



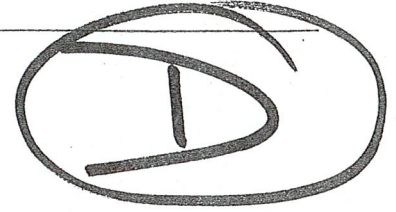
2583-16

8x10  
Prior Built Accessory  
Structure

# 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: 7/7/14

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

I (WE) Matthew Elkin PRESENTLY  
RESIDING AT NUMBER 142 Forest Glen Road, New Paltz, NY 12561  
TELEPHONE NUMBER 845-399-5066

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:

37-7-16 (TAX MAP DESIGNATION)  
510 Center St. (STREET ADDRESS)  
R3 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A-2  
185-15-A-4



# TOWN OF NEWBURGH

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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: 7/5/16
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: \_\_\_\_\_

4. DESCRIPTION OF VARIANCE SOUGHT: 7' rear yard setback  
and over the 300sf maximum allowed per formula

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

*N/A*

- 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

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ZONING BOARD OF APPEALS

OLD TOWN HALL  
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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:

Shed is existing and in character  
with the sheds in the neighborhood.

b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

Removal of shed will eliminate  
storage space.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

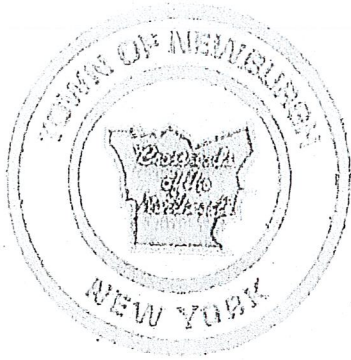
Total of all sheds is only 463 sf.  
formula allows up to 1,000 sf base  
on lot parameters.

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

Shed is existing

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

Shed is existing, put there by  
previous owner.



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

OFFICE OF ZONING BOARD  
(845) 566-4901

### 7. ADDITIONAL REASONS (IF PERTINENT):

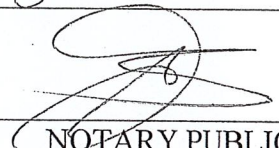
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 07 DAY OF 07 2016

AJET METALIAJ  
Notary Public, State of New York  
Qualified in Orange County  
Reg. No. 01ME6249505  
My Commission Expires 10/11/2019

  
NOTARY PUBLIC

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.  
**(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).**

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





# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

## PROXY

North Ohioville LLC (Matthew Elkin), DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 142 Forest Glen Rd. New Paltz

IN THE COUNTY OF Ulster AND STATE OF NY

AND THAT HE/SHE IS THE OWNER IN FEE OF 510 Center St.

Newburgh, NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Talcott Engineering

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 7/7/16

OWNER'S SIGNATURE

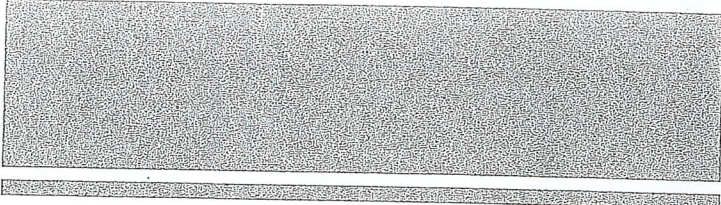
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7 DAY OF 07 2016


AJET METALIAJ  
Notary Public, State of New York  
Qualified in Orange County  
Reg. No. 01ME6249505  
My Commission Expires 10/11/2019

  
NOTARY PUBLIC



# North Ohioville LLC

142 Forest Glen Rd. New Paltz, NY 12561

*Original with* 

July 7, 2016

To Whom it May Concern:

This letter certifies that the signers of this document, Matthew Elkin and Elizabeth Elkin, are the principals of North Ohioville LLC.

We hereby state that either of the signers on this document have the authority to act on the behalf of North Ohioville LLC.

Sincerely,

*Matthew Elkin*

Matthew Elkin  
Principal of North Ohioville LLC

*Elizabeth Elkin*

Elizabeth Elkin  
Principal of North Ohioville LLC



# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

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

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

<b>Part 1 - Project and Sponsor Information</b>		
Name of Action or Project: North Ohioville, LLC		
Project Location (describe, and attach a location map): 510 Center Street, Newburgh, NY		
Brief Description of Proposed Action: Building permit for prior built 8'x10' accessory building. The building is in violation of the rear setback and maximum 300SF accessory coverage, a variance is required.		
Name of Applicant or Sponsor: Matthew Elkin	Telephone: 845-399-5066	E-Mail:
Address: 142 Forest Glen Road		
City/PO: New Paltz	State: NY	Zip Code: 12561
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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
Town of Newburgh Building + 2BA		
3.a. Total acreage of the site of the proposed action?	0.28	acres
b. Total acreage to be physically disturbed?	0	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	0.28	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?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?			
	<input 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?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	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 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: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" 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
	<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: CHARLES T. BROWN, PE Date: 7/8/16

Signature: 

Agency Use Only [If applicable]

Project:

Date:

*Short Environmental Assessment Form*  
*Part 2 - Impact Assessment*

**Part 2 is to be completed by the Lead Agency.**

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

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



Agency Use Only [If applicable]

Project:	
Date:	

*Short Environmental Assessment Form  
Part 3 Determination of Significance*

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

<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)

16131-NHC



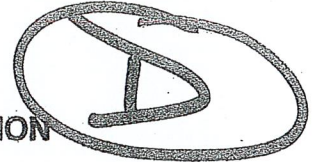
**TOWN OF NEWBURGH**

*~Crossroads of the Northeast~*

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

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

**2583-16**



**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**Date: 07/05/2016**

**Application No. 16-0542**

**To: North Ohioville LLC  
142 Forest Glen Rd  
New Paltz, NY 12561**


**SBL: 37-7-16  
ADDRESS: 510 Center St**

**ZONE: R3**

**PLEASE TAKE NOTICE** that your application dated 06/22/2016 for permit to keep a prior built 8' x 10' accessory building on the premises located at 510 Center St is returned herewith and disapproved on the following grounds:

**Town of Newburgh Municipal Code Sections:**

- 1) 185-15-A-2 Accessory building shall setback 5' from the rear lot line.**
- 2) 185-15-A-4 Maximum allowed 300 SF as permitted by the formula.**

  
**Joseph Mattina**

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



# Town of Newburgh Code Compliance

OWNER INFORMATION BUILT WITH OUT A PERMIT **YES**

2583-16

NAME: North Ohioville LLC

ADDRESS: 142 Forest Glen Rd New Paltz NY 12561

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE



TYPE OF STRUCTURE: Accessory building #2 8' x 10' @ 510 Center St

SBL: 37-7-16 ZONE: R-3

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
SIDE YARD					
LOT DEPTH					
FRONT YARD					
REAR YARD	5'	4.3'		.7'	13.99%
SQUARE FOOTAGE	300 SF				54.33%
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: Accessory building # 2 / #4 of 5 applications requiring variances.

**VARIANCE(S) REQUIRED:**

- 1 185-15-A-2 Shall setback 5' from side or rear lot line.
- 2 185-15-A-4 Maximum allowed 300 SF as permmted by formula
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY: Joseph Mattina DATE: 30-Jun-16





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

*[Handwritten signature]*

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



BOOK/PAGE: 14022 / 696  
 INSTRUMENT #: 20160016661  
 Receipt#: 2094213  
 Clerk: LM  
 Rec Date: 03/14/2016 10:12:19 AM  
 Doc Grp: D  
 Descrip: DEED  
 Num Pgs: 5  
 Rec'd Frm: MURPHY & SCHISANO LAW OFFICE

Party1: US BANK  
 Party2: NORTH OHIOVILLE LLC  
 Town: NEWBURGH (TN)  
 37-7-16

Recording:	
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00
<b>Sub Total:</b>	<b>195.00</b>
Transfer Tax	
Transfer Tax - State	260.00
<b>Sub Total:</b>	<b>260.00</b>
<b>Total:</b>	<b>455.00</b>
**** NOTICE: THIS IS NOT A BILL ****	
***** Transfer Tax *****	
Transfer Tax #: 6015	
Transfer Tax	
Consideration: 65000.00	
Transfer Tax - State	260.00
<b>Total:</b>	<b>260.00</b>

Payment Type: Check   
 Cash   
 Charge   
 No Fee

Comment: \_\_\_\_\_

*[Handwritten signature of Ann G. Rabbitt]*

Ann G. Rabbitt  
 Orange County Clerk

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 March 14, 2015 AND THE SAME IS A CORRECT  
 TRANSCRIPT THEREOF. IN WITNESS WHEREOF I HAVE  
 HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

*[Handwritten signature]*  
 COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,  
 ORANGE COUNTY

*[Handwritten date: July 7, 2016]*

Record and Return To:

MURPHY & SCHISANO LAW OFFICE  
 717 BROADWAY  
 NEWBURGH, NY 12550

**THIS INDENTURE**, made as of the 2<sup>nd</sup> day of March, 2016, between **U.S. Bank, N.A., successor trustee to LaSalle Bank National Association, on behalf of the holders of Bear Stearns Asset Backed Securities I Trust 2007-HE7, Asset-Backed Certificates Series 2007-HE7** in its normal course of business, and with the consent of the majority of its shareholders, with offices located at 3217 S. Decker Lake Drive, Salt Lake City, UT 84119 ("Grantor"), and

**North Ohioville LLC** residing at 142 Forest Glen Road, New Paltz, NY 12561("Grantee")

**WITNESSETH**

That the Grantor, in consideration of **Sixty-Five Thousand and 00/100 (\$65,000.00) Dollars**, lawful money of the United States, paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and release unto the Grantee, his heirs, successors or assigns, forever;

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the **County of Orange** and State of New York and being more particularly described on Schedule "A" annexed hereto and made a part hereof as though set forth fully hereat.

**TOGETHER** with all right, title and interest, if any, of the Grantor in and to any streets and roads abutting the above described premises to the center liners thereof;

37 **TOGETHER** with the appurtenances and all the estate and rights of the Grantor in and to said premises;

7 **TO HAVE AND TO HOLD** the same unto the Grantee, the heirs or successors and assigns of the Grantee, forever.

16 **AND** the Grantor covenants and warrants that the Grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatsoever, except as aforesaid.

**AND** the Grantor, in compliance with Section 13 of the Lien Law, covenants that the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund 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 same for any other purpose.

**AND** the Grantor herein, being the same person described as grantee in the deed dated **January 7, 2015, by Robert E. DiNardo, Esq. as referee, and recorded on April 13, 2015 in book 13876 at page 1014** in the office of the County Clerk of Orange.

The terms "Grantee" and "Grantor" shall be read as "Grantees" and "Grantors" whenever the sense of this Deed so requires.

This deed is given in the ordinary course of business actually conducted by the grantor Corporation.



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

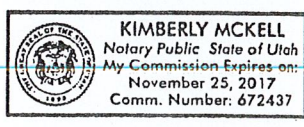
U.S. Bank, N.A., successor trustee to LaSalle Bank National Association, on behalf of the holders of Bear Stearns Asset Backed Securities I Trust 2007-HE7, Asset-Backed Certificates Series 2007-HE7 by Select Portfolio Servicing, Inc. as attorney in fact

By: [Signature] 3-2-16  
Kathy Kerr, Doc. Control Officer  
Title: \_\_\_\_\_

STATE OF Utah )  
COUNTY OF Salt Lake ) ss:

On the 2nd day of March, 2016 before me, the undersigned, personally appeared Kathy Kerr, Doc. Control Officer 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), that by his/her/their signatures(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(s) made such appearance before the undersigned in the City of Salt Lake, State of Utah.

[Signature]  
Notary Public



BARGAIN AND SALE DEED  
With Covenants Against Grantor's Acts

Section: 37  
Block: 7  
Lot: 16  
County: Orange  
Address: 510 CENTER STREET,  
NEWBURGH, NY 12550

U.S. Bank, N.A., successor trustee to LaSalle Bank National Association, on behalf of the holders of Bear Stearns Asset Backed Securities I Trust 2007-HE7, Asset-Backed Certificates Series 2007-HE7 by Select Portfolio Servicing, Inc. as attorney in fact ("Grantor")

TO

North Ohioville LLC, ("Grantee")

Record and Return To:

Murphy and Schisano  
717 Broadway  
Newburgh NY 12550  
#P 14347



*Fidelity National Title Insurance Company*

Title No. 60404-O

SCHEDULE A

PROPERTY DESCRIPTION

Page 1 of 1

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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, known and designated as Lot Number Eighty-one (81) on a certain map entitled "Map of 3, Knoll's Acres, Town of Newburgh, Orange County, New York", made by Karl Dickerson, dated June, 1950 and filed in the Orange County Clerk's Office of September 19, 1950 as Map Number 1450, and which said parcel is further described as follows:

BEGINNING at a point in the easterly line of Center Avenue, said point being the southwesterly corner of Lot Number 82 as shown on said map, and

Running thence north 79 degrees 49 minutes east along the southerly line of Lot Number 82 a distance of 150 feet to a point;

Thence south 10 degrees 11 minutes east a distance of 80 feet to the northeasterly corner of Lot Number 80 as shown on said map;

Thence south 79 degrees 49 minutes west along the northerly line of said Lot Number 80 a distance of 150 feet to a point on the easterly line of Center Avenue;

Thence along the easterly line of Center Avenue North 10 degrees 11 minutes West a distance of 80 feet to the point or place of BEGINNING.

Our policies of title insurance include such buildings and improvements thereon which by law constitute real property, unless specifically excepted therein. Now is the time to determine whether we have examined all of the property and easements which you desire to be insured. If there are appurtenant easements to be insured, please request such insurance. In some cases, our rate manual provided for an additional charges for such insurance.

FOR CONVEYANCING ONLY

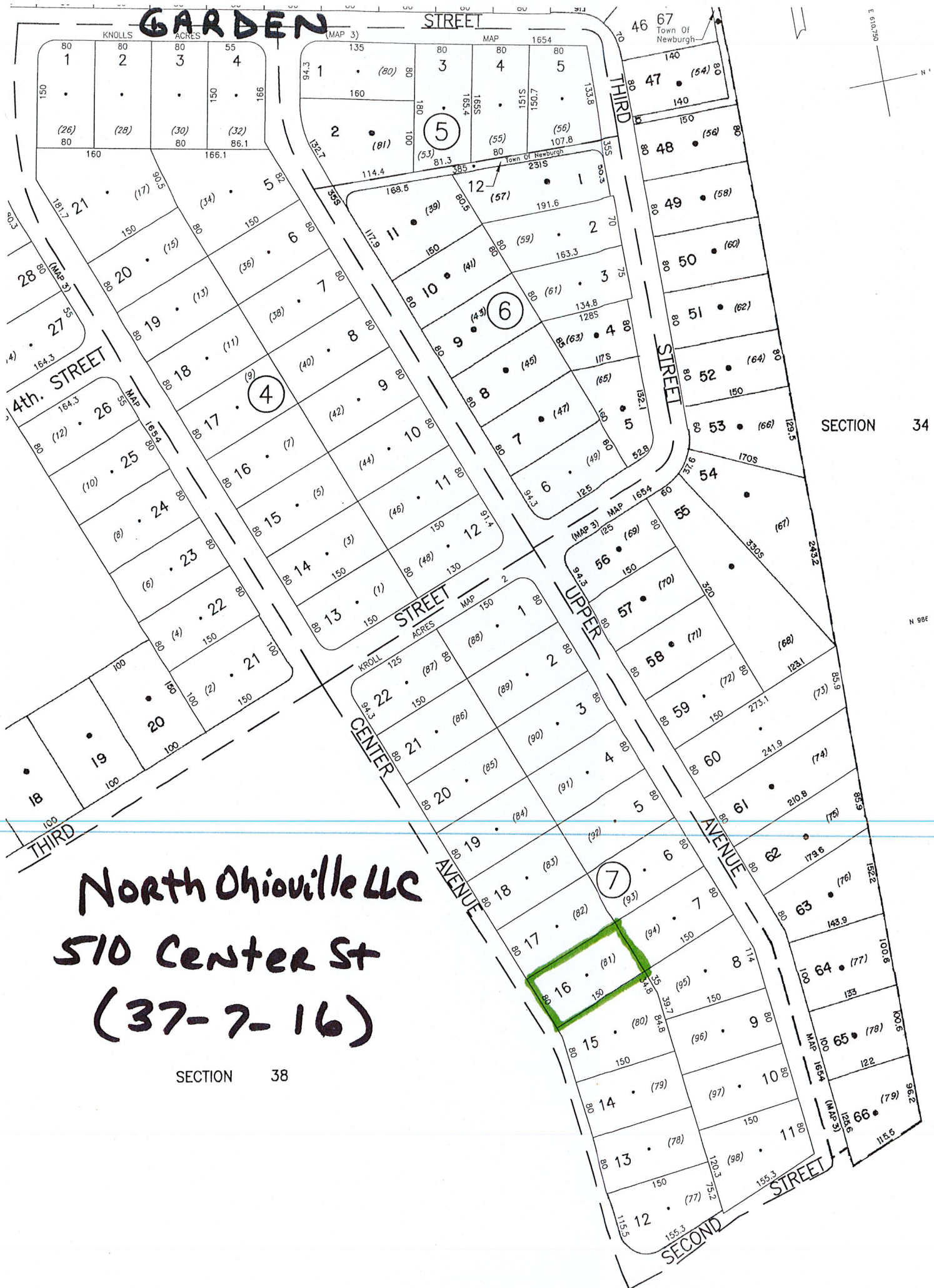
TOGETHER with all right, title and interest of, in and to any land lying in the street and roads abutting the above described premises.

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Issued by  
*Partners Abstract Corp.*  
1025 Old Country Road Suite 409  
Westbury, NY 11590  
Telephone (516) 338-2655 Fax (516) 338-2751

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# GARDEN STREET



SECTION 34

North Ohiouille LLC  
510 Center St  
(37-7-16)

SECTION 38