

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.



633423548EAS0012

Westchester County Recording & Endorsement Page

Submitter Information

Name: Stewart Title Insurance Company (pick up by Ramon . Phone: 914-993-9393
 Address 1: 711 Westchester Avenue, Ste 302 Fax: 914-997-1698
 Address 2: Email: nymetrorecordings@stewart.com
 City/State/Zip: White Plains NY 10604 Reference for Submitter: Firestone Easement Amendment

Document Details

Control Number: **633423548** Document Type: **Easement (EAS)**
 Package ID: 2023120800227001001 Document Page Count: **5** Total Page Count: **6**

Parties

Additional Parties on Continuation page

1st PARTY **2nd PARTY**
 1: ALLSTATE ACQUISITIONS LLC - Other 1: NEW YORK STATE OF - Other
 2: 2: NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATIC - Other

Property

Additional Properties on Continuation page

Street Address: 316 HUGUENOT STREET Tax Designation: 2-415-13
 City/Town: NEW ROCHELLE Village:

Cross-References

Additional Cross-Refs on Continuation page

1: 621653790 2: 3: 4:

Supporting Documents

1: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
 Page Fee: \$30.00
 Cross-Reference Fee: \$0.50
 Mortgage Affidavit Filing Fee: \$0.00
 RP-5217 Filing Fee: \$0.00
 TP-584 Filing Fee: \$5.00
 RPL 291 Notice Fee: \$0.00
 Total Recording Fees Paid: **\$75.50**

Mortgage Taxes

Document Date:
 Mortgage Amount:
 Basic: \$0.00
 Westchester: \$0.00
 Additional: \$0.00
 MTA: \$0.00
 Special: \$0.00
 Yonkers: \$0.00
 Total Mortgage Tax: **\$0.00**

Transfer Taxes

Consideration: \$0.00
 Transfer Tax: \$0.00
 Mansion Tax: \$0.00
 Transfer Tax Number: 6100

Dwelling Type: Exempt:
 Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 12/22/2023 at 02:34 PM
 Control Number: **633423548**
 Witness my hand and official seal

Timothy C. Idoni
 Westchester County Clerk

Record and Return To

Pick-up at County Clerk's office

Stewart Title
 711 Westchester Ave
 Suite 302
 White Plains, NY 10604
 Attn: NYMETRO RECORDING DEPARTMENT

AMENDMENT TO ENVIRONMENTAL EASEMENT

This Amendment to Environmental Easement is made as of this 18th day of December, 2023, by and between The People of the State of New York, acting through their Commissioner of the Department of Environmental Conservation (“NYSDEC” or the “Department”) with its headquarters located at 625 Broadway, Albany, New York 12233, and Allstate Acquisitions LLC (the “Grantor”) with its offices located at 13 Hayes Court, Units #101 and #201, Monroe, NY 10950.

RECITALS

1. Grantor, Allstate Acquisitions LLC, is the owner of real property located at the address of 316 Huguenot Street in the City of New Rochelle, County of Westchester and State of New York, known and designated on the tax map of the County Clerk of Westchester as tax map parcel number: Section: 2 Block: 415 Lot: 13, being the same as that property conveyed to Grantor by deed dated October 8, 2019 and recorded in the County Clerk of Westchester as Control #592843002.
2. The property referenced above comprises approximately 0.281 +/- acres, and is hereinafter more fully described in Exhibit A.
3. The Department and Grantor entered into that certain Environmental Easement (“Easement Agreement”) dated as of September 14, 2022 and recorded in the in the County Clerk of Westchester as Control #621653790. Capitalized terms used herein without definition have the meanings ascribed to them in the Environmental Easement Agreement.
4. Pursuant to Section 1, 2, 3, 4, and 5 of the Easement Agreement, Grantor granted the Department rights and interests that run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of the Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of maintenance, monitoring or operation requirements; and to ensure the potential restriction of future uses of the land that are inconsistent with the stated purpose.
5. The Easement Agreement dated September 14, 2022 erroneously stated under Schedule “A” Property Description – (2) that the course is “South 27 degrees, 52’ 15” East.”
6. This Amendment to Environmental Easement is filed solely in order to correct a mutual mistake between the Department and Grantor relating to this erroneous course in Schedule “A” Property Description – (2) to that Environmental Easement dated September 14, 2022 and recorded in the in the County Clerk of Westchester as Control #621653790.
7. Pursuant to Section 8 of the Easement Agreement, the Department agrees to amend the Easement Agreement in the manner prescribed by Article 9 of the Real Property Law.

AMENDMENT OF ENVIRONMENTAL EASEMENT

- A. The above recitals are hereby incorporated into this Amendment of Environmental Easement.
- B. The Department and Grantor hereby agree that Schedule "A" Property Description – (2) of the Environmental Easement is hereby amended to read as follows:
 - (2) SOUTH 37 DEGREES, 52' 15" EAST
- C. All other terms of the September 14, 2022 Environmental Easement shall remain in effect.
- D. This Amendment of Environmental Easement inures to and binds the parties hereto and their respective successors and assigns.
- E. This Amendment of Environmental Easement shall be governed by and interpreted in accordance with the laws of the State of New York.

THIS AMENDMENT OF THE ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: Andrew Guglielmi
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

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

On the 18th day of December in the year 2023 before me, the undersigned, personally appeared Andrew O. Guglielmi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is (are) subscribed to the within instrument and acknowledged to me that he executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Cheryl A. Salem
Notary Public - State of New York

Cheryl A. Salem
Notary Public State of New York
Registration No. 01SA0002177
Qualified in Albany County
My Commission Expires March 3, 2027

SCHEDULE "A" PROPERTY DESCRIPTION

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 HUGUENOT STREET, SAID POINT BEING THE WESTERLY CORNER OF LANDS HEREIN DESCRIBED AND THE NORTHERLY CORNER OF LANDS NOW OR FORMERLY SEASONWEIN MANAGEMENT, LLC, SAID POINT ALSO BEING NORTH 28 DEGREES, 25' 05" EAST, AS PER GRID NORTH STATE PLANE COORDINATE SYSTEM NEW YORK EAST, 85.80 FEET FROM THE INTERSECTION OF SAID SOUTHEASTERLY LINE OF SAID HUGUENOT STREET WITH THE NORTHEASTERLY LINE OF CENTRE AVENUE;

THENCE RUNNING ALONG THE SOUTHEASTERLY LINE OF SAID HUGUENOT STREET, BEING THE NORTHWESTERLY LINE OF LANDS HEREIN DESCRIBED,

- (1) NORTH 28 DEGREES, 25' 05" EAST, A DISTANCE OF 110.00 FEET, TO A POINT BEING THE NORTHERLY CORNER OF LANDS HEREIN DESCRIBED AND THE WESTERLY CORNER OF LANDS NOW OR FORMERLY CITY OF NEW ROCHELLE;

THENCE RUNNING ALONG THE SOUTHWESTERLY LINE OF LANDS OF SAID CITY OF NEW ROCHELLE, BEING THE NORTHEASTERLY LINE OF LANDS HEREIN DESCRIBED,

- (2) SOUTH 37 DEGREES, 52' 15" EAST, A DISTANCE OF 113.70 FEET, TO A POINT BEING THE SOUTHERLY CORNER OF LANDS OF SAID CITY OF NEW ROCHELLE, THE EASTERLY CORNER OF LANDS HEREIN DESCRIBED AND LYING ON THE NORTHWESTERLY LINE OF WESTCHESTER PLACE;

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

- (3) SOUTH 25 DEGREES, 49' 11" WEST, A DISTANCE OF 121.95 FEET, TO A POINT BEING THE SOUTHERLY CORNER OF LANDS HEREIN DESCRIBED AND THE EASTERLY CORNER OF LANDS NOW OR FORMERLY SEASONWEIN MANAGEMENT, LLC;

THENCE RUNNING ALONG THE NORTHEASTERLY LINE OF LANDS OF SAID SEASONWEIN MANAGEMENT, LLC BEING THE SOUTHWESTERLY LINE OF LANDS HEREIN DESCRIBED,

- (4) NORTH 33 DEGREES, 53' 06" WEST, A DISTANCE OF 123.82 FEET, TO THE POINT OR PLACE OF BEGINNING;

CONTAINING 0.281± ACRES

Notice to County

December 28, 2023

Richard Hyman, Chair
Westchester County Planning Board
148 Martine Avenue
White Plains, New York 10601

Re: Environmental Easement

Dear Mr. Hyman

An Environmental Easement was granted to the New York State Department of Environmental Conservation ("Department") on September 14, 2022, by Allstate Acquisitions LLC, for property at 316 Huguenot Street, New Rochelle, New York, Tax Map No. 2-415-13, DEC Site No: C360215. The Environmental Easement was recorded September 29, 2022, with Control # 621653790. A copy of this recorded easement was mailed to you on October 19, 2022.

The September 2022 Environmental Easement restricts future use of the above referenced property to restricted residential, commercial and industrial uses. Any on-site activity must be done in accordance with the Environmental Easement and the Site Management Plan which is incorporated into the Environmental Easement. Department approval is also required prior to any groundwater use.)

On December 18, 2023, an Amendment to Environmental Easement was granted to the Department. This Amendment is intended to correct a mistake in the September 2022 Environmental Easement's Schedule "A" Property Description. The Amendment to Environmental Easement was recorded on December 22, 2023, with Control # 633423548. Please see the enclosed copy of the September 2022 Environmental Easement and the recorded Amendment to Environmental Easement.

Article 71, Section 71-3607 of the New York State Environmental Conservation Law requires that:

1. Whenever the department is granted an environmental easement, it shall provide each affected local government with a copy of such easement and shall also provide a copy of any documents modifying or terminating such environmental easement.
2. Whenever an affected local government receives an application for a building permit or any other application affecting land use or development of land that is subject to an environmental easement and that may relate to or impact such easement, the affected local government shall notify the department and refer such application to the department. The department shall evaluate whether the application is consistent with the environmental easement and shall notify the affected local government of its determination in a timely fashion, considering the

time frame for the local government's review of the application. The affected local government shall not approve the application until it receives approval from the department.

An electronic version of every environmental easement that has been accepted by the Department is available to the public at: <http://www.dec.ny.gov/chemical/36045.html>. Please forward this notice to your building and/or planning departments, as applicable, to ensure your compliance with these provisions of New York State Environmental Conservation Law. If you have any questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to be a stylized name, possibly "Allstate".

Allstate Acquisitions LLC

Notice to Municipality

December 28, 2023

Sarah Dobbs-Brown, Chair
New Rochelle Planning Board
New Rochelle City Hall
515 North Avenue
New Rochelle, New York 10801

Re: Environmental Easement

Dear Ms. Dobbs-Brown

An Environmental Easement was granted to the New York State Department of Environmental Conservation ("Department") on September 14, 2022, by Allstate Acquisitions LLC, for property at 316 Huguenot Street, New Rochelle, New York, Tax Map No. 2-415-13, DEC Site No: C360215. The Environmental Easement was recorded September 29, 2022, with Control # 621653790. A copy of this recorded easement was mailed to you on October 19, 2022.

The September 2022 Environmental Easement restricts future use of the above-referenced property to restricted residential, commercial and industrial uses. Any on-site activity must be done in accordance with the Environmental Easement and the Site Management Plan which is incorporated into the Environmental Easement. Department approval is also required prior to any groundwater use.)

On December 18, 2023, an Amendment to Environmental Easement was granted to the Department. This Amendment is intended to correct a mistake in the September 2022 Environmental Easement's Schedule "A" Property Description. The Amendment to Environmental Easement was recorded on December 22, 2023, with Control # 633423548. Please see the enclosed copy of the September 2022 Environmental Easement and the recorded Amendment to Environmental Easement.

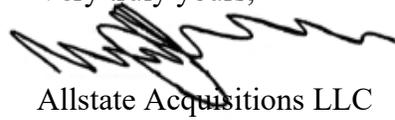
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affected local government of its determination in a timely fashion, considering the time frame for the local government's review of the application. The affected local government shall not approve the application until it receives approval from the department.

An electronic version of every environmental easement that has been accepted by the Department is available to the public at: <http://www.dec.ny.gov/chemical/36045.html>. Please forward this notice to your building and/or planning departments, as applicable, to ensure your compliance with these provisions of New York State Environmental Conservation Law. If you have any questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to be "Allstate Acquisitions LLC", written over the typed name.

Allstate Acquisitions LLC

NEW YORK STATE DEPARTMENT ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM
ECL § 27-1401 *et seq.*

Firestone Tire and Auto Repair Site

DEC Site No.: C360215

Located at: 316 Huguenot Street
New Rochelle, New York 10801

Volunteer:

Allstate Acquisitions LLC
13 Hayes Court, Unit 101
Monroe, New York 10905

**AFFIRMATION OF
LINDA R. SHAW
IN SUPPORT OF MAILING
MUNICIPAL NOTICES**

I, **LINDA R. SHAW**, an attorney admitted to practice in the State of New York, affirms under penalty of perjury the following:

1. Knauf Shaw LLP are the attorneys of record for Allstate Acquisitions LLC, which is the Volunteer for the New York State Brownfield Cleanup Program Site (“BCP”), Firestone Tire and Auto Repair Site, Site Number C360215.
2. On December 28, 2023, I mailed a true copy of a Notice to Municipality with a copy of the September 2022 Environmental Easement and a copy of the Amendment to Environmental Easement to Sarah C. Dodds-Brown, Chair of the New Rochelle Planning Board – 515 North Avenue, New Rochelle, New York 10801, by depositing a true copy of the same enclosed in a first-class, postpaid addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.
3. On December 29, 2023, I mailed a true copy of a Notice to County with a copy of the September 2022 Environmental Easement and a copy of the Amendment to Environmental Easement to Richard Hyman, Chair of the Westchester County Planning Board – 148 Martine Avenue, White Plains, New York 10601, by depositing a true copy of the same enclosed in a first-class, postpaid addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

WHEREFORE, Linda Shaw respectfully requests that this affirmation is acceptable proof of mailing for the municipal notices required for the Brownfield Cleanup Program Site.

Dated: December 28, 2023


LINDA R. SHAW