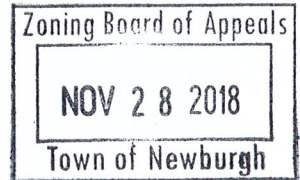


# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550



## APPLICATION

OFFICE OF ZONING BOARD  
(845) 566-4901

DATED: \_\_\_\_\_

TO: **THE ZONING BOARD OF APPEALS**  
THE TOWN OF NEWBURGH, NEW YORK 12550

I (WE) A Plus Auto and Truck, LLC PRESENTLY

RESIDING AT NUMBER 12B Little Lane Road, Newburgh, NY 12550

TELEPHONE NUMBER \_\_\_\_\_

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR THE FOLLOWING:

- \_\_\_\_\_ A USE VARIANCE
- \_\_\_\_\_ AN AREA VARIANCE
- \_\_\_\_\_ INTERPRETATION OF THE ORDINANCE
- \_\_\_\_\_ SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

53-4-4.21 (TAX MAP DESIGNATION)

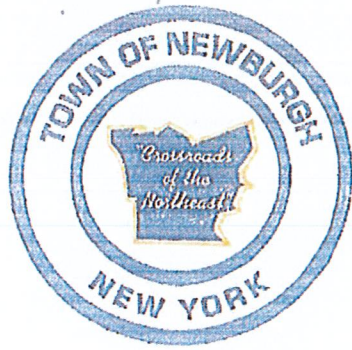
12 Little Lane Road, Newburgh (STREET ADDRESS)

B (Business District) (ZONING DISTRICT)

2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

Chapter 185 Attachment 11

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



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: \_\_\_\_\_
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: October 4, 2018

4. DESCRIPTION OF VARIANCE SOUGHT: A variance for the pre-existing non-conforming front yard setback. 60 feet required, 25.2 feet provided (existing)

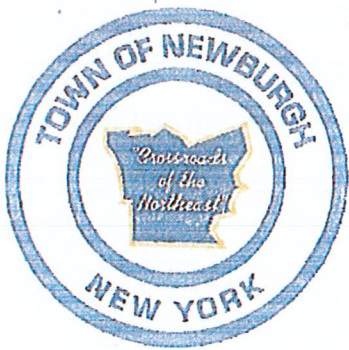
5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

- a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:  
Applicant is applying for a "change of use" for an existing building that does not meet current setbacks. No new structures are proposed.

**(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)**

- b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:  
Existing structure does not meet current setbacks and no new structures are proposed.

- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:  
Structures are existing and will not change; and no new structures are proposed.



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
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NEWBURGH, NEW YORK 12550

d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:  
Any change of use to the existing building would require a variance.

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

6. IF AN AREA VARIANCE IS REQUESTED:

a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

No new structures are proposed.  
\_\_\_\_\_  
\_\_\_\_\_

b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

Any change of use to the existing building would require a variance.  
\_\_\_\_\_  
\_\_\_\_\_

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:  
Structures are existing and will not change; and no new structures are proposed.

\_\_\_\_\_

d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

Structures are existing and will not change; and no new structures are proposed.  
\_\_\_\_\_  
\_\_\_\_\_

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:  
Applicant is applying for a "change of use" for an existing building that does not meet current setbacks. No new structures are proposed.

\_\_\_\_\_



# TOWN OF NEWBURGH

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308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

7. ADDITIONAL REASONS (IF PERTINENT):

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

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 9 DAY OF November 2018

MARY CATHERINE WELCH  
NOTARY PUBLIC-STATE OF NEW YORK  
NO. 01WE6334650  
QUALIFIED IN ORANGE COUNTY  
MY COMMISSION EXPIRES 12-21-2019

  
NOTARY PUBLIC

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

## PROXY

Mozo Properties, LLC, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT PO Box 2699, Newburgh

IN THE COUNTY OF Orange AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF 12 Little Lane Road, Newburgh  
NY 12550. Tax Lot 53-4-4.21

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-  
TION AND THAT HE/SHE HAS AUTHORIZED A Plus Auto and Truck, LLC  
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 11/19/18 *Maria Mozo*

OWNER'S SIGNATURE

*K. J. Khan*

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 19<sup>th</sup> DAY OF November 2018

*[Signature]*  
NOTARY PUBLIC

SONIA ABRAMS  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01AB6140890  
Qualified in Orange County  
My Commission Expires 02-13-22



# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: A Plus Auto Site Plan			
Project Location (describe, and attach a location map): 12 Little Lane Road, Newburgh, NY 12550			
Brief Description of Proposed Action: The proposed request is for approval of an existing residential dwelling and an existing detached repair garage use on an existing parcel.			
Name of Applicant or Sponsor: A Plus Auto and Truck, LLC		Telephone:	
		E-Mail:	
Address: 12B Little Lane Road			
City/PO: Newburgh		State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.64 acres	
b. Total acreage to be physically disturbed?		0.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.19 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	b. Are public transportation service(s) available at or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: meets are requirements _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ existing well _____	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ existing sewer service _____	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?    Indiana Bat	NO	YES		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
16. Is the project site located in the 100 year flood plain?	NO	YES		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		



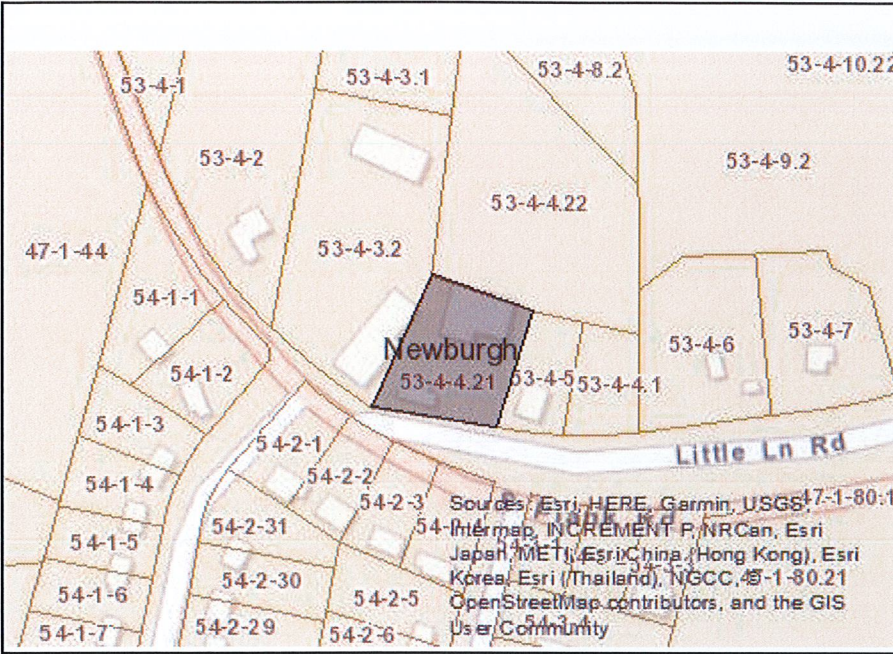
<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

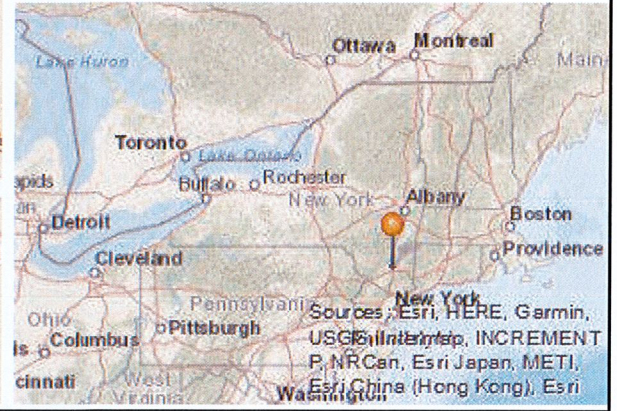
Preparer (Engineer): Jay Samuelson, P.E. Date: 08/22/18

Applicant/sponsor name: \_\_\_\_\_

Signature: J Samuelson



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No

***Dickover, Donnelly & Donovan, LLP***  
**Attorneys and Counselors at Law**

**David A. Donovan**  
**Michael H. Donnelly**  
**Robert J. Dickover**

Successor Law Firm To:  
Alexander Appelbaum, P.C., Florida, N.Y. (1915-1988)  
Ludmerer & Vurno, Esqs., Warwick, N.Y.

**28 Bruen Place**  
**P.O. Box 610**  
**Goshen, NY 10924**  
**Phone (845) 294-9447**  
*mail@dddllaw.com*  
**Fax (845) 294-6553**  
*(Not for Service of Process)*

**2722-18**

October 10, 2018

Town of Newburgh  
Zoning Board of Appeals  
308 Gardnertown Road  
Newburgh, New York 12550

RE: A Plus Auto and Truck, LLC Site Plan 18.17  
12 Little Lane Road  
53-4-4.21 (Zone B)

---

Members of the Board:

I write to you on behalf of the Town of Newburgh Planning Board. The above referenced applicant appeared before the planning board during its meeting of October 4, 2018 requesting site plan approval to utilize an existing commercial building on the premises for an auto repair garage. There are two structures on the site. Neither building meets the required setback requirements of the code and will require an area variance as follows:

- Grant of a variance for the front structure allowing a front yard setback of 25.2 feet where 60 feet<sup>1</sup> is required;
- Grant of a rear yard variance for the structure in the rear.<sup>2</sup>

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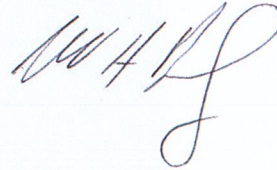
<sup>1</sup> While it is not clear, the building appears to have frontage on Route 52, making 60 feet the required setback. Section 185-14 (4)(b). The applicant will address this issue further with you.

<sup>2</sup> The applicant may merge certain parcels making this variance unnecessary.

The applicant may need to apply to you separately for a use variance (the residential structure may be operating as a 3-family home).

The planning board has no particular matters to bring to your attention. It is suggested that you conduct your review of this matter on an uncoordinated review basis.

Very truly yours,

A handwritten signature in black ink, appearing to read 'MHD', written in a cursive style.

MICHAEL H. DONNELLY

MHD/lrm

cc: Town of Newburgh Planning Board  
Engineering & Surveying Properties

orig. ren 11/20/18

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

Orange Lake Properties LLC  
TO  
Mozo Properties LLC

SECTION 53 BLOCK 4 LOT 4.21

4.22



RECORD AND RETURN TO:  
(name and address)

GreenAcce Abstract, LLC  
201 Ward Street, Suite 2A  
Montgomery, N.Y. 12549  
Title No: GA-121079-0

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED Cv MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
2001 WASHINGTONVILLE (VLG)
2003 SO. BLOOMING GROVE (VLG)
2289 CHESTER (TN)
2201 CHESTER (VLG)
2489 CORNWALL (TN)
2401 CORNWALL (VLG)
2600 CRAWFORD (TN)
2800 DEERPARK (TN)
3089 GOSHEN (TN)
3001 GOSHEN (VLG)
3003 FLORIDA (VLG)
3005 CHESTER (VLG)
3200 GREENVILLE (TN)
3489 HAMPTONBURGH (TN)
3401 MAYBROOK (VLG)
3689 HIGHLANDS (TN)
3601 HIGHLAND FALLS (VLG)
3889 MINISINK (TN)
3801 UNIONVILLE (VLG)
4089 MONROE (TN)
4001 MONROE (VLG)
4003 HARRIMAN (VLG)
4005 KIRYAS JOEL (VLG)

- 4289 MONTGOMERY (TN)
4201 MAYBROOK (VLG)
4203 MONTGOMERY (VLG)
4205 WALDEN (VLG)
4489 MOUNT HOPE (TN)
4401 OTISVILLE (VLG)
4600 NEWBURGH (TN)
4800 NEW WINDSOR (TN)
5089 TUXEDO (TN)
5001 TUXEDO PARK (VLG)
5200 WALLKILL (TN)
5489 WARWICK (TN)
5401 FLORIDA (VLG)
5403 GREENWOOD LAKE (VLG)
5405 WARWICK (VLG)
5600 WAWAYANDA (TN)
5889 WOODBURY (TN)
5801 HARRIMAN (VLG)
5809 WOODBURY (VLG)
CITIES
0900 MIDDLETOWN
1100 NEWBURGH
1300 PORT JERVIS
9999 HOLD

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CERT. COPY ADD'L X-REF.
MAP# PGS.
PAYMENT TYPE: CHECK X
CASH
CHARGE
NO FEE

Taxable
CONSIDERATION \$ 275,000.00
TAX EXEMPT
Taxable
MORTGAGE AMT. \$

MORTGAGE TAX TYPE:

- (A) COMMERCIAL/FULL 1%
(B) 1 OR 2 FAMILY
(C) UNDER \$10,000
(E) EXEMPT
(F) 3 TO 6 UNITS
(I) NAT.PERSON/CR. UNION
(J) NAT.PER-CR.UN/1 OR 2
(K) CONDO

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

Received From Greenacre abstracts

RECORDED/FILED
03/19/2012 14:14:28
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20120028112
DEED C / BK 13314PG 0455
RECORDING FEES 315.00
TTX# 003928 T TAX 1,100.00
Receipt#1428109 maryp



STATE OF NEW YORK (COUNTY OF ORANGE) SS:
ANN G. RABBITT, COUNTY CLERK AND CLERK OF THE
SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO
HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH
THE ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE
ON 3/19/12 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.
11/28/18 Ann G. Rabbitt
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)**

**FORM 8002 (short version), FORM 8007 (long version)**

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

**THIS INDENTURE**, made the 1 day of ~~February~~ <sup>MARCH</sup>, 2012,

**BETWEEN**

ORANGE LAKE PROPERTIES, LLC, of 295 Lakeside Road, Newburgh, New York 12550,  
party of the first part, and

MOZO PROPERTIES LLC of PO Box 7231, Newburgh, New York 12550,  
party of the second part;

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever;

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, State of New York and being more particularly bounded and described in Schedule 'A' attached hereto and made a part hereof.;

**BEING AND INTENDED** to be the same premises conveyed to ORANGE LAKE PROPERTIES, LLC who acquired title from ELIZABETH T. MOGLIA, as Executrix of the Estate of Dominick A. Moglia a/k/a Dominick Anthony Moglia, the last will and testament of Dominick A. Moglia and Theresa J. Mueller and Jennie T. Carroll, Individually as heirs at law and next of kin of Andrew C. Moglia, by Deed dated July 19, 2005 and recorded in the Orange County Clerk's Office on September 22, 2005 in Liber 11947 page 1640.

**THIS CONVEYANCE** is made and accepted subject to an indebtedness secured by a mortgage upon said premises held by RIVERSIDE BANK dated July 25, 2005, recorded on September 22, 2005 in the Orange County Clerk's Office in Liber 11947 at Page 1645 on which there is an unpaid principal amount of \$245,000.00 which said mortgage debt the parties of the second part hereby assume and agree to pay as part of the purchase price of the above described premises, and the parties of the second part hereby separately execute and acknowledge this instrument for the purposes of complying with the provisions of Section 5-705 of the New York General Obligations Law.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**Section: 53**  
**Block: 4**  
**Lot: 4.21 and 4.22**

### Schedule A Description

Title Number **GA-121079-0**

Policy Number: **O-8911-000585783**

Page **1**

ALL that certain plot, piece or parcel of land situate lying and being in the Town of Newburgh, County of Orange and State of New York, being bounded and described as follows:

BEGINNING at a point within the northerly bounds of Little Lane, said point being the southerly most corner of the herein described parcel, said point also being the westerly most corner of lands now or formerly Trapini, Liber 3117 page 021, running thence within the said northerly bounds of Little Lane, the following two (2) courses and distances: 1) North 69° 51' 50" West 152.39 feet; 2) North 58° 38' 00" West 10.40 feet; thence along lands now or formerly Quattro, Liber 5084 page 342; North 37° 55' 10" East 204.79 feet; thence along said lands of Quattro and lands now or formerly Adefope Liber 4991 page 222 North 18° 56' 00" East 351.38 feet; thence along lands now or formerly Zeller c/o Tadry Liber 1012 page 457 and Liber 1771 page 715 South 31° 56' 00" East 321.20 feet; thence running along said lands of Zeller c/o Tadry and lands now or formerly Estrada Liber 5145 page 288; South 12° 46' 00" West 170.25 feet; thence along lands now or formerly Trapini Liber 2063 page 939 North 74° 26' 06" West 71.05 feet; thence along the above mentioned lands of Trapini Liber 3117 page 021, the following two (2) courses and distances: 1) North 66° 26' 06" West 70.00 feet to an iron monument; 2) South 28° 39' 43" West 182.59 feet to the point or place of BEGINNING.

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

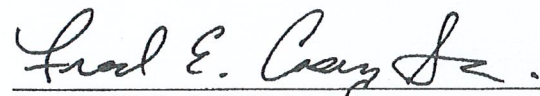
**AND** the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part 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.

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

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

ORANGE LAKE PROPERTIES, LLC

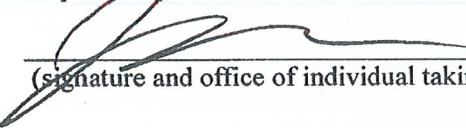


By: FRED E. CASEY, Member

Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF ORANGE )

On the 29<sup>th</sup> day of February in the year 2012, before me, the undersigned, personally appeared FRED E. CASEY, 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 executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
(signature and office of individual taking acknowledgment)

JOSEPH M. SAFFIOTI  
Notary Public, State of New York  
No. 4985013  
Qualified in Orange County  
Commission Expires August 5, 2013



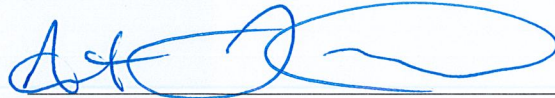
**AFFIDAVIT OF POSTING(S) OF  
NOTICE OF PUBLIC HEARING  
AT THE PROPERTY**

STATE OF NEW YORK: COUNTY OF ORANGE:

I Anthony Laspalluto, being duly sworn, depose and say that I did on or before  
December 13th, 2018, post and will thereafter maintain at

12 Little Lane Road in the Town of Newburgh, New York, at or near the front  
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which  
notice was in the form attached hereto.

The applicant shall maintain and update notice(s) (with amended information if there is any change to the  
information contained in the original Notice of Hearing) until after the Public Hearing is closed. The  
Notice must then be removed and property disposed of within ten (10) days of the close of the Public  
Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for  
additional time.



Sworn to before me this 7

day of December, 2018.



Notary Public

**MARY CATHERINE WELCH  
NOTARY PUBLIC-STATE OF NEW YORK  
NO. 01WE6334650  
QUALIFIED IN ORANGE COUNTY  
MY COMMISSION EXPIRES 12-21-2019**

[Photograph(s) of the posted Public Hearing Notice(s) must be submitted by the applicant with this  
affidavit.]

Landscaping  
845-234-2452

REPUBLIC OF NEWELL  
OFFICE OF THE CLERK  
NEWELL, NEW YORK

NOTICE TO THE PUBLIC

THE STATE OF NEW YORK, OFFICE OF THE CLERK, COUNTY OF NEWELL, hereby gives notice that the following is the list of the names of the persons who have been appointed as Justices of the Peace for the County of Newell, New York, for the term beginning on the 1st day of January, 2025, and ending on the 31st day of December, 2026.

THE CLERK

