

CC # : C10-39151



COUNTY CLERK'S OFFICE
STATE OF NEW YORK
COUNTY OF SUFFOLK

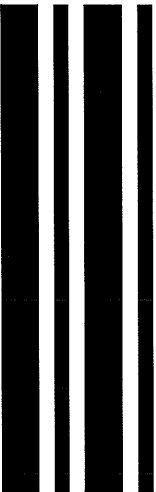
I, JUDITH A. PASCALÉ, Clerk of the County of Suffolk and the Court of Record thereof do hereby certify that I have compared the annexed with the original **AGREEMENT** recorded in my office on **10/27/2010** under Liber **D00012641** and Page **395** and, that the same is a true copy thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said County and Court this **10/27/2010**

SUFFOLK COUNTY CLERK

JUDITH A. PASCALÉ

SEAL



SUFFOLK COUNTY CLERK
RECORDS OFFICE
RECORDING PAGE

Type of Instrument: AGREEMENT
Number of Pages: 13
Receipt Number : 10-0125935

Recorded: 10/27/2010
At: 02:22:22 PM
LIBER: D00012641
PAGE: 395

District:	Section:	Block:	Lot:
0100	082.00	02.00	073.001

EXAMINED AND CHARGED AS FOLLOWS
Received the Following Fees For Above Instrument

Page/Filing	\$65.00	NO	Handling	\$20.00	NO	Exempt
COE	\$5.00	NO	NYS SRCHG	\$15.00	NO	
Affidavit	\$0.00	NO	TP-584	\$0.00	NO	
Notation	\$0.00	NO	Cert.Copies	\$8.45	NO	
RPT	\$50.00	NO				
			Fees Paid	\$163.45		


THIS PAGE IS A PART OF THE INSTRUMENT
THIS IS NOT A BILL

JUDITH A. PASCALE
County Clerk, Suffolk County

Number of pages 13

This document will be public record. Please remove all Social Security Numbers prior to recording.

RECORDED
2010 Oct 27 02:22:22 PM
JUDITH A. PASCALE
CLERK OF
SUFFOLK COUNTY
L D00012641
P 395

Deed / Mortgage Instrument		Deed / Mortgage Tax Stamp		Recording / Filing Stamps	
<div style="text-align: center;">FEES</div>					
3 Page / Filing Fee _____ Handling _____ 20.00 TP-584 _____ Notation _____ EA-52 17 (County) _____ EA-5217 (State) _____ R.P.T.S.A. <u>50</u> Comm. of Ed. _____ 5.00 Affidavit _____ Certified Copy <u>845</u> NYS Surcharge _____ 15.00 Other _____ Sub Total _____ Grand Total <u>103.45</u> \$					
Mortgage Amt. _____ 1. Basic Tax _____ 2. Additional Tax _____ Sub Total _____ Spec./Assit. _____ or _____ Spec./Add. _____ TOT. MTG. TAX _____ Dual Town _____ Dual County _____ Held for Appointment _____ Transfer Tax _____ Mansion Tax _____ The property covered by this mortgage is or will be improved by a one or two family dwelling only. YES _____ or NO _____ If NO, see appropriate tax clause on page # _____ of this instrument.		5 Community Preservation Fund Consideration Amount \$ _____ CPF Tax Due \$ _____ Improved _____ Vacant Land _____ TD _____ TD _____ TD _____		7 Title Company Information Co. Name Advantage Title Title # 09-CS-40153	
4 Dist. 0100 Real Property Tax Service Agency Verification P T S R SFL A 24-SEP-10 0100 08200 0200 073001 0100 08200 0200 037006		6 Satisfaction/Discharges/Releases List Property Owners Mailing Address RECORD & RETURN TO: Sahn Ward Coshignano & Baker, PLLC 333 Earle Ovington Blvd. Suite 601 Uniondale, NY 11553 Att: Miriam E. Villani, Esq.			
8 Mail to: Judith A. Pascale, Suffolk County Clerk 310 Center Drive, Riverhead, NY 11901 www.suffolkcountyny.gov/clerk					

Suffolk County Recording & Endorsement Page

This page forms part of the attached _____ Subordination Agreement _____ made by: _____ (SPECIFY TYPE OF INSTRUMENT)

Town of Babylon and Linzer Products Corp. _____ The premises herein is situated in _____ SUFFOLK COUNTY, NEW YORK.

TO _____ In the TOWN of _____ Babylon _____
 People of the State of New York _____ In the VILLAGE _____
 or HAMLET of _____ West Babylon _____

BOXES 6 THRU 8 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.

(over)

Record and Return to:

Saln Ward Coschignano & Baker, PLLC
333 Earle Ovington Boulevard
Suite 601
Uniondale, New York 11553
Attention: Miriam E. Villani, Esq.

SUBORDINATION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That for consideration of the sum of One Dollar (\$1.00) and other good valuable considerations, in hand paid, receipt and sufficiency of which are hereby acknowledged, the undersigned Town of Babylon, a municipal corporation situate in the County of Suffolk and State of New York, and having its offices at 200 East Sunrise Highway, Lindenhurst, New York 11757, duly authorized by a Resolution of the Members of the Town Board of the Town of Babylon dated February 3, 2010, and Linzer Products Corp., having an address at 248 Wyandanch Avenue, Wyandanch, New York 11798 ("Grantor"), have agreed and by these presents do agree that The People of the State of New York acting through their Commissioner of the Department of Environmental Conservation, having an address at 625 Broadway, Albany, New York 12233, has an interest in the real property located in the Town of Babylon, County of Suffolk, State of New York as more particularly described on Exhibit A attached hereto and made a part hereof, by a certain Environmental Easement from Grantor to The People of the State of New York ("Grantee") acting through their Commissioner of the Department of Environmental Conservation, dated the 2nd day of August, 2010, which has been recorded on September 2, 2010, in the Office of the Clerk of the County of Suffolk in Liber 00012636 of Deeds at Page 360.

The above described Environmental Easement shall forever be a superior interest upon said property to the interest of the Town of Babylon pursuant to that certain Easement Agreement as modified by a "Termination of Easement Agreement" made by the Town of Babylon in the Office of the Clerk of said County which easement is reserved and referenced as 10 Foot General Easement (the "General Easement") in a Survey made by Nelson & Pope, Surveyors, Dated August 26, 2008 (annexed hereto as Exhibit "B"), and such priority shall be accorded said first above-described Environmental Easement notwithstanding that said Environmental Easement was dated and recorded subsequent to the date of the said General Easement. If the superior Environmental Easement is amended or assigned it is still the intent that this Subordination Agreement be enforced.


Nothing contained herein shall impair the right and authority of the Town of Babylon to access the area of its easement in accordance with the terms thereof as long as prior notification and (save in the event of emergency) written approval is obtained from the New York State Department of Environmental Conservation and all provisions of the

Environmental Easement and corresponding Department-approved Site Management Plan and corresponding amendments are adhered to.

The parties agree that this Subordination Agreement shall run with the land and inure to the benefit of their respective successors and/or assigns.

TOWN OF BABYLON

LINZER PRODUCTS CORPORATION

By: 
Print Name: Steven Billone
Title: Supervisor

By: 
LEONARD ZICHLIN


Environmental Easement and corresponding Department-approved Site Management Plan and corresponding amendments are adhered to.

The parties agree that this Subordination Agreement shall run with the land and inure to the benefit of their respective successors and/or assigns.

TOWN OF BABYLON

LINZER PRODUCTS CORPORATION

By: _____
Print Name: _____
Title: _____

By:  _____
LEONARD ZICHLIN

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

On the 22nd day of December in the year of 2011, before me the undersigned, personally appeared **LEONARD ZICHLIN** 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 executed the same in his capacity, ~~and~~ that by his signature on the instrument, the individual executed the instrument.



Notary Public

Stephen Menna
Notary Public State of New York
01ME6119650
Qualified in Queens County
Commission Expires 12/06/2012

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

On the 11 day of February in the year 2010, before me, the undersigned, personally appeared **STEVEN BELLONE** 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 executed the same in his capacity and that by his signature on the instrument, the individual executed the instrument.

Afreen S. Rizwan
Notary Public

AFREEN S. RIZWAN
NOTARY PUBLIC, State of New York
No. 02RI6187314
Qualified in Suffolk County
Commission Expires May 19, 2012

Exhibit A

ADVANTAGE TITLE AGENCY, INC.

Title No. 09-CS-40153 (L573378)

EXHIBIT "A"

Amended February 19, 2009

TAX LOT 073.001

ALL that certain plot, piece or parcel of land, situate, lying and being at Wyandanch, in the Town of Babylon, County of Suffolk and State of New York, known and designated as Lots 2 through 10, Lots 22 through 29, and part of Lots 30 through 32 in Block 42 and Lot 21 and Lots 30 through 32 in Block 44 on a certain the Map entitled "Map of North Babylon Park" filed in the Office of the Clerk of the County of Suffolk on September 22, 1908 as Map No. 368 and on a second Map entitled "Map of Belmont Heights" filed in the Office of the Clerk of the County of Suffolk on November 21, 1910 as Map No. 278 and Lot 1294 on a certain Map entitled "Map of Belmont Parkway Estates, Section 3" filed in the Office of the Clerk of the County of Suffolk on June 21, 1926 as Map No. 1005, which said lots and described parcels, when taken together are more particularly bounded and described as follows:

BEGINNING at a point on the Southerly side of Wyandanch Avenue a distance of 216.92 feet Easterly from the corner formed by the intersection of the Southerly side of Wyandanch Avenue, as widened, and the Northeasterly side of Mount Avenue (Belmont Avenue);

RUNNING THENCE along the Southerly side of Wyandanch Avenue the following three (3) courses:

1. North 89 degrees 30 minutes 20 seconds East, 821.99 feet;
2. North 00 degrees 29 minutes 40 seconds West, 5.00 feet;
3. North 89 degrees 30 minutes 20 seconds East, 580.00 feet, to the Westerly side of Carroll Street;

THENCE along said Westerly side of Carroll Street, South 00 degrees 29 minutes 40 seconds East, 320.00 feet to Northerly boundary of land as shown on "Revised Map of Belmont Estates Section 3", filed June 21, 1926 File No. 1005;

FOR
CONVEYANCING
ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises

ADVANTAGE TITLE AGENCY, INC.

Title No. 09-CS-40153 (L573378)

EXHIBIT "A" (continued)

THENCE along said map line, South 89 degrees 30 minutes 20 seconds West, 200.00 feet;

THENCE the following four (4) courses and distances:

1. North 34 degrees 11 minutes 04 seconds West, 56.05 feet;
2. Northwesterly along the arc of a curve bearing to the left having a radius of 30.00 feet and length of 29.48 feet;
3. South 89 degrees 30 minutes 20 seconds West, 205.43 feet;
4. Southwesterly along arc of a curve bearing to the left having a radius of 60.00 feet and a length of 94.25 feet to Northerly boundary of "Revised Map of Belmont Estates Section 3", filed June 21, 1926;

THENCE along said map line, South 89 degrees 30 minutes 20 seconds West, 100.10 feet to Lot 1294 as shown on aforementioned map;

THENCE along said lot the following three (3) courses and distances:

1. South 02 degrees 02 minutes 51 seconds West, 115.79 feet;
2. North 87 degrees 57 minutes 09 seconds West, 100.00 feet to the Westerly side of Eyre Place;
3. Along the Westerly side of Eyre Place, North 02 degrees 02 minutes 51 seconds East 111.35 feet to the Northerly boundary of said map;

THENCE along said map line and land now or formerly of Torres, South 89 degrees 30 minutes 20 seconds West, 533.31 feet to land now or formerly of Tuppins;

FOR
CONVEYANCING
ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises

ADVANTAGE TITLE AGENCY, INC.

Title No. 09-CS-40153 (L573378)

EXHIBIT "A" (continued)

THENCE along said land the following two (2) courses and distances:

1. North 00 degrees 29 minutes 40 seconds West, 113.15 feet;
2. North 36 degrees 33 minutes 30 seconds West, 249.68 feet, to the point or place of BEGINNING.

FOR
CONVEYANCING
ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises

ADVANTAGE TITLE AGENCY, INC.

Title No. 09-CS-40153 (L573378)

EXHIBIT "A" (continued)

TAX LOT 037.006

ALL that certain plot, piece or parcel of land, situate, lying and being at Wyandanch, in the Town of Babylon, County of Suffolk and State of New York, more particularly bounded and described as follows:

BEGINNING at the Northeasterly terminus of Oswego Place as shown on "Revised Map of Belmont Parkway Estates Section-3" (Filed June 21, 1926, File No. 1005);

RUNNING THENCE the following five (5) courses and distances:

1. North 02 degrees 02 minutes 51 seconds East, 9.47 feet;
2. Northeasterly along the arc of a curve bearing to the right having a radius of 11.03 feet and a distance of 16.84 feet;
3. North 89 degrees 30 minutes 20 seconds East, 19.99 feet;
4. South 00 degrees 29 minutes 40 seconds East, 20.00 feet;
5. South 89 degrees 30 minutes 20 seconds West, 31.43 feet, to the point or place of BEGINNING.

FOR
CONVEYANCING
ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises

Exhibit B

EXHIBIT "B"

See Map No. A 712 filed on October 24, 2010