

TENANTS IN COMMON AGREEMENT

THIS TENANTS IN COMMON AGREEMENT ("Agreement"), made as of July 1, 2013, by, between and among [REDACTED] RD [REDACTED] AN and his designated assigns, with an address at 70 East 55th Street, New York, New York 10022, and 21 [REDACTED] CY [REDACTED] RK HOLDINGS LLC OR [REDACTED] ERT [REDACTED] Z FAMILY LLC and its designated assigns with an address at 29 Broadway, New York, New York 10006, referred to herein respectively as "Maidman" or "Maidman entity" and "Katz" for himself or "Katz entity" and sometimes hereinafter referred to collectively as the "Tenants" and individually as a "Tenant" and their interests collectively as the "Co-Tenancy."

WHEREAS, [REDACTED] ard [REDACTED] nan and [REDACTED] ert [REDACTED] tz Family LLC are the owners of that certain portion of real property located at 21 Gramercy Park South, New York, New York (the "Building") and identified on the Tax Map of the City of New York, County of New York Block 875, Lot 10 (the "Property");

WHEREAS, [REDACTED] ard [REDACTED] nan has or will convey his fifty (50%) percent his interest in the Property to the Maidman entity (which shall be deemed a party hereto) and [REDACTED] ert [REDACTED] tz Family LLC has conveyed its fifty (50%) percent interest in the Property to Katz for purposes of completing a refinancing of the Property confirming their tenancy-in-common ownership; and

WHEREAS, the parties are desirous of entering into this Agreement to confirm and clarify their respective obligations and responsibilities as co-tenants with limitations on any future transfers of the Property and restrictions on use of the Building.

NOW, THEREFORE, the parties agree as follows:

SECTION 1.1. The recitals set forth above are incorporated herein by reference.

SECTION 1.2. The Tenants confirm that the Co-Tenancy interest (individually, the