EGRESS EASEMENT AGREEMENT

EASEMENT AGREEMENT made this __ day of _____, 200__, between _____, hereinafter referred to as the "Grantor," having an office/residing at _____ and _____, hereinafter referred to as the "Grantee," having an office/residing at _____.

WHEREAS, the Grantor is the fee owner of certain land located in the City and State of New York, Borough of _____, designated as Block ___ Lot ___ 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 set forth in Schedule A annexed hereto and by this reference made a part hereof;

WHEREAS, the Grantee is the fee owner of certain land located in the City and State of New York, Borough of _____, designated as Block ___ Lot ___ on the Tax Map of the City of New York, hereinafter referred to as Parcel B and more particularly described by a metes and bounds description set forth in Schedule B annexed hereto and by this reference made a part hereof;

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

WHEREAS, the Grantee has requested the New York City Department of Buildings (the "Department of Buildings") to act upon Application No. _____ to construct a new building/alter the existing building located on Parcel B;

WHEREAS, a second means of egress from Parcel B is required pursuant to Title 27 Chapter 1 Subchapter 6 (27-354 et seq.) of the 1968 Building Code or Chapter 10 of the 2008 Building Code, as applicable; and

WHEREAS, the Grantor is willing to grant to the Grantee a means of egress, in the event of fire or other emergency, from the _____ [location of easement route (e.g., front, rear)] of the property of the Grantee over such portion of the Grantor's property to afford access to the public street (the "Easement Area"), more particularly described by a metes and bounds description and a diagrammatic sketch with a cross-hatched portion indicating the Easement Area on Schedule C annexed hereto and by this reference made a part hereof.

NOW, THEREFORE, good and valuable consideration having been paid, Grantor for her/himself, her/his heirs, legal representatives, successors and assigns hereby makes the following grant:

1. Grantor hereby grants and conveys to Grantee, her/his heirs, legal representatives, successors and assigns and to any future owner of Parcel B, an easement over the Easement Area located on Parcel A, 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. [The access to the property of the Grantor shall be provided by means of _____, installed by the Grantor, approved by the Department of Buildings, which shall be situated on the property of the Grantee];

2. The Easement Area shall at all times be maintained and kept clear and unobstructed;

3. This easement agreement may not be modified, amended or terminated without the prior written consent of the Department of Buildings;

4. The covenants set forth herein shall run with the land and be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns;

5. Failure to comply with the terms of this easement agreement may result in the revocation of a building permit or certificate of occupancy; and

6. This easement agreement shall be recorded at the city register's (county clerk's) office against all affected parcels of land and the cross-reference number and title of the easement agreement shall be recorded on each temporary and permanent certificate of occupancy hereafter issued to buildings located on the affected parcels and in any deed for the conveyance thereof.

IN WITNESS WHEREOF, Grantor and Grantee have made and executed the foregoing easement agreement as of the date hereinabove written.

_____	_____
Grantor	Grantee
By:	By:

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

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared [Grantor] _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

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

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared [Grantee] _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public