

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 16-cv-21301-GAYLES

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**ARIEL QUIROS,
WILLIAM STENGER,
JAY PEAK, INC.,
Q RESORTS, INC.,
JAY PEAK HOTEL SUITES L.P.,
JAY PEAK HOTEL SUITES PHASE II. L.P.,
JAY PEAK MANAGEMENT, INC.,
JAY PEAK PENTHOUSE SUITES, L.P.,
JAY PEAK GP SERVICES, INC.,
JAY PEAK GOLF AND MOUNTAIN SUITES L.P.,
JAY PEAK GP SERVICES GOLF, INC.,
JAY PEAK LODGE AND TOWNHOUSES L.P.,
JAY PEAK GP SERVICES LODGE, INC.,
JAY PEAK HOTEL SUITES STATESIDE L.P.,
JAY PEAK GP SERVICES STATESIDE, INC.,
JAY PEAK BIOMEDICAL RESEARCH PARK L.P.,
AnC BIO VERMONT GP SERVICES, LLC,**

Defendants, and

**JAY CONSTRUCTION MANAGEMENT, INC.,
GSI OF DADE COUNTY, INC.,
NORTH EAST CONTRACT SERVICES, INC.,
Q BURKE MOUNTAIN RESORT, LLC,**

Relief Defendants.

**Q BURKE MOUNTAIN RESORT, HOTEL
AND CONFERENCE CENTER, L.P.
Q BURKE MOUNTAIN RESORT GP SERVICES, LLC,**

Additional Receivership Defendants¹

**UNOPPOSED ORDER GRANTING RECEIVER'S MOTION FOR
AUTHORIZATION TO SELL 220 RIVERSIDE BLVD., NEW YORK, NY**

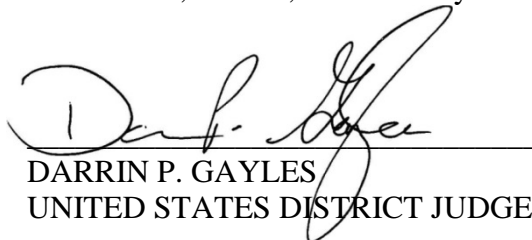
¹See Order Granting Receiver's Motion to Expand Receivership dated April 22, 2016 [ECF No. 60].

THIS MATTER comes before the Court without hearing upon the Motion for Authorization to Sell 220 Riverside Blvd., New York, NY (the “Motion”) [ECF No. 566] filed by Michael I. Goldberg (the “Receiver”), the Court-appointed Receiver. The Court, having reviewed the Motion, being advised that counsel for the Securities and Exchange Commission has no objection to the relief requested in the Motion, and finding that the Receiver has made a sufficient and proper showing in support of the relief requested,

IT IS ORDERED AND ADJUDGED as follows:

1. The Motion is **GRANTED**.
2. The Receiver is authorized to sell Condominium Unit 18L and Storage Unit 54 located at 220 Riverside Blvd, New York, New York (the “Condominium”) by private sale to Lorne Schussel and Anna Klimowicz (jointly, the “Buyer”) “As Is” for \$2,220,000. A copy of the Contract of Sale – Condominium Unit is attached to the Motion as **Exhibit “1”**. The legal description is attached hereto as **Exhibits “A”** and **“B”**.
3. The Receiver is further authorized to execute any documents and take any actions reasonably necessary to consummate the transactions contemplated herein.
4. Upon receipt of the consideration set forth in the Contract of Sale, and delivery of the deed and other documents called for in the Contract of Sale, the sale shall stand as confirmed, without further Order of the Court.

DONE AND ORDERED in Chambers at Miami, Florida, this 20th day of June, 2019.


DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record

EXHIBIT "A"
LEGAL DESCRIPTION

AS to Unit No. 18L

The Residential Unit known as Residential unit No. 18L (the "Unit") in the Building known as 220 Riverside Boulevard at Trump Place, 220 Riverdale Boulevard, in the Borough of Manhattan, City, County and State of New York (the "Building"), designated in the Declaration establishing a plan for condominium ownership of the Building and the land upon which the Building is situated (said Building and land referred to herein as the "Property" or the "Condominium") dated October 4, 2002 made by Grantor as Declarant pursuant to the Article 9-B of the Real Property Law of the State of New York (the "Condominium Act") and recorded in the Office of the Register of the City of New York in the County and State of New York (the "City Register's Office") on October 23, 2002 in Reel 3642 at page 1961, (the "Declaration").

The Unit is also designated as Tax Lot 1704 in Block 1171 of Section 4 of the Borough of Manhattan on the Tax Map of the Real Property Assessment Department of the City of New York and on the floor plans of the Building, certified by Costas Kondylis & Associates PC, Registered Architect on October 17, 2002 and filed with the Real Property Assessment Department of the City of New York on October 17, 2002 as Condominium Plan No. 1262, and also filed in the City Register's Office on October 23, 2002 as Map No. 5931.

TOGETHER with an undivided 0.2313% interest in the Common Elements (as such term is defined in the Declaration) appurtenant to the Unit (hereinafter called the "Common Elements").

The land on which the Building is located is described on Exhibit B attached hereto and made a part hereof.

As to Storage Unit 54

The Residential Unit known as Storage Unit. 54 (the "Unit") in the Building known as 220 Riverside Boulevard at Trump Place, 220 Riverdale Boulevard, in the Borough of Manhattan, City, County and State of New York (the "Building"), designated in the Declaration establishing a plan for condominium ownership of the Building and the land upon which the Building is situated (said Building and land referred to herein as the "Property" or the "Condominium") dated October 4, 2002 made by Grantor as Declarant pursuant to the Article 9-B of the Real Property Law of the State of New York (the "Condominium Act") and recorded in the Office of the Register of the City of New York in the County and State of New York (the "City Register's Office") on October 23, 2002 in Reel 3642 at page 1961, (the "Declaration").

The Unit is also designated as Tax Lot 1873 in Block 1171 of Section 4 of the Borough of Manhattan on the Tax Map of the Real Property Assessment Department of the City of New York and on the floor plans of the Building, certified by Costas Kondylis & Associates PC, Registered Architect on October 17, 2002 and filed with the Real Property Assessment Department of the City of New York on October 17, 2002 as Condominium Plan No. 1262, and also filed in the City Register's Office on October 23, 2002 as Map No. 5931.

TOGETHER with an undivided 0.000025% interest in the Common Elements (as such term is defined in the Declaration) appurtenant to the Unit (hereinafter called the "Common Elements").

The land on which the Building is located is described on Exhibit B attached hereto and made a part hereof.

EXHIBIT "B"

BUILDING LEGAL DESCRIPTION

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 the corner formed by the intersection of the northerly line of West 70th Street (proposed) with the easterly line of Riverside Drive (proposed);

1) RUNNING THENCE northerly, along the easterly line of Riverside drive (proposed) on the arc of a circle curving to the right, having a radius of 2600 feet 0 inches and an included angle of 5 degrees 38 minutes 31 seconds, 256 feet 0-1/4 inches;

2) THENCE due east, 168 feet 6-3/8 inches;

3) THENCE south 9 degrees 00 minutes 53 seconds East, 258 feet 11-3/4 inches to a point in the northerly line of West 70th Street (proposed);

4) THENCE due west, along the northerly line of West 70th Street (proposed) 200 feet 11-3/4 inches to the point or place of BEGINNING.

EXCLUDING therefrom all that portion of the below described parcel lying below an upper limiting plane drawn 18 feet 4 inches above top of rail, bounded and described as follows:

BEGINNING at a point in the northerly line West 70th Street, (proposed) distant 140 feet 1-7/8 inches easterly from the corner formed by the intersection of the easterly line of Riverside Drive (proposed) with the northerly line of West 70th Street (proposed);

1) RUNNING THENCE north 9 degrees 00 minutes 51 seconds west, 258 feet 11-3/4 inches;

2) THENCE due east, 55 feet 8-3/4 inches;

3) THENCE south 9 degrees 00 minutes 51 seconds east, 258 feet 11-3/4 inches to a point in the northerly line of West 70th Street (proposed);

4) THENCE due west, along the northerly line of West 70th Street (proposed), 55 feet 8-1/4 inches to the point or place of BEGINNING.

ALSO EXCLUDING therefrom all that portion of the below described parcel lying above a lower limiting plan which is drawn at the top of the supporting structure lying above a lower limiting plan which is drawn at the top of the supporting structure of the roadway and sidewalk inclusive of all waterproofing (being the West 71st Street "Public Access Area" as set forth in the Mapping Agreement recorded on 08/31/1998 in Reel 2693 at Page 1897), bounded and described as follows:

BEGINNING at a point on the easterly line of Riverside Drive (proposed) distant 206 feet 1-3/8 inches north from the corner formed by the easterly line of Riverside Drive (proposed) with the northerly line of West 70th Street (proposed);

- 1) **RUNNING THENCE** northerly, along the easterly line of Riverside Drive (proposed) on the arc of a circle curving to the right, having a radius of 2600 feet 0 inches and an included angle of 1 degree 5 minutes 59 seconds, 49 feet 10-7/8 inches;
- 2) **THENCE** due east, 168 feet 6-3/8 inches;
- 3) **THENCE** south 9 degrees 00 minutes 53 seconds east, 50 feet 6-1/4 inches;
- 4) **THENCE** due west, 176 feet 10-1/8 inches to the point or place of **BEGINNING**.