

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.



642563350EAS003Y

Westchester County Recording & Endorsement Page

Submitter Information

Name:	Sive Paget & Riesel, P.C.	Phone:	7187445196
Address 1:	560 Lexington Ave., 15th floor	Fax:	2124211891
Address 2:		Email:	nduncan@sprlaw.com
City/State/Zip:	NEW YORK NY 10022	Reference for Submitter:	Termination of Easement

Document Details

Control Number:	642563350	Document Type:	Easement (EAS)
Package ID:	2024091200167001001	Document Page Count:	5
		Total Page Count:	7

Parties

1st PARTY		2nd PARTY	
1:	14 LE COUNT PLACE LLC	- Other	1: NEW YORK STATE OF
2:	WBLM 14 LE COUNT OWNER LLC	- Other	2: NEW YORK STATE DEPT OF ENVIRONMENTAL CONSERV

Property

Street Address:	455 MAIN STREET	Tax Designation:	1-228-200
City/Town:	NEW ROCHELLE	Village:	

Cross-References

1: 593393378	2:	3:	4:
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Supporting Documents

1: TP-584

Recording Fees

Statutory Recording Fee:	\$0.00
Page Fee:	\$0.00
Cross-Reference Fee:	\$0.00
Mortgage Affidavit Filing Fee:	\$0.00
RP-5217 Filing Fee:	\$0.00
TP-584 Filing Fee:	\$0.00
RPL 291 Notice Fee:	\$0.00
Total Recording Fees Paid:	\$0.00

Transfer Taxes

Consideration:	\$0.00
Transfer Tax:	\$0.00
Mansion Tax:	\$0.00
Transfer Tax Number:	2873

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: 10/02/2024 at 11:28 AM

Control Number: **642563350**

Witness my hand and official seal

Timothy C. Idoni
Westchester County Clerk

Record and Return To

Pick-up at County Clerk's office

Sive Paget & Riesel, P.C.
560 Lexington Ave., 15th floor

New York, NY 10022
Attn: Natoya Duncan

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Properties Addendum

10 LE COUNT PLACE 10801	NEW ROCHELLE	1 228 101
10 LE COUNT PLACE 10801	NEW ROCHELLE	1 228 102
10 LE COUNT PLACE 10801	NEW ROCHELLE	1 228 103

Carol F. Aron
ASSISTANT TO THE COUNTY CLERK

TERMINATION AND RELEASE OF ENVIRONMENTAL EASEMENT

This Termination and Release of Environmental Easement is made as of 7th day of August 2024, 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 Owner(s), 14 Le Count Place LLC (the "Grantor Fee Owner" and "Grantor Unit 2 Owner"), having an office at c/o Wilder Balter Partners, Inc., 480 Bedford Road, Chappaqua, New York 10514, County of Westchester, State of New York, and WBLM 14 Le Count Owner LLC, (the "Grantor Unit 1 Owner"), having an office at c/o Wilder Balter Partners, Inc., 480 Bedford Road, Chappaqua, New York 10514, County of Westchester, State of New York, (collectively, the "Grantor").

RECITALS

1. Grantor Fee Owner acquired real property located in the City of New Rochelle, County of Westchester and State of New York (the "Real Property") by the following deeds:
 - Deed dated June 8, 2018 and recorded in the Westchester County Clerk's Office as Control # 581453224;
 - Deed dated July 11, 2019 and recorded in the Westchester County Clerk's Office as Control # 592043134;
 - Deed dated April 26, 2018 and recorded in the Westchester County Clerk's Office as Control # 581133311;
 - Deed dated March 1, 2017 and recorded in the Westchester County Clerk's Office as Control # 563573304;
 - Deed dated June 8, 2018 and recorded in the Westchester County Clerk's Office as Control # 581453025;
 - Deed dated June 8, 2018 and recorded in the Westchester County Clerk's Office as Control # 581453159; and
 - Deed dated June 8, 2018 and recorded in the Westchester County Clerk's Office as Control # 581453121.
2. Grantor Fee Owner subjected the Real Property to a Declaration and Plan of Condominium Unit Ownership dated May 18, 2018 and recorded in the Westchester County Clerk's Office as Control # 581413342 (the "Condominium") consisting of two units. Grantor Unit 2 Owner is the owner of Unit 2 in the Condominium, said unit having an address of 455 Main Street, New Rochelle, New York and being designated on the tax map of the City of New Rochelle as Section 1, Block 228, Lot 200.
3. Grantor Unit 1 Owner became the owner of interest of Condo Unit #1 in the Condominium by means of a deed from Grantor Fee Owner dated June 14, 2018 recorded in the Westchester County Clerk's Office on June 21, 2018 in Control No. 581423387. Grantor Unit 1 Owner filed a Declaration of Condominium dated January 18, 2022 recorded in the Westchester

County Clerk's Office on January 18, 2022 in Control No. 620183665 dividing Condo Unit 1 into three sub-condominium units which three units are designated as Section 1, Block 228, Lots 101, 102 and 103 on the tax map of the City of New Rochelle, New York.

4. The Department and Grantor entered into an Environmental Easement ("Easement Agreement") dated as of December 16, 2019, and recorded in the Westchester County Clerk's Office on December 18, 2019, Control # 593393378. Capitalized terms used herein without definition have the meanings ascribed to them in the Environmental Easement Agreement. The Real Property comprises approximately 0.920 +/- acres, and is hereinafter more fully described in Exhibit A.
5. Pursuant to Section 1, 2, 3, 4, and 5 of the Easement Agreement, Grantor 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 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.
6. The Parties do hereby agree that all applicable remediation requirements set forth in the New York State Environmental Conservation Law have been achieved, and that the Property may be used for Unrestricted use.
7. The Parties do hereby agree that there is no longer a need for any institutional controls, including, but not limited to, any use restrictions, or engineering controls at the Controlled Property, other than the local controls which govern the use of groundwater.
8. Therefore, pursuant to Section 9 of the Easement Agreement, the Department agrees to terminate and release the Easement Agreement.

TERMINATION AND RELEASE OF ENVIRONMENTAL EASEMENT

- A. The above recitals are hereby incorporated into this Termination and Release of Environmental Easement.
- B. The Department confirms that the date hereof is the "Termination Date" and the Department accordingly hereby terminates and releases the property as described in Exhibit A.
- C. This Termination and Release of Environmental Easement inures to and binds the parties hereto and their respective successors assigns.
- D. This Termination and Release of Environmental Easement shall be governed by and interpreted in accordance with the laws of the State of New York.

**THIS TERMINATION AND RELEASE OF THE EASEMENT AGREEMENT 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 Acknowledgement

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

On the 7th day of August, in the year 2024 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
Cheryl A. Salem
Notary Public State of New York
Registration No. 01SA0002177
Qualified in Albany County
My Commission Expires March 3, 2027

EXHIBIT A- PROPERTY DESCRIPTION

Environmental Easement Legal Description

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE CITY OF NEW ROCHELLE, COUNTY OF WESTCHESTER AND STATE OF NEW YORK, DESIGNATED AS LOT NOS. 3, 4, 5, 6, 9, 10, 11, 15, AND 16, AND PORTIONS OF LOTS 2 AND 7 AS SHOWN ON A CERTAIN MAP ENTITLED "MAP OF LOTS IN NEW ROCHELLE, NEW YORK, BELONGING TO THE HEIRS OF WILLIAM LE COUNT, DECEASED", MADE BY W. H. DISBROW, CIVIL ENGINEER, DATED JUNE 1887, AND FILED IN THE OFFICE OF THE REGISTER OF THE COUNTY OF WESTCHESTER, NOW KNOWN AS WESTCHESTER COUNTY CLERK'S OFFICE, DIVISION OF LAND RECORDS ON JANUARY 14, 1888, AS MAP NO. 109, TOGETHER WITH A PORTION OF THE FORMER BED OF LE COUNT PLACE AS SHOWN ON A CERTAIN MAP ENTITLED "AMENDED REVISED MAP OF PARCEL NUMBERS 2, 3, 4, 5, 6 & 7 CEDAR STREET REDEVELOPMENT PROJECT SITUATED IN THE CITY OF NEW ROCHELLE, WESTCHESTER COUNTY, N.Y." AND FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE, DIVISION OF LAND RECORDS ON FEBRUARY 15, 1968 AS MAP NO. 15803 BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDE OF LECOUNT PLACE DISTANT 98.90 FEET NORTHERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF LECOUNT PLACE AND THE NORTHERLY SIDE OF MAIN STREET;

RUNNING THENCE ALONG THE NORTHERLY LINE OF LOTS 8 AND 7 AS SHOWN ON SAID MAP, SOUTH 64 DEGREES 45 MINUTES 00 SECONDS WEST, 51.48 FEET TO A POINT;

RUNNING THENCE THROUGH SAID LOT 7, SOUTH 25 DEGREES 15 MINUTES 00 SECONDS EAST, 103.57 FEET TO A POINT ON THE NORTHWESTERLY SIDE OF MAIN STREET;

RUNNING THENCE ALONG SAID NORTHWESTERLY SIDE OF MAIN STREET, SOUTH 59 DEGREES 34 MINUTES 00 SECONDS WEST, 127.41 FEET TO A POINT;

RUNNING THENCE THROUGH LOT 2 ON SAID MAP NORTH 25 DEGREES 15 MINUTES 00 SECONDS WEST, 115.08 FEET TO A POINT ON THE SOUTHERLY SIDE OF LOT 15 ON SAID MAP;

RUNNING THENCE ALONG THE SOUTHERLY SIDE OF LOT 15 AS SHOWN ON SAID MAP, SOUTH 64 DEGREES 45 MINUTES 00 SECONDS WEST, 30.99 FEET TO THE NORTHEASTERLY SIDE OF NORTH AVENUE;

RUNNING THENCE ALONG THE NORTHEASTERLY SIDE OF NORTH AVENUE NORTH 25 DEGREES 15 MINUTES 00 SECONDS WEST 100.00 FEET TO LOT 17 ON SAID MAP;

RUNNING THENCE ALONG THE SOUTHERLY SIDE OF LOT 17 AS SHOWN ON SAID MAP, NORTH 64 DEGREES 45 MINUTES 00 SECONDS WEST, 50.00 FEET TO A POINT;

RUNNING THENCE ALONG THE SOUTHERLY SIDE OF LOT 12 AS SHOWN ON SAID MAP, AND CONTINUING THROUGH THE FORMER ROADBED OF LECOUNT PLACE, NORTH 64 DEGREES 45 MINUTES 00 SECONDS EAST, 111.46 FEET TO A POINT ON THE WEST SIDE OF LECOUNT PLACE, AS NOW ALIGNED;

THENCE ALONG SAID WESTERLY SIDE OF LECOUNT PLACE AND THE ARC OF A CURVE BEARING TO THE LEFT HAVING A RADIUS OF 3200.00 FEET, A DISTANCE OF 155.93 FEET;

THENCE CONTINUING ALONG THE WETERLY SIDE OF LECOUNT PLACE, SOUTH 25 DEGREE 15 MINUTES 00 SECONDS EAST 34.10 FEET TO THE POINT OR PLACE OF BEGINNING.

Tax Designation

Municipality: New Rochelle

Section: 1

Block: 228

Lots: 101, 102, 103 and 200

Record and Return To:

14 Le Count Place LLC
c/o Wilder Balter Partners, Inc.
480 Bedford Road
Chappaqua, New York 10514