



# Town of Brookhaven Long Island

## Law Department

One Independence Hill, Farmingville, NY 11738  
(631) 451-6500 Fax: (631) 451-6505

### **INSTRUCTIONS FOR PLANNING BOARD COVENANTS**

Applicant must submit the following:

1. Original covenants including Schedule A, metes and bounds description (can be taken from the title certification); must have the description initialed by the Planning Department;
2. Planning Board approval letter setting forth covenants to be included;
3. Original title certification certifying as to owner(s), mortgage(s) judgment(s) and/or lien(s) (must be dated no later than three months of the date of the Covenant(s). If there is a mortgage on the property, and the covenant requires more than no further subdivision of lot, the written, acknowledged consent must be included in the Declaration of Covenants as Schedule B (sample Consent attached). If the title certification indicates that there are judgments and/or liens on the property, they must be satisfied prior to covenant approval. If the title search has been prepared by a company other than a title insurance company, i.e., a title agency or abstract company, a signed authorized agent letter from the underwriter must accompany the Title Certification;
4. A copy of the survey.

Once the Declaration of Covenants and Restrictions and accompanying documents have been reviewed, it will be returned to you with either an approval or a list of deficiencies.

If the Declaration of Covenants and Restrictions is deemed sufficient, it will be returned to you for recording with the Suffolk County Clerk. You must obtain a certified copy of the recorded Declaration of Covenants and Restrictions from the Suffolk County Clerk to be approved by the Department of Law and returned to you for submission to the Planning Department.

If you have any questions concerning the above, please contact Jeanne Montemurro of the Law Department at (631) 451-6500.