

REEL 1941 PG 2385

CITY REGISTER RECORDING AND ENDORSEMENT PAGE
County of New York *Bergen*

Total number of pages in document
including this page > 16

This page forms part of the instrument

Block > 5933	Lots - only if entire Lot > 210, 224, 225, 230	Partial Lots P/O >
Premises > 5961, 5959, 5901, 5999 PALISADE AVE.		
Title/agent company name >		
Title company number >		

Name > Gary R. Tarnoff, Esq.
 Company > Roseman & Colin, LLP
 Address > 575 Madison Avenue
 City/State/Zip > New York, NY 10022

Name & address	Party 1 > The Helene Home For The Aged At Riverdale, Inc. Additional Party 1 > Party 2 > Additional Party 2 >
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Check this box ☐ if there are more than 2 of either Party. Check this box ☐ if there are multiple blocks or lots & attach an addendum.
City Register's use only - do not write below this line

Examined by _____ Mortgage tax serial no. _____ Mlge amount \$ _____ Taxable amount \$ _____ Exemption Yes <input type="checkbox"/> No <input type="checkbox"/> Type [339EE] [255] [other _____] Dwelling type 1-2 3 4-6 over 6 Tax received on above mortgage ▼ County (basic) \$ _____ City (add'l) \$ _____ Special add'l \$ _____ TASF \$ _____ MTA \$ _____ NYCTA \$ _____ TOTAL TAX \$ _____ Apportionment Mortgage Yes <input type="checkbox"/> No <input type="checkbox"/>	City Register Serial Number ▼ 038916 Indexed by _____ Verified by _____ Block(s) and Lot(s) verified by: _____ Address <input checked="" type="checkbox"/> Tax map <input type="checkbox"/> Extra Block(s) _____ Lot(s) _____ Recording fee <i>B</i> \$ 106 Affidavit fee C \$ _____ RPTT fee R \$ _____ HPD-A <input type="checkbox"/> HPD-C <input type="checkbox"/> New York State Real Estate Transfer Tax ▼ \$ _____ RETT Serial No. ◆ New York City Real Property Transfer Tax RPTT Serial No. ◆
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Recorded in the Office of the City Register of the City of New York



2001 DEC 28 A 10:43

[Signature]

Form CRGFM89 BPG

FEEL 1941 PG 2385

CITY REGISTER RECORDING AND ENDORSEMENT PAGE

County of **New York**

This page forms part of the instrument

Block > 5933 Lots - only if entire Lot > 210, 221, 225, 230 Partial Lots P/O >

Premises > 596, 595, 590, 599 PALISADE AVE.

Title/agent company name >

Title company number >

Name > Gary R. Tarnoff, Esq.
 Company > Rosenman & Colin, LLP
 Address > 575 Madison Avenue
 City/State/Zip > New York, NY 10022

Name & address

Party 1 > The Helene Home for the Aged at Rosedale, Inc.
 Additional Party 1 >
 Party 2 >
 Additional Party 2 >

Check this box ☐ if there are more than 2 of either Party Check this box ☐ if there are multiple blocks or lots & attach an addendum

Examined by

Mtge Tax serial no.

Mtge amount \$

Taxable amount \$

Exemption Yes ☐ No ☐

Type [339EE] [255] [other]

Dwelling type 1-2 3 4-6 over 6

Tax received on above mortgage

County (basic) \$

City (addtl) \$

Special addtl \$

TASF \$

MTA \$

NYCTA \$

TOTAL TAX \$

Apportionment Mortgage Yes ☐ No ☐

City Register Serial Number 038916

Indexed by

Verified by

Block(s) and Lot(s) verified by:

Address ☐ Tax map ☐

Extra Block(s) Lot(s)

Recording fee \$ 106

Affidavit fee C \$

RPTT fee R \$

HPD-A ☐ HPD-C ☐

New York State Real Estate Transfer Tax

\$

RETT Serial No.

New York City Real Property Transfer Tax

RPTT Serial No.

REC'D CONVEY 0056

130

EXP. SER. DATE

11-17-20

Recorded in the Office of the City Register of the City of New York



2006-11-29 A 10:43

[Signature]

Form CRGM89 BPG

REEL 1941 PG 2386

SECOND AMENDED SUPPLEMENTAL DECLARATION

THIS SECOND AMENDED SUPPLEMENTAL DECLARATION is made by The Hebrew Home for the Aged at Riverdale, Inc. a New York not-for-profit corporation having its principal office at 5901 Palisade Avenue, Bronx, New York (hereinafter referred to as the "Declarant").

WITNESSETH

WHEREAS, on the 27th day of October, 1978, the Declarant made and executed a restrictive declaration, hereinafter referred to as the "Original Declaration," relating to an authorization application designated 7800083ZAX pursuant to Section 105-423 of the New York City Zoning Resolution (the "Zoning Resolution") for certain real property, hereinafter referred to as the "Subject Property," located in the Borough of the Bronx, City and State of New York, known as Block 5933, Lots 210, 224, 225 and 230, which real property is further described in Exhibit A attached hereto and made a part hereof, which Declaration was recorded in the office of the Register of the County of the Bronx, City of New York, at Reel 380, Pages 1104 to 1120 and indexed against the Subject Property; and

WHEREAS, on the 27th day of December, 1979, the Declarant made and executed a modification declaration herein referred to as the "Modification," relating to a special permit application designated 790631ZSX for modification of use and bulk regulations for a community facility use and the issuance of an authorization designated N790543ZAX by the City Planning Commission for removal of trees and modification of existing topography of the Subject Property, which Modification was recorded in the Office of the Register of the County of the

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25x17

REEL 1941 PG 2387

Bronx, City of New York, at Reel 412, Pages 960 to 969 and indexed against the Subject Property; and

WHEREAS, Special Permit 790631ZSX automatically lapsed pursuant to Section 74-99 of the Zoning Resolution due to the lack of substantial construction within two years from the date of granting such permit by the City Planning Commission and the Board of Estimate, and

WHEREAS, on the 27th day of January 1984, the Declarant made and executed a supplemental declaration, hereinafter referred to as the "Supplemental Declaration," relating to an application designated C830807ZSX for a special permit pursuant to Section 74-90 ("Use and Bulk Modification for Certain Community Facility Uses") of the Zoning Resolution and an application designated N836808ZSX for an authorization pursuant to Sections 105-423 ("Alteration of Botanic Environment") and 105-421 ("Modification of Existing Topography") of the Zoning Resolution requesting approval to remove trees and to modify the existing topography, which Supplemental Declaration was recorded in the Office of the Register of the County of the Bronx at Reel 539, Pages 1593 to 1609 and indexed against the Subject Property; and

WHEREAS, on the 28th day of July, 1994, Declarant made and executed an Amended Supplemental Declaration, hereinafter referred to as the "Amended Supplemental Declaration" relating to an application designated 920063ZSX for approval of the following actions pursuant to the indicated sections of the Zoning Resolution: a special permit pursuant to Section 74-90 for enlargement of a nursing home, an authorization pursuant to Section 105-421 for modification of existing topography, and modification of the application requirements set forth in Section 105-021 to allow the submission of a survey map of less than the entire zoning lot which Amended

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Supplemental Application was recorded in the Office of the Register of the County of the Bronx at Reel 1293, Page 2184 against the Subject Property; and

WHEREAS, Declarant desires to further develop the Subject Property and has filed an application (the "Application") designated CPC Nos. 010552ZSX, N010553ZAX, 010554ZSX, and 010555ZSX dated April 2, 2001, to the City Planning Commission of the City of New York requesting approval of the following actions pursuant to the indicated sections of the Zoning Resolution: (1) a special permit pursuant to Section 74-90 to enlarge a nursing home; (2) a special permit pursuant to Section 74-53 to allow construction of a new accessory group parking facility for uses in a large-scale community facility development; (3) a special permit pursuant to Section 105-433 to allow alteration of natural features (rock outcropping); (4) an authorization pursuant to Section 105-421 to allow modification of existing topography; (5) an authorization pursuant to Section 105-423 to allow alteration of botanic environments or removal of trees; and (6) approval pursuant to Section 105-45 of a restoration plan for trees greater than 6 inches in caliper no longer on the Subject Property and .75 cubic yards of rock outcropping, and by separate letter, modification of the application requirements set forth in Section 105-021 to allow the submission of a survey map of less than the entire zoning lot; and

WHEREAS, in connection with the Application, Declarant desires to restrict the manner in which the Subject Property may be developed, maintained and operated and Declarant intends these restrictions to benefit all land, including City-owned land, lying within one-half (1/2) mile of the Subject Property; and

WHEREAS, Declarant desires to preserve and protect the natural features and ecological balance of the Subject Property and of the surrounding lands; and

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WHEREAS, the Declarant represents and warrants that no restrictions of record on the use or development of the Subject Property nor any present or presently existing future estate or interest in the Subject Property, nor any lien, obligation covenant, limitation or encumbrance of any kind precludes, presently or potentially the imposition of restrictions, obligations, and agreements of this Second Amended Supplemental Declaration or the development of the property in accordance herewith.

NOW THEREFORE, the Declarant, with the intent to bind all persons, jointly and severally, in whom the Subject Property or any part thereof is vested now or shall be vested at any time hereafter and with the further intent to bind all persons jointly and severally, having today or any time hereafter any other right or interest in the property, does hereby amend the Amended Supplemental Declaration to delete Paragraphs 1 through 5 thereof in their entirety and does hereby agree as follows:

1. Declarants covenant that the Subject Property shall be developed, landscaped, planted, graded, maintained and operated substantially in accordance with the site plan annexed hereto as Exhibit "B."
2. All trees and other natural features indicated on Exhibit "B" (except those designated on Exhibit "B" for removal) shall be preserved and protected by whatever means are appropriate to ensure such preservation and protection. Any tree so indicated on Exhibit "B" for preservation and protection that is: (i) damaged or destroyed shall be replaced with a tree of similar species of no less and 4 inch caliper; and (ii) intended to be removed by Declarant for any reason

SEEL 1941 PB 2390

shall not be removed unless and until the City Planning Commission has issued an authorization therefor pursuant to the Application.

3. Declarant may alter the grades indicated on Exhibit "B" by no more than \pm two (2) feet, however, there shall be not further alteration of grades unless and until the City Planning Commission has issued an authorization therefor pursuant to Article X, Chapter 5 of the Zoning Resolution.
4. Declarant shall include a copy of this Second Amended Supplemental Declaration as part of any application pertaining to the Subject Property submitted to the New York City Department of Buildings or any agency succeeding to its jurisdiction.
5. The Declarant covenants that after the City Planning Commission has issued the authorizations associated with this Second Amended Supplemental Declaration and the special permits associated with this Second Amended Supplemental Declaration have been approved in accordance with Sections 197-c and 197-d of the New York City Charter, it shall immediately file and record this Second Amended Supplemental Declaration in the Office of the Register of the County of the Bronx City of New York, indexing it against the Subject Property. Declarant further covenants to provide the City Planning Commission with a copy of this Second Amended Supplemental Declaration as recorded, certified by the Register of the County of the Bronx, City of New York. The City of New York shall also have the right to record this Second Amended Supplemental Declaration. However, all costs of recordation and certification, whether undertaken by the Declarant or by the City, shall be borne by the Declarant.

6. Unless modified herein, the terms and conditions of all prior declarations shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this Second Amended Supplemental Declaration to be executed as of this 22 day of October, 2001.

THE HEBREW HOME FOR THE AGED AT RIVERDALE, INC.

By: Shirley W.
Title: Executive Vice President

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

On the 23rd day of Oct, 2001 before me, the undersigned, personally appeared Daniel Reissel personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that his/her/their signature(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Jose Maria P. Leroy
Notary Public

ANNE-MARIE T. LEVY
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01LE5065257
QUALIFIED IN WESTCHESTER COUNTY
COMMISSION EXPIRES SEPTEMBER 3, 2012

REEL 1941 PG 2399

Exhibit A

25x10

REEL 1941 PG 2399

Exhibit A

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35x10

BLOCK 5933, LOT 230

ALL THAT TRACT, PIECE OR PARCEL OF LAND WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, situate, lying and being in the west side of Palisade Avenue, County of the Bronx, City and State of New York, bounded and described as follows:

BEGINNING at a point in the westerly line of Palisade Avenue as shown on the Final Map of the City of New York, as revised, Section 26, Borough of The Bronx, and legally opened, 50.00 feet wide, distant 381.50 feet southerly as measured along said westerly line of Palisade Avenue from a point of curve, with a radius of 40.00 feet which connects the said westerly line of Palisade Avenue and the southerly line of West 261st Street; 1. RUNNING thence S.1°-00'-00" E., along the westerly line of Palisade Avenue, 18.64 feet; 2. thence S.84°-26'-00" W., 223.18 feet; 3. thence S.9°-00'-35" W., 80.88 feet; 4. thence S.85°-23'-10" W., 214.74 feet; 5. thence S.4°-36'-50" E., 18.00 feet; 6. thence S.85°-23'-10" W., 100.00 feet; 7. thence S.4°-36'-50" E., 220.00 feet; 8. thence S.85°-23'-10" W., 134.00 feet; 9. thence N.4°-36'-50" W., 117.00 feet; 10. thence S.85°-23'-10" W., 219.55 feet; 11. thence N.8°-46'-53" W., 12.42 feet; 12. thence N.3°-41'-07" W., 166.45 feet; 13. thence N.82°-46'-00" E., 172.19 feet; 14. thence N.82°-18'-00" E., 153 feet; 15. thence N.83°-21'-00" E., 153 feet; 16. thence N.80°-53'-00" E., 202 feet; 17. thence N.82°-44'-00" E., 70.00 feet; 18. thence N.84°-26'-00" E., 160.92 feet to the point or place of BEGINNING.

THE area contained within the lines described above is approximately 114,850 square feet.

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25 IN

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PAGE 00

TICOR TITLE GUARANTEE COMPANY and TICOR TITLE INSURANCE COMPANY

T 70-00-00132

thence North 8 degrees 36 minutes 50 seconds West, 18.00 feet;
 thence North 85 degrees 23 minutes 10 seconds East, 214.74 feet;
 thence North 9 degrees 00 minutes 36 seconds East, 80.88 feet;
 thence North 84 degrees 26 minutes 00 seconds East, 223.18 feet to the point of
 place of Beginning.

The bearings herein are in the system used by the Bureau of Engineering, Borough
 of the Bronx, for Section 25, as revised, of the Final Map of the City of New
 York.

TICOR TITLE GUARANTEE COMPANY AND TICOR TITLE INSURANCE COMPANY

T 70-88-00132

PARCEL 2 (Lot 224 Block 5933)

ALL that tract, piece or parcel of land, situate, lying and being on the west side of Palisade Avenue, City of New York, Bronx County, New York, bounded and described as follows:

BEGINNING at a point in the westerly line of Palisade Avenue as shown on the Final Map of the City of New York, as revised, Section 26, Borough of the Bronx, and legally opened, 60.00 feet wide, distant 400.14 feet southerly as measured along said westerly line of Palisade Avenue from a point of curve, with a radius of 40.00 feet which connects the said westerly line of Palisade Avenue and the southerly line of West 261st Street;

running thence South 1 degrees 00 minutes 00 seconds East along said westerly line of Palisade Avenue, 60.19 feet;

thence South 84 degrees 32 minutes 16 seconds West, 180.23 feet;

thence South 8 degrees 57 minutes 03 seconds West, 248.58 feet;

thence South 85 degrees 17 minutes 50 seconds West, 127.16 feet;

thence South 4 degrees 42 minutes 10 seconds East, 41.93 feet;

thence North 84 degrees 48 minutes 44 seconds West, 144.04 feet;

thence South 8 degrees 11 minutes 16 seconds West, 114.95 feet;

thence South 85 degrees 23 minutes 10 seconds West, 480.52 feet;

thence North 8 degrees 57 minutes 09 seconds West, 230.66 feet;

thence North 85 degrees 23 minutes 10 seconds East, 337.45 feet;

thence South 4 degrees 36 minutes 50 seconds East, 117.00 feet;

thence North 85 degrees 23 minutes 10 seconds East, 134.00 feet;

thence North 4 degrees 36 minutes 50 seconds West, 220.00 feet;

thence North 85 degrees 23 minutes 10 seconds East, 100.00 feet;

CONTINUED

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REEL 1941 PG 2396

Title No. 7078750

SCHEDULE "A" CONTINUED

8. thence north 17 degrees 57 minutes 00 seconds west, 330.80 feet;
9. thence north 72 degrees 03 minutes 00 seconds east, 121.80 feet;
10. thence north 17 degrees 57 minutes 00 seconds west, 322.00 feet;
11. thence north 82 degrees 12 minutes 20 seconds east, 166.20 feet;
12. thence north 82 degrees 46 minutes 00 seconds east, 79.81 feet;
13. thence south 2 degrees 41 minutes 07 seconds west, 166.45 feet;
14. thence south 8 degrees 46 minutes 53 seconds east, 12.42 feet;
15. thence south 85 degrees 23 minutes 10 seconds west, 117.98 feet;
16. thence south 8 degrees 57 minutes 09 seconds east, 230.66 feet;
17. thence north 85 degrees 23 minutes 10 seconds east, 480.82 feet;
18. thence north 5 degrees 11 minutes 16 seconds east, 114.98 feet;
19. thence south ~~84 degrees~~ 48 minutes 44 seconds east, 144.04 feet;
20. thence north 4 degrees 42 minutes 10 seconds west, 41.93 feet;
21. thence north 85 degrees 17 minutes 50 seconds east, 127.16 feet;
22. thence north 8 degrees 57 minutes 03 seconds east, 246.38 feet;
23. thence north 84 degrees 32 minutes 16 seconds east, 180.23 feet to the point or place of BEGINNING.

SUBJECT to the following five easements or rights of way - described as parcels A, B, C, D and E.

THE TITLE GUARANTEE CO.
JCT

REEL 1941 PG 2397

FORM 54

HEBREW HOME FOR THE AGED
(INCLUDING EAST-MANHATTAN)

SCHEDULE A

Title No. 7078796

BLOCK 5933, LOTS 210, 225

ALL that certain lot, piece or parcel of land, situate, lying and being in the Borough and County of the Bronx, City and State of New York, bounded and described as follows:

BEGINNING at a point in the westerly line of Palisade Avenue shown on the final map of the City of New York, as revised, section 26, Borough of the Bronx, and legally opened, 60.00 feet wide, distant 469.33 feet southerly as measured along said westerly line of Palisade Avenue from a point of curve, with a radius of 48.00 feet which connects the said westerly line of Palisade Avenue and the southerly line of West 261st Street;

Running thence along the westerly line of Palisade Avenue for the following six courses:

1. south 1 degree 00 minutes 00 seconds east, 51.32 feet;
2. south 2 degrees 41 minutes 14 seconds west, 112.47 feet;
3. south 0 degrees 11 minutes 10 seconds west, 136.35 feet to a point of curvature;
4. southerly, curving to the left on the arc of a circle having a radius of 1039.00 feet and a central angle of 4 degrees 00 minutes 00 seconds, 73.30 feet to a point of tangency;
5. south 3 degrees 46 minutes 50 seconds east, 294.12 feet to a point of curvature;
6. southerly, curving to the right on the arc of a circle having a radius of 600.00 feet and a central angle of 4 degrees 10 minutes 39 seconds, 43.75 feet;
7. thence south 85 degrees 16 minutes 30 seconds west, 950.73 feet;

-continued-

For Convenience Only
Together with all rights, title and interest of, in and to any service and roads showing the above described premises.
Our business is to provide accurate and complete information to you. We are not responsible for any errors or omissions in the data or for any consequences arising therefrom. If there are any errors or omissions in the data or for any consequences arising therefrom, we will not be responsible for any damages or losses of any kind, including but not limited to, lost profits, lost business, or any other damages or losses of any kind, including but not limited to, lost profits, lost business, or any other damages or losses of any kind.

FEEL 1941 PD 2398

Exhibit B

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REV 17



