

# 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: 4/1/2014

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

I (WE) Kris Hamilton PRESENTLY

RESIDING AT NUMBER 627 Gidney Ave

TELEPHONE NUMBER 845 926-7823

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:

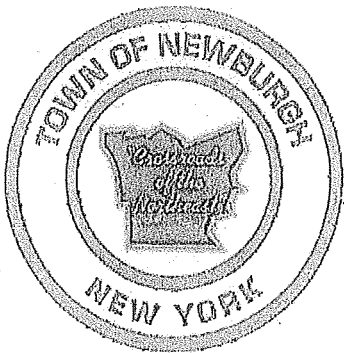
76-6-1 (TAX MAP DESIGNATION)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

Bulk table Schedule 5



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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: 3/20/2014
- 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: Front + Rear yard setback.

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:

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

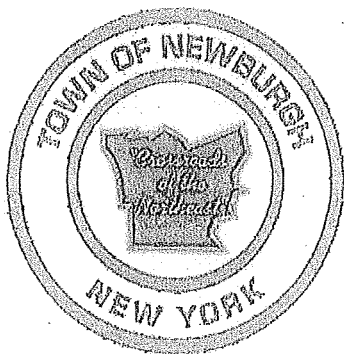
**(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)**

- 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:

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



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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: *Properties are*

*similar sizes, most have pools and decks.  
This property previously had an existing pool + deck.*

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:

*of the septic location and side property lines. Pool and deck can only be go towards back property line.*

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

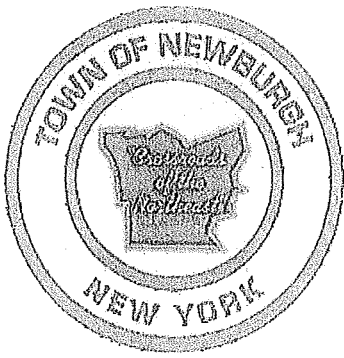
*Property has already had a previous pool + deck.*

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 landscape is not being altered. Pool and deck are just larger than previous.*

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

*property size and septic locations make placement of the additions limited.*



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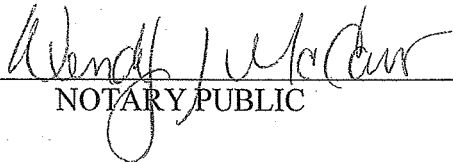
7. ADDITIONAL REASONS (IF PERTINENT):

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

  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 10<sup>th</sup> DAY OF April 2014

  
\_\_\_\_\_  
NOTARY PUBLIC

**WENDY J. McCAW**  
Notary Public, State of New York  
No. 01MC5077107  
Qualified in Orange County  
Commission Expires May 5, 2015

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)

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.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <i>Kris Hamilton</i>			
Project Location (describe, and attach a location map): <i>627 Gidney Ave Newburgh NY 12550</i>			
Brief Description of Proposed Action: <i>building deck &amp; pool</i>			
Name of Applicant or Sponsor: <i>Kris &amp; Kathy Hamilton</i>		Telephone: <i>845-561-3099</i>	
		E-Mail: <i>islandcampers@verizon.net</i>	
Address: <i>627 Gidney Ave</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?		_____ 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			



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"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>K Hamilton</u> Date: <u>4/1/14</u> Signature: <u>Kris Hamilton</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?"

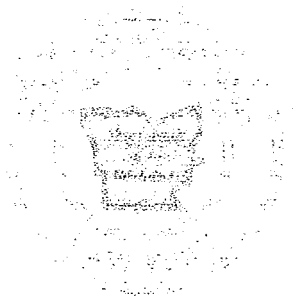
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the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

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

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

**2417-A-14**

**Pool**  
**AD**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**Date: 03/19/2014**

**Application No. 13-0491**

**To: Kristoffer Hamilton  
627 Gidney Ave  
Newburgh, NY 12550**

**SBL: 76-6-1  
ADDRESS: 627 Gidney Ave**

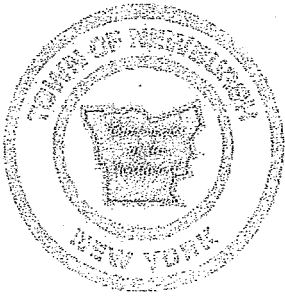
**ZONE: R3**

**PLEASE TAKE NOTICE** that your application dated 06/10/2013 for permit to keep a prior built pool and pool deck on the premises located at 627 Gidney Ave is returned herewith and disapproved on the following grounds:

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

*Joseph Mattina*  
**Joseph Mattina**

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



**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**

Application No. 13-0492

**2417-B-14**

Date: 03/19/2014

To: Kristoffer Hamilton  
627 Gidney Ave  
Newburgh, NY 12550

SBL: 76-6-1  
ADDRESS: 627 Gidney Ave

**Pool Deck**  
**B**

**ZONE: R3**

PLEASE TAKE NOTICE that your application dated 06/10/2013 for permit to keep a prior built pool and pool deck on the premises located at 627 Gidney Ave is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code sections:

Bulk table schedule 5 requires a minimum of 40' front yard setback.

Bulk table schedule 5 requires a minimum of 40' rear yard setback.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

**OWNER INFORMATION**

**BUILT WITH OUT A PERMIT**

**YES**

**NAME:** KRISTOFFER HAMILTON

2417-A&B-14

**ADDRESS:** 627 GIDNEY AVE NEWBURGH NY 12550

**PROJECT INFORMATION:**

A

R

**TYPE OF STRUCTURE:** PRIOR BUILT POOL AND POOL DECK

**SBL:** 76-6-1      **ZONE:** R-3

**TOWN WATER:** YES

**TOWN SEWER:** NO

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD BLUE JAY	40'	20'		20'	50.0%
REAR YARD	40'	11'		29'	72.5%
SIDE YARD	OK				
MAX. BUILDING HEIGHT					
BUILDING COVERAGE	15% = OK				
SURFACE COVERAGE	30% = OK				

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 / 2 FRONT YARDS / GIDNEY & BLUE JAY {18 X 33 POOL} & 560 SF DECK

**VARIANCE(S) REQUIRED:**

- 1 BULK TABLE SCHEDULE 5 REQUIRES A 40' FRONT YARD SETBACK \_\_\_\_\_
- 2 BULK TABLE SCHEDULE 5 REQUIRES A 40' REAR YARD SET BACK \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

**REVIEWED BY:** JOSEPH MATTINA      **DATE:** 19-Mar-14

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

Thomas Weissmark  
Kathryn J. Weissmann  
TO  
Christopher R. Hamilton  
Kathryn Hamilton

SECTION 76 BLOCK 6 LOT 1

RECORD AND RETURN TO:  
(Name and Address)

Hanken Hansig Hall + Caplicki  
PO Box 7229  
Newburgh, NY 12601

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 cc 13378

INSTRUMENT TYPE: DEED  MORTGAGE \_\_\_\_\_ SATISFACTION \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_ OTHER \_\_\_\_\_

PROPERTY LOCATION

- |                                |  |
|--------------------------------|--|
| ___ 2089 BLOOMING GROVE (TN)   | ___ 4209 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)         | ___ <input checked="" type="checkbox"/> 4600 NEWBURGH (TN) |
| ___ 2800 DEERPARK (TN)         | ___ 4800 NEW WINDSON (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)           |  |
| ___ 4001 MONROE (VLG)          |  |
| ___ 4003 HARRIMAN (VLG)        |  |
| ___ 4005 KIRYAS JOEL (VLG)     |  |

NO. PAGES 4 CROSS REF \_\_\_\_\_  
CERT. COPY \_\_\_\_\_ ADD'L X-REF \_\_\_\_\_  
MAP # \_\_\_\_\_ PGS. \_\_\_\_\_  
PAYMENT TYPE: CHECK   
CASH \_\_\_\_\_  
CHARGE \_\_\_\_\_  
NO FEE \_\_\_\_\_  
CONSIDERATION \$ 106,000  
TAX EXEMPT \_\_\_\_\_

MORTGAGE AMT \$ \_\_\_\_\_  
DATE \_\_\_\_\_

- 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/I OR 2
  - \_\_\_ (K) CONDO

CITIES

- \_\_\_ 0900 MIDDLETOWN
- \_\_\_ 1100 NEWBURGH
- \_\_\_ 1300 PORT JERVIS
- \_\_\_ 9999 HOLD

*Donna L. Benson*  
DONNA L. BENSON  
Orange County Clerk

RECEIVED FROM: *Crystal Clear*

LIBER 5379 PAGE 338

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 10/03/00 AND THE SAME IS A CORRECT  
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE  
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

*Ann G. Rabbit*

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS  
ORANGE COUNTY April 8, 2014

LIBER 5379 PAGE 338  
ORANGE COUNTY CLERKS OFFICE 54810 JUL  
RECORDED/FILED 10/03/2000 12:54:55 PM  
FEES 47.00 EDUCATION FUND 5.00  
SERIAL NUMBER: 002859  
DEED CNTL NO 63209 RE TAX 424.00

THIS INDENTURE, *September*  
Made the 26th day of Two Thousand

Between THOMAS WEISSMANN and KATHRYN J. WEISSMANN,  
44 Kettle Drive, Newburgh, N.Y. 12550

party of the first part, and

KRISTOFFER R. HAMILTON and KATHY L. HAMILTON  
672 Gidney Avenue, Newburgh, N.Y. 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars 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, being more particularly bounded and described as follows:

BEGINNING at a point on the southerly line of Gidney Avenue, said point as shown on a map entitled "Map showing Revision of Lot Line between lands of J.W. Adams and Charles W. Cox" said map made by T. Jargstorff L.S., dated July 1962, said point being 25.00 feet on a perpendicular course from the center line of the existing road which was the northwesterly deed corner of lands of Cox and the northeasterly deed corner of the parcel hereinafter described, thence along lands of Cox South 38 degrees 44 minutes West 122.60 feet to a point, thence North 51 degrees 16 minutes West 49.84 feet to the proposed easterly line of Blue Jay Drive, thence along this proposed line North 06 degrees 14 minutes East 165.58 feet to a point in the southerly line of Gidney Avenue, thence along the southerly line of Gidney Avenue South 27 degrees 05 minutes East 41.62 feet and South 51 degrees 16 minutes East 100.82 feet to the point of beginning.

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 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

  
THOMAS WEISSMANN

  
KATHRYN J. WEISSMANN

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

On the 26th day of September in the year 2000, before me, the undersigned, personally appeared Thomas Weissmann and Kathryn J. Weissman, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals or the person upon behalf of which the individuals acted, executed the instrument.

  
Notary Public

THOMAS P. HALLEY  
Notary Public in the State of New York  
Resident In And For Dutchess County  
Commission Expires 4-30-01

Hamilton  
627 Gidney Ave  
(76-6-1)

SECTION 75

SECTION 75

SECTION 75

SECTION 75





