

LICENSE AGREEMENT

This License Agreement made this _____ day of _____ 2002 by and between the CITY OF NEW YORK (hereinafter called "the City"/Licensee), acting by and through the Department of Environmental Protection of the City of New York (hereinafter called "DEP"), with an office at 59-17 Junction Boulevard, Corona, New York 11368-5107 and Reformed Protestant Dutch Church ("Landowner/Licensors") the owner of the premises at 94 NASSAU STREET (the "Premises").

WHEREAS, the facades, roofs and setbacks ("exterior areas") of many structures in close proximity to the site of the former World Trade Center have been found to contain debris, refuse and other deposits ("the foreign material") of unknown origin;

WHEREAS, the owners of said structures are desirous of having the foreign material removed;

WHEREAS, the City believes that it is in the interest of the public to undertake a clean up of these exterior areas;

WHEREAS, the City's willingness to undertake such a cleanup should not in any way be construed as an acknowledgment or admission that the City is any way responsible for any condition, environmental or otherwise, that may exist in or on the exterior areas or that the foreign material is a risk to the public health or safety;

NOW THEREFORE, it is hereby agreed by and between the parties to this agreement, for and in consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged,

1. **Permission to Perform Cleaning Work.** Subject to the terms and conditions hereof, Licensors hereby grants permission to Licensee and its authorized contractor(s) to perform the cleaning work on the exterior areas of the structure(s) located on the Premises, as described in the Scope of Work attached hereto as Exhibit A and made a part hereof (the "Cleaning Work").

2. **Grant of Access.** Subject to the terms and conditions hereof, Licensee and its agents, contractors and employees shall have the right, at all times while this License Agreement is in effect, to enter in and on the Premises, and to cross the Premises, with personnel, material and equipment, for the purpose of performing the Cleaning Work. It is expressly understood that the right granted under this Section 2 includes:

(a) the right to access all portions of the Premises deemed necessary by Licensee or its contractor(s) in order to properly perform the Cleaning Work, including (without limitation) roofs, parapets, window ledges, and other building exterior surfaces; and

94 NASSAU ST.

Asbestos Inspection Report

Premise No. 129 FULTON STREET AKA 94 NASSAU ST AKA 40 ANN ST					Inspection Date: AS NOTED	
Floor ROOF AND FACADE	Zip 10038	Borough 1	Block 91	Lot 13	Squad # N/A	Badge # A020
Inspector Dennis Antzoulatos		Building Type COMMERCIAL		Basis of Inspection WTC Survey		Photos Taken ☒ Yes/ No
Contractor's Name Benjamin Kurzban & Son Control				Sample Number N/A		
Address City 1248 Ralph Avenue, Brooklyn				Sample Number N/A		
State Zip Phone NY 11236 (718)531-2900				Sample Number N/A		
Laboratory Name Warren & Panzer Engineers Inc.				Owner's Name		
Address City 228 East 45 Street New York				Address City		
State Zip Phone NY 10017 (212) 922-0077				State Zip Phone		
Contact Person				Time of Inspection from: AS NOTED		

SUNDAY AUGUST 18 2002 (800AM-500PM)

CLEAN UP ACTIVITIES BEGAN ON THE ROOF OF THE PREMISE. THE SCOPE OF THE CLEAN UP IS LIMITED TO THE ROOF AND THE 2ND FLOOR WINDOW LEDGES (21 TOTAL). THE CLEAN UP OF THE 2ND FLOOR WINDOW LEDGES WILL BE DONE FROM INSIDE THE BUILDING (THE BUILDING IS VACANT EXCEPT FOR THE CVS PHARMACY ON THE GROUND FLOOR). A REMOTE DECONTAMINATION UNIT WAS ERECTED ON A CLEAN SECTION OF THE ROOF. AIR MONITORING FOR THIS PORTION OF THE CLEAN UP PROJECT WAS PERFORMED BY ARTOUR MARTIROSSIAN (CERTIFICATE # AH 93-20792 EXP 01/03) OF WARREN & PANZER.

MONDAY AUGUST 19 2002 (800AM-800PM)

CLEAN UP ACTIVITIES CONTINUE ON THE ROOF AS PER THE APPROVED SCOPE OF WORK. AIR MONITORING IS PERFORMED BY FESLY OSEMWEGIE (CERTIFICATE # AH 01-01030 EXP 01/03) OF WARREN & PANZER.

TUESDAY AUGUST 20 2002 (800AM-600PM).

THE CLEAN UP OF THE ROOF WORK AREA IS COMPLETED. I CONDUCT A VISUAL INSPECTION OF THE CLEANED ROOF SURFACES AND OBSERVE NO VISIBLE WTC DEBRIS. AIR MONITORING WAS PERFORMED BY FESLY OSEMWEGIE OF WARREN AND PANZER ENGINEERS.

WEDNESDAY AUGUST 21 2002 (800AM-400PM)

THE CLEAN UP OF THE 2ND FLOOR WINDOW LEDGES IS CONDUCTED TODAY. AFTER CLEAN UP ACTIVITIES WERE COMPLETED, I CONDUCTED A VISUAL INSPECTION OF THE CLEANED LEDGE SURFACES AND OBSERVED NO VISIBLE WTC DEBRIS. THE CLEAN UP PROJECT AT THIS PREMISE IS NOW COMPLETE.

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