

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director  
625 Broadway, 12th Floor, Albany, New York 12233-7011  
P: (518) 402-9706 | F: (518) 402-9020  
[www.dec.ny.gov](http://www.dec.ny.gov)

*Transmitted via E-mail and US Mail*

December 23, 2022

Todd Rechler  
28 South Division Owner LLC  
625 RXR Plaza  
Uniondale, NY 11556  
[trechler@rxrrealty.com](mailto:trechler@rxrrealty.com)

Re: Certificate of Completion  
28 South Division Street  
New Rochelle, Westchester County  
Site No. C360198

Dear Todd Rechler:

Congratulations on having satisfactorily completed the remedial program at the 28 South Division Street site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

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

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (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 the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.
- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

Greta White, Bureau C  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233

- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days.

If you have any questions, please do not hesitate to contact Greta White, the Department's project manager, at 518-402-2029.

Sincerely,

*Andrew Guglielmi*

Andrew Guglielmi  
Division Director  
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

D. Desnoyers - Allen & Desnoyers LLP ([dale@allendesnoyers.com](mailto:dale@allendesnoyers.com))  
A. Schwendt - AKRF ([aschwendt@akrf.com](mailto:aschwendt@akrf.com))  
A. Sharma - AKRF ([asharma@akrf.com](mailto:asharma@akrf.com))  
C. Vooris - NYSDOH ([christine.vooris@health.ny.gov](mailto:christine.vooris@health.ny.gov))  
M. Doroski - NYSDOH ([maureen.doroski@health.ny.gov](mailto:maureen.doroski@health.ny.gov))  
D. Tucholski - NYSDOH ([Daniel.tucholski@health.ny.gov](mailto:Daniel.tucholski@health.ny.gov))  
M. Gokey - ([matthew.gokey@tax.ny.gov](mailto:matthew.gokey@tax.ny.gov))  
P. Takac - ([paul.takac@tax.ny.gov](mailto:paul.takac@tax.ny.gov))  
DECDOCS

ec w/o enc.:

G. White - NYSDEC ([greta.white@dec.ny.gov](mailto:greta.white@dec.ny.gov))  
K. Thompson - NYSDEC ([kiera.thompson@dec.ny.gov](mailto:kiera.thompson@dec.ny.gov))  
J. Brown - NYSDEC ([janet.brown@dec.ny.gov](mailto:janet.brown@dec.ny.gov))  
D. Bendell - NYSDEC ([Daniel.bendell@dec.ny.gov](mailto:Daniel.bendell@dec.ny.gov))  
J. Stenerson - NYSDEC ([justin.stenerson@dec.ny.gov](mailto:justin.stenerson@dec.ny.gov))  
J. Andalaro - NYSDEC ([Jennifer.andalaro@dec.ny.gov](mailto:Jennifer.andalaro@dec.ny.gov))  
M. Murphy - NYSDEC ([michael.murphy1@dec.ny.gov](mailto:michael.murphy1@dec.ny.gov))  
K. Lewandowski - NYSDEC ([Kelly.lewandowski@dec.ny.gov](mailto:Kelly.lewandowski@dec.ny.gov))

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)  
*CERTIFICATE OF COMPLETION*

**CERTIFICATE HOLDER(S):**

**Name**

28 South Division Owner LLC

**Address**

625 RXR Realty, Uniondale, NY 11556

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 6/3/20    **Agreement Execution:** 6/4/20

**Agreement Index No.:** C360198-06-20

**Application Amendment Approval:** 2/25/21

**Agreement Amendment Execution:** 3/12/21

**Application Amendment Approval:** 6/30/21

**Agreement Amendment Execution:** 6/30/21

**Application Amendment Approval:** 3/10/22

**Agreement Amendment Execution:** 3/10/22

**SITE INFORMATION:**

**Site No.:** C360198    **Site Name:** 28 South Division Street

**Site Owner:** 28 South Division Owner LLC

**Street Address:** 50 Clinton Place

**Municipality:** New Rochelle

**County:** Westchester

**DEC Region:** 3

**Site Size:** 1.066 Acres

**Tax Map Identification Number(s):** 2-414-0004

**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:** Unrestricted, Residential, Restricted-Residential, Commercial, and Industrial  
**Cleanup Track:** Track 1: Unrestricted use

**Tax Credit Provisions:**

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

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

Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24%.

No Environmental Easement has been granted pursuant to ECL Article 71, Title 36 as there are no use restrictions and there is no reliance on the long-term employment of institutional controls.

### **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; or
- (4) there is good cause for such modification or revocation.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing is not received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Basil Seggos  
Commissioner  
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 12/23/2022

Andrew O. Guglielmi, Director  
Division of Environmental Remediation

## **Exhibit A**

### **Site Description**



2865 US Route 1  
North Brunswick, NJ 08902  
Tele: 732-422-6700  
Fax: 732-940-8786  
www.gallassurvey.com

MAY 05, 2022  
GSG PROJECT NO. G21074.01

**PERIMETER DESCRIPTION  
PARCELS 1-5  
AT AND ABOVE ELEVATION 100'**

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, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY RIGHT OF WAY LINE OF DIVISION STREET SOUTH (VARIABLE WIDTH R.O.W.) SAID POINT BEING DISTANT OF 305.38 FEET ON A BEARING OF SOUTH 36°15'25" EAST FROM THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF MAIN STREET (66' WIDE R.O.W.) AND RUNNING; THENCE

1. LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF DIVISION STREET SOUTH, NORTH 53°41'14" EAST, A DISTANCE OF 208.64 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF CHURCH STREET (VARIABLE WIDTH R.O.W.); THENCE
2. ALONG THE WESTERLY RIGHT-OF-WAY LINE, SOUTH 36°08'43" EAST, A DISTANCE OF 199.12 FEET TO A POINT; THENCE
3. LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 53°05'18" WEST, A DISTANCE OF 108.73 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 51, BLOCK 414; THENCE
4. ALONG THE WESTERLY LINE OF LOT 51, BLOCK 414 SOUTH 36°42'47" EAST, A DISTANCE OF 88.07 FEET TO A POINT MARKED BY A CAPPED PIN FOUND; THENCE
5. SOUTH 44°44'23" WEST, A DISTANCE OF 101.48 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF DIVISION STREET SOUTH (VARIABLE WIDTH R.O.W.); THENCE
6. ALONG THE EASTERLY RIGHT-OF-WAY LINE, NORTH 36°15'25" WEST, A DISTANCE OF 304.10 FEET TO THE POINT OF BEGINNING.

**PERIMETER DESCRIPTION  
PARCELS 1-5  
BELOW ELEVATION 100'**

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, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY RIGHT OF WAY LINE OF DIVISION STREET SOUTH (VARIABLE WIDTH R.O.W.) SAID POINT BEING DISTANT OF 330.38 FEET ON A BEARING OF SOUTH 36°15'25" EAST FROM THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF MAIN STREET (66' WIDE R.O.W.) AND RUNNING; THENCE

1. LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF DIVISION STREET SOUTH, NORTH 53°41'14" EAST, A DISTANCE OF 208.59 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF CHURCH STREET (VARIABLE WIDTH R.O.W.); THENCE
2. ALONG THE WESTERLY RIGHT-OF-WAY LINE, SOUTH 36°08'43" EAST, A DISTANCE OF 174.12 FEET TO A POINT; THENCE
3. LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 53°05'18" WEST, A DISTANCE OF 108.73 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 51, BLOCK 414; THENCE
4. ALONG THE WESTERLY LINE OF LOT 51, BLOCK 414 SOUTH 36°42'47" EAST, A DISTANCE OF 88.07 FEET TO A POINT MARKED BY A CAPPED PIN FOUND; THENCE
5. SOUTH 44°44'23" WEST, A DISTANCE OF 101.48 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF DIVISION STREET SOUTH (VARIABLE WIDTH R.O.W.); THENCE
6. ALONG THE EASTERLY RIGHT-OF-WAY LINE, NORTH 36°15'25" WEST, A DISTANCE OF 279.10 FEET TO THE POINT OF BEGINNING.

## **Exhibit B**

### **Site Survey**



- MAP NO. 29594
- MAP LEGEND
- PROPERTY LINE
  - FENCE LINE
  - BUILDING FOOTPRINT AT GROUND LEVEL
  - OVERHEAD WIRES
  - RECORD DEED
  - SURVEY MEASUREMENT
  - MANHOLE
  - UTILITY POLE/LIGHT POLE
  - DENOTES OFFSET OF STRUCTURE AT GROUND LEVEL RELATIVE TO PROPERTY LINE
- 1' 0"

ABBREVIATIONS

- BL BOLLARD LIGHT
- BUD BUILDING
- BRK BRICK
- CLF CHAIN LINK FENCE
- CONC CONCRETE
- FNC FENCE
- GL GROUND LIGHT
- LSA LANDSCAPED AREA
- PVR PAVERS
- STN STONE

MAIN STREET  
(A.K.A. U.S. HIGHWAY 1)  
(66' WIDE - PUBLIC)

CLINTON PLACE

CHURCH STREET  
(VARIABLE WIDTH - PUBLIC)  
(ASPHALT ROADWAY)

TWO WAY TRAFFIC

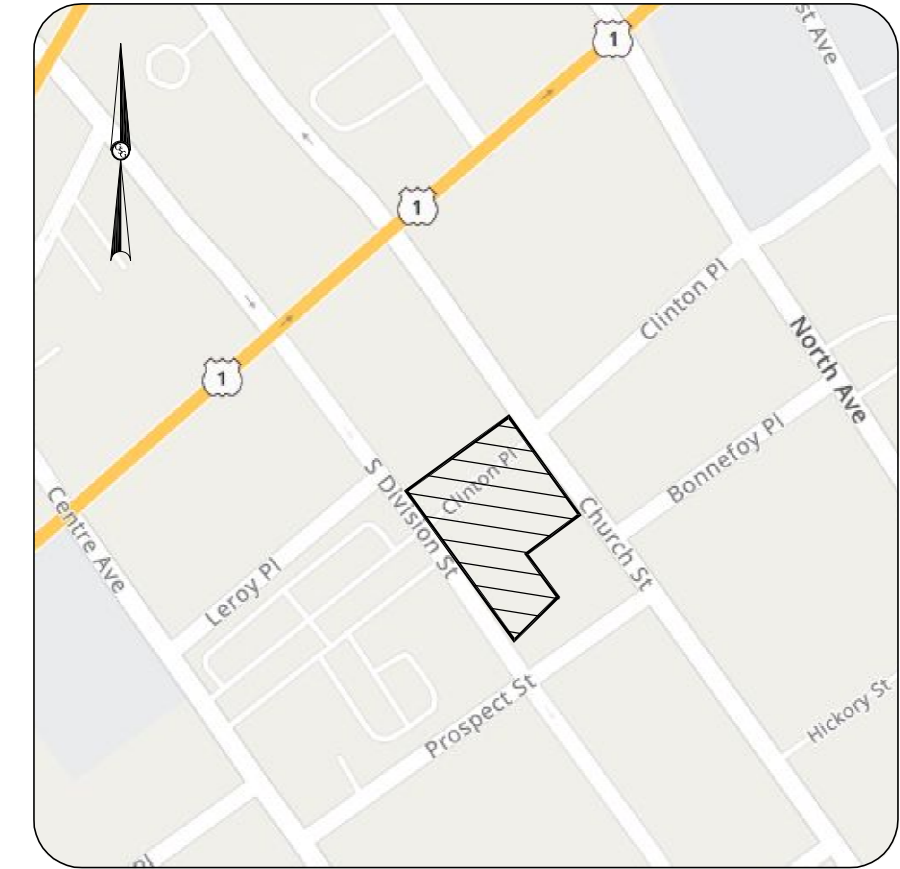
SOUTH DIVISION STREET  
(VARIABLE WIDTH - PUBLIC) (F.K.A. BANKS STREET)

(ASPHALT ROADWAY)

ONE WAY TRAFFIC

REFERENCES:

- CORRECTED MINOR SUBDIVISION PLAT, CHURCH & DIVISION REDEVELOPMENT, SECTION 2, BLOCK 414, LOT 8 (F.K.A. LOT 8.01) AND LOT 9 (F.K.A. LOT 8), WESTCHESTER COUNTY, SHEET 11, BLOCK 958, CITY OF NEW ROCHELLE, WESTCHESTER COUNTY, NEW YORK, PREPARED BY PAULUS, SOKOLOWSKI AND SARTOR ARCHITECTURE & ENGINEERING, P.C., DATED: NOVEMBER 4, 2019, PROJECT NO. 02149-0085, SHEET NO. S-1, FILED WITH THE WESTCHESTER COUNTY CLERK'S OFFICE ON DECEMBER 21, 2021, AS MAP NO. 29594.
- SURVEY OF DEVELOPMENT SITE, LOTS 4, 5, 6 & 8, CHURCH & DIVISION REDEVELOPMENT, SECTION 2, BLOCK 414, LOT 8 (F.K.A. LOT 8.01), LOT 8, LOT 5, LOT 4, CITY OF NEW ROCHELLE, WESTCHESTER COUNTY, NEW YORK, PREPARED BY PAULUS, SOKOLOWSKI AND SARTOR ARCHITECTURE & ENGINEERING, P.C., DATED: OCTOBER 1, 2021, PROJECT NO. 02149-0085, SHEET NO. S-1.
- CIVIL PLAN SET, CHURCH & DIVISION REDEVELOPMENT, CITY OF NEW ROCHELLE, WESTCHESTER COUNTY, NEW YORK, PREPARED FOR: RXR REALTY, PREPARED BY PAULUS, SOKOLOWSKI & SARTOR ENGINEERING, PC (PS&S), DATED: MARCH 5, 2018, LAST REVISED: OCTOBER 25, 2019, PROJECT NO. 02149-0085, SHEETS A-020 THROUGH A-063, PAGES 1 THROUGH 19 OF 17.
- ARCHITECTURAL PLAN SET, CHURCH & DIVISION REDEVELOPMENT, CITY OF NEW ROCHELLE, WESTCHESTER COUNTY, NEW YORK, PREPARED FOR: RXR REALTY, PREPARED BY PAULUS, SOKOLOWSKI & SARTOR ENGINEERING, PC (PS&S), DATED: MARCH 5, 2018, LAST REVISED: OCTOBER 25, 2019, PROJECT NO. 02149-0085, SHEETS A-020 THROUGH A-063, PAGES 1 THROUGH 19 OF 19.
- SET OF PLANS PREPARED BY LESSARD DESIGN INC. P.C., DATED: NOVEMBER 14, 2021, LAST REVISED: MARCH 21, 2022, REMOVAL PLAN - C-201, EROSION & SEDIMENT CONTROL PLAN - C-301, SITE PLAN - C-401, GRADING & DRAINAGE PLAN - C-501 AND UTILITY PLAN - C-601.
- ALTANSPS LAND TITLE SURVEY, NEW LOT 4, BLOCK 414, SECTION 2 (F.K.A. LOTS 4, 5, 6, 8 & A PORTION OF LOT 9, BLOCK 414, SECTION 2), 28, 42 & 48 SOUTH DIVISION STREET, CITY OF NEW ROCHELLE, WESTCHESTER COUNTY, STATE OF NEW YORK, PREPARED BY GALLAS SURVEYING GROUP, DATED: APRIL 15, 2022, LAST REVISED: OCTOBER 18, 2022.



VICINITY MAP

NOTES:

- PROPERTY KNOWN AS NEW LOT 4, BLOCK 414, SECTION 2, AS DESIGNATED ON THE CITY GIS MAP FOR THE CITY OF NEW ROCHELLE, WESTCHESTER COUNTY, NEW YORK, PROPERTY FORMERLY KNOWN AS LOTS 4, 5, 6, 8 AND A PORTION OF LOT 9, BLOCK 414, SECTION 2.
- AREA OF NEW LOT 4 BELOW ELEVATION 100: 46,052 S.F. OR 1.06 AC.  
AREA OF NEW LOT 4 AT / ABOVE ELEVATION 100: 51,267 S.F. OR 1.18 AC.
- LOCATION OF UNDERGROUND UTILITIES HAVE BEEN OMITTED FROM THIS PLAN. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES.
- THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT AND IS SUBJECT TO THE COVENANTS, RESTRICTIONS AND EASEMENTS THAT MAY BE CONTAINED THEREIN.
- BY GRAPHIC PLOTTING, PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NOS. 3619C0341F & 3619C0342F, EFFECTIVE DATE: SEPTEMBER 28, 2007, OBTAINED FROM FEMA NFHL WEB SERVICE ON OCTOBER 28, 2022.
- THE LOCATION AND EXTENTS OF UNDERGROUND TANKS AND VAULTS, IF ANY EXIST, HAVE NOT BEEN DETERMINED BY THE SURVEYOR.
- THERE WAS SIGNIFICANT EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK ON MARCH 30, 2022.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

1	MISCELLANEOUS REVISION	DRAWN	10-31-2022
No.	DESCRIPTION OF REVISION	DRAWN	DATE

BOUNDARY & LOCATION SURVEY  
NEW LOT 4, BLOCK 414, SECTION 2  
(F.K.A. LOTS 4, 5, 6, 8 & A PORTION OF LOT 9, BLOCK 414, SECTION 2)  
50 CLINTON PLACE  
CITY OF NEW ROCHELLE  
WESTCHESTER COUNTY  
STATE OF NEW YORK

GALLAS SURVEYING GROUP  
2865 U.S. ROUTE 1  
NORTH BRUNSWICK, NJ 08902  
TEL: 732-422-6700  
FAX: 732-940-8786  
www.gallasurvey.com

DATE	SCALE	DRAWN:	CHECKED:
10-28-2022	1"=20'	E.C.R./R.M.C.	C.J.O./G.S.G.
FIELD DATE	FIELD BOOK	PAGE	FIELD CREW
03-30-2022	173	60	C.Z.J.V.
FILE NO.:	DRAWING NAME/SHEET NO.		
G21074	G21074BL.DWG	1	OF 1

NOT VALID UNLESS EMBOSSED OR BLUE INK SEAL  
GREGORY S. GALLAS  
NEW YORK PROFESSIONAL LAND SURVEYOR #00022-LAND SURVEYOR  
DATE

NEW LOT 4, BLOCK 414, SECTION 2  
PERIMETER DESCRIPTION AT AND ABOVE ELEVATION 100'

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, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF DIVISION STREET SOUTH (VARIABLE WIDTH R.O.W.) SAID POINT BEING DISTANT OF 305.38 FEET ON A BEARING OF SOUTH 36°15'25" EAST FROM THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF MAIN STREET (66' WIDE R.O.W.) AND RUNNING; THENCE

- LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF DIVISION STREET SOUTH, NORTH 53°41'14" EAST, A DISTANCE OF 208.64 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF CHURCH STREET (VARIABLE WIDTH R.O.W.); THENCE
- ALONG THE WESTERLY RIGHT-OF-WAY LINE, SOUTH 36°08'43" EAST, A DISTANCE OF 199.12 FEET TO A POINT; THENCE
- LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 53°05'18" WEST, A DISTANCE OF 108.73 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 51, BLOCK 414; THENCE
- ALONG THE WESTERLY LINE OF LOT 51, BLOCK 414 SOUTH 36°42'47" EAST, A DISTANCE OF 88.07 FEET TO A POINT MARKED BY A CAPPED PIN FOUND; THENCE
- SOUTH 44°44'23" WEST, A DISTANCE OF 101.48 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF DIVISION STREET SOUTH (VARIABLE WIDTH R.O.W.); THENCE
- ALONG THE EASTERLY RIGHT-OF-WAY LINE, NORTH 36°15'25" WEST, A DISTANCE OF 304.10 FEET TO THE POINT OF BEGINNING.

NEW LOT 4, BLOCK 414, SECTION 2  
PERIMETER DESCRIPTION BELOW ELEVATION 100'

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, BOUNDED AND DESCRIBED AS FOLLOWS:

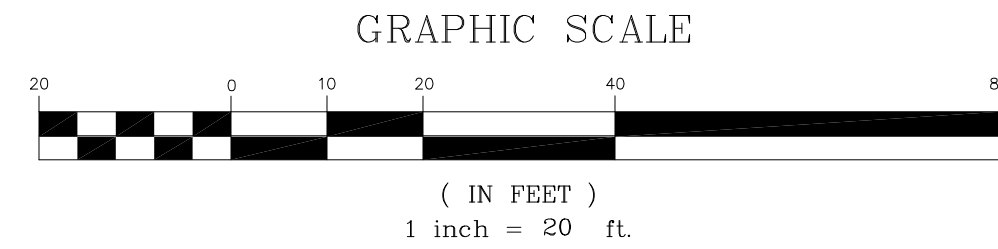
BEGINNING AT A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF DIVISION STREET SOUTH (VARIABLE WIDTH R.O.W.) SAID POINT BEING DISTANT OF 330.38 FEET ON A BEARING OF SOUTH 36°15'25" EAST FROM THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF MAIN STREET (66' WIDE R.O.W.) AND RUNNING; THENCE

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- LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 53°05'18" WEST, A DISTANCE OF 108.73 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 51, BLOCK 414; THENCE
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- SOUTH 44°44'23" WEST, A DISTANCE OF 101.48 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF DIVISION STREET SOUTH (VARIABLE WIDTH R.O.W.); THENCE
- ALONG THE EASTERLY RIGHT-OF-WAY LINE, NORTH 36°15'25" WEST, A DISTANCE OF 279.10 FEET TO THE POINT OF BEGINNING.

Dig Safely.  
New York  
800-962-7962  
www.digsafelynewyork.com

☐ Call Before You Dig  
☐ Wait The Required Time  
☐ Confirm Utility Response  
☐ Respect the Marks  
☐ Dig With Care

THE STATE OF NEW YORK REQUIRES NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE.





**NOTICE OF CERTIFICATE OF COMPLETION**

**Brownfield Cleanup Program**

**6 NYCRR Part 375-1.9(d)**

**28 South Division Street, Site ID No. C360198**

**50 Clinton Place, New Rochelle, NY 10805**

**City of New Rochelle, Westchester County, Tax Map Identification Number: 2-414-0004**

**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 28 South Division Owner LLC for a parcel approximately 1.066 acres located at 50 Clinton Place in New Rochelle, 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):

- ☒ Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- ☒ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ☒ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ☒ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ☒ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

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

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

**PLEASE TAKE NOTICE**, the Certificate may only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

**PLEASE TAKE NOTICE**, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 3 Office located at 21 South Putt Corners Road, New Paltz, NY 12561, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C360198/>.

**28 South Division Street, C360198  
50 Clinton Place, New Rochelle, NY 10805**

**WHEREFORE**, the undersigned has signed this Notice of Certificate

28 South Division Owner LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

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:**  
28 South Division Owner LLC  
Attn: Todd Rechler  
625 RXR Plaza  
Uniondale, NY 11556