.50 feet to the point or place of BEGINNING.
RUNNING THENCE southerly at right angles to the southerly side of 49th Avenue, 25.00 feet to a point;
RUNNING THENCE westerly at right angles to the last mentioned course, 30.00 feet to a point;
RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE easterly at right angles to the last mentioned course, 30.00 feet to the point or place of BEGINNING.

The above-described track has an area of 48,252 sq. ft or 1.1077 acres.

Exhibit B

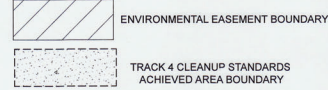
Site Survey



TITLE NO. 301287Q

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 may be obtained from the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derweb@dec.ny.gov.

ENVIRONMENTAL EASEMENT AREA ACCESS
THE DEC OR THEIR AGENT MAY ACCESS THE ENVIRONMENTAL EASEMENT AREA AS SHOWN HEREON THROUGH ANY EXISTING STREET ACCESS OR BUILDING INGRESS/EGRESS ACCESS POINT.



SURVEY NO. 67359-5

67359-5.DWG
67359-998.CRD

PRELIMINARY FLOOD HAZARD NOTE
THE PARCEL SURVEYED IS COMPOSED OF AREAS DESIGNATED AS ZONE AE (EL. 11.600-11.800), FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 39497 020 G EFFECTIVE DATE DECEMBER 1, 2013

FLOOD HAZARD NOTE
THE PARCEL SURVEYED IS COMPOSED OF AREAS DESIGNATED AS ZONE AE (EL. 12.000-12.100), FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 39497 020 F EFFECTIVE DATE SEPTEMBER 1, 2007

DEED LEGAL DESCRIPTION

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 corner formed by the intersection of the westerly line of 50th Avenue, formerly known as 4th Street, with the westerly line of 5th Street, formerly known as West Avenue;
RUNNING THENCE northerly along the westerly line of 5th Street, 200 feet to the southerly side of 49th Avenue, formerly known as 26th Street;
THENCE westerly along the southerly line of 49th Avenue, 450 feet;
THENCE southerly and parallel with 5th Street, 200 feet to the northerly line of 50th Avenue;
THENCE easterly and along the northerly line of 50th Avenue, 75 feet;
THENCE northerly and again parallel with 5th Street, 100 feet;
THENCE easterly and parallel with the southerly line of 49th Avenue, 100 feet;
THENCE southerly and parallel with 5th Street, 100 feet to the northerly line of 50th Avenue;
THENCE easterly along the northerly line of 50th Avenue, 285 feet to the westerly line of 5th Street to the point or place of BEGINNING.
THE ABOVE DESCRIBED TAX LOT 1 HAS AN AREA OF 76,000 SQ. FT. OR 1.7447 ACRES.

SCHEDULE B ITEMS

2. Rights, easements and rights of way to construct, reconstruct, maintain, use and operate in perpetuity an underground railroad, tunnel and appurtenances in, through or under the Land, all railroad, tunnel, easements of right, of access and support, terms, covenants and conditions in connection therewith, as indicated, disclosed and unobscured in and by (i) letterfile made between August Belmont, Andrew Friedman, Walter Lufkin, Francis C. Quinn, John P. Quinn, George W. Quinn and William Barclay Quinn, as Executors of the Estate of August Belmont, dated July 24, 1913 and recorded October 17, 1913 in Liber 1508 Page 471 and (ii) Indenture made between Westborough Trust Company and The City of New York dated July 1, 1914 and recorded April 20, 1914 in Liber 1387 Page 293 and Liber 1387 Page 295.

- With regard to items:
1. Conveys, dated May 15, 1911 and recorded July 23, 1911 in Liber 1373 Page 115 and Liber 1373 Page 119.
 3. Reservation and covenant set forth in Deed recorded in Liber 287 Page 61. (Not suitable)
 4. Reservation and covenant set forth in Deed recorded in Liber 287 Page 63. (Not suitable)
 5. Reservation and covenant set forth in Deed recorded in Liber 183 Page 1. (Not suitable)
 6. Reservation and covenant set forth in Deed recorded in Liber 203 Page 203. (Not suitable)
 7. Reservation and covenant set forth in Deed recorded in Liber 203 Page 208. (Not suitable)
 8. HELOC statements shown on the Tax Map of the City of New York and as disclosed by the Tax search as HELOC #11-53 assessed to NYC Transit at 45th Street and 46th Street.
 10. Terms, covenants and conditions contained in the certain Memorandum of Understanding between the City and County of Queens, dated and between 1998 and 2011 LCC (formerly known as O'Connell) and the City and County of Queens, dated and between September 20, 2011 and recorded October 1, 2011 as OFRA 20110039738.

ENVIRONMENTAL EASEMENT DESCRIPTION

TRACK 4 AREA 1
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 corner formed by the intersection of the westerly side of 5th Street (50 feet wide) with the northerly side of 50th Avenue (50 feet wide);
RUNNING THENCE northerly, along the northerly side of 50th Avenue, 285 feet to a point;
RUNNING THENCE northerly, at right angles to the northerly side of 50th Avenue, 71.85 feet to a point;
RUNNING THENCE southerly, at right angles to the last mentioned course, 22.11 feet to a point;
RUNNING THENCE southerly, along a line forming an angle of 233 degrees 43 minutes 18 seconds on the southwest with the last mentioned course, 29.77 feet to a point;
RUNNING THENCE northerly, along a line forming an angle of 130 degrees 43 minutes 18 seconds on the north with the last mentioned course, 43.36 feet to a point;
RUNNING THENCE southerly, at right angles to the last mentioned course, 30.00 feet to a point;
RUNNING THENCE easterly, along a line forming an angle of 135 degrees 00 minutes 00 seconds on the northeast with the last mentioned course, 50.33 feet to a point;
RUNNING THENCE easterly, at right angles to the last mentioned course, 7.86 feet to a point;
RUNNING THENCE easterly, at right angles to the last mentioned course, 36.16 feet to the westerly side of 5th Street;
RUNNING THENCE southerly, along the westerly side of 5th Street, 60.30 feet to the northerly side of 50th Avenue, the corner the point or place of BEGINNING.
The above-described track has an area of 37,857 sq. ft. or 0.87430 acres.

TRACK 4 AREA 2

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 on the northerly side of 50th Avenue (50 feet wide), distance 325 feet westerly from the corner formed by the intersection of the westerly side of 5th Street (50 feet wide) with the northerly side of 50th Avenue;
RUNNING THENCE westerly, along the northerly side of 50th Avenue, 75.00 feet to a point;
RUNNING THENCE northerly, at right angles to the northerly side of 50th Avenue, 107.34 feet to a point;
RUNNING THENCE easterly, at right angles to the last mentioned course, 5.56 feet to a point;
RUNNING THENCE southerly, along a line forming an angle of 145 degrees 41 minutes 33 seconds on the southwest with the last mentioned course, 21.34 feet to a point;
RUNNING THENCE southerly, along a line forming an angle of 104 degrees 18 minutes 27 seconds on the southwest with the last mentioned course, 1.60 feet to a point;
RUNNING THENCE easterly, at right angles to the last mentioned course, 46.93 feet to a point;
RUNNING THENCE southerly, parallel with the westerly side of 5th Street, 100.00 feet to northerly side of 50th Avenue the point or place of BEGINNING.
The above-described track has an area of 7,441 sq. ft. or 0.17164 Acres.

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:

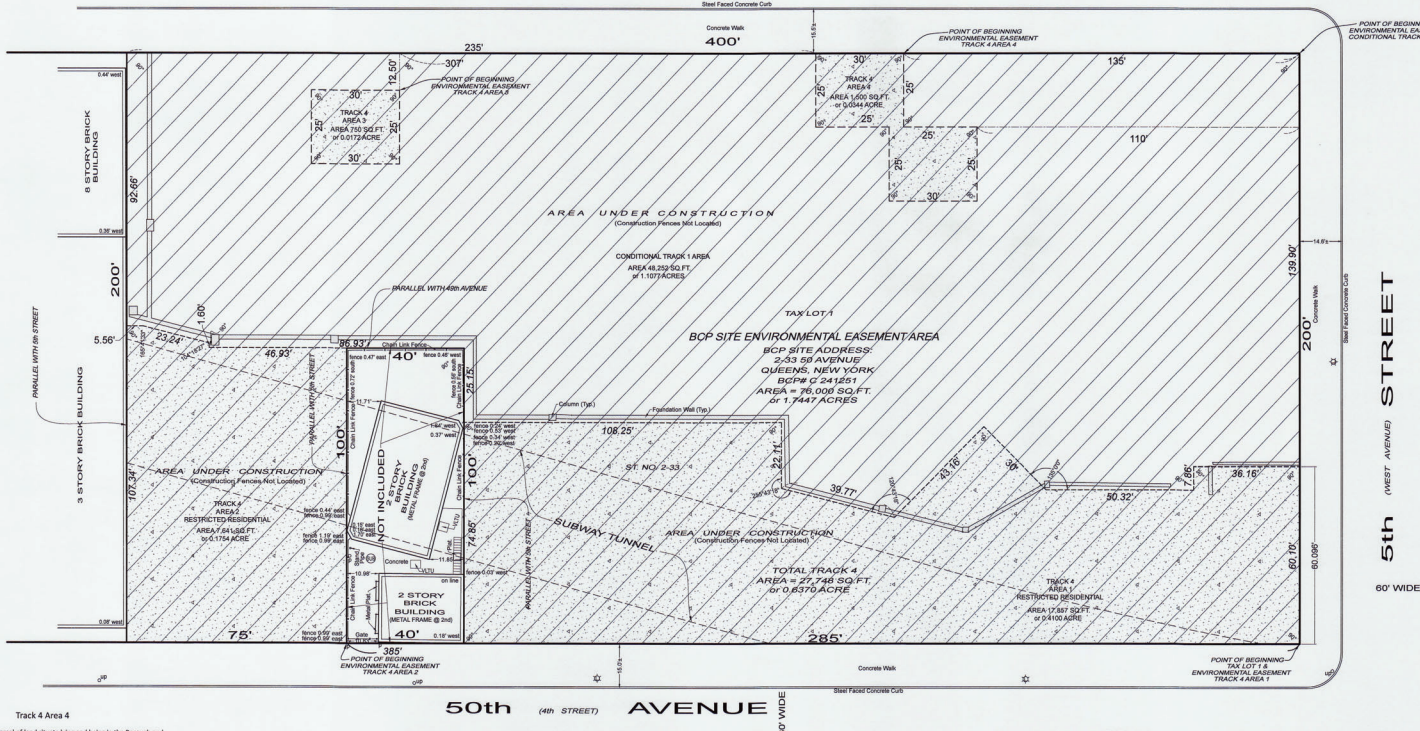
BEGINNING at a point on the southerly side of 49th Avenue (50 feet wide), distance 135.00 feet westerly from the corner formed by the southerly side of 49th Avenue and the westerly side of 5th Street (50 feet wide);
RUNNING THENCE southerly at right angles to southerly side of 49th Avenue, 25.00 feet to a point;
RUNNING THENCE easterly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE southerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE westerly at right angles to the last mentioned course, 30.00 feet to a point;
RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE westerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE easterly at right angles to the last mentioned course, 30.00 feet to the point or place of BEGINNING.
The above-described track has an area of 1,500 sq. ft. or 0.0344 acres.

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 the following two courses and distances from the corner formed by the southerly side of 49th Avenue (50 feet wide) with the westerly side of 5th Street (50 feet wide);
THENCE southerly along the southerly side of 49th Avenue, 307.00 feet to a point;
THENCE southerly at right angles to the southerly side of 49th Avenue, 12.50 feet to the point or place of BEGINNING.
RUNNING THENCE southerly at right angles to the southerly side of 49th Avenue, 25.00 feet to a point;
RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE westerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE easterly at right angles to the last mentioned course, 30.00 feet to the point or place of BEGINNING.
The above-described track has an area of 750 sq. ft. or 0.01732 acres.

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 corner formed by the intersection of the southerly side of 49th Avenue (50 feet wide) with the westerly side of 5th Street (50 feet wide);
RUNNING THENCE southerly along the southerly side of 49th Avenue, 135.00 feet to a point;
RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE easterly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE southerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE westerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE northerly at right angles to the last mentioned course, 25.00 feet to a point;
RUNNING THENCE westerly along the southerly side of 49th Avenue, 235.00 feet to a point;
RUNNING THENCE southerly parallel with the westerly side of 5th Street, 92.56 feet to a point;
RUNNING THENCE southerly at right angles to the last mentioned course, 5.85 feet to a point;
RUNNING THENCE southerly along a line forming an angle of 135 degrees 41 minutes 33 seconds on the south with the last mentioned course, 1.60 feet to a point;
RUNNING THENCE southerly along a line forming an angle of 104 degrees 18 minutes 27 seconds on the southwest with the last mentioned course, 1.60 feet to a point;
RUNNING THENCE northerly at right angles to the last mentioned course, 21.34 feet to a point;
RUNNING THENCE easterly at right angles to the last mentioned course, 108.25 feet to a point;
RUNNING THENCE southerly at right angles to the last mentioned course, 23.11 feet to a point;
RUNNING THENCE southerly along a line forming an angle of 255 degrees 43 minutes 18 seconds on the north with the last mentioned course, 43.36 feet to a point;
RUNNING THENCE southerly at right angles to the last mentioned course, 30.00 feet to a point.



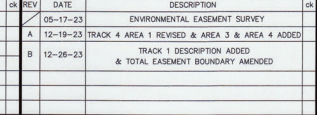
ESTABLISHED 1876 * SUCCESSOR TO:

11. ADAMSON	12. CAPELL	13. COLLIER	14. DEAN	15. CANTANO	16. GARDNER	17. GELI	18. HUNTER	19. KELLY	20. ...
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1 CM = 2.4 M

REV	DATE	DESCRIPTION	BY
05-17-23		ENVIRONMENTAL EASEMENT SURVEY	
12-19-23		TRACK 4 AREA 1 REVISED & AREA 3 & AREA 4 ADDED	
12-28-23		TRACK 1 DESCRIPTION ADDED & TOTAL EASEMENT BOUNDARY AMENDED	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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MONTROSE SURVEYING CO., LLP.
CITY & LAND SURVEYORS
119 20 METROPOLITAN AVE. • ROCKHILL NY 10841-1000 • (716) 949-6800
WWW.MONTROSE-SURVEYING.COM Email: info@montrose-surveying.com



CITY OF NEW YORK COUNTY QUEENS TAX BLOCK 17 TAX LOT 1 SCALE: 1" = 20'

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

Former FO Pierce Company, Site ID No. C241251
2-33 50th Avenue, Long Island City, NY 11101
Long Island City, Queens County, Tax Map Identification Number: 17-1

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (NYSDEC) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to 50th & 5th LIC LLC for a parcel approximately 1.745 acres located at 2-33 50th Avenue in Long Island City, Queens County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by NYSDEC 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 a 1.108-acre portion of 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, the remedial program for a 0.637-acre portion of 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 NYSDEC 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 CRFN 2023000336392.

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

Former FO Pierce Company, C241251
2-33 50th Avenue, Long Island City, NY 11101

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 NYSDEC'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 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 NYSDEC 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 Hunts Point, Long Island City, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C241251/>.

**Former FO Pierce Company, C241251
2-33 50th Avenue, Long Island City, NY 11101**

WHEREFORE, the undersigned has signed this Notice of Certificate

50th & 5th LIC 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:
50th & 5th LIC LLC
Mr. Papamichael
184 North 8th Street
Brooklyn, NY 11211



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/29/2023



SITE DESCRIPTION

SITE NO. **C241251**

SITE NAME Former FO Pierce Company

SITE ADDRESS: 2-33 50TH AVENUE ZIP CODE: 11101

CITY/TOWN: Long Island City

COUNTY: Queens

ALLOWABLE USE: Multiple Uses Allowed

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: 04/30/2025

Description of Institutional Control

50th & 5th LIC LLC
 c/o Domain Companies, 120 Broadway, Suite 1340
2-33 50th Avenue
 Environmental Easement
 Block: 17
 Lot: 1
 Sublot:
 Section:
 Subsection:
 S_B_L Image: 17-1
 Building Use Restriction
 Ground Water Use Restriction
 IC/EC Plan
 Landuse Restriction
 Monitoring Plan
 Site Management Plan
 Soil Management Plan

Description of Engineering Control

50th & 5th LIC LLC

c/o Domain Companies, 120 Broadway, Suite 1340

2-33 50th Avenue

Environmental Easement

Block: 17

Lot: 1

Sublot:

Section:

Subsection:

S_B_L Image: 17-1

Cover System

Monitoring Wells