



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:	Town of Newburgh
Local Referring Board:	Zoning Board of Appeals
Applicant:	DAVID MARUCCO
Project Name:	
Location of Project Site	280 FOSTERTOWN RD Newburgh

Tax Map #:	20-1-21
Tax Map #:	
Tax Map #:	
Local File No.:	2460-14
Size of Parcel*:	30,360 SF

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

Reason for County Review:	ON FOSTERTOWN RD CR86
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Current Zoning District (include any overlays):	R-2
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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) max sq ft/gz / max height / max storage of

Other Four vehicles - (50x33x28'6") Access Bldg

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

Local board comments or elaboration:

Shane Cardone 9/30/14
Signature of local official 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:

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: 9/30/14

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

I (WE) DAVID C MARUO PRESENTLY
RESIDING AT NUMBER 280 FosterBwn ROAD
TELEPHONE NUMBER 845-565-1007 / 845-304-2121
(Home) (cell)

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:

20-1-21 (TAX MAP DESIGNATION)
280 FosterBwn ROAD (STREET ADDRESS)
R-2 (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).

- (1) 185-15-A-4
- (2) 185-15-A-1
- (3) Bulk Table Schedule 4



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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: 9-18-2014

b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: _____

4. DESCRIPTION OF VARIANCE SOUGHT: Exceeding Sq. Footage

Exceeding Height Allowance

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:

ITS A GARAGE - OUT OF SIGHT OF PUBLIC -
HIDDEN BY TREES AND A FENCE - 300' FROM
PUBLIC ROADWAY



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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:

IT IS SET BACK FAR FROM ANY VISUAL
TO PUBLIC OR NEIGHBORS, AND IS SURROUNDED
BY TREES AND FENCING.

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:

NO OTHER MEANS OF ROAD TO TAKE.
NEED LARGER BUILDING FOR STORAGE.
TOOLS EQUIPMENT IS ENDING UP IN HOUSE. I HAVE
NO SHED OR OUTSIDE STORAGE.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

IT IS A GARAGE AND NOT A COMMERCIAL
BUILDING - OR BEING USED FOR BUSINESS

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

NO PLUMBING IS REQUIRED - AND NOT
HABITABLE FOR LIVING - USED FOR STORAGE
ONLY.

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

- NEED FOR LARGER STORAGE.
HAVE ROBBERIES AND CLASSIC CARS THAT NEED
PROTECTION FROM ELEMENTS.



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OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

7. ADDITIONAL REASONS (IF PERTINENT):

*I have thousands of dollars in equipment
and vehicles that need protection
and to be stored for future use*

[Handwritten Signature]
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30 DAY OF SEPTEMBER 2014

[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.

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

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
<i>ERECT 3 CAR GARAGE</i>			
Name of Action or Project:			
<i>Building</i>			
Project Location (describe, and attach a location map):			
<i>280 FOSTERBURN ROAD Newburgh NY 12550</i>			
Brief Description of Proposed Action:			
<i>TO BUILD A 3 CAR GARAGE WITH ATTACHED OVER HANG FOR OUTSIDE STORAGE OF MATERIAL</i>			
Name of Applicant or Sponsor:		Telephone: <i>845-304-2121 (C)</i>	
<i>DAVID C. MARULO</i>		E-Mail:	
Address:		<i>845-565-1007 (M)</i>	
<i>280 FOSTERBURN ROAD</i>			
City/PO:		State:	Zip Code:
<i>Newburgh NY 12550</i>		<i>N.Y.</i>	<i>12550</i>
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.			<i>X</i>
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:			<i>X</i>
<i>Building Permit</i>			
3.a. Total acreage of the site of the proposed action?		<i>3/4</i>	acres
b. Total acreage to be physically disturbed?		<i>1/4</i>	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>3/4</i>	acres
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" 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			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?		X	
		X	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
		X	
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	
	X		
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	X		
		X	
	X		
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	
	X		
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	X		
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	X		
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	
	X		
	X		
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	
	X		
	X		
	X		
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 N/A			
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	
	X		
16. Is the project site located in the 100 year flood plain?	NO	YES	
	X		
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 checked="" 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	
	X		
	X		

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
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>David C MARULO</u> Date: <u>9/30/14</u> Signature: <u><i>David C. Marulo</i></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?"

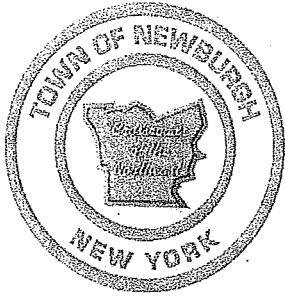
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the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



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

2460-14

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/18/2014

Application No. 13-0858

To: David Maruco
280 Fostertown Rd
Newburgh, NY 12550

SBL: 20-1-21
ADDRESS: 280 Fostertown Rd

ZONE: R-2

PLEASE TAKE NOTICE that your application dated 09/05/2013 for permit to construct a 50' x 33' x 28'-6" accessory building on the premises located at 280 Fostertown Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-15-A-4 Maximum allowed square footage based on the formula is 828.6 s.f
- 2) 185-15-A-1 Maximum allowed height for an accessory building is 15'.
- 3) Bulk table schedule 4 Allows the storage of 4 vehicles maximum.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

NO

2460-14

NAME: DAVID MARUCO

ADDRESS: 280 FOSTERTOWN RD NEWBURGH NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: 50' X 33' X 28'-6" DETACHED GARAGE

SBL: 20-1-21 ~~20-1-24~~ ZONE: R-2

TOWN WATER: NO TOWN SEWER: NO

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
SQUARE FEET	828.6 SF		1356 SF	527.4 SF	63.6%
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT	15'		28'-6"	13'-5"	90.0%
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:

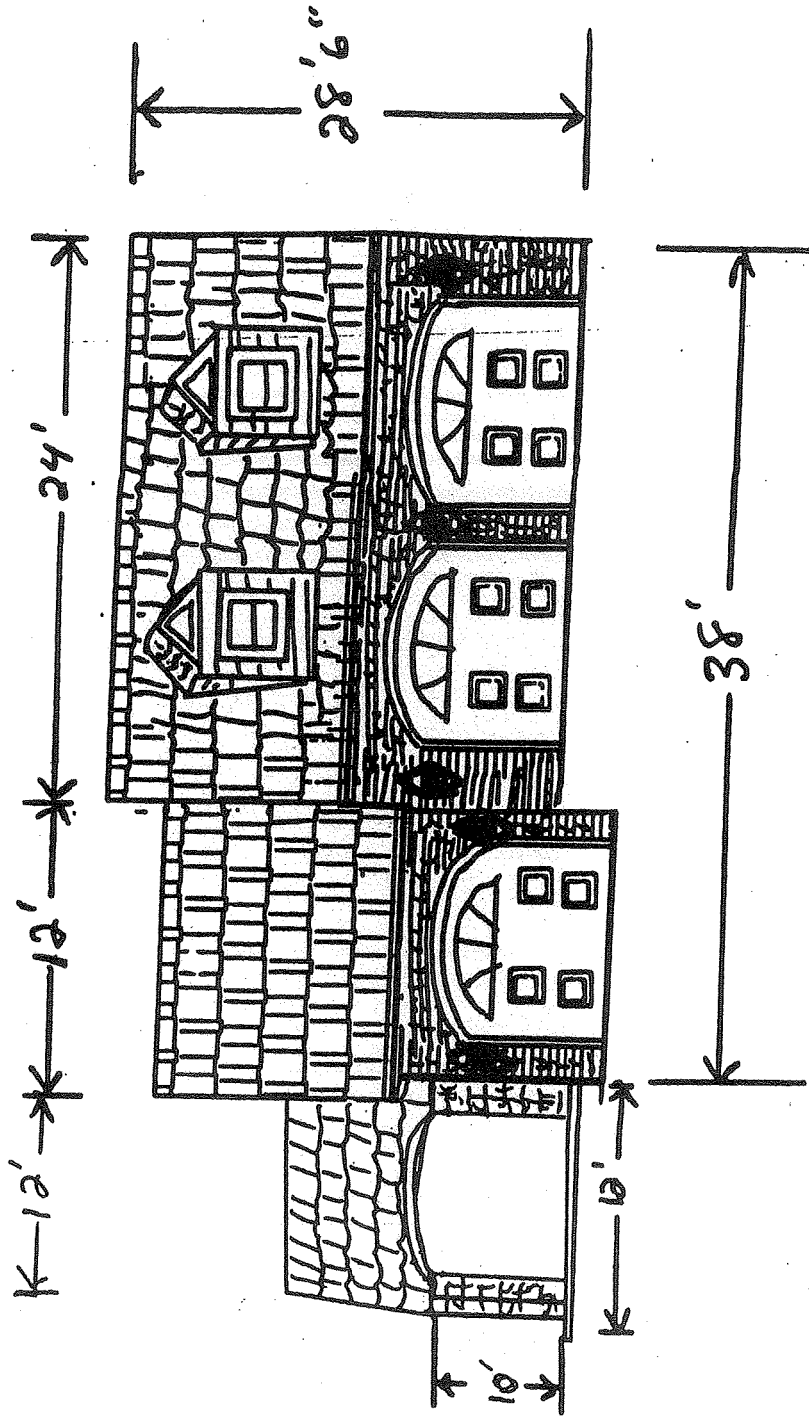
GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 ----- YES / NO
 FRONT YARD - 185-15-A ----- YES / NO
 STORAGE OF MORE THEN 4 VEHICLES ----- YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 ----- YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 ----- YES / NO

NOTES: **CORNER LOT. MUST BE BEHIND THE ^{PLAN R} PLAN OF THE DWELLING. ENGINEERED PLANS REQUIRED IF A VARIANCE IS GRANTED.**

VARIANCE(S) REQUIRED:

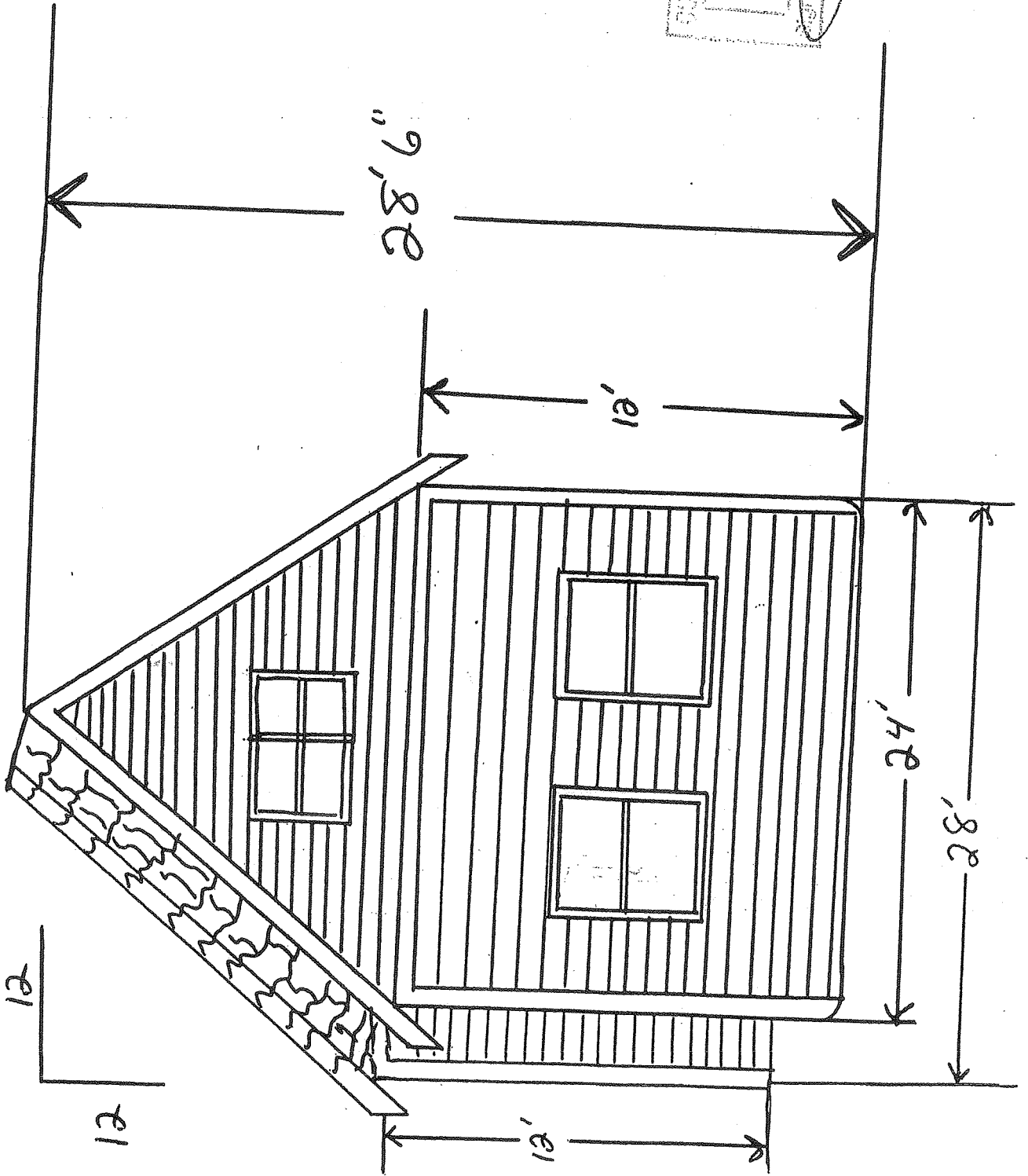
- 1 185-15-A-4 Maximum allowed square footage based on the formula.
- 2 185-15-A-1 Maximum allowed height for an accessory building is 15'.
- 3 Bulk table schedule 4 allows a maximum of 4 vehicle storage.
- 4 _____

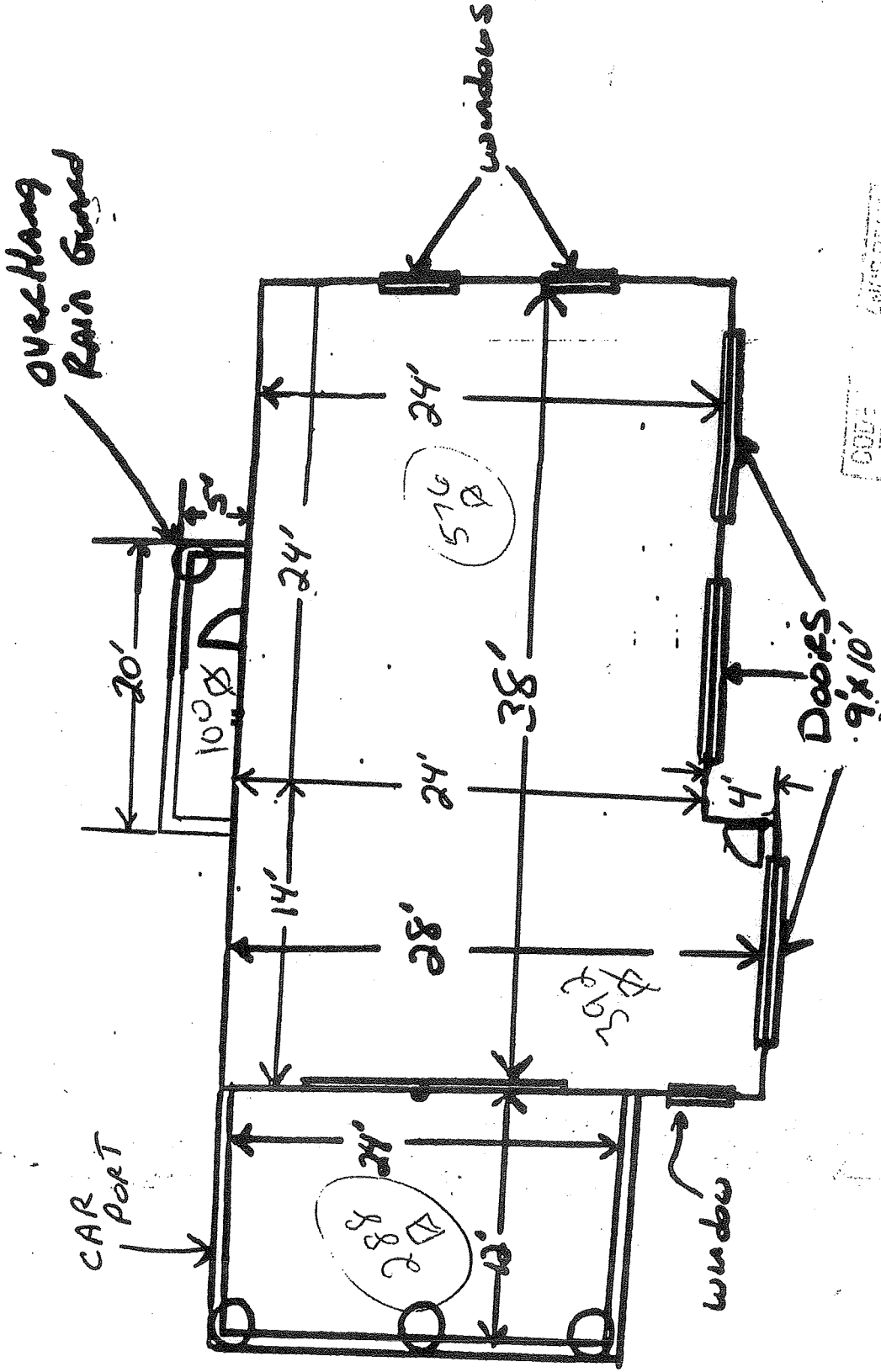
REVIEWED BY: Joseph Mattina DATE: 18-Sep-14



SEP 17 2014
 [Signature]

SEP 17 2014





GARAGE = 968 59. FT.

OPEN SPACE = 388 59. FT.

(CAR PORT)
(OVER HANG)

TOTAL = 1356 59 FT

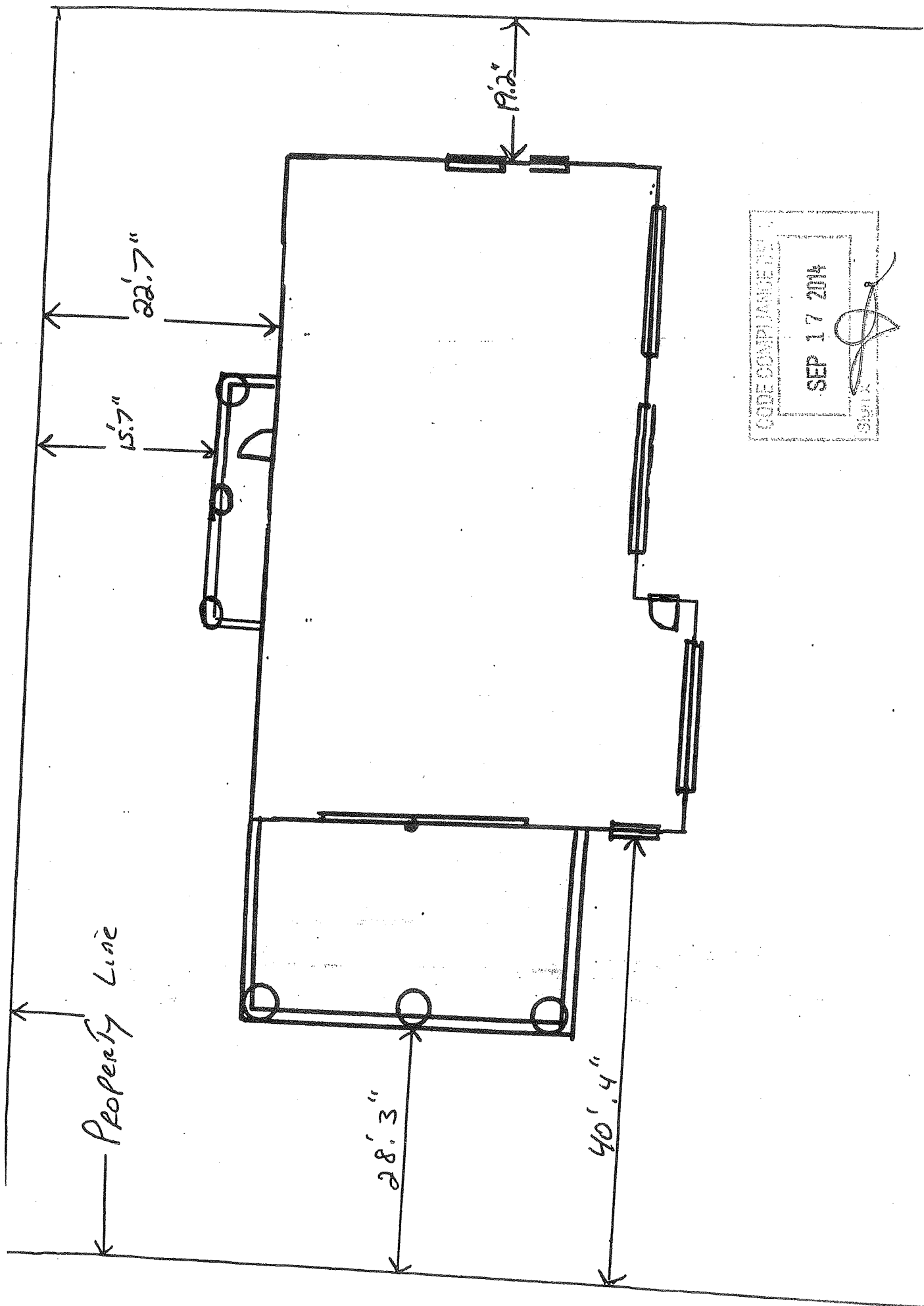
50

1256

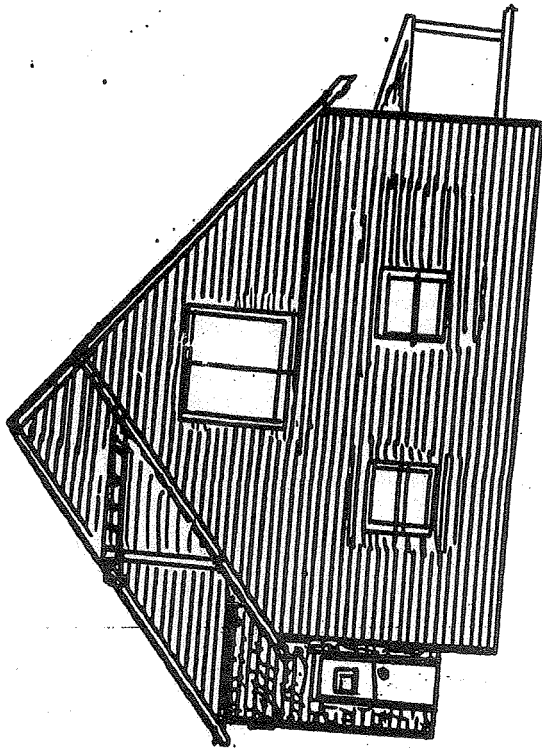
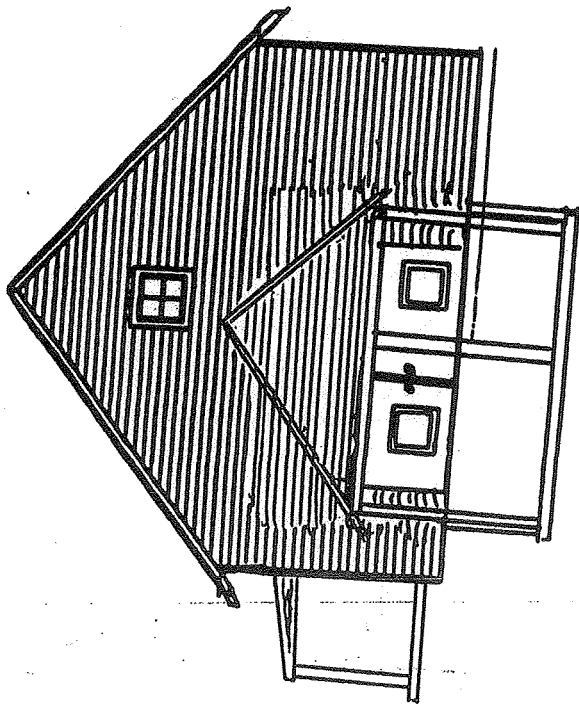
+ 100 =

1356 sq ft

GOOD
CHANGE DECK
SEP 17 2014



CODE COMPLIANCE DEPT.
SEP 17 2014
[Signature]



ASSESSMENT COMPLIANCE DEPT.
SEP 17 2014
SIGNATURE

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



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

Dennis P. Brady + Deanne D. Brady
TO
David C. Maruco

SECTION 20 BLOCK 1 LOT 21

RECORD AND RETURN TO:
(Name and Address)

Marc Kerchman, Esq
310 Fullerton Avenue
Newburgh, NY 12550

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE
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 MAYHOOK (VLG) |
| 2289 CHESTER (TN) | 4203 MANTONVILLE (VLG) |
| 2201 CHESTER (VLG) | 4205 WATSON (VLG) |
| 2409 CORNWALL (TN) | 4409 MOHNTOWN (TN) |
| 2401 CORNWALL (VLG) | 4401 OHSVILLE (VLG) |
| 2600 CRAWFORD (TN) | <input checked="" type="checkbox"/> 4600 NEWBUNGH (TN) |
| 2600 DEENPARK (TN) | 4600 NEW WINDSOR (TN) |
| 3089 GOSHEN (TN) | 5089 TUXEDO (TN) |
| 3001 GOSHEN (VLG) | 5001 TUXEDO PARK (VLG) |
| 3003 FLORIDA (VLG) | 5200 WALKHILL (TN) |
| 3005 CHESTER (VLG) | 5489 WARWICK (TN) |
| 3200 GREENVILLE (TN) | 5401 FLORIDA (VLG) |
| 3489 HAMPTONBURGH (TN) | 5403 GREENWOOD LAKE (VLG) |
| 3401 MAYBROOK (VLG) | 5405 WARWICK (VLG) |
| 3889 HIGHLANDS (TN) | 5600 WAWAYANDA (TN) |
| 3801 HIGHLAND FALLS (VLG) | 5889 WOODBURY (TN) |
| 3889 MARSHK (TN) | 5801 HARRIMAN (VLG) |
| 3801 UNIONVILLE (VLG) | |
| 4089 MONROE (TN) | CLERK |
| 4001 MONROE (VLG) | 0900 MIDDLETOWN |
| 4003 HARRIMAN (VLG) | 1100 NEWBUNGH |
| 4003 HRYAS JOEL (VLG) | 1300 PORT JERVIS |
| | 8000 HOLD |

NO. PAGES 3 CROSS REF _____
CERT. COPY _____ AFFY _____

PAYMENT TYPE: CHECK _____
CASH _____
CHARGE _____
NO FEE _____

CONSIDERATION \$ 124,500.-
TAX EXEMPT _____

MORTGAGE AMT \$ _____
DATE _____

- MORTGAGE TYPE:
- ___ (A) COMMERCIAL
 - ___ (B) 1 OR 2 FAMILY
 - ___ (C) UNDER \$10,000.
 - ___ (E) EXEMPT
 - ___ (F) 3 TO 8 UNITS
 - ___ (G) NAT. PERSON OR UNCON
 - ___ (H) NAT. PER-CR. UNK OR 2
 - ___ (I) CONDO

Donna L. Benson
DONNA L. BENSON
Orange County Clerk

RECEIVED FROM: Action Abst.

LIB: 47456 31

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 03-24-1998 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 09-26-2014

COUNTY CLERK & CLERK OF THE SUPREME AND COUNTY COURTS
ORANGE COUNTY

LIBER 4745 PAGE 31
ORANGE COUNTY CLERK'S OFFICE 16192 DAB
RECORDED/FILED 03/24/98 11:02:38 AM
FEE \$ 44.00 EDUCATION FUND 5.00
SERIAL NUMBER: 006374
DEED ENCL NO 53397 RE TAX 498.00

*Saw Original
9/26/14
BJ*

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THESE INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 20th day of March, nineteen hundred and ninety-eight

BETWEEN

DENNIS F. BRADY and DEANNE D. BRADY, residing at
280 Postertown Road, Newburgh, New York 12530

party of the first part, and

DAVID C. MARUCCO, residing at
1518 Crompond Road, Peekskill, New York 00566

party of the second part,

WITNESSETH, that the party of the first part, in consideration of
TEN Dollars and 00/100 (\$10.00) dollars,

lawful money of the United States, 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, Orange County, State of New York, bounded and described as follows:

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

(Section 20 Block 1 Lot 21)

BEING the same premises conveyed by deed dated January 6, 1988 from Chesecon Homes, Inc. which deed was recorded in the Orange County Clerk's Office in Liber 2869 of Deeds at Page 66 and recorded on January 12, 1988.

PREMISES ARE NOT SUBJECT TO A CREDIT LINE MORTGAGE

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any tenements 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.

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SCHEDULE "A" DESCRIPTION

98-02037-0

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

BEGINNING at a point on the northerly side of the Fostertown Road at the southeasterly corner of lands described in a deed, Joseph and Mildred A. Getto to William Edward Reggero, dated May 12, 1954 and recorded in the Orange County Clerk's Office on May 15, 1954 in Liber 1305 Page 356; thence North 63 degrees 54' West 87.78 feet to a point which is the southeasterly corner of lands this day conveyed to William E. Reggero by the parties of the first part herein; thence along the line of lands of said Reggero parcel North 25 degrees 35' East 344.71 feet to a point; thence still along said Reggero parcel South 63 degrees 54' East 107.35 feet to a point in the line of lands now or formerly of Getto; thence along the same South 28 degrees 48' West 345.08 feet to the point or place of beginning.

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

In Presence of:


DENNIS P. BRADY

DEANNE D. BRADY

STATE OF NEW YORK)
)SS:
COUNTY OF DUTCHESS)

On the 20th day of March, in the year 1998 before me, the undersigned, a notary public in and for said state, personally appeared DENNIS P. BRADY & DEANNE D. BRADY, 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 by he/she/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


NOTARY PUBLIC

STATE OF NEW YORK)
)SS:
COUNTY OF ORANGE)

TODD A. STALL
NOTARY PUBLIC, State of New York
Qualified in Dutchess Co., No. 472244
Commission Expires Nov. 03, 1997

On the day of , in the year 1998 before me, the undersigned, a notary public in and for said state, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity(ies), and that by their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS

Section 20
Block 1
Lot 21
Orange County /Town of Newburgh

Title No. 98-02037-O Action Abstract

DENNIS P. BRADY & DEANNE D. BRADY

RECORD AND RETURN TO:
MARCUS KERCHMAN, ESQ.

TO
DAVID C. MARUCCO

310 Fullerton Avenue
Newburgh, New York 12550

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