

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

-----X  
In the Matter of the application of the  
TOWN OF BROOKHAVEN  
INDUSTRIAL DEVELOPMENT AGENCY  
to acquire certain property for public purposes as set  
forth on maps showing property to be acquired in the  
vicinity of 43-61 Railroad Avenue, Ronkonkoma,  
in the Town of Brookhaven, County of Suffolk,  
State of New York

**INDEX NO. 600433/2024**

**HONORABLE  
JOHN J. LEO**

**NOTICE OF ACQUISITION**

SCTM: 0200-799.00-03.00-033.002  
Reputed Owner: 55 Property Corp.

SCTM: 0200-799.00-03.00-042.000  
Reputed Owner: 55 Property Corp.

SCTM: 0200-799.00-03.00-040.001  
Reputed Owner: 61 Properties Corp.

SCTM: 0200-799.00-03.00-040.002  
Reputed Owner: 61 Properties Corp.

SCTM: 0200-799.00-03.00-043.000  
Reputed Owner: 51 Property Corp.  
Creditor of Record: Town of Brookhaven

SCTM: 0200-799.00-03.00-044.000  
Reputed Owner: Bernett & Gordon Realty Co., Inc.  
Reputed Tenant: Subway Real Estate, LLC d/b/a Subway Real Estate II, LLC  
Reputed Mortgagee: George Gordon  
Reputed Mortgagee: Irving Bernett  
Reputed Mortgagee: NationsCredit Financial Services Corporation  
Creditor of Record: Town of Brookhaven  
Creditor of Record: Commercial Fire & Security, Inc.

-----X  
PLEASE TAKE NOTICE that the TOWN OF BROOKHAVEN INDUSTRIAL

DEVELOPMENT AGENCY (“Agency”) has obtained title to property located along Railroad

Avenue, between Garrity Avenue and Hawkins Avenue, in Ronkonkoma, New York, which is designated on the Suffolk County Tax Map as:

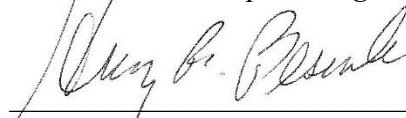
0200-799.00-03.00-033.002  
0200-799.00-03.00-040.001  
0200-799.00-03.00-040.002  
0200-799.00-03.00-042.000  
0200-799.00-03.00-043.000  
0200-799.00-03.00-044.000

The foregoing six parcels or property are collectively referred to herein as the “Subject Property”. The Agency acquired the Subject Property by the filing the Order vesting title and acquisition maps in the Office of the Suffolk County Clerk on February 6, 2024.

PLEASE TAKE FURTHER NOTICE that the Order directs that any claim or demand for damages, or Notice of Appearance in connection therewith, pursuant to Eminent Domain Procedure Law section 503, must be made within three (3) years of the service of the Notice of Acquisition, the Order and Notice of Entry thereof, upon the Condemnee or its attorney, by filing said claim, demand or Notice of Appearance with the Suffolk County Clerk and serving same upon the chief legal officer of the Condemnor.

Dated: February 9, 2024

EGAN & GOLDEN, LLP  
*Special Counsel to the Town of Brookhaven  
Industrial Development Agency*



---

Harvey B. Besunder, Esq.  
96 South Ocean Avenue  
Patchogue, New York 11772  
(631) 447-8100