



DEPARTMENT OF BUILDINGS

120 WALL STREET, NEW YORK, N.Y. 10005

JEREMIAH T. WALSH, P.E., Commissioner

April 11, 1978

Ms. Flora Schall
Rosenman, Colin, Freund, Lewis & Cohen
575 Madison Ave.
New York, N. Y. 10022

Dear Ms. Schall:

Zoning Lot Ownership Declarations

This is to acknowledge receipt of your letter dated March 14, 1978, in which you summarized procedure concerning the above, and requested my comments.

Paragraphs 1 and 4 of your letter should be modified as follows:

1. The forms of Declarations of Restrictions which we had submitted to you were in compliance with said Section 12-10, except that each parcel would be referred to in a consistent manner by street address and tax lots in each Declaration and that each Declaration would include provisions regarding the building restrictions to be placed on the parcel transferring its unused excess floor area and other development rights.
4. Since Section 12-10 permits multiple ownership within a single zoning lot, the Department of Buildings would no longer require an amended certificate of occupancy for each parcel within the new zoning lot which had transferred unused excess floor area and development rights, and any municipal violations affecting such parcels would not affect or impede the issuance of a new certificate of occupancy for the new building contained within the zoning lot. However, existing certificates of occupancy for previously developed parcels would have annotated thereon a reference to the new alteration applications and Declarations.

Subsequently, a meeting was held with James M. Pedowitz, Vice President of The Title Guarantee Co., at which time forms offered by them were reviewed, and our satisfaction expressed.

Ms. Flora Schall
Rosenman, Colin, Freudn, Lewis & Cohen

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It would be best for all concerned if there were not a proliferation of forms requiring continuing review.

Perhaps such might be agreed upon by the various title companies.

It would be appreciated if you would be able to take the initiative in this by contacting him.

Very truly yours,

Irving E. Minkln, P.E.
Acting Commissioner

IEM/IP/df

CC: Boro. Supts
Asst. Dir. of Ops. Kupfer
Norman Marcus
James M. Pedowitz, Title Guarantee Co.

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