



January 22, 2017

VIA FEDERAL EXPRESS

Kelly A. Lewandowski, P.E.
New York State Division of Environmental
Conservation
Site Control Section
625 Broadway
Albany, NY 12233-7020

RE: Recorded Notice of Certificate of Completion
BCP Site No.: C360083

Dear Ms. Lewandowski:

We represent SFC Yonkers, LLC in the aforementioned BCP Sites. Enclosed please find proof that the Notices of Certificate of Completion ("COC") have been recorded in Westchester County within 30 days of the issuance of the COC, and a copy of the recorded Notices of COC.

Thank you and do not hesitate to contact me if you have any questions.

Sincerely,

KNAUF SHAW LLP

A handwritten signature in black ink that reads "Meaghan A. Colligan".

MEAGHAN A. COLLIGAN

Enclosures

Cc: Matthew Hubicki (email only)
SFC Yonkers, LLC (email only)
City of Yonkers (email only)
YCDA (email only)

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



580173555DLR0013

Westchester County Recording & Endorsement Page

Submitter Information

Name: INTRACOASTAL ABSTRACT CO INC Phone: 516-358-0505 X 170
 Address 1: 31 STEWART STREET Fax: 516-358-0394
 Address 2: Email: recordingdepartment@intracoastalabstr:
 City/State/Zip: FLORAL PARK NY 11001 Reference for Submitter: INTRA-18-035 - Chicken Island

Document Details

Control Number: **580173555** Document Type: **Declaration (DLR)**
 Package ID: 2018011700201001001 Document Page Count: **35** Total Page Count: **37**

Parties

Additional Parties on Continuation page

1st PARTY

2nd PARTY

1: YONKERS COMMUNITY DEVELOPMENT AGENCY - Other 1: YONKERS COMMUNITY DEVELOPMENT AGENCY - Other
 2: 2:

Property

Additional Properties on Continuation page

Street Address: 16 PALISADE AVENUE Tax Designation: 1.-485-2
 City/Town: YONKERS Village:

Cross-References

Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

Recording Fees

Statutory Recording Fee: \$40.00
 Page Fee: \$180.00
 Cross-Reference Fee: \$0.00
 Mortgage Affidavit Filing Fee: \$0.00
 RP-5217 Filing Fee: \$0.00
 TP-584 Filing Fee: \$0.00
 Total Recording Fees Paid: **\$220.00**

Mortgage Taxes

Document Date:
 Mortgage Amount:
 Basic: \$0.00
 Westchester: \$0.00
 Additional: \$0.00
 MTA: \$0.00
 Special: \$0.00
 Yonkers: \$0.00
 Total Mortgage Tax: **\$0.00**

Transfer Taxes

Consideration: \$0.00
 Transfer Tax: \$0.00
 Mansion Tax: \$0.00
 Transfer Tax Number:

Dwelling Type: Exempt:
 Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 01/18/2018 at 10:49 AM
 Control Number: **580173555**
 Witness my hand and official seal

Timothy C. Idoni
 Westchester County Clerk

Record and Return To

Pick-up at County Clerk's office

Knauf Shaw LLP
1400 Crossroads Building
2 State Street
Rochester, NY 14614

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Properties Addendum

18 PALISADE AVENUE 10701	YONKERS	1.-485-3
20 PALISADE AVENUE 10701	YONKERS	1.-485-4
24 PALISADE AVENUE 10701	YONKERS	1.-485-6
26 PALISADE AVENUE 10701	YONKERS	1.-485-7
28 PALISADE AVENUE 10701	YONKERS	1.-485-8
32 PALISADE AVENUE 10701	YONKERS	1.-485-10
36 PALISADE AVENUE 10701	YONKERS	1.-485-12
40 PALISADE AVENUE 10701	YONKERS	1.-485-14
46 PALISADE AVENUE 10701	YONKERS	1.-485-16
48 PALISADE AVENUE 10701	YONKERS	1.-485-18
23 JOHN STREET 10701	YONKERS	1.-486-15
25 JOHN STREET 10701	YONKERS	1.-486-16

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

River Park Center Site a/k/a Chicken Island Site, Site ID No. C360083
New Main Street and Nepperhan Avenue, NY 10701

City of Yonkers, Westchester County, Tax Map Identification Number(s): 1-485-2, 1.-485-3, 1.-485-4,
1.-485-6, 1.-485-7, 1.-485-8,1.-485-10, 1.-485-12, 1.-485-14, 1.-485-16, 1.-485-18, 1.-486-15, 1.-486-16

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 SFC Yonkers LLC, Yonkers Industrial Development Agency, Yonkers Community Development Agency, and City of Yonkers for thirty-one (31) tax parcels and internal roadways totaling approximately 6.934 acres located at New Main St., Nepperhan Ave, and Palisades Ave in the City of Yonkers, Westchester County, including thirteen (13) parcels listed above owned by the Yonkers Community Development Agency totaling 1.184 acres.

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 the Westchester 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 Westchester County as 571643707.

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

Chicken Island, Site No. C360083, New Main Street and Nepperhan Avenue, Yonkers, NY 10701

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, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

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

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 3 Office located at 21 South Putt Corners Rd, New Paltz, NY 12564 by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

Yonkers Community Development Agency

By: Wilson Kimball

Title: Secretary

Date: 1/5/18

STATE OF NEW YORK) SS:
COUNTY OF)

On the 5 day of JANUARY, in the year 2018, before me, the undersigned, personally appeared WILSON KIMBALL, 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]
Signature and Office of individual
taking acknowledgment

Please record and return to:
Knauf Shaw LLP
1400 Crossroads Building
2 State Street
Rochester NY 14614-1365

Frank Badalato
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02BA6326115
Qualified in Westchester County
Commission Expires June 15, 2019

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

Name	Address
Yonkers Industrial Development Agency	87 Nepperhan Avenue, Yonkers, NY 10701
Yonkers Community Development Agency	87 Nepperhan Avenue, Suite 312, Yonkers, NY 10701
SFC Yonkers, LLC	Fidelco Realty, Millburn, NJ 07041
City of Yonkers	Yonkers City Hall, Yonkers, NY 10701

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 8/23/06 Agreement Execution: 12/12/06 Agreement Index No.: A3-0572-1006

Application Approval Amendment: 11/8/06

Application Approval Amendment: 5/24/17

Application Approval Amendment: 8/21/17

Application Approval Amendment: 11/13/17

Application Approval Amendment: 11/28/17

Agreement Execution Amendment: 5/24/17

Agreement Execution Amendment: 8/21/17

Agreement Execution Amendment: 11/13/17

Agreement Execution Amendment: 11/28/17

SITE INFORMATION:

Site No.: C360083 Site Name: River Park Center Site a/k/a Chicken Island Site

Site Owner: City of Yonkers; Fleet New Main Street, LLC; Yonkers Community Development Agency

Street Address: New Main Street and Nepperhan Avenue

Municipality: Yonkers County: Westchester DEC Region: 3

Site Size: 6.934 Acres

Tax Map Identification Number(s): 1.-483-10, 1.-483-12, 1.-483-13, 1.-483-16, 1.-483-5, 1.-483-50,
1.-483-60, 1.-483-7, 1.-483-9, 1.-484-15, 1.-484-51, 1.-484-53,
1.-485-1, 1.-485-10, 1.-485-12, 1.-485-14, 1.-485-16, 1.-485-18,
1.-485-2, 1.-485-3, 1.-485-4, 1.-485-6, 1.-485-7, 1.-485-8, 1.-486-15,
1.-486-16, Engine Place (Roadway), James St (Roadway), Henry Herz
(Roadway), Ann Street (Roadway), John Street (Roadway)

Percentage of site located in an EnZone: 50 - 99 %

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 for Entities Taxable Under Article 9, 9-A, 32, and 33:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 20 %.
Tangible Property Credit Component Rate is 20 %.

Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 18 %.
Tangible Property Credit Component Rate is 18 %.

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 Westchester County as 571593770 and 571643029 and 571643707.

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;
- (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

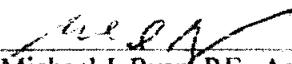
By:  Date: 12/27/17
Michael J. Ryan, P.E., Assistant Director
Division of Environmental Remediation

Exhibit A
Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

**FLEET NEW MAIN STREET LLC ENVIRONMENTAL EASEMENT
LEGAL DESCRIPTION**

ALL THAT CERTAIN plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York, for the purposes of a BCP Site, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the northeasterly line of New Main Street as established by Control No. 443490783, Liber 12010 Page 25, Liber 12071 Page 232, Liber 10495 Page 41, Liber 9019 Page 263, and Liber 12433 Page 226 and the northwesterly line of Nepperhan Avenue as established by appropriation map 4 parcel 4, prepared by Chas. H. Sells, Inc. on November 10, 1966 and filed in the Westchester County Clerk's Office on June 17, 1968 as Map No. 16096 and continuing along the aforementioned northeasterly line of New Main Street, North 37°02'54" West, a distance of 288.55 feet to the centerline of Ann Street (formerly known as Post Lane), and continuing still along the aforementioned northeasterly line of New Main Street as established by "Survey of Property situated in the City of Yonkers" prepared by Chas. J. Dearing, dated November 12, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537 and "Map of Survey of Property Nos. 117 to 125 and No. 131 New Main Street - Yonkers, NY" prepared by John E. Warneck, dated December 4, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537, North 36°25'59" West, a distance of 24.43 feet to the northwesterly line Ann Street as established by aforementioned Warneck Map (Title No. 6-024537) to the **POINT OR PLACE OF BEGINNING:**

FROM SAID POINT OF BEGINNING;

CONTINUING along said northeasterly line of New Main Street, North 36°25'59" West, a distance of 76.27 feet to the southeasterly line of Section 1 Block 484 Lot 55 of the Official Tax Map of the City of Yonkers, as established by Liber 7790 page 267, aforementioned Dearing Map (Title No. 6-001012, etc.), aforementioned Dearing Map (Title No. 6-024537) and Control No. 450880284;

CONTINUING along the southeasterly and northeasterly lines of Section 1 Block 484 Lots 55 and 8 as established by aforementioned Dearing Map (Title No. 6-024537), aforementioned Warneck Map (Title No. 6-024537), "Map of Survey of Property No. 8 Palisade Avenue and SE Cor. of New Main Street and thru to James Street - Yonkers, NY" prepared by Chas. J. Dearing, dated October 27, 1937, last updated August 29, 1938 on file at the Office of the Title Guarantee and Trust Company as Title Nos. 6-001012, 6-002540, 6-002693 and 6-002941 and aforementioned Control No. 450880284, the following three (3) courses and distances;

- 1) North 53°11'51" East, a distance of 90.23 feet,
- 2) North 37°13'09" West, a distance of 40.30 feet and
- 3) North 53°16'38" East, a distance of 66.01 feet;

County: Westchester Site No: C360083 Brownfield Cleanup Agreement Index : A3-0572-
1006 as amended August 21, 2017

THENCE South 36°21'38" East, a distance of 64.02 feet;

THENCE South 18°29'09" East, a distance of 62.31 feet to the aforementioned northwesterly line of Ann Street and continuing along same, South 56°00'32" West, a distance of 136.53 feet to the **POINT OR PLACE OF BEGINNING**.

CONTAINING an area of 14,530 square feet or 0.334 acres of land more or less.

SCHEDULE "C" PROPERTY DESCRIPTION

**CITY OF YONKERS
ENVIRONMENTAL EASEMENT
LEGAL DESCRIPTION**

ALL THAT CERTAIN plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York, for the purposes of a BCP Site, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the southerly line of Palisade Avenue (formerly known as Factory Street) as established by "Map of Survey of Property No. 8 Palisade Avenue and SE Cor. of New Main Street and thru to James Street - Yonkers, NY" prepared by Chas. J. Dearing, dated October 27, 1937, last updated August 29, 1938 on file at the Office of the Title Guarantee and Trust Company as Title Nos. 6-001012, 6-002540, 6-002693 and 6-002941, with the northeasterly line of New Main Street (formerly known as Mechanic Street) as established by "Survey of Property situated in the City of Yonkers" prepared by Chas. J. Dearing, dated November 12, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537 and "Map of Survey of Property Nos. 117 to 125 and No. 131 New Main Street - Yonkers, NY" prepared by John E. Warneck, dated December 4, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537, as measured along the aforementioned southerly line of Palisade Avenue from said intersection to the southwesterly line of James Street as established by aforementioned Dearing Map (Title No. 6-001012, etc.) North 57°57'50" East, a distance of 230.04 feet to the **POINT OR PLACE OF BEGINNING:**

FROM SAID POINT OF BEGINNING;

CONTINUING along the aforementioned southerly line of Palisade Avenue, crossing James Street, North 57°16'09" East, a distance of 58.18 feet to the northeasterly line of James Street;

CONTINUING along aforementioned northeasterly line of James Street, South 35°45'08" East, a distance of 46.00 feet;

THENCE North 54°14'52" East, a distance of 11.99 feet;

THENCE South 19°03'19" East, a distance of 46.48 feet;

THENCE South 82°22'18" East, a distance of 28.73 feet;

THENCE North 70°56'38" East, a distance of 297.08 feet;

THENCE South 19°03'22" East, a distance of 111.00 feet to the northerly line of John Street;

THENCE along the aforementioned northerly side of John Street, North 70°56'38" East, a distance of 59.15 feet to the westerly line of School Street;

THENCE along the aforementioned westerly line of School Street South 01°02'32" East, a

distance of 450.89 feet to the to the northwesterly line of Nepperhan Avenue (formerly known as Guion Street) as established by appropriation map 7 parcel 7, prepared by Chas. H. Sells, Inc. on June 28, 1967 and filed in the Westchester County Clerk's Office on September 17, 1969 as Map No. 16855;

CONTINUING along the aforementioned northwesterly line of Nepperhan Avenue the following three (3) courses and distances;

- 1) South 51°43'19" West, a distance of 153.13 feet as established by aforementioned Sells Map (Map No. 16855) to the northeasterly line of Henry Herz Street,
- 2) Crossing the aforementioned Henry Herz Street, South 53°37'40" West, a distance of 50.06 feet and
- 3) Continuing along aforementioned northwesterly line of Nepperhan Avenue as established by appropriation map 4 parcel 4, prepared by Chas. H. Sells, Inc. on November 10, 1966 and filed in the Westchester County Clerk's Office on June 17, 1968 as Map No. 16096, South 52°41'21" West, a distance of 144.64 feet to the northeasterly line of New Main Street as established by Control No. 443490783, Liber 12010 Page 25, Liber 12071 Page 232, Liber 10495 Page 41, Liber 9019 Page 263, and Liber 12433 Page 226;

CONTINUING along the aforementioned northeasterly line of New Main Street, the following two (2) courses and distances;

- 4) North 37°02'54" West, a distance of 288.55 feet to the intersection of the aforementioned northeasterly line of New Main Street and the centerline of Ann Street (formerly known as Post Lane) and
- 5) Continuing still along the aforementioned northeasterly line of New Main Street as established by aforementioned Dearing Map (Title No. 6-024537) and aforementioned Warneck Map (Title No. 6-024537), North 36°25'59" West, a distance of 24.43 feet to the northwesterly line Ann Street as established by aforementioned Warneck Map (Title No. 6-024537) and continuing along same, North 56°00'32" East, a distance of 136.53 feet;

THENCE North 18°29'09" West, a distance of 62.31 feet;

THENCE North 36°21'38" West, a distance of 144.04 feet;

THENCE North 53°20'50" East, a distance of 73.86 feet, to aforementioned southwesterly line of James Street;

THENCE continuing along the aforementioned southwesterly line of James Street, North 36°31'05" West, a distance of 190.32 feet to the **POINT OR PLACE OF BEGINNING**.

EXCLUDING THEREFROM all that certain plot, piece or parcel of land designated as "Land Under Water," situate, lying and being in the City of Yonkers, County of Westchester and State

of New York, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the northeasterly line of New Main Street as established by aforementioned documents; Control No. 443490783, Liber 12010 Page 25, Liber 12071 Page 232, Liber 10495 Page 41, Liber 9019 Page 263, and Liber 12433 Page 226, and the northwesterly line of Nepperhan Avenue as established by aforementioned Sells Map (Map No. 16096) and continuing along the aforementioned northeasterly line of New Main Street, North 37°02'54" West, a distance of 268.10 feet to the southeasterly line of Ann Street, and continuing along same, North 58°30'25" East, a distance of 62.35 feet;

THENCE South 31°03'03" East, a distance of 0.67 feet to the **POINT OR PLACE OF BEGINNING**;

FROM SAID POINT OR PLACE OF BEGINNING:

THENCE South 31°03'03" East, a distance of 14.51 feet to a point on a non-tangent curve to the right from where the radial bears South 09°55'54" West,

ALONG said curve to the right having a radius of 81.00 feet, and an arc length of 64.04 feet to a point of compound curvature,

ALONG the compound curve to the right having a radius of 135.00 feet, and an arc length of 47.80 feet to a point of compound curvature,

ALONG the compound curve to the right having a radius of 100.00 feet, and an arc length of 19.65 feet to a point of reverse curvature,

ALONG the curve to the left having a radius of 75.00 feet, and an arc length of 59.58 feet to a point on said curve from where the radial bears North 41°15'32" East,

THENCE along the radial extended, South 41°15'32" West, a distance of 1.50 feet,

THENCE South 48°44'28" East, a distance of 5.17 feet,

THENCE South 34°21'44" West, a distance of 9.23 feet to a point on a non-tangent curve to the left from where the radial bears North 28°44'18" East,

ALONG said curve to the left having a radius of 54.96 feet, and an arc length of 35.81 feet to a point on said curve from where the radial bears North 08°35'48" West,

THENCE along the said radial of the last described curve, North 08°35'48" West, a distance of 1.01 feet to a point on a non-tangent curve to the left from where the radial bears North 18°03'23" West,

ALONG aforementioned curve to the left having a radius of 39.89 feet, and an arc length of 29.34 feet to a point on said curve from where the radial bears North 60°11'34" West,

THENCE North 27°06'55" East, a distance of 4.38 feet,

THENCE North 37°02'00" West, a distance of 3.69 feet to a point on a non-tangent curve to the left from where the radial bears North 54°34'08" West,

ALONG the aforementioned curve to the left having a radius of 41.31 feet, and an arc length of 11.10 feet to a point on a non-tangent curve to the right from where the radial bears South 67°34'03" East,

ALONG aforementioned curve to the right having a radius of 136.36 feet, and an arc length of 36.04 feet to a point on said curve from where the radial bears South 52°25'32" East,

THENCE North 38°03'31" West, a distance of 26.92 feet,

THENCE South 61°56'13" West, a distance of 25.30 feet to a point of curvature,

ALONG the curve to the right having a radius of 15.00 feet, and an arc length of 22.71 feet to a point of tangency,

THENCE North 31°18'50" West, a distance of 117.99 feet,

THENCE North 28°35'36" West, a distance of 31.01 feet,

THENCE South 58°56'57" West, a distance of 59.16 feet to the **POINT OR PLACE OF BEGINNING**.

CONTAINING a total area of land, after exclusion, of 235,912 square feet or 5.416 acres of land more or less.

SCHEDULE "A" PROPERTY DESCRIPTION

**YONKERS COMMUNITY DEVELOPMENT AGENCY
ENVIRONMENTAL EASEMENT
LEGAL DESCRIPTION**

ALL THAT CERTAIN plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York, for the purposes of a BCP Site, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the southerly line of Palisade Avenue (formerly known as Factory Street) as established by "Map of Survey of Property No. 8 Palisade Avenue and SE Cor. of New Main Street and thru to James Street - Yonkers, NY" prepared by Chas. J. Dearing, dated October 27, 1937, last updated August 29, 1938 on file at the Office of the Title Guarantee and Trust Company as Title Nos. 6-001012, 6-002540, 6-002693 and 6-002941, with the northeasterly line of New Main Street (formerly known as Mechanic Street) as established by "Survey of Property situated in the City of Yonkers" prepared by Chas. J. Dearing, dated November 12, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537 and "Map of Survey of Property Nos. 117 to 125 and No. 131 New Main Street - Yonkers, NY" prepared by John E. Warneck, dated December 4, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537, as measured along the aforementioned southerly line of Palisade Avenue from said intersection to the southwesterly line of James Street as established by aforementioned Dearing Map (Title No. 6-001012, etc.) North 57°57'50" East, a distance of 230.04 feet, crossing James Street North 57°16'09" East, a distance of 58.18 feet to the northeasterly line of James Street to the **POINT OR PLACE OF BEGINNING:**

FROM SAID POINT OF BEGINNING;

CONTINUING along the aforementioned southerly line of Palisade Avenue as established by Liber 7543 Page 766, Liber 7496 Page 112, Liber 7524 Page 84, Liber 7501 Page 353, Liber 7502 Page 157, Liber 7546 Page 465, Liber 7538 Page 715, Liber 7584 Page 634, Liber 7530 Page 81, Liber 7538 Page 721, and "Map of the S. Shethar Property" prepared by George Rayner dated April 12, 1899 and filed December 22, 1904 as Westchester County Clerk Map No. 1446, North 70°56'38" East, a distance of 445.81 feet to the intersection of the aforementioned southerly line of Palisade Avenue and the extension of the southerly line of Elm Street, as established by the aforementioned Rayner Map (Map No. 1446);

THENCE along the aforementioned extension of the southerly line of Elm Street, South 77°18'48" East, a distance of 5.45 feet to the westerly line of School Street and continuing along same, the following two (2) courses and distances;

- 1) South 19°03'22" East, a distance of 71.71 feet and
- 2) South 01°02'32" East, a distance of 143.45 feet to the northerly line of John Street;

THENCE along the aforementioned northerly line of John Street, South 70°56'38" West, a distance of 59.15 feet;

THENCE North 19°03'22" West, a distance of 111.00 feet;

THENCE South 70°56'38" West, a distance of 297.08 feet;

THENCE North 82°22'18" West, a distance of 28.73 feet;

THENCE North 19°03'19" West, a distance of 46.48 feet;

THENCE South 54°14'52" West, a distance of 11.99 feet to the aforementioned northeasterly line of James Street;

CONTINUING along same, North 35°45'08" West, a distance of 46.00 feet to the **POINT OR PLACE OF BEGINNING**.

CONTAINING an area of 51,587 square feet or 1.184 acres of land more or less.

Exhibit B
Site Survey



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/11/2017



SITE DESCRIPTION

SITE NO. C360083

SITE NAME River Park Center Site a/k/a Chicken Island Site

SITE ADDRESS: New Main Street and Nepperhan Avenue **ZIP CODE:** 10701

CITY/TOWN: Yonkers

COUNTY: Westchester

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: 04/30/2019

Description of Institutional Control

CDA Yonkers

87 Nepperhan Avenue, Suite 312

16 Palisades Avenue

Environmental Easement

Block: 485

Lot: 2

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-2

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

18 Palisades Avenue

Environmental Easement

Block: 485

Lot: 3

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-3

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

20 Palisades Avenue

Environmental Easement

Block: 485

Lot: 4

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-4

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

23 John Street

Environmental Easement

Block: 486

Lot: 15

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-486-15

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

24 Palisades Avenue

Environmental Easement

Block: 485

Lot: 6

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-6

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

25 John Street

Environmental Easement

Block: 486

Lot: 16

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-486-16

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

26 Palisades Avenue

Environmental Easement

Block: 485

Lot: 7

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-7

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

28 Palisades Avenue

Environmental Easement

Block: 485

Lot: 8

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-8

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

O&M Plan

Site Management Plan

Soil Management Plan

32 Palisades Avenue

Environmental Easement

Block: 485

Lot: 10

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-10

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

36 Palisades Avenue

Environmental Easement

Block: 485

Lot: 12

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-12
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

40 Palisades Avenue
Environmental Easement
Block: 485
Lot: 14

Sublot:
Section: 1
Subsection:

S_B_L Image: 1.-485-14
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

46 Palisades Avenue
Environmental Easement
Block: 485
Lot: 16

Sublot:
Section: 1
Subsection:

S_B_L Image: 1.-485-16
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

48 Palisades Avenue
Environmental Easement
Block: 485

Lot: 18
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-18
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

City of Yonkers

40 South Broadway
135 New Main Street
Environmental Easement
Block: 483

Lot: 16
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-16
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

137 New Main Street
Environmental Easement
Block: 483
Lot: 13

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-13
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

14 Palisades Avenue

Environmental Easement

Block: 485

Lot: 1

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-1

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

143 New Main Street

Environmental Easement

Block: 483

Lot: 12

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-12

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

147 New Main Street

Environmental Easement

Block: 483

Lot: 10

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-10

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

149 New Main Street

Environmental Easement

Block: 483

Lot: 9

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-9

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

149 School Street

Environmental Easement

Block: 483

Lot: 50

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-50

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

151 New Main Street

Environmental Easement

Block: 483

Lot: 7

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-7

Ground Water Use Restriction

IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

155 New Main Street
Environmental Easement
Block: 483
Lot: 5

Sublot:
Section: 1

Subsection:

S_B_L Image: 1.-483-5
Ground Water Use Restriction

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

Ann Street (Roadway)
Environmental Easement
Block:
Lot:

Sublot:
Section:

Subsection:

S_B_L Image: Ann Street (Roadway)
Ground Water Use Restriction

IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

Engine Place (Roadway)
Environmental Easement
Block:
Lot:

Sublot:
Section:
Subsection:
S_B_L Image: Engine Place (Roadway)
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

Getty Square Parking 23

Environmental Easement

Block: 483

Lot: 60

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-60
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

Henry Hertz Street

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Henry Hertz Street (Roadway)
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

James Street (Roadway)
Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: James Street (Roadway)
Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

John Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: John Street (Roadway)
Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Fleet New Main Street LLC

225 Millburn Ave, Ste 202

129 New Main Street

Environmental Easement

Block: 484

Lot: 53

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-53
Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

131 New Main Street

Environmental Easement

Block: 484

Lot: 51

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-51

Ground Water Use Restriction.

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

9 Ann Street

Environmental Easement

Block: 484

Lot: 15

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-15

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

CDA Yonkers

87 Nepperhan Avenue, Suite 312

16 Palisades Avenue

Environmental Easement

Block: 485

Lot: 2

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-2
Cover System
Monitoring Wells
Vapor Mitigation

18 Palisades Avenue

Environmental Easement

Block: 485

Lot: 3

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-3
Cover System

Monitoring Wells

Vapor Mitigation

20 Palisades Avenue

Environmental Easement

Block: 485

Lot: 4

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-4
Cover System

Monitoring Wells

Vapor Mitigation

23 John Street

Environmental Easement

Block: 486

Lot: 15

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-486-15
Cover System

Monitoring Wells

Vapor Mitigation

24 Palisades Avenue

Environmental Easement

Block: 485

Lot: 6

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-6
Cover System

Monitoring Wells

Vapor Mitigation

25 John Street

Environmental Easement

Block: 486

Lot: 16

Sublot:

Section: 1
Subsection:
S_B_L Image: 1.-486-16
Cover System
Monitoring Wells
Vapor Mitigation

26 Palisades Avenue
Environmental Easement
Block: 485
Lot: 7
Sublot:

Section: 1
Subsection:
S_B_L Image: 1.-485-7
Cover System
Monitoring Wells
Vapor Mitigation

28 Palisades Avenue
Environmental Easement
Block: 485
Lot: 8
Sublot:

Section: 1
Subsection:
S_B_L Image: 1.-485-8
Cover System
Monitoring Wells
Vapor Mitigation

32 Palisades Avenue
Environmental Easement
Block: 485
Lot: 10
Sublot:

Section: 1
Subsection:
S_B_L Image: 1.-485-10
Cover System
Monitoring Wells
Vapor Mitigation

36 Palisades Avenue
Environmental Easement
Block: 485
Lot: 12
Sublot:

Section: 1
Subsection:
S_B_L Image: 1.-485-12
Cover System
Monitoring Wells
Vapor Mitigation

40 Palisades Avenue
Environmental Easement
Block: 485

Lot: 14
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-14
Cover System
Monitoring Wells
Vapor Mitigation

46 Palisades Avenue
Environmental Easement
Block: 485
Lot: 16

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-16
Cover System
Monitoring Wells
Vapor Mitigation

48 Palisades Avenue
Environmental Easement
Block: 485
Lot: 18

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-18
Cover System
Monitoring Wells
Vapor Mitigation

City of Yonkers

40 South Broadway

135 New Main Street
Environmental Easement
Block: 483
Lot: 16

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-16
Cover System
Monitoring Wells
Vapor Mitigation

137 New Main Street
Environmental Easement
Block: 483
Lot: 13

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-13
Cover System
Monitoring Wells

Vapor Mitigation

14 Palisades Avenue

Environmental Easement

Block: 485

Lot: 1

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-1

Cover System

Monitoring Wells

Vapor Mitigation

143 New Main Street

Environmental Easement

Block: 483

Lot: 12

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-12

Cover System

Monitoring Wells

Vapor Mitigation

147 New Main Street

Environmental Easement

Block: 483

Lot: 10

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-10

Cover System

Monitoring Wells

Vapor Mitigation

149 New Main Street

Environmental Easement

Block: 483

Lot: 9

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-9

Cover System

Monitoring Wells

Vapor Mitigation

149 School Street

Environmental Easement

Block: 483

Lot: 50

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-50

Cover System

Monitoring Wells

Vapor Mitigation

151 New Main Street

Environmental Easement

Block: 483

Lot: 7

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-7

Cover System

Monitoring Wells

Vapor Mitigation

155 New Main Street

Environmental Easement

Block: 483

Lot: 5

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-5

Cover System

Monitoring Wells

Vapor Mitigation

Ann Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Ann Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

Engine Place (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Engine Place (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

Getty Square Parking 23 John St

Environmental Easement

Block: 483

Lot: 60

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-60

Cover System
Monitoring Wells
Vapor Mitigation

Henry Hertz Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Henry Hertz Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

James Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: James Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

John Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: John Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

Fleet New Main Street LLC

225 Millburn Ave, Ste 202

129 New Main Street

Environmental Easement

Block: 484

Lot: 53

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-53

Cover System

Monitoring Wells

Vapor Mitigation

131 New Main Street

Environmental Easement

Block: 484

Lot: 51

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-484-51
Cover System
Monitoring Wells
Vapor Mitigation

9 Ann Street

Environmental Easement

Block: 484

Lot: 15

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-15

Cover System

Monitoring Wells

Vapor Mitigation

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



580173529DLR0014

Westchester County Recording & Endorsement Page

Submitter Information

Name: INTRACOASTAL ABSTRACT CO INC Phone: 516-358-0505 X 170
 Address 1: 31 STEWART STREET Fax: 516-358-0394
 Address 2: Email: recordingdepartment@intracoastalabstr:
 City/State/Zip: FLORAL PARK NY 11001 Reference for Submitter: INTRA-18-035 - Chicken Island

Document Details

Control Number: **580173529** Document Type: **Declaration (DLR)**
 Package ID: 2018011700201001001 Document Page Count: **35** Total Page Count: **37**

Parties

Additional Parties on Continuation page

1st PARTY 2nd PARTY
 1: YONKERS CITY OF - Other 1: YONKERS CITY OF - Other
 2: 2:

Property

Additional Properties on Continuation page

Street Address: 155 NEW MAIN STREET Tax Designation: 1.-483-5
 City/Town: YONKERS Village:

Cross-References

Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

Recording Fees

Statutory Recording Fee: \$40.00
 Page Fee: \$180.00
 Cross-Reference Fee: \$0.00
 Mortgage Affidavit Filing Fee: \$0.00
 RP-5217 Filing Fee: \$0.00
 TP-584 Filing Fee: \$0.00
 Total Recording Fees Paid: **\$220.00**

Transfer Taxes

Consideration: \$0.00
 Transfer Tax: \$0.00
 Mansion Tax: \$0.00
 Transfer Tax Number:

Mortgage Taxes

Document Date:
 Mortgage Amount:
 Basic: \$0.00
 Westchester: \$0.00
 Additional: \$0.00
 MTA: \$0.00
 Special: \$0.00
 Yonkers: \$0.00
 Total Mortgage Tax: **\$0.00**

Dwelling Type: Exempt:
 Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 01/18/2018 at 10:49 AM
 Control Number: **580173529**
 Witness my hand and official seal

Timothy C. Idoni
 Westchester County Clerk

Record and Return To

Pick-up at County Clerk's office

Knauf Shaw LLP
1400 Crossroads Building
2 State Street
Rochester, NY 14614

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.

580173529DLR0014

Westchester County Recording & Endorsement Page

Document Details

Control Number: **580173529**

Document Type: **Declaration (DLR)**

Package ID: 2018011700201001001

Document Page Count: 35

Total Page Count: 37

Properties Addendum

151B NEW MAIN STREET 10701	YONKERS	1.-483-7
151.5 NEW MAIN STREET 10701	YONKERS	1.-483-9
147 NEW MAIN STREET 10701	YONKERS	1.-483-10
143 NEW MAIN STREET 10701	YONKERS	1.-483-12
137 NEW MAIN STREET 10701	YONKERS	1.-483-13
135 NEW MAIN STREET 10701	YONKERS	1.-483-16
149 SCHOOL STREET 10701	YONKERS	1.-483-50
0 GERRY SQUARE PARKING AREA 10701	YONKERS	1. 483 60
135 NEW MAIN STREET 10701	YONKERS	1 483 1
0 ENGINE PLACE 10701	YONKERS	Not Assessed
0 JAMES STREET 10701	YONKERS	Not Assessed
0 HENRY HERZ STREET 10701	YONKERS	Not Assessed
0 ANN STREET 10701	YONKERS	Not Assessed
0 JOHN STREET 10701	YONKERS	Not Assessed

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

River Park Center Site a/k/a Chicken Island Site, Site ID No. C360083
New Main Street and Nepperhan Avenue, NY 10701

City of Yonkers, Westchester County, Tax Map Identification Number(s): 1.-483-5, 1.-483-7, 1.-483-9,
1.-483-10, 1.-483-12, 1.-483-13, 1.-483-16, 1.-483-50, 1.-483-60, 1.-485-1, Engine Place (Roadway),
James St (Roadway), Henry Herz Street, (Roadway), Ann Street (Roadway), John Street (Roadway)

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 SFC Yonkers LLC, Yonkers Industrial Development Agency, Yonkers Community Development Agency, and City of Yonkers for thirty-one (31) tax parcels and internal roadways totaling approximately 6.934 acres located at New Main St., Nepperhan Ave, and Palisades Ave in the City of Yonkers, Westchester County, including fifteen (15) parcels and internal roadways listed above owned by the City of Yonkers and totaling 5.416 acres.

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 the Westchester 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 Westchester County as 571593770.

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

Chicken Island, Site No. C360083, New Main Street and Nepperhan Avenue, Yonkers, NY-10701

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, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

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

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 3 Office located at 21 South Putt Corners Rd, New Paltz, NY 12564 by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

City of Yonkers

By:

James Cavanaugh
**JAMES CAVANAUGH, DEPUTY
MAYOR**

Date:

1/5/18

STATE OF NEW YORK) SS:
COUNTY OF)

On the 5th day of January, in the year 2018, before me, the undersigned, personally appeared James Cavanaugh 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.

Denise P. Egiziaco
Signature and Office of individual
taking acknowledgment

DENISE P. EGIZIACO
Notary Public, State of New York
No. 01EG6161242
Qualified in Westchester County
Commission Expires February 14, 2019

Please record and return to:
Knauf Shaw LLP
1400 Crossroads Building
2 State Street
Rochester NY 14614-1365

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

Name	Address
Yonkers Industrial Development Agency	87 Nepperhan Avenue, Yonkers, NY 10701
Yonkers Community Development Agency	87 Nepperhan Avenue, Suite 312, Yonkers, NY 10701
SFC Yonkers, LLC	Fidelco Realty, Millburn, NJ 07041
City of Yonkers	Yonkers City Hall, Yonkers, NY 10701

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 8/23/06 Agreement Execution: 12/12/06 Agreement Index No.: A3-0572-1006

Application Approval Amendment: 11/8/06

Application Approval Amendment: 5/24/17

Application Approval Amendment: 8/21/17

Application Approval Amendment: 11/13/17

Application Approval Amendment: 11/28/17

Agreement Execution Amendment: 5/24/17

Agreement Execution Amendment: 8/21/17

Agreement Execution Amendment: 11/13/17

Agreement Execution Amendment: 11/28/17

SITE INFORMATION:

Site No.: C360083 Site Name: River Park Center Site a/k/a Chicken Island Site

Site Owner: City of Yonkers; Fleet New Main Street, LLC; Yonkers Community Development Agency

Street Address: New Main Street and Nepperhan Avenue

Municipality: Yonkers County: Westchester DEC Region: 3

Site Size: 6.934 Acres

Tax Map Identification Number(s): 1.-483-10, 1.-483-12, 1.-483-13, 1.-483-16, 1.-483-5, 1.-483-50,
1.-483-60, 1.-483-7, 1.-483-9, 1.-484-15, 1.-484-51, 1.-484-53,
1.-485-1, 1.-485-10, 1.-485-12, 1.-485-14, 1.-485-16, 1.-485-18,
1.-485-2, 1.-485-3, 1.-485-4, 1.-485-6, 1.-485-7, 1.-485-8, 1.-486-15,
1.-486-16, Engine Place (Roadway), James St (Roadway), Henry Herz
(Roadway), Ann Street (Roadway), John Street (Roadway)

Percentage of site located in an EnZone: 50 - 99 %

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 for Entities Taxable Under Article 9, 9-A, 32, and 33:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 20 %.

Tangible Property Credit Component Rate is 20 %.

Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 18 %.

Tangible Property Credit Component Rate is 18 %.

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 Westchester County as 571593770 and 571643029 and 571643707.

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.

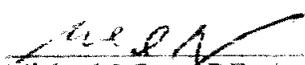
CERTIFICATE MODIFICATION/REVOICATION

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 of Environmental Conservation

By: 
Michael J. Ryan, P.E., Assistant Director
Division of Environmental Remediation

Date: 12/27/17

Exhibit A
Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

**FLEET NEW MAIN STREET LLC ENVIRONMENTAL EASEMENT
LEGAL DESCRIPTION**

ALL THAT CERTAIN plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York, for the purposes of a BCP Site, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the northeasterly line of New Main Street as established by Control No. 443490783, Liber 12010 Page 25, Liber 12071 Page 232, Liber 10495 Page 41, Liber 9019 Page 263, and Liber 12433 Page 226 and the northwesterly line of Nepperhan Avenue as established by appropriation map 4 parcel 4, prepared by Chas. H. Sells, Inc. on November 10, 1966 and filed in the Westchester County Clerk's Office on June 17, 1968 as Map No. 16096 and continuing along the aforementioned northeasterly line of New Main Street, North 37°02'54" West, a distance of 288.55 feet to the centerline of Ann Street (formerly known as Post Lane), and continuing still along the aforementioned northeasterly line of New Main Street as established by "Survey of Property situated in the City of Yonkers" prepared by Chas. J. Dearing, dated November 12, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537 and "Map of Survey of Property Nos. 117 to 125 and No. 131 New Main Street - Yonkers, NY" prepared by John E. Warneck, dated December 4, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537, North 36°25'59" West, a distance of 24.43 feet to the northwesterly line Ann Street as established by aforementioned Warneck Map (Title No. 6-024537) to the **POINT OR PLACE OF BEGINNING:**

FROM SAID POINT OF BEGINNING;

CONTINUING along said northeasterly line of New Main Street, North 36°25'59" West, a distance of 76.27 feet to the southeasterly line of Section 1 Block 484 Lot 55 of the Official Tax Map of the City of Yonkers, as established by Liber 7790 page 267, aforementioned Dearing Map (Title No. 6-001012, etc.), aforementioned Dearing Map (Title No. 6-024537) and Control No. 450880284;

CONTINUING along the southeasterly and northeasterly lines of Section 1 Block 484 Lots 55 and 8 as established by aforementioned Dearing Map (Title No. 6-024537), aforementioned Warneck Map (Title No. 6-024537), "Map of Survey of Property No. 8 Palisade Avenue and SE Cor. of New Main Street and thru to James Street - Yonkers, NY" prepared by Chas. J. Dearing, dated October 27, 1937, last updated August 29, 1938 on file at the Office of the Title Guarantee and Trust Company as Title Nos. 6-001012, 6-002540, 6-002693 and 6-002941 and aforementioned Control No. 450880284, the following three (3) courses and distances;

- 1) North 53°11'51" East, a distance of 90.23 feet,
- 2) North 37°13'09" West, a distance of 40.30 feet and
- 3) North 53°16'38" East, a distance of 66.01 feet;

County: Westchester Site No: C360083 Brownfield Cleanup Agreement Index : A3-0572-
1006 as amended August 21, 2017

THENCE South 36°21'38" East, a distance of 64.02 feet;

THENCE South 18°29'09" East, a distance of 62.31 feet to the aforementioned northwesterly line of Ann Street and continuing along same, South 56°00'32" West, a distance of 136.53 feet to the **POINT OR PLACE OF BEGINNING**.

CONTAINING an area of 14,530 square feet or 0.334 acres of land more or less.

SCHEDULE "C" PROPERTY DESCRIPTION

**CITY OF YONKERS
ENVIRONMENTAL EASEMENT
LEGAL DESCRIPTION**

ALL THAT CERTAIN plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York, for the purposes of a BCP Site, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the southerly line of Palisade Avenue (formerly known as Factory Street) as established by "Map of Survey of Property No. 8 Palisade Avenue and SE Cor. of New Main Street and thru to James Street - Yonkers, NY" prepared by Chas. J. Dearing, dated October 27, 1937, last updated August 29, 1938 on file at the Office of the Title Guarantee and Trust Company as Title Nos. 6-001012, 6-002540, 6-002693 and 6-002941, with the northeasterly line of New Main Street (formerly known as Mechanic Street) as established by "Survey of Property situated in the City of Yonkers" prepared by Chas. J. Dearing, dated November 12, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537 and "Map of Survey of Property Nos. 117 to 125 and No. 131 New Main Street - Yonkers, NY" prepared by John E. Warneck, dated December 4, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537, as measured along the aforementioned southerly line of Palisade Avenue from said intersection to the southwesterly line of James Street as established by aforementioned Dearing Map (Title No. 6-001012, etc.) North 57°57'50" East, a distance of 230.04 feet to the **POINT OR PLACE OF BEGINNING:**

FROM SAID POINT OF BEGINNING;

CONTINUING along the aforementioned southerly line of Palisade Avenue, crossing James Street, North 57°16'09" East, a distance of 58.18 feet to the northeasterly line of James Street;

CONTINUING along aforementioned northeasterly line of James Street, South 35°45'08" East, a distance of 46.00 feet;

THENCE North 54°14'52" East, a distance of 11.99 feet;

THENCE South 19°03'19" East, a distance of 46.48 feet;

THENCE South 82°22'18" East, a distance of 28.73 feet;

THENCE North 70°56'38" East, a distance of 297.08 feet;

THENCE South 19°03'22" East, a distance of 111.00 feet to the northerly line of John Street;

THENCE along the aforementioned northerly side of John Street, North 70°56'38" East, a distance of 59.15 feet to the westerly line of School Street;

THENCE along the aforementioned westerly line of School Street South 01°02'32" East, a

distance of 450.89 feet to the to the northwesterly line of Nepperhan Avenue (formerly known as Guion Street) as established by appropriation map 7 parcel 7, prepared by Chas. H. Sells, Inc. on June 28, 1967 and filed in the Westchester County Clerk's Office on September 17, 1969 as Map No. 16855;

CONTINUING along the aforementioned northwesterly line of Nepperhan Avenue the following three (3) courses and distances;

- 1) South 51°43'19" West, a distance of 153.13 feet as established by aforementioned Sells Map (Map No. 16855) to the northeasterly line of Henry Herz Street,
- 2) Crossing the aforementioned Henry Herz Street, South 53°37'40" West, a distance of 50.06 feet and
- 3) Continuing along aforementioned northwesterly line of Nepperhan Avenue as established by appropriation map 4 parcel 4, prepared by Chas. H. Sells, Inc. on November 10, 1966 and filed in the Westchester County Clerk's Office on June 17, 1968 as Map No. 16096, South 52°41'21" West, a distance of 144.64 feet to the northeasterly line of New Main Street as established by Control No. 443490783, Liber 12010 Page 25, Liber 12071 Page 232, Liber 10495 Page 41, Liber 9019 Page 263, and Liber 12433 Page 226;

CONTINUING along the aforementioned northeasterly line of New Main Street, the following two (2) courses and distances;

- 4) North 37°02'54" West, a distance of 288.55 feet to the intersection of the aforementioned northeasterly line of New Main Street and the centerline of Ann Street (formerly known as Post Lane) and
- 5) Continuing still along the aforementioned northeasterly line of New Main Street as established by aforementioned Dearing Map (Title No. 6-024537) and aforementioned Warneck Map (Title No. 6-024537), North 36°25'59" West, a distance of 24.43 feet to the northwesterly line Ann Street as established by aforementioned Warneck Map (Title No. 6-024537) and continuing along same, North 56°00'32" East, a distance of 136.53 feet;

THENCE North 18°29'09" West, a distance of 62.31 feet;

THENCE North 36°21'38" West, a distance of 144.04 feet;

THENCE North 53°20'50" East, a distance of 73.86 feet, to aforementioned southwesterly line of James Street;

THENCE continuing along the aforementioned southwesterly line of James Street, North 36°31'05" West, a distance of 190.32 feet to the **POINT OR PLACE OF BEGINNING**.

EXCLUDING THEREFROM all that certain plot, piece or parcel of land designated as "Land Under Water," situate, lying and being in the City of Yonkers, County of Westchester and State

of New York, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the northeasterly line of New Main Street as established by aforementioned documents; Control No. 443490783, Liber 12010 Page 25, Liber 12071 Page 232, Liber 10495 Page 41, Liber 9019 Page 263, and Liber 12433 Page 226, and the northwesterly line of Nepperhan Avenue as established by aforementioned Sells Map (Map No. 16096) and continuing along the aforementioned northeasterly line of New Main Street, North 37°02'54" West, a distance of 268.10 feet to the southeasterly line of Ann Street, and continuing along same, North 58°30'25" East, a distance of 62.35 feet;

THENCE South 31°03'03" East, a distance of 0.67 feet to the **POINT OR PLACE OF BEGINNING**;

FROM SAID POINT OR PLACE OF BEGINNING:

THENCE South 31°03'03" East, a distance of 14.51 feet to a point on a non-tangent curve to the right from where the radial bears South 09°55'54" West,

ALONG said curve to the right having a radius of 81.00 feet, and an arc length of 64.04 feet to a point of compound curvature,

ALONG the compound curve to the right having a radius of 135.00 feet, and an arc length of 47.80 feet to a point of compound curvature,

ALONG the compound curve to the right having a radius of 100.00 feet, and an arc length of 19.65 feet to a point of reverse curvature,

ALONG the curve to the left having a radius of 75.00 feet, and an arc length of 59.58 feet to a point on said curve from where the radial bears North 41°15'32" East,

THENCE along the radial extended, South 41°15'32" West, a distance of 1.50 feet,

THENCE South 48°44'28" East, a distance of 5.17 feet,

THENCE South 34°21'44" West, a distance of 9.23 feet to a point on a non-tangent curve to the left from where the radial bears North 28°44'18" East,

ALONG said curve to the left having a radius of 54.96 feet, and an arc length of 35.81 feet to a point on said curve from where the radial bears North 08°35'48" West,

THENCE along the said radial of the last described curve, North 08°35'48" West, a distance of 1.01 feet to a point on a non-tangent curve to the left from where the radial bears North 18°03'23" West,

ALONG aforementioned curve to the left having a radius of 39.89 feet, and an arc length of 29.34 feet to a point on said curve from where the radial bears North 60°11'34" West,

THENCE North 27°06'55" East, a distance of 4.38 feet,

THENCE North 37°02'00" West, a distance of 3.69 feet to a point on a non-tangent curve to the left from where the radial bears North 54°34'08" West,

ALONG the aforementioned curve to the left having a radius of 41.31 feet, and an arc length of 11.10 feet to a point on a non-tangent curve to the right from where the radial bears South 67°34'03" East,

ALONG aforementioned curve to the right having a radius of 136.36 feet, and an arc length of 36.04 feet to a point on said curve from where the radial bears South 52°25'32" East,

THENCE North 38°03'31" West, a distance of 26.92 feet,

THENCE South 61°56'13" West, a distance of 25.30 feet to a point of curvature,

ALONG the curve to the right having a radius of 15.00 feet, and an arc length of 22.71 feet to a point of tangency,

THENCE North 31°18'50" West, a distance of 117.99 feet,

THENCE North 28°35'36" West, a distance of 31.01 feet,

THENCE South 58°56'57" West, a distance of 59.16 feet to the **POINT OR PLACE OF BEGINNING**.

CONTAINING a total area of land, after exclusion, of 235,912 square feet or 5.416 acres of land more or less.

SCHEDULE "A" PROPERTY DESCRIPTION

**YONKERS COMMUNITY DEVELOPMENT AGENCY
ENVIRONMENTAL EASEMENT
LEGAL DESCRIPTION**

ALL THAT CERTAIN plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York, for the purposes of a BCP Site, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the southerly line of Palisade Avenue (formerly known as Factory Street) as established by "Map of Survey of Property No. 8 Palisade Avenue and SE Cor. of New Main Street and thru to James Street - Yonkers, NY" prepared by Chas. J. Dearing, dated October 27, 1937, last updated August 29, 1938 on file at the Office of the Title Guarantee and Trust Company as Title Nos. 6-001012, 6-002540, 6-002693 and 6-002941, with the northeasterly line of New Main Street (formerly known as Mechanic Street) as established by "Survey of Property situated in the City of Yonkers" prepared by Chas. J. Dearing, dated November 12, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537 and "Map of Survey of Property Nos. 117 to 125 and No. 131 New Main Street - Yonkers, NY" prepared by John E. Warneck, dated December 4, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537, as measured along the aforementioned southerly line of Palisade Avenue from said intersection to the southwesterly line of James Street as established by aforementioned Dearing Map (Title No. 6-001012, etc.) North 57°57'50" East, a distance of 230.04 feet, crossing James Street North 57°16'09" East, a distance of 58.18 feet to the northeasterly line of James Street to the **POINT OR PLACE OF BEGINNING:**

FROM SAID POINT OF BEGINNING;

CONTINUING along the aforementioned southerly line of Palisade Avenue as established by Liber 7543 Page 766, Liber 7496 Page 112, Liber 7524 Page 84, Liber 7501 Page 353, Liber 7502 Page 157, Liber 7546 Page 465, Liber 7538 Page 715, Liber 7584 Page 634, Liber 7530 Page 81, Liber 7538 Page 721, and "Map of the S. Shethar Property" prepared by George Rayner dated April 12, 1899 and filed December 22, 1904 as Westchester County Clerk Map No. 1446, North 70°56'38" East, a distance of 445.81 feet to the intersection of the aforementioned southerly line of Palisade Avenue and the extension of the southerly line of Elm Street, as established by the aforementioned Rayner Map (Map No. 1446);

THENCE along the aforementioned extension of the southerly line of Elm Street, South 77°18'48" East, a distance of 5.45 feet to the westerly line of School Street and continuing along same, the following two (2) courses and distances;

- 1) South 19°03'22" East, a distance of 71.71 feet and
- 2) South 01°02'32" East, a distance of 143.45 feet to the northerly line of John Street;

THENCE along the aforementioned northerly line of John Street, South 70°56'38" West, a distance of 59.15 feet;

THENCE North 19°03'22" West, a distance of 111.00 feet;

THENCE South 70°56'38" West, a distance of 297.08 feet;

THENCE North 82°22'18" West, a distance of 28.73 feet;

THENCE North 19°03'19" West, a distance of 46.48 feet;

THENCE South 54°14'52" West, a distance of 11.99 feet to the aforementioned northeasterly line of James Street;

CONTINUING along same, North 35°45'08" West, a distance of 46.00 feet to the **POINT OR PLACE OF BEGINNING**.

CONTAINING an area of 51,587 square feet or 1.184 acres of land more or less.

Exhibit B

Site Survey



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/11/2017



SITE DESCRIPTION

SITE NO. C360083

SITE NAME River Park Center Site a/k/a Chicken Island Site

SITE ADDRESS: New Main Street and Nepperhan Avenue **ZIP CODE:** 10701

CITY/TOWN: Yonkers

COUNTY: Westchester

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: 04/30/2019

Description of Institutional Control

CDA Yonkers
 87 Nepperhan Avenue, Suite 312
16 Palisades Avenue
 Environmental Easement
 Block: 485
 Lot: 2
 Sublot:
 Section: 1
 Subsection:
 S_B_L Image: 1.-485-2
 Ground Water Use Restriction
 IC/EC Plan
 Landuse Restriction
 Monitoring Plan
 Site Management Plan
 Soil Management Plan

18 Palisades Avenue

Environmental Easement

Block: 485

Lot: 3

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-3

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

20 Palisades Avenue

Environmental Easement

Block: 485

Lot: 4

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-4

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

23 John Street

Environmental Easement

Block: 486

Lot: 15

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-486-15

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

24 Palisades Avenue

Environmental Easement

Block: 485

Lot: 6

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-6

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

25 John Street

Environmental Easement

Block: 486

Lot: 16

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-486-16

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

26 Palisades Avenue

Environmental Easement

Block: 485

Lot: 7

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-7

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

28 Palisades Avenue

Environmental Easement

Block: 485

Lot: 8

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-8

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

O&M Plan

Site Management Plan

Soil Management Plan

32 Palisades Avenue

Environmental Easement

Block: 485

Lot: 10

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-10

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

36 Palisades Avenue

Environmental Easement

Block: 485

Lot: 12

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-12
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

40 Palisades Avenue
Environmental Easement
Block: 485
Lot: 14

Sublot:
Section: 1

Subsection:

S_B_L Image: 1.-485-14
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

46 Palisades Avenue
Environmental Easement
Block: 485
Lot: 16

Sublot:
Section: 1

Subsection:

S_B_L Image: 1.-485-16
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

48 Palisades Avenue
Environmental Easement
Block: 485

Lot: 18
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-18
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

City of Yonkers

40 South Broadway
135 New Main Street
Environmental Easement
Block: 483

Lot: 16
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-16
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

137 New Main Street
Environmental Easement
Block: 483
Lot: 13
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-13
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

14 Palisades Avenue

Environmental Easement

Block: 485

Lot: 1

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-1

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

143 New Main Street

Environmental Easement

Block: 483

Lot: 12

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-12

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

147 New Main Street

Environmental Easement

Block: 483

Lot: 10

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-10

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

149 New Main Street

Environmental Easement

Block: 483

Lot: 9

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-9

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

149 School Street

Environmental Easement

Block: 483

Lot: 50

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-50

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

151 New Main Street

Environmental Easement

Block: 483

Lot: 7

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-7

Ground Water Use Restriction

IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

155 New Main Street

Environmental Easement

Block: 483

Lot: 5

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-5

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Ann Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Ann Street (Roadway)

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Engine Place (Roadway)

Environmental Easement

Block:

Lot:

Sublot:
Section:
Subsection:
S_B_L Image: Engine Place (Roadway)
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

Getty Square Parking 23
Environmental Easement
Block: 483
Lot: 60
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-60
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

Henry Hertz Street
Environmental Easement
Block:
Lot:
Sublot:
Section:
Subsection:
S_B_L Image: Henry Hertz Street (Roadway)
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

James Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: James Street (Roadway)

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

John Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: John Street (Roadway)

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Fleet New Main Street LLC

225 Millburn Ave, Ste 202

129 New Main Street

Environmental Easement

Block: 484

Lot: 53

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-53

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

131 New Main Street

Environmental Easement

Block: 484

Lot: 51

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-51

Ground Water Use Restriction.

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

9 Ann Street

Environmental Easement

Block: 484

Lot: 15

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-15

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

CDA Yonkers

87 Nepperhan Avenue, Suite 312

16 Palisades Avenue

Environmental Easement

Block: 485

Lot: 2

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-2
Cover System
Monitoring Wells
Vapor Mitigation

18 Palisades Avenue

Environmental Easement

Block: 485

Lot: 3

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-3
Cover System

Monitoring Wells

Vapor Mitigation

20 Palisades Avenue

Environmental Easement

Block: 485

Lot: 4

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-4
Cover System

Monitoring Wells

Vapor Mitigation

23 John Street

Environmental Easement

Block: 486

Lot: 15

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-486-15
Cover System

Monitoring Wells

Vapor Mitigation

24 Palisades Avenue

Environmental Easement

Block: 485

Lot: 6

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-6
Cover System

Monitoring Wells

Vapor Mitigation

25 John Street

Environmental Easement

Block: 486

Lot: 16

Sublot:

Section: 1
Subsection:
S_B_L Image: 1.-486-16
Cover System
Monitoring Wells
Vapor Mitigation

26 Palisades Avenue
Environmental Easement
Block: 485
Lot: 7

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-7
Cover System
Monitoring Wells
Vapor Mitigation

28 Palisades Avenue
Environmental Easement
Block: 485
Lot: 8

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-8
Cover System
Monitoring Wells
Vapor Mitigation

32 Palisades Avenue
Environmental Easement
Block: 485
Lot: 10

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-10
Cover System
Monitoring Wells
Vapor Mitigation

36 Palisades Avenue
Environmental Easement
Block: 485
Lot: 12

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-12
Cover System
Monitoring Wells
Vapor Mitigation

40 Palisades Avenue
Environmental Easement
Block: 485

Lot: 14
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-14
Cover System
Monitoring Wells
Vapor Mitigation

46 Palisades Avenue
Environmental Easement
Block: 485
Lot: 16
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-16
Cover System
Monitoring Wells
Vapor Mitigation

48 Palisades Avenue
Environmental Easement
Block: 485
Lot: 18
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-18
Cover System
Monitoring Wells
Vapor Mitigation

City of Yonkers
40 South Broadway
135 New Main Street
Environmental Easement
Block: 483
Lot: 16
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-16
Cover System
Monitoring Wells
Vapor Mitigation

137 New Main Street
Environmental Easement
Block: 483
Lot: 13
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-13
Cover System
Monitoring Wells

Vapor Mitigation

14 Palisades Avenue

Environmental Easement

Block: 485

Lot: 1

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-1

Cover System

Monitoring Wells

Vapor Mitigation

143 New Main Street

Environmental Easement

Block: 483

Lot: 12

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-12

Cover System

Monitoring Wells

Vapor Mitigation

147 New Main Street

Environmental Easement

Block: 483

Lot: 10

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-10

Cover System

Monitoring Wells

Vapor Mitigation

149 New Main Street

Environmental Easement

Block: 483

Lot: 9

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-9

Cover System

Monitoring Wells

Vapor Mitigation

149 School Street

Environmental Easement

Block: 483

Lot: 50

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-50

Cover System

Monitoring Wells

Vapor Mitigation

151 New Main Street

Environmental Easement

Block: 483

Lot: 7

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-7

Cover System

Monitoring Wells

Vapor Mitigation

155 New Main Street

Environmental Easement

Block: 483

Lot: 5

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-5

Cover System

Monitoring Wells

Vapor Mitigation

Ann Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Ann Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

Engine Place (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Engine Place (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

Getty Square Parking 23 John St

Environmental Easement

Block: 483

Lot: 60

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-60

Cover System
Monitoring Wells
Vapor Mitigation

Henry Hertz Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Henry Hertz Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

James Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: James Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

John Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: John Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

Fleet New Main Street LLC

225 Millburn Ave, Ste 202

129 New Main Street

Environmental Easement

Block: 484

Lot: 53

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-53

Cover System

Monitoring Wells

Vapor Mitigation

131 New Main Street

Environmental Easement

Block: 484

Lot: 51

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-484-51
Cover System
Monitoring Wells
Vapor Mitigation

9 Ann Street
Environmental Easement
Block: 484
Lot: 15
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-484-15
Cover System
Monitoring Wells
Vapor Mitigation

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



580173376DLR0014

Westchester County Recording & Endorsement Page

Submitter Information

Name:	INTRACOASTAL ABSTRACT CO INC	Phone:	516-358-0505 X 170
Address 1:	31 STEWART STREET	Fax:	516-358-0394
Address 2:		Email:	recordingdepartment@intracoastalabstr
City/State/Zip:	FLORAL PARK NY 11001	Reference for Submitter:	INTRA-18-035 - Chicken Island

Document Details

Control Number: 580173376	Document Type: Declaration (DLR)
Package ID: 2018011700201001001	Document Page Count: 35 Total Page Count: 37

Parties

<input type="checkbox"/> Additional Parties on Continuation page	
1st PARTY	2nd PARTY
1: FLEET NEW MAIN ST LLC - Other	1: FLEET NEW MAIN ST LLC - Other
2:	2:

Property

Street Address: 9 ANN STREET	Tax Designation: 1.-484-15	<input checked="" type="checkbox"/> Additional Properties on Continuation page
City/Town: YONKERS	Village:	

Cross-References

<input type="checkbox"/> Additional Cross-Refs on Continuation page			
1:	2:	3:	4:

Supporting Documents

Recording Fees

Statutory Recording Fee:	\$40.00
Page Fee:	\$180.00
Cross-Reference Fee:	\$0.00
Mortgage Affidavit Filing Fee:	\$0.00
RP-5217 Filing Fee:	\$0.00
TP-584 Filing Fee:	\$0.00
Total Recording Fees Paid:	\$220.00

Transfer Taxes

Consideration:	\$0.00
Transfer Tax:	\$0.00
Mansion Tax:	\$0.00
Transfer Tax Number:	

Mortgage Taxes

Document Date:	
Mortgage Amount:	
Basic:	\$0.00
Westchester:	\$0.00
Additional:	\$0.00
MTA:	\$0.00
Special:	\$0.00
Yonkers:	\$0.00
Total Mortgage Tax:	\$0.00

Dwelling Type:	Exempt: <input type="checkbox"/>
Serial #:	

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 01/18/2018 at 10:48 AM
 Control Number: **580173376**
 Witness my hand and official seal

Timothy C. Idoni
Westchester County Clerk

Record and Return To

Pick-up at County Clerk's office

Knauf Shaw LLP
1400 Crossroads Building
2 State Street
Rochester, NY 14614
Attn: Meaghan A. Colligan

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.

580173376DLR0014

Westchester County Recording & Endorsement Page

Document Details

Control Number: **580173376**

Document Type: **Declaration (DLR)**

Package ID: 2018011700201001001

Document Page Count: 35

Total Page Count: 37

Properties Addendum

131 NEW MAIN STREET 10701

YONKERS

1.-484-51

129 NEW MAIN STREET 10701

YONKERS

1.-484-53

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

River Park Center Site a/k/a Chicken Island Site, Site ID No. C360083
New Main Street and Nepperhan Avenue, NY 10701
City of Yonkers, Westchester County, Tax Map Identification Number(s): 1-484-15, 1-484-51, 1.-484-53

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 SFC Yonkers LLC, Yonkers Industrial Development Agency, Yonkers Community Development Agency, and City of Yonkers for thirty-one (31) tax parcels and internal roadways totaling approximately 6.934 acres located at New Main St., Nepperhan Ave, and Palisades Ave in the City of Yonkers, Westchester County, including three (3) parcels listed above owned by Fleet New Main Street LLC totaling 0.334 acres.

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 the Westchester 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 Westchester County as 571643029.

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

Chicken Island, Site No. C360083, New Main Street and Nepperhan Avenue, Yonkers, NY 10701

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, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

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

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 3 Office located at 21 South Putt Corners Rd, New Paltz, NY 12564 by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

Fleet New Main Street LLC

By: Marc E. Benson

Title: managing member

Date: 1/5/18

STATE OF NEW ^{Jersey} ~~YORK~~) SS:
COUNTY OF Essex)

On the 5th day of January, in the year 2018, before me, the undersigned, personally appeared Marc E. Benson 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.

Maria P. Iovino
Signature and Office of individual

taking acknowledgment
MARIA P. IOVINO
Notary Public
State of New Jersey
My Commission Expires Jan. 3, 2021

Please record and return to:
Knauf Shaw LLP
1400 Crossroads Building
2 State Street
Rochester NY 14614-1365

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

Name	Address
Yonkers Industrial Development Agency	87 Nepperhan Avenue, Yonkers, NY 10701
Yonkers Community Development Agency	87 Nepperhan Avenue, Suite 312, Yonkers, NY 10701
SFC Yonkers, LLC	Fidelco Realty, Millburn, NJ 07041
City of Yonkers	Yonkers City Hall, Yonkers, NY 10701

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 8/23/06 **Agreement Execution:** 12/12/06 **Agreement Index No.:** A3-0572-1006

Application Approval Amendment: 11/8/06

Application Approval Amendment: 5/24/17

Application Approval Amendment: 8/21/17

Application Approval Amendment: 11/13/17

Application Approval Amendment: 11/28/17

Agreement Execution Amendment: 5/24/17

Agreement Execution Amendment: 8/21/17

Agreement Execution Amendment: 11/13/17

Agreement Execution Amendment: 11/28/17

SITE INFORMATION:

Site No.: C360083 **Site Name:** River Park Center Site a/k/a Chicken Island Site

Site Owner: City of Yonkers; Fleet New Main Street, LLC; Yonkers Community Development Agency

Street Address: New Main Street and Nepperhan Avenue

Municipality: Yonkers **County:** Westchester **DEC Region:** 3

Site Size: 6.934 Acres

Tax Map Identification Number(s): 1.-483-10, 1.-483-12, 1.-483-13, 1.-483-16, 1.-483-5, 1.-483-50, 1.-483-60, 1.-483-7, 1.-483-9, 1.-484-15, 1.-484-51, 1.-484-53, 1.-485-1, 1.-485-10, 1.-485-12, 1.-485-14, 1.-485-16, 1.-485-18, 1.-485-2, 1.-485-3, 1.-485-4, 1.-485-6, 1.-485-7, 1.-485-8, 1.-486-15, 1.-486-16, Engine Place (Roadway), James St (Roadway), Henry Herz (Roadway), Ann Street (Roadway), John Street (Roadway)

Percentage of site located in an EnZone: 50 - 99 %

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 for Entities Taxable Under Article 9, 9-A, 32, and 33:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 20 %.

Tangible Property Credit Component Rate is 20 %.

Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 18 %.

Tangible Property Credit Component Rate is 18 %.

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 Westchester County as 571593770 and 571643029 and 571643707.

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.

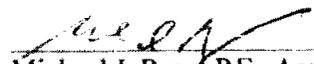
CERTIFICATE MODIFICATION/REVOCATION

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;
- (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: 
Michael J. Ryan, P.E., Assistant Director
Division of Environmental Remediation

Date: 12/29/11

Exhibit A
Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

**FLEET NEW MAIN STREET LLC ENVIRONMENTAL EASEMENT
LEGAL DESCRIPTION**

ALL THAT CERTAIN plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York, for the purposes of a BCP Site, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the northeasterly line of New Main Street as established by Control No. 443490783, Liber 12010 Page 25, Liber 12071 Page 232, Liber 10495 Page 41, Liber 9019 Page 263, and Liber 12433 Page 226 and the northwesterly line of Nepperhan Avenue as established by appropriation map 4 parcel 4, prepared by Chas. H. Sells, Inc. on November 10, 1966 and filed in the Westchester County Clerk's Office on June 17, 1968 as Map No. 16096 and continuing along the aforementioned northeasterly line of New Main Street, North 37°02'54" West, a distance of 288.55 feet to the centerline of Ann Street (formerly known as Post Lane), and continuing still along the aforementioned northeasterly line of New Main Street as established by "Survey of Property situated in the City of Yonkers" prepared by Chas. J. Dearing, dated November 12, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537 and "Map of Survey of Property Nos. 117 to 125 and No. 131 New Main Street - Yonkers, NY" prepared by John E. Warneck, dated December 4, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537, North 36°25'59" West, a distance of 24.43 feet to the northwesterly line Ann Street as established by aforementioned Warneck Map (Title No. 6-024537) to the **POINT OR PLACE OF BEGINNING:**

FROM SAID POINT OF BEGINNING;

CONTINUING along said northeasterly line of New Main Street, North 36°25'59" West, a distance of 76.27 feet to the southeasterly line of Section 1 Block 484 Lot 55 of the Official Tax Map of the City of Yonkers, as established by Liber 7790 page 267, aforementioned Dearing Map (Title No. 6-001012, etc.), aforementioned Dearing Map (Title No. 6-024537) and Control No. 450880284;

CONTINUING along the southeasterly and northeasterly lines of Section 1 Block 484 Lots 55 and 8 as established by aforementioned Dearing Map (Title No. 6-024537), aforementioned Warneck Map (Title No. 6-024537), "Map of Survey of Property No. 8 Palisade Avenue and SE Cor. of New Main Street and thru to James Street - Yonkers, NY" prepared by Chas. J. Dearing, dated October 27, 1937, last updated August 29, 1938 on file at the Office of the Title Guarantee and Trust Company as Title Nos. 6-001012, 6-002540, 6-002693 and 6-002941 and aforementioned Control No. 450880284, the following three (3) courses and distances;

- 1) North 53°11'51" East, a distance of 90.23 feet,
- 2) North 37°13'09" West, a distance of 40.30 feet and
- 3) North 53°16'38" East, a distance of 66.01 feet;

County: Westchester Site No: C360083 Brownfield Cleanup Agreement Index : A3-0572-1006 as amended August 21, 2017

THENCE South 36°21'38" East, a distance of 64.02 feet;

THENCE South 18°29'09" East, a distance of 62.31 feet to the aforementioned northwesterly line of Ann Street and continuing along same, South 56°00'32" West, a distance of 136.53 feet to the **POINT OR PLACE OF BEGINNING**.

CONTAINING an area of 14,530 square feet or 0.334 acres of land more or less.

SCHEDULE "C" PROPERTY DESCRIPTION

**CITY OF YONKERS
ENVIRONMENTAL EASEMENT
LEGAL DESCRIPTION**

ALL THAT CERTAIN plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York, for the purposes of a BCP Site, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the southerly line of Palisade Avenue (formerly known as Factory Street) as established by "Map of Survey of Property No. 8 Palisade Avenue and SE Cor. of New Main Street and thru to James Street - Yonkers, NY" prepared by Chas. J. Dearing, dated October 27, 1937, last updated August 29, 1938 on file at the Office of the Title Guarantee and Trust Company as Title Nos. 6-001012, 6-002540, 6-002693 and 6-002941, with the northeasterly line of New Main Street (formerly known as Mechanic Street) as established by "Survey of Property situated in the City of Yonkers" prepared by Chas. J. Dearing, dated November 12, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537 and "Map of Survey of Property Nos. 117 to 125 and No. 131 New Main Street - Yonkers, NY" prepared by John E. Warneck, dated December 4, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537, as measured along the aforementioned southerly line of Palisade Avenue from said intersection to the southwesterly line of James Street as established by aforementioned Dearing Map (Title No. 6-001012, etc.) North 57°57'50" East, a distance of 230.04 feet to the **POINT OR PLACE OF BEGINNING:**

FROM SAID POINT OF BEGINNING;

CONTINUING along the aforementioned southerly line of Palisade Avenue, crossing James Street, North 57°16'09" East, a distance of 58.18 feet to the northeasterly line of James Street;

CONTINUING along aforementioned northeasterly line of James Street, South 35°45'08" East, a distance of 46.00 feet;

THENCE North 54°14'52" East, a distance of 11.99 feet;

THENCE South 19°03'19" East, a distance of 46.48 feet;

THENCE South 82°22'18" East, a distance of 28.73 feet;

THENCE North 70°56'38" East, a distance of 297.08 feet;

THENCE South 19°03'22" East, a distance of 111.00 feet to the northerly line of John Street;

THENCE along the aforementioned northerly side of John Street, North 70°56'38" East, a distance of 59.15 feet to the westerly line of School Street;

THENCE along the aforementioned westerly line of School Street South 01°02'32" East, a

distance of 450.89 feet to the to the northwesterly line of Nepperhan Avenue (formerly known as Guion Street) as established by appropriation map 7 parcel 7, prepared by Chas. H. Sells, Inc. on June 28, 1967 and filed in the Westchester County Clerk's Office on September 17, 1969 as Map No. 16855;

CONTINUING along the aforementioned northwesterly line of Nepperhan Avenue the following three (3) courses and distances;

- 1) South 51°43'19" West, a distance of 153.13 feet as established by aforementioned Sells Map (Map No. 16855) to the northeasterly line of Henry Herz Street,
- 2) Crossing the aforementioned Henry Herz Street, South 53°37'40" West, a distance of 50.06 feet and
- 3) Continuing along aforementioned northwesterly line of Nepperhan Avenue as established by appropriation map 4 parcel 4, prepared by Chas. H. Sells, Inc. on November 10, 1966 and filed in the Westchester County Clerk's Office on June 17, 1968 as Map No. 16096, South 52°41'21" West, a distance of 144.64 feet to the northeasterly line of New Main Street as established by Control No. 443490783, Liber 12010 Page 25, Liber 12071 Page 232, Liber 10495 Page 41, Liber 9019 Page 263, and Liber 12433 Page 226;

CONTINUING along the aforementioned northeasterly line of New Main Street, the following two (2) courses and distances;

- 4) North 37°02'54" West, a distance of 288.55 feet to the intersection of the aforementioned northeasterly line of New Main Street and the centerline of Ann Street (formerly known as Post Lane) and
- 5) Continuing still along the aforementioned northeasterly line of New Main Street as established by aforementioned Dearing Map (Title No. 6-024537) and aforementioned Warneck Map (Title No. 6-024537), North 36°25'59" West, a distance of 24.43 feet to the northwesterly line Ann Street as established by aforementioned Warneck Map (Title No. 6-024537) and continuing along same, North 56°00'32" East, a distance of 136.53 feet;

THENCE North 18°29'09" West, a distance of 62.31 feet;

THENCE North 36°21'38" West, a distance of 144.04 feet;

THENCE North 53°20'50" East, a distance of 73.86 feet, to aforementioned southwesterly line of James Street;

THENCE continuing along the aforementioned southwesterly line of James Street, North 36°31'05" West, a distance of 190.32 feet to the **POINT OR PLACE OF BEGINNING**.

EXCLUDING THEREFROM all that certain plot, piece or parcel of land designated as "Land Under Water," situate, lying and being in the City of Yonkers, County of Westchester and State

of New York, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the northeasterly line of New Main Street as established by aforementioned documents; Control No. 443490783, Liber 12010 Page 25, Liber 12071 Page 232, Liber 10495 Page 41, Liber 9019 Page 263, and Liber 12433 Page 226, and the northwesterly line of Nepperhan Avenue as established by aforementioned Sells Map (Map No. 16096) and continuing along the aforementioned northeasterly line of New Main Street, North $37^{\circ}02'54''$ West, a distance of 268.10 feet to the southeasterly line of Ann Street, and continuing along same, North $58^{\circ}30'25''$ East, a distance of 62.35 feet;

THENCE South $31^{\circ}03'03''$ East, a distance of 0.67 feet to the **POINT OR PLACE OF BEGINNING**;

FROM SAID POINT OR PLACE OF BEGINNING:

THENCE South $31^{\circ}03'03''$ East, a distance of 14.51 feet to a point on a non-tangent curve to the right from where the radial bears South $09^{\circ}55'54''$ West,

ALONG said curve to the right having a radius of 81.00 feet, and an arc length of 64.04 feet to a point of compound curvature,

ALONG the compound curve to the right having a radius of 135.00 feet, and an arc length of 47.80 feet to a point of compound curvature,

ALONG the compound curve to the right having a radius of 100.00 feet, and an arc length of 19.65 feet to a point of reverse curvature,

ALONG the curve to the left having a radius of 75.00 feet, and an arc length of 59.58 feet to a point on said curve from where the radial bears North $41^{\circ}15'32''$ East,

THENCE along the radial extended, South $41^{\circ}15'32''$ West, a distance of 1.50 feet,

THENCE South $48^{\circ}44'28''$ East, a distance of 5.17 feet,

THENCE South $34^{\circ}21'44''$ West, a distance of 9.23 feet to a point on a non-tangent curve to the left from where the radial bears North $28^{\circ}44'18''$ East,

ALONG said curve to the left having a radius of 54.96 feet, and an arc length of 35.81 feet to a point on said curve from where the radial bears North $08^{\circ}35'48''$ West,

THENCE along the said radial of the last described curve, North $08^{\circ}35'48''$ West, a distance of 1.01 feet to a point on a non-tangent curve to the left from where the radial bears North $18^{\circ}03'23''$ West,

ALONG aforementioned curve to the left having a radius of 39.89 feet, and an arc length of 29.34 feet to a point on said curve from where the radial bears North $60^{\circ}11'34''$ West,

THENCE North $27^{\circ}06'55''$ East, a distance of 4.38 feet,

THENCE North 37°02'00" West, a distance of 3.69 feet to a point on a non-tangent curve to the left from where the radial bears North 54°34'08" West,

ALONG the aforementioned curve to the left having a radius of 41.31 feet, and an arc length of 11.10 feet to a point on a non-tangent curve to the right from where the radial bears South 67°34'03" East,

ALONG aforementioned curve to the right having a radius of 136.36 feet, and an arc length of 36.04 feet to a point on said curve from where the radial bears South 52°25'32" East,

THENCE North 38°03'31" West, a distance of 26.92 feet,

THENCE South 61°56'13" West, a distance of 25.30 feet to a point of curvature,

ALONG the curve to the right having a radius of 15.00 feet, and an arc length of 22.71 feet to a point of tangency,

THENCE North 31°18'50" West, a distance of 117.99 feet,

THENCE North 28°35'36" West, a distance of 31.01 feet,

THENCE South 58°56'57" West, a distance of 59.16 feet to the **POINT OR PLACE OF BEGINNING**.

CONTAINING a total area of land, after exclusion, of 235,912 square feet or 5.416 acres of land more or less.

SCHEDULE "A" PROPERTY DESCRIPTION

**YONKERS COMMUNITY DEVELOPMENT AGENCY
ENVIRONMENTAL EASEMENT
LEGAL DESCRIPTION**

ALL THAT CERTAIN plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York, for the purposes of a BCP Site, being more particularly bounded and described as follows:

COMMENCING ALONG A TIE from the intersection of the southerly line of Palisade Avenue (formerly known as Factory Street) as established by "Map of Survey of Property No. 8 Palisade Avenue and SE Cor. of New Main Street and thru to James Street - Yonkers, NY" prepared by Chas. J. Dearing, dated October 27, 1937, last updated August 29, 1938 on file at the Office of the Title Guarantee and Trust Company as Title Nos. 6-001012, 6-002540, 6-002693 and 6-002941, with the northeasterly line of New Main Street (formerly known as Mechanic Street) as established by "Survey of Property situated in the City of Yonkers" prepared by Chas. J. Dearing, dated November 12, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537 and "Map of Survey of Property Nos. 117 to 125 and No. 131 New Main Street - Yonkers, NY" prepared by John E. Warneck, dated December 4, 1948 on file at the Office of the Title Guarantee and Trust Company as Title No. 6-024537, as measured along the aforementioned southerly line of Palisade Avenue from said intersection to the southwesterly line of James Street as established by aforementioned Dearing Map (Title No. 6-001012, etc.) North $57^{\circ}57'50''$ East, a distance of 230.04 feet, crossing James Street North $57^{\circ}16'09''$ East, a distance of 58.18 feet to the northeasterly line of James Street to the **POINT OR PLACE OF BEGINNING:**

FROM SAID POINT OF BEGINNING;

CONTINUING along the aforementioned southerly line of Palisade Avenue as established by Liber 7543 Page 766, Liber 7496 Page 112, Liber 7524 Page 84, Liber 7501 Page 353, Liber 7502 Page 157, Liber 7546 Page 465, Liber 7538 Page 715, Liber 7584 Page 634, Liber 7530 Page 81, Liber 7538 Page 721, and "Map of the S. Shethar Property" prepared by George Rayner dated April 12, 1899 and filed December 22, 1904 as Westchester County Clerk Map No. 1446, North $70^{\circ}56'38''$ East, a distance of 445.81 feet to the intersection of the aforementioned southerly line of Palisade Avenue and the extension of the southerly line of Elm Street, as established by the aforementioned Rayner Map (Map No. 1446);

THENCE along the aforementioned extension of the southerly line of Elm Street, South $77^{\circ}18'48''$ East, a distance of 5.45 feet to the westerly line of School Street and continuing along same, the following two (2) courses and distances;

- 1) South $19^{\circ}03'22''$ East, a distance of 71.71 feet and
- 2) South $01^{\circ}02'32''$ East, a distance of 143.45 feet to the northerly line of John Street;

THENCE along the aforementioned northerly line of John Street, South $70^{\circ}56'38''$ West, a distance of 59.15 feet;

THENCE North 19°03'22" West, a distance of 111.00 feet;

THENCE South 70°56'38" West, a distance of 297.08 feet;

THENCE North 82°22'18" West, a distance of 28.73 feet;

THENCE North 19°03'19" West, a distance of 46.48 feet;

THENCE South 54°14'52" West, a distance of 11.99 feet to the aforementioned northeasterly line of James Street;

CONTINUING along same, North 35°45'08" West, a distance of 46.00 feet to the **POINT OR PLACE OF BEGINNING**.

CONTAINING an area of 51,587 square feet or 1.184 acres of land more or less.

Exhibit B

Site Survey



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/11/2017



SITE DESCRIPTION

SITE NO. C360083

SITE NAME River Park Center Site a/k/a Chicken Island Site

SITE ADDRESS: New Main Street and Nepperhan Avenue **ZIP CODE:** 10701

CITY/TOWN: Yonkers

COUNTY: Westchester

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: 04/30/2019

Description of Institutional Control

CDA Yonkers

87 Nepperhan Avenue, Suite 312

16 Palisades Avenue

Environmental Easement

Block: 485

Lot: 2

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-2

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

18 Palisades Avenue

Environmental Easement

Block: 485

Lot: 3

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-3

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

20 Palisades Avenue

Environmental Easement

Block: 485

Lot: 4

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-4

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

23 John Street

Environmental Easement

Block: 486

Lot: 15

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-486-15

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

24 Palisades Avenue

Environmental Easement

Block: 485

Lot: 6

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-6

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

25 John Street

Environmental Easement

Block: 486

Lot: 16

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-486-16

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

26 Palisades Avenue

Environmental Easement

Block: 485

Lot: 7

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-7

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

28 Palisades Avenue

Environmental Easement

Block: 485

Lot: 8

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-8

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

O&M Plan

Site Management Plan

Soil Management Plan

32 Palisades Avenue

Environmental Easement

Block: 485

Lot: 10

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-10

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

36 Palisades Avenue

Environmental Easement

Block: 485

Lot: 12

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-12
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

40 Palisades Avenue

Environmental Easement

Block: 485

Lot: 14

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-14

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

46 Palisades Avenue

Environmental Easement

Block: 485

Lot: 16

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-16

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

48 Palisades Avenue

Environmental Easement

Block: 485

Lot: 18
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-18
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

City of Yonkers

40 South Broadway
135 New Main Street
Environmental Easement
Block: 483

Lot: 16
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-16
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

137 New Main Street
Environmental Easement
Block: 483
Lot: 13

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-13
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

14 Palisades Avenue

Environmental Easement

Block: 485

Lot: 1

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-1

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

143 New Main Street

Environmental Easement

Block: 483

Lot: 12

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-12

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

147 New Main Street

Environmental Easement

Block: 483

Lot: 10

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-10

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

149 New Main Street

Environmental Easement

Block: 483

Lot: 9

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-9

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

149 School Street

Environmental Easement

Block: 483

Lot: 50

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-50

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

151 New Main Street

Environmental Easement

Block: 483

Lot: 7

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-7

Ground Water Use Restriction

IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

155 New Main Street

Environmental Easement

Block: 483

Lot: 5

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-5

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Ann Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Ann Street (Roadway)

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Engine Place (Roadway)

Environmental Easement

Block:

Lot:

Sublot:
Section:
Subsection:
S_B_L Image: Engine Place (Roadway)
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

Getty Square Parking 23
Environmental Easement

Block: 483
Lot: 60

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-60
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

Henry Hertz Street
Environmental Easement

Block:
Lot:

Sublot:
Section:
Subsection:
S_B_L Image: Henry Hertz Street (Roadway)
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
Soil Management Plan

James Street (Roadway)
Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: James Street (Roadway)

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

John Street (Roadway)
Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: John Street (Roadway)

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Fleet New Main Street LLC

225 Millburn Ave, Ste 202

129 New Main Street

Environmental Easement

Block: 484

Lot: 53

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-53

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

131 New Main Street

Environmental Easement

Block: 484

Lot: 51

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-51

Ground Water Use Restriction.

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

9 Ann Street

Environmental Easement

Block: 484

Lot: 15

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-15

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

CDA Yonkers

87 Nepperhan Avenue, Suite 312

16 Palisades Avenue

Environmental Easement

Block: 485

Lot: 2

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-2
Cover System
Monitoring Wells
Vapor Mitigation

18 Palisades Avenue

Environmental Easement
Block: 485
Lot: 3

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-3
Cover System

Monitoring Wells
Vapor Mitigation

20 Palisades Avenue

Environmental Easement
Block: 485
Lot: 4

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-4
Cover System

Monitoring Wells
Vapor Mitigation

23 John Street

Environmental Easement
Block: 486
Lot: 15

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-486-15
Cover System

Monitoring Wells
Vapor Mitigation

24 Palisades Avenue

Environmental Easement
Block: 485
Lot: 6

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-6
Cover System

Monitoring Wells
Vapor Mitigation

25 John Street

Environmental Easement
Block: 486
Lot: 16
Sublot:

Section: 1
Subsection:
S_B_L Image: 1.-486-16
Cover System
Monitoring Wells
Vapor Mitigation

26 Palisades Avenue
Environmental Easement
Block: 485
Lot: 7

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-7
Cover System
Monitoring Wells
Vapor Mitigation

28 Palisades Avenue
Environmental Easement
Block: 485
Lot: 8

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-8
Cover System
Monitoring Wells
Vapor Mitigation

32 Palisades Avenue
Environmental Easement
Block: 485
Lot: 10

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-10
Cover System
Monitoring Wells
Vapor Mitigation

36 Palisades Avenue
Environmental Easement
Block: 485
Lot: 12

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-12
Cover System
Monitoring Wells
Vapor Mitigation

40 Palisades Avenue
Environmental Easement
Block: 485

Lot: 14
Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-14
Cover System
Monitoring Wells
Vapor Mitigation

46 Palisades Avenue
Environmental Easement
Block: 485
Lot: 16

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-16
Cover System
Monitoring Wells
Vapor Mitigation

48 Palisades Avenue
Environmental Easement
Block: 485
Lot: 18

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-485-18
Cover System
Monitoring Wells
Vapor Mitigation

City of Yonkers

40 South Broadway

135 New Main Street

Environmental Easement
Block: 483
Lot: 16

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-16
Cover System
Monitoring Wells
Vapor Mitigation

137 New Main Street

Environmental Easement
Block: 483
Lot: 13

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-483-13
Cover System
Monitoring Wells

Vapor Mitigation

14 Palisades Avenue

Environmental Easement

Block: 485

Lot: 1

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-485-1

Cover System

Monitoring Wells

Vapor Mitigation

143 New Main Street

Environmental Easement

Block: 483

Lot: 12

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-12

Cover System

Monitoring Wells

Vapor Mitigation

147 New Main Street

Environmental Easement

Block: 483

Lot: 10

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-10

Cover System

Monitoring Wells

Vapor Mitigation

149 New Main Street

Environmental Easement

Block: 483

Lot: 9

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-9

Cover System

Monitoring Wells

Vapor Mitigation

149 School Street

Environmental Easement

Block: 483

Lot: 50

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-50

Cover System

Monitoring Wells
Vapor Mitigation

151 New Main Street

Environmental Easement

Block: 483

Lot: 7

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-7

Cover System

Monitoring Wells

Vapor Mitigation

155 New Main Street

Environmental Easement

Block: 483

Lot: 5

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-5

Cover System

Monitoring Wells

Vapor Mitigation

Ann Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Ann Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

Engine Place (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Engine Place (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

Getty Square Parking 23 John St

Environmental Easement

Block: 483

Lot: 60

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-483-60

Cover System
Monitoring Wells
Vapor Mitigation

Henry Hertz Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: Henry Hertz Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

James Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: James Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

John Street (Roadway)

Environmental Easement

Block:

Lot:

Sublot:

Section:

Subsection:

S_B_L Image: John Street (Roadway)

Cover System

Monitoring Wells

Vapor Mitigation

Fleet New Main Street LLC

225 Millburn Ave, Ste 202

129 New Main Street

Environmental Easement

Block: 484

Lot: 53

Sublot:

Section: 1

Subsection:

S_B_L Image: 1.-484-53

Cover System

Monitoring Wells

Vapor Mitigation

131 New Main Street

Environmental Easement

Block: 484

Lot: 51

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-484-51
Cover System
Monitoring Wells
Vapor Mitigation

9 Ann Street

Environmental Easement

Block: 484

Lot: 15

Sublot:
Section: 1
Subsection:
S_B_L Image: 1.-484-15
Cover System
Monitoring Wells
Vapor Mitigation