

AGREEMENT

#12

This Agreement made at Roslyn, New York, on the 30<sup>th</sup> day of ~~Sept~~ August, 1977, between ALEXANDER B. FERGUSON and ELIZABETH R. FERGUSON, his wife, both residing at 80 East Broadway, Roslyn, New York, (hereinafter referred to as the "Grantors"), and ROBERT H. BRODRICK, residing at 120 Horton Highway, Mineola, New York, (hereinafter referred to as the "Grantee"), and the ROSLYN PRESERVATION CORPORATION having its principal place of business at 105 Main Street, Roslyn, New York, (hereinafter referred to as the "Corporation"),

WITNESSETH:

WHEREAS, the Grantors and the Grantee respectively are the sellers and purchaser of all that certain plot, piece or parcel of land, with the buildings and improvements erected thereon, situate, lying and being in the Incorporated Village of Roslyn, County of Nassau, State of New York, as the same are more particularly described in a deed dated April 18, 1973, and recorded in the office of the Clerk of Nassau County in Liber 8525, page 392 of Conveyances, and described on the tax map of said County as Section 7, Block B, Lot 537 and commonly known as 80 East Broadway, Roslyn, New York; and

WHEREAS, the house situate on said property, being known as the A. NOSTRAND HOUSE (ca. 1830) having been previously purchased and moved to its present location by the Corporation

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Lot 537  
Section 7 Block B  
Ver Post

Sheet 1



from its previous location on lands owned by the estate of Childs Frick; and

WHEREAS, the said house was conveyed by the Corporation to the Grantors by an instrument dated June 8, 1973 and in consideration of said transfer, the Grantors agreed to certain conditions, covenants and restrictions concerning said house, the same being designed to assure the preservation of the historic architectural character and detail of said house which is located in the Special Historic District of the Incorporated Village of Roslyn; and

WHEREAS, the Grantors and Grantee are desirous of recording certain conditions, covenants and restrictions concerning said premises in the office of the Clerk of Nassau County, New York, to run with the land and bind themselves, their heirs and assigns, and all future owners thereof, for the benefit of the Corporation, its assigns and successors as hereinafter provided.

NOW THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, receipt of which is hereby acknowledged, the Grantors and Grantee hereby declare that the said premises are subject to the following covenants, conditions, limitations and restrictions, which shall run with the land and bind the Grantors and Grantee, their heirs and assigns and all future owners thereof for the benefit of the Corporation, its assigns or successors as hereinafter provided, the same being designed for the purpose of assuring the preservation of the A. NOSTRAND HOUSE (ca. 1870) referred to as "the Residence", and to



preserve to as great a degree as possible the architectural character and detail of said Residence:

EXTERIOR OF THE RESIDENCE

(1). No exterior alteration or addition of any kind or nature to the Residence shall be undertaken nor shall it be demolished or removed without prior written consent of the Corporation, its assigns or successors as hereinafter provided.

PRIOR WRITTEN APPROVAL

(2). All the plans and specifications for any such alteration or addition must be submitted in writing to the Corporation, its assigns or successors as hereinafter provided, for its approval at least 60 days prior to the commencement of any such work.

ENFORCEMENT

(3). The right to enforce the covenants, conditions, limitations and restrictions contained above pertaining to the said Residence shall be assignable by the Corporation to only one of the following organizations: (a). the Board of Trustees of The Roslyn Landmark Society, Inc. or its successor corporation; or (b). the Historic District Board of the Incorporated Village of Roslyn. Any such assignment shall be exercisable only by a written instrument duly executed in a form suitable for recording and shall become enforceable only upon such recording.

If the Corporation shall at any time, not be in existence and not have previously assigned its rights of enforcement



as provided herein, such rights of enforcement shall inure to the benefit of and be enforceable by the Board of Trustees of The Roslyn Landmark Society, Inc. or its successor corporation, or, if such Board or successor corporation shall also not then be in existence, by the Historic District Board of the Incorporated Village of Roslyn. If, however, none of the above entities shall then be in existence, the said covenants, conditions, limitations and restrictions contained herein shall be deemed extinguished and shall be of no further force or effect.

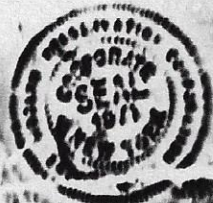
The Corporation represents and covenants for itself, its assigns or successors as herein provided that any consent required of it or its said assigns or successors herein, by the Grantee, or his heirs and assigns or any future owners, shall not be unreasonably withheld.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, the day and year first above written.

Alexander B. Ferguson L.S.  
Alexander B. Ferguson, Grantor

Elizabeth R. Ferguson L.S.  
Elizabeth R. Ferguson, Grantor

Robert H. Ferguson L.S.  
Robert H. Ferguson, Grantee



THE ROSLYN PRESERVATION CORP.,  
Corporation

By:

[Signature]  
President

ms

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STATE OF NEW YORK )

COUNTY OF NASSAU )

SS.:

On the 13 day of September, 1977, before me personally came Alexander B. Ferguson and Elizabeth R. Ferguson, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.

Daniel H. Mockler  
Notary Public

DANIEL H. MOCKLER  
NOTARY PUBLIC, State of New York  
No. 30-582900  
Qualified in Nassau County  
Commission Expires March 24, 1978

STATE OF NEW YORK )

COUNTY OF NASSAU )

SS.:

On the 16 day of Sept., 1977, before me personally came Robert H. Brodrick, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

Louis Costagliola  
Notary Public

LOUIS COSTAGLIOLE  
NOTARY PUBLIC, State of New York  
No. 30-582900  
Qualified in Nassau County  
Commission Expires March 24, 1978

STATE OF NEW YORK )

COUNTY OF NASSAU )

SS.:

On the 30<sup>th</sup> day of August, 1977, before me personally came Roger G. Gerry to me known, who, being by me duly sworn, did depose and say that he resides at No. 105 Main Street, Roslyn, New York, that he is the President of The Roslyn Preservation Corporation, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Karen J. Reynolds  
Notary Public

KAREN J. REYNOLDS  
NOTARY PUBLIC, State of New York  
No. 30-4619615  
Qualified in Nassau County  
Commission Expires March 30, 1979

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