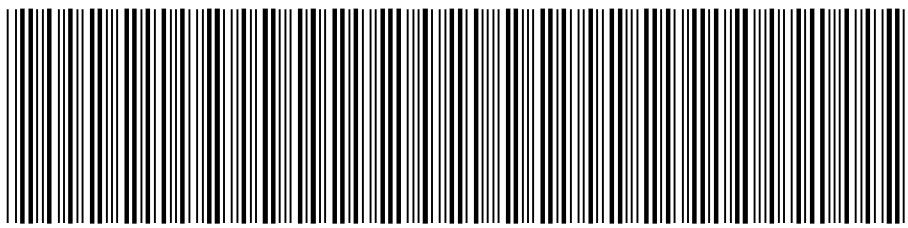


**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2005110401315001001E3A62

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 6**

**Document ID:** 2005110401315001

Document Date: 11-01-2005

Preparation Date: 11-04-2005

Document Type: DEED

Document Page Count: 5

**PRESENTER:**

CASE ABSTRACT, LLC  
1189 FOREST AVENUE  
STATEN ISLAND, NY 10310  
718-448-6767  
L497-198

**RETURN TO:**

CASE ABSTRACT, LLC  
1189 FOREST AVENUE  
STATEN ISLAND, NY 10310  
718-448-6767  
L497-198

**PROPERTY DATA**

**Borough** Block Lot  
MANHATTAN 1348 35 Entire Lot  
**Property Type:** OTHER

Unit Address  
336 EAST 56TH STREET

**CROSS REFERENCE DATA**  
CRFN \_\_\_\_\_ or Document ID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**GRANTOR/SELLER:**

SUTTON PLACE CAPITAL PARTNERS LLC  
C/O ALCHEMY PROPERTIES, INC., 200 MADISON  
AVENUE  
NEW YORK, NY 10016

**GRANTEE/BUYER:**

336 EAST 56TH STREET REALTY LLC  
PO BOX 933  
ENGLEWOOD CLIFFS, NJ 07632

**FEES AND TAXES**

<b>Mortgage</b>	
Mortgage Amount:	\$ 0.00
Taxable Mortgage Amount:	\$ 0.00
Exemption:	
TAXES: County (Basic):	\$ 0.00
City (Additional):	\$ 0.00
Spec (Additional):	\$ 0.00
TASF:	\$ 0.00
MTA:	\$ 0.00
NYCTA:	\$ 0.00
Additional MRT:	\$ 0.00
<b>TOTAL:</b>	<b>\$ 0.00</b>

Recording Fee: \$ 62.00  
Affidavit Fee: \$ 0.00  
NYC Real Property Transfer Tax Filing Fee: \$ 165.00  
NYS Real Estate Transfer Tax: \$ 9,200.00

**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE  
CITY OF NEW YORK**

Recorded/Filed 02-28-2006 15:07  
City Register File No.(CRFN):  
**2006000114443**



NYC HPD Affidavit in Lieu of Registration Statement

*Greater New York*  
**City Register Official Signature**

BARGAIN AND SALE DEED  
WITHOUT COVENANTS AGAINST GRANTOR'S ACTS

THIS INDENTURE, made the 1st day of November, 2005, between SUTTON PLACE CAPITAL PARTNERS, LLC, a Delaware limited liability company, having an office at c/o Alchemy Properties, Inc., 200 Madison Avenue, 19<sup>th</sup> Floor, New York, New York 10016 the party of the first part, and 336 East 56<sup>th</sup> Street Realty, LLC, a New York limited liability company, having an office at P.O. Box 933, Englewood Cliffs, New Jersey 07632, the party of the second part.

WITNESSETH, that the party of the first part in consideration of ten (\$10.00) dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs of successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, City, County and State of New York, and described on Schedule A annexed (the "Premises").

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above Premises to the center lines thereof.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said Premises.

SUBJECT TO the agreement of the party of the second part, that the party of the second part, any tenant occupying the Premises, any future owner, or any other party entitled to do so, shall have no right to extend the Premises (the "Height Restrictions") except as set forth below:

1. The length of any extension of the Premises, including any projections from the Premises, from the front of the building to the rear of the building shall be no more than fifty-two (52) feet (beginning at the front of the building). The maximum height up to which Purchaser can build, subject to the restrictions set forth herein, shall be fifty-four (54) feet from the height of the existing sidewalk on the northeast corner of the Premises (the "Maximum Height").

2. There shall be a minimum of five (5) feet from the easterly wall of the property located at 328-334 East 56<sup>th</sup> Street, New York, New York (the "Adjoining Property") to any new vertical extension of the exterior envelope of the Premises, including, without limitation, any equipment, structures or other items attached to any new vertical extension of the exterior envelope of the Premises. In the event of such vertical construction, the five (5) foot area from the Adjoining Property to any such vertical extension of the Premises shall not contain any mechanical equipment, structural columns or other impediments and shall be open and clear from the Adjoining Property to any such extension of the Premises. In addition, the wall of any such extension facing the Adjoining Property will be constructed of a maximum of thirty (30%) percent glass glazed area or sliding glass doors. Notwithstanding anything contained herein, the party

of the second part shall have a right to add a roof deck, provided, however, such roof deck shall not extend more than twelve (12) inches beyond the Maximum Height and the railing of such roof deck shall be constructed of standard pipe rail with no more than four (4) horizontal members, or railing with equivalent free open area, which in either case, shall not extend more than forty-eight (48) inches above the level of the deck.

3. The mechanical equipment currently located on the roof of the Premises shall be removed in connection with the party of the second part's extension of the Premises in accordance with the terms hereof. In addition, the bulkhead located on the roof of the Premises shall be left in its current location. For the avoidance of doubt, the parties hereby agree that in no event shall such bulkhead be captured within any extension of the Premises and the party of the second part is hereby prohibited from including and/or incorporating such bulkhead in any proposed construction or extension.

4. The Height Restrictions shall be deemed to include and prohibit the placement of any and all equipment, structures, parapets or any other items either attached to or placed on the roof, or any other portion of the Premises, which might violate the Height Restrictions, including the Maximum Height. Notwithstanding the foregoing, the party of the second part shall have the right to place certain air conditioning compressors on the far eastern portion of the roof of the Premises or any extension of the Premises, provided, however, such air conditioning compressors shall only be placed on the far eastern portion of the roof or any extension and no other location.

5. The party of the second part further agrees that any development to the rear of the Premises will be limited to the first floor and below in compliance with all applicable laws and ordinances (the "Rear Development Restriction").

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

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

[Remainder of page intentionally blank]

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto as of the Effective Date.

**SUTTON PLACE CAPITAL PARTNERS,  
LLC**

By: Alchemy Sutton LLC, its managing member

By: *Kenneth S. Horn* *Managing Member*  
Kenneth S. Horn  
Managing Member

**ACKNOWLEDGEMENT**

State of New York )ss.  
County of New York )

On the 1<sup>st</sup> day of Nov in the year 2005 before me, the undersigned, a notary public in and for said state, personally appeared Kenneth Horn 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 by his/her/their signature(s) on the instrument, the individuals(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

*Carol Lee Flitt*  
Notary Public

CAROL LEE FLITT  
Notary Public, State of New York  
No. 24-4816649  
Qualified in Kings County  
Commission Expires December 31, 2005

**Schedule A**

**Legal Description of the Land**

**(See attached)**

## **Schedule A Description**

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

BEGINNING at a point on the southerly side of 56th Street, distant 214 feet westerly from the point formed by the intersection of the southerly side of 56th Street with the westerly side of First Avenue;

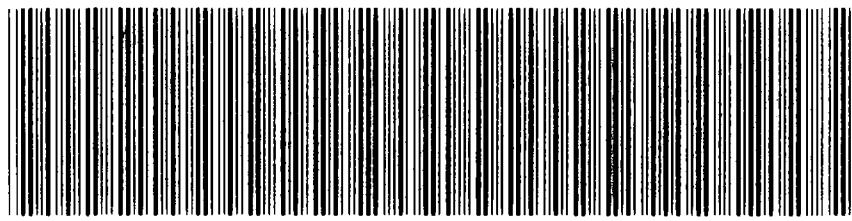
RUNNING THENCE southerly parallel with First Avenue and part of the distance through the center of a party wall 100 feet 5 inches to the center line of the block between 55th & 56th Streets;

THENCE westerly along the center line of the block, 18 feet;

THENCE northerly parallel with First Avenue and part of the distance through the center of another party wall, 100 feet 5 inches to the southerly side of 56th Street;

THENCE easterly along the southerly side of 56th Street, 18 feet to the point or place of BEGINNING.

**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**



**2005110401315001001SF4E3**

**SUPPORTING DOCUMENT COVER PAGE**

**PAGE 1 OF 1**

**Document ID: 2005110401315001**

Document Date: 11-01-2005

Preparation Date: 11-04-2005

Document Type: DEED

**ASSOCIATED TAX FORM ID: 2005102700127**

**SUPPORTING DOCUMENTS SUBMITTED:**

RP - 5217 REAL PROPERTY TRANSFER REPORT  
SMOKE DETECTOR AFFIDAVIT

Page Count

1

1

FOR CITY USE ONLY

C1. County Code  C2. Date Deed Recorded  Month / Day / Year

C3. Book  C4. Page

C5. CRFN



## REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK  
STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

(Rev 11/2002)

## PROPERTY INFORMATION

1. Property Location  336  EAST 56TH STREET  MANHATTAN  10022  
STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name  336 EAST 56TH STREET REALTY LLC  LAST NAME / COMPANY  FIRST NAME  
 LAST NAME / COMPANY  FIRST NAME

3. Tax Billing Address  Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)  LAST NAME / COMPANY  FIRST NAME  
 STREET NUMBER AND STREET NAME  CITY OR TOWN  STATE  ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed  1  # of Parcels OR  Part of a Parcel  4A. Planning Board Approval - N/A for NYC  
 4B. Agricultural District Notice - N/A for NYC

5. Deed Property Size  FRONT FEET  X  DEPTH  OR  ACRES   Check the boxes below as they apply:  
 6. Ownership Type is Condominium  7. New Construction on Vacant Land

6. Seller Name  SUTTON PLACE CAPITAL PARTNERS LLC  LAST NAME / COMPANY  FIRST NAME  
 LAST NAME / COMPANY  FIRST NAME

9. Check the box below which most accurately describes the use of the property at the time of sale:  
 A One Family Residential  C Residential Vacant Land  E  Commercial  G Entertainment / Amusement  I Industrial  
 B 2 or 3 Family Residential  D Non-Residential Vacant Land  F Apartment  H Community Service  J Public Service

## SALE INFORMATION

10. Sale Contract Date  7 / 21 / 2005  Month  Day  Year  14. Check one or more of these conditions as applicable to transfer:  
 A Sale Between Relatives or Former Relatives  
 B Sale Between Related Companies or Partners in Business  
 C One of the Buyers is also a Seller  
 D Buyer or Seller is Government Agency or Lending Institution  
 E Deed Type not Warranty or Bargain and Sale (Specify Below)  
 F Sale of Fractional or Less than Fee Interest (Specify Below)  
 G Significant Change in Property Between Taxable Status and Sale Dates  
 H Sale of Business is Included in Sale Price  
 I Other Unusual Factors Affecting Sale Price (Specify Below)  
 J None

11. Date of Sale / Transfer  11 / 1 / 2005  Month  Day  Year

12. Full Sale Price \$  2,300,000.00

( Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

15. Building Class  D.9  16. Total Assessed Value (of all parcels in transfer)

17. Borough, Block and Lot / Roll Identifier(s) ( If more than three, attach sheet with additional identifier(s) )

MANHATTAN 1348 35

CERTIFICATION I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

## BUYER

336 East 56th Street Realty LLC  11/01/2005  DATE  
By:  BUYER SIGNATURE

## BUYER'S ATTORNEY

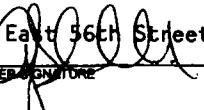
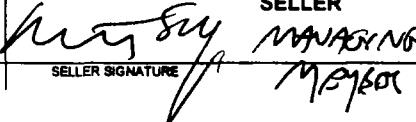
Edelstein  LAST NAMEWalter  FIRST NAME212  759-1200 AREA CODE  TELEPHONE NUMBER 

SELLER  
Sutton Place Capital Partners, LLC  
By: Alchemy Sutton LLC, its managing member 11/01/2005  
By: SELLER SIGNATURE  DATE

Kenneth S. Horn, Managing Member  DATE   
2005102700127201

**CERTIFICATION**

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

<b>BUYER</b> 336 East 56th Street Realty, LLC By:  BUYER'S SIGNATURE		<b>DATE</b> 11/01/05	<b>BUYER'S ATTORNEY</b>	
<b>STREET NUMBER</b> P.O. Box 933	<b>STREET NAME (AFTER SALE)</b>		<b>LAST NAME</b> 212	<b>FIRST NAME</b> 759-1200
Englewood Cliffs	N.J.	07632	<b>AREA CODE</b>	<b>TELEPHONE NUMBER</b>
			<b>SELLER</b>  SELLER'S SIGNATURE	
			11/01/05 DATE	

2005102700127201

**AFFIDAVIT OF COMPLIANCE  
WITH SMOKE DETECTOR REQUIREMENT  
FOR ONE- AND TWO-FAMILY DWELLINGS**

State of New York )  
                         ) SS.:  
County of New York )

The undersigned, being duly sworn, depose and say under penalty of perjury that they are the grantor and grantee of the real property or of the cooperative shares in a cooperative corporation owning real property located at

336 EAST 56TH STREET

Street Address	Unit/Apt.
MANHATTAN Borough	New York, 1348 Block 35 Lot (the "Premises");

That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of Title 27 of the Administrative Code of the City of New York concerning smoke detecting devices;

That they make affidavit in compliance with New York City Administrative Code Section 11-2105 (g). (The signatures of at least one grantor and one grantee are required, and must be notarized).

Sutton Place Capital Partners, LLC  
By: Alchemy Sutton, LLC, its managing member

Name of Grantor (Type or Print)  
By: *Kenneth S. Horn*, Managing Member  
Signature of Grantor  
Kenneth S. Horn, Managing Member

Sworn to before me  
this 1st date of November 19 2005  
*Carrie Lee Fleet*  
CAROLINE FLEET  
Notary Public, State of New York  
No. 24-416378  
Qualified in Kings County  
Commissioned 11/1/2006  
Commission expires 11/1/2010

336 East 56th Street Realty, LLC  
Name of Grantee (Type or Print)  
By: *Ashele*  
Signature of Grantee

Sworn to before me  
this 1st date of November 19 2005  
*Carrie Lee Fleet*  
CAROLINE FLEET  
Notary Public, State of New York  
No. 24-416378  
Qualified in Kings County  
Commissioned 11/1/2006  
Commission expires 11/1/2010

These statements are made with the knowledge that a willfully false representation is unlawful and is punishable as a crime of perjury under Article 210 of the Penal Law.

**NEW YORK CITY REAL PROPERTY TRANSFER TAX RETURNS FILED ON OR AFTER FEBRUARY 6th, 1990, WITH RESPECT TO THE CONVEYANCE OF A ONE- OR TWO-FAMILY DWELLING, OR A COOPERATIVE APARTMENT OR A CONDOMINIUM UNIT IN A ONE- OR TWO-FAMILY DWELLING, WILL NOT BE ACCEPTED FOR FILING UNLESS ACCOMPANIED BY THIS AFFIDAVIT.**