

**MEMORANDUM OF LEASEBACK PURSUANT TO
SECTION 291-c OF THE REAL PROPERTY LAW**
(Agency to Company)

THIS MEMORANDUM, dated as of March 5, 2021, is by and between the **CITY OF PEEKSKILL INDUSTRIAL DEVELOPMENT AGENCY**, a public benefit corporation duly existing under the laws of the State of New York, with offices at 840 Main Street, City of Peekskill, New York 10595 (the "Agency") and **BNS I, LLC**, a New York limited liability company, with offices at 3110 37th Avenue, Suite 500, Long Island City, New York 11101 (the "Company").

1. Reference to Lease Agreement: That certain Leaseback Agreement, dated as of March 5, 2021 (the "Lease Agreement"), whereby the Agency leases certain real property back to the Company.
2. Description of the Leased Premises: Certain real property and improvements located at 216 South Division Street, City of Peekskill, Westchester County, New York, as more particularly described on Schedule A attached hereto (the "Leased Premises").
3. Term of Lease Agreement: Commencing March 5, 2021, and ending March 31, 2021.
4. Date of Commencement: March 5, 2021.
5. Date of Termination: March 31, 2021.
6. Rights of Extension or Renewal: None.

<u>Record and Return to:</u> Harris Beach PLLC 677 Broadway, Suite 1101 Albany, New York 12207 ATTN.: JUSTIN S. MILLER, ESQ.	Westchester County City of Peekskill 1 Park Place, Sec: 33.30 Blk: 5 Lot: 1
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(Signature Page to Memorandum of Leaseback Agreement)

IN WITNESS WHEREOF, the Company and the Agency have caused this Memorandum of Lease Agreement to be executed in their respective names, all as of the date first written above.

**CITY OF PEEKSKILL INDUSTRIAL
DEVELOPMENT AGENCY**

By: Matthew Rudikoff
Name: Matthew Rudikoff
Title: Executive Director

BNS I, LLC

By: _____
Name: John Mavroudis
Title: Authorized Signatory

(Signature Page to Memorandum of Leaseback Agreement)

IN WITNESS WHEREOF, the Company and the Agency have caused this Memorandum of Lease Agreement to be executed in their respective names, all as of the date first written above.

**CITY OF PEEKSKILL INDUSTRIAL
DEVELOPMENT AGENCY**

By: _____
Name: Matthew Rudikoff
Title: Executive Director

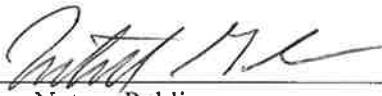
BNS I, LLC

By: 
Name: John Mavroudis
Title: Authorized Signatory

(Acknowledgment Page to Memorandum of Leaseback Agreement)

STATE OF NEW YORK)
) ss.:
COUNTY OF ULSTER)

On the 23rd day of December in the year 2020, before me, the undersigned, personally appeared **MATTHEW RUDIKOFF**, 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the _____ day of December in the year 2020, before me, the undersigned, personally appeared **JOHN MAVROUDIS**, 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

(Acknowledgment Page to Memorandum of Leaseback Agreement)

STATE OF NEW YORK)
) ss.:
COUNTY OF ULSTER)

On the ____ day of December in the year 2020, before me, the undersigned, personally appeared **MATTHEW RUDIKOFF**, 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
) ss.:
COUNTY OF Queens)

On the 22nd day of December in the year 2020, before me, the undersigned, personally appeared **JOHN MAVROUDIS**, 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

REKHA GOYAL
Notary Public-State of New York
No. 01GO6223804
Qualified in Queens County
Commission Expires June 21, 2022

Schedule A

Description of Property

ALL that certain plot, piece or parcel of land, situate, lying and being in the City of Peekskill, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at the Southerly intersection of Park Street (a/k/a Park Place), as same is reopened and relocated with the Westerly line of Broad Street;

RUNNING THENCE Southerly along the Westerly line of Broad Street, South 1 degree 19 minutes 15 seconds East, 199.94 feet to a point of curve;

THENCE along a curve to the right having a radius of 30.00 feet an arc distance of 47.30 feet to the Northerly line of Brown Street;

THENCE Westerly along the Northerly line of Brown Street, South 89 degrees 00 minutes 25 seconds West, 383.18 feet to the point of curve;

THENCE along said curve to the right having a radius of 30 feet an arc distance of 47.14 feet to the Easterly side of James Street, as widened;

THENCE Northerly along James as widened, North 0 degrees 57 minutes 15 seconds West 199.92 feet to the Southerly line of Park Street (a/k/a Park Place) as relocated;

THENCE Easterly along the Southerly line of Park Street (a/k/a Park Place), North 88 degrees 59 minutes 07 seconds East, 441.90 feet to the point or place of BEGINNNG.

For information only: Premises is known as 1 Park Place, Peekskill NY