

DXL/10/19/94/40

REEL 4504 PG 1984

THIS INDENTURE, made the 8th day of February, nineteen hundred and ninety eight, 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 HARBOR ESTATES LIMITED PARTNERSHIP, a limited partnership having its principal place of business at 2150 Ocean Avenue, Brooklyn, New York 11229

hereinafter designated as the second party.

WHEREAS, after the appraisal under the direction of the Mayor of the City of New York, and after a public hearing held on the 10th day of August, 1994, the Mayor by authorization dated the 25th day of August, 1994 (Calendar No. 50) duly ordered and directed the sale at public auction of the premises therein and hereinafter described for the minimum or upset price of SEVEN HUNDRED FIFTY THOUSAND (\$750,000.00) DOLLARS, and

WHEREAS, after advertisement in the manner provided by law, said premises were duly sold by and under the direction of the Department of Citywide Administrative Services, Division of Real Estate, New York City, as Division of Real Estate Services, at public auction at the time and place and for the sum advertised for the sum of SEVEN HUNDRED FIFTY THOUSAND (\$750,000.00) DOLLARS that being the highest bid therefor at the said sale,

NOW, THEREFORE, WITNESSETH: That the first party, in consideration of the sum of SEVEN HUNDRED FIFTY THOUSAND (\$750,000.00) 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/certain parcels or parcels of land, together with any improvements thereon, situate, lying and being in the Borough of BROOKLYN City and State of New York, designated on the Tax Map of the City of New York, for the Borough of BROOKLYN, as said Tax Map was on July, 12, 1954,

Block 8369, Lots 1, 4, 10, 11, 27, 32, 35, 39,
43, 44, 49, 108, 127, 140, 144, 149, 201, 204

1. All new streets proposed in the Street Mapping Action must be designed, developed and constructed to full width and to DOT standards, requirements and must be deeded to the City at no cost to the City.

2. In the event that any new streets proposed in the Street Mapping Action intersect the existing mapped City streets that bound Block 8369, then the centerline of such new streets must align with the centerline of the street or other side of this existing mapped City street being intersected. However, the construction of new streets that intersect with Royce Avenue and/or East 69th Street is permitted as long as such streets are no closer than 200 feet from an intersection of two mapped city streets.

3. All zoning lots within the property must front on a street located on the city Map (as such quoted terms is defined in the New York City Zoning Resolution as existing on the date of the auction).

4. No more than one residential "building" may be developed on any one "zoning lot" (as all such quoted terms are defined in the New York City Zoning Resolution as existing on the date of the auction).

5. Use and development of the subject property is restricted and limited in perpetuity to single family and/or two-family residences. Only one kitchen per dwelling unit is permitted. No "summer kitchen" or roughing for additional kitchen plumbing shall be included in the building plans.

6. No development of the site shall be permitted pursuant to Article VII, Chapter 8 of the New York City Zoning Resolution (Large Scale Residential Development).

7. Development shall be completed within seven (7) years from the date of title closing as evidenced by a Temporary Certificate of Occupancy issued by the Department of Buildings for no less than 33 single and/or two family residential.

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) All 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 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 premises herein granted (except for the portion 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 second party, the heirs or successors and assigns of the second party, shall only be entitled 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 after October 19, 1994, 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 second party, the heirs or successors and assigns of the second party, obtains a written release of this covenant executed by the Deputy Commissioner of Department of Citywide Administrative Services, Division of Real Estate Services or a person designated by the City's Mayor who may in his sole discretion execute such release if the City Map has already been changed so as to eliminate the lines of said street, avenue, parkway, expressway, park, public place or catch-basin from any part or portion of the premises. If the City Map has not been so changed, the said officer may execute such a release after authorization by the City's Mayor. The second party, the heirs or successors and assigns of the second party shall pay such consideration for the release as said officer shall deem appropriate.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be subscribed to by the Deputy Commissioner of Department of Citywide Administrative Services, Division of Real Estate Services 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

By: Adi Fierstein
Deputy Commissioner
Department of Citywide
Administrative Services,
Division of Real Estate
Services

Approved As To Form:

Theodore K. Okun
Theodore K. Okun
Acting Corporation Counsel

By: Raymond C. Testa
City Clerk
RAYMOND C. TESTA
City Clerk

HARBOR ESTATES LIMITED PARTNER-
SHIP
BY: PROPERTY MARK, INC., GEN. AGENT
BY: NEIL EDELMAN, Vice Pres.

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

On this 16 day of Nov. 1994, before me personally came LORI FIERSTEIN to me known and known to me to be the Deputy Commissioner of the Department of Citywide Administrative Services, Division of Real Estate Services of the City of New York and the same person who executed the foregoing Deed, and she acknowledged that she executed the foregoing Deed on behalf of the City of New York as said Deputy Commissioner of the Department of Citywide Administrative Services, Division of Real Estate Services pursuant to the authority vested in her by authorization of the Mayor, date and Calendar number, set forth in the within instrument.

James H. Neary
Notary
Commission Expires May 1, 1995

REF 4504-06 1986

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

On this _____ day of _____, 19____, before me personally came CARLOS CUEVAS, with whom I am acquainted and known to me to be the City Clerk of the City of New York, who being by me duly sworn, did depose and say that he is doing business at 1 Centre Street, New York, New York 10007; that he is the City Clerk of the City of New York, the municipal corporation described in and which executed the foregoing Deed; that he knows the seal of said corporation; that the seal affixed to said Deed is such seal; that it was so affixed as provided by law, and that he signed his name thereto as City Clerk by like authority.

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

On this 16 day of Nov 1998, before me personally came RAYMOND TEATUM, with whom I am acquainted and known to me to be the First Deputy City Clerk of the City of New York, who being by me duly sworn, did depose and say that he is doing business at 1 Centre Street, New York, New York 10007; that he is the City Clerk of the City of New York, the municipal corporation described in and which executed the foregoing Deed; that he knows the seal of said corporation; that the seal affixed to said Deed is such seal; that it was so affixed as provided by law, and that he signed his name thereto as City Clerk by like authority.

Constance Hooley

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

On the _____ day of _____, 19____, before me personally came to me known to be the individual who executed the foregoing instrument, and who, being duly sworn by me, did depose and say that (s)he is (the)(a) (member)(manager) of (name of limited liability company), a New York liability company, and that (s)he has authority to sign the same, and acknowledged that (s)he executed the same as the act and deed of said limited liability company.

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

On the _____ day of _____, 19____, before me personally came to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.

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

On the 3th day of FEBRUARY, 1999, before me personally came NEIL EDELMAN to me known, who, being by me duly sworn, did depose and say that he resides at MORGANVILLE, NEW JERSEY; that s/he is the President of HARBOR ESTATES LIMITED PARTNERSHIP, THE GENERAL PARTNER OF HARBOR ESTATES LIMITED PARTNERSHIP, the corporation described in which executed foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that s/he signed his/her name thereto by like order ON BEHALF OF AND AS AND FOR AN ACT OF THE PARTNERSHIP.

ALBERT L. HILL
Notary Public, State of New York
Qualified to perform notary duties until
Commission Expires Aug 31, 1999

DEED

THE CITY OF NEW YORK

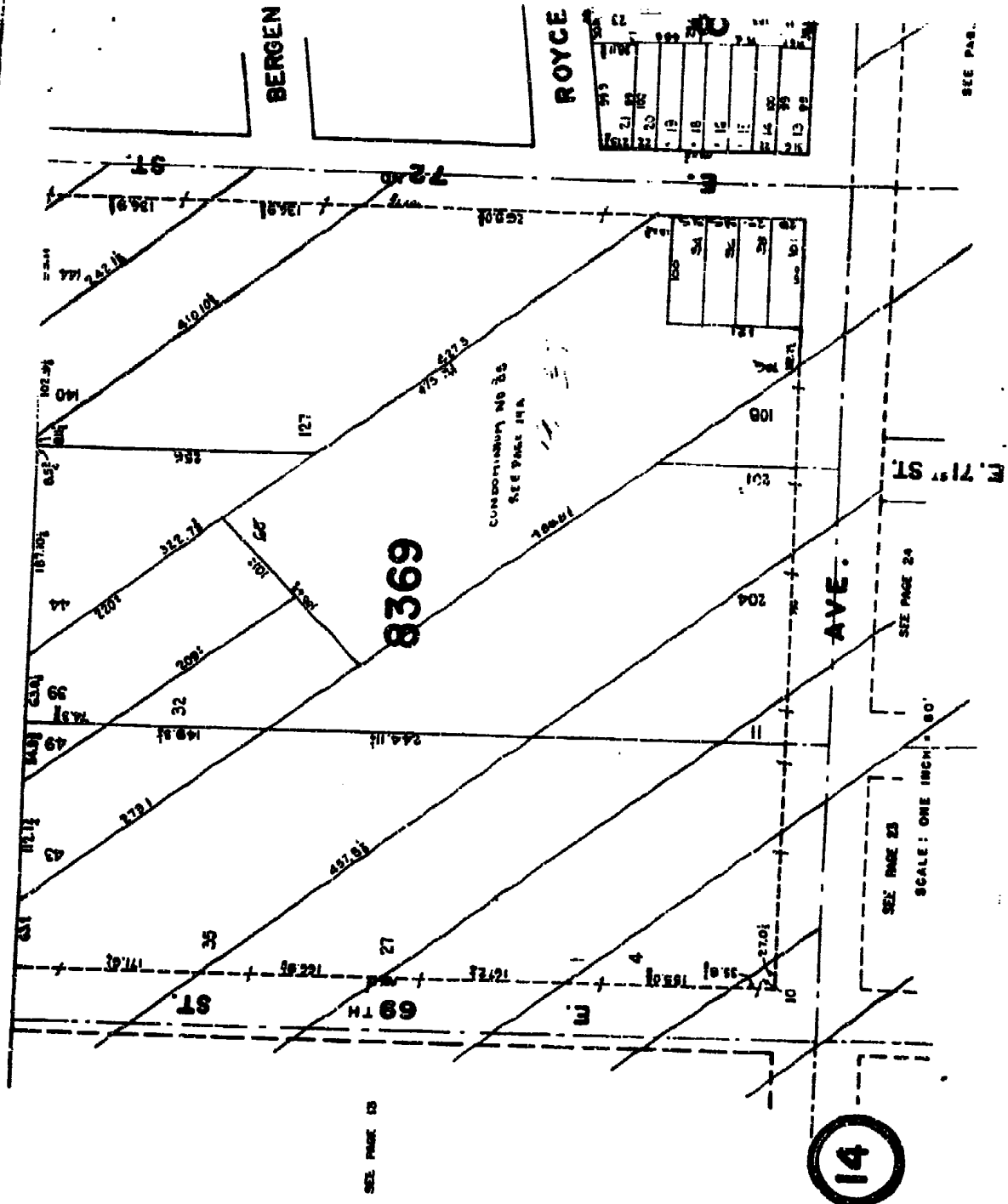
TO

HARBOR ESTATES LIMITED PARTNERSHIP

BLOCK: 8369
LOT(S) 1, 4, 10, 11, 27, 32, 35, 39, 43
44, 49, 108, 127, 140, 144, 149, 201, 204
COUNTY: KINGS

Record and return to:

HARBOR ESTATES LIMITED PARTNERSHIP
2350 Ocean Ave.
Brooklyn, N.Y. 11224
Attn: Neil Edelman



NEED 4504361987

**CITY REGISTER RECORDING AND ENDORSEMENT PAGE
- KINGS COUNTY -**

(This page forms part of the instrument)

Block(s): 8369
 Lot(s): 1,4,10,11,27,32,35,39,43,
44,49,108,127,160,164,169,201 &
204
 Title/Agent Company Name: CHARTER ABSTRACT
 Title Company Number: 94-3158

NAME ▼ HARBOR ESTATES LIMITED PARTNERSHIP
ATTN: NEIL EDELMAN
 ADDRESS ▼ 2350 OCEAN AVENUE
 CITY ▼ BROOKLYN STATE ▼ NY ZIP ▼ 11229

SEE 4504261988

THE FOREGOING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

Examined by (✓): [Signature]
 Mtge Tax Serial No. _____
 Mtge Amount \$ _____
 Taxable Amount \$ _____
 Exemption (✓) YES ☐ NO ☐
 Type: 330EE 255 OTHER _____
check one only

Dwelling Type: 1 to 2 ☐ 3 ☐ 4 to 6 ☐ OVER 6 ☐
check one only

TAX RECEIVED ON ABOVE MORTGAGE ▼

County (basic) \$ _____
 City (Add'l) \$ _____
 Spec Add'l \$ _____
 TASF \$ _____
 MTA \$ _____
 NYCTA \$ _____
 TOTAL TAX \$ _____
 Apportionment Mortgage (✓) YES ☐ NO ☐

Joy A. Bobrow, City Register

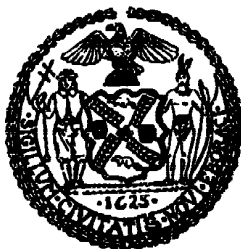
City Register Serial Number 040313
 Indexed By (✓): [Signature] Verified By (✓): _____
 Block(s) and Lot(s) verified by (✓): _____
 Address [Signature] Tax Map ☐
 Extra Block(s) _____ Lot(s) _____
 Recording Fee A \$ 93
 Affidavit Fee (C) \$ _____
 TP-584/582 Fee (Y) \$ _____
 RPTT Fee (R) \$ 25
 HPD-A ☐ HPD-C ☐
 New York State Real Estate Transfer Tax ▼
 \$ 300.00
 Serial Number 018593
 New York City Real Property Transfer Tax
 Serial Number 10334
 New York State Gains Tax
 Serial Number _____

**RECORDED IN KINGS COUNTY
OFFICE OF THE CITY REGISTER**

1999 JUN 17 A 9 51

Witness My Hand and Official Seal

Joy A. Bobrow Register



CROSMAN BPG 11/98

DEED 0472 93.00
 10/11 CASH RECPT DATE TIME
 3-1 9 5566 Jun 17-99 11:53