



Department of Environmental Conservation

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

## PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

Check the appropriate box below based on the nature of the amendment modification requested:

Amendment to [check one or more boxes below]

JAN 27 2020

- Add
- Substitute
- Remove
- Change in Name

applicant(s) to the existing Brownfield Cleanup Agreement [*Complete Section I-IV below and Part II*]

Does this proposed amendment involve a transfer of title to all or part of the brownfield site?  Yes  No

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

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

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

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

Other (explain in detail below)

**Please provide a brief narrative on the nature of the amendment:**  
 During the time the BCP application was under review and prior to its approval, the property was transferred to the current Requestor, 57 Alexander Developer LLC. This amendment seeks to add 57 Alexander Developer LLC as a Volunteer Applicant for the site and to amend Section III. of the BCA to reflect 57 Alexander Developer LLC as the owner of each of the parcels that comprise the site.

57 Alexander Developer LLC is the current owner of the site and an affiliate of the existing Volunteer Applicant, 57 Alexander JV LLC.

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

Section I. Existing Agreement Information		
BCP SITE NAME: 57 Alexander Street		BCP SITE NUMBER: C360194
NAME OF CURRENT APPLICANT(S): 57 Alexander JV LLC		
INDEX NUMBER OF EXISTING AGREEMENT: C360194-12-19 DATE OF EXISTING AGREEMENT: 01/07/2020		
Section II. New Requestor Information (if no change to Current Applicant, skip to Section V)		
NAME 57 Alexander Developer LLC		
ADDRESS 777 Third Avenue, 6th Floor, c/o Michael Adamo		
CITY/TOWN New York		ZIP CODE 10017
PHONE 212-210-6691	FAX	E-MAIL madamo@rosenyc.com
Is the requestor authorized to conduct business in New York State (NYS)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<ul style="list-style-type: none"> <li>If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation &amp; Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.</li> </ul>		
NAME OF NEW REQUESTOR'S REPRESENTATIVE Michael Adamo		
ADDRESS 777 Third Avenue, 6th Floor		
CITY/TOWN New York		ZIP CODE 10017
PHONE (212) 210-6691	FAX	E-MAIL madamo@rosenyc.com
NAME OF NEW REQUESTOR'S CONSULTANT (if applicable) Jessica Collins - VHB		
ADDRESS One Penn Plaza - Suite 715		
CITY/TOWN New York		ZIP CODE 10119
PHONE (646) 809-8042	FAX (646) 707-3879	E-MAIL jscollins@vhb.com
NAME OF NEW REQUESTOR'S ATTORNEY (if applicable) Christine Leas - Sive, Paget & Riesel P.C.		
ADDRESS 560 Lexington Avenue, 15th Floor		
CITY/TOWN New York		ZIP CODE 10022
PHONE (646) 378-7267	FAX (212) 421-1891	E-MAIL cleas@sprlaw.com
Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Describe Requestor's Relationship to Existing Applicant: 57 Alexander Developer LLC is an affiliate of the existing Applicant, 57 Alexander JV LLC.		

**Section III. Current Property Owner/Operator Information (only include if new owner/operator or new existing owner/operator information is provided, and highlight new information)**

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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

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

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

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

PARTICIPANT

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

VOLUNTEER

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

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

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

Requestor's Relationship to Property (check one):

Prior Owner  Current Owner  Potential /Future Purchaser  Other \_\_\_\_\_

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

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

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

ADDRESS

CITY/TOWN

ZIP CODE

TAX BLOCK AND LOT (TBL) (in existing agreement )

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

Check appropriate boxes below:

Changes to metes and bounds description or TBL correction

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

Approximate acreage added: \_\_\_\_\_

**ADDITIONAL PARCELS:**

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

Reduction of property

Approximate acreage removed: \_\_\_\_\_

**PARCELS REMOVED:**

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

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

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

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Please answer questions below and provide documentation necessary to support answers.</b>	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see <a href="#">DEC's website</a> for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>From ECL 27-1405(31):</b>  "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.	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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' households 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 home owners 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.	



**PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT**

Existing Agreement Information	
BCP SITE NAME: 57 Alexander Street	BCP SITE NUMBER: C360194
NAME OF CURRENT APPLICANT(S): 57 Alexander JV LLC	
INDEX NUMBER OF EXISTING AGREEMENT: C360194-12-19	
EFFECTIVE DATE OF EXISTING AGREEMENT: 01/07/2020	

Declaration of Amendment:

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

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

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

(Individual)

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

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

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

(Entity)

I hereby affirm that I am (title Authorized Signatory) of (entity 57 Alexander Developer LLC); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

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

Date: 01-21-2020 Signature: 

Print Name: Marc Ehrlich

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

(Individual)


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

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

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

(Entity)

I hereby affirm that I am Authorized Signatory (title) of 57 Alexander JV LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. \_\_\_\_\_ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 01-21-2020 Signature: 

Print Name: Marc Ehrlich

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

Status of Agreement:

<input type="checkbox"/> <b>PARTICIPANT</b> A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	<input checked="" type="checkbox"/> <b>VOLUNTEER</b> A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
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Effective Date of the Original Agreement: 1/7/20

Signature by the Department:

DATED: 2/10/20

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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



**SUBMITTAL INFORMATION:**

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

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

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**FOR DEPARTMENT USE ONLY**

**BCP SITE T&A CODE:** \_\_\_\_\_ **LEAD OFFICE:** \_\_\_\_\_

**PROJECT MANAGER:** \_\_\_\_\_

**BROWNFIELD CLEANUP PROGRAM (BCP)  
INSTRUCTIONS FOR COMPLETING A BCP AMENDMENT APPLICATION**

This form must be used to add a party, modify a property description, or reduce/expand property boundaries for an existing BCP Agreement and/or Application. **NOTE: DEC requires a standard application to request major changes to the description of the property set forth in the BCA (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). The application must be submitted to DEC in the same manner as the original application to participate.**

**SECTION II NEW REQUESTOR INFORMATION**

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information. If an LLC, the members/owners names need to be provided on a separate attachment). The requestor is the person or entity seeking DEC review and approval of the remedial program.

If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

Requestor Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Representative Name, Address, etc.

Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative unless another contact name and address is provided with the application.

Consultant Name, Address, etc.

Provide information for the requestor's consultant.

Attorney Name, Address, etc.

Provide information for the requestor's attorney.

**SECTION III CURRENT PROPERTY OWNER/OPERATOR INFORMATION - only include if new owner/operator or new existing owner/operator information is provided, and highlight new information in form.**

Owner Name, Address, etc.

Provide information for the new owner of the property. List all new parties holding an interest in the property.

Operator Name, Address, etc.

Provide information for the new operator (if different from the new requestor or owner).

**SECTION IV****NEW REQUESTOR ELIGIBILITY INFORMATION**

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

**SECTION V PROPERTY DESCRIPTION AND DESCRIPTION OF CHANGES / ADDITIONS / REDUCTIONS (IF APPLICABLE)**

NOTE: DEC requires a standard application to request major changes to the description of the property set forth in the BCA (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). The application must be submitted to DEC in the same manner as the original application to participate.

Property Address

Provide a street address, city/town, and zip code. For properties with multiple addresses, provide information for all.

Tax Parcel Information

Provide the tax parcel/section/block/lot information. If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, and/or acceptable site map to this application. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears.

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through January 16, 2020.

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Selected Entity Name: 57 ALEXANDER DEVELOPER LLC

Selected Entity Status Information

**Current Entity Name:** 57 ALEXANDER DEVELOPER LLC

**DOS ID #:** 5689445

**Initial DOS Filing Date:** JANUARY 15, 2020

**County:** NEW YORK

**Jurisdiction:** DELAWARE

**Entity Type:** FOREIGN LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

**DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)**

C/O ROSE ASSOCIATES, INC.

777 THIRD AVENUE, 6TH FLOOR

NEW YORK, NEW YORK, 10017

**Registered Agent**

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

**\*Stock Information**

# of Shares	Type of Stock	\$ Value per Share
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No Information Available

\*Stock information is applicable to domestic business corporations.

### Name History

Filing Date	Name Type	Entity Name
JAN 15, 2020	Actual	57 ALEXANDER DEVELOPER LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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BCA Amendment Application  
BCP Site: 57 Alexander (C360194)

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**New Requestor Volunteer Certification**

***Statement describing why the Requestor should be considered a Volunteer:***

In accordance with the definitions outlined in ECL 27-1405(1), 57 Alexander Developer LLC is considered a Volunteer because its liability arises solely as a result of site ownership ***subsequent*** to the disposal of hazardous waste or discharge of petroleum.

WRITTEN CONSENT OF THE MANAGER

The undersigned, being the manager of 57 Alexander Developer LLC, a Delaware limited liability company (the "Company") authorized to conduct business in New York, does hereby resolve that:

1. Marc Ehrlich is a representative of the Company and has the full power and authority on behalf of the Company, as an Authorized Signatory, to:
  - a. Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the "BCP");
  - b. Enter into agreements with the New York State Department of Environmental Conservation (the "DEC") in connection with the Company's participation in the BCP;
  - c. Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to applications, agreements, easements and tax returns;
  - d. Take any action necessary to the furtherance of the Company's participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.
2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the passage of this consent are hereby approved and ratified. The authority hereby conferred shall continue in full force and effect until the DEC shall have received notice, in writing, of the revocation hereof by a resolution duly adopted by the Manager of the Company. Any such revocation shall be effective only as to actions taken by the Company subsequent to DEC's receipt of such notice.
3. The undersigned hereby represents and warrants that (i) the undersigned is the Manager of the Company; and (ii) the consent of the Manager is sufficient to authorize the Company to take the aforementioned actions.

  
\_\_\_\_\_  
Marc Ehrlich, Manager

Dated: 01-21-2020  
New York, NY

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 6<sup>th</sup> day of December, 2019

BETWEEN

RONROB REALTY CORP., a New York corporation, ALTMAN HOLDINGS, LLC, a New York limited liability company, and ALTMAN STAGE LIGHTING CO., INC., a New York corporation, all having an address at 57 Alexander Street, Yonkers, New York 10701

party of the first part, and

57 ALEXANDER DEVELOPER LLC, a Delaware limited liability company having an address c/o Rose Associates, Inc., 200 Madison Avenue, Fifth Floor, New York, New York 10016

party of the second part,

WITNESSETH, that RONROB REALTY CORP., in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Yonkers, County of Westchester, State of New York, more particularly bounded and described on Schedule A-1 annexed hereto and made a part hereof.

*Being the same premises described in deed recorded 2/23/1988 in Liber 2119 of Deeds, page 16 and by deed recorded 2/12/1967 in Liber 6844 of Deeds, page 44.*

TOGETHER with all right, title and interest, if any, of RONROB REALTY CORP. in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the RONROB REALTY CORP. covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND RONROB REALTY CORP., in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

WITNESSETH, that ALTMAN HOLDINGS, LLC., in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Yonkers, County of Westchester, State of New York, more particularly bounded and described on Schedule A-2 annexed hereto and made a part hereof.

*Being the same premises described in deed recorded 1/10/2012 as control No. 5136 33266, and by deed recorded 1/19/2012 as control No. 5136 23585*

TOGETHER with all right, title and interest, if any, of ALTMAN HOLDINGS, LLC. in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the ALTMAN HOLDINGS, LLC covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND ALTMAN HOLDINGS, LLC, in compliance with Section 13 of the Lien Law, covenants that ALTMAN HOLDINGS, LLC will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

WITNESSETH, that ALTMAN STAGE LIGHTING CO., INC., in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Yonkers, County of Westchester, State of New York, more particularly bounded and described on Schedule A-3 annexed hereto and made a part hereof.

*Being the same premises described in deed recorded 12/16/1986 in Liber 8000 of Deeds, page 263*

TOGETHER with all right, title and interest, if any, of ALTMAN STAGE LIGHTING CO., INC. in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

TOGETHER with all right, title and interest, if any, of ALTMAN STAGE LIGHTING CO., INC. in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the ALTMAN STAGE LIGHTING CO., INC. covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND ALTMAN STAGE LIGHTING CO., INC, in compliance with Section 13 of the Lien Law, covenants that ALTMAN STAGE LIGHTING CO., INC will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

*Lisa F. Sun*

**RONROB REALTY CORP.**

By: *Robert Altman*  
**Robert Altman, President**

**ALTMAN HOLDINGS, LLC**

By: *Robert Altman*  
**Robert Altman, Managing Member**


**ALTMAN STAGE LIGHTING CO., INC.**

By: *Robert Altman*  
**Robert Altman, President**

STATE OF NEW YORK, COUNTY OF *Westchester* ss:

On the *6<sup>th</sup>* day of *December* in the year 2019, before me, the undersigned, a notary public in and for said state, personally appeared *Robert Altman*

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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.

Notary Public   
**JERRY SCHONFELD**  
Notary Public, State of New York  
Qualified in Rockland County  
No. 01SC4740283  
Comm. Expires 5-31-23

STATE OF NEW YORK, COUNTY OF ss:

On the day of in the year 2019, before me, the undersigned, a notary public in and for said state, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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.

Notary Public

**Bargain and Sale Deed**  
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. *911335*

**RON ROB REALTY CORP., ALTMAN HOLDINGS LLC AND ALTMAN STAGE LIGHTING CO., INC., TO 57 ALEXANDER DEVELOPER LLC**

STATE OF NEW YORK, COUNTY OF ss:

On the day of in the year 2013, before me, the undersigned, a notary public in and for said state, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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.

Notary Public

STATE OF NEW YORK, COUNTY OF ss:

On the day of in the year 2013, before me, the undersigned, a notary public in and for said state, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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.

Notary Public

	Parcel A	Parcel B	Parcel C	Parcel D
SECTION	2	2	2	2
BLOCK	2610	2605	2620	1610
LOT	57	51	53	50
COUNTY OR TOWN	Yonkers			

RETURN BY MAIL TO:

**PETER E. FISCH, ESQ.**  
**PAUL, WEISS, RIFKIND, WHARTON & GARRISON, LLP**  
**1285 Avenue of Americans**  
**New York, New York 10019**

Reserve this space for the use of Recording Office.



**SCHEDULE A-1**

**Parcel A-1:**

**ALL THAT CERTAIN** plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Alexander Street in the City of Yonkers, County of Westchester and State of New York, where the same is intersected by the northerly side of land now or formerly of the City of Yonkers; formerly of the Estate of Ervin Saunders;

RUNNING THENCE westerly at right angles to Alexander Street and along said land of the City of Yonkers, 684.00 feet to the westerly line of grants and pier lines as fixed by the Common Council of the City of Yonkers, April 12th, 1886;

THENCE northerly along said westerly line which forms an interior angle of 86 degrees 40 minutes 40 seconds with the last mentioned line, 96.26 feet to land conveyed by William L. Saunders and wife and Helen M.S. Holmes to Mary Eliza Saunders by deed dated December 12th, 1932;

THENCE easterly along a line which forms an interior angle of 92 degrees 56 minutes 54 seconds with the last mentioned course and which said line on the northerly side thereof forms an angle of 89 degrees 37 minutes 34 seconds with the westerly side of Alexander Street and along said land so conveyed to Mary Eliza Saunders, 678.42 feet to the westerly side of Alexander Street; and

THENCE southerly along the westerly side of Alexander Street, 91.67 feet to the point or place of BEGINNING.

Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

**EXCEPTING THEREFROM** so much of the above described premises conveyed by Deed made by Ronrob Realty Corp. to Robert Altman, dated 1/25/1992 and recorded 1/29/1992 in Liber 10207 of Deeds, page 305, being bounded and described as follows:

**ALL THAT CERTAIN** plot, piece or parcel of land, being a portion of Tax Lot 57, Block 2610, Section 2 as shown on the Official City Tax Map, City of Yonkers, Westchester County, New York, said portion of Tax Lot 57 as mentioned above is more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Alexander Street, a 50.00 foot wide public street, said point being 705.92 feet northerly of the intersection of the westerly side of Alexander Street and the northerly side of Wells Avenue as measured along the westerly side of Alexander Street;

THENCE from said point of place of beginning along the dividing line between Tax Lot 57, Block 2610 and Tax Lot 51, Block 2605, making an interior angle of 90-00 degrees with the westerly side of Alexander Street, 143.00 feet to a point;

THENCE in a northerly direction through a portion of Tax Lot 57, Block 2610 on a line making an interior angle of 90-00 degrees with the previous course, 4.00 feet to a point;

THENCE in an easterly direction continuing through a portion of Tax Lot 57, Block 2610 on a line making an interior angle of 90-00 degrees with the previous course, 143.00 feet to a point on the westerly side of Alexander Street;

THENCE in a southerly direction along the westerly side of Alexander Street, 4.00 feet to a point or place of BEGINNING.

For Information Only: Said premises are known as 57 Alexander Street, Yonkers, NY and designated as Section 2 Block 2610 part of Lot 57 as shown on the Westchester County Land and Tax Map

**PARCEL C:**

**ALL THAT CERTAIN** plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Alexander Street, a public street 50 feet wide, where the same is intersected by the northerly line of land conveyed to Helen M.S. Holmes by deed bearing date December 12, 1932, recorded January 23, 1933 in Liber 3290 of Deeds, page 459;

RUNNING THENCE westerly on a line forming an interior angle of 89 degrees, 37 minutes, 34 seconds with said westerly side of Alexander Street, 678.42 feet to the westerly line of grants and pier line as fixed by the Common Council of the City of Yonkers, April 12, 1886;

RUNNING THENCE northerly along said westerly line, on a line forming an interior angle of 91 degrees 39 minutes 20 seconds with the last mentioned course 93.28 feet;

THENCE easterly along land on said date conveyed by Helen M.S. Holmes and Mary Eliza Saunders to William L. Saunders and wife and along a line which forms an interior angle of 87 degrees, 55 minutes, 32 seconds with the last mentioned course and which line on the northerly side thereof forms an angle of 89 degrees, 12 minutes, 26 seconds with the westerly side of Alexander Street, 681.12 feet to the said westerly side of Alexander Street; and

THENCE southerly along the westerly side of Alexander Street, 88.29 feet to the point or place of BEGINNING.

Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

For Information Only: Said premises are known as 65 Alexander Street, Yonkers, NY and designated as Section 2 Block 2610 Lot 53 as shown on the Westchester County Land and Tax Map.

**SCHEDULE A-2**

**Parcel A-2:**

ALL THAT CERTAIN plot, piece or parcel of land, being a portion of Tax Lot 57, Block 2610, Section 2 as shown on the Official City Tax Map, City of Yonkers, Westchester County, New York, said portion of Tax Lot 57 as mentioned above is more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Alexander Street, a 50.00 foot wide public street, said point being 705.92 feet northerly of the intersection of the westerly side of Alexander Street and the northerly side of Wells Avenue as measured along the westerly side of Alexander Street;

THENCE from said point of place of beginning along the dividing line between Tax Lot 57, Block 2610 and Tax Lot 51, Block 2605, making an interior angle of 90-00 degrees with the westerly side of Alexander Street, 143.00 feet to a point;

THENCE in a northerly direction through a portion of Tax Lot 57, Block 2610 on a line making an interior angle of 90-00 degrees with the previous course, 4.00 feet to a point;

THENCE in an easterly direction continuing through a portion of Tax Lot 57, Block 2610 on a line making an interior angle of 90-00 degrees with the previous course, 143.00 feet to a point on the westerly side of Alexander Street;

THENCE in a southerly direction along the westerly side of Alexander Street, 4.00 feet to a point or place of BEGINNING.

Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

For Information Only: Said premises are known as 57 Alexander Street, Yonkers, NY and designated as Section 2 Block 2610 Part of Lot 57 as shown on the Westchester County Land and Tax Map

**PARCEL B:**

ALL THAT CERTAIN plot, piece or parcel of land, situate, lying and being at City of Yonkers, County of Westchester and State of New York, being known and designated on the Official Tax Map of the City of Yonkers, as Section 2, Block 2605, Lot 51, being more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Alexander Street, a public street 50 feet wide, distant 561.96 feet northerly as measured along said side of Alexander Street from the corner formed by the intersection of the northerly side of Wells Avenue with the said westerly side of Alexander Street, said point being the southeasterly corner of the premises herein described;

THENCE RUNNING in a general westerly direction along lands now or formerly of the Estate of Ervin Saunders on a line forming an interior angle of 85 degrees, 40 minutes, 00 seconds with said westerly side of Alexander Street, a distance of 690 feet, more or less, to the westerly line of water grants and pier line, as established by the Common Council of the City of Yonkers, April 12, 1886;

THENCE RUNNING northerly along said westerly line of water grants and along said pier line, 91.92 feet to a point and land now or formerly of Alexander Saunders;

THENCE RUNNING easterly along said last mentioned land, 684 feet to a point in the westerly line of Alexander Street, which point is distant 143.96 feet northerly as measured along said side of Alexander Street from the point and place of beginning;

THENCE RUNNING southerly along said side of Alexander Street, 143.96 feet to the point and place of BEGINNING.

Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

For Information Only: Said premises are known as 47 Alexander Street, Yonkers, NY and designated as Section 2 Block 2605 Lot 51 as shown on the Westchester County Land and Tax Map

SCHEDULE A-3

PARCEL D:

**ALL THAT CERTAIN** lot or parcel of land, located in the City of Yonkers, County of Westchester and State of New York, shown on the assessment map for said City as Lot 50, Block 2610, Section 2, and more particularly bounded and described as follows:

BEGINNING at a point on the west side of Alexander Street, a public street fifty (50) feet wide, where the same is intersected by the northerly side of land conveyed to Mary Eliza Saunders by deed dated December 12, 1932;

RUNNING THENCE northerly along said Alexander Street, on a line being at an interior angle of 89 degrees, 12 minutes, 26 seconds with said lands now or formerly of Saunders, 84.67 feet to land now or formerly of the Westchester Ferry Corporation;

THENCE westerly along said land of said corporation and along a line being at an interior angle of 92 degrees, 38 minutes, 00 seconds with the west side of Alexander Street, 310.00 feet to the remains of an old bulkhead;

THENCE still westerly along a line which on its southerly side makes an angle of 177 degrees, 27 minutes, 15 seconds with said last mentioned line, and still along said land of said corporation, 366.00 feet to the westerly line of grants and pier line as fixed by the Common Council of the City of Yonkers, April 12, 1886;

THENCE southerly along said westerly line along a line being at an interior angle of 93 degrees, 20 minutes, 01 second with the last mentioned line, 90.21 feet to land conveyed to Mary Eliza Saunders by William L. Saunders and wife and Helen M. S. Holmes, by deed dated December 12, 1932;

THENCE easterly along said lands conveyed to Mary Eliza Saunders and along a line which on the northerly side thereof makes an angle of 89 degrees, 12 minutes, 26 seconds with the west side of Alexander Street, 681.12 feet to the point or place of BEGINNING.

Together with all rights, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.

For Information Only: Said premises are known as 71 Alexander Street, Yonkers, NY and designated as Section 2 Block 2610 Lot 50 as shown on the Westchester County Land and Tax Map.