

Town of Babylon - Zoning Board of Appeals



Covenants and Restrictions Form

Complete and return the attached form to the Town Attorney's office at 200 East Sunrise Highway, Lindenhurst, New York, 11757, with the following:

- Copy of the Zoning Board of Appeals approval
- Current deed with proof of recording
- Written metes and bounds description
- Survey that matches description

The Town Attorney's office must review the document as to content and form prior to recording in the Suffolk County Clerk's office.

Please indicate a contact person below. The Town Attorney's office will contact you when they have completed their review.

Should you have any questions, please call the Town Attorney's office at (631) 957-3029.

Contact Person: _____

Phone Number: _____

E-mail Address: _____

THE COVENANTS AND RESTRICTIONS WILL NOT BE ACCEPTED WITHOUT
THIS COVER SHEET

INSTRUCTIONS FOR

DECLARATION OF COVENANTS AND RESTRICTIONS

The attached Covenants and Restrictions form **must be TYPED** with a minimum font size of 12. Pursuant to Suffolk County Clerk's office, a handwritten document is not acceptable for recording.

All property owners' signatures must be notarized using the Uniform Certificate of Acknowledgement (see last page).

- (1) Date
Type day, month and year declaration is signed
- (2) Property Owners
Type names and addresses for all property owners
Note: if corporation, indicate name and title of responsible officer
- (3) Metes and Bounds Description
Type in description of parcel (property description may be on the deed)
Note: As per Suffolk County - font size must be at least 12; if unable to fit description in space provided, you may attach a separate schedule.
- (4) Suffolk County Tax Map Number(s)
Type Suffolk County tax map number(s)
- (5) Declarants
Type names of all property owners
- (6) Covenants and Restrictions
Type covenants and restrictions pursuant to the board's approval
- (7) Signature(s)
All property owners must sign and type name underneath their signature
Note: corporations must include corporate seal on this page.

DECLARATION OF COVENANTS AND RESTRICTIONS

200 This DECLARATION is made and dated the (1) day of
 by

(2) Names and Addresses of All Property Owners

Whereas, hereinafter referred to as the owner(s).

WITNESSETH

Whereas, the undersigned is/are the owner(s) of a parcel of land described as follows:

(3) Metes and Bounds Description

WHEREAS, aforesaid parcel of land is further identified by Suffolk County Tax Map Number(s):

(4) District 0100 Section Block Lot(s)

WHEREAS, said owner(s) has/have heretofore applied to the Zoning Board of Appeals of the Town of Babylon, Suffolk County, New York, for approval for the aforesaid property.

WHEREAS, said owner(s) herewith agree(s) to file Covenants and Restrictions on the above described property as required by the Zoning Board of Appeals of the Town of Babylon.

WHEREAS, any violation of these Covenants and Restrictions will immediately void the approval issued by the Zoning Board of Appeals of the Town of Babylon.

NOW THEREFORE, the said Declarant(s) (5)

makes the following declaration of protective Covenants and Restrictions to the land heretofore described:

(6) Covenants and Restrictions

If the parties hereto, or any of them, their heirs, successors, or assignees shall violate or attempt to violate any of the covenants herein, it shall be lawful for the Town of Babylon to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants either to prevent him or them so doing or to recover damages or some other relief for such violation.

Invalidation of any of these covenants by judgment or court shall in no way affect any of the other provisions which shall remain in full force and effect.

The owner reserves for himself and his distributees, executors, administrators, successors, and assigns, the right to terminate and amend the covenants herein set forth upon prior approval of the Zoning Board of Appeals of the Town of Babylon, 200 East Sunrise Highway, North Lindenhurst, Suffolk County, New York.

This declaration of covenants shall run with the land and shall be binding upon the owner and his distributees, executors, administrators, successors and assigns.

IN WITNESS THEREOF, the Declarant(s) has/have caused this instrument to be executed the day and year first above written.

BY (7)

Signature

Signature

Type Name

Type Name

UNIFORM CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF NEW YORK)
)SS:
COUNTY OF)

On the day of in the year 20 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 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 individual(s) acted, executed this instrument.

Signature and Office of individual
taking acknowledgement