

RECORD AND RETURN TO:

Goldstein Hall PLLC
80 Broad St #303
New York, NY 10004
Attn: Jason Labate, Esq.

AGREEMENT TERMINATING COVENANTS AND RESTRICTIONS

This Agreement (“Termination Agreement”) is made this ___ day of May 2025, by and between the City of Mount Vernon, with an office address at 1 Roosevelt Square, Mount Vernon, New York 10550 (the “City”), and Qwest LLC, a Delaware limited liability company, authorized to do business in the State of New York, with an office address at 1250 Waters Place, PH1, Bronx, New York 10461 (“QWest”).

WHEREAS, the City and Qwest entered a certain Amended and Restated Agreement, dated June 15, 2022, which governed the sale of certain properties owned by the City to QWest (“Agreement”), which properties are located at 7-11, 25 and 29 North Macquesten Parkway, and designated on the City of Mount Vernon Tax Map as Section 164.68, Block 1073, Lots 21, 24 and 25 (the “Properties”); and

WHEREAS, the City conveyed the Properties to Qwest pursuant to the Agreement by Deed dated October 27, 2022, and recorded in the Westchester County Clerk’s Office, Division of Land Records, on November 2, 2022, in Control Number 622283612 (“Deed”); and

WHEREAS, pursuant to the Deed, certain restrictive covenants were placed on the Properties owned by QWest; and

WHEREAS, QWest, as present owners of the Properties, desires to terminate all Restrictive Covenants contained in the Deed, including the referenced or related portions of the Agreement encumbering the Properties in Section 25 of the Agreement (entitled “Reverter”), and has requested the City to enter this Termination Agreement; and

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WHEREAS, this copy of this Termination Agreement was approved by Resolution of the City Council of the City of Mount Vernon on May __, 2025, and signed by the Mayor of the City of Mount Vernon on May __, 2025, with the intent of it being recorded in the Westchester County Clerk's Office, Division of Land Records.

NOW, THEREFORE, in consideration of the payment of Ten (\$10.00) Dollars and other valuable consideration, the City and Qwest hereby agree, as follows:

1. By signing and recording this Termination Agreement, the Restrictive Covenants in the aforementioned Deed, including the referenced or related portions of the Agreement encumbering the Project in Section 25, are hereby deemed to be null and void and of no further force and effect.
2. This Termination Agreement may be executed in counterparts, and an emailed copy of this Termination Agreement, as executed, and electronic signatures shall have the same force and effect as the original.

IN WITNESS WHEREOF, the parties have signed and delivered this Termination Agreement on the day and the year set forth above.

CITY OF MOUNT VERNON, NEW YORK

By: _____
Name: Hon. Shawyn Patterson-Howard
Title: Mayor

QWEST LLC

By: _____
Name:
Title:

ACKNOWLEDGMENT

STATE OF NEW YORK
COUNTY OF WESTCHESTER

On the ____ day of May in the year 2025, before me, the undersigned, a Notary Public in and for said state, personally appeared, 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 she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

STATE OF NEW YORK SS:
COUNTY OF NEW YORK

On the ____ day of May in the year 2025, before me, the undersigned, a Notary Public in and for said state, personally appeared 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 she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Schedule A

7-11 NORTH MACQUESTEN PARKWAY, MT. VERNON, NY 10552 (BLOCK 1073, TAX LOT 21)

ALL that certain plot, piece or parcel of land situate, lying and being in the City of Mount Vernon, County of Westchester and State of New York, being known and designated as Lot No. 169 as shown on a certain map entitled, "Map of West Mount Vernon, lying in the Town of Eastchester, County of Westchester and State of New York", made by Gustavus A. Sacchi dated June 27, 1851 and filed in the Office of the Clerk of the County of Westchester, Division of Land Records on May 1, 1852 as Map No. 151, which said premises are more fully described in Deed dated October 10, 1997 and recorded April 22, 1999 in Liber 12278 page 236, being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Macquesten Parkway North, said point being northerly 80.24 feet from the intersection of the easterly side of Macquesten Parkway North and the northerly side of Mount Vernon A venue;

RUNNING THENCE northerly along the easterly side of Macquesten Parkway North 80.24 feet;

RUNNING THENCE easterly 100.00 feet;

RUNNING THENCE southerly 80.24 feet;

RUNNING THENCE westerly 100.00 feet to the point or place of BEGINNING.

25 NORTH MACQUESTEN PARKWAY, MT. VERNON, NY 10552 (BLOCK 1073, TAX LOT 24)

ALL that certain plot, piece or parcel of land situate, lying and being in the City of Mount Vernon, County of Westchester and State of New York, being known and designated as the southwesterly one-half of Lot 172 on a certain map entitled, "Map of West Mount Vernon, lying in the Town of Eastchester, County of Westchester and State of New York", made by Gustavus A. Sacchi dated June 27, 1851 and filed in the Office of the Clerk of the County of Westchester, Division of Land Records on May 1, 1852 as Map No. 151, which said premises are more fully described in deed dated October 28, 1997 and recorded April 22, 1999 in Liber 1227 page 201.

29 NORTH MACQUESTEN PARKWAY, MT. VERNON, NY 10552 (BLOCK 1073, TAX LOT 25)

ALL that certain plot, piece or parcel of land situate, lying and being in the City of Mount Vernon, County of Westchester and State of New York, being known and designated as the northerly half of Lot 172 on a certain map entitled, "Map of West Mount Vernon, lying in the Town of Eastchester, County of Westchester and State of New York", made by Gustavus A. Sacchi dated June 27, 1851 and filed in the Office of the Clerk of the County of Westchester, Division of Land Records, on May 1, 1852 as Map No. 151, which said premises are more fully described in Deed dated October 28, 1997 and recorded April 22, 1999 in Liber 12278 page 216.