

NOTICE OF RESTRICTIONS

THIS NOTICE OF RESTRICTIONS (this “Notice”), made as of this ____ day of _____, 20____, by _____, having an office address at _____ (hereinafter referred to as the “Owner”).

WITNESSETH:

WHEREAS, the Owner is the fee owner of certain real property located in the City and State of New York, Borough of Brooklyn and County of Kings, designated as Block _____, Lot(s) _____ on the Tax Map of the City of New York, _____ commonly known by the _____ street address _____, and more particularly described by the metes and bounds description set forth in Exhibit “A”, annexed hereto and by this reference made a part hereof (the “Subject Property”); and

WHEREAS, Section 139-212 of the Zoning Resolution of the City of New York (the “Zoning Resolution”) allows the maximum floor area ratio on zoning lots located within the Special Gowanus Mixed Use District to be increased by the amount of floor area dedicated to Gowanus Mix Uses, as defined in Section 139-12, provided on the zoning lot, up to a floor area ratio (“FAR”) of 0.3; and

WHEREAS, the Owner proposes to construct a development at the Subject Property utilizing the allowances of Zoning Resolution Section 139-212 and containing space for Gowanus Mix Uses (the “Subject Development”); and

WHEREAS, the Owner has requested the New York City Department of Buildings (the “Department of Buildings”) to act upon Application No. _____ to construct the Subject Development; and

WHEREAS, pursuant to Zoning Resolution Section 139-212(c), as a requirement of providing space for Gowanus Mix Uses, the Owner is required to file a Notice of Restrictions with the New York City Office of the City Register against the Subject Property; and

WHEREAS, pursuant to Zoning Resolution Section 139-212(d), the Owner shall submit annually to the Chairperson of the City Planning Commission, Speaker of the City Council, and Brooklyn Community Board 6, a report on the existing conditions of floor area designated for Gowanus Mix Uses; and

NOW THEREFORE, Owner gives notice to all future owners and to every party having any right, title or interest in the Subject Property and their respective successors, heirs or assigns that:

1. The Subject Development must contain both floor area dedicated to residential uses and _____ square feet of floor area dedicated to Gowanus mix uses. The additional FAR received pursuant to Zoning Resolution Section 139-212 is _____. The residential uses and Gowanus mix uses must continue at the Subject Development.

Notary Public

Exhibit "A"

Legal Description of the Premises
Tax Block _____, Lot(s) _____

ALL THAT CERTAIN plot, piece or parcel of land, situate, lying and being in the County of Kings, City and State of New York, bounded and described as follows:

