

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.



652513304EAS001T

Westchester County Recording & Endorsement Page

Submitter Information

Name: Benchmark Title Agency Phone: 9144091939
Address 1: 222 Bloomingdale Road Fax:
Address 2: Email: rfragiacomo@benchmarkta.com
City/State/Zip: White Plains NY 10605 Reference for Submitter: BRS1212610C - Amendment

Document Details

Control Number: **652513304** Document Type: **Easement (EAS)**
Package ID: 2025090800153001002 Document Page Count: **5** Total Page Count: **6**

Parties

☐ Additional Parties on Continuation page

1st PARTY

1: YONKERS BV AMS LLC - Other
2:

2nd PARTY

1: NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION - Other
2:

Property

☐ Additional Properties on Continuation page

Street Address: 41 BUENA VISTA AVENUE Tax Designation: 1.-512-11
City/Town: YONKERS Village:

Cross- References

☐ Additional Cross-Refs on Continuation page

1: 553233255 2: 3: 4:

Supporting Documents

1: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
Page Fee: \$30.00
Cross-Reference Fee: \$0.50
Mortgage Affidavit Filing Fee: \$0.00
RP-5217 Filing Fee: \$0.00
TP-584 Filing Fee: \$5.00
RPL 291 Notice Fee: \$0.00
Local Tax Receipt Filing Fee: \$5.00
Total Recording Fees Paid: **\$80.50**

Transfer Taxes

Consideration: \$0.00
Transfer Tax: \$0.00
Mansion Tax: \$0.00
Transfer Tax Number: 7061

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: 12/15/2025 at 09:11 AM
Control Number: **652513304**
Witness my hand and official seal

Timothy C. Idoni

Timothy C. Idoni
Westchester County Clerk

Record and Return To

☐ Pick-up at County Clerk's office

BENCHMARK TITLE AGENCY
222 BLOOMINGDALE ROAD
SUITE 102
WHITE PLAINS, NY 10605

AMENDMENT TO ENVIRONMENTAL EASEMENT

This Amendment to Environmental Easement is made as of this 17th day of September, 2025, by and between The People of the State of New York, acting through their Commissioner of the Department of Environmental Conservation ("NYSDEC" or the "Department") with its headquarters located at 625 Broadway, Albany, New York 12233, and Yonkers BV AMS, LLC (the "Grantor") with its offices located at 595 Madison Avenue, Suite 1101, New York, NY.

RECITALS


1. Grantor, Yonkers BV AMS, LLC, is the owner of real property located at the address of 41 Buena Vista Avenue (f/k/a 41-59 Buena Vista Ave. and/or f/k/a 55 Buena Vista Ave.) in the City of Yonkers, County of Westchester and State of New York, known and designated on the tax map of Westchester County as tax map parcel number: Section 1 Block 512 Lot 11, being the same as that property conveyed to Grantor by deed dated October 29, 2018 and recorded in the Westchester County Clerk's Office as Control No. 582903499.
2. The Department and former Owner, Teutonia Buena Vista, LLC, entered into that certain Environmental Easement dated November 6, 2015, and recorded in the in the County Clerk's Office as Control No. 553233255 (the "Easement Agreement"). Capitalized terms used herein without definition have the meanings ascribed to them in the Environmental Easement Agreement.
3. Pursuant to Section 1, 2, 3, 4, and 5 of the Easement Agreement, former Owner, Teutonia Buena Vista, LLC, granted the Department rights and interests that run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of the Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of maintenance, monitoring or operation requirements; and to ensure the potential restriction of future uses of the land that are inconsistent with the stated purpose.
4. The Easement Agreement stated that the Controlled Property subject to the Easement Agreement comprised 0.1958 ± acres; however, 0.7878 ± acres of the above-referenced property was remediated to the Track 2 – Restricted Residential standards; therefore, the Controlled Property subject to the Easement Agreement must be modified to 0.7878 ± acres.
5. The Schedule "A" of the Easement Agreement must be amended to describe the Controlled Property covering the entire 0.7878 ± acres.
6. This Amendment to Environmental Easement is filed solely in order to amend the acreage of the Controlled Property and the legal description in Schedule "A" to the Easement Agreement.
7. Pursuant to Section 8 of the Easement Agreement, the Department agrees to amend the Easement Agreement in the manner prescribed by Article 9 of the Real Property Law.

AMENDMENT OF ENVIRONMENTAL EASEMENT

- A. The above recitals are hereby incorporated into this Amendment of Environmental Easement.
- B. The Department and Grantor hereby agree that the acreage of the Controlled Property is 0.7878 ± acres and the Schedule "A" of the Environmental Easement will be replaced with the Schedule "A" attached to this Amendment.
- C. All other terms of the Easement Agreement shall remain in effect.
- D. This Amendment of Environmental Easement insures to and binds the parties hereto and their respective successors and assigns.
- E. This Amendment of Environmental Easement shall be governed by and interpreted in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, Grantor has caused this Amendment to Environmental Easement to be signed in its name.

Yonkers BV AMS, LLC:

By:  _____


Print Name: Raymond Hedaya

Title: Authorized Signatory Date: 9/8/25

Grantor's Acknowledgment

STATE OF NEW ^{Jersey} YORK)
) ss:
COUNTY OF Bergen)

On the 8th day of September, in the year 2025, before me, the undersigned, personally appeared Raymond Hedaya, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public - State of New ~~York~~ ^{Jersey}

JENNIFER B ODDO NOTARY PUBLIC STATE OF NEW JERSEY MY COMMISSION EXPIRES SEPTEMBER 19, 2029 COMMISSION: #50113131
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**THIS AMENDMENT OF THE ENVIRONMENTAL EASEMENT IS HEREBY
ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK**, Acting By and Through
the Department of Environmental Conservation as Designee of the Commissioner,

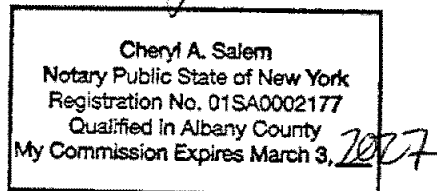
By: Andrew Guglielmi
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 17th day of September, in the year 2025, before me, the undersigned, personally
appeared Andrew O. Guglielmi, personally known to me or proved to me on the basis of
satisfactory evidence to be the individual whose name is subscribed to the within instrument and
acknowledged to me that he executed the same in his capacity as Designee of the Commissioner
of the State of New York Department of Environmental Conservation, and that by his signature on
the instrument, the individual, or the person upon behalf of which the individual acted, executed
the instrument.

Cheryl A. Salem
Notary Public - State of New York



SCHEDULE "A" PROPERTY DESCRIPTION

Easement Area (Track 2):

BEGINNING AT A POINT IN THE WESTERLY RIGHT-OF-WAY OF BUENA VISTA AVENUE (A/K/A BUENA VISTA STREET) (50 FOOT WIDE RIGHT-OF-WAY), SAID POINT BEING SOUTH 14°40'31" WEST A DISTANCE OF 266.25 FEET FROM THE INTERSECTION OF SAID WESTERLY RIGHT-OF-WAY WITH THE SOUTHERLY RIGHT-OF-WAY OF MAIN STREET (VARIABLE WIDTH RIGHT-OF-WAY), AND RUNNING, THENCE;

1. ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 09°46'11" WEST A DISTANCE OF 256.96 FEET TO A POINT, THENCE;

2. NORTH 80°13'17" WEST A DISTANCE OF 132.43 FEET TO A POINT OF CUSP IN THE EASTERLY LINE OF SECTION 1.1, BLOCK 7000, LOT 1 (METRO NORTH/AMTRACK RAILROAD, FORMER NEW YORK CENTRAL & HUDSON RIVER RAILROAD COMPANY), THENCE;

3. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 2475.00 FEET, AN ARC LENGTH OF 268.78 FEET, A CENTRAL ANGLE OF 06°13'20", WHOSE CHORD BEARS NORTH 11°38'26" EAST A CHORD DISTANCE OF 268.63 FEET TO A POINT OF CUSP, THENCE;

4. ALONG THE SOUTHERLY LINE OF SECTION 1, BLOCK 512, LOT 1, SOUTH 74°53'49" EAST A DISTANCE OF 124.20 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 34,319 SQUARE FEET OR 0.7878 ACRES MORE OR LESS.