



**ANDREW M. CUOMO**  
Attorney General

**STATE OF NEW YORK**  
**OFFICE OF THE ATTORNEY GENERAL**

**ERIC CORNGOLD**  
Executive Deputy Attorney General  
Division of Economic Justice

**KENNETH E. DEMARIO**  
Bureau Chief  
Real Estate Finance Bureau

(212) 416-8176

Dorami Realty Of New York Inc  
c/o Dorami Realty Of New York, Inc.  
Attention: Jeanne Raffiani  
146 Main Street  
Tuckahoe, NY 10707

RE: 141 Vivabene Condominium  
File Number: CD050318  
Date Amendment Filed: 06/27/2008  
Receipt Number: 93984  
Amendment No: 4  
Filing Fee: \$225.00

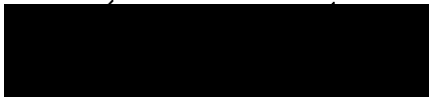
Dear Sponsor:

The referenced amendment to the offering plan for the subject premises is hereby accepted and filed. This filing is effective for the greater of six months from the date of filing this amendment or twelve months from the acceptance of the original offering literature. However, any material change of fact or circumstance affecting the property or offering requires an immediate amendment, including amending the plan to disclose the most recent certified financial statement and budget, which should be done as soon as either of these documents is available.

Any misstatement or concealment of material fact in the material submitted as part of this amendment renders this filing void ab initio. This office has relied on the truth of the certifications of sponsor, sponsor's principals, and sponsor's experts, as well as the transmittal letter of sponsor's attorney.

Filing this amendment shall not be construed as approval of the contents or terms thereof by the Attorney General of the State of New York, or any waiver of or limitation on the Attorney General's authority to take enforcement action for violation of Article 23-A of the General Business Law or other applicable law. The issuance of this letter is conditioned upon the collection of all fees imposed by law. This letter is your receipt for the filing fee.

Very truly yours,

  
Nancy Haber  
Assistant Attorney General

Fax Cover Sheet

June 23, 2008

To: Althia (212) 416-6595

Re: 141 Viva Bene Condominium  
Amendment Filing Form

2 pages including cover sheet

Althia:

Per your request, please find a copy of the notarized RS-2 filing form.

Please note that the document was signed and notarized in New Jersey and that attorneys in New Jersey are authorized by law to act as notaries.

Please call me at (914) 337-8569 x 5 if you have any further issues.

Thank you.

Jeanne Raffiani

FORM RS-2/CD-2

**AMENDMENT FILING FORM**  
(Cooperatives, Condominiums, H.O.A.s, Timeshares, etc.)

Re: 141 Viva Bene Condominium  
(Address of Premises and/or Name of Project)

File No. : CD 050318 Amendment No. : 4 Plan Filing Date: 4/24/2006

Sponsor: Dorami Realty of New York, Inc Holder of Unsold Shares: Dorami Realty of New York, Inc.

Current Address: 146 Main St. Tuckahoe, NY 10707  
(if different from address disclosed in plan)

Individual Attorney's Name: Jeanne Raffiani, Corp. Counsel

Law Firm: N/A

Address: 146 Main St. Tuckahoe, NY 10707

Check whichever are applicable: (Failure to answer all questions will result in amendment's rejection).

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Cooperative Condominium | <input type="checkbox"/> Commercial Only  | <input type="checkbox"/> Conversion                           |
| <input type="checkbox"/> H.O.A.                             | <input type="checkbox"/> New Construction | <input type="checkbox"/> Eviction                             |
| <input type="checkbox"/> Timeshare                          | <input type="checkbox"/> Rehab            | <input type="checkbox"/> Non-Eviction, since filing date      |
| <input type="checkbox"/> Syndication Filing                 | <input type="checkbox"/> Vacant           | <input type="checkbox"/> Non-Eviction, since Amend. No. _____ |
|   | <input type="checkbox"/> Loft             | <input type="checkbox"/> Non-Eviction, by this Amend.         |

Post-closing amendment has already been filed including all requirements of regulations (e.g. 13 NYCRR 18.5(f) for coops and 13 NYCRR 23.5(f) for condos)

Certified financial statements of income and expense have been provided for the calendar/fiscal year 1 mo. 2007 yr. to 12 mo. 2007 yr. *The Condominium commenced operation May 23, 2008*

The last budget contained in the offering plan or any subsequent amendment is for the calendar/fiscal year commencing 1 mo. 2008 yr.

Check if this is a price change only amendment (e.g. 13 NYCRR 18.5(d)(1) for coops).

The primary purposes of this amendment are as follows: Post Closing Amendment.

Continued on attached sheet.

I (We) hereby certify under penalty of perjury that the offering plan or filing for the subject premises as amended by the proposed amendment complies with Article 23-A of the General Business Law and applicable regulations promulgated by the Department of Law.

DATED:

SPONSOR

6/12/2008  
Bergen County, New Jersey  
New York

by:

[Redacted]

Philip Raffiani, V.P.  
PRINT NAME AND TITLE

IN CAPACITY OF

- principal(s) of sponsor
- holder(s) of unsold shares

OTHER SIGNATORIES: (Print names underneath)

\_\_\_\_\_  
\_\_\_\_\_

SWORN TO BEFORE ME

THIS 12 DAY OF June, 2008.

[Redacted]

Attorney at Law  
State of New Jersey

**Dorami Realty of New York, Inc.**  
**146 Main St.**  
**Tuckahoe, NY 10707**  
**(914) 337-8569 x 5**  
**fax (914) 337-9086**

June 13, 2008

Via Federal Express  
Investment Protection Bureau  
Real Estate Financing Section  
Office of the Attorney General  
120 Broadway  
23<sup>rd</sup> Floor  
New York, NY 10271

Attn: Arthur Wolfish, DAG

Re: 141 Vivabene Condominium  
File Number: CD05-0318  
Offering Plan filed: April 24, 2006  
Amendment No. 1 filed: July 17, 2007  
Amendment Declaring Plan Effective filed: September 21, 2007  
Amendment No. 3 filed: April 1, 2008  
First Unit Closed: May 23, 2008

Dear Mr. Wolfish:

Attached please find 3 copies of the Fourth Amendment to the Offering Plan (Post-closing Amendment) submitted to you for acceptance and filing. I have also enclosed a copy of the Offering Plan, Amendments 1, 2 and 3, the Amendment Filing Form CD-2 and my Notice of Appearance.

Please be advised that there is no outstanding rescission period and there is currently no investigation pending by the Office of the Attorney General regarding the Sponsor, a principal of the Sponsor or the Condominium property.

Our check in the amount of \$225 in payment of your filing fee is enclosed.

Please contact me if you have any questions or concerns regarding the foregoing.

Very truly yours,



Jeanne Raffanti  
Corporate Counsel

Enclosures



STATE OF NEW YORK

Notice of Appearance

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (i.e., an attorney, agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.

Agency: Office of the Attorney General  
Division/Bureau: Investment Protection Bureau  
Real Estate Financing

1. Name of individual appearing: Jeanne Raffiani, Corp. Counsel

Address: 146 Main St. Tuckahoe, NY 10707

Telephone: 914 337 8569 x5

This form can be completed by electronic reporting system for regulatory agencies such as a designated clearing and dissemination system, before which notice is required to appear.

2. Client represented: Dorami Realty of New York, Inc.

Address: 146 Main St. Tuckahoe, NY 10707

Telephone: 914 337 8569 x5

3. Subject of Appearance:

- Regulatory/Enforcement
- Lobbying

4. Acting in capacity of:

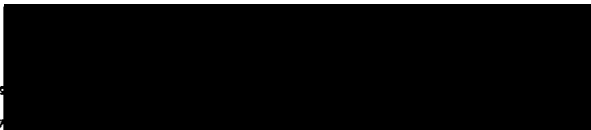
- Attorney
- Lobbyist
- Agent
- Other (describe)

5. Are you being compensated?

- Yes
- No

If Yes:

- Fee
- Salary



6. Signature of individual appearing

7. Agency official (type name):

8. Signature of agency official:

Date: 09/28/2006

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.

[Click here to print](#)



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**FOURTH AMENDMENT  
TO  
OFFERING PLAN OF  
CONDOMINIUM OWNERSHIP OF  
PREMISES KNOWN AS  
141 VIVABENE CONDOMINIUM  
141 MAIN STREET  
TUCKAHOE, NY**

**DATED: JUNE 13, 2008**

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**THIS AMENDMENT MODIFIED AND SUPPLEMENTS THE TERMS OF THE ORIGINAL  
OFFERING PLAN DATED APRIL 24, 2006 AND SHOULD BE READ IN CONJUNCTION WITH  
THE PLAN AND THE PRIOR AMENDMENTS**

**HOLDER OF UNSOLD SHARES:**

**DORAMI REALTY OF NEW YORK, INC.**

**Dated: June 13, 2006**

**FOURTH AMENDMENT TO THE OFFERING PLAN  
OF CONDOMINIUM OWNERSHIP**

Condominium:

141 VivaBene Condominium

Holder of Unsold Shares to Whom this Amendment  
Relates ("Holder of Unsold Shares"):

Dorami Realty of New York Inc.

This Amendment modifies and supplements the terms of the original Offering Plan dated April 24, 2006 and should be read in conjunction with the Offering Plan. The Offering Plan is hereafter referred to as the "Plan".

**1. Closing of First Unit.**

The closing of title to the Unit G ("First Unit") of the Condominium occurred on May 23, 2008 in Westchester County, New York.

Attached as Exhibit A is the Affidavit in Support of this Amendment, as executed by Philip Raffiani, Vice President of the Sponsor.

**2. Issuance of Permanent Certificate of Occupancy.**

The permanent Certificate of Occupancy for the First Unit was issued on February 23, 2004.

**3. Date Declaration Filed and Date Separate Real Estate Tax Assessment Made.**

The Declaration was filed on August 25, 2006. Separate Real Estate Tax Assessments for the First Unit were made on May 1, 2008.

**4. Reserve Fund Amount and Bank Depository Information.**

None.

**5. Working Capital Fund Amount and Bank Depository Information.**

The amount of the Working Capital Fund is \$6,971 and is deposited in Account #1800665541 with Hudson Valley Bank, 27 Scarsdale Rd., Yonkers, NY 10707. Of the balance held in the Working Capital Fund, \$794 was deposited on behalf of the First Unit and the

balance of \$6,177 was deposited by the Sponsor regarding the remaining unsold 9 Units. The net closing adjustments in favor of Sponsor were \$4,090 and were paid at closing of title.

**6. List of Unsold Units Held by Sponsor.**

Units A - F and H - J (9 Units) are unsold and held by the Sponsor.

Unit C is currently under a contract of sale.

**7. Board of Managers and Officers**

The Board of Managers are Philip Raffiani, Laura Raffiani and Jeanne Raffiani. Philip Raffiani and Laura Raffiani are indirect, controlling shareholders of the Sponsor. The Officers are Philip Raffiani – President, Jeanne Raffiani – Secretary and Laura Raffiani – Treasurer, all with a business address of 146 Main St., Tuckahoe, NY 10707.

**8. First Meeting of the Unit Owners.**

The First Meeting of the Unit Owners occurred on February 26, 2007. The Second Meeting of the Unit Owners occurred on February 26, 2008. The Third Meeting of the Unit Owners will occur prior to February 26, 2009.

**9. Incorporation of Plan.**

The Plan, as modified and supplemented herein, is incorporated herein by reference as if set forth herein at length.

**10. No Other Material Changes.**

Except as set forth in this Amendment, there have been no other material changes in the Plan.

**11. Definitions.**

All capitalized terms not expressly defined in this Amendment have the meanings given to them in the Plan.

HOLDER OF UNSOLD SHARES/SPONSOR:

**DORAMI REALTY OF NEW YORK, INC.**

Dated: June 13, 2008





**DEED**

THIS INDENTURE made the 23<sup>rd</sup> day of May, 2008, between DORAMI REALTY OF NEW YORK, INC. ("Grantor") as corporation existing under the laws of the State of New York having a place of business at 146 Main Street, Tuckahoe, New York 10707, and HOWARD COOK and MAUREEN COOK, 1500 Washington Street #6F, Hoboken, NJ 07030 ("Grantee").  
*as husband and wife.*

**WITNESSETH**

That the Grantor, in consideration of Ten Dollars (\$10.00), lawful money of the United State, and other good and valuable consideration, paid by Grantee, does hereby grant and release unto the Grantee, their heirs and successors and assigns of the Grantee forever,

The Condominium Home (the "Home") known as Home No. Unit G in the Property known as 141 VivaBene Condominium in the Declaration establishing a plan for Condominium Ownership of said premises under Article 9-B of the Real Property Law of the State of New York (the "New York Condominium Act") dated May 24, 2005 recorded in the Office of the County Clerk of Westchester ("County Clerk") on August 12, 2005, as Control No. 452020724, and also designated as Tax Lot 12.G in Block 7 of Section 29 on the Tax Map of the Assessor's Office and on the floor plans of said buildings certified by Norman R. Cox, Architect, and filed with the Assessor's Office of the Town of Eastchester, and also filed in the County Clerk's Office on July 22, 2005 as 141 VivaBene Condominium, Volume 4 Maps at Page 13. The premises within which the Home is located (the "Property") is more particularly described in Schedule A attached hereto and made a part hereof and attached to the Declaration of Condominium..

TOGETHER with an undivided 10.25% in the common elements of the Condominium to said premises. Together with the appurtenances and all the estate and rights of the Grantor therein, and

TOGETHER with the benefits, rights, privileges, easements and subject to the burdens, covenants, restrictions, By-Laws, rules, and regulations and easements all as set forth in the Condominium Documents filed and recorded as aforesaid.

SUBJECT TO the provision of the Declaration, By-Laws, and Floor Plans of the Condominium recorded or filed simultaneously with and as part of the Declaration, as the same may be amended from time to time by instruments recorded or filed in the Office of the County Clerk of the County of Westchester, which provisions, together with any amendments thereto shall bind any person having at any time any interest or estate in the Home, as though such provisions were recited as length herein.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, and the heirs or successors and assigns of the Grantee, forever.

AND the Grantor covenants that the Grantee has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the Grantor covenants that the Grantee has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the Grantor, in compliance with Section 13 of the Lien Law covenants that the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

By acceptance of this deed, Grantee ratifies the provisions of the Declaration and the By-Laws of the Condominium recorded simultaneously with and as part of the Declaration and agrees to comply with all the terms and provisions thereof, as the same may be amended from time to time by instruments recorded in the Office of the County Clerk, Westchester County, and to comply with the rules and regulations of the Condominium.

The use for which the Home is intended is that of residential occupancy, subject to the applicable governmental regulations and the restrictions contained in the Declaration.

The word "party" shall be construed as if it read "parties" whenever the sense of the indenture so requires.

IN WITNESS WHEREOF, the Grantor has duly executed this deed and the Grantee acknowledges this deed, on the day and year first above written.

Grantor: DORAMI REALTY OF NEW YORK, INC.

By:   
PHILIP RAFFIANI, Vice President

Grantee:

  
HOWARD COOK

  
MAUREEN COOK

SECTION: 29  
BLOCK: 7  
LOT: 12.G  
TOWN: TOWN OF EASTCHESTER  
VILLAGE OF TUCKAHOE  
COUNTY OF WESTCHESTER  
PREMISES: 141G MAIN STREET, TUCKAHOE, NY 10707

RETURN AND RETURN TO:  
MICHAEL F. HORGAN, JR., ESQ.  
BEGOS, HORGAN & BROWN, LLP  
7 PONDFIELD ROAD  
BRONXVILLE, NY 10708

## SCHEDULE A

THE Unit known as Unit No. G (hereinafter called the "Unit") in the building known as the 141 Vivabene Condominium and by the street address of 141 Main Street, Village of Tuckahoe, Town of Eastchester, County of Westchester and State of New York, (hereinafter called the "Property"), said Unit being designated as Unit No. 7 in the Declaration (hereinafter called the "Declaration") establishing a plan of condominium ownership pursuant to Article 9-B of the Real Property Law of the State of New York (hereinafter called the "Condominium Act"), made by Dorami Realty of New York, Inc., dated July 21, 2006 and recorded in the Office of the Westchester County Clerk, Division of Land Records on August 25, 2006 in Control No. 462160428. Said Unit also being designated as Tax Lot 12.G in Block 7 of Section 29 on the Official Tax Map of the Town of Eastchester and on the Floor Plans of the Property filed in said Clerk's Office as Map No. 27804.

TOGETHER with an undivided 10.25% interest in the Common Elements of the Property.

THE land area upon which the building containing the Unit is situated is more particularly bounded and described as follows:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate lying and being in the Village of Tuckahoe, Town of Eastchester, County of Westchester and State of New York, known and designated as Lot Nos. 70, 71 and 9 through 16 inclusive on a certain map entitled, "Second Map of Property belonging to Eastchester Realty Association, situated at Tuckahoe, Westchester County, New York," made by George H. Rogers, C.E. and filed February 28, 1913 in the Westchester County Clerk's Office (formerly Register's Office), Division of Land Records, in Volume 37 of Maps at Page 71, being more particularly bounded and described as follows:

BEGINNING at the corner formed by the intersection of the westerly side of South High Street with the northerly side of Main Street;

RUNNING THENCE along said side of Main Street the following courses and distances:

North 74 degrees 33 minutes 15 seconds west, 35.37 feet

North 73 degrees 50 minutes 20 seconds west, 117.56 feet, and

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party in the first part, or, in and to the land lying in the street in front of and adjoining said premises.

**FOR  
CONVEYANCING  
ONLY**

**SCHEDULE A (continued)**

North 75 degrees 06 minutes 15 seconds west, 47.09 feet to the easterly side of Wallace Street;

THENCE along said side of Wallace Street, north 15 degrees 02 minutes 00 seconds east, 90.77 feet;

THENCE south 74 degrees 58 minutes 00 seconds east, 100.00 feet;

THENCE north 15 degrees 02 minutes 00 seconds east, 50.00 feet;

THENCE south 74 degrees 58 minutes 00 seconds east, 100.00 feet to the westerly side of South High Street;

THENCE along the westerly side of South High Street, south 15 degrees 02 minutes 00 seconds west, 143.23 feet to the point or place of BEGINNING

FOR  
CONVEYANCING  
ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party in the first part, or, in and to the land lying in the street in front of and adjoining said premises.

Page 2 of 2

**ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE**

State of New York, County of Westchester, ss:

On the 23rd day of May in the year 2008, before me, the undersigned, personally appeared PHILIP RAFFIANI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

**ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS**  
Notary Public, State of New York  
No. 01MA6072441  
Qualified in Westchester County  
Commission Expires May 27, 2010

State of New York, County of

On the day of in the year, before me, the undersigned, a Notary Public in and for said State, personally appeared, the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number if any, thereof); that he/she/they know(s) to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto

**Bargain and Sale Deed with  
Covenant against Grantors Acts**

Title No. J103-93638

**DORAMI REALTY OF NEW YORK, INC.,**

TO

**HOWARD COOK and MAUREEN COOK**

**ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE**

State of New York, County of , ss:

On the day of in the year, before me, the undersigned, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies); and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

**ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE**

State of , County of , ss:  
\*(Or insert District of Columbia, Territory, Possession or Foreign County)  
On the day of in the year , before me the undersigned personally appeared . Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the (add the city or political subdivision and the state or country or other place the acknowledgement was taken).

SECTION: 29

BLOCK: 7

LOT: 12.G

TOWN OF EASTCHESTER

VILLAGE OF TUCKAHOE

COUNTY OF WESTCHESTER

PREMISES: 141G MAIN STREET  
TUCKAHOE, NY 10707

**RETURN BY MAIL TO:**

Michael F. Horgan, Jr., Esq.  
Begos, Horgan & Brown LLP  
7 Pondfield Road  
Bronxville, NY 10708