



## Hudson River Park Trust

February 9, 2016

Acting Commissioner Basil Seggos  
New York State Department  
of Environmental Conservation  
625 Broadway  
Albany, NY 12233-1010

Commissioner Rose Harvey  
New York State Office of Parks,  
Recreation and Historic Preservation  
625 Broadway  
Albany, NY 12238

Mr. Thomas Berkman, General Counsel  
New York State Department  
of Environmental Conservation  
625 Broadway  
Albany, NY 12233-1010

Mr. Paul Laudato, General Counsel  
New York State Office of Parks,  
Recreation and Historic Preservation  
625 Broadway  
Albany, NY 12238

Re: Lease Agreement effective April 3, 1999 between the State of New York, acting through the Office of Parks, Recreation and Historic Preservation and the Department of Environmental Conservation, and the Hudson River Park Trust ("Lease Agreement")

Dear Commissioners Seggos and Harvey, General Counsels Berkman and Laudato:

In accordance with Chapter 517 of the Laws of 2013, the Hudson River Park Trust (the "Trust"), hereby requests an extension of the term of the above referenced Lease Agreement to March 31, 2112.

As you know, the Trust was created in 1998 pursuant to the Hudson River Park Act (the "Act"). Pursuant to the Act, the parties entered into the Lease Agreement which granted the Trust, its successors and assigns quiet enjoyment of the Premises for an initial term of forty-nine (49) years, commencing on April 3, 1999, with the option to renew for up to an additional 50 years. Recently, an amendment to the Act was approved in Chapter 517 of the Laws of 2013 (the "Amendment to the Act"). Pursuant to the Amendment to the Act, the Lease Agreement is to be modified for an additional ninety-nine (99) years from the date of the Amendment to the Act, or March 31, 2112. It also provided for certain modifications to the description of the Premises subject to the Lease Agreement. At this time, the Trust is proposing to accomplish these modifications to the terms of the Lease Agreement by this letter amendment.

By signing below, you acknowledge and agree to extend the term of this Agreement for an additional term of ninety-nine years from the date of the Amendment to the Act, or March 31, 2112. Additionally, your signature below shall also evidence your agreement to revise the description of the boundaries of the Hudson River Park as same has been amended pursuant to the Amendment to the Act. The full description is

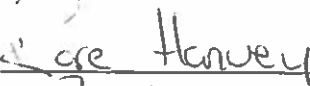
attached as Schedule A herein. All other terms of this Agreement shall remain the same and in full force and effect at this time. Once fully executed, this letter agreement shall constitute a binding amendment to the Lease Agreement by and between the Trust and the State of New York, acting through the Office of Parks, Recreation and Historic Preservation and the Department of Environmental Conservation.

Sincerely,


**HUDSON RIVER PARK TRUST**

By:   
Madelyn Wils  
President and CEO

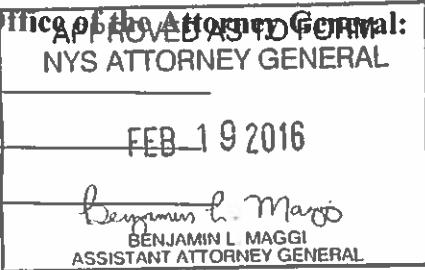
**New York State Office of Parks, Recreation  
And Historic Preservation**

By:   
Name: Kore Hanvey  
Title: Commissioner

**New York State Department of  
Environmental Conservation**

By:   
Name: Basil Seggos  
Title: Acting Commissioner

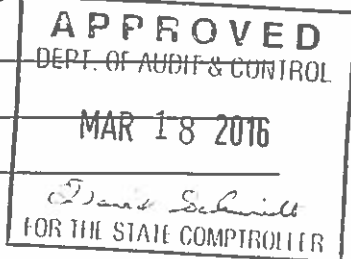
**Approved as to form**

New York State Office of the Attorney General:  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  


**Approved**

**New York State Office of the State Comptroller Pursuant to Section 112, State**

**Finance Law:**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  


State of New York )  
 )ss.:  
County of New York)

On the 9<sup>th</sup> day of February in the year 2016, before me, the undersigned notary public, personally appeared Madelyn Wils, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Laura Blackman  
Notary Public

LAURA A. BLACKMAN  
Notary Public - State of New York  
No. 02BL6065040  
Qualified in Bronx County  
My Commission Expires March 22, 2018

State of New York )  
 )ss.:  
County of Albany )

On the 11<sup>th</sup> day of FEBRUARY in the year 2016, before me, the undersigned notary public, personally appeared BASIL SEGEOS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Monica Kreshik  
Notary Public

MONICA KRESHIK, ESQ.  
Notary Public, State of New York  
No. 02KR6314859  
Qualified in Rensselaer County  
Commission Expires 11/17/2018

State of NEW YORK )  
 )ss.:  
County of ALBANY )

On the 12<sup>th</sup> day of FEBRUARY in the year 2016, before me, the undersigned notary public, personally appeared ROSE HARVEY, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Paul J. Laudato  
Notary Public

PAUL J. LAUDATO  
Notary Public, State of New York  
Qualified in Albany County  
No. 4684466  
My Commission Expires February 28, 2019

SCHEDULE A

REVISED DESCRIPTION OF THE DEMISED PREMISES SET FORTH  
IN ARTICLE II, SECTION 2.01 OF THE LEASE AGREEMENT

The Premises are all those State-owned lands which lie within the designated Park bounded on the east by the Route 9A bikeway/walkway and running west to a western boundary along the United States pierhead line; and bounded on the south beginning at the northern seawall of Battery Park City; running north to a northern boundary at 35<sup>th</sup> Street.

The Park, as set forth in Section 3(e) of the Hudson River Park Act and the 2013 Act Amendment, shall have the following boundaries and include the following areas:

(i) The southern boundary shall be the northern seawall of Battery Park City as extended easterly to the Western boundary of the Rte. 9A bikeway; (ii) the northern boundary shall be the northern boundary of 59th street and 59th Street extended; (iii) the western boundary shall be the United States pier head line; and (iv) the eastern boundary shall be the western boundary of West Street, Eleventh Avenue or Twelfth Avenue (whichever boundary is more westerly at any point), provided that as any portion of the state highway Route 9-A is completed, as certified by the Commissioner of Transportation of the State, the eastern boundary of the Park adjacent to that portion shall be the western boundary of state highway Route 9-A;

(v) Thomas F. Smith Park which has been rebuilt as part of the Route 9-A project;

(vi) the area bounded by 14th street, 15th street, Tenth Avenue and Route 9-A;

(vii) any additional land adjacent to the park or adjacent to Route 9-A acquired in accordance with the provisions of the Act to expand the Park; and

(viii) any pier or upland area currently in private ownership that made a part of the Park after acquisition by or transfer to the City or State.

TOGETHER with all franchises, easements, appurtenances, encumbrances and other rights and privileges now or hereafter belonging to the Premises.