

## **SHORT FORM ORDER**

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**SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF NASSAU**

## PRESENT:

**Hon. Burton S. Joseph,**  
**Justice.**

CHEREYL WIETSCHNER and EFRAM  
WIETSCHNER,

Plaintiffs,

Trial/IAS Part 18  
Index No. 233/2000  
Motion No. 004  
Motion Date 5/28/2002

MARGARET SAIS.

Defendant.

## Papers Numbered

Notice of Motion, Affidavit & Exhibits Annexed..... 1

That the Defendant, Margaret Sais, in the above entitled action, having moved this Court to vacate the *lis pendens* filed against real property and premises known as 650 Prescott Place, North Woodmere, New York 11581, owned by the Defendant, and the said motion having duly come to be heard on the 28<sup>th</sup> day of May, 2002, and;

Now, upon reading and filing the notice of motion, dated May 1, 2002, with due proof of service thereof, the Affirmation of Bozena Ziedalski, Esq., dated May 1, 2002, having been duly submitted in support of said motion and the exhibits annexed thereto, and there having been no opposition thereto, it is ordered that the motion is granted to the extent that the *lis pendens* filed , on December 29, 1999, against the subject real estate and property owned by the Defendant, is vacated, based on the fact that the underlying action brought by the Plaintiffs for

specific performance of a contract for the sale of the subject property was dismissed.

The premises affected by the action are situated in the County of Nassau, State of New York, and are more particularly described in a deed from Alex Sais and Margaret Sais to Margaret Sais recorded February 19, 1997 in Liber 10749 cp. 504, as follows:

All that certain plot or parcel of land, with the buildings and improvements thereon erected, situate, lying and being near Valley Stream, Town of Hempstead, County of Nassau and State of New York, known and designated as and by Lot No. 34 in Block No. 594 on a certain map entitled "Map of Holiday at North Woodmere, Section No. 1, situated near Valley Stream, Town of Hempstead, Nassau County, New York, owned by Glen Ridge Development Corp., 393 Willis Avenue, Roslyn Heights, N.Y., surveyed by Teas and Steinbrenner, Surveyors, 125 Church Street, Malverne, N.Y. and Route 111, Hauppauge, N.Y., July 22, 1959" and filed in the Office of the Clerk of the County of Nassau, December 16, 1959, as Map No. 7256.

Ordered, that only upon the payment of any required fee to the Nassau County Clerk's Office, shall the *lis pendens* be cancelled.

This constitutes the decision and order of the Court.

ENTER:

Dated: Mineola, New York  
June 6, 2002

  
J.S.C.

**ENTERED**

**JUN 10 2002**