

AmTrust Title Insurance Company

Schedule B-II (Exceptions)

Title Number FN-12710-NY

The policy will include as exceptions to title the following matters unless they are disposed of to the satisfaction of the company:

DISPOSITION

1. Rights of tenants or persons in possession, if any.
2. Taxes, tax liens, tax sales, water rates, sewer rates, sewer rents and assessments set forth herein.
3. Mortgages returned herein (2).
4. See Survey Schedule herein.
5. Sewer Agreement in Liber 1070 Cp. 233, as repeated in Liber 1884 Cp. 164, Liber 1936 Cp. 446 and Liber 192 Cp. 166, Section 5. (copies to follow)
6. Covenants and restrictions, including, but not limited to height and setback restrictions, contained in Deed made by Sutton Place Capital Partners, LLC to 336 East 56th Street Realty, LLC, dated 11/1/2005 and recorded on 2/28/2006 in CRFN 2006000114443; as repeated in
 - a. Deed made by 336 East 56th Street Realty, LLC to Charles Henry Properties, LLC, dated 11/26/2013 and recorded on 12/12/2013 in CRFN 2013000511778.
7. Tax search discloses unofficial payment. Proof of payment by paid receipt or cancelled check must be submitted to the Company at or prior to closing.
8. Account #0000957304001 (Meter # 1169): Tax search discloses a water/sewer meter that has been read to 10/5/2016. Policy excepts subsequent meter charges covering the period from said reading including but not limited to subsequent adjustments to "actual" reading amounts that have been reported herein even where such amounts cover the service period prior to closing.
9. NOTE: A request for a final water reading must be made more than 30 days in advance of closing to the bureau of Customer Services of the Department of Environmental Conservation in the County in which the property is located. Without receiving 30 days notice, which period runs from the date on which payment for the reading is posted to the property's account, the Department will not afford a purchaser innocent owner status, notwithstanding that a reading is posted by DEP after receiving the request for a reading and before closing.
10. Emergency Repair Notices, if any, filed pursuant to Chap. 26 Sec. D-26-57.04 of the Administrative Code of the City of New York.

DB
Amended
per AR
11/18/2016

AmTrust Title Insurance Company

11. Emergency Repair Liens, which are presently based on work orders which are issued by the New York City Department of Rent and Housing Maintenance, ripen into tax liens (effective February 24, 1975). The Policy to be issued does not insure against such Emergency Repair Liens or Tax Liens unless entered in the records of the Department of Finance of the City of New York prior to closing. The purchaser should obtain satisfactory proof by affidavit or otherwise, showing whether any work has been done upon the premises described in Schedule A, by the City of New York or whether any demand has been made by the City which may result in charges or liens by the New York City Department of Rent and Housing Maintenance Emergency Repairs.
12. Satisfactory proof by affidavit must be furnished showing whether any work has been done upon the premises by the City, or any demand made by the City for any work, that may result in charges:
 - a) by the New York City Department of Housing Maintenance, Emergency Services;
 - b) by the New York City Department of Environmental Protection for Water Tap Closing or any related work;
 - c) by the New York City Department of Health whether or not such charges are liens against which this policy insures.
13. FOR NEW YORK CITY PROPERTIES ONLY: The City of New York requires the owners of certain income producing properties to file a Real Property Income and Expense ("RPIE") form with the City's Department of Finance annually. If the property owner does not file the RPIE form or files the form late, then the Department of Finance may assess a penalty of 3 to 5 percent of the property's final assessed valuation. The penalty will appear on the owner's real property tax bill. Because there may be significant time lag between the due date for the RPIE form and the date on which the penalty and interest appear on the tax bill, the policy will except and not cover any and all RPIE charges, fees and penalties which may be assessed by the Department of Finance against the property or its owner after the date of the title policy.