

# Department of<br/>Environmental<br/>ConservationBROWNFIELD CLEANUP PROGRAM (BCP)<br/>APPLICATION TO AMEND BROWNFIELD<br/>CLEANUP AGREEMENT AND AMENDMENT

# Please refer to the attached instructions for guidance on completing this application.

Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment seeks to add or subtract more than an insignificant acreage of property to the BCA, applicants are encouraged to consult with the DEC project team prior to submitting this application.

| PAR   | T I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION   |  |  |  |  |
|---|---|--|--|--|--|
| 1. Ch   | eck the appropriate box(es) below based on the nature of the amendment modification(s) requested:   |  |  |  |  |
| $\checkmark$  | 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)  |  |  |  |  |
| $\checkmark$  | Amendment to reflect a transfer of title to all or part of the brownfield site:   |  |  |  |  |
|   | a. A copy of the recorded deed must be provided. Is this attached? Yes 💽 No 🔘   |  |  |  |  |
|   | b. 🖌 Change in ownership 📃 Additional owner (such as a beneficial owner)  |  |  |  |  |
|   | <ul> <li>Pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been submitted prior to a transfer of ownership. If this has not yet been submitted, include the form with this application. Is this form attached?</li> <li>Yes </li> <li>No </li> <li>Submitted on: 10/29/2024</li> </ul>   |  |  |  |  |
| $\checkmark$  | Amendment to modify description of the property(ies) listed in the existing BCA   |  |  |  |  |
|   | Amendment to expand or reduce property boundaries of the property(ies) listed in the existing BCA   |  |  |  |  |
|   | Sites in Bronx, Kings, New York, Queens or Richmond Counties ONLY: amendment to request determination that the site is eligible for tangible property credit component of the brownfield redevelopment tax credit.  |  |  |  |  |
|   | Other (explain in detail below)   |  |  |  |  |
| The NY<br>become<br>Notice.<br>("BCA"<br>any pas<br>volunte<br>C: Cert<br>#142.22 | 2. REQUIRED: Please provide a brief narrative describing the specific requests included in this amendment:<br>The NYSDEC was notified on 10-29-24 that Broad PC Owner LLC intended to purchase this BCP Site from Broad Street Owner LLC and<br>become a prospective purchaser volunteer and the remedial party upon BCP Site acquisition and submitted a BCA Amendment with the<br>Notice. Broad PC Owner LLC became the BCP Site Owner on 12-13-24 and requests to be added to the Brownfield Cleanup Agreement<br>("BCA") as a volunteer owner remedial party at this time. See Ex. A: Recorded Deed. Broad PC Owner LLC has no prior relationship with<br>any past owners or operators of the Site, and did not cause any of the contamination of the Site; therefore, Broad PC Owner LLC is a<br>volunteer. Current volunteer Broad Street Owner LLC will remain a party on the BCA. See Ex. B: NYS DOS Entity Filing Information; Ex.<br>C: Certification Statement; Ex. D: Written Consents; and Ex. E: Organization Chart. The lots have also been merged into one lot<br>#142.22-2-81, and the new address is 131 Irving Avenue. See Ex. F: Old Lot Information; Ex. G: Town of Rye Merger Form; Ex. H: Final<br>Lot & Address Confirmation; and Ex. I: Updated Tax Map. Continued on separate page. |  |  |  |  |

# **Continued Narrative**

The Original volunteer Broad Street Owner LLC's address has changed. The new address of the LLC is **168A Irving Avenue, Suite 200C, Port Chester, New York 10573**. The contact information and requestor contact for the LLC remain the same.

An updated survey map slightly increased the acreage of the Site from 0.768 to 0.7703 acres. See Ex. J: Updated Survey.

Since Broad PC Owner LLC is now the site owner, there is a new Site Access Agreement in Ex. K, which provides Broad Street Owner LLC with continued access to the BCP Site.

| SECTION I: CURRENT AGREEMENT INFORMATION                                      |  |                        |  |  |  |  |
|---|--|------------------------|--|--|--|--|
| This section must be completed in full. Attach additional pages as necessary. |  |                        |  |  |  |  |
| BCP SITE NAME: Broad Street Irving Ave Cleaners Site                          |  | BCP SITE CODE: C360213 |  |  |  |  |
| NAME OF CURRENT APPLICANT(S): Broad Street Owner LLC                          |  |                        |  |  |  |  |
| INDEX NUMBER OF AGREEMENT: C360213-06-21 DATE OF ORIGINAL AGREEMENT: 06/2     |  |                        |  |  |  |  |
|   |  |                        |  |  |  |  |

| -  | <b>SECTION II: NEW REQUESTOR INFORMATION</b><br>Complete this section only if adding new requestor(s) or the name of an existing requestor has changed.   |                        |                           |            |        |                     |            |
|--|---|------------------------|---------------------------|------------|--------|---------------------|------------|
| NAME   | Broad PC Owner LLC  |                        |                           |            |        |                     |            |
| ADDR   | ESS: c/o Artimus, 316 West <sup>2</sup>   | 118 Street             |                           |            |        |                     |            |
| CITY/  | TOWN: New York, NY  |                        |                           | ZIP COD    | E: 100 | 26                  |            |
| PHON   | IE: (212) 996-5100  | EMAIL: evan@a          | artimusnyc.com            |            |        |                     |            |
| REQU   | ESTOR CONTACT: Evan Kas   | shanian, Artimus       | 3                         |            |        |                     |            |
| ADDR   | ESS: 316 West 118th Street  |                        |                           |            |        |                     |            |
| CITY/  | TOWN: New York, New York  |                        |                           | ZIP COD    | E: 100 | 26                  |            |
| PHON   | IE: (212) 996-5100  | EMAIL: evan@a          | artimusnyc.com            | ·          |        |                     |            |
| REQU   | ESTOR'S CONSULTANT: SES   | I Consulting Engineers | CONTACT: Fuad Dahan,      | P.E.       |        |                     |            |
| ADDR   | ESS: 959 Route 46E, Floor 3   | , Suite 300            |                           |            |        |                     |            |
| CITY/  | TOWN: Parsipanny, NJ  |                        |                           | ZIP COD    | E:070  | 54                  |            |
| PHON   | IE:973-808-9050   | EMAIL: fd@ses          | si.org                    |            |        |                     |            |
| REQU   | ESTOR'S ATTORNEY: Knauf   | Shaw LLP               | CONTACT: Linda Shaw, I    | Esq.       |        |                     |            |
| ADDR   | ESS: 2600 Innovation Square   | e, 100 South Cli       | nton Avenue               |            |        |                     |            |
| CITY/  | TOWN: Rochester, New York   |                        |                           | ZIP COD    | E: 146 | 604                 |            |
| PHON   | IE: (585) 546-8430  | EMAIL: Ishaw@          | )nyenvlaw.com             |            |        |                     |            |
|  |   |                        |                           |            |        | Y                   | N          |
| 1.   | I   |                        |                           |            |        | $\bigcirc$          | $\bigcirc$ |
| 2.   | 2. If the requestor is a corporation, LLC, LLP, or other entity requiring authorization from the NYS Department of State (NYSDOS) to conduct business in NYS, the requestor's name must appear exactly as given above in the NYSDOS Corporation & Business Entity Database. A print-out of entity information from the NYSDOS database must be submitted with this application. Is this print-out attached? |                        |                           |            |        | 0                   |            |
| 3. Requestor must submit proof that the party signing this application and amendment has the authority to bind the requestor. This would be documentation showing the authority to bind the requestor in the form of corporate organizational papers, a Corporate Resolution or an Operating Agreement or Resolution for an LLC. Is this proof attached? |   |                        |                           |            | 0      |                     |            |
| 4.   | If the requestor is an LLC, the this information attached?  | e names of the m       | embers/owners must be pro | ovided. Is | N/A    | $oldsymbol{igstar}$ | 0          |
|  | Describe the new requestor's  | •                      | • • • •                   |            |        |                     |            |
|  | Broad PC Owner LLC is a new joint venture partnership entity with the existing Volunteer and is the<br>buyer entity for the Site.   |                        |                           |            |        |                     |            |

|   |   |  |          |               |            |                        |               |            | Site Code: C360                   | 213        |         |
|---|---|--|----------|---------------|------------|------------------------|---------------|------------|-----------------------------------|------------|---------|
| -   | ION III: CURRENT  |  |          |               |            |                        |               |            | itional naces if nece             | ssar       | V       |
| Complete this section only if a transfer of ownership has taken place. Attach additional pages if necessar<br>Owner listed below is: Existing Applicant Vew Applicant Non-Applicant   |   |  |          |               |            |                        | <u></u>       | <i>y</i> . |                                   |            |         |
| OWNER'S NAME: Broad PC Owner LLC     CONTACT: Evan Kashanian  |   |  |          |               |            |                        |               |            |                                   |            |         |
|   | ESS: c/o Artimus,   |  |          |               |            |                        |               |            |                                   |            |         |
|   | TOWN: New York,   |  |          |               |            |                        | ZIP CODE      | E: 10      | 0026                              |            |         |
|   | IE: (212) 996-5100  |  |          | EMAIL: evan@a | rtin       | usnyc.                 | com           |            |                                   |            |         |
|   | ATOR: same as al  |  | e but va | U U           |            | <b>y</b>               | CONTAC        | T:         |                                   |            |         |
| ADDR  |   |  |          |               |            |                        |               |            |                                   |            |         |
| CITY/   | TOWN:   |  |          |               |            |                        | ZIP CODE      | Ξ:         |                                   |            |         |
| PHON  | IE:   |  |          | EMAIL:        |            |                        |               |            |                                   |            |         |
|   |   |  |          | 1             |            |                        |               |            |                                   |            |         |
|   | ION IV: NEW REQ   |  |          |               |            |                        | tional pages  | s if i     | necessary.                        |            |         |
|   | vering "yes" to any<br>e refer to ECL § 27-   |  |          |               | ease       | e provide              | e additional  | info       | ormation as an attac              | hme        | nt.     |
|   |   |  |          |               |            | Y                      | N             |            |                                   |            |         |
| 1.  | 1. Are any enforcement actions pending against the requestor regarding this site?   |  |          |               | $\bigcirc$ | $igodoldsymbol{	heta}$ |               |            |                                   |            |         |
| 2.  | <ol><li>Is the requestor presently subject to an existing order for the investigation, removal or<br/>remediation relating to contamination at the site?</li></ol>  |  |          |               | $\bigcirc$ | $oldsymbol{igodol}$    |               |            |                                   |            |         |
| <ol> <li>Is the requestor subject to an outstanding claim by the Spill Fund for the site?<br/>Any questions regarding whether a party is subject to a spill claim should be discussed with<br/>the Spill Fund Administrator.</li> </ol> |   |  |          |               |            | 0                      | $   \bullet $ |            |                                   |            |         |
| 4.  | 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 or regulation of the state or federal government? If so, provide additional information as an attachment. |  |          |               |            |                        | 0             |            |                                   |            |         |
| 5.  | 5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as site name, address, DEC site number, reason for denial, and any other relevant information.   |  |          |               |            |                        | 0             | ullet      |                                   |            |         |
| 6.  | Has the requestor intentionally tortio  |  |          |               | <u> </u>   |                        |               |            | egligent or<br>or transporting or | $\bigcirc$ | $\odot$ |

| 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 or |
|    | contaminants?  |

| 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?                         |

| 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?   |

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 $oldsymbol{ightarrow}$ 

Site Code: C360213

| SECTION IV: NEW REQUESTOR ELIGIBILITY INF   | FORMATION (continued)   | Y N              |  |  |  |  |  |  |
|---|---|------------------|--|--|--|--|--|--|
|   | 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? |                  |  |  |  |  |  |  |
|   | 0. 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?                            |                  |  |  |  |  |  |  |
| 11. Are there any unregistered bulk storage tank  | s on-site which require registration?   | $\odot \bigcirc$ |  |  |  |  |  |  |
|   | THAT IT IS EITHER A PARTICIPANT OR VOLUN<br>BY CHECKING ONE OF THE BOXES BELOW:   | ITEER            |  |  |  |  |  |  |
| PARTICIPANT   | VOLUNTEER   |                  |  |  |  |  |  |  |
| 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.       A requestor other than a participant, incl a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of contamination.         NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifie they have exercised appropriate care with resport the hazardous waste found at the facility by taking reasonable steps to: (i) stop any continuing disconting in thuman, environmental or natural resource exposure to any previously released hazardous waste.         If a requestor's liability arises solely as a result of ownership, operation of or involvement with site, they must submit a statement describing they should be considered a volunteer – be |   |                  |  |  |  |  |  |  |
| 13. If the requestor is a volunteer, is a statement   | specific as to the appropriate care taken.t describing why the requestor should beN/A   | YN               |  |  |  |  |  |  |
| considered a volunteer attached?  |   | $\odot$          |  |  |  |  |  |  |
| 14. Requestor's relationship to the property (che   | eck all that apply):  |                  |  |  |  |  |  |  |
| Prior Owner 🖌 Current Owner   | Potential/Future Purchaser Other:   |                  |  |  |  |  |  |  |
| 15. If the requestor is not the current site owner,<br>complete the remediation must be submitted<br>have access to the property before being ad<br>project, including the ability to place an ease   | I. Proof must show that the requestor will ded to the BCA and throughout the BCP  | Y N              |  |  |  |  |  |  |

| Site | Code: | C360213 |
|------|-------|---------|
|      | Coue. |         |

| <b>SECTION V: PROPERTY DESCRIPTION AND REQU</b><br>Complete this section only if property is being added to<br>change to site SBL(s) has occurred, or if modifying the                                     | o or removed f   | rom the site, |                 | or other    |  |
|--|------------------|---------------|-----------------|-------------|--|
| 1. Property information on current agreement (as modified by any previous amendments, if applicable):  |                  |               |                 |             |  |
| ADDRESS: 34-36, 38, 40 and 46 Broad Street and   | 139, 143, 145    | 5 and 147 Irv | ring Avenue     |             |  |
| CITY/TOWN Port Chester, New York   |                  |               | ZIP CODE:       | 10573       |  |
| CURRENT PROPERTY INFORMATION   | TOTAL ACRI       | EAGE OF CU    | IRRENT SITE     | E: 0.768    |  |
| PARCEL ADDRESS   | SECTION          | BLOCK         | LOT             | ACREAGE     |  |
| See Ex. F - Old Lot Information  |                  |               |                 |             |  |
|  |                  |               |                 |             |  |
|  |                  |               |                 |             |  |
| 2. Requested change (check appropriate boxes b   | elow):           |               |                 |             |  |
| a. Addition of property (may require additional expansion – see instructions)  | citizen particip | ation dependi | ing on the nat  | ture of the |  |
| PARCELS ADDED:   |                  |               |                 |             |  |
| PARCEL ADDRESS   | SECTION          | BLOCK         | LOT             | ACREAGE     |  |
|  |                  |               |                 |             |  |
|  |                  |               |                 |             |  |
|  |                  |               |                 |             |  |
|  | TOTAL /          | ACREAGE TO    | )<br>D BE ADDED | ):          |  |
| b. Reduction of property   |                  |               |                 |             |  |
| PARCELS REMOVED:   |                  |               |                 |             |  |
| PARCEL ADDRESS   | SECTION          | BLOCK         | LOT             | ACREAGE     |  |
|  |                  |               |                 |             |  |
|  |                  |               |                 |             |  |
|  |                  |               |                 |             |  |
|  | TOTAL ACF        | REAGE TO B    | E REMOVED       | ):          |  |
| ✓ c. Change to SBL (e.g., lot merge, subdivision,  | address chan     | ge)           |                 |             |  |
| NEW PROPERTY INFORMATION:  |                  |               |                 |             |  |
| PARCEL ADDRESS   | SECTION          | BLOCK         | LOT             | ACREAGE     |  |
| 131 Irving Avenue  | 144.22           | 2             | 81              | 0.7703      |  |
|  |                  |               |                 |             |  |
|  |                  |               |                 |             |  |
| 3. TOTAL REVISED SITE ACREAGE: 0.7703  |                  |               | I               |             |  |
| <ul> <li>4. For all changes requested in this section, documentation must be provided. Required attachments are listed in the application instructions. Is the required documentation attached?</li> </ul> |                  |               |                 |             |  |

| APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT SUPPL<br>QUESTIONS FOR SITE SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY<br>Complete this section only if the site is located within the five counties comprising New York City ar<br>requestor is seeking a determination of eligibility for tangible property credits. Provide supporting<br>documentation as required. Refer to the application instructions for additional information.   | <u>(</u>   |            |
|--|------------|------------|
|  | Y          | Ν          |
| 1. Is the site located in Bronx, Kings, New York, Queens or Richmond County?   | $\bigcirc$ | $\bigcirc$ |
| 2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?   | 0          | 0          |
| <ol> <li>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.</li> </ol>  | 0          | 0          |
| 4. Is the property upside down as defined below?   | Ο          | 0          |
| From ECL 27-1405(31):  |            |            |
| "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.   |            |            |
| 5. Is the project and affordable housing project as defined below?   | 0          | 0          |
| From 6 NYCRR 375-3.2(a) as of August 12, 2016:   |            |            |
| <ul> <li>(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.</li> <li>(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' household's annual gross income.</li> <li>(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 busing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for homeowners at a defined maximum percentage of the area median income.</li> <li>(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.</li> </ul> |            |            |

| APPL                                      | CATION SUPPLEMENT FOR NYC SITES (continued)  | Υ | Ν |
|---|--|---|---|
| 6.  | Is the project a planned renewable energy facility site as defined below?  | 0 | Ο |
| From ECL 27-1405(33) as of April 9, 2022: |  |   |   |
|   | "Renewable energy facility site" shall mean real property (a) this is used for a renewable<br>energy system, as defined in section sixty-six-p of the public service law; or (b) any co-<br>located system storing energy generated from such a renewable energy system prior to<br>delivering it to the bulk transmission, sub-transmission, or distribution system.  |   |   |
| From                                      | Public Service Law Article 4 Section 66-p as of April 23, 2021:  |   |   |
|   | (b) "renewable energy systems" means systems that generate electricity or thermal<br>energy through use of the following technologies: solar thermal, photovoltaics, on land<br>and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat,<br>tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel<br>resource in the process of generating electricity. |   |   |
| 7.  | Is the site located within a disadvantaged community, within a designated Brownfield<br>Opportunity Area, and meets the conformance determinations pursuant to subdivision ten<br>of section nine-hundred-seventy-r of the general municipal law?  | 0 | 0 |
| From                                      | ECL 75-0111 as of April 9, 2022:   |   |   |
|   | (5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.  |   |   |

| PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT                                  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|
| EXISTING AGREEMENT INFORMATION   |  |  |  |  |  |  |
| BCP SITE NAME: Broad Street Irving Ave Cleaners Site BCP SITE CODE: C360213    |  |  |  |  |  |  |
| NAME OF CURRENT APPLICANT(S): Broad Street Owner LLC                           |  |  |  |  |  |  |
| INDEX NUMBER OF AGREEMENT: C360213-06-21 DATE OF ORIGINAL AGREEMENT 06/22/2027 |  |  |  |  |  |  |

#### **Declaration of Amendment:**

By the requestor(s) and/or applicant(s) signature(s) 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 obligations held under the Agreement or those same laws.

# STATEMENT OF CERTIFICATION AND SIGNATURES: NEW REQUESTOR

Complete the appropriate section (individual or entity) below only if this Amendment adds a new requestor. Attach additional pages as needed.

#### (Individual)

I hereby affirm that the 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 the authorized signatory (title) of Broad PC Owner LLC (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.

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

| Date: 1/7/25            | Signature: | 14   |  |
|-------------------------|------------|------|--|
| Print Name: Ronen Haron |            | 1 10 |  |

| <b>STATEMENT OF CERTIFICATION AND SIGNATURES: EXISTING APPLICANT(S)</b><br>An authorized representative of each applicant must complete and sign the appropriate section (individual or entity) below. Attach additional pages as needed.   |
|---|
| (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)<br>I hereby affirm that I am <u>a member</u> (title) of <u>Broad Street Owners L</u> (entity) which is a party to the<br>Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this<br>Application for an Amendment to that Agreement and/or Application. <u>Stephen Matri's</u> signature<br>below constitutes the requisite approval for the amendment to the BCA Application, which will be effective<br>upon signature by the Department.<br>Date: <u>1/6/2025</u> Signature: <u>J</u> <u>M</u><br>Print Name: <u>Stephen Matri</u> |
| Print Name: Stephen Matri   |

# PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS

# REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

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

Effective Date of the Original Agreement: 06/22/2021

Signature by the Department:

DATED: 1/27/25

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By:

Janet C. Brown Danet E. Brown, Assistant Director

anet E. Brown, Assistant Director Division of Environmental Remediation

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.



\*643253475DED0013\*

|                   | Westchester C  | county Reco    | rding & Endorse     | ement Page                                      |
|-------------------|--|----------------|---------------------|---|
|                   |  | Submitter I    | nformation          |   |
| Name:             | All New York Title Agency (PICK UP B   | BY JAMES KAN   | Phone:              | 914-686-5600                                    |
| Address 1:        | 222 Bloomingdale Road  |                | Fax:                | 914-686-1440                                    |
| Address 2:        | Suite 306  |                | Email:              | allnytrecordings@allnyt.com                     |
| City/State/Zip:   | White Plains NY 10605  |                | Reference for S     | ubmitter: 24-7510C                              |
|                   |  | Documer        | nt Details          |   |
| Control Number:   | 643253475  | Document       | Type: Deed (DED)    |   |
| Package ID:       | 2024112000235001002  |                | Page Count: 9       | Total Page Count: 11                            |
|                   |  | Part           | ies                 | Additional Parties on Continuation page         |
| 1: BROAD ST O     |  | - Other        | 1: BROAD PC OWN     | 2nd PARTY<br>FRILC - Other                      |
| 2:                | WNER LEG   | Other          | 2:                  |   |
| 2.                |  | Prop           |                     | Additional Properties on Continuation page      |
| Street Address:   | 147 IRVING AVE   | гюр            | Tax Designation:    |   |
| City/Town:        | RYE TOWN   |                | Village:            | PORT CHESTER                                    |
|                   |  | Cross- Re      | ferences            | Additional Cross-Refs on Continuation page      |
| 1:                | 2:   |                | 3:                  | 4:  |
|                   |  | Supporting     | Documents           |   |
| 1: RP-5217        | 2: TP-584  |                |                     |   |
|                   | Recording Fees   |                |                     | Mortgage Taxes                                  |
| Statutory Recordi | ing Fee: \$40.00   |                | Document Date:      |   |
| Page Fee:         | \$50.00  |                | Mortgage Amount:    |   |
| Cross-Reference   | Fee: \$0.00  |                |                     |   |
| Mortgage Affidav  | it Filing Fee: \$0.00  |                | Basic:              | \$0.00  |
| RP-5217 Filing F  | ee: \$250.00   |                | Westchester:        | \$0.00  |
| TP-584 Filing Fee |  |                | Additional:         | \$0.00  |
| RPL 291 Notice F  | Fee: \$0.00  |                | MTA:                | \$0.00  |
| Total Recording F | Fees Paid: \$345.00  |                | Special:            | \$0.00  |
|                   | Transfer Taxes   |                | Yonkers:            | \$0.00  |
| Consideration:    | \$8,000,000.00   |                | Total Mortgage Tax: | \$0.00  |
| Transfer Tax:     | \$32,000.00  |                |                     | <b>\$0.00</b>                                   |
| Mansion Tax:      | \$0.00   |                | Dwelling Type:      | Exempt: 🔲                                       |
| Transfer Tax Num  | nber: 6059   |                | Serial #:           |   |
|                   | ED IN THE OFFICE OF THE WESTCHESTE   | R COUNTY CLERK |                     | Record and Return To                            |
| SEAL              | Recorded: 12/27/2024 at 12:58<br>Control Number: <b>643253475</b><br>Witness my hand and official seal<br><b>Turkford</b><br>Timothy C.Idoni<br>Westchester County Clerk | 8 PM           |                     | Agency (PICK UP BY JAMES KAMNA)<br>Road<br>0605 |
|                   |  |                |                     |   |

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.

RYE TOWN

RYE TOWN

40 BROAD ST 10573

46 BROAD ST 10573

# \*643253475DED0013\*

| Westchester County Recording & Endorsement Page   |          |                     |            |  |  |  |  |
|---|----------|---------------------|------------|--|--|--|--|
| Document Details  |          |                     |            |  |  |  |  |
| Control Number: 643253475 Document Type: Deed (DED)   |          |                     |            |  |  |  |  |
| Package ID:     2024112000235001002     Document Page Count:     9     Total Page Count:     11 |          |                     |            |  |  |  |  |
|   |          | Properties Addendum |            |  |  |  |  |
| 145 IRVING AVE 10573  | RYE TOWN | PORT CHESTER        | 42.22-2-70 |  |  |  |  |
| 143 IRVING AVE 10573  | RYE TOWN | PORT CHESTER        | 42.22-2-71 |  |  |  |  |
| 139 IRVING AVE 10573  | RYE TOWN | PORT CHESTER        | 42.22-2-72 |  |  |  |  |
| 34-36 BROAD ST 10573  | RYE TOWN | PORT CHESTER        | 42.22-2-73 |  |  |  |  |
| 38 BROAD ST 10573   | RYE TOWN | PORT CHESTER        | 42.22-2-74 |  |  |  |  |

PORT CHESTER

PORT CHESTER

142.22-2-75

142.22-2-76

# BARGAIN AND SALE DEED WITH COVENANT

THIS INDENTURE made and dated the <u>13</u> day of December, 2024, by and between **BROAD STREET OWNER LLC**, a New York limited liability company, having an address at 168B Irving Avenue, Port Chester, New York 10573 ("Grantor") and **BROAD PC OWNER LLC**, a Delaware limited liability company having an address at 316 West 118th Street, New York, New York 10026 ("Grantee").

WITNESSETH, that Grantor, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and release unto Grantee and Grantee's successors and assigns forever:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, being bounded and described on <u>Schedule A</u> annexed hereto, and being the premises commonly known as and by the street address 147 Irving Avenue, 145 Irving Avenue, 143 Irving Avenue, 139 Irving Avenue, 34-36 Broad Street, 38 Broad Street, 40 Broad Street, 46 Broad Street, Port Chester, New York, and designated as Section: 142.22, Block: 2, Lots: 69, 70, 71, 72, 73, 74, 75 and 76, as shown on the Tax Map.

Being and intended to be the same premises conveyed to the Grantor by Deed from Peter J. Postiglione and John Postiglione dated April 14, 2020 and recorded April 29, 2020 in Control Number 600663064, as to Parcel 1, Deed from Michael Hafiz a/k/a Michael M. Hafetz, a/k/a Makhdoom Hafiz dated October 16, 2019 and recorded September 25, 2020 in Control Number 602183496, as to Parcel 2, Deed from Belos Broad LLC and Belos Properties LLC, dated as of March 15, 2019 and recorded June 5, 2019 in Control Number 590643117, as to Parcels 3, 5, 7 and 8, Deed from Richard Picciano and Soledad Picciano dated May 3, 2021 and recorded May 10, 2021 in Control Number 611124054, as to Parcel 4 and Deed from 38 Broad, Inc. dated March 15, 2019 and recorded June 5, 2019 in Control Number 590733051, as to Parcel 6.

TOGETHER with (a) all right, title and interest, if any, of Grantor in and to any streets and roads abutting the above described premises to the center lines thereof and (b) the appurtenances and all the estate and rights of Grantor in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto Grantee and Grantee's successors and assigns forever.

AND GRANTOR covenants that Grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatsoever, except as aforesaid.

AND GRANTOR, in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the

9

improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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IN WITNESS WHEREOF, Grantor has duly executed this Deed the day and year first above written.

# **GRANTOR**:

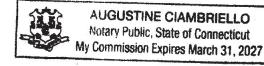
**BROAD STREET OWNER LLC** By: A

Name: Stephen Matri Title: Authorized Signatory

Comedicut C STATE OF NEW YORK ) For if lek ss.: Wostport C COUNTY OF NEW YORK )

On the 13 day of December 2024, before me, the undersigned, Stephen Matri, 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, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC



S = 142.22 @

5: 2

1: 69,70,71,72,73,74,75+76

T/s Rye Village of Port choster

# SCHEDULE A

# Legal Description

# PARCEL 1 - Section 142.22, Block 2, Lot 69

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the northeasterly line of Irving Avenue, said point being distant 141.77 feet from the southeasterly line of Palace Place as measured along the northeasterly line of Irving Avenue;

RUNNING thence across North Pearl Street and along the northwesterly face of the present building, North 38 degrees 29' East, 33.50 feet;

THENCE North 37 degrees 45' East, 66.50 feet to a point;

THENCE South 52 degrees 15' East, 22.57 feet to a point;

THENCE South 37 degrees 58' East, 100.0 feet to a point;

THENCE along said northeasterly line of Irving Avenue, North 52 degrees 15' West, 22.62 feet to the point or place of BEGINNING.

### **PARCEL 2 – Section 142.22, Block 1, Lot 70**

ALL that certain plot, piece or parcel of land situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, shown and designated as Lot No. 2 on a certain map entitled, "Subdivision of Property belonging to William Ryan in the Village of Port Chester, N.Y." dated May 12, 1922 and filed in the Office of the County Clerk, Division of Land Records, formerly Register's Office of Westchester County, New York, on May 31, 1922 as Map No. 2406.

### **PARCEL 3 – Section 142.22, Block 1, Lot 71**

ALL that certain plot, piece or parcel of land situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York and designated as Lot No. 6 on a certain map entitled, "Map of Building Lots for Sale in the Village of Port Chester and Town of Rye, Westchester Co., N.Y." filed in the Office of the Clerk of the County of Westchester, Division of Land Records, on November 18, 1856 in Volume 2 of Map at Page 17, said lot being bounded and described as follows:

BEGINNING at a point on the northerly side of Irving Avenue where the same is intersected by

the division line between Lot Nos. 5 & 6 as shown on the above mentioned map, said point of beginning being also distant 100 feet westerly from the corner formed by the intersection of the said northerly side of Irving Avenue and the westerly side of Broad Street (formerly Railroad Avenue);

THENCE running northerly along the said division line between Lot Nos. 5 & 6 and Lot Nos. 4 & 6 as shown on the above mentioned map, North 37 degrees 45' 00" East 100 feet to a point on the rear line of the premises herein described and land now or formerly of Hauxwell & Smith, Inc.;

THENCE running westerly along the said rear line of the premises herein described and land now or formerly of Hauxwell & Smith, Inc., North 52 degrees 15' 00" West 50 feet to a point on the division line between Lot Nos. 6 & 7 as shown on the above mentioned map;

RUNNING thence southerly along said dividing line between Lot Nos. 6 & 7 as shown on the above mentioned map on a line forming South 37 degrees 45' 00" West 100 feet to a point on the aforesaid northerly side of Irving Avenue;

THENCE running easterly along the said northerly side of Irving Avenue, South 52 degrees 15' 00" East 50 feet to the point or place of BEGINNING.

# PARCEL 4 – Section 142.22, Block 2, Lot 72

ALL that certain plot, piece or parcel of land situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the northeasterly line of Irving Avenue from by the intersection of the division line between the premises described and premises now or formerly of Pauline Clark with the said northeasterly line of said Irving Avenue, 100 feet from the corner formed by the intersection of the said northeasterly line of Irving Avenue with the northwesterly line of Broad Street; and

RUNNING thence northeasterly along said land now or formerly of Clark, 50 feet to land now or late of August Schilt;

THENCE southeasterly along said last mentioned land, 30 feet to land now or formerly of Bud S. Slater;

RUNNING thence southwesterly along land now or formerly of Bud S. Slater, 50 feet to the northeasterly line of Irving Avenue aforesaid; and

THENCE northwesterly along said northwesterly line of Irving Avenue, 30 feet to the point or place of BEGINNING.

# **PARCEL 5 – Section 142.22, Block 2, Lot 73**

ALL that certain plot, piece or parcel of land situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point where the northerly side of Irving Avenue, formerly Pixley Place, intersects the westerly side of Broad Street, formerly known as Railroad Avenue;

THENCE northerly along said westerly side of Broad Street, North 37 degrees 45' 00" East, a distance of 60 feet;

THENCE westerly on a line drawn at right angles with the said westerly side of Broad Street and at all times parallel with the northerly side of Irving Avenue and 60 feet distant therefrom, North 52 degrees 15' 00" West, a distance of 70 feet;

THENCE southerly on a line drawn at right angles with the said last mentioned boundary line, South 37 degrees 45' 00" West, a distance of 60 feet to the aforesaid northerly side of Irving Avenue;

THENCE easterly along the said northerly side of Irving Avenue, South 52 degrees 15' 00" East 70 feet to the point or place of BEGINNING.

# PARCEL 6 – Section 142.22, Section 2, Lot 74

ALL that certain plot, piece or parcel of land situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Broad Street (formerly Railroad Avenue) at a point, 100 feet northerly as measured along the westerly side of Broad Street from its intersection with the northerly side of Irving Avenue (formerly Pixley Place);

RUNNING thence North 52 degrees 15' West 100.00 feet;

RUNNING thence South 37 degrees 45' West 50.00 feet;

RUNNING thence South 52 degrees 15' East 30.00 feet;

RUNNING thence North 37 degrees 45' East 10.00 feet;

RUNNING thence South 52 degrees 15' East 70.00 feet to the westerly side of Broad Street;

RUNNING thence along the westerly side of Broad Street, North 37 degrees 45' East 40.00 feet to the point or place of BEGINNING.

#### PARCEL 7 – Section 142.22, Section 2, Lot 75

ALL that certain plot, piece or parcel of land situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the northwesterly side of Broad Street, formerly Railroad Avenue, distant 100.00 feet, measured along said side of Broad Street, formerly Railroad Avenue, from its intersection with the northeasterly side of Irving Avenue, formerly Pixley Place;

RUNNING thence North 52 degrees 15' West 32.25 feet to a point;

THENCE North 37 degrees 45' 00" East 22.89 feet to a point;

THENCE South 52 degrees 15' 00" East 5.3 feet (Deed) (5.25 feet - Survey) to a point;

THENCE North 37 degrees 45' East 18.44 feet to a point;

THENCE South 52 degrees 15' 00" East 27.0 feet to the westerly side of Broad Street;

THENCE in a southerly direction along the westerly side of Broad Street, South 37 degrees 45' 00" West 41.33 feet to the point or place of BEGINNING.

#### PARCEL 8 – Section 142.22, Block 2, Lot 76

ALL that certain plot, piece or parcel of land situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the northwesterly side of Broad Street, formerly Railroad Avenue, distant 141.33 feet, as measured along said side of Broad Street, formerly Railroad Avenue from its intersection with the northeasterly side of Irving Avenue, formerly Pixley Place;

RUNNING thence North 52 degrees 15' 00" West 27.00 feet to a point;

THENCE South 37 degrees 45' 00" West 18.44 feet to a point;

THENCE North 52 degrees 15' 00" West 5.3 feet to a point;

THENCE South 37 degrees 45' 00" West 22.89 feet to a point;

THENCE North 52 degrees 15' 00" West 110.75 feet to a point;

THENCE North 37 degrees 45' 00" East 100.0 feet to a point;

THENCE South 52 degrees 15' 00" East 143.00 feet to the northwesterly side of Broad Street;

THENCE along said side of Broad Street, South 37 degrees 45' 00" West 58.67 feet to the point or place of BEGINNING.

# **PERIMETER DESCRIPTION**

# DESCRIPTION OF A PARCEL OF PROPERTY LOCATED IN THE VILLAGE OF PORT CHESTER, TOWN OF RYE, COUNTY OF WESTCHESTER, STATE OF NEW YORK

ALL that certain plot, piece or parcel of land, situate, lying and located in the Village of Port Chester, Town of Rye, County of Westchester, State of New York and bounded and described as follows:

BEGINNING at a point formed by the northwesterly side of Broad Street (formerly Railroad Avenue) and the northeasterly side of Irving Avenue (formerly Pixley Place), said point being the POINT OF BEGINNING;

THENCE from said point of beginning along the northeasterly side of Irving Avenue, North 52 degrees 15 minutes 00 seconds West, a distance of 192.90 feet to a point on the southeasterly side of Pearl Street;

THENCE along said southeasterly side of Pearl Street, North 38 degrees 29 minutes 00 seconds East, a distance of 33.50 feet;

THENCE North 37 degrees 45 minutes 00 seconds East, a distance of 66.50 feet to a point;

THENCE along the division line between property now or formerly Bucci and the herein described parcel, South 52 degrees 15 minutes 00 seconds East, a distance of 49.47 feet;

THENCE North 37 degrees 45 minutes 00 seconds East, a distance of 100.00 feet to the southerly side of property now or formerly Verizon N.Y. including Duff and Phelps;

THENCE South 52 degrees 15 minutes 00 seconds East, a distance of 143.00 feet to a point on the northwesterly side of Broad Street;

THENCE along said northwesterly side of Broad Street, South 37 degrees 45 minutes 00 seconds West, a distance of 200.00 feet to northeasterly side of Irving Street, the point and place of BEGINNING.

# BARGAIN AND SALE DEED

# WITH COVENANT

# BROAD STREET OWNER LLC

# - to -

# BROAD PC OWNER LLC

| Parcel 1: | 147 Irving Avenue<br>Port Chester, New York |             |  | Parcel 2:                                     | 145 Irving Avenue<br>Port Chester, New York |
|-----------|---|-------------|--|---|---|
| Parcel 3: | 143 Irving Av<br>Port Chester,              |             | ]  | Parcel 4:                                     | 139 Irving Avenue<br>Port Chester, New York |
| Parcel 5: | 34-36 Broad Port Chester,                   |             | ]  | Parcel 6:                                     | 38 Broad Street<br>Port Chester, New York   |
| Parcel 7: | 40 Broad Stre<br>Port Chester,              |             | נ  |   | 46 Broad Street<br>Port Chester, New York   |
|           |   |             | 142.22<br>2<br>69, 70, 7<br>y of West<br>icial Tax |   | 75 and 76                                   |
|           |   | After recor | ding, plea   | se return to:                                 |   |
|           |   | 152 Medis   | 아이 않는 것은 동안은 동안을 못 했다.                             | E.P<br>a, 14 <sup>84</sup> Floor<br>ork 10016 |   |

Asta Machillas I. Derender Mar.

# **Department of State** Division of Corporations

# **Entity Information**

| Return to Results Return to Search  |
|---|
| Entity Details  |
| ENTITY NAME: BROAD PC OWNER LLC   |
| DOS ID: 7411300   |
| FOREIGN LEGAL NAME: BROAD PC OWNER LLC  |
| FICTITIOUS NAME:  |
| ENTITY TYPE: FOREIGN LIMITED LIABILITY COMPANY  |
| DURATION DATE/LATEST DATE OF DISSOLUTION:   |
| SECTIONOF LAW: LIMITED LIABILITY COMPANY - 802 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW  |
| ENTITY STATUS: ACTIVE   |
| DATE OF INITIAL DOS FILING: 09/03/2024<br>REASON FOR STATUS:  |
| EFFECTIVE DATE INITIAL FILING: 09/03/2024   |
|   |
| FOREIGN FORMATION DATE: 08/15/2024  |
| STATEMENT STATUS: CURRENT   |
| COUNTY: NEW YORK  |
| NEXT STATEMENT DUE DATE: 09/30/2026   |
| JURISDICTION: DELAWARE, UNITED STATES   |
| NFP CATEGORY:   |
| ENTITY DISPLAY NAME HISTORY FILING HISTORY MERGER HISTORY ASSUMED NAME HISTORY  |
| ENTITY DISPLAY NAME HISTORY FILING HISTORY MERGER HISTORY ASSUMED NAME HISTORY  |
| Service of Process on the Secretary of State as Agent   |
| The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery: |
| Name: THE LLC   |
| Address: 316 WEST 118 STREET, C/O ARTIMUS, NEW YORK, NY, UNITED STATES, 10026   |
| Electronic Service of Process on the Secretary of State as agent: Not Permitted   |
| Chief Executive Officer's Name and Address  |
| Name:   |
| Address:  |

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

| me and Address   |                 |              |
|------------------|-----------------|--------------|
|                  |                 |              |
|                  |                 |              |
|                  |                 |              |
| poration: NO     |                 |              |
|                  |                 |              |
| Number Of Shares | Value Per Share |              |
|                  | poration: NO    | poration: NO |

# **REQUESTOR CERTIFICATION**

The Requestor—Broad PC Owner LLC—certifies that it is a Volunteer, since it did not own the Brownfield Cleanup Program Site ("Site") at the time of the disposal or release of contamination, and it does not have nor has ever had a relationship with any of the past owners or operators of the Site who caused the contamination, nor did it have involvement with the Site at the time of disposal. The Requestor has performed all required environmental due diligence prior to acquiring the Site and has implemented due care of the Site prior to and subsequent to recently acquiring the Site.

# WRITTEN CONSENT

The undersigned, being an authorized signatory of Broad PC Owner LLC, does hereby certify as follows:

1. Broad PC Owner LLC is a prospective purchaser and volunteer for the Brownfield Cleanup Program ("BCP") Site known as Broad Street Irving Ave Cleaners BCP Site No. C360213 (the "BCP Site") pursuant to the Brownfield Cleanup Agreement ("BCA") Index No. C360213-06-21 executed with the New York State Department of Environmental Conservation ("NYSDEC") on June 22, 2021.

2. The following person, Ronen Haron, is an authorized signatory of Broad PC Owner LLC, has been authorized to execute any documents required by the NYSDEC on behalf of Brownfield Site Volunteer Broad PC Owner LLC in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this  $25^{\frac{1}{2}}$  day of October, 2024.

Name: Robert Ezrapour Authorized Signatory of Broad PC Owner LLC

# WRITTEN CONSENT

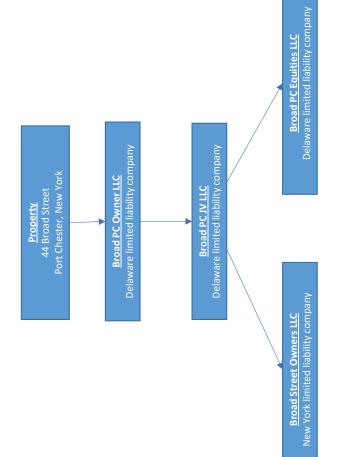
The undersigned, being a Member of Broad Street Owner LLC, does hereby certify as follows:

1. Board Street Owner LLC is a volunteer for the BCP Site known as Broad Street Irving Ave Cleaners Site located at 34-36, 38, 40 and 46 Broad Street and 139, 143, 145 and 147 Irving Avenue Port Chester, New York 10573, tax parcel identification no. 142.22-2-69, 142.22-2-70, 142.22-2-71, 142.22-2-72, 142.22-2-73, 142.22-2-74, 142.22-2-75, 142.22-2-76 (the "Site").

2. The following person, Stephen Matri, Jr., a member of Broad Street Owner LLC, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteer Broad Street Owner LLC.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 11 day of November, 2020.

Broad Street Owner LLC Kevin Leahey, Member



Please be advised that this structure chart may be subject to change prior to entry into the operating agreements of Broad PC Owner LLC, Broad PC JV LLC and/or otherwise in accordance with the express terms and conditions of the aforementioned operating agreements once they have been entered into.

| <b>Parcel Address</b> | Section | Block | Lot | Acreage |
|-----------------------|---------|-------|-----|---------|
| 139 Irving Avenue     | 142.22  | 2     | 72  | 0.03    |
| 143 Irving Avenue     | 142.22  | 2     | 71  | 0.1163  |
| 145 Irving Avenue     | 142.22  | 2     | 70  | 0.0489  |
| 147 Irving Avenue     | 142.22  | 2     | 69  | 0.0604  |
| 34-36 Broad Street    | 142.22  | 2     | 73  | 0.1015  |
| 38 Broad Street       | 142.22  | 2     | 74  | 0.1032  |
| 40 Broad Street       | 142.22  | 2     | 75  | 0.0312  |
| 46 Broad Street       | 142.22  | 2     | 76  | 0.3049  |

Last Updated 3-23-23

\*\*\*\*\*DEADLINE: May 1st\*\*\*\*

# **TOWN OF RYE**

town OF Are set 1000 to 2

OWNER: Broad Street Owner LLC

OWNER ADDRESS: 168B Irving Ave Suite 403D Port Chester, NY 10573

<u>IMPORTANT</u>: The Assessment Office MUST have an APPROVED Offering Plan from the NYS Attorney General's Office PRIOR to May 1st before a subdivision for a condominium project will be made.

PLEASE SPECIFY THE ASSESSMENT INFORMATION ON THE PARCELS TO BE MERGED or SPLIT:

| SECTION | BLOCK | LOT | LAND<br>ASSESSMENT | TOTAL<br>ASSESSMENT | PARCEL PROPERTY LOCATION (STREET ADDRESS)         |
|---------|-------|-----|--------------------|---------------------|---|
| 142.22  | 2     | 69  | 153,300            | 451,700             | 147 Irving Ave                                    |
| 142.22  | 2     | 70  | 103,000            | 338,100             | 145 Irving Ave                                    |
| 142.22  | 2     | 71  | 124,400            | 497,600             | 143 Irving Ave                                    |
| 142.22  | 2     | 72  | 127,700            | 210,100             | 139 Irving Ave                                    |
| 142.22  | 2     | 73  | 210,900            | 655,200             | 34-36 Broad Street                                |
| 142.22  | 2     | 74  | 210,900            | 699,500             | 38 Broad Street                                   |
| 142.22  | 2     | 75  | 67,000             | 351,200             | 40 Broad Street                                   |
| 142.22  | 2     | 76  | 572,900            | 1,465,200           | 46 Broad Street                                   |
|         |       |     | 1                  |                     |   |
|         |       |     | 1                  |                     |   |
|         |       |     | 1                  |                     |   |
|         |       |     |                    |                     |   |
|         |       |     | 1                  |                     |   |
|         |       |     |                    |                     |   |
|         |       |     |                    |                     |   |
|         |       |     |                    |                     | Use additonal pages or spreadsheet, if necessary. |

\*\*<u>NOTE</u>: Subdivisions may be subject to a tax mapping fee\*\*

Reason (use additional sheets if necessary and supply supporting documentation [i.e., survey]): Lot merger part of approved site plan for new development

#### I CONFIRM THAT TITLE TO ALL PROPERTIES TO BE MERGED ARE HELD IN THE NAME OF THE OWNER(S) STATED ABOVE.

l agree to hold harmless and defend and indemnify the Town of Rye and the applicable Village (Port Chester, Rye Brook, or Mamaroneck) from an action of any kind resulting from an error, false statement, omission or otherwise made hereto.

| IMPORTANT: SUBMIT A LETTER APPROVING THIS SPLIT/MERGE FROM THE VILLAGE OF WHERE THE PROPERTY IS LOCATED. |   |       |                    |                     |                        |                        |             |  |
|--|---|-------|--------------------|---------------------|------------------------|------------------------|-------------|--|
| Signature of Owner/Representative:_  |   |       | ative: <u>Keva</u> | n Leahey            |                        | Date <u>8/27/2024</u>  |             |  |
| (print name ) Kevin Leahey   |   |       | Ph                 | one#_646-872-56     | 60 <sub>Email:</sub> k | kleahey@renatusgroup.c |             |  |
| Signature of Owner/Representative:_  |   |       | ative:             | Hanris am           |                        | Date8/27/2024          |             |  |
|  | ∫Harris Re  |       |                    | one# 914 552        |                        |                        |             |  |
| Signature of Owner/Representative: Date Date   |   |       |                    |                     |                        |                        |             |  |
| (print name  | )   |       | Ph                 | one#                | Email:                 |                        |             |  |
| OWNER  | <u>NOTE</u> : ALL OWNERS MUST SIGN AND AGREE TO THIS SPLIT/MERGE. USE ADDITIONAL FORMS IF NECESSARY. If<br>OWNER IS A PARTNERSHIP, LLC, etc., THEN PROOF MUST BE SUBMITTED THAT THE PERSON SIGNING HAS THE<br>AUTHORITY TO DO SO ON BEHALF OF THE PARTNERSHIP, LLC, etc. (example: corporate resolution). |       |                    |                     |                        |                        |             |  |
|  |   |       |                    | Official Use Only   | 1                      |                        |             |  |
|  |   | NEW D | DESIGNATION(s)     | ) [separate sprea   | ıdsheet may be requ    | uired]                 |             |  |
| SECTION  | BLOCK   | LOT   | LAND<br>ASSESSMENT | TOTAL<br>ASSESSMENT | STREET ADDRESS         |                        |             |  |
|  |   |       |                    |                     | 44 Broad Street, Po    | ort Chest              | er NY 10573 |  |
|  |   |       |                    |                     |                        |                        |             |  |
|  |   |       |                    |                     |                        |                        |             |  |

| From:        | Maria Rappoccio  |
|--------------|--|
| То:          | Donohue, Kevin; Kevin Leahey                           |
| Cc:          | jmeyer@renatusgroup.com; Lavalla, Curt; Cutler, Greg   |
| Subject:     | RE: 44 Broad Street Address confirmation - REVISED SBL |
| Date:        | Thursday, October 10, 2024 11:28:58 AM                 |
| Attachments: | image002.png   |
|              | image003.png   |
|              | image004.png   |
| Importance:  | High   |

Hi Kevin,

In response to your email today reference confusion with merging the lots into the old SBL 142.22-2-76. We will issue the parcel with a new SBL. The new one will be **142.22-2-81** using the street address of 131 Irving Ave.

Please be reminded the official change will not take place until our June 1, 2025, tentative roll is published.

Let me know if you have any questions.

# Best Regards,

# Maria

Maria Rappoccio | Appraisal Technician| Town of Rye | 222 Grace Church St. Port Chester, NY 10573 | 3<sup>rd</sup> Fl.-Suite 303 | MR

(914) 939-3566 | (914) 939-8926 FAX | Normal Office Hours 8:30 am to 4:00 pm (Monday through Friday)



Please take a moment to complete our <u>Customer Service Feedback Form</u>. Thank

you

# Important Assessment Calendar Dates:

May 1<sup>st</sup> - Tax Status Day & Exemption Application Deadlines

June 1<sup>st</sup> - Tentative Assessment Roll–For your Latest Assessment Visit:

https://townofrye.sdgnys.com/search.aspx (and search for your property)

3<sup>rd</sup> Tuesday in June - Grievance Day

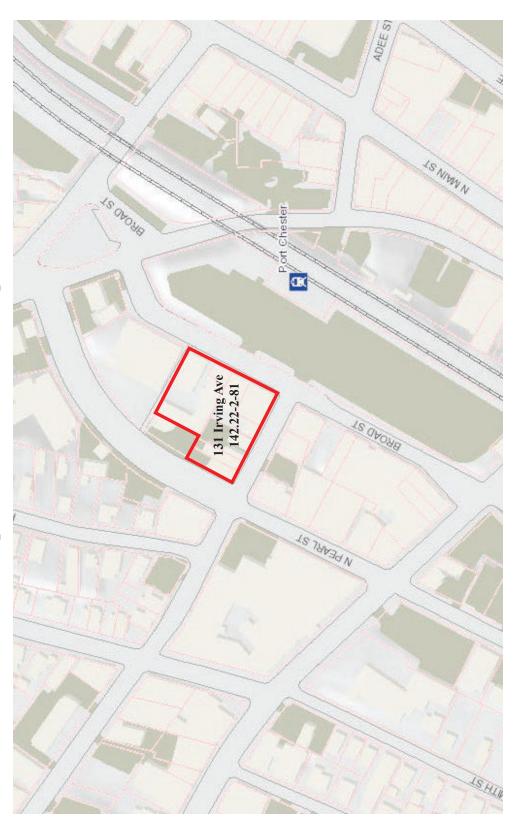
September 15<sup>th</sup> - Final Assessment Roll

FORMS & INFORMATION: http://www.townofryeny.com/assessment-home.html SENIOR/AGED ALL EXEMPTION RENEWAL DEADLINE: May 1<sup>st</sup>. STAR EXEMPTION for New Owners: To apply contact NYS: (518)-457-2036 / https://www.tax.ny.gov/

TAXES: For taxes/tax payments contact the Tax Receiver's Office at (914)-939-3558.

---- BCP Site Boundary

Map Source: Westchester County Municipal Tax Parcel Viewer



# **Updated Future Tax Parcel Map**



LDD 54136\dwg\57779.dwg File #

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btal Area = 33,554 square feet or 0.7703 acres and their . hereon signify that this survey was prepared in acc are for and Survey and there for State are soft and Survey softed by the New York State and a behalf to the Title Campany, governmental age on his behalf to the assignment of the Subscrutch and to add the assignment of the Subscrutch and the to add the assignment of the Subscrutch and the to add the subscrutch and the subscrutched the subscrut

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Exception 8 - Liber 2006 Page 206 - Milects Subject Property URSP: Ecoement granted to NRoge of Part Chester (Ecoement is not plottable)

Certified to Stewart Title Insurance Company, Canoi Title Agency, Crange Bonk & Trust Company, ISAA/ATMAN and to Broad Street Denner LLC The promises being Tex Latt 63, 72, 71, 72, 73, 76, 75 Å 78, 80 ect 2. Section 14.22 or shown on the although the homosoment haps of the 180 pp of Part Cheeder term of the

Survey of Property prepared for **Broad Street Owner LLC** in the Village of **Port Chester** Town of Rye Westchester County, N.Y. Scale 1°=20 June 3, 2019 unty, N.Y. June 3, 2019

# Broad Street Owner LLC 217 Madison Avenue New York, New York 10016

Broad PC Owner LLC ATTN: Ronen Haron 316 West 118 Street New York, New York 10026

# Re: Site Access to Perform Brownfield Cleanup Program Work Broad Street Irving Ave Cleaners BCP Site No. C360213 Port Chester, New York

Dear Mr. Haron:

Broad Street Owner LLC is remaining a volunteer ("Original Volunteer") subject to Brownfield Cleanup Agreement ("BCA") Index No. C360213-06021 but due to a change of ownership of the Broad Street Irving Ave Cleaners BCP Site No. C360213 (the "BCP Site") to Broad PC Owner LLC, Original Volunteer now needs an access agreement from Broad PC Owner LLC to access the BCP Site for the purpose of continuing to be able to perform environmental investigation and remediation work to the extent this entity is required to perform said work.

In addition, assuming Broad PC Owner LLC still owns the BCP Site when the remediation is complete and the Certificate of Completion is about to be obtained, in the event a Track 1 remediation level is not achieved, you are hereby also agreeing on behalf of Broad PC Owner LLC to impose an environmental easement on the BCP Site if required by the New York State Department of Environmental Conservation.

Sincerely,

Broad Street Owner LLC By: Stephen Matri, Jr. Member

As a member of Broad PC Owner LLC, I am authorized to grant this temporary license and agree to allow Broad Street Owner LLC and its agents to enter the BCP Site to perform the BCP investigation and/or remediation work required.

Broad PC Owner LLC By: Ronen Haron

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