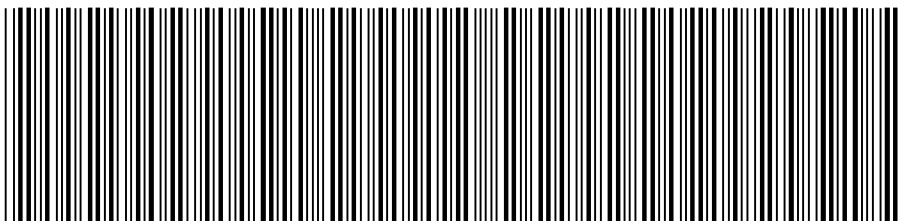


**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

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.



2012120501293001002EA876

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 8**

**Document ID: 2012120501293001**

Document Date: 12-03-2012

Preparation Date: 12-05-2012

Document Type: AMENDED CONDO DECLARATION

Document Page Count: 6

**PRESENTER:**

RIVERSIDE ABSTRACT LLC  
HOLD FOR PICKUP  
3839 FLATLANDS AVE #208 - RA-REC-8134  
BROOKLYN, NY 11234  
718-252-4200  
pkohan@rsabstract.com

**RETURN TO:**

RIVERSIDE ABSTRACT LLC  
HOLD FOR PICKUP  
3839 FLATLANDS AVE #208 - RA-REC-8134  
BROOKLYN, NY 11234  
718-252-4200  
pkohan@rsabstract.com

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
MANHATTAN	1071	1101	Entire Lot	14B 500 WEST 43RD STREET

**Property Type:** SINGLE RESIDENTIAL CONDO UNIT

Borough	Block	Lot	Unit	Address
MANHATTAN	1071	1102	Entire Lot	14C 500 WEST 43RD STREET

**Property Type:** SINGLE RESIDENTIAL CONDO UNIT

x Additional Properties on Continuation Page

**CROSS REFERENCE DATA**

**CRFN:** 2012000360385

**PARTIES**

**PARTY ONE:**

534 WEST 42ND STREET CONDOMINIUM  
534 WEST 42ND STREET  
NEW YORK, NY 10036

**FEES AND TAXES**

<b>Mortgage</b>		Filing Fee:	
Mortgage Amount:	\$	0.00	\$ 0.00
Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax:
Exemption:			\$ 0.00
TAXES: County (Basic):	\$	0.00	NYS Real Estate Transfer Tax:
City (Additional):	\$	0.00	\$ 0.00
Spec (Additional):	\$	0.00	
TASF:	\$	0.00	
MTA:	\$	0.00	
NYCTA:	\$	0.00	
Additional MRT:	\$	0.00	
<b>TOTAL:</b>	<b>\$</b>	<b>0.00</b>	
Recording Fee:	\$	87.00	
Affidavit Fee:	\$	0.00	



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

Recorded/Filed 12-11-2012 11:28

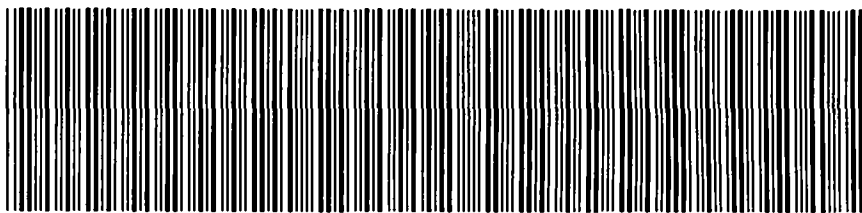
City Register File No.(CRFN):

**2012000484755**

*Annette M. Hill*

**City Register Official Signature**

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2012120501293001002CAAF6

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 8

Document ID: 2012120501293001

Document Date: 12-03-2012

Preparation Date: 12-05-2012

Document Type: AMENDED CONDO DECLARATION

PROPERTY DATA

Borough	Block	Lot	Unit	Address
MANHATTAN	1071	1103	Entire Lot 14D	500 WEST 43RD STREET
Property Type: SINGLE RESIDENTIAL CONDO UNIT				
Borough	Block	Lot	Unit	Address
MANHATTAN	1071	1104	Entire Lot 14E	500 WEST 43RD STREET
Property Type: SINGLE RESIDENTIAL CONDO UNIT				
Borough	Block	Lot	Unit	Address
MANHATTAN	1070	1105	Entire Lot 5	534 WEST 42ND STREET
Property Type: SINGLE RESIDENTIAL CONDO UNIT				
Borough	Block	Lot	Unit	Address
MANHATTAN	1070	1106	Entire Lot 6	534 WEST 42ND STREET
Property Type: SINGLE RESIDENTIAL CONDO UNIT				
Borough	Block	Lot	Unit	Address
MANHATTAN	1070	1107	Entire Lot 7	534 WEST 42ND STREET
Property Type: SINGLE RESIDENTIAL CONDO UNIT				
Borough	Block	Lot	Unit	Address
MANHATTAN	1070	1108	Entire Lot 8	534 WEST 42ND STREET
Property Type: SINGLE RESIDENTIAL CONDO UNIT				

**FIRST AMENDMENT TO  
DECLARATION OF CONDOMINIUM**

of the Premises known as

The 534 West 42<sup>nd</sup> Street Condominium  
534 West 42<sup>nd</sup> Street  
New York, New York

Pursuant to Article 9-B of the Real Property  
Law of the State of New York

Declarant:

534 West 42<sup>nd</sup> Street LLC

Date: *December, 3, 2012*

Record & return to:

Law Offices of Allan Lebovits, P.C.  
266 Broadway, Suite 304  
Brooklyn, New York 11211

The land affected by the within instrument lies in  
Block 1070,  
F/K/A Lot 49  
N/K/A Lots 1101 through 1108, inclusive,  
on the Tax Map of the County of New York,  
City and State of New York

**FIRST AMENDMENT TO**

**DECLARATION**

**of**

**THE 534 WEST 42<sup>ND</sup> STREET CONDOMINIUM**

534 West 4nd Street LLC, hereby declares as follows:

1. A Declaration of Condominium dated July 25, 2012, (the "Declaration") was made pursuant to Article 9-B of the Real Property Law of the State of New York and established condominium ownership of the premises known as The Deuce Condominium, 534 West 42nd Street, New York, New York (The "Condominium"). Said Declaration was filed in the Real Property Assessment Bureau of the City of New York, Borough of Manhattan as Condominium Plan No. 2341 and was recorded together with the Bylaws of the Condominium (the "Bylaws") in the Office of the City Register, New York County on September 12, 2012 under City Register file No. (CRFN) 2012000360385 and together with the Floor Plans of the Condominium known as Maps, certified by the Architect and recorded together with the Declaration under City Register file No. (CRFN) 2012000360386.

2. The By-Laws, shall heretofore be amended by adding the following section to the By-Laws:

**I. Article 7: "SELLING AND LEASING OF UNITS";**

Section 7.1. General. Any Unit Owner shall be free to sell or lease or to convey or transfer his or her Unit, together with its Appurtenant Interests, by sale, gift, lease, or to devise the same by will or to have the same pass by intestacy to persons or entities, without restriction, provided, however, that each succeeding Unit Owner shall be bound by, and his or her Unit shall be subject to all the provisions of this Declaration and By-Laws.

Section 7.2. Right of First Refusal, Section 7.3 Acceptance of Offer, Section 7.4 Failure to accept Offer & Section 7.5 Termination of and Exceptions to, the Right of First Refusal shall heretofore be removed from the By-Laws of the declaration. Provided, however, that each succeeding Unit Owner shall be bound by, and his or her Unit shall be subject to, all of the remaining terms and conditions of this Article 7.

## II. Article 8.7 "Additional Rights of Mortgagee"

A. If the Declaration and the By-Laws of the Condominium are to be amended and such amendment would materially interfere with any right or interest of any mortgagee such amendment may only be filed upon approval of 51% of all mortgagees.

B. Any first mortgagee who obtains title to a condominium unit pursuant to the legal remedies in the mortgage or through foreclosure will not be liable for more than six months of the units unpaid regularly budgeted charges accrued before the acquisition of title to the unit by mortgagee.

C. Intentionally Omitted.

D. In addition to any other notices provided for in the Declaration and By-Laws, Notices will be sent to any mortgagee, by certified or registered mail return receipt requested, upon the happening of any of the following circumstances to either the building or to a mortgaged unit:

1) In the event that either (i) the Building or any part thereof is damaged or destroyed by fire or other casualty (hereinafter referred to as a "Casualty Loss"), or (ii) the Common Elements or any part thereof is taken in condemnation or by eminent domain (hereinafter referred to as a "Taking"), as described and in accordance with the By-Laws: (iii) In addition to the notice thereto provided for herein, in the event of Taking or a Casualty Loss referred to in this subsection as described in elsewhere in the declaration and or the By-Laws, when applicable, no termination of condominium shall occur without the written consent and approval of 51% of all mortgagees.

2) In the event that any party whose unit or interest is mortgaged to a mortgagee defaults in performing any act or making any payment which is that party's responsibility hereunder, including common charges and or special assessments, for a period of sixty days alter the obligation to pay, and said default is not cured within fifteen (15) days of written notice of said default.

3) If any insurance policies insuring the Building and all service machinery contained therein covering the interest of the Condominium, the Condominium Board, all of the Unit Owners and all Permitted Mortgagees, as their interests may appear may not be either cancelled, or be allowed to lapse, or substantially' modified except upon at least ten days' prior written notice to all of the insured, including all Permitted Mortgagees.

4) If the Declaration and the By-Laws of the Condominium are to be amended and such amendment would materially interfere with any right or interest of any mortgagee.

E. Notwithstanding the foregoing provisions in the event a mortgagee fails to respond to written notice within 60 days of said written notice, provided notice was delivered by certified or registered mail return receipt requested said silence shall be construed as an

implied approval by an Mortgagee.

3. The Condominium shall be known as "The 534 West 42<sup>nd</sup> Street Condominium", any reference or mention in the Declaration or Bylaws of "The Deuce Condominium" shall be replaced with "The 534 West 42<sup>nd</sup> Street Condominium."

4. The Sponsor's attorney shall be revised to Law Offices of Allan Lebovits, P.C., 266 Broadway, Suite 304, Brooklyn, New York 11211. Any reference or mention of Sponsor's attorney in the Declaration or Bylaws shall be revised to read "Law Offices of Allan Lebovits, P.C., 266 Broadway, Suite 304, Brooklyn, New York 11211."

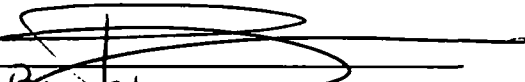
5. Other than as set forth above, there are no other changes in the terms of the Declaration of Condominium or Bylaws.

**{REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK}**

IN WITNESS WHEREOF, the Declarant has executed this document as of the day and year first above written.

Declarant: 534 West 42<sup>nd</sup> Street LLC

By:

  
Brian Shatz  
Authorized Person

STATE OF NEW YORK )

COUNTY OF NY ) ss.:

On the 3 day of December in the year 2012, before me, the undersigned, a notary public in and for said state, personally appeared, 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 individual(s) acted, executed the instrument.



Notary Public

**SHOSHANA T. CARMEL**  
Notary Public, State of New York  
No. 01CA6153596  
Qualified in New York County  
Commission Expires October 10, 2014

**SEAL**

FIRST AMENDMENT TO  
DECLARATION OF  
THE 534 WEST 42<sup>ND</sup> STREET CONDOMINIUM

Declarant:

534 West 42<sup>nd</sup> Street LLC

Premises:

534 West 42<sup>nd</sup> Street  
New York, New York

County: New York

Block: 1070

F/K/A Lot: 49

N/K/A Lots: 1101 through 1108

Record and return to:

Law Offices of Allan Lebovits, P.C.

266 Broadway, Suite 304

Brooklyn, NY 11211