



OFFICE OF ENVIRONMENTAL REMEDIATION
100 Gold Street – 2nd Floor
New York, New York 10038

Daniel Walsh, Ph.D.
Director
Tel: (212) 788-8841
Fax: (212) 788-2941

June 6, 2014

Azimuth Development Group, LLC
303 East 83rd Street, 29J
New York, NY 10028
Attention: Guido Subotovsty

Re: Notice of Completion
Morris Court Apartments
250 East 144th Street “Bldg. A” / 253 East 142nd Street
“Bldg. B”
Bronx, New York 10451
OER Site Number: 12CVCP059X

Dear Mr. Subotovsty,

The New York City Office of Environmental Remediation (OER) is pleased to inform you that the Remedial Action Report for the above site is hereby approved, allowing the Notice of Completion (NOC) to be issued for the site. Enclosed please find one original Notice of Completion, the issuance date of which is June 6, 2014.

If you have any questions regarding this, please contact Ms. Shana Holberton at (212)788-3220.

Sincerely,

Shaminder Chawla
Deputy Director

Cc:
Dan Walsh
Shana Holberton



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NOTICE OF COMPLETION

June 6, 2014

Notice Holder(s): Azimuth Development Group, LLC
303 East 83rd Street, 29J
New York, NY 10028
Attention: Guido Subotovsky

Site Information: Site Name: Morris Court Apartments
Site Owner: Azimuth Development Group, LLC
Street Address: 250 East 144th Street “Bldg. A” / 253 East 142nd Street
“Bldg. B” Bronx, New York 10451
Block: 2334 Lots: 38, 39, 40, 41, 43, 45 & 59 (Tentative Lot Merger -
Pending)
OER Site Number: 12CVCP059X

Site Description: The Site was previously occupied by a paved automobile parking garage. Redevelopment of the Site consisted of the demolition of the parking garage and construction of two (2) new adjoining six (6)-story buildings with below grade parking, first floor residential and commercial space, and five (5) floors of residential units. The second floor will contain above grade exterior recreational areas in the center of the building. Approximately 23,037 tons of soil were excavated and disposed of off-site. Remediation of this site includes installation of vapor barrier.

**Date of Voluntary
Cleanup Agreement:** January 25, 2013

Notice Issuance

This Notice of Completion, hereinafter referred to as the “Notice,” is issued pursuant to Chapter 9 of Title 24 of the Administrative Code of the City of New York.

This Notice has been issued upon satisfaction of the Director, following review by the Office of the Remedial Action Report, data submitted pursuant to the Voluntary Cleanup Agreement, and other relevant information regarding the Site, that the remediation requirements set forth Section 1407 of Title 43 of the Rules of the City of New York have been achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses:

- Unrestricted Use (Track 1)
- Restricted Use (Tracks 4): *[If restricted use, check one of following]*
 - Residential
 - Restricted Residential
 - Commercial
 - Industrial

Liability Limitation

Upon issuance of this Notice of Completion, and subject to the terms and conditions set forth herein, the Notice holder(s) shall be entitled to the liability limitation provided in Section 906 of Title 24 of the administrative code of the City of New York. The liability limitation shall run with the land, extending to the Notice holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in Section 906 of Title 24 of the administrative code of the City of New York, and any other applicable provision of law.

In accordance with a Memorandum of Agreement between the New York State Department of Environmental Conservation (NYSDEC) and the New York City Mayor's Office of Environmental Remediation dated July 10, 2012, NYSDEC agrees that this Site is of no further interest, and it does not plan or anticipate taking administrative or judicial action with regard to the property.

Notice of Transferability

This Notice may be transferred to the Notice holder's successors or assigns upon transfer or sale of the Site as provided by section 906(c) of the administrative code of the City of New York.

Notice Modification/Revocation

This Notice of Completion may be modified or revoked by the Director following notice in accordance with Section 43-1408(f) of the Rules of the City of New York upon a finding that:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the City Voluntary Cleanup Agreement;
- (2) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Voluntary Site Cleanup Agreement were reached; or
- (3) there is good cause for such modification or revocation.

The Notice holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency isn't cured or a request for a hearing received within such 30-day period, the Notice shall be deemed modified or vacated on the 31st day after the Office notice.

Sincerely,



Shaminder Chawla
Deputy Director,
New York City Office of Environmental
Remediation

Cc:
Dan Walsh
Shana Holberton
Mark McIntyre

Date of Issuance: June 6, 2014
Site No.: 13CVCP059X
OER PM: Shana Holberton