

BOSTON, MASSACHUSETTS

**Hilton Boston Back Bay,  
40 Dalton Street Boston**  
APCC Parking Permit Application

Prepared for  
**City of Boston**

Prepared by  
**Howard Stein Hudson**

**June 2026**



**HOWARD STEIN HUDSON**

Engineers + Planners



June 15, 2026

Boston Air Pollution Control Commission  
c/o Environment Department  
26 Court Street, Floor 4  
Boston, MA 02108

Email: [apcc@boston.gov](mailto:apcc@boston.gov)  
Attn: Alice Brown and Alyssa Farkas

**Re: Hilton Boston Back Bay, 40 Dalton Street, Boston, Massachusetts  
APCC Parking Permit Application for Permit Modification**

To Whom it May Concern,

Enclosed please find the Application of Beantown Hotel Owner LLC c/o Belcourt Capital Partners (the Applicant) to the City of Boston Air Pollution Control Commission (APCC) for a modification to APCC Downtown Boston Parking Freeze Permit No. APCC453742, in connection with a request for additional spaces within the Boston Proper Freeze Zone. The Hilton Boston Back Bay Garage (the Site) currently has a permit for 216 exempt spaces. The Applicant requests to convert all existing exempt spaces to commercial and to update the parking count to reflect the current condition with 218 total spaces. The Permit Application retains the existing parking configuration and site access on Belvidere Street. The Site does not have any active review by other City agencies, however notes that the owner plans to file an Amended and Restated Development Plan for PDA No. 13 to reflect actual conditions for which discussions have been started with Boston Planning Development staff.

As further detailed in the enclosed materials, the Applicant seeks the APCC's approval of a modified Downtown Boston Parking Freeze Permit. In support of this application, we provide the following Exhibits:

- A. APCC Permit Application
- B. Statement of Need
- C. Proof of Ownership
- D. Location of Facility
- E. Site Plan and Parking Level Layouts for the Garage
- F. Abutters List (within 300 feet of Facility)



We respectfully request to be included on the agenda for the next scheduled APCC meeting on July 15, 2026. Hardcopies of the enclosed materials, together with a Joint Staff Report will be submitted not less than two (2) weeks before the anticipated hearing date.

If you have any questions about this matter, please do not hesitate to contact me if any additional information is required.

Sincerely,

Ian McKinnon, P.E., PTOE, RSP  
Associate Principal

Cc: Alice Brown, Air Pollution Control Commission  
Alyssa Farkas, Air Pollution Control Commission  
Tom Naughton, Belcourt Capital Partners  
Lauren Merhaut, Belcourt Capital Partners  
Jared Eigerman, Nutter



**HOWARD STEIN HUDSON**

Engineers + Planners

## **Appendix A**

APCC Permit Application



**A. GENERAL APPLICATION INFORMATION**

1. Project Location

40 Dalton Street a. Street Address	Boston b. City/Town	02115 c. Zip Code
f. Assessors Map/Plat Number	0401327000 g. Parcel/Lot Number	

2. Applicant

Thomas a. First Name	Naughton b. Last Name	Beantown Hotel Owner LLC c. Company	
350 Madison Avenue, 8th Floor d. Mailing Address			
New York e. City/Town		NY f. State	10017 g. Zip Code
310-567-6059 h. Phone Number	i. Fax Number	naughton@belcourtcap.com j. Email address	

3. Property Owner

a. First Name	b. Last Name	Beantown Hotel Owner LLC c. Company	
350 Madison Avenue, 8th Floor d. Mailing Address			
New York e. City/Town		NY f. State	10017 g. Zip Code
310-567-6059 h. Phone Number	i. Fax Number	naughton@belcourtcap.com j. Email address	

Check if more than one owner:

(If there is more than one property owner, please attach a list of these property owners to this form.)



4. Representative (if any)

Ian a. First Name	McKinnon b. Last Name	Howard Stein Hudson c. Company	
11 Beacon Street, Suite 1010 d. Mailing Address			
Boston e. City/Town		MA f. State	10017 g. Zip Code
617-348-3341 h. Phone Number		imckinnon@hshassoc.com j. Email address	

5. What kind of application is being filed?

- Request a New Parking Freeze Permit or Exemption Certification
- Modify an existing Parking Freeze Permit or Exemption Certification

6. Which Parking Freeze is your facility located in

- Downtown Boston
- South Boston

**B. PARKING FACILITY INFORMATION**

1. Applicant

Downtown Boston		South Boston	
Commercial Spaces	218	Commercial Spaces	
Exempt Spaces	0	Residential Included Spaces	
Residential Excluded Spaces	0	Residential Excluded Spaces	

2. Do you currently or will you charge for parking?

- Yes
- No
- Not sure

3. What is your current or proposed parking method and facility type? (select all that apply)

- Valet
- Self-Parking
- Surface Lot
- Garage



4. Is your project compliant with the City's Bicycle Parking Guidelines?

Number of Long-Term Bicycle Spaces: <b>20</b>	Number of Showers: <b>2</b>
Number of Short-Term Bicycle Spaces: <b>0</b>	Bikeshare Station Size and Contribution: <b>n/a</b>
Number of Lockers: <b>40</b>	Other Amenities (Please List): <b>Hotel guests are provided two Bluebike day passes</b>

5. Is your project compliant with the City's Electric Vehicle Readiness Policy?

EVSE-Installed Points: <b>A 6</b>	Total number of spaces: <b>C 218</b>
EV-Ready Points: <b>B 10</b>	Does <b>A + B = C</b> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Note: Please attach the Electric Vehicle Equivalency Calculator to this application, available at [www.boston.gov/recharge-boston](http://www.boston.gov/recharge-boston).

6. Please fill out the information below:

Total Number of Proposed Spaces: <b>218</b>	Total Parking Facility Square Footage: <b>107,713</b>
Number of New Spaces: <b>2</b>	Ratio of Residential Spaces to Units: <b>n/a</b>
Number of Existing Spaces: <b>216</b>	(Optional) Number of Spaces Returned: <b>n/a</b>

7. Please list the total facility square footage by use type:

Residential Sqft: <b>n/a</b>	Retail Sqft: <b>n/a</b>
Office/Admin Sqft: <b>n/a</b>	Institutional Sqft: <b>n/a</b>
Industrial Sqft: <b>n/a</b>	Lodging Sqft: <b>286,039 (401 room keys)</b>

8. Are you required to execute a Transportation Access Plan Agreement (TAPA)?

Yes  No

(If yes, please attach the draft or final TAPA to this form if available.)



**C. SIGNATURES AND SUBMITTAL REQUIREMENTS**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Applicant will place notification of this Application in a local newspaper at the expense of the applicant in accordance with the Procedures and Criteria for the Issuance of Parking Freeze Permits.

6/8/26

Signature of Applicant

Date

Signature of Property Owner (if different)

Date

6/12/2026

Signature of Representative (if any)

Date

**D. ADDENDUM: IMPORTANT APPLICATION INFORMATION**

**PAYMENT**

Please include a check or money order made payable to the City of Boston, Air Pollution Control Commission. The fee is \$20 per parking space. Application and renewal fees apply to all locations within the Downtown, East Boston, and South Boston Parking Freeze Zones.

**WRITTEN PROOF**

Please attach written proof that the applicant is the owner of record or has written approval from the owner of record to file this application.

**STATEMENT OF NEED**

Please attach a general description of the facility and the parking needs of the project, local entities, and patrons that the proposed facility will serve. Any written support (letters, etc.) that you wish to supply in support of this statement should be attached



## **SITE PLANS**

Please attach a site plan of the parking facility showing:

- location of the facility;
- layout of the spaces;
- entry and exit locations;
- total square footage of the parking area;
- location, type and amount of electric vehicle parking;
- location and amount of bicycle parking and bicycle facilities.

## **OTHER APPLICABLE REVIEWS**

If you are working in a historic district or on a designated landmark, you should consult with the appropriate historic or architectural commission. If you are working in the floodplain or within 100 feet of a wetland, you should consult with the Conservation Commission. Visit [boston.gov/landmarks](http://boston.gov/landmarks) and [boston.gov/conservation](http://boston.gov/conservation) before starting any work.

## **WHERE TO SEND**

We prefer you complete the digital application using this form. Export the form as a PDF and email your application and supporting documents to [APCC@boston.gov](mailto:APCC@boston.gov). You can also mail your application, documents, and payment to: Air Pollution Control Commission, Boston City Hall, 1 City Hall Square, Room 709, Boston, MA 02201. Please notify us that you have sent an application by mail at [APCC@boston.gov](mailto:APCC@boston.gov).



**HOWARD STEIN HUDSON**

Engineers + Planners

## **Appendix B**

### Statement of Need



**Jared J. Eigerman**

Direct Line: 617-439-2201

E-mail: jeigerman@nutter.com

June 10, 2026

0130256-00001

Air Pollution Control Commission  
Environment Department  
26 Court Street, Floor 4  
Boston, MA 02108  
Attn.: Alice Brown, Director of Environmental Quality

Re: Downtown Boston Parking Freeze Permit Application  
-- Hilton Boston Back Bay, 40 Dalton Street, Boston, MA  
(Assess. Dept. Parcel ID No. 0401327000)

Dear Director Brown:

Please accept this statement of need in support of the application referenced above. For many years, now, the accessory parking spaces within the Hilton Boston Back Bay Hotel have largely gone unused. *The owner/applicant respectfully requests a permit to allow their commercial use.*

- Development of the Hilton Boston Back Bay was approved originally by the Boston Redevelopment Authority in 1980, with 372 guest rooms and a seven level, **265-car garage** accessory to the principal hotel use. (Planned Development Area No. 13, Development Plan, May 22, 1980.)
- As is true today, in 1980 the hotel was located with the *Restricted Parking* District, in which parking accessory to non-residential use required a conditional use permit. The Boston Board of Appeal granted this. (Decision, Case No. BZC 4842, July 29, 1980.) The parking garage permit from the Public Safety Commission allowed **256 vehicles**.
- For whatever reason, by 2021 the records of the Air Pollution Control Commission (the "APCC") listed **280 "exempt" spaces** at 40 Dalton Street.
- In that year, the hotel's ownership of that time applied to remove a permit condition that limited use of the parking facility to hotel guests only, and to allow parking by exempt users in the surrounding area. The APCC granted the modified exemption for **216 vehicles**.



Alice Brown, Director of Environmental Quality  
40 Dalton Street (Assessing Dept. Parcel ID No. 0401327000)

Page 2

Today, the hotel has new ownership. After recent renovations, the hotel has 401 guest rooms. The accessory parking garage has been found to have a capacity for 218 vehicles.

*Usage varies by month and season, but management reports that approximately 100 spaces go unused on any given day. Therefore, to bring into productive use parking spaces that have existed near the Hynes Convention Center and Prudential Center, for over 40 years, we respectfully request a permit to allow **commercial parking for 218 vehicles**.*

If the 218 spaces were opened to commercial use, the owner expects that several principal uses within a reasonable walking distance of 40 Dalton Street will make use of the parking facility. These include other hotels, the Hynes Convention Center, and the Prudential Center. Both the owner and the public would benefit from putting fallow parking into active use.

*Please see enclosed **Site Plan and Parking Level Plans**.*

The applicant will equip six (6) parking spaces on the sixth floor with Level-2 chargers intended to meet the Boston Transportation Department's Electric Vehicle ("EV") Readiness Guidelines, and an additional ten (10) spaces will be made EV-ready. Usage of the six Level-2 chargers will be monitored by the applicant to evaluate the demand for additional chargers.

On its second floor, the garage includes a caged bike storage room with capacity for up to 20 bicycles and access via an existing elevator, for use by employees and visitors. Inside the hotel, there are two (2) showers and forty (40) lockers available for use by employees.

Pending the outcome of this application to the APCC, the owner will file an Amended and Restated Development Plan for PDA No. 13 to reflect actual conditions. On the owner's behalf, I have already been in contact with Boston Planning Department staff, and their legal counsel, regarding that application.

Thank you for your attention to this matter.

Sincerely,

Jared J. Eigerman

JJE:jjj



**HOWARD STEIN HUDSON**

Engineers + Planners

## **Appendix C**

### Proof of Ownership

# Suffolk County Registry of Deeds

## Electronically Recorded Document

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### Recording Information

Document Number : 21087  
Document Type : DED  
Recorded Date : April 10, 2024  
Recorded Time : 12:52:38 PM  
  
Recorded Book and Page : 70056 / 174  
Number of Pages(including cover sheet) : 7  
Receipt Number : 1055204  
Recording Fee (including excise) : \$613,333.64

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Suffolk County District ROD # 001  
Date: 04/10/2024 12:52 PM  
Ctrl# 237143 32050 Doc# 00021087  
Fee: \$613,178.64 Cons: \$134,469,000.00  
\*\*\*\*\*

**Suffolk County Registry of Deeds**  
**Stephen J. Murphy, Register**  
**24 New Chardon Street**  
**Boston, MA 02114**  
**617-788-8575**  
**Suffolkdeeds.com**

**Recording Requested By,  
And After Recording  
Please Return to:**

**Greenberg Traurig, LLP  
One Vanderbilt Avenue  
New York, New York 10017  
Attention: Farah S. Ahmed, Esq.**

### **QUITCLAIM DEED**

PIM Boston Back Bay LLC, a Delaware limited liability company ("Grantor") for consideration paid of One Hundred Thirty-Four Million Four Hundred Sixty-Nine Thousand and NO/100 Dollars (\$134,469,000.00) grants to Beantown Hotel Owner LLC, a Delaware limited liability company, having a place of business at 350 Madison Avenue, 8th Floor, New York, New York 10017 ("Grantee") with Quitclaim Covenants, the land and air rights, together with the improvements thereon and therein, in Boston, Suffolk County, Massachusetts, commonly known and numbered as 40 Dalton Street, 19-21 Scotia Street and 24-30 Belvidere Street, Boston, MA 02115, being more particularly bounded and described on Exhibit A attached hereto and incorporated herein by reference.

Subject to and with the benefit of all easements, agreements, restrictions, covenants and other matters of record, in so far as the same are in force and applicable.

Grantor is not taxed as a corporation for federal or state income tax purposes.

For Grantor's title, see deed dated December 13, 2012 and recorded with the Suffolk County Registry of Deeds at Book 50681, Page 214.

Address of Property: 40 Dalton Street, 19-21 Scotia Street and 24-30 Belvidere Street,  
Boston, Massachusetts 02115

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed as a sealed instrument as of the 9<sup>th</sup> day of APRIL, 2024.

PIM BOSTON BACK BAY LLC,  
a Delaware limited liability company

By: [Signature]  
Name: J. Robison Hays III  
Title: President and Authorized Signatory

STATE OF TEXAS  
COUNTY OF DALLAS, ss

On this 4<sup>th</sup> day of April, 2024, before me, the undersigned notary public, personally appeared J. Robison Hays III, personally known or proved to me through satisfactory evidence of identification, to be the person whose name is signed on the preceding or attached document, as President and Authorized Signatory of PIM Boston Back Bay LLC, a Delaware limited liability company, and acknowledged to me that he/she signed it voluntarily for its stated purpose as the voluntary act of said limited liability company.

[Signature]  
Notary Public

(AFFIX SEAL)

Notary name printed: Susan Moon

My commission expires: 2/21/2026

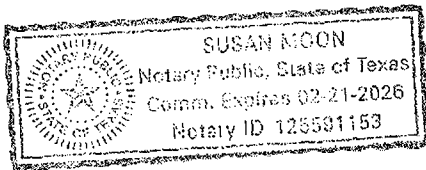


Exhibit A

## Legal Description of Conveyed Property

The land and air rights, situated in the City of Boston, County of Suffolk, Commonwealth of Massachusetts, bounded and described as follows:

1. The parcel of land shown as Lot 1 on a plan entitled, "Plan of Land Prepared for Dalton Associates, Boston, Mass." J.F. Hennessey. C.E., dated October 7, 1980, revised November 3, 1980, recorded with Suffolk County Registry of Deeds, Book 9632, End, having an area of 10,200 square feet according to said plan, bounded and described according to said plan as follows:

SOUTHERLY by Belvidere Street, one hundred fifty (150) feet;  
 WESTERLY by Lot 2 shown on said plan, sixty-eight (68) feet;  
 NORTHERLY by Lots 3 and 4 shown on said plan, one hundred fifty (150) feet; and  
 EASTERLY by Lot 5 shown on said plan, sixty-eight (68) feet;

2. The air space lying above a horizontal plane drawn at elevation fifty-nine (59) feet, three (3) inches, City of Boston Base, upon and over Lot 4 shown on said plan, excluding the portion thereof marked "Air Shaft," said horizontal plane having an area of 6,764.9 square feet according to said plan, and which horizontal plane intersects the vertical planes determined by the following boundaries as shown on said plan;

NORTHERLY by Scotia Street, seventy-three (73) feet;  
 EASTERLY by said Lot 5, one hundred six and 96/100 (106.96) feet;  
 SOUTHERLY by said Lot 1, fifty-three (53) feet;  
 WESTERLY by said Lot 3, forty-one and 96/100 (41.96) feet;  
 SOUTHERLY again by Lot 3, one (1) foot;  
 WESTERLY thirteen (13) feet, by the area marked "Air Shaft" on said plan;  
 SOUTHERLY seventeen (17) feet, again by said "Air Shaft";  
 EASTERLY thirteen (13) feet, again by said "Air Shaft";  
 SOUTHERLY again by Lot 3, two (2) feet; and  
 WESTERLY by land shown on said plan as being of Boston Edison Company, sixty-five (65) feet.

3. The air space lying above a horizontal plane drawn at elevation thirty-nine (39) feet. City of Boston Base, upon and over Lot 3 shown on said plan, excluding the portion thereof marked "Air Shaft" said horizontal plane having an area of 4,053.1 square feet according to said plan, and which horizontal plane intersects the vertical planes determined by the following boundaries as shown on said plan;

NORTHERLY by land shown on said plan as being of Boston Edison Company, and by said Lot 4, seventy-nine (79) feet;  
 EASTERLY one (1) foot, by said "Air Shaft";  
 NORTHERLY seventeen (17) feet, again by said "Air Shaft";

WESTERLY one (1) foot, again by said "Air Shaft";  
NORTHERLY again by Lot 4, one (1) foot;  
EASTERLY again by Lot 4, forty-one and 96/100 (41.96) feet;  
SOUTHERLY by said Lot 1, ninety-seven (97) feet; and  
WESTERLY by said Lot 2, forty-one and 96/100 (41.96) feet;

4. The air space lying above a horizontal plane drawn at elevation thirty-nine (39) feet. City Boston Base, upon and over Lot 2 shown on said plan, said horizontal plane having an area of 1,779.6 square feet according to said plan, and which horizontal plane intersects the vertical planes determined by the following boundaries of said Lot 2 as shown on said plan;

SOUTHERLY by Belvidere Street, twenty (20) feet;  
WESTERLY by land of the Roman Catholic Archbishop of Boston, sixty-eight (68) feet;  
NORTHERLY by land shown on said plan as being of Boston Edison Company, ten (10) feet;  
WESTERLY again by the same, forty-one and 96/100 (41.96) feet;  
NORTHERLY again by the same, ten (10) feet; and  
EASTERLY by said Lots 3 and 1, one hundred nine and 96/100 (109.96) feet

5. The parcel of land shown as Lot 5 of said plan, having an area of 21,580 square feet according to said plan, bounded and described according to said plan as follows:

Starting at a point of curvature in the line of Belvidere Street, then going on a curved line of twenty-six and 88/100 (26.88) feet on a radius of twelve and 66/100 (12.66) feet to a point of tangency in the line of Dalton Street; thence running by Dalton Street North 20 degrees 18 minutes 31 seconds West for a distance of one hundred seventy-five and 02/100 (175.02) feet to a point of curvature at the intersection with Scotia Street; then along a curved line a distance of fourteen and 36/100 (14.36) feet on a radius of fourteen and 11/100 (14.11) feet to a point of tangency in the line of Scotia Street; thence by Scotia Street North 78 degrees 38 minutes 19 seconds West for a distance of sixty-two and 21/100 (62.21) feet to a point; thence at a right angle South 11 degrees 21 minutes 41 seconds West by said Lot 4 and said Lot 1 for a distance of one hundred seventy-four and 96/100 (174.96) feet to a point in the line of Belvidere Street; thence at a right angle running by Belvidere Street South 78 degrees 38 minutes 19 seconds East for a distance of one hundred-fifty-five and 33/100 (155.33) feet to the point of Beginning.

TOGETHER WITH the rights and easements contained in the deed of Boston Edison Company to Dalton

Associates, dated September 20, 1973, recorded September 21, 1973 with Suffolk County Registry of Deeds in Book 8661, Page 348, as amended by an Agreement between the same parties dated October 1, 1980, recorded December 30, 1980 with Suffolk County Registry of Deeds in Book 9632, Page 278, as amended by Second Amendment to Deed between the same parties dated August 7, 1981, recorded October 1, 1981 with Suffolk County Registry of Deeds in Book 9849, Page 567, as affected by Certificate of Boston Edison Company dated March 19, 1997 and recorded March 20, 1997 with Suffolk County Registry of Deeds in Book 21275 Page 93, and as amended by Third Amendment to Deed between Boston Edison Company and Dalton Associates, predecessor in interest to DHM Associates Limited Partnership dated February 5, 1999 and recorded February 19, 1999 with Suffolk County Registry of Deeds in Book 23457 Page 240.

6. The following air rights, all as shown on a plan entitled, "Discontinuance Plan - Vertical, Dalton Street and Belvidere Street, Boston Proper", Scale: 1" = 20', dated June 4, 1997, prepared by Harry R. Feldman, Inc., 112 Shawmut Avenue, Boston, Massachusetts 02118 (the "Plan"), recorded with an Order of Taking at Suffolk Registry of Deeds in Book 21508, Page 60;

**Parcel 1:**

Certain air rights within Belvidere Street, Boston, Suffolk County, Massachusetts, show as Vertical Discontinuance "A" of the Plan, beginning at elevation 43.00' on Boston City Base (B.C.B.) up to and including elevation 237.00' (B.C.B.), a vertical distance of 194.00' as shown on Elevation View C-C on said Plan, shown by cross-hatching on Detail A of said Plan, and bounded: westerly by a portion of said Belvidere Street by a line labeled North 20 degrees 18 minutes 09 seconds West, a length of 5.92'; southwestly by a portion of said Belvidere Street by a line labeled North 50 degrees 18 minutes 09 seconds West, a length of 8.11'; southerly by a portion of said Belvidere Street by a line labeled North 80 degrees 18 minutes 09 seconds West, a distance of 8.11'; southeasterly by a portion of said Belvidere Street by a line labeled South 69 degrees 41 minutes 51 seconds West, a distance of 2.24'; northerly by a portion of Dalton Street by a broken line which is an extension of the northerly sideline of Belvidere Street labeled South 58 degrees 22 minutes 57 seconds East, a length of 7.35'; and northerly by land now or formerly of DHM Associates Limited Partnership ("DHM") by a line labeled South 58 degrees 22 minutes 57 seconds East, a length of 21.58'; all as shown on said Plan, and containing an area of 68 square feet, as shown on Detail A of said Plan.

**Parcel 2:**

Certain air rights within Dalton Street, Boston, Suffolk County, Massachusetts, shown as Vertical Discontinuance "C" on the Plan, beginning at elevation 43.00' on Boston City Base (B.C.B.) up to and including elevation 237.00' (B.C.B.), a vertical distance of 194.00' as shown on Elevation View D-D on said Plan, shown by shading on Detail A of said Plan and bounded: northerly by land now or formerly of DHM Associates Limited Partnership ("DHM") by an arc with a radius of 12.66', a length of 13.96'; southerly by a portion of Belvidere Street by a broken line which is an extension of the northerly sideline of Belvidere Street which is labeled South 58 degrees 22 minutes 57 seconds East, a length of 7.35'; southeasterly by a portion of said

Dalton Street by a line labeled South 69 degrees 41 minutes 51 seconds West, a distance of 5.87'; and

southeasterly by a line labeled North 39 degrees 41 minutes 51 seconds East, a distance of 2.35'; all as shown on said Plan, and containing an area of 12 square feet, as shown on Detail A of said Plan.

**Parcel 3:**

Certain air rights within Belvidere Street, Boston, Suffolk County, Massachusetts, shown as Vertical Discontinuance "B" on the Plan, beginning at elevation 237.00' (B.C.B.) up to and including elevation 286.00' (B.C.B.), a vertical distance of 49.00' as shown on Elevation View C-C on said Plan, shown by cross-hatching on Detail B of said Plan, and bounded: easterly, southerly

and southeasterly by a portion of Belvidere Street shown by an arc with a radius of 16.23', a length of 27.49'; northeasterly by a portion of Dalton Street shown by a broken line which is an extension of the northerly sideline of Belvidere Street which is labeled South 58 degrees 22 minutes 57 seconds East, a length of 8.72'; and northerly by said land of DHM by a line labeled South 58 degrees 22 minutes 57 seconds East, a length of 24.31'; all as shown on Detail B of said Plan, and containing an area of 93 square feet as shown on Detail B of said Plan.

**Parcel 4:**

Certain air rights within Dalton Street, Boston, Suffolk County, Massachusetts, shown as Vertical Discontinuance "D" on the Plan, beginning at elevation 237.00' (B.C.B.) up to and including elevation 286.00' (B.C.B.), a vertical distance of 49.00' as shown on Elevation View D-E1 on said Plan, shown by shading on Detail B of said Plan, and bounded: northerly by land now or formerly of DHM Associates Partnership by an arc with a radius of 12.66' a length of 20.09'; southwesterly by a portion of Belvidere Street by a broken line which is an extension of the northerly sideline of Belvidere Street which is labeled South 58 degrees 22 minutes 57 seconds East, a length of 8.72'; and southeasterly and easterly by a portion of Dalton Street by an arc with a radius of 16.23', a length of 13.87', all as shown on Detail B of said Plan, and containing an area of 22 square feet as shown on Detail B of said Plan.

# Suffolk County Registry of Deeds

## Electronically Recorded Document

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### Recording Information

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Receipt Number	: 1055204
Recording Fee (including excise)	: \$155.00

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MASSACHUSETTS EXCISE TAX  
Suffolk County District ROD # 001  
Date: 04/10/2024 12:52 PM  
Ctrl# Doc# 00021088  
Fee: \$.00 Cons: \$10.00  
\*\*\*\*\*

**Suffolk County Registry of Deeds**  
**Stephen J. Murphy, Register**  
**24 New Chardon Street**  
**Boston, MA 02114**  
**617-788-8575**  
**Suffolkdeeds.com**

**Recording Requested By,  
And After Recording  
Please Return to:**

**Greenberg Traurig, LLP  
One Vanderbilt Avenue  
New York, New York 10017  
Attention: Farah S. Ahmed, Esq.**

**RELEASE DEED**

PIM Boston Back Bay LLC, a Delaware limited liability company (“Grantor”) for consideration paid of TEN and NO /100 Dollars (\$10.00) grants to Beantown Hotel Owner LLC, a Delaware limited liability company, having a place of business at 350 Madison Avenue, 8th Floor, New York, New York 10017 (“Grantee”) certain air rights, including improvements therein, in Boston, Suffolk County, Massachusetts, commonly known and numbered as 40 Dalton Street, 19-21 Scotia Street and 24-30 Belvidere Street, Boston, MA 02115, being more particularly bounded and described on Exhibit A attached hereto and incorporated herein by reference.

Subject to and with the benefit of all easements, agreements, restrictions, covenants and other matters of record, in so far as the same are in force and applicable.

Grantor is not taxed as a corporation for federal or state income tax purposes.

For Grantor’s title, see deed dated December 13, 2012 and recorded in the Suffolk County Registry of Deeds at Book 50681, Page 214.

Address of Property: 40 Dalton Street, 19-21 Scotia Street and 24-30 Belvidere Street,  
Boston, Massachusetts 02115

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed as a sealed instrument as of the 9<sup>th</sup> day of APRIL, 2024.

PIM BOSTON BACK BAY LLC,  
a Delaware limited liability company

By: [Signature]  
Name: J. Robison Hays III  
Title: President and Authorized Signatory

STATE OF TEXAS  
COUNTY OF DALLAS, ss

On this 4<sup>th</sup> day of April, 2024, before me, the undersigned notary public, personally appeared J. Robison Hays III, personally known or proved to me through satisfactory evidence of identification, to be the person whose name is signed on the preceding or attached document, as President and Authorized Signatory of PIM Boston Back Bay LLC, a Delaware limited liability company, and acknowledged to me that he/she signed it voluntarily for its stated purpose as the voluntary act of said limited liability company.

[Signature]  
Notary Public

(AFFIX SEAL)

Notary name printed: Susan Moon

My commission expires: 2/21/2026

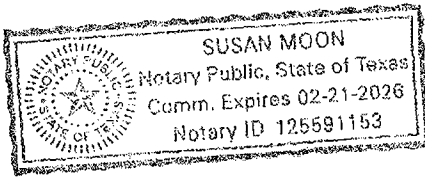


Exhibit A

## Legal Description of Conveyed Property

The air rights, situated in the City of Boston, County of Suffolk, Commonwealth of Massachusetts, bounded and described as follows:

1. The air space lying between the horizontal planes with an upper limit of elevation of fifty-nine (59) feet, three (3) inches, City of Boston Base, and a lower limit of elevation of fifty-eight (58) feet, seven (7) inches, City of Boston Base, upon and over Lot 4 shown on a plan entitled "Plan of Land Prepared for Dalton Associates, Boston, Mass." J.F. Hennessey, C.E., dated October 7, 1980, revised November 3, 1980, recorded with the Suffolk County Registry of Deeds, Book 9632, Page End, excluding the portion thereof marked "Air Shaft", said horizontal planes having an area of 6,764.9 square feet according to said plan, and which horizontal planes intersect the vertical planes determined by the following boundaries as shown on said plan;

NORTHERLY by Scotia Street, seventy-three (73) feet;  
 EASTERLY by Lot 5 shown on said plan, one hundred six and 96/100 (106.96) feet;  
 SOUTHERLY by Lot 1 shown on said plan, fifty-three (53) feet;  
 WESTERLY by Lot 3 shown on said plan, forty-one and 96/100 (41.96) feet;  
 SOUTHERLY again by said Lot 3, one (1) foot;  
 WESTERLY thirteen (13) feet, by the area marked "Air Shaft" on said plan;  
 SOUTHERLY seventeen (17) feet, again by said "Air Shaft";  
 EASTERLY thirteen (13) feet, again by said "Air Shaft";  
 SOUTHERLY again by said Lot 3, two (2) feet; and  
 WESTERLY by land shown on said plan as being of Boston Edison Company, sixty-five (65) feet.

2. The air space lying between the horizontal planes with an upper limit of elevation of thirty-nine (39) feet, City of Boston Base, and a lower limit of elevation of thirty-eight (38) feet, seven (7) inches, City of Boston Base, upon and over Lot 3 shown on said plan, excluding the portion thereof marked "Air Shaft", said horizontal planes having an area of 4,053.1 square feet according to said plan, and which horizontal planes intersect the vertical planes determined by the following boundaries as shown on said plan;

NORTHERLY by land shown on said plan as being of Boston Edison Company, and by said Lot 4, seventy-nine (79) feet;  
 EASTERLY one (1) foot, by said "Air Shaft";  
 NORTHERLY seventeen (17) feet, again by said "Air Shaft";  
 WESTERLY one (1) foot, again by said "Air Shaft";  
 NORTHERLY again by said Lot 4, one (1) foot;  
 EASTERLY again by said Lot 4, forty-one and 96/100 (41.96) feet;  
 SOUTHERLY by said Lot 1, ninety-seven (97) feet; and  
 WESTERLY by Lot 2 shown on said plan, forty-one and 96/100 (41.96) feet;

[Exhibit A to Release Deed]



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## Appendix D

### Location of Facility

- Locus Map
- Area Garage Map



Figure 1. *Locus Map*

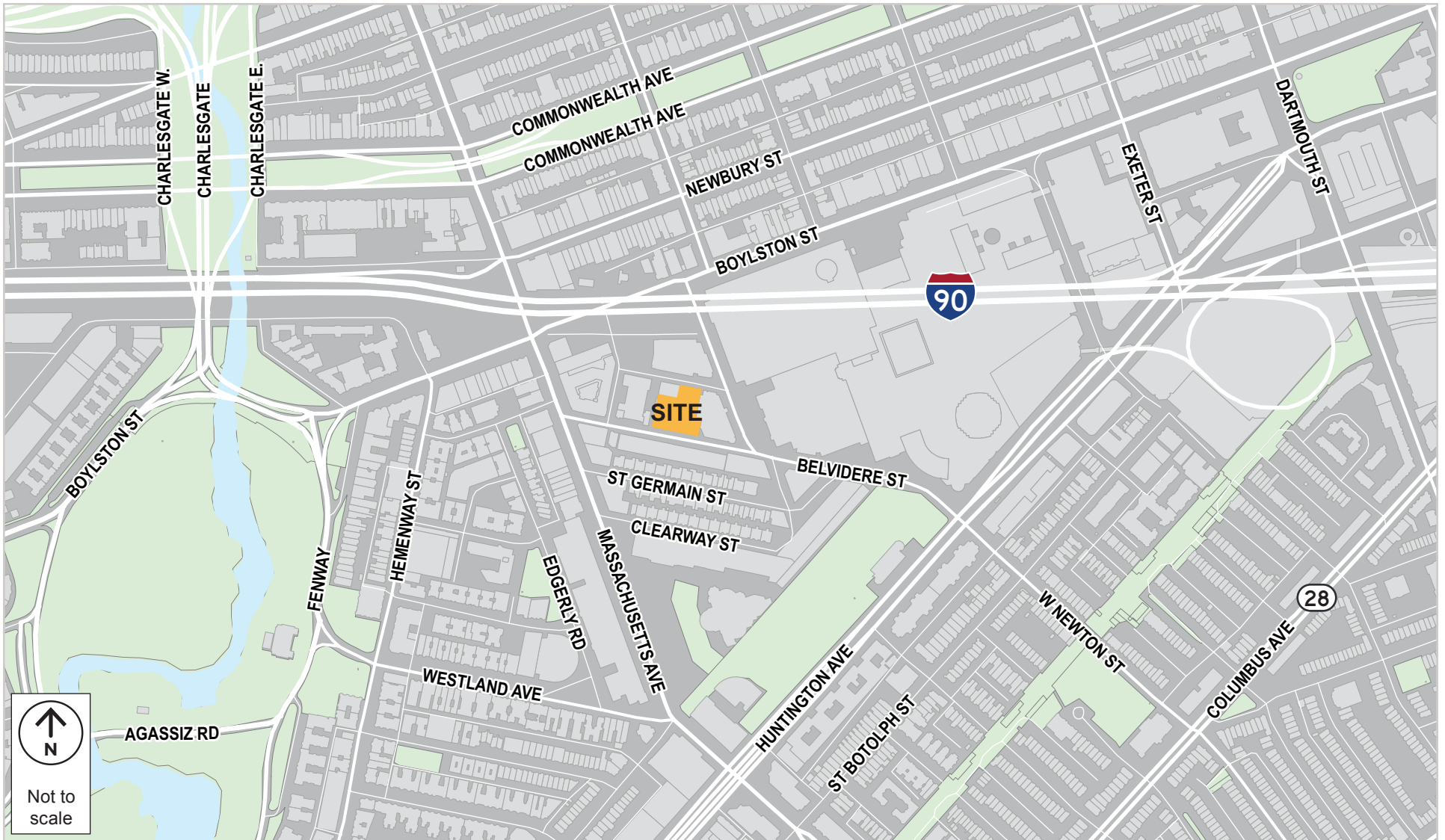
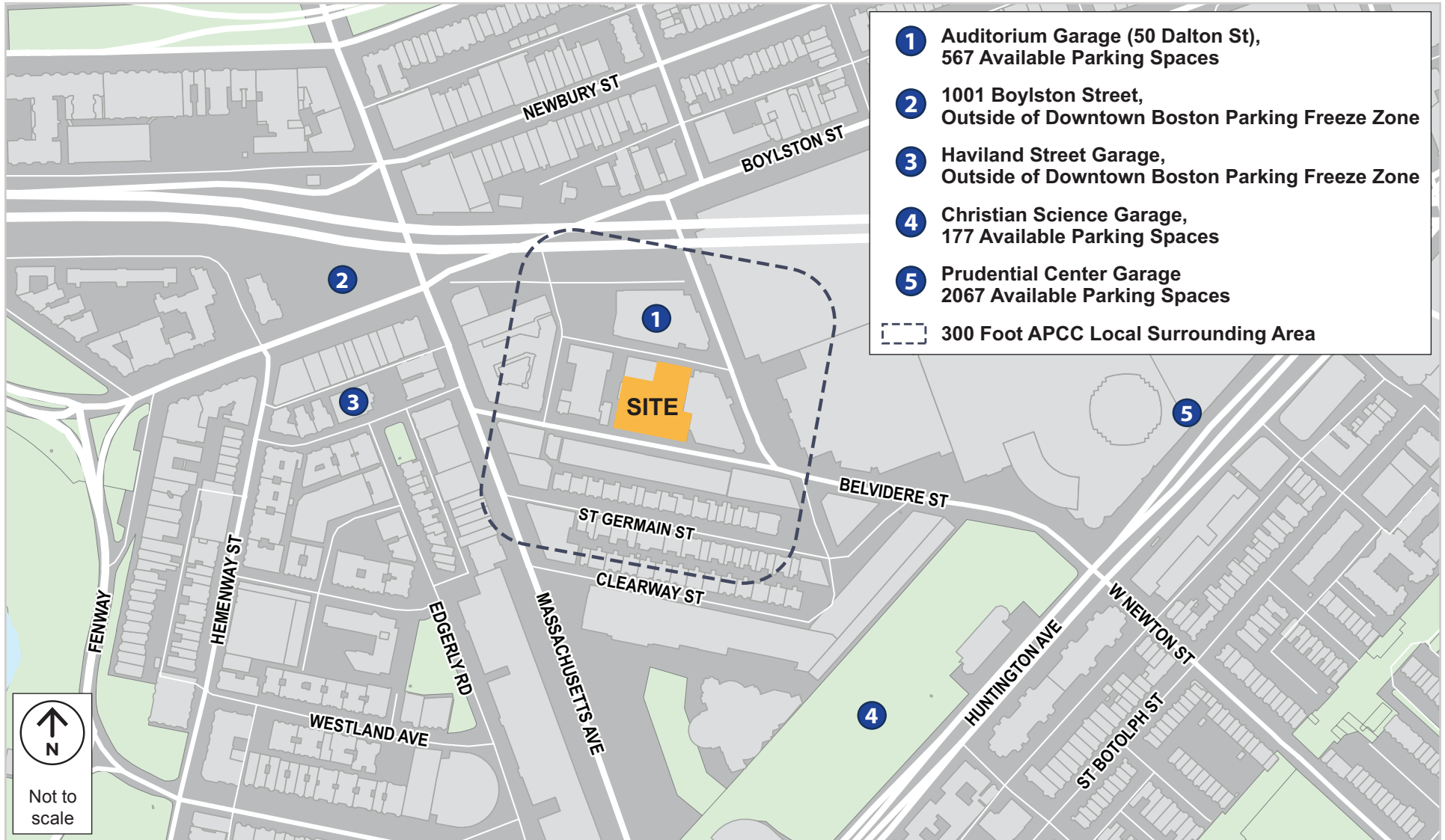




Figure 2. *Area Garage Map*





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## Appendix E

### Site Layouts

- Site Plan
- Parking Level 1 and 2 Layouts
- Parking Level 3 and 4 Layouts
- Parking Level 5 and 6 Layouts
- Parking Level 6B Roof Layout



Figure 3. *Site Plan*

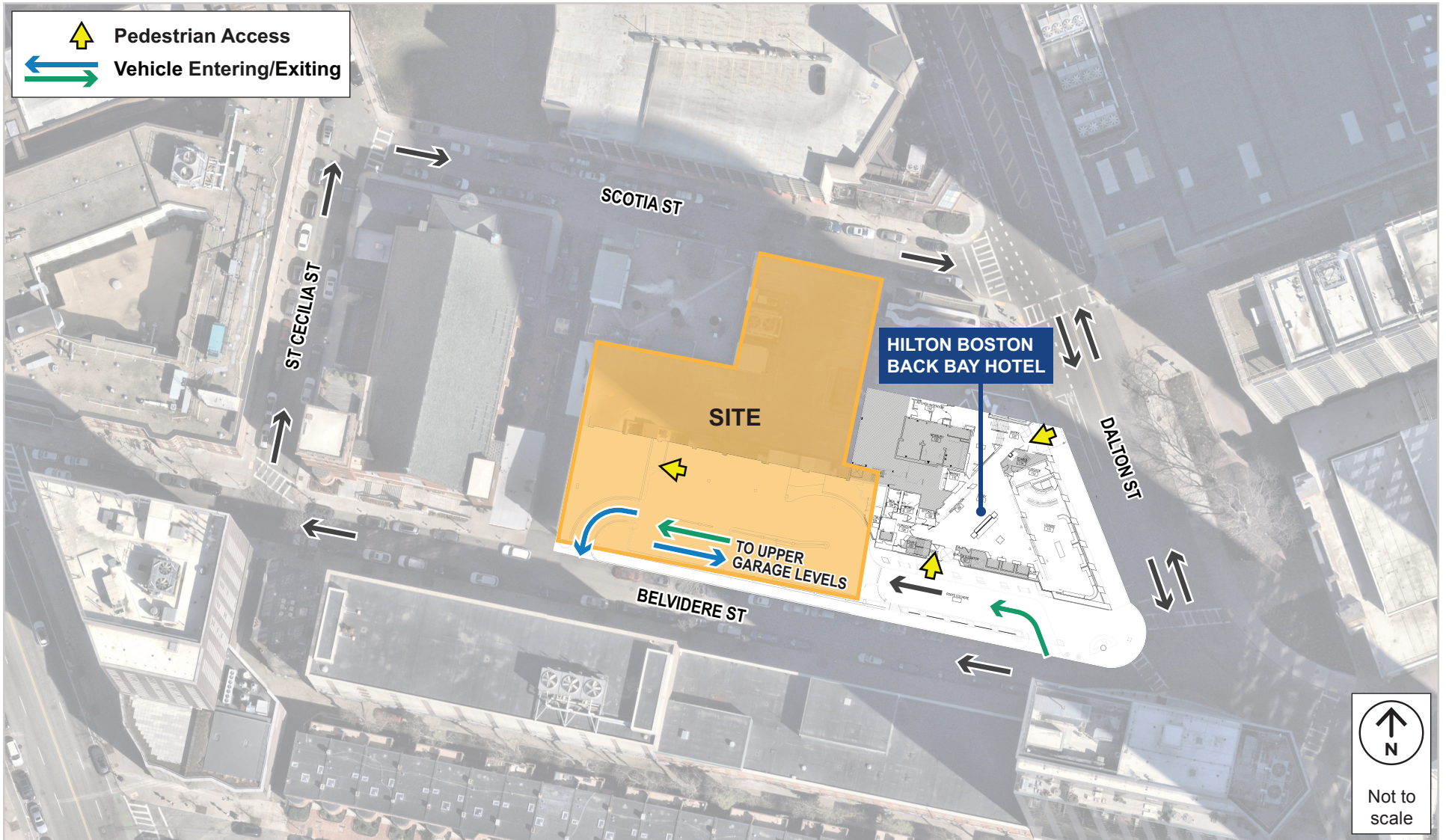




Figure 4. *Parking Level 1 and 2 Layouts*

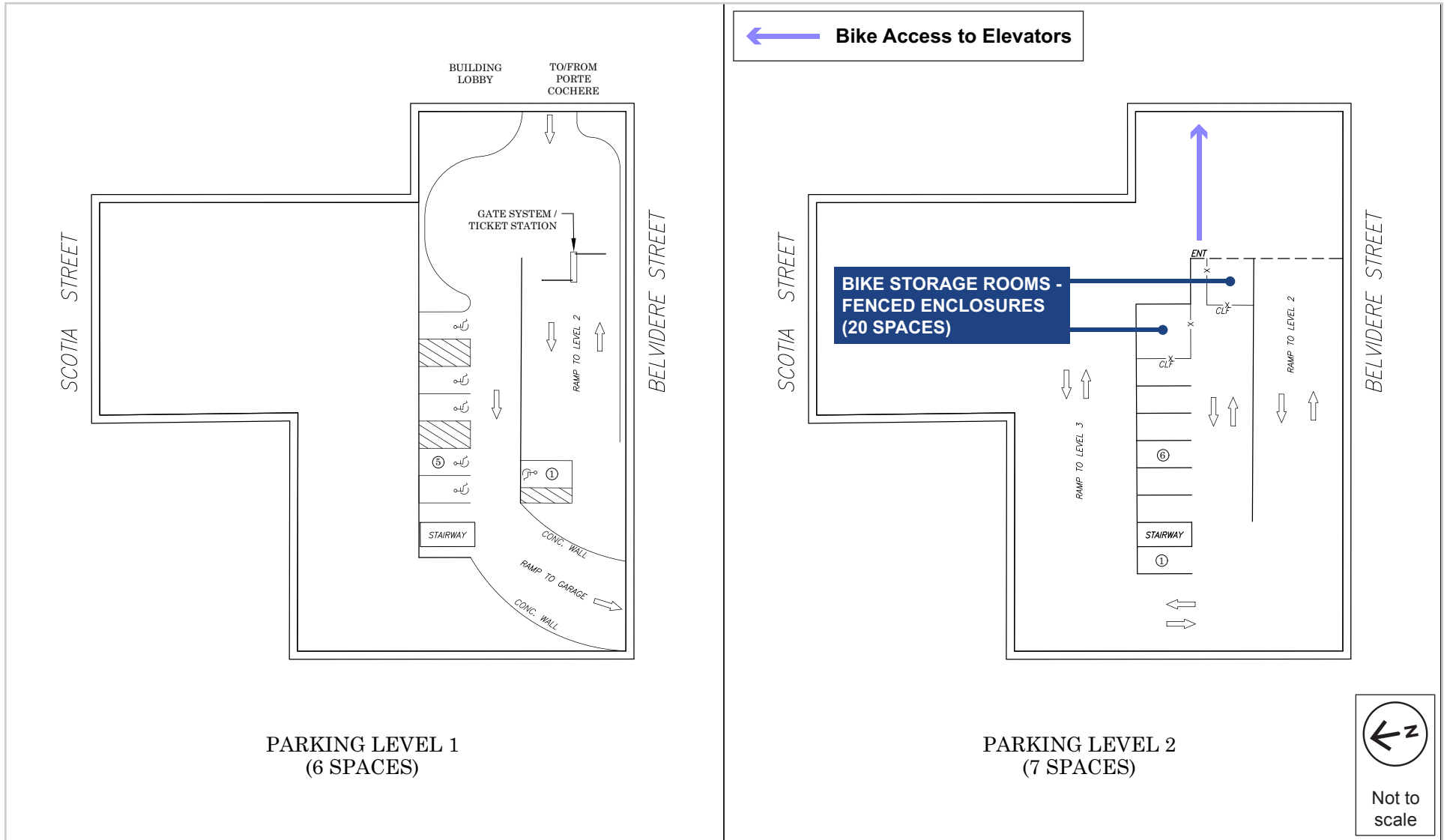




Figure 5. *Parking Level 3 and 4 Layouts*

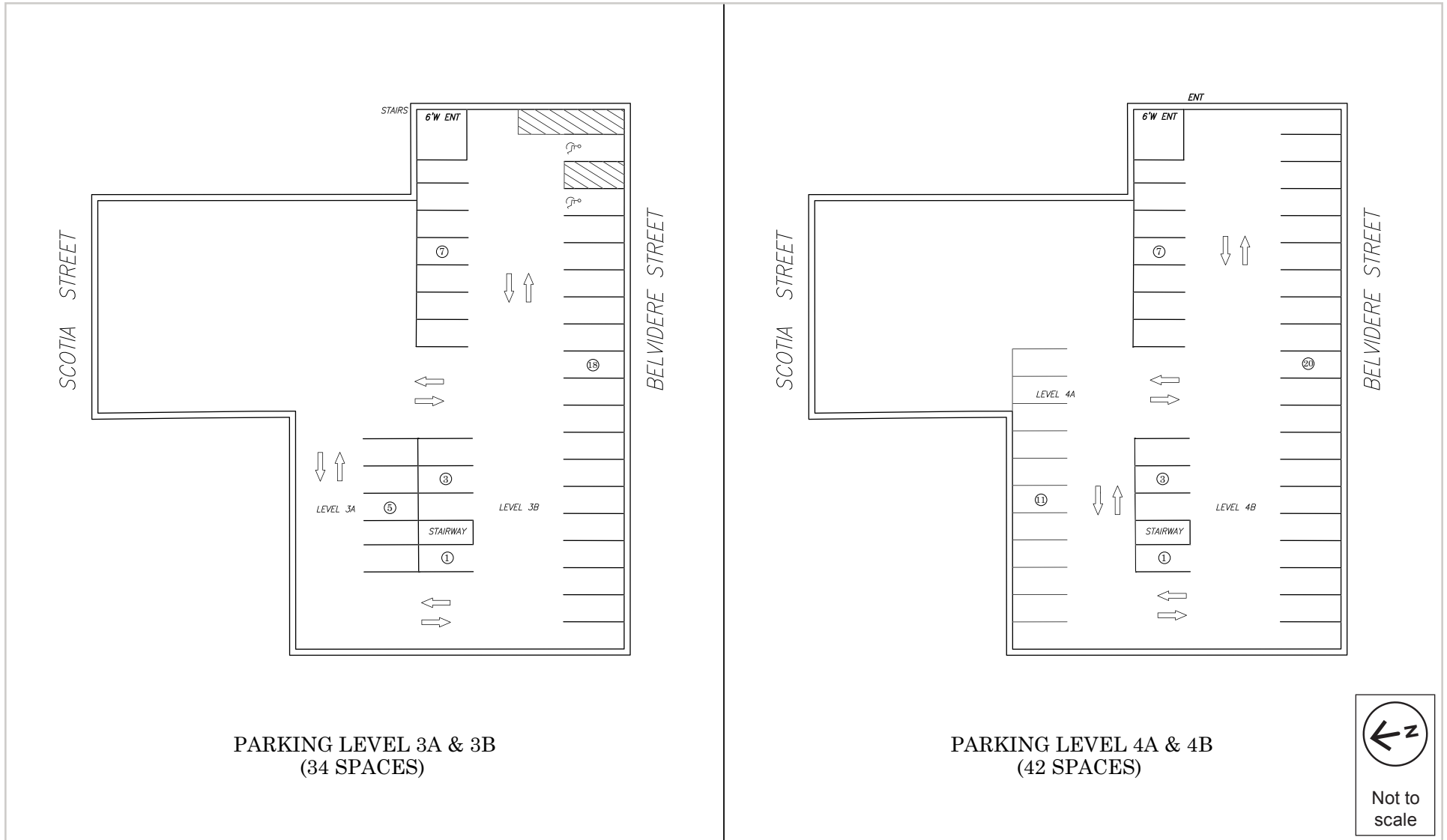




Figure 6. *Parking Level 5 and 6 Layouts*

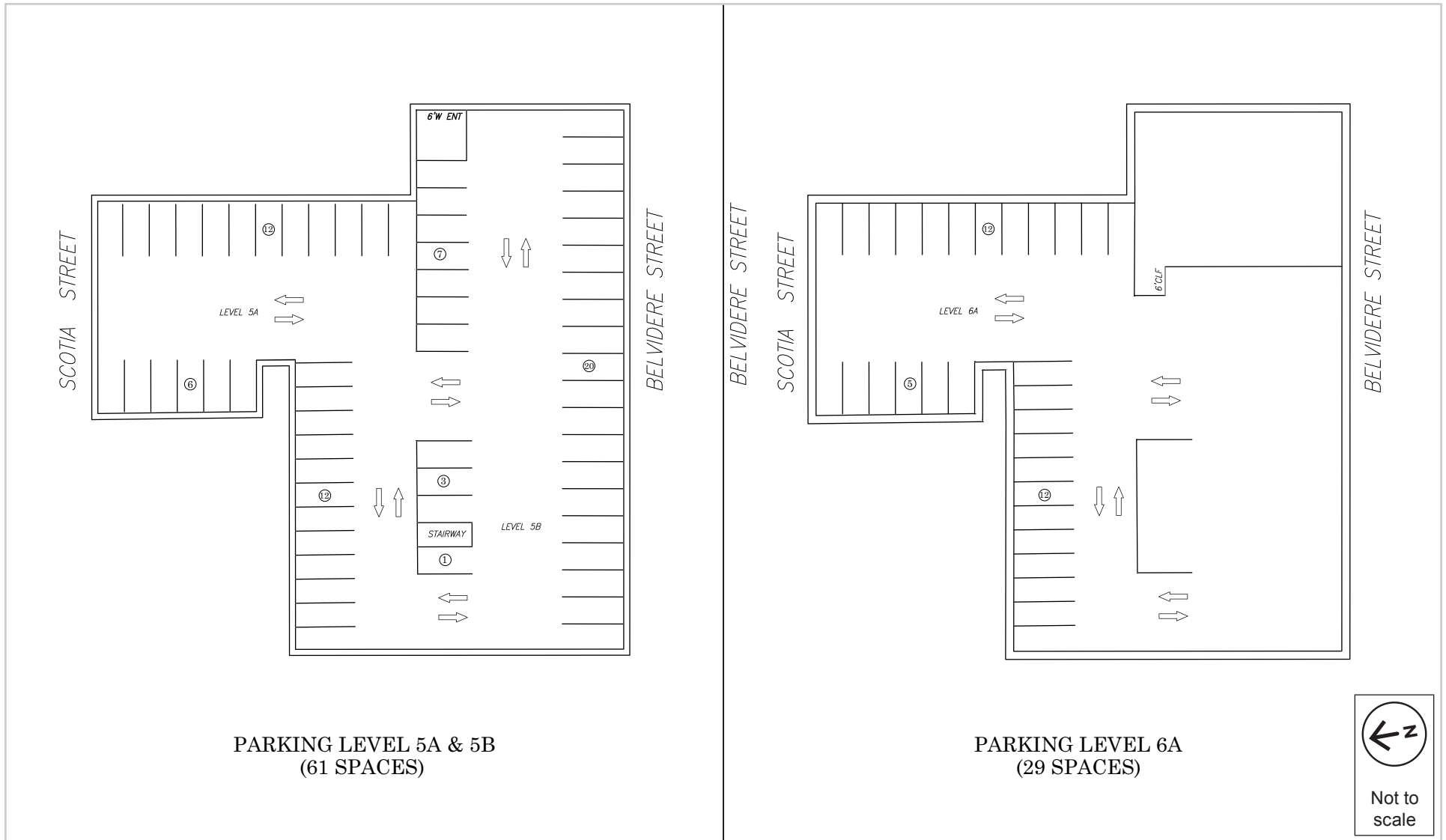
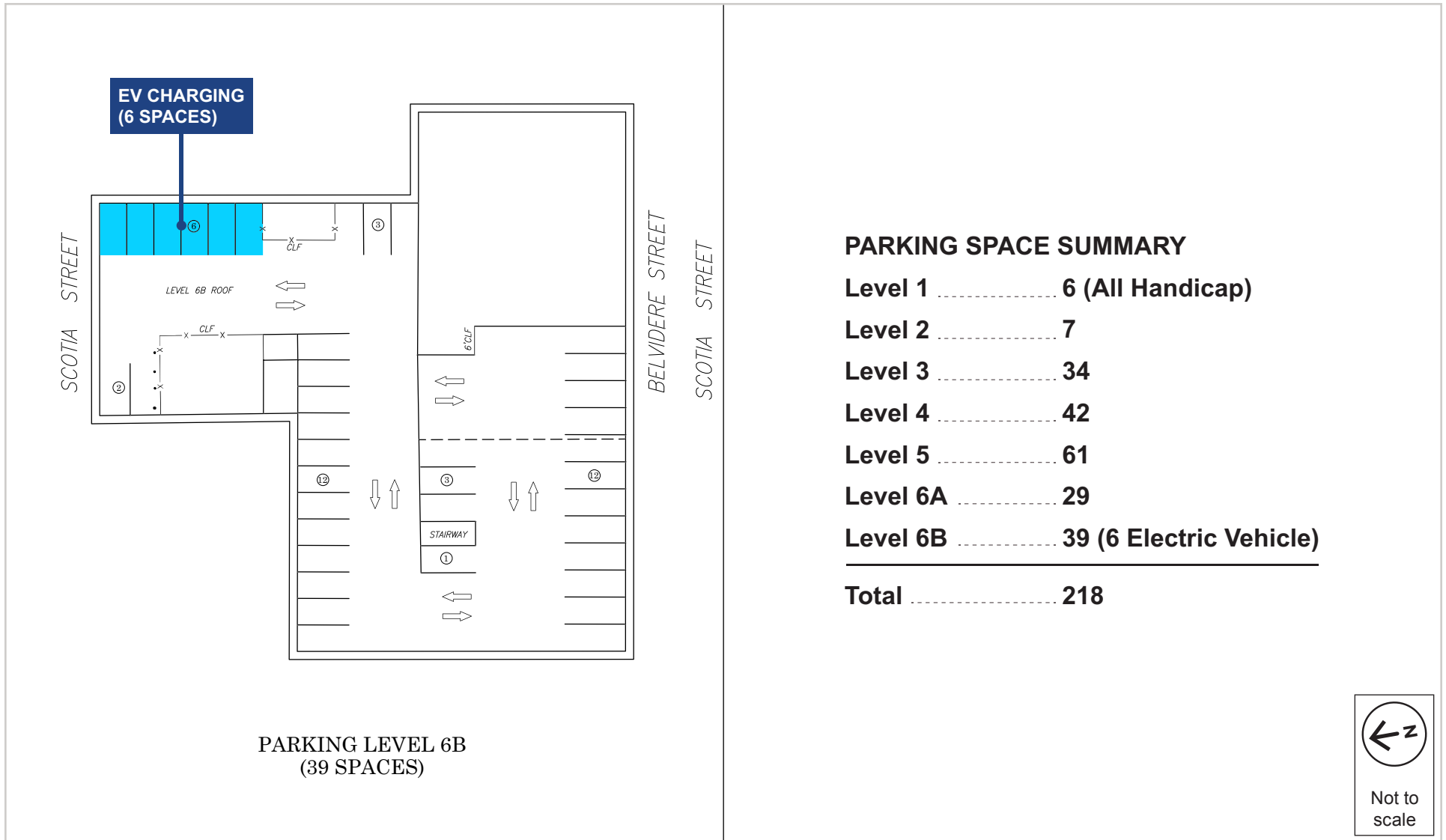




Figure 7. *Parking Level 6B Roof Layout*





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## Appendix F

Abutters List (within 300 feet of Facility)

PID	OWNER	MAIL_ADDRESSEE	FULL_ADDRESS
401037300	DALTON - BELVIDERE CONDOMINIUM ASSOCIATION	C/O HAWKINS WAY CAPITAL LLC	39 DALTON ST, BOSTON, MA 02116
401037302	39 DALTON HOTEL OWNER LLC	C/O HAWKINS WAY CAPITAL LLC	39 DALTON ST NORTH TOWER, BOSTON, MA 02116
401037304	BELVIDERE STREET OWNER LLC	C/O HAWKINS WAY CAPITAL LLC	39 DALTON ST SOUTH TOWER, BOSTON, MA 02116
401039000	MASSACHUSETTS CONVENTION		900 Boylston ST, BOSTON, MA 02116
401039001	HYNES FINE DINING LLC	C/O LYONS GROUP/ACCOUNTS PAYABLE	900 Boylston ST, BOSTON, MA 02116
401039002	CAPITAL GRILLE HOLDINGS, INC INC	C/O DARDEN - STEVE ANDREWS	900 Boylston ST, BOSTON, MA 02116
401194000	CLEARWAY APRTMENTS LLC	C/O FOREST PROPERTIES MANAGEMENT INC	38-36 Clearway ST, BOSTON, MA 02115
401195000	CLEARWAY APARTMENTS LLC	C/O FOREST PROPERTIES MANAGEMENT INC	32-34 Clearway ST, BOSTON, MA 02115
401202000	CHURCH REALTY TRUST	C/O RANDY TOMSYCK	182-194 MASSACHUSETTS AV, BOSTON, MA 02115
401203000	HAJJ JIHAD		15 ST GERMAIN ST, BOSTON, MA 02115
401204000	ABBAY ST GERMAIN LLC	C/O THE ABBEY GROUP	17 ST GERMAIN ST, BOSTON, MA 02115
401212000	ABBAY ST GERMAIN LLC MASS LLC	C/O THE ABBEY GROUP	33 ST GERMAIN ST, BOSTON, MA 02115
401220000	JAMES J DERBA INC		49 ST GERMAIN ST, BOSTON, MA 02115
401288000	HNDA INC	C/O SAMMY DEKAIDEK	52 ST GERMAIN ST, BOSTON, MA 02115
401289000	ORGAD ALI		50 ST GERMAIN ST, BOSTON, MA 02115
401291000	PYTLIK YVONNE I	C/O YVONNE & MARK PYTLIK	46 ST GERMAIN ST, BOSTON, MA 02115
401311000	BERKLEE COLLEGE OF MUSIC INC	C/O BERKLEE COLLEGE/ACCTS PAYABLE	168-174 MASSACHUSETTS AV, BOSTON, MA 02115
401313000	11 BELVIDERE ST LLC	C/O DARROW EVERETT LLP	11 Belvidere ST, BOSTON, MA 02115
401314000	NEW ENG TEL & TEL CO	C/O DUFF AND PHELPS	29 Belvidere ST, BOSTON, MA 02115
401323010	PRG BD INVESTORS LLC		30 Dalton ST, BOSTON, MA 02115
401327000	BEANTOWN HOTEL OWNER LLC		40 Dalton ST, BOSTON, MA 02115
401333000	ROMAN CATH ARCH OF BOST		20 Belvidere ST, BOSTON, MA 02115
401334000	ROMAN CATH ARCH BOSTON CHURCH		14-18 Belvidere ST, BOSTON, MA 02115
401335000	BOSTON THERMAL CORP	C/O VEOLIA ENERGY	23-27 Scotia ST, BOSTON, MA 02115
401335005	BOSTON EDISON CO		19-21 Scotia ST, BOSTON, MA 02115
401336000	CAMBRIA- SCOTIA COMPANY	C/O HOFFMAN CO	50 Dalton ST, BOSTON, MA 02115
401345000	1000 BOYLSTON STREET OWNER LLC	C/O WEINER VENTURES	Scotia ST, BOSTON, MA 02115
401345001	MASS TURNPIKE AUTHORITY		ST CECELIA ST, BOSTON, MA 02115
401346001	BOSTON REDEVELOPMENT		CAMBRIA ST, BOSTON, MA 02115

