NOTICE OF CANCELLATION OF 2001 DECLARATION

Notice of Cancellation of Declaration dated December 19, 2001 (the "**2001 Declaration**") made as of the _____ day of _____, 2024, by Memorial Hospital for Cancer and Allied Diseases, f/k/a Memorial Hospital for The Treatment of Cancer and Allied Diseases, having an address at 1275 York Avenue, Suite MG-16, New York, NY 10065 (the "**Declarant**").

WITNESSETH

WHEREAS, Declarant is the owner of certain real property located in the County of New York, City and State of New York, consisting of the parcel located at 1275 York Avenue, New York, NY 10065, and shown on the Tax Map of the City of New York for the Borough of Manhattan as Block 1462, Lot 5, which real property is more particularly described in **Exhibit A-1** annexed hereto (the "**Subject Property**"); and

WHEREAS, Stewart Title Insurance Company (the "**Title Company**") has certified in a certification attached hereto as **Exhibit B** and made a part hereof, that as of March 27, 2024, Declarant is the only party-in-interest (as defined in the definition of "zoning lot" set forth in Section 12-10 of the Zoning Resolution of the City of New York, as amended, hereinafter referred to as the "**Zoning Resolution**") in the Subject Property; and

WHEREAS, all parties-in-interest to the Subject Property have executed this Notice of Cancellation; and

WHEREAS, in connection with an application designated No. 010547ZMM for a zoning map amendment to rezone (1) the midblock portion of the Subject Property, referred to in the 2001 Declaration as "**Main Campus Midblock**", which is more particularly described in **Exhibit A-2** annexed hereto, and (2) the south midblock portion of Block 1463 from R8 to R9 (the "**2001 Rezoning**"), to facilitate the development of the Zuckerman Research Center on a portion of Block 1463 within a large scale community facility development (the "**2001 LSCFD**") established pursuant to the related applications designated No. 0101548ZSM and 0101549ZAM, all which actions having been approved by the City Planning Commission (the "**Commission**") on November 28, 2001 (the "**2001 LSCFD Approvals**"), Declarant executed the 2001 Declaration, which was subsequently recorded in the Office of the New York City Register, New York County (the "**Office of the Register**") on December 20, 2001, in Reel 3413, Page 1860; and

WHEREAS, the Main Campus Midblock and the remainder of Block 1462 comprise the Main Block of the Declarant's 2001 LSCFD, which also includes the North Block and the South Block; and

WHEREAS, as a result of the 2001 Rezoning, the Main Campus Midblock floor area, as defined in the Zoning Resolution, increased by 290,310 sf identified in the 2001 Declaration as the "**New Floor Area**"; and

WHEREAS, in Section 1 of the 2001 Declaration, the Declarant agreed to limit to 75,000 sf the amount of the New Floor Area that could be used for the enlargement or extension of any building in the Main Campus Midblock without further prior applications or approvals required from the Commission; and

WHEREAS, Declarant's affiliated entity, Memorial Sloan Kettering Cancer Center ("**MSKCC**") undertook a floor-by-floor survey performed by Studio Castellano, which determined that the amount of existing floor area on the Main Block is 966,162 sf, leaving 264,938 sf of unused floor area available for transfer to another zoning lot, subject to the Commission's approval; and

WHEREAS, Paragraph 6 of the 2001 Declaration provides that it may not be cancelled without the prior approval of the Commission and City Council of New York (the "**City Council**"); and

WHEREAS, MSKCC submitted an application, dated January 12, 2024, and designated No. 240239ZAM that, *inter alia,* requested the transfer of all of the Main Block unutilized floor area to the South Block of the 2001 LSCFD for utilization in its proposed development on the South Block and concurrently submitted an application designated No. 240240LDM, to cancel the 2001 Declaration, both of which applications have been approved by the Commission on _____ and approved by the City Council on _____ .

NOW, THEREFORE, Declarant does hereby declare as follows:

(1) The 2001 Declaration is hereby cancelled and each and every one of its terms and conditions are null and void and of no further effect.

(2) This Notice of Cancellation shall not be effective until it has been filed for recording in the Office of the Register.

IN WITNESS WHEREOF, Declarant has caused this Notice to be signed as of the day and year first set forth above.

MEMORIAL HOSPITAL
FOR CANCER AND ALLIED DISEASES

By:_____
Name:
Title:

State of New York)
) ss.
County of New York)

On the _____day of _____in the year 2024 before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(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

Exhibit A-1

LEGAL DESCRIPTION – SUBJECT PROPERTY

All that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, County, City and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the westerly side of York Avenue (formerly Avenue A) with the northerly side of 67th Street;

RUNNING THENCE northerly along the westerly side of York Avenue (formerly Avenue A), 200 feet 10 inches to the corner formed by the intersection of the westerly side of York Avenue (formerly Avenue A) with the southerly side of 68th Street;

THENCE westerly along the southerly side of 68th Street, 513 feet:

THENCE southerly along a line parallel to First Avenue, 200 feet 10 inches to the northerly side of East 67th Street; and

THENCE easterly along the northerly side of 67th Street, 513 feet to the corner formed by the intersection of the northerly side of 67th Street with the westerly side of York Avenue (formerly Avenue A), the point or place of beginning.

Exhibit A-2

LEGAL DESCRIPTION – MAIN CAMPUS MIDBLOCK

All that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, County, City and State of New York, bounded and described as follows:

BEGINNING at the point on the northerly side of East 67th Street distant easterly from the corner formed by the intersection of the northerly side of East 67th Street with the easterly side of First Avenue;

RUNNING THENCE easterly along the northerly side of 67th Street, 413 feet;

THENCE northerly along a line parallel to York Avenue (formerly Avenue A), 200 feet 10 inches to the southerly side of East 68th Street;

THENCE westerly along the southerly side of 68th Street, 413 feet;

THENCE southerly along a line parallel to First Avenue, 200 feet 10 inches to the northerly side of 67th Street, the point or place of beginning.

Exhibit B

Certification of Parties in Interest

Stewart Title Insurance Company
2 Grand Central Tower, 33rd Floor
New York, New York 10017

STEWART TITLE INSURANCE COMPANY

Certification of parties of interest in connection with Notice of Cancellation of Declaration in Reel 3413 page 1860

TITLE NO. NY11856

APPLICANT: Elena Aristova
Friedman & Gotbaum LLP
568 Broadway, Suite 505
New York, New York 10012

This Company certifies to the Applicant named herein and to any other party to whom this Company has certified this search that a search has been made in the New York City Register's Office for the Last Deed of record of the premises described herein. The liability of this Company for this search is limited as hereafter set forth.

SEARCH AGAINST

I.	COUNTY	BLOCK	LOT
	New York	1462	5

PREMISES: 1275 York Avenue
New York, New York

II. FEE OWNER:

Memorial Hospital For The Treatment Of Cancer And Allied Diseases

Title acquired by:

Deed dated July 29, 1936, recorded August 4, 1936 in Liber 3932 page 187 made by The Rockefeller Institute for Medical Research, a New York corporation.

TITLE NO. NY11856

The liability of this Company for this search to the Applicant and any other party to whom this Company has certified this search is limited to $1,000. Reliance upon the information herein by anyone other that the Applicant or a party to whom this Company has certified this search is at the sole risk and responsibility of such person or persons and this Company shall have no liability therefor.

DATED: March 27, 2024

Stewart Title Insurance Company



BY: _____

Alexandra E. Hirn
Vice President
Senior Underwriting Counsel