

New York State Department of Environmental Conservation

Division of Environmental Remediation

Office of the Director, 12th Floor

625 Broadway, Albany, New York 12233-7011

Phone: (518) 402-9706 • Fax: (518) 402-9020

Website: www.dec.ny.gov

DEC 30 2014



Joe Martens
Commissioner

Hartsdale Village Square LLC
Attn: Kenneth Shin
2916 Eighth Avenue, Suite 3C
New York, NY 10039

Re: Certificate of Completion
Site Name: Hartsdale Village Square, Aristocrat Cleaners
Site No.: C360111
Greenburgh, Westchester County

Dear Mr. Shin:

Congratulations on having satisfactorily completed the remedial program at the Chelsea Waterfront Development Site. Enclosed please find an original, signed Certificate of Completion. The New York State Department of Environmental Conservation (DEC) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the Certificate of Completion (COC) to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record a notice of the COC in the recording office for the County (or Counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record a notice of the COC within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the notice of COC is recorded within the time frame specified. A standard notice form is attached to this letter;
- Place the notice of the COC in the document repository for the site within 10 days of issuance of the COC;
- Implement the DEC-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to DEC in April 2016; and
- You and your lessees must submit an annual report to the New York State Department of Taxation and Finance within one year and for each of the following eleven years after the execution of the Brownfield Site Cleanup Agreement. The Report must provide the information required by Chapter 390 of the Laws of 2008, Tax Law Section 171-s.

DEC will prepare and distribute to the Site Contact List a fact sheet describing the institutional and engineering controls that are required at the site.

If you have any questions regarding any of these items, please contact the Project Manager, Randy Whitcher at 518-402-9662.

Sincerely,

A handwritten signature in black ink, appearing to read 'RWS', is positioned above the printed name.

Robert W. Schick, P.E.

Director

Division of Environmental Remediation

Enclosures

cc: Krista Anders, DOH
Anthony Perretta, DOH
Michael Ryan, DEC
George Heitzman, DEC
Randy Whitcher, DEC
James Candiloro, DEC
Edward Moore, DEC
Benjamin Conlon, DEC
Alali Tamuno, DEC
Andrew Guglielmi, DEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Hartsdale Village Square LLC

Address

2916 Eighth Avenue, New York, NY 10039

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 1/12/10 **Agreement Execution:** 3/17/10 **Agreement Index No.:** C360111-01-10

Application Approval Amendment: none

Agreement Execution Amendment: none

SITE INFORMATION:

Site No.: C360111 **Site Name:** Hartsdale Village Square, Aristocrat Cleaners

Site Owner: Hartsdale Village Square LLC

Street Address: 212 E. Hartsdale Avenue

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

Site Size: 0.170 Acres

Tax Map Identification Number(s): 8.3-229-6

Percentage of site located in an EnZone: 0 - 49 %

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

CERTIFICATE ISSUANCE

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the Site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

Allowable Uses under the BCP: 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 25 %.

Tangible Property Credit Component Rate is 12 %.

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

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 25 %.

Tangible Property Credit Component Rate is 10 %.

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 543383390.

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 received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Joseph J. Martens
Commissioner
New York State Department of Environmental Conservation

By: 
Robert W. Schick, P.E., Director
Division of Environmental Remediation

Date: December 30, 2019

NOTICE OF CERTIFICATE OF COMPLETION

Brownfield Cleanup Program

6 NYCRR Part 375-1.9(d)

Hartsdale Village Square Aristocrat Cleaners, Site ID No. C360111

212 East Hartsdale Avenue

Town of Greenburgh, Westchester County, Tax Map Identification Number(s) 8.3-229-6

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 Hartsdale Village Square LLC for a parcel approximately 0.17 acres located at 212 East Hartsdale Avenue in the Town of Greenburgh, Westchester County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- ☐ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ☐ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ☒ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ☒ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Westchester County as 543383390.

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

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

Hartsdale Village Square, Aristocrat Cleaners, C360111, 212 East Hartsdale Avenue

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 Road, New Paltz, NY 12561, by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

Hartsdale Village Square LLC

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 20__, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Signature and Office of individual
taking acknowledgment

Please record and return to:
Hartsdale Village Square LLC
Attn: Kenneth Shin
2916 Eighth Avenue, Suite 3C
New York, NY 10039

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
12/18/2014

SITE DESCRIPTION

SITE NO. **C360111**

SITE NAME Hartsdale Village Square, Aristocrat Cleaners

SITE ADDRESS: 212 E. Hartsdale Avenue **ZIP CODE:** 10530

CITY/TOWN: Hartsdale

COUNTY: Westchester

ALLOWABLE USE: Commercial and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES: **YES** **NO**

IC/EC Certification Plan	<input checked="" type="checkbox"/>	
Monitoring Plan	<input checked="" type="checkbox"/>	
Operation and Maintenance (O&M) Plan		<input checked="" type="checkbox"/>

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/18/2016

Description of Institutional Control

Hartsdale Village Square, LLC

2916 Eighth Avenue Suite 3-C

212 E. Hartsdale Avenue

Environmental Easement

Block: 229

Lot: 6

Sublot:

Section: 8

Subsection: 3

S_B_L Image: 8.3-229-6

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Description of Engineering Control

Hartsdale Village Square, LLC

2916 Eighth Avenue Suite 3-C

212 E. Hartsdale Avenue

Environmental Easement

Block: 229

Lot: 6

Sublot:

Section: 8

Subsection: 3

S_B_L Image: 8.3-229-6

Cover System

Exhibit A

Metes and Bounds Description

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and Improvements thereon erected, situate, lying and being in the Town of Greenburgh, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Hartsdale Avenue as widened by dedication to the Town of Greenburgh of a strip of land for highway purposes described as Parcel 1 in deed recorded in the Office of the Register of Westchester County in Liber 3277 cp 472 distant 316.18 feet northerly as measured along the westerly side of Hartsdale Avenue as widened by dedication as aforesaid from the northerly end of a curve, having a radius of 27.04 feet and a length of an arc of 63.09 feet connecting the said westerly side of Hartsdale Avenue as widened with the northerly side of Club Way;

RUNNING THENCE through lands of the Westchester County Syndicate Corporation part of the way along the northerly face of the brick wall of a one story brick building of premises adjoining on the south, north 57 degrees 21 minutes 40 seconds west, 186.10 feet to the easterly side of lands now or formerly of the Scarsdale Golf Club;

RUNNING THENCE along said lands, North 17 degrees 56 minutes 30 seconds east, 19.69 feet to other lands of the Westchester County Syndicate Corporation;

RUNNING THENCE through said lands now or formerly of Westchester County Syndicate Corporation, south 78 degrees 49 minutes 10 seconds east, 171.11 feet to the westerly side of Hartsdale Avenue widened by dedication to the Town of Greenburgh of a strip of land for highway purposes described as Parcel 2 in deed recorded in the Office of the Register of Westchester County in Liber 3277 cp 472;

RUNNING THENCE along said side of said Hartsdale Avenue as widened aforesaid, South 11 degrees 22 minutes 10 seconds west, 21.42 feet to a point of curve;

THENCE leaving said lands as hereinabove described as dedicated for highway purposes and running still along the westerly side of Hartsdale Avenue which is also the westerly side of lands of the New York City Pipe Line southerly on a curve to the right, having a radius of 1925.37 feet, a distance of 65.97 feet to the westerly side of Hartsdale Avenue hereinabove referred to as Parcel 1 in the deed of Dedication;

RUNNING THENCE along said side of said Hartsdale Avenue, south 32 degrees 38 minutes 20 seconds west, 0.25 feet to the point or place of BEGINNING. For conveyancing only, if intended to be conveyed: Together with all rights, title and interest of, in and, to any streets and roads abutting the above described premises, to the center line thereof. EXCEPTING thereout and therefrom so much of the premises as has been conveyed to the Town of Greenburgh, by deed from W. Britton Manee, dated 12/6/1949 and recorded 4/26/1951 in the Westchester County Clerk's Office, Division of Land Records in Liber 4975 page 108. TOGETHER with those rights and easements reserved and SUBJECT to the terms, conditions and restrictions contained in correction deed and modification agreement made by and between Monte Stewart Manee and Sandra Manee Hutchins and the Town of Greenburgh dated 7/23/1970 and recorded 8/6/1970 in Liber 6944 page 31. Said premises being further bounded and described as follows in accordance with a Survey made by Kulhanek & Plan dated 5/30/06, as updated by said surveyor on 6/29/08:

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and Improvements thereon erected, situate, lying and being in the Town of Greenburgh, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Hartsdale Avenue as widened by dedication to the Town of Greenburgh of a strip of land for highway purposes described as Parcel 1 in deed recorded in the Office of the Register of Westchester County in Liber 3277 cp 472 distant 316.18 feet northerly as measured along the westerly side of Hartsdale Avenue as widened by dedication as aforesaid from the northerly end of curve, having a radius of 27.04 feet and a length of an arc of 63.09 feet connecting the said westerly side of Hartsdale Avenue as widened with the northerly side of Club Way;

RUNNING THENCE through lands of the Westchester County Syndicate Corporation part of the way along the northerly face of a brick wall of a one story brick building of premises adjoining on the south, north 57 degrees 21 minutes 40 seconds west, 124.07 feet to a point in the easterly side of 20 foot Right of Way as per Deed Liber 4299 page 167 and old records in which part of the westerly side of the premises is located.

RUNNING THENCE North 17 degrees 56 minutes 30 seconds east, 42.54 feet to other lands of the Westchester County Syndicate Corporation; for conveyancing only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

RUNNING THENCE through said lands now or formerly of Westchester County Syndicate Corporation, south 78 degrees 49 minutes 10 seconds east, 110.69 feet to the westerly side of Hartsdale Avenue widened by dedication to the Town of Greenburgh of a strip of land for highway purposes described as Parcel 2 in deed recorded in the Office of the Register of Westchester County in Liber 3277 cp 472;

RUNNING THENCE along said side of the said Hartsdale Avenue as widened aforesaid, South 11 degrees 22 minutes 10 seconds west, 21.42 feet to a point of curve; THENCE leaving said lands as hereinabove described as dedicated for highway purposes and running still along the westerly side of Hartsdale Avenue which is also the westerly side of lands of the New York City Pipe Line southerly on a curve to the right, having a radius 01925.37 feet, a distance of 65.97 feet to the westerly side of Hartsdale Avenue hereinabove referred to as Parcel I in the deed of Dedication;

RUNNING THENCE along said side of said Hartsdale Avenue, south 32 degrees 38 minutes 20 seconds west, 0.25 feet to the point or place of BEGINNING. Said premises being known as 212-218 East Hartsdale Avenue Hartsdale, New York, 10530. (7,428 sq.ft/0.17 Acre.)

Exhibit B

LEGAL & ENVIRONMENTAL EASEMENT DESCRIPTION

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Greenburgh, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Hartsdale Avenue as widened by dedication to the Town of Greenburgh of a strip of land for highway purposes described as Parcel 1 in deed recorded in the Office of the Register of Westchester County in Liber 3277 cp 472 distant 316.16 feet northerly as measured along the westerly side of Hartsdale Avenue as widened by dedication as aforesaid from the northerly end of a curve, having a radius of 27.04 feet and a length of an arc of 53.09 feet connecting the said westerly side of Hartsdale Avenue as widened with the northerly side of Club Way;

RUNNING THENCE through lands of the Westchester County Syndicate Corporation part of the way along the northerly face of the brick wall of a one story brick building of premises adjoining on the south, north 57 degrees 21 minutes 40 seconds west, 124.07 feet to the easterly side of lands now or formerly of the Scarsdale Golf Club;

RUNNING THENCE along said lands, North 17 degrees 56 minutes 30 seconds east, 19.69 feet to other lands of the Westchester County Syndicate Corporation;

RUNNING THENCE through said lands now or formerly of Westchester County Syndicate Corporation, south 78 degrees 49 minutes 10 seconds east, 171.11 feet to the westerly side of Hartsdale Avenue widened by dedication to the Town of Greenburgh of a strip of land for highway purposes described as Parcel 2 in deed recorded in the Office of the Register of Westchester County in Liber 3277 cp 475;

RUNNING THENCE along said side of said Hartsdale Avenue as widened aforesaid, South 11 degrees 22 minutes 10 seconds west, 21.42 feet to a point of curve;

THENCE leaving said lands as hereinabove described as dedicated for highway purposes and running still along the westerly side of Hartsdale Avenue which is also the westerly side of lands of the New York City Pipe Line southerly on a curve to the right, having a radius of 925.37 feet, a distance of 65.97 feet to the westerly side of Hartsdale Avenue hereinabove referred to as Parcel 1 in the deed of Dedication;

RUNNING THENCE along said side of said Hartsdale Avenue, south 32 degrees 38 minutes 20 seconds west, 0.25 feet to the point or place of BEGINNING.

For conveying only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof, EXCEPTING thereout and therefrom so much of the premises as has been conveyed to the Town of Greenburgh, by deed from W. Britton Manee, dated 12/6/1949 and recorded 4/20/1951 in the Westchester County Clerk's Office, Division of Land Records in Liber 4975 page 108.

TOGETHER with those rights and easements reserved and SUBJECT to the terms, conditions and restrictions contained in correction deed and modification agreement made by and between Monte Stewart Manee and Sandra Manee Hutchins and the Town of Greenburgh dated 7/23/1970 and recorded 8/5/1970 in Liber 6944 page 31.

Said premises being further bounded and described as follows in accordance with a Survey made by KULBRACK & PLAN dated 5/20/06, as updated by said surveyor on 6/28/06:

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Greenburgh, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Hartsdale Avenue as widened by dedication to the Town of Greenburgh of a strip of land for highway purposes described as Parcel 1 in deed recorded in the Office of the Register of Westchester County in Liber 3277 cp 472 distant 316.16 feet northerly as measured along the westerly side of Hartsdale Avenue as widened by dedication as aforesaid from the northerly end of a curve, having a radius of 27.04 feet and a length of an arc of 53.09 feet connecting the said westerly side of Hartsdale Avenue as widened with the northerly side of Club Way;

RUNNING THENCE through lands of the Westchester County Syndicate Corporation part of the way along the northerly face of a brick wall of a one story brick building of premises adjoining on the south, north 57 degrees 21 minutes 40 seconds west, 124.07 feet to a point in the easterly side of 200 foot Right of Way as per Deed Liber 4999 page 167 and old records in which part of the westerly side of the premises is located.

RUNNING THENCE North 17 degrees 56 minutes 30 seconds east, 42.54 feet to other lands of the Westchester County Syndicate Corporation;

For conveying only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof, EXCEPTING thereout and therefrom so much of the premises as has been conveyed to the Town of Greenburgh, by deed from W. Britton Manee, dated 12/6/1949 and recorded 4/20/1951 in the Westchester County Clerk's Office, Division of Land Records in Liber 4975 page 108.

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RUNNING THENCE North 17 degrees 56 minutes 30 seconds east, 42.54 feet to other lands of the Westchester County Syndicate Corporation;

For conveying only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof, EXCEPTING thereout and therefrom so much of the premises as has been conveyed to the Town of Greenburgh, by deed from W. Britton Manee, dated 12/6/1949 and recorded 4/20/1951 in the Westchester County Clerk's Office, Division of Land Records in Liber 4975 page 108.

TOGETHER with those rights and easements reserved and SUBJECT to the terms, conditions and restrictions contained in correction deed and modification agreement made by and between Monte Stewart Manee and Sandra Manee Hutchins and the Town of Greenburgh dated 7/23/1970 and recorded 8/5/1970 in Liber 6944 page 31.

Said premises being further bounded and described as follows in accordance with a Survey made by KULBRACK & PLAN dated 5/20/06, as updated by said surveyor on 6/28/06:

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Greenburgh, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Hartsdale Avenue as widened by dedication to the Town of Greenburgh of a strip of land for highway purposes described as Parcel 1 in deed recorded in the Office of the Register of Westchester County in Liber 3277 cp 472 distant 316.16 feet northerly as measured along the westerly side of Hartsdale Avenue as widened by dedication as aforesaid from the northerly end of a curve, having a radius of 27.04 feet and a length of an arc of 53.09 feet connecting the said westerly side of Hartsdale Avenue as widened with the northerly side of Club Way;

RUNNING THENCE through lands of the Westchester County Syndicate Corporation part of the way along the northerly face of a brick wall of a one story brick building of premises adjoining on the south, north 57 degrees 21 minutes 40 seconds west, 124.07 feet to a point in the easterly side of 200 foot Right of Way as per Deed Liber 4999 page 167 and old records in which part of the westerly side of the premises is located.

RUNNING THENCE North 17 degrees 56 minutes 30 seconds east, 42.54 feet to other lands of the Westchester County Syndicate Corporation;

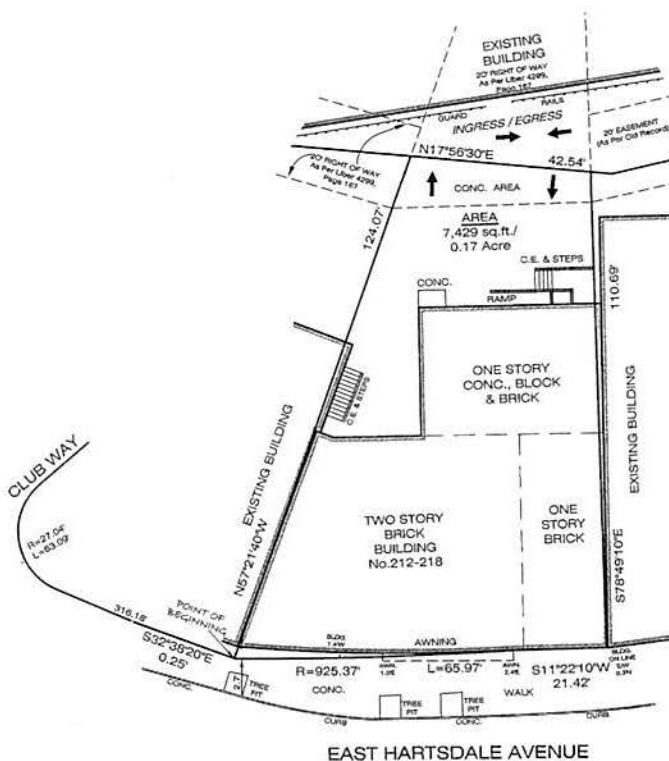
For conveying only, if intended to be conveyed: Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof, EXCEPTING thereout and therefrom so much of the premises as has been conveyed to the Town of Greenburgh, by deed from W. Britton Manee, dated 12/6/1949 and recorded 4/20/1951 in the Westchester County Clerk's Office, Division of Land Records in Liber 4975 page 108.

REFERENCE

The engineering and institutional controls for this Easement shall be set forth in more detail in the Site Management Plan (SMP). A copy of the SMP can be obtained by any party with an interest in the property. The SMP can be obtained from NYS Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at denweb@gw.dec.state.ny.us.

NOTE:

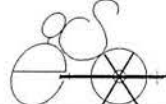
There are no ponds, lake, springs, rivers or a natural water boundary bordering on or running through the survey property.



EAST HARTSDALE AVENUE

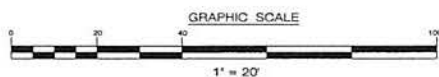
LEGEND

CONC. CONCRETE
AWN. AWNING
C.E. CELLAR ENTRANCE
E. EAST
W. WEST



GABRIEL E. SENOR, P.C.
Engineer & Surveyor

90 CENTRAL PARK AVE., HARTSDALE, NEW YORK 10530
(914) 422-0070



Possession only where indicated

This is to certify that this map and the survey on which it is based were made in accordance with the "Minimum Standard" Detail Requirements for New York State Association of Land Surveyors. This Survey is a representation of the property as surveyed on December 4, 2013, the date that the field work was performed. Subsequent revision dates do not constitute an updated survey.

Eliot Senor, L.S. New York State Lic. No. 049822

Copies of the survey map not bearing the land surveyor's original blue signature and embossed seal shall not be considered to be a true and valid copy. Copyright Gabriel E. Senor, P.C., 2013. ALL RIGHTS RESERVED.

Certifications indicated are limited only to the entity for which this survey was prepared and on its behalf to the title company, governmental agency and lending institution for the policy numbers listed herein. These certifications are not transferable.

Prepared with the benefit of a Title report, which was provided by Old Republic National Title.

Surface elevations and underground appurtenances, if any, whether or not shown are not certified. Fences or possession lines generally do not follow a straight line. The survey shows straight lines between located points. Any dimensions shown are to the surveyed point only. Labeled dimensions cannot be used for any other point along the line.

Unauthorized alteration or additions to the survey map is a violation of Section 7209 sub-section 2 of the New York State Education Law

Certified to: Hartsdale Village Square, LLC, The People of New York acting through its Commissioner of the Department of Environmental Conservation, Old Republic National Title Insurance Company for Title No. TDA-13-1642 only.

NO	DATE	DESC	BY

REVISIONS

SURVEY OF
TAX LOT No.6 - BLOCK 229
AS SHOWN ON THE OFFICIAL TAX MAP
BEING
212-218 EAST HARTSDALE AVENUE
LOCATED IN THE
VILLAGE OF HARTSDALE
TOWN OF GREENBURGH
WESTCHESTER COUNTY, NEW YORK
SITE NAME: ARISTOCRAT CLEANERS
SITE No.: C360111

GABRIEL E. SENOR, P.C.

CONSULTING ENGINEER LAND SURVEYORS
90 NORTH CENTRAL AVE., HARTSDALE, NEW YORK, 10530
(914) 422-0070 FAX 422-3009

SCALE: 1"=30'

DATE: JULY 25, 2007

DRAWN BY: MCN. CHECKED BY: ES