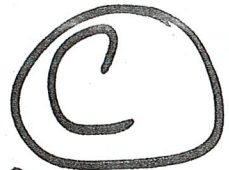


2502-15

1



TOWN OF NEWBURGH

Crossroads of the Northeast

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

Prior Built Rear Deck (10x8 3/4)

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 DEPUY PRESENTLY

RESIDING AT NUMBER 115 EDGEWOOD DR, South

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

Back Table - Setbacks



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: 6/1/15
- 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: 6.9' VARIANCE FOR REAR

YARD SKYBRACK (40' REAR / 33.1' EXIST) FOR EXISTING REAR DECK

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:



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:

THE DECK IS EXISTING AND WITHIN A FENCED
YARD SO IS NOT VISIBLE

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 REAR DOOR LOCATION CAN NOT BE
CHANGED. THE PATIO IS NECESSARY TO
PREVENT A TRAPPING HAZARD

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

IT OCCUPIES A SMALL PORTION OF THE
REAR YARD

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

DECK IS EXISTING AND SCREENED BY
FENCING.

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

THE REAR OF THE HOUSE IS ONLY 1.2' FROM
THE SETBACK

(e)



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):

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 2 DAY OF 6 2015

AJET METALIAJ
Notary Public, State of New York
No. 01ME6249505
Qualified in Orange County
Commission Expires 10/11/2015

NOTARY PUBLIC

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

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



TOWN OF NEWBURGH

Crossroads of the Northeast

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

PROXY

ANDREW DEAN, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 115 EDGEWOOD DR, SOUTH, NEWBURGH
IN THE COUNTY OF ORANGE AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF 115 EDGEWOOD DR SOUTH
NEWBURGH, NY 5/B/L 41-5-1

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED CHARLES T. BROWN / TALCOFF ENGINEERING
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 6/2/2015 *Andrew Dean*
OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 2 DAY OF 06 20 15

AJET METALIAJ
Notary Public, State of New York
No. 01ME6249505
Qualified in Orange County
Commission Expires 10/11/2015

[Signature]
NOTARY PUBLIC

Short Environmental Assessment Form

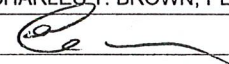
Part 1 - Project Information

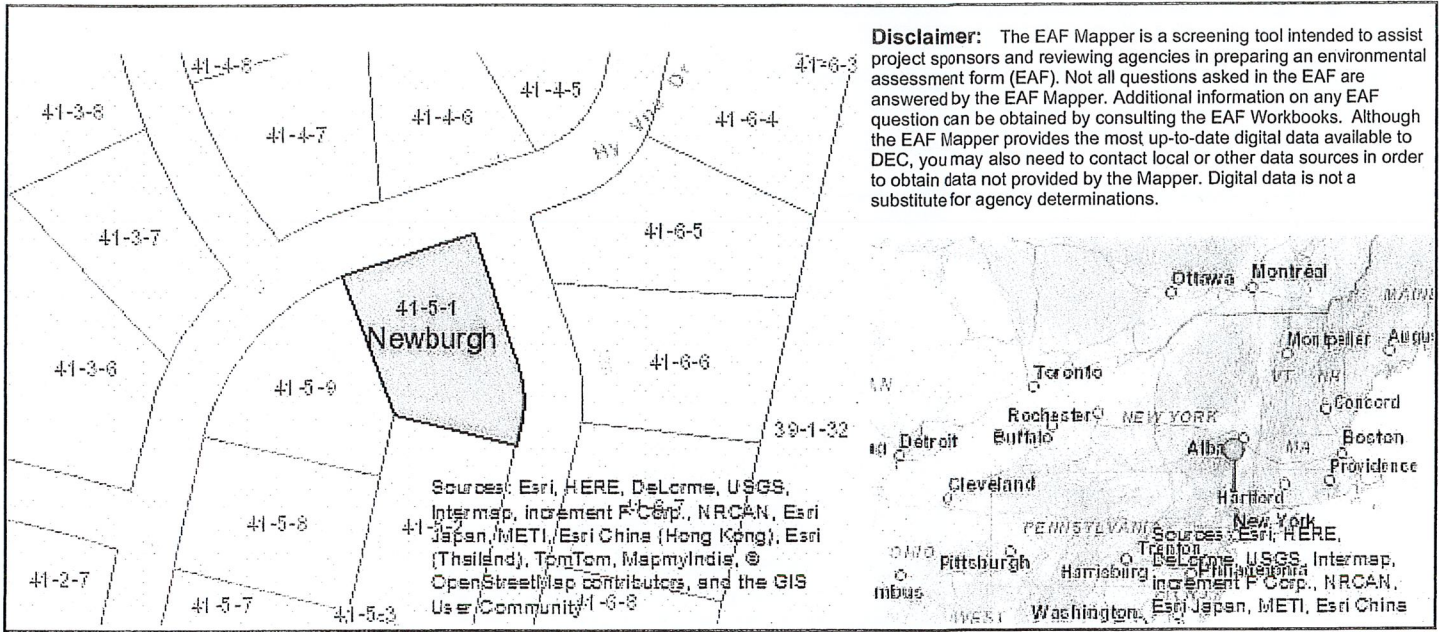
Instructions for Completing

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	
Address: 115 EDJEWOOD DRIVE SOUTH		E-Mail:	
City/PO: NEWBURGH		State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
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			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			

<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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</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?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</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?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</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></p>		<p>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

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:

Date:

*Short Environmental Assessment Form
Part 3 Determination of Significance*

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

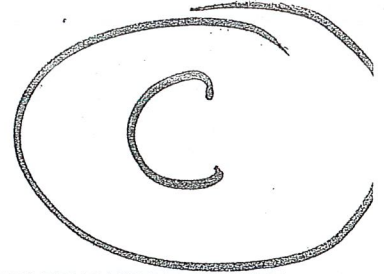
Signature of Responsible Officer in Lead Agency

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

2502-15

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 06/01/2015

Application No. 15-0403

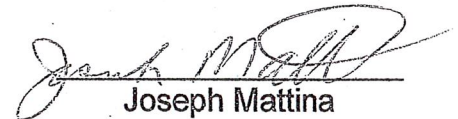
To: ANDREW DEPUY
115 EDJEWOOD DRIVE, S
NEWBURGH, NY 12550

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

ZONE: R-3

PLEASE TAKE NOTICE that your application dated 05/28/2015 for permit to keep a prior built 10' x 8'-3" rear deck on the premises located at 115 Edjewood Dr S is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:
Bulk table schedule 5 requires a rear yard setback of 40' minimum.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance



OWNER INFORMATION

BUILT WITH OUT A PERMIT YES

2502-15

NAME: ANDREW DEPUY

ADDRESS: 115 EDJEWOD DR. S. NEWBURGH NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: PRIOR BUILT 10' X 8'-3" REAR DECK

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

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	40'	33.1'		6.9'	17.3%
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 / BUILT WITH OUT A PERMIT / NO BUILDING CODE REVIEW AT THIS TIME.**

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 5 requires a rear yard setback of 40' minimum.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina

DATE: 1-Jun-15

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 S. 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

BCH703-946

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) 4289 MONTGOMERY (TN)
2001 WASHINGTONVILLE (VLG) 4201 MAYBROOK (VLG)
2003 SO. BLOOMING GROVE (VLG) 4203 MONTGOMERY (VLG)
2289 CHESTER (TN) 4205 WALDEN (VLG)
2201 CHESTER (VLG) 4489 MOUNT HOPE (TN)
2489 CORNWALL (TN) 4401 OTISVILLE (VLG)
2401 CORNWALL (VLG) X 4600 NEWBURGH (TN)
2600 CRAWFORD (TN) 4800 NEW WINDSOR (TN)
2800 DEERPARK (TN) 5089 TUXEDO (TN)
3089 GOSHEN (TN) 5001 TUXEDO PARK (VLG)
3001 GOSHEN (VLG) 5200 WALLKILL (TN)
3003 FLORIDA (VLG) 5489 WARWICK (TN)
3005 CHESTER (VLG) 5401 FLORIDA (VLG)
3200 GREENVILLE (TN) 5403 GREENWOOD LAKE (VLG)
3489 HAMPTONBURGH (TN) 5405 WARWICK (VLG)
3401 MAYBROOK (VLG) 5600 WAWAYANDA (TN)
3689 HIGHLANDS (TN) 5889 WOODBURY (TN)
3601 HIGHLAND FALLS (VLG) 5801 HARRIMAN (VLG)
3889 MINISINK (TN) 5809 WOODBURY (VLG)
3801 UNIONVILLE (VLG) CITIES
4089 MONROE (TN) 0900 MIDDLETOWN
4001 MONROE (VLG) 1100 NEWBURGH
4003 HARRIMAN (VLG) 1300 PORT JERVIS
4005 KIRYAS JOEL (VLG) 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

Lawyer 6/2/15

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



beh 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 **LOANNA 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



DEPUY
 115 Edgewood Drive
 South

(41-5-1)

SECTION 39

N. 984
 E 613,500