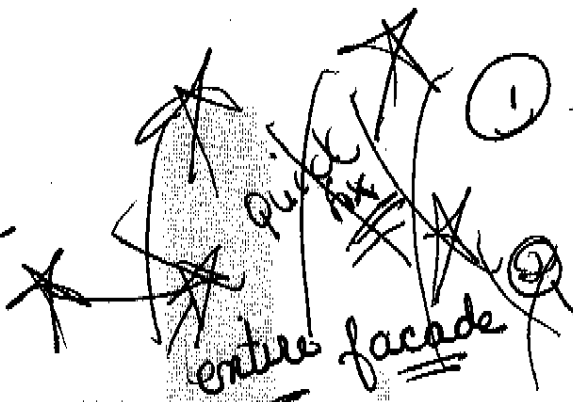


More movement



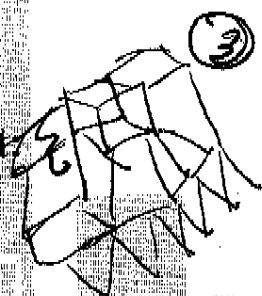
entire bldg like kind spc

entire facade

larger joint
course reduction

Local Law 11/98 Cycle 5 Report

For the Premises at



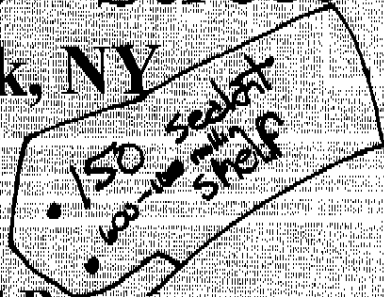
masonry

2 million
\$8,000-10,000
window
joint \$2000

188 East 70th Street New York, NY

"New Report"

unsafe 30 days
we need more
90 days out
cost: ??



Prepared By:
**Midtown Preservation
Architecture & Engineering, P.C.**

68 West Main Street
Oyster Bay, NY 11771
516-922-6220 Tel
516-922-6235 Fax

September 25, 2003



Technical Report Periodic Inspection of Exterior Walls and Appurtenances

February 21, 1999 - February 21, 2002
Please File 3 Copies

This Form Must Be Typewritten and Microfilmed with the Report

Control # for location
From DOB LL 11/98 Master printout 505061
Cycle Number: 5

1 Filing Status	
<input checked="" type="checkbox"/> Initial Filing	Amended Filing <small>Indicate Initial Filing Date</small> <u> </u> / <u> </u> / <u> </u>
<small>Was filing made for any previous cycles (yes/no)? If yes, indicate last filing date: <u>02/23/1997</u></small>	
<small>Supplemental Cycle 4 Local Law 11/98 Filing</small> <small>Indicate Initial Filing Date: <u> </u>/<u> </u>/<u> </u></small>	

2 Location			
<small>Borough</small> Manhattan	<small>Block</small> 1404	<small>Lot(s)</small> 7503	<small>BIN</small> 1042610
<small>House No(s)</small> 188	<small>Street Name</small> East 70th Street		
<small>A.K.A. address(es)</small>			

3 Applicant			
<small>Last Name</small> Sleiman	<small>First Name</small> Michael	<small>M.I.</small>	
<small>Business Name</small> Midtown Preservation Architecture Engineering, PC		<small>Business Phone</small> 516-922-6220	
<small>Address</small> 68 West Main Street	<small>City</small> Oyster Bay	<small>State</small> NY	<small>ZIP</small> 11771
<input type="checkbox"/> P.E.	<input checked="" type="checkbox"/> R.A.	<small>Lic. No.</small> 027492	

4 Owner			
<small>Last Name</small> Herman	<small>First Name</small> Paul	<small>M.I.</small>	
<small>Business Name</small> 188 East 70th St Condominium Association		<small>Business Phone</small> 212-210-6666	
<small>Address</small> 200 Madison Avenue	<small>City</small> New York	<small>State</small> NY	<small>ZIP</small> 10016

5 Building Characteristics	
<small>Number of Stories</small> 33	<small>Exterior Wall Type</small> Face brick and decorative stone cladding

6 Prior Status - Last Cycle Local Law 10/8			
<input type="checkbox"/> Ongoing Maintenance Program	<input checked="" type="checkbox"/> Precautionary Conditions	<input type="checkbox"/> Unsafe Conditions	
<input type="checkbox"/> Conformed with Code Requirements	<small>Current Completion of Work Estimated to be</small> 25% %	<small>Current Completion of Work Estimated to be</small> %	

7 Current Field Report - Critical Examination	
<small>SAFE: All observed conditions conform to Code Requirements and applicable Rules, Regulations and Directives</small>	
<input checked="" type="checkbox"/> SAFE WITH A REPAIR AND MAINTENANCE PROGRAM:	<small>All observed conditions conform to Code Requirements and applicable Rules, Regulations and Directives except for the recommended Repair and Maintenance work described in the report and below:</small>
<small>UNSAFE: All observed conditions conform to Code Requirements and applicable Rules, Regulations and Directives except for the unsafe conditions described in the report and below:</small>	

8 Statements and Signatures									
<small>Falsification of any statement is a misdemeanor under Section 26 - 124 of the Administrative Code and is punishable by a fine or imprisonment, or both. It is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both.</small>									
P.E./R.A. Seal 	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;"><small>Applicant's name (print):</small> Michael Sleiman</td> <td style="width: 50%; border-bottom: 1px solid black;"><small>Owner's name (print):</small> Paul Herman</td> </tr> <tr> <td style="border-bottom: 1px solid black;"><small>I hereby state that the owner has authorized me to make this application. Furthermore, I hereby state that all statements are correct and complete to the best of my knowledge. A copy of this report has been given to the owner.</small></td> <td style="border-bottom: 1px solid black;"><small>I, hereby state that I am the owner of the premises referenced in the attached report. Furthermore, I hereby state that I have received a copy of the attached report and that I am aware of the required repairs and/or maintenance, if any, and the recommended time frame for same.</small></td> </tr> <tr> <td style="border-bottom: 1px solid black;"><small>Applicant's signature</small></td> <td style="border-bottom: 1px solid black;"><small>Owner's signature</small></td> </tr> <tr> <td style="border-bottom: 1px solid black;"><small>Date</small></td> <td style="border-bottom: 1px solid black;"><small>Date</small></td> </tr> </table>	<small>Applicant's name (print):</small> Michael Sleiman	<small>Owner's name (print):</small> Paul Herman	<small>I hereby state that the owner has authorized me to make this application. Furthermore, I hereby state that all statements are correct and complete to the best of my knowledge. A copy of this report has been given to the owner.</small>	<small>I, hereby state that I am the owner of the premises referenced in the attached report. Furthermore, I hereby state that I have received a copy of the attached report and that I am aware of the required repairs and/or maintenance, if any, and the recommended time frame for same.</small>	<small>Applicant's signature</small>	<small>Owner's signature</small>	<small>Date</small>	<small>Date</small>
<small>Applicant's name (print):</small> Michael Sleiman	<small>Owner's name (print):</small> Paul Herman								
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<small>Applicant's signature</small>	<small>Owner's signature</small>								
<small>Date</small>	<small>Date</small>								

Midtown Preservation P.C.

REPORT ON A CRITICAL EXAMINATION OF EXTERIOR BUILDING WALLS AND APPURTENANCES THEREOF, IN COMPLIANCE WITH THE REQUIREMENTS OF *SECTION 27-129* AND RULE 32-03 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK (LOCAL LAW 11 OF 1998), **CYCLE 5 FILING**, IN CONNECTION WITH THE BUILDING LOCATED AT:

General Information

ADDRESS: 188 East 70th Street

LOCATION: Southwestern corner of Third Avenue and East 70th Street

LL11 CONTROL # See TR-6 Form

BLOCK: 1404

LOT: 7503

BIN #: # 1042610

C. OF O. #: Not available

USE:

Sub-Cellar:	Mechanical room and professional offices
Cellar:	Mechanical room and professional offices
1 st floor:	Lobby, commercial and storage
2 nd floor:	Children's nursery, health club/exercise room, recreation room and laundry.
3 rd thru 29 th floor:	Residential
30 th thru 31 st floor:	Residential and mechanical equipment
32 nd thru 33 rd floor:	Mechanical equipment

LANDMARK STATUS: None

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OWNER OF BUILDING: 188 East 70th Street Condominium Association

PRINCIPAL OFFICER: John McAndrews, Board President

MANAGING AGENT: Paul Herman
Rose Associates, Inc.
200 Madison Avenue
New York, NY 10016

Physical Characteristics

HEIGHT IN FLOORS: 33 Floors

APPROXIMATE HEIGHT IN FEET: 328 Feet

APPROXIMATE PLAN DIMENSIONS: 75 feet x 100 feet

APPROXIMATE AGE: Seventeen (17) years, built approx. 1986

WALL FACING MATERIALS:

- Brick masonry
- Stone cladding on the first two floors, at the terrace setbacks and the top of the building

EXTERIOR WALL CONSTRUCTION METHODS:

- Cavity wall building with continuous steel shelf angles at the lintel line of every floor over a reinforced concrete frame.

APPURTENANCES ON THE FACADE:

- Entrance canopy.
- Precast masonry window sills.
- Precast masonry cornice at terraces.
- Precast masonry at street corners from the 4th to the 10th floor.
- Copper roof capping at setback located at the following:
 - North wall, 12th floor
 - South wall, 26th floor
- Copper roof capping at 32nd bulkheads.
- Granite cladding at the 32nd floor with marble coin inserts.
- Atrium skylight at the 3rd floor interior courtyard.

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SETBACKS AND OTHER STRUCTURES:

- 10th floor terrace, north wall
- 12th floor setback, north wall
- 21st floor terraces, south wall
- 23rd floor terrace, south wall
- 25th floor terrace, south wall
- 27th floor setback, south wall
- 30th floor terraces, south wall
- Various upper floor setbacks
- Emergency water tank enclosure at the 31st floor.
- Elevator equipment and stair bulkhead at the 32nd floor.

TYPES OF WINDOWS

- Green aluminum casement windows with upper transoms.

SIGNIFICANT ALTERATIONS TO BUILDING EXTERIOR WALLS:

- None

STATEMENT OF WATERTIGHTNESS

To our knowledge the building is not currently experiencing water infiltration problems.

The Local Law 11/98 Inspection and Review

WALLS REQUIRING CRITICAL EXAMINATION:

- All walls and all exposures.

PROCEDURES USED IN MAKING CRITICAL EXAMINATIONS:

- One (1) scaffold inspection on the north wall. One (1) scaffold inspection on the east wall. One (1) scaffold inspection on the west wall.
- Binocular and telephoto lenses from the street and terrace setbacks.
- Review of Cycle 4 Report.

DATES OF CRITICAL INSPECTIONS:

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- The inspections were conducted during time period of July 16, 2003 to September 24, 2003.

PREVIOUS REPORTS OF CRITICAL EXAMINATIONS OF THE FACADE:

Reports for all previous Cycles were filed accordingly. The Cycle 4, Local Law 10/80 report was:

Prepared by:	Richard Kamholtz, Professional Engineer A & E Consultants
Last Date of Inspection:	Not available
Last Date of Filing:	February 21, 1997

PRIOR STATUS

- Precautionary work included in the report

REPAIRS MADE PURSUANT TO CYCLE 4 INSPECTION REPORT

Pursuant to hazardous conditions listed in the 4th cycle report, brickwork repair was performed at the following locations:

- A North wall:
 - 1) On the east side of the easterly most 14th floor window.
 - 2) On the east side of the easterly most 16th floor window.
 - 3) On the westerly side of the westerly most 18th floor window (photo #20).
- B East wall:
 - 1) On the northerly side of the northern most 11th floor window.
- C West wall:
 - 1) On the north side of the northerly most 19th floor window.
- D South wall:
 - 1) On the east side of the 2nd 8th floor window from the west.

Midtown Preservation P.C.**CONDITIONS NOTED:****I. UNSAFE:**

There are presently no Unsafe Conditions

II. Safe with Maintenance

The following conditions are not presently related to safety hazards but must still be corrected to prevent more serious conditions from developing and to prevent water intrusion into the interior of the building. These conditions must be corrected before such time of the required Cycle 6 inspection unless otherwise noted. All conditions listed below that are not corrected by such date shall immediately be considered unsafe and must be reported to the Department of Buildings. Numbers in parentheses indicates the corresponding photograph.

1. Condition: Spalling brickwork at the steel shelf angle.**Location:**

- North wall, 27th floor (photos #13 and #14)
- North wall, 24th floor (photo #15)
- North wall, 22nd floor (photo #17)
- North wall, 20th floor (photo #19)
- North wall, 19th floor (photo #20)
- North wall, 12th floor (photo #24)
- East wall, 24th floor (photo #30)
- East wall, 20th floor (photos #31 and #32)
- East wall, 11th floor, window return, 1st window from northeast corner (photo #33)
- West wall, 29th floor (photo #42)
- West wall, 15th floor (photo #44)
- West wall, 12th floor (photos #45 and #46)
- West wall, 11th floor (photo #47)
- West wall, 3rd floor (photos #48 and #49)
- This condition is typical at miscellaneous locations throughout the building.

Cause: Lack of sufficient expansion joint between the brickwork and the underside of the steel shelf angle.

Recommendation: Remove spalling brickwork as required and provide horizontal expansion joint. In order to prevent this condition from becoming unsafe, a sidewalk bridge should be erected and repairs implemented immediately.

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2. Condition: Cracking in the precast masonry and granite.

Location:

- North wall, 32nd floor, northwest corner (photo #5)
- North wall, 31st floor, northwest corner (photos #8 and #9)
- North wall, 4th floor water table (photo #25)
- East wall, 10th floor, northeast corner (photo #34)
- East wall, 3rd floor water table (photo #35)
- South wall, 31st floor (photo #37)
- West wall, 25th floor parapet (photo #38)
- West wall, 23rd floor parapet (photos #39 and #39A)
- This condition is typical at miscellaneous locations throughout the building.

Cause: Building movement, open sealant with freeze thaw cycle.

Recommendation: Sound out the entire area and remove all loose materials. Replace or patch with appropriate repair materials. Provide pins and seal all open joints where required.

3. Condition: Failing shell pointing repairs

Location:

- North wall, 32nd floor, northwest corner (photo #6)
- This condition is typical at miscellaneous locations throughout the building.

Cause: Improper repair

Recommendation: Cut out joint to proper depth and re-point

4. Condition: Cracked coping stone

Location:

- East wall, 32nd floor (photo #26)
- West wall, 32nd floor, northwest corner (photo #41)
- This condition is typical at miscellaneous locations throughout the building.

Cause: Thermal expansion

Recommendation: Replace with new to match existing.

5. Condition: Vertical/stepped cracking in brickwork.

Location:

- North wall, 30th floor (photo #11)
- North wall, 14th floor (photo #23)
- East wall, 30th floor (photo #28)
- This condition is typical at miscellaneous locations throughout the building.

Cause: Thermal expansion

Recommendation: Cut and caulk joint over backer rod.

6. Condition: Vertical cracking in brickwork.

Location:

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- North wall, 28th floor (photo #12)
- North wall, 24th floor (photo #16)
- North wall, 20th floor (photo #18)
- This condition is typical at miscellaneous locations throughout the building.

Cause: Thermal expansion

Recommendation: Replace brickwork and install expansion joint where required

7. Condition: Deteriorated/open caulking at decorative granite and masonry joints.

Location:

- North wall, northwest corner, 32nd floor (photo #7)
- North wall, northwest corner, 31st floor (photo #9)
- East wall, 30th floor (photo #27)
- This condition is typical throughout the building.

Cause: End of useful life of material.

Recommendation: Remove existing sealant and re-caulk.

8. Condition: Cracked precast masonry window sill

Location:

- East wall, 24th floor (photo #29)
- West wall, 16th floor, 4th window from the northwest corner (photo #43)

Cause: Thermal expansion

Recommendation: Replace with new to match existing.

III. Safe:

Unless specifically listed above, all other building façade conditions, on facades requiring inspection, shall be considered safe as of the last date of inspection. The following conditions of ordinary deterioration will not become unsafe before the next LL11 filing cycle but are rather listed here for the Owner's benefit in budgeting future maintenance repairs.

9. Condition: Exposed anchor

Location:

- East wall, 30th floor (photo #27)
- South wall, 30th floor (photo #36)
- South wall, 21st floor terrace (photo #40)
- This condition is typical throughout the building.

Cause: Original construction

Recommendation: Seal location as required.

10. Condition: Deteriorated/open caulking at perimeter of window frames.

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Location:

- North wall, 17th floor (photo #22)
- This condition is typical throughout the building.

Cause: End of useful life of material.

Recommendation: Remove existing sealant and re-caulk.

11. **Condition:** Deteriorated/open window gasket at perimeter of insulated glass.

Location:

- North wall, 31st floor (photo #10)
- North wall, 17th floor (photos #21 and #22)
- This condition is typical throughout the building.

Cause: End of useful life of material.

Recommendation: Remove existing gasket and replace with new.

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GENERAL NOTES

The Architect has been retained only for the critical examination of the building walls and appurtenances thereof. Preparation of and filing of this report shall be in compliance with the appropriate requirements of Section 27-129 of the Administrative Code of the City of New York Local Law 11/98.

The Architect's responsibility is limited solely to that of critical examination, preparation and filing of this report. No statement in this report is intended to extend the Architect's service and liability beyond that required by Local Law 11/98.

It is the Owners sole responsibility to immediately correct all conditions noted in this report as "unsafe" to comply with the requirements of law. The Owner is also advised to inform the Building Department of the corrections made for such conditions.

The Owner is required to prepare a maintenance program for the correction of all conditions noted as "safe with a repair and maintenance program" prior to the filing of the subsequent cycle report. Section 27-129 of Administrative Code of the City of New York requires the next critical examination of the building walls must be undertaken at such a time so as to have a report filed with the Building Department not later that five (5) years from the date of this report.

Critical statements made in this report on the conditions of the building may not be used to justify criticism of previous design professionals, contractors or anyone responsible for the building. This report may not be used as any representation or as the basis for any sale of the building referred to, either for as cooperatives, condominiums or any other sale.

The owner should periodically inspect fire escapes, ledges, sills and other projections and restrict the installation of potted plants and other objects, which may fall. The owner shall also be responsible for monitoring the installation of through window mounted air conditioners and provide assurance that they are professionally installed and in accordance with the manufacturer's guideline specifications. Items such as potted plants and air conditioners are frequently added without approval and on a temporary basis and as such cannot be the responsibility of Midtown Preservation.

Descriptions of the building, height of the building, number of floors, etc., were taken from various records in the Building Department and are not necessarily accurate beyond the minimal standards of accuracy required for this report. No warranty is made as to the accuracy of such information.

Nothing stated in this report shall be interpreted as a warranty of any kind by the Architect in connection with any construction, repairs or maintenance work, past, present,

Midtown Preservation P.C.

or future involving the building, any parts thereof or any appurtenances thereto. Nothing in this report shall be interpreted as implying that the Architect has given an opinion as to the suitability, adequacy or inadequacy of the original design of the building, any of the parts or appurtenances thereof or any alterations of the above.

The Architect shall have no responsibility with regard to the adequacy, strength, condition or safety of any item constructed in any manner of glass.

This report shall not be interpreted as containing any statement as to the suitability for use of any facility, appurtenance, item or attachment intended to be used by workmen, contractors, maintenance personnel or others who may perform or intend to perform work, maintenance, inspection or any other services of the building or appurtenances thereof. Any person utilizing such facilities, appurtenances, items or attachments in any manner will do so at his or her own risk, without any liability accruing to the Architect. The Owner shall inform all persons who may provide services in a manner covered by this paragraph of the above facts.

Conditions noted in this report are as of the date of inspection only. The condition of buildings of this type and size, as well as their appurtenances, will change over a period of time. The period required for change varies according to the building and overall environmental conditions. No surfaces were probed during the inspection and subsurface conditions were not investigated beyond what is visible.

A copy of this report has been given to the Owner prior to filing with the Building Department. Additionally, the Owner has been given a Photographic Record depicting certain conditions described herein. The Photographic Record is also a part of this submission to the Dept. of Buildings.

The Owner shall be deemed to have read the complete report and to have understood all of the recommendations and responsibilities stated herein. A copy of this report shall be kept with the Owner for future use.

This report was prepared under the direction of the undersigned. This report is not intended for the definitive determination of causes of conditions noted herein. Nor shall the owner use this report as a specification for repair work.

Signature and Seal

Michael Sleiman, R.A.
September 25, 2003

Local Law 11/98
Cycle 5 Report

10

188 East 70th Street
New York, N.Y.