

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: 2-11-15

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

I (WE) EUGENIA FERRARI-FALIN PRESENTLY
RESIDING AT NUMBER 35 Odell Circle, Newburgh, NY 12550
TELEPHONE NUMBER (cell) 443-350-3236

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

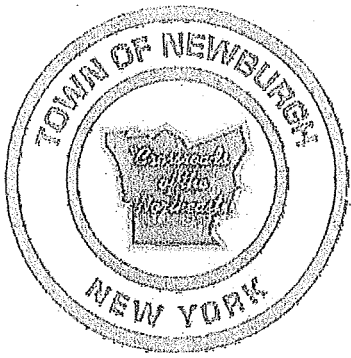
- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

51-2-25 (TAX MAP DESIGNATION)
35 Odell Circle (STREET ADDRESS)
R-1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1
Bulk Table Schedule 3



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: 1/29/2015
- 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: _____

AREA VARIANCE

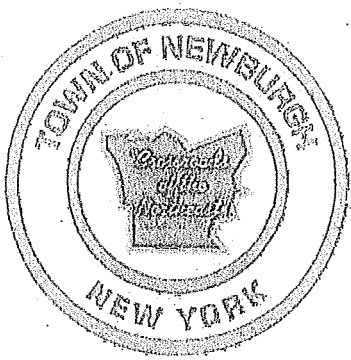
5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

- 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:

The front porch is in character with the existing home and the surrounding properties.

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:

I am making front porch larger than the existing and will cover for protection from elements.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

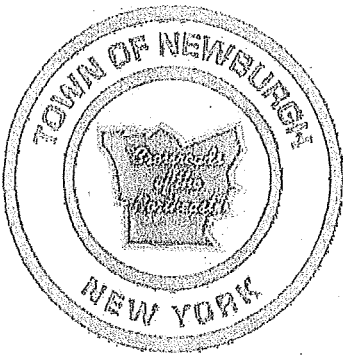
It fits the style of my home and adds shelter from elements

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

Fits the character + style of homes in neighborhood. And does not block other properties view of the lake.

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

Adding covered front porch + walkway will protect house from harsh weather and wind that is produced by west wind of lake. It will give us a place to sit and enjoy the lake view from front of house.



TOWN OF NEWBURGH

Crossroads of the Northeast

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

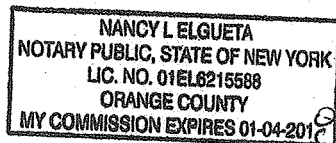
7. ADDITIONAL REASONS (IF PERTINENT):

Eugenia Ferron Talia
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 17th DAY OF February 20 15

Nancy L. Elgueta
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~

CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 01/29/2015

Application No. 15-0052

To: Eugenia Ferrari-Falin
35 Odell Circle
Newburgh, NY 12550

SBL: 51-2-25
ADDRESS: 35 Odell Cir

ZONE: R-1

PLEASE TAKE NOTICE that your application dated 01/26/2015 for permit to construct an (L) shaped covered front 34'-4" x 11'-7" on the premises located at 35 Odell Cir is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-19-C-1 Shall not increase the degree of non-conformity. (Old S. Plank Rd)
- 2) Bulk table schedule 3 Requires a front yard setback of 50' minimum. (Odell Circle)
- 3) Bulk table schedule 3 Allows a maximum of 10% lot building coverage.
- 4) Bulk table schedule 3 Allows a maximum of 20% lot surface coverage


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

NO

NAME: Eugenia Ferrari-Falin

ADDRESS: 35 Odell Circle Newburgh NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: 11'-4" x 34'-4" Covered front porch

SBL: 51-2-25 ZONE: R-1

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
Old S. Plank (Front yard)	50'	25.2'	Increasing the degree non-conformity		
Odell Circle (Front yard)	50'		14.33'	35.67'	71.3%
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE	10%=1252.6		2252 SF	999.4 SF	79.78%
SURFACE COVERAGE	20%=2505.2		3080 SF	574.8 SF	22.94%

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES X (1)
 2 OR MORE FRONT YARDS FOR THIS PROPERTY YES / NO
 CORNER LOT - 185-17-A YES

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 { Odell Circle & Old South Plank Rd } L-shaped covered front porch.

VARIANCE(S) REQUIRED:

- 1 185-19-C-1 Shall not increse the degree of non-conformity. (South Plank Rd) Front Yard
- 2 Bulk table schedule 3 requires a minimum front yard of 50'.
- 3 Bulk table schedule 3 allows a maximum building lot coverage of 10%
- 4 Bulk table schedule 3 allows a maximum lot surface coverage of 20%

REVIEWED BY: Joseph Mattina DATE: 29-Jan-15

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: <i>COVERED FRONT PORCH</i>			
Project Location (describe, and attach a location map): <i>35 Odell Circle, Newburgh NY 12550</i>			
Brief Description of Proposed Action: <i>Adding Covered Front Porch to existing residential property.</i>			
Name of Applicant or Sponsor: <i>EUGENIA FERRARI-FALIN</i>		Telephone (cell) <i>443-350-3236</i>	
		E-Mail: <i>gina-ferrari@hotmail.com</i>	
Address: <i>35 Odell Circle</i>			
City/PO: <i>Newburgh</i>		State: <i>NY</i>	Zip Code: <i>12550</i>
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
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
3.a. Total acreage of the site of the proposed action?		<i>0.33</i> acres	
b. Total acreage to be physically disturbed?		<i>0.008</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0.33</i> 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
		✓	
b. Consistent with the adopted comprehensive plan?			✓
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
			✓
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	
	✓		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	✓		
b. Are public transportation service(s) available at or near the site of the proposed action?			✓
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			✓
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	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	✓		
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	✓		
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	✓		
b. Is the proposed action located in an archeological sensitive area?			✓
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	
	✓		
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: _____			✓
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	
	✓		
16. Is the project site located in the 100 year flood plain?	NO	YES	
	✓		
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	
	✓		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____			<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES

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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>CUGENIA FERRARI-FALIN</u> Date: <u>2-11-2015</u> Signature: <u>Cugenia Ferrari-Falin</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?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	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?		
11. Will the proposed action create a hazard to environmental resources or human health?		

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)

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

Richard Hugh Clark,
Surviving Trustee
TO
Eugenia Ferrari - Falin

SECTION 51 BLOCK 2 LOT 25

RECORD AND RETURN TO:
(name and address)

Eugenia Ferrari - Falin
1588 EAST 58th Street
Brooklyn, NY 11234

Handwritten notes:
2/17/15
[Signature]

THIS IS PAGE ONE OF THE RECORDING

ST. 50545

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 5 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____

PAYMENT TYPE: CHECK X _____
CASH _____
CHARGE _____
NO FEE _____

Taxable
CONSIDERATION \$ 232,875.00
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

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

Received From River City

RECORDED/FILED
08/19/2013/ 07:00:00
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20130085545
DEED R / BK 13632PG 1882
RECORDING FEES 195.00
TTX# 000364 T TAX 932.00
Receipt#1648718 maryp

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 08-19-2013 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 02-10-2015

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY



PCA ST 50545

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

THIS INDENTURE, made the 25th day of JUNE in the year 2013
BETWEEN

**RICHARD HUGH CLARK, SURVIVING TRUSTEE, AS TRUSTEE OF THE
"RICHARD HUGH CLARK AND MICHAEL JOHN CLARK, AS TRUSTEES OF
THE JOHN W. AND JUNE C. CLARK IRREVOCABLE TRUST," RESIDING AT
35 O'DELL CIRCLE, NEWBURGH, NEW YORK 12550,**

party of the first part, and

FERRARI-FALIN

**EUGENIA FERARI-FALIN, RESIDING AT
1588 EAST 58TH STREET, BROOKLYN, NEW YORK 11234**

party of the second part,

D.P.

WITNESSETH, that the party of the first part, in consideration of Two Hundred Thirty Two Thousand Eight Hundred Seventy Five Dollars (\$232,875.00) 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, State of New York, and more particularly described on the annexed Schedule "A".

BEING and intended to be the same premises conveyed by deed from JOHN W. CLARK JR. AND JUNE C. CLARK to RICHARD HUGH CLARK AND MICHAEL JOHN CLARK AS TRUSTEE OF THE "RICHARD HUGH CLARK AND MICHAEL JOHN CLARK, AS TRUSTEES OF THE JOHN W. AND JUNE C. CLARK IRREVOCABLE TRUST" by Deed dated May 10, 2000 and recorded in the Orange County Clerk's Office on July 11, 2000 in Liber 5326 at Page 174.

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:



RICHARD HUGH CLARK, SURVIVING TRUSTEE, AS TRUSTEE OF THE "RICHARD HUGH CLARK AND MICHAEL JOHN CLARK, AS TRUSTEES OF THE JOHN W. AND JUNE C. CLARK IRREVOCABLE TRUST,"

RICHARD HUGH CLARK signs below individually to release his right of first refusal to purchase the premises:



RICHARD HUGH CLARK

*STATE OF VIRGINIA:

COUNTY OF Fairfax, ss:

* (or insert District of Columbia, Territory, Possession or Foreign Country)

On the 17 day of JULY, in the year 2013, before me the undersigned, personally appeared RICHARD HUGH CLARK personally known to me or proved to me on the basis of satisfactory evidence, to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that (he) (she) (they) executed the same in (his) (her) (their) capacity(y)(ies), and that by (his) (her) (their) signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual(s) made such appearance before the undersigned in the County of Fairfax, Virginia (add the city or political subdivision and the state or country or other place the acknowledgment was taken).

Commonwealth of Virginia
City/County of Fairfax

This instrument was acknowledged before me on 17 day of July, 2013 by Richard H. Clark

Lauren A. Sluys
Notary Public's Signature

Lauren A. Sluys
Notary Public
Lauren A. Sluys
State of Virginia
County of Fairfax
Comm. Exp. 6/14/15

BARGAIN AND SALE DEED

RETURN BY MAIL TO

RIVER CITY ABSTRACT LLC
Title No. RCA-ST-50545

Eugenia Ferrei-Falin
1588 EAST 58th Street
Brooklyn, NY 11234

RICHARD HUGH CLARK, SURVIVING TRUSTEE, AS TRUSTEE OF THE "RICHARD HUGH CLARK AND MICHAEL JOHN CLARK, AS TRUSTEES OF THE JOHN W. AND JUNE C. CLARK IRREVOCABLE TRUST,"

TO

EUGENIA FERARI FALIN

Section: 51

Block: 2

Lot: 25

County: ORANGE

Town: NEWBURGH

TITLE NO. RCA-ST-50545

SCHEDULE A

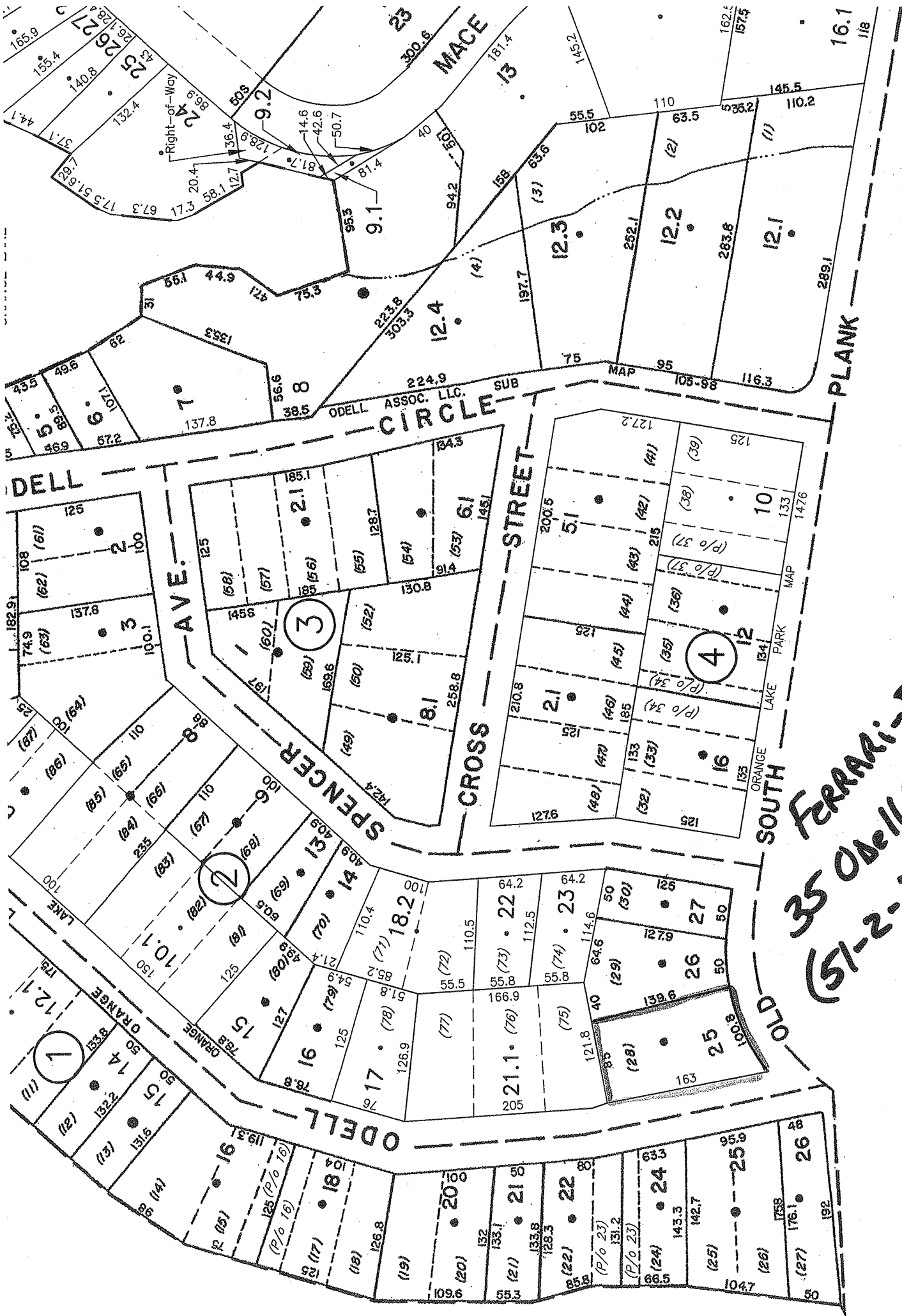
ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Newburgh, County of Orange and State of New York, being designated as Lot No. 28 on a certain map entitled, "Map of Lands of Orange Lake Park" dated September 1940, revised June 12, 1951, made by Nial Sherwood, P.E. and filed in the Office of the Orange County Clerk, being bounded and described as follows:

BEGINNING at a point formed by the intersection of the north side of the Newburgh and Ellenville Plank Road (old location) and the east side of a proposed street on the aforesaid map known as "O'Dell Circle" and running thence in an easterly direction along the north side of the said Newburgh and Ellenville Plank Road (old location) the following distances: 45.65 feet and 55.23 feet to the southwest corner of Lot No. 29 on the aforesaid map; running thence along the westerly boundary of said Lot No. 29, 139.60 feet to the northwest corner of said Lot No. 29, being also a point on the southerly boundary of Lot No. 75 on the aforesaid map; running thence in a westerly direction along the southerly boundary of said Lot No. 75, a distance of 85 feet, to the easterly side of said "O'Dell Circle", said point being also the southwest corner of Lot No. 75; running thence in a southerly direction along the easterly side of said "O'Dell Circle" 162.98 feet, more or less, to the point or place of **BEGINNING**.

For conveyancing only,
to be conveyed

Together with all right, title if intended and interest of, in and to any streets and road abutting the above described premises, to the center line thereof.

Certificate and Report of Title - New York
FORM 2215-5



FERRARI-FALIN
 35 Odell Circle
 (51-2-25)