

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: SEE BELOW
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: 10 JUNE 2020

4. DESCRIPTION OF VARIANCE SOUGHT: VARIANCE TO FRONT YARD SET-BACK (60 FEET NEEDED) 2.8 FEET VARIANCE SOUGHT

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 STRUCTURE, IS: COVERED FRONT PORCH, WILL ENHANCE THE CHARACTER OF MY HOME THEREBY ALSO DOING SO FOR THE NEIGHBORHOOD.

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:

COVERED FRONT PORCH CAN ONLY BE A FRONT PORCH THE YARD MUST BE TOO SMALL ~~AND THEREFORE~~ A VARIANCE IS REQUIRED.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

MINIMUM REQUIRED FRONT YARD SET BACK 60 FEET, AFTER STRUCTURE IS COVERED FRONT PORCH IS COMPLETED THE DIFFERENCE SHORT IS 2.8 FEET. THIS IS NOT SUBSTANTIAL, HOWEVER A VARIANCE IS NEVERTHELESS REQUIRED.

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

2.8 FEET WILL NOT IMPACT ROCK CUT ROAD ADVERSELY IN ANY PHYSICAL OR ENVIRONMENTAL WAY. THIS WILL NOT CHANGE ANY OF THESE CONDITIONS IN MY NEIGHBORHOOD.

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

I AM REPLACING BROKEN AND UNSAFE CONCRETE AND BRICK STEPS AND TRYING TO DO SO AS QUICKLY AS POSSIBLE, AS SAFELY AS POSSIBLE.

7. ADDITIONAL REASONS (IF PERTINENT):

Donna Marie Hunsman
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 17 DAY OF June 2020

Lisa M. Ayers
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. (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			
DONNA MARIE HOUSMAN			
Name of Action or Project: COVERED FRONT PORCH			
Project Location (describe, and attach a location map): 106 ROCK CUT ROAD, NEWBURGH, NY 12550			
Brief Description of Proposed Action: BUILD 5'6" x 31' COVERED PORCH ON FRONT OF HOUSE WITH STEPS.			
Name of Applicant or Sponsor: DONNA MARIE HOUSMAN		Telephone: 845.567.9202	
		E-Mail:	
Address: 106 ROCK CUT ROAD			
City/PO: NEWBURGH, NY 12550		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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.4 acres	
b. Total acreage to be physically disturbed?		APPROX 175. SQ FEET	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.4 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" 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?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____		<input type="checkbox"/>	<input type="checkbox"/>

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	NO	YES
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	NO	YES
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	NO	YES
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>DONNA MARIE HELLMAN</u></p> <p>Signature: <u>Donna Marie Hellman</u></p>	<p>Date: <u>17 JUNE 2020</u></p>	

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:		
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

2841-20.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 06/10/2020

Application No. 20-0378

To: Donna Marie Housman
106 Rock Cut Rd.
Newburgh, NY 12550

SBL: 49-4-4
ADDRESS: 106 Rock Cut Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 05/18/2020 for permit to keep a covered front porch built without a permit on the premises located at 106 Rock Cut Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-18-C-(b): Front yards on county roads shall be 60' in depth


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: Donna Marie Housman Building permit # 20-0378

ADDRESS: 106 Rock Cut Rd. Newburgh NY 12550

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: 5'-6" x 31' covered front porch

SBL: 49-4-4 ZONE: R-1 ZBA Application # _____

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	60'		57.2'	2.8'	4.66%
REAR YARD	Located on a county road				
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

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

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 _____ YES / NO
 FRONT YARD - 185-15-A _____ YES / NO
 STORAGE OF MORE THEN 4 VEHICLES _____ YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 _____ YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 _____ YES / NO

NOTES: **Order to remedy and stop work order issued. Plans from a licensed design professional are required, the structure will not meet the perscriptive requirements of the 2020 RCNYS**

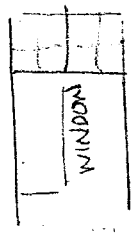
VARIANCE(S) REQUIRED:

- 1 185-18-C-4-(b): Front yards on county roads shall be 60' in depth.
- 2 _____
- 3 _____
- 4 _____

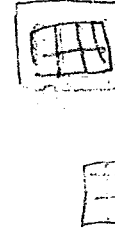
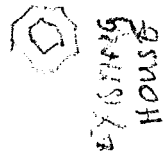
REVIEWED BY: Joseph Mattina DATE: 10-Jun-20

EXISTING ROOF

EXISTING HOUSE ROOF



GARAGE DOOR

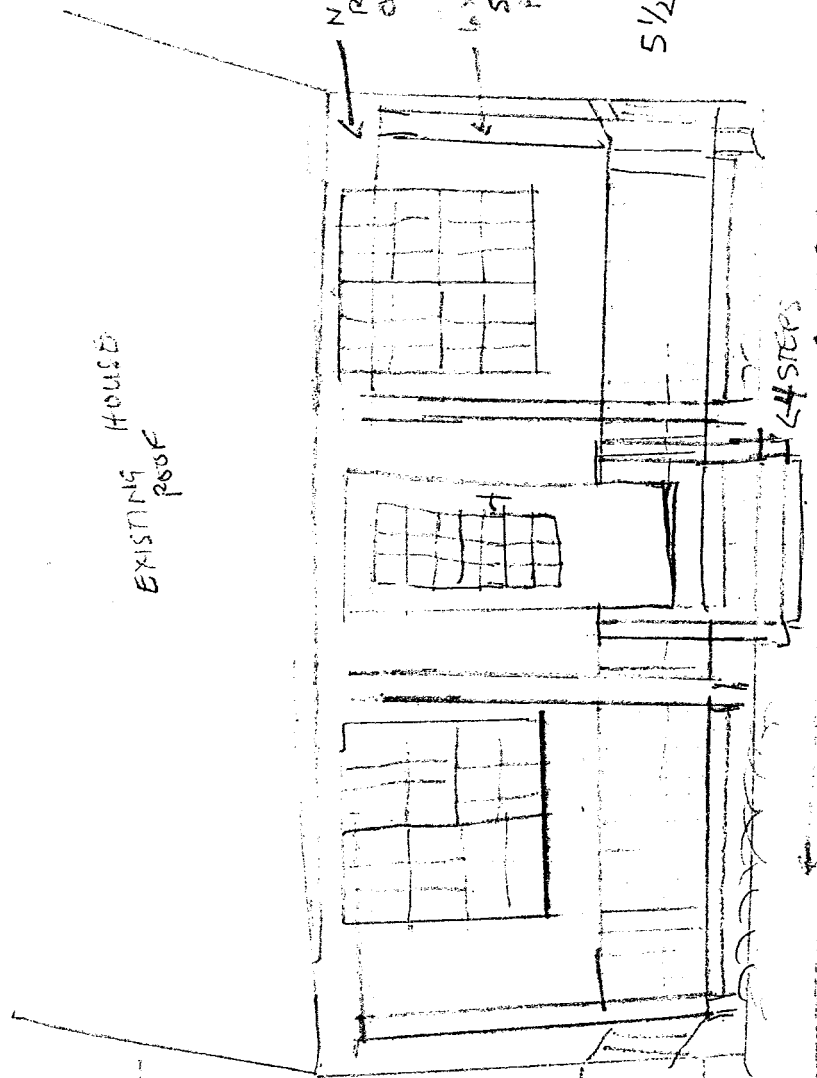


4 STEPS

1X6 PT DECKING FLOOR ON 2X8 FLOOR JOISTS ON 2X8 8" X 9" GIRDERS

EXISTING

ALL PT DECKING FLOOR



NEW ROOF OVER NEW DECK
4X6 ROOF SUPPORT POSTS X4

5 1/2' X 3' X 29" #

4 STEPS

CONCRETE SIDEWALK

1" X 6" PT DECKING FLOOR ON
2" X 8" FLOOR JOISTS ON
#4 2" X 6" GIRDERS ON
#2 6" X 6" PT SUPPORT POSTS ON
#8 12" X 42" DEEP CONCRETE FOOTINGS W/ METAL BRACES IN CONCRETE

POSTS ARE BASED AND NAILS TO METAL BRACES IN CONCRETE

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH APPLICABLE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODES. BIRNBAUM & BIRNBAUM

61.5 FEET (INCASILLERA 5X)

FRONT ROAD LINE IS 5 FEET WIDER

ROCK OIL ROAD

DETERMINED BY PLANNING BOARD

TOP VIEW

DONNA M. HANCOCK, P.A.

EXISTING BRANNING DRIVE DRIVEWAY
EXISTING DRIVEWAY

EXISTING BRANNING DRIVE DRIVEWAY
EXISTING DRIVEWAY

4 STEPS

5' EXISTING DECK

ALL PT P/NB
2" X 8" X 9' GLASS
2" X 6" FLOOR JOIST
1" X 6" PT DECKING FLOOR
4" X 4" POSTS
9' 42" DEEP CONCRETE FOOTINGS

EXISTING HOUSE

FRONT DOOR

WINDOWS

WINDOWS

FOOTINGS 42" DEEP
#8 X 12" SONOTUBES
FILLED WITH CONCRETE

4 STEPS

CONCRETE SIDE WALK

GRASS LAWN
SIDE WALK 101.5 FEET
CORD LINE (MEASURED) 5X

ROCK CUT ROAD



ORANGE COUNTY - STATE OF NEW YORK
ANN G. RABBITT, COUNTY CLERK
255 MAIN STREET
GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH



BOOK/PAGE: 14344 / 1524
INSTRUMENT #: 20180002021

Receipt#: 2431012
Clerk: KP
Rec Date: 01/09/2018 10:50:35 AM
Doc Grp: D
Descrip: DEED
Num Pgs: 4
Rec'd Frm: GREENACRE ABSTRACT LLC

Party1: JEANETTE M SOMMERS LIVING TRUST
Party2: HOUSMAN DONNA MARIE
Town: NEWBURGH (TN)
49-4-4

Recording:	
Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00
Sub Total:	190.00
Transfer Tax	
Transfer Tax - State	0.00
Sub Total:	0.00

Total: 190.00
**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 5419
Transfer Tax
Consideration: 0.00

Total: 0.00

Payment Type: Check ___
Cash ___
Charge ___
No Fee ___

Comment: _____

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 1/9/18 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
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY 2/2/18

Ann G. Rabbitt
Ann G. Rabbitt
Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY INGENIO

S-B-L: 49-4-4

CORRECTION DEED

Bargain and Sale Deed with Covenants Against Grantor's Acts

THIS INDENTURE, made this 22nd day of February, 2017

BETWEEN The Jeanette M. Sommers Living Trust dated April 28, 2003, by Cindy L. Schneider as successor trustee, residing at 936 Hill Avenue, Pine Bush, New York 12566, party of the first part, and Donna Marie Housman residing at 106 Rock Cut Road, Newburgh, NY 12550 and Christopher Sommers, residing at 22 Hill View Drive, New Windsor, New York 12553, as tenants in common, party of the second part,

Witnesseth, that the party of the first part, as Trustee and as directed by The Jeanette M. Sommers Living Trust, there being no consideration (\$0.00) as the property is being transferred to the beneficiaries said trust upon the death of Jeanette M. Sommers, 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 on Schedule "A" annexed hereto and incorporated herein by this reference.

BEING AND INTENDED TO BE the same premises conveyed by Jeanette M. Sommers to Jeanette M. Sommers as Trustee of the Jeanette M. Sommers Living Trust dated April 28, 2003, the Grantor herein by deed dated April 28, 2003 and recorded with the Office of the Clerk of Orange County on July 17, 2003 in Liber 11121 cp 1408. Jeanette M. Sommers having passed away on September 9, 2015 leaving Cindy L. Schneider as the successor trustee as set forth in the Trust.

The premises are improved by a single-family residence only.

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

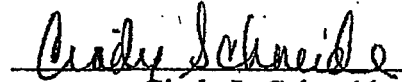
The party of the first part in compliance with Section 13 of the Lien Law covenants that the party of the first part will receive the consideration for

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:



Cindy L. Schneider

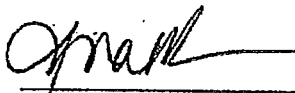
As Successor Trustee of

The Jeanette M. Sommers Living Trust

Dated April 28, 2003

STATE OF NEW YORK
COUNTY OF ORANGE ss:

On February 22, 2017, before me the undersigned, a Notary Public in and for said State, personally appeared **Cindy L. Schneider**, 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 she executed the same in her capacity and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

Tina M. Fassnacht
Notary Public, State of New York
Qualified in Orange County
Registration No. 02FA8046769
Commission Expires August 21, 2018

Bargain And Sale Deed With Covenant Against Grantors Acts

Section/Block/Lot: 49-4-4
Street Address: 106 Rock Cut Road
Municipality: Town of Newburgh

RETURN BY MAIL TO:
Tina M. Fassnacht, Esq.
275 Route 17K, Suite 120
Newburgh, New York 12550

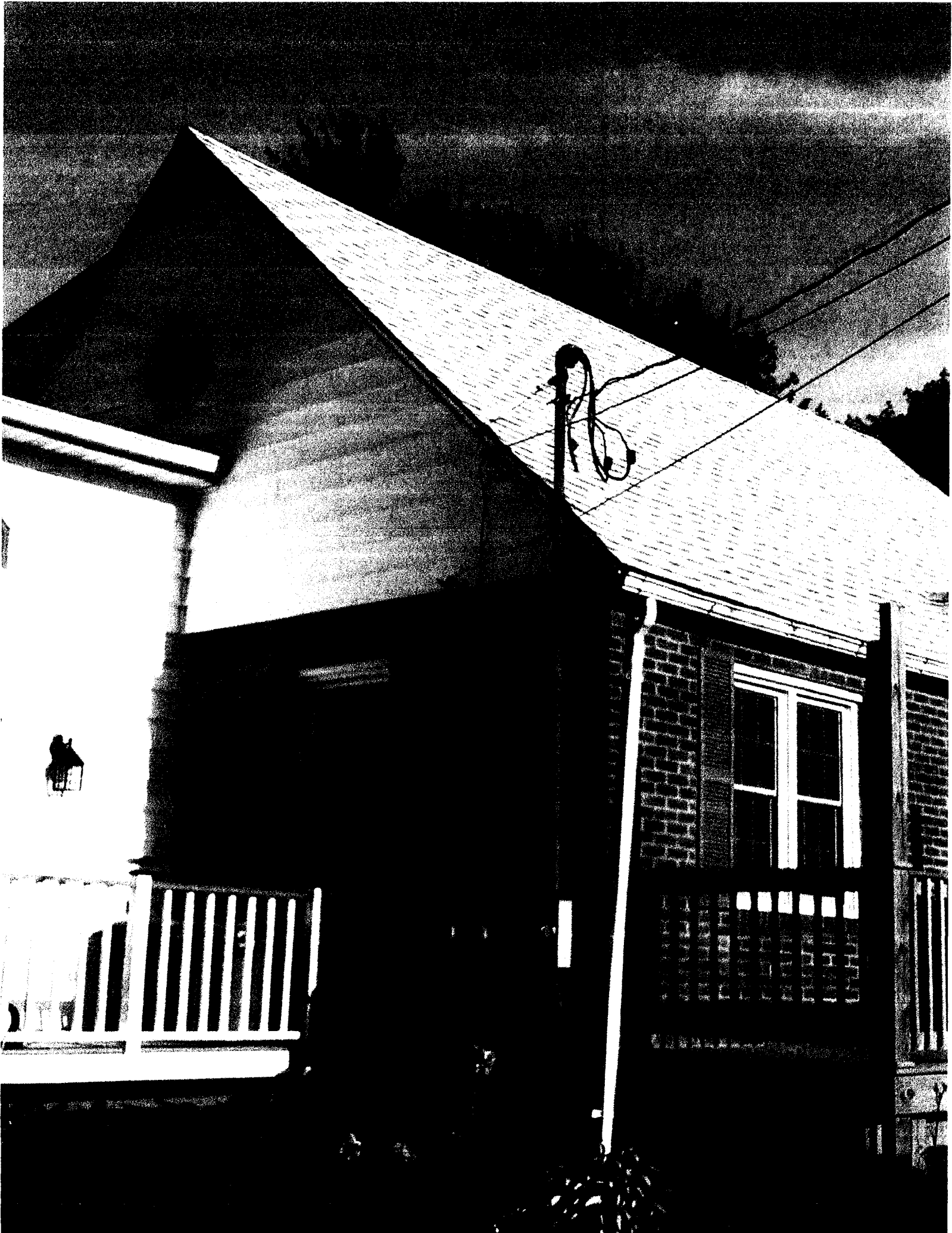
SCHEDULE "A"

BEGINNING at a point in the center of the road leading from Route 52 to Route #17-K said road being known as the Forest Road and said point being 300 feet southerly from the line of lands of Robert Gillespie, and runs thence south 75 degrees 13 minutes East about 618 feet along lands of Tillson to a point in a swamp; thence south 24 degrees 15 minutes West 100 feet to a point; thence North 75 degrees 18 minutes West, about 611 feet along lands of Tillson to a point in the middle of the aforesaid Forest Road; thence along the middle of same North 20 degrees 17 minutes East 100 feet to the place of beginning, containing 1.4 acres, more or less.

**THIS DEED IS BEING RECORDED TO CORRECT THE DEED RECORDED IN THE
ORANGE COUNTY CLERKS OFFICE ON 8/25/2017 IN LIBER 14280 PAGE 1754.
THE AFOREMENTIONED DEED INCORRECTLY LISTED THE GRANTEE'S NAME.**



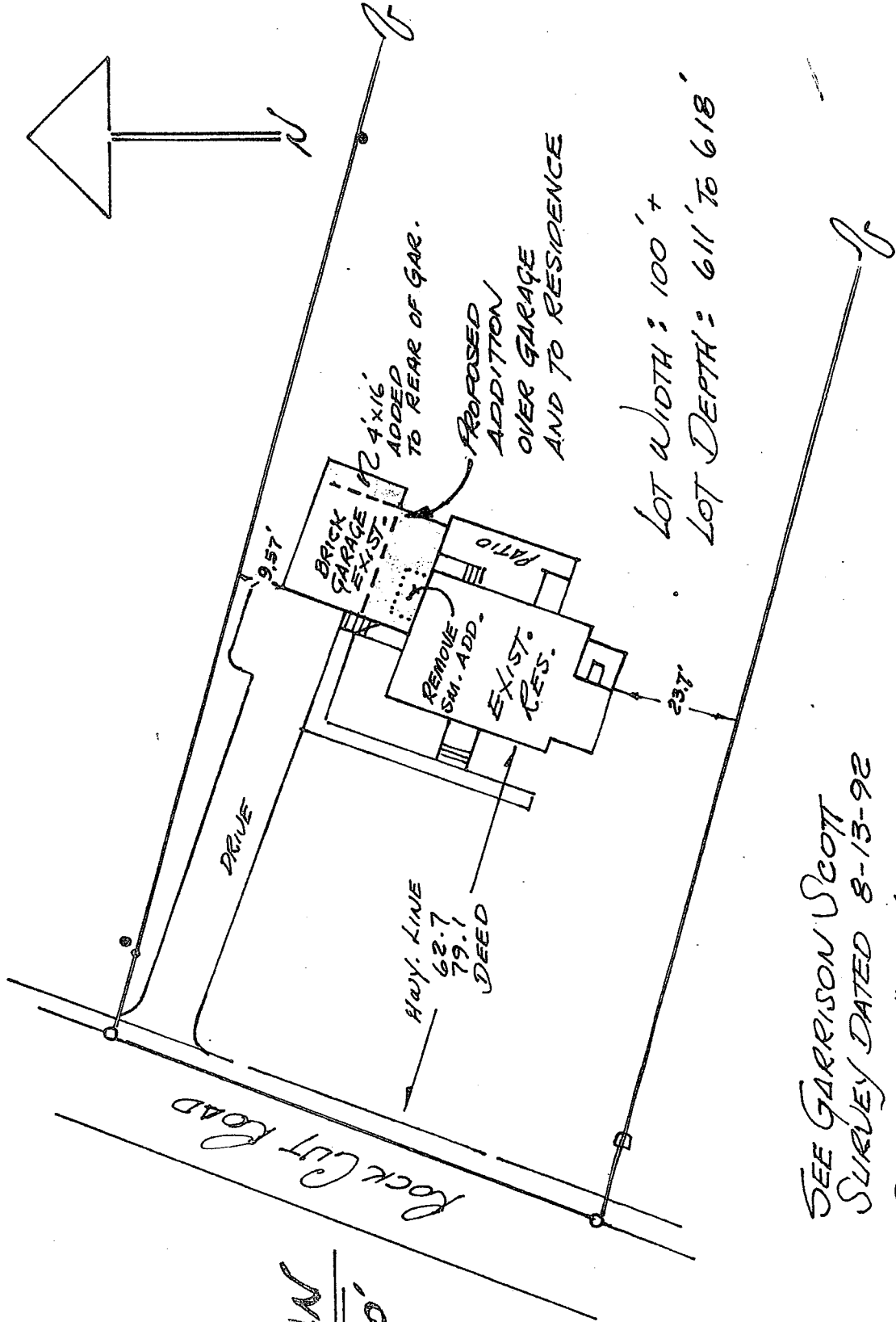
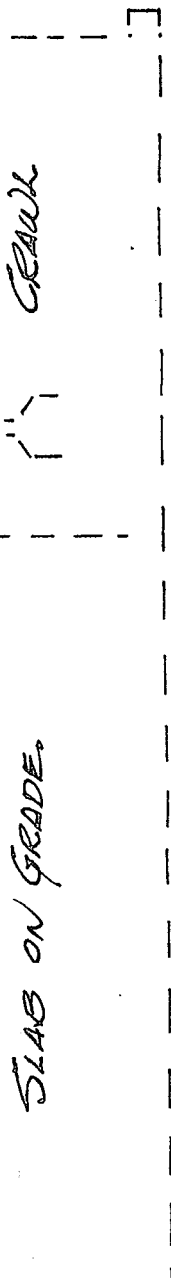






SLAB ON GRADE

GRAVEL



SITE PLAN

1" = 30'

LOT WIDTH: 100' +
LOT DEPTH: 611' TO 618'

SEE GARRISON SCOTT
SURVEY DATED 8-13-92
SCALE: 1" = 30'

