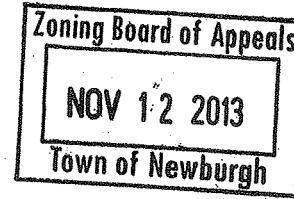


TOWN OF NEWBURGH

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: 11-10-2013

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

I (WE) Richard C. Fowler and Peter M. Hanley, Jr PRESENTLY
RESIDING AT NUMBER 532 River Road Newburgh, NY 12550
TELEPHONE NUMBER 845/565-0282

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:

43-5-74 (TAX MAP DESIGNATION)
532 River Road (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

- 185-15-A-1 (Shall not exceed 15 feet in height)
- Bulk table schedule 3 private garage or carport storage of more than 4 vehicles

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: 11/7/2013
- 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: Allow detached garage with 2 parking spaces that is 21'-6³/₄ tall

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:

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 garage will match the style and scale of our house. the materials used on the house will match the materials used on the house. The roof pitch of the garage will match the roof pitch of the house

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:

We need an additional 2-garage spaces and the extra storage this building will provide. Given the scale of our home, a smaller structure would look like a shed and would not fit with the home or the surrounding homes. the proposed 2-car 24' x 24' x 21'-6³/₄ is the perfect complimentary size

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The lot is large enough to accomodate the additional structure. The location of the garage is an already cleared yard.

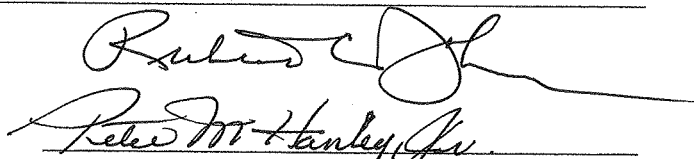
d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

The style of the garage and size is proportionate to the house. The completed structure will compliment the property. From the street view, only 2 garage spaces will be visible. From the side view, only 3 garage spaces will be visible.

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

n/a. We have 4 vehicles currently and 3 garage spaces. the additional 2 garage spaces and attic space will store the 4th vehicle, lawn equipment, tools, etc and really need the extra storage area.

7. ADDITIONAL REASONS (IF PERTINENT):

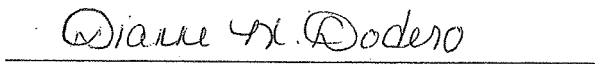


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 10th DAY OF November 2013

DIANNE M. DODERO
Notary Public, State of New York
No. 01DO6284449
Qualified in Orange County
Term Expires June 17, 2017



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.

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			
Richard C. Fowler and Peter M. Hanley Jr - GARAGE			
Name of Action or Project: Build Detached 2-car Garage			
Project Location (describe, and attach a location map): 532 River Road Newburgh, NY 12550 - Tax Map Attached			
Brief Description of Proposed Action: Build detached 2-car garage with roof pitch to match existing home. Steeper roof pitch results in overall height of 21'-6 3/4". The end result will be a detached garage that looks as if it were planned and built with existing house.			
Name of Applicant or Sponsor: Richard C. Fowler and Peter M Hanley, Jr		Telephone: 845/565-0282	
		E-Mail: rickfowler2@verizon.net	
Address: 532 River Road			
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?		NO	YES
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.		X	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: Town of Newburgh - Building Permit			X
3.a. Total acreage of the site of the proposed action?		1.5	acres
b. Total acreage to be physically disturbed?		0.0075	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.5	acres
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Richard C. Fowler and Peter M. Hanley, JR</u> Date: <u>11-10-2013</u>		
Signature: <u>[Handwritten Signatures]</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?"

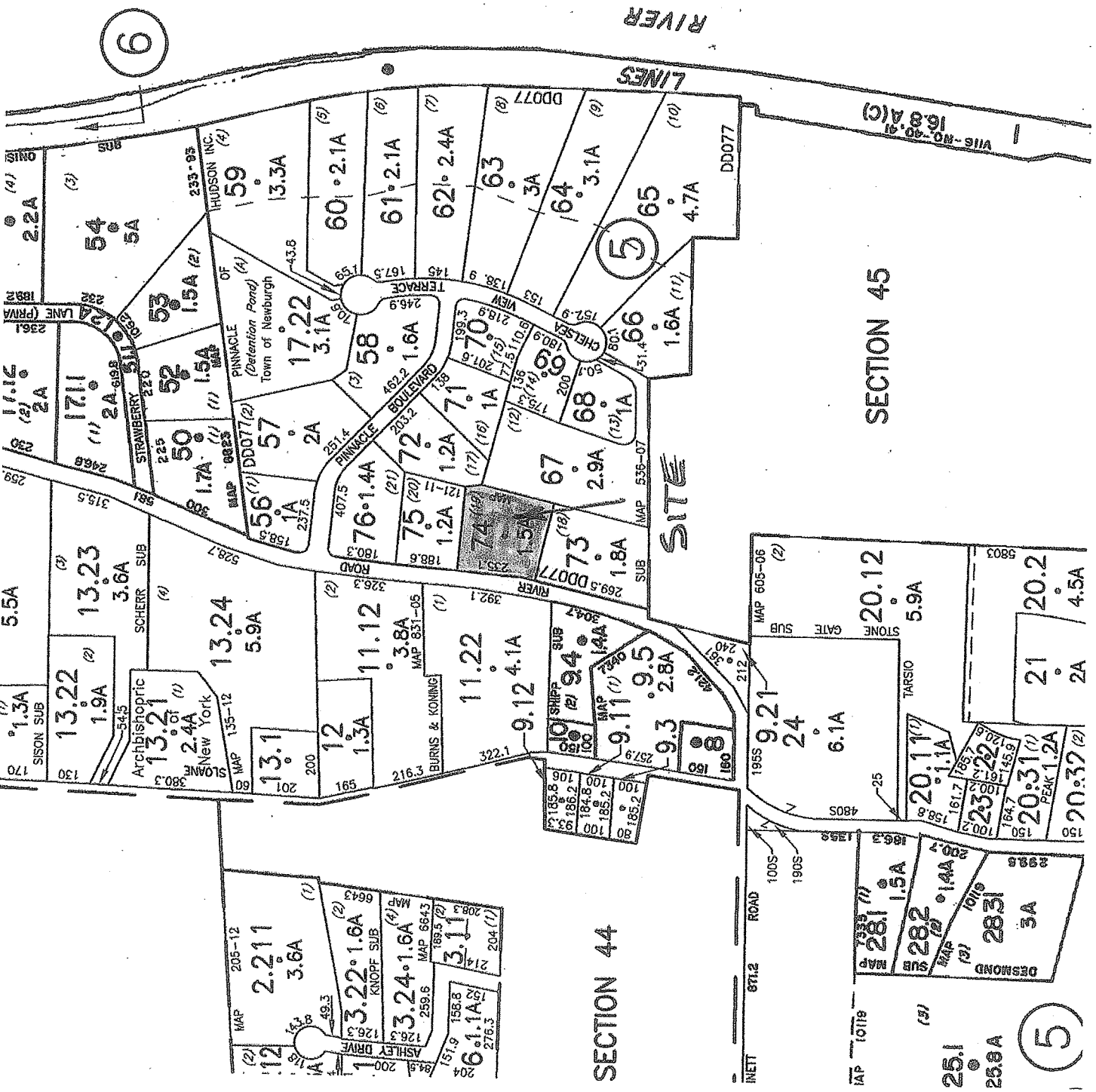
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the 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.

<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.	
<hr/> Name of Lead Agency	<hr/> Date
<hr/> Print or Type Name of Responsible Officer in Lead Agency	<hr/> Title of Responsible Officer
<hr/> Signature of Responsible Officer in Lead Agency	<hr/> Signature of Preparer (if different from Responsible Officer)

6



SECTION 45

SECTION 44

5

25.1
25.8A

281
282
283
3A

9.21
24
6.1A

20.12
5.9A

20.11
1.1A

20.31
1.2A

20.37
2A

21
2A

20.2
4.5A

20.2
4.5A

20.2
4.5A

SITE

RIVER LINES

VHS-NO. 49.91
168A(C)

11.16
2A

17.11
2A

17.22
3.1A

17.22
3.1A

17.22
3.1A

17.22
3.1A

17.22
3.1A

17.22
3.1A

17.22
3.1A

17.22
3.1A

17.22
3.1A

17.22
3.1A

17.22
3.1A

54
5A

53
1.5A (2)

52
1.5A (2)

51
1.5A (2)

50
1.7A (1)

49
1.7A (1)

48
1.7A (1)

47
1.7A (1)

46
1.7A (1)

45
1.7A (1)

44
1.7A (1)

43
1.7A (1)

42
1.7A (1)

59
3.3A

58
1.6A

57
1.6A

56
1.6A

55
1.6A

54
1.6A

53
1.6A

52
1.6A

51
1.6A

50
1.6A

49
1.6A

48
1.6A

47
1.6A

60
2.1A

61
2.1A

62
2.4A

63
3A

64
3.1A

65
4.7A

66
1.6A (11)

67
2.9A

68
1.8A

69
1.8A

70
1.8A

71
1.8A

72
1.8A

73
1.8A

74
1.8A

75
1.8A

76
1.8A

77
1.8A

78
1.8A

79
1.8A

80
1.8A

81
1.8A

82
1.8A

83
1.8A

84
1.8A

85
1.8A

86
1.8A

87
1.8A

88
1.8A

89
1.8A

90
1.8A

91
1.8A

92
1.8A

93
1.8A

94
1.8A

95
1.8A

96
1.8A

97
1.8A

98
1.8A

99
1.8A

100
1.8A

101
1.8A

102
1.8A

103
1.8A

104
1.8A

105
1.8A

106
1.8A

107
1.8A

108
1.8A

109
1.8A

110
1.8A

111
1.8A

112
1.8A

113
1.8A

114
1.8A

115
1.8A

116
1.8A

117
1.8A

118
1.8A

119
1.8A

120
1.8A

121
1.8A

122
1.8A

123
1.8A

124
1.8A

125
1.8A

126
1.8A

127
1.8A

128
1.8A

129
1.8A

130
1.8A

131
1.8A

132
1.8A

133
1.8A

134
1.8A

135
1.8A

136
1.8A

137
1.8A

138
1.8A

139
1.8A

140
1.8A

141
1.8A

142
1.8A

143
1.8A

144
1.8A

145
1.8A

146
1.8A

147
1.8A

148
1.8A

149
1.8A

150
1.8A

151
1.8A

152
1.8A

153
1.8A

154
1.8A

155
1.8A

156
1.8A

157
1.8A

158
1.8A

159
1.8A

160
1.8A

161
1.8A

162
1.8A

163
1.8A

164
1.8A

165
1.8A

166
1.8A

167
1.8A

168
1.8A

169
1.8A

170
1.8A

171
1.8A

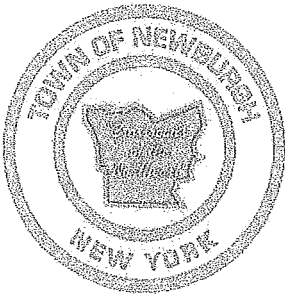
172
1.8A

173
1.8A

174
1.8A

175
1.8A

176
1.8A



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

2389-13 (Revised)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 11/07/2013

Application No. 13-1032

**To: Richard Fowler
5422 Gaston Ave
Dallas, TX 75214**

**SBL: 43-5-74
ADDRESS: 532 River Rd**

ZONE: R-1

PLEASE TAKE NOTICE that your application dated 10/30/2013 for permit to build a 24' x 24' x 21'-6 3/4" garage on the premises located at 532 River Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Section:

185-15-A-1 Shall not exceed 15 feet in height.

Bulk table schedule 3 private garage or carport storage of no more than 4 vehicles.


Joseph Mattina

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

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

NO

NAME: RICHARD FOWLER

ADDRESS: 532 RIVER RD NEWBURGH NY 12550

2389-13
(Revised)

PROJECT INFORMATION:

TYPE OF STRUCTURE: 24' X 24' X 21'-6 3/4"

SBL: 43-5-74 ZONE: R-1

TOWN WATER: NO TOWN SEWER: YES

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT	15'		21'-6 3/4"	6'-6 3/4"	43.8%
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: **DETACHED 24 X 24 X 21'-6 3/4 " 2 STORY 2 CAR GARAGE.
 3 CAR GARAGE IN THE DWELLING.**

VARIANCE(S) REQUIRED:

- 1 185-15-A-1 Shall not exceed 15' in height.
- 2 Bulk table schedule 3 private garage storage not more than 4 vehicles.
- 3 _____
- 4 _____

REVIEWED BY: JOSEPH MATTINA DATE: 4-Nov-13

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

Pinnacle of Hudson Inc.

TO
Richard C. Foster
Peter M. Hanley Jr

SECTION 43 BLOCK 5 LOT 74



RECORD AND RETURN TO:
(name and address)

Jonathan Koscher Esq.
PO Box 319
Wallkill Ny 12589

Just Original
11/12/13
[Signature]

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)
- 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) 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)
- 4089 MONROE (TN) CITIES
- 4001 MONROE (VLG) 0900 MIDDLETOWN
- 4003 HARRIMAN (VLG) 1100 NEWBURGH
- 4005 KIRYAS JOEL (VLG) 1300 FORT JERVIS
- 9999 HOLD

NO. PAGES 4 CROSS REF.
CERT. COPY ADD'L X-REF.
MAP# PGS.
PAYMENT TYPE: CHECK [Signature]
CASH
CHARGE
NO FEE

Taxable
CONSIDERATION \$ 55,000
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 8 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 H-N-D

RECORDED/FILED
01/18/2012/ 09:48:43
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20120004827
DEED R / BK 13273PG 1279
RECORDING FEES 190.00
TTX# 002694 T TAX 2,060.00
Receipt#1400952 juls



STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, DONNA L. BENSON, 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 1/18/12 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

1/18/12 Donna L. Benson
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY

#12830-64708

Bargain & sale deed, with covenant against grantor's acts -Ind. or Corp.

H1045916

THIS INDENTURE, made the 30 day of December, 2011
BETWEEN

PINNACLE OF HUDSON, INC., a New York corporation with offices located at 5109
Route 9W, Newburgh, New York 12550

party of the first part, and

RICHARD C. FOWLER and PETER M. HANLEY, JR., both residing at 5422
Gaston Avenue, Dallas, Texas 75214,

Joint tenants with right of survivorship - RCF PH

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN AND 00/100
(\$10.00) DOLLARS, lawful money of the United States and other good and valuable
consideration paid by the party of the second part, does hereby grant and release unto the
party of the second part, the heirs or successors and assigns of the party of the second part
forever,

ALL that certain 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, known as Lot 19 on a map entitled "Pinnacle of Hudson Inc." -
said map have been filed in the Orange County Clerk's Office on 13 June 2007 as Map
No. 536-07, said lot having been revised by a map entitled "Amended Subdivision Plan
Lots 19 and 20 Pinnacle Subdivision", said map having been filed in the Orange County
Clerk's Office on 16 May 2011 as Map No. 121-11, being more particularly described as
follows:

BEGINNING at a point in the easterly line of River Road, where said line is intersected
by the division line between Lot No. 19 and Lot No. 20, running thence, the following
courses:

1. Along said division line, S 70 degrees 39 minutes 55 seconds E 254.57' to a point;
2. Along the division line between Lot No. 17 and Lot No. 19, S 6 degrees 35 minutes 19
seconds W 48.59' to a point;
3. Along the division line between Lot No. 12 and Lot No. 19, S 27 degrees 31 minutes
12 seconds W 224.18' to a point;
4. Along the division line between Lot No. 18 and Lot No. 19, N 62 degrees 26 minutes
20 seconds W 241.37' to a point in the easterly line of River Road;
5. Along said line N 27 degrees 33 minutes 40 seconds E 38.56' to a point;

6. Still along said line N 19 degrees 20 minutes 05 seconds E 196.58' to the point or place of BEGINNING.

Containing 63,813 square feet or 1.46 acres of land more or less.

BEING AND INTENDED TO BE a portion of the same premises described in a certain deed dated January 7, 2004 made by Our Lady of Hope Mission Seminary to Pinnacle of Hudson, Inc. and recorded in the office of the Orange County Clerk in Liber 11345 of deeds at page 1391 on January 12, 2004.

SUBJECT TO Notes on Filed Map #536-07 and #121-11

SUBJECT TO grants, easements and right-of-way in Liber 1619 Page 211 and 12709 page 743.

SUBJECT TO Covenants and Restrictions in Liber 4247 Page 303

SUBJECT TO Declaration of Covenants and Restrictions in Liber 12572 Page 1867, amended in Liber 12661 Page 1794 and Liber 12717 Page 181

This transaction is being made in the regular course of business of the party of the first part and does not constitute a sale, transfer, or alienation of all or substantially all of the assets of said the party of the part. This conveyance is authorized by the Board of Directors of the party of the first part and no other consent is required.

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, as joint tenants with the right of survivorship, 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: PINNACLE OF HUDSON, INC.

By: Mark Kreisberg
Mark Kreisberg, President

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

On the 30 day of December 2011, before me, the undersigned, a notary public in and for said state, personally appeared MARK KREISBERG 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.

Richard J. Drake
Notary Public

RICHARD J. DRAKE
Notary Public, State of New York
Qualified in Orange County
02DR6096165
Commission Expires August 31, 2014

RJD/ef/212603
12830-64708
12/23/11

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

