

PHASE I ENVIRONMENTAL SITE ASSESSMENT

362 West 125th Street
New York, New York 10027



Prepared for:
CURE 125th Street LLC c/o BSD Realty Worldwide, Inc.
New York, New York

September 24, 2015
Project No.: PC50818305



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September 24, 2015

Mr. Charles Glatter
Principal Broker
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Re: Phase I Environmental Site Assessment
362 West 125th Street
New York, New York 10027
Project No.: PC50818305

Dear Mr. Glatter:

CBRE, Inc., a Delaware corporation, d/b/a IVI Assessment Services ("CBRE|IVI") is pleased to submit this copy of our Phase I Environmental Site Assessment on the above-referenced property. The report was prepared solely for the use of CURE 125th Street LLC c/o BSD Realty Worldwide, Inc. and any party specifically referenced in Section 2.1. No other party shall use or rely on this report or the findings herein, without the prior written consent of CBRE|IVI.

I declare that, to the best of my professional knowledge and belief, I meet the definition of *environmental professional* as defined in § 312.10 of 40 CFR 312 and I have the specific qualifications based on education, training, and experience to assess a *property* of the nature, history, and setting of the *subject property*. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Please contact the undersigned at **(914) 740-1936** or by email at danielle.wing@cbre.com should you have any questions.

Sincerely,

CBRE | IVI Assessment Services
DRAFT

Danielle Wing
Environmental Professional

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This report documents CBRE|IVI's findings from our Phase I Environmental Site Assessment on the property located at 362 West 125th Street, New York, New York (the "Subject"). The property, which is situated in an urban area characterized by institutional, residential, and commercial development, consists of a 0.29-acre parcel improved with an approximately 113 year-old (built circa 1902), church. The Subject building was previously used as a theater. Prior to the construction of the existing improvements, the site was vacant land.

Historic information pertaining to the Subject is available as far back as 1902, at which point a Sanborn map shows the Subject as vacant land. According to permits from the NYCDOB, the existing Subject building was constructed in approximately 1902 and was used as a theater. The Subject was listed on a 1977 certificate of occupancy as a church. At the time of site reconnaissance, the Subject was the LaGree Baptist Church. .

The purpose of this Phase I Environmental Site Assessment was to assess existing site conditions and render an opinion as to the identified or potential presence of recognized environmental conditions in connection with the property within the scope and limitations of ASTM International's Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E 1527-13 and the limitations identified herein. Exceptions to or deletions from the scope of work are described in Section 2.0.

This assessment has revealed no evidence of recognized environmental conditions (RECs) in connection with the Subject except for the following:

New York City Little "E" Designation

Based on our research an "E" designation has been declared on the Subject (Block 1951 Lot 7). More specifically, an E-201 designation related to the 125th Street Corridor Rezoning and Related Actions project, of which the Subject (362 West 125th Street) is a part, has been placed on the Subject property, effective April 30, 2008. The goals of this project are to strengthen the area's continuity and maintain its unique character, increase density, encourage residential uses, increase visitors and nighttime activity, promote businesses, arts, and entertainment, create jobs, and address transportation issues. The specific designations assigned to the Subject are "Air Quality - #2 Fuel Oil or Natural Gas Heat and Hot Water", "Exhaust Stack Location Limitations," "Underground Gasoline Storage Tanks Testing Protocol," and "Window Wall Attenuation & Alternate Ventilation." Of note, these items, except for "Underground Gasoline Storage Tanks Testing Protocol," are not related to an environmental contamination condition.

By placing "E" designations on sites where there is a known or suspect environmental concern, the potential for an adverse impact to human health and the environment resulting from the proposed action would be reduced. The "E" designation provides the

impetus to identify and address environmental conditions so that significant adverse impacts during site development would be reduced. The New York City Office of Environmental Remediation (OER) and New York City Department of Environmental Protection (NYCDEP) would provide the regulatory oversight of the environmental investigation and remediation during this process. Building permits are not issued by the Department of Buildings without prior OER/NYCDEP approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements).

“Underground Gasoline Storage Tanks Testing Protocol,”

Typically, an underground gasoline storage tank protocol requirement is one that is established when it has been determined that a property was used as or is in close proximity (within 400 feet) to a gas station or some other underground fuel oil tank. This requirement was likely placed on the Subject due to the west-adjacent gasoline filling station located across Hancock Place.

The (E) designation would require that the fee owner of the sites conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the NYCDEP before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements). The (E) designation will also include a mandatory construction-related health and safety plan which must be approved by NYCDEP. The text for the (E) designation will be as follows:

Task 1

The fee owner(s) of the lot(s) restricted by this (E) designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to DEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. No sampling program may begin until written approval of a work plan and sampling protocol is received from DEP. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by DEP upon request.

Task 2

A written report with findings and a summary of the data must be presented to DEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided by DEP if the results indicate that remediation is necessary. If DEP determines that no remediation is necessary, written notice shall be given by DEP.

If remediation is necessary according to test results, a proposed remediation plan must be submitted to DEP for review and approval. The fee owner(s) of the lot(s) restricted by this (E) designation must perform such remediation as determined necessary by DEP. After completing the remediation, the fee owner(s) of the lot restricted by this (E) designation should provide proof that the work has been satisfactorily completed. A DEP-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to DEP for review and approval prior to implementation.

Inasmuch as the Subject property is scheduled for redevelopment activities, CBRE|IVI recommends that the environmental requirements relating to the “E” designation be satisfied.

Upgradient and Active Leaking Underground Storage Tank (LUST) Incident

The east-adjacent commercial building located at 285 St. Nicholas Avenue is the site of Spill No. 1304829. Said spill occurred on August 2, 2013 due to a tank test failure associated with PBS No. 2-259837. According to the case file notes, a letter regarding the tank test failure was sent on May 1, 2015 and a response was received May 18, which has yet to be reviewed. An isolation test is being scheduled. As it stands, it is unknown why the tank failed and no records of any spill of the tank’s fuel oil to the soil or groundwater was reported. Of note, the PBS records state that the tank associated with this spill was closed in place on April 22, 2014. No further information pertaining to this incident was readily available for review and therefore it is unknown if the subsurface has been impacted. As such, and based on its close proximity to the Subject, in conjunction with being at an upgradient hydrogeological position, it is unknown if this LUST incident has impacted the Subject. CBRE|IVI recommends further investigation to determine if the Subject has been impacted.

In addition, the following business environmental risks (BERs) were identified, which warrant mention:

Aboveground Storage Tank (AST)

There is No. 2 heating fuel oil AST on-site that does not appear to be registered with the New York State Department of Environmental Conservation (NYSDEC). The capacity of this AST is unknown. The tank, which is provided with secondary containment in the form of a CMU vault with a port for access, appeared to be in good condition and void of obvious leaks. The secondary containment structure appeared to be in good condition, void of breaches. Inasmuch as the Subject building is scheduled for demolition, CBRE|IVI recommends that this tank be removed according to applicable state and federal laws and be registered with the NYSDEC as having been removed.

Asbestos-Containing Material (ACM)

Based on the age of the improvements, the use of ACMs is suspected. Friable suspect ACM in the form of acoustic ceiling tile was observed in good condition throughout the Subject. In addition, significantly damaged friable pipe insulation was observed in the Subject's basement. Non-friable suspect ACM was observed in the form of plaster, wallboard assemblies, roofing materials, caulking and mastics, and resilient floor tile. The non-friable suspect ACM observed was in good to spot-damaged condition. Of importance, Sanborn maps make note of an asbestos curtain in the stage area of the Subject, which was not observed at the time of site reconnaissance. Inasmuch as demolition activities are reportedly scheduled, the potential for disturbance of the suspect and confirmed ACM is high. CBRE|IVI recommends that a comprehensive pre-demolition asbestos survey be conducted. All activities involving ACM should be conducted in accordance with governmental regulations.

Lead-Based Paint (LBP)

Since the Subject was constructed prior to the Consumer Product Safety Commission's 1978 ban on the sale of LBP to consumers and the use of LBP in residences, there is a potential that LBP may have been applied at the Subject. Testing would be required in order to determine whether LBP exists. Suspect LBP was observed in several areas in damaged condition, with noticeable peeling and flaking throughout the whole building, especially in the vacant third floor, which exhibited severe paint damage in every observed room and hallway. Inasmuch as demolition activities are reportedly scheduled, the potential for disturbance of the suspect LBP is high. CBRE|IVI recommends that all activities involving suspect LBP be conducted in accordance with HUD guidelines, as well as the OSHA Lead in Construction regulations (CFR Part 1926.62) and RCRA guidelines.

2.1 General

CBRE|IVI was retained by CURE 125th Street LLC c/o BSD Realty Worldwide, Inc. (“Client” or “User”) to prepare a Phase I Environmental Site Assessment, in conformance with ASTM International's Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E 1527-13 on the Subject in accordance with our Agreement dated September 14, 2015.

2.2 Purpose and Scope

2.2.1 Purpose

The purpose of this report is to identify Recognized Environmental Conditions in connection with the property, using the methodology recommended by ASTM International in order for a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser defenses to CERCLA liability and/or to help understand potential environmental conditions that could materially impact the operation of the business associated with the Subject. Specifically, this methodology is referred to as *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* Designation: E 1527-13.

The term Recognized Environmental Conditions (RECs) is defined by ASTM Standard E 1527-13 as “...the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.”

The term Controlled Recognized Environmental Condition (*CREC*) as defined by ASTM Standard E 1527-13 refers to a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

The term Historical Recognized Environmental Condition (*HREC*) as defined by ASTM Standard E 1527-13 refers to a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria

established by a regulatory authority, without subjecting the property to any required controls.

The term business environmental risk (BER) as defined by ASTM Standard E 1527-13 refers to a risk which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated per the ASTM standard.

2.2.2 Scope

In general, the scope of this assessment consisted of reviewing readily available information and environmental data relating to the property; interviewing readily available persons knowledgeable about the site; reviewing readily available maps, aerial photographs and records maintained by federal, state, and local regulatory agencies; and conducting a site visit.

Of importance, the client is advised that federal, state, and local laws may impose environmental assessment obligations beyond the scope of this practice. Client is also notified that there are likely to be other legal obligations with regard to hazardous substances or petroleum products discovered on the Subject that are not addressed in this practice and that may pose risks of civil and/or criminal sanctions for non-compliance.

The specific scope of this assignment included the following:

2.2.2.1 Performing a site reconnaissance to characterize on-site conditions and assess the site's location with respect to surrounding property uses and natural surface features. In addition, CBRE|IVI conducted a reconnaissance of the surrounding roads and readily accessible adjacent properties to identify obvious potential environmental conditions on neighboring properties. Photographs taken as part of the site reconnaissance are provided in Appendix A.

The site visit was conducted on September 21, 2015, by Bob Strother representing CBRE|IVI. The site was represented by Miss Dorothy Williams, Trustee. It was partly cloudy and the temperature was approximately 67° F at the time of our site survey. CBRE|IVI conducted the site reconnaissance in a systematic manner focusing initially on the exterior, which was surveyed in a grid pattern. CBRE|IVI also surveyed a

representative sampling of the interior spaces in a systematic manner.

- 2.2.2.2** Interviewing persons familiar with the property to obtain information on present and previous on-site activities potentially resulting in the environmental degradation of the site or adjoining properties. A Pre-Survey Questionnaire to be filled out and returned to CBRE|IVI by someone knowledgeable about the site was provided to the property manager. A blank copy of the Pre-Survey Questionnaire is provided in Appendix B.

The following table presents a summary of the individuals contacted or to whom requests for documentation were made as part of this assessment:

Name	Affiliation	Telephone No.
Building Information System (BIS)	New York City Department of Buildings	(212) 312-8062
Ms. Marie Dooley	New York City Department of Environmental Protection	(718) 595-6530
Mr. Fawzy Abdelsadek	New York State Department of Environmental Conservation	(718) 482-4949
Ms. Dorothy Williams	Trustee, Subject Property	(646) 522-8744

- 2.2.2.3** If provided, reviewing of information such as previously prepared appraisals, building plans and specifications, and environmental reports.
- 2.2.2.4** Reviewing readily available historical documents, such as topographic maps, aerial photographs, city directories, Sanborn Fire Insurance Maps and atlases, to identify previous activities on and in the vicinity of the Subject. Copies of these documents are included in Appendix C.
- 2.2.2.5** Reviewing readily available environmental databases maintained by federal, state, and local agencies within the approximate minimum search distances as described within the Regulatory Review Section 6.0 of this report. A copy of the Computerized Environmental Report can be referenced in Appendix D.
- 2.2.2.6** Conducting a “Tier I” (non-intrusive) Vapor Encroachment Screening (VES) on the Subject in accordance with the methodology set forth in ASTM E 2600-10 “*Standard Guide for Vapor Encroachment Screening on Property Involved in Real*

Estate Transactions". During the VES, the Area of Concern (AOC) was minimized using the methodology taught in the ASTM Screening for Vapor Encroachment onto Property Involved in Real Estate Transactions Training Course.

- 2.2.2.7** Conducting a visual survey of readily accessible common areas to identify the presence of the most obvious and common types of suspect asbestos containing materials (ACM). The basis for "suspect" determination is taken from the materials listed in Appendix G of the United States Environmental Protection Agency (USEPA) publication *Managing Asbestos in Place* (also known as the Green Book). All building materials listed within Appendix G of the Green Book are considered to be suspect ACMs at the Subject. This screening is not intended to be used for demolition, abatement, renovation, or repair work.

THIS LIMITED SURVEY IS NOT TO BE CONSTRUED AS A COMPREHENSIVE ASBESTOS SURVEY, WHICH OFTEN ENTAILS DESTRUCTIVE TESTING OR THE SURVEY OF AREAS BEHIND WALLS, ABOVE CEILINGS, IN TENANT SPACES AND IN OTHER TYPICALLY INACCESSIBLE AREAS. MOREOVER, CBRE|IVI DOES NOT WARRANT THAT ALL ACMs AT THE SUBJECT HAVE BEEN IDENTIFIED.

- 2.2.2.8** Reviewing published radon occurrence maps to determine whether the site is located in an area with a propensity for elevated radon concentrations.
- 2.2.2.9** An analysis of mold and/or mold issues was beyond the scope of this report.
- 2.2.2.10** Assessing the age of the Subject to determine whether it is predisposed to contain lead-based paint. During our walkthrough survey, CBRE|IVI noted the condition of the paint observed. Note, a compliance audit for lead paint was not conducted. NOTWITHSTANDING, THIS SCAN FOR LEAD-BASED PAINT SHOULD NOT BE CONSTRUED AS AN IN-DEPTH LEAD-BASED PAINT SURVEY.
- 2.2.2.11** Testing, if any, was designed solely to meet the requirements of the client's scope of work, not to meet any local, State or Federal regulations and shall not be utilized as such.

2.3 Data Gaps

According to § 3.2.21 of ASTM Standard E 1527-13, a data gap is a lack of or inability to obtain information required by the ASTM Standard despite good faith efforts to gather same. Data gaps may result from incompleteness in any of the activities required by the ASTM Standard. The following data gaps occurred in connection with this report:

Data Gap	Explanation	Significance of Gap
Site History	History not conducted back to a time when the site was undeveloped land (See § 5)	Low - not likely to alter Report's conclusions due to CBRE IVI's search of standard historical sources of information such as historic topographic maps, city directory abstracts, Sanborn Fire Insurance Maps, and interviews with knowledgeable individuals who were familiar with the property.
Site History	Site history not conducted in 5-year intervals (See § 5)	Low - not likely to alter Report's conclusions due to CBRE IVI's search of standard historical sources of information such as historic topographic maps, city directory abstracts, Sanborn Fire Insurance Maps, and interviews with knowledgeable individuals who were familiar with the property.
User Interview	AAI User Questionnaire not returned to CBRE IVI	Low - not likely to alter Report's conclusions
Former Owner or Operator Interview	Unable to interview former site owner or operator due to inability to locate/lack of cooperation	Low - not likely to alter Report's conclusions
Current Owner or Operator Interview	Pre-survey Questionnaire not returned to CBRE IVI	Low - not likely to alter Report's conclusions
Governmental Records	FOIAs not returned (See § 8.6)	Unknown - However, if receipt of FOIAs alters the Report's conclusion, the Client will be notified

3.0 SALIENT ASSIGNMENT INFORMATION

362 West 125th Street
New York, New York

Salient Assignment Information	
Project No.:	PC50818305
Project Name:	362 West 125th Street
Street Address:	362 West 125th Street
City, State and Zip:	New York, New York 10027
Primary Use:	Church
Year Built and Age of Improvements:	Circa 1902; Approximately 105 Years-Old
Site Area:	0.29-Acre
Building Size:	11,890 SFG
Number of Floors	Four
Number of Buildings:	One

4.1 Property Location

The Subject is located at 362 West 125th Street in New York City, New York County, New York and is identified on local tax maps as Block 1951, Lot 7. The Subject has alternate addresses at 362-370 West 125th Street/Dr. Martin Luther King Jr. Boulevard and 19-23 Hancock Place. Please refer to the Site Plan and maps provided within Appendix C.

4.2 Surrounding Land Use

The Subject is located in an urban setting characterized by institutional, residential, and commercial development. The following is a tabulation of surrounding property usage:

Direction	Adjacent Properties	Surrounding Properties
North	US Post Office (365 West 125 th Street) and Harlem Commonwealth Council (361 West 125 th Street) across West 125 th Street/Martin Luther King Jr. Boulevard.	Mixed use, residential, vacant, and institutional properties farther north.
South	Four residential buildings (350, 352, 354, 356 West 124 th Street) across Hancock Place and West 124 th Street.	Residential and mixed use properties farther south.
East	Commercial building containing \$1 Depot, McDonald’s, Chase Bank, and Hi-Lee (350 West 125 th Street) and a commercial building containing Gourmet Deli, Candy & Tobacco, Subway, and a vacant unit (281 St. Nicholas Avenue)	Mixed use, office, and light industrial properties farther east.
West	Commercial building containing City National Bank and Mt. Sinai Clinic (374 West 125 th Street), Faison Firehouse Theater (6 Hancock Place), and a vacant lot (4 Hancock Place). Across Hancock Place is a Shell gasoline filling station (123 Morningside Avenue)	A school, apartment complexes, mixed use properties, residential building, and institutional properties farther west.

The west-adjacent property across Hancock Place is a gasoline filling station. This property was listed on the Leaking Underground Storage Tank (LUST) database. Refer to Section 6.2 for further discussion.

4.3 Physical Site Setting

4.3.1 Size and Shape of Parcel

The property is irregular in shape and 0.29-acre in size.

4.3.2 Topography

The site is essentially level, however, properties to the northeast are at a higher topographic elevation. The topography of the area is best described as gently sloping. According to the United States Geological Survey (USGS) *Central Park, N.Y.- N.J. 7.5 Minute Series* topographic map, the Subject's topographic elevation is approximately 30' above mean sea level (msl).

4.3.3 Surface Waters and Wetlands

Surface Waters

There are no surface water bodies or streams on or adjacent to the Subject. The closest open surface water to the Subject is the Hudson River, which is located approximately 0.65-mile to the northwest.

Wetlands

CBRE|IVI did not observe any areas suspected to be wetlands on-site.

4.3.4 Soils, Geology and Groundwater

Soils

The soils of the area are referred to as Urban Land complex. Urban Land complex are those soils in which the soil's original structure and content have been so altered by human activities it has lost its original characteristics and is thus unidentifiable.

Geology

The bedrock at the site is Precambrian in age, approximately one billion years old, and consists of gneiss and schists that are a part of the Manhattan Prong, a portion of the Appalachian Piedmont. The older of the Manhattan Prong sequence found in central Manhattan is the Manhattan Schist which is overlain by the Hartland Formation, a granulite. Both units are of very high metamorphic grade having been metamorphosed at a great depth in the earth's crust and later thrust to the

surface during the Appalachian mountain building episode, about 350 million years ago.

During the last glacial period, ending about 12,000 to 15,000 years ago and termed the Wisconsin, a mantling of glacial drift was deposited over the older bedrock. In places the glacial deposits are unsorted till characterized by boulder to pebble-sized rocks erratically intermixed with a clay matrix, but elsewhere the deposits are sorted and stratified sand and gravel, the result of glacial outwash. The depth to bedrock is typically 20 to 30 feet below ground surface (bgs).

Groundwater

Subsurface water at the site is not used as a potable source. Groundwater in Manhattan is presumed to be degraded below potable water standards by several centuries of progressive contamination. The water table is largely contained within the Wisconsin glacial drift and would presumably follow the local topography and hence flows southeast towards the nearby East River. However, a number of now buried stream channels existed in the area prior to the existing high level of urbanization. These may provide preferred paths of flow, while subway tunnels, buried water and steam pipes, and other subsurface manmade objects may impede and redirect the natural groundwater flow. Infiltration to the watertable in the area is likely minimal due to the extensive paving and structures that cover most of the land surface in the vicinity.

Under natural, undisturbed conditions, shallow groundwater flow generally follows the topography of the land surface and on this basis, the topography suggests that groundwater flow across the site is in a northwesterly direction. However, localized conditions can alter flow direction and thus the presumed flow may not coincide with the actual in the Subject area.

4.4 Site Improvements

4.4.1 Utilities

The Subject is served with the following utilities:

Water:	New York City Department of Environmental Protection (NYCDEP)
Sanitary Sewer:	NYCDEP
Storm Sewer:	NYCDEP

Electric: Consolidated Edison (Con Ed)
Steam: Con Edison

Potable water is provided to the Subject via underground tunnels and pipes by the City of New York, which derives it from surface reservoirs in the Croton, Catskill, and Delaware watersheds.

Stormwater runoff collected by roof drains is discharged into the municipal stormwater management system.

4.4.2 Building Description

The Subject is improved with an approximately 113 year-old, four-story church. The building has a cellar featuring cast-in-place concrete and concrete masonry unit (CMU) walls, and has a cellar featuring stone rubble and brick walls with a superstructure steel beam girders and columns supporting concrete floors. Flooring typically consisted of painted concrete, but hardwood in the stage area, resilient floor tile and ceramic floor tile in the hallways, and carpet in the offices was also found. Walls consisted of painted gypsumboard or painted plaster, much of which was flaking, and ceilings were acoustical ceiling tile systems throughout most of the Subject, painted gypsumboard, and one storage room had a tin ceiling. Of note, a drop ceiling with acoustical ceiling tile was installed between the second and third-story balconies.

Exterior walls feature brick siding. The roof was divided into several parts. From north to south, it was flat, gabled, flat, and at the far south was a flat setback roof. The roofing consisted of a built up roofing system.

Heating is provided by an oil-fired boiler. Air conditioning is provided by a chilled water system with a cooling tower located in the eastern alley. Two office had window-mounted units. The Subject is not provided with vertical transportation systems.

4.5 Current Property Use

The Subject is developed with a church. The following table summarizes the site’s tenants and their activities:

Tenant	Description of Operation
Lagree Baptist Church	Religious Institution

Based on the operations currently conducted at the Subject, significant quantities of hazardous waste are not generated. The current on-site activities are not suspected to have degraded the environmental quality of the Subject site.

4.6 Environmental Permits

The following environmental permits have been issued or are required at the Subject:

Air Emissions

Based upon our research, the Subject's emissions generating equipment, the heating system for the building, is in compliance with New York City Department of Environmental Protection (NYCDEP) air emission requirements. Specifically, the Subject, identified as Lagree Baptist Church was listed under certificate number CB023912 to operate a No. 2 fuel oil boiler. Said certificate was issued on November 10, 2014 and expires on March 3, 2018.

Of note, a previous registration was found under CA529669, which is a canceled certificate to operate a No. 4 fuel oil boiler. This certificate was issued November 22, 1989 and expired July 1, 1990.

4.7 Plans and Specifications

Neither building drawings nor specifications were provided for our review.

5.1 Historical Summary

Historic information pertaining to the Subject is available as far back as 1902, at which point a Sanborn map shows the Subject as vacant land. According to permits from the NYCDOB, the existing Subject building was constructed in approximately 1902 and was used as a theater. The Subject was listed on a 1977 certificate of occupancy as a church. At the time of site reconnaissance, the Subject was the LaGree Baptist Church. .

5.2 Topographic Maps

CBRE|IVI reviewed a historic USGS *Central Park, N.Y.- N.J.* 7.5 Minute Series topographic map of the Subject area provided by EDR. The topographic map does not identify individual buildings or developments on the Subject or any surrounding properties, and identifies only landmarks as distinct structures. Nevertheless, the topographic map does not identify any industrial complexes, landfills or wetlands on or adjacent to the Subject site.

5.3 Historical Maps

Sanborn Fire Insurance Maps (Sanborn Maps)

CBRE|IVI had a search conducted for Sanborn Maps, which reference the property. The findings of this review are summarized below:

Year	Subject Property	Adjacent and Surrounding Properties
1902	The Subject lot is identified as vacant land.	Adjacent properties include vacant land to the north, vacant land to the east, residential properties and one vacant lot to the south, and apartments and a storage of window sashes building to the west. The surrounding area consists predominantly of residential property. A public school, church and bottling facility is to the north. Warehouses and a stable is to the south, and a commercial building is to the west.

1912	<p>The existing Subject structure has been developed and consists of a three-to-four-story theater with a basement. The structure takes up the entire lot, except for narrow alleys on the east and west side. The alley on the east side connects West 125th Street with Hancock Place. Of note, there is an asbestos curtain identified on stage within the Subject. A small awning is seen on West 125th Street.</p>	<p>The north-adjacent properties are now developed with residences and Oxford Garden. The east-adjacent properties are one large commercial building, identified as offices and a confectionary, and one large mixed use property. The west-adjacent properties are mixed use buildings and a wagon yard. One of the south-adjacent properties is a firehouse. New commercial and residential properties are built throughout the Subject's surroundings. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.</p>
1951	<p>The Subject is now identified as possessing a superstructure of steel beams, girders, and columns, concrete floors, and brick walls. The presumed date of construction listed on the map is 1891.</p>	<p>Oxford Garden to the north is now a store. The east adjacent property is now listed as offices and a bowling alley. To the southeast are apartments and a parking lot. A hospital has been built on a vacant lot to the South. To the west several lots have been demolished and a parking lot and a used car lot have been constructed on formerly vacant land. To the northwest the bottler is now a bronze foundry. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.</p>
1976	<p>The Subject appears similar to the previous Sanborn map reviewed.</p>	<p>Several north-adjacent stores have been razed and replaced by a post office. a gasoline filling station has been constructed on the west-adjacent parcel across Hancock Place. A whole lot to the west has been replaced by an apartment complex. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.</p>
1980	<p>The Subject appears similar to the previous Sanborn map reviewed.</p>	<p>A north-adjacent commercial property is now a YWCA. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.</p>
1985	<p>The Subject appears similar to the previous Sanborn map reviewed.</p>	<p>A south-adjacent residence has been demolished. Commercial properties to the east across St. Nicholas Avenue have been demolished. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.</p>

1988	The Subject's awning is no longer identified.	The hospital to the south is now a residential property. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.
1991	The Subject appears similar to the previous Sanborn map reviewed.	The west-adjacent properties have been demolished. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.
1993	The Subject appears similar to the previous Sanborn map reviewed.	A storage facility to the far northwest is now an auto repair facility. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.
1995	The Subject appears similar to the previous Sanborn map reviewed.	A public school to the northeast is now a residential property. Several south-adjacent residences across Hancock Place have been razed. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.
1996	The Subject appears similar to the previous Sanborn map reviewed.	The adjacent and surrounding properties appear similar to the previous Sanborn map reviewed.
2001	The Subject appears similar to the previous Sanborn map reviewed.	Several lots to the west across St Nicholas Avenue have been demolished and replaced by a large commercial building. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.
2003	The Subject appears similar to the previous Sanborn map reviewed.	The YWCA on the adjacent-north property across West 125th Street is now a commercial structure. A large commercial building has been constructed on the west-adjacent vacant lot. The south-adjacent firehouse across Hancock Place is now a commercial building. a medical center is farther south within a residential building on St Nicholas Avenue. A property to the far southeast on West 123rd Street has been demolished. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.
2004	The Subject appears similar to the previous Sanborn map reviewed.	The bronze foundry to the northwest has been razed. The razed lot to the far southeast has been developed with a commercial building. The remainder of the surrounding properties appear similar to the previous Sanborn map reviewed.

2005	The Subject appears similar to the previous Sanborn map reviewed.	The adjacent and surrounding properties appear similar to the previous Sanborn map reviewed.
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5.4 Aerial Photographs

Inasmuch as the Subject has been sufficiently covered by other standard historic information sources, aerial photographs were not consulted as part of this assessment.

5.5 Chain-of-Ownership

A copy of the Subject’s Chain-of-Title has not been provided to CBRE|IVI for review.

5.6 Previous Reports

Although requested, no previously prepared environmental reports such as Phase I or II Environmental Site Assessments, lead-based paint surveys, lead-in-water surveys, asbestos surveys or geotechnical reports were provided for our review.

5.7 City Directories

CBRE|IVI commissioned EDR to obtain a historical City Directory Abstract for the Subject, which provide tenant listings by address for every year covered by the directory service. EDR’s City Directory Abstract included a directory review for the following years: 1920, 1923, 1927, 1931, 1934, 1942, 1947, 1950, 1956, 1958, 1963, 1968, 1973, 1978, 1983, 1988, 1993, 1996, 1998, 2000, 2006, 2008, and 2013. This review yielded the following information:

Subject Site: the Subject was not identified on any city directory for the above years.

Surrounding Properties: the only properties identified on the city directories were 14, 15, 16, 17, and 18 Hancock Place. All of these listings consisted of residential uses dating back to 1920, with sporadic commercial listings, none of which were of any environmental concern.

Please refer to Appendix F for a copy of the City Directory Abstract.

5.8 Interviews

According to Ms. Dorothy Williams, a trustee of the Subject, who has been involved with the property since 1964, the Subject building was a former theater

before it was converted to its current use. She was unaware of the Subject’s use prior to the construction of the existing building.

5.9 Municipal Records

Tax Assessor Records

According to the tax assessor records reviewed, the Subject building was constructed in 1902 on a 0.29-acre parcel and was identified on local tax maps as Block 1951, Lot 7. The Subject has alternate addresses at 362-370 West 125th Street/Dr. Martin Luther King Jr Boulevard and 19-23 Hancock Place.

Building Department Records

CBRE|IVI reviewed historical information pertaining to the Subject maintained on the NYC Department of Building’s, Building Information System (BIS). Of note, a Little “E” designation for HAZMAT/NOISE/AIR was identified. Refer to Section 6.2 for further discussion.

The following relevant permits were reviewed:

Permit Number	Date	Purpose of Permit
12097590 8-01-EW FB OIL	3/5/2012	Alteration Type 2 – Fuel Burning Replace Boiler and Oil Burner
NB 58-02	1902	New Building Permit
FO 816-47	1947	Oil Burner Application
FO 1205-69	1969	Oil Burner Application
CO 77630	4/21/1977	A Certificate of Occupancy showing that the Subject consists of a three story building. The cellar was a boiler room and storage, the first floor was a church, the second floor was an accessory dining room and kitchen, and the third floor was vacant. These same conditions were observed at the time of site reconnaissance.

5.10 Internet Search

CBRE|IVI conducted a cursory internet search for the Subject’s name and address using the Google search engine on September 22, 2015. No environmentally related information was identified on the first page of the Google search results.

A copy of regulatory database information contained within a Computerized Environmental Report (CER) appears in Appendix D. The CER is a listing of sites identified on select federal and state standard source environmental databases within the approximate minimum search distance specified by ASTM Standard Practice for Environmental Site Assessments E 1527-13. CBRE|IVI reviewed each environmental database to determine if certain sites identified in the CER are suspected to represent a material negative environmental impact to the Subject. The following table lists the number of sites by regulatory database within the prescribed minimum search distance appearing in the CER.

Databases Reviewed	Approximate Minimum Search Distance (AMSD)	Number of Sites Within AMSD
Federal National Priorities List (NPL) Site List	One-Mile	1
Federal Delisted NPL Site List	One-Half Mile	0
Federal Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)	One-Half Mile	0
Federal CERCLIS No Further Remedial Action Planned (NFRAP) Sites	One-Half Mile	0
Federal Resource Conservation and Recovery Information System (RCRIS) Treatment, Storage, and Disposal (TSD) List	One-Half Mile	0
Federal RCRIS Generators List	On-Site and Adjoining Properties	9
Federal Corrective Action Tracking System (CORRACTS)	One-Mile	1
Federal Emergency Response Notification System (ERNS) List	On-Site	0
Federal Institutional/Engineering Control Registries	On-Site	0
New York and Tribal Lists of NPL Equivalent Hazardous Waste Sites Identified for Investigation and/or Remediation	One-Mile	0
New York and Tribal Lists of CERCLIS Equivalent Hazardous Waste Sites Identified for Investigation and/or Remediation	One-Half Mile	0
New York and Tribal Landfills or Solid Waste Facilities List	One-Half Mile	0
New York and Tribal Petroleum Bulk Storage Tank List	On-Site and Adjoining Properties	1

Databases Reviewed	Approximate Minimum Search Distance (AMSD)	Number of Sites Within AMSD
New York and Tribal Leaking UST/Spill List	One-Half Mile	100
New York and Tribal Institutional/Engineering Control Registries	On-Site	0
New York and Tribal Voluntary Cleanup Sites	One-Half Mile	0
New York and Tribal Brownfields Sites	One-Half Mile	1

The CER identified seven "Orphan Sites". "Orphan Sites" are those sites that could not be mapped or "geocoded" due to inadequate address information. Please refer to the CER for a list of these "Orphan Sites". CBRE|IVI attempted to locate these sites via a review of street maps, vehicular reconnaissance and/or interviews with people familiar with the area. "Orphan Sites" that were identified in this manner were analyzed in their respective regulatory database below.

A description of the databases reviewed by CBRE|IVI and an analysis of sites identified within the prescribed search area are presented below.

6.1 Federal Databases

NPL

The NPL database is a listing of the most serious uncontrolled or abandoned hazardous waste sites identified for possible long-term remedial action under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or "Superfund"). A site must be on the NPL to receive money from the Trust Fund for Remedial Action.

Analysis/Comment: The CER identified the following NPL site within the AMSD:

Property Name/ Address	Distance (Mile)	Direction	Presumed Hydrogeologic Relationship	Regulatory Status
Hudson River PCBs No Street Applicable	0.641	West-Northwest	Downgradient	Currently on the Final NPL

In 1980, Congress passed an amendment to the Clean Water Act that included the Hudson River PCB Reclamation Demonstration Project. Under this legislation, the EPA authorized a grant that would evaluate dredging alternatives for the

project. The Hudson River site was given a Final NPL status in September 1984, and is currently still on the Final NPL list.

This site is located over 1/8 mile from the Subject, which is a sufficient distance from the Subject so as not to be reasonably suspect of having impacted same. In addition, this site is located hydrogeologically downgradient from the Subject. As such, CBRE|IVI does not suspect this site of having had a significant negative environmental impact on the Subject.

Delisted NPL Site List

The EPA may delete a final NPL site if it determines that no further response is required to protect human health or the environment, under Section 300.425(e) of the National Contingency Plan (55 FR 8845, March 8, 1990). Sites that have been deleted from the NPL remain eligible for further Superfund-financed remedial action in the unlikely event that conditions in the future warrant such action. Partial deletions can also be conducted at NPL sites.

Analysis/Comment: The CER did not identify Delisted NPL sites within the AMSD.

CERCLIS

CERCLIS is the USEPA's system for tracking potential hazardous-waste sites within the Superfund program. A site's presence on CERCLIS does not imply a level of federal activity or progress at a site, nor does it indicate that hazardous conditions necessarily exist at the location. Within one year of being entered into CERCLIS, the USEPA performs a preliminary assessment of a site. Based upon the results of the preliminary assessment, the USEPA may conduct additional investigation, which could lead to a site being listed on the NPL.

Analysis/Comment: The CER did not identify CERCLA sites within the AMSD.

CERCLIS No Further Remedial Action Planned (NFRAP) Sites

As of February 1995, CERCLIS sites designated "No Further Remedial Action Planned" (NFRAP) have been removed from the CERCLIS list. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the need for the site to be placed on the NPL, or the contamination was not serious enough to warrant Federal Superfund Action or NPL consideration.

Analysis/Comment: The CER did not identify CERCLA NFRAP sites within the AMSD.

RCRIS TSD

The RCRIS TSD contains information pertaining to those facilities that treat, store, or dispose of hazardous waste. While these facilities represent some form of hazardous waste activity, they are most significant if determined to be out of compliance or to have violations.

Analysis/Comment: The CER did not identify RCRIS TSD facilities within the AMSD.

RCRIS Generators

CBRE|IVI reviewed the list of sites, which have filed notification with the USEPA in accordance with RCRA requirements. These sites include generators of hazardous waste regulated under RCRA. Under RCRA, hazardous waste generators are classified by the quantity of hazardous waste generated in a calendar month into the following categories: Large Quantity Generator (LQG), greater than 1,000 kilograms (kg); Small Quantity Generator (SQG), 100 to 1,000 kg; and Conditionally-Exempt Small Quantity Generator (CESQG), less than 100 kg. RCRA Generators, while they represent some form of hazardous waste activity, are most significant if they are determined to have Class I Violations or to be non-compliant.

Analysis/Comment: The CER identified the following RCRA Generators located within the AMSD:

Property Name/ Address	Direction	Presumed Hydrogeologic Relationship	Regulatory Status
Con Edison Service Box: 20532 362 West 125 th Street	On-Site	On-Site	RCRA Non-Generator Compliant/No Violations
Con Edison 19 Hancock Place East of Morningside	On-Site	On-Site	RCRA Non-Generator Compliant/No Violations

The Subject was identified as the site of two RCRA Non-Generators, both of which are associated with Con Edison service vaults.

Con Edison Service Box: 20532 was identified on September 19, 2013 under EPA ID: NYP004347373. No waste stream was identified. Historically, the site was

listed as a CESQG on August 19, 2013. No history of violations or inspections were identified under this listing.

Con Edison was identified on August 2, 2010 under EPA ID: NYP004212585. Historically, the site was listed as a CESQG on August 19, 2013. No historical listings, history of violations, inspections, or a waste stream were identified under this listing.

Based on the above, and the lack of spill incidents associated with the Con Edison vaults, it is not suspected that the on-site RCRA Non-Generators represent a significant negative environmental impact to the Subject.

Property Name/ Address	Direction	Presumed Hydrogeologic Relationship	Regulatory Status
Con Edison Service Box: 20524 361 West 125 th Street	North	Upgradient	RCRA Non-Generator Compliant/No Violations
Con Edison Service Box: 20749 368 West 126 th Street	North	Upgradient	RCRA Non-Generator Compliant/No Violations
Con Edison Service Box: 40788 287 St Nicholas Avenue	East	Upgradient	RCRA Non-Generator Compliant/No Violations
Con Edison Service Box: 20340 354 West 124 th Street	Southwest	Downgradient	RCRA Non-Generator Compliant/No Violations
Con Edison Service Box: 20531 382 West 125 th Street	West	Downgradient	RCRA Non-Generator Compliant/No Violations
Con Edison 25 Hancock Place East of Morningside	West	Downgradient	RCRA Non-Generator Compliant/No Violations
Con Edison 352 West 124 th Street	South	Crossgradient	RCRA-CESQG Complaint/No Violations

The seven above tabulated Con Edison service sites have been identified as RCRA CESQG and Non-Generators. Since these sites are not identified on any

additional databases indicative of an active contamination condition, CBRE|IVI does not suspect these listings to have had a negative environmental impact on the Subject. Furthermore, it should be noted that these listings are associated with Con Edison, who owns and maintains the transformer vaults. In the event of a release, spill or other incident, Con Edison would be responsible for the cleanup and remediation if necessary. Based on the above, it is not suspected that any of these site represent a significant environmental concern.

Corrective Action Tracking System (CORRACTS)

CORRACTS is a list of facilities that are found to have had hazardous waste releases and require RCRA corrective action activity, which can range from site investigations to remediation.

Analysis/Comment: The CER identified the following CORRACTS site within the AMSD:

Property Name/ Address	Distance (Mile)	Direction	Presumed Hydrogeologic Relationship	Compliance Status
Ashland Inc. 609 West 131 st Street	0.507	North- Northwest	Crossgradient	CA075LO- low corrective action priority

Ashland, Inc. is listed as a CORRACTS site with USA EPA ID No. NYD068212695. This site is located at a crossgradient hydrogeologic position with anticipated groundwater flow away from the Subject. Based on the distance and crossgradient hydrogeologic relationship, CBRE|IVI does not suspect this property to have had a negative environmental impact on the Subject.

ERNS

The ERNS is a database of notifications of oil discharges and hazardous substance releases made to the Federal government. These notifications are used by “On-Scene Coordinators” to determine an emergency response and release prevention. When a call is made to the National Response Center or one of the 10 USEPA Regions, a report is created containing all of the release information that the caller provided. This report is transferred to an appropriate agency to evaluate the need for a response and the records are electronically transferred to the ERNS database. As such, if a reported release of oil or a hazardous substance is deemed to require a response, it should also be listed in the appropriate federal or state environmental database such as CERCLIS, state equivalent CERCLIS, or state leaking underground storage tank or spills lists.

Analysis/Comment: The CER did not identify the Subject on the ERNS database.

Federal Institutional Control/Engineering Control Registries

The Federal registries contain listings of those sites which have either engineering and/or institutional controls in place. Engineering controls include various physical control devices such as fences, caps, building slabs, paved areas, liners and treatment methods to eliminate pathways for regulated substances to enter the environment or affect human health. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions (Activity and Use Limitations) are generally required as part of institutional controls.

Analysis/Comment: The CER did not identify the Subject on the Federal Institutional or Engineering Control registries.

6.2 New York State Department of Environmental Conservation (NYSDEC) and Tribal Databases**Registry of Inactive Hazardous Waste Disposal Sites (IHWDS) and Tribal NPL Equivalent State Hazardous Waste Sites (SHWS)**

The IHWDS and Tribal NPL Equivalent SHWS list is an inventory of toxic sites listed by New York and/or Tribal Environmental and Health Authorities. These sites are either under remediation, or are currently under evaluation for further action, if necessary.

Analysis/Comment: The CER did not identify IHWDS and/or Tribal NPL Equivalent Hazardous Waste sites within the AMSD.

Vapor Intrusion Legacy Site List

"Vapor intrusion" refers to the process by which volatile chemicals move from a subsurface source into the indoor air of overlying or adjacent buildings. The subsurface source can either be contaminated groundwater or contaminated soil which releases vapors into the pore spaces in the soil. Improvements in analytical techniques and knowledge gained from site investigations in New York and other states has led to an increased awareness of soil vapor as a medium of concern and of the potential for exposures from the soil vapor intrusion pathway. Based on this additional information, the NYSDEC is currently re-evaluating pre-2003 remedial decisions on IHWDS where chlorinated hydrocarbons were released to determine the possibility of vapor intrusion at the sites. The Vapor Intrusion Legacy Site List is a database of these sites.

Analysis/Comment: The CER did not identify Vapor Intrusion Legacy sites within a mile of the Subject.

New York and Tribal CERCLIS Equivalent Hazardous Waste Sites

The State HWS is an inventory of dumps, landfills, and other toxic sites listed by Environmental and Health Authorities. The Tribal NPL Equivalent HWS list is an inventory of toxic sites listed by Tribal Environmental and Health Authorities. These sites are either under remediation, or are currently under evaluation for further action, if necessary.

Analysis/Comment: The CER did not identify New York and/or Tribal CERCLIS Equivalent Hazardous Waste sites within the AMSD.

New York and/or Tribal Solid Waste Facilities (SWF) List

The SWF list is an inventory of landfills, incinerators, transfer stations, and other sites that manage solid wastes.

Analysis/Comment: The CER did not identify SWF sites within the AMSD.

Petroleum Bulk Storage (PBS) Tanks List and/or Tribal Registered Storage Tanks (RST) Facility List

The PBS Tank list is an inventory of registered liquid bulk storage tanks maintained either by the county or the NYSDEC. Inclusion of a site on the PBS Tank list does not necessarily constitute environmental contamination, but instead merely indicates the presence of registered bulk storage tanks.

Analysis/Comment: The CER identified the following PBS Tank sites within the AMSD:

Property Name/ Address	Distance	Direction	Presumed Hydrogeologic Relationship	Regulatory Status
Manhattanville 365 West 125 th Street	Adjacent	North	Crossgradient	Closed 8/16/2010

The north-adjacent post office was identified as PBS No 2-365432. This property had one 6,000-gallon No. 2 fuel oil AST that was installed January 1, 1960 and removed August 16, 2010. No spill incidents were associated with this tank. The registration for this facility expired on October 15, 2012. CBRE|IVI has no significant environmental concerns regarding this listing.

Property Name/ Address	Distance	Direction	Presumed Hydrogeologic Relationship	Regulatory Status
279-285 St Nicholas 285 St. Nicholas Avenue	Adjacent	East	Upgradient	Closed 4/22/2014 LUST Site

The east-adjacent commercial office building was identified as PBS No. 2-259837. It was formerly serviced by a 5,000-gallon No. 6 fuel oil AST that was closed in place on April 22, 2014. No install date was provided. The registration for this site expires December 19, 2017. This tank was identified on the LUST database for a tank failure that is currently under investigation. Refer to the LUST section below for further discussion.

Property Name/ Address	Distance	Direction	Presumed Hydrogeologic Relationship	Regulatory Status
Shell Service Station 117 Morningside Avenue	Adjacent	West	Downgradient	Active Closed 2/3/2003 LUST Site

The west-adjacent gasoline filling station was identified as PBS No. 2-243140. It is the site of three in-service USTs and three removed USTs. Two of the removed tanks were 2,000-gallon gasoline tanks that were installed January 1, 1974 and removed February 3, 2003. The third was a 2,000-gallon gasoline tank installed June 1, 1975 and removed February 3, 2003. Of note, according to the Spills database, during the removal of the three USTs, an additional 55-gallon tank was discovered and subsequently removed. The three newer USTs were all installed May 1, 2003 and consist of two 8,000-gallon gasoline/ethanol tanks and one 6,000-gallon diesel tank. The registration for this site expires July 7, 2017. There is a spills listing for this site for soil contamination found during the removal of the former USTs. Refer to the LUST/Spills section for further discussion.

New York Leaking Underground Storage Tanks (LUST) and Spill Lists

The LUST list is an inventory of spills and leaks, both active and inactive reported to regulatory authorities. They include stationary and non-stationary source spills reported to state and federal agencies, including remediated and contaminated leaking UST sites. The Spills list is a compilation of data collected on spills and reported to the NYSDEC pursuant to either Article 12 of the Navigation Law, or 6 NYCRR Section 595.2.

Analysis/Comment: The CER identified 100 LUST/Spill sites within the prescribed search distance. Of these, all but one have been granted a “Case Closed” status by the NYSDEC (this classification is granted to those sites that

have been remediated to the satisfaction of the NYSDEC and are not suspected to pose a significant threat to human health or the environment), ii) are located at crossgradient or downgradient hydrogeologic positions with anticipated groundwater flow away from the Subject; iii) are *de minimis* in nature; and/or iv) are located over one-eighth mile away from the Subject, and based on the general non-sensitivity of the urban setting of the Subject, are not considered to represent a significant environmental concern to the Subject. As such, CBRE|IVI does not suspect that these sites have had a significant negative environmental impact upon the Subject. The remaining listing, as well as any other Spills or LTANKS incidents taking place on or adjacent to the Subject, are explained below:

Property Name/ Address	Distance (Mile)	Direction	Presumed Hydrogeologic Relationship	Regulatory Status
Lasree Baptist Church 362 West 125 th Street	On-Site	On-Site	On-Site	Case Closed 12/3/1994

Spill No. 9411770 occurred on the Subject on December 3, 1994 when the on-site tank was overfilled by Castle Oil. Approximately 10 gallons of No. 4 fuel oil was spilled when the Subject building’s whistle alarm stopped and oil started coming out of the oil truck. A Castle Oil employee then cleaned up the spill. Based on the *de minimis* nature of the spill and the Case Closed status granted to the incident by the NYSDEC on December 3, 1994, indicating that it had been remediated to their satisfaction, it is not suspected that this historical spill listing represents a significant negative environmental impact to the Subject. Furthermore, it is stated that the spill occurred at the truck, not at the Subject’s tank. CBRE|IVI has no significant environmental concerns regarding this historical spill listing.

Property Name/ Address	Distance (Mile)	Direction	Presumed Hydrogeologic Relationship	Regulatory Status
TTF – Apartment Building 285 St Nicholas Avenue	Adjacent	East	Upgradient	LTANKS Active

The east-adjacent commercial building is the site of Spill No. 1304829. Said spill occurred on August 2, 2013 due to a tank test failure at associated with PBS No. 2-259837. According to the case file notes, a letter regarding the tank test failure was sent on May 1, 2015 and a response was received May 18, which has yet to be reviewed. An isolation test is being scheduled. As it stands, it is unknown why the tank failed and no records of any spill of the tank’s fuel oil to the soil or groundwater was reported. Of note, the PBS records state that the tank associated with this spill was closed in place on April 22, 2014. No further information

pertaining to this incident was readily available for review and therefore it is unknown if the subsurface has been impacted. As such, and based on its close proximity to the Subject, in conjunction with being at an upgradient hydrogeological position, it is unknown if this LUST incident has impacted the Subject.

Property Name/ Address	Distance (Mile)	Direction	Presumed Hydrogeologic Relationship	Regulatory Status
Wolf Amoco Station 117 Morningside Avenue	Adjacent	West	Downgradient	Case Closed 2/1/2006

Spill number 0211732 occurred on the west-adjacent gasoline filling station across Hancock Place at 117 Morningside Avenue on February 26, 2003. Contaminated soil was found when USTs were being removed from the site. A UST closure report was received on October 29, 2004 for three 2,000-gallon USTs and one 550-gallon UST. Contamination was associated with the 550-gallon tank, which was unregistered and discovered at the time of removal. Soil was excavated to the bedrock. VOCs were detected below cleanup objectives after 623 tons of soil was removed. A No Further Action status was granted on February 1, 2006 once the samples from the other three USTs came back clean. Based on the closure of this incident by the NYSDEC, indicating that it has been remediated to the DEC’s satisfaction, and the downgradient hydrogeological position this site has relative to the Subject, it is not suspected that this spill incident has had a negative environmental impact to the Subject.

Property Name/ Address	Distance (Mile)	Direction	Presumed Hydrogeologic Relationship	Regulatory Status
Spill Number 9805070 West 124 th Street / St Nicholas Avenue	Adjacent	Southeast	Upgradient	Case Closed 10/25/1998

No specific address was given for this spill, so it is possible that the southeast-adjacent building, which is located on the corner of West 124th Street and St. Nicholas Avenue, may be the site identified. Spill No. 9805070 occurred on June 23, 1998 when a caller stated that the property may have contaminated soil due to a neighbor dumping fuel oil into the sump pump. The spill was investigated and cleaned by the DEP and subsequently was granted a Case Closed status by the NYSDEC on October 25, 1998. Based on the Case Closed status, which indicates that the incident has been remediated to the satisfaction of the DEC, it is not suspected that this listing represents a significant negative environmental impact to the Subject.

New York and Tribal Institutional Control/Engineering Control Registries

According to the NYSDEC website, Institutional Controls shall mean any non-physical means of enforcing a restriction on the use of real property that limits human or environmental exposure, restricts the use of groundwater, provides notice to potential owners, operators, or members of the public, or prevents actions that would interfere with the effectiveness of a remedial program or with the effectiveness and/or integrity of operation, maintenance, or monitoring activities at or pertaining to a brownfield site.

Engineering Control shall mean any physical barrier or method employed to actively or passively contain, stabilize, or monitor hazardous waste or petroleum, restrict the movement of hazardous waste or petroleum to ensure the long-term effectiveness of a remedial program, or eliminate potential exposure pathways to hazardous waste or petroleum. Engineering controls include, but are not limited to, pavement, caps, covers, subsurface barriers, vapor barriers, slurry walls, building ventilation systems, fences, access controls, provision of alternative water supplies via connection to an existing public water supply, adding treatment technologies to such water supplies, and installing filtration devices on private water supplies.

- If an IC/EC is used as a component of a site cleanup plan, the Remedial Work Plan must include: a complete description of the IC/ECs and the mechanisms that will be used to implement, maintain, monitor, and enforce such restrictions and controls, both by the applicant and by any state and local government, and an evaluation of the reliability, viability, and costs of the long-term implementation, maintenance, monitoring, and enforcement of any IC/EC.
- Financial assurance for the long-term maintenance, monitoring, and enforcement of IC/ECs may be required.
- Any EC must be used in conjunction with an IC.
- The final remediation report must include a certification that any IC/ECs are included in an environmental easement that has been duly recorded.
- An annual certification that the IC/ECs are in place and protective of public health and the environment must be submitted to the NYSDEC.
- The NYSDEC must create, update, and maintain a data base available to the public of sites using IC/ECs.
- Any proposal for a change in site use must include an evaluation of the impacts of the change on the viability, reliability, and effectiveness of any IC/ECs.

Analysis/Comment: The CER did not identify the Subject on the New York and Tribal Institutional or Engineering Control registries.

New York and Tribal Voluntary Cleanup Program Sites

New York established its Voluntary Cleanup Program (VCP) to address the environmental, legal and financial barriers that often hinder the redevelopment and reuse of contaminated properties. New York's Voluntary Cleanup Program is a cooperative approach among the NYSDEC, lenders, developers and prospective purchasers to investigate and/or remediate contaminated sites. Under the VCP, a volunteer performs remedial activities pursuant to one or more NYSDEC approved work plans. The volunteer agrees to remediate the site to a level which is protective of public health and the environment for the present or intended use of the property. Investigation and remediation is carried out under the oversight of the NYSDEC and the New York State Department of Health (DOH) and the volunteer pays the State's oversight costs. When the volunteer completes work, a release from liability from the NYSDEC is provided with standard reservations. Once the required remedial actions have been completed, the NYSDEC issues a letter declaring that it agrees that the volunteer has met their obligations and that, barring an event triggering a reopener, the Department does not contemplate further action will need to be taken at the site. Non-PRP volunteers also receive a release that covers natural resource damages. All of the volunteer's successors and assigns (except the site's PRPs) benefit from the release given to the volunteer. The NYSDEC's release binds only itself, and does not bind private parties harmed, does not bind the State's Attorney General, the State's Comptroller, and does not bind the USEPA.

The Release is subject to the following reservations for further investigation or remediation the NYSDEC deems necessary due to:

- Off-site migration of contamination causing significant impacts if the Volunteer is a PRP;
- Environmental conditions or information related to the Site that were unknown when the Release was issued and that indicate that site conditions under the Contemplated Use are not sufficiently protective of human health and the environment;
- Failure to comply with the VCA (e.g., not completing OM&M, not paying State costs, not maintaining use restrictions, etc.);
- Fraud committed by the Volunteer in entering into or implementing the VCA;
- A release, discharge or threat thereof after the effective date of the VCA; or
- A change of use where the new use requires a lower level of residual contamination.

Analysis/Comment: The CER did not identify VCP sites within the ASMD.

New York and Tribal Brownfield Sites

According to the NYSDEC website, brownfields are abandoned, idled, or under-used properties where expansion or redevelopment is complicated by real or perceived environmental contamination. They typically are former industrial or commercial properties where operations may have resulted in environmental contamination. Brownfields often pose not only environmental, but legal and financial burdens on communities. The impediments to contaminated site redevelopment in New York are complex. The existing liability scheme may hold all owners of contaminated property liable for cleanup costs, regardless of when or how the property was acquired. The potential cost of cleanup, which may not be known for certain at the time of purchase, is also a deterrent to parties wishing to build, relocate, or expand businesses. Lenders have been reluctant to extend credit for the purchase and cleanup of contaminated sites, fearing future liability issues.

A Brownfield Cleanup Agreement (BCA) is required for all parties who wish to participate in the Brownfield Cleanup Program. By executing a BCA, an Applicant makes a commitment to undertake certain remedial activities under the NYSDEC's oversight.

Analysis/Comment: The CER identified the following Brownfield site within a one-half mile radius of the Subject:

Property Name/ Address	Distance (Mile)	Direction	Presumed Hydrogeologic Relationship	Regulatory Status
Former Shell Service Station and Parking Garage 225-237 St Nicholas Avenue	0.176	South	Crossgradient	Active

The site located at 225-237 St Nicholas Avenue to the south of the Subject, was identified under NYSDEC site code C231067 as an active brownfield. According to the database, based on investigations conducted to date, contaminants of concern at this site include volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals and polychlorinated biphenyls (PCBs) in both soil and groundwater. The contamination at this site does not pose a significant threat to human health or the environment according to the NYSDEC and NYSDOH, but may represent a soil vapor condition. Nonetheless, based on the site’s assumed crossgradient hydrogeological position, in conjunction with its distance from the Subject, CBRE|IVI does not suspect that this site has had a significant negative environmental impact on the Subject.

New York City Building Information System

The City Environmental Quality Review (CEQR) designation “E” on New York City Zoning Maps indicates that environmental requirements pertaining to potential hazardous material contamination or noise or air quality impacts have been established on one or more tax lots. These “E” designations function as indicators of the environmental review that must be conducted when the lots are developed in accordance with the regulations of the rezoned district.

New York City Zoning Resolution § 11-15 provides that the New York City Department of Buildings (NYCDOB) may not issue a building permit for work on a tax lot labeled with an “E” due to potential hazardous material contamination, if the building permit would allow: (1) a development; (2) an enlargement, extension or change of use involving a residential or community facility use; or (3) an enlargement that disturbs the soil. The NYCDOB identifies haz-mat “E” lots on its Building Information System (“BIS”).

An “E” designation for potential hazardous material contamination may be satisfied and removed from a zoning map following receipt of a report from the NYC Office of Environmental Remediation (OER) stating that the environmental requirements for the lot have been met. These requirements may include subsurface investigations and/or remediation of contamination to the satisfaction of the OER.

Analysis/Comments: Based on our review of the NYCDOB BIS and New York City Zoning Maps, an “E” designation has been declared on the Subject (Block 1951 Lot 7). More specifically, an E-201 designation related to the 125th Street Corridor Rezoning and Related Actions project, of which the Subject (362 West 125th Street) is a part, has been placed on the Subject property, effective April 30, 2008. The goals of this project are to strengthen the area’s continuity and maintain its unique character, increase density, encourage residential uses, increase visitors and nighttime activity, promote businesses, arts, and entertainment, create jobs, and address transportation issues. The specific designations assigned to the Subject are “Air Quality - #2 Fuel Oil or Natural Gas Heat and Hot Water”, “Exhaust Stack Location Limitations,” “Underground Gasoline Storage Tanks Testing Protocol,” and “Window Wall Attenuation & Alternate Ventilation.”

By placing “E” designations on sites where there is a known or suspect environmental concern, the potential for an adverse impact to human health and the environment resulting from the proposed action would be reduced. The “E” designation provides the impetus to identify and address environmental conditions so that significant adverse impacts during site development would be reduced.

The New York City Office of Environmental Remediation (OER) and New York City Department of Environmental Protection (NYCDEP) would provide the regulatory oversight of the environmental investigation and remediation during this process. Building permits are not issued by the Department of Buildings without prior OER/NYCDEP approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements).

Hazardous Materials “E” Designation:

Typically, an underground gasoline storage tank protocol requirement is one that is established when it has been determined that a property was used as or is in close proximity (within 400 feet) to a gas station or some other underground fuel oil tank. This requirement was likely placed on the Subject due to the west-adjacent gasoline filling station located across Hancock Place.

The (E) designation would require that the fee owner of the sites conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the NYCDEP before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements). The (E) designation will also include a mandatory construction-related health and safety plan which must be approved by NYCDEP. The text for the (E) designation will be as follows:

Task 1

The fee owner(s) of the lot(s) restricted by this (E) designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to DEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. No sampling program may begin until written approval of a work plan and sampling protocol is received from DEP. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by DEP upon request.

Task 2

A written report with findings and a summary of the data must be presented to DEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided by DEP if the results indicate that remediation is necessary.

If DEP determines that no remediation is necessary, written notice shall be given by DEP.

If remediation is necessary according to test results, a proposed remediation plan must be submitted to DEP for review and approval. The fee owner(s) of the lot(s) restricted by this (E) designation must perform such remediation as determined necessary by DEP. After completing the remediation, the fee owner(s) of the lot restricted by this (E) designation should provide proof that the work has been satisfactorily completed. A DEP-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to DEP for review and approval prior to implementation.

Air Quality “E” Designation:

To avoid the potential for significant adverse air quality impacts related to HVAC emissions, an (E) designation for air quality would be incorporated into the rezoning proposal for The Subject.

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 55 and 43 feet for Oil No. 4 and No. 2 from the lot lines or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Noise “E” Designation:

The Subject requires a combination of 30 dBA and 40 dBA of noise attenuation on specific façades in order to avoid the potential for significant adverse impacts related to noise. The text of the (E) designation for noise for the Subject is as follows:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 30 dBA and 40 dBA window/wall attenuation on some façades in order to maintain an interior noise level of 45 dBA. To achieve 40 dBA of building attenuation, special design features that go beyond the normal double-glazed windows are necessary and may include using specially design windows

(i.e., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.), and additional building attenuation. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

6.3 EDR Proprietary Databases

EDR Manufactured Gas Plants

This database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to the 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of wastes. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Analysis/Comment: The CER did not identify the Subject or any adjacent properties on the manufactured gas plant database.

EDR Historic Auto Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc.

Analysis/Comment: The CER identified the following two adjacent properties on the historical auto stations database.

350 West 125th Street, located east-adjacent to the Subject, was identified as All Towing Repair Solutions in 2011 and 2012. Sanborn maps, however, show the existing retail and office building as having been present since at least 1912. Furthermore, a review of Google Streetview's 2011 photographs show no auto stations on-site. As such, it is likely that this listing refers to the company's office, and not to any auto repair operations conducted at this site. Of note, this facility was listed as a RCRA site, but only due to a Con Edison vault located on-site.

355 West 124th Street, located across Hancock Place to the west, was listed on the historic auto database as 117 Morningside Avenue Service Station Incorporated in 1999 and 2000, and as BP in 2011 and 2012. Of note, this facility was a Shell gasoline filling station at the time of site reconnaissance. This property was identified on the PBS and LUST databases. Refer to the appropriate sections for further discussion.

EDR Historic Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc.

Analysis/Comment: The CER did not identify the Subject or any adjacent properties on the historical cleaners database.

7.1 Chemical Storage and Usage

With the exception of chemicals customarily used for routine building maintenance and cleaning, CBRE|IVI did not observe any hazardous chemicals stored on-site. For the most part, the maintenance chemicals are stored in the church office area. Of note, floor drains were not observed in the vicinity of the chemical storage areas. In addition, housekeeping was generally considered satisfactory. The chemicals, which are stored in their original containers, do not appear to represent an impact to the environmental quality of the site provided that they are used as intended, properly handled, and the regulations pertaining to their usage are followed.

7.2 Bulk Storage Tanks

Underground Storage Tanks (USTs)

No USTs were identified on the Subject property and no common indicators of USTs such as vent pipes, fill ports, manways, pavement cuts, fuel gauges or dispensers were observed. In addition, according to Ms. Dorothy Williams, there are no USTs on-site. Furthermore, the Subject was not identified on the New York list of registered UST facilities.

No USTs were reportedly removed, closed-in-place or abandoned at the site and no common indicators of closed tanks were observed.

Aboveground Storage Tanks (ASTs)

ASTs per the following schedule were observed:

Tank No.	Location	Capacity (Gallons)	Product	Visible Condition	Secondary Containment
1	Southwestern corner of the Subject cellar	Unknown	No. 2 Heating Fuel Oil	Good	Yes

There is No. 2 heating fuel oil AST on-site that does not appear to be registered with the NYSDEC. Documentation regarding the size and contents of the AST was not available. However, the Subject's boiler registration filed with the NYCDEP states that the heating equipment uses No. 2 fuel oil. A spill incident and an expired air emissions permit refer to No. 4 fuel oil use, so it is likely that the fuel type was converted from No. 4 to No. 2 at the time of the installation of the new boiler. Building Department permits state that the new boiler was installed in approximately March 33, 2012. The tank, which is provided with secondary containment in the form of a CMU vault with a port for access,

appeared to be in good condition and void of obvious leaks. The secondary containment structure appeared to be in good condition, void of breaches. The vent and fill port associated with this tank are located on the southern face of the Subject on Hancock Place. The vent is along the wall and the fill port is found on the sidewalk.

There is a de minimis spill incident associated with this tank, but the spilled petroleum is unlikely to have impacted the Subject. Refer to Section 6.2 for further discussion on the spill.

7.3 Site Waste and Wastewater

Solid Waste

Non-hazardous solid waste is disposed of in dumpsters and is removed from the Subject on a regular basis by the municipality. Potential sources of contamination, such as waste oil or automobile batteries, were not observed in the vicinity of the dumpsters.

Sanitary Sewage

Sanitary sewage disposal is provided by the NYCDEP. CBRE|IVI did not observe any sources of wastewater or liquid discharge into the sewer other than sanitary sewage.

Hazardous Waste

No hazardous waste was observed or reported to be generated on the Subject. Furthermore, CBRE|IVI's review of the USEPA's database of sites regulated under RCRA did not identify the Subject as a generator of hazardous waste.

7.4 Stained Soil, Stained Pavement, or Stressed Vegetation

There was no evidence of significant soil staining, stained pavement, or stressed vegetation observed on-site.

7.5 Liquid Discharges

No visible evidence of liquid discharges, suspected to represent an environmental concern were observed during our survey.

7.6 Pools of Liquid

CBRE|IVI did not observe significant standing surface water or pools containing liquids likely to be hazardous substances or petroleum products.

7.7 Pits, Ponds, or Lagoons

No pits, ponds or lagoons suspected of containing hazardous substances or petroleum products were identified on-site.

7.8 Wells

CBRE|IVI did not identify on-site dry wells, irrigation wells, injection wells, observation wells, monitoring wells, potable water wells, recovery wells or abandoned wells.

However, a single monitoring well was located on the sidewalk outside of the east-adjacent property (350 West 125th Street). The purpose of this well is unknown and based on our regulatory research, no spill incidents that would feasibly require a monitoring well on that property exists. As such, it is suspected that this well may be associated with the nearby subway line located to its east beneath St. Nicholas Avenue.

7.9 On-Site Fill

Based on our observations, other than typical engineered fill used in foundation construction, it does not appear that a significant amount of fill has been imported onto the Subject.

7.10 Drums and Containers for Storing Waste

With the exception of non-hazardous solid waste containers, CBRE|IVI did not identify containers suspected of storing waste. With respect to the non-hazardous solid waste containers, no significant environmental concerns were noted.

7.11 Floor Drains and Sumps

CBRE|IVI did not identify any floor drains or sumps that were stained, emitting foul odors, or connected to an on-site sewage disposal system, or located adjacent to chemical storage areas.

7.12 Odors

CBRE|IVI did not identify strong, pungent, or noxious odors suspected to represent an environmental concern.

7.13 Air Emissions

CBRE|IVI did not identify processes or equipment that emit noticeable vapors or fumes.

The New York City Department of Air Resources monitors the use of heating equipment to determine if their operation and emissions are in compliance with applicable requirements and provisions of the New York City Air Pollution Control Code. A Certificate of Operation is required for heating systems or hot water heaters with outputs in excess of 350,000 British Thermal Units per hour (BTUs/hr).

The New York City Department of Environmental Protection (NYCDEP) inspects and tests regulated heating systems every three years. If the system passes inspection, an air emissions Certificate of Operation is issued.

Based upon our research, the Subject's emissions generating equipment, the heating system for the building, is in compliance with New York City Department of Environmental Protection (NYCDEP) air emission requirements. Specifically, the Subject, identified as Lagree Baptist Church was listed under certificate number CB023912 to operate a No. 2 fuel oil boiler. Said certificate was issued on November 10, 2014 and expires on March 3, 2018.

Of note, a previous registration was found under CA529669, which is a canceled certificate to operate a No 4 fuel oil boiler. This certificate was issued November 22, 1989 and expired July 1, 1990.

7.14 Polychlorinated Biphenyls (PCBs)

No electrical transformers, capacitors, hydraulic systems or other potentially PCB-containing equipment were observed on-site.

7.15 Asbestos-Containing Material (ACM)

Based on the age of the improvements, the use of ACMs is suspected. Friable suspect ACM in the form of acoustic ceiling tile was observed in good condition throughout the Subject. In addition, significantly damaged friable pipe insulation was observed in the Subject's basement. Non-friable suspect ACM was observed in the form of plaster, wallboard assemblies, roofing materials, caulking and mastics, and resilient floor tile. The non-friable suspect ACM observed was in good to spot-damaged condition.

Of importance, Sanborn maps make note of an asbestos curtain in the stage area of the Subject, which was not observed at the time of site reconnaissance.

7.16 Lead-in-Drinking Water

Based on our conversations with utility personnel, the water at the Subject is not expected to contain elevated levels of lead.

7.17 Radon

Based on statistical information maintained within the New York State Department of Health (NYS DOH)'s Short Term Basement Radon Measurements by Town, dated 2014, radon concentrations in New York County average 2.12 picocuries per liter (pCi/L), which is below the 4.0 pCi/L action level established by the USEPA and places the Subject in a USEPA Radon Zone 2 (radon screening level between 2 and 4 pCi/L). Based solely on this data, it is unlikely that radon represents an environmental concern at this time.

7.18 Lead-Based Paint (LBP)

Since the Subject was constructed prior to the Consumer Product Safety Commission's 1978 ban on the sale of LBP to consumers and the use of LBP in residences, there is a potential that LBP may have been applied at the Subject. Testing would be required in order to determine whether LBP exists. Suspect LBP was observed in several areas in damaged condition, with noticeable peeling and flaking throughout the whole building, especially in the vacant third floor, which exhibited severe paint damage in every observed room and hallway.

8.1 Questionnaires

CBRE|IVI sent a Pre-Survey Questionnaire and an AAI User Questionnaire to the property manager and the User, respectively. The purpose of these questionnaires was to disclose any previous or existing hazardous waste or toxic material conditions, which may not have been apparent at the time of our site reconnaissance and to satisfy the User interview all appropriate inquiry requirements.

As of this writing, neither the property manager nor the User have returned the completed questionnaires.

8.2 User

8.2.1 Title Records

A copy of the Subject's Chain-of-Title has not been provided to CBRE|IVI for review.

8.2.2 Environmental Clean Up Liens and Activity and Use Limitations (AULs)

The User has not returned the AAI User Questionnaire.

8.2.3 Specialized Knowledge

The User has not returned the AAI User Questionnaire.

8.2.4 Relationship of Purchase Price to Fair Market Value Due to Contamination in Connection with the Subject

The User has not returned the AAI User Questionnaire.

8.2.5 Common Knowledge or Reasonably Ascertainable Information

The User has not returned the AAI User Questionnaire.

8.2.6 Purpose for Conducting the Phase I Environmental Site Assessment

The User has not returned the AAI User Questionnaire.

8.2.7 Proceedings Involving the Property

The User has not returned the AAI User Questionnaire.

8.3 Key Site Manager

8.3.1 Historic Site Use

According to Ms. Dorothy Williams, a trustee of the Subject, who has been involved with the property since 1964, the Subject building was a former theater before it was converted to its current use. She was unaware of the Subject's use prior to the construction of the existing building.

8.3.2 Proceedings Involving the Property

Ms. Williams had no knowledge of pending, threatened, or past litigation, administrative proceedings, or notices from governmental agencies regarding violations of environmental laws regarding hazardous substances or petroleum products.

8.4 Occupants

Other than Ms. Williams, no other occupants were interviewed

8.5 Past Owners

CBRE|IVI was unable to locate the site's former owner.

8.6 Local Regulatory Agency Interviews and/or File Reviews

Tax Assessor Records

According to the tax assessor records reviewed, the Subject building was constructed in 1902 on a 0.29-acre parcel and was identified on local tax maps as Block 1951, Lot 7. The Subject has alternate addresses at 362-370 West 125th Street/Dr. Martin Luther King Jr Boulevard and 19-23 Hancock Place.

Building Department Records

CBRE|IVI reviewed historical information pertaining to the Subject maintained on the NYC Department of Building's, Building Information System (BIS). Of note, a Little "E" designation for HAZMAT/NOISE/AIR was identified. Refer to Section 6.2 for further discussion.

The following relevant permits were reviewed:

Permit Number	Date	Purpose of Permit
12097590 8-01-EW FB OIL	3/5/2012	Alteration Type 2 – Fuel Burning Replace Boiler and Oil Burner
NB 58-02	1902	New Building Permit
FO 816-47	1947	Oil Burner Application
FO 1205-69	1969	Oil Burner Application
CO 77630	4/21/1977	A Certificate of Occupancy showing that the Subject consists of a three story building. The cellar was a boiler room and storage, the first floor was a church, the second floor was an accessory dining room and kitchen, and the third floor was vacant. These same conditions were observed at the time of site reconnaissance.

New York City Department of Environmental Protection (NYCDEP)

CBRE|IVI has sent a request to the NYCDEP for environmental information pertaining to the subject property. As of this writing, the NYCDEP has not responded to our request. Should receipt of a response from the NYCDEP change the conclusions of this report, the Client will be notified in writing by CBRE|IVI.

Health Department

CBRE|IVI has sent a request to the New York City Health Department for environmental information pertaining to the subject property. As of this writing, the Health Department has responded stating that they have no records of environmental significance relating to the Subject.

Department of Environmental Conservation

CBRE|IVI has sent a request to the New York State Department of Environmental Conservation (NYSDEC) for environmental information pertaining to the Subject property. As of this writing, the NYSDEC has not responded to our request. Should receipt of a response from the NYSDEC change the conclusions of this report, the Client will be notified in writing by CBRE|IVI.

Department of Planning and Zoning

Review of available zoning records maintained by the New York City Department of Planning’s online Zoning & Land Use Application (ZoLa) indicates that the

Subject is currently zoned C4-4D, a regional commercial center located outside the central business districts. The Subject is also within the Special 125th Street District, designed to support the development of Harlem's arts/entertainment and regional business.

Fire Department Records

CBRE|IVI did not send a request to the Fire Department of the City of New York (FDNY) as based on our experience with this agency, the information is not reasonably ascertainable, as the response time exceeds 20 calendar days and typically extends 4-6 weeks from acknowledgement of receipt of the request. However, potential tank information was requested from additional regulatory authorities (NYSDEC) under a separate FOIA and were viewed on-line via the NYSDEC database website as well as the NYC Office of Environmental Remediation (OER) Searchable Property Environmental E-Database (SPEED). Additionally, CBRE|IVI reviewed historical Sanborn maps for evidence of petroleum or chemical storage tanks on-site.

CBRE|IVI conducted a “Tier I” (non-intrusive) Vapor Encroachment Screening (VES) on the Subject in accordance with the methodology set forth in ASTM E 2600-10 “*Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*”. During the VES, the Area of Concern (AOC) was minimized using the methodology taught in the ASTM Screening for Vapor Encroachment onto Property Involved in Real Estate Transactions Training Course. The purpose of the Tier I VES is to conduct an initial screen to identify, to the extent feasible, the potential for a vapor encroachment condition (VEC) in connection with the Subject with respect to chemicals of concern that may migrate as vapors into the subsurface of the Subject as a result of contaminated soil and groundwater on or near the property.

This VES utilized readily available data sources previously discussed in this Phase I ESA to include the type of soils, geology and groundwater characteristics of the Subject area (refer to Section 4.3) as well as known or potentially contaminated sites as identified on Federal, State, tribal and local databases. CBRE|IVI also utilized previously discussed standard historical sources of information to identify potential historical sources of contamination on the Subject and surrounding properties which may be indicative of a VEC. This data collection and analysis was coupled with our site reconnaissance of the Subject and surrounding properties. Based upon the results of our data collection, reconnaissance and analysis, a summary of our Tier I VES findings is presented in the table below:

Potential for Vapor Encroachment to Impact the Subject	
Area of Concern	Conclusion
Subject Property Operations or Existing Conditions	None identified (Refer to Sections 4.0 Site Description and 7.0 Site Reconnaissance)
Historical Uses of the Subject Property	None identified (Refer to Section 5.0 Historical Use)
Adjoining Property Operations or Existing Conditions	None identified (Refer to Section 4.2 Surrounding Land Use)
Historical Uses of Adjoining Properties or Nearby Properties	None identified (Refer to Section 5.0 Historical Use)
Regulatory Review of sites identified on Federal, State, tribal and Local Environmental Databases which were located in Approximate Minimum Search Distance (AMSD)	Several identified (Detailed within Section 6.0 Regulatory Review), one of concern.

The east-adjacent commercial building located at 285 St. Nicholas Avenue is the site of Spill No. 1304829. Said spill occurred on August 2, 2013 due to a tank test failure associated with PBS No. 2-259837. According to the case file notes, a letter regarding the tank test failure was sent on May 1, 2015 and a response was received May 18, which has yet to be reviewed. An isolation test is being scheduled. As it stands, it is unknown why the tank failed and no records of any spill of the tank’s fuel oil to the soil or groundwater was reported. Of note, the PBS records state that the tank associated with this spill was closed in place on April 22, 2014. No further information pertaining to this

incident was readily available for review and therefore it is unknown if the subsurface has been impacted. As such, and based on its close proximity to the Subject, in conjunction with being at an upgradient hydrogeological position, it is unknown if this LUST incident has impacted the Subject. As such, a VEC cannot be ruled out.

Several additional impacted properties were identified in CBRE|IVI's regulatory database review. However, based upon hydrogeology, groundwater flow direction and the furthest known extents of the contamination, none of these properties are suspected of having petroleum or chemical contaminant plumes that would be identified as a VEC and as such, a VEC can be ruled out for these properties.

CBRE|IVI has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Standard Practice E1527-13 of the property located at 362 West 125th Street, New York, New York. Any exceptions to, or deletions from, the standard practice are described within Section 2.0 of this report.

This assessment has revealed no evidence of RECs in connection with the Subject except for the following:

New York City Little “E” Designation

Based on our research an “E” designation has been declared on the Subject (Block 1951 Lot 7). More specifically, an E-201 designation related to the 125th Street Corridor Rezoning and Related Actions project, of which the Subject (362 West 125th Street) is a part, has been placed on the Subject property, effective April 30, 2008. The goals of this project are to strengthen the area’s continuity and maintain its unique character, increase density, encourage residential uses, increase visitors and nighttime activity, promote businesses, arts, and entertainment, create jobs, and address transportation issues. The specific designations assigned to the Subject are “Air Quality - #2 Fuel Oil or Natural Gas Heat and Hot Water,” “Exhaust Stack Location Limitations,” “Underground Gasoline Storage Tanks Testing Protocol,” and “Window Wall Attenuation & Alternate Ventilation.” Of note, these items, except for “Underground Gasoline Storage Tanks Testing Protocol,” are not related to an environmental contamination condition.

By placing “E” designations on sites where there is a known or suspect environmental concern, the potential for an adverse impact to human health and the environment resulting from the proposed action would be reduced. The “E” designation provides the impetus to identify and address environmental conditions so that significant adverse impacts during site development would be reduced. The New York City Office of Environmental Remediation (OER) and New York City Department of Environmental Protection (NYCDEP) would provide the regulatory oversight of the environmental investigation and remediation during this process. Building permits are not issued by the Department of Buildings without prior OER/NYCDEP approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements).

“Underground Gasoline Storage Tanks Testing Protocol,”

Typically, an underground gasoline storage tank protocol requirement is one that is established when it has been determined that a property was used as or is in close proximity (within 400 feet) to a gas station or some other underground fuel oil tank. This requirement was likely placed on the Subject due to the west-adjacent gasoline filling station located across Hancock Place.

The (E) designation would require that the fee owner of the sites conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the NYCDEP before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements). The (E) designation will also include a mandatory construction-related health and safety plan which must be approved by NYCDEP. The text for the (E) designation will be as follows:

Task 1

The fee owner(s) of the lot(s) restricted by this (E) designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to DEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. No sampling program may begin until written approval of a work plan and sampling protocol is received from DEP. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by DEP upon request.

Task 2

A written report with findings and a summary of the data must be presented to DEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided by DEP if the results indicate that remediation is necessary. If DEP determines that no remediation is necessary, written notice shall be given by DEP.

If remediation is necessary according to test results, a proposed remediation plan must be submitted to DEP for review and approval. The fee owner(s) of the lot(s) restricted by this (E) designation must perform such remediation as determined necessary by DEP. After completing the remediation, the fee owner(s) of the lot restricted by this (E) designation should provide proof that the work has been satisfactorily completed. A DEP-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to DEP for review and approval prior to implementation.

Inasmuch as the Subject property is scheduled for redevelopment activities, CBRE|IVI recommends that the environmental requirements relating to the “E” designation be satisfied.

Upgradient and Active Leaking Underground Storage Tank (LUST) Incident

The east-adjacent commercial building located at 285 St. Nicholas Avenue is the site of Spill No. 1304829. Said spill occurred on August 2, 2013 due to a tank test failure associated with PBS No. 2-259837. According to the case file notes, a letter regarding the tank test failure was sent on May 1, 2015 and a response was received May 18, which has yet to be reviewed. An isolation test is being scheduled. As it stands, it is unknown why the tank failed and no records of any spill of the tank’s fuel oil to the soil or groundwater was reported. Of note, the PBS records state that the tank associated with this spill was closed in place on April 22, 2014. No further information pertaining to this incident was readily available for review and therefore it is unknown if the subsurface has been impacted. As such, and based on its close proximity to the Subject, in conjunction with being at an upgradient hydrogeological position, it is unknown if this LUST incident has impacted the Subject. CBRE|IVI recommends further investigation to determine if the Subject has been impacted.

In addition, the following BERs were identified, which warrant mention:

Aboveground Storage Tank (AST)

There is No. 2 heating fuel oil AST on-site that does not appear to be registered with the New York State Department of Environmental Conservation (NYSDEC). The capacity of this AST is unknown. The tank, which is provided with secondary containment in the form of a CMU vault with a port for access, appeared to be in good condition and void of obvious leaks. The secondary containment structure appeared to be in good condition, void of breaches. Inasmuch as the Subject building is scheduled for demolition, CBRE|IVI recommends that this tank be removed according to applicable state and federal laws and be registered with the NYSDEC as having been removed.

Asbestos-Containing Material (ACM)

Based on the age of the improvements, the use of ACMs is suspected. Friable suspect ACM in the form of acoustic ceiling tile was observed in good condition throughout the Subject. In addition, significantly damaged friable pipe insulation was observed in the Subject’s basement. Non-friable suspect ACM was observed in the form of plaster, wallboard assemblies, roofing materials, caulking and mastics, and resilient floor tile. The non-friable suspect ACM observed was in good to spot-damaged condition. Of importance, Sanborn maps make note of an asbestos curtain in the stage area of the Subject, which was not observed at the time of site reconnaissance. Inasmuch as demolition activities are reportedly scheduled, the potential for disturbance of the suspect

and confirmed ACM is high. CBRE|IVI recommends that a comprehensive pre-demolition asbestos survey be conducted. All activities involving ACM should be conducted in accordance with governmental regulations.

Lead-Based Paint (LBP)

Since the Subject was constructed prior to the Consumer Product Safety Commission's 1978 ban on the sale of LBP to consumers and the use of LBP in residences, there is a potential that LBP may have been applied at the Subject. Testing would be required in order to determine whether LBP exists. Suspect LBP was observed in several areas in damaged condition, with noticeable peeling and flaking throughout the whole building, especially in the vacant third floor, which exhibited severe paint damage in every observed room and hallway. Inasmuch as demolition activities are reportedly scheduled, the potential for disturbance of the suspect LBP is high. CBRE|IVI recommends that all activities involving suspect LBP be conducted in accordance with HUD guidelines, as well as the OSHA Lead in Construction regulations (CFR Part 1926.62) and RCRA guidelines.

- 11.1** This report has been prepared in compliance with the ASTM standard entitled “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process” E1527-13.
- 11.2** The observations described in this report were made under the conditions stated herein. The conclusions presented in the report were based solely upon the services described therein, and not on scientific tasks or procedures beyond the scope of described services within the constraints imposed by the client. The work described in this report was carried out in accordance with the Terms and Conditions of the contract.
- 11.3** In preparing this report, CBRE|IVI has relied on certain information provided by federal, state, and local officials and other parties referenced therein, and on information contained in the files of governmental agencies, that were readily available to CBRE|IVI at the time of this assessment. Although there may have been some degree of overlap in the information provided by these various sources, CBRE|IVI did not attempt to independently verify the accuracy or completeness of all information reviewed or received during the course of this site assessment. Observations were made of the site and of the structures on the site as indicated in this report. Where access to portions of the site or to structures on the site was unavailable or limited, CBRE|IVI renders no opinion as to the presence of direct or indirect evidence relating to petroleum substances, hazardous substances, or both, in that portion of the site and structure. In addition, CBRE|IVI renders no opinion as to the presence of indirect evidence relating to hazardous material or oil, where direct observation of the ground surface, interior walls, floors, ceiling or a structure is obstructed by objects or materials, including snow, covering on or over these surfaces.
- 11.4** As part of this assessment, CBRE|IVI submitted requests for information via the Freedom of Information Act (FOIA) to various governmental agencies. As of the preparation of this report these requests may not have been fulfilled. The conclusions of this report are subject to change upon receipt of a response from these FOIA requests.
- 11.5** CBRE|IVI does not represent that the site referred to herein contains no petroleum or hazardous or toxic substances or other conditions beyond those observed by CBRE|IVI during the site walkthrough.
- 11.6** CBRE|IVI has produced this document under an agreement between CBRE|IVI and CURE 125th Street LLC c/o BSD Realty Worldwide, Inc. All terms and conditions of that agreement are included within this document by reference. Any reliance upon this document, or upon CBRE|IVI’s performance of services in preparing this document, is conditioned upon the relying party’s acceptance and acknowledgement of the limitations, qualifications, terms, conditions and indemnities set forth in that agreement, and property ownership/management disclosure limitations, if any. It is not to be relied upon by any party other than CURE 125th Street LLC c/o BSD Realty Worldwide, Inc. nor used for any purpose other than that specifically stated in our Agreement or within this Report’s Introduction section without CBRE|IVI’s advance and express written consent. The Phase I report is only valid if completed within 180 days of an acquisition or the transaction necessitating the report.
- 11.7 TIME LIMITATION TO ENACT CLAIM AGAINST CBRE|IVI** If in the opinion of the client, or any third party claiming reliance on CBRE|IVI’s report or services, that CBRE|IVI was negligent or in breach of contract, such aforementioned parties shall have one year from the date of CBRE|IVI’s site visit to make a claim.

- 11.8** Unless specifically identified within Section 2, Chinese drywall, indoor air quality and any other non-ASTM scope issues as identified in ASTM E1527-13, Section 13.1.5, are excluded from the scope of this assessment.