



PYRAMID MANAGEMENT GROUP, LLC

THE CLINTON EXCHANGE ▲ 4 CLINTON SQUARE
SYRACUSE, NEW YORK 13202-1078

TEL 315-422-7000
FAX 315-472-4035

JANUARY 3, 2018

SENT VIA UPS
1Z8W2V381393179305

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

RE: Certificate of Completion
Site No. C734135
Site: Oil City/Carousel Center – Site 7
City of Syracuse, Onondaga County

To Whom it May Concern:

Pursuant to your instructions as set forth in that certain letter dated December 27, 2017 from you to Bruce Kenan, enclosed please find a copy of the Notice of Certificate of Completion that was filed with the Onondaga County Clerk's Office on January 3, 2018.

Should you have any questions or require anything further, please do not hesitate to contact Doug Cain at 315-422-7000.

Very truly yours,

PYRAMID MANAGEMENT GROUP, LLC

A handwritten signature in blue ink, appearing to read "Crystal Meder", written over the printed name.

Crystal Meder
Executive Assistant

Enclosures

Lisa Dell, County Clerk
401 Montgomery Street
Room 200
Syracuse, NY 13202
(315) 435-2226

Onondaga County Clerk Recording Cover Sheet

Received From :
DESTINY USA LAND COMPANY LLC
4 CLINTON SQUARE
SYRACUSE, NY 13202

Return To :
DESTINY USA LAND COMPANY LLC
4 CLINTON SQUARE
SYRACUSE, NY 13202

First PARTY 1

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL

First PARTY 2

OIL CITY CAROUSEL CENTER

Index Type : Land Records

Instr Number : 2018-00000272

Book : Page :

Type of Instrument : Certificate

Type of Transaction : Deed Misc Wo Tp584

Recording Fee: \$95.50

Recording Pages : 11

The Property affected by this instrument is situated in Syracuse, in the County of Onondaga, New York

Recorded Information

State of New York

County of Onondaga

I hereby certify that the within and foregoing was recorded in the Clerk's office for Onondaga County, New York

On (Recorded Date) : 01/03/2018

At (Recorded Time) : 10:33:35 AM



Doc ID - 0261146100011

Lisa Dell

Lisa Dell, County Clerk



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

Oil City/Carousel Center – Site 7, Site ID No. C734135
311-71 Hiawatha Blvd. West, Syracuse, NY 13204
City of Syracuse, Onondaga County, Tax Map Identification Numbers 116.-02-01.0, 116.-02-07.0, 116.-02-08.1

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 Oil City/Carousel Center – Site 7 for a parcel approximately 22.8 acres located at 311-71 Hiawatha Blvd. West in the City of Syracuse, Onondaga 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 Onondaga County as 2017-00029391.

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

Oil City/Carousel Center – Site 7, Site ID No. C734135, 311-71 Hiawatha Blvd. West, Syracuse, NY 13204

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 7 located at 615 Erie Boulevard West Syracuse, New York 13204, by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

Destiny USA Land Company, LLC
Destiny USA Real Estate, LLC

By: [Signature]
Title: Vice President

Date: 1/2/2018

STATE OF NEW YORK) SS:
COUNTY OF Onondaga)

On the 2nd day of January, in the year 2018, before me, the undersigned, personally appeared Michael A. Nugent 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

Please record and return to:
Destiny USA Land Company, LLC
Destiny USA Real Estate, LLC
4 Clinton Square
Syracuse, NY 13202

CRYSTAL J. MEDER
Notary Public, State of New York
No. 01ME6217068
Qualified in Onondaga County
Commission Expires February 8, 2018

Exhibit A
Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

LEGAL DESCRIPTION
Brownfield Cleanup Program
Oil City/Carousel Center – Site 7
DEC Site#: C734135

All that certain tract, piece or parcel of land, situate in the City of Syracuse, County of Onondaga, State of New York, lying generally northeasterly of Solar Street and generally southeasterly of West Hiawatha Boulevard and being more particularly bounded and described as follows:

BEGINNING at the point of intersection with the northeasterly margin of Solar Street with the division line between the lands now or formerly of the City of Syracuse Industrial Development Agency (S.I.D.A.) as described in Book 5029 of Deeds at Page 571 on the southeast and the lands now or formerly of Destiny USA Land Company, LLC as described as Parcel G in Book 5243 of Deeds at Page 376 on the northwest;

Thence North 50 deg. 26 min. 30 West, along the northeasterly margin of Solar Street and its prolongation thereof, 1,160.29 feet to its intersection with the former northwesterly street margin of Old Hiawatha Boulevard;

Thence along the former northwesterly margin of Old Hiawatha Boulevard and the former northwesterly margin of Free Street, in part by each, the following two (2) courses and distances:
1) North 40 deg. 26 min. 20 East, 783.55 feet to a point; and
2) North 28 deg. 12 min. 26 East, 138.95 feet to the southwest corner of lands of the People of the State of New York as shown on Appropriation Map 1400 Parcel 1830;

Thence along the southwesterly line of Map 1400 Parcel 1830 the following three (3) courses and distances:

1) South 47 deg. 08 min. 19 East, 95.53 feet to a point; thence
2) South 61 deg. 46 min. 31 East, 7.16 feet to a point; and
3) South 42 deg. 33 min. 21 sec. East, 28.25 feet to its intersection with the division line between the lands now or formerly of Destiny USA Real Estate, LLC as described in Book 5376 of Deeds at Page 767 on the southwest and the lands now or formerly of the City of Syracuse (reputed owner) known as #301 Hiawatha Boulevard West Rear having City of Syracuse Tax Parcel Number 116.00-02-02 on the northeast;

Thence along Said division line the following three (3) courses and distances:

1) South 07 deg. 51 min. 23 East, 96.80 feet to a point; thence

- 2) North 82 deg. 08 min. 37 East, 52.80 feet to a point; and
- 3) North 07 deg. 51 min. 23 sec. West, 31.00 feet to its intersection with the southwesterly line of lands of the People of the State of New York as shown on Appropriation Map 1400 Parcel 1830;

Thence along the southwesterly line of Map 1400 Parcel 1830 the following twelve (12) courses and distances:

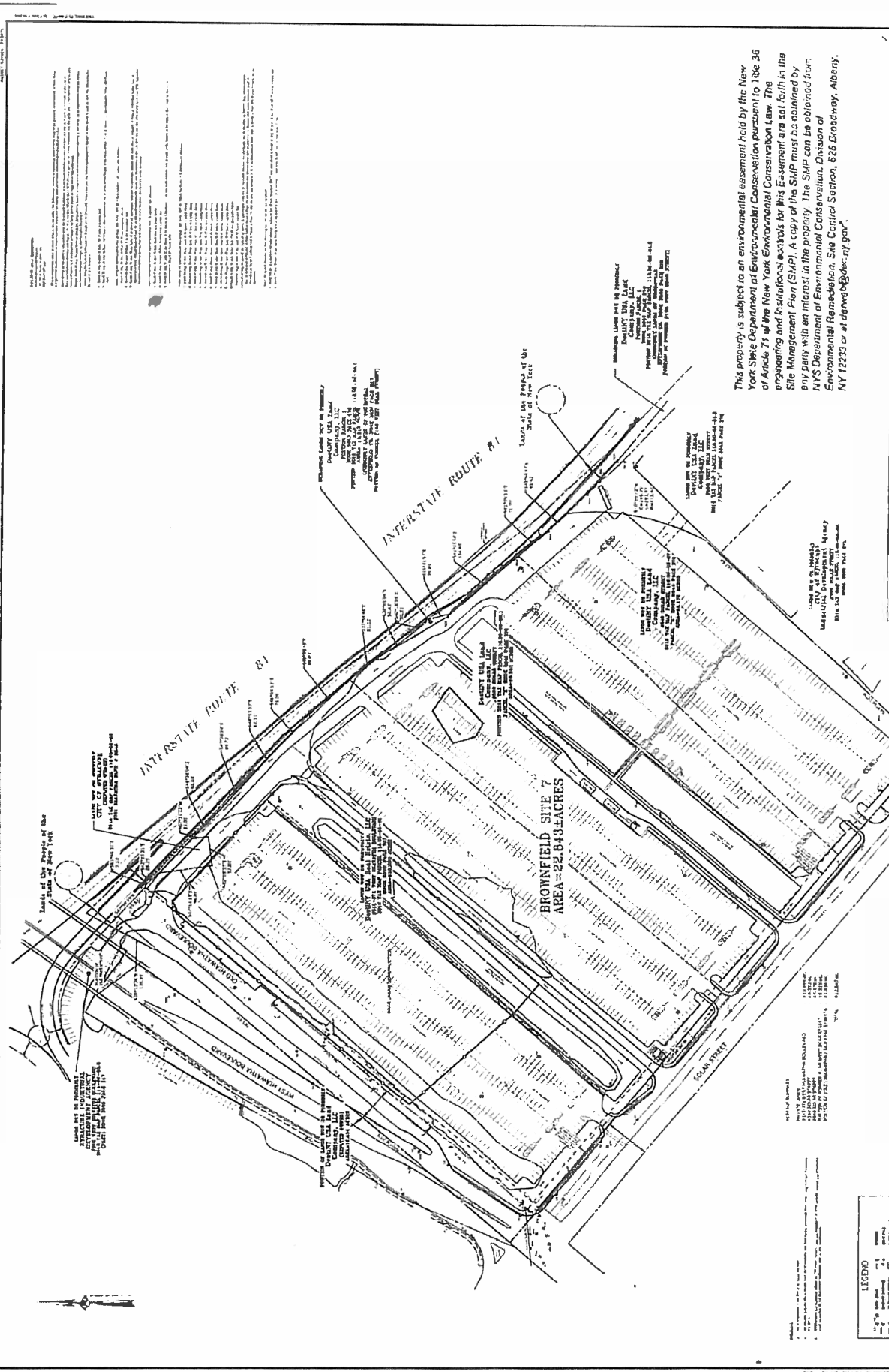
- 1) South 46 deg. 36 min. 04 sec. East, 66.69 feet to a point; thence
- 2) South 47 deg. 28 min. 28 sec. East, 99.72 feet to a point; thence
- 3) South 48 deg. 53 min. 33 sec. East, 62.11 feet to a point; thence
- 4) South 46 deg. 06 min. 12 sec. East, 75.06 feet to a point; thence
- 5) South 40 deg. 59 min. 18 sec. East, 99.03 feet to a point; thence
- 6) South 37 deg. 54 min. 46 sec. East, 81.52 feet to a point; thence
- 7) South 38 deg. 05 min. 04 sec. East, 50.43 feet to a point; thence
- 8) South 40 deg. 16 min. 09 sec. East, 50.31 feet to a point; thence
- 9) South 15 deg. 31 min. 57 sec. East, 39.89 feet to a point; thence
- 10) South 41 deg. 05 min. 58 sec. East, 154.40 feet to a point; thence
- 11) South 41 deg. 06 min. 11 sec. East, 71.70 feet to a point; and
- 12) South 43 deg. 48 min. 47 sec. East, 45.42 feet to its intersection with the division line between the said lands now or formerly of Destiny USA Land Company, LLC as described as Parcel G in Book 5243 of Deeds at Page 376 on the northwest, and the lands now or formerly of Destiny USA Land Company, LLC as described as Parcel F in Book 5243 of Deeds at Page 376 and the first said lands of S.I.D.A. as described in Book 5029 of Deeds at Page 571, in part by each, on the southwest;

Thence along said division line the following two (2) courses and distances:

- 1) along the arc of a curve to the right having a radius of 410.40 feet, length of 253.77 feet, and chord of South 10 deg. 55 min. 12 sec. West 249.75 feet to a point; and
- 2) South 43 deg. 34 min. 10 sec. West, 552.84 feet to the point or place of beginning.

Containing 22.843 acres of land more or less.

Exhibit B
Site Survey



This property is subject to an environmental easement held by the New York State Department of Environmental Conservation pursuant to the 36 of Article 71 of the New York Environmental Conservation Law. The easement and its full extent for this Easement are set forth in the Site Management Plan (SMP). A copy of the SMP must be obtained by any party with an interest in the property. The SMP can be obtained from NYS Department of Environmental Conservation, Division of Environmental Remediation, State Capitol Section, 625 Broadway, Albany, NY 12233 or at denr@dec.ny.gov.

**SURVEY MAP OF
BROWNFIELD CLEANUP PROGRAM
OIL CITY / CARQUEL CENTER - SITE 7
DEC SITE # C734135**

CIT: HALE ASSOCIATES

DATE: 08/11/2011 11:51 AM

SCALE: 1" = 100'

PROJECT NO: C734135

DATE: 08/11/2011

BY: [Signature]

FOR: [Signature]

REVISIONS:

NO.	DATE	DESCRIPTION
1	08/11/2011	ISSUED FOR PERMIT

LEGEND

- 1. Proposed Remedial Action
- 2. Existing Remedial Action
- 3. Proposed Remedial Action
- 4. Existing Remedial Action
- 5. Proposed Remedial Action
- 6. Existing Remedial Action
- 7. Proposed Remedial Action
- 8. Existing Remedial Action
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- 11. Proposed Remedial Action
- 12. Existing Remedial Action
- 13. Proposed Remedial Action
- 14. Existing Remedial Action
- 15. Proposed Remedial Action
- 16. Existing Remedial Action
- 17. Proposed Remedial Action
- 18. Existing Remedial Action
- 19. Proposed Remedial Action
- 20. Existing Remedial Action

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
12/15/2017

SITE DESCRIPTION

SITE NO. C734135

SITE NAME Oil City/Carousel Center - Site 7

SITE ADDRESS: 311-71 Hiawatha Blvd. West ZIP CODE: 13204

CITY/TOWN: Syracuse

COUNTY: Onondaga

ALLOWABLE USE: Commercial and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:	YES	NO
IC/EC Certification Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Monitoring Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operation and Maintenance (O&M) Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/29/2019

Description of Institutional Control

Destiny USA Land Company LLC

4 Clinton Square

540 Solar Street

Environmental Easement

Block: 02

Lot: 7

Sublot:

Section: 116

Subsection:

S_B_L Image: 116.-02-07.0

Ground Water Use Restriction

IC/EC Plan

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

550 Solar Street

Environmental Easement

Block: 02

Lot: 8

Sublot:

Section: 116

Subsection:

S_B_L Image: 116.-02-08.1

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Destiny USA Real Estate LLC

4 Clinton Square

311-71 Hiawatha Boulevard

Environmental Easement

Block: 02

Lot: 01

Sublot:

Section: 116

Subsection:

S_B_L Image: 116.-02-01.0

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

Destiny USA Land Company LLC

4 Clinton Square

540 Solar Street

Environmental Easement

Block: 02

Lot: 7

Sublot:

Section: 116

Subsection:

S_B_L Image: 116.-02-07.0

Cover System

Vapor Mitigation

550 Solar Street

Environmental Easement

Block: 02

Lot: 8

Sublot:

Section: 116

Subsection:

S_B_L Image: 116.-02-08.1

Cover System

Fencing/Access Control

Vapor Mitigation

Destiny USA Real Estate LLC

4 Clinton Square

311-71 Hiawatha Boulevard W &

Environmental Easement

Block: 02

Lot: 01

Sublot:

Section: 116

Subsection:

S_B_L Image: 116.-02-01.0

Cover System

Vapor Mitigation