



# 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: March 10, 2017

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

I (WE) Sara Egan Davis PRESENTLY  
RESIDING AT NUMBER 25 Hopeview Court, Newburgh  
TELEPHONE NUMBER 347 752 2553

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:

23-2-44.2 (TAX MAP DESIGNATION)  
25 Hopeview Court, Newburgh (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A-4



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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: 2/16/17

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: add 85sf to previously approved 1898 sf accessory building

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:

the structure was already approved, this is a minor addition



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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 structure was already approved, this is a minor addition, back of property, not readily visible to others*

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:

*its an addition to the roof line only that requires approval since structure itself required approval of zoning board*

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

*Requesting area representing 4% of existing structure, sits a roofline only (not expanding inside of structure)*

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

*it is very minor, structure already exists*

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

*Minor adjustment to existing structure*



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OFFICE OF ZONING BOARD  
(845) 566-4901

## 7. ADDITIONAL REASONS (IF PERTINENT):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Jana Egan Paus*

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS TENTH DAY OF MARCH 2017

*Andrew J. Zarutskie*

NOTARY PUBLIC

**ANDREW J. ZARUTSKIE**  
Notary Public, State of New York  
No. 01ZA4502524  
Qualified in Orange County  
Commission Expires Nov. 30, 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.  
**(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).**

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



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## PROXY

Sara Egan Davis, DEPOSES AND SAYS THAT  
HE/SHE RESIDES AT 25 Hopewell St. Newburgh  
IN THE COUNTY OF Orange AND STATE OF NY  
AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_

25 Hopewell Court, Newburgh  
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-  
TION AND THAT HE/SHE HAS AUTHORIZED Murrah Davis  
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 3/10/17 Sara Egan Davis  
OWNER'S SIGNATURE

Brenda J. Miskovich  
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 10<sup>th</sup> DAY OF MARCH 2017

Andrew J. Zarutskie  
NOTARY PUBLIC  
ANDREW J. ZARUTSKIE  
Notary Public, State of New York  
No. 012A4502524  
Qualified in Orange County  
Commission Expires Nov. 30, 2017

# 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.

<b>Part 1 - Project and Sponsor Information</b>			
Sara Egan - Area Variance			
Name of Action or Project: <i>Davis</i>			
25 Hopewell Court			
Project Location (describe, and attach a location map):			
Add 85sf to previously approved accessory building			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
Sara Egan		347.752.2553	
Address:		E-Mail:	
25 Hopewell Court		sce929@yahoo.com	
City/PO:	State:	Zip Code:	
Newburgh NY	NY	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
			<input checked="" type="checkbox"/> <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:			
			NO YES
			<input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____	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?		_____	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 type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>N/A - adding roofline to existing structure</u>	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?	<input 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: _____	<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)?</p> <p>If Yes, explain purpose and size: _____</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>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>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: Sara Egan Davis Date: 3/3/17

Signature: Sara Egan Davis



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.

<input type="checkbox"/>	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.
<input type="checkbox"/>	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

2623-17

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**Date: 02/16/2017**

**Application No. 17-0080**

**To: Sara Egan** *DAVIS*  
25 Hopeview Ct  
Newburgh, NY 12550

**SBL: 23-2-44.2**  
**ADDRESS: 25 Hopeview Ct**

**ZONE: R3**

PLEASE TAKE NOTICE that your application dated 02/10/2017 for permit to add an additional 85 sf to a previously approved 1898 sf accessory building on the premises located at 25 Hopeview Ct is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Section;  
1) 185-15-A-4 Accessory buildings shall not exceed 1000 Sf

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

**OWNER INFORMATION**

**BUILT WITH OUT A PERMIT**

YES / **NO**

NAME: Sara Egan Davis Application # 17-0080

ADDRESS: 25 Hopeview Ct. Newburgh NY 12550

**PROJECT INFORMATION:**

**AREA VARIANCE**

USE VARIANCE

2623-1

TYPE OF STRUCTURE: 8'-6" x 10' addition to an accessory building

SBL: 23-2-44.2 ZONE: R-3

TOWN WATER: **YES** / NO

TOWN SEWER: YES / **NO**

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
PREVIOUS VARIANCE	1000 SF		1898 SF	898 SF	89.80%
REQUESTING			85 SF Additional Square Footage		
NEW CALCULATIONS	1000 SF		1983 SF	983 SF	98.30%
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: **Previous variance granted 3-24-2016 requesting an additional 85 sf to the already approved 898 SF for a total of 1983 sf.**

**VARIANCE(S) REQUIRED:**

- 1 185-15-A-4 Maximum allowed square footage for an accessory building is 1000 sf.
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY: Joseph Mattina DATE: 16-Feb-17

**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

LENNAR New York  
LLC  
  
TO  
SARA C EGAN

SECTION 23 BLOCK 2 LOT 44

RECORD AND RETURN TO:  
(name and address)

JAMES P. KELLEY ESP  
272 MILL ST  
PACON NY 12601



*James P. Kelley*  
*3/10/17*

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 MORTGAGE SATISFACTION ASSIGNMENT OTHER

**PROPERTY LOCATION**

- |                            |                           |
|----------------------------|---------------------------|
| 2089 BLOOMING GROVE (TN)   | 4289 MONTGOMERY (TN)      |
| 2001 WASHINGTONVILLE (VLG) | 4201 MAYBROOK (VLG)       |
| 2289 CHESTER (TN)          | 4203 MONTGOMERY (VLG)     |
| 2201 CHESTER (VLG)         | 4205 WALDEN (VLG)         |
| 2489 CORNWALL (TN)         | 4489 MOUNT HOPE (TN)      |
| 2401 CORNWALL (VLG)        | 4401 OTISVILLE (VLG)      |
| 2600 CRAWFORD (TN)         | 4600 NEWBURGH (TN)        |
| 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)           | <b>CITIES</b>             |
| 4001 MONROE (VLG)          | 0900 MIDDLETOWN           |
| 4003 HARRIMAN (VLG)        | 1100 NEWBURGH             |
| 4005 KIRYAS JOEL (VLG)     | 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 \_\_\_\_\_

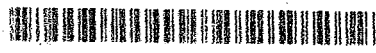
Taxable  
CONSIDERATION \$ 600,000  
TAX EXEMPT \_\_\_\_\_  
Taxable  
MORTGAGE AMT. \$ \_\_\_\_\_

- MORTGAGE TAX TYPE:**
- \_\_\_ (A) COMMERCIAL/FULL
  - \_\_\_ (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: Rambert Abst.

RECORDED/FILED  
04/26/2007/ 07:07:41  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY  
  
FILE # 20070046505  
DEED R / BK 12425 PG 1188  
RECORDING FEES 117.00  
TTX# 007820 T TAX 2,400.00  
Receipt#726408 dab



TT  
2400 -

## DEED

**THIS INDENTURE**, made the 24th day of January, 2007, between **LENNAR NEW YORK, LLC**, a New York limited liability company, with offices at 1401 Route 52, Suite 100, Fishkill, New York 12524, party of the first part, and **SARA EGAN**, residing at 135 Ocean Parkway #58, Brooklyn, New York 11218, party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars 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 Dutchess and State of New York, and more particularly described on **SCHEDULE "A"** annexed hereto.

This conveyance is made in the regular course of business of the party of the first part herein and does not represent all or substantially all of the assets of the party of the first part.

The premises are not in an agricultural district and the parcel is entirely owned by the party of the first part. **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 part 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 payments of the cost of the improvement before using any part of the total of the same for any other purpose.

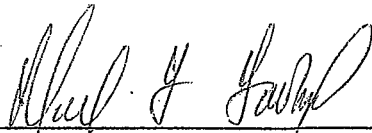
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

RAD 18498

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

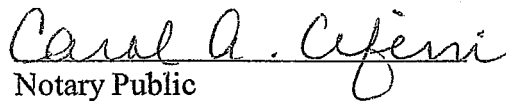
In presence of:

LENNAR NEW YORK, LLC

BY:   
**MICHAEL G. GARTLAND, ATTORNEY-IN-FACT**  
By virtue of a power of attorney recorded January 17, 2006  
In the Dutchess County Clerk's Office as Document # 02 2006 444

State of New York    )  
                                  ) ss.:  
County of Dutchess    )

On the 24th day of January, 2007 before me, the undersigned, personally appeared Michael G. Gartland, 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

CAROL A. CIFERRI  
Notary Public, State of New York  
No. 4744599  
Qualified in Dutchess County  
Term Expires May 31, 20 07

**RECORD & RETURN:**

JAMES P. KELLEY, ESQ.  
272 MILL STREET  
POUGHKEEPSIE, NEW YORK 12601

SCHEDULE A.

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Newburgh, County of Orange and State of New York, being known as Lot 25 as shown on a certain map entitled "Subdivision Plan for Orchard Ridge" filed in the Orange County Clerk's Office on October 13, 2005 as Map No. 779-05 and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly line of Hopeview Court where the division line between Lots 24 and 25 intersects said road line as shown on the aforementioned filed map; thence westerly along Lot 24 S 89-24-32 W 214.15 feet to a point; thence northerly along Lot 31 N 04-52-46 E 172.51 feet to a point on the southerly line of Hopeview Court; thence easterly along the southerly line of Hopeview Court S 85-07-14 E 113.48 feet to a point of curvature; thence on a curve to the right having a radius of 90.00 feet a central angle of 81-56-22 for 128.71 feet to a point of tangency; thence S 03-10-52 E 75.46 feet to the point or place of beginning.



**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

53 Maple Ave LLC  
  
TO  
Sara Egan

SECTION 23 BLOCK 2 LOT 50



RECORD AND RETURN TO:  
(name and address)

Johnson of Foley PC  
POB 664  
Montgomery NY 12549

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  MORTGAGE  SATISFACTION  ASSIGNMENT  OTHER

**PROPERTY LOCATION**

<input type="checkbox"/> 2089 BLOOMING GROVE (TN)	<input type="checkbox"/> 4289 MONTGOMERY (TN)	NO PAGES <u>3</u> CROSS REF. _____
<input type="checkbox"/> 2003 SO. BLOOMING GROVE (VLG)		CERT. COPY _____ ADD'L X-REF. _____
<input type="checkbox"/> 2001 WASHINGTONVILLE (VLG)	<input type="checkbox"/> 4201 MAYBROOK (VLG)	MAP# _____ PGS. _____
<input type="checkbox"/> 2289 CHESTER (TN)	<input type="checkbox"/> 4203 MONTGOMERY (VLG)	
<input type="checkbox"/> 2201 CHESTER (VLG)	<input type="checkbox"/> 4205 WALDEN (VLG)	PAYMENT TYPE: CHECK <input checked="" type="checkbox"/>
<input type="checkbox"/> 2489 CORNWALL (TN)	<input type="checkbox"/> 4489 MOUNT HOPE (TN)	CASH _____
<input type="checkbox"/> 2401 CORNWALL (VLG)	<input type="checkbox"/> 4401 OTISVILLE (VLG)	CHARGE _____
<input type="checkbox"/> 2600 CRAWFORD (TN)	<input checked="" type="checkbox"/> 4600 NEWBURGH (TN)	NO FEE _____
<input type="checkbox"/> 2800 DEERPARK (TN)	<input type="checkbox"/> 4800 NEW WINDSOR (TN)	Taxable
<input type="checkbox"/> 3089 GOSHEN (TN)	<input type="checkbox"/> 5089 TUXEDO (TN)	CONSIDERATION \$ <u>112,500</u>
<input type="checkbox"/> 3001 GOSHEN (VLG)	<input type="checkbox"/> 5001 TUXEDO PARK (VLG)	TAX EXEMPT _____
<input type="checkbox"/> 3003 FLORIDA (VLG)	<input type="checkbox"/> 5200 WALLKILL (TN)	Taxable
<input type="checkbox"/> 3005 CHESTER (VLG)	<input type="checkbox"/> 5489 WARWICK (TN)	MORTGAGE AMT. \$ _____
<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)	<b>MORTGAGE TAX TYPE:</b>
<input type="checkbox"/> 3401 MAYBROOK (VLG)	<input type="checkbox"/> 5405 WARWICK (VLG)	<input type="checkbox"/> (A) COMMERCIAL/FULL 1%
<input type="checkbox"/> 3689 HIGHLANDS (TN)	<input type="checkbox"/> 5600 WAWAYANDA (TN)	<input type="checkbox"/> (B) 1 OR 2 FAMILY
<input type="checkbox"/> 3601 HIGHLAND FALLS (VLG)	<input type="checkbox"/> 5889 WOODBURY (TN)	<input type="checkbox"/> (C) UNDER \$10,000
<input type="checkbox"/> 3889 MINISINK (TN)	<input type="checkbox"/> 5801 HARRIMAN (VLG)	<input type="checkbox"/> (E) EXEMPT
<input type="checkbox"/> 3801 UNIONVILLE (VLG)	<input type="checkbox"/> 5809 WOODBURY (VLG)	<input type="checkbox"/> (F) 3 TO 6 UNITS
<input type="checkbox"/> 4089 MONROE (TN)	<b>CITIES</b>	<input type="checkbox"/> (I) NAT.PERSON/CR. UNION
<input type="checkbox"/> 4001 MONROE (VLG)	<input type="checkbox"/> 0900 MIDDLETOWN	<input type="checkbox"/> (J) NAT.PER-CR.UN/1 OR 2
<input type="checkbox"/> 4003 HARRIMAN (VLG)	<input type="checkbox"/> 1100 NEWBURGH	<input type="checkbox"/> (K) CONDO
<input type="checkbox"/> 4005 KIRYAS JOEL (VLG)	<input type="checkbox"/> 1300 PORT JERVIS	
	<input type="checkbox"/> 9999 HOLD	

*Donna L. Benson*

DONNA L. BENSON  
ORANGE COUNTY CLERK

Received From Sheerin Dale

RECORDED/FILED  
05/05/2010/ 10:34:38  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY  
FILE#20100042587  
DEED C / BK 12999PG 1015  
RECORDING FEES 310.00  
TTX# 005687 T TAX 450.00  
Receipt#1165452 joanned



HN42939

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

**THIS INDENTURE**, made the 20<sup>th</sup> day of April, Two Thousand Ten

**BETWEEN** 53 MAPLE AVENUE, LLC, with offices located at  
P.O. Box 7170, Newburgh, NY 12550  
11 RACKET RD. 12552  
party of the first part, and

SARA EGAN, residing at  
25 Hopeview Court, Newburgh, NY 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 and  
designated as Lot No. 31 as shown on a certain map entitled, "Final Subdivision Plan for Orchard  
Ridge" consisting of Sheets 1 through 20, inclusive, made by Eustance and Horowitz, dated  
October 10, 2003 and revised January, 2005 and filed in the Orange County Clerk's Office on  
October 13, 2005 as Map No. 779-05.

TOGETHER with a Right of Way over filed Map Streets to and from the public highway.

This conveyance is of premises which do not constitute all or substantially all of the assets of the  
party of the first part, and further, this conveyance is made in the regular course of business  
actually conducted by the party of the first part.

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.

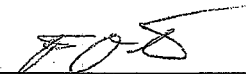
**AND** the party of the first part covenants that the party of the first part has not done or suffered  
anything whereby the said premises have been encumbered in any way whatever, except as  
aforesaid.

**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.

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

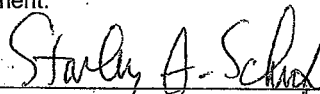
In Presence of:

53 MAPLE AVENUE, LLC

  
By: Robert D. Lockhart, Managing Member

STATE OF NEW YORK     )  
  )SS:  
COUNTY OF *Orange*     )

On the *30* day of April, 2010, before me, the undersigned, a notary public in and for said state, personally appeared ROBERT D. LOCKHART, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her capacity and that by his/her signature on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
NOTARY PUBLIC

STANLEY A. SCHUTZMAN  
NOTARY PUBLIC, State of New York  
Qualified in Orange County No. 02SC6102317  
Commission Expires 12/01/2011

**HILL-N-DALE ABSTRACTERS, INC.**  
20 SCOTCHTOWN AVENUE  
P.O. Box 547  
GOSHEN, NEW YORK 10924  
(845) 294-5110  
FAX (845) 294-9581

BARGAIN AND SALE DEED  
WITH COVENANT AGAINST GRANTOR'S ACTS

Section     .23  
Block       2  
Lot          50  
Town of Newburgh

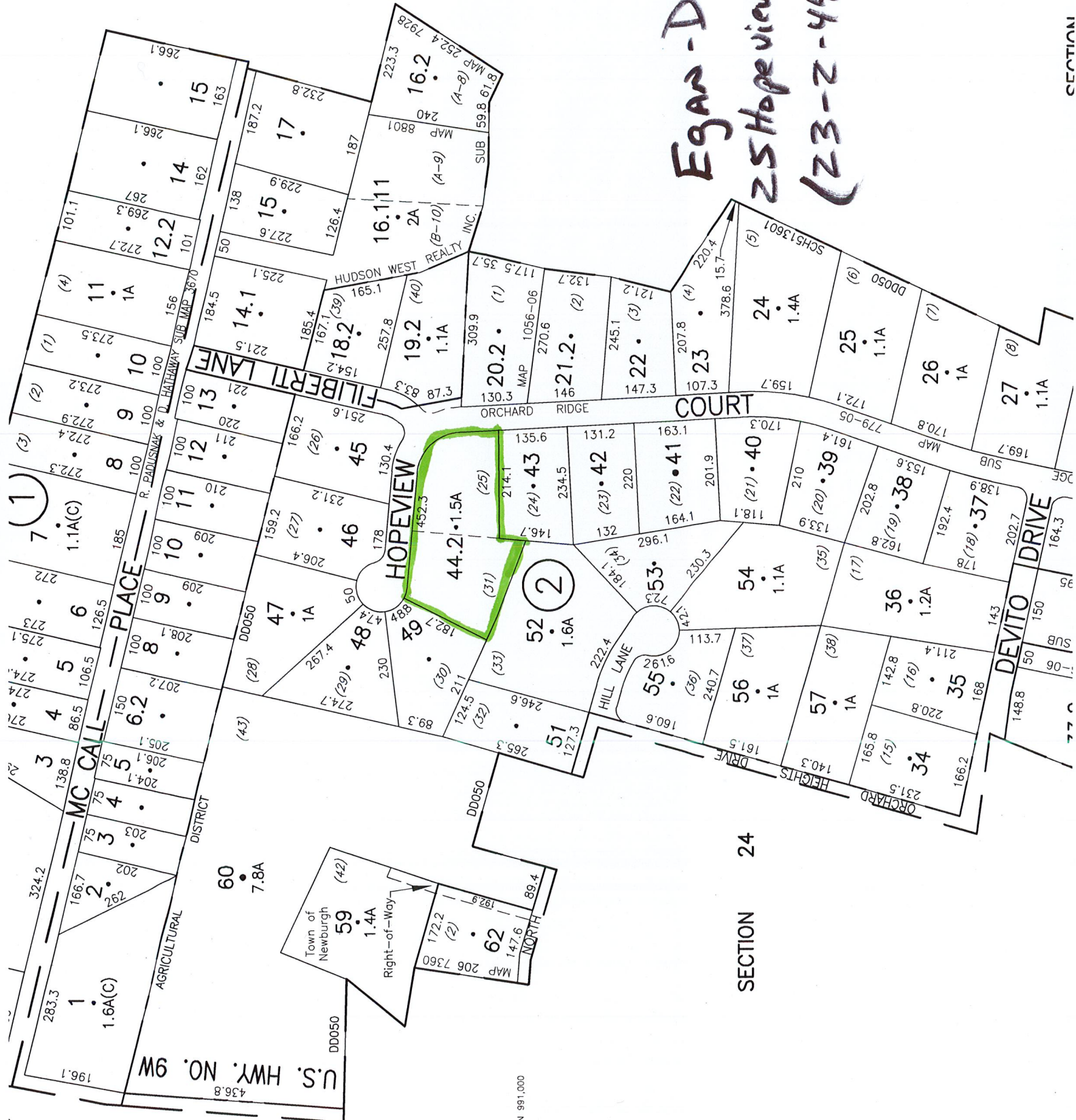
Title No.

53 Maple Avenue, LLC

**RECORD AND RETURN TO:**

To

Sara Egan



Egan - Davis  
 25 Hopeview Court  
 (23-2-44.2)

SECTION 24

SECTION

N 991,000