



Steven M. Neuhaus
County Executive

Orange County Department of Planning Submission Form for Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l,m, & n

Referral ID#:
(County use only)

This form is to be completed by the local board having jurisdiction. Submittals from applicants will not be accepted unless coordinated with both the local board having jurisdiction and the County Department of Planning.

Please include all materials that are part of a "full statement" as defined by NYS GML §239-m (i.e. "all materials required by and submitted to the referring body as an application on a proposed action").

Municipality:
Local Referring Board:
Applicant:
Project Name:
Location of Project Site

Town of Newburgh
Zoning Board of Appeals
TINKANJANAKIRITUMRONG-GRABEK
349 MEADOW AVENUE

Tax Map #: 66-2-3
Tax Map #:
Tax Map #:
Local File No.: PB Ref 1
Size of Parcel*: 16,200 SF
**If more than one parcel, please include sum of all parcels.*

Reason for County Review:

within 500ft Route 300/UNION AVE

Current Zoning District (include any overlays): I/B

Type of Review:

- Comprehensive Plan Update/Adoption
- Zoning Amendment
 - Zoning District Change from _____ to _____
 - Ordinance Modification (cite section): _____
- Local Law
- Site Plan
 - Sq. feet proposed (non-residential only): _____
 - Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)
- Subdivision
 - Number of lots proposed: _____
 - Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)
- Special Use Permit
- Lot Line Change
- Variance
 - AREA / USE (circle one) HAIR SALON NOT A PERMITTED BUSINESS IN THE I/B ZONE
- Other

Is this an update to a previously submitted referral? YES / NO (circle one)

Local board comments or elaboration:

Grace Cardone

Signature of local official

6/5/14

Date

Chairperson
Zoning Board of Appeals

Title

Municipal Contact Phone Number: 845-566-4901

If you would like the applicant to be cc'd on this letter, please provide the applicant's address:

[Empty box for applicant address]

Please return, along with full statement, to: Orange County Dept. of Planning 124 Main St. Goshen, NY 10924
Question or comments, call: 845-615-3840 or email: planning@orangecountygov.com



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: MAY 20, 2014

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

I (WE) JIN KANJANAKIRITUMRONG - GRABEK PRESENTLY

RESIDING AT NUMBER 349 MEADOW AVE, NEWBURGH, NY 12550

TELEPHONE NUMBER 845-857-9985

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:

S/B/L 66-2-3 (TAX MAP DESIGNATION)

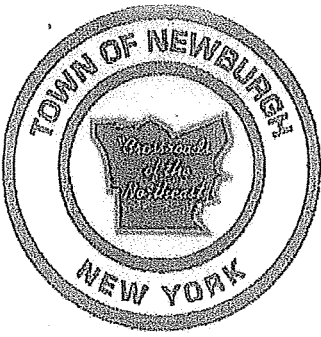
349 MEADOW AVE (STREET ADDRESS)

1B (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).

SECTION 185-10
USE REQUIREMENTS 1B DISTRICT -
SCHEDULE 8

PERMITTED USE/USE SUBJECT TO
SITE PLAN REVIEW



TOWN OF NEWBURGH

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OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: _____
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: MAY 16, 2014

4. DESCRIPTION OF VARIANCE SOUGHT: SEE ATTACHED
ADDENDUM

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:

SEE ATTACHED ADDENDUM

(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:

SEE ATTACHED ADDENDUM

- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

SEE ATTACHED ADDENDUM



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

SEE ATTACHED ADDENDUM

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:

N/A

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:

N/A

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

N/A

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

N/A

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

N/A



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NEWBURGH, NEW YORK 12550

7. ADDITIONAL REASONS (IF PERTINENT):

Jai [Signature]

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

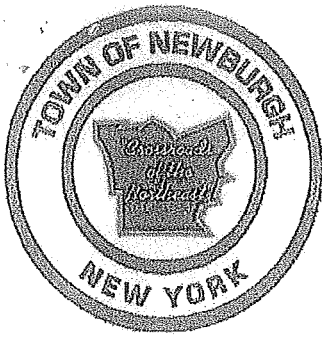
SWORN TO THIS 22nd DAY OF MAY 20 14

Kelly A Tanner
NOTARY PUBLIC

KELLY A TANNER
Notary Public - State of New York
No. 01TA6287694
Qualified in Orange County
My Commission Expires Aug. 19, 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.

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)



TOWN OF NEWBURGH

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OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

PROXY

^{-GRADEK}
JIM KANJANAKIRITUMRONG, DEPOSES AND SAYS THAT

~~HE~~/SHE RESIDES AT 349 MEADOW AVE, NEWBURGH

IN THE COUNTY OF ORANGE AND STATE OF NEW YORK

AND THAT ~~HE~~/SHE IS THE OWNER IN FEE OF TAX PARCEL

SECTION 66 BLOCK 2 LOT 3

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED VINCENT J. DOLE ASSOC.

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 5/22/14 Jim Kanjanakiritumrong

OWNER'S SIGNATURE

Charles Zafan

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 22nd DAY OF MAY 20 14

Kelly A Tanner
NOTARY PUBLIC

KELLY A TANNER
Notary Public - State of New York
No. 01TA6287694
Qualified in Orange County
My Commission Expires Aug. 19, 2017

Addendum

4. DESCRIPTION OF VARIANCE SOUGHT:

The applicant requests a use variance to allow the conversion of an existing single-family home located in an IB zone into a proposed hair salon.

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:

The parcel is located in a portion of the IB zone where the existing lot areas (approximately 1/3 acres) are not conducive to the uses allowed by zoning. The uses permitted by the IB zone make using these small parcels physically impossible (requiring much larger lots) and economically unfeasible. The IB zone allows for mini-malls, health clubs and fitness facilities, shopping centers, theatres, research laboratories, manufacturing facilities, warehouse buildings, motor vehicle dealerships, service stations, car washes, transportation facilities, hotels and motels, business parks, retail stores, offices, schools and colleges, self-storage facilities and transportation facilities. With the exception of an office, these uses require more developable area than this parcel allows. With the glut of unrented office space in the area, an office use is not economically viable. The zoning code also permits existing homes in the IB zone. However, this area is surrounded by large commercial uses and adjacent to a convenience store, insurance agent and business park. It is also located on the heavily travelled Meadow Avenue. It is undesirable location for homeowners and sale as a residential lot is implausible. The size of the existing parcel is more conducive to smaller scale uses such as personal service stores (i.e. hair salons, tailors, seamstress, dry-cleaners, barbers, manicurist/pedicurists, acupuncturists, pet groomers, shoe repair, child care, photography studio). This neighborhood of smaller lots is more physically compatible for uses allowed in a B zone (such as those mentioned above).

The applicant currently leases spaces at 102 South Plank Road. She pays \$1800.00 per month and when her lease expires in July she will be subjected to another price increase. When the parcel adjacent to the subject site was a hair salon, Ms. Kanjanikittumrong-Grabek was approached to rent the space. It was more economically feasible to purchase the subject site and operate her hair salon there.

b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

Most of the properties in the adjacent portion of the IB zone are much larger, meet the IB zoning regulations, and house large structures built specifically for the IB use (eg: banks, the Newburgh Mall, large restaurants, Newburgh Cinema, etc.).

c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

The parcel exists in a commercial zoning district. The applicant is proposing

a commercial use (hair salon) that is between and opposite other commercial uses (a convenience store, insurance office and two-story office building). The adjacent parcel, in fact, housed a hair salon at the time that the applicant herein was considering purchasing the subject property.

d) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

The parcel is located in an IB zone district established by the Town of Newburgh that allows for uses that are not conducive to the size of the lots within this portion of the district. The lot sizes and buildings pre-date the IB zoning.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: Site Plan Lands of Jin Kanjanakiritumrong - Grabek			
Project Location (describe, and attach a location map): 349 Meadow Avenue, Town of Newburgh, Orange County - Tax Parcel Section 66 Block 2 Lot 3			
Brief Description of Proposed Action: Conversion of an existing single-family dwelling located in an IB zone into a hair salon. Construction of a 2100 +/- square foot parking area.			
Name of Applicant or Sponsor: Jin Kanjanakiritumrong		Telephone: 845 857-9985	
Address: 349 Meadow Avenue		E-Mail:	
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? 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 checked="" 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: Town of Newburgh Zoning Board of Appeals		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.37 +/- acres	
b. Total acreage to be physically disturbed?		0.05 +/- acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.37 +/- 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 checked="" 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: Vincent J. Doce Associates		Date: May 5, 2014
Signature: <u>Dan C. Doce</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?	<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"/>

	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?	<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"/>

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)

PRINT

Dickover, Donnelly & Donovan, LLP
Attorneys and Counselors at Law

David A. Donovan
Michael H. Donnelly
Robert J. Dickover

28 Bruen Place
P.O. Box 610
Goshen, NY 10924
Phone (845) 294-9447
mail@ddbllaw.com
Fax (845) 294-6553
(Not for Service of Process)

Successor Law Firm To:
Alexander Appelbaum, P.C., Florida, N.Y. (1915-1988)
Ludmerer & Vurno, Esqs., Warwick, N.Y.

May 16, 2014

Town of Newburgh
Zoning Board of Appeals
308 Gardnertown Road
Newburgh, New York 12550

RE: Kanjanakiritumrong Site Plan
66-2-3 (Zone IB)
349 Meadow Avenue (14.08)

Members of the Board:

I write to you on behalf of and at the direction of the Town of Newburgh Planning Board. The above referenced applicant appeared before the planning board during its meeting of May 15, 2014. The applicant proposes to convert an existing single family dwelling into a hair salon. Such a personal service business is not permitted in the IB zone where this property is located. Additionally, the site does meet several bulk area requirements as follows:

- Lot Area:¹ 40,000 square feet required; 16,200 square feet provided;
- Lot Width:² 150 feet required; 90 feet provided;
- Side Yard: 50 feet required; 6 feet provided;
- Combined Side Yard: 100 feet required; 45 feet provided; and
- Accessory Structure Setback: 10 feet required; 1.7 feet provided.

¹ Newburgh Code § 185-18 [Exceptions to district regulations] (A) [Nonconforming lots of record] (1) [Existing lots] provides that “[n]othing shall prohibit the use of a lot of less than the prescribed area... when such lot is owned individually and separate from any adjoining tract at the time of enactment of this chapter, provided that all other provisions of this chapter are met.” Thus, if a use variance is granted by your board, no area variance for lot area will be required.

² Newburgh Code § 185-18 [Exceptions to district regulations] (A) [Nonconforming lots of record] (1) [Existing lots] provides that “[n]othing shall prohibit the use of a lot of less than the prescribed... width when such lot is owned individually and separate from any adjoining tract at the time of enactment of this chapter, provided that all other provisions of this chapter are met. Thus, if a use variance is granted by your board, no area variance for lot width will be required.

The planning board therefore refers this matter to you for consideration of granting a use and area variances.

The planning board suggests that you conduct your SEQRA review of this application on an uncoordinated review basis. The planning board has no particular matters or concerns to bring to your attention.

Very truly yours,

A handwritten signature in black ink, appearing to read "MHD", written in a cursive style.

MICHAEL H. DONNELLY

MHD/lrm

cc: Town of Newburgh Planning Board
Vincent J. Doce Associates

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

Bonnie G. Tezzi
and
Judith Brotten-Davis

TO

Jin Grabek

SECTION 66 BLOCK 2 LOT 3

RECORD AND RETURN TO:
(name and address)

Legend Abstract Corp.
11 Third Street
New City, NY 10956



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)
- 2001 WASHINGTONVILLE (VLG)
- 2003 SO. BLOOMING GROVE (VLG)
- 2289 CHESTER (TN)
- 2201 CHESTER (VLG)
- 2489 CORNWALL (TN)
- 2401 CORNWALL (VLG)
- 2600 CRAWFORD (TN)
- 2800 DEERPARK (TN)
- 3089 GOSHEN (TN)
- 3001 GOSHEN (VLG)
- 3003 FLORIDA (VLG)
- 3005 CHESTER (VLG)
- 3200 GREENVILLE (TN)
- 3489 HAMPTONBURGH (TN)
- 3401 MAYBROOK (VLG)
- 3689 HIGHLANDS (TN)
- 3601 HIGHLAND FALLS (VLG)
- 3889 MINISINK (TN)
- 3801 UMONVILLE (VLG)
- 4089 MONROE (TN)
- 4001 MONROE (VLG)
- 4003 HARRIMAN (VLG)
- 4005 KIRYAS JOEL (VLG)

- 4289 MONTGOMERY (TN)
 - 4201 MAYBROOK (VLG)
 - 4203 MONTGOMERY (VLG)
 - 4205 WALDEN (VLG)
 - 4489 MOUNT HOPE (TN)
 - 4401 OTISVILLE (VLG)
 - ✓ 4600 NEWBURGH (TN)
 - 4800 NEW WINDSOR (TN)
 - 5089 TUXEDO (TN)
 - 5001 TUXEDO PARK (VLG)
 - 5200 WALLKILL (TN)
 - 5489 WARWICK (TN)
 - 5401 FLORIDA (VLG)
 - 5403 GREENWOOD LAKE (VLG)
 - 5405 WARWICK (VLG)
 - 5600 WAWAYANDA (TN)
 - 5889 WOODBURY (TN)
 - 5801 HARRIMAN (VLG)
 - 5809 WOODBURY (VLG)
- CITIES**
- 0900 MIDDLETOWN
 - 1100 NEWBURGH
 - 1300 PORT JERVIS
 - 9999 HOLD

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

PAYMENT TYPE: CHECK ✓
 CASH
 CHARGE
 NO FEE

Taxable
 CONSIDERATION \$ 190,000.-
 TAX EXEMPT
 Taxable
 MORTGAGE AMT. \$

MORTGAGE TAX TYPE:

- (A) COMMERCIAL/FULL
- (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

Ann G. Rabbitt
ANN G. RABBITT
ORANGE COUNTY CLERK

Received From Legend Abstract

RECORDED/FILED
04/18/2014/ 14:46:36
ANN G. RABBITT
County Clerk
ORANGE COUNTY, NY
FILE#20140033176
DEED R / BK 13740PG 0731
RECORDING FEES 190.00
TTX# 005576 T TAX 760.00
Receipt#1748398 lindar

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 04/18/14 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 May 27, 2014



THIS INDENTURE, made the 5th day of March, 2014

BETWEEN **BONNIE G. TEZZI**, residing at 37 W. Woods, Yarmouth Port, MA 02675 and
JUDITH BROTTEN-DAVIS, residing at 5 Creek Circle, Rhinebeck, NY 12572

party of the first part,

-and-

JIN GRABEK, residing at 102 Old S. Plank Road, Newburgh, NY 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, State of New York, more particularly bound and described as follows:

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF

BEING AND INTENDED to be the same premises conveyed to the Party of the First Part by deed dated May 28, 2006 and recorded June 6, 2006 in the Orange County Clerk's Office in Book 12170 Page 1613.

TOGETHER with all right, title and interest, if any, of the party of the first part of, 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:



BONNIE G. TEZZI



JUDITH BROTTEN-DAVIS

SCHEDULE A

LEGAL DESCRIPTION

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, bounded and described as follows:

BEGINNING at an iron pipe in the southerly line of the Meadow Hill Road at the northwest corner of land of Morgan and running;

THENCE South 5 degrees 50 minutes West along the westerly line of lands of Morgan 180 feet to an iron pipe;

THENCE westerly along the northerly line of land of Watford 90 feet to an iron pipe;

THENCE North 5 degrees 50 minutes East 180 feet to an iron pipe in the southerly side of Meadow Hill Road; and

THENCE easterly along the southerly line of Meadow Hill Road 90 feet to the point or place of **BEGINNING**.

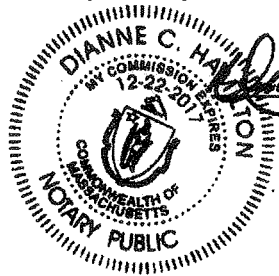
STATE OF MASSACHUSETTS, COUNTY OF Barnstable:

On the 5th day of March, 2014, before me the undersigned, personally appeared

Bonnie G. Tezzi

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed same in his/her/their own capacity and that by his/her/their signature(s) on the instrument, the individual(s) or the person on behalf of which the individual(s) acted, executed this instrument, and that such individual made such appearance before the undersigned in the

Yarmouth Port MA 02675
(insert the city or other political subdivision and the state or country or other place the acknowledgment was taken).



Dianne C. Hamilton
Notary Public

BARGAIN AND SALE DEED WITH COVENANTS AGAINST GRANTOR'S ACTS

Bonnie G. Tezzi and Judith Brotten-Davis

to

Jin Grabek

STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

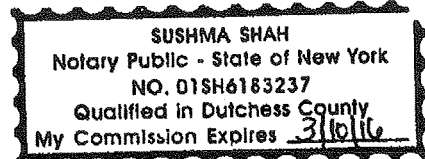
On the 7 day of March, 2014, before me the undersigned, personally appeared

Judith Brotten-Davis

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed same in his/her/their own capacity and that by his/her/their signature(s) on the instrument, the individual(s) or the person on behalf of which the individual(s) acted, executed this instrument.

J. Shah

Notary Public



Section: 66
Block: 2
Lot: 3
County: Orange
Town: Newburgh
Address: 349 Meadow Avenue
Newburgh, NY 12550

Record and Return To:

R. Spencer Lauterbach, Esq.
151 N. Main Street, 4th Floor
New City, NY 10956

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