



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: 8/9/2016

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

I (WE) DANIEL RESIDENCE PRESENTLY

RESIDING AT NUMBER 5-43 47th RD - Apt 2L, LIC, NY 11101

TELEPHONE NUMBER (718) 874-2787

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

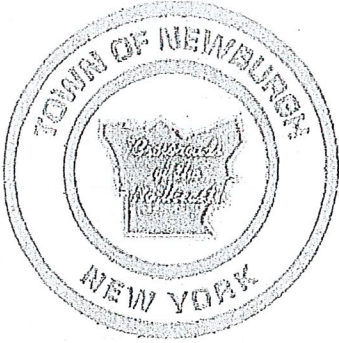
- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

65-3-13 (TAX MAP DESIGNATION)
28 WARING RD (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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: 8/09/16
- 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: REQUIRES A MINIMUM REAR YARD SETBACK OF 40' ~~MINIMUM REAR YARD~~. REQUIRES ONE SIDE YARD SETBACK OF 15'
REQUIRES A COMBINED SIDE YARD SETBACK OF 30'
ALLOWS A MAXIMUM LOT BUILDING COVERAGE OF 15%.

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:

PROPOSED USE IS SINGLE FAMILY RESIDENCE WHICH IS WHAT NEIGHBORING PROPERTIES ARE USED AS. EXISTING BUILDING FOOTPRINT WILL REMAIN THE SAME.

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:

EXISTING BUILDING IS ON EXISTING PROPERTY LINES.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

IT IS AN EXISTING BUILDING OF WHICH ITS FOOTPRINT WILL REMAIN THE SAME. THIS PROPERTY WAS GRANTED ALL VARIANCES ALLOWING CONVERSION FROM GARAGE TO SINGLE FAMILY RESIDENCE ON APRIL 22, 2010 AND FEB 28

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

2013

PROPOSED CONVERSION TO RESIDENCE WILL BE COMPATIBLE WITH ADJACENT PROPERTIES. THE BUILDING FOOTPRINT WILL REMAIN THE SAME.

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

IT WAS PURCHASED AFTER ALL VARIANCES WERE APPROVED BY THE ZBA ON APRIL 22ND 2010



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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

ON APRIL 22ND 2010 AND FEBRUARY 25 2013
THE ZBA GRANTED PERMISSION TO CONVERT THE
GARAGE TO A SINGLE FAMILY RESIDENCE WHEN
UNEXPECTED CIRCUMSTANCES SURFACED REQUIRING
MY ~~ATTENTION~~ ^{ATTENTION} & FINANCES WHICH IMPACTED MY BUDGET
AND TIMELINE

[Handwritten Signature]
PETITIONER(S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS NINTH DAY OF AUGUST 2016

[Handwritten Signature]
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)

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: DANIEL HESIDENCE			
Project Location (describe, and attach a location map): CONVERT GARAGE TO A SINGLE FAMILY RESIDENCE			
Brief Description of Proposed Action: 28 WADING RD. NEWBURGH, NY 12550 LOCATED NEAR ALGONQUIN PARK 65-3-13 CONVERT GARAGE TO A SINGLE FAMILY RESIDENCE			
Name of Applicant or Sponsor: DANIEL HESIDENCE		Telephone: 718-874-2787	
Address: 5-43 47th RD APT 2L		E-Mail: hesidence@gmail.com	
City/PO: LONG ISLAND CITY	State: NY	Zip Code: 11101	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1/2 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1/2 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
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Applicant/sponsor name: DANIEL HESIDENCE Date: 08.09.16

Signature: 

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

2597-16 Revised

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 08/09/2016

Application No. 13-0170

To: Daniel Hesidence
5-43 47 th Rd
Long Island City, NY 11101

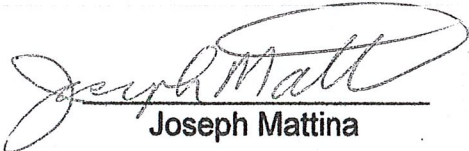
SBL: 65-3-13
ADDRESS: 28 Waring Rd

ZONE: R-3

PLEASE TAKE NOTICE that your application dated 03/04/2013 for permit to convert a garage into a single family dwelling on the premises located at 28 Waring Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections.

- 1) Bulk table schedule 5 Requires a 40' minimum rear yard setback.
- 2) Bulk table schedule 5 Requires 1 side yard setback of 15'
- 3) Bulk table schedule 5 requires a combined side yard setback of 30'
- 4) Bulk table schedule 5 Allows a maximum lot building coverage of 15%


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: Daniel Hesidence

ADDRESS: 5-43 47th Road Apt 2L Long Island City NY 11101

2597-16

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: Converting garage into a 1 family @ 28 Waring Road

SBL: 65-3-13 ZONE: R-3

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	40'	4.3'		35.7'	89.00%
SIDE YARD	15'	0'		15'	
COMBINED SIDE YARDS	30'	7.4'		22.6'	75.50%
BUILDING COVERAGE	15%=2952	3987 SF		1035 SF	35.00%
STORAGE OF VEHICLES					

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: **Original variance 4-22-2010 never started and changed plans**

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 5 Requires a 40' minimu rear yard setback.
- 2 Bulk table schedule 5 Requires one side yard of 15' minimum.
- 3 Bulk table schedule 5 Requires a combined side yard setback of 30' minimum.
- 4 Bulk table schedule 5 Allows a maximum lot building coverage of 15%

REVIEWED BY: Joseph Mattina DATE: 8-Aug-16

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



AL & KRIS REALTY
Company

TO
DANIEL HERIDENCE

SECTION 65 BLOCK 3 LOT 13

RECORD AND RETURN TO:
(name and address)

DANIEL J. Bloom Esq.
530 Blooming Grove Tpk.
New Windsor, NY 12553

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

NO. PAGES 4 CROSS REF.
CERT. COPY ADD'L X-REF.
MAP# PGS.

PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

Taxable
CONSIDERATION \$ 73,500.00
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

Handwritten notes:
Saw original
8/8/16
1/30/13
[Signature]

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

Received From *[Signature]*

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 07/19/10 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Donna L. Benson
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY JANUARY 30, 2013

RECORDED/FILED
07/19/2010/ 11:58:45
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20100067743
DEED R / BK 13029PG 1096
RECORDING FEES 190.00
TTX# 007101 T TAX 294.00
Receipt#1195078 pete



Bargain and Sale Deed with Covenants Against Grantors Acts

This Indenture made the ~~29th~~ day of June, 2010, between Al & Kris Realty Company, LLC, a New York Limited Liability Company, with offices at 1 First Street, Sloatsburg, New York 10974, Party of the First Part, and

Daniel Hesidence, residing at 43 47th Road, Apartment 21, Long Island City, New York 11101
Party of the Second Part,

WITNESSETH:

THAT the Party of the First Part, in consideration of Ten Dollars (\$10.00), 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 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, more particularly described in Schedule "A" attached hereto and made a part hereof.

SUBJECT to Covenants, Easements, Reservations and Restrictions of record.

TOGETHER with all right, title and interest, if any, of the Party of the First Part in and to any streets abutting the said premises to the center lines thereof.

TOGETHER with the appurtenances and all the estate and right of the Party of the First Part in and to said premises.

BEING intended to be the same premises conveyed to Al & Kris Realty Company, LLC by deed from Aldino P. Coatti, Jr., dated 2/10/04 and recorded in the Office of the Clerk of the County of Orange on 11/23/04 Liber 11678 page 325.

TO HAVE AND TO HOLD the premises herein granted unto the Party of the Second Part, its successors and assigns 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.

THE words "Party of the First Part" and "grantor" and "Party of the Second Part" and "grantee" and "Association" shall be construed to include their respective grantees, heirs, executors, administrators, legal representatives, successors and assigns.

Schedule A Description

Title Number O-14828

Page 1

ALL that certain tract, piece or parcel of land situate, lying and being in the Town of Newburgh, County of Orange and State of New York and being more accurately bounded and described as follows:

BEGINNING at a point in the southerly bounds of Waring Road, said point also being located at the northeasterly corner of lands of Pecoraro & McQuiston as described in L. 12611 P. 727, and runs from thence along the said southerly bounds of Waring Road N 83-41 E 20.23 feet to a point; thence turning and running along the same S 84-24 E 73.75 feet to a point; thence turning and running along lands now or formerly of Sottile & Thorne S 5-36 W 200.0 feet to a point; thence turning and running along lands now or formerly of Mikita N 84-24 W 100.90 feet to a point; thence turning and running along lands now or formerly of Sayles and lands now or formerly of Pecoraro & McQuiston N 7-45 E 195.96 feet to the point or place of beginning.

The above described premises being Lots #146, 147 & 148, as shown on a map entitled "Dupont Park, Subdivision of a Portion of the Powder Mill Property" filed at the Orange County Clerk's Office April 11, 1921 as Map #990.

Andrew PM

IN WITNESS WHEREOF, the Party of the First Part has duly executed this deed the day and year first written above.

Al & Kris Realty Company, LLC

BY Aldino P. Coatti, Jr. Member
Aldino P. Coatti, Jr., Member

STATE OF NEW YORK }

ss:

COUNTY OF ROCKLAND}

On the ~~29th~~ day of June in the year 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Aldino P. Coatti, Jr., personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) 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(s) on the instrument, the individual(s), or the person(s) upon behalf of which the individual(s) acted, executed the instrument.

Dennis M. Dillon
NOTARY PUBLIC

DENNIS M. DILLON
Notary Public, State of New York
No. 4687782
Qualified in Rockland County
Commission Expires Sept. 30, 2013

Section: 65
Block: 3
Lot: 13

Town of Newburgh
County of Orange

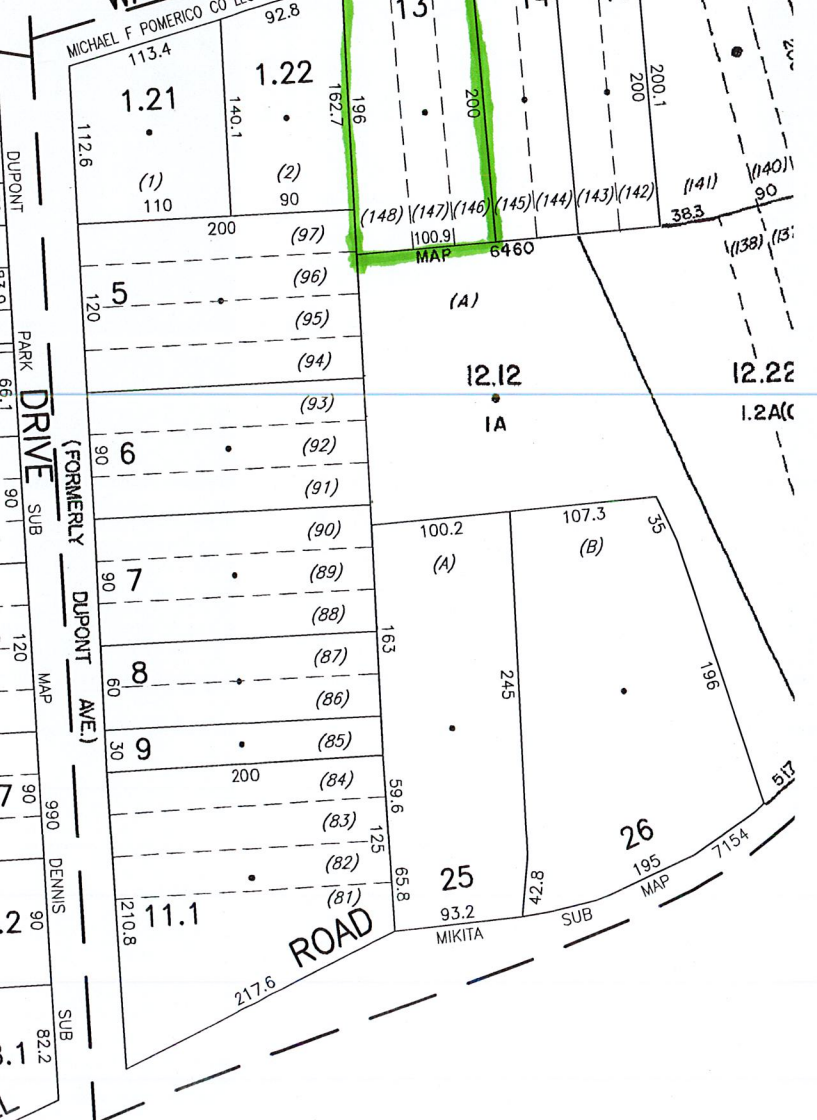
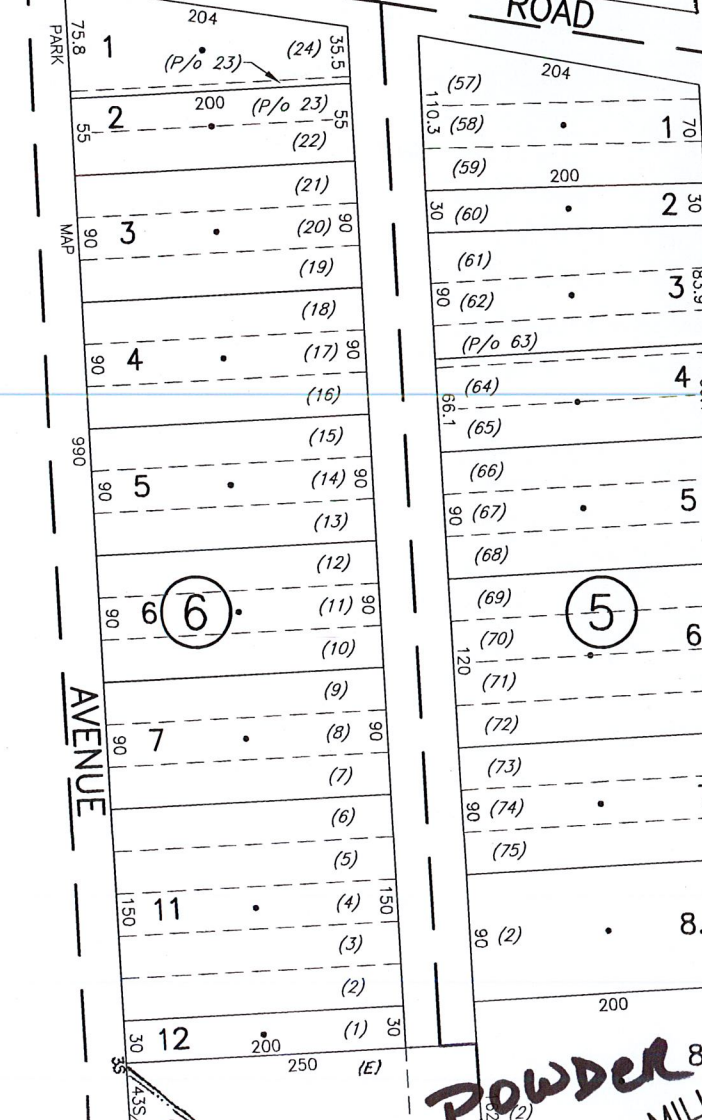
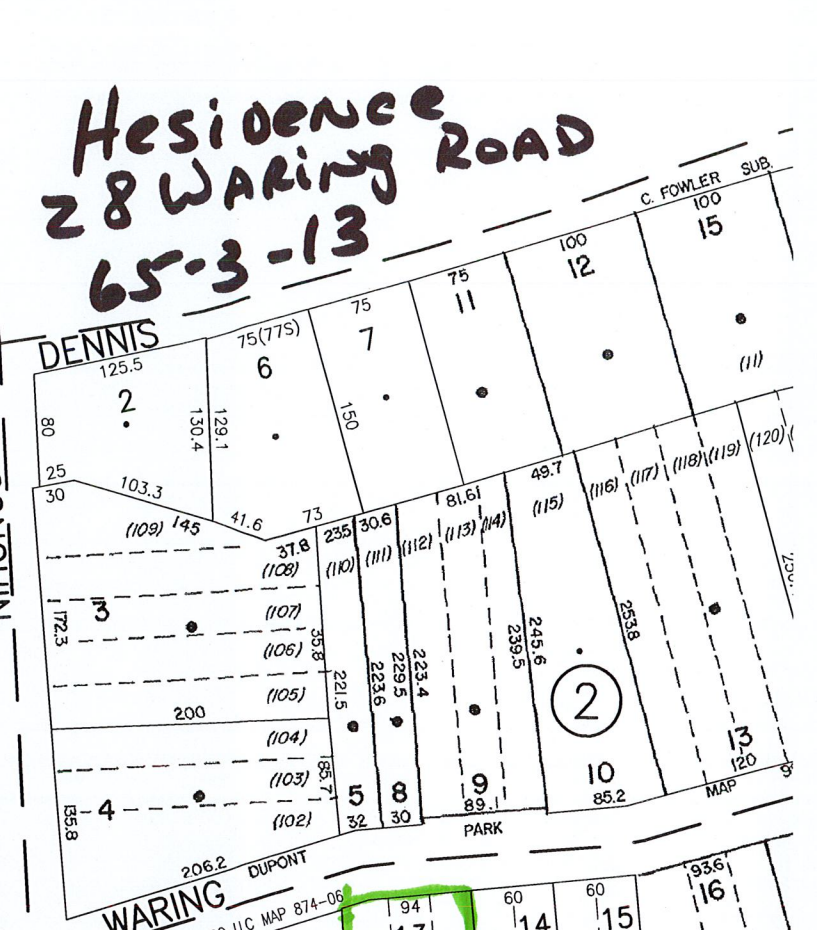
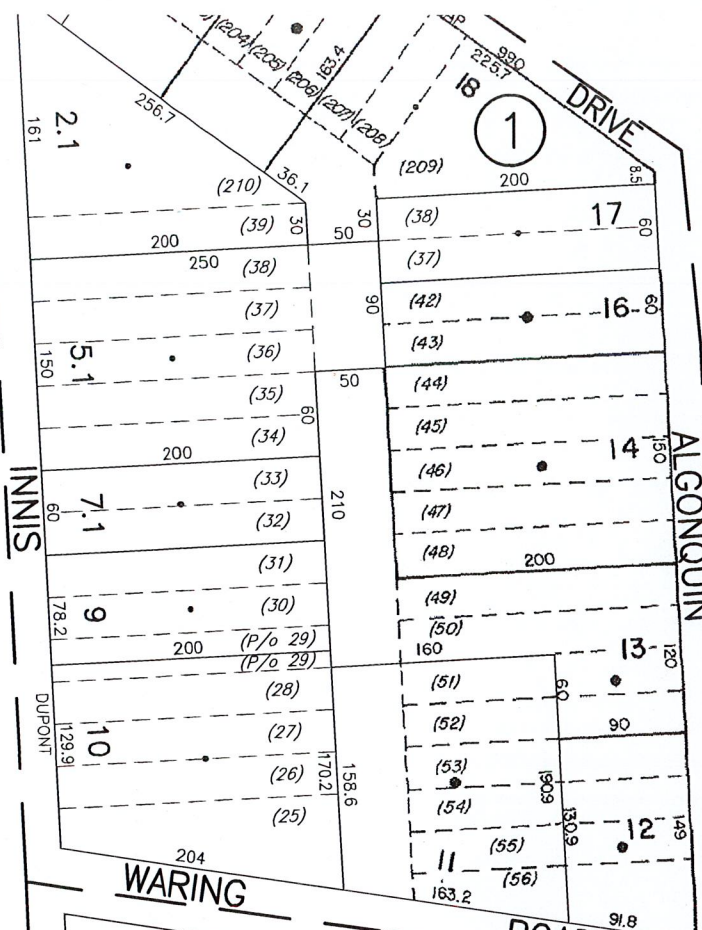
Horizon Title Services O-14828

RECORD AND RETURN TO:

DANIEL J. BLOOM
530 BLOOMING GROVE TURNPIKE
NEW WINDSOR, NEW YORK 12553

JUL 1 2010
PUBLIC

Residence
28 Waring Road
65-3-13



Powder Mill