

VERNON & GINSBURG, LLP

261 MADISON AVENUE

NEW YORK, NEW YORK 10016

TELEPHONE  
(212) 949-7300

TELECOPIER  
(212) 697-4432

September 17, 2003

VIA CERTIFIED MAIL

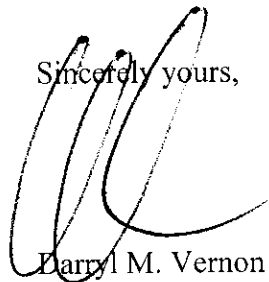
Bernat Mikhli  
Shamuil Mikhli  
160 Madison Avenue  
New York, New York 10016

Re: 160 Madison Avenue, Unit 2, New York, New York

Dear Bernat and Shamuil:

I understand that you have discussed with Claude his purchase of Unit 2 in the building and do not wish to exercise any option in this transaction. Thus, I have enclosed a Notice of Option under the Proprietary Lease and the Certificate of Limited Partnership, as well as a Waiver of Option. If you could sign the Waiver of Option and return it to us, it would be appreciated. If you wish to discuss, please just call.

Sincerely yours,



Darryl M. Vernon

DMV/le

Enclosures

cc; ✓ Claude Simon  
Moses Shayowitz  
160 Madison Avenue Owners Company  
160 Madison Avenue Owners Corporation

**NOTICE OF OPTION UNDER ARTICLE 5 SECTION 2(b)  
OF THE CERTIFICATE OF LIMITED PARTNERSHIP  
OF 160 MADISON AVENUE OWNERS COMPANY DATED AS  
OF DECEMBER 1, 1983 AND UNDER PARAGRAPH 14(a)(vii)  
OF THE PROPRIETARY LEASE OF 160 MADISON AVENUE  
OWNERS CORPORATION, AS LESSOR AND EACH OF  
THE LIMITED PARTNERS OF THE LIMITED PARTNERSHIP  
AS LESSEES COVERING THEIR RESPECTIVE INTERESTS  
IN THE BUILDING KNOWN AS 160 MADISON AVENUE  
NEW YORK, NEW YORK**

- TO: 1.) 160 Madison Avenue Owners Company (sometimes referred to as the "Limited Partnership");
- 2.) 160 Madison Avenue Owners Corporation (sometimes referred to as the "Cooperative Corporation");
- 3.) Bernat Mikhli; and
- 4.) Shamuil Mikhli;

DATED: September , 2003

1.) The undersigned, as a Limited Partner under the Limited Partnership Agreement referred to above, and as a Lessee under the Proprietary Lease also referred to above, has a bona fide offer (the "offer") of \$340,000.00 from Claude Simon for the sale of his 12 1/2% interest in the Limited Partnership and for his 45 shares of 160 Madison Avenue Owners Corporation, and the accompanying Proprietary Lease, all allocated to Unit 2 of the building at 160 Madison Avenue, New York, New York.

2.) Upon receipt of this Notice will begin a 20 day option under: a) Article 5 Section 2(b) of the Certificate of Limited Partnership and b) paragraph 14(a)(vii) of the Proprietary Lease in which the other Limited Partners and Proprietary Lessees may enter into a contract to purchase the

## ACKNOWLEDGEMENTS

STATE OF NEW YORK     )  
                                      )  
COUNTY OF                )

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared BERNAT MIKHLI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose names(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), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF NEW YORK     )  
                                      )  
COUNTY OF                )

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared SHAMUIL MIKHLI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose names(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), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
NOTARY PUBLIC