

STATE OF NEW YORK }

} ss.:

COUNTY OF QUEENS }

AFFIDAVIT OF

**Esther Silber**, duly affirms, deposes and says:

1. I have an office address at 146 Lynch Street, in Williamsburg, Borough of Brooklyn, County of Kings, City and State of New York.
2. I am the President of Toras Moshe Institute, a not-for-profit corporation having an address at 81 Spencer Street, Brooklyn, New York 11205.
3. Toras Moshe Institute, is the owner in fee simple of certain real property and improvements thereon known as 81 Spencer Street, Brooklyn, New York, also known as Lots 56,57,58,59, and 60 of Block 1735 on the Tax Map of the City of New York (the "*Premises*").
4. Toras Moshe Synagogue currently has 587 congregants and the names and addresses of said congregants are annexed hereto as Exhibit "A".
5. The proposed house of worship - Toras Moshe Synagogue will be converted from an existing manufacturing building at 81 Spencer Street in Brooklyn, NY. It will not include an accessory use for the leasing, licensing or any other grant of permission to utilize a room or other space in the house of worship for the operation of a business engaged in serving food or beverages for functions, occasions or events.
6. Statement 5 contained herein is made with the understanding that said statement does not restrict the Synagogue's ability to lease, license or otherwise permit the use of a room or other space in the Synagogue, when such permission is given by the Synagogue to a person, in order to hold a function, occasion or event, where such person hires or retains a business engaged in serving food or beverages for purposes of said function, occasion or event, provided that such business is not located on the same zoning lot as the house of worship, makes its service available to non-members, and does not operate its business substantially for the benefit or convenience of members or visitors to the house of worship.

*E. Silber*

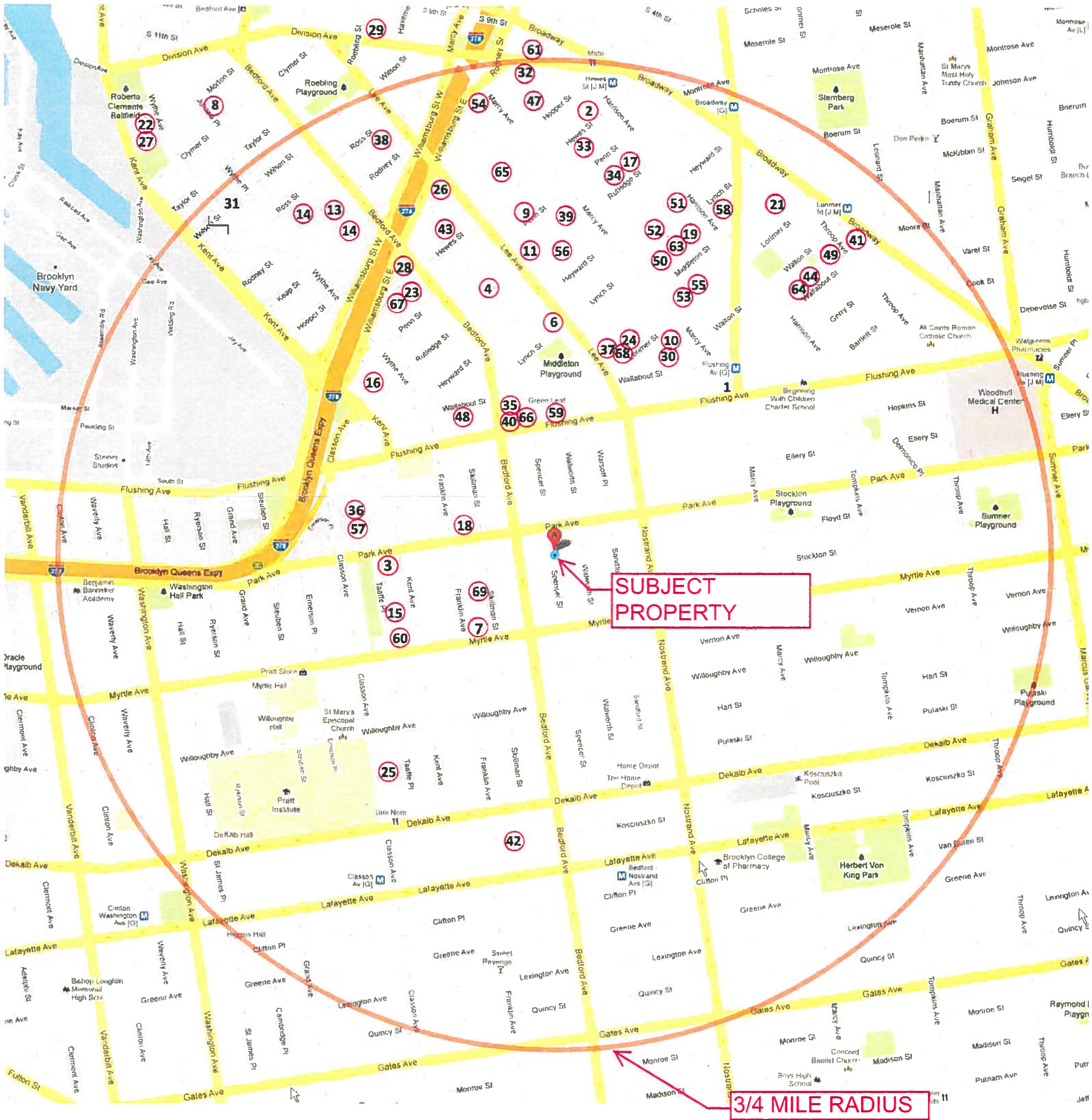
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### EXHIBIT A (1)

Map Location	Family #	Street Address	City	Family Members	Whihin ¼ mile
1	Family 1	Hidden to Protect Privacy			Y
2	Family 2				Y
3	Family 3				Y
4	Family 4				Y
5	Family 5				N
6	Family 6				Y
7	Family 7				Y
8	Family 8				N
9	Family 9				Y
10	Family 10				Y
11	Family 11				Y
12	Family 12				N
13	Family 13				Y
14	Family 14				Y
15	Family 15				Y
16	Family 16				Y
17	Family 17				Y
18	Family 18				Y
19	Family 19				Y
20	Family 20				N
21	Family 21				Y
22	Family 22				N
23	Family 23				Y
24	Family 24				Y
25	Family 25				Y
26	Family 26				Y
27	Family 27				N
28	Family 28				Y
29	Family 29				N

# Congregant Proximity Map

81 Spencer Street  
Brooklyn, NY 11205



•Map numbers above correspond to map location identifiers included in list of congregants provided in Temple Presidents affidavit submitted herewith.