



Department of
Environmental
Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

1. Check the appropriate box(es) below based on the nature of the amendment modification requested:

Amendment to modify the existing BCA: [check one or more boxes below]

- Add applicant(s)
- Substitute applicant(s)
- Remove applicant(s)
- Change in Name of applicant(s)

Amendment to reflect a transfer of title to all or part of the brownfield site

1a. A copy of the recorded deed must be provided. Is this attached? Yes No

1b. Change in ownership Additional owner (such as a beneficial owner)

If yes, pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been previously submitted. If not, please submit this form with this Amendment. See <http://www.dec.ny.gov/chemical/76250.html>

Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]

Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]

Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY: Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.

Other (explain in detail below)

2. Required: Please provide a brief narrative on the nature of the amendment:

This BCA Amendment Application is being submitted to reduce the boundary of the BCP Site by 0.04 acres. A 9-foot paved driveway is located along the northern property boundary of the current BCP Site. The current 0.567 acre BCP Site configuration is attached as Exhibit A. The neighboring property owner has an easement over the driveway. The 9-foot paved driveway is being removed from the Site because the adjacent property owner driveway is required to have full access to the driveway and since the driveway is already covered, no remedial efforts will be needed on that portion of the Site. The new reduced 0.527 acre Site boundary is depicted on the revised survey map in Exhibit B. The Site will now consist of tax lots 2-415-0006, 2-415-0008, and a portion of 2-415-0048.

Please refer to the attached instructions for guidance on filling out this application

Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment involves a non-insignificant change in acreage, applicants are encouraged to consult with the DEC project team prior to submitting this application.

Section I. Current Agreement Information			
BCP SITE NAME: Swan Garage Kent Supply		BCP SITE NUMBER: C360210	
NAME OF CURRENT APPLICANT(S): Allstate Capitol LLC and Centre Pointe Developers LLC			
INDEX NUMBER OF AGREEMENT: C360210-04-21		DATE OF ORIGINAL AGREEMENT: 04/20/2021	
Section II. New Requestor Information (complete only if adding new requestor or name has changed)			
NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
1. Is the requestor authorized to conduct business in New York State (NYS)? <input type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS. 			
NAME OF NEW REQUESTOR'S REPRESENTATIVE			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF NEW REQUESTOR'S CONSULTANT (if applicable)			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF NEW REQUESTOR'S ATTORNEY (if applicable)			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
2. Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached? <input type="checkbox"/> Yes <input type="checkbox"/> No			
3. Describe Requestor's Relationship to Existing Applicant:			

Section III. Current Property Owner/Operator Information (only include if new owner/operator)
 Owner below is: Existing Applicant New Applicant Non-Applicant

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Section IV. Eligibility Information for New Requestor (Please refer to ECL § 27-1407 for more detail)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? Yes No
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site? Yes No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Yes No
 Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the subject law; ii) any order or determination; iii) any regulation implementing ECL Article 27 Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, Department assigned site number, the reason for denial, and other relevant information. Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? Yes No
11. Are there any unregistered bulk storage tanks on-site which require registration? Yes No

THE NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL §27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.

VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

12. Requestor's Relationship to Property (check one):

Prior Owner Current Owner Potential /Future Purchaser Other _____

13. If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached? Yes No

Note: a purchase contract does not suffice as proof of access.

Section V. Property description and description of changes/additions/reductions (if applicable)

1. Property information on current agreement:

ADDRESS 64 Centre Avenue and 8 Westchester Place

CITY/TOWN New Rochelle, New York

ZIP CODE 10801

TAX BLOCK AND LOT (SBL)

TOTAL ACREAGE OF CURRENT SITE: 0.567

Parcel Address	Section No.	Block No.	Lot No.	Acreage
64 Centre Avenue & Centre Avenue Lot	2	415	0006 & 0008	0.114; 0.169
8 Westchester Place	2	415	0048	0.284

2. Check appropriate boxes below:

Addition of property (may require additional citizen participation depending on the nature of the expansion – see attached instructions)

2a. PARCELS ADDED:

Parcel Address	Section No.	Block No.	Lot No.	Acreage Added by Parcel

Total acreage to be added: _____

Reduction of property

2b. PARCELS REMOVED:

Parcel Address	Section No.	Block No.	Lot No.	Acreage Removed by Parcel
p/o 8 Westchester Place	2	415	0048	.04

Total acreage to be removed: 0.4

Change to SBL (e.g. merge, subdivision, address change)

2c. NEW SBL INFORMATION:

Parcel Address	Section No.	Block No.	Lot No.	Acreage
64 Centre Avenue & Centre Avenue Lot	2	415	0006 & 0008	0.114; 0.169
p/o 8 Westchester Place	2	415	p/o 0048	0.244

If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, or acceptable site map to this application.

3. TOTAL REVISED SITE ACREAGE: 0.527

Supplement to the Application To Amend Brownfield Cleanup Agreement And Amendment - Questions for Sites Seeking Tangible Property Credits in New York City ONLY.

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
From ECL 27-1405(31):	
<p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>From 6 NYCRR 375- 3.2(a) as of August 12, 2016:</p> <p>(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.</p> <p>(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.</p> <p>(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.</p> <p>(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.</p>	

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

Existing Agreement Information	
BCP SITE NAME: Swan Garage Kent Supply	BCP SITE NUMBER: C360210
NAME OF CURRENT APPLICANT(S): Allstate Capitol LLC and Centre Pointe Developers LLC	
INDEX NUMBER OF AGREEMENT: C360210-04-21	
EFFECTIVE DATE OF ORIGINAL AGREEMENT: 04/20/2021	

Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (if applicable)

(Individual)

I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am (title _____) of (entity _____); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

_____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am President (title) of Centre Pointe Developers LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. MY signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 9/16/2021 Signature: 

Print Name: Mikel Jeremias

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Please see the following page for submittal instructions.

NOTE: Applications submitted in fillable format will be rejected.

Status of Agreement:

PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.

VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.

Effective Date of the Original Agreement: 04/20/2021

Signature by the Department:

DATED: 9/16/2021

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By:



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

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am President (title) of Allstate Capitol LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. MY _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 9/13/21 Signature: _____

Print Name: Mikel Jeremias

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Please see the following page for submittal instructions.

NOTE: Applications submitted in fillable format will be rejected.

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	<input checked="" type="checkbox"/> VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
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Effective Date of the Original Agreement: 04/20/2021

Signature by the Department:

DATED: 9/16/2021

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

SUBMITTAL INFORMATION:

- **Two (2)** copies, one hard copy with original signatures and one electronic copy in final, non-fillable Portable Document Format (PDF) must be sent to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

- **NOTE: Applications submitted in fillable format will be rejected.**

FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

PROJECT MANAGER: _____



September 1, 2021

VIA FEDERAL EXPRESS

Kelly A. Lewandowski,
Chief Site Control Section
New York State Division of Environmental Conservation
625 Broadway, 11th Floor
Albany, New York 12233

**RE: BCA Amendment Application
Swan Garage Kent Supply
Site #C360210**

Dear Ms. Lewandowski:

Enclosed please find a BCA Amendment Application for the above referenced BCP Site. This amendment is being submitted to remove a 0.04 acre 9-foot paved driveway from the northern property boundary of the Site. The 9-foot driveway is paved, so no remediation will be required. The current 0.576 acre BCP Site acreage is now 0.527 acres. The revised BCP Site Boundary Map is attached in support of the enclosed application.

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

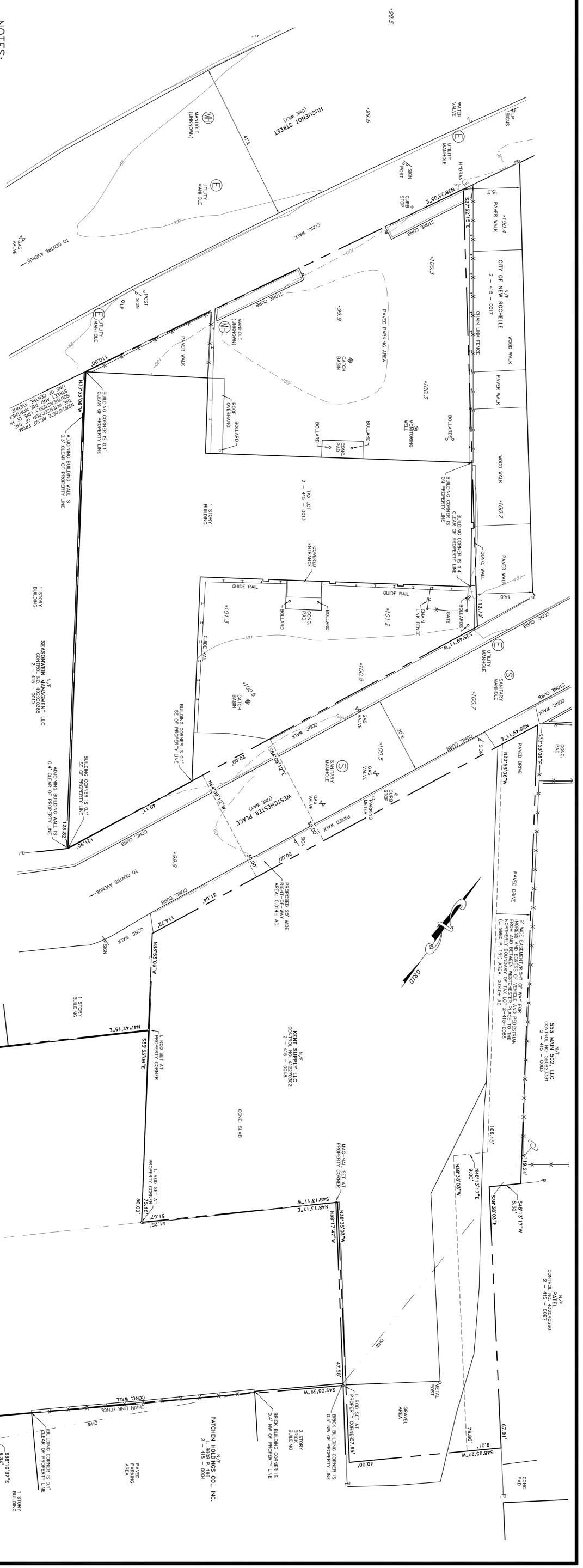
Sincerely,

KNAUF SHAW LLP

A handwritten signature in black ink, appearing to read "Linda R. Shaw".

LINDA R. SHAW

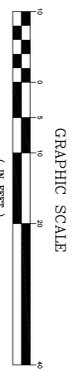
Enclosure



- NOTES:**
1. THIS SURVEY IS SUBJECT TO ANY FINDINGS OF A TITLE SEARCH.
 2. SUBSURFACE STRUCTURES AND UTILITIES NOT VISIBLE AT THE TIME OF SURVEY HAVE NOT BEEN SHOWN.
 3. REFERENCE:
 - MAP ENTITLED "MAP OF WESTCHESTER PLACE, NEW ROCHELLE, PROPERTY BELONGING TO MILLBROOK COMPANY," DATED OCTOBER 25, 1917 AND FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON OCTOBER 8, 1918 IN VOLUME 49 OF MAPS AT PAGE 10.

RECORD OWNER:
 ALLSTATE VENTURES, LLC
 13 HAVES COURT, UNIT 201
 MONROE, NY 10950
 CONTROL NO. 581023432
 Z - 415 - 0008
 Z - 415 - 0008
 CONTROL NO. 581973302
 Z - 415 - 0013

AREAS:
 TAX LOT 2-415-0006 0.1142 AC.
 TAX LOT 2-415-0007 0.1883 AC.
 TAX LOT 2-415-0013 0.2881 AC.



L&T LANG & TULLY
 ENGINEERING AND SURVEYING, P.C.
 P.O. Box 687, Rt. 207
 Goshen, NY 10924
 (845) 587-5700

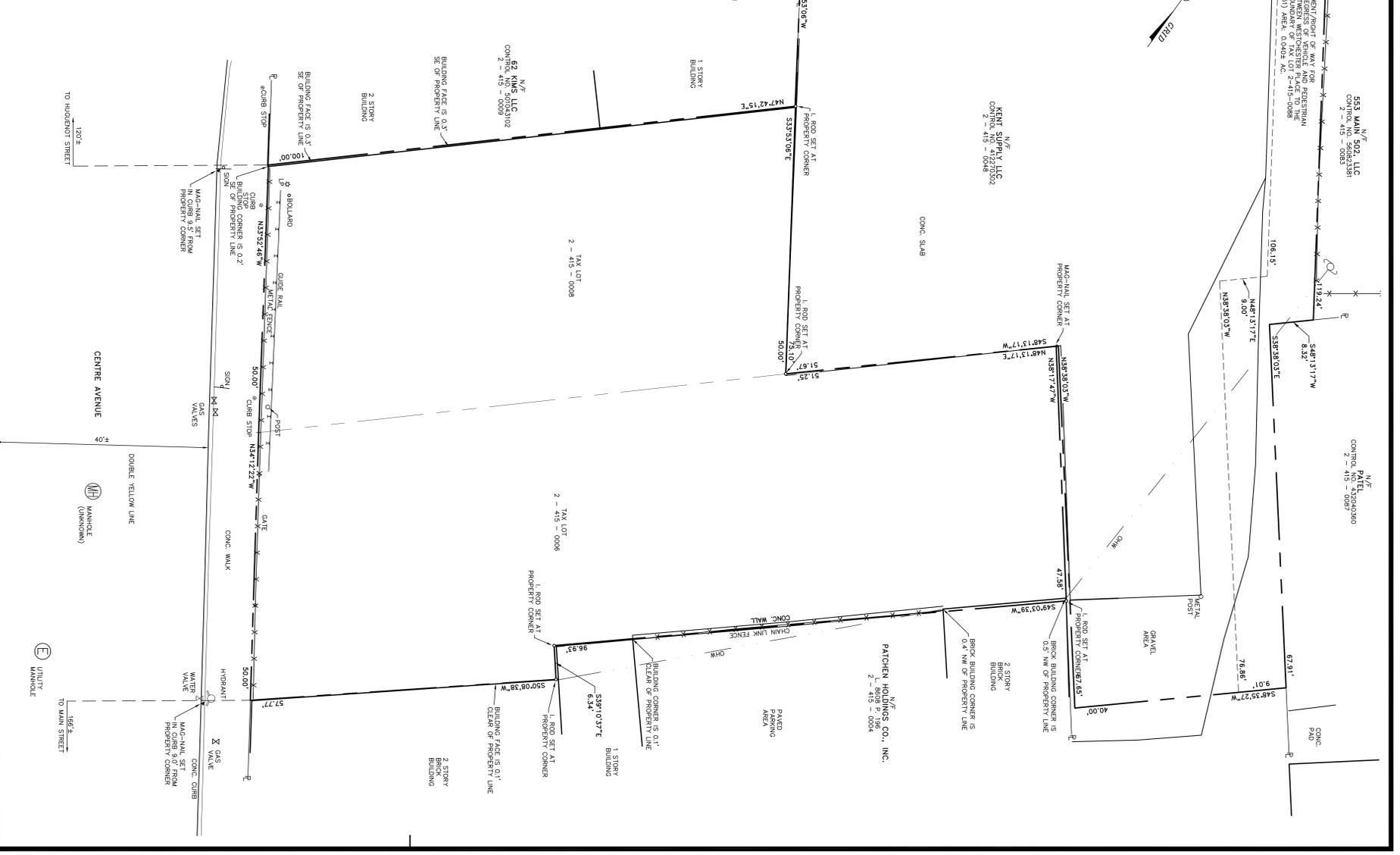
SURVEY PREPARED FOR

ALLSTATE VENTURES, LLC CITY OF NEW ROCHELLE WESTCHESTER COUNTY, NEW YORK	DATE: FEBRUARY 27, 2019
DATE: DECEMBER 10, 2019	DATE: FEBRUARY 28, 2020
SCALE: 1" = 10'	SCALE: 1" OF 1.0'
PROJECT NO.: 19-001	PROJECT NO.: 19-001
DATE: A - 19 - 0099 - 01	

CERTIFICATION:

I HEREBY CERTIFY TO THE FACTS OF INTEREST LISTED BELOW THAT THIS MAP SHOWS THE RESULTS OF AN ACTUAL FIELD SURVEY COMPLETED ON FEBRUARY 27, 2020.
 ALLSTATE VENTURES, LLC

BY: ROBERT C. KNOWLTON, L.S.
 180 YORK STATE HOUSE, NO. 92276



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MAP METES & BOUNDS

DESCRIPTION
LANDS OF CENTRE POINTE DEVELOPERS, LLC
CITY OF NEW ROCHELLE
WESTCHESTER COUNTY, NEW YORK

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE IN THE CITY OF NEW ROCHELLE, COUNTY OF WESTCHESTER, STATE OF NEW YORK, SAID LANDS BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LYING ON THE NORTHEASTERLY LINE OF CENTRE AVENUE BEING THE WESTERLY CORNER OF LANDS HEREIN DESCRIBED AND THE SOUTHERLY CORNER OF LANDS NOW OR FORMERLY 62 KIMS, LLC,

THENCE RUNNING ALONG THE SOUTHEASTERLY LINE OF LANDS OF SAID 62 KIMS, LLC BEING THE NORTHWESTERLY LINE OF LANDS HEREIN DESCRIBED,

(1) NORTH 47 DEGREES, 42' 15" EAST, AS PER GRID NORTH STATE PLANE COORDINATE SYSTEM NEW YORK EAST, A DISTANCE OF 100.00 FEET, TO AN IRON ROD BEING THE EASTERLY CORNER OF LANDS OF SAID 62 KIMS, LLC, A NORTHERLY CORNER OF LANDS HEREIN DESCRIBED AND LYING ON THE SOUTHWESTERLY LINE OF LANDS NOW OR FORMERLY ALLSTATE CAPITOL LLC;

THENCE RUNNING ALONG A PORTION OF THE SOUTHWESTERLY LINE OF LANDS OF SAID ALLSTATE CAPITOL LLC BEING A NORTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(2) SOUTH 33 DEGREES, 53' 05" EAST, A DISTANCE OF 60.00 FEET, TO AN IRON ROD BEING A SOUTHERLY CORNER OF LANDS OF SAID KENT SUPPLY, LLC;

THENCE RUNNING ALONG A SOUTHEASTERLY LINE OF LANDS OF SAID ALLSTATE CAPITOL LLC, BEING A NORTHWESTERLY LINE OF LANDS HEREIN DESCRIBED,

(3) NORTH 48 DEGREES, 13' 17" EAST, A DISTANCE OF 51.25 FEET, TO A MAGNETIC NAIL BEING A NORTHERLY CORNER OF LANDS HEREIN DESCRIBED,

THENCE RUNNING ALONG A PORTION OF A SOUTHWESTERLY LINE OF LANDS OF SAID ALLSTATE CAPITOL LLC, BEING THE NORTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(4) SOUTH 38 DEGREES, 17' 47" EAST, A DISTANCE OF 47.58 FEET, TO AN IRON ROD BEING THE EASTERLY CORNER OF LANDS HEREIN DESCRIBED AND THE NORTHERLY CORNER OF LANDS NOW OR FORMERLY PATCHEN HOLDINGS CO., INC.;

THENCE RUNNING ALONG THE NORTHWESTERLY LINE OF LANDS OF SAID PATCHEN HOLDINGS CO., INC. BEING A SOUTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(5) SOUTH 49 DEGREES, 02' 30" WEST, A DISTANCE OF 96.99 FEET, TO AN IRON ROD BEING A WESTERLY CORNER OF LANDS OF SAID PATCHEN HOLDINGS CO., INC.;

THENCE RUNNING ALONG A SOUTHWESTERLY LINE OF LANDS OF SAID PATCHEN HOLDINGS CO., INC. BEING A NORTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(6) SOUTH 39 DEGREES, 10' 37" EAST, A DISTANCE OF 6.34 FEET, TO AN IRON ROD BEING AN EASTERLY CORNER OF LANDS HEREIN DESCRIBED,

THENCE RUNNING ALONG A NORTHWESTERLY LINE OF LANDS OF SAID PATCHEN HOLDINGS CO., INC. BEING THE SOUTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(7) SOUTH 50 DEGREES, 09' 38" WEST, A DISTANCE OF 67.77 FEET, TO A POINT BEING THE WESTERLY CORNER OF LANDS OF SAID PATCHEN HOLDINGS CO., INC., THE SOUTHERLY CORNER OF LANDS HEREIN DESCRIBED AND LYING ON THE NORTHEASTERLY LINE OF CENTRE AVENUE;

THENCE RUNNING ALONG THE NORTHEASTERLY LINE OF SAID CENTRE AVENUE BEING THE WESTERLY LINE OF LANDS HEREIN DESCRIBED ON THE FOLLOWING TWO (2) COURSES AND DISTANCES:

(8) NORTH 34 DEGREES, 12' 22" WEST, A DISTANCE OF 50.00 FEET, AND

(9) NORTH 33 DEGREES, 62' 47" WEST, A DISTANCE OF 50.00 FEET, TO THE POINT OR PLACE OF BEGINNING.

CONTAINING 0.283± ACRES

DESCRIPTION
LANDS OF ALLSTATE CAPITOL LLC
CITY OF NEW ROCHELLE
WESTCHESTER COUNTY, NEW YORK

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE IN THE CITY OF NEW ROCHELLE, COUNTY OF WESTCHESTER, STATE OF NEW YORK, SAID LANDS BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LYING ON THE SOUTHEASTERLY LINE OF WESTCHESTER PLACE, SAID POINT BEING THE NORTHERLY CORNER OF LANDS HEREIN DESCRIBED AND WESTERLY CORNER OF LANDS NOW OR FORMERLY 553 MAIN STREET CORP.,

THENCE RUNNING ALONG THE SOUTHWESTERLY LINE OF LANDS OF SAID 553 MAIN STREET CORP., BEING THE NORTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(1) SOUTH 33 DEGREES, 62' 05" EAST, AS PER GRID NORTH STATE PLANE COORDINATE SYSTEM NEW YORK EAST, A DISTANCE OF 119.24 FEET, TO A POINT BEING AN EASTERLY CORNER OF LANDS HEREIN DESCRIBED AND LYING ON THE NORTHWESTERLY LINE OF LANDS NOW OR FORMERLY PATEL,

THENCE RUNNING ALONG A PORTION OF THE NORTHWESTERLY LINE OF LANDS OF SAID PATEL, BEING A SOUTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(2) SOUTH 48 DEGREES, 14' 17" WEST, A DISTANCE OF 8.32 FEET, TO A POINT BEING THE WESTERLY CORNER OF LANDS OF SAID PATEL,

THENCE RUNNING ALONG A PORTION OF THE SOUTHWESTERLY LINE OF LANDS OF SAID PATEL, BEING A NORTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(3) SOUTH 38 DEGREES, 38' 03" EAST, A DISTANCE OF 67.91 FEET, TO A POINT BEING THE EASTERLY CORNER OF LANDS HEREIN DESCRIBED AND THE NORTHERLY CORNER OF LANDS NOW OR FORMERLY 553 MAIN STREET CORP.,

THENCE RUNNING ALONG THE NORTHWESTERLY LINE OF LANDS OF SAID 553 MAIN STREET CORP., BEING THE SOUTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(4) SOUTH 48 DEGREES, 30' 27" WEST, A DISTANCE OF 40.82 FEET, TO A POINT BEING A SOUTHERLY CORNER OF LANDS HEREIN DESCRIBED AND LYING ON THE NORTHEASTERLY LINE OF LANDS NOW OR FORMERLY PATCHEN HOLDINGS CO., INC.;

THENCE RUNNING ALONG THE NORTHEASTERLY LINE OF LANDS OF SAID PATCHEN HOLDINGS CO., INC. AND CONTINUING ALONG THE NORTHWESTERLY LINE OF LANDS NOW OR FORMERLY CENTRE POINTE DEVELOPERS, LLC, BEING A SOUTHWESTERLY LINE OF LANDS HEREIN DESCRIBED,

(5) NORTH 38 DEGREES, 17' 47" WEST, A DISTANCE OF 67.67 FEET, TO A MAGNETIC NAIL BEING A NORTHERLY CORNER OF LANDS OF SAID CENTRE POINTE DEVELOPERS, LLC;

THENCE RUNNING ALONG A NORTHWESTERLY LINE OF LANDS OF SAID CENTRE POINTE DEVELOPERS, LLC, BEING A SOUTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(6) SOUTH 48 DEGREES, 13' 17" WEST, A DISTANCE OF 51.25 FEET, TO AN IRON ROD BEING A SOUTHERLY CORNER OF LANDS HEREIN DESCRIBED,

THENCE RUNNING ALONG A NORTHEASTERLY LINE OF LANDS OF SAID CENTRE POINTE DEVELOPERS, LLC AND CONTINUING ALONG THE NORTHEASTERLY LINE OF LANDS NOW OR FORMERLY 62 KIMS, LLC, BEING THE SOUTHWESTERLY LINE OF LANDS HEREIN DESCRIBED,

(7) NORTH 33 DEGREES, 53' 05" WEST, A DISTANCE OF 75.10 FEET, TO A POINT BEING THE NORTHERLY CORNER OF LANDS OF SAID 62 KIMS, LLC, THE WESTERLY CORNER OF LANDS HEREIN DESCRIBED AND LYING ON THE SOUTHEASTERLY LINE OF WESTCHESTER PLACE;

THENCE RUNNING ALONG THE SOUTHEASTERLY LINE OF SAID WESTCHESTER PLACE BEING THE NORTHWESTERLY LINE OF LANDS HEREIN DESCRIBED,

(8) NORTH 25 DEGREES, 49' 11" EAST, A DISTANCE OF 114.72 FEET, TO THE POINT OR PLACE OF BEGINNING.

CONTAINING 0.284± ACRES

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ENGINEERING AND SURVEYING, P.C.
P.O. Box 687, Rt. 207
Goshen, N.Y. 10924
(845) 294-3700

ENVIRONMENTAL EASEMENT MAP
PREPARED FOR

CENTRE POINT DEVELOPERS, LLC

CITY OF NEW ROCHELLE
WESTCHESTER COUNTY, NEW YORK

Drawn By: JW Checked By: AS Scale: 1" = 10' Tax Map No.: AS NOTED

Date: JULY 20, 2021
Revision: SEPTEMBER 1, 2021
DWG No.: 100099-EASE.DWG
Layout: EASE
Sheet No.: 1 OF 1
Drawing No.: C3D
B - 18 - 0099 - 01

ENVIRONMENTAL EASEMENT METES & BOUNDS

DESCRIPTION
ENVIRONMENTAL EASEMENT
LANDS OF ALLSTATE CAPITOL LLC AND CENTRE POINTE DEVELOPERS, LLC
CITY OF NEW ROCHELLE
WESTCHESTER COUNTY, NEW YORK

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE IN THE CITY OF NEW ROCHELLE, COUNTY OF WESTCHESTER, STATE OF NEW YORK, SAID LANDS BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LYING ON THE NORTHEASTERLY LINE OF CENTRE AVENUE BEING THE WESTERLY CORNER OF LANDS HEREIN DESCRIBED AND THE SOUTHERLY CORNER OF LANDS NOW OR FORMERLY 62 KIMS, LLC,

THENCE RUNNING ALONG THE SOUTHEASTERLY LINE OF LANDS OF SAID 62 KIMS, LLC, BEING A NORTHWESTERLY LINE OF LANDS HEREIN DESCRIBED,

(1) NORTH 47 DEGREES, 42' 15" EAST, AS PER GRID NORTH STATE PLANE COORDINATE SYSTEM NEW YORK EAST, A DISTANCE OF 100.00 FEET, TO AN IRON ROD BEING THE EASTERLY CORNER OF LANDS OF SAID 62 KIMS, LLC;

THENCE RUNNING ALONG THE NORTHEASTERLY LINE OF LANDS OF SAID 62 KIMS, LLC, BEING A SOUTHWESTERLY LINE OF LANDS HEREIN DESCRIBED,

(2) NORTH 33 DEGREES, 53' 05" WEST, A DISTANCE OF 26.10 FEET, TO A POINT BEING THE NORTHERLY CORNER OF LANDS OF SAID 62 KIMS, LLC AND LYING ON THE SOUTHEASTERLY LINE OF WESTCHESTER PLACE;

THENCE RUNNING THROUGH THE LANDS HEREIN DESCRIBED, ON THE FOLLOWING THREE (3) COURSES AND DISTANCES:

(3) NORTH 25 DEGREES, 49' 11" EAST, A DISTANCE OF 104.30 FEET, TO A POINT BEING THE NORTHERLY CORNER OF LANDS HEREIN DESCRIBED AND LYING ON THE SOUTHEASTERLY LINE OF WESTCHESTER PLACE;

THENCE RUNNING ALONG THE SOUTHWESTERLY LINE OF LANDS OF SAID 553 MAIN STREET CORP., BEING THE NORTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(4) SOUTH 33 DEGREES, 53' 05" EAST, A DISTANCE OF 106.15 FEET, TO A POINT BEING AN EASTERLY CORNER OF LANDS HEREIN DESCRIBED,

(5) SOUTH 48 DEGREES, 13' 17" WEST, A DISTANCE OF 9.00 FEET, AND

(6) SOUTH 38 DEGREES, 38' 03" EAST, A DISTANCE OF 76.86 FEET, TO A POINT BEING THE EASTERLY CORNER OF LANDS HEREIN DESCRIBED AND LYING ON THE NORTHWESTERLY LINE OF LANDS NOW OR FORMERLY 553 MAIN STREET CORP.;

THENCE RUNNING ALONG A PORTION OF THE NORTHWESTERLY LINE OF LANDS OF SAID 553 MAIN STREET CORP., BEING A SOUTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(7) SOUTH 48 DEGREES, 30' 27" WEST, A DISTANCE OF 31.81 FEET, TO A POINT BEING THE WESTERLY CORNER OF LANDS OF SAID 553 MAIN STREET CORP., A SOUTHERLY CORNER OF LANDS HEREIN DESCRIBED AND LYING ON THE NORTHWESTERLY LINE OF LANDS NOW OR FORMERLY PATCHEN HOLDINGS CO., INC.;

THENCE RUNNING ALONG A PORTION OF THE NORTHWESTERLY LINE OF LANDS OF SAID PATCHEN HOLDINGS CO., INC. BEING A SOUTHWESTERLY LINE OF LANDS HEREIN DESCRIBED,

(8) NORTH 38 DEGREES, 17' 47" WEST, A DISTANCE OF 20.09 FEET, TO A POINT BEING THE NORTHERLY CORNER OF LANDS OF SAID PATCHEN HOLDINGS CO., INC.;

THENCE RUNNING ALONG THE NORTHWESTERLY LINE OF LANDS OF SAID PATCHEN HOLDINGS CO., INC., BEING A SOUTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(9) SOUTH 49 DEGREES, 02' 30" WEST, A DISTANCE OF 96.99 FEET, TO AN IRON ROD BEING A WESTERLY CORNER OF LANDS OF SAID PATCHEN HOLDINGS CO., INC.;

THENCE RUNNING ALONG A SOUTHWESTERLY LINE OF LANDS OF SAID PATCHEN HOLDINGS CO., INC. BEING A NORTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(10) SOUTH 39 DEGREES, 10' 37" EAST, A DISTANCE OF 6.34 FEET, TO AN IRON ROD BEING AN EASTERLY CORNER OF LANDS HEREIN DESCRIBED,

THENCE RUNNING ALONG A NORTHWESTERLY LINE OF LANDS OF SAID PATCHEN HOLDINGS CO., INC. BEING A SOUTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

(11) SOUTH 10 DEGREES, 09' 38" WEST, A DISTANCE OF 57.77 FEET, TO A POINT BEING THE WESTERLY CORNER OF LANDS OF SAID PATCHEN HOLDINGS CO., INC., THE SOUTHERLY CORNER OF LANDS HEREIN DESCRIBED AND LYING ON THE NORTHEASTERLY LINE OF CENTRE AVENUE;

THENCE RUNNING ALONG THE NORTHEASTERLY LINE OF SAID CENTRE AVENUE BEING THE SOUTHWESTERLY LINE OF LANDS HEREIN DESCRIBED ON THE FOLLOWING TWO (2) COURSES AND DISTANCES:

(12) NORTH 34 DEGREES, 12' 22" WEST, A DISTANCE OF 50.00 FEET, AND

(13) NORTH 33 DEGREES, 62' 46" WEST, A DISTANCE OF 50.00 FEET, TO THE POINT OR PLACE OF BEGINNING;

CONTAINING 0.527± ACRES

CERTIFICATION:

I HEREBY CERTIFY TO THE PARTIES OF INTEREST LISTED BELOW THAT THIS MAP SHOWS THE RESULTS OF AN ACTUAL FIELD SURVEY COMPLETED ON JULY 5, 2021.

CENTRE POINTE DEVELOPERS, LLC
ALLSTATE CAPITOL LLC
BY: *Rodney C. Knudtson, L.S.*
RODNEY C. KNUDTSON, L.S.
NEW YORK STATE LICENSE NO. 0027

NOTES:

- THIS MAP IS SUBJECT TO ANY FINDINGS OF A TITLE SEARCH.
- SUBSURFACE STRUCTURES AND UTILITIES NOT VISIBLE AT THE TIME OF SURVEY HAVE NOT BEEN SHOWN.
- REFERENCE:

MAP ENTITLED "MAP OF WESTCHESTER PLACE, NEW ROCHELLE, PROPERTY BELONGING TO MILLBROOK COMPANY," DATED OCTOBER 25, 1917 AND FILED IN THE WESTCHESTER COUNTY CLERKS OFFICE ON OCTOBER 8, 1918 IN VOLUME 49 OF MAPS AT PAGE 10.

RECORD OWNERS:

CENTRE POINTE DEVELOPERS LLC
13 HAYES COURT, UNIT 201
MONROE, NY 10950

CONTROL NO. 590143342
2 - 415 - 0008
2 - 415 - 0006

ALLSTATE CAPITOL LLC
13 HAYES COURT, UNIT 101
MONROE, NY 10950

CONTROL NO. 592193511
2 - 415 - 0048

AREAS:

0.114± AC.
0.169± AC.
0.284± AC.

ALLSTATE CAPITOL LLC
13 HAYES COURT, UNIT 101
MONROE, NY 10950

CONTROL NO. 592193511
2 - 415 - 0048

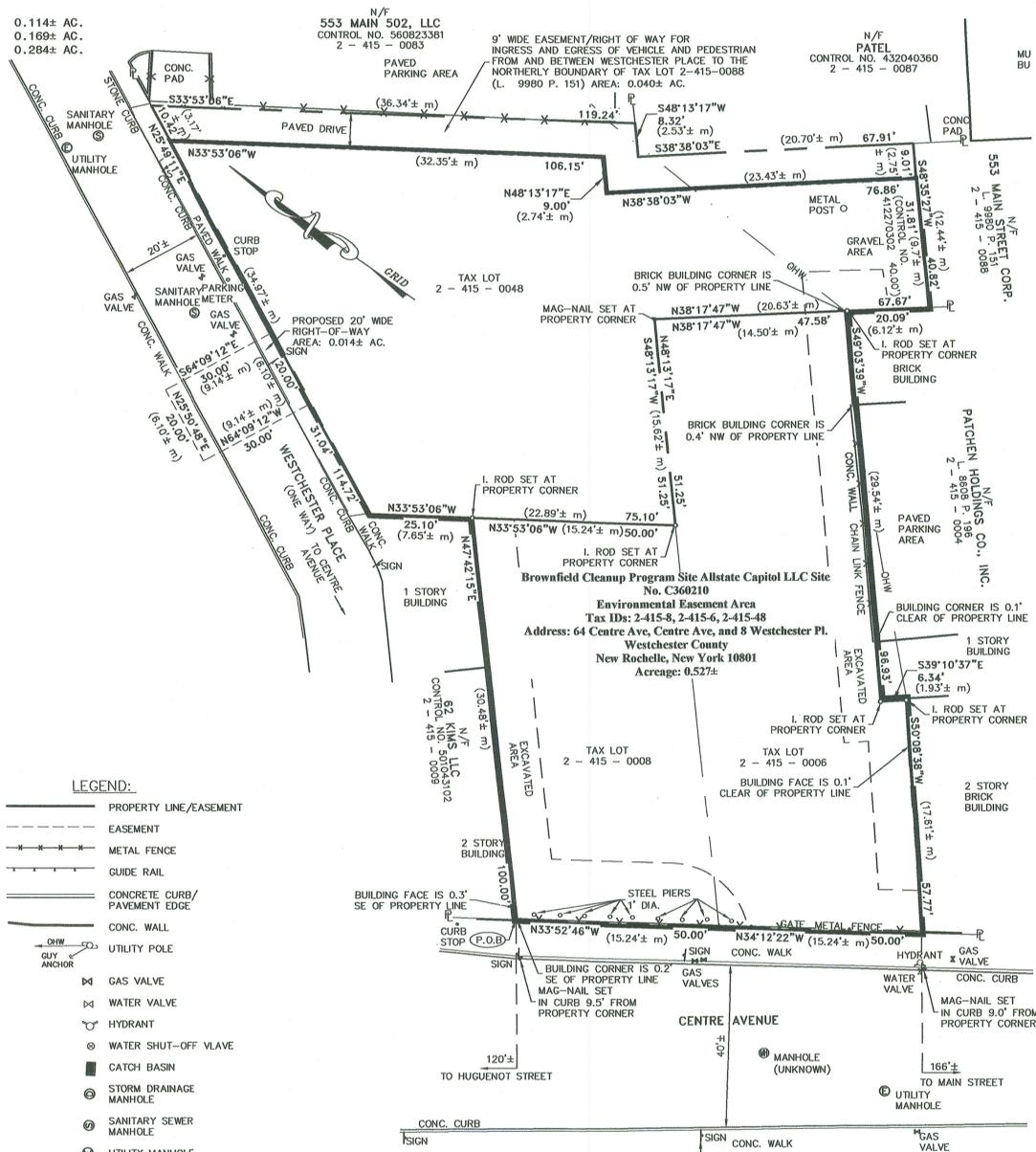
TAX LOT 2-415-0006
TAX LOT 2-415-0008
TAX LOT 2-415-0048

DEED DESCRIPTIONS

64 Centre Ave and Centre Ave-
ALL that certain parcel of land, with the buildings thereon, 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 on the easterly side of Centre Avenue, distant 152.14 feet northerly from the monument set at the northeasterly corner of Centre Avenue and Main Street; RUNNING THENCE along the easterly side of Centre Avenue, north 33 degrees 45 minutes 15 seconds west 50 feet; THENCE still along the easterly side of Centre Avenue, north 33 degrees 25 minutes 39 seconds west 50 feet; THENCE along land of New York, New Haven & Hartford Railroad Company, north 48 degrees 09 minutes 22 seconds east 100 feet to other land of New York, New Haven & Hartford Railroad Company; THENCE along such other land of New York, New Haven & Hartford Railroad Company, south 33 degrees 25 minutes 59 seconds east 50 feet to the northerly line of land formerly belonging to E.B. Wilmarth; THENCE along said land north 48 degrees 40 minutes 24 seconds east 51.25 feet; THENCE south 37 degrees 50 minutes 40 seconds east 47.58 feet; THENCE south 49 degrees 30 minutes 46 seconds west 96.99 feet; THENCE south 38 degrees 43 minutes 39 seconds east 6.34 feet; THENCE south 50 degrees 35 minutes 45 seconds west 57.77 feet to the point of BEGINNING.

8 Westchester Place
ALL that certain lot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the City of New Rochelle, County of Westchester and State of New York, being more particularly bounded and described as follows: BEGINNING at a point on the southerly side of Westchester Place distant 101.89 feet easterly from the corner formed by the intersection of the southerly side of Westchester Place and the easterly side of Centre Avenue; RUNNING THENCE along the southerly side of Westchester Place north 36 degrees 10 minutes 56 seconds east, 114.72 feet; THENCE south 23 degrees 31 minutes 20 seconds east, 119.24 feet; THENCE south 58 degrees 36 minutes 02 seconds west, 8.32 feet; THENCE south 28 degrees 16 minutes 18 seconds east, 67.91 feet; THENCE south 58 degrees 57 minutes 12 seconds west, 40.00 feet; THENCE north 28 degrees 16 minutes 18 seconds west, 67.65 feet; THENCE south 58 degrees 35 minutes 02 seconds west, 51.67 feet; THENCE north 23 degrees 31 minutes 20 seconds west, 76.10 feet to the southerly side of Westchester Place the point or place of BEGINNING.

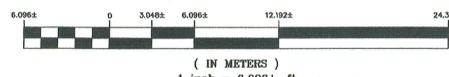
FOR CONVEYANCE ONLY:
TOGETHER with a right of way for ingress to and egress from and between Huguenot Street and Westchester Place for pedestrians only over all that certain piece of parcel of land, situate, lying and being in the City of New Rochelle, County of Westchester and State of New York, known and designated as "Right of Way" on a certain map entitled: "Map of Westchester Place, New Rochelle, N. Y., property belonging to Millbrook Company" dated October 25, 1917, made by W. L. Hayes, Engineer and Surveyor, and filed in the Office of the Register of Westchester County October 8, 1918 in Volume 49 of Maps, Page 10, more particularly bounded and described as follows: BEGINNING at a point in the southerly line of Huguenot Street distant 195.80 feet easterly measured along the southerly line of Huguenot Street from its intersection with the easterly line of Centre Avenue; RUNNING THENCE along the easterly line of lot 4, as shown on the above-described map, south 27 degrees 30 minutes 30 seconds east a distance of 113.70 feet to the northerly line of Westchester Place; THENCE along the northerly line of Westchester Place north 36 degrees 10 minutes 56 seconds east a distance of 16.73 feet; THENCE along the westerly line of lot 2, as shown on the above-described map, north 27 degrees 30 minutes 30 seconds west a distance of 112.87 feet to the southerly line of Huguenot Street; and THENCE along the southerly line of Huguenot Street south 38 degrees 46 minutes 50 seconds west a distance of 16.73 feet to the point or place of BEGINNING.



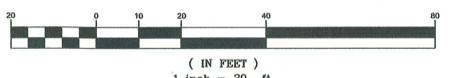
LEGEND:

- PROPERTY LINE/EASEMENT
- EASEMENT
- METAL FENCE
- GUIDE RAIL
- CONCRETE CURB/PAVEMENT EDGE
- CONC. WALL
- UTILITY POLE
- GUY ANCHOR
- GAS VALVE
- WATER VALVE
- HYDRANT
- WATER SHUT-OFF VALVE
- CATCH BASIN
- STORM DRAINAGE MANHOLE
- SANITARY SEWER MANHOLE
- UTILITY MANHOLE
- MANHOLE (UNKNOWN)
- LIGHT POLE
- SIGN

GRAPHIC SCALE



GRAPHIC SCALE



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UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

SOLE MEMBER WRITTEN CONSENT

The undersigned, being a Sole Member of Centre Pointe Developers LLC and Allstate Capitol LLC does hereby certify as follows:

1. Centre Pointe Developers LLC is the owner of 64 Centre Avenue, New Rochelle, New York 10801 (Tax Parcel Identification No. 2-415-0008) and ___ Centre Avenue, New Rochelle, New York 10801 (Tax Parcel Identification No. 2-415-0006) (hereinafter the “64 Centre Avenue Parcels”).
2. Allstate Capitol LLC is the owner of at 8 Westchester Place, New Rochelle, New York 10801 (Tax Parcel Identification No. 2-415- 48) (hereinafter the “8 Westchester Place Parcel”).
3. The 64 Centre Avenue Parcels and 8 Westchester Place Parcel collectively make up a prospective Brownfield Cleanup Program (BCP) Site (collectively the “BCP Site”).
4. Mikel Jeremias, as the sole member of Centre Pointe Developers LLC and Allstate Capitol LLC is authorized to execute any documents in relation to the BCP Site required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteers Centre Pointe Developers LLC and Allstate Capitol LLC.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 23rd day of November, 2020.



Mikel Jeremias, Sole Member
Centre Pointe Developers LLC and
Allstate Capitol LLC