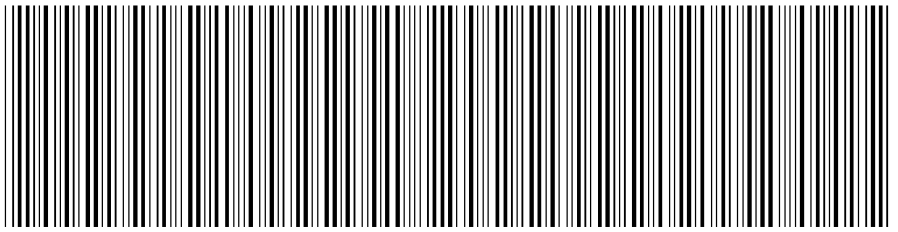


**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2018062701678001002E1FDD

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 16

Document ID: 2018062701678001

Document Date: 06-25-2018

Preparation Date: 07-02-2018

Document Type: SUNDRY AGREEMENT

Document Page Count: 15

PRESENTER:

TO BE PICKED UP BY COMMONWEALTH
COMMONWEALTH LAND TITLE INSURANCE CO.
685 THIRD AVENUE, 20TH FLOOR
NEW YORK, NY 10017
212-949-0100
SS180216

RETURN TO:

TO BE PICKED UP BY COMMONWEALTH
COMMONWEALTH LAND TITLE INSURANCE CO.
685 THIRD AVENUE, 20TH FLOOR
NEW YORK, NY 10017
212-949-0100
SS180216

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BRONX	3947	55	Entire Lot	2151 SAINT RAYMOND AVENUE

Property Type: RELIGIOUS STRUCTURE

CROSS REFERENCE DATA

BRONX Year: 1960 Reel: 2389 Page: 285

PARTIES

PARTY 1:
CHURCH OF SAINT RAYMOND
1759 CASTLE HILL AVENUE
BRONX, NY 10462

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
TOTAL:	\$	0.00
Recording Fee:	\$	112.00
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 07-02-2018 12:10
City Register File No.(CRFN):
2018000217914



Annette McMill

City Register Official Signature

DECLARATION OF COVENANTS AND RESTRICTIONS

THIS DECLARATION of COVENANTS and RESTRICTIONS is made the 25 day of June 2018, by the **CHURCH OF SAINT RAYMOND** (the “**Church**”), a corporation organized and existing under the laws of the State of New York and having an office for the transaction of business at 1759 Castle Hill Avenue, Bronx, New York.

WHEREAS, the Church is the fee owner of certain parcels of real property that are participating in the Voluntary Cleanup Program of the New York State Department of Environmental Conservation (the “**Department**” having an office at 625 Broadway, Albany, New York 12233) as part of the Purdy Street Station Site (Site #V00557), namely those parcels of real property located at 2151 Saint Raymond Avenue in the County of the Bronx, City and State of New York, being the same as (or part of) that property conveyed to the Church by Consolidated Edison Company of New York, Inc. (“**Con Edison**”) by deed dated May 31, 1960, and recorded on June 6, 1960, in the New York City Register Office for the County of the Bronx in Liber 2389, page 285 of Deeds, and being more particularly described in Schedule “**A**,” attached to this Declaration of Covenants and Restrictions and made a part hereof, and hereinafter referred to as “**the Property**”; and

WHEREAS, the Property is the subject of Voluntary Cleanup Agreement Index #D2-0003-02-08 (the “**VCA**”) executed by the Department and Con Edison on August 15, 2002; and

WHEREAS, the Department approved a remedy to eliminate or mitigate all significant threats to the environment presented by the contamination disposed of at the Property and such remedy requires that the Property be subject to restrictive covenants.

NOW, THEREFORE, the Church, for itself and its successors and/or assigns, covenants that:

FIRST, the Property subject to this Declaration of Covenants and Restrictions is as shown on a map attached to this declaration as Schedule “**B**” and made a part hereof.

SECOND, unless prior written approval by the Department or, if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State’s citizens, hereinafter referred to as “**the Relevant Agency**,” is first obtained, where contamination remains at the Property subject to the provisions of the Site Management Plan (“**SMP**”) approved by the Department for the Property, there shall be no construction, use or occupancy of the Property that results in the disturbance or excavation of the Property which threatens the integrity of the engineering controls or which results in unacceptable human exposure to contaminated soils. The SMP may be obtained from the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233.

THIRD, the owner of the Property shall not disturb, remove, or otherwise interfere with the installation, use, operation, and maintenance of engineering controls required for the remedy,

which are described in the SMP, unless in each instance the owner first obtains a written waiver of such prohibition by the Department or Relevant Agency.

FOURTH, the owner of the Property shall prohibit the Property from ever being used for purposes other than for its existing use as a parochial school facility or for “Restricted Residential” use, as described in 6 NYCRR Part 375-1.8(g)(2)(ii), “Commercial” use as described in 6 NYCRR Part 375-1.8(g)(2)(iii), and/or “Industrial” use as described in 6 NYCRR Part 375-1.8(g)(2)(iv) without the express written waiver of such prohibition by the Department or Relevant Agency.

FIFTH, the use of the groundwater underlying the Property is prohibited without necessary water quality treatment as determined by the New York State Department of Health or the New York City Department of Health and Mental Hygiene to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department.

SIXTH, the owner of the Property shall provide a periodic certification, prepared and submitted by a professional engineer or environmental professional acceptable to the Department or Relevant Agency, which will certify that the institutional and engineering controls put in place are unchanged from the previous certification, comply with the SMP, and have not been impaired.

SEVENTH, the owner of the Property shall continue in full force and effect any institutional and engineering controls required for the remedy and maintain such controls, unless the owner of the Property first obtains permission to discontinue such controls from the Department or Relevant Agency, in compliance with the SMP, which is incorporated and made enforceable hereto, subject to modifications as approved by the Department or Relevant Agency.

EIGHTH, this Declaration of Covenants and Restriction is and shall be deemed a covenant that shall run with the land and shall be binding upon all future owners of the Property, and shall provide that the owner and its successors and assigns consent to enforcement by the Department or Relevant Agency of the prohibitions and restrictions that the Voluntary Cleanup Agreement requires be recorded, and hereby covenant not to contest the authority of the Department or Relevant Agency to seek enforcement.

NINTH, any deed of conveyance of the Property, or any portion thereof, shall recite, unless the Department or Relevant Agency has consented to the termination of such covenants and restrictions, that said conveyance is subject to this Declaration of Covenants and Restrictions.

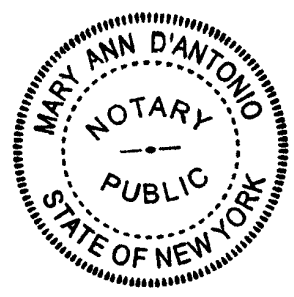
IN WITNESS WHEREOF, the undersigned has executed this instrument the day written below.

CHURCH OF SAINT RAYMOND

By: William J. Riley
Print Name: William J. Riley
Title: CFO
Date: 6/25/18

Grantor's Acknowledgment

STATE OF NEW YORK)
) s.s. :
COUNTY OF THE BRONX)



On the 25th day of June, in the year 2018, before me, the undersigned, personally appeared William J. Riley, 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.

MARY ANN D'ANTONIO
Mary Ann D'Antonio
Notary Public State of New York

01DA6330147 (REGISTRATION#)
09/08/2015 - 09/08/2019
- valid -

SCHEDULE A

METES AND BOUNDS DESCRIPTION OF THE PROPERTY

All the certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of the Bronx, County of the Bronx, City and State of New York, bounded and described as follows:

BEGINNING AT A POINT OF INTERSECTION WITH THE NORTHERLY SIDELINE OF ST. RAYMOND AVENUE THE WESTERLY SIDELINE OF PURDY STREET, BOTH HAVING A R.O.W. WIDTH OF 60', ALSO HAVING A N.Y.S.P.C.S.L.I. ZONE (NAD83) COORDINATE VALUE OF N: 244523.77 E: 1024756.73, THENCE;

1. WESTERLY ALONG THE NORTHERLY SIDELINE OF ST. RAYMOND AVENUE, S81°45'26"W 211.00' TO A POINT OF INTERSECTION OF THE NORTHERLY SIDELINE OF ST. RAYMOND AVENUE AND THE EASTERLY SIDELINE OF ODELL STREET, HAVING A R.O.W. WIDTH OF 60', THENCE:

2. NORTHERLY ALONG THE EASTERLY SIDELINE OF ODELL STREET, NO8°14'34"W 388.20' TO A POINT, SAID POINT ALSO BEING A POINT OF CURVATURE LEADING INTO A CUL-DE-SAC AT THE NORTHERLY END OF ODELL STREET, SAID POINT ALSO BEING THE MOST SOUTHERLY COMMON LOT CORNER OF LOT 7501, BLOCK 3943 AND LOT 55, BLOCK 3947, THENCE;

3. NORTHEASTERLY ALONG THE COMMON LOT LINE OF LOTS 7501 , BLOCK 3943, LOTS 199, BLOCK 3947 AND LOT 55, BLOCK 3947, N22°45'31"E 196.68' TO A POINT OF INTERSECTION WITH THE MOST WESTERLY COMMON LOT CORNER OF LOT 91, BLOCK 3947 AND LOT 55, BLOCK 3947, THENCE;

4. EASTERLY ALONG THE COMMON LOT LINE OF LOTS 91, 92 AND 55, BLOCK 3947, S78°58'22"E 116.22' TO A POINT IN THE WESTERLY SIDELINE OF PURDY STREET, THENCE;

5. SOUTHERLY ALONG THE WESTERLY SIDELINE OF PURDY STREET, SO8°14'34"E 518.43' TO THE POINT OF BEGINNING.

CONTAINING 106,839 SQ. FT. OR 2.453 ACRES

SCHEDULE B

SURVEY MAP OF THE PROPERTY

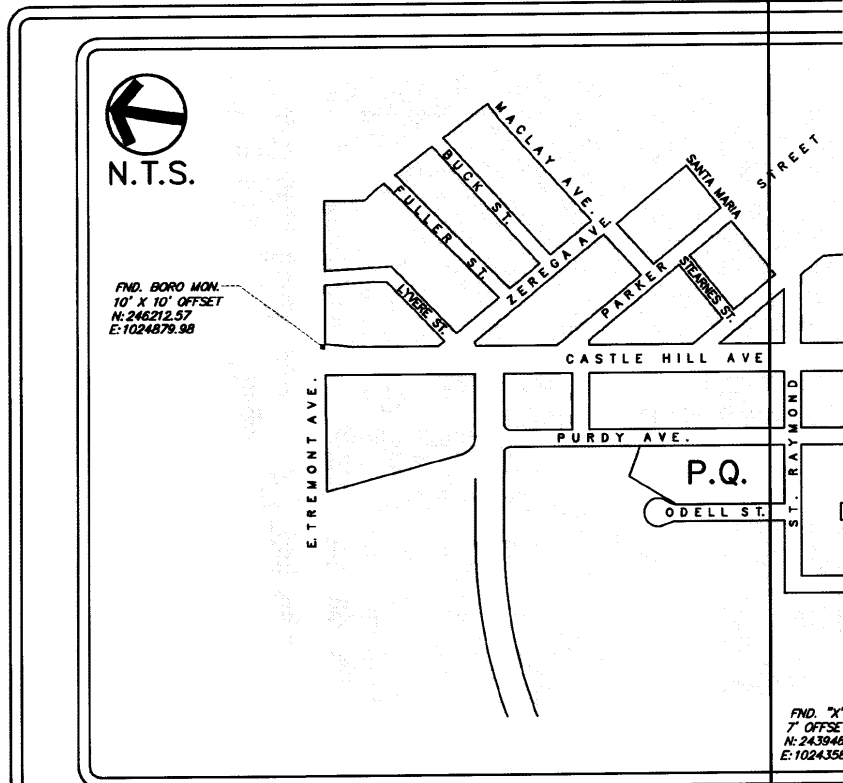
A3

B3



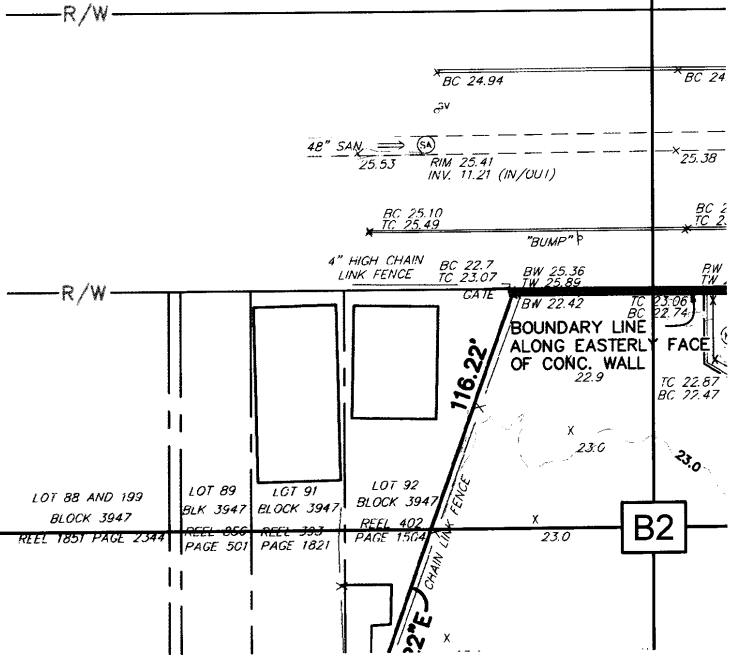
N.T.S.

FND. BORO MON.
10' X 10' OFFSET
N: 246212.57
E: 1024879.98



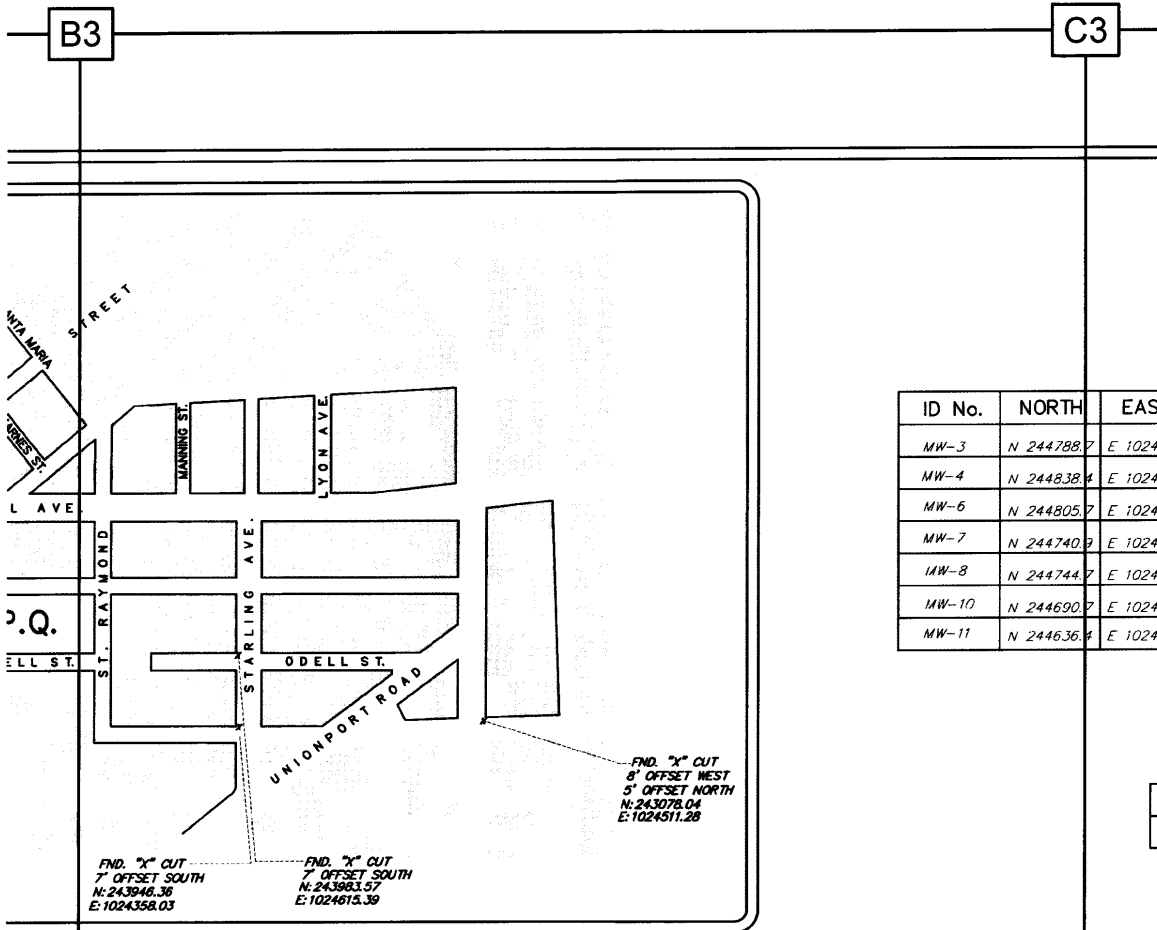
FND. "X"
7' OFFSET
N: 2433948
E: 1024356

FOUND SURVEY BOUNDAR



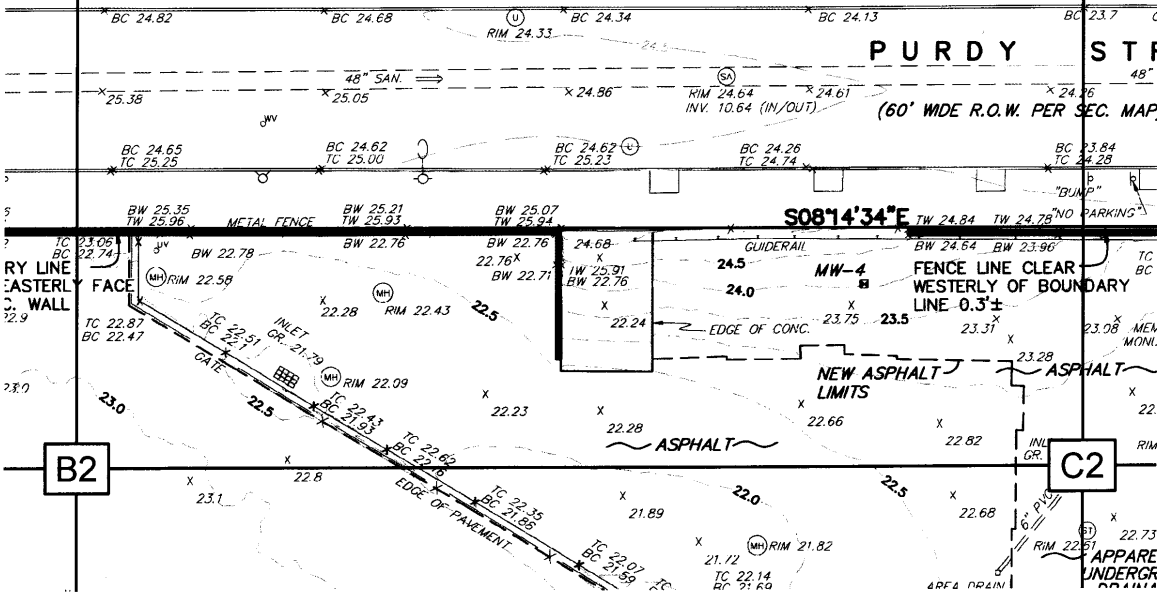
A2

B2



ID No.	NORTH	EAS
MW-3	N 244788.7	E 1024
MW-4	N 244838.4	E 1024
MW-6	N 244805.7	E 1024
MW-7	N 244740.9	E 1024
MW-8	N 244744.7	E 1024
MW-10	N 244690.7	E 1024
MW-11	N 244636.4	E 1024

BOUNDARY EVIDENCE DETAIL



C3

D3

MONITORING WELL TABLE
DATE OF SURVEY: 10/09/17

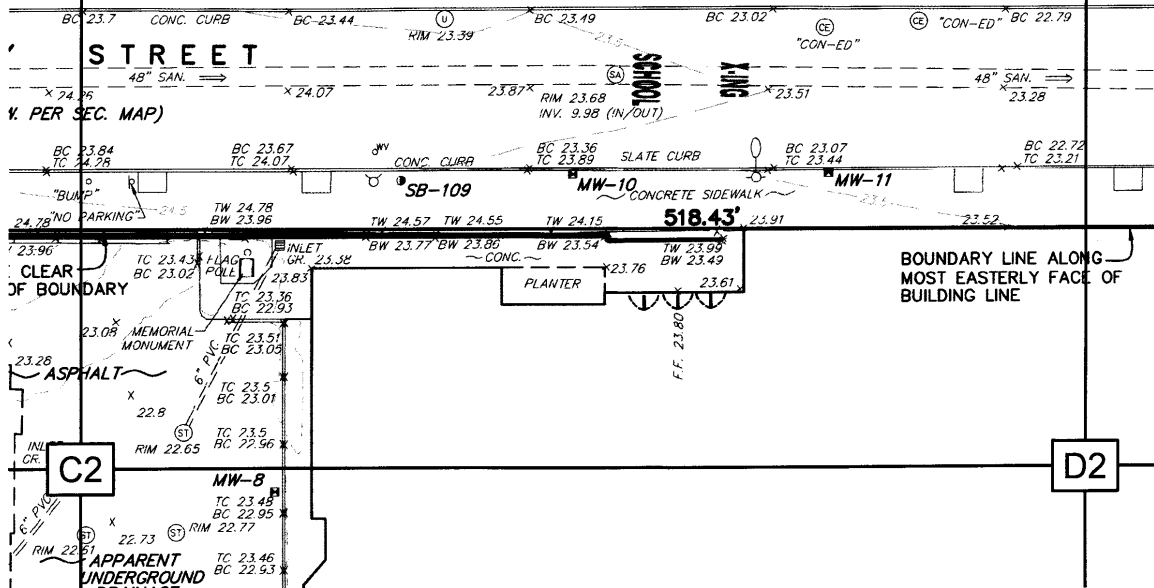
NORTH	EAST	LATITUDE	LONGITUDE	RIM ELEV.	GROUND ELEV.	P.V.C. ELEV.
√ 244788.7	E 1024522.6	40°50'18.499"	73°51'16.044"	22.96	22.96	22.67
√ 244838.4	E 1024698.8	40°50'18.986"	73°51'13.750"	24.05	24.05	23.72
√ 244805.7	E 1024594.7	40°50'18.665"	73°51'15.105"	22.71	22.71	22.39
√ 244740.9	E 1024610.8	40°50'18.025"	73°51'14.506"	22.90	22.90	22.47
√ 244744.7	E 1024667.7	40°50'18.061"	73°51'14.156"	22.99	22.99	22.27
√ 244590.7	F 1024744.5	40°50'17.527"	73°51'13.158"	23.70	23.70	23.33
√ 244536.4	E 1024752.7	40°50'16.990"	73°51'13.052"	23.30	23.30	23.03

SOIL BORINGS

DATE OF SURVEY: 10/09/17

ID No.	NORTH	EAST	ELEVATION
SB-109	N 244727.1	E 1024738.1	24.00

MASONRY SCHOOL



C2

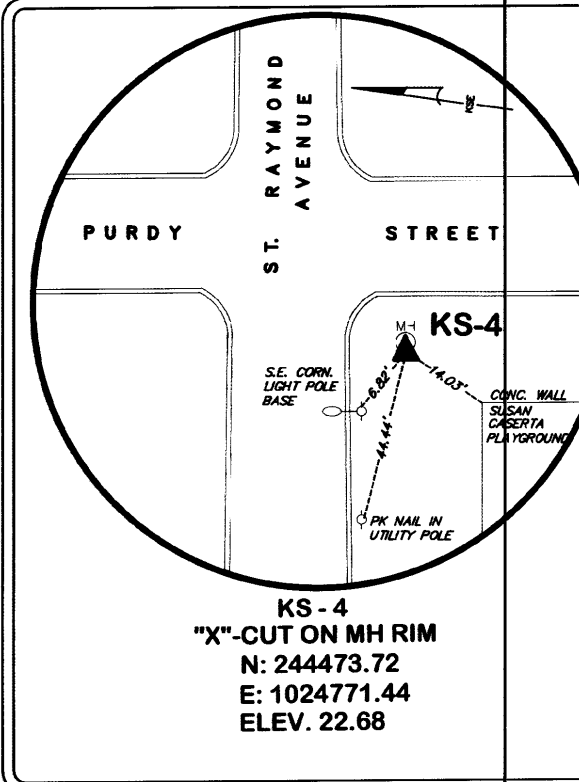
D2

D3

E3

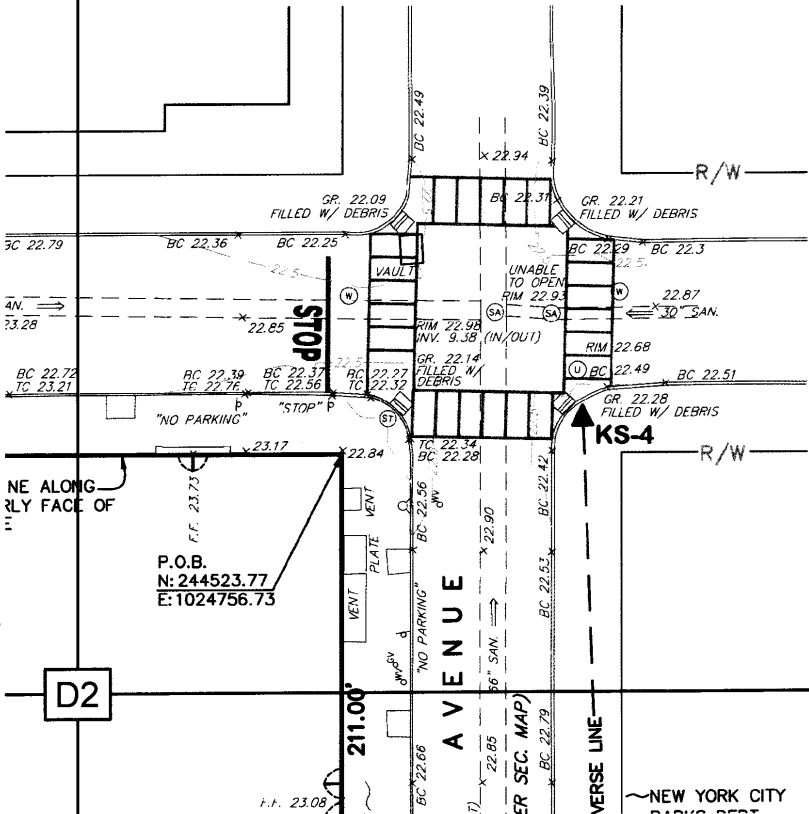


**N.Y.S.P.C.S.
L.I. ZONE
(NAD83)**



TRAIL

L



BEGINNING AT A POINT OF INTERSECTION OF THE NORTH SIDELINE OF PURDY STREET, BEING COORDINATE VALUE OF N: 24452.

1. WESTERLY ALONG THE NORTH INTERSECTION OF THE NORTHERL STREET, HAVING A R.O.W. WIDTH
2. NORTHERLY ALONG THE EASTI ALSO BEING A POINT OF CURVA SAID POINT ALSO BEING THE MO BLOCK 3947, THENCE;
3. NORTHEASTERLY ALONG THE (55, BLOCK 3947, N22°45'31"E 1E CORNER OF LOT 91, BLOCK 394;
4. EASTERLY ALONG THE COMMO IN THE WESTERLY SIDELINE OF P
5. SOUTHERLY ALONG THE WESTI

E2

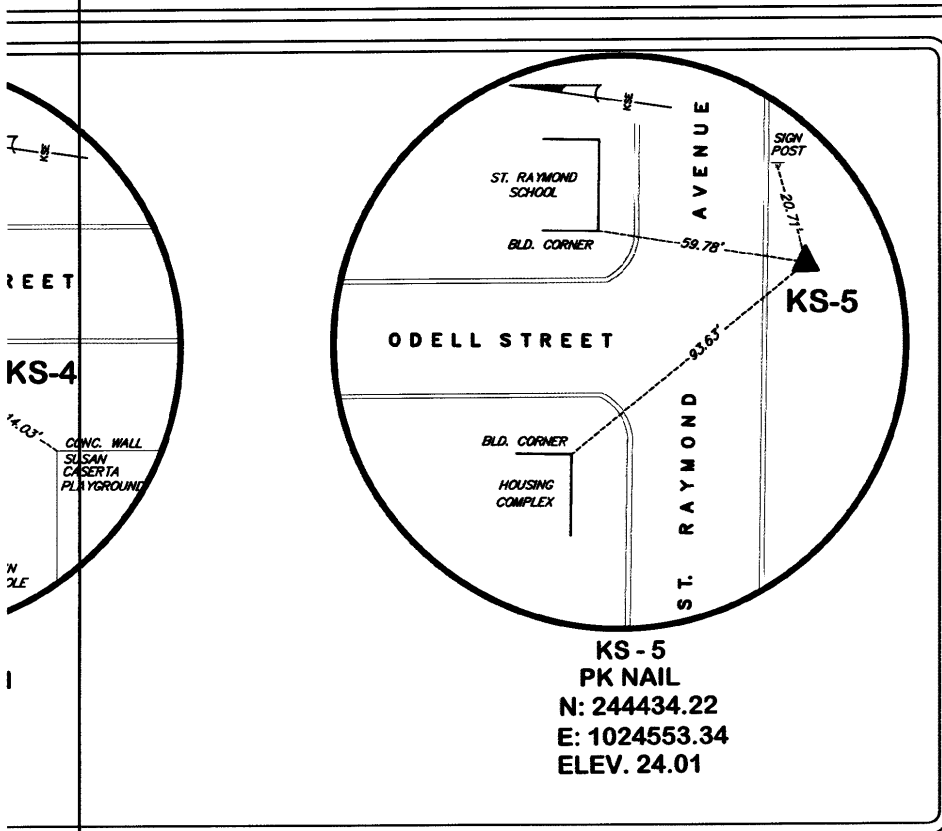
CONTAINING 106,839 SQ. FT.

D2

E2

E3

F3



TRAVERSE TIES

LEGAL DESCRIPTION

POINT OF INTERSECTION WITH THE NORTHERLY SIDELINE OF ST. RAYMOND AVENUE THE WESTERLY SIDELINE OF PURDY STREET, BOTH HAVING A R.O.W. WIDTH OF 60', ALSO HAVING A N.Y.S.P.C.S.L.I. ZONE (NAD83) COORDINATE OF N:244523.77 E:1024756.73, THENCE;

ALONG THE NORTHERLY SIDELINE OF ST. RAYMOND AVENUE, S81°45'26"W 211.00' TO A POINT OF INTERSECTION WITH THE NORTHERLY SIDELINE OF ST. RAYMOND AVENUE AND THE EASTERLY SIDELINE OF ODELL STREET, BOTH HAVING A R.O.W. WIDTH OF 60', THENCE;

ALONG THE EASTERLY SIDELINE OF ODELL STREET, N08°14'34"W 388.20' TO A POINT, SAID POINT BEING THE MOST SOUTHERLY COMMON LOT CORNER OF LOT 7501, BLOCK 3943 AND LOT 55, BLOCK 3947, THENCE;

ALONG THE COMMON LOT LINE OF LOTS 7501, BLOCK 3943, LOTS 199, BLOCK 3947 AND LOT 7, BLOCK 3947, N22°45'31"E 196.68' TO A POINT OF INTERSECTION WITH THE MOST WESTERLY COMMON LOT LINE OF LOTS 91, BLOCK 3947 AND LOT 55, BLOCK 3947, THENCE;

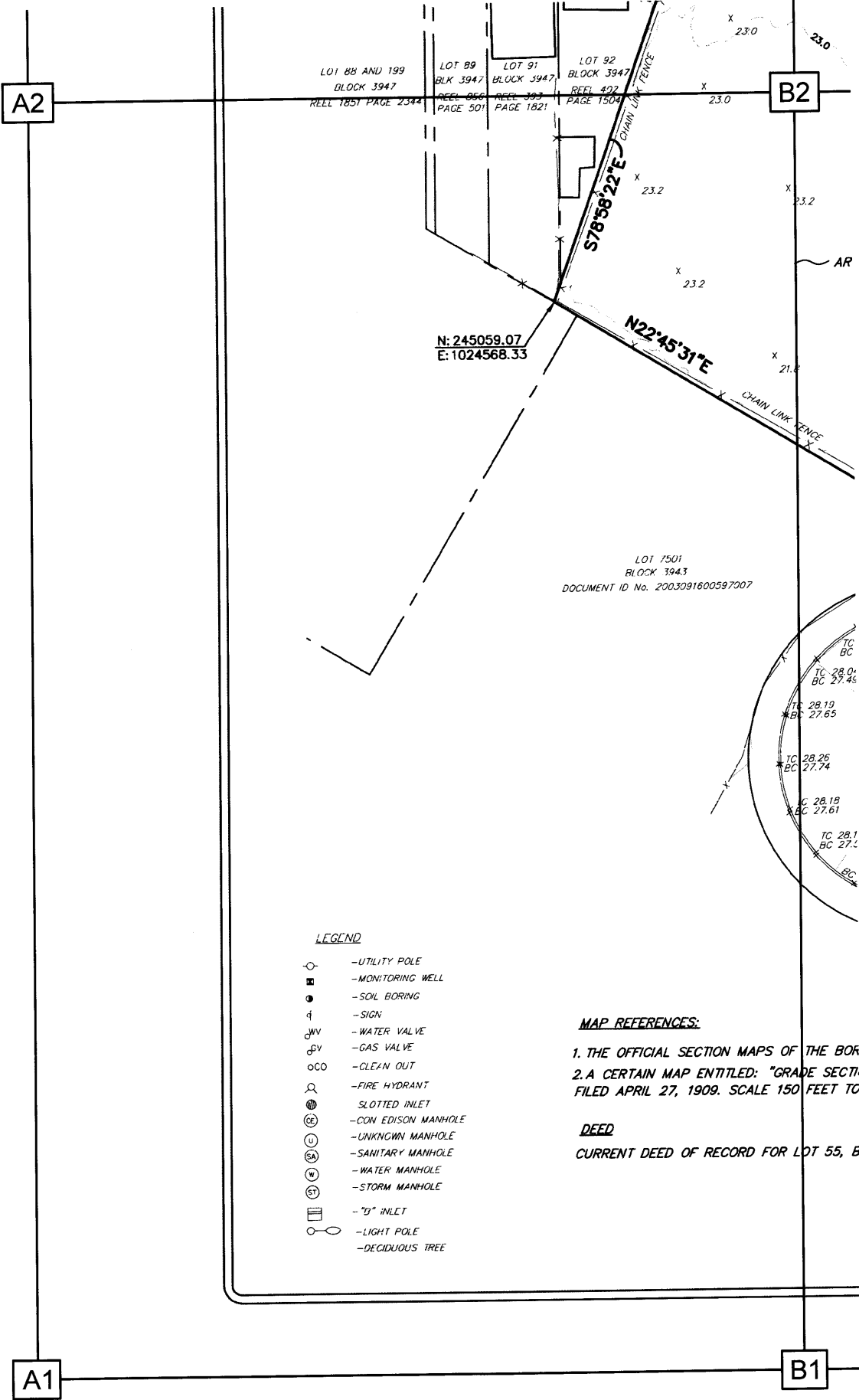
ALONG THE COMMON LOT LINE OF LOTS 91, 92 AND 55, BLOCK 3947, S78°58'22"E 116.22' TO A POINT OF INTERSECTION WITH THE WESTERLY SIDELINE OF PURDY STREET, THENCE;

ALONG THE WESTERLY SIDELINE OF PURDY STREET, S08°14'34"E 518.43' TO THE POINT OF BEGINNING.

E2

F2

106,839 SQ. FT. OR 2.453 ACRES



LEGEND

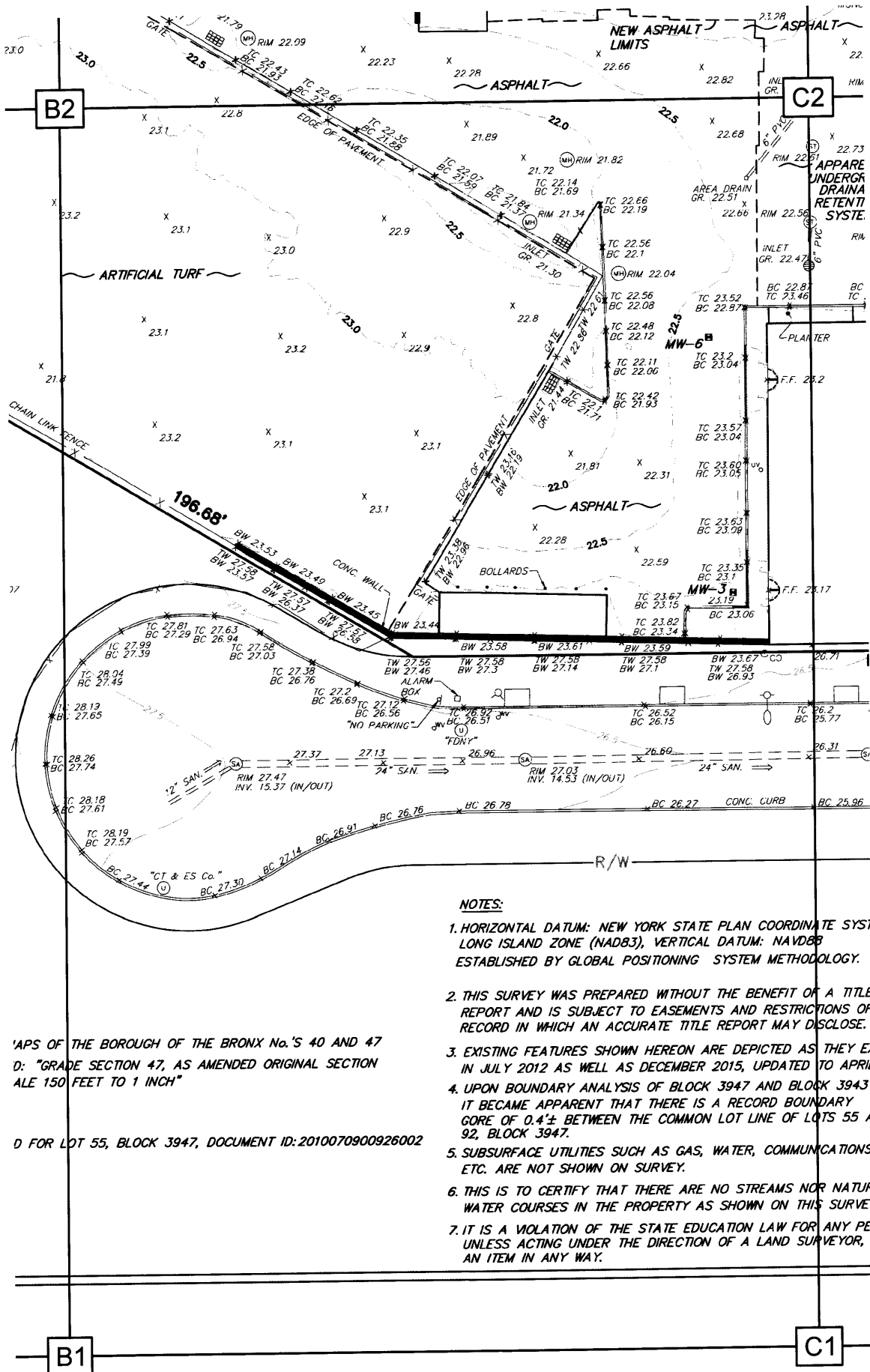
- - UTILITY POLE
- - MONITORING WELL
- - SOIL BORING
- ⋈ - SIGN
- WV - WATER VALVE
- GV - GAS VALVE
- OC - CLEAN OUT
- ⊕ - FIRE HYDRANT
- ⊖ - SLOTTED INLET
- ⊖E - CON EDISON MANHOLE
- ⊖U - UNKNOWN MANHOLE
- ⊖SA - SANITARY MANHOLE
- ⊖W - WATER MANHOLE
- ⊖ST - STORM MANHOLE
- ⊖ - "B" INLET
- - LIGHT POLE
- - DECIDUOUS TREE

MAP REFERENCES:

1. THE OFFICIAL SECTION MAPS OF THE BOR
2. A CERTAIN MAP ENTITLED: "GRADE SECTI. FILED APRIL 27, 1909. SCALE 150 FEET TC

DEED

CURRENT DEED OF RECORD FOR LOT 55, B

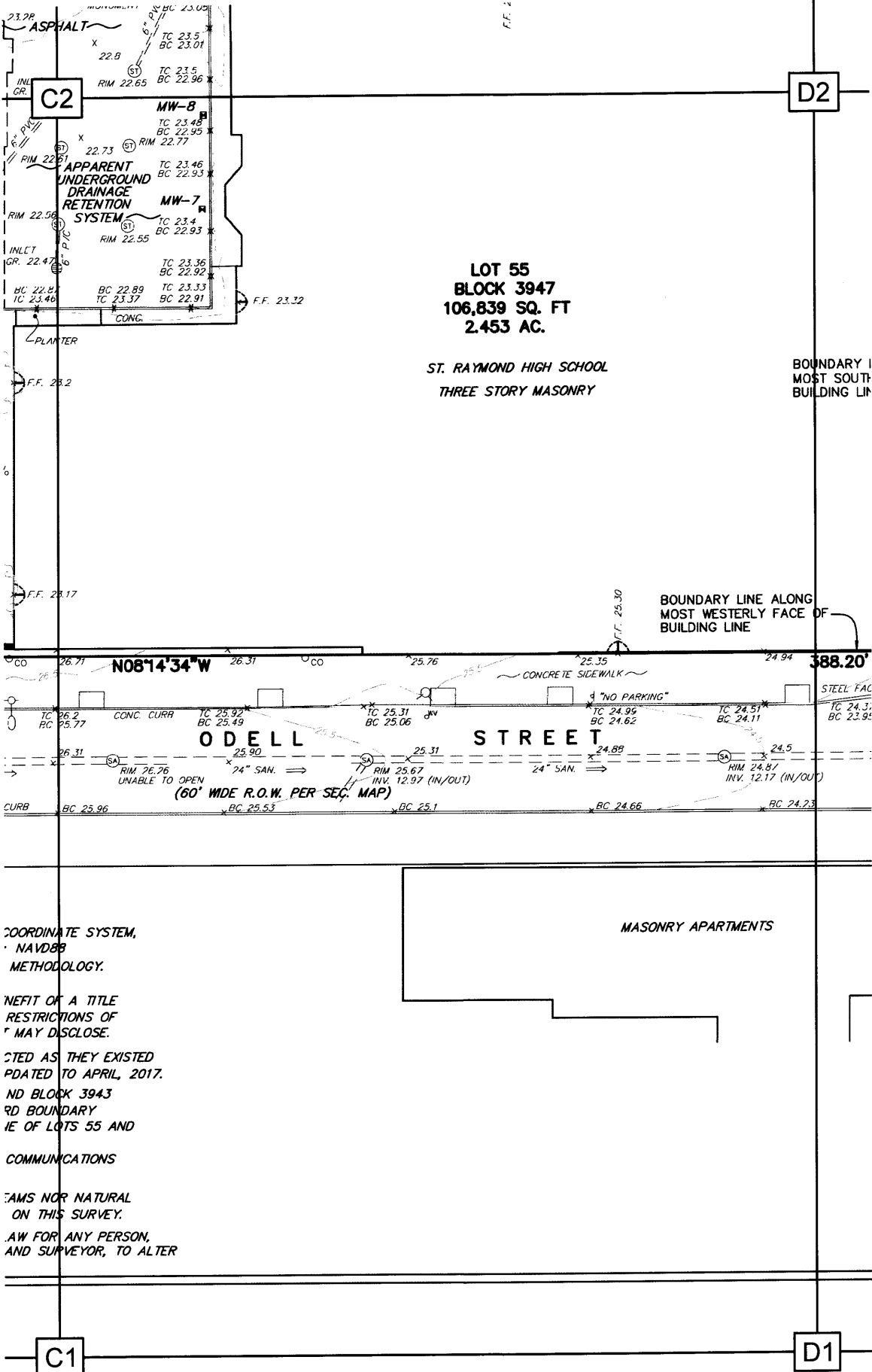


NOTES:

1. HORIZONTAL DATUM: NEW YORK STATE PLAN COORDINATE SYS LONG ISLAND ZONE (NAD83), VERTICAL DATUM: NAVD83 ESTABLISHED BY GLOBAL POSITIONING SYSTEM METHODOLOGY.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD IN WHICH AN ACCURATE TITLE REPORT MAY DISCLOSE.
3. EXISTING FEATURES SHOWN HEREON ARE DEPICTED AS THEY EXIST IN JULY 2012 AS WELL AS DECEMBER 2015, UPDATED TO APRIL 2016.
4. UPON BOUNDARY ANALYSIS OF BLOCK 3947 AND BLOCK 3943 IT BECAME APPARENT THAT THERE IS A RECORD BOUNDARY GORE OF 0.4'± BETWEEN THE COMMON LOT LINE OF LOTS 55 A 92, BLOCK 3947.
5. SUBSURFACE UTILITIES SUCH AS GAS, WATER, COMMUNICATIONS ETC. ARE NOT SHOWN ON SURVEY.
6. THIS IS TO CERTIFY THAT THERE ARE NO STREAMS NOR NATURAL WATER COURSES IN THE PROPERTY AS SHOWN ON THIS SURVEY.
7. IT IS A VIOLATION OF THE STATE EDUCATION LAW FOR ANY PERSON TO ACT AS A SURVEYOR UNLESS ACTING UNDER THE DIRECTION OF A LAND SURVEYOR, AN ITEM IN ANY WAY.

'APS OF THE BOROUGH OF THE BRONX No.'S 40 AND 47
 D: "GRADE SECTION 47, AS AMENDED ORIGINAL SECTION
 ALE 150 FEET TO 1 INCH"

D FOR LOT 55, BLOCK 3947, DOCUMENT ID:2010070900926002



LOT 55
 BLOCK 3947
 106,839 SQ. FT
 2.453 AC.

ST. RAYMOND HIGH SCHOOL
 THREE STORY MASONRY

BOUNDARY I
 MOST SOUTH
 BUILDING LIP

BOUNDARY LINE ALONG
 MOST WESTERLY FACE OF
 BUILDING LINE

ODELL STREET

MASONRY APARTMENTS

COORDINATE SYSTEM,
 NAVD83
 METHODOLOGY.

NEFIT OF A TITLE
 RESTRICTIONS OF
 MAY DISCLOSE.

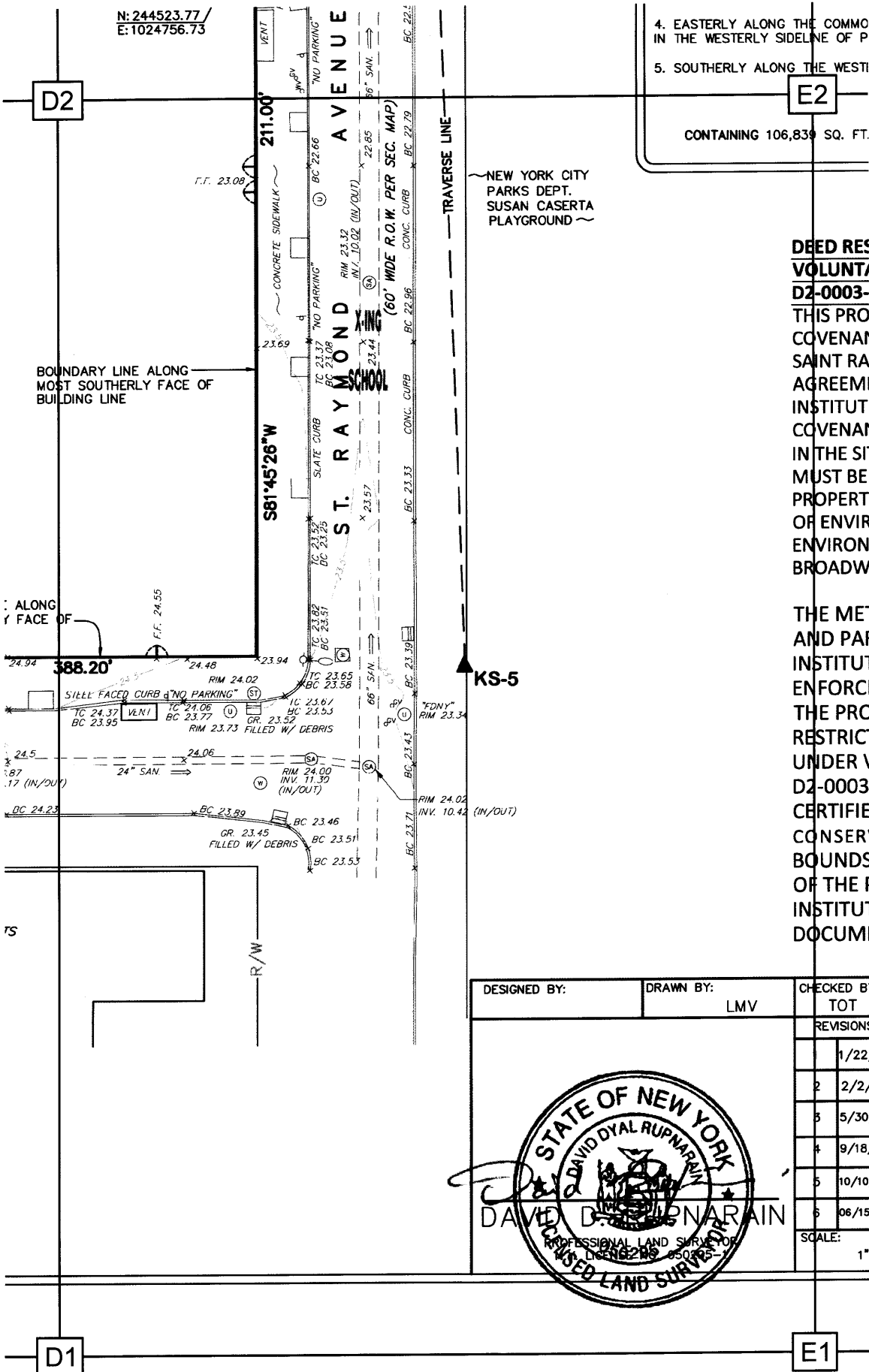
STED AS THEY EXISTED
 PDATED TO APRIL, 2017.

ND BLOCK 3943
 RD BOUNDARY
 IE OF LOTS 55 AND

COMMUNICATIONS

TAMS NOR NATURAL
 ON THIS SURVEY.
 AW FOR ANY PERSON,
 AND SURVEYOR, TO ALTER

N: 244523.77 /
E: 1024756.73



4. EASTERLY ALONG THE COMMON
IN THE WESTERLY SIDELINE OF P
5. SOUTHERLY ALONG THE WESTERLY
E2
CONTAINING 106,839 SQ. FT.

NEW YORK CITY
PARKS DEPT.
SUSAN CASERTA
PLAYGROUND

**DEED RES
VOLUNT/
D2-0003-**
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KS-5

DESIGNED BY:	DRAWN BY: LMV	CHECKED BY: TOT
		REVISIONS:
		1 1/22,
		2 2/2/
		3 5/30,
		4 9/18,
		5 10/10,
6 06/15		
SCALE:		1"

D1

E1

ONG THE COMMON LOT LINE OF LOTS 91, 92 AND 55, BLOCK 3947, S78°58'22"E 116.22' TO A POINT
Y SIDELINE OF PURDY STREET, THENCE;

ALONG THE WESTERLY SIDELINE OF PURDY STREET, S08°14'34"E 518.43' TO THE POINT OF BEGINNING.

E2


F2

106,839 SQ. FT. OR 2.453 ACRES

**DEED RESTRICTION NYSDEC SITE NO. V00557,
VOLUNTARY CLEANUP AGREEMENT SITE INDEX NO.
D2-0003-02-08**

THIS PROPERTY IS SUBJECT TO THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS EXECUTED BY CHURCH OF SAINT RAYMOND AS REQUIRED UNDER VOLUNTARY CLEANUP AGREEMENT INDEX NO. D2-0003-02-08. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS DECLARATION OF COVENANTS AND RESTRICTIONS ARE SET FORTH IN MORE DETAIL 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, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@DEC.NY.GOV

THE METES AND BOUNDS DESCRIPTION OF THE PROPERTY AND PARCEL THEREOF SUBJECT TO THE ENGINEERING AND INSTITUTIONAL CONTROLS IMPOSED AND MADE ENFORCEABLE AGAINST ALL PARTIES WITH AN INTEREST IN THE PROPERTY BY THE DECLARATION OF COVENANTS AND RESTRICTIONS EXECUTED BY CHURCH OF SAINT RAYMOND UNDER VOLUNTARY CLEANUP AGREEMENT INDEX NO. D2-0003-02-08 ARE SET FORTH ABOVE AND ARE HEREBY CERTIFIED TO THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION. EXCEPT AS NOTED, THE METES AND BOUNDS DESCRIPTION OF THE PROPERTY AND THE PARCEL OF THE PROPERTY SUBJECT TO THE ENGINEERING AND INSTITUTIONAL CONTROLS ARE BASED BRONX COUNTY DOCUMENT ID 2010070900926002.

CHECKED BY: TOT		BOUNDARY AND TOPOGRAPHIC SURVEY	
REVISIONS			
	1/22/16	ST. RAYMOND HIGH SCHOOL LOT 55, BLOCK 3947 BOROUGH OF THE BRONX , NEW YORK	
2	2/2/16		
3	5/30/17		
4	9/18/17		
5	10/10/17		
6	06/15/18		
		Engineers • Surveyors • Construction Managers 494 Broad Street, Newark, N.J. 07102 Phone: (973) 623-2999, Fax: (973) 623-2988	
		SCALE: 1"=30'	DATE: 07/13/12

IN

E1

F1