

AFFIDAVIT OF SERVICE

STATE OF NEW YORK, COUNTY OF NEW YORK

The undersigned being duly sworn, deposes and says:

The deponent is not a party to the action and is over 18 years of age. That on 5-23 ¹⁰⁰²
 at 3:10 A.M. (P.M.) at 44 JOHN ST. (CHURCH BUILDING)
 deponent served the within ORDER on the respondent named therein.

1. Individual personal service

☐ by delivering a true copy to said respondent personally

2. Individual substituted service

☒ by delivering a true copy to REV. JAMES MCGRAW

a person of suitable age and discretion. Said premises is respondent's actual place of business-dwelling house or usual place of abode within the state.

3. Corporation

☐ by delivering a true copy to _____ at said corporation.

(Position)

4. Delivery to employee at premises

☐ At _____ A.M./P.M. on _____ at _____

I attempted to personally serve the herein ORDER on the respondent named herein but was unable to do because:

☐ having attempted entry to the premises, I found the premises locked and no one responded to any bells, knocks, or calls;☐ having entered the premises and having identified myself, I was:☐ advised by _____ that the respondent was not then present
(Name)☐ unable to secure identification of the person(s) present;☐ advised by _____ that no officer, director, managing
(Name)

agent or general agent of the respondent was present;

☐ service could not be made because _____

Thereupon, I delivered a copy of the herein ORDER to _____
 whom I believe to be an employee of respondeent at the premises because:

☐ Employee so identified
himself/herself☐ Employee was performing work
consistent with being employed
by the respondent☐ Other

Description of individual - (this must be completed for all types of service except corporation)

Deponent describes the individual as follows:

☒ male	☒ white skin	☐ Black hair	☐ 14 - 20 yrs	☐ Under 5'	☐ Under 100 lbs
☐ female	☐ black skin	☐ Brown hair	☐ 21 - 35	☐ 5'0"-5'3"	☐ 101 - 130
	☐ yellow skin	☐ Blond hair	☐ 36 - 50	☐ 5'4"-5'8"	☐ 131 - 160
	☐ brown skin	☐ Red hair	☒ 51 - 65	☒ 5'9" - 6'0"	☐ 161 - 200
	☐ red skin	☒ Gray hair	☐ Over 65	☐ Over 6'	☒ Over 200
		☐ White hair			
		☐ Balding			

Other identifying characteristic: _____

5. Service by Mail

☐ By mailing a true copy to respondent by depositing or causing to be deposited the same, in a post paid wrapper, in a post office station regularly maintained by the U.S. Postal Service.

SWORN TO BEFORE ME ON THE

____ DAY OF _____ 19____

Robert J. Fenech
 SIGNATURE
RT FENECH
 PRINT NAME

DERTA - White

LEGAL - Pink

AFFIDAVIT OF SERVICE

STATE OF NEW YORK, COUNTY OF NEW YORK

The undersigned being duly sworn, deposes and says:

The deponent is not a party to the action and is over 18 years of age. That on 5-23 1902
 at 310 A.M./P.M. at 441 JOHN ST. (CHURCH BUILDING)
 deponent served the within ORDER on the respondent named therein.

1. Individual personal service

☐ by delivering a true copy to said respondent personally

2. Individual substituted service

☒ by delivering a true copy to REV. JAMES MCGRAW

a person of suitable age and discretion. Said premises is respondent's actual place of business-dwelling house or usual place of abode within the state.

3. Corporation

☐ by delivering a true copy to _____ at said corporation.
 (Position)

4. Delivery to employee at premises

☐ At _____ A.M./P.M. on _____ at _____

I attempted to personally serve the herein ORDER on the respondent named herein but was unable to do because:

☐ having attempted entry to the premises, I found the premises locked and no one responded to any bells, knocks, or calls;☐ having entered the premises and having identified myself, I was:

☐ advised by _____ that the respondent was not then present
 (Name)

☐ unable to secure identification of the person(s) present;

☐ advised by _____ that no officer, director, managing
 (Name)

agent or general agent of the respondent was present;

☐ service could not be made because _____

Thereupon, I delivered a copy of the herein ORDER to _____
 whom I believe to be an employee of respondeent at the premises because:

☐ Employee so identified
 himself/herself

☐ Employee was performing work
 consistent with being employed
 by the respondent

☐ Other _____

Description of individual - (this must be completed for all types of service except corporation)

Deponent describes the individual as follows:

☒ male	☒ white skin	☐ Black hair	☐ 14 - 20 yrs	☐ Under 5'	☐ Under 100 lbs
☐ female	☐ black skin	☐ Brown hair	☐ 21 - 35	☐ 5'0"-5'3"	☐ 101 - 130
	☐ yellow skin	☐ Blond hair	☐ 36 - 50	☐ 5'4"-5'8"	☐ 131 - 160
	☐ brown skin	☐ Red hair	☒ 51 - 65	☒ 5'9" - 6'0"	☐ 161 - 200
	☐ red skin	☒ Gray hair	☐ Over 65	☐ Over 6'	☒ Over 200
		☐ White hair			
		☐ Balding			

Other identifying characteristic: _____

5. Service by Mail

☐ By mailing a true copy to respondent by depositing or causing to be deposited the same, in a post paid wrapper, in a post office station regularly maintained by the U.S. Postal Service.

SWORN TO BEFORE ME ON THE

_____ DAY OF _____ 19__

Rudolph Dinech
 SIGNATURE
RT FENECK
 PRINT NAME

DERTA - White

RESPONDENT - Yellow

LEGAL - Pink

AFFIDAVIT OF SERVICE

STATE OF NEW YORK, COUNTY OF NEW YORK

The undersigned being duly sworn, deposes and says:

The deponent is not a party to the action and is over 18 years of age. That on 5-23, 1902
at 2:10 A.M./P.M. at 411 JOHN ST. (CHURCH BUILDING)
deponent served the within **ORDER** on the respondent named therein.

1. Individual personal service

☐ by delivering a true copy to said respondent personally

2. Individual substituted service

☒ by delivering a true copy to REV. JAMES MCGRAW

a person of suitable age and discretion. Said premises is respondent's actual place of business-dwelling house or usual place of abode within the state.

3. Corporation

☐ by delivering a true copy to _____ at said corporation.
(Position)

4. Delivery to employee at premises

☐ At _____ A.M./P.M. on _____ at _____

I attempted to personally serve the herein **ORDER** on the respondent named herein but was unable to do because:

☐ having attempted entry to the premises, I found the premises locked and no one responded to any bells, knocks, or calls;

☐ having entered the premises and having identified myself, I was:

☐ advised by _____ that the respondent was not then present
(Name)

☐ unable to secure identification of the person(s) present;

☐ advised by _____ that no officer, director, managing
(Name)

agent or general agent of the respondent was present;

☐ service could not be made because _____

Thereupon, I delivered a copy of the herein **ORDER** to _____
whom I believe to be an employee of respondent at the premises because:

☐ Employee so identified
himself/herself

☐ Employee was performing work
consistent with being employed
by the respondent

☐ Other _____

Description of individual - (this must be completed for all types of service except corporation)

Deponent describes the individual as follows:

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	☐ brown skin	☐ Red hair	☒ 51 - 65	☒ 5'9" - 6'0"	☐ 161 - 200
	☐ red skin	☒ Gray hair	☐ Over 65	☐ Over 6'	☒ Over 200
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SWORN TO BEFORE ME ON THE

_____ DAY OF _____ 19__

Robert A. Feneck
SIGNATURE
PRINT NAME RT FENECK

DERTA - White

LEGAL - Pink



**City of
New York**

**Department of
Environmental
Protection**

59-17 Junction Boulevard
Flushing, New York
11373-5108

**Christopher O. Ward
Commissioner**

**Robert C. Avaltroni
Deputy Commissioner**

**Bureau of
Environmental
Compliance**



www.nyc.gov/dep

(718) DEP-HELP

BBV US Real Estate Fund
660 Peachtree St NE
Atlanta, GA 30308-2265

Subject: **44 JOHN STREET**

Dear Sir/Madam:

The New York City Department of Environmental Protection (DEP) in cooperation with the United States Environmental Protection Agency (USEPA) and the New York State Department of Labor (NYSDOL) has performed a series of exterior building surveys on various buildings in the vicinity of the World Trade Center (WTC). The surveys included the examination of building exteriors including building roofs, facades, setbacks, and other exterior surfaces. These surveys identified locations where debris from the collapse of the WTC was still visible. Our records indicate that visible debris accumulations were observed at the above referenced building (the "Building").

In our previous correspondence, the Department requested an assessment and appropriate clean up of visible debris accumulations. The Department has either not received information regarding your actions to address the debris accumulations or has re-inspected your building and found that visible debris was present.

The USEPA and DEP are continuing their ongoing efforts to improve air quality in lower Manhattan. In this regard, DEP is initiating a program (the "Cleaning Program") to clean the exteriors of certain buildings in the downtown Manhattan area.

Based on visual surveys and analyses of other properties in the area, we are assuming that the debris accumulations noted on the exterior of the Building may include some amount of asbestos-containing material (ACM). DEP would like to include the Building in the Cleaning Program, and clean the facades, roofs, and other exterior surfaces so as to remove such accumulations. The work would be performed by NYSDOL licensed asbestos contractors with DEP and NYSDOL certified workers. The fees and expenses of the asbestos contractor in performing the work will be paid for by the DEP.

The work will be monitored by DEP personnel. An independent third-party air monitoring firm will also be engaged to take air samples at designated points around the perimeter of the working area. The U.S. Occupational Safety and Health Administration (OSHA) will provide oversight for worker safety. The fees and expenses of DEP personnel in monitoring the work and the fees and expenses of the third-party air monitoring firm in taking and analyzing air samples will be paid for by DEP.

05/21/02

N.Y.C. DEPARTMENT OF BUILDINGS

BISPIQ

MULTI-AGENCY COMPOSITE PROPERTY & OWNER INFORMATION QUERY

44..... JOHN STREET..... 1 MANHATTAN 10038 BIN# 10011

DCP GEOGRAPHICAL INFORMATION:

JOHN STREET	42 - 46	HEALTH AREA : 77	TAX BLK: 67.
		CENSUS TRACT: 22008	TAX LOT: 30.
		COMMUNITY BD: 101	CONDO :
		MULTI STRUCT: 1	CUI NO :

DOF OWNER NAME & ADDRESS FROM BILLING FILE: DOF OWNER NAME FROM PROPERTY FI

OWNER NAME :	BBV US REAL ESTATE FUND	BBV US REAL ESTATE FU
CORP. NAME :		LPC LANDMARK STATUS: LANDMARK
ADDRESS :	600 PEACHTREE ST NE	DOB LOCAL LAW STATUS: NO
	ATLANTA GA 30308-2265	

DOF BUILDING INFORMATION:

BLDG SIZE; 0042.00 X 0077.00	TRANS LAND VALUE: 805,000
LOT SIZE: 0042.50 X 0084.50	TAX EXEMPT FLAG : NO
BLDG CLASS : M1 CHURCH, SYNAGOGUE	TAX EXEMPT CLASS: X5
STORIES : 1	CITY OWNERSHIP : NO
FOR CITY } MGMT TYPE: MGMT CODE:	UPDATE DATE : 03/25/02
OWNERSHIP } MGMT HOLDER CODE: MGMT HOLDER CODE NAME:	MGMT CODE NAME:

PF1 =PREV PF2 =MAIN PF7 = NEW ADDRESS PF8 = NEW BLK/LOT PF9 = NEW BIN

Page: 1 Document Name: untitled

05/20/02 PUBLIC ACCESS PROPERTY PROFILE OVERVIEW BISPIQ
 44..... JOHN STREET..... 1 MANHATTAN 10038 BIN# 10011

JOHN STREET 42 - 46 HEALTH AREA : 77 TAX BLK: 67.
 CENSUS TRACT: 1502 TAX LOT: 30.
 COMMUNITY BD: 101 CONDO :
 MULTI STRUCT: 01 VACANT :

=====

DOB SPECIAL PLACE NAME : 1 PROPERTY RECORD(
 DOB BUILDING REMARKS :
 FINANCE OCCUPANCY CODE : M1-CHURCH, SYNAGOGUE LANDMARK STATUS: L - LANDMARK

COUNTS FOR THIS BIN RECORD VERIFIED : N
 ACTIONS : 16 , 0 JOBS/FILINGS (PF4) SPECIAL STATUS :
 VIOLATIONS DOB : 2 , 0 OPEN LOCAL LAW : N
 ECB : 0 , 0 OPEN (PF12) SRO : N
 COMPLAINTS : 0 , 0 OPEN (PF11)

PF 3 = ELEVATORS ENTER KEY= ACTIONS PF 5/6/7 = NEW ADDR/BIN/BLK-LOT
 PF 8 = BOILERS (TYPE :) PF 9/10 = BROWSE BIN/BLK-LOT
 *NO ARA'S FILED PF 15 = BROWSE 1 PROPERTY RECOR
 PF 14 = LPC/HPD/LOFT USE ONLY PF 16 = ADDTN'L PROPERTY INFO

Date: 5/20/2002 Time: 03:07:39 PM

Church Phone:
212-269-0014

Home Phone:
212-608-8987

Rev. James R. McGraw
Pastor



Old John Street United Methodist Church
The Oldest Methodist Society in America - Organized 1766
44 John Street, New York, N.Y. 10038