

2497-15

15076



TOWN OF NEWBURGH

Crossroads of the Northeast

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

**IN GROUND POOL
12 X 20**

APPLICATION

OFFICE OF ZONING BOARD
(845) 566-4901

DATED: 6/2/15

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

I (WE) Andrew S DeRuy III PRESENTLY

RESIDING AT NUMBER 115 Edgewood Drive South Newburgh N.Y. 12550

TELEPHONE NUMBER 845-629-5913

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:

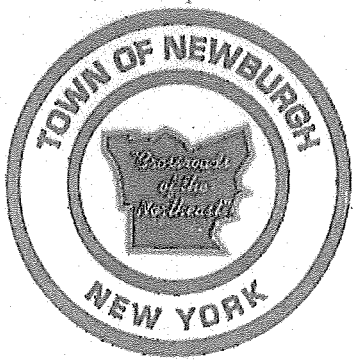
41-5-1 (TAX MAP DESIGNATION)

115 Edgewood Dr, S (STREET ADDRESS)

R-3 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-43-F & ~~185-43-F~~ ASD.
185-43-F



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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: 5/14/15
- 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: To Build A Pool

IN FRONT OF THE HOUSE BUT NOT IN THE REAR FRONT YARD

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

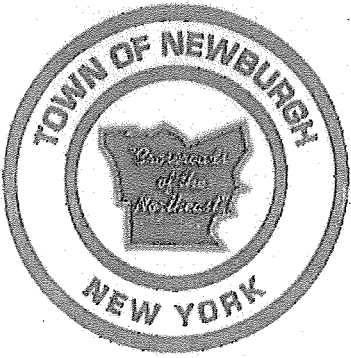
N/A

- 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:



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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:

THE POOL WILL BE SCREENED

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 LOT IS A CORNER LOT (2 FRONT YARDS)
THE POOL CAN'T BE MOVED BECAUSE OF
THE EXISTING SEPTIC SYSTEM

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

THE POOL WILL MEET THE 25'0" FRONT
YARD SET BACK

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

THE POOL WILL BE SCREENED

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

THE LOT IS A CORNER LOT



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NEWBURGH, NEW YORK 12550

7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

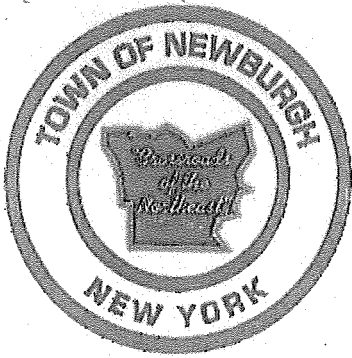
SWORN TO THIS 18th DAY OF May 2015

NOTARY PUBLIC

NANCY L. ELGUETA
NOTARY PUBLIC, STATE OF NEW YORK
LIC. NO. 01EL6215588
ORANGE COUNTY
MY COMMISSION EXPIRES 01-04-2019

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

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OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

PROXY

ANDREW DEPUY, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 165 EDGEWOOD DR, S, NEWBURGH
IN THE COUNTY OF ORANGE AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF 165 EDGEWOOD DR, S
NEWBURGH 5/18/15 46-5-1

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED Talcott Engineering Design
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 5/18/15 Andrew Depuy

OWNER'S SIGNATURE

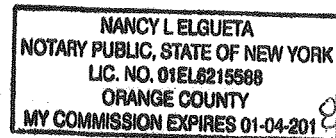
[Signature]

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 18th DAY OF May 20 15

[Signature]
NOTARY PUBLIC



Short Environmental Assessment Form

Part 1 - Project Information

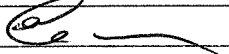
Instructions for Completing

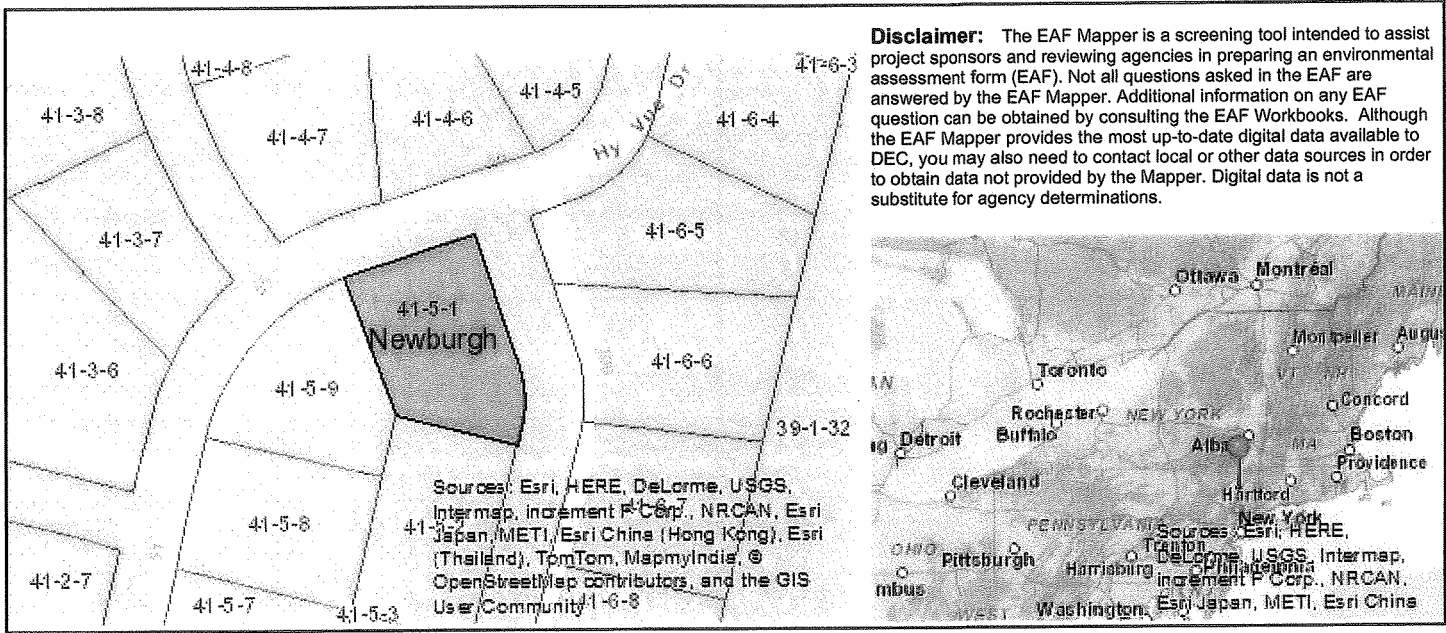
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

Part 1 - Project and Sponsor Information			
Name of Action or Project: DEPUY VARIANCES			
Project Location (describe, and attach a location map): 115 EDJEWOOD DRIVE SOUTH, NEWBURGH, NY			
Brief Description of Proposed Action: VARIANCES FOR A NEW POOL AND EXISTING DECKS/PORCHES			
Name of Applicant or Sponsor: ANDREW DEPUY		Telephone: 845-629-5913	
		E-Mail:	
Address: 115 EDJEWOOD DRIVE SOUTH			
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 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: BUILDING PERMIT FROM TOWN OF NEWBURGH BUILDING DEPARTMENT			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.39 acres	
b. Total acreage to be physically disturbed?		0.01 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.39 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 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 checked="" type="checkbox"/>	<input 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?	NO	YES	
	<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: _____	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: _____	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: _____	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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 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 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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input 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	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 _____			

<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>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>CHARLES T. BROWN, PE</u> Date: <u>6/2/2015</u></p> <p>Signature: <u></u></p>		



- Part 1 / Question 7 [Critical Environmental Area] No
- Part 1 / Question 12a [National Register of Historic Places] No
- Part 1 / Question 12b [Archeological Sites] No
- Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] No
- Part 1 / Question 15 [Threatened or Endangered Animal] No
- Part 1 / Question 16 [100 Year Flood Plain] No
- Part 1 / Question 20 [Remediation Site] No



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~Crossroads of the Northeast~

**CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550**



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

2497-15

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/14/2015

Application No. 15-0357

**To: ANDREW DEPUY
115 EDJEWOD DRIVE, S
NEWBURGH, NY 12550**

**SBL: 41-5-1
ADDRESS: 115 Edjewood Dr S**

ZONE: R-3

PLEASE TAKE NOTICE that your application dated 05/14/2015 for permit to install a 12' x 20' inground pool in a front yard on the premises located at 115 Edjewood Dr S is returned herewith and disapproved on the following grounds:

**Town of Newburgh Municipal Code:
185-43-F No pool shall be located in a front yard.**


Joseph Mattina

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

Town of Newburgh Code Compliance

OWNER INFORMATION *BUILT WITH OUT A PERMIT* NO

NAME: ANDREW DEPUY III

ADDRESS: 115 EDJEWOD DR. SOUTH NEWBURGH NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: 12' X 20' IN GROUND POOL

SBL: 41-5-1 ZONE: R-3

TOWN WATER: YES / NO TOWN SEWER: YES / NO

A

2497-15

	MINIMUM	EXISTING	PROPOSED	VARIANCE	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 / NO

ACCESSORY STRUCTURE:

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

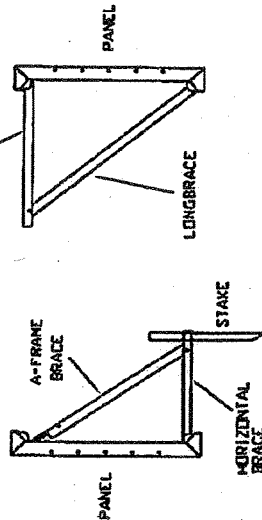
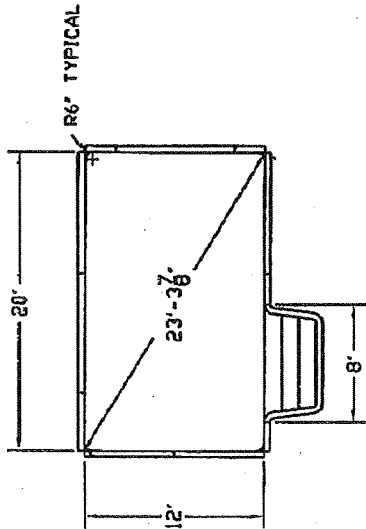
NOTES: **CORNER LOT { EDJEWOD DR. SOUTH } & { HY-VUE DR. }**

VARIANCE(S) REQUIRED:

- 1 185-43-F NO POOL SHALL BE LOCATED IN A FRONT YARD.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: JOSEPH MATTINA DATE: 14-May-15

A-FRAME DETAIL DECK SUPPORT DETAIL



NOTE:

- 1) DEPTH AND SHAPE OF POOL MEETS MINIMUM STANDARDS OF THE RESIDENTIAL CODE OF NEW YORK STATE; AND, BUILDING CODE OF NEW YORK STATE 2010.
- 2) A MEANS OF EGRESS FOR BOTH THE DEEP END AND THE SHALLOW END OF THE POOL MUST BE PROVIDED AS REQUIRED BY ANSI/APSP-5 SECTION-6.
- 3) BONDING AND GROUNDING TO BE PROVIDED IN ACCORDANCE WITH NEW YORK RESIDENTIAL CODE CHAPTER 41.
- 4) ALL A-FRAME BRACES WILL BE MOUNDED WITH A MINIMUM OF (1) CUBIC FOOT OF CONCRETE, OR A 6" POURED CONTINUOUS CONCRETE PERIMETER COLLAR.
- 5) 'NO DIVING' LABELS TO BE INSTALLED AROUND PERIMETER OF THE POOL.
- 6) SUCTION ENTRAPMENT AVOIDANCE IS TO BE INSTALLED IN ACCORDANCE TO NEW YORK STATE BUILDING CODE SECTION G106.
- 7) POOL/SAFETY INTRUSION ALARM TO BE INSTALLED IN ACCORDANCE TO NEW YORK STATE REGULATIONS.
- 8) SEPARATE PLANS OF PLUMBING AND ELECTRICAL SYSTEMS MUST BE PROVIDED.

NON-DIVING POOL

AQUA-STEEL POOLS NOTES SWIMMING POOLS ARE DANGEROUS WHEN USED IMPROPERLY. NEVER DIVE IN THE SHALLOW END OF ANY POOL. CONSULT WITH THE DIVING BOARD AND SLIDE MANUFACTURER(S) AND THE NATIONAL SPA AND POOL INSTITUTE (2111 EISENHOWER AVENUE ALEXANDRIA, VA 22314 (703-838-0083) PRIOR TO INSTALLING DIVING BOARDS AND/OR SLIDES ON THIS POOL TO ENSURE THE POOL MEETS THE EQUIPMENT MANUFACTURERS MINIMUM STANDARDS FOR ALLOWABLE INSTALLATION OF THEIR PRODUCT(S) ON THIS POOL. AQUA-STEEL POOLS IS NOT RESPONSIBLE FOR THE POOL'S INTERIOR DETAIL. RATHER THE LINER MANUFACTURER MUST ENSURE THE INTERIOR MEETS N.S.P.I. AND A.N.S.I. STANDARDS. IT IS THE RESPONSIBILITY OF POOL BUILDERS, TOWN OFFICIALS AND POOL OWNERS TO FOLLOW ALL SAFETY GUIDELINES OF THE N.S.P.I., LOCAL ORDINANCES, AND EQUIPMENT MANUFACTURERS.

AQUA-STEEL	
12' X 20' RECTANGLE	
DATE: 05/13/15	SCALE: NONE
DRAWN BY: P.T.	ACADREF: BART1220H

POOL PERIMETER: 64'
 POOL AREA: 240 Sqft

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

ALBERT E. STIPAK TO ANDREW J. DEPUY III AND LONA E. DEPUY, Husband and wife

SECTION 41 BLOCK 5 LOT 1



RECORD AND RETURN TO: (name and address)

BENCHMARK ABSTRACT, LLC 100 Commerce Drive, Suite 105 New Windsor, NY 12553

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 X 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) X 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

NO. PAGES 3 CROSS REF. CERT. COPY ADD'L X-REF. MAP# PGS. PAYMENT TYPE: CHECK X CASH CHARGE NO FEE Taxable CONSIDERATION \$ 152,500- 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

ANN G. RABBITT ORANGE COUNTY CLERK

Received From Benchmark

RECORDED/FILED 09/05/2014/ 11:09:48 ANN G. RABBITT County Clerk ORANGE COUNTY, NY FILE#20140074696 DEED R / BK 13791PG 0719 RECORDING FEES 185.00 TTX# 000841 T TAX 610.00 Receipt#1808353 jbm

STATE OF NEW YORK (COUNTY OF ORANGE) SS: I, 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 September 05, 2014 AND THE SAME IS A CORRECT TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

ANN G. RABBITT May 18, 2015 COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE COUNTY



Handwritten notes: BCH 703-946 Saw original 6/2/15

bch 703-946

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 26th day of August, 2014,

BETWEEN ALBERT E. STIPAK, 31 Wickham Avenue, Goshen, NY 10924, party of the first part, and **ANDREW J. DEPUY III** and **LONNA E. DEPUY**, Husband and Wife, 56 Echo Road, Bloomingburg, NY 12721, 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, Orange County, New York described as Lot Number XXIX as shown on a map of Edjewood Estates owned by Edje Realty Corporation and Filed in the office of the Clerk of Orange County on September 10, 1956 as Map No. 1678.

SUBJECT to all easements, covenants, restrictions and/or reservations of record, if any

BEING the same lands and premises as described in deed dated September 20, 1957 from Edje Realty Corporation to Albert E. Stipak and Joan S. Stipak and recorded September 23, 1957 in Office of the Clerk of Orange County in Liber 1440 at page 115. Joan S. Stipak having died a resident of Orange County on April 22, 1999 leaving Albert E. Stipak surviving.

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.

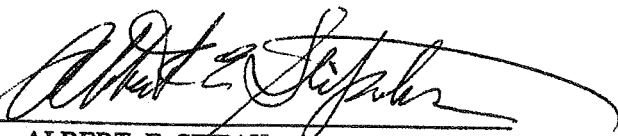
AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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.

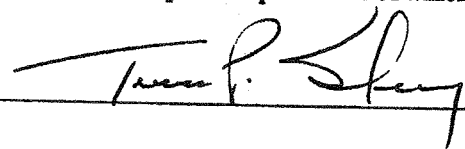
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.



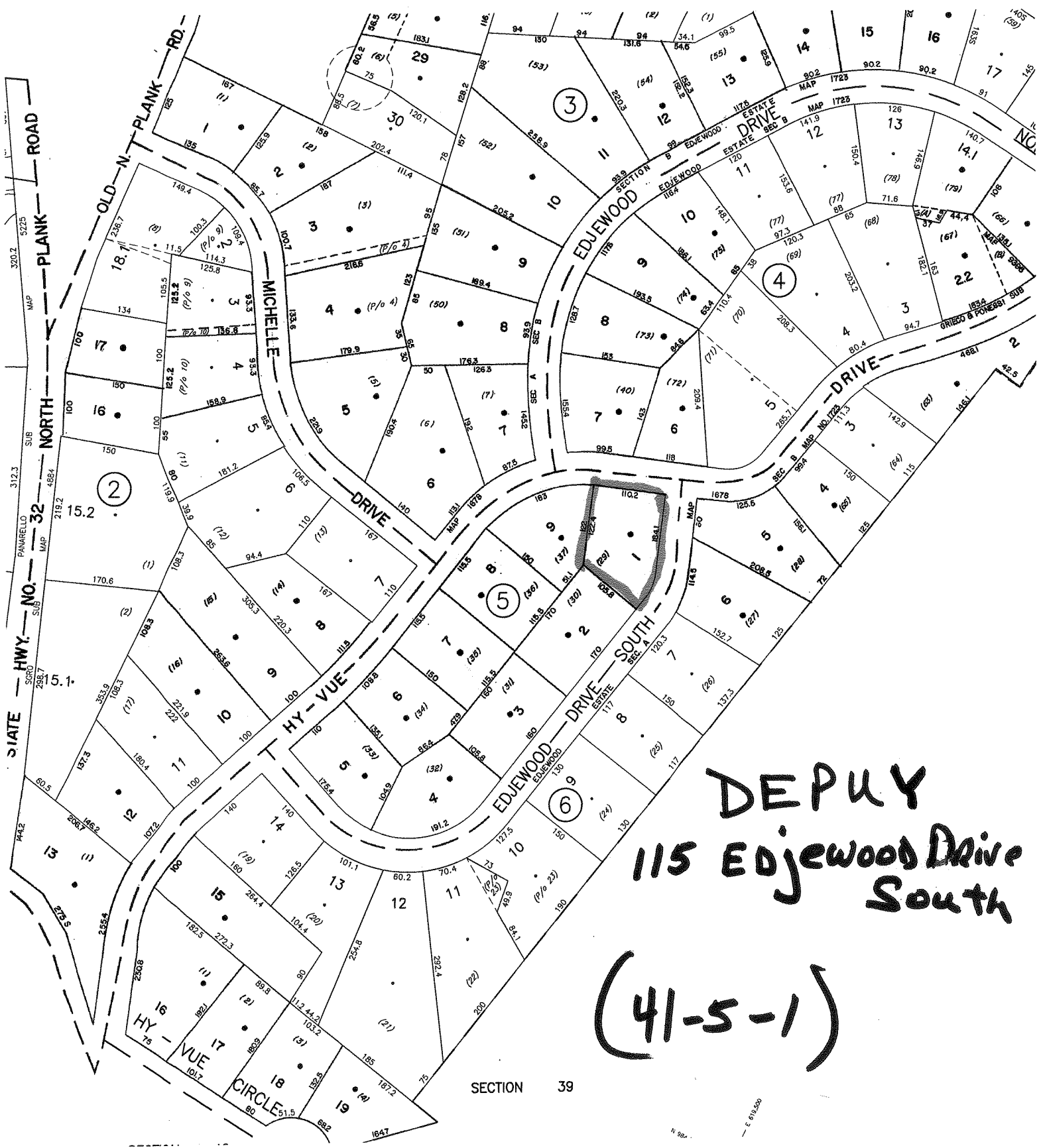
ALBERT E. STIPAK

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

On the 26th day of August in the year 2014, before me, the undersigned, personally appeared ALBERT E. STIPAK, 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(ies), and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



TERRENCE P. SEELEY
Notary Public, State of New York
No. 02SE4942922
Qualified in Orange County
Commission Expires October 11, 2014



DEPUY
 115 Edgewood Drive
 South
 (41-5-1)

SECTION 39

— E 619-200