

REEL 1796 PG 1564

FIRE EGRESS EASEMENT

EASEMENT AGREEMENT made this 5th day of May, 1988, BETWEEN West 23rd Street Owners Corp., hereinafter referred to as the "Grantee," having an office c/o MJ Raynes Incorporated, 250 Mercer Street, in the Borough of Manhattan, City and State of New York and West 23rd Street Owners Corp., hereinafter referred to as the "Grantor," having an office c/o M.J. Raynes, Incorporated, 250 Mercer Street, New York, New York.

W I T N E S S E T H

WHEREAS, West 23rd Street Owners Corp., "Grantor," is the record owner in fee of premises known as 404-414 West 23rd Street, in the Borough of Manhatttan, City and State of New York, also known as Lot 49 of Block 720 on the Tax Map of the City of New York, hereinafter referred to as Parcel A and more particularly described by a metes and bounds description on Schedule A annexed hereto and by this reference made a part hereof.

WHEREAS, THE "Grantee" is the record owner in fee of the premises known as 400-404 West 23rd Street, in the Borough of Manhattan, City and State of New York, also known as Lot 47 of Block 720 on the Tax Map of the City of New York, hereinafter referred to as Parcel B, more particularly described by a metes and bounds description on Schedule B annexed hereto and by this reference made a part hereof.

WHEREAS, THE property of the Grantee, Parcel B, is situated to the immediate East of the property of the Grantor, Parcel A, and said parcels are contiguous to one another; and

WHEREAS, THE Grantor is willing to grant to the Grantee a means of egress, in the event of fire, from the rear of the property of the Grantee over such portion of the Grantor's property to afford access to the public street, such egress route more particularly described by a metes and bounds description and a diagrammatic sketch on Schedule C annexed hereto and by this reference made a part hereof.

NOW, THEREFORE, in consideration of the sum of \$1.00 and other good and valuable consideration, Grantor for itself, legal representatives, successors and assigns hereby makes the following grant:

1. Grantor hereby grants and conveys to Grantee, its legal representatives, successors and assigns and to any future owner of Parcel B, an easement over the property of the Grantor as may be necessary for the purpose of egress in the event of a fire or other emergency occurring on the property of the Grantee. Such easement shall run from the rear of the property of the Grantor to the public street now known as West 23rd Street. The access to the property of the

Grantor shall be provided as set forth in drawing #2 of 2 date 4/21/88 as prepared by Alfred Karman, Architect as attached hereto as Schedule C.

2. The area covered by the easement shall at all times be maintained and kept clear and unobstructed.

3. This Easement Agreement may not be amended or terminated without the prior written consent of the New York City Department of Buildings.

4. This covenant shall run with the land and be binding upon and inure to the benefit of the parties hereto and legal representatives, successors and assigns.

IN WITNESS WHEREOF, Grantor has made and executed the foregoing Easement Agreement as of the date hereinabove written.

WEST 23RD STREET OWNERS CORP.

By *[Signature]*

WEST 23RD STREET OWNERS CORP.

By *[Signature]*

AMIE S. REINHERTZ
Notary Public, State of New York
No. 471215
County of New York
Term Expires July 30, 1994

Amie S. Reinhertz

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

On May 5, 1988, before me personally came Thomas McGee, to me known, who, being by me duly sworn, did depose and say that he resides at 400 West 23rd Street, New York, New York, that he is the President of West 23rd Street Owners Corp., the corporation described in and which executed the foregoing instrument; and that he signed his name thereto by order of the Board of Directors of said corporation.

Amos S. Reinherz
Notary Public

AMOS S. REINHERTZ
Notary Public, State of New York

Notary Expires July 10, 1989

SCHEDULE A

404-414 West 23rd Street - Lot 49

Beginning at a point at the South side of West 23rd Street.

Distance 55 feet West from the corner formed by the intersection of 9th Avenue and West 23rd Street.

Running thence West 95 feet, thence South 98.9 feet, thence East 95 feet and thence North 98.9 feet.

SCHEDULE B

402 West 23rd Street - Lot 47

Beginning at a point on the South side of West 23rd Street.

Distance 0 feet West from the corner formed by the intersection of 9th Avenue and West 23rd Street.

Running thence West 55 feet, thence South 98.9 feet, thence East 55 feet, thence North 98.9 feet.

WEST 23RD STREET OWNER'S CORP.
400 WEST 23RD STREET
NEW YORK, NEW YORK

February 24, 1988

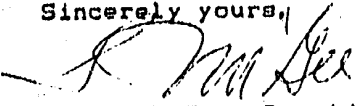
New York City Department of Buildings
60 Hudson Street
New York, New York 10013

Re: 400-410 West 23rd Street. New York New York

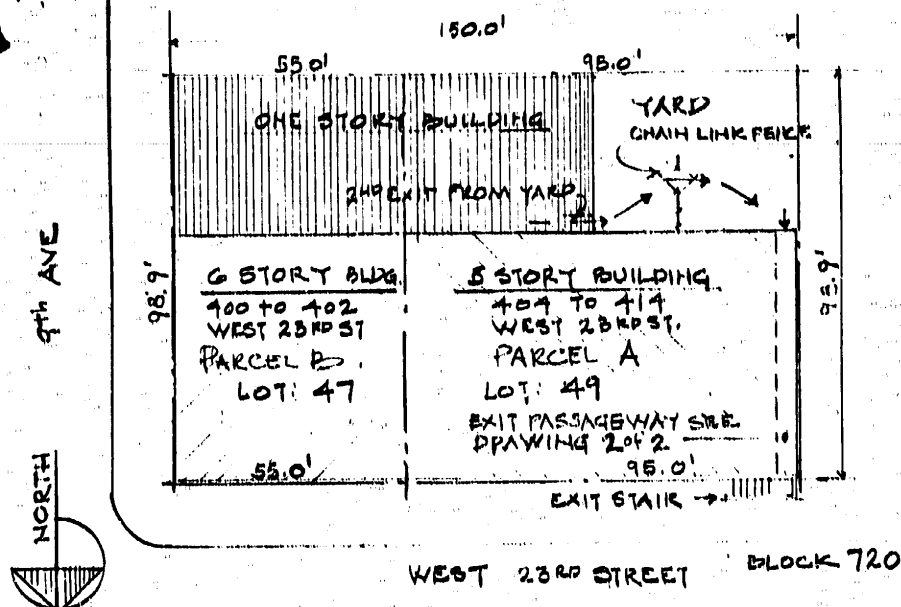
Gentlemen:

Please be advised that Ninth Realty Company has obtained the permission of West 23rd Street Owners Corp. for a second means of egress from the cellar of 400 West 23rd Street Building through the backyard portion of 410 West 23rd Street. Please be further advised that the two properties which have two tax lot numbers are owned by one owner, West 23rd Street Owners Corp., in the form of a cooperative apartment corporation.

Sincerely yours,


Thomas McGee, President

cc: Steven Wagner, Esq.



PLOT PLAN

SCALE 1" = 50'

THE ZONING LOT & PREMISES ABOVE ARE SITUATED, BOUNDED & DESCRIBED AS FOLLOWS:

400 TO 402 WEST 23RD ST. (LOT 47)

BEGINNING AT A POINT ON THE SOUTH SIDE OF WEST 23RD ST. DISTANT 0 FT. WEST FROM THE CORNER FORMED BY THE INTERSECTION OF 9TH AVE & WEST 23RD ST, RUNNING THENCE WEST 55.0', THENCE SOUTH 98.9', THENCE EAST 55.0', THENCE NORTH 98.9'

INFORMATION TAKEN FROM COFO No. 77423

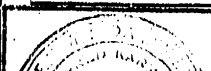
404 TO 114 WEST 23RD ST. (LOT 19)

BEGINNING AT A POINT ON THE SOUTH SIDE OF WEST 23RD ST. DISTANT 55 FEET WEST FROM THE CORNER FORMED BY THE INTERSECTION OF 9TH AVE & WEST 23RD ST. RUNNING THENCE WEST 95.0', THENCE SOUTH 98.9', THENCE EAST 95.0', THENCE NORTH 98.9'

INFORMATION TAKEN FROM COFO No. 75190

	PROJECT	400 WEST 23RD STREET	
		NEW YORK, NEW YORK	
	TITLE	PLOT PLAN & LOT DESCRIPTION	
	DATE	1-21-88	
	DWG. NO.	1 of 2	
ALFRED KARMAN, ARCHITECT 63 GREENE STREET, NEW YORK, N.Y. 10012 (212) 941-1112			



	PROJECT.	400 WEST 23RD STREET NEW YORK, NEW YORK	REV. 5-5-88
	TITLE.	PART CELLAR PLAN @ 404-414 W 23RD ST. EXIT PASSAGEWAY	DATE. 4-21-88
ALFRED KARMAN, ARCHITECT 63 GREENE STREET, NEW YORK, N.Y. 10012 (212) 941-1112			DWG. NO. 2 of 2

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