

**Lexington Avenue Developers LLC  
Brownfield Cleanup Program Application  
Former Sears Auto Service Center  
60 Main Street, White Plains, NY 10601**



**Legal & Consulting Team:  
Knauf Shaw LLP & SESI Consulting Engineers.  
August 2025**

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August 27, 2025

**VIA ELECTRONIC MAIL**

Site Control Section  
Attn: Alexandra (Lexy) Servis  
NYS Department of Environmental Conservation  
Bureau of Technical Support  
625 Broadway, 11<sup>th</sup> Floor  
Albany, New York 12233-7020

**RE: Brownfield Cleanup Program Application – Second Submission  
Former Sears Auto Service Center BCP Site No. C360267**

Dear Lexy:

On behalf of BCP Applicant Volunteer Lexington Avenue Developers LLC, a revised Brownfield Cleanup Program (“BCP”) application, in response to a Letter of Incomplete Application (“LOIA”) received via email from the NYS Department of Environmental Conservation (the “Department”) on August 21, 2025, has been uploaded to Site Control Dropbox. It is important to note that the LOIA was sent to the Site owner Galleria City Holding Company LLC, but the Site owner is not the Applicant. Responses to each comment are provided below:

Section VII: Requestor Information

- Please correct the requestor’s email address.

**RESPONSE: The requestor’s email address has been corrected.**

Section VIII: Requestor Contact Information

- Please correct the requestor’s email address.

**RESPONSE: The requestor’s email address has been corrected.**

Project Manager Comments

Section I: Property Information – Item 14 Environmental Assessment

- Section F. Environmental Assessment, Paragraph 3, Sentence 1. Per Exhibit I, Figure 3.3, compounds listed were observed in indoor air samples, not sub-slab. Revise accordingly.

**RESPONSE: The three Carbon Tetrachloride indoor air exceedances of the DOH Indoor Air matrices and one exceedance for Methylene Chloride have been noted in this section.**



Section VI: Property's Environmental History

- Section 3, Environmental Assessment, Soil Vapor Table. Records of several compounds conflate detections in soil vapor and indoor air. There should be a maximum of 3 detections in either medium. Separate records by detection medium.

**RESPONSE: The Soil Vapor Table has been updated to reflect the three Carbon Tetrachloride indoor air exceedances of the DOH Indoor Air matrices and the one indoor air exceedance for Methylene Chloride. The total number of detections for each compound have been separated by medium in the chart included in the above-referenced section of the Support Narrative Document.**

Sincerely,

**KNAUF SHAW LLP**

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

LINDA R. SHAW, ESQ.

Enclosure

cc: Sarah Saucier, NYS DEC  
Ian Goller, NYS DEC  
K. Maloney NYS DEC  
Steven McCague, NYS DEC  
Ashley Johnson, NYS DEC  
Kelly Lewandowski, NYS DEC  
Peter Palazzo, Lexington Avenue Developers LLC  
Steven Gustems, SESI Consulting Engineers



**SUBMITTAL INSTRUCTIONS:**

1. Compile the application package in the following manner:
  - a. one file in non-fillable PDF which includes a Table of Contents, the application form, and supplemental information (excluding the previous environmental reports and work plans, if applicable);
  - b. one individual file (PDF) of each previous environmental report; and,
  - c. one file (PDF) of each work plan being submitted with the application, if applicable.
2. \*OPTIONAL: Compress all files (PDFs) into one zipped/compressed folder
3. Submit the application to the Site Control Section either via NYSDEC dropbox or ground mail, as described below.

**Please select only ONE submittal method – do NOT submit both via dropbox and ground mail.**

a. VIA SITE CONTROL DROPBOX:

- [Request an invitation](#) to upload files to the Site Control submittal dropbox.
- In the "Title" field, please include the following: "New BCP Application - *Proposed Site Name*".
- After uploading files, an automated email will be sent to the submitter's email address with a link to verify the status of the submission. Please do not send a separate email to confirm receipt.
- Application packages submitted through third-party file transfer services will not be accepted.

b. VIA GROUND MAIL:

- Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
- Mail the external storage device to the following address:  
Chief, Site Control Section  
Division of Environmental Remediation  
625 Broadway, 12<sup>th</sup> Floor  
Albany, NY 12233-7020

**SITE NAME:** Former Sears Auto Service Center

**Is this an application to amend an existing BCA with a major modification?** Please refer to the application instructions for further guidance related to BCA amendments.

If yes, provide existing site number: \_\_\_\_\_

☐

Yes

☒

No

**Is this a revised submission of an incomplete application?**

If yes, provide existing site number: C360267

☒

Yes

☐

No



**BROWNFIELD CLEANUP PROGRAM (BCP)  
APPLICATION FORM**

BCP App Rev 16.1 – March 2025

**SECTION I: Property Information**

PROPOSED SITE NAME **Former Sears Auto Service Center**

ADDRESS/LOCATION **60 Main Street**

CITY/TOWN **White Plains**

ZIP CODE **10601**

MUNICIPALITY (LIST ALL IF MORE THAN ONE)

COUNTY **Westchester**

SITE SIZE (ACRES) **1.5082**

LATITUDE

LONGITUDE

41° 01' 56" N 73° 46' 17" W

Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, please indicate as such by inserting "p/o" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding acreage column.

**ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.**

Parcel Address	Section	Block	Lot	Acreage
60 Main Street	125.75	4	1..1	1.5082

1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	<input checked="" type="radio"/> Y	<input type="radio"/> N
2. Is the required property map, provided in electronic format, included with the application? (Application will not be processed without a map)	<input checked="" type="radio"/> Y	<input type="radio"/> N
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <a href="#">DEC's website</a> for more information) If yes, identify census tract: <u>93</u> Percentage of property in En-zone (check one): <input type="radio"/> 0% <input type="radio"/> 1-49% <input type="radio"/> 50-99% <input checked="" type="radio"/> 100%	<input checked="" type="radio"/> Y	<input type="radio"/> N
4. Is the project located within a disadvantaged community? See application instructions for additional information.	<input checked="" type="radio"/> Y	<input type="radio"/> N
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.	<input type="radio"/> Y	<input checked="" type="radio"/> N
6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications:	<input type="radio"/> Y	<input checked="" type="radio"/> N



SECTION I: Property Information (continued)		Y	N
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?		<input type="radio"/>	<input checked="" type="radio"/>
8. Has the property previously been remediated pursuant to Titles 9, 13 or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation.		<input checked="" type="radio"/>	<input type="radio"/>
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.		<input type="radio"/>	<input checked="" type="radio"/>
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____		<input type="radio"/>	<input checked="" type="radio"/>
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: _____		<input type="radio"/>	<input checked="" type="radio"/>
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information.  <div style="display: flex; justify-content: space-between;"> <div><u>Easement/Right-of-Way Holder</u></div> <div><u>Description</u></div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information):  <div style="display: flex; justify-content: space-between;"> <div><u>Type</u></div> <div><u>Issuing Agency</u></div> <div><u>Description</u></div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?		<input checked="" type="radio"/>	<input type="radio"/>
<b>Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.</b>			
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.		<input type="radio"/>	<input checked="" type="radio"/>
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?		<input type="radio"/>	<input type="radio"/>
17. If you have answered YES to Question 16 above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application?		<input type="radio"/>	<input type="radio"/>
<b>NOTE:</b> If a tangible property tax credit determination is not being requested at the time of application, the applicant may seek this determination at any time before issuance of a Certificate of Completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.			
<b>If any changes to Section I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions.</b> <b>Initials of each Requestor:</b> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> </div>			

## SECTION II: Project Description

1. The project will be starting at: ☒ Investigation ☐ Remediation

If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (see [DER-10, Technical Guidance for Site Investigation and Remediation](#) for further guidance), then a 45-day public comment period is required.

2. If a final RIR is included, does it meet the requirements in ECL Article 27-1415(2)?

☐ Yes ☐ No ☒ N/A

3. Have any draft work plans been submitted with the application (select all that apply)?

☒ RIWP ☐ RAWP ☐ IRM ☐ No

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.

Is this information attached? ☒ Yes ☐ No

Beginning January 1, 2024, all work plans and reports submitted for the BCP shall address Green and Sustainable Remediation (GSR) and DER-31 (see [DER-31, Green Remediation](#)). Work plans, reports and design documents will need to be certified in accordance with DER-31.

5. Please provide a description of how Green and Sustainable Remediation will be evaluated and incorporated throughout the remedial phases of the project including Remedial Investigation, Remedial Design/Remedial Action, and Site Management and reporting efforts.

Is this information attached? ☒ Yes ☐ No

6. If the project is proposed to start at the remediation stage (Section 2, Item 1, above), a climate change screening or vulnerability assessment must have been completed. Is this attached?

☐ Yes ☒ No

## SECTION III: Ecological Concerns

- |   | Y                     | N                                |
|---|-----------------------|----------------------------------|
| 1. Are there fish, wildlife, or ecological resources within a ½-mile radius of the site?  | <input type="radio"/> | <input checked="" type="radio"/> |
| 2. Is there a potential path for contamination to potentially impact fish, wildlife or ecological resources?  | <input type="radio"/> | <input checked="" type="radio"/> |
| 3. Is/are there a/any Contaminant(s) of Ecological Concern?   | <input type="radio"/> | <input checked="" type="radio"/> |
| If any of the conditions above exist, a Fish and Wildlife Resources Impact Analysis (FWRIA) Part I, as outlined in DER-10 Section 3.10.1, is required. The applicant may submit the FWRIA with the application or as part of the Remedial Investigation Report. |                       |                                  |
| 4. Is a Fish and Wildlife Resources Impact Analysis Part I included with this application?  | <input type="radio"/> | <input checked="" type="radio"/> |








N/A ☐

**SECTION IV: Land Use Factors**

1. What is the property's current municipal zoning designation? <u>B-6</u>		
2. What uses are allowed by the property's current zoning (select all that apply)? Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/>		
3. Current use (select all that apply): Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Recreational <input type="checkbox"/> Vacant <input checked="" type="checkbox"/>		
4. Please provide a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date by which the site became vacant. Is this summary included with the application?	Y <input checked="" type="radio"/>	N <input type="radio"/>
5. Reasonably anticipated post-remediation use (check all that apply): Residential <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> If residential, does it qualify as single-family housing? N/A <input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
6. Please provide a statement detailing the specific proposed post-remediation use. Is this summary attached?	<input checked="" type="radio"/>	<input type="radio"/>
7. Is the proposed post-remediation use a renewable energy facility? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
8. Do current and/or recent development patterns support the proposed use?	<input checked="" type="radio"/>	<input type="radio"/>
9. Is the proposed use consistent with applicable zoning laws/maps? Please provide a brief explanation. Include additional documentation if necessary.	<input type="radio"/>	<input checked="" type="radio"/>
10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Please provide a brief explanation. Include additional documentation if necessary.	<input checked="" type="radio"/>	<input type="radio"/>

**SECTION V: Current and Historical Property Owner and Operator Information**

CURRENT OWNER Galleria City Holding Company LLC c/o Pacific Realty		
CONTACT NAME Steven Plenge		
ADDRESS 2029 Century Park East Suite #1550		
CITY Los Angeles	STATE CA	ZIP CODE 90067
PHONE 310-464-7514	EMAIL splenge@pacificretail.com	
OWNERSHIP START DATE 2022		
CURRENT OPERATOR same as above but the Site is vacant other than an occasional use		
CONTACT NAME same as above; see narrative for the occasional use information		
ADDRESS		
CITY	STATE	ZIP CODE
PHONE	EMAIL	
OPERATION START DATE 2022		

## SECTION VI: Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit information requested in this section in electronic format ONLY***):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard ([ASTM E1903](#)). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do NOT submit paper copies of ANY supporting documents.**
2. **SAMPLING DATA:** Indicate (by selecting the options below) known contaminants and the media which are known to have been affected. Data summary tables should be included as an attachment, with laboratory reports referenced and included.

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PFAS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*Please describe other known contaminants and the media affected:

3. For each impacted medium above, include a site drawing indicating:

- Sample location
- Date of sampling event
- Key contaminants and concentration detected
- For soil, highlight exceedances of reasonably anticipated use
- For groundwater, highlight exceedances of 6 NYCRR part 703.5
- For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Are the required drawings included with this application?

☒ YES

☐ NO

4. Indicate Past Land Uses (check all that apply):

<input type="checkbox"/> Coal Gas Manufacturing	<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Agricultural Co-Op	<input checked="" type="checkbox"/> Dry Cleaner
<input type="checkbox"/> Salvage Yard	<input type="checkbox"/> Bulk Plant	<input type="checkbox"/> Pipeline	<input checked="" type="checkbox"/> Service Station
<input type="checkbox"/> Landfill	<input type="checkbox"/> Tannery	<input type="checkbox"/> Electroplating	<input type="checkbox"/> Unknown

Other: Carriage house/factory, laundry/drycleaning, automobile station/garage, plumbing shop, furniture and upholstery, paints/oils storage, hardware store, tin shop, sheet metal fabrication, and naphtha and oil storage



SECTION VII: Requestor Information					
NAME Lexington Avenue Developers LLC					
ADDRESS 3849 Briarhill Street					
CITY/TOWN Mohegan Lake		STATE NY	ZIP CODE 10547		
PHONE 646-879-2869		EMAIL palazzo@peoplepc.com			
				Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?				<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS to conduct business in NYS, the requestor's name must appear, exactly as given above, in the <a href="#">NYS Department of State's Corporation &amp; Business Entity Database</a> . A print-out of entity information from the database must be submitted with this application to document that the requestor is authorized to conduct business in NYS. Is this attached?				<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment. Is this attached? N/A <input type="radio"/>				<input checked="" type="radio"/>	<input type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must meet the requirements of Section 1.5 of <a href="#">DER-10: Technical Guidance for Site Investigation and Remediation</a> and Article 145 of New York State Education Law. Do all individuals that will be certifying documents meet these requirements? <b>Documents that are not properly certified will not be approved under the BCP.</b>				<input checked="" type="radio"/>	<input type="radio"/>

SECTION VIII: Requestor Contact Information			
REQUESTOR'S REPRESENTATIVE Peter Palazzo			
ADDRESS 3849 Briarhill Street			
CITY Mohegan Lake		STATE NY	ZIP CODE 10547
PHONE 646-879-2869		EMAIL palazzo@peoplepc.com	
REQUESTOR'S CONSULTANT (CONTACT NAME) Steven Gustems			
COMPANY SESI Consulting Engineers			
ADDRESS 959 Route 46E, Fl 3, Ste 300			
CITY Parisppany		STATE NJ	ZIP CODE 07054
PHONE 973-808-9050		EMAIL ssg@sesi.org	
REQUESTOR'S ATTORNEY (CONTACT NAME) Linda Shaw, Esq.			
COMPANY Knauf Shaw LLP			
ADDRESS 100 South Clinton Avenue, Suite 2600			
CITY Rochester		STATE NY	ZIP CODE 14604
PHONE 585-546-8430		EMAIL lshaw@nyenvlaw.com	

**SECTION IX: Program Fee**

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver with supporting documentation.

	Y	N
1. Is the requestor applying for a fee waiver?	<input type="radio"/>	<input checked="" type="radio"/>
2. If yes, appropriate documentation must be provided with the application. See application instructions for additional information.		
Is the appropriate documentation included with this application?	N/A <input checked="" type="radio"/>	<input type="radio"/>

**SECTION X: Requestor Eligibility**

If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the ECL Article 27; (ii) any order or determination; (iii) any regulation implementing Title 14; or (iv) any similar statute or regulation of the State or Federal government?	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
7. Has the requestor been convicted of a criminal offence (i) involving the handling, storing, treating, disposing or transporting of contaminants; or (ii) that involved 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?	<input type="radio"/>	<input checked="" type="radio"/>
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>

**SECTION X: Requestor Eligibility (continued)**

12. The requestor must certify that he/she/they is/are 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 hazardous waste or discharge of petroleum, 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 hazardous waste or discharge of petroleum.

☐**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 selecting this option, 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; and, (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.**

13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?

☒ Yes

☐ No

☐ N/A

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

☐ Previous Owner ☐ Current Owner ☒ Potential/Future Purchaser ☐ Other: \_\_\_\_\_

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** 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 environmental easement on the site.

Is this proof attached?

☒ Yes

☐ No

☐ N/A

**Note:** A purchase contract or lease agreement does not suffice as proof of site access.

## SECTION XI: Property Eligibility Information

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>
3. Is/was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? If yes, please provide: Permit Type: _____ EPA ID Number: _____  Date Permit Issued: _____ Permit Expiration Date: _____	<input type="radio"/>	<input checked="" type="radio"/>
4. If the answer to question 2 or 3 above is YES, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents. <div style="text-align: right;">N/A <input checked="" type="radio"/></div>	<input type="radio"/>	<input type="radio"/>
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____	<input type="radio"/>	<input checked="" type="radio"/>
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>

## SECTION XII: Site Contact List

To be considered complete, the application must include the Brownfield Site Contact List in accordance with *DER-23: Citizen Participation Handbook for Remedial Programs*. Please attach, at a minimum, the names and mailing addresses of the following:

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and adjacent properties.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.
- For sites located in the five counties comprising New York City, the Director of the Mayor's Office of Environmental Remediation.



### SECTION XIII: Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the [DER-32, Brownfield Cleanup Program Applications and Agreements](#); and (3) that in the event of a conflict between the general terms and conditions of participation and terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, 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.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

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

(By a requestor other than an individual)

I hereby affirm that I am authorized signatory (title) of Lexington Avenue Developers LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the [DER-32, Brownfield Cleanup Program Applications and Agreements](#); and (3) that in the event of a conflict between the general terms and conditions of participation and terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, 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.

Date: 6-5-25 Signature: 

Print Name: Peter Palazzo

**PLEASE REFER TO THE APPLICATION COVER PAGE AND BCP APPLICATION INSTRUCTIONS FOR DETAILS OF PAPERLESS DIGITAL SUBMISSION REQUIREMENTS.**

**FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY**

Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27-1407(1-a) must be submitted if requestor is seeking this determination.

**BCP App Rev 16.1**

<b>Please respond to the questions below and provide additional information and/or documentation as required. Please refer to the application instructions.</b>	<b>Y</b>	<b>N</b>
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input type="radio"/>
Underutilized	<input type="radio"/>	<input type="radio"/>

**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.

**From 6 NYCRR 375-3.2(I) as of August 12, 2016** (Please note: Eligibility determination for the underutilized category can only be made at the time of application):

375-3.2:

- (I) “Underutilized” means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and
- (1) the proposed use is at least 75 percent for industrial uses; or
- (2) at which:
- (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;
  - (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
  - (iii) one or more of the following conditions exists, as certified by the applicant:
    - (a) property tax payments have been in arrears for at least five years immediately prior to the application;
    - (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or
    - (c) there are no structures.

“Substantial government assistance” shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.

**FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)**

5. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review).

**Check appropriate box below:**

- ☐ Project is an Affordable Housing Project – regulatory agreement attached
- ☐ Project is planned as Affordable Housing, but agreement is not yet available
- ☐ This is not an Affordable Housing Project

**From 6 NYCRR 375-3.2(a) as of August 12, 2016:**

- (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.
- (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.
- (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 homeowners at a defined maximum percentage of the area median income.
- (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.

**FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)**

6. Is the site a planned renewable energy facility site as defined below?

☐ Yes – planned renewable energy facility site with documentation

☐ Pending – planned renewable energy facility awaiting documentation

\*Selecting this option will result in a “pending” status. The appropriate documentation will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.

☐ No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

**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 energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to 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 energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and plans to meet the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

☐ Yes - \*Selecting this option will result in a “pending” status, as a BOA conformance determination has not yet been made. Proof of conformance will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.

☐ No

**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.



# **BCP APPLICATION SUPPORT DOCUMENT**

## **Exhibit List**

<b>Exhibit A</b>	Site Location Map, Base Map, and Street Map
<b>Exhibit B</b>	Tax Boundary Map and Survey Map
<b>Exhibit C</b>	Brownfield Opportunity Area (“BOA”) Map, Disadvantage Communities Map (“DCM”), and En-Zone Map
<b>Exhibit D</b>	Flood Map
<b>Exhibit E</b>	Zoning Map
<b>Exhibit F</b>	Previous Owners and Operators List
<b>Exhibit G</b>	Deed
<b>Exhibit H</b>	Site Access Agreement
<b>Exhibit I</b>	Site Drawing Spider Maps
<b>Exhibit J</b>	NYS DOS Entity Information
<b>Exhibit K</b>	Written Consent
<b>Exhibit L</b>	Site Contact List
<b>Exhibit M</b>	Repository Letter

## **ENVIRONMENTAL REPORTS:**

1. June 2025 Phase I Environmental Site Assessment prepared by SESI for Lexington Avenue Developers LLC
2. June 2025 Phase II Environmental Site Assessment prepared by SESI for Lexington Avenue Developers LLC
3. July 2025 Draft Remedial Investigation Work Plan prepared by SESI for Lexington Avenue Developers LLC
4. NYS DEC Environmental Remediation Databases, Spill Record 9102767
5. NYS DEC Environmental Remediation Databases, Spill Record 9110939
6. NYS DEC Environmental Remediation Databases, Spill Record 0703055

## SECTION I – PROPERTY INFORMATION

The Site is located at the following addresses:

Parcel Address	Tax Parcel Identification No.	Acreage <sup>1</sup>
60 Main Street White Plains, New York 10601	Lot 125.75-4-1..1	1.5082

The Site will hereinafter be referred to as “Site” or “BCP Site”. The Site Location Map, Base Map and Street Map are in Exhibit A.

### 1. Site Boundary and Tax Parcel Information

The Site boundary does correspond to the tax lot boundary. The Tax Boundary Map and a Survey Map are provided in Exhibit B. The Site is comprised of a recently merged lot made up of former tax lot 125.75-4-1 (approx. 1.46-acres) and a small portion of the former tax lot 125.75-4-2 (approx. 0.0482-acres). The total acreage of the Site is 1.5082 according to the Survey Map in Exhibit B.

### 2. Property Map

The Site Location Map, Base Map and Street Map are in Exhibit A. The Tax Boundary Map and Survey Map are in Exhibit B.

### 3-5. BOA, Disadvantaged Communities, EJ and En-Zone Designations

The Site BOA, Disadvantaged Communities, and En-Zone Maps are in Exhibit C. The Site is not located in a BOA. The Site is located in an En-Zone Type AB, Census Tract 93. The Site is also located in a disadvantaged community area. According to the New York State Disadvantaged Communities Map, the Site is located on Census Tract 36119009300, which has an environmental burden higher than 55.46% of Census Tracts statewide and a population vulnerability higher than 79.91% percent of Census Tracts statewide.

### 6-7. Please refer to the BCP Application Form.

**8. The question “Has the property previously been remediated pursuant to Titles 9, 13 or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law?” is only answered “Yes” for the following reason:** When JC Penney’s occupied the Site, Spill No. 9102767 occurred on June 10, 1991, which involved a spill of 20 gallons of No. 2 fuel oil from a tank overfill. The noted impacts were concrete/soil, and the case was reported as being closed by the NYSDEC three days later on June 13, 1991. The “property” was not remediated. Presumably only the small area impacted where the spill occurred was remediated. The exact location where this limited spill occurred is not known exactly from the files but was likely in the location of the USTs which remain in place on the Site under which the investigation to date could not perform any sampling because the tanks remain in place.

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<sup>1</sup> Acreages were determined using the Survey Map in Exhibit B.

There were two other extremely minor spills associated with the Galleria Mall, but which may not have occurred on this Site but were determined in the Phase I to potentially have an impact on this Site as an HREC:

- Spill No. 9110939 (January 22, 1992), associated with “White Plains Garage, Main St & Grove St”. One (1) gallon of No. 2 fuel oil spilled from a vent tank overfill. Speedy Dry was applied. The noted impacts were to soil, and the case was reported as closed by the NYSDEC on January 24, 1992.
- Spill No. 0703055 (June 13, 2007), Galleria Mall, 100 Main Street: An individual dumped out one (1) gallon of gasoline into a storm drain when he could not return it. The spill was closed out by NYSDEC on June 14, 2007.

The exact locations of these spills is not known and may not even have occurred on this Site.

**9-11. Please refer to the BCP Application Form.**

**12. Easements and Existing Right of Ways**

There are no Easements or Existing Right-of-Ways located on the Site.

**13. Please refer to BCP Application Form.**

**14. Property Description and Environmental Assessment**

A. Site Location

The Site is located at the following address:

Parcel Address	Tax Parcel Identification No.
60 Main Street, White Plains, NY	Condominium Lot Section 125.75-4-1..1

The Site is located on the southeast corner of the intersection of North Lexington Avenue and Main Street. The closest body of water to the Site is the Bronx River, which is approximately 0.35 miles west of the Site. The Site is not located in a flood zone. See Exhibit D – Flood Map. The Site is located approximately 0.22 miles southeast from the White Plains Train Station. As a result of the Site’s proximity to this Metro North train station, the proposed project, which is within walking distance to the train station, is a green sustainable transit-oriented development project.

B. Site Features

The Site consists of a portion of a large structure that was formerly the Sears leasehold space of the Galleria Mall. The ground floor consists of mechanical and loading spaces while the upper floors were improved with the department store including an auto repair service center on the lower level. The Site is currently vacant. Further, the Site is bound by Main Street to the north and South Lexington Avenue to the west. The vacant mall continues to the east; however, the remainder of the mall is not part of the BCP Site for this application. To the south is a municipally owned parking structure.

### C. Current Zoning and Land Use

The Site is currently located in the B-6 District, which is a Business District designated as “Enclosed Mall” and is designed for super-regional enclosed shopping malls, with accompanying parking and other facilities commonly found accessory to such “uses.” The B-6 District generally allows certain recreation, business, and restaurant uses, but excludes all residential uses. The areas surrounding the Site are zoned as core business (CB-2, CB-4), urban renewal central business (UR-4), transit development (TD-1), and residential multi-family (RM-0.35). *See* Exhibit E – Zoning Map.

Since enclosed malls are out of favor with the public, the Site is being rezoned as part of a newly proposed TD-2 District. Since the mall closed in 2023, the City of White Plains is facilitating this rezoning to allow for multifamily residential and other uses generally similar to the existing Transit Development 1 (TD-1) District, in support of the City’s goal to increase available housing units and to reuse the land on the underutilized closed mall property. The development plan for proposed project on the Site is being analyzed in a Draft Environmental Impact Statement (DEIS) and a Final Environmental Impact Statement (FEIS). Approval for the rezoning is anticipated by Fall 2025.

Roughly half of the area within a ¼-mile radius of the Site is zoned Core Business-4 (CB-4) District, with the bulk of the remainder zoned as Core Business-2 (CB-2) District, Core Business (CB-3) District, Transit Development 1 (TD-1) District, and Urban Renewal Central Business-4 (UR-4) District. These districts all permit multi-family residences. Therefore, the proposed rezoning would be consistent with and support the existing pattern of dynamic, mixed-use, downtown zoning.

The Site is currently a commercial vacant Sears store and was attached to a larger mall structure. The vacant mall is only used occasionally for homeland security drills and police active shooter practice drills. The surrounding properties consist of the following uses: commercial/office/residential to the north; government/office to the south, commercial/office/residential/park to the east, and office/apartments to the west.

The nearest residential area is approximately one block east of the Site.

### D. Past Use of the Site

The Site contained the following historic uses (circa 1885-1950) that were noted to be of concern: carriage house/factory, laundry/drycleaning, automobile station/garage, plumbing shop, furniture and upholstery, paints/oils storage, hardware store, tin shop, sheet metal fabrication, and naphtha and oil storage. The Galleria Mall was constructed around 1980. Specifically, the Site was improved with the Galleria Mall which utilized large petroleum tanks for heating oil and contained anchor stores JCPenney (circa 1981-2001), and then Sears (circa 2003 to 2023), which added an auto repair center. These historical land uses represent RECs and additional investigation is warranted.

The historical owners and operators associated with the Site are further described below and in Exhibit F - Previous Owners and Operators List.

E. Site Geology and Hydrogeology

The soils at the Site are characterized as UoA (Urban Land outwash substratum) urban land, which is surface covered by pavement, concrete, buildings, and other structures underlain by disturbed and natural soil material, till substratum, 0 to 3 percent slopes. The elevation of groundwater at the subject property is approximately 180-200 feet above mean sea level (AMSL), and groundwater flow direction is expected to be in the westerly direction.

F. Environmental Assessment

In soil, SVOCs and metals were detected in exceedance of the Restricted Residential Soil Cleanup Objective (RRSCOs) including but not limited to cadmium (max of 4.9 ppm), lead (max of 1260 ppm), mercury (max of 0.839 ppm), benzo(a)anthracene (max of 1.66 ppm), benzo(a)pyrene (max of 1.34 ppm), benzo(b)fluoranthene (max of 1.3 ppm) and indeno(1,2,3-cd) pyrene (max of 0.729 ppm). Notably, the lead exceedance mentioned above is also an exceedance of the Commercial Soil Cleanup Objective.

In groundwater, the VOC chloroform (max of 7 ppb), SVOCs benzo(a)anthracene (max of 0.09 ppb), benzo(a)pyrene (max of 0.08 ppb), benzo(b)fluoranthene (max of 0.09 ppb), benzo(k)fluoranthene (max of 0.04 ppb), chrysene (max of 0.06 ppb) and indeno(1,2,3-cd) pyrene (max of 0.06 ppb), and the metals barium (max of 2,409 ppb), beryllium (max of 3.2 ppb), chromium (max of 613.6 ppb), copper (max of 820 ppb), iron (max of 208,000 ppb), lead (max of 166.5 ppb), magnesium (max of 281,000 ppb), manganese (max of 26,100 ppb), nickel (max of 437.4 ppb), selenium (max of 61.4 ppb), sodium (max of 1,250,000 ppb), thallium (max of 7.23 ppb) were detected in exceedance of the Ambient Water Quality Standards (AWQS).

In indoor air, VOCs were detected within three samples collected from the Site including one exceedance of methylene chloride (max of 29.3  $\mu\text{g}/\text{m}^3$ ) and three exceedances of carbon tetrachloride (max of 0.535  $\mu\text{g}/\text{m}^3$ ). However, other sub slab soil vapor detections, including benzene (max of 5.78  $\mu\text{g}/\text{m}^3$ ), 1,2,4-trimethylbenzene (max of 3.81  $\mu\text{g}/\text{m}^3$ ), toluene (max of 11.4  $\mu\text{g}/\text{m}^3$ ), tetrachloroethylene or PCE (max of 22  $\mu\text{g}/\text{m}^3$ ), are also worth noting.

**15-17. Regarding Questions 15-17 on the BCP Application Form:**

There are no responses to question 15-17 on the BCP Application Form since this Site is not located in New York City.

**SECTION II: PROJECT DESCRIPTION**

**1-2. Please refer to the BCP Application Form.**

**3. Short Project Description**

The Planned redevelopment of the Site entails a mixed use residential development project.



## Schedule – Commencement through COC

Assuming the Site is accepted into the BCP by late fall 2025, the Remedial Investigation (RI) Work Plan (RIWP) submitted with this application is expected to be approved by early winter 2025. Site Security, Erosion Control, Abatement, Tank Removal & Demolition Site preparation activities are expected to commence by late 2025 or early 2026. It is important to note that the Sears building structure will be able to be demolished without impacting the remaining mall structure in order to perform the remediation. Remedial Investigation is expected to be completed on the Site by early 2026. The Remedial Action Work Plan (RAWP) will be completed in spring 2026 and any required remediation may commence in early summer 2026. The Certificate of Completion is anticipated to be issued before December 2026 or in early 2027.

### **5. Green and Sustainable Remediation (GSR)**

GRS principles will be incorporated into each step of the BCP Process:

Remedial Investigation/Alternatives Analysis: GSR will be incorporated into RI project planning, including the application of the proposed environmental footprint analysis tool, and how climate resiliency will be included. A discussion about the plan to implement GSR will be included in the RIWP and implemented during the RI. Specifically during the RI implementation, the consultant will:

- Evaluate sensitive, local human and ecological receptors which require protection from contaminants of concern, traffic, noise, dust and odors during the implementation. An enhanced Community Air Monitoring Plan will be implemented.
- Identify vendors with operation centers local to the Site to minimize fuel consumption associated with travel to and from the Site and encourage use of the Metro North Train Station located only 0.22 miles from the Site.
- Salvage organic debris that is uncontaminated and free of pests or disease, for use as supplemental infill, mulch or compost.
- Salvage uncontaminated objects with potential recycle, resale, donation or onsite infrastructure value, such as steel, concrete and granite.
- Designate collection points for recycling single-use items such as metal, plastic and glass containers; paper and cardboard; and other consumable items.
- Advise contractors to avoid idling vehicles while on the BCP Site.

Remedial Design and Remedial Action: Green remediation principles and techniques will be implemented to the extent feasible in the design and implementation of the remedy as per DER-31. The major green remediation components are as follows:

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term and specify chemicals or agents, where applicable, that are not harmful or hazardous to aquatic environments and the subsurface, are readily biodegradable, and/or can help to improve site geochemical conditions;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;

- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and
- Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, including that any future on-site buildings shall be constructed, at a minimum, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) to improve energy efficiency as an element of construction. (see below)

An environmental footprint analysis will be completed, which will use an accepted environmental footprint analysis calculator such as SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise™ (available in the Sustainable Remediation Forum [SURF] library) or similar Department accepted tool and construction considerations should reference NYSDEC standard specification 01 89 29-Green Remediation Practice and the associated Form A – Summary of Green Remediation Metrics will be used to track actual metrics for the footprint analysis. Contractors will also pay attention to the carbon emissions used in the material generation and transportation to reduce the carbon footprint and recycling applicability where possible. This extends to the use of drilling fluids that are biodegradable and chemicals that are not harmful or hazardous during site operations. Contractors will reference the ISS Factsheet provided by the NYSDEC when selecting materials, methods and general operations for this work.

Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

Site Management: GSR will be incorporated into Site Management, including use of DEC's SMP template, resource and energy consumption reduction, waste minimization, and climate resiliency evaluation within Periodic Review Reports (PRRs). Further, progress with respect to green and sustainable remediation metrics will be tracked, and reported in PRRs, as part of the Site Management program, and opportunities to further reduce the environmental footprint of the project will be identified as appropriate.

Redevelopment: The new on-Site building will implement green stormwater management practices, evaluate the use of geothermal heating and cooling for project, with the goal of designing buildings to a LEED Silver standard. The building will also meet one of the following criteria:

1. 2020 Enterprise Green Communities Certification or 2020 Enterprise Green Communities Certification Plus
2. Passive House PHI/PHIUS or equal
3. Energy Star Multifamily New Construction Program
4. ICC/ASHRAE 700 – 2020 National Green Building Standard Silver or higher

The Project is also a transit-oriented development project since the new apartment complex is located 0.22 miles, which is walking distance, to the White Plains Metro North train station.

## **6. Climate Change Screening or Vulnerability Assessment**

The Site is not entering the program at the remediation Stage, therefore, a Climate Change Screening or Vulnerability Assessment is not required at this time. However, this Site is not in a flood zone and is not likely to be impacted by climate change events. It is located in an urban downtown area with stormwater sewer infrastructure that already prevents flooding. In addition, the building will provide an improvement in stormwater quality and quantity as compared to the existing conditions through implementation of green roofs at the open space plaza level and hydrodynamic separators at the building's connection to the City's storm sewer system. These stormwater management practices will be designed to meet the New York State Construction General Permit requirements including water quality treatment, stormwater runoff reduction and attenuation of peak flow rates discharging from the site.

## **SECTION III: ECOLOGICAL CONCERNS**

### **1-3. Please refer to the BCP Application Form**

### **4. Fish and Wildlife Resources Impact Analysis Part I (FWRIA Part I).**

The Bronx River is 0.35 miles from the Site. However, a Fish & Wildlife assessment is not anticipated for this Site due to its urban location and distance from surface water bodies and wildlife areas as well as the unlikelihood that the type of contamination found to date on this Site could migrate and impact the nearest water body. The Site is also not in a Flood Zone. See Exhibit D. A Fish & Wildlife assessment confirming these facts will be included in the Remedial Investigation Report.

## **SECTION IV: LAND USE FACTORS**

### **1. Current Zoning**

The Site is currently within the B-6 District. See Exhibit E, Zoning Map.

### **2. Allowed Uses**

The B-6 Zoning District, or “Enclosed Mall,” allows for various permitted principal uses and special uses such as recreation, semi-public, community facilities, office, business, and parking. However, as noted above, the Site is being rezoned as part of a newly proposed Transit

Development 2 (TD-2) District. Since the mall closed, the City of White Plains is facilitating this rezoning to allow for multifamily residential and other uses generally similar to the existing Transit Development 1 (TD-1) District, in support of the City's goal to increase available housing units and to reuse the land on the underutilized closed mall land. The development plan for the proposed project on the Site is being analyzed in a Draft Environmental Impact Statement (DEIS). Approval for the rezoning anticipated to be approved by the City of White Plains in Fall 2025.

### **3-4. Current Use**

This Site has been vacant since the Sears store and attached mall closed in March 2023. However, as stated above, the vacant mall is being only occasionally used for homeland security drills and police active shooter practice drills.

### **5. Intended Use Post Remediation**

After the remediation, the Site will be used for mixed-use development, including residential and commercial uses on the ground floor.

### **6. Post Remediation Use**

Post remediation use of the Site entails a mixed use residential development with some commercial uses on the ground floor.

### **7. Renewable Energy Facility**

The proposed post-remediation use is not a renewable energy facility.

### **8. Do current historical and/or recent development patterns support the proposed use?**

Yes, current, historical and/or recent development patterns support the proposed use.

### **9. Is the proposed use consistent with applicable zoning laws/maps?**

No, the project is not consistent with the current zoning as noted above but is consistent with the White Plains Comprehensive Plan as described below and the Site is undergoing a rezoning to allow for the proposed use.

### **10. Consistent with the Master Plan?**

Yes, the project is consistent with the 2024 White Plains Comprehensive Plan Land Use and Zoning Initiative entitled "*liveWP 10*", which states that the City strives "to facilitate the redevelopment of the former Galleria Mall site to include a world-class mixed-use development with affordable housing and publicly accessible open space that enhances the existing urban core and meets the long-term vision for White Plains." See One White Plains Comprehensive Plan (June 2024) (Digital Version accessible at:

<https://storymaps.arcgis.com/collections/4c0684896ee24e1eb8bb46c49ecedf67>).

The proposed TD-2 District and Proposed Project are consistent with City’s planning initiatives, which are currently underway, to foster innovative development proximate to the City’s transit hub and encourage a more walkable and less vehicle-dependent downtown community. The existing B-6 District of the Project Site does not incentivize the current or any future property owners to make the investment needed to transform the Site and the remainder of the defunct mall land from its current underutilized and outdated condition to a vibrant and exciting mixed-use new downtown community. The proposed the TD-2 District would encourage the kind of redevelopment of the Site envisioned by the City.

## **SECTION V: CURRENT AND HISTORICAL PROPERTY OWNER AND OPERATOR INFORMATION**

The owner of the Site is listed in the table below.

Parcel Address	Owner	Ownership Start Date
60 Main Street, White Plains, NY 10601	Galleria City Holding Company LLC	2022

See Exhibit G Deed.

Requestor is not the owner of the Site. Galleria City Holding Company LLC is the current owner of the Site. See Exhibit G Deed. The Requestor has received a temporary license from the Owner to access the property to perform investigation and remediation work required by the BCP. See Exhibit H Site Access Agreement.

The Previous and Current Owner and Operator list is attached in Exhibit F. This Exhibit includes both current and previous property owners and operators by name, last known address, telephone number, and the Requestor’s relationship to each owner and operator (all of which are “None”). Exhibit F also includes the prior operators’ use of the Site.

## **SECTION VI: PROPERTY’S ENVIRONMENTAL HISTORY**

### **1. List of Environmental Reports**

The following is the list of environmental reports for the Site separately attached:

- a. June 2025 Phase I Environmental Site Assessment prepared by SESI for Lexington Avenue Developers LLC
- b. June 2025 Phase II Environmental Site Assessment prepared by SESI for Lexington Avenue Developers LLC
- c. July 2025 Draft Remedial Investigation Work Plan prepared by SESI for Lexington Avenue Developers LLC
- d. NYS DEC Environmental Remediation Databases, Spill Record 9102767
- e. NYS DEC Environmental Remediation Databases, Spill Record 9110939
- f. NYS DEC Environmental Remediation Databases, Spill Record 0703055

## 2. Sampling Data

See Exhibit I - Spider Maps which include sampling data summaries.

## 3. Environmental Assessment

Based on the investigations conducted to date, the primary contaminants of concern are SVOCSs (primarily polycyclic aromatic hydrocarbons [PAHs]), pesticides, PFAS, and metals in soil, VOCs, SVOCs, metals, and PFAS in groundwater, and chlorinated VOCs and petroleum hydrocarbon (PHC) VOCs in indoor air and soil vapor. See Exhibit I - Site Drawing Spider Map.

### Soil:

Analytes > RRSCOs	Detections > RRSCOs	Maximum Detection (ppm)	RRSCO (ppm)	Depth (ft-bgs)
<b>Metals</b>				
Cadmium	1	4.9	4.3	4.5-5
Lead	1	1260	400	2-2.5
Mercury	1	0.839	0.81	13-13.5
<b>SVOCs</b>				
Benzo(a)anthracene	2	1.66	1	3-3.5
Benzo(a)pyrene	2	1.34	1	3-3.5
Benzo(b)fluoranthene	1	1.3	1	1.5-2
Indeno(1,2,3-cd)pyrene	3	0.729	0.5	3-3.5

### Groundwater:

Analyte > AWQS	Detections > AWQS	Max Detection (ppb)	AWQS (ppb)
<b>VOCs</b>			
Chloroform	1	7	7
<b>Perfluorinated Alkyl Acids</b>			
PFOS	2	23	2.7
PFOA	2	15.6	6.7
<b>SVOCs</b>			
Benzo(a)anthracene	3	0.09	0.002
Benzo(a)pyrene	2	0.08	0
Benzo(b)fluoranthene	3	0.09	0.002
Benzo(k)fluoranthene	3	0.04	0.002
Chrysene	3	0.06	0.002
Indeno(1,2,3-cd)pyrene	2	0.06	0.002
<b>Metals</b>			
Barium	4	2,409	1000
Beryllium	2	3.2	3
Chromium	4	613.6	50



Copper	4	820	200
Iron	4	208,000	300
Lead	4	166.5	25
Magnesium	4	281,000	35,000
Manganese	4	26,100	300
Nickel	4	437.4	100
Selenium	3	61.4	10
Sodium	4	1,250,000	20,000
Thallium	4	7.23	0.5

#### Soil Vapor:

Analytes	Total Detections in Soil Vapor	Total Detections in Indoor Air	Max Detection in Soil Vapor ( $\mu\text{g}/\text{m}^3$ )	Max Detection in Indoor Air ( $\mu\text{g}/\text{m}^3$ )
<b>VOCs</b>				
1,2,4-Trimethylbenzene	3	0	3.81	ND
1,3,5-Trimethylbenzene	1	0	1.5	ND
2-Butanone	3	0	5.37	ND
Acetone	3	3	76.7	8.72
Benzene	3	2	5.78	0.91
Carbon disulfide	3	0	5.08	ND
Carbon tetrachloride*	0	3	ND	0.535
Chloromethane	0	3	ND	1.11
Chloroform	3	0	30.1	ND
Cyclohexane	1	0	0.809	ND
Dichlorodifluoromethane	3	3	32.6	2.81
Ethanol	2	0	19.2	ND
Ethylbenzene	3	0	2.81	ND
Heptane	2	0	2.57	ND
Isopropanol	1	0	2.24	ND
Methylene chloride*	0	1	ND	29.3
n-Hexane	2	0	1.87	ND
o-Xylene	3	0	2.05	ND
p/m-Xylene	3	0	4.95	ND
Tertiary butyl Alcohol	3	0	4.06	ND
Tetrachloroethene	3	1	22	0.156
Toluene	3	2	11.4	2.35
Trichlorofluoromethane	3	3	11.2	1.53

ND-Not Detected

\* There were Carbon tetrachloride indoor air exceedances of the DOH Indoor Air matrices and one exceedance for Methylene Chloride.

#### 4. Past Land Use

##### 1. Past Use of the Site

The Site contained the following historic uses (circa 1885-1950) that were noted to be of concern: carriage house/factory, laundry/drycleaning, automobile station/garage, plumbing shop, furniture and upholstery, paints/oils storage, hardware store, tin shop, sheet metal fabrication, and naphtha and oil storage. The Galleria Mall was constructed around 1980. Specifically, the Site was improved with the Galleria Mall anchor stores which used large petroleum heating oil tanks including JCPenney (circa 1981-2001), and then Sears (circa 2003 to 2023), which added an auto repair center.

The elevated concentration PAHs and metals detected in soil are attributed to the historic auto repairs, which are also impacting the Site's groundwater. Highly levels of chromium in the groundwater are likely attributable to the use of the Site by Sears as an auto repair facility. Further, detections of chlorinated VOCs and petroleum hydrocarbon (PHC) VOCs in indoor air and soil vapor that can be attributed to historic auto repair, as well as historical laundromat/dry cleaning uses on the Site.

##### 2. Past Investigations Related to Uses and Environmental Conditions that Led to the Submission of this Application.

SESI completed a Phase I Environmental Site Assessment for the Site in June 2025. SESI identified the following recognized environmental conditions ("REC") for the Site.

- There is a total of five (5) underground storage tanks ("UST") that were identified on the Site. The tanks are registered with PBS numbers 3-173665 and 3-600104. Two (2) 10,000-gallon USTs and one (1) 8,000-gallon UST were closed in place. One (1) 100-gallon UST and one (1) 1,000-gallon UST were converted to non-regulated use. SESI recommends further subsurface investigation of the Site in the Phase I to locate the USTs and to perform further investigation once the USTs are removed.
- Historic operations on the Site from 1885-2023 are considered a REC. These operations include carriage house/factory, laundry/drycleaning, automobile station/garage, plumbing shop, furniture and upholstery, paints/oils storage, hardware store, tin shop, sheet metal fabrication, and naphtha and oil storage, and a former Sear automotive center.
- Analytical results of soil, soil vapor and groundwater collected from the Site. SVOCs were identified above the RRSCOs and USCOs throughout the Site from grade to 8.5 ft-bgs. Metals were detected above the USCOs from grade to 19.5 ft-bgs throughout the Site. Lead and chromium were detected in groundwater exceeding the AWQS. PFAS and PFOS were detected above USCOs in different areas throughout the Site. VOCs, PFAS, PAHs and metals were found in groundwater exceeding the AWQS throughout the Site and several PHCs and chlorinated VOCs were detected in the soil vapor and indoor air samples.
- Historic operations identified upgradient from the Site, such as hand printing, tin shop, gas powered printing station, plumbing shop (1900 Sanborn map), an auto repair shop with gas UST.

- While the Site was occupied by JC Penney, Spill No. 9102767 occurred on June 10, 1991 and was reported by J.C. Penny Co. Inc. Specifically, 20 gallons of No. 2 fuel oil spilled from a tank overflow. The noted impacts were concrete/soil, and the case was reported as being closed by the NYSDEC three days later on June 13, 1991. Therefore, this spill was considered a HREC for the Site.

There were two other extremely minor spills associated with the Galleria Mall, but which may not have occurred on this Site but were determined in the Phase I to potentially have an impact on this Site as an HREC:

- Spill No. 9110939 (January 22, 1992), associated with “White Plains Garage, Main St & Grove St”. One (1) gallon of No. 2 fuel oil spilled from a vent tank overflow. Speedy Dry was applied. The noted impacts were to soil, and the case was reported as closed by the NYSDEC on January 24, 1992.
- Spill No. 0703055 (June 13, 2007), Galleria Mall, 100 Main Street: An individual dumped out one (1) gallon of gasoline into a storm drain when he could not return it. The spill was closed out by NYSDEC on June 14, 2007.

The exact locations of these spills are not known. However, the JC Penney’s spill likely occurred near the USTs that remain buried on the site under which could not be investigated until the tanks are removed.

According to the Phase II conducted for this Application, the exceedances in the soil, groundwater, and soil vapor reported during the investigation are likely a result of the Site’s historical land use, potential presence of underground storage tanks (USTs) and the presence of contaminated historic fill. Specifically, SVOCs, such as PAHs, have been found in higher concentrations were specifically found at the east side of the Site, which may indicate a historic release. Metals and pesticides have also been found in the northern portion of the Site. Further, the per- and polyfluoroalkyl substances (PFAS) compound perfluorooctanesulfonic acid (PFOS) were found above the USCO at the northern portion of the Site and PFOA and PFOS were found above the USCO on the northwestern portion of the Site. These soil exceedances of the USCOs and RRSCOs are likely due to historic property uses, including the auto repair center, potential USTs, and contaminated historic fill. Volatile organic compounds (VOCs), PFAS, PAHs, and metals (particularly chromium) were found in groundwater to exceed the Ambient Water Quality Standards (AWQS) throughout the Site, likely associated with historical uses such as the auto repair center, potential USTs, and historic fill contamination. A number of petroleum hydrocarbons (PHC) and chlorinated VOCs were detected in the soil vapor and indoor air samples which may indicate contamination is present throughout the Site once the building is removed.

Prior to any development on the Site, the additional investigation planned in the Remedial Investigation Work Plan attached to this application has been designed to delineate the extent of the SVOCs (PAHs), metals, pesticides, and PFAS contamination in soil and to evaluate soil remedial options. The investigation is also proposed to delineate the VOC, SVOCs (PAHs), metals, and PFAS contamination in groundwater and evaluate remedial options available to attempt to achieve the AWQS to the extent feasible. Finally, a soil vapor intrusion evaluation is recommended to address the potential for soil vapor contamination in the proposed development.

## **SECTION VII: REQUESTOR INFORMATION**

The Requestor is Lexington Avenue Developers LLC, a New York limited liability company, located at 3849 Briarhill Street, Mohegan Lake, NY 10547. Lexington Avenue Developers LLC is authorized to do business in the State of New York. See Exhibit J NYSDOS Entity Information. The sole member is Peter Palazzo.

The Written Consent provides sole member Peter Palazzo with authority to sign all Brownfield Cleanup Program documents on behalf of the Requestor Lexington Avenue Developers LLC. See Exhibit K Corporate Consent.

## **SECTION VIII: REQUESTOR CONTACT INFORMATION**

**Please refer to the BCP Application Form.**

## **SECTION IX: PROGRAM FEE**

**Please refer to the BCP Application Form.**

## **SECTION X: REQUESTOR ELIGIBILITY**

**1-10. Please refer to BCP Application Form.**

**11. Unregistered bulk storage tanks**

The answer to this question is “No” because the tanks that remain on the Site were registered.

- PBS No. 3-173665, JC Penny, 100 Main Street: two (2) 10,000-gallon USTs were closed in place, one (1) 100-gallon UST was converted to non-regulated use, and one (1) 1,000-gallon UST converted to non-regulated use pursuant to this PBS registration.
- PBS No. 3-600104, JC Penny, 100 Main St: one (1) 8,000-gallon UST was closed in place pursuant to this registration.
- Above Ground Storage tanks with PBS number 3-169579 which contained two (2) 300 gallon diesel fuel oil (Tank Nos. 32 and 33) and have also been closed under this registration.

## **REQUESTOR CERTIFICATION**

The Requestor certifies it is a Volunteer, since it does not have nor has ever had a relationship with any of the past owners or operators of the Site that caused the contamination other than it plans to purchase the Site from the existing owner. Requestor did not 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 to the extent the Requestor has accessed the Site.

## **SECTION XI: PROPERTY ELIGIBILITY INFORMATION**

**Please refer to the responses to the Questions 1-6 on the BCP Application Form, which confirms the site is not ineligible for the BCP.**

In addition to the responses on the application form, which clarify the Site is an eligible brownfield site pursuant to ECL § 27-1405, the following information further demonstrates this Site's eligibility for the BCP.

The Site meets the definition of an eligible "brownfield site" in Environmental Conservation Law § 27-1405(2) as "any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by the department that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations." Environmental investigation results show evidence of impact from the Site's previous commercial and industrial uses, which can be linked to and caused Site contamination above the applicable cleanup standards. See Environmental Reports separately attached and the Spider Maps in Exhibit I, providing the data demonstrating exceedances of the cleanup standards for this Site. As a result, the Site meets the definition of a brownfield site pursuant to Environmental Conservation Law §27-1405(2).

## **SECTION XII: SITE CONTACT LIST**

See Exhibit L - Site Contact List. See Exhibit M - Repository Letter.

# **EXHIBIT A**

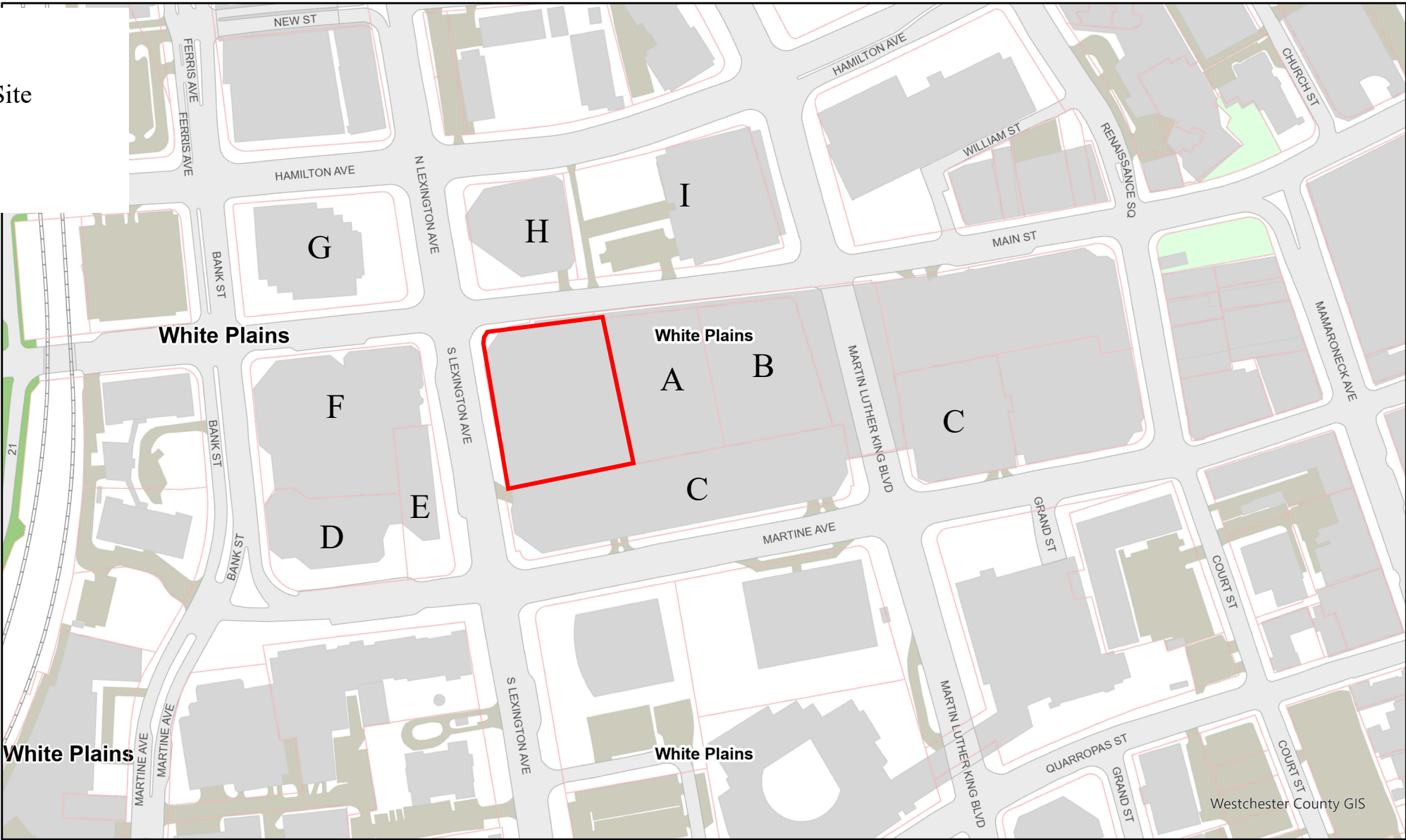


# BASE MAP

Former Sears Auto Service Center Site  
60 Main Street,  
White Plains, NY 10601  
125.75-4-1..1

**Legend:**  
— Site Property Boundary

Corresponding page  
lists adjacent property owners by  
letter A – I



April 8, 2025

1:3,000

0 145 290 580 ft



**Westchester County GIS**

**GIS**  
<http://giswww.westchestergov.com>  
Michaelian Office Building  
148 Martine Avenue Rm 214  
White Plains, New York 10601

**April 2025**  
**Source: Westchester County GIS**  
**Municipal Tax Parcel Viewer**

Tax parcel data was provided by local municipality. This map is generated as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact local municipality assessor's office.

Letter	Adjacent Property Owner(s) Name(s)	Property Address	Section-Block-Lot
A	Galleria City Holding Company LLC	80 Main Street	125.75-4-2..1
B	Galleria City Holding Company LLC	90 Main Street	125.75-4-2..2
C	City of White Plains	100 Main Street	125.75-4-5
D	MG Martine SPE LLC	1-11 Martine Avenue	125.74-5-3..4011; ..4012; ..4013
E	GDC White Plains Fee LLC	25 Marine Avenue	125.74-5-2
F	MG Main SPE LLC	50 Main Street	125.74-5-1
G	Gateway I Group, Inc	1 North Lexington Avenue	125.74-3-1
H	81 Main Realty LLC	81 Main Street	125.75-4-1
I	Verizon of New York, Inc.	111 Main Street	125.75-1-1



# SITE LOCATION MAP



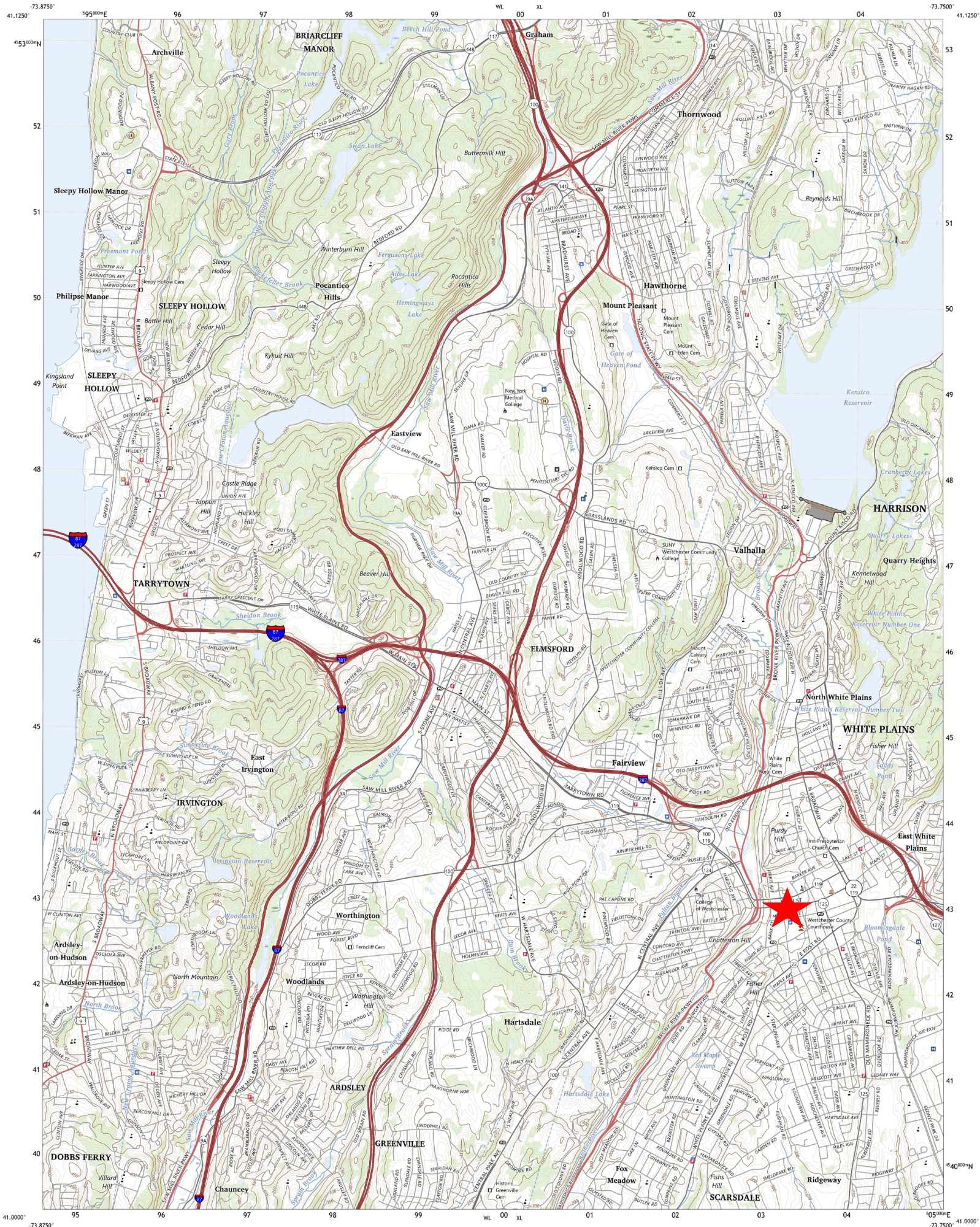
## BCP Site Location



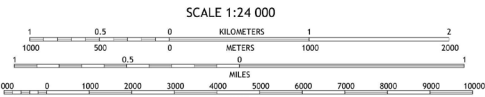
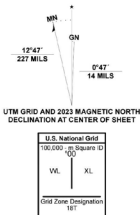
U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY



WHITE PLAINS QUADRANGLE  
NEW YORK - WESTCHESTER COUNTY  
7.5-MINUTE SERIES



Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84). Projection and  
1 000-meter grid: Universal Transverse Mercator, Zone 18T  
This map is not a legal document. Boundaries may be  
generalized for this map scale. Private lands within government  
reservations may not be shown. Obtain permission before  
entering private lands.  
Imagery.....NAIP, August 2017 - December 2017  
Roads.....U.S. Census Bureau, 2016  
Names.....GNS, 1980 - 2023  
Hydrography.....National Hydrography Dataset, 2002 - 2022  
Contours.....National Elevation Dataset, 1999  
Boundaries.....Multiple sources, see metadata file 2021 - 2022  
Wetlands.....FWS National Wetlands Inventory 1990 - 2011



CONTOUR INTERVAL 10 FEET  
NORTH AMERICAN VERTICAL DATUM OF 1988  
This map was produced to conform with the  
National Geospatial Program US Topo Product Standard.



1	2	3
4	5	6
7	8	9

ADJOINING QUADRANGLES

- 1 Haverstraw
- 2 Ossining
- 3 Mount Kisco
- 4 Nyack
- 5 Glenville
- 6 Yonkers
- 7 Mount Vernon
- 8 Mamaroneck

ROAD CLASSIFICATION

Expressway	Local Connector
Secondary Hwy	Local Road
Ramp	AWD
Interstate Route	US Route
	State Route

WHITE PLAINS, NY  
2023





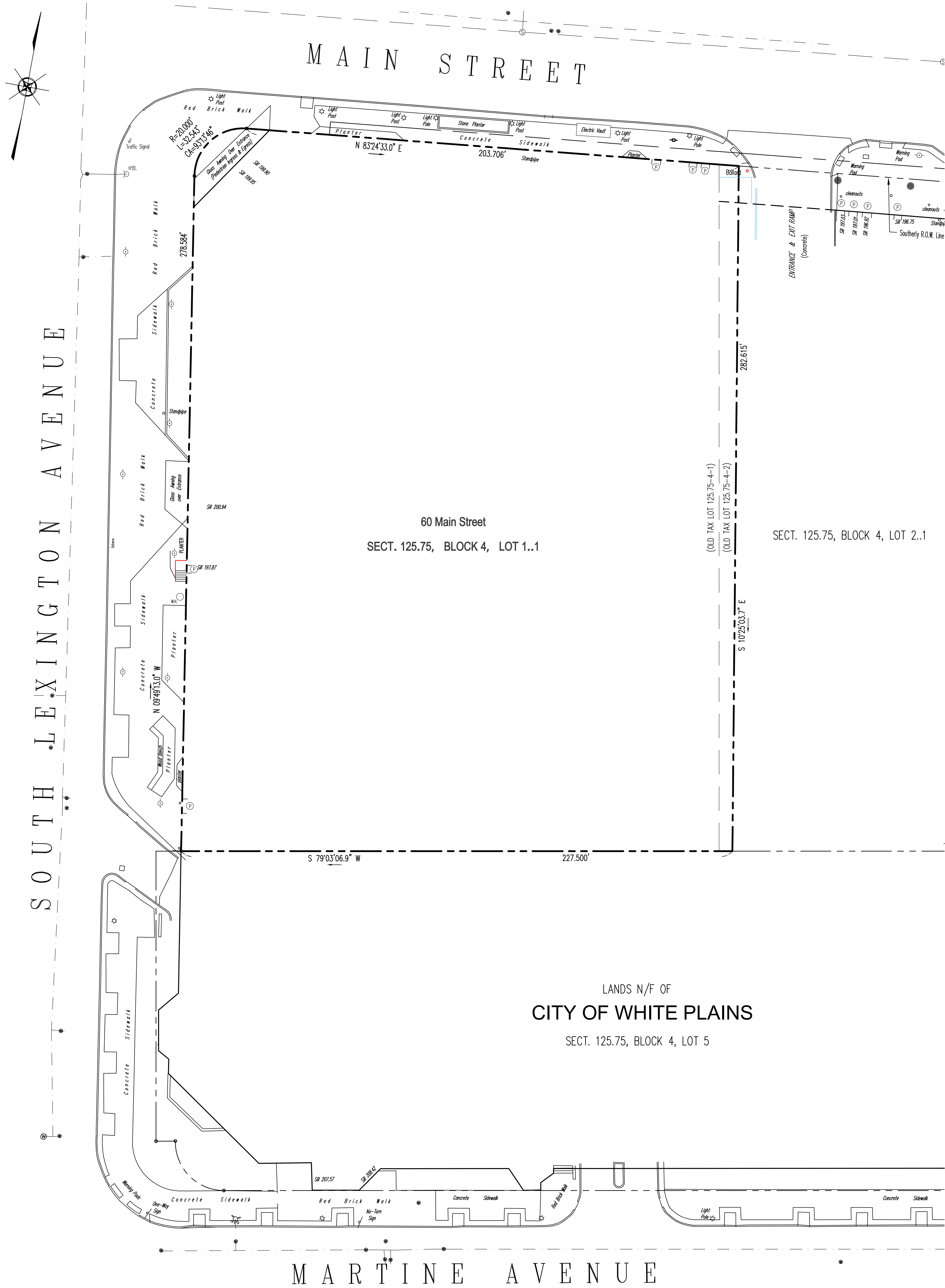
**Street Map**  
Former Sears Auto  
Service Center  
60 Main Street  
White Plains, NY 10601

**Legend:**  
 Site Property Boundary



# **EXHIBIT B**





TOTAL PARCEL AREA = 65,696 S.F. (1.5082 Ac.)

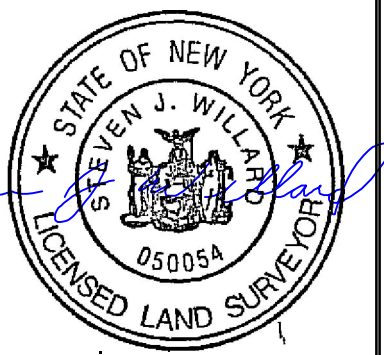
PREMISES HEREON BEING KNOWN AS SECTION 125.75, BLOCK 4, LOT 1..1 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE CITY OF WHITE PLAINS, NEW YORK.

REFERENCE IS MADE TO A MAP ENTITLED "SURVEY OF CENTRAL RENEWAL PROJECT PARCELS Nos. 20, 21, 22 & 23, PREPARED FOR WHITE PLAINS URBAN RENEWAL AGENCY, PREPARED BY JAMES W. DELANO FILED IN THE WESTCHESTER COUNTY CLERKS' OFFICE, DIVISION OF LAND RECORDS ON JUNE 8, 1978 AS MAP No. 19512.

THE SURVEYORS SEAL, SIGNATURE AND ANY CERTIFICATION APPEARING HEREON SIGNIFY THAT, TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR LAND SURVEYS AS SET FORTH IN THE CODE OF PRACTICE ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC.

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

**LINE & GRADE SURVEYORS D.P.C.**  
23 Nepperhan Avenue  
Elmsford, New York 10523  
Phone: (914) 347-3141 Fax : (914) 347-3120  
email: Office@LineAndGrade.net



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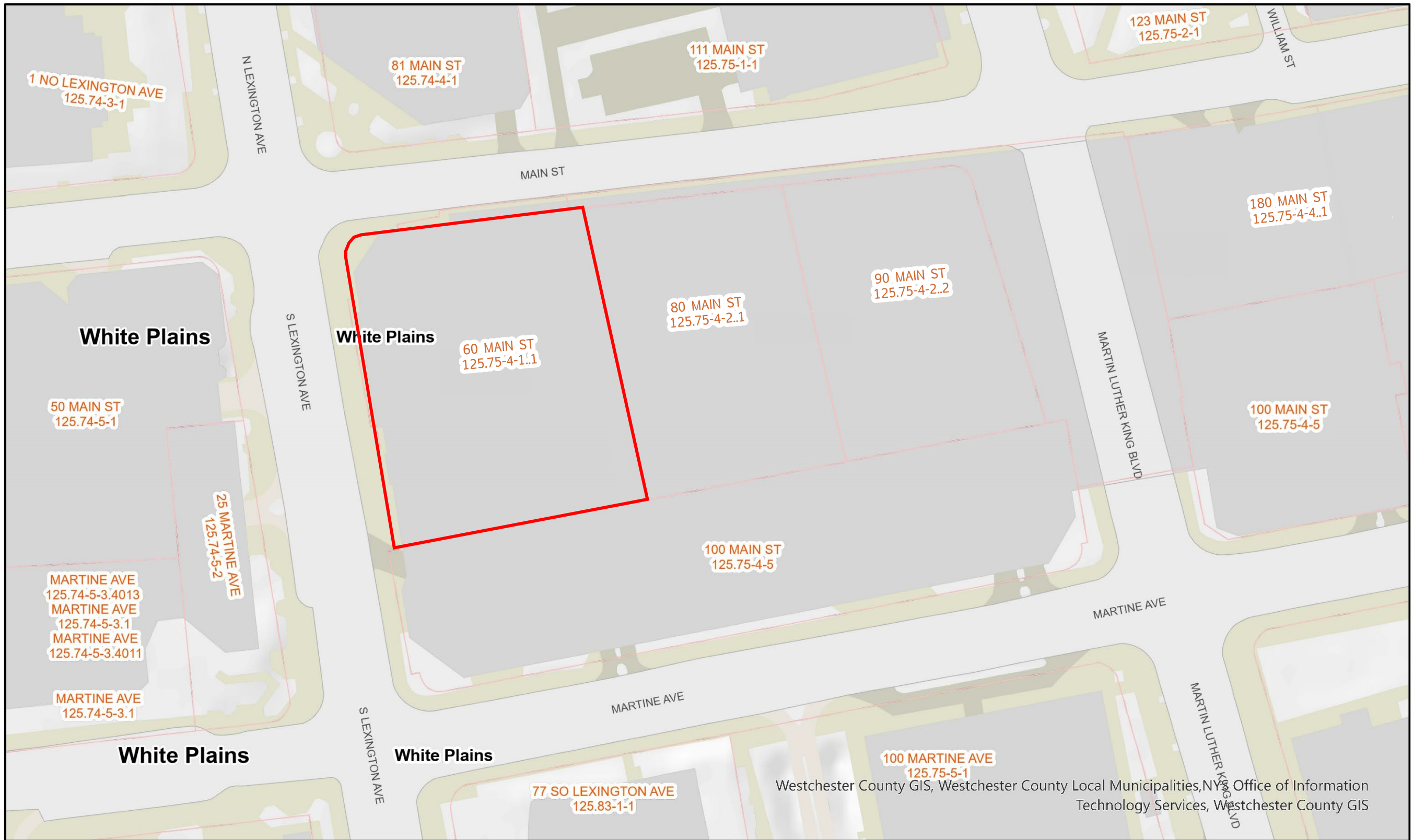
**SURVEY OF PROPERTY**  
PREPARED FOR  
**60 MAIN STREET**  
PROPERTY SITUATE IN THE  
**CITY OF WHITE PLAINS**  
**COUNTY OF WESTCHESTER**  
**STATE OF NEW YORK**

0 20 40 Feet

DATE: JUNE 6, 2025

CADD FILE: J:\C30\22-3942 60 MAIN STREET SURVEY.DWG

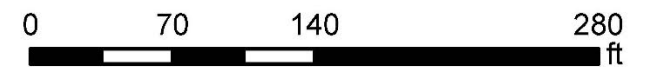




June 4, 2025

Tax parcel data was provided by local municipality. This map is generated as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact local municipality assessor's office.

1:1,500



**Westchester County GIS**

**GIS** GEOGRAPHIC INFORMATION SYSTEMS  
<http://giswww.westchestergov.com>  
 Michaelian Office Building  
 148 Martine Avenue Rm 214  
 White Plains, New York 10601

# **EXHIBIT C**



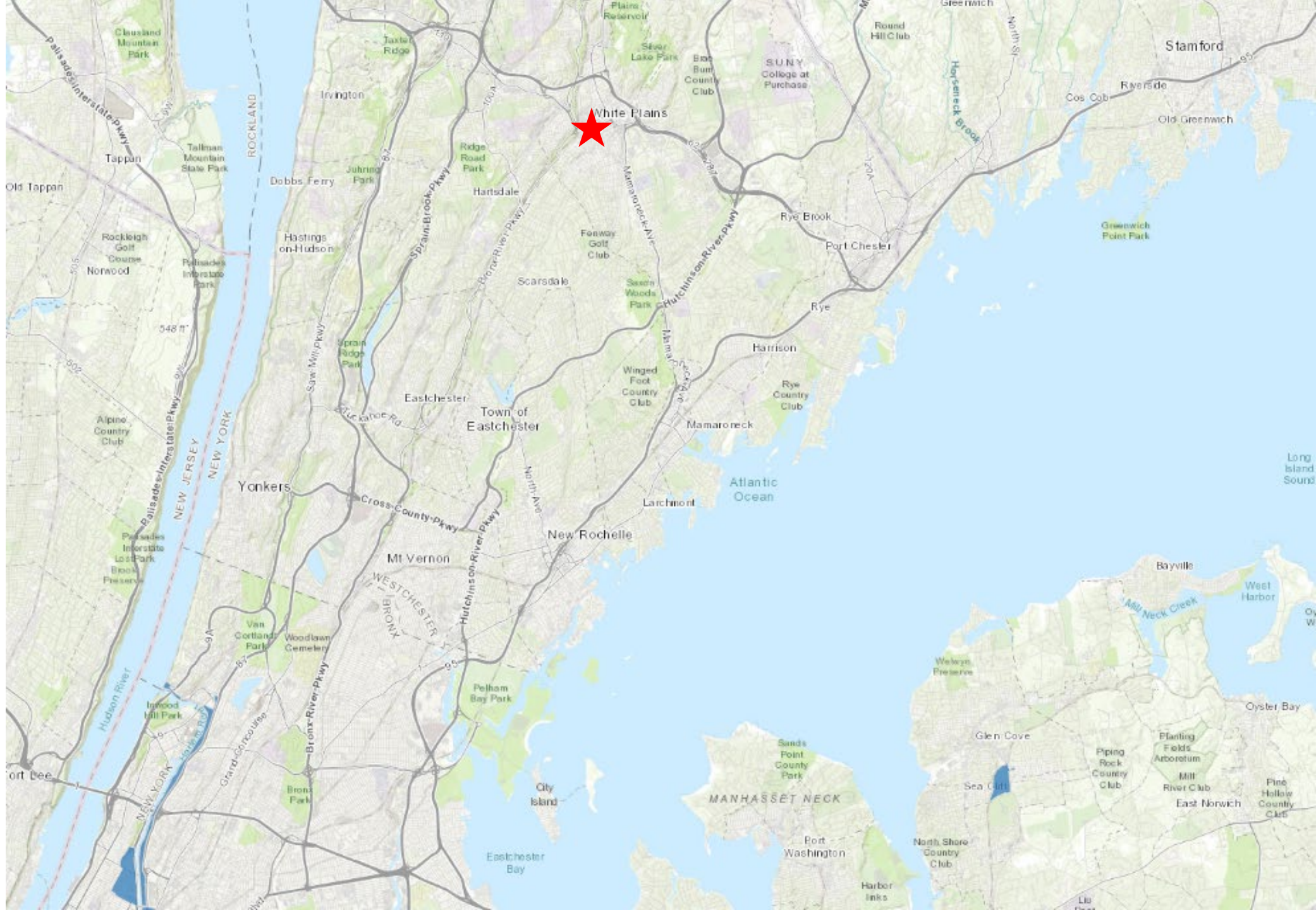
# BOA Map

Former Sears Auto Service  
Center  
60 Main Street,  
White Plains, NY 10601

## Legend:

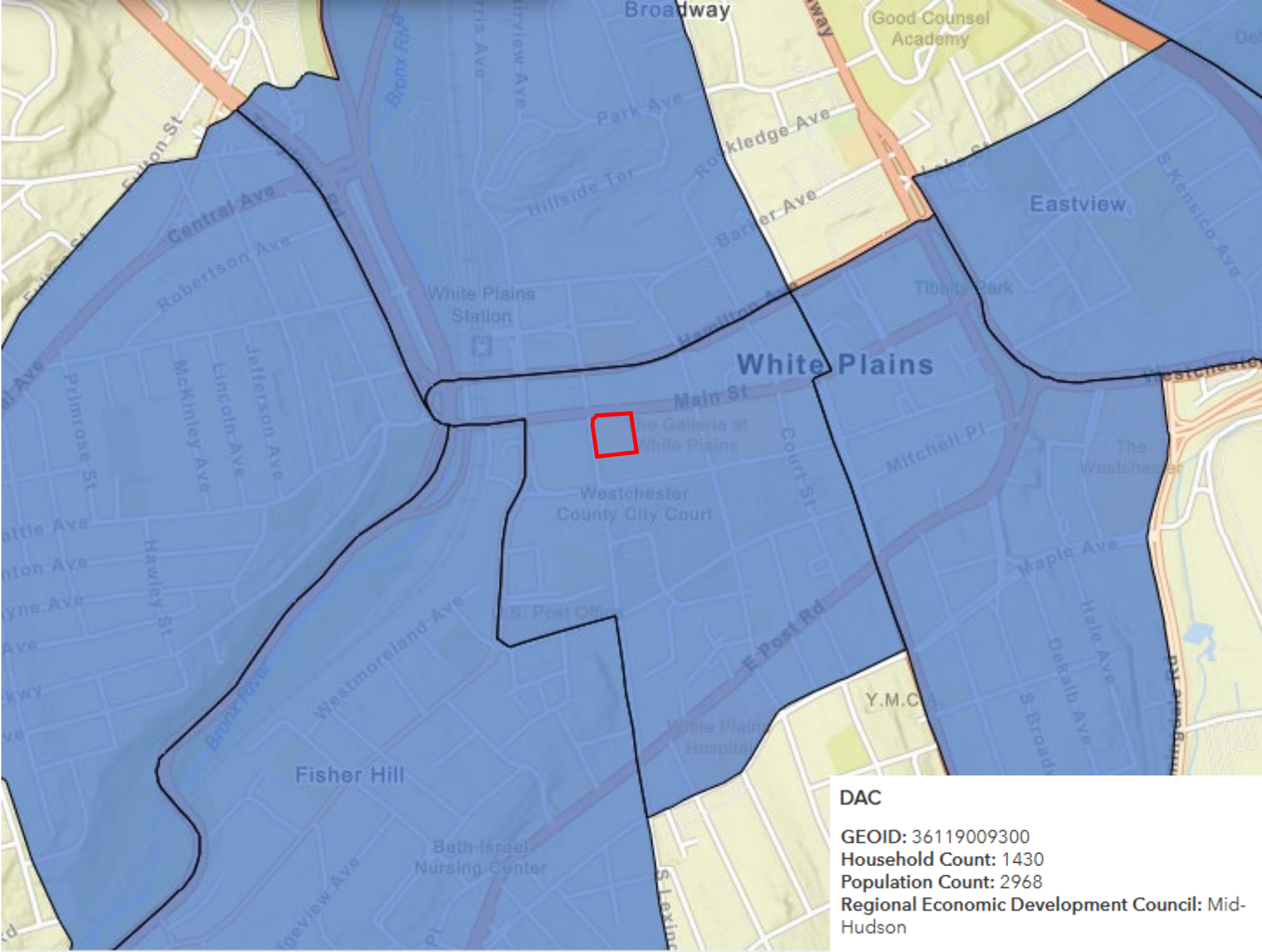
 Site Location

April 2025  
Source: NYS DOS  
Geographic Information  
Gateway





**Disadvantaged  
Communities Map**  
Former Sears Auto Service Center  
Site  
60 Main Street  
White Plains, NY 10601

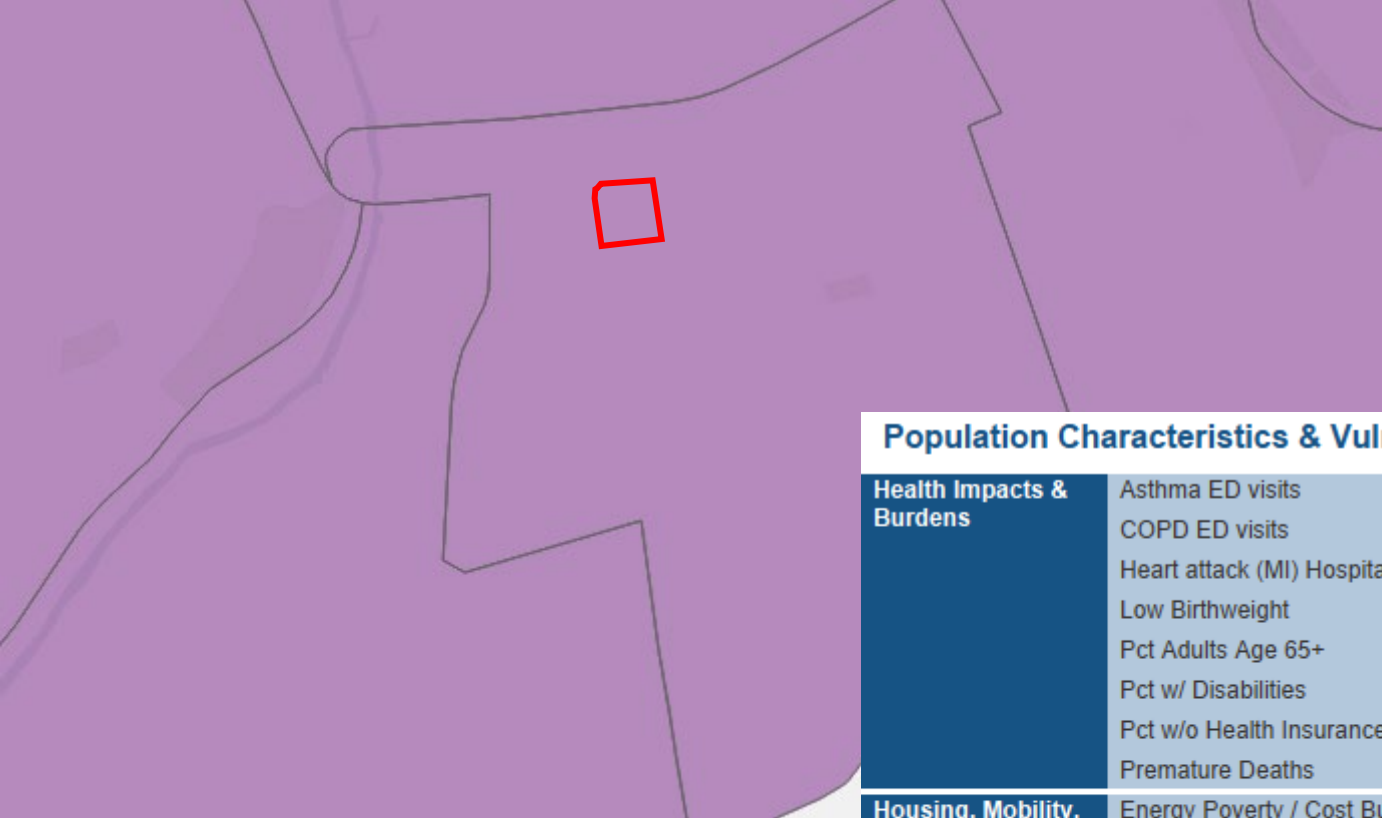


- Legend:**
- Site Property Boundary
  - Disadvantaged Community

**Source: NYSERDA Disadvantaged  
Communities Map**

**DAC**

GEOID: 36119009300  
Household Count: 1430  
Population Count: 2968  
Regional Economic Development Council: Mid-Hudson



Census Tract 36119009300 is **Designated a DAC**  
This Tract covering **White Plains** city has a population of 2,968

Environmental Burden is higher  
than **55%** of Census Tracts statewide  
Population Vulnerability is higher  
than **80%** of Census Tracts statewide

### Population Characteristics & Vulnerability ...

Health Impacts & Burdens	Asthma ED visits	77%
	COPD ED visits	72%
	Heart attack (MI) Hospitalization	7%
	Low Birthweight	50%
	Pct Adults Age 65+	93%
	Pct w/ Disabilities	75%
	Pct w/o Health Insurance	85%
	Premature Deaths	18%
Housing, Mobility, Communications	Energy Poverty / Cost Burden	6%
	Homes Built Before 1960	13%
	Housing Cost Burden (Rental C...	87%
	Manufactured Homes	0%
	Pct Renter-Occupied Homes	79%
	Pct w/o Internet (home or cellu...	44%
Income	Pct <100% of Federal Poverty ..	89%
	Pct <80% Area Median Income	86%
	Pct Single-Parent Households	89%
	Pct w/o Bachelor/Es Degree	44%
	Unemployment Rate	97%
Race/Ethnicity	Limited English Proficiency	85%
	Pct Asian	79%
	Pct Black or African American	72%
	Pct Latino/a or Hispanic	88%
	Pct Native American or Indigen...	2%

### Environmental Burden & Climate Change Risk ...

Land Use & Historic Discrimination	Active Landfills	0%
	Housing Vacancy Rate	60%
	Industrial/Manufacturing/Mining La...	0%
	Major Oil Storage Facilities	0%
	Municipal Waste Combustors	0%
	Power Generation Facilities	0%
	Regulated Management Plan (Ch...	27%
	Remediation Sites	57%
Potential Climate Change Risk	Scrap Metal Processing	0%
	Agricultural Land Use	0%
	Coastal Flooding and Storm Risk ..	0%
	Driving Time to Urgent/Critical Care	1%
	Extreme Heat Projections (>90? d...	96%
	Inland Flooding Risk Areas	7%
	Low Vegetative Land Cover	84%
Potential Pollution Exposure	Benzene Concentration (Modeled)	55%
	Particulate Matter (PM2.5)	48%
	Traffic: Diesel Trucks	65%
	Traffic: Number of Vehicles	89%
	Wastewater Discharge	13%

### Legend:

- Site Property Boundary
- Disadvantaged Community

Source: NYS Climate Act Disadvantaged Communities Criteria Map



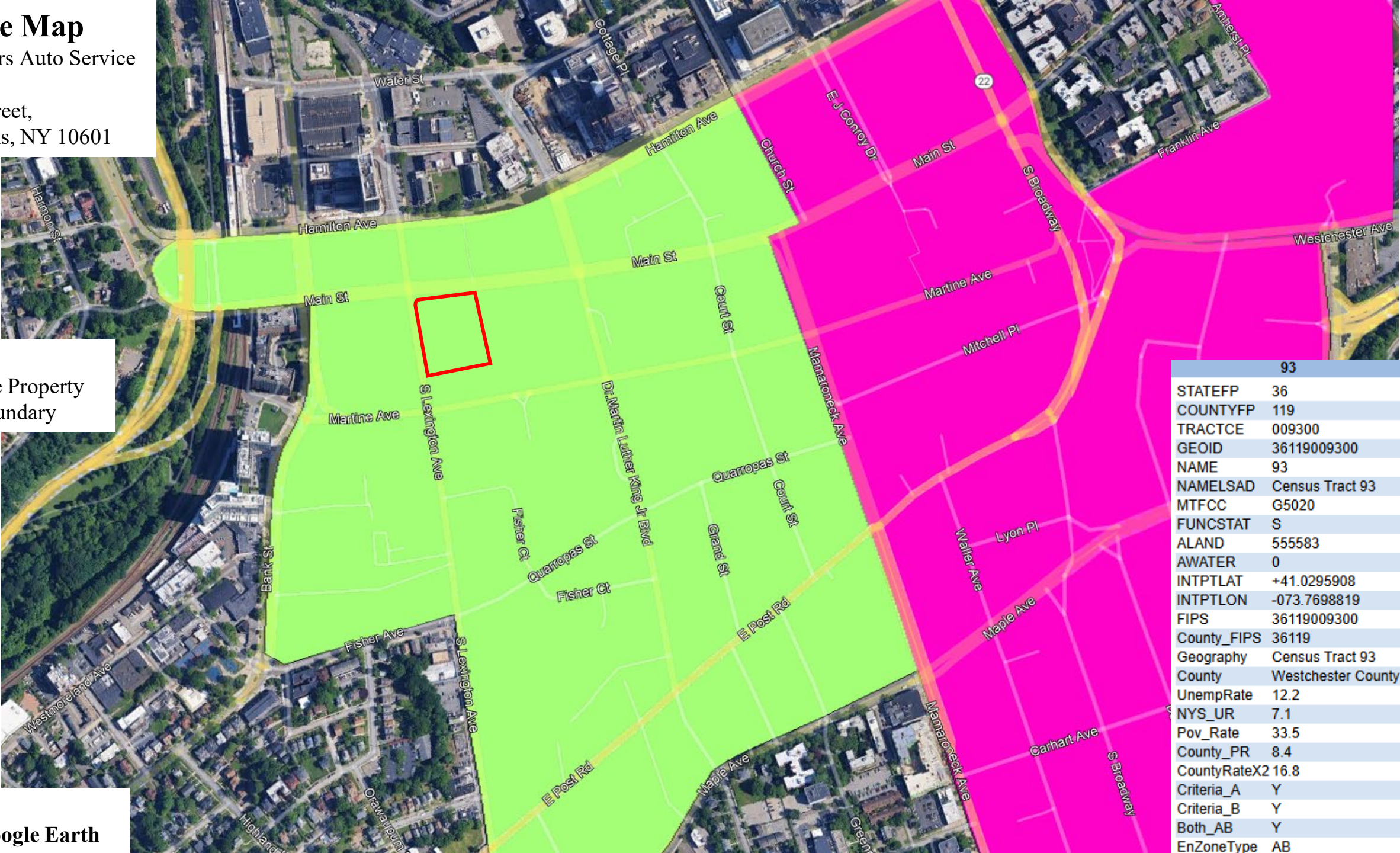
# En-Zone Map

Former Sears Auto Service  
Center  
60 Main Street,  
White Plains, NY 10601

**Legend:**

Site Property  
Boundary

April 2025  
Source: Google Earth



	93
STATEFP	36
COUNTYFP	119
TRACTCE	009300
GEOID	36119009300
NAME	93
NAMELSAD	Census Tract 93
MTFCC	G5020
FUNCSTAT	S
ALAND	555583
AWATER	0
INTPTLAT	+41.0295908
INTPTLON	-073.7698819
FIPS	36119009300
County_FIPS	36119
Geography	Census Tract 93
County	Westchester County
UnempRate	12.2
NYS_UR	7.1
Pov_Rate	33.5
County_PR	8.4
CountyRateX2	16.8
Criteria_A	Y
Criteria_B	Y
Both_AB	Y
EnZoneType	AB

# **EXHIBIT D**



# FLOOD MAP

Former Sears Auto Service Center Site  
60 Main Street  
White Plains, NY 10601

## Legend:

 Site Location

### NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

**Coastal Base Flood Elevations** shown on this map apply only to landward of 0.0 North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes where they are higher than the elevations shown on this FIRM.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The projection used in the preparation of this map was Universal Transverse Mercator (UTM) zone 18. The horizontal datum was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of the FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NIMA, NNGS-2  
National Geodetic Survey  
SSMCI-1 #002  
1315 East-West Highway  
Silver Spring, Maryland 20910-3282  
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

**Base map** information shown on this FIRM was derived from digital orthophotography provided by the New York State Office of Cyber Security & Critical Infrastructure Coordination. This information was produced as 20-centimeter resolution natural color orthophotography from photography dated April 2004.

Based on updated topographic information, this map reflects more detailed and up-to-date stream channel configurations and floodplain delineations than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map. Also, the road to floodplain relationships for unreviewed streams may differ from what is shown on previous maps.

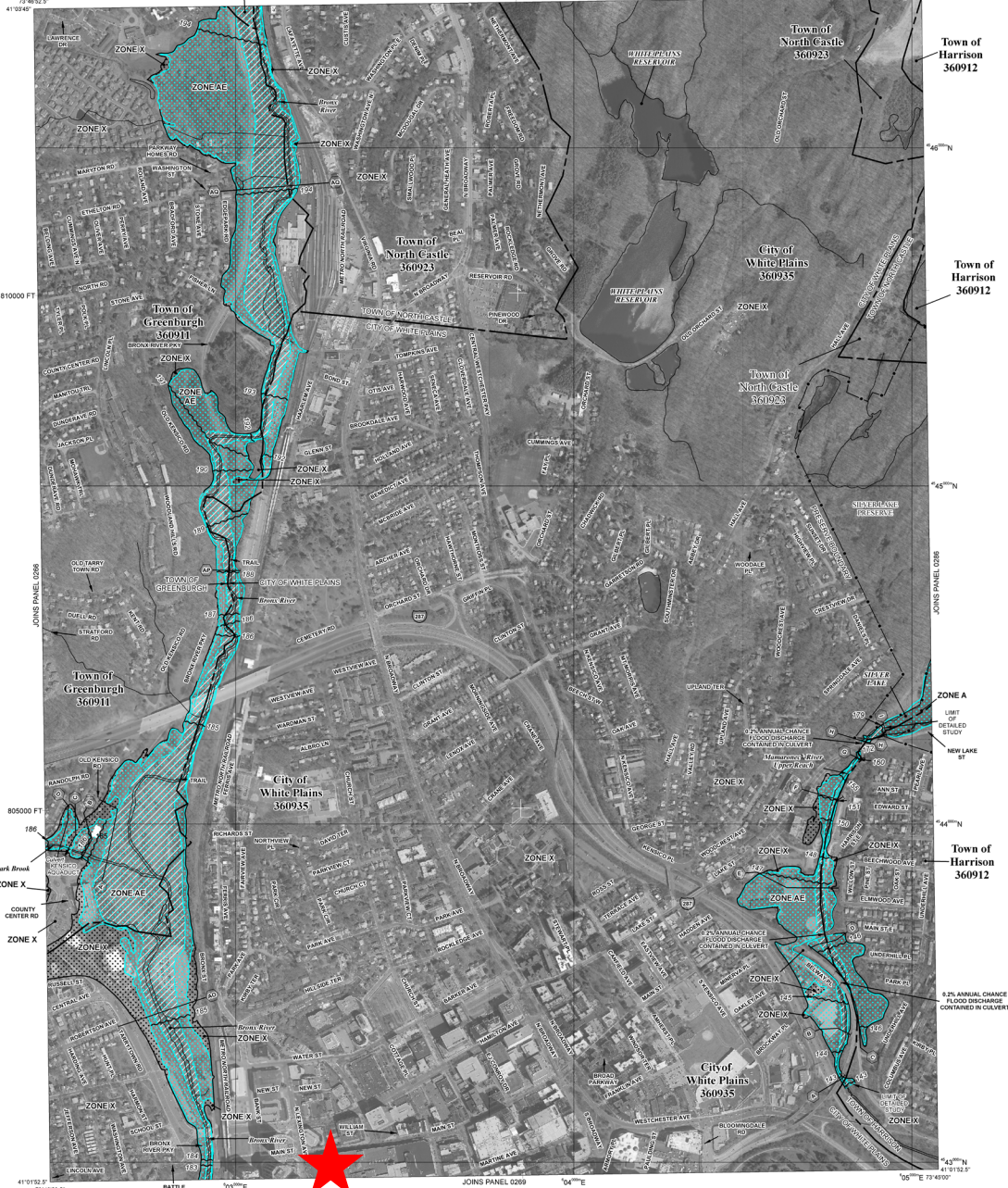
**Corporate limits** shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels, community map repository addresses, and a listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://nims.fema.gov>.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov>.

Town of  
Mount Pleasant  
360919



### LEGEND

**SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE HURRICANE CHANCE FLOOD**

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zone A, AE, AH, AO, AR, AV, and VE. The Base Flood Elevation is the water surface elevation of the 1% annual chance flood.

**ZONE A** No Base Flood Elevations determined.

**ZONE AE** Base Flood Elevations determined.

**ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevation determined.

**ZONE AO** Flood depths of 1 to 3 feet (usually areas on sloping terrain); average depths determined. For areas of at least 1 foot flooding, velocities also determined.

**ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently abandoned. Zone AR indicates that the former flood control system is being retained to provide protection for the 1% annual chance flood.

**ZONE ARB** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevation determined.

**ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevation determined.

**ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevation determined.

**FLOODWAY AREAS IN ZONE AE**

The floodways is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

**OTHER FLOOD AREAS**

**ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot with damage areas less than 1 square mile; are areas protected by levees from 1% annual chance flood.

**OTHER AREAS**

**ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.

**ZONE D** Areas in which flood hazards are undetermined, but possible.

**COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**

**OTHERWISE PROTECTED AREAS (OPA)**

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

**1% annual chance floodplain boundary**

**0.2% annual chance floodplain boundary**

**Floodway boundary**

**Zone D boundary**

**CBRS and OPA boundary**

**Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.**

**Base Flood Elevation line and elevation in feet**

**Base Flood Elevation value where uniform within zone; elevation in feet**

**Reference to the North American Vertical Datum of 1988**

**One section line**

**Unlimited detailed cross section line**

**Transect line**

**Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere**

**1000-meter Universal Transverse Mercator grid values, zone 18N**

**600000 FT**

**5000-foot grid ticks; New York State Plane coordinate system, East zone (NYSPCNE 2103), Transverse Mercator projection**

**Beach mark (see explanation in Notes to Users section of this FIS report)**

**River Mile**

**MAP REPOSITORY**

Refer to listing of Map Repositories on Map Index

**EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP**

September 28, 2007

**EFFECTIVE DATES OF REVISIONS TO THIS PANEL**

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-438-6635.

**MAP SCALE 1" = 500'**

**0 100 200 FEET**

**0 100 200 METERS**

**NATIONAL FLOOD INSURANCE PROGRAM**

**PANEL 0267F**

**FIRM**

**FLOOD INSURANCE RATE MAP**

for WESTCHESTER COUNTY, NEW YORK  
(ALL JURISDICTIONS)

**CONTAINS**

COMMUNITY	NUMBER
GREENBURGH, TOWN OF	360911
HARRISON, TOWN OF	360912
MOUNT PLEASANT, TOWN OF	360919
NORTH CASTLE, TOWN OF	360923
WHITE PLAINS, CITY	360935

**OF**

**PANEL 267 OF 426**

**MAP SUFFIX: F**

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.

**MAP NUMBER**  
36119C0267F

**EFFECTIVE DATE**  
SEPTEMBER 28, 2007

Federal Emergency Management Agency

April 2025  
Source: FEMA Flood Map






# **EXHIBIT E**

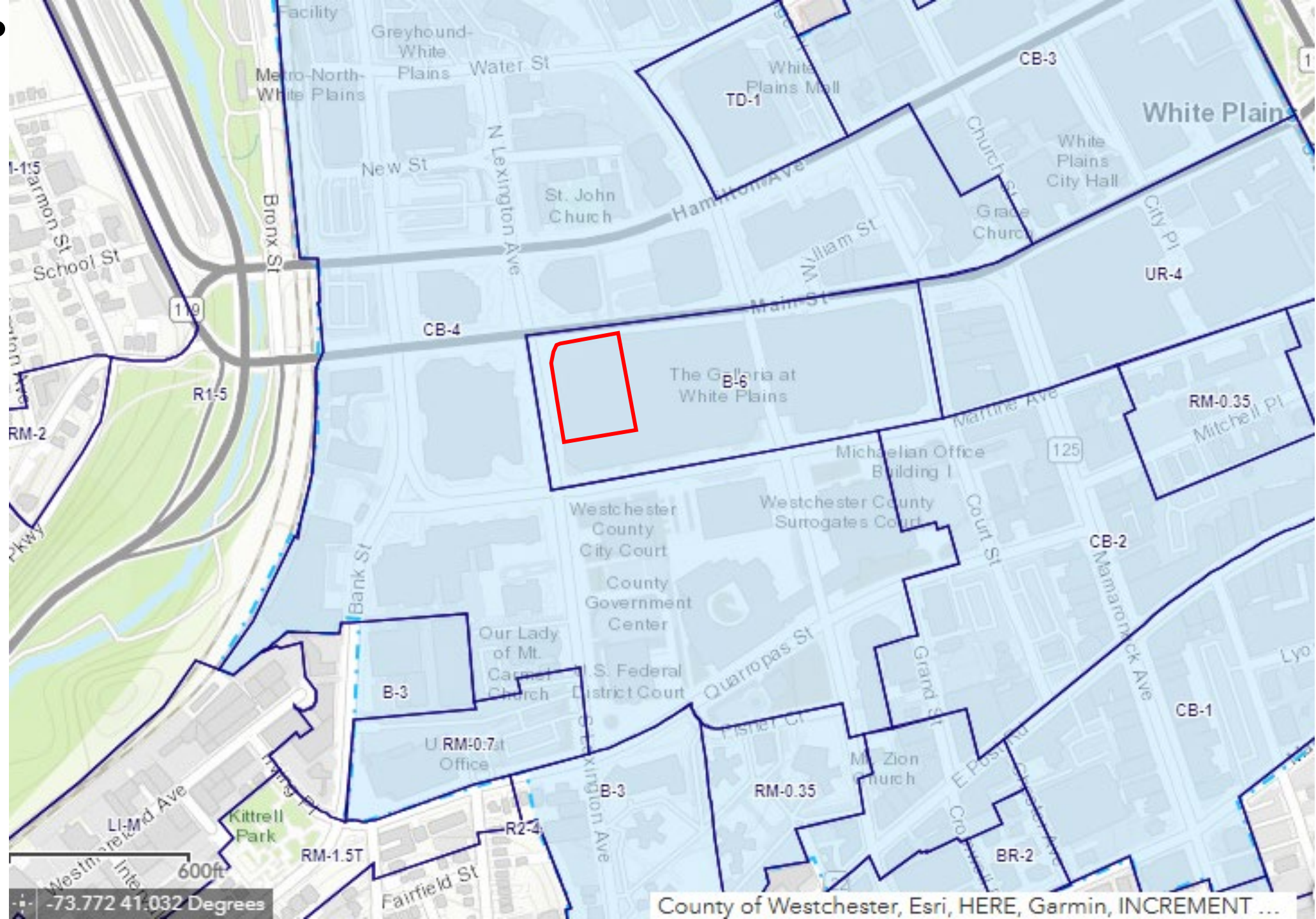


# ZONING MAP

Former Sears Auto Service  
Center Site  
60 Main Street, White  
Plains, NY 10601

## Legend:

 Site Property Boundary  
Zoning Districts: B-6



April 2025  
Source: City of White Plains  
Unofficial Zoning Map

**Zoning District: B-6 (Enclosed Mall)**

**Source: City of White Plains Zoning Ordinance**

The B-6 District is designed for super-regional enclosed malls. Parking and other facilities are common accessories to the uses. It is a type of business district.

USE	TYPE	<div>KEY: PP = Permitted Principal "Use"; PA = Permitted "Accessory Use"; SP = Special Permit "Use"; (R-A), etc. = Prior District designation; * = When in the Central Parking Area</div>	
Commercial indoor “recreation facilities”	PP		
“Health Clubs”	SP		
Theaters	PP		
Accessory “dish antennas” as regulated by Sections 4.4.24 and 6.7.21	SP		
Churches or other places of worship	PP		
Sunday schools or other similar religious schools	PA		
“Uses” of the City of White Plains	PP		
“Uses” of other governments, subject to the requirements of Section 5.6	PP		
“Nursery schools” or “day care centers”	PP		
“Nursery schools” or “day care centers” in conjunction with a permitted church or other place of worship, “membership club,” or “public school” or “private secondary or elementary school”	PA		
Independent, unaffiliated “nursery schools” or “day care centers” located within a permitted church or other place of worship, “membership club,” or “public school” or “private secondary or elementary school”	SP		
Business, administrative or headquarters offices for “philanthropic institutions”	PP		
Stores for sales at retail or performance of customary personal services or services clearly incident to retail sales, including “real estate offices,” but not including sales of automobile parts or accessories involving installation at point of sale	PP		
“Retail laundries” or “retail dry cleaners”	PP	Newsstands	PA
Banks	PP	“Restaurants” or “cafeterias”	PP
“Consumer financial service establishments”	PP	“Fast food eating establishments”	PP
Business or trade schools	PP	“Restaurants” or “cafeterias” for employees	PA
Libraries, museums or art galleries	PP	“Cafes”	PP
		“Accessory electronic games”	PA
		“Motor vehicle repair shops”	SP*
		Medical laboratories	PP
		“Public utility buildings or structures”	SP
		“Solar Energy System” as regulated by Sections 4.4.21 and 6.7.35	PA
		“Parking lots” or “parking garages”	PA
		“Parking lots” or “parking garages” of the City of White Plains or its Parking Department	PP

# **EXHIBIT F**

**PREVIOUS OWNERS & OPERATORS LIST**  
**Former Sears Auto Service Center**  
**60 Main Street, White Plains, New York 10601**

Year	Contact Information 60 Main Street (125.75-4-1.1) F/K/A: 100 Main Street (125.75-4-1) Owners	Status	Relation to Requestor
Unknown - 1978	White Plains Urban Renewal Agency Address: 255 Main Street Phone: (914) 422-1300 White Plains, New York 10601	Active	None
1978-1996	CF White Plains Associates – White Plains Hospital Physician Associates Address: 41 E. Post Road Phone: (914) 681-0600 White Plains, New York 10601	Unknown	None
1996-2003	CF Galleria at White Plains L.P. Address: c/o CT Corporation System, 111 Eighth Avenue Phone: Unknown New York, New York 10011	Inactive	None
2003-2016	White Plains Galleria Limited Partnership Address: c/o CT Corporation System, 28 Liberty Street Phone: Unknown New York, New York 10005	Inactive	None
2016-2022	WP Galleria Realty LP Address: 100 North Pacific Coast Highway, Suite 1925 Phone: Unknown El Segundo, California 90245	Active	None
2022-present	Galleria City Holding Company LLC Address: c/o Pacific Realty Phone: (310) 464-7514 2029 Century Park E # 1550 Los Angeles, California 90067	Active	None
<b>Operators</b>			
1885-1905	White Plains Hotel Address: Unknown Phone: Unknown	Unknown	None
1885	Cigar Factory Address: Unknown Phone: Unknown	Unknown	None
1885	WM. J. Sutton Carriage Shops (Including painting, melt melting and woodworking) Address: Unknown Phone: Unknown	Unknown	None
1885-1950	Various food stores (bakery, meat, fish, dairy, etc.) and commercial stores (barber, jewelry, etc.) Address: Unknown Phone: Unknown	Unknown	None
1889-1894	John R. Breese Carriage Factory Address: Railroad Avenue Phone: Unknown White Plains, New York	Unknown	None
1900	E. Bentley Carriage Works Address: Unknown Phone: Unknown	Unknown	None
1900-1905	Salvation Army Hall Address: 615 Slaters Lane Phone: 1(800) 725-2769 Alexandria, Virginia 22314	Active	None
1905	Blacksmith Address: N/A Phone: N/A	N/A	None
1905	H.C. Purdy Carriage Works Address: Unknown Phone: Unknown	Unknown	None



**PREVIOUS OWNERS & OPERATORS LIST****Former Sears Auto Service Center****60 Main Street, White Plains, New York 10601**

1911	Moving Picture Theatre Address: Railroad Avenue White Plains, New York	Phone: Unknown	Unknown	None
1911-1942	Fowler & Sellars Co. Address: 80 Main Street White Plains, New York 10601	Phone: Unknown	Unknown	None
1911	Daily Record Address: Unknown	Phone: Unknown	Unknown	None
1911	The Daily Argus Address: Unknown	Phone: Unknown	Inactive	None
1930-1942	Genung's Department Store Address: 24 Main Street White Plains, New York 10601	Phone: Unknown	Inactive	None
1950	Dry Cleaning Address: Unknown	Phone: Unknown	Unknown	None
1950	Harow & Paint Address: Unknown	Phone: Unknown	Unknown	None
1950	Sonotone Corporation Address: 92 Main Street White Plains, New York 10601	Phone: Unknown	Unknown	None
1980-2023	The Galleria Mall Address: 100 Main Street White Plains, NY 10601	Phone: (914) 682-0111	Inactive	None
1980-2001	J.C. Penney Corporation, Inc. Address: 100 Main Street White Plains, New York 10601	Phone: 1 (800) 322-1189	Active	None
2003-2021	Sears, Roebuck and Company Address: 100 Main Street White Plains, New York 10601	Phone: (914) 644-1400	Inactive	None
2023-present	Vacant		N/A	None

# **EXHIBIT G**



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.



\*651573132DED004X\*

## Westchester County Recording & Endorsement Page

### Submitter Information

Name: DelBello Donnellan Weingarten Wise & Wiederkehr, L Phone: 914-681-0200  
Address 1: 1 North Lexington Ave. Fax:  
Address 2: Email: plc@ddw-law.com  
City/State/Zip: White Plains NY 10601 Reference for Submitter: CORRECTION WARRANTY DEED - G/

### Document Details

Control Number: **651573132** Document Type: **Deed (DED)**  
Package ID: 2025060600058001003 Document Page Count: **28** Total Page Count: **30**

### Parties

☐ Additional Parties on Continuation page

#### 1st PARTY

1: WP GALLERIA REALTY L P - Other  
2:

#### 2nd PARTY

1: GALLERIA CITY HOLDING CO LLC - Other  
2:

### Property

☒ Additional Properties on Continuation page

Street Address: 100 MAIN STREET Tax Designation: 125.75-4-1  
City/Town: WHITE PLAINS Village:

### Cross- References

☐ Additional Cross-Refs on Continuation page

1: 622273842 2: 3: 4:

### Supporting Documents

1: RP-5217 2: TP-584

### Recording Fees

Statutory Recording Fee: \$40.00  
Page Fee: \$145.00  
Cross-Reference Fee: \$0.50  
Mortgage Affidavit Filing Fee: \$0.00  
RP-5217 Filing Fee: \$250.00  
TP-584 Filing Fee: \$5.00  
RPL 291 Notice Fee: \$0.00  
Local Tax Receipt Filing Fee: \$0.00  
Total Recording Fees Paid: **\$440.50**

### Transfer Taxes

Consideration: \$0.00  
Transfer Tax: \$0.00  
Mansion Tax: \$0.00  
Transfer Tax Number: 22628

### Mortgage Taxes

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

Dwelling Type: Exempt: ☐  
Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 07/18/2025 at 09:57 AM  
Control Number: **651573132**  
Witness my hand and official seal

Timothy C. Idoni  
Westchester County Clerk

### Record and Return To

☐ Pick-up at County Clerk's office

DelBello Donnellan Weingarten Wise & Wiederkehr, LLP  
360 Hamilton Avenue  
Suite 1010  
White Plains, NY 10601  
Attn: Heidi M. Winslow, Esq.

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.

\*651573132DED004X\*

## Westchester County Recording & Endorsement Page

### Document Details

Control Number: **651573132**

Document Type: **Deed (DED)**

Package ID: 2025060600058001003

Document Page Count: 28

Total Page Count: 30

### Properties Addendum

100 MAIN ST 10601	WHITE PLAINS	125.75-4-2
100 MAIN ST 10601	WHITE PLAINS	125.75-4-3
100 MAIN STREET 10601	WHITE PLAINS	125.75 4 4

**CORRECTION**  
**WARRANTY DEED**

---

**WP GALLERIA REALTY LP,**  
a Delaware limited partnership

TO

**GALLERIA CITY HOLDING COMPANY LLC,**  
a Delaware limited liability company

ADDRESS:   The Galleria  
              100 Main Street  
              White Plains, New York

SECTION:   125.75  
BLOCK:     4  
LOTS:       1, 2, 3 and 4  
CITY:       White Plains  
COUNTY:   Westchester  
STATE:      New York

RETURN BY MAIL TO:

DelBello Donnellan Weingarten Wise & Wiederkehr, LLP  
360 Hamilton Avenue, Suite 1010  
White Plains, New York 10601  
Attention: Heidi M. Winslow, Esq.

**CORRECTION  
WARRANTY DEED**

**WP GALLERIA REALTY LP**, a Delaware limited partnership, having an address at c/o Pacific Retail Capital Partners, 2029 Century Park East, Suite 1550, Los Angeles, California 90067 ("**Grantor**"), for consideration paid, unto **GALLERIA CITY HOLDING COMPANY LLC**, a Delaware limited liability company, having an address at c/o Galleria Manager Realty LLC, 2029 Century Park East, Suite 1550, Los Angeles, California 90067 ("**Grantee**"), does as of this 8<sup>th</sup> day of July, 2025, hereby give, grant, bargain, sell and confirm unto Grantee, its successors and assigns forever, that certain piece or parcel of land in the City of White Plains, County of Westchester and State of New York, described on **Exhibit A** attached hereto and made a part hereof (the "**Premises**").

**TO HAVE AND TO HOLD** the above granted and bargained Premises, with the appurtenances thereto, unto Grantee, its successors and assigns forever, to its and their own proper use and behoof.

Said Premises being and intended to be the same premises described in a certain Deed from White Plains Galleria Limited Partnership, a Delaware limited partnership, to Grantor, dated September 15, 2016 and recorded September 19, 2016 in Control No. 562523249 (as to Tax Lots 1, 2 and 3) and Deed from Macy's Retail Holdings, Inc. to Grantor, dated April 30, 2019 and recorded May 31, 2019 in Control No. 591233092 (as to Tax Lot 4).

**THIS CORRECTION WARRANTY DEED** is being recorded for the purpose of correcting the address of the Grantee contained in deed made by **WP GALLERIA REALTY LP**, grantor to **GALLERIA CITY HOLDING COMPANY LLC**, grantee, dated October 18, 2022, and recorded in the Office of the Clerk of the County of Westchester on October 28, 2022 in Control Number 622273842 (the "Original Deed"). The Grantee's address in the Original Deed was a scrivener error and "c/o Galleria Manager Realty LLC, 2029 Century Park East, Suite 1550, Los Angeles, California 90067" is the correct address.

And, Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, that at and until the ensealing of these presents, it is well seized of the Premises, as a good indefeasible estate in FEE SIMPLE; and has good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as set forth on **Exhibit B** attached hereto and made a part hereof.

And furthermore, Grantor does by these presents bind itself and its successors and assigns forever to **WARRANT AND DEFEND** the above granted and bargained Premises to Grantee, its successors and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

**WP Galleria Realty LP,**  
a Delaware limited partnership,

By: Manager Realty LLC, a Delaware limited liability company,  
its general partner

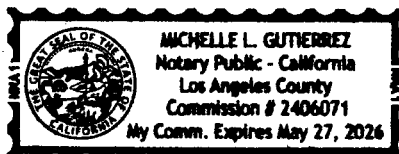
By: Aareal Holding Realty LP, a Delaware limited partnership,  
its  
sole member

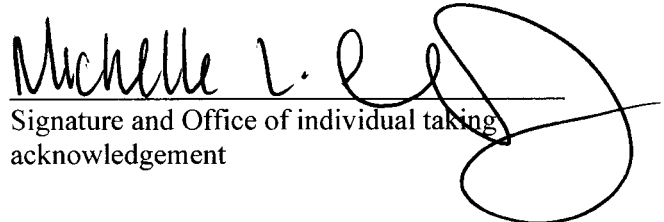
By: Pacific Manager GP, Inc., a Delaware corporation, its  
general  
partner

By:   
Name: Steven Plenge  
Title: Authorized Signatory

STATE OF CALIFORNIA )  
 )ss.:  
COUNTY OF LOS ANGELES )

On the 7<sup>th</sup> day of July in the year 2025 before me, the undersigned, a Notary Public in and for said State, personally appeared **Steven Plenge** 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 and that such individual made such appearance before the undersigned in the in the City of Los Angeles, County of Los Angeles and the State of California.



  
Signature and Office of individual taking  
acknowledgement

*Signature and Acknowledgment Page to Correction Warranty Deed*

✓

**EXHIBIT A**

Legal Description

(Attached)

**SCHEDULE A - DESCRIPTION****PARCEL E-2**

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as Parcel "E-2" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 & 23, prepared for White Plains Urban Renewal Agency, situated in City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies above the horizontal plane having an elevation of 222.08 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said Volume is bounded by and lien within the vertical planes which are formed by projecting vertically upward, the boundaries of all that plot or parcel described as follows:

BEGINNING at a point which is intersection of the proposed easterly right-of-way line of Grove Street with the proposed southerly right-of-way line of Main Street, which point is further identified as North 376,419.026 and East 655,455.307 in the New York State Plane Coordinate System, East Zone, and proceeding;

THENCE along the proposed southerly right-of-way line of Main Street, North 79 degrees 03 minutes 06.9 seconds East 116.583 feet to a point;

THENCE South 10 degrees 56 minutes 53.1 seconds East 149.915 feet to a point;

THENCE South 79 degrees 03 minutes 06.9 seconds West 116.583 feet to the proposed easterly right-of-way line of Grove Street;

THENCE along the proposed easterly right-of-way line of Grove Street, North 10 degrees 56 minutes 53.1 seconds West 149.916 feet to the proposed southerly right-of-way line of Main Street at the point of BEGINNING.

## PARCEL F

ALL that certain plot, piece or parcel of land, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as Parcel "F" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 21, 21, 22 & 23, prepared for White Plains Urban Renewal Agency situate in City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512, said parcel being more particularly bounded and described as follows:

BEGINNING at a point on the proposed southerly right-of-way line of Main Street, at the westerly end of a curve connecting the proposed southerly right-of-way line of Main Street with proposed westerly right-of-way line of Grove Street, which point of beginning is further identified as North 376,419.515 and East 655,284.539 in the New York State Plane Coordinate System, East Zone, and proceeding;

THENCE along the proposed southerly right-of-way line of Main Street, South 83 degrees 24 minutes 33 seconds West 361.643 feet to a point;

THENCE South 10 degrees 56 minutes 53.1 seconds East 283.220 feet to a point;

THENCE North 79 degrees 03 minutes 06.9 seconds East 399.298 feet to a point on the proposed westerly right-of-way line of Grove Street;

THENCE along the proposed southerly right-of-way line of Grove Street, North 15 degrees 49 minutes 53 seconds West 238.370 feet to a point of curvature;

THENCE along a curve to the left having a radius of 20.00 feet and a central angle of 80 degrees 45 minutes 33.8 seconds a distance of 28.19 feet to the proposed southerly right-of-way line of Main Street at the point of BEGINNING.



**PARCELG-1**

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as "Fee Plane G-I" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22, & 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies above the horizontal plane having elevation 218.80 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said Volume is bounded by and lies within the vertical planes which are formed by projecting vertically upward the boundaries of all that plot or parcel described as follows:

BEGINNING at a point on the proposed southerly right-of-way line of Main Street, at the westerly end of a curve connecting the proposed westerly right-of-way line of Grove Street with the proposed southerly right-of-way line of Main Street, which point of beginning is further identified as North 376,419.515 and East 655,284.539 in the New York State Plane Coordinate System, East Zone, and proceeding;

THENCE along the following courses and distances: North 5 degrees 18 minutes 08.3 seconds West 5.334 feet; North 83 degrees 24 minutes 42 seconds East 167.528 feet to a northerly extension of the proposed easterly right-of-way line of Grove Street;

THENCE along said northerly extension of the proposed easterly right-of-way way line of Grove Street, South 10 degrees 56 minutes 53.1 seconds East 26.318 feet to a point;

THENCE South 79 degrees 03 minutes 06.9 seconds West 147.835 feet to the proposed westerly right-of-way line of Grove Street;

THENCE along the proposed westerly right-of-way line of Grove Street, North 15 degrees 49 minutes 53 seconds West 15.561 feet to a point of curvature;

THENCE along a curve to the left having a radius of 20.00 feet and a central angle of 80 degrees 45 minutes 33.8 seconds a distance of 28.19 feet to the proposed southerly right-of-way line of Main Street at the point of BEGINNING.

**PARCEL G-2**

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as "Fee Plane G-2" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22, and 23, prepared for White Plains Urban Renewal Agency, situate in the City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies above an inclined plane having elevation 218.80 feet at its northerly extremity and elevation 217.25 feet at its southerly extremity above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929 said volume is bounded by and lies within the vertical planes which are formed by projecting vertically upward the boundaries of all that plot or parcel described as follows:

BEGINNING at a point on the proposed westerly right-of-way line of Grove Street, 85.816 feet southerly of the southerly end of a curve connecting the proposed westerly right-of-way line of Grove Street with the proposed southerly right-of-way line of Main Street, which point of beginning is further identified as North 376,322.542 and East 655,329.487 in the New York State Plane Coordinate System, East Zone, and proceeding;

THENCE in a northerly direction along the proposed westerly right-of-way line of Grove Street, North 15 degrees 49 minutes 53 seconds West 70.225 feet to a point;

THENCE across proposed Grove Street, North 79 degrees 03 minutes 06.9 seconds East 147.835 feet to the proposed easterly right-of-way line of Grove Street;

THENCE along the proposed easterly right-of-way line of Grove Street, South 10 degrees 56 minutes 53.1 seconds East 70.000 feet;

THENCE across proposed Grove Street, South 79 degrees 03 minutes 06.9 seconds West 141.854 feet to the proposed westerly right-of-way line of Grove Street at the point of BEGINNING.

## PARCEL G-3

All that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as "Fee Plane G-3" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 & 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies above the horizontal plane having elevation 217.25 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically upward the boundaries of all that plot or parcel described as follows:

BEGINNING at a point on the proposed westerly right-of-way line of Grove Street, 85.816 feet southerly of the southerly end of a curve connecting the proposed westerly right-of-way line of Grove Street with the proposed southerly right-of-way line of Main Street, which point of beginning is further identified as North 376,322.542 and East 655,329.487 in the New York State Plane Coordinated System, East Zone, and proceeding;

THENCE across proposed Grove Street, North 79 degrees 03 minutes 06.9 seconds East 141.854 feet to the proposed easterly right-of-way line of Grove Street;

THENCE along the proposed easterly right-of-way line of Grove Street, South 10 degrees 56 minutes 53.1 seconds East 32.000 feet to a point;

THENCE across proposed Grove Street, South 79 degrees 03 minutes 06.9 seconds West 139.120 feet to the proposed westerly right-of-way line of Grove Street;

THENCE along the proposed westerly right-of-way line of Grove Street, North 15 degrees 49 minutes 53 seconds West 32.117 feet to the point of BEGINNING.

## PARCEL G-4

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as "Fee Plane G-4" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 & 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978 made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies above an inclined plane having elevation 217.25 feet at its northerly extremity and elevation 221.83 feet at its southerly extremity above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically upward the boundaries of all that plot or parcel described as follows:

BEGINNING at a point on the proposed westerly right-of-way line of Grove Street, 117.933 feet southerly of the southerly end of a curve connecting the proposed westerly right-of-way line of Grove Street with the proposed southerly right-of-way line of Main Street, which point of beginning is further identified as North 376,291.644 and East 655,338.249 in the New York State Plane Coordinate System, East Zone, and proceeding;

THENCE across proposed Grove Street, North 79 degrees 03 minutes 06.9 seconds East 139.120 feet to the proposed easterly right-of-way line of Grove Street;

THENCE along the proposed easterly right-of-way of Grove Street, the following courses and distances:

South 10 degrees 56 minutes 53.1 seconds East 47.083 feet;

North 79 degrees 03 minutes 06.9 seconds East 2.666 feet;

South 10 degrees 56 minutes 53.1 seconds East 72.917 feet;

THENCE across proposed Grove Street, South 79 degrees 03 minutes 06.9 seconds West 131.534 feet to the proposed westerly right-of-way line of Grove Street;

THENCE along the proposed westerly right-of-way line of Grove Street, North 15 degrees 49 minutes 53 seconds West 120.437 feet to the point of BEGINNING.

## PARCEH H-1

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as Parcel "H-1" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 & 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County, (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies above the horizontal plane having elevation 219.50 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically upward the boundaries of all that plot or parcel described as follows:

BEGINNING at a point on the proposed southerly right-of-way line of Main Street, at the westerly end of a curve connecting the proposed westerly right-of-way line of Grove Street with the proposed southerly right-of-way line of Main Street, which point is further identified as North 376,419.515 and East 655,284.539 in the New York State Plane Coordinated System East Zone, and proceeding;

THENCE along the proposed southerly right-of-way line of Main Street, South 83 degrees 24 minutes 33 seconds West 361.643 feet to a point;

THENCE along the following courses and distances:

North 6 degrees 35 minutes 27 seconds West 5.333 feet;

North 83 degrees 24 minutes 33 seconds East 361.763 feet;

South 5 degrees 18 minutes 08.3 seconds East 5.334 feet to the proposed southerly right-of-way line of Main Street at the point of BEGINNING.

## PARCEL H-2

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as Parcel "H-2" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 & 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County, Clerk of Westchester County, (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies above the horizontal plane having elevation 238.00 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically upward the boundaries of all that plot or parcel described as follows:

BEGINNING at a point which is the northwest corner of Parcel H-1, described previously, which point is further identified as North 376,383.304 and East 654,924.674 in the New York State Plane Coordinate System, East Zone, and proceeding;

THENCE along the following courses and distances:

North 6 degrees 35 minutes 27 seconds West 6.667 feet;

North 83 degrees 24 minutes 33 seconds East 528.782 feet to a point on the northerly extension of the proposed easterly line of Grove Street;

THENCE South 10 degrees 56 minutes 53.1 seconds East 6.693 feet to a point;

THENCE South 83 degrees 24 minutes 41 seconds West 167.528 feet to the north easterly corner of Parcel-1;

THENCE along the northerly line of Parcel H-1, South 83 degrees 24 minutes 33 seconds West 361.763 feet to the point of BEGINNING.

## PARCEL J

ALL that certain plot, piece or parcel of land, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as Parcel "J" on a certain map entitled, "Survey of Central Renewal: Project Parcels Nos. 20, 21, 22 & 23, prepared for White Plains Urban Renewal Agency situate in City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512, said parcel being more particularly bounded and described as follows:

BEGINNING at a point on the proposed southerly right-of-way line of Main Street, at the easterly end of a curve connecting the proposed easterly right-of-way line of South Lexington Avenue with the proposed southerly right-of-way line of Main Street, which point is further identified as North 376,355.559 and East 654,731.011 in the New York State Plane Coordinate System, East Zone, and proceeding;

THENCE in a westerly and southerly direction, along a curve to the left having a radius of 20.00 feet and a central angle of 93 degrees 13 minutes 46 seconds a distance of 32.543 feet to the proposed easterly right-of-way line of South Lexington Avenue;

THENCE along the proposed easterly right-of-way line of South Lexington Avenue, South 9 degrees 49 minutes 13 seconds East 278.584 feet to a point;

THENCE North 79 degrees 03 minutes 06.9 seconds East 222.001 feet to a point;

THENCE North 10 degrees 56 minutes 53.1 seconds West 283.220 feet to a point on the proposed southerly right-of-way line of Main Street;

THENCE along the proposed southerly right-of-way line of Main Street, South 83 degrees 24 minutes 33 seconds West 195.568 feet to the point of BEGINNING.

## PARCEL K-1

All that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as Parcel "K-1" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22, & 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies above the horizontal plane having elevation 219.50 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically upward the boundaries of all that plot or parcel described as follows:

BEGINNING at a point which is the intersection of the proposed easterly right-of-way line of Grove Street with the proposed southerly right-of-way line of Main Street, which point is further identified as North 376,419.026 and East 655,455.307 in the New York State Plane Coordinate System, East Zone, and proceeding;

THENCE along the proposed southerly right-of-way line of Main Street, the following courses and distances:

North 79 degrees 03 minutes 06.9 seconds East 116.583 feet;

North 10 degrees 56 minutes 53.1 seconds West 23.450 feet to a point;

THENCE South 80 degrees 03 minutes 08 seconds West 116.601 feet to a northerly extension of the proposed easterly right-of-way line of Grove Street;

THENCE along the northerly extension of the proposed easterly right-of-way line of Grove Street, South 10 degrees 56 minutes 53.1 seconds East 25.485 feet to the proposed southerly right-of-way line of Main Street at the point of BEGINNING.



**PARCEL K-2**

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as Parcel "K-2" on a certain map entitled Survey of Central Renewal Project Parcels Nos. 20, 21, 22 and 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies above the horizontal plane having elevation 238.00 above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically upward the boundaries of all that plot or parcel described as follows:

BEGINNING at a point which is the northwesterly corner of Parcel K-1, which point is further identified as North 376,444.048 and East 655,450.467 in the New York State Plane Coordinate System, East Zone, and proceeding;

THENCE along the northerly extension of the proposed easterly right-of-way line of Grove Street, North 10 degrees 56 minutes 53.1 seconds West 6.693 feet to a point;

THENCE in an easterly direction, North 83 degrees 24 minutes 33 seconds East 114.289 feet to a point on the northerly line of Parcel K-1;

THENCE in a westerly direction along the northerly line of Parcel K-1, South 80 degrees 03 minutes 08 seconds West 113.976 feet to the proposed easterly right of-way line of Grove Street at the point of BEGINNING.

**PARCEL L-1**

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York shown and designated as "Fee Plane L-1" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 & 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978 made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies between an inclined plane having elevation 197.35 feet at its extremity and elevation 199.10 feet at its westerly extremity and an upper limiting horizontal plane having elevation 263.00 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically upward the boundaries of all that plot or parcel described as follows:

BEGINNING at a point on the proposed southerly right-of-way line of Main Street, 195.568 feet easterly of the easterly end of a curve connecting the proposed easterly right-of-way line of South Lexington Avenue with the proposed southerly right-of-way line of Main Street, which point of beginning is further identified as North 376,378.006 and East 654,925.286 in the New York State Plane Co-ordinate System, East Zone, and proceeding;

THENCE along the following courses and distances:

North 6 degrees 35 minutes 27 seconds West 5.333 feet;

South 83 degrees 24 minutes 33 seconds West 161.375 feet;

South 6 degrees 35 minutes 27 seconds East 5.333 feet to the proposed southerly right-of-way line of Main Street;

THENCE along the proposed southerly right-of-way line of Main Street, North 83 degrees 24 minutes 33 seconds East 161.375 feet to the point of BEGINNING.

## PARCEL L-2

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as "Fee Plane L-2" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 & 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978 made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies between the horizontal plane having elevation 238.00 feet and the horizontal plane having elevation 263.00 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically the boundaries of all that plot or parcel described as follows:

Projecting vertically the boundaries of all the plot or parcel described as follows:

BEGINNING at a point which is the northeast corner of Fee Plane L-1 described previously, which point is identified as North 376,383.304 and East 654,924.674 in the New York State Plane Coordinate System, East Zone, and proceeding thence along the following courses and distances;

North 6 degrees 35 minutes 27 seconds West 6.667 feet;

South 83 degrees 24 minutes 33 seconds West 121.375 feet;

South 6 degrees 35 minutes 27 seconds East 6.667 feet to a point on the northerly boundary line of Fee Place L-1;

THENCE along the northerly boundary of Fee Plane L-1, North 83 degrees 24 minutes 33 seconds East 121.375 feet to the point of BEGINNING.

## PARCEL L-3A

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as "Fee Plane L-3A" on a certain map entitled "Survey of Central Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978 made by James W. Delano and in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies between the horizontal plane having elevation 263.00 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically the boundaries of all that plot or parcel described as follows:

BEGINNING at a point on the proposed easterly right-of-way line of South Lexington Avenue, 38.584 feet southerly of the southerly end of a curve connecting the proposed southerly right-of-way line of Main Street with the proposed easterly right-of-way line of South Lexington Avenue, which point of BEGINNING is further identified as North 376,294.261 and East 654,720.180 in the New York State Plane Coordinate System, East Zone, and proceeding thence along the following courses and distances;

South 80 degrees 10 minutes 47 seconds West 5.500 feet;

South 9 degrees 49 minutes 13 seconds East 31.625 feet;

North 80 degrees 10 minutes 47 seconds East 5.500 feet to the proposed easterly right-of-way line of South Lexington Avenue;

THENCE along the proposed easterly right-of-way line of South Lexington Avenue, North 9 degrees 49 minutes 13 seconds West 31.625 feet to the point of BEGINNING.

**PARCEL L-3B**

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as "Fee Plane L-3B" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 and 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978 made by James W. Delano, filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies between an inclined plane having elevation 199.25 feet at its northerly extremity and elevation 199.35 feet at its southerly extremity and an upper limiting horizontal plane having elevation 263.00 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically the boundaries of all that plot or parcel described as follows:

BEGINNING at a point on the proposed easterly right-of-way line of South Lexington Avenue, 70.209 feet southerly of the southerly end of a curve connecting the proposed southerly right-of-way line of Main Street with the proposed easterly right-of-way line of South Lexington Avenue, which point of BEGINNING is further identified as North 376,263.100 and East 654,725.574 in the New York State Plane Coordinate System, East Zone, and proceeding thence along the following courses and distances:

South 80 degrees 10 minutes 47 seconds West 5.500 feet;

South 9 degrees 49 minutes 13 seconds East 19.000 feet;

North 80 degrees 10 minutes 47 seconds East 5.500 feet to the proposed easterly right-of-way line of South Lexington Avenue;

THENCE along the proposed easterly right-of-way line of South Lexington Avenue, North 9 degrees 49 minutes 13 seconds West 19.00 feet to the point of BEGINNING.

## PARCEL L-3C

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as "Fee Plane L-3C" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 and 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies between the horizontal plane having elevation 238.00 feet and the horizontal plane having elevation 263.00 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically the boundaries of all that plot or parcel described as follows:

BEGINNING at a point on the proposed easterly right-of-way line of South Lexington Avenue, 89.209 feet southerly of the southerly end of a curve connecting the proposed southerly right-of-way line of Main Street with the proposed easterly right-of-way line of South Lexington Avenue, which point of BEGINNING is further identified as North 376,244.378 and East 654,728.814 in the New York State Plane Coordinate System, East Zone, and proceeding thence along the following courses and distances:

South 80 degrees 10 minutes 47 seconds West 5.500 feet;

South 9 degrees 49 minutes 13 seconds East 71.375 feet;

North 80 degrees 10 minutes 47 seconds East 5.500 feet to the proposed easterly right-of-way line of South Lexington Avenue;

THENCE along the proposed easterly right-of-way line of South Lexington Avenue, North 9 degrees 49 minutes 13 seconds West 71.375 feet to the point of BEGINNING.



## PARCEL L-4

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York, shown and designated as "Fee Plane L-4" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 and 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on June 8, 1978 as Map No. 19512 which lies between the horizontal plane having elevation 220.00 feet and the horizontal plane having elevation 263.00 feet, above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically the boundaries of all that plot or parcel described as follows:

BEGINNING at a point on the proposed easterly right-of-way line of South Lexington Avenue, 182.584 feet southerly of the southerly end of a curve connecting the proposed southerly right-of-way line of Main Street with the proposed easterly right-of-way line of South Lexington Avenue, which point of BEGINNING is further identified as North 376,152.371 and East 654,744.740 in the New York State Plane Coordinate System, East Zone, and proceeding thence along the following courses and distances:

South 80 degrees 10 minutes 47 seconds West 3.500 feet;

South 9 degrees 49 minutes 13 seconds East 96.000 feet;

North 80 degrees 10 minutes 47 seconds East 3.500 feet to the proposed easterly right-of-way line of South Lexington Avenue;

THENCE along the proposed easterly right-of-way line of South Lexington Avenue, North 9° 49' 13" West 96.000 feet to the point of BEGINNING.

TOGETHER with the following valid and subsisting easements with others to all the benefits of:

1. Easements for the benefit of Sub-Parcels E-2 and F and Sub Sub-Parcels G-1, G-2, G-3 and G-4 and H-2, as shown on Filed Map, No. 19512, to construct, maintain and reconstruct columns for purposes of support, together with decorative lighting to be attached to such columns, which columns may contain various utility pipes, conduits and other lines as well as ventilation shafts, all as shown on Sheet 3 of the filed map, in the areas designated as Easement Nos. A-106 through A-111, F-124 and F-126 through F-133.

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Policy Number: O-8911-000937973

Date of Policy: October 18, 2022

File Number: 71204770

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2. Easements for the benefits of Sub-Parcel F and Sub Sub-Parcels G-1, G-2, G-3, G-4, H-1 and H-2 as shown on Filed Map, No. 19512, to construct, maintain and reconstruct a column for the purposes of support together with decorative lighting to be attached to such column, which column may contain various utility pipes, conduits and other lines as well as ventilation shafts, all as shown on Sheet 2 of the Filed Map No. 19512 in the area designated as Easement No. F-176.
  3. Easement for the benefit of Sub-Parcels E-2 and F and Sub Sub-Parcels G-1, G-2, G-3, G-4 and H-2, as shown on the Filed Map No. 19512, to construct, maintain and reconstruct footings for purposes of support, all as shown on Sheet 3 of the Filed Map No. 19512 in the areas designated as Easement Nos. A-112, F-125 and F-134 respectively.
  4. Easements for the benefit of Sub-Parcel F and Sub Sub-Parcels G-1, G-2, G-3, G-4, H-1 and H-2 as shown on Filed Map No. 19512, in the area designated as Easement Nos. F-135 through F-146.
  5. Easements for the benefit of Sub-Parcel F and Sub Sub-Parcels G-1, G-2, G-3, G-4, H-1 and H-2 as shown on Filed Map No. 19512, to construct, maintain and reconstruct lighting fixtures, all as shown on Sheet 2 of the filed map in the areas designated as Easement Nos. F-147 through F-157 respectively.
  6. Easements for the benefit of Sub-Parcel F and Sub Sub-Parcels G-1, G-2, G-3, G-4, H-1 and H-2 as shown on Filed Map No. 19512 to construct, maintain and reconstruct wall and column footings, all as shown on Sheet 1 of the filed map in the area designated as Easement No. F-168.
  7. Easements for the benefit of Sub-Parcels J and F and Sub Sub-Parcels L-1, L-2, L-3A, L-3B, L-3C and L-4 as shown on filed Map No. 19512, to construct, maintain and reconstruct wall and column footings, all as shown on Sheet 6 of the filed map in the area designated as Easement Nos. J-158 and J-159 respectively.
  8. Easements for the benefit of Sub-Parcels J and F and Sub Sub-Parcels L-1, L-2, L-3A, L-3B, L-3C and L-4 as shown on filed Map No. 19512, to construct, maintain and reconstruct planters, air shafts and stairs, all as shown on 5 of the filed map in the areas designated as Easement Nos. J-162 and J-165 respectively.
  9. Easements for the benefits of Sub-Parcels J and Sub Sub-Parcels L-1, L-2, L-3A, L-3B, L-3C and L-4 as shown on Filed Map No. 19512, to construct, maintain and reconstruct canopies, as shown on Sheet 5 of the filed map, in the areas designated as Easement Nos. J-163 and J-166 respectively.
  10. Easements for the benefit of Sub-Parcel J and Sub Sub-Parcels L-1, L-2, L-3A, L-3B, L-3C and L-4 as shown on Filed Map No. 19512 to construct, maintain and reconstruct signs, as shown on Sheet 5 of the filed map, in the areas designated as Easement Nos. J-164 and J-167 respectively.
  11. Easements for the benefit of Sub-Parcel E-2 and Sub Sub-Parcels G-1, G-2, G-3, G-4, K-1, K-2 and H-2, as shown on the Filed Map, to construct, maintain and reconstruct footings for purposes of support, all as shown on Sheet 3 of the filed map in the areas designated as Easement Nos. D-120 through D-123.
-

12. Easements for the benefit of Sub-Parcel E-2 and Sub Sub-Parcels G-1, G-2, G-3, G-4, K-1, K-2 and H-2, as shown on the Filed Map, to construct, maintain and reconstruct columns for purposes of support, together with decorative lighting to be attached to such columns, which columns may contain various utility pipes, conduits and other lines, all as shown on Sheet 3 of the filed map in the areas designated as Easement Nos. D-113 through D-116.
13. Easements in common with for the benefit of Sub Parcel E-2 and Sub Sub-Parcels G-1, G-2, G-3, G-4, K-1, K-2 and H-2 as shown on the Filed Map, to construct, maintain and reconstruct columns for purposes of support, together with decorative lighting to be attached to such columns, which columns may contain various utility pipes, conduits and other lines, common with the owner of the property referred to on Sheet 3 of the filed map as Parcel "A" all as shown on Sheet 3 of the filed map in the areas designated as Easements Nos. A-103 and A-104 respectively.
14. Easements in common with others for the benefits of Sub-Parcels E-2 and Sub Sub-Parcels G-1, G-2, G-3, G-4, K-1 and K-2 and H-2 as shown on the Filed Map, to construct, maintain and reconstruct a footing for purposes of support in common with the owner of the property referred to on Sheet 3 of the filed map as Parcel "A", all as shown on Sheet 3 of the filed map in the area designated as Easement No. A-105.
15. Easements for the benefits of Sub-Parcel F and Sub Sub-Parcels G-1, G-2, G-3 and G-4 as shown on the Filed Map, to install, maintain and replace decorative railings adjacent to the curbs of Grove Street beneath Sub-Sub-Parcel G-1, G-2, G-3 and G-4.

TOGETHER with valid and subsisting easements in common with others contained in Letters (A) and (B) in Section 4.03, Letters (A) and (B) Section 4.04, Letters (A), (B) and (G) in Section 4.05, Letters (A), (B), (E) and (F) in Section 4.06 and all of Section 4.08 of the Operation and Reciprocal Easement Agreement recorded in Liber 7475 Cp 1, as amended.

TOGETHER with an easement granted by White Plains Urban Renewal Agency to CF White Plains Associates, dated June 24, 1981 recorded July 1, 1981 in Liber 7709 of Conveyances Page 150.

AND

Subparcel C (Fee)

ALL that certain plot, piece or parcel of land. situate, lying and being in the City of White Plains, County of Westchester and State of New York shown and designated as Parcel "C" on a certain map entitled "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 & 23 prepared for White Plains (Urban Renewal Agency situate in City of White Plains, Westchester County, New York", dated May 15, 1978 made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on 6/8/78 as Map No. 19512 said parcel being more particularly bounded and described as follows:

BEGINNING at a point on the proposed northerly right-of-way line of Martine Avenue which is at the westerly end of a curve connecting the proposed westerly right-of-way line of Court Street with the said proposed northerly right-of-way line of Martine Avenue, which point is further identified as North 376,141.205 and East 655,929.548 in the New York State Plane Coordinate System, East Zone, and proceeding:

THENCE in an easterly to northerly direction along a curve to the left having a radius of 35.000 feet and a central angle of 89 degrees 05 minutes 28.9 seconds a distance of 54.423 feet to the proposed westerly right-of-way line of Court Street;

THENCE, along the proposed westerly right of way line of Court Street, North 10 degrees 02 minutes 22 seconds West 311.057 feet to a point of curvature;

THENCE, along a curve to the left having a radius of 35.000 feet and a central angle of 89 degrees 54 minutes 30 seconds a distance of 54.922 feet to the proposed southerly right-of-way line of Main Street;

THENCE along the proposed southerly right-of-way line of Main Street, South 80 degrees 03 minutes 08 seconds West 235.676 feet to a point;

THENCE, the following courses and distances:

South 10 degrees 56 minutes 53.1 seconds East 172.210 feet;  
North 79 degrees 03 minutes 06.9 seconds East 17.016 feet;  
South 10 degrees 56 minutes 53.1 seconds East 80.250 feet;  
North 79 degrees 03 minutes 06.9 seconds East 10.651 feet;  
South 10 degrees 56 minutes 53.1 seconds East 29.333 feet;

South 79 degrees 03 minutes 06.9 seconds West 10.651 feet;  
South 10 degrees 56 minutes 53.1 seconds East 103.334 feet to the proposed northerly right-of-way line of Martine Avenue;

THENCE, along the proposed northerly right-of-way line of Martine Avenue, North 79 degrees 03 minutes 06.9 seconds East 213.080 feet to the point of BEGINNING.

**Subparcel D-2 (Fee-above-a-plane)**

ALL that volume of space, situate, lying and being in the City of White Plains, County of Westchester and State of New York shown and designated as Parcel "D-2" on a certain map entitled, "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 & 23, prepared for White Plains Urban Renewal Agency, situate in the City of White Plains, Westchester County, New York" dated May 15, 1978, made by James W. Delano and filed in the Office of the County Clerk of Westchester County (Division of Land Records) on 6/8/78. as Map No. 19512, which lies above the horizontal plane having elevation 222.08 feet above the datum level in use by the City of White Plains, which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within the vertical planes which are formed by projecting vertically upward the boundaries of all that plot or parcel described as follows:

BEGINNING at a point on the proposed Southerly right-of-way line of Main Street 235.676 feet westerly of the Westerly end of a curve connecting the proposed southerly right-of-way line of Main Street with the proposed westerly right-of-way line of Court Street, which point of BEGINNING is further identified as North 376,475.623 and East 655,630.497 in the New York State Plane Coordinate System, East Zone and proceeding:

THENCE, along the proposed Southerly right-of-way line of Main Street, South 80 degrees 03 minutes 08 seconds West 66.177 feet to a point;

THENCE, South 10 degrees 56 minutes 53.1 seconds East 173.365 feet to a point;

THENCE North 79 degrees 03 minutes 06.9 seconds East 66.167 feet to a point;

THENCE North 10 degrees 56 minutes 53.1 seconds West 172.210 feet to the proposed southerly right-of-way line of Main Street at the point of BEGINNING.

Subparcel M (Fee-above-a-plane)

ALL that volume of space situate, lying and being in the City of White Plains, County of Westchester and State of New York shown and designated as Parcel "M" on a certain Map entitled "Survey of Central Renewal Project Parcels Nos. 20, 21, 22 and 23, prepared for White Plains Urban Renewal Agency, situate in City of White Plains, Westchester County New York" dated May 15, 1978, made by James W. Delano and filed in the office of the County Clerk of Westchester County (Division of Land Records) on 6/8/78, at Map No. 19512, which lies above the horizontal plane having elevation 283.50 feet above the datum level in use by the City of White Plains which datum level is the National Geodetic Survey Standard Datum 1929, said volume is bounded by and lies within vertical planes which are formed by projecting vertically upward the boundaries of all that plot or parcel described as following:

BEGINNING at a point on the proposed westerly right-of-way line of Court Street, 76.223 feet southerly of the southerly end of a curve connecting the proposed southerly right-of-way line of Main Street with the proposed westerly right-of-way line of Court Street, which point of BEGINNING is further identified as North 376,412.908 and East 655,916.428 in the New York State Plane Coordinate System, East Zone, and proceeding;

THENCE along the proposed westerly right-of-way line of Court Street, South 10 degrees 02 minutes 22 seconds East 46.506 feet to a point;

THENCE, North 79 degrees 03 minutes 06.9 seconds East 4.938 feet to a point;

THENCE North 10 degrees 56 minutes 53.1 seconds West 46.500 feet to a point;

THENCE, South 79 degrees 03 minutes 06.9 seconds West 4.200 feet to a point on the proposed westerly right-of-way line of Court Street at the point of BEGINNING.



## **EXHIBIT B**

### **PERMITTED ENCUMBRANCES**

1. Declaration of Restrictions recorded in Liber 6808 Page 92, as amended by Liber 6893 Page 414, Liber 6909 Page 631, Liber 6992 Page 611, Liber 6992 Page 617, Liber 7056 Page 485, Liber 7146 Page 796, Liber 7192 Page 566, Liber 7256 Page 155, Liber 7322 Page 607, Liber 7432 Page 1, Liber 7560 Page 166, Liber 8484 Page 257, Liber 11563 Page 78 and Control No. 403110365.

With regard thereto:

- i) Certificate of Completion recorded in Liber 7709 Page 135.
  - ii) Certificate of Completion recorded in Liber 7709 Page 139.
  - iii) Certificate of Completion recorded in Liber 7709 Page 131.
2. Terms, covenants, restrictions, conditions and provisions contained in Sections 5.01 (c) and 5.03 of the Contract for Sale of Land for Private Redevelopment made by and between White Plains Urban Renewal Agency ("Agency") and CF White Plains Associates ("Redeveloper"), dated as of 6/13/1978 and recorded in Liber 7474 Page 181. (As to Tax Lots 1-3)

With regard thereto:

- i) Certificate of Completion recorded in Liber 7709 Page 135.
  - ii) Certificate of Completion recorded in Liber 7709 Page 139.
  - iii) Certificate of Completion recorded in Liber 7709 Page 131.
3. Terms, covenants, restrictions and easements contained in the Operation and Reciprocal Easement Agreement made by and among the City of White Plains ("City"), Federated Department Stores, Inc. ("FDS"), J.C. Penney Properties Inc. ("Penney") and CF White Plains Associates ("CF"), dated as of 6/13/1978 and recorded in Liber 7475 Page 1.

With regard thereto:

- i) Assignment and Assumption of Construction and Operating Agreement from J.C. Penney Properties, Inc., as assignor to CFN, Inc., as assignee, dated as of 11/30/2001 and recorded 1/1/2002 in Control No. 413580096, as further assigned by Assignment and Assumption of REA Documents (Reciprocal Easement Agreement) made by and between CFN, Inc., as assignor to White Plains Galleria, Inc., as assignee, dated as of 1/31/2003 and recorded 5/13/2003 in Control No. 431210084.
4. Terms, covenants, restrictions, conditions and easements set forth in the deed made by White Plains Urban Renewal Agency to CF White Plains Associates, dated as of 6/13/1978 and recorded in Liber 7474 Page 740, other than for those covenants set out as "FIRST" through "FIFTH" contained therein. (Affects Tax Lots 1-3)

With regard thereto:

- i) Certificate of Completion recorded in Liber 7709 Page 135.
  - ii) Certificate of Completion recorded in Liber 7709 Page 139.
  - iii) Certificate of Completion recorded in Liber 7709 Page 131.
5. Terms, covenants, restrictions, conditions and provisions contained in Sections 5.01 (c) and 5.03 of the Contract for Sale of Land for Private Redevelopment made by and between White Plains Urban Renewal Agency ("Agency") and Courtmart, Inc. ("Redeveloper"), dated as of 6/13/1978 and recorded in Liber 7474 Page 343.

With regard thereto:

- i) Certificate of Completion recorded in Liber 7709 Page 126.
- f) Terms, covenants, restrictions, conditions and easements set forth in deed made by White Plains Urban Renewal Agency to Courtmart, Inc., grantee of a limited estate and Federated Department Stores, Inc., grantee of a vested remainder, dated as of 6/13/1978 and record in Liber 7475 Page 171 other than for those covenants set out as "FIRST" through "FIFTH" contained therein. (Affects Tax Lot 4)

With regard thereto:

- i) Certificate of Completion recorded in Liber 7709 Page 126.
6. Easements as set forth in Easement Agreement made by and between White Plains Urban Renewal Agency ("Grantor") to CF White Plains Associates ("Grantee"), dated as of 6/25/1981 and recorded 7/1/1981 in Liber 7709 Page 150.
7. Easements as shown on Filed Map No. 19512 and 20630.
8. Terms, covenants, conditions, provisions and agreements as set forth in an unrecorded Lease dated 7/1/2013 made by and between White Plains Galleria Limited Partnership, as lessor and H & M Hennes & Mauritz L.P., as lessee, as recited in Non-Disturbance and Attornment Agreement made by and among Trimont Real Estate Advisors, Inc. ("Mortgagee"), H & M Hennes & Mauritz L.P. ("Tenant") and White Plains Galleria Limited Partnership ("Landlord"), dated as of 7/1/2013 and recorded 12/24/2013 in Control No. 532323518.

# **EXHIBIT H**

**LEXINGTON AVENUE DEVELOPERS LLC**

3849 Briarhill Street  
Mohegan Lake, NY 10547

July 8, 2025

Galleria City Holding Company LLC c/o  
Galleria Manager Realty LLC  
Attn: Steven Plenge  
2029 Century Park East Suite #1550  
Los Angeles, CA 90067

**Re: Site Access to Perform Brownfield Cleanup Program Work  
60 Main Street, White Plains, New York 10601**

Dear Mr. Plenge:

Lexington Avenue Developers LLC (“LAD”) is submitting a Brownfield Cleanup Program (“BCP”) Application to the New York State Department of Environmental Conservation (“NYSDEC”) to voluntarily investigate and remediate the following property: 60 Main Street, White Plains, NY 10601 (Tax Parcel No. 125.75-4-1..1) (the “BCP Site”). As you know, Galleria City Holding Company LLC (“Owner”) owns the BCP Site.

Owner authorizes LAD to submit the BCP Application to the NYSDEC and participate in the NYSDEC BCP. LAD requires Owner’s written permission below to access the BCP Site for the purpose of performing all obligations under the NYSDEC BCP including environmental investigation and remediation work for the purpose of obtaining a Certificate of Completion (“Remedial Program”) under the BCP.

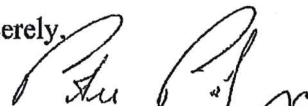
If Owner agrees to sign below, Owner is granting LAD what is known as a “temporary license” to allow an appropriate contractor we hire to enter the BCP Site to perform the Remedial Program. LAD shall provide Owner with copies of any information LAD generates about the BCP Site, and if LAD or any person or entity acting on its behalf (including, without limitation, any contractor hired to enter the BCP Site to perform the Remedial Program)(collectively, the “LAD Parties”) damages the BCP Site in any way, LAD agrees to repair the damages to restore the BCP Site to the way it was before any such LAD Party entered the BCP Site. Any such contractor will also maintain insurance that would cover any accidents on the job. LAD shall minimize any and all inconvenience to Owner in connection with performance of the Remedial Program, and LAD will provide Owner with at least one week advance notice before the work begins.

In addition, in the unlikely circumstance that Owner still owns the BCP Site when the Certificate of Completion is about to be obtained for the BCP Site, and a Track 1 remediation level is not achieved, Owner hereby also agrees to grant to the NYSDEC, an environmental easement

on the BCP Site if required by the NYSDEC, subject to the terms required by the NYSDEC BCP, for issuance of a Certificate of Completion for the BCP Site.

Thank you for your cooperation.

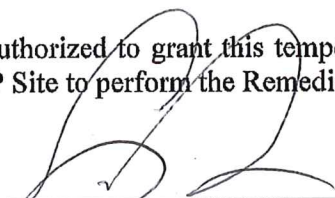
Sincerely,



Lexington Avenue Developers LLC

By. Peter Palazzo  
Authorized Signatory

As an authorized signatory for the Owner, I am authorized to grant this temporary license and agree to allow LAD and its agents to enter the BCP Site to perform the Remedial Program under the BCP.



Galleria City Holding Company LLC

By. Steven Plenge  
Authorized Signatory

# **Exhibit I**





Analyte	NYSDEC USCOS	NYSDEC RRSCOS
4,4'-DDT	0.0033	7.9
Acetone	0.05	100
Benzo(a)anthracene	1	1
Benzo(a)pyrene	1	1
Benzo(b)fluoranthene	1	1
Benzo(k)fluoranthene	0.8	3.9
Cadmium	2.5	4.3
Chrysene	1	3.9
Copper	50	270
Chromium	30	-
Dibenzo(a,h)anthracene	0.33	0.33
Dieldrin	0.005	0.2
Indeno(1,2,3-cd)pyrene	0.5	0.5
Lead	63	400
Mercury	0.18	0.81
Nickel	30	310
Zinc	109	10000

NOTES:

- Results are measured in mg/kg.
- Results are compared to NYSDEC USCOS and NYSDEC RRSCOS.  
= concentration exceeds USCO  
= concentration exceeds RRSCO

ABBREVIATIONS:

NYSDEC = New York State Department of Environmental Conservation.  
USCO = NYSDEC Unrestricted Use Soil Cleanup Objectives (6 NYCRR 375-6.12/06).  
RSCO = NYSDEC Restricted Use Soil Cleanup Objectives w/CP-51 (1/31) (6 NYCRR 375-6.12/06).  
mg/kg = Milligrams per kilogram.  
Sample Depth is reported in feet below ground surface.  
B qualifier indicates elevated detection limit due to dilution.

NYS Education Law

Unauthorized alterations or additions to this plan are a violation of section 7209 (2) of the New York State Education Law. Copies of this map not having the seal of the engineer shall not be valid.

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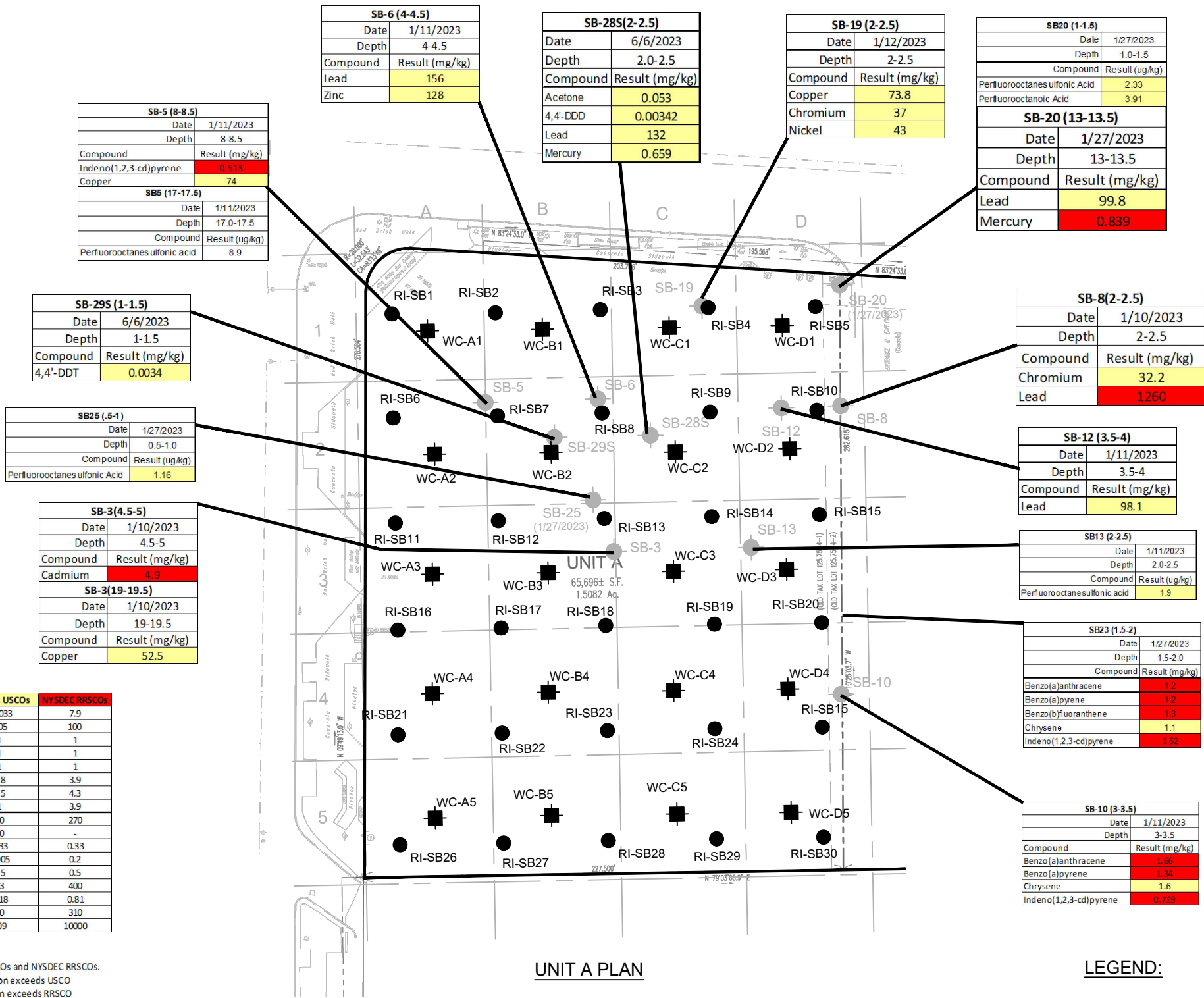
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NOTE:

THIS PLAN IS FOR LOCATING SOIL SAMPLES ONLY.  
OTHER SITE WORK SHOWN HERE IS NOT INTENDED FOR CONSTRUCTION.

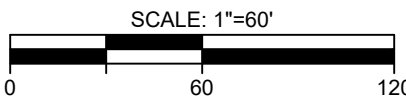
REFERENCE

- BASE MAP IS TAKEN FROM "SUBDIVISION OF PROPERTY" PREPARED BY LINE & GRADE SURVEYORS, D.P.C., DATED FEBRUARY 3, 2025.



LEGEND:

- SB-10 - SOIL BORING NUMBER & APPROX. LOCATION
- RI-SB24 - PROPOSED SOIL SAMPLE NUMBER AND APPROX. LOCATION
- WC-C5 - PROPOSED WASTE CLASS SAMPLE NUMBER AND APPROX. LOCATION



dwg by: AW  
chk by: SG  
scale: AS NOTED  
date: 02/19/2025

SESI CONSULTING  
ENGINEERS

GEOTECHNICAL | ENVIRONMENTAL | SITE CIVIL  
959 ROUTE 46E, 3RD FLOOR, PARSIPPANY, NJ 07054 PH: 973.808.9050

project: FORMER SEARS AUTO SERVICE CENTER SITE  
60 MAIN STREET  
CITY OF WHITE PLAINS  
WESTCHESTER COUNTY, NEW YORK

title: SOIL SAMPLE LOCATION PLAN

job no: 12859  
drawing no:

FIG 3.1

ANALYTES	NY-AWQS
<b>VOCs (ug/l)</b>	
Acetone	50
Chloroform	7
Styrene	5
<b>PFAS (ng/l)</b>	
Perfluorooctanesulfonic Acid (PFOS)	2.7
Perfluorooctanoic Acid (PFOA)	6.7
<b>SVOCs (ug/l)</b>	
Phenol	1
<b>SVOCs by SIM (ug/l)</b>	
Benzo(a)anthracene	0.002
Benzo(a)pyrene	0
Benzo(b)fluoranthene	0.002
Benzo(k)fluoranthene	0.002
Chrysene	0.002
Hexachlorobenzene	0.04
Indeno(1,2,3-cd)pyrene	0.002
<b>Pesticides (ug/l)</b>	
Dieldrin	0.004
Chlordane	0.05
<b>Metals (ug/l)</b>	
Antimony, Total	3
Arsenic, Total	25
Barium, Total	1000
Beryllium, Total	3
Cadmium, Total	5
Chromium, Total	50
Copper, Total	200
Iron, Total	300
Lead, Total	25
Magnesium, Total	35000
Manganese, Total	300
Mercury, Total	0.7
Nickel, Total	100
Selenium, Total	10
Sodium, Total	20000
Thallium, Total	0.5

Notes  
NY SDECAWQS - New York State Department of Environmental Conservation Ambient Water Quality Standard  
Exceedance of the NYSDECAWQS  
J = Estimated  
ND = Not Detected

NYS Education Law  
Unauthorized alterations or additions to this plan are a violation of section 7209 (2) of the New York State Education Law. Copies of this map not having the seal of the engineer shall not be valid.

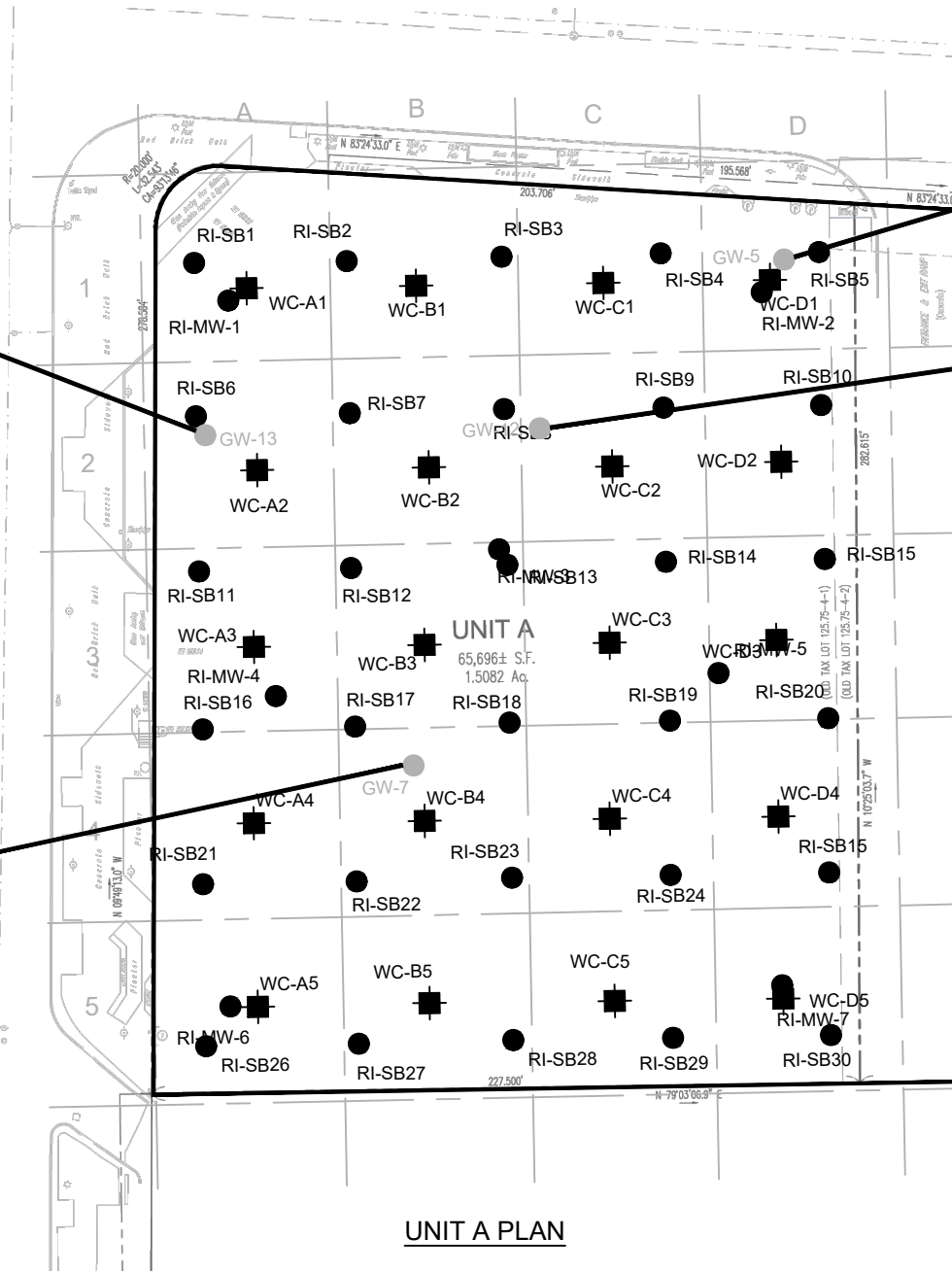
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SAMPLE ID:	GW-13
COLLECTION DATE:	6/6/2023
ANALYTES	Conc Q
<b>VOCs (ug/l)</b>	
Chloroform	7
<b>SVOCs by SIM (ug/l)</b>	
Benzo(b)fluoranthene	0.01 J
Benzo(k)fluoranthene	0.01 J
Chrysene	0.01 J
<b>Metals (ug/l)</b>	
Barium, Total	1620
Chromium, Total	82.65
Copper, Total	245.8
Iron, Total	103000
Lead, Total	119
Magnesium, Total	148000
Manganese, Total	6738
Nickel, Total	296
Selenium, Total	51.2
Sodium, Total	606000
Thallium, Total	1.79

SAMPLE ID:	GW-7
COLLECTION DATE:	3/30/2023
ANALYTES	Conc Q
<b>PFAS (ng/l)</b>	
Perfluorooctanesulfonic Acid (PFOS)	23
Perfluorooctanoic Acid (PFOA)	15.6
<b>SVOCs by SIM (ug/l)</b>	
Benzo(a)anthracene	0.02 J
<b>Metals (ug/l)</b>	
Barium, Total	1417
Beryllium, Total	3.2 J
Chromium, Total	613.6
Copper, Total	619.1
Iron, Total	208000
Lead, Total	1.18
Magnesium, Total	281000
Manganese, Total	971.2
Nickel, Total	400.8
Sodium, Total	710000
Thallium, Total	1.66 J

NOTE:  
THIS PLAN IS FOR LOCATING SOIL SAMPLES ONLY.  
OTHER SITE WORK SHOWN HERE IS NOT INTENDED FOR CONSTRUCTION.

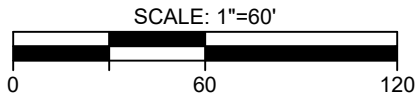
REFERENCE  
1. BASE MAP IS TAKEN FROM "SUBDIVISION OF PROPERTY" PREPARED BY LINE & GRADE SURVEYORS, D.P.C., DATED FEBRUARY 3, 2025.



SAMPLE ID:	GW-5
COLLECTION DATE:	3/30/2023
ANALYTES	Conc Q
<b>PFAS (ng/l)</b>	
Perfluorooctanesulfonic Acid (PFOS)	20.8
Perfluorooctanoic Acid (PFOA)	7.05
<b>SVOCs by SIM (ug/l)</b>	
Benzo(a)anthracene	0.09 J
Benzo(a)pyrene	0.08 J
Benzo(b)fluoranthene	0.09 J
Benzo(k)fluoranthene	0.04 J
Chrysene	0.06 J
Indeno(1,2,3-cd)pyrene	0.06 J
<b>Metals (ug/l)</b>	
Barium, Total	2409
Beryllium, Total	3.19 J
Chromium, Total	251.8
Copper, Total	820
Iron, Total	182000
Lead, Total	185.5
Magnesium, Total	237000
Manganese, Total	26100
Nickel, Total	437.4
Sodium, Total	298000
Thallium, Total	3.97 J

SAMPLE ID:	GW-12
COLLECTION DATE:	6/6/2023
ANALYTES	Conc Q
<b>SVOCs by SIM (ug/l)</b>	
Benzo(a)anthracene	0.02 J
Benzo(a)pyrene	0.02 J
Benzo(b)fluoranthene	0.02 J
Benzo(k)fluoranthene	0.01 J
Chrysene	0.02 J
Indeno(1,2,3-cd)pyrene	0.01 J
<b>Metals (ug/l)</b>	
Barium, Total	1586
Chromium, Total	119.3
Copper, Total	216.8
Iron, Total	108000
Lead, Total	125.2
Magnesium, Total	166000
Manganese, Total	2550
Nickel, Total	146.4
Selenium, Total	44.8
Sodium, Total	458000
Thallium, Total	1.59

LEGEND:  
RI-MW-7 - PROPOSED GROUNDWATER SAMPLE NUMBER AND APPROX. LOCATION  
GW-12 - GROUNDWATER SAMPLE NUMBER & APPROX. LOCATION



dwg by: AW  
chk by: SG  
scale: AS NOTED  
date: 06/03/2025

project: FORMER SEARS AUTO SERVICE CENTER SITE  
60 MAIN STREET  
CITY OF WHITE PLAINS  
WESTCHESTER COUNTY, NEW YORK  
title: GROUNDWATER LOCATION PLAN  
(UNIT A)

job no: 12859  
drawing no:

FIG 3.2





SAMPLE ID:	IA-6		SSV-6	
LAB ID:	L2316892-04		L2316892-10	
COLLECTION DATE:	3/30/2023		3/30/2023	
SAMPLE MA TRIX:	INDOOR AIR		SOIL VAPOR	
VOCs (ug/m3)	Conc	RL	Conc	RL
1,2,4-Trimethylbenzene	ND	0.983	3.81	0.983
1,3,5-Trimethylbenzene	ND	0.983	1.5	0.983
2-Butanone	ND	1.47	5.37	1.47
Acetone	6.32	2.38	50.4	2.38
Benzene	0.885	0.639	1.64	0.639
Carbon disulfide	ND	0.623	3.89	0.623
Carbon tetrachloride	0.491	0.126	ND	1.26
Chloroform	ND	0.977	16.3	0.977
Chloromethane	1.11	0.413	ND	0.413
Cyclohexane	ND	0.688	0.809	0.688
Dichlorodifluoromethane	2.77	0.989	32.6	0.989
Ethanol	ND	9.42	10.9	9.42
Ethylbenzene	ND	0.869	2.81	0.869
Heptane	ND	0.82	2.57	0.82
Isopropanol	ND	1.23	2.24	1.23
Methylene chloride	29.3	1.74	ND	1.74
n-Hexane	ND	0.705	1.87	0.705
o-Xylene	ND	0.869	1.66	0.869
p-m-Xylene	ND	1.74	3.96	1.74
Tertiary butyl Alcohol	ND	1.52	1.94	1.52
Tetrachloroethene	0.156	0.136	12.9	1.36
Toluene	2.35	0.754	2.65	0.754
Trichlorofluoromethane	1.42	1.12	11.2	1.12

VOLATILE ORGANICS IN AIR (ug/m3)	W-C-A	W-C-B	W-C-D	W-C-E	W-C-F	SSC-A	SSC-B	SSC-D	SSC-E	SSC-F
1,2,4-Trimethylbenzene		2						50		
1,3,5-Trimethylbenzene		2						50		
2-Butanone		2						50		
Acetone		2						50		
Benzene		2						50		
Carbon disulfide		2						50		
Carbon tetrachloride	0.2					6				
Chloroform										
Chloromethane										
Cyclohexane		2						50		
Dichlorodifluoromethane										
Ethanol										
Ethylbenzene		2						50		
Heptane			6					200		
Isopropanol										
Methylene chloride	3					100				
n-Hexane			6					200		
o-Xylene		2						50		
p-m-Xylene			6					200		
Tertiary butyl Alcohol										
Tetrachloroethene	3					100				
Toluene					10					300
Trichlorofluoromethane										

Note:  
SSC-A: New York DOH Matrix A Sub-slab Vapor Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2005, and updated February 2024.  
SSC-B: New York DOH Matrix B Sub-slab Vapor Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2005, and updated February 2024.  
SSC-D: New York DOH Matrix D Sub-slab Vapor Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2005, and updated February 2024.  
SSC-E: New York DOH Matrix E Sub-slab Vapor Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2005, and updated February 2024.  
SSC-F: New York DOH Matrix F Sub-slab Vapor Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2005, and updated February 2024.  
IAGA: New York DOH Matrix A Indoor Air Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2005, and updated February 2024.  
IACB: New York DOH Matrix A Indoor Air Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2005, and updated February 2024.  
IAGD: New York DOH Matrix A Indoor Air Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2005, and updated February 2024.  
IAGE: New York DOH Matrix A Indoor Air Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2005, and updated February 2024.  
IACP: New York DOH Matrix A Indoor Air Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2005, and updated February 2024.  
Exceedance of a AGSSC/NDGH Matrix.  
Reporting Limits above the AGSSC/NDGH Matrix.

NYS Education Law

Unauthorized alterations or additions to this plan are a violation of section 7209 (2) of the New York State Education Law. Copies of this map not having the seal of the engineer shall not be valid.

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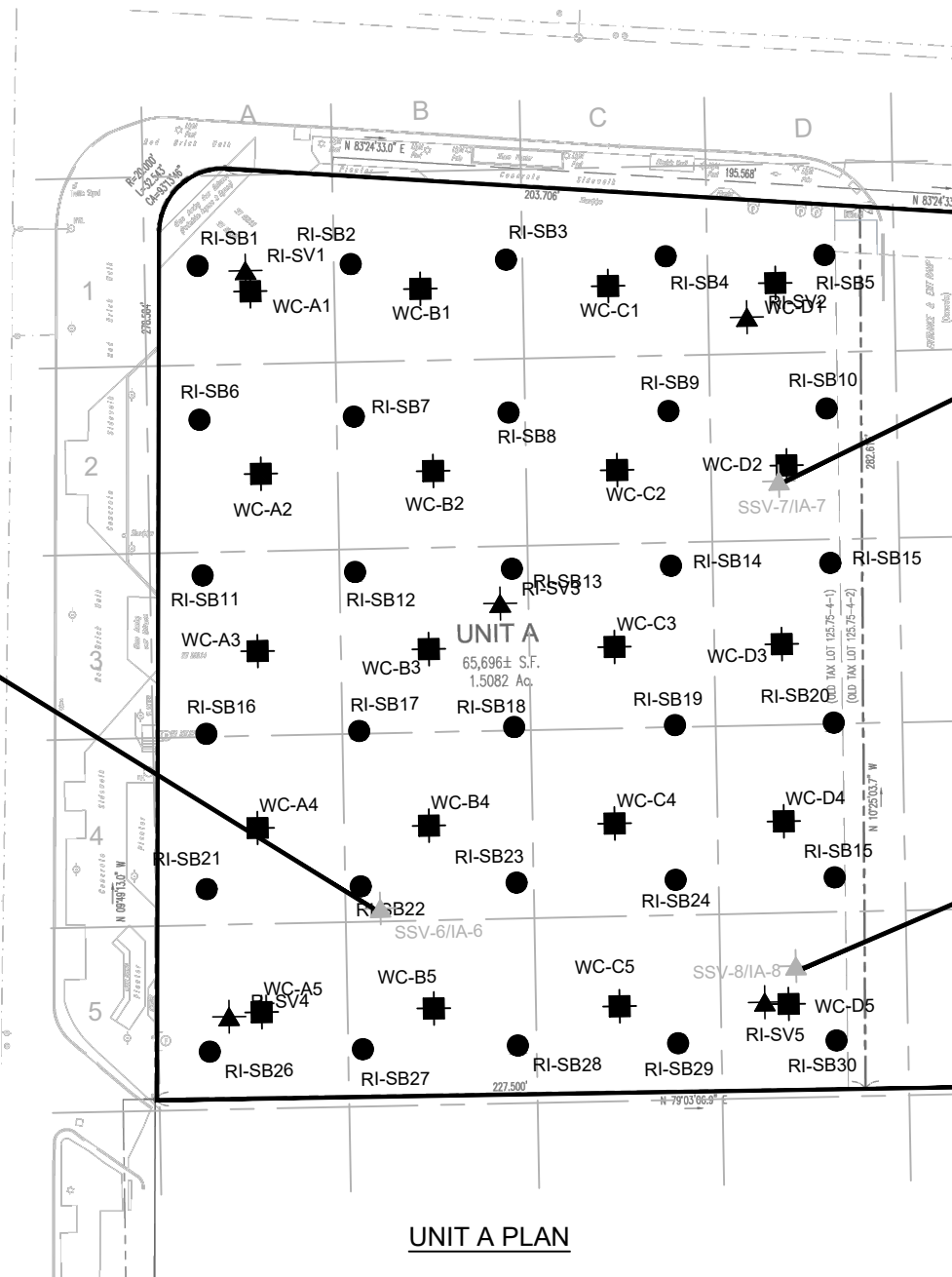
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NOTE:

THIS PLAN IS FOR LOCATING SOIL SAMPLES ONLY.  
OTHER SITE WORK SHOWN HERE IS NOT INTENDED FOR CONSTRUCTION.

REFERENCE

1. BASE MAP IS TAKEN FROM "SUBDIVISION OF PROPERTY" PREPARED BY LINE & GRADE SURVEYORS, D.P.C., DATED FEBRUARY 3, 2025.

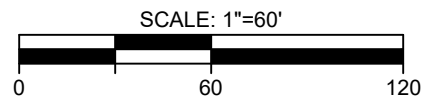


SAMPLE ID:	IA-7		SSV-7	
LAB ID:	L2316892-05		L2316892-11	
COLLECTION DATE:	3/30/2023		3/30/2023	
SAMPLE MA TRIX:	INDOOR AIR		SOIL VAPOR	
VOCs (ug/m3)	Conc	RL	Conc	RL
1,2,4-Trimethylbenzene	ND	0.983	1.01	0.983
2-Butanone	ND	1.47	2.46	1.47
Acetone	5.46	2.38	21.6	2.38
Benzene	0.91	0.639	0.923	0.639
Carbon disulfide	ND	0.623	1.8	0.623
Carbon tetrachloride	0.44	0.126	ND	1.26
Chloroform	ND	0.977	1.25	0.977
Chloromethane	1.06	0.413	ND	0.413
Dichlorodifluoromethane	2.78	0.989	5.29	0.989
Ethanol	ND	9.42	19.2	9.42
Ethylbenzene	ND	0.869	1.01	0.869
o-Xylene	ND	0.869	0.908	0.869
p-m-Xylene	ND	1.74	2.49	1.74
Tertiary butyl Alcohol	ND	1.52	2.11	1.52
Tetrachloroethene	ND	0.136	19.6	1.36
Toluene	1.11	0.754	3.77	0.754
Trichlorofluoromethane	1.48	1.12	6.63	1.12

SAMPLE ID:	IA-8		SSV-8	
LAB ID:	L2316892-06		L2316892-12	
COLLECTION DATE:	3/30/2023		3/30/2023	
SAMPLE MA TRIX:	INDOOR AIR		SOIL VAPOR	
VOCs (ug/m3)	Conc	RL	Conc	RL
1,2,4-Trimethyl benzene	ND	0.983	1.08	0.983
2-Butanone	ND	1.47	3.66	1.47
Acetone	8.72	2.38	76.7	2.38
Benzene	ND	0.639	5.78	0.639
Carbon disulfide	ND	0.623	5.08	0.623
Carbon tetrachloride	0.535	0.126	ND	1.26
Chloroform	ND	0.977	30.1	0.977
Chloromethane	1.11	0.413	ND	0.413
Dic hloridifluoromethane	2.81	0.989	17.9	0.989
Ethylbenzene	ND	0.869	1.82	0.869
Heptane	ND	0.82	1.22	0.82
n-Hexane	ND	0.705	0.828	0.705
o-Xylene	ND	0.869	2.05	0.869
p-m-Xylene	ND	1.74	4.95	1.74
Tertiary butyl Alc ohol	ND	1.52	4.06	1.52
Tetrachloroethene	ND	0.136	22	1.36
Toluene	ND	0.754	11.4	0.754
Tric hlorofluoromethane	1.53	1.12	1.83	1.12

LEGEND:

- RI-SV5 - PROPOSED SOIL VAPOR SAMPLE NUMBER AND APPROX. LOCATION
- SSV-8/IA-8 - SOIL VAPOR NUMBER & APPROX. LOCATION



dwg by: AW

chk by: SG

scale: AS NOTED

date: 06/03/2025

SESI CONSULTING ENGINEERS

GEOTECHNICAL | ENVIRONMENTAL | SITE CIVIL  
959 ROUTE 46E, 3RD FLOOR, PARSIPPANY, NJ 07054 PH: 973.808.9050

project: FORMER SEARS AUTO SERVICE CENTER SITE

60 MAIN STREET

CITY OF WHITE PLAINS

WESTCHESTER COUNTY, NEW YORK

SOIL VAPOR LOCATION PLAN

(UNIT A)

title:

job no: 12859  
drawing no:

FIG 3.3

# **Exhibit J**



# Department of State

## Division of Corporations

### Entity Information

Return to Results

Return to Search

#### Entity Details



**ENTITY NAME:** LEXINGTON AVENUE DEVELOPERS LLC  
**DOS ID:** 6741298  
**FOREIGN LEGAL NAME:**  
**FICTITIOUS NAME:**  
**ENTITY TYPE:** DOMESTIC LIMITED LIABILITY COMPANY  
**DURATION DATE/LATEST DATE OF DISSOLUTION:**  
**SECTIONOF LAW:** LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW  
**ENTITY STATUS:** ACTIVE  
**DATE OF INITIAL DOS FILING:** 02/24/2023  
**REASON FOR STATUS:**  
**EFFECTIVE DATE INITIAL FILING:**  
**INACTIVE DATE:**  
**FOREIGN FORMATION DATE:**  
**STATEMENT STATUS:** CURRENT  
**COUNTY:** WESTCHESTER  
**NEXT STATEMENT DUE DATE:** 02/28/2027  
**JURISDICTION:**  
**NFP CATEGORY:**

- 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:** KATHERINE MACOL  
**Address:** 745 HULLS HIGHWAY, SOUTHPORT, CT, UNITED STATES, 06890

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:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share



# **Exhibit K**

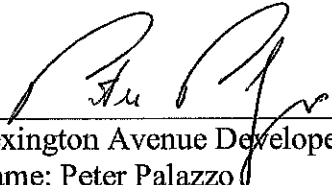
### SOLE MEMBER WRITTEN CONSENT

The undersigned, being Peter Palazzo of Lexington Avenue Developers LLC, does hereby certify as follows:

1. Lexington Avenue Developers LLC is the prospective volunteer for the prospective Brownfield Cleanup Program (BCP) Site located at 60 Main Street (Tax ID Number 125.75-4-1..1) (the "BCP Site").

2. The following person, Peter Palazzo, as the sole member Authorized Signatory of Lexington Avenue Developers LLC is been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteer Lexington Avenue Developers LLC in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 5<sup>th</sup> day of June 2025.

  
\_\_\_\_\_  
Lexington Avenue Developers LLC  
Name: Peter Palazzo  
Title: Sole Member Authorized Signatory

# **Exhibit L**

# Site Contact List

Former Sears Auto Service Center  
60 Main Street, White Plains, New York 10601

Name	Title	Address	City	State	Zip
Chuck Schumer	U.S. Senator	Leo O'Brien Building, Room 827	Albany	NY	12207
Kirsten Gillibrand	U.S. Senator	Leo O'Brien Building, Room 821	Albany	NY	12207
Christopher Gomez, AICP	White Plains Planning Department, Commissioner	70 Church Street	White Plains	NY	10601
George Latimer	U.S. House of Representatives	222 Mamaroneck Avenue, Suite 312	White Plains	NY	10605
Shelley B. Mayer	New York State Senator	235 Mamaroneck Avenue, Suite 400	White Plains	NY	10605
Ken Jenkins	Westchester County Executive	148 Martine Avenue	White Plains	NY	10601
Richard Hyman	Westchester County Planning Board, Chair	148 Martine Avenue, Room 420	White Plains	NY	10601
Thomas Roach	Mayor of White Plains	City Hall, 255 Main Street	White Plains	NY	10601
John Ioris	White Plains Planning Board, Chair	255 Main Street	White Plains	NY	10601
The Journal News	Media Outlet	1133 Westchester Avenue, Suite N110	White Plains	NY	10604
Bureau of Water and Wastewater	City of White Plains Public Water Supply	255 Main Street	White Plains	NY	10601
Stefania A. Mignone	White Plains Department of Public Works, Commissioner	255 Main Street	White Plains	NY	10601
Laura Eckley	White Plains Public Library - Document Repository	100 Martine Avenue	White Plains	NY	10601
Margaret Gregory	Fusion Academy Westchester, Area Head of School	1 North Broadway, Suite 120	White Plains	NY	10601
Leroy Dixon	White Plains Middle School Eastview Campus, Principal	350 Main Street	White Plains	NY	10601
Jesimae Ossorio	Post Road School, Principal	175 W Post Street	White Plains	NY	10606
Myra Castillo	Church Street School, Principal	295 Church Street	White Plains	NY	10603
Robert Janowitz	Mamaroneck Avenue School, Principal	7 Nosband Avenue	White Plains	NY	10605
To Whom It May Concern	Athena Montessori Children's Program	20 Greenridge Avenue	White Plains	NY	10605
Paul Bratcher	Rochambeau Alternative High School, Director	228 Fisher Avenue	White Plains	NY	10606
Patricia Simone	Lee F. Jackson Elementary School, Principal	2 Saratoga Road	White Plains	NY	10607
Ms. Imani	Kiddie Academy of White Plains, Director	222 Bloomingdale Road, Suite 108	White Plains	NY	10605
To Whom It May Concern	Prospect Academy of Westchester	82 Prospect Street	White Plains	NY	10606
To Whom It May Concern	Culinary Tech Center	303 Quarropas Street	White Plains	NY	10601
To Whom It May Concern	Big Apple Training	170 Hamilton Avenue	White Plains	NY	10601
To Whom It May Concern	New York Auto School	76 Mamaroneck Ave #10	White Plains	NY	10601
To Whom It May Concern	Children's Corner Learning Center	120 Bloomingdale Road	White Plains	NY	10605
To Whom It May Concern	Children's Corner Learning Center	1133 Westchester Avenue	White Plains	NY	10604
To Whom It May Concern	D Z Strad Music School / Violin Shop	60 South Lexington Avenue	White Plains	NY	10606
To Whom It May Concern	Elizabeth Haub School of Law at Pace University	78 North Broadway	White Plains	NY	10603
To Whom It May Concern	The New York School of Esthetics	239 Central Avenue, 3rd Floor	White Plains	NY	10606
Jean Newton	Music Conservatory of Westchester, Executive Director	216 Central Avenue	White Plains	NY	10606
To Whom It May Concern	Behind the Wheel Driving Center	207 East Post Road	White Plains	NY	10601
To Whom It May Concern	School of Rock, White Plains	242 Central Avenue	White Plains	NY	10606
To Whom It May Concern	Mercuri Driving School	71 Waller Avenue	White Plains	NY	10605
To Whom It May Concern	Prestige Dental Training School	7-11 South Broadway	White Plains	NY	10601
To Whom It May Concern	The College of Westchester	325 Central Avenue	White Plains	NY	10606
To Whom It May Concern	Next Steps	203 East Post Road	White Plains	NY	10601
To Whom It May Concern	British Swim School at Sonesta Hotel	66 Hale Avenue	White Plains	NY	10601

To Whom It May Concern	Arthur Murray Franchise Dance Studio of White Plains	139 East Post Road	White Plains	NY	10601
To Whom It May Concern	Adrian's Driving School Inc	175 Main Street, Floor 1, Northcourt Building	White Plains	NY	10606
Katherine Jennings	Westchester Center for Defensive Driving School	214 Mamaroneck Avenue	White Plains	NY	10601
To Whom It May Concern	Gurukulam Indian School of Culture, Languages and Arts	P.O Box 521	White Plains	NY	10602
To Whom It May Concern	My Sister's Daycare	3 Ridgeway Avenue	White Plains	NY	10606
To Whom It May Concern	The Learning Experience - White Plains	610 Mamaroneck Avenue	White Plains	NY	10605
To Whom It May Concern	Titi's Star Child Care Corp	1 Fairview Avenue	White Plains	NY	10603
Nelly Flores	Pilar's Happy Place: Day Care	62 Lincoln Avenue	White Plains	NY	10606
Claudia P. Ordonez	Sunnyside Daycare Adventures	2 Jefferson Avenue	White Plains	NY	10606
Patricia N. Diez Canseco	Patricia's Day Care, Inc.	58 Lincoln Avenue	White Plains	NY	10606
Josefa Estrella	Estrella's Child Care LLC, Director	91 Russell Street	White Plains	NY	10606
Jennifer Frias-Gonzalez	Little Disciple Learning Center, Program Director	348 S Lexington Avenue	White Plains	NY	10606
Anatolia Torres	Westchester Sunny Daycare	52 W Prospect Avenue	White Plains	NY	10607
To Whom It May Concern	Lil Explorers	39 Trenton Avenue	White Plains	NY	10606
Galleria City Holding Company LLC	Adjacent Property Owner of 100 Main Street and Martine Avenue	P.O. Box 130639	Carlsbad	CA	92013
City of White Plains	Adjacent Property Owner of 100 Main Street, 100 Martine Avenue, 77 South Lexington Avenue,	255 Main Street	White Plains	NY	10601
US GSA Region 2, c/o J Karson, Ast Counsel	Adjacent Property Owner of 300 Quarropas Street	26 Federal Plaza	New York	NY	10278
ATTN: Budget Department	Adjacent Property Owner of 110-111 Dr. Martin Luther King Jr Blvd	148 Martine Avenue, Suite 311	White Plains	NY	10601
Seasons White Plains Associates, LLC	Adjacent (Partial) Property Owner of 4 Martine Avenue	199 Main Street, 4th Floor	White Plains	NY	10601
Station Plaza Housing Co	Adjacent Property Owner of 76 South Lexington Avenue	100 Clearbrook Road	Elmsford	NY	10523
GDC White Plains Fee LLC	Adjacent Property Owner of 25 Martine Avenue	100 Summit Lake Drive, Suite 235	Valhalla	NY	10595
MG Martine SPE LLC	Adjacent Property Owner of 1-11 Martine Avenue	100 Summit Lake Drive, Suite 235	Valhalla	NY	10595
MG Main SPE LLC	Adjacent Property Owner of 50 Main Street	100 Summit Lake Drive, Suite 235	Valhalla	NY	10595
Gateway I Group, Inc	Adjacent Property Owner of 1 & 99 North Lexington Avenue	1 North Lexington Avenue, #210	White Plains	NY	10601
St. John's Church	Adjacent Property Owner of New Street and 148 & 106-110 Hamilton Avenue	148 Hamilton Avenue	White Plains	NY	10601
GHP Hamilton, LLC	Adjacent Property Owner of 170 Hamilton Avenue	1 West Red Oak Lane	White Plains	NY	10604
Con Edison Co of NY Inc, ATTN: Stephanie Merrit	Adjacent Property Owner of 9 New Street	4 Irving Place, 3rd Floor NW	New York	NY	10003
Power Authority of NYS, ATTN: Lawrence Gomez	Adjacent Property Owner of 123 Main Street	P.O. Box 220	White Plains	NY	10601
Verizon of New York, Inc.	Adjacent Property Owner of 111 Main Street	P.O. Box 2749	Addison	TX	75001
81 Main Realty LLC	Adjacent Property Owner of 81 Main Street	81 Main Street, Penthouse	White Plains	NY	10601
White Plains City Court	Adjacent Property Operator of 77 South Lexington Avenue	77 South Lexington Avenue	White Plains	NY	10601
White Plains Fire Department	Adjacent Property Operator of 77 South Lexington Avenue	77 South Lexington Avenue, Floor 3	White Plains	NY	10601
Westchester County Court	Adjacent Property Operator of 111 Dr. Martin Luther King Jr Blvd	111 Dr. Martin Luther King Jr Blvd	White Plains	NY	10601
La Botte Ristorante	Adjacent Property Operator of 14 Martine Avenue	14 Martine Avenue, Floor 1	White Plains	NY	10606
Plaza Deli	Adjacent Property Operator of 10 Martine Avenue	10 Martine Avenue	White Plains	NY	10606
Grooming Colours	Adjacent Property Operator of 6 Martine Avenue	6 Martine Avenue	White Plains	NY	10606
White Plains Family Dental Arts	Adjacent Property Operator of 16 Martine Avenue	16 Martine Avenue	White Plains	NY	10606
Alessi Cosmetic Surgery	Adjacent Property Operator of 8 Martine Avenue	8 Martine Avenue, Floor 1	White Plains	NY	10606
KnottPlayingFitness	Adjacent Property Operator of 62 South Lexington Avenue	62 South Lexington Avenue	White Plains	NY	10606
Baked In Heaven Bakery	Adjacent Property Operator of 4 Martine Avenue	4 Martine Avenue, Floor 1	White Plains	NY	10606
Cervone Joseph CPA	Adjacent Property Operator of 18 Martine Avenue	18 Martine Avenue	White Plains	NY	10606
Igor M Salon	Adjacent Property Operator of 34 South Lexington Avenue	34 South Lexington Avenue, Floor 1	White Plains	NY	10606

The Metro	Adjacent Property Operator of 34 South Lexington Avenue	34 South Lexington Avenue	White Plains	NY	10606
GOLFTEC White Plains	Adjacent Property Operator of 50 Main Street	50 Main Street, Suite 185	White Plains	NY	10606
Maison Brondeau	Adjacent Property Operator of 50 Main Street	50 Main Street, Suite 165	White Plains	NY	10606
Ginsburg Development Companies LLC	Adjacent Property Operator of 50 Main Street	50 Main Street	White Plains	NY	10606
NY Power Solutions	Adjacent Property Operator of 50 Main Street	50 Main Street, Suite 1000	White Plains	NY	10606
Medi Bistro	Adjacent Property Operator of 50 Main Street	50 Main Street	White Plains	NY	10606
Undisputed Legal Inc	Adjacent Property Operator of 50 Main Street	50 Main Street, 10th Floor	White Plains	NY	10606
Harding Mazzotti, LLP	Adjacent Property Operator of 50 Main Street	50 Main Street, #100	White Plains	NY	10606
Michael LoGuidice, LLP	Adjacent Property Operator of 50 Main Street	50 Main Street, #1000	White Plains	NY	10606
Hara Yoshida Accounting	Adjacent Property Operator of 50 Main Street	50 Main Street, #1000	White Plains	NY	10606
Speiser & Heinzman	Adjacent Property Operator of 50 Main Street	50 Main Street, #1000	White Plains	NY	10606
MANPOWER	Adjacent Property Operator of 50 Main Street	50 Main Street, Suite 1415	White Plains	NY	10606
Tulane Investment Management Office	Adjacent Property Operator of 50 Main Street	50 Main Street, Suite 1260	White Plains	NY	10606
Consigli Construction	Adjacent Property Operator of 50 Main Street	50 Main Street, 3rd Floor	White Plains	NY	10606
Panco Management	Adjacent Property Operator of 50 Main Street	50 Main Street, Suite 1101	White Plains	NY	10606
Causeway Collaborative	Adjacent Property Operator of 50 Main Street	50 Main Street	White Plains	NY	10606
Cast Iron Media	Adjacent Property Operator of 50 Main Street	50 Main Street, #360	White Plains	NY	10606
Kipnes Crowley Group LLC	Adjacent Property Operator of 50 Main Street	50 Main Street, Suite 1420	White Plains	NY	10606
Welby Brady & Greenblatt, LLP	Adjacent Property Operator of 50 Main Street	50 Main Street, Suite 1600	White Plains	NY	10606
MST	Adjacent Property Operator of 50 Main Street	50 Main Street, Suite 350	White Plains	NY	10606
Concept Care	Adjacent Property Operator of 50 Main Street	50 Main Street, Suite 976	White Plains	NY	10606
Gid Global	Adjacent Property Operator of 50 Main Street	50 Main Street, #1000	White Plains	NY	10606
YogaSix White Plains	Adjacent Property Operator of 50 Main Street	50 Main Street, Suite 155	White Plains	NY	10606
Lavin & Associates	Adjacent Property Operator of 50 Main Street	50 Main Street, 10th Floor	White Plains	NY	10606
Syndicate Diamonds	Adjacent Property Operator of 50 Main Street	50 Main Street, 10th Floor	White Plains	NY	10606
Pace University - Evelyn and Joseph I. Lubin Graduate Center	Adjacent Property Operator of 1 Martine Avenue	1 Martine Avenue	White Plains	NY	10606
Happily Insurance NY	Adjacent Property Operator of 1 Martine Avenue	1 Martine Avenue	White Plains	NY	10606
1 Martine at City Square	Adjacent Property Operator of 1 Martine Avenue	1 Martine Avenue	White Plains	NY	10606
Law Offices of Gerry Feinberg PC	Adjacent Property Operator of 1 Martine Avenue	11 Martine Avenue, # 12	White Plains	NY	10606
Steven R Sundheim & Associates	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, 15th Floor	White Plains	NY	10601
Albert J Pirro Jr	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue	White Plains	NY	10601
Argus Information and Advisory Services, Inc.	Adjacent Property Operator of 1 North Lexington Avenue	50 Main Street, Floor 6	White Plains	NY	10606
Baker Leshko Saline & Drapeau, LLP	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, 15th Floor	White Plains	NY	10601
Tully Rinckey PLLC	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, #401	White Plains	NY	10601
Atlas Air	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue	White Plains	NY	10601
Gateway Café	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, #1	White Plains	NY	10601
Turbonomic, Inc	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, 1st Floor	White Plains	NY	10601
Amur Finance Company	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, #1101	White Plains	NY	10601
Sabra	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, 12th Floor	White Plains	NY	10601
CBRE, Inc.	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, #210	White Plains	NY	10601
Osaka Gas USA Corporation	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, #1400	White Plains	NY	10601
Mitsui Chemicals America, Inc	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, Suite 850	White Plains	NY	10601
Kimley-Horn	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, Suite 505	White Plains	NY	10601
Bleakley Platt & Schmidt, LLP	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue	White Plains	NY	10601
IAC Search & Media	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, #9	White Plains	NY	10601



Hazen and Sawyer	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, Suite 1525	White Plains	NY	10601
Greenberg Traurig, LLP	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, Suite 800	White Plains	NY	10601
Fintellix Solutions	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue	White Plains	NY	10601
Frank Gobes Esq	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, 11th Floor	White Plains	NY	10601
Law Offices of Francis X. Young, PLLC	Adjacent Property Operator of 1 North Lexington Avenue	1 North Lexington Avenue, 11th Floor	White Plains	NY	10601
Harold, Salant, Strassfield & Speilberg	Adjacent Property Operator of 81 Main Street	81 Main Street, Suite 205	White Plains	NY	10601
Freixenet Mionetto USA Inc.	Adjacent Property Operator of 81 Main Street	81 Main Street, #303	White Plains	NY	10601
Worby Vecchio Edelman LLP	Adjacent Property Operator of 81 Main Street	81 Main Street, Unit 306	White Plains	NY	10601
Fiedler Deutsch, LLP	Adjacent Property Operator of 81 Main Street	81 Main Street, #304	White Plains	NY	10601
DB US Holding Corporation	Adjacent Property Operator of 81 Main Street	81 Main Street, #504	White Plains	NY	10601
Newmark	Adjacent Property Operator of 81 Main Street	81 Main Street, 5th Floor	White Plains	NY	10601
Stonebridge Partners	Adjacent Property Operator of 81 Main Street	81 Main Street, Suite 505	White Plains	NY	10601
Davis & Associates P.C.	Adjacent Property Operator of 81 Main Street	81 Main Street, Suite 205	White Plains	NY	10601
Goldschmidt & Genovese LLP	Adjacent Property Operator of 81 Main Street	81 Main Street	White Plains	NY	10601
LNK Partners LLC	Adjacent Property Operator of 81 Main Street	81 Main Street, Suite 501	White Plains	NY	10601
Verizon Corporate Office	Adjacent Property Operator of 111 Main Street	111 Main Street	White Plains	NY	10601
YMCA of Central & Northern Westchester	Adjacent Property Operator of 148 Hamilton Avenue	148 Hamilton Avenue	White Plains	NY	10601
The Original Pancake House	Adjacent Property Operator of 170 Hamilton Avenue	170 Hamilton Avenue	White Plains	NY	10601

# **Exhibit M**



2600 Innovation Square  
100 South Clinton Avenue  
Rochester, New York 14604  
nyenvlaw.com

**LINDA R. SHAW**  
ATTORNEY AT LAW

T 585.546.8430  
C 585.414.3122  
lshaw@nyenvlaw.com

Laura Eckley  
White Plains Public Library  
100 Martine Avenue  
White Plains, New York 10601

**RE: Brownfield Cleanup Program Application**  
**Applicant:** Lexington Avenue Developers LLC  
**Site Name:** Former Sears Auto Service Center  
**Site Address:** 100 Main Street, White Plains, New York 10601

Dear Ms. Eckley:

We represent Lexington Avenue Developers LLC in its anticipated Brownfield Cleanup Program application for the above-referenced site at 100 Main Street in the City of White Plains, Westchester County, New York. We respectfully request that the White Plains Public Library serve as a document repository for this project. It is a requirement of the NYS Department of Environmental Conservation that we supply them with a letter certifying that the local library is willing and able to serve as a document repository for all documents pertaining to the cleanup of this property. To avoid significant use of your shelf space, all documents will be sent in CD format.

Please sign below and return the executed letter as an attachment to an email to my paralegal Sarah Ahrens, at [sahrens@nyenvlaw.com](mailto:sahrens@nyenvlaw.com), if you are able to certify that the White Plains Public Library is willing and able to act as a temporary public repository for this Brownfield Cleanup Program Project.

Sincerely,

**KNAUF SHAW LLP**

LINDA R. SHAW, ESQ.

The White Plains Public Library is willing and able to act as a document repository for the Brownfield Cleanup Program Project located at 100 Main Street, White Plains, New York 10601.

  
\_\_\_\_\_  
Laura Eckley, Library Director

  
\_\_\_\_\_  
Date