

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX----- X
CPC FUNDING SPE 1 LLC,

Plaintiff,

v.

VALDESIA GARDENS, LLC; VALDESIA
GARDENS HOUSING DEVELOPMENT FUND
CORPORATION; LEOPOLDO BAEZ; EMANUEL
KAMBANIS; ALEXIS M. BAEZ as Administrator for
the Estate of LUIS BAEZ; MODERN CONSTRUCT &
STEELE INC.; NYC DEPARTMENT OF FINANCE;
and NEW YORK STATE DEPARTMENT OF
TAXATION AND FINANCE,Defendants.
----- X

: Index No. 807727/2022E

: (Justice Gomez)

: **NOTICE OF SALE**: **Foreclosure of**
: 569-575 Prospect
: Bronx, NY

Pursuant to a Judgment of Foreclosure and Sale signed by the Honorable Fidel Gomez, J.S.C. on September 16, 2024 and filed in the Bronx County Clerk's Office on September 24, 2024 (the "Judgment"), Jeffrey E. Dinowitz, Esq., the Referee, duly appointed in this action for such purpose, will sell in one parcel at public auction at the Bronx County Supreme Court located at 851 Grand Concourse, Room 711 , Bronx , New York 10451, on **December 16, 2024 at 2:15 pm**, the premises described by said Judgment to be sold:

premises situate, lying and being in the Borough and County of Bronx, City and State of New York, bounded and described as follows: BEGINNING at a point on the westerly side of Prospect Avenue, distant 25 feet southerly from the corner formed by the intersection of the westerly side of Prospect Avenue with the southerly side of 150th Street; being a plot 100 feet by 75 feet by 100 feet by 75 feet. Block: 2674 Lot: 9

Said premises known as 569-575 PROSPECT AVENUE, BRONX,

Said mortgaged premises is known in the County of Bronx, State of New York, as Block: 2674; Lot: 9, commonly known as 569-575 Prospect Avenue, Bronx, New York, and shall be offered as a whole and sold off to the highest bidder under the following terms:

Subject to any facts that an inspection of the premises would disclose; any state of facts that an accurate survey of the premises would show; any covenants, restrictions, declarations, reservations, easements, right of way, and public utility agreements of record; any building and zoning ordinances of the municipality in which the premises is located and possible violations of same; any rights of any tenants or persons in possession of the premises; prior liens of record, if any, except those liens addressed in section 1354 of the Real Property Actions and Proceedings Law; and any equity of redemption of the United States of America to redeem the premises within 120 days from the date of sale.

Subject also to every other term of said Judgment and the terms of sale.

The amount due as per the Judgment on the mortgage is the sum of \$17,946,032.72 with interest at the Note rate from March 31, 2024, together with attorney fees of \$122,534.00.

A copy of the terms of sale can be obtained from Daniel F. Corrigan, Esq., c/o Windels Marx Lane & Mittendorf, LLP, 156 West 56th Street, 23rd Floor, New York, New York 10019, telephone (212) 237-1000, attorneys for Plaintiff.

Dated: New York, New York
October 28, 2024

WINDELS MARX LANE & MITTENDORF, LLP

By: /s/ Daniel F. Corrigan
Daniel F. Corrigan

156 West 56th Street
New York, New York 10019
Tel.: (212) 237-1000
Attorneys for Plaintiff

TO: Attached Service List

SERVICE LIST

David Alan Goldstein, Esq. Goldstein Hall, PLLC 80 Broad Street, 303 New York, NY 10004 Attorneys for Defendants Valdesia Garden LLC, Leopoldo Baez, Emanuel Kamabanis, Alexis M.	Valdesia Gardens Housing Development Fund Corporation c/o Baez Hughes Development Corp., 48 Carthage Road, Scarsdale, NY 10583
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Baez as admin. For the Estate of Luis Baez	
New York State Department of Taxation & Finance Building 9 W.A. Harriman Campus Albany, NY 12227-0125	Ryan C. Banich, Esq. Tsynagauz & Associates, P.C. 114 Mulberry St., Ground Fl New York, NY 10013 Attorney For Modern Construct & Steel Inc.
New York City Department of Finance 100 Church Street New York, NY 10007	

<u>Courtesy Copy To:</u> <u>Receiver</u> Robert Abrams, Esq. Katsky Korins LLP 605 Third Avenue New York, New York 10158	<u>Receiver's Attorney</u> Steven Newman, Esq. Katsky Korins LLP 605 Third Avenue New York, New York 10158
<u>Referee:</u> Jeffrey E. Dinowitz, Esq. 3701 Henry Hudson Pkwy Apt. 7D Bronx, New York 10463	