

## NOTICE OF SALE

SUPREME COURT COUNTY OF NEW YORK, CAPITAL ONE, N.A., Plaintiff, vs. KENNETH D. LAUB, ET AL., Defendant (s).

Pursuant to a Judgment of Foreclosure and Sale duly entered on October 11, 2022, I, the undersigned Referee will sell at public auction at Room 130 of the New York County Courthouse, 60 Centre Street, New York, NY 10007 on January 29, 2025, at 2:15 PM, premises known as 163 EAST 64TH STREET, NEW YORK, NY 10065. All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Manhattan, County, City and State of New York, Block: 1399, Lot: 25. Approximate amount of judgment is \$10,653,559.26 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index # 159315/2017.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, the Mortgagee's attorney, or the Referee.

DORON LEIBY, Esq., Referee

Roach & Lin, P.C., 6851 Jericho Turnpike, Suite 185, Syosset, New York 11791, Attorneys for Plaintiff

**EXHIBIT B**  
(Property Description)

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, County, City and State of New York, bounded and described as follows:

BEGINNING at a point on the northerly side of 64th Street distant 280 feet westerly from the corner formed by the intersection of the westerly side of 3rd Avenue and the northerly side of 64th Street;

RUNNING THENCE northerly parallel with the westerly side of 3rd Avenue and through the center of a party wall 100 feet 5 inches to the center line of the block;

THENCE westerly parallel with said 64th Street 20 feet;

THENCE southerly again parallel with the westerly side of 3rd Avenue and through the center of another party wall 100 feet 5 inches to the northerly side of 64th Street;

THENCE easterly along the northerly side of 64th Street 20 feet to the point or place of BEGINNING.

NEW YORK CONSOLIDATION, EXTENSION, AND MODIFICATION AGREEMENT -- Single Family -- From Max/Freddie Mac UNIFORM INSTRUMENT  
Form 317, 1-03 (rev. 5-03) (page 3 of 7 pages)

RE:1766289500289131v2

-----X

**Index No.: 159315/2017**

-against-

# AFFIDAVIT OF SERVICE

----- X

Christopher Then, being duly sworn, deposes and says:

On December 30<sup>th</sup>, 2024, I enclosed a copy of the annexed **NOTICE** depositing a true copy of same enclosed in a postpaid properly addressed wrapper, depository under the exclusive care and custody of the United States Postal Service of New York to the following parties:

MICHAEL J. BONNEVILLE, ESQ.  
ATTORNEY FOR DEFENDANT  
STARWEAR DISTRIBUTORS LLC  
360 LEXINGTON AVENUE, SUITE 1200  
NEW YORK, NY 10017

3 of 4

DAVID SUTTON  
20 WEST 33RD STREET, APT. 2  
NEW YORK, NY 10001

DAVID SUTTON  
1961 EAST 1<sup>ST</sup> STREET  
BROOKLYN, NY 11223


VMJV LLC  
1992 EAST 5TH STREET  
BROOKLYN, NY 11223

VIP BLVD ASTORIA LLC  
2121 OCEAN PARKWAY  
BROOKLYN, NY 11223

DORON LEIBY, ESQ.  
REFEREE  
32 BROADWAY FL 13  
NEW YORK, NY 10004


NEW YORK COUNTY SUPREME COURT  
AUCTION CALENDAR CLERK  
60 CENTRE STREET  
NEW YORK, NY 10007

ANY AND ALL OCCUPANTS  
163 EAST 64TH STREET  
NEW YORK, NY 10021

  
Christopher Then

Sworn to before me on this 30<sup>th</sup> day

of December, 2024

  
NOTARY PUBLIC

