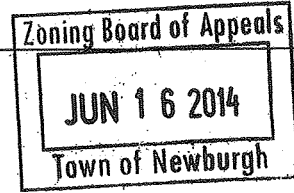


TOWN OF NEWBURGH

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: JUNE 14, 2014

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

I (WE) JOHN W. CURTIS PRESENTLY

RESIDING AT NUMBER 12 ROSALINE LANE

TELEPHONE NUMBER 845-566-4621

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

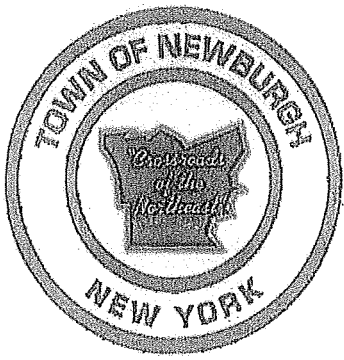
- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

SBL: 111-2-24.1 (TAX MAP DESIGNATION)
10 ROSALINE LANE (STREET ADDRESS)
(111-2-24.1) R1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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-4



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: JUNE 2, 2014
- 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: VARIANCE TO CONSTRUCT 30' x 24' 1 STORY GARAGE

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:



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS

OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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:

PROPOSED GARAGE IS IN KEEPING WITH THE ARCHITECTURE OF THE HOUSE AND WITH THE AESTHETICS OF THE SURROUNDING PROPERTY.

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:

THE GARAGE SIZE NEEDED FOR VEHICLES AND STORAGE.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

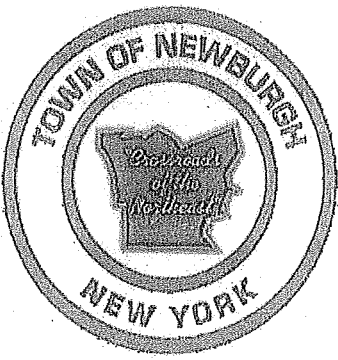
WE HAVE FIVE ACRES OF PROPERTY AND THE BUILDING WILL BE FORTY-FIVE FT. FROM THE PROPERTY LINE.

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

PROPOSED GARAGE WILL BE 150 FT. FROM ROAD AND IS IN KEEPING WITH THE ARCHITECTURE OF THE HOUSE. IT WILL CONTAIN CARS AND EQUIP IN THE YARD.

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

WE HAVE A NEED TO CONTAIN OUR VEHICLES, EQUIPMENT AND TOOLS.



TOWN OF NEWBURGH

Crossroads of the Northeast

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

7. ADDITIONAL REASONS (IF PERTINENT):

John W. Cortis

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 16th DAY OF June 2014

Lisa N Marino

NOTARY PUBLIC

LISA N MARINO
Notary Public - State of New York
No. 01MA6283002
Qualified in Orange County
My Commission Expires May 28, 2017

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)

617.20
Appendix B
Short Environmental Assessment Form

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.

Part 1 - Project and Sponsor Information			
Name of Action or Project: 30 x 24 ONE STORY GARAGE			
Project Location (describe, and attach a location map): 12 ROSALINE LA, NEWBURGH, NY 12550			
Brief Description of Proposed Action: TO BUILD A 30 x 24 ONE STORY GARAGE			
Name of Applicant or Sponsor: JOHN W. CURTIS		Telephone: 845.566-4621	
		E-Mail: gailronk@aol.com	
Address: 12 ROSALINE LANE			
City/PO: NEWBURGH		State: New York	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	YES
		X	
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	YES
		X	
3.a. Total acreage of the site of the proposed action?		5 acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5 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 type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" 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
		X	
b. Consistent with the adopted comprehensive plan?		X	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
			X
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	
		X	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
		X	
b. Are public transportation service(s) available at or near the site of the proposed action?		X	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		X	
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: _____	NO	YES	
			X
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>BOTTLED WATER</u>	NO	YES	
		X	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>NO TREATMENT</u>	NO	YES	
		X	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
		X	
b. Is the proposed action located in an archeological sensitive area?		X	
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?	NO	YES	
		X	
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: _____		X	
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 checked="" 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?	NO	YES	
		X	
16. Is the project site located in the 100 year flood plain?	NO	YES	
		X	
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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
		X	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____			

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: _____ _____	NO	YES
	X	
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: _____ _____	NO	YES
	X	
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: _____ _____	NO	YES
	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>JOHN W. CURTIS</u> Date: <u>6/12/14</u>		
Signature: <u>John W Curtis</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	X	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	X X	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	X	
11. Will the proposed action create a hazard to environmental resources or human health?	X	

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

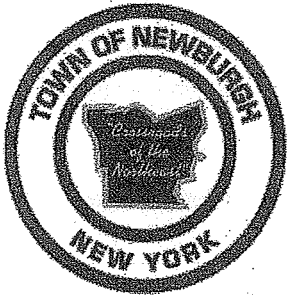
Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

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.

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)



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

2432-14

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/30/2014

Application No. 14-0347

**To: John Curtis
12 Rosaline Ln
Newburgh, NY 12550**

**SBL: 111-2-24.1
ADDRESS: 12 Rosaline Ln**

ZONE: R-1

PLEASE TAKE NOTICE that your application dated 05/19/2014 for permit to construct a 30' x 24' 2 1/2 car garage on the premises located at 12 Rosaline Ln is returned herewith and disapproved on the following grounds:

**TOWN OF NEWBURGH MUNICIPAL CODE SECTION:
185-15-A-4 Maximum of 1000 square feet for all accessory buildings.**


Joseph Mattina

**Cc: Town Clerk & Assessor (500')
File**

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

NO

NAME: JOHN CURTIS

ADDRESS: 12 ROSALINE LN NEWBURGH NY 12550

2432-14

PROJECT INFORMATION:

TYPE OF STRUCTURE: 30' X 24' ACCESSORY BUILDING

SBL: 111-2-24.1 ZONE: R-1

TOWN WATER: NO

TOWN SEWER: NO

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
SF ACCESSORY BLDGS	1000 SF	792 SF	1,512.00	512 SF	51.2%
LOT WIDTH					
LOT DEPTH					
SF ACCESSORY BLDGS					
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 / NO

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES
 FRONT YARD - 185-15-A YES / NO
 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

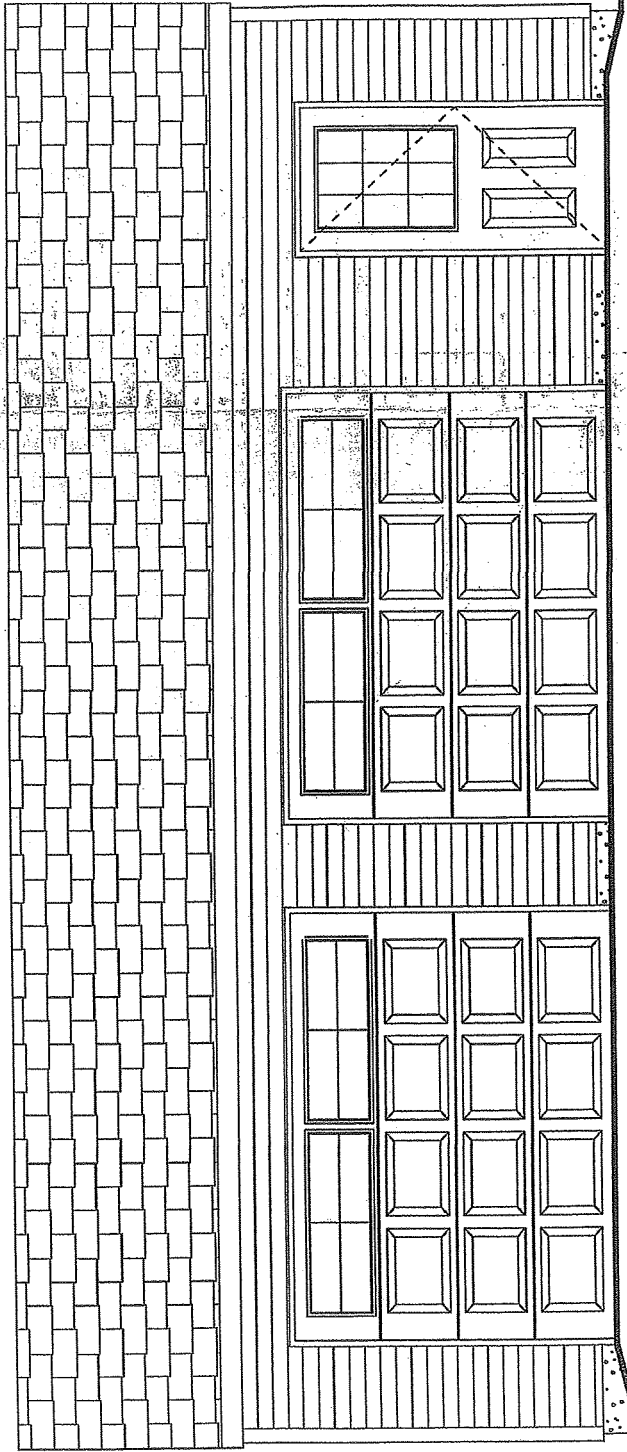
NOTES: **HAS A POOL & 120 SF SHED NO PERMIT AS OF THIS TIME.**

VARIANCE(S) REQUIRED:

- 1 185-15-A-4 1000 SF MAXIMUM ALLOWED FOR ALL ACCESSORY BUILDINGS
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: JOSEPH MATTINA

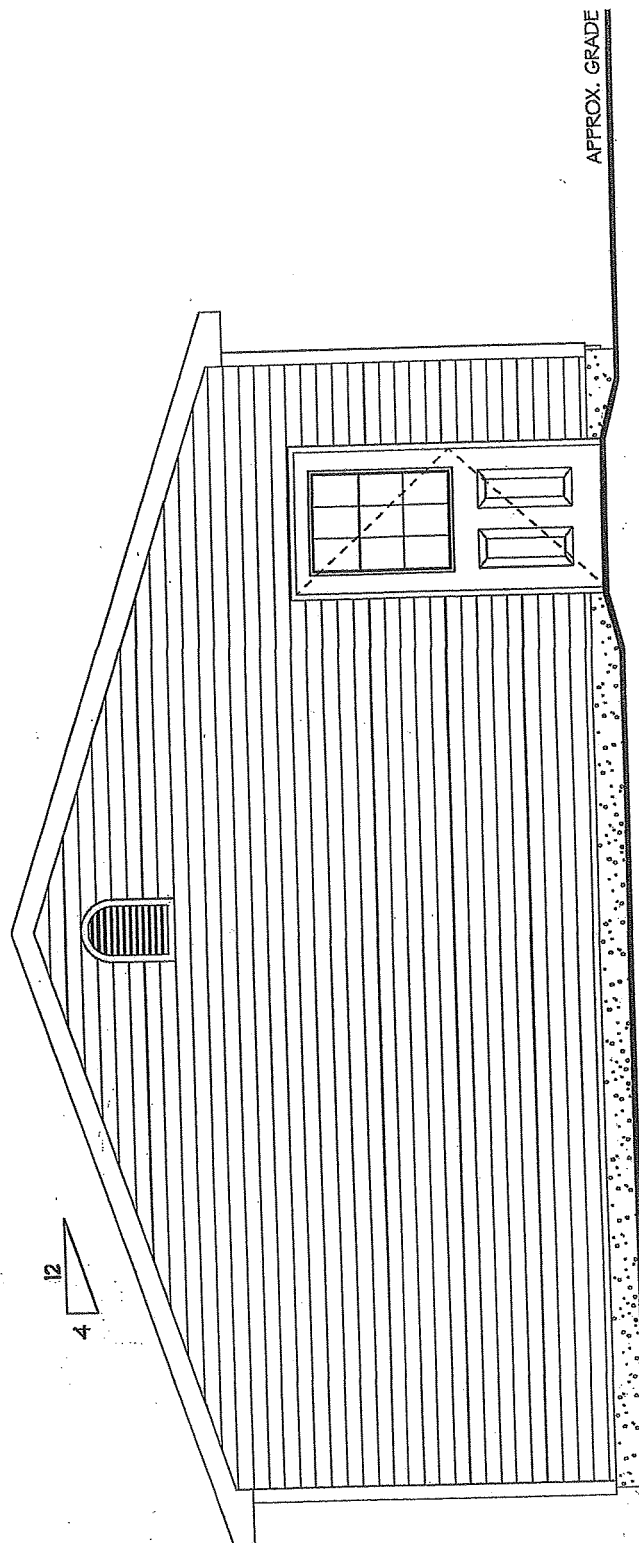
DATE: 30-May-14



APPROX. GRADE

FRONT ELEVATION

SCALE: 1/4" = 1'-0"

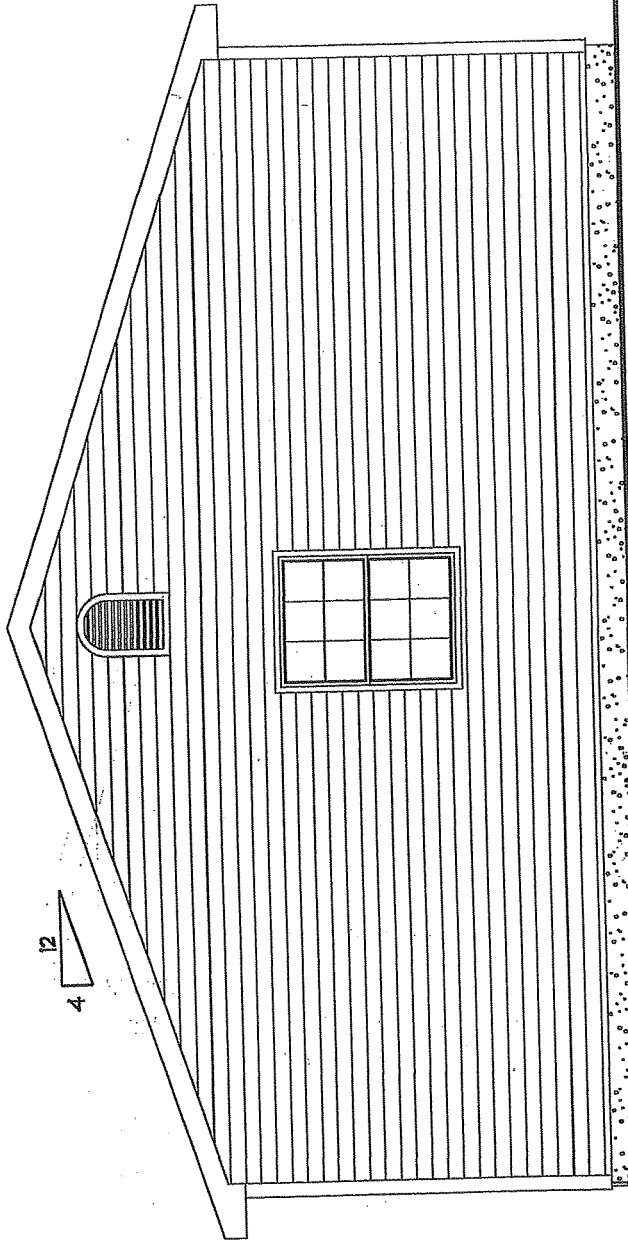


APPROX. GRADE

APPROX. GRADE

LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

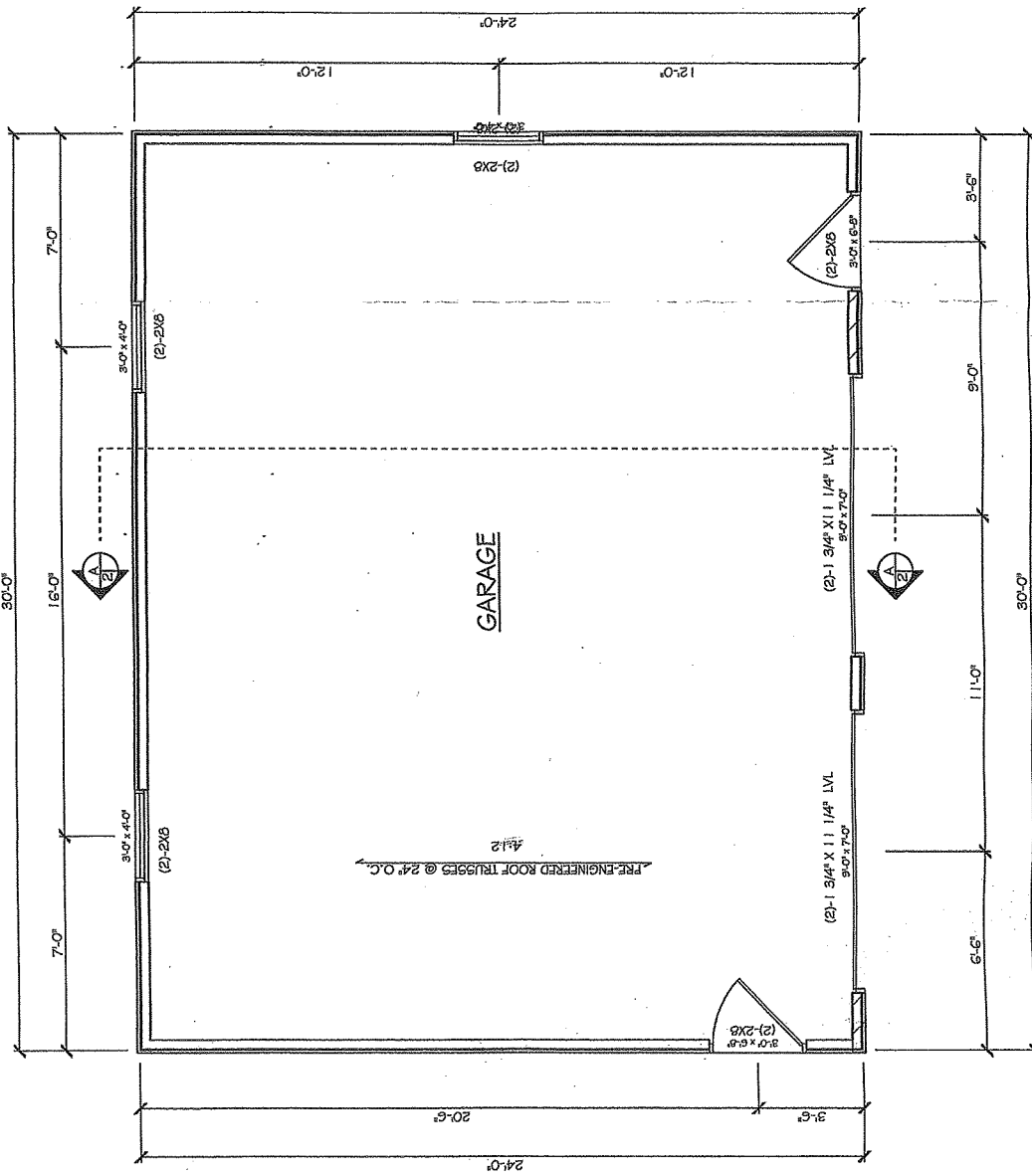


APPROX. GRADE

APPROX. GRADE

RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



INDICATES PORTAL LOCATION

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

PCC ENTERPRISES LTD.
TO
JOHN GURTIS

SECTION 111 BLOCK 2 LOT 25

RECORD AND RETURN TO:
(Name and Address)

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

JOHN GURTIS
10 ROSALINE LANE
NEWBURGH, N.Y. 12550

DO NOT WRITE BELOW THIS LINE

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

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
2001 WASHINGTONVILLE (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)
CITIES
0900 MIDDLETOWN
1100 NEWBURGH
1300 PORT JERVIS
9999 HOLD

NO. PAGES 4 CROSS REF ___
CERT. COPY ___ ADD'L X-REF ___
MAP # ___ PGS. ___
PAYMENT TYPE: CHECK / CASH ___
CHARGE ___
NO FEE ___
CONSIDERATION \$22,000.00
TAX EXEMPT ___

MORTGAGE AMT \$ ___
DATE 1-28-99

- 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: PCC Enterprises Ltd

LIBER 4973PG 45

LIBER 4973 PAGE 45
ORANGE COUNTY CLERKS OFFICE 5368 MLV
RECORDED/FILED 01/29/1999 01:44:02 PM
FEES 47.00 EDUCATION FUND 5.00
SERIAL NUMBER: 005450
DEED CNTL NO 51391 RE TAX 88.00

THIS INDENTURE, made the 28 day of January nineteen hundred and ninety nine

BETWEEN

P.C.C. ENTERPRISES, LTD. f/k/a
POMARICO CONSTRUCTION CORP.
32 Pomarico Drive
Newburgh, NY 12550

party of the first part, and

John W. Curtis
10 Rosaline Lane
Newburgh, NY 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten

Dollars and other good and valuable consideration, 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 piece, parcel or tract of land situate, lying and being in the Town of Newburgh, County of Orange, State of New York, being designated as Lot No, 2 on a map of lands of Pomarico Construction Corp. Filed in the Orange Co. Clerk's Office dated 1 July 87, as Map No. #8358, bounded and described as follows:

BEGINNING at a point in the centerline of Rosaline Lane, at its intersection with the southerly line of lands now or formerly of Kapsol Realty, Inc., thence, along said centerline of Rosaline Lane S 5 degrees- 15' - 02" E 32.19' to a point, thence, along the Northerly line of Lot No.1 of said subdivision, N 73 degrees - 59' -20" W, 239.91' to a point., thence, along the westerly line of said Lot No. 1 of said subdivision, S 16 degrees, -20 '-30"W, 216.71', to a point, thence, along the Northerly line of lands now or formerly of Copans & Hunter, N 73 degrees - 59' -20"W, 613.06', to a point, thence, along the easterly line of lands now or formerly of Monti, N 16 degrees -20' -30" E, 246.71' to a point, thence along the southerly line of lands now or formerly of Grandstaff & Godbee, and along the said southerly line of said Kapsol Realty, Inc., S 73 degrees -59' -20" E, 841.13', to the point or place of beginning, containing 3.63 acres of land, more or less.

SUBJECT to the rights of others to use that portion of the private road known as Rosaline Lane which is located iwithin the bounds of said lot.

TOGETHER with the right to use, with others having such right, the private road known as Rosaline Lane as set forth in the "Private Road Maintenance Agreement" dated April 10, 1986 and as recorded in Liber 2501 cp 293.

SUBJECT TO grants to public utilities of record.

SUBJECT to the "General Notes" set forth on said subdivision map.

SUBJECT to the restriction that said premises will be used for residential purposes only.

Being a portion of the premises described in a deed dated April 10, 1986 from Rosaline D. Copake and MaryPhyllis B. Hunter to Pomarico Construction Corporation which was recorded in the Orange County Clerk's office in Liber 2501 of Deeds at page 297.

The above described lot does not constitute all of the assests of Pomarico Construction Corporation and the conveyance of the above lot is made in the usual or regular course of business of Pomarico Construction Corporation.

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,

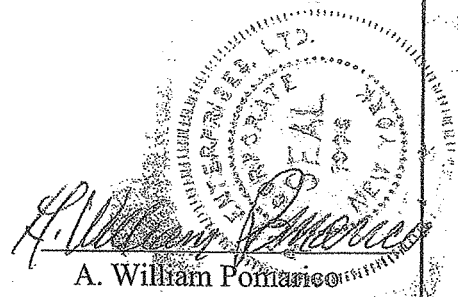
TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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 incumbered 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:



A. William Pomarico
Vice President of
P.C.C. Enterprises, Ltd.

STATE OF NEW YORK)
COUNTY OF ORANGE)ss:

On the 28 day of January 1999, before me personally came **A. William Pomarico** to me known, who, being by me duly sworn, did depose and say that he resides at No. 307 Route 17K, Newburgh, NY 12550; that he is the Vice President of P.C.C. Enterprises, Ltd., f/k/a Pomarico Construction Corp. the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and the he signed his name thereto by like order.



Notary Public

SHERRY SEXTON
Notary Public, State of New York
No. 4975036
Qualified in Orange County
Commission Expires Dec. 26, 2000

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

PRINT OR TYPE: BLACK INK ONLY

POMARICO CONSTRUCTION CORP.
TO
JOHN W. CURTIS

SECTION 111 BLOCK 2 LOT 24

940835

RECORD AND RETURN TO:
(Name and Address)

MARC KERCHMAN, ESQ.
310 FULLERTON AVE.
NEWBURGH, NY

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

DO NOT WRITE BELOW THIS LINE

CONTROL NO. _____ DATE 1/26/95 AFFIDAVIT FILED _____ 19 _____

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

- BG20 Blooming Grove _____
- CH22 Chester _____
- CO24 Cornwall _____
- CR26 Crawford _____
- DP28 Deerpark _____
- GO30 Goshen _____
- GR32 Greenville _____
- HA34 Hamptonburgh _____
- HI36 Highlands _____
- MK38 Minisink _____
- ME40 Monroe _____
- MY42 Montgomery _____
- MH44 Mount Hope _____
- NT46 Newburgh (T) 400
- NW48 New Windsor _____
- TU50 Tuxedo _____
- WL52 Wallkill _____
- WK54 Warwick _____
- WA56 Wawayanda _____
- WO58 Woodbury _____
- MN09 Middletown _____
- NC11 Newburgh _____
- PJ13 Port Jervis _____
- 9999 Hold _____

SERIAL NO. _____
Mortgage Amount \$ _____
Exempt Yes _____ No _____
3-6 Cooking Units Yes _____ No _____
Received Tax on above Mortgage
Basic \$ _____
MTA \$ _____
Spec. Add. \$ _____
TOTAL \$ _____

CHECK CASH _____ CHARGE _____
MORTGAGE TAX \$ _____
TRANSFER TAX \$ 600.00
ED. FUND \$ 5.00 (2)
RECORD. FEE \$ 11.00
REPORT FORMS \$ 30.00
CERT. COPIES \$ _____

JOAN A. MACCHI
- Orange County Clerk

by: [Signature]
ORANGE COUNTY CLERK'S OFFICE S.S.
Recorded on JAN 3 1995
at 3:34 O'clock P M.
at page 87 and examined.

[Signature]
County Clerk

Transworld
RECEIVED
\$ 600.00
REAL ESTATE
JAN 3 1995
TRANSFER TAX
ORANGE COUNTY

LIBER 4160 PAGE 87

ORANGE COUNTY CLERK'S OFFICE 231 CP1
RECORDED/FILED 01/03/95 03:34:30 PM

FEE \$ 41.00 EDUCATION FUND 5.00

SERIAL NUMBER: 004263

DEED CNTL NO 50051 RE TAX 600.00

THIS INDENTURE, made the 26th day of August, nineteen hundred and ninety-four

BETWEEN

POMARICO CONSTRUCTION CORP., a New York corporation, with its principal place of business at 244A Route 17K, Newburgh, New York 12550,

party of the first part, and

JOHN W. CURTIS, of
Hudson Valley Estates
Wallkill, New York 12589,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten and 00/100 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 lot, piece, or parcel of land lying and being in the Town of Newburgh, County of Orange, and State of New York and being Lot 1 on a map entitled "Pomarico Construction Corp.", said map filed in the Orange County Clerk's office on 1 July 1987 as map number 8358 and being further bounded and described as follows;

Beginning at a point in the center of a 50 foot right-of-way for a private road known as Rosaline Lane, said point being the southeasterly most corner of Lot 2, the lands reputedly of Pomarico Construction Corp.; thence from said point or place of beginning the following two (2) courses and distances along the center of the right-of-way for Rosaline Lane, 1) South 05 degrees 15 minutes 02 seconds East a distance of 81.12 feet; 2) on a curve concave to the West having a radius of 422.78 feet and an arc distance of 144.68 feet; thence along the lands reputedly of Boolukos, North 73 degrees 59 minutes 20 seconds West a distance of 299.18 feet; thence the following two (2) courses and distances along said Lot 2, the lands reputedly of Pomarico Construction Corp., 1) North 16 degrees 20 minutes 30 seconds East a distance of 216.71 feet; 2) South 73 degrees 59 minutes 20 seconds East a distance of 239.91 feet to the point or place of beginning.

SUBJECT to the rights of others to use that portion of the private road known as Rosaline Lane which is located within the bounds of said lot.

TOGETHER with the right to use, with others having such right, the private road known as Rosaline Lane as set forth in the "Private Road Maintenance Agreement" dated April 10, 1986 and as recorded in Liber 2501 cp 293.

SUBJECT TO grants to public utilities of record.

SUBJECT to the "General Notes" set forth on said subdivision map.

SUBJECT to the restriction that said premises will be used for residential purposes only.

Being a portion of the premises described in a deed dated April 10, 1986 from Rosaline D. Copake and MaryPhyllis B. Hunter to Pomarico Construction Corporation which was recorded in the Orange County Clerk's Office in Liber 2501 of Deeds at page 297.

Ac-e-111

The above described lot does not constitute all or substantially all of the assets of Pomarico Construction Corporation and the conveyance of the above lot is made in the usual or regular course of business of Pomarico Construction Corporation.

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 incumbered 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:

William A. Pomarico
William A. Pomarico, President
Pomarico Construction Corp.

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

William A. Pomarico

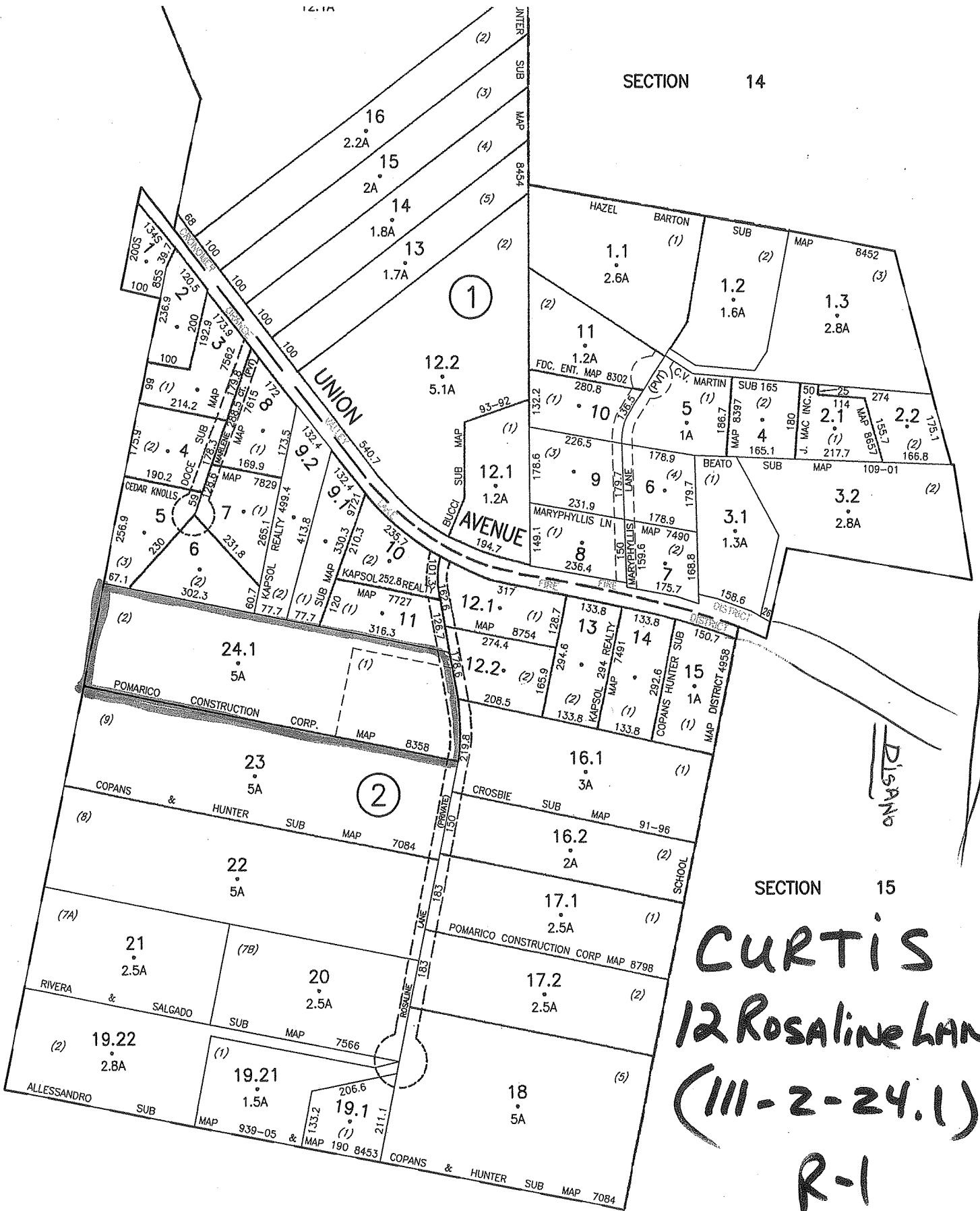
On the 26th day of August, 1994, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at Colden Hill Road, Newburgh, New York 12550 that he is the President of Pomarico construction Corp. the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

BRUCE MAXSON
Notary Public - State of New York
No. 4880797
Qualified in Orange County
Commission Expires 12/29/1994

Bruce Maxson
Notary Public

SECTION 14

SE



SECTION 15

CURTIS
12 ROSALINE LANE
(111-2-24.1)
R-1

DISANO
W. STELLINGS