

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

GOSIMO DIBRIZZI AND
NICOLA CITERA

TO

CPK UNION LLC

SECTION 96 BLOCK 1 LOT 104-11

RECORD AND RETURN TO:
(Name and Address)

DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P. C.
ATTORNEYS AND COUNSELLORS AT LAW

ONE CORWIN COURT
POST OFFICE BOX 1479
NEWBURGH, NEW YORK 12550

RECORDED INSTRUMENT ONLY

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE ___ SATISFACTION ___ ASSIGNMENT ___ OTHER ___

PROPERTY LOCATION

___ 2089 BLOOMING GROVE (TN)	___ 4289 MONTGOMERY (TN)	NO. PAGES	<u>5</u>	CROSS REF	<u>1</u>
___ 2001 WASHINGTONVILLE (VLG)	___ 4201 MAYBROOK (VLG)	CERT. COPY	___	ADD'L X-REF	___
___ 2289 CHESTER (TN)	___ 4203 MONTGOMERY (VLG)	MAP #	___	PGS.	___
___ 2201 CHESTER (VLG)	___ 4205 WALDEN (VLG)	PAYMENT TYPE:	CHECK <input checked="" type="checkbox"/>	CASH	___
___ 2489 CORNWALL (TN)	___ 4489 MOUNT HOPE (TN)	CHARGE	___	NO FEE	___
___ 2401 CORNWALL (VLG)	___ 4401 OTISVILLE (VLG)	CONSIDERATION \$	___	TAX EXEMPT	___
___ 2600 CRAWFORD (TN)	<input checked="" type="checkbox"/> 4600 NEWBURGH (TN)	MORTGAGE AMT \$	___	DATE	___
___ 2800 DEERPARK (TN)	___ 4800 NEW WINDSOR (TN)				
___ 3089 GOSHEN (TN)	___ 5089 TUXEDO (TN)				
___ 3001 GOSHEN (VLG)	___ 5001 TUXEDO PARK (VLG)				
___ 3003 FLORIDA (VLG)	___ 5200 WALLKILL (TN)				
___ 3005 CHESTER (VLG)	___ 5489 WARWICK (TN)				
___ 3200 GREENVILLE (TN)	___ 5401 FLORIDA (VLG)				
___ 3489 HAMPTONBURGH (TN)	___ 5403 GREENWOOD LAKE (VLG)				
___ 3401 MAYBROOK (VLG)	___ 5405 WARWICK (VLG)				
___ 3689 HIGHLANDS (TN)	___ 5600 WAWAYANDA (TN)				
___ 3601 HIGHLAND FALLS (VLG)	___ 5889 WOODBURY (TN)				
___ 3889 MINISINK (TN)	___ 5801 HARRIMAN (VLG)				
___ 3801 UNIONVILLE (VLG)					
___ 4089 MONROE (TN)					
___ 4001 MONROE (VLG)					
___ 4003 HARRIMAN (VLG)					
___ 4005 KIRYAS JOEL (VLG)					

Donna L. Benson
DONNA L. BENSON
Orange County Clerk

4381-272
6360-224

RECEIVED FROM:

Horizon

LIBER 5213 PAGE 220

20417-97

LIBER 5213 PAGE 220

ORANGE COUNTY CLERKS OFFICE 71825 LAL
RECORDED/FILED 12/29/1999 12:20:53 PM
FEES 50.50 EDUCATION FUND 5.00
SERIAL NUMBER: 005076
DEED CNTL NO 68036 RE TAX .00

#6157

Bargain & sale deed, with covenant against grantor's acts -Ind. or Corp.

THIS INDENTURE, made the 30th day of September, nineteen hundred and ninety-nine

BETWEEN

Cosimo DiBrizzi, residing at 450 River Road, Newburgh, New York 12550 and Nicola Citera, residing at 3 Old Farms Road, Poughkeepsie, New York 12603, AS TENANTS IN COMMON, party of the first part, and

CPK Union LLC, a New York limited liability company with offices for the transaction of business at 1089 Little Britain Road, New Windsor, New York 12553, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten and 00/100 (\$10.00) dollars, lawful money of the United States and other good and 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, being further bounded and described in Schedule A attached hereto.

Being and intended to be the same premises conveyed in a certain deed dated December 28, 1998 by Cosimo DiBrizzi and Nicola Citera to Cosimo DiBrizzi and Nicola Citera and recorded in the office of the Orange County Clerk in Liber 4961 of deeds at page 64 on January 14, 1999.

This conveyance is made and accepted subject to an indebtedness secured by a mortgage dated June 12, 1992 made by Cosimo DiBrizzi and Nicola Citera to The Bank of New York in the amount of \$230,000.00, recorded in the Orange County Clerk's Office in Liber 4331 at page 272, and mortgage dated October 17, 1997 made by Cosimo DiBrizzi and Nicola Citera to The Bank of New York in the amount of \$208,083.53, recorded in the Orange County Clerk's Office in Liber 6360 at page 224, which two mortgages were consolidated by agreement dated October 17, 1997 made between Cosimo DiBrizzi and Nicola Citera and The Bank of New York to form a single first lien in the amount of \$325,000.00, which mortgage was assigned by Assignment of Mortgage dated September 30, 1999 made by The Bank of New York to Premier National Bank to be recorded simultaneously herewith and on which there is an unpaid principal amount of \$265,416.74, together with interest from September 1, 1999, which said mortgage debt the party of the second part hereby assumes and agrees to pay as part of the conveyance of the above described premises, and the party of the second part hereby executes and acknowledges this instrument for the purpose of complying with the provisions of Section 5-705 of the 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,

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.

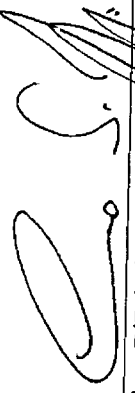
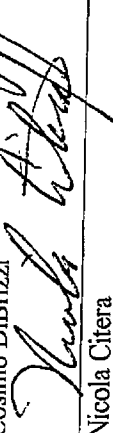
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants

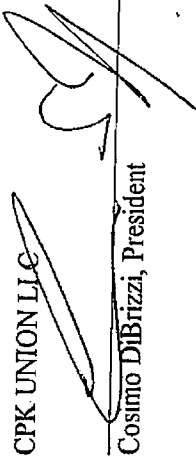
that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement 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.


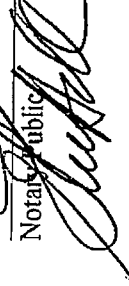
IN PRESENCE OF:


Cosimo DiBrizzi

Nicola Citera

CPK UNION LLC
By: 
Cosimo DiBrizzi, President

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

On the 30th day of September, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Cosimo DiBrizzi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individuals acted, executed the instrument.


Notary Public


GLEN L. HELLER
NOTARY PUBLIC, State of New York
No. 02HE4859682
Qualified in Orange County
Commission Expires April 21, 20 00

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

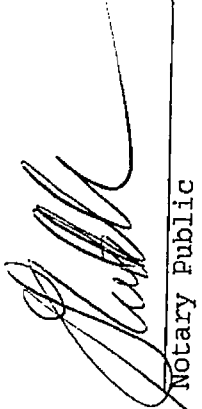
On the 30th day of September, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Nicola Citera, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individuals acted, executed the instrument.


Notary Public

GLEN L. HELLER
NOTARY PUBLIC, State of New York
No. 02HE4859682
Qualified in Orange County
Commission Expires April 21, 20 00

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

On the 30th day of September, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Cosimo DiBrizzi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

GLEN L. HELLER
NOTARY PUBLIC, State of New York
No. 02HE4859682
Qualified in Orange County
Commission Expires April 21, 2002

DESCRIPTION

LANDS OF NICHOLAS CITERA & COSIMO DIBRIZZI
UNION AVENUE, TOWN OF NEWBURGH, NEW YORK
TAX PARCELS : SECTION 96 BLOCK 1 LOTS 10 & 11

All that piece or parcel of land with buildings and improvements thereon, situate, lying and being in the Town of Newburgh, County of Orange, State of New York and being more particularly bounded and described as follows :

Beginning at a point in the westerly line of Union Avenue, New York State Route 300, at the southeasterly corner of lands now or formerly of Distefano; thence, along said westerly line of Union Avenue, South 28 degrees 20 minutes West 256.15 feet to a point in the northerly line of Ori Avenue; thence, along the northerly, northeasterly and easterly lines of Ori Avenue, the following Four (4) courses,
(1) South 87 degrees 00 minutes 57 seconds West 23.00 feet,
(2) North 44 degrees 55 minutes 04 seconds West 27.20 feet,
(3) North 28 degrees 04 minutes 21 seconds West 73.04 feet,
and
(4) North 19 degrees 21 minutes 59 seconds West 129.13 feet to a point in the division line between the lands now or formerly of Distefano on the northwest and the parcel herein described on the southeast; thence, along the last said division line, North 27 degrees 20 minutes East 132.83 feet to point in the division line between the lands now or formerly of Distefano on the northeast and the parcel herein described on the southwest; thence, along the last said division line, South 61 degrees 42 minutes 04 seconds East 204.38 feet to the point or place of beginning, containing 1.00 acres of land more or less.