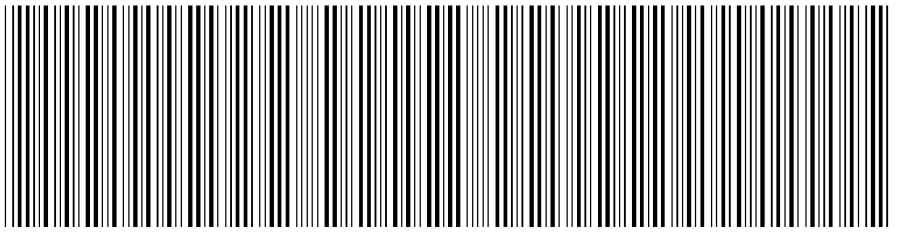


**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

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**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 10**

**Document ID: 2022011300403001** Document Date: 01-06-2022 Preparation Date: 01-27-2022  
Document Type: SUNDRY MISCELLANEOUS  
Document Page Count: 9

**PRESENTER:**

SIVE PAGET & RIESEL, P.C.  
560 LEXINGTON AVENUE, 15TH FLOOR  
NEW YORK, NY 10022  
212-421-2150  
NDUNCAN@SPRLAW.COM

**RETURN TO:**

SIVE PAGET & RIESEL, P.C.  
560 LEXINGTON AVENUE, 15TH FLOOR  
NEW YORK, NY 10022  
212-421-2150  
NDUNCAN@SPRLAW.COM

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
MANHATTAN	778	18	Entire Lot	241 WEST 28TH STREET
<b>Property Type: OTHER</b>				

**CROSS REFERENCE DATA**

CRFN: 2021000488505

**PARTIES**

**PARTY 1:**

NYS DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION  
625 BROADWAY, 12TH FLOOR  
ALBANY, NY 12233

**FEES AND TAXES**

**Mortgage :**

Mortgage Amount:	\$	0.00
Taxable Mortgage Amount:	\$	0.00
Exemption:		
TAXES: County (Basic):	\$	0.00
City (Additional):	\$	0.00
Spec (Additional):	\$	0.00
TASF:	\$	0.00
MTA:	\$	0.00
NYCTA:	\$	0.00
Additional MRT:	\$	0.00
<b>TOTAL:</b>	<b>\$</b>	<b>0.00</b>
Recording Fee:	\$	82.00
Affidavit Fee:	\$	0.00

**Filing Fee:**

	\$	0.00
NYC Real Property Transfer Tax:	\$	0.00
NYS Real Estate Transfer Tax:	\$	0.00

**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE**

**CITY OF NEW YORK**

Recorded/Filed 01-27-2022 15:03  
City Register File No.(CRFN):  
**2022000041638**



*Annette McMill*

**City Register Official Signature**

**NOTICE OF CERTIFICATE OF COMPLETION**  
**Brownfield Cleanup Program**  
**6 NYCRR Part 375-1.9(d)**

241 West 28th Street, Site ID No. C231139  
241 West 28<sup>th</sup> Street, New York, NY 10001  
Manhattan, New York County  
Tax Map Identification Number Block 788, Lot 18

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to 241 West 28th Street Owner LLC for a parcel of approximately 0.670 acres located at 241 West 28<sup>th</sup> Street in Manhattan, New York County.

**PLEASE TAKE NOTICE**, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

**PLEASE TAKE NOTICE**, the remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

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

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

**PLEASE TAKE NOTICE**, since the remedial program relies upon use restrictions or the long-term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for New York County as 2021000488505.

**PLEASE TAKE NOTICE**, the Environmental Easement requires that the approved Site Management Plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

**PLEASE TAKE NOTICE**, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability

241 West 28<sup>th</sup> Street, C231139  
241 West 28<sup>th</sup> Street, New York, NY 10001

limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

**PLEASE TAKE NOTICE**, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

**PLEASE TAKE NOTICE**, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

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

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

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

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 located at 1 Hunter's Point Plaza, 47-40 21st Street, Long Island City, NY 11101-5401, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C231139/>.

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

249 W 28th Street Properties, LP  
By: Edison Parking Corporation, General Partner

By: [Signature]

Title: EVP

Date: 1-7-2022

**JERSEY**  
STATE OF NEW YORK ) SS:  
COUNTY OF ESSEX )

On the 7<sup>th</sup> day of JANUARY, in the year 2022, before me, the undersigned, personally appeared JON DARIO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]  
Signature and Office of individual  
taking acknowledgment

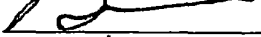
**VALERIE KLEIN**  
NOTARY PUBLIC OF NEW JERSEY  
Comm. # 50070271  
My Commission Expires 10/18/2022

**Please record and return to:**  
Jon Dario  
249 W 28th Street Properties, LP  
c/o Edison Properties, LLC  
110 Edison Place, Suite 300  
Newark, NJ 07102

**SEAL**

WHEREFORE, the undersigned has signed this Notice of Certificate

241 West 28th Street Owner LLC

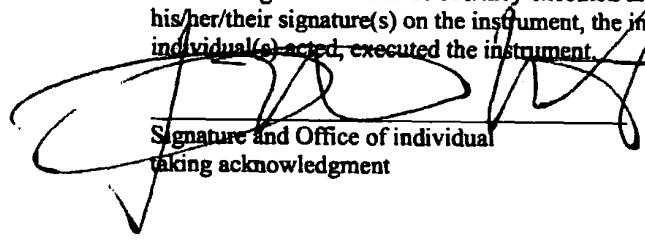
By: 

Title: Authorized person

Date: 1/10/21

STATE OF NEW YORK ) SS:  
COUNTY OF Kings )

On the 10th day of January, in the year 2021 before me, the undersigned, personally appeared Susi Yu, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
Signature and Office of individual taking acknowledgment

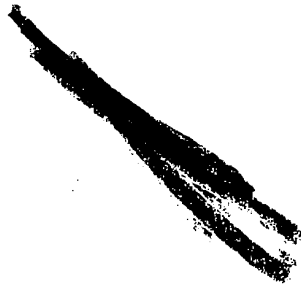
Please record and return to:

Susi Yu  
241 West 28th Street Owner LLC  
c/o MAG Partners  
41 Flatbush Avenue  
Brooklyn, NY 11217

DANIELLE R WEST  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01WE6390255  
Qualified in Kings County  
My Commission Expires 04-15-2023

SEAL

**Exhibit A**  
**Site Description**



**Environmental Easement Legal Description**

**241 West 28<sup>th</sup> Street, Lot 18 (f/k/a Lots 13, 16, 18, and 66)**

All that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, City, County, and State of New York, bounded and described as follows:

Beginning at a point on the northerly side of West 28<sup>th</sup> Street (60 feet wide) distant 154.83 feet easterly from the intersection formed by said northerly side of West 28<sup>th</sup> Street with the easterly side of Eighth Avenue and running thence;

North 02 degrees 28 minutes 28 seconds West, a distance of 157.23 feet to a point; thence

North 82 degrees 29 minutes 27 seconds East, a distance of 3.094 feet to a point; thence

North 01 degree 24 minutes 48 seconds West, a distance of 39.96 feet to a point on the southerly side of West 29<sup>th</sup> Street (60 feet wide), said point being distant 155.00 feet easterly from the intersection formed by said southerly side of West 29<sup>th</sup> Street with said easterly side of Eighth Avenue; thence

Along said southerly side of West 29<sup>th</sup> Street, North 88 degrees 35 minutes 12 seconds East a distance of 145.00 feet to a point; thence

South 01 degree 36 minutes 00 seconds East, a distance of 24.56 feet to a point; thence

North 82 degrees 27 minutes 02 seconds East, a distance of 0.88 feet to a point; thence

South 02 degrees 26 minutes 58 seconds East, a distance of 173.08 feet to a point on said northerly side of West 28<sup>th</sup> Street; thence

Along said northerly side of West 28<sup>th</sup> Street, south 88 degrees 35 minutes 12 seconds West, a distance of 149.25 feet to the point or place of beginning.

Enccompassing an area of 0.67 acres, more or less.

**Exhibit B**

**Site Survey**









**Description of Engineering Control**

**249 W 28th Street Properties, LP**

110 Edison Place, Suite 300

**241 West 28th Street**

Environmental Easement

Block: 778

Lot: 18

Sublot:

Section:

Subsection:

S\_B\_L Image: 778-18

Cover System

Vapor Mitigation