

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

BD Palisades Holdings, LLC,¹

Plaintiff,

-against-

EkleCo NewCo LLC, Queens Comic's
NewCo LLC, Riesling Associates, Three J's
Family Trust, CS Hudson, Inc., New York State
Department of Taxation and Finance, and John
Does 1-100, their heirs devisees and personal
representatives and his, their or any of their
successors in right, title, and interest, the names
of the last known one-hundred defendants being
unknown to plaintiffs, the persons or parties
intended to be any person in possession of or
claiming interest in or lien against the property
described in the complaint and whose interest
may not be protected under applicable rent
laws,

Defendants.

Index No. 850051/2023

Hon. Francis A. Kahn, III, A.J.S.C.

**REFEREE'S
NOTICE OF SALE**

Clark Whitsett, Esq. - Referee. Akerman LLP, 1251 Avenue of the Americas, 37th Floor,
New York, NY 10020, Attorneys for Plaintiff.

NOTICE IS HEREBY GIVEN pursuant to the *Judgment of Foreclosure and Sale and Decision + Order on Motion* entered in the Office of the Clerk of the County of New York on December 12, 2025, wherein BD PALISADES HOLDINGS, LLC is the Plaintiff and EKLECCO NEWCO LLC, ET AL. are the Defendants. Clark Whitsett, Esq., the undersigned Referee, will sell at public auction in Room 252 of the NEW YORK COUNTY COURTHOUSE, 60 CENTRE STREET, NEW YORK, NY 10007 on **February 4, 2026 at 2:15 p.m.**, the premises known as:

¹ Pursuant to the *Decision + Order on Motion* entered on October 28, 2025 [NYSCEF No. 173], the caption was amended to sever and strike Wilmington Trust as the Plaintiff and to replace it with BD Palisades Holdings, LLC as the Plaintiff.

PARCEL 1: (FEE SIMPLE): situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York, bounded and described as follows: Beginning at a NYS monument located at the intersection formed by the southerly right-of-way line of the New York State Thruway with the easterly right-of-way line of the New York Central Railroad, said monument also being located at the northwest corner of the hereinafter intended to be described parcel; RUNNING THENCE along the southerly right-of-way line of the New York State Thruway and the New York State Thruway interchange no. 12 the following (11) courses and distances: 1) S74-41-25E, 1,217.09 feet to a NYS monument; 2) S64-52-30E, 234.36 feet to a NYS monument; 3) on a curve to the right having a radius of 800.00 feet, an arc length of 279.28 feet, chord bearing and distance of S54-52-26E, 277.87 feet; 4) N18-41-23E, 125.24 feet; 5) S71-18-37E, 399.30 feet; 6) S67-54-53E, 101.12 feet; 7) on a curve to the right having a radius of 640.00 feet, an arc length of 674.52 feet, chord bearing a distance of S37-43-19E, 643.73 feet; 8) S07-31-44E, 178.60 feet; 9) S47-08-53E, 187.37 feet; 10) on a curve to the left having a radius of 345.00 feet, an arc length of 289.37 feet, chord bearing and distance of S71-05-34E, 280.90 feet; 11) N84-52-45E, 285.43 feet; RUNNING THENCE along the westerly right-of way line of New York State route 303 the following six (6) courses and distances: 12) S05-22-00E, 71.00 feet; 13) S01-34-00E, 105.00 feet; 14) S78-38-20E, 42.00 feet; 15) on a curve to the right having a radius of 1,835.00 feet, an arc length of 338.83 feet, chord bearing and distance of S03-44-34W, 338.35 feet; 16) S12-51-01W, 319.94 feet, 17) S11-19-20W, 150.13 feet; RUNNING THENCE along the northwesterly right-of-way line of Bobby Road the following six (6) courses and distances: 18) S42-20-19W, 42.99 feet; 19) S28-53-19W, 19.41 feet; 20) S67-47-29W, 213.68 feet; 21) S50-19-39W, 149.25 feet, 22) S37-14-39W, 118.58 feet; 23) S37-28-54W, 64.98 feet; RUNNING THENCE along the northerly line of lands now or formerly of Station 412 Corp. (tax lot 65.06-1-50) the following three (3) courses and distances: 24) N67-15-21W, 134.00 feet; 25) S22-29-16W, 14.00 feet; 26) N67-15-21W, 80.00 feet; THENCE 27) S22-29-16W, 159.64 feet along the westerly line of lands now or formerly of Station 412 Corp. (Tax Lot 65.06-1-50); RUNNING THENCE along the northerly right-of-way line of New York State Route 59 the following eight (8) courses and distances: 28) N68-38-17W, 163.19 feet; 29) S22-30-28W, 4.00 feet; 30) N67-14.01W, 204.18 feet; 31) N66-22-25W, 144.07 feet; 31-A) N66-51-55W, 357.36 feet; 31-B) N76-57-14W, 455.51 feet; 31-C) N66-53-52W, 364.72 feet; 31-D) N75-16-19w, 111.73 feet; THENCE 31-E) N11-43-08E, 74.14 feet; RUNNING THENCE along the southerly, easterly, and northerly line of the fire station parcel (exception) the following four (4) courses and distances: 38) S78-16-52E, 111.69 feet; 38-A) N23-06-08E, 95.32 feet, 38-B) on a curve to the left having a radius of 25.00 feet, an arc length of 29.62 feet chord bearing and distance of N10-50-16W, 27.92 feet; 38-C) N45-30-40W, 112.37 feet; THENCE 39) N84-06-39W, 0.44 feet along the northerly line of lands now or formerly of Colandrea (Tax Lot 65.05-2-3); RUNNING THENCE along the easterly and northerly line of lands now or formerly of the Bank of New York (Tax Lot 65.05-2-2) the following three (3) courses and distances: 40) on a curve to the right having a radius of 148.00 feet, an arc length of 147.91 feet, chord bearing and

distance of N55-28-52W, 141.83 feet; 41) N26-51-04W, 147.19 feet; 42) N84-06-39W, 273.88 feet; RUNNING THENCE along the easterly and northerly line of lands now or formerly of the Village of Nyack (Tax Lot 65.05-2-1) the following five (5) courses and distances: 43) N02-31-51E, 252.50 feet to a concrete monument; 44) N81-47-21W, 416.17 feet to a Marble Monument; 45) N16-18-47E, 140.00 feet to a Marble Monument; 46) N73-41-13W, 325.00 feet; 47) N02-26-14W 72.15 feet; RUNNING THENCE along the easterly right-of-way line of the New York Central Railroad following two (2) courses and distances: 48) N17-03-47E, 783.07 feet; 49) on a curve to the left having a radius of 1,956.58 feet, an arc length of 497.28 feet, chord bearing and distance of N09-46-55E, 495.94 feet to the NYS monument being the point or place of beginning, less and except parcels II, III, IV, V and Mont Moor Cemetery (Tax Lot 65.06-1-1) and RCSD Pump Station (Tax Lot 65.06-1-44). Together with those rights and easements constituting rights in real property created defined and limited by that certain license agreement by and between Rockland County Sewer District No. 1 and Eklecco, a New York general partnership, dated 7/27/97 and recorded 2/6/98 as instrument Id No. 1998-0005622, assignment and assumption by and between Eklecco L.L.C. (as successor entity to Eklecco, a New York general partnership pursuant to a conversion agreement dated as of October 19, 1999 and a certificate of conversion filed with the State of New York on October 19, 1999), a New York limited partnership and Eklecco New Co LLC, a Delaware Limited Liability Company, dated March 17, 2004 and recorded June 7, 2004 as instrument Id No. 2004-00036546.

PARCEL II (LEASEHOLD): (Tax Lots 65.06-1-17, 65.06-1-14, 65.06-1-15, 65.06-1-16) (Besso/Barvan Lease) situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York; being more fully bounded and described as follows: Commencing at the terminus of course number sixteen (16) as described in parcel "I" above; RUNNING THENCE A) N81-10-00W, 97.00 feet to the point and place of beginning; THENCE B) S23-35-40W, 155.11 feet; THENCE C) N81-10-00W, 13.58 feet; THENCE D) N79-17-00W, 125.93 feet; THENCE E) N81-10-00W, 241.36 feet; THENCE F) S88-27-13W, 20.64 feet; THENCE G) N81-10-00W, 395.21 feet; THENCE H) N11-08-00E, 468.58 feet; THENCE I) S81-10-00E, 375.61 feet; THENCE J) S08-53-50W, 50.00 feet, THENCE K) S81-10-00E, 292.39 feet; THENCE L) S13-17-00W, 269.85 feet; THENCE M) S81-10-00E, 170.00 feet to the point or place of beginning. PARCEL III (Leasehold): (Tax Lot 65.06-1-39) (Bobby Road Lease) situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York; being more fully bounded and described as follows: Commencing at the terminus of course number twenty (20) as described in parcel "A" above; RUNNING THENCE A) S50-19-39W, 83.00 feet along the northwesterly right-of-way line of Bobby Road to the point or place of beginning; RUNNING THENCE A) S50-19-39W, 66.25 feet along the northwesterly right-of-way line of Bobby Road; B) S37-14-39W, 118.58 feet along the northwesterly right-or-way line of Bobby Road; THENCE C) N67-37-52W, 219.35 feet; THENCE D) N08-29-43E, 139.27 feet;

THENCE E) S82-04-21E, 249.34 feet; THENCE F) S49-11-20E, 76.72 feet to the point or place of beginning.

PARCEL III (LEASEHOLD): (Tax Lot 65.06-1-39) (Bobby Road Lease) situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York; being more fully bounded and described as follows: Commencing at the terminus of course number twenty (20) as described in parcel "A" above; RUNNING THENCE A) S50-19-39W, 83.00 feet along the northwesterly right-of-way line of Bobby Road to the point or place of beginning; RUNNING THENCE A) S50-19-39W, 66.25 feet along the northwesterly right-of-way line of Bobby Road; B) S37-14-39W, 118.58 feet along the northwesterly right-or-way line of Bobby Road; THENCE C) N67-37-52W, 219.35 feet; THENCE D) N08-29-43E, 139.27 feet; THENCE E) S82-04-21E, 249.34 feet; THENCE F) S49-11-20E, 76.72 feet to the point or place of beginning.

PARCEL IV (LEASEHOLD): (Tax Lot 65.06-1-3) (Miele Lease) situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York; being more fully bounded and described as follows: Commencing at the terminus of course number thirty eight B (38-B) as described in parcel "A" above; RUNNING THENCE A) N45-30-40W, 7.39 feet partially along course number thirty eight C (38-C) as described in parcel "A" above; RUNNING THENCE along the westerly right-of-way line of Cemetery Lane - Dexter Avenue the following two courses and distances: B) N07-24-50E, 112.36 feet; C) N52-36-48E, 4.34 feet; THENCE D) S67-18-05E, 57.69 feet to the point or place of beginning; RUNNING THENCE I) S67-18-05E, 237.07 feet; THENCE 2) S23-08-05W, 113.76 feet; THENCE 3) N66-44-50W, 214.74 feet; THENCE 4) N-07-24-50E, 104.73 feet along the easterly right-of-way line of Cemetery Lane-Dexter Avenue; THENCE 5) N52-36-48E, 12.30 feet along the southeasterly right-of-way line of Cemetery Lane - Dexter Avenue to the point or place of beginning.

PARCEL V (LEASEHOLD): (Tax Lot 65.06-1-19) (Queens Comics Lease) situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York; being more fully bounded and described as follows: Commencing at the terminus of course number fourteen (14) as described in PARCEL "I" above; RUNNING THENCE A) on a curve to the right having a radius of 1,835.00 feet, an arc length of 312.53 feet, chord bearing and distance of S03-19-56W. 312.15 feet to the point or place of beginning; RUNNING THENCE B) on a curve to the right having a radius of 1,835.00 feet, an arc length of 26.30 feet, chord bearing and distance of S08-37-19W, 26.30 feet; C) S12-51-01W, 319.94 feet: THENCE D) N81-10-00W, 267.00 feet: THENCE E) N13-17-00E, 269.85 feet; THENCE F) N81-10-00W, 292.39 feet; THENCE G) N08-53-50E, 50.00 feet; THENCE H) N81-10-00W, 375.61 feet; THENCE I) N11-08-00E, 119.78 feet; THENCE J) S81-10-00E, 868.02 feet; THENCE K) on a curve to the right having a radius of 1,775.00 feet, an arc length of 20.03 feet, chord bearing and distance of S05-30-03W, 20.03 feet; THENCE L) N81-10.00W 180.28 feet; THENCE M) S67-07-52E, 86.11 feet; THENCE N) S53-18-18E, 112.07 feet; THENCE O)

S81-10-11E, 60.00 feet to the point or place of beginning. (Tax Lot 65.06-1-19) situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York, being more fully bounded and described as follows: Commencing at the terminus of course number fourteen (14) as described in PARCEL "I" above; RUNNING THENCE A) on a curve to the right having a radius of 1,835.00 feet, as arc length of 312.53 feet, chord bearing and distance of S03-19-56W, 312.15 feet to the point or place of beginning; RUNNING THENCE B) on a curve to the right having a radius of 1,835.00 feet, an arc length of 26.30 feet, chord bearing and distance of S08-37-19W, 26.30 feet; C) S12-51-01W, 319.94 feet; THENCE D) N81-10-00W, 267.00 feet; THENCE E) N13-17-00E, 269.85 feet, THENCE F) N81-10-00W, 292.39 feet; THENCE G) N08-53-50E, 50.00 feet; THENCE H) N81-10-00W, 375.61 feet; THENCE I) N11-08-00E, 119.78 feet; THENCE J) S81-10-00E, 868.02 feet; THENCE K) on a curve to the right having a radius of 1,775.00 feet, an arc length of 20.03 feet chord bearing and distance of S05-30-03W, 20.03 feet THENCE L) N81-10-00W, 180.28 feet; THENCE M) S67-07-52E, 86.11 feet; THENCE N) S53-18E, 112.07 feet; THENCE O) S81-10.11E, 60.00 feet to the point or place of beginning,

will be sold subject to provisions of filed Judgment Index No.: 850051/2023 in the approximate amount of \$463,395,241.72 plus interest & costs. All foreclosure sales will be conducted in accordance with and subject to the provisions of filed Judgment and Terms of Sale.

Clark A. Whitsett, Esq. – Referee