

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

U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR MORGAN STANLEY
CAPITAL I INC., COMMERCIAL MORTGAGE
PASS-THROUGH CERTIFICATES, SERIES
2012-C5, acting by and through its special
servicer, Rialto Capital Advisors LLC, as Special
Servicer under the Pooling and Servicing
Agreement dated as of July 1, 2012,

Index No.: 655136/2020

Plaintiff,

- against -

342 PROPERTY LLC; NEW YORK CITY
DEPARTMENT OF FINANCE; NEW YORK
STATE DEPARTMENT OF TAXATION AND
FINANCE,

NOTICE OF SALE

Defendants.

342 PROPERTY LLC,

Defendant and Third-Party
Plaintiff,

and

342 WEST 40TH STREET LLC; SCOTT
SCHROEDER; VICTOR AFONSO; and KEVIN
FEE,

Third-Party Plaintiff,

- against -

AXONIC CREDIT OPPORTUNITIES MASTER
FUND, L.P.,

Third-Party Defendant.

Pursuant to a Judgment of Foreclosure and Sale dated April 12, 2024 and entered on
April 16, 2024 (the “Foreclosure Judgment”), I will sell at public auction on the Portico at the
New York County Courthouse, 60 Centre Street, New York, New York on September 18, 2024

at 2:15 p.m., 342 Property LLC's leasehold interest in the premises commonly known as 342 West 40th Street, New York, New York, Block 763, Lot 65, in New York County, New York, described as follows:

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

BEGINNING at a point on the southerly side of 40th Street distant 200 feet easterly from the southeasterly corner of 9th Avenue and West 40th Street;

RUNNING THENCE easterly along the southerly side of 40th Street 33 feet 4 inches;

THENCE southerly parallel with 9th Avenue 98 feet 9 inches;

THENCE westerly parallel with 40th Street 33 feet 4 inches;

THENCE northerly parallel with 9th Avenue 98 feet 9 inches to the southerly side of 40th Street at the point or place of BEGINNING.

Together with all personal property located at the real property on the date of the auction.

The foregoing property will be sold subject to provisions of the Foreclosure Judgment, under Index No. 655136/2020.

Paul R. Sklar, Esq., Referee

Dated: New York, New York
August 14, 2024

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