

JMH/05/10/90/152

SO IN
ORIGINAL

THIS INDENTURE, made the 10th day of September, nineteen hundred and ninety, between THE CITY OF NEW YORK, a municipal corporation, having its principal office at City Hall, Borough of Manhattan, City and State of New York the first party and LUIS CAPRILES, ROSA EMILIA CAPRILES, LUIS CAPRILES, JR. AND NELLY CAPRILES, all residing at 1611 Melville Street, Bronx, New York 10460

hereinafter designated as the second party.

WHEREAS, the Board of Estimate of the City of New York by resolution adopted on the 22nd day of February, 1990 (Calendar No. 183), and after the appraisal under the direction of said Board, duly ordered and directed the sale at public auction of the premises therein and hereinafter described for the minimum or upset price of SIX THOUSAND (\$6,000.00) DOLLARS, and

WHEREAS, after advertisement in the manner provided by law, said premises were duly sold by and under the direction of the Deputy Commissioner of General Services, Division of Real Property at public auction at the time and place set forth in such advertisement for the sum of SIX THOUSAND (\$6,000.00) DOLLARS, that being the highest bid therefor at the said sale,

NOW, THEREFORE, WITNESSETH: That the first party, in consideration of the sum of SIX THOUSAND (\$6,000.00) DOLLARS lawful money of the United States, paid by the second party, does hereby grant and release unto the second party, the heirs or successors and assigns of the second party forever,

All that/those certain piece/s or parcel/s of land, together with any improvements thereon, situate, lying and being in the Borough of BRONX City and State of New York, designated on the Tax Map of the City of New York, for the Borough of BRONX, as said Tax Map was on July 25, 1986,

Block 4022, Lot/s 22 *Melville St.* SO IN ORIGINAL

The Estate Conveyed Is Subject To The Following:

Use and development of the property shall be restricted to uses defined as "accessory", "extension" or "enlargement" as all such quoted terms are defined in the New York City Zoning Resolution.

The property shall be burdened by the foregoing use restriction(s) notwithstanding any uses which may be permitted by the grant of a variance and/or notwithstanding any changes, modifications or amendments to be made at any future time by the City of New York to its Zoning Resolution.

This restriction shall run with the land.

TO HAVE AND TO HOLD the premises herein granted unto the second party, the heirs or successors and assigns of the second party forever.

Subject to: (1) Any state of facts an accurate survey would show; (2) The rights, if any, of tenants and persons in possession, if any; (3) All violations of any local, State or Federal Government having jurisdiction thereof existing at the time of closing; (4) Building restrictions and zoning regulations in force at the time of the delivery of the deed and covenants, restrictions of record, and easements affecting the subject property; (5) The trust fund provisions of section thirteen of the Lien Law; and (6) All pending assessments, if any, which the second party will assume; and (7) All provisions of the Standard Terms and Conditions of Sale in force and effect at the time of the Sale that are applicable.

In the event of the acquisition by the City of New York by condemnation or otherwise of any part or portion of the above premises lying within the bed of any street, avenue, parkway, expressway, park, public place or catch-basin as said street, avenue, parkway, expressway, park, public place or catch-basin is shown on the present City map, the party of the second part the heirs or successors and assigns of the party of the second part, shall only be entitled

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REEL 1005 PG 0263

as compensation for such acquisition by the City to the amount of one dollar, and shall not be entitled to compensation for any buildings or structures erected thereon within the lines of the street, avenue, parkway, expressway, park, public place or catch-basin so laid out and acquired. This covenant shall be binding upon and run with the land and shall endure until the City Map is changed so as to eliminate from within the lines of said street, avenue, parkway, expressway, park, public place or catch-basin any part or portion of the premises and no longer.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be subscribed to by the Deputy Commissioner of General Services, Division of Real Property and by the City Clerk and its corporate seal to be hereunto affixed the day and year first above written.

THE CITY OF NEW YORK

Approved As To Form:

Patricia K. Prager

Neil F. Murphy, General Counsel and
Special Assistant Corporation Counsel,
by Patricia K. Prager, of Counsel

Robert E. Wilson III
By: Robert E. Wilson III
Deputy Commissioner of General
Services, Division of Real Property

Raymond J. Smith
By: Raymond J. Smith
Clerk of the City and Acting
City Clerk

Luis Capriles
Buyer: LUIS CAPRILES

Rosa E. Capriles
Buyer: ROSA EMILIA CAPRILES

Luis Capriles, Jr.
Buyer: LUIS CAPRILES, JR.

Nelly E. Capriles
Buyer: NELLY CAPRILES

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

On this 31st day of *July* 1990, before me personally came ROBERT E. WILSON III to me known and known to me to be the Deputy Commissioner of the Department of General Services, Division of Real Property of the City of New York and the same person who executed the foregoing Deed, and he acknowledged that he executed the foregoing Deed on behalf of the City of New York as said Deputy Commissioner of the Department of General Services, Division of Real Property pursuant to the authority vested in him by resolution of the Board of Estimate, date and Calendar number, set forth in the within instrument.

Jewel Nurse-Huntley
JEWEL NURSE-HUNTLEY
Commissioner of Deeds
City of New York No. 3-6228
Certificate Filed in New York County
Commission Expires May 1, 1992

On this 1st day of August 1990 before me personally came RAYMOND C. TEFATUM, with whom I am acquainted and known to me to be the 1st Deputy and Acting City Clerk of the City of New York, being by me duly sworn, deposes and say: that he resides at 45 East End Avenue, New York, New York; that he is the 1st Deputy and Acting City Clerk of the City of New York, the municipal corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that it was so affixed as provided by law; and that he signed his name thereto as 1st Deputy and Acting City Clerk by like authority.

Jewel M. Hunter-Hunting

JEWEL MURRAY-HUNTING
Commissioner of Deeds
City of New York, No. 3-5228
Certificate Filed in New York County
Commission Expires May 1, 1992

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STATE OF NEW YORK)

COUNTY OF NEW YORK) ss:

On this 10th day of September, 1990, before me personally came LUIS CAPRILES, ROSA EMILIA CAPRILES, LUIS CAPRILES, JR. AND NELLY CAPRILES to me known to be the individuals described in and who executed the foregoing deed and rider and acknowledged that they executed the same.

Patricia K. Prager

PATRICIA K. PRAGER
Notary Public, State of New York
No. 31-4966437
Qualified in New York County
Commission Expires May 7, 1992

LOC. VER.
BY TAX MAP *09*

DEED

BLOCK: 4022
LOT(S): 22
COUNTY: BRONX

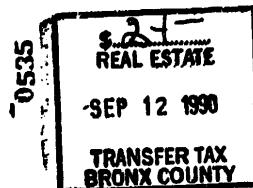
THE CITY OF NEW YORK

TO

LUIS CAPRILES, ROSA EMILIA CAPRILES,
LUIS CAPRILES, JR. AND NELLY CAPRILES

Record and return to:

Luis Capriles
1611 Melville Street
Bronx, N.Y. 10460



16078

	DEED	449425
09-12-90	GANFF	\$21.00
	GANFF	449426
	PAID	\$1.00
	GANFF	449426
	GANFF	\$1.00

Contra
J.S.B.

RECORDED IN BRONX COUNTY



OFFICE OF THE CITY REGISTER

1990 SEP 12 A 11:41

WITNESS MY HAND
AND OFFICIAL SEAL
Joyce A. Anderson
CITY REGISTER

