

SCHEDULE "I"

Demolition Standards

See Attached

Purchaser, with Seller Assistance, shall make application for a separate permit for demolition and site clearing. Purchaser shall perform on the New Medical Site the work described below, all fully approved by New York City Department of Buildings ("DOB"), such that the New Medical Site is ready for NYUMC to file for a separate work permit for a new building and site improvements.

Demolition shall have been performed in accordance with the prevailing version of the New York City Building Code, specifically Sections 3306, et. seq., and provide the following further documentation and certifications:

- Provide proof of submission of demolition plans by a registered design professional;
- Provide copies of pre-demolition and post-demolition photographs documenting the extent of the demolition and clearing, fully meeting the requirements of the DOB, New York City Landmarks Preservation Commission and/or the New York City Municipal Archives Division of the Department of Records and Information Services, if required by the DOB;
- Provide copies of utility certifications from utility companies or governmental agencies having jurisdiction demonstrating that all electric, water, steam and other service lines have been disconnected and capped, 3306.9.1;
- Provide proof that sewer and catch basin work associated, including necessary performance bonds, with the demolition and site clearing has been completed;
- Provide certification that the demolition and clearing, including all necessary remediation and monitoring of Hazardous Materials and asbestos, has been performed in accordance with the requirements of the Department of Environmental Protection ("DEP") for such activities. Provide proof of notice to adjoining property owners, 3306.3.2;
- Provide certification of rodent extermination, 3306.9.13;
- Provide copies of contractor's insurance or street obstruction bonds.
- Provide permit and extension of same for sidewalk shed, fence, or other protective measures remaining in place; Purchaser to apply for and obtain its own permits for such sheds, fences or other protective measures promptly upon demolition signoff by DOB.
- Provide record of special inspections conducted as related to the demolition if required by the DOB;
- Provide evidence that adjoining structures and foundations remain unaffected by demolition operations. Should adjoining structures have been impacted by demolition and clearing operations, provide a full record of issued reports and surveys (complete with documentary photographs), vibration reports, records of slip-gage-detected movement, baseline and updated surveys documenting the relative positions and location of adjoining structures. Include signed and sealed copies of design documents detailing stabilization or other curative measures, as well as approvals and signoffs for the referenced work.
- Provide copies of final DOB signoffs from the demolition and site clearing operations including decommissioning of elevators and boilers.
- Clear all existing violations including violations on the existing structure and any violations relating to the demolition operations.

Remediation shall have been performed in accordance with terms and conditions below and the following further documentation and certifications shall have been provided:

- Provide documentation demonstrating that any open spills under the New York Navigation Law have been closed by the receipt of a No Further Action determination from the New York State Department of Environmental Conservation ("NYSDEC").
- Provide documentation demonstrating that all known underground storage tanks and any underground storage tanks discovered during demolition or other site work (the "USTs") shall be registered, if required by applicable law, and removed in accordance with applicable law; such removal shall include removal of related piping and remediation of any releases from such USTs or related piping. Provide a No Further Action determination from NYSDEC.
- After removal of the foundations on the Site, perform and provide documentation of a geophysical survey using ground penetrating radar and electromagnetic detection devices to determine the potential existence of USTs on the Site and, if such indicia are present, investigate the presence of any such USTs and, if any USTs are found, follow the procedures set forth in the preceding subparagraph for the registration, removal and case closure, as applicable.
- Perform and provide documentation confirming closure of Resource Conservation and Recovery Act ("RCRA") generator status associated with the New Medical Site and any hazardous waste units associated with the New Medical Site as required pursuant to RCRA.
- Perform and provide documentation of a Remedial Investigation of the New Medical Site with regard to the presence of any Hazardous Material in soil, groundwater and soil vapor; such Remedial Investigation shall be conducted pursuant to the Turbo Training Manual of the New York City Office of Environmental Remediation by a laboratory licensed by New York State.
- If the investigation reveals the presence of any Hazardous Material that requires reporting to a governmental agency and such agency requires investigation and/or remediation thereof, Purchaser shall satisfy the applicable requirements of said agency, including any requirements for remediation, and obtain a No Further Action determination or its equivalent from such agency.
- If the investigation reveals the presence of any Hazardous Material at the New Medical Site, but there is no concomitant reporting obligation, the New Medical Site shall be further investigated and remediated, if necessary, to meet the following standards or criteria:
 - Any soil containing a hazardous waste, as defined in 6 NYCRR Part 371, shall be removed from the New Medical Site.
 - Any sumps, drains, drywells or similar structures that collected wastewater or other material from the prior operations at the New Medical Site shall be excavated, and end point sampling conducted consistent with NYSDEC DER-10 to assure the removal of any Hazardous Material related to such structures.
 - Remediation of Hazardous Material in soil shall comply with the Restricted Residential Soil Cleanup Objectives set forth in 6 NYCRR 375-6.8(b) for Volatile

Organic Compounds ("VOCs"), the RCRA 8 metals, carcinogenic semi-volatile organic compounds, PCBs and pesticides; such remediation need not extend to a depth below the top of the normal groundwater table. Remediation of soil shall include end point sampling consistent with NYSDEC DER-10.

- Remediation of any VOCs, RCRA 8 metals or PCBs in groundwater shall comply with the NYSDEC Division of Water Technical and Operations Guidance Series (1.1.1) Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations . Remediation of soil shall include end point sampling consistent with NYSDEC DER-10.
- Remediation of any VOC in soil vapors is required if the concentration of total VOCs exceeds 5 mcg/m³. Alternatively, Purchaser may pay the reasonable cost for NYUHC's installation of a vapor barrier (consisting of Grace Pre-Pruf or an equivalent barrier) and an active subslab depressurization system consistent with the recommendation for such a system in the New York State Department of Health Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006) (which shall include any excavation and placement of gravel and piping necessary for such system) under any building to be constructed on the New Medical Site.
- After any remediation, the New Medical Site shall be backfilled to current street grade (unless NYUHC agrees to a shallower depth) with fill that is acceptable to the DOB and consistent with applicable law.
- Completion of investigation and remediation consistent with the foregoing requirements shall be certified to be a professional engineer licensed in the State of New York, who has overseen such work. Such PE shall be chosen by Purchaser from the following list: Leggette, Brashears & Graham, Langan Engineering, and Arcadis.