

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: 5-8-13

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

I (WE) Maureen & Robert Cohen PRESENTLY

RESIDING AT NUMBER One Peter Avenue

TELEPHONE NUMBER 845 566-7529

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:

17-1-107.0 (TAX MAP DESIGNATION)

One Peter Avenue (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A

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: 5-3-13
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: _____

4. DESCRIPTION OF VARIANCE SOUGHT: Replace existing Accessory building with new 10 x 14 accessory bldg.

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:

(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:

- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

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:

- quality of structure
- 80 ft from property line
- 230 feet from town road
- 240 ft closest house
- materials/color more complimentary to dwelling
- set in wooded area

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:

- clear land and create access path
 - current regulation limits usable location to
 - driveway paved around existing location
- of 2.1 acres

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

- replacing existing shed
- increasing footprint by 44 ft² on 2.1 acre lot
- profile from town road will be decreased

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

- will not have to clear wooded lot for placement

e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

- property was purchased with shed approved for current location

7. ADDITIONAL REASONS (IF PERTINENT):

aesthetic improvement

Maureen Cohen
M.C.

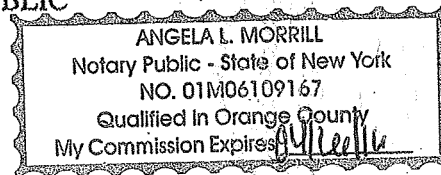
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OR ORANGE:

SWORN TO THIS 9 DAY OF May 2013

Angela L. Morrill

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.

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Maureen & Robert Cohen	2. PROJECT NAME Replace accessory building
3. PROJECT LOCATION: Municipality <u>Town of Newburgh</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>One Peter Avenue</u> <u>17-1-107</u> <u>Newburgh, NY 12550</u> <u>@ Sylvia St</u>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>Replace accessory building - Building Code 12684</u> <u>with 10x14 accessory building.</u>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately <u>44 ft²</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <u>Replacement accessory building is 44ft² larger than existing.</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: <u>Existing accessory building has Building Permit # 12684</u>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: <u>5-8-13</u> Signature: <u>Maureen Cohen</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

Reset

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
No

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
No

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

 Name of Lead Agency

 Date

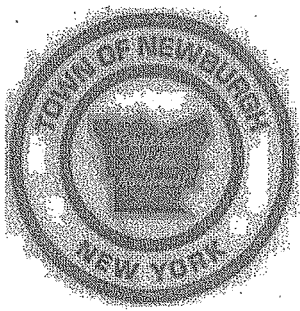
 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (If different from responsible officer)

Reset



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801
FAX LINE 845-564-7802

2356-13

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/03/2013

Application No. 13-0327

To: Robert Cohen
1 Peter Ave
Newburgh, NY 12550

SBL: 17-1-107
ADDRESS: 1 Peter Ave

ZONE: R2

PLEASE TAKE NOTICE that your application dated 04/23/2013 for permit to Place a 10' x 14' accessory building. on the premises located at 1 Peter Ave is returned herewith and disapproved on the following grounds:

185-15-A Accessory buildings shall be located in a side or rear yard.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

NO

NAME: ROBERT COHEN

ADDRESS: 1 PETER AVE NEWBURGH NY 12550

2356-13

PROJECT INFORMATION:

TYPE OF STRUCTURE: 10 X 14 PRE FAB SHED

SBL: 17-1-107 ZONE: R-2

TOWN WATER: NO TOWN SEWER: NO

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES / NO
 2 OR MORE FRONT YARDS FOR THIS PROPERTY YES / NO
 CORNER LOT - 185-17-A YES

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES / NO
 FRONT YARD - 185-15-A YES
 STORAGE OF MORE THEN 4 VEHICLES YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO

**NOTES: REQUESTING TO LOCATE A 10 X 14 SHED IN A FRONT YARD. THIS IS A CORNER LOT
 PETER AVE IN THE FRONT & HEMLOCK LANE TO THE RIGHT**

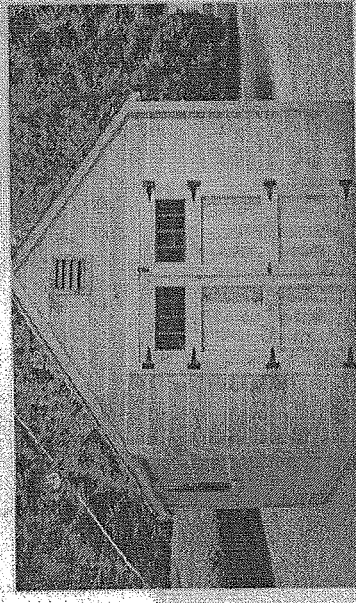
VARIANCE(S) REQUIRED:

- 1 185-15-A ACCESSORY BUILDINGS SHALL BE LOCATED IN A SIDE OR REAR YARD.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: JOSEPH MATTINA

DATE: 3-May-13

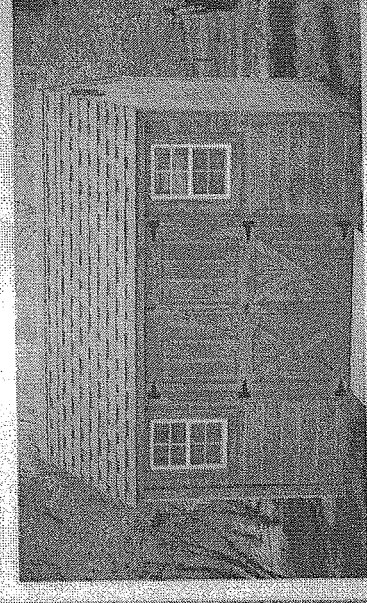
THE COLONIAL STORAGE BUILDING



10 x 16' Colonial



12 x 20' Colonial



8 x 12 Colonial

GREY'S WOODWORKS
 100 YEARS OF SERVICE

762 Route 25 | P.O. Box 490 | Grantsville, New York 13740
 815.857.0026 | greywoodworks.com

FOUNDATIONS:

• 4 x 4 pressure-treated landscape ties

FLOORS:

• 2" T&G Smart Floor plywood over 2" x 4" pressure-treated framing at 16" on center

WALLS:

• 2 x 4 framing, 16" on center, sided with horizontal tongue and groove pine 1/2 joint siding or 1/2" plywood sheathing with vinyl siding. Wall height 11-82"

VENTING:

• 12" wood vents in each gable end with pine-sided buildings
 • 12" aluminum vents in each gable end with vinyl-sided buildings

ROOFS:

• 7" on 12" pitch gable roof made of 12" CDX over trusses 2' on center
 • 30-year architectural roof shingles

DOORS:

• Pine-sided buildings: 7 1/2" h x 5' w double pine doors are included
 • Vinyl-sided buildings: 7 1/2" h x 5' w double solid steel doors OR galite steel doors are included
 • Doors may be placed on any of the four walls

STANDARD WITH ALL COLONIAL STORAGE BUILDINGS:

• Brown, gray, green, weathered wood or black roof shingles
 • One small window on buildings 8' x 10' and smaller
 • One large window or two small windows on buildings 8' x 12' and larger
 • One 5' wide double door or one 30" single door (pine or steel depending on siding)
 • Wood floor and on-site construction

Customizing Options:

WINDOWS (white or brown):

Small- 18" x 27" \$85
 Large- 24" x 36" \$85
 36" window box (pine or vinyl) with brackets \$29
 Shutters (pine or vinyl) \$35
 8" h sidewall on pine-sided and vinyl buildings \$3.59/lin. ft.
 Work bench unit \$20/lin. ft.
 Bar opening with pine enclosure \$175
 (10' w top with 22" w x 36" h opening)
 Credit for no floor \$1.75/sq. ft.
 3/4" pressure-treated plywood flooring \$0.60/sq. ft.

DOOR OPTIONS:

Additional 5' wide pine double door \$345
 Additional 5' wide steel double door \$540
 Additional 5' 9-lite steel door \$740
 Additional 30" wide pine door \$175
 Additional 36" solid steel door \$299
 Additional 36" 9-lite steel door \$326
 Transform windows in pine door \$355
 24" x 24" pine lift door \$265
 5' wide double pine door (10' and 12' wide buildings only)
 In place of standard door \$205
 In addition to standard door \$255
 8' x 6 1/4" h solid garage door (on 12' and 16' wide buildings only)
 In place of standard door \$395
 In addition to standard door \$395

PRESSURE-TREATED RAMPS:

5' wide \$159
 7' wide \$245

Size	Pine Siding	Vinyl Siding
8' x 8'	\$1,490	\$2,415
8' x 10'	\$2,305	\$2,855
8' x 12'	\$2,620	\$3,185
10' x 10'	\$2,725	\$3,295
10' x 12'	\$2,945	\$3,625
10' x 14'	\$3,355	\$4,085
10' x 16'	\$3,775	\$4,615
10' x 20'	\$4,510	\$5,495
12' x 12'	\$4,595	\$4,395
12' x 16'	\$4,195	\$5,055
12' x 20'	\$4,720	\$5,795
12' x 24'	\$5,140	\$6,265
16' x 16'	\$4,930	\$5,935
16' x 20'	\$5,980	\$7,255
16' x 24'	\$7,090	\$8,465

*Excludes concrete blocks and building permits (where applicable) at the purchaser's responsibility.

We recommend that the purchaser obtain a permit for pine sided building with an exterior wood preservative.

*All prices effective 2/15/2013

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

*William E. Morwell &
 Karen L. Morwell*
 TO
*Robert E. Cohen &
 Maureen G. Cohen*

Saw
5/9/3

SECTION 17 BLOCK 1 LOT 107

#K-97 1113

RECORD AND RETURN TO:
 (Name and Address)

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE
 ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
 RECORDED INSTRUMENT ONLY

JEFFREY R. OTTO, ESP.
710 BROADWAY
NEWBURGH, N.Y. 12550

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- | | |
|---|--|
| <input type="checkbox"/> 2089 BLOOMING GROVE (TN) | <input type="checkbox"/> 4289 MONTGOMERY (TN) |
| <input type="checkbox"/> 2001 WASHINGTONVILLE (VLG) | <input type="checkbox"/> 4201 MAYBROOK (VLG) |
| <input type="checkbox"/> 2289 CHESTER (TN) | <input type="checkbox"/> 4203 MONTGOMERY (VLG) |
| <input type="checkbox"/> 2201 CHESTER (VLG) | <input type="checkbox"/> 4205 WALDEN (VLG) |
| <input type="checkbox"/> 2489 CORNWALL (TN) | <input type="checkbox"/> 4489 MOUNT HOPE (TN) |
| <input type="checkbox"/> 2401 CORNWALL (VLG) | <input type="checkbox"/> 4401 OTISVILLE (VLG) |
| <input type="checkbox"/> 2600 CRAWFORD (TN) | <input checked="" type="checkbox"/> 4600 NEWBURGH (TN) |
| <input type="checkbox"/> 2800 DEERPARK (TN) | <input type="checkbox"/> 4800 NEW WINDSOR (TN) |
| <input type="checkbox"/> 3089 GOSHEN (TN) | <input type="checkbox"/> 5089 TUXEDO (TN) |
| <input type="checkbox"/> 3001 GOSHEN (VLG) | <input type="checkbox"/> 5001 TUXEDO PARK (VLG) |
| <input type="checkbox"/> 3003 FLORIDA (VLG) | <input type="checkbox"/> 5200 WALKKILL (TN) |
| <input type="checkbox"/> 3005 CHESTER (VLG) | <input type="checkbox"/> 5489 WARWICK (TN) |
| <input type="checkbox"/> 3200 GREENVILLE (TN) | <input type="checkbox"/> 5401 FLORIDA (VLG) |
| <input type="checkbox"/> 3489 HAMPTONBURGH (TN) | <input type="checkbox"/> 5403 GREENWOOD LAKE (VLG) |
| <input type="checkbox"/> 3401 MAYBROOK (VLG) | <input type="checkbox"/> 5405 WARWICK (VLG) |
| <input type="checkbox"/> 3689 HIGHLANDS (TN) | <input type="checkbox"/> 5600 WAWAYANDA (TN) |
| <input type="checkbox"/> 3601 HIGHLAND FALLS (VLG) | <input type="checkbox"/> 5889 WOODBURY (TN) |
| <input type="checkbox"/> 3889 MINISINK (TN) | <input type="checkbox"/> 5801 HARRIMAN (VLG) |
| <input type="checkbox"/> 3801 UNIONVILLE (VLG) | |
| <input type="checkbox"/> 4089 MONROE (TN) | |
| <input type="checkbox"/> 4001 MONROE (VLG) | |
| <input type="checkbox"/> 4003 HARRIMAN (VLG) | |
| <input type="checkbox"/> 4005 KIRYAS JOEL (VLG) | |

NO. PAGES 3 CROSS REF _____
 CERT. COPY _____ AFFT. FILED _____
 PAYMENT TYPE: CHECK
 CASH _____
 CHARGE _____
 NO FEE _____

CONSIDERATION \$ 190,000
 TAX EXEMPT _____

MORTGAGE AMT \$ _____
 DATE _____

MORTGAGE TYPE:

- (A) COMMERCIAL
 (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

CITIES

- 0900 MIDDLETOWN
 1100 NEWBURGH
 1300 PORT JERVIS
 9999 HOLD

Joan A Macchi

JOAN A. MACCHI
 Orange County Clerk

RECEIVED FROM: Kar Vin

LIBER **4560PG 107**

LIBER 4560 PAGE 107

ORANGE COUNTY CLERKS OFFICE 20858 MRL
 RECORDED/FILED 04/26/97 10:04:03 AM

FEES 44.00 EDUCATION FUND 5.00
 SERIAL NUMBER: 007038

K971113

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT--THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 13th day of April, Nineteen Hundred and Ninety-Seven.

BETWEEN

WILLIAM E. NORVELL and KAREN L. NORVELL, as husband and wife
residing at
1864 John Anderson Drive, Orman Beach, Florida 32176

party of the first part, and

ROBERT E. COHEN and MAUREEN G. COHEN, as husband & wife,
residing at
5 Hy Vue Circle, Newburgh, New York 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of
TEN Dollars and 00/100-----(\$10.00)-----dollars,

lawful money of the United States, and other valuable consideration 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 and State of New York, bounded
and described as follows:

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF.

Subject to rights of public utilities, restrictions, covenants and easements of record.

Sec. 17 Blk. 1 Lot 107

The premises are not in an agricultural district.

The parcel is entirely owned by the transferor.

PREMISES ARE NOT SUBJECT TO A CREDIT LINE MORTGAGE

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;

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.

SCHEDULE A

Title No. 971113

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

KNOWN and designated as Lot 2 on a certain map entitled "Lot Line Change For William E. Norvell & Karen L. Norvell", prepared by Patrick T. Kennedy, L.L.S., dated 8/19/88 and last revised 11/15/88, and filed in the Orange County Clerk's Office on 12/13/88, as Filed Map #9240, being more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of Sylvia Street, said point being on the division line between the lands of Others (formerly of Norvell) on the east and the parcel herein described on the west; thence along said division line S 17-12-12 W, 150.95 feet to a point, thence along the lands now or formerly of Gironda N 83-26-26 W, 297.79 feet to a point, thence along the lands now or formerly of Norvell N 12-18-06 W 279.42 feet to a point, thence along the lands now or formerly Rotino S 81-54-58 E, 412.60 feet to a point; thence along the westerly side of Peters Avenue S 18-21-16 W 105.14 feet to a point; thence along the aforesaid side of Sylvia Street S 78-32-05 E 25.13 feet to the point or place of BEGINNING.

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

In Presence of:

William E. Norvell
WILLIAM E. NORVELL

Karen L. Norvell
KAREN L. NORVELL

STATE OF NEW YORK)
) *Dutchess*) SS:
COUNTY OF ~~ORANGE~~)

On the ^{10th} day of ^{April}, 1997, before me personally came WILLIAM E. NORVELL and KAREN L. NORVELL, to me known and known to me to be the individuals described in and who executed the foregoing instrument and they duly acknowledged to me that they executed the same.

Lenka C. Knapp
NOTARY PUBLIC

LENKA C. KNAPP
Notary Public, State of New York
Qualified in Dutchess County 98
My Commission Expires Dec. 29, 1998

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS

Title No.

WILLIAM E. and KAREN L. NORVELL

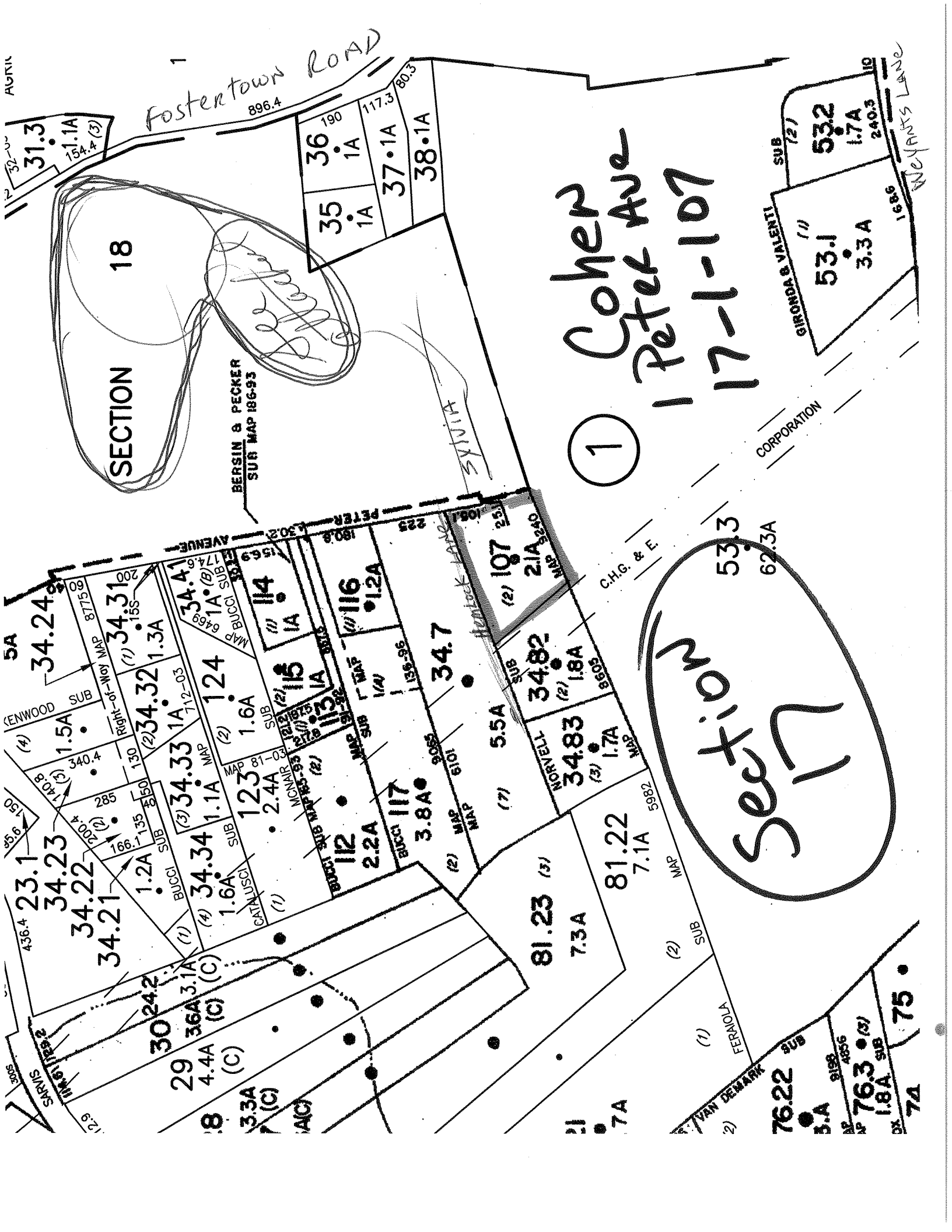
TO

ROBERT E. and MAUREEN G. COHEN

Section 17
Block 1
Lot 107
Orange County / Town of Newburgh

RECORD AND RETURN TO:

Jeffrey R. Otto, Esq.
710 Broadway
Newburgh, New York 12550



Fostertown ROAD

SECTION 18

BERSIN & PECKER
SUB MAP 186-93

1 Cohen
Peter Ave
17-1-107

GIRCONDA & VALENTI
CORPORATION

53.1
3.3A
53.2
1.7A
240.3

Section 17

31.3
151.1A
154.4 (3)

35
1A
36
1A
37.1A
38.1A

34.24
34.23
34.22
34.21
34.31
34.32
34.33
34.34

123
124
112
113
114
115
116
117
118

107
107
107
107
107
107
107
107
107

81.23
7.3A
81.22
7.1A
76.22
3.8A
76.3
1.8A
74
75

53.3
67.3A
53.3
67.3A

107
2.1A
34.82
34.83
1.7A
1.8A
1.7A
1.8A
7.1A
7.1A
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Section 18

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