

SECTION SEVEN A TO THE PROPRIETARY LEASE

The cellar and the yard at the rear of the building, shall not be deemed part of the common area. Such space shall be exclusively used, maintained and repaired by the Lessee of Apartment 1 except that anything to the contrary notwithstanding, the use of said cellar and yard by the Lessee of Apartment 1 shall be subject to the conditions and limitations set forth in the Proprietary Lease, including but not limited to the following:

The lessor, its agents and the other Lessees of the building shall have the use of this space for the following:

- a. Access to the common areas for inspection, repair and maintenance purposes;
- b. For ingress and egress from the building in case of fire or other emergency;
- c. For any purpose as required by law, appropriate governmental rule or regulation of the building's Certificate of Occupancy.

The roof of the building shall not be deemed a common area. It shall be exclusively used, maintained and repaired by the Lessees of Apartment 4, subject to the conditions and limitations set forth below. The Unit Owners of Apartment 4 shall have exclusive use of so much of the roof as shall be directly above their respective apartments.

Anything to the contrary notwithstanding, the use of the roof by said Lessees shall be subject to the conditions and limitations set forth in the Proprietary Lease, including but not limited to the following:

- a. Such use shall be in accordance with all applicable requirements of law and applicable rules and regulations of governmental agencies having jurisdiction thereof. All required means of egress from and to said roof shall remain clear and unobstructed.
- b. The lessor, its agents and the other Lessees of the building shall have the use of this space for the following:
 1. For the purpose of inspecting and maintaining the chimney and any equipment or building system located on or near the roof;
 2. For ingress and egress to and from the building in case of fire or other emergency;
 3. For any purpose as required by law, appropriate governmental rule or regulation or the building's Certificate of Occupancy.

The provision of this footnote shall be included in the Proprietary Leases for all apartments in the building.