

A



Steven M. Neuhaus  
County Executive

### Orange County Department of Planning Submittal 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  
Lowitt Ventures, LLC  
444 QUAKER STREET  
WALKILL

Tax Map #: 11-1-12.1  
Tax Map #:  
Tax Map #:  
Local File No.: 2365-13A  
Size of Parcel\*: 42,613

\*If more than one parcel, please include sum of all parcels.

Reason for County Review: within 500ft of Route 300 / No. PLANK ROAD

Current Zoning District (include any overlays): AIR

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) SIDE YARD SETBACK for
  - PRIOR BUILT SIDE FOYER ADDITION (5'9" x 4'9")
- Other

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

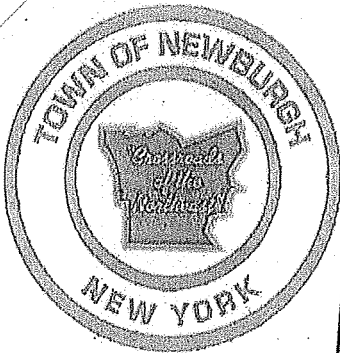
Local board comments or elaboration:

Signature of local official: Shane Cardone Date: 6/6/14 Chairperson Title: Zoning Board of Appeals

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:

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](mailto:planning@orangecountygov.com)



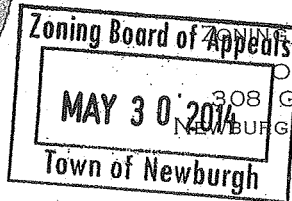
2365-13

Prior Built

TOWN OF NEWBURGH

Side Foyer

Crossroads of the Northeast



BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

(A)

5'9" x 4'9"

(A)

OFFICE OF ZONING BOARD  
(845) 566-4901

DATED: May 27, 2014

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

I (~~we~~) Steve Lowitt, sole member of Lowitt Ventures LLC, a NY limited liability company, PRESENTLY  
RESIDING AT NUMBER 443 Quaker St, Wallkill, NY 12589  
TELEPHONE NUMBER (845) 857-6112

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

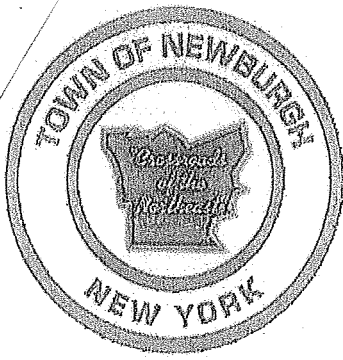
- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

11-1-12.1 (TAX MAP DESIGNATION)  
444 Quaker St. (STREET ADDRESS)  
A/R (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-54.B.



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
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: February 11, 2014
- 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: issuance of building permit and area variance for <sup>side</sup> foyer addition

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:

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



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

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 "prior built fence" actually existed when applicant bought the property and was improved, made more aesthetically pleasing and blends with the house architecture.*

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:

*The two-foot intrusion into the side yard setback cannot be changed without destroying the addition/renovation and bear negative results on the purpose of diverting water.*

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

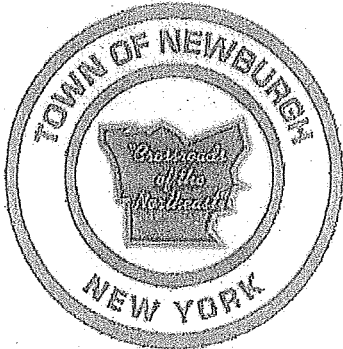
*It is 48 inches of 30 feet required and creates no negative impact by remaining, and existed when applicant bought house*

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

*It is an improvement of a prior existing non-conforming addition intruding into the side/setback.*

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

*It was there when he bought the house and he merely tried to improve drainage (and thereby, aesthetics).*



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

7. ADDITIONAL REASONS (IF PERTINENT):

*Pre-existing non-conforming use and exact intrusion into side yard setback is hard to determine.*

*Lowitt Ventures LLC*

*[Signature]*

PETITIONER (S) SIGNATURE  
*By: Steve Lowitt, Member*

STATE OF NEW YORK: COUNTY OF ORANGE:

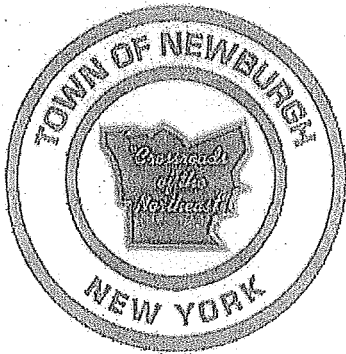
SWORN TO THIS 22<sup>nd</sup> DAY OF May 2014

*[Signature]*  
NOTARY PUBLIC

GREGORY J. TARCONE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02TA6282111  
Qualified in Nassau County  
My Commission Expires May 20, 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

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

## PROXY

Steven Louitt, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 443 Quaker St, Wallkill, NY 12589

IN THE COUNTY OF Orange AND STATE OF New York

AND THAT HE/SHE IS THE <sup>sole member of Louitt Ventures LLC, a NY limited liability company,</sup> OWNER IN FEE OF 444 Quaker St,

Wallkill, NY 12589

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Gregory J. Tarone, Esq.

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: May 12, 2014 By: [Signature], member

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 12<sup>th</sup> DAY OF May 2014

[Signature]  
NOTARY PUBLIC

GREGORY J. TARONE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02TA6282111  
Qualified in Nassau County  
My Commission Expires May 20, 2017

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: <i>Application to Zoning Board of Appeals for Area Variance</i>			
Project Location (describe, and attach a location map): <i>444 Quaker St., Wallkill, NY 12589</i>			
Brief Description of Proposed Action: <i>Use renovated pre-existing porch that was non-conforming to be issued a building permit for renovations and use variance as pre-existing, non-conforming.</i>			
Name of Applicant or Sponsor: <i>Proxu</i>		Telephone: <i>(845) 527 5424</i>	
<i>Gregory J. Tarone, Esq.</i>		E-Mail: <i>Greg@TaroneEsq.com</i>	
Address: <i>372 Fullerton Avenue</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 <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:			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>.98</i> 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			

5. Is the proposed action, a. A permitted use under the zoning regulations?  b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?		YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		YES	
	<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: _____	NO	YES	
	<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: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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? 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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<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  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	



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
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
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
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Lowitt Ventures LLC</u>	Date: <u>May 22, 2014</u>	
Signature: <u>By: Steve Lowitt, Member</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.

- 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

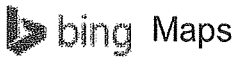
\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

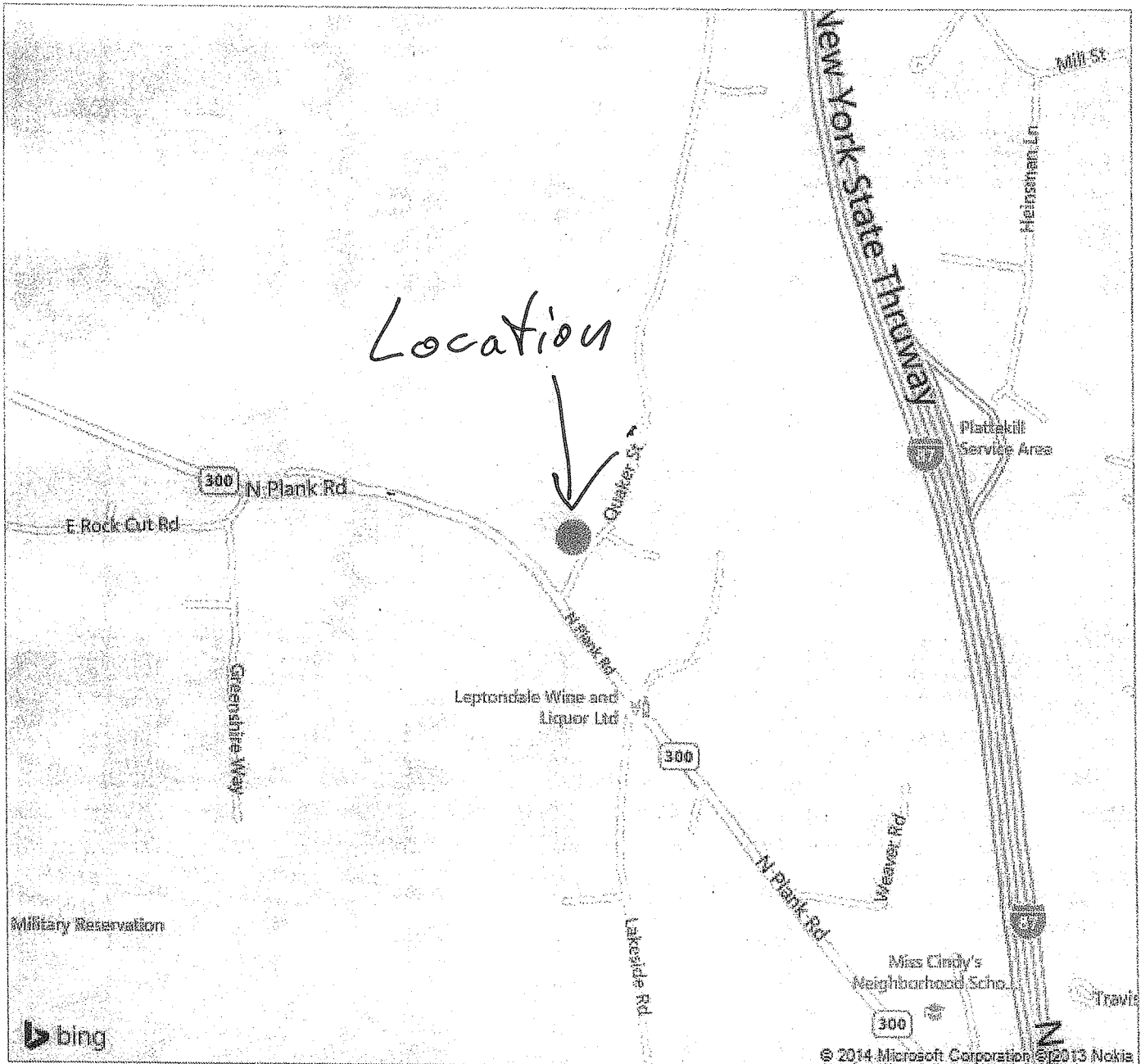
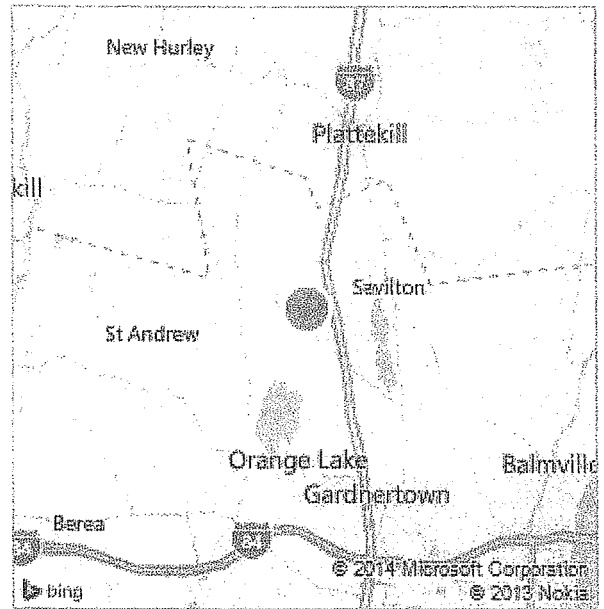
\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)



444 Quaker St, Wallkill, NY 12589

Location of Lowitt Ventures LLC, application to Zoning Board of Appeals for area variance in the Town of Newburgh.

On the go? Use [m.bing.com](http://m.bing.com) to find maps, directions, businesses, and more



Location





**TOWN OF NEWBURGH**

*~Crossroads of the Northeast~*

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

*Resent  
2-11-14  
w/2407-14*  
TELEPHONE 845-564-7801  
FAX LINE 845-564-7802

**2365-13**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**Application No. ~~13-0503~~**

**To: Lowitt Ventures, LLC  
443 Quaker St  
Wallkill, NY 12589**

**SBL: 11-1-12.1  
ADDRESS: 444 Quaker St**

**ZONE: AR**

PLEASE TAKE NOTICE that your application dated 06/13/2013 for permit to keep a prior built 5'-9" x 4'-9" side foyer on the premises located at 444 Quaker St is returned herewith and disapproved on the following grounds:

Bulk table schedule 2 requires a side yard set back of 30' minimum.

  
Joseph Mattina

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



**Date: 07/01/2013**

# Town of Newburgh Code Compliance

**OWNER INFORMATION**

*BUILT WITH OUT A PERMIT* YES

**NAME:** LOWITT VENTURES LLC

**ADDRESS:** 443 QUAKER ST WALLKILL NY 12589

**PROJECT INFORMATION:**

**TYPE OF STRUCTURE:** PRIOR BUILT FOYER @ 444 QUAKER ST WALLKILL NY 12589

**SBL:** 11-1-12.1      **ZONE:** A-R

**TOWN WATER:** NO      **TOWN SEWER:** NO

2365-13

A

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
ONE SIDE YARD	30'	28'		2'	6.6%
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
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

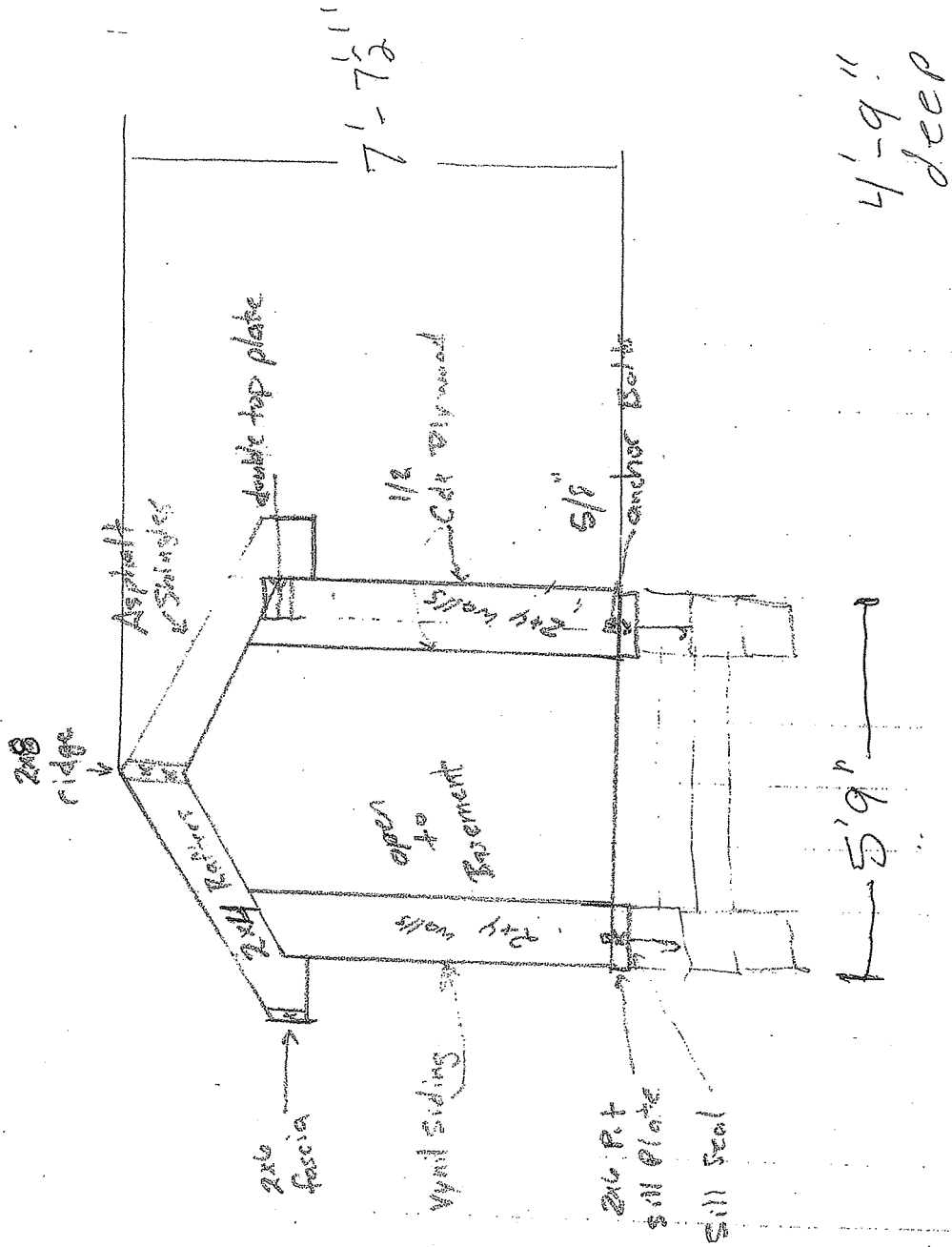
**NOTES:** PRIOR BUILT FOYER 5'-9" X 4'-9"

**VARIANCE(S) REQUIRED:**

- 1 BULK TABLE SCHEDULE 2 REQUIRES A MINIMUM SIDE YARD OF 30'.
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

**REVIEWED BY:** JOSEPH MATTINA      **DATE:** 1-Jul-13

# Basement Entry



857-6N8  
 1107  
 Street

**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

ESTATE OF LILLIAN BENEDICT  
*Jacqueline Muir Co-Executor*  
*Eileen Colman Co-Executor*  
TO  
LOWITT VENTURES, LLC

SECTION 11 BLOCK 1 LOT 12.1



RECORD AND RETURN TO:  
(name and address)

GreenAcre Abstract LLC  
201 Ward Street, Suite 2A  
Montgomery, NY 12549

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 By 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)         | <b>CITIES</b>             |
| 4089 MONROE (TN)              | 0900 MIDDLETOWN           |
| 4001 MONROE (VLG)             | 1100 NEWBURGH             |
| 4003 HARRIMAN (VLG)           | 1300 PORT JERVIS          |
| 4005 KIRYAS JOEL (VLG)        | 9999 HOLD                 |

NO. PAGES 5 CROSS REF. \_\_\_\_\_  
CERT. COPY \_\_\_\_\_ ADD'L X-REF. \_\_\_\_\_  
MAP# \_\_\_\_\_ PGS. \_\_\_\_\_  
PAYMENT TYPE: CHECK   
CASH \_\_\_\_\_  
CHARGE \_\_\_\_\_  
NO FEE \_\_\_\_\_  
Taxable  
CONSIDERATION \$ 86,000.00  
TAX EXEMPT \_\_\_\_\_  
Taxable  
MORTGAGE AMT. \$ \_\_\_\_\_

**MORTGAGE TAX TYPE:**  
\_\_\_\_ (A) COMMERCIAL/FULL 1.05%  
\_\_\_\_ (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

*Donna L. Benson*  
DONNA L. BENSON  
ORANGE COUNTY CLERK

Received From Greenacre

RECORDED/FILED  
07/17/2012/ 13:47:36  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY  
FILE#20120066722  
DEED R / BK 13375PG 0910  
RECORDING FEES 195.00  
TTX# 005931 T TAX 344.00  
Receipt#1476896 rose

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 07/17/12 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 COURT,  
ORANGE COUNTY May 5, 2014



**EXECUTOR'S DEED**

**THIS INDENTURE**, made this 10<sup>th</sup> day of May, 2012

**BETWEEN Jacqueline Murr, presently residing at 847 Corn Planter's Circle, Carolina Shores, NC 28467 and Eileen Coleman, presently residing at 265 East Granada Avenue, Hershey, PA 17033, Co-Executors of the Last Will and Testament of Lillian Benedict, late of Orange County, deceased,**

party of the first part, and

**Lowitt Ventures, LLC with offices located at 443 Quaker Street, Walkkill, New York 12589,**

party of the second part,

**WITNESSETH**, that the party of the first part, by virtue of the power and authority given in and by said Last Will and Testament, and in consideration of

**EIGHTY SIX THOUSAND ----- (\$86,000.00) DOLLARS,**

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, more particularly bounded and described as follows:

**SEE SCHEDULE "A" ATTACHED**

**BEING** and intended to the same premises conveyed by George C. Benedict to George C. Benedict and Lillian M. Benedict by Deed dated March 8, 1966 and recorded in the Orange County Clerk's Office on March 9, 1966 in Liber 1738 of Deeds at page 578, the said George C. Benedict having died a resident of Orange County on December 4, 1984 and having left surviving him, his wife, Lillian Benedict, and the said Lillian Benedict having died a resident of Orange County on January 21, 2012, and Letters of Testamentary were issued to Jacqueline Murr and Eileen Coleman on April 18, 2012 under Orange County Surrogate's File No. 2012-197.

**TOGETHER WITH AND SUBJECT TO** covenants, easements, restrictions & agreements of record, if any.



**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 thereto;

**TOGETHER** with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise;

**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 read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has executed this deed the day and year first above written.

*Estate of Lilian Benedict*

*Jacqueline Murr*  
\_\_\_\_\_  
JACQUELINE MURR, Co-Executor

*Eileen Colman*  
\_\_\_\_\_  
EILEEN COLMAN, Co-Executor

STATE OF NORTH CAROLINA

SS.:

COUNTY OF BRUNSWICK

On the 10 day of May in the year 2012 before me, the undersigned personally appeared Jacqueline Murr, 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 the same in his/her/their capacity(ies), and that be his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

Sunset Beach

(Insert the City or other political subdivision)

in Brunswick County, NC

(& insert the County or other place acknowledgment taken)

**CYNTHIA L HAACK**  
Notary Public  
New Hanover Co., North Carolina  
My Commission Expires Dec. 11, 2016

[Signature]  
(signature and office of individual taking acknowledgment)

STATE OF PENNSYLVANIA

SS.:

COUNTY OF DAUPHIN

On the 15<sup>th</sup> day of May in the year 2012 before me, the undersigned personally appeared Eileen Coleman, 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 the same in his/her/their capacity(ies), and that be his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

DERRY TWP.

(Insert the City or other political subdivision)

in DAUPHIN COUNTY, PA

(& insert the County or other place acknowledgment taken)

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
SUSAN C. CIRANNI, Notary Public  
Derry Township, Dauphin County  
My Commission Expires April 09, 2013

[Signature]  
(signature and office of individual taking acknowledgment)

**Schedule A Description**

Revised: 05/22/2012

Page 11

Title Number GA-121198-0

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

BEGINNING at a point in the centerline of Quaker Street, said point being the easterly most corner of lands now or formerly Schmidt, Liber 2212, page 260, and runs thence along the said Schmidt, and lands now or formerly Vazquez, Liber 12905, page 143, North 37° 23' 00" West 259.10 feet, to an iron pipe;

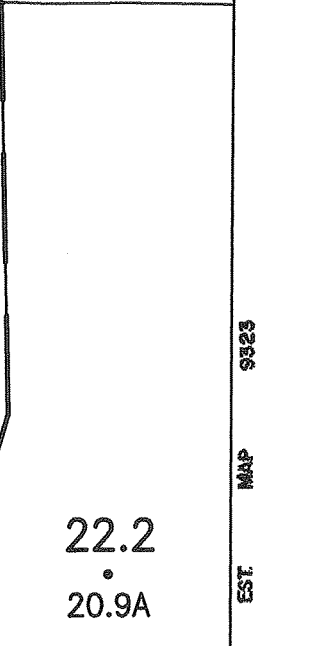
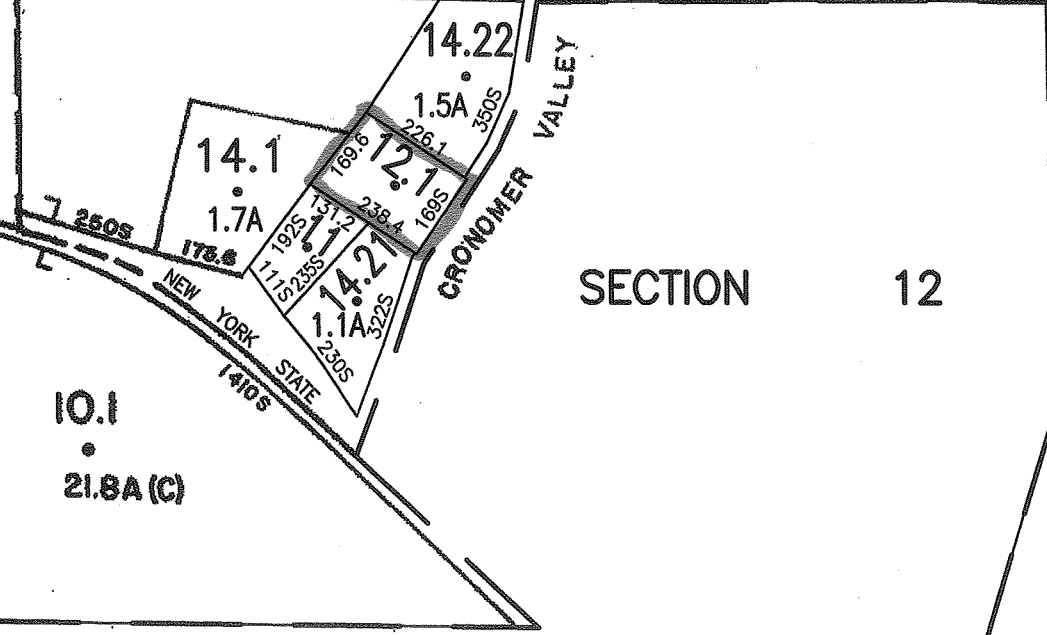
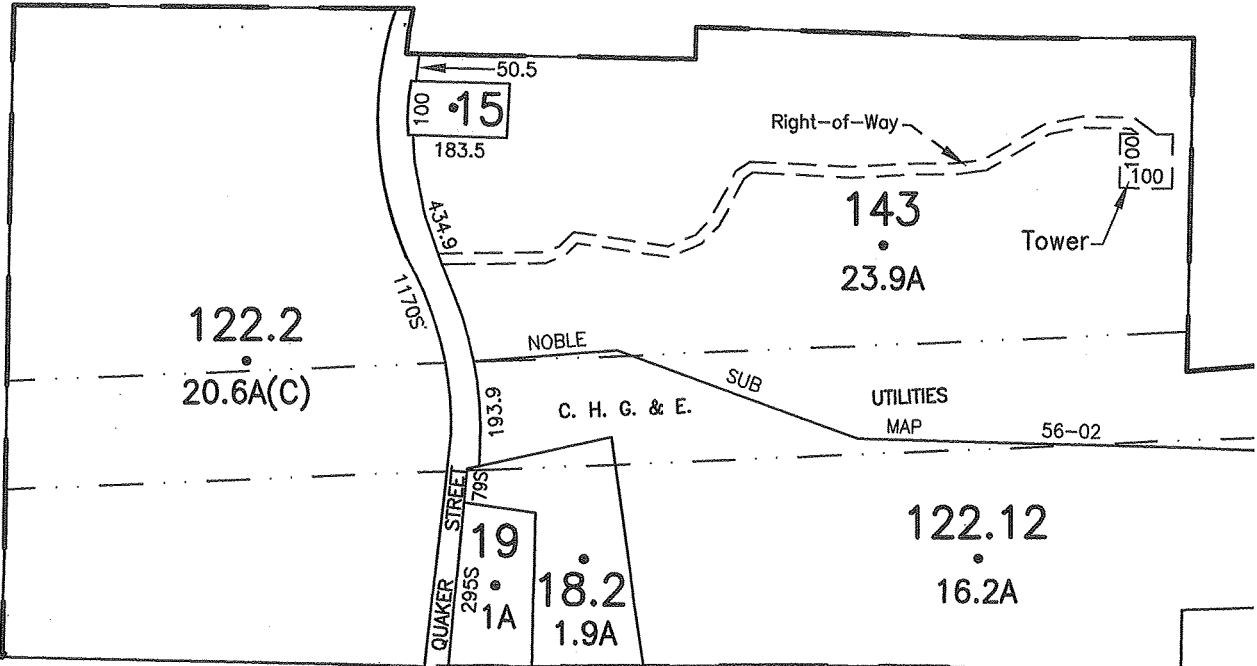
THENCE along the lands now or formerly Benedict, Liber 4509, page 226, and lands now or formerly Sypek, Liber 11896, page 824, North 58° 26' 00" East 169.60 feet;

THENCE along other lands now or formerly Schmidt, Liber 2212, page 260, South 37° 23' 00" East 246.10 feet;

THENCE along the centerline of Quaker Street, the following 2 courses and distances;

1. South 54° 06' 46" West 68.67 feet,
2. South 53° 59' 16" West 100.10 feet, to the point or place of BEGINNING.

"Being and intended to be the same premises conveyed to George C. Benedict and Lillian M. Benedict, Husband and Wife, who acquired title from George C. Benedict, by deed dated March 8, 1966 and recorded in the Orange County Clerk's Office on March 9, 1966 in Liber 1738, page 578 and also the same premises conveyed to George C. Benedict and Lillian M. Benedict, Husband and Wife, who acquired title from Maybelle Marius Benedict, by deed dated February 21, 1966 and recorded in the Orange County Clerk's Office on March 9, 1966 in Liber 1738, page 575. George C. Benedict died on December 4, 1984 leaving Lillian M. Benedict as surviving tenant by the entirety. Lillian M. Benedict died on January 21, 2012 testate. Letters Testamentary were issued to Jacqueline Murr and Eileen Coleman as Co-Executrices on April 18, 2012 under Orange County Surrogates Court File Number 197-12."



(3)

Lowitt Ventures LLC  
 444 Quaker St  
 Walk II  
 (11-1-12.1)

(4)

SECTION 13

