

# 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: 5/5/14

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

I (WE) Christopher + Jennifer Orphal PRESENTLY

RESIDING AT NUMBER 213 Mountain View Ave

TELEPHONE NUMBER (845) 787-4028

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:

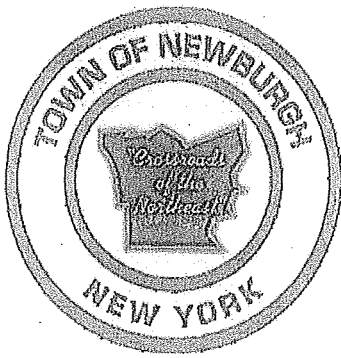
4-1-43 (TAX MAP DESIGNATION)

213 Mountain View Ave (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-9 Bulk table schedule 1



# 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: 4-8-2014

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: rear + side yard building coverage + surface coverage and coverage variance <sup>1 side yard + combined side yard</sup>

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:

N/A

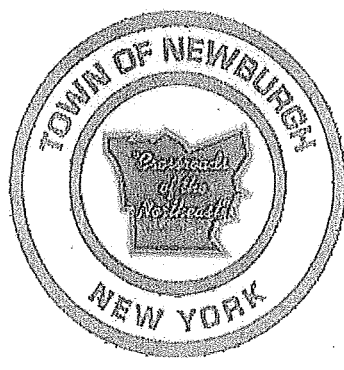
(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

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

N/A

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

There are other 2 story homes in the area



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

Current owners purchased  
property as is.

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:

There are other 2 story  
homes in area and would  
not block any views

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:

After consulting, Zen Design  
it was determined that second  
story could not be built on top  
of existing home therefore would  
require rear story addition

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

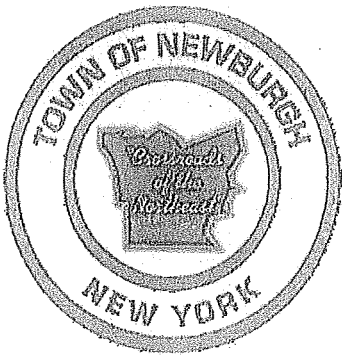
will not affect area surroundings

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

there are other 2 story homes  
and no views are impacted.

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

Property was purchased  
as is.



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7. ADDITIONAL REASONS (IF PERTINENT):

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

*C. O. ... / Jennifer ...*  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 5 DAY OF May 2014

*Angela M. Tudico*  
NOTARY PUBLIC

**ANGELA M. TUDICO**  
Notary Public, State of New York  
Qualified in Orange County  
Registration No. 01TU6045248  
Commission Expires July 24, 2014

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.

<b>Part 1 - Project and Sponsor Information</b>			
<del>rear 2 story addition</del> Chris + Jen Orpha			
Name of Action or Project:			
213 Mountain View Ave rear 2 story addition			
Project Location (describe, and attach a location map):			
213 Mountain View Ave			
Brief Description of Proposed Action:			
2 story addition off rear of existing residence.			
Name of Applicant or Sponsor:		Telephone: (845) 787-4028	
Chris + Jen Orpha		E-Mail:	
Address:			
213 Mountain View Ave			
City/PO:		State:	Zip Code:
Walkkill		N.Y	12589
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
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.			YES
			✓
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
			✓
3.a. Total acreage of the site of the proposed action?		.32 acres	
b. Total acreage to be physically disturbed?		.014 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?	NO	YES	N/A
		✓	
b. Consistent with the adopted comprehensive plan?			✓
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
			✓
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	
		✓	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
		✓	
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?		✓	
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	
		✓	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO	YES	
			✓
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
			✓
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
		✓	
b. Is the proposed action located in an archeological sensitive area?		✓	
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?	NO	YES	
		✓	
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: _____		✓	
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	
		✓	
16. Is the project site located in the 100 year flood plain?	NO	YES	
		✓	
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: <input type="checkbox"/> NO <input type="checkbox"/> YES _____	NO	YES	
		✓	

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  <input checked="" type="checkbox"/>	YES  <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  <input checked="" type="checkbox"/>	YES  <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  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor name: _____ Signature: <u>C. C. [Signature]</u> / <u>[Signature]</u> Date: <u>5/5/14</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?"

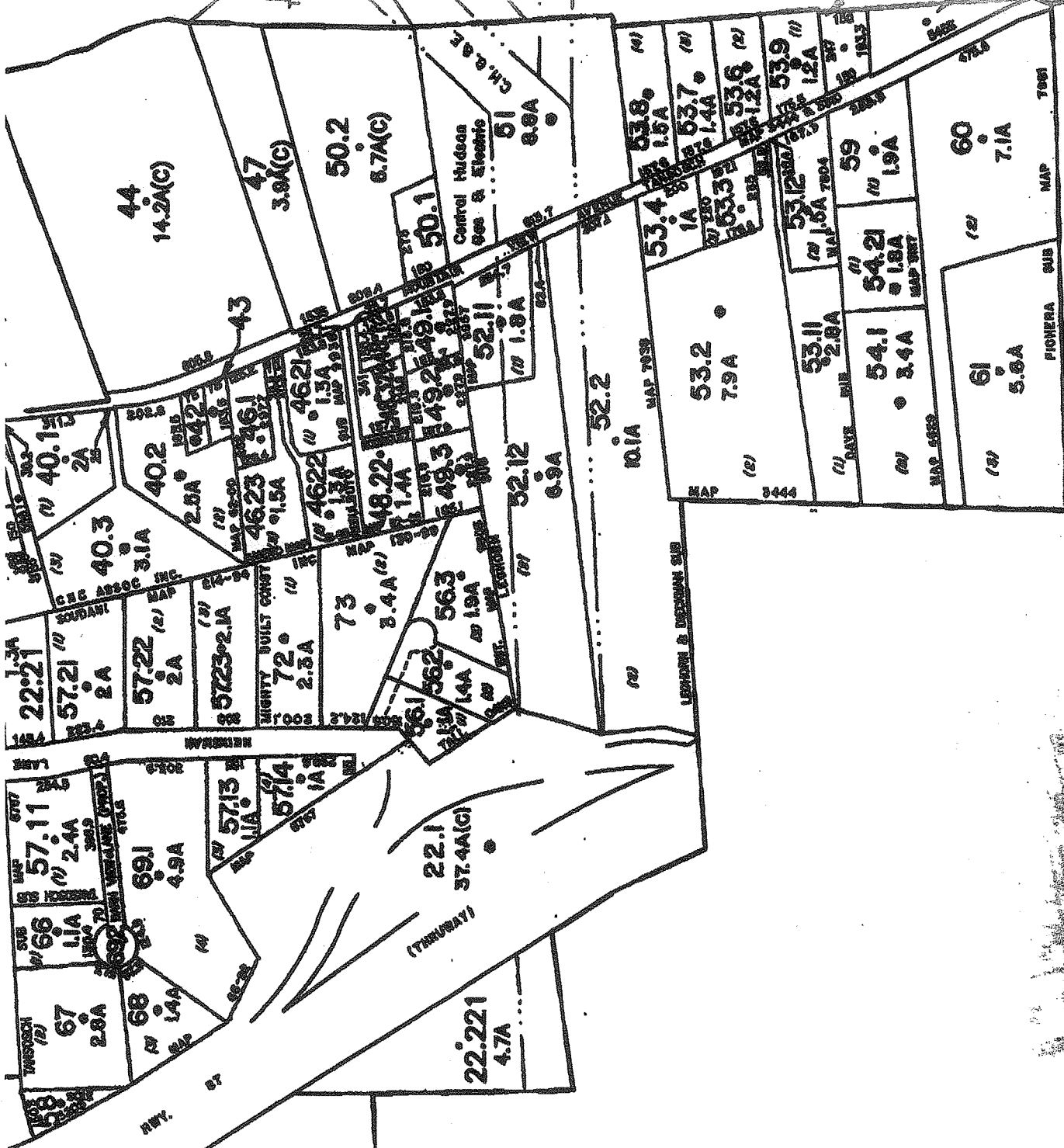
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the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

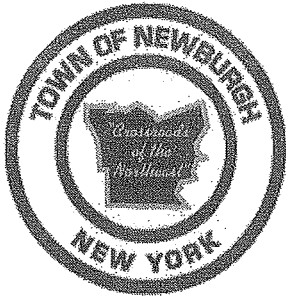
**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant 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.

<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)





20.1  
 21.1A  
 22.21  
 4.7A  
 40.1  
 2A  
 40.2  
 2.5A  
 40.3  
 3.1A  
 57.22  
 2A  
 57.23  
 2.1A  
 72  
 2.3A  
 73  
 3.4A (2)  
 56.1  
 56.2  
 56.3  
 1.4A  
 1.9A  
 22.1  
 37.4A(G)  
 (TANUWAY)  
 51  
 8.9A  
 52.1  
 1.8A  
 32.12  
 6.9A  
 52.2  
 10.1A  
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 59  
 1.9A  
 60  
 7.1A  
 61  
 5.6A  
 FIOHERA SUB MAP 7001  
 LEONARD & DESSMAN SUB  
 WYOMING ST  
 CH. R.F.E.  
 Central Hudson Gas & Electric  
 MAP 3444  
 MAP 7039  
 MAP 7004  
 MAP 7003  
 MAP 7002  
 MAP 7001



# 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

2421-14

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 04/08/2014

Application No. ~~14-0138~~

To: Christopher Orphal  
213 Mountain View Ave  
Walkill, NY 12589

SBL: 4-1-43  
ADDRESS: 213 Mountain View Ave

ZONE: R-R

PLEASE TAKE NOTICE that your application dated 03/14/2014 for permit to build a 26' x 24' (2) story rear addition on the premises located at 213 Mountain View Ave is returned herewith and disapproved on the following grounds:

### TOWN OF NEWBURGH MUNICIPAL CODE BULK TABLE SCHEDULE 1:

- 1) 100' Rear yard setback is required
- 2) 50' Minimum required for 1 side yard setback
- 3) 100' Minimum required for both side yard setbacks
- 4) 10% Maximum allowed lot building coverage.
- 5) 10% Maximum allowed lot surface coverage

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

OWNER INFORMATION      **BUILT WITH OUT A PERMIT**       **NO**

NAME:      CHRISTOPHER ORPHAL

ADDRESS:      213 MOUNTAIN VIEW AVE WALLKILL NY 12589

**PROJECT INFORMATION:**

TYPE OF STRUCTURE:      26' X 24' (2) STORY REAR ADDITION

SBL:      4-1-43      ZONE:      R-R

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

2421-14

PS 1 of 2

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	100'		87'	13'	13.0%
SIDE YARD	50'		21'	29'	57.9%
COMBINED SIDE YARDS	100'		42'	58'	58.0%
BUILDING COVERAGE	10%=1431.6		1488 SF	56.4 SF	3.9%
SURFACE COVERAGE	10%=1431.6		2258 SF	826.4 SF	57.7%

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: IF A VARIANCE IS GRANTED, THE SEPTIC SYSTEM MUST BE UPGRADED TO A 2 BEDROOM SYSTEM.**

**VARIANCE(S) REQUIRED:**

- 1 BULK TABLE SCHEDULE 1 REQUIRES A REAR YARD OF 100'
- 2 BULK TABLE SCHEDULE 1 REQUIRES 1 SIDE YARD OF 50'
- 3 BULK TABLE SCHEDULE 1 REQUIRES A COMBINED SIDE YARD OF 100'
- 4 \_\_\_\_\_

REVIEWED BY:      JOSEPH MATTINA      DATE:      9-Apr-14

# Town of Newburgh Code Compliance

OWNER INFORMATION **BUILT WITH OUT A PERMIT** NO

NAME: CHRISTOPHER ORPHAL

ADDRESS: 213 MOUNTAIN VIEW AVE WALLKILL NY 12589

**PROJECT INFORMATION:**

TYPE OF STRUCTURE: 26' X 24' (2) STORY REAR ADDITION

SBL: 4-1-43 ZONE: R-R

TOWN WATER: NO TOWN SEWER: NO

2421-14  
PS 2 of 2

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	100'		87'	13'	13.0%
SIDE YARD	50'		21'	29'	57.9%
COMBINED SIDE YARDS	100'		42'	58'	58.0%
BUILDING COVERAGE	10%=1431.6		1488 SF	56.4 SF	3.9%
SURFACE COVERAGE	10%=1431.6		2258 SF	826.4 SF	57.7%

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:**

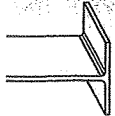
GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 \_\_\_\_\_ YES / NO  
 FRONT YARD - 185-15-A \_\_\_\_\_ YES / NO  
 STORAGE OF MORE THEN 4 VEHICLES \_\_\_\_\_ YES / NO  
 HEIGHT MAX. 15 FEET - 185-15-A-1 \_\_\_\_\_ YES / NO  
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 \_\_\_\_\_ YES / NO

**NOTES:** IF A VARIANCE IS GRANTED, THE SEPTIC SYSTEM MUST BE UPGRADED TO A 2 BEDROOM SYSTEM.

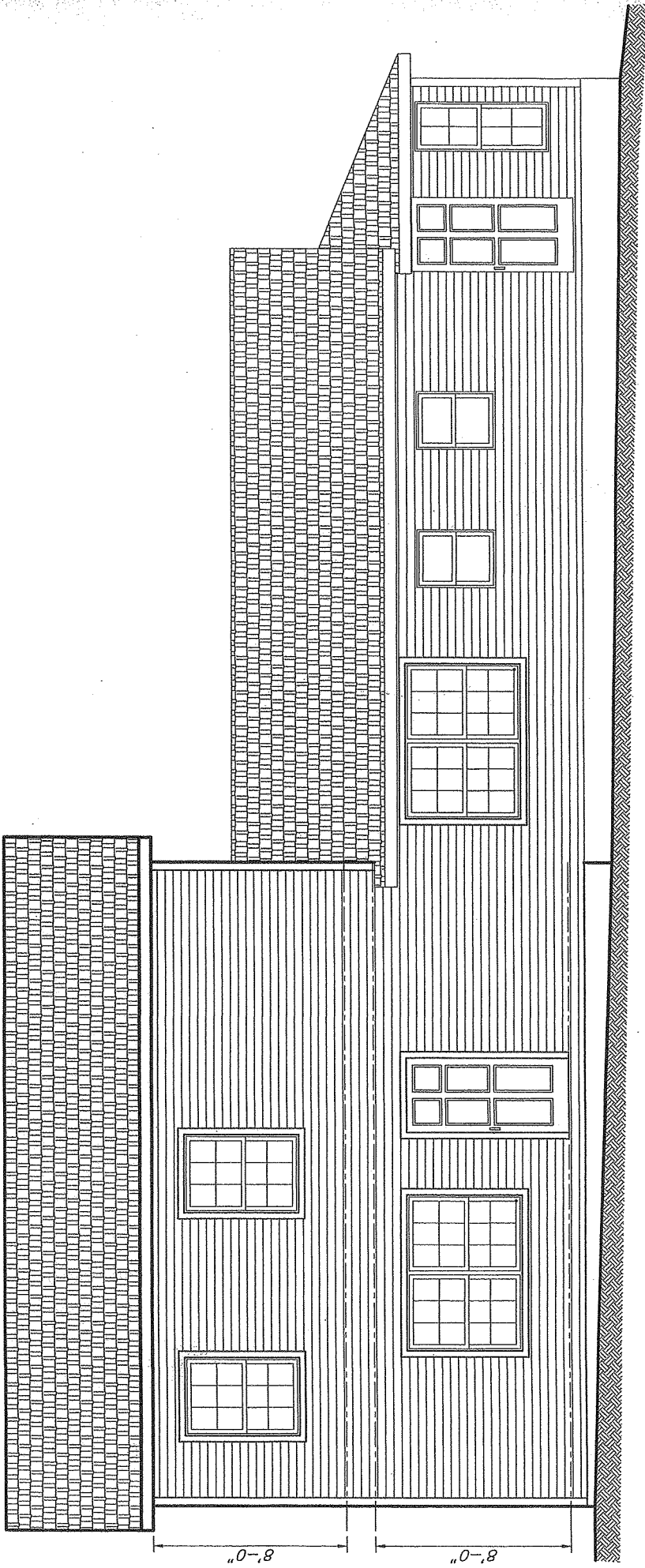
**VARIANCE(S) REQUIRED:**

- 1 BULK TABLE SCHEDULE 1 ALLOWS A MAXIMUM OF 10% LOT BUILDING COVERAGE.
- 2 BULK TABLE SCHEDULE 1 ALLOWS A MAXIMUM OF 10% LOT SURFACE COVERAGE.
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY: JOSEPH MATTINA DATE: 9-Apr-14

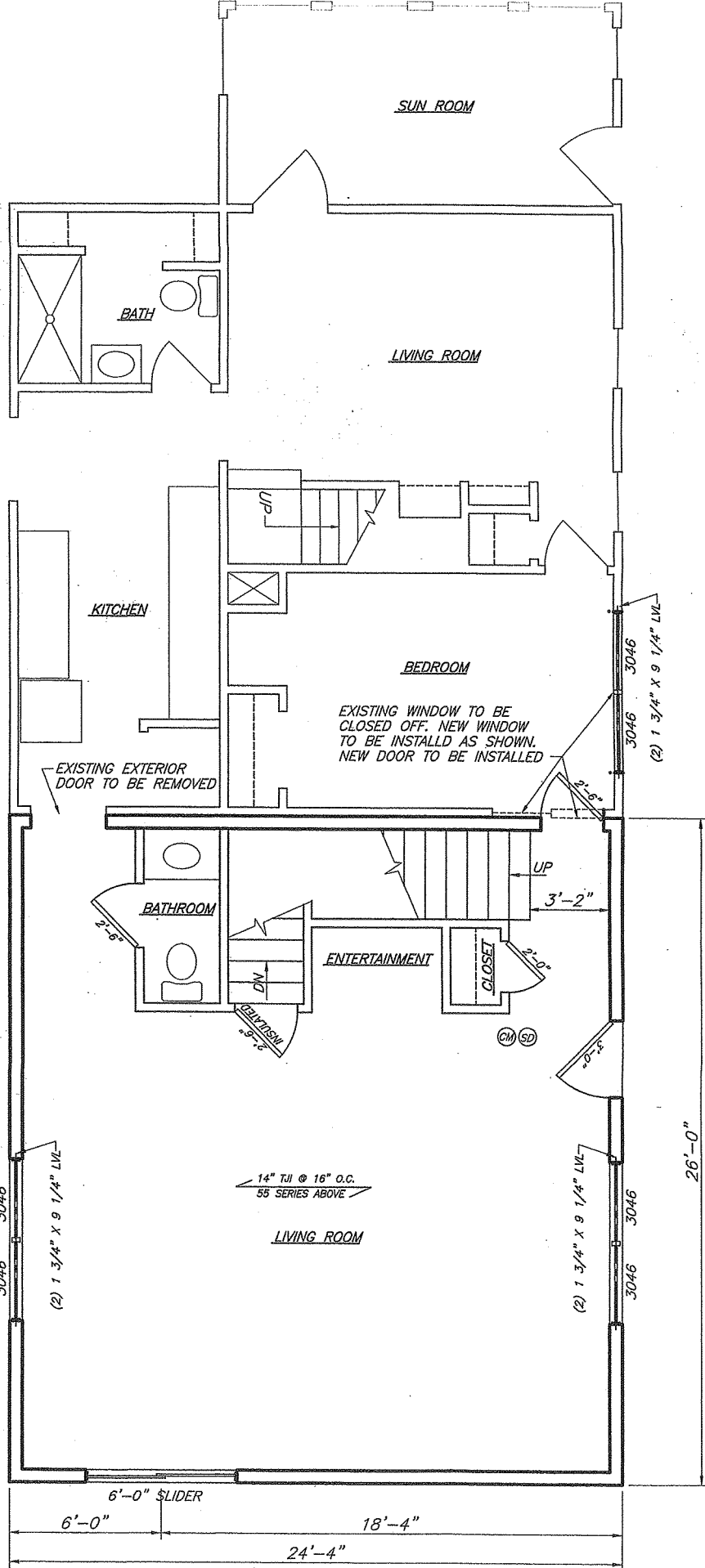


DESIGN  
CONSULTANTS, INC.  
6 OLD N. PLANK ROAD, #103  
NEWBURGH, NEW YORK 12550  
(845) 569-1567 (office phone)



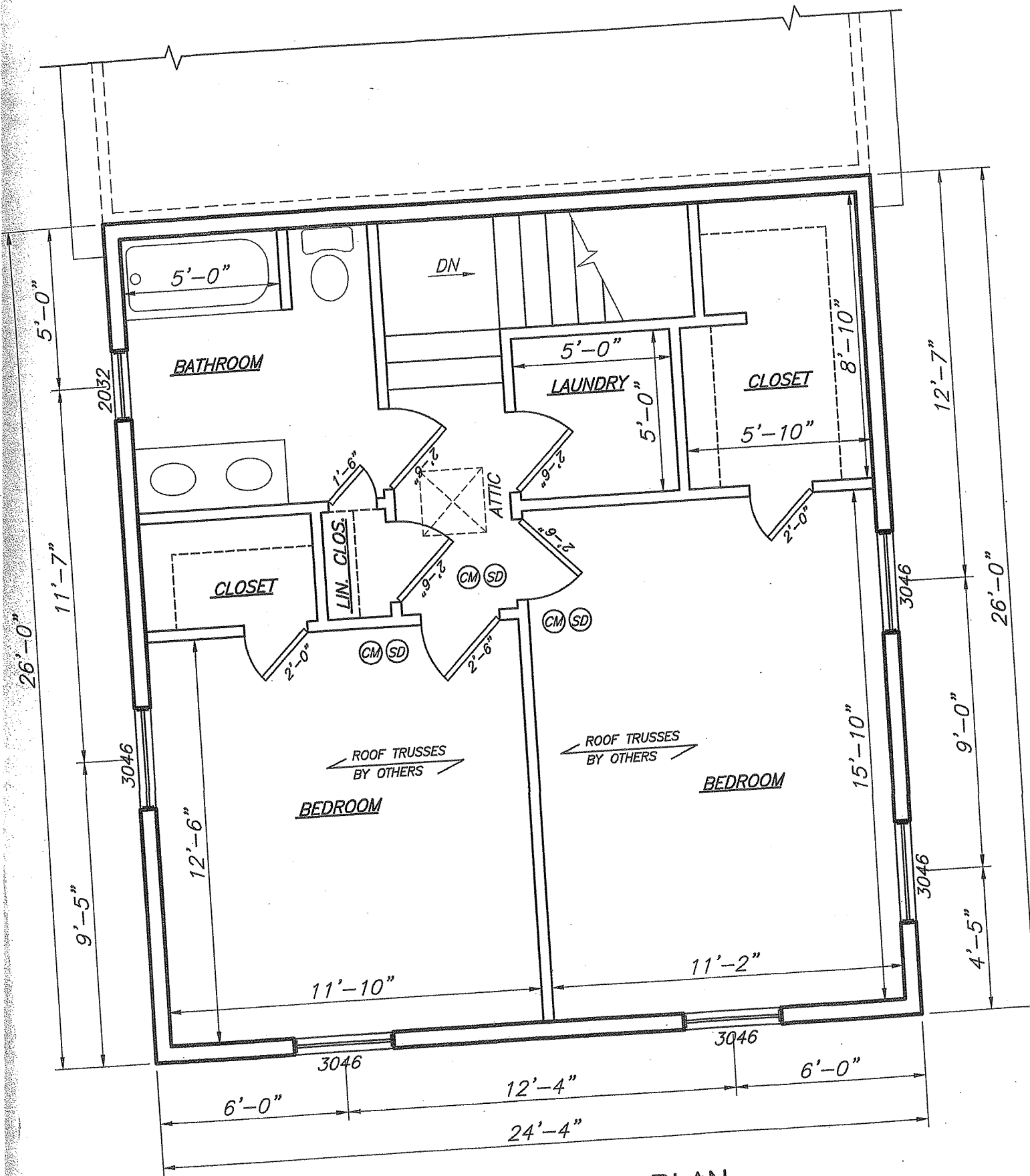
0'-8"      0'-8"

LEFT SIDE ELEVATION  
1/4"=1'-0"



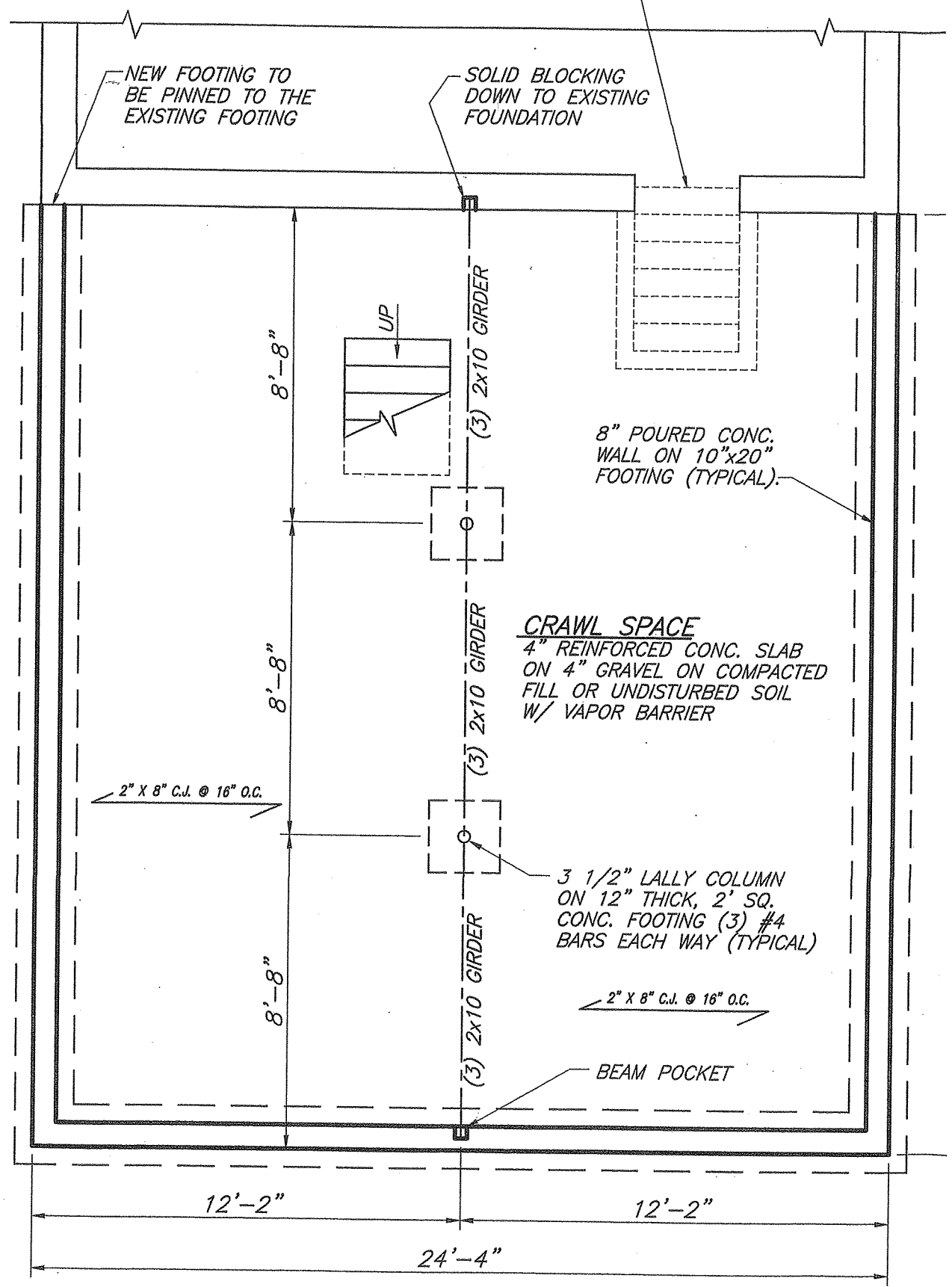
**FIRST FLOOR PLAN**

1/4" = 1'-0"



**SECOND FLOOR PLAN**  
 1/4" = 1'-0"

EXISTING BILCO DOORS  
TO BE REMOVED. OPENING  
TO REMAIN TO ALLOW ACCESS  
FROM NEW CRAWL SPACE INTO  
EXISTING CRAWL SPACE.



# FOUNDATION PLAN

1/4"=1'-0"



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

ANDREW ZEMANTAUSKI

TO

CHRISTOPHER A. ORPHAL and  
JENNIFER COX

SECTION 4 BLOCK 1 LOT 43

RECORD AND RETURN TO:  
(name and address)

DAVID M. KINTZER, ESQ.  
265 Route 17K  
Newburgh, New York 12550

*Law  
Signed  
5/6/14  
[Signature]*

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

K041393

INSTRUMENT TYPE: DEED  MORTGAGE  SATISFACTION  ASSIGNMENT  OTHER

PROPERTY LOCATION

- |                            |                           |
|----------------------------|---------------------------|
| 2089 BLOOMING GROVE (TN)   | 4289 MONTGOMERY (TN)      |
| 2001 WASHINGTONVILLE (VLG) | 4201 MAYBROOK (VLG)       |
| 2289 CHESTER (TN)          | 4203 MONTGOMERY (VLG)     |
| 2201 CHESTER (VLG)         | 4205 WALDEN (VLG)         |
| 2489 CORNWALL (TN)         | 4489 MOUNT HOPE (TN)      |
| 2401 CORNWALL (VLG)        | 4401 OTISVILLE (VLG)      |
| 2600 CRAWFORD (TN)         | 4600 NEWBURGH (TN)        |
| 2800 DEERPARK (TN)         | 4800 NEW WINDSOR (TN)     |
| 3089 GOSHEN (TN)           | 5089 TUXEDO (TN)          |
| 3001 GOSHEN (VLG)          | 5001 TUXEDO PARK (VLG)    |
| 3003 FLORIDA (VLG)         | 5200 WALKKILL (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)        |
| 3689 HIGHLANDS (TN)        | 5600 WAWAYANDA (TN)       |
| 3601 HIGHLAND FALLS (VLG)  | 5889 WOODBURY (TN)        |
| 3889 MINISINK (TN)         | 5801 HARRIMAN (VLG)       |
| 3801 UNIONVILLE (VLG)      |                           |
| 4089 MONROE (TN)           |                           |
| 4001 MONROE (VLG)          |                           |
| 4003 HARRIMAN (VLG)        |                           |
| 4005 KIRYAS JOEL (VLG)     |                           |

- CITIES
- 0900 MIDDLETOWN
  - 1100 NEWBURGH
  - 1300 PORT JERVIS

9999 HOLD

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

PAYMENT TYPE: CHECK   
CASH \_\_\_\_\_  
CHARGE \_\_\_\_\_  
NO FEE \_\_\_\_\_

CONSIDERATION \$ 124,900.00  
TAX EXEMPT \_\_\_\_\_

MORTGAGE AMT. \$ \_\_\_\_\_  
DATE \_\_\_\_\_

- MORTGAGE TAX TYPE:
- \_\_\_ (A) COMMERCIAL/FULL 1%
  - \_\_\_ (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: Karlin

RECORDED/FILED  
09/08/2004/ 10:56:37  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY

FILE # 20040106659  
DEED R / BK 11607 PG 1341  
RECORDING FEES 117.00  
TTX# 001616 TRANS TAX 500.00  
Receipt#316092 linda

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 01-08-04 AND THE SAME IS A CORRECT  
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE  
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

05-05-14 *Ann G. Rabbitt*  
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,  
ORANGE COUNTY.



**BARGAIN AND SALE DEED**

THIS INDENTURE, made on the 25<sup>th</sup> day of August, 2004

**BETWEEN** ANDREW ZEMANAUSKI, residing at 213 Mountain View Avenue,  
Walkill, Orange County, New York,

party of the first part and

CHRISTOPHER A. ORPHAL and JENNIFER COX, *JOINT TENANTS*  
both residing at 532 Lakeside Road, Newburgh, Orange County,  
New York

*JAC*

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, and his heirs, executors, administrators, successors and assigns 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, and more accurately described on *Schedule A* attached hereto and made a part hereof.

BEING the same lands and premises conveyed in a Deed dated August 15, 1997, from Catherine A. Crawford to Andrew Zemantauski and recorded in the Orange County Clerk's Office on September 9, 1997, in Liber 4627 of Deeds at Page 124.

**TOGETHER** with all right, title and interest, if any, of Grantor in and to any streets and roads abutting said premises to the center lines thereof,

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

**TO HAVE AND TO HOLD** the premises herein granted unto Grantee and the heirs, executors, administrators, successors and assigns forever.

Grantor covenants that Grantor has not done or suffered anything whereby said premises have been encumbered in any way whatever, except as set forth herein.

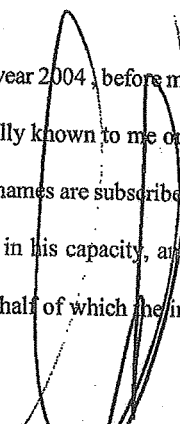
Grantor, in compliance with Section 13 of the Lien Law, covenants that he will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, Grantor has duly executed this deed on the date first above written.

  
\_\_\_\_\_  
ANDREW ZEMANTAUSKI

STATE OF NEW YORK )  
COUNTY OF ORANGE ) ss.:

On the 25 day of August in the year 2004, before me, the undersigned, personally appeared ANDREW ZEMANTAUSKI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose names are subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public  
Warren C. Fisher  
Notary Public, State of New York  
No. 4625563  
Qualified in Orange County  
My Commission Expires September 30, 2006

Recorded at the request of  
Kar-Vin Abstract Corp.  
New Windsor NY 12553  
(845) 562-2822 FAX 565-8737

**FIRST AMERICAN**  
**Title Insurance Company of New York**  
Title No: 855-O-2152

**Schedule A Description**

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

BEGINNING at a point in the center line of Mountain View Avenue in the line of lands now or formerly of Ellin J. Skold and running thence westerly along the north line of said Skold lands two hundred feet (200);

THENCE northerly parallel to and 200 feet distant from the center line of Mountain View Avenue and along remaining lands of the parties of the first part one hundred fifty feet (150);

THENCE easterly parallel to and 150 feet distant from the said north line of said Skold lands and along remaining lands of the parties of the first part two hundred (200) feet to the center line of Mountain View Avenue aforesaid; and thence southerly along the center line of Mountain View Avenue one hundred fifty feet (150) to the point or place of BEGINNING.

EXCEPTING from the above described premises a parcel of land conveyed by Catherine A. Crawford to Larry D. Lewis by deed dated 12/5/96, recorded 12/10/96 in Liber 4494, Page 19, said premises being described as follows:

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 and being more particularly bounded and described as follows:

BEGINNING at a point in the pavement of Mountain View Avenue, said point being the northeasterly most corner of the lands reputedly of Crawford;

THENCE from said point or place of beginning and along the lands reputedly of Crawford, North 72 degrees 14 minutes 00 seconds West a distance of 200.00 feet, being North 00 degrees 23 minutes West a distance of 200.00 feet, being North 00 degrees 23 minutes 54 seconds East a distance of 72.63 feet from an iron pipe found;

THENCE the following (2) two courses and distances along the lands reputedly of Ferguson, 1) North 00 degrees 23 minutes 54 seconds East a distance of 75.00 feet; 2) South 72 degrees 14 minutes 00 seconds East a distance of 200.00 feet, passing over a monument found on line at 176.94 feet;

THENCE along the westerly side of said Mountain View Avenue, South 00 degrees 23 minutes 54 seconds West a distance of 75.00 feet to the point or place of BEGINNING.

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if Central  
t No. 1

MAP 8767  
57.11  
(1) 2.4A  
398.9  
BARN VIEW LANE (PROP.)  
475.6

69.1  
4.9A

(3) 57.13  
1.1A  
57.14  
8767 1A  
55

22.1  
37.4A(C)

36.12  
2.4A (1)  
7365  
2.4A (2)  
2.1A  
39.23  
39.21  
39.24  
MOOREHEAD WAY  
(PRIVATE)

22:21  
1.3A  
57.21 (1)  
2A  
225.4

57.22 (2)  
2A  
20

57.23 (3)  
2.1A  
20

MIGHTY BUILT CONST  
72 (1)  
2.3A  
200.1

73  
3.4A (2)  
150-98

56.1  
56.2  
1.4A (2)  
56.3  
1.9A (3)  
MAP LEGHORN  
5905

40.1 (1)  
2A  
311.3

40.3  
3.1A  
CNC ASSOC INC.  
SOUDANI  
MAP 214-94

46.23 (3)  
1.5A  
46.21 (1)  
1.3A  
SUB MAP 9936  
183.96

48.22 (2)  
1.4A  
MAP 92-06

49.3 (3)  
1.9A  
MAP 150-98

52.12 (2)  
6.9A  
MAP LEGHORN  
5905

52.2  
10.1A  
MAP 1638

MAP

ORPHAL (19)  
213 Mountain View  
Avenue  
4-1-43

44  
14.4A

43

47  
3.9A(C)

50.2  
6.7A(C)

50.1  
150  
MOUNTAIN

51  
8.8A  
Central Hudson  
Gas & Electric

53.4 (4)  
1.5A  
53.7 (3)  
1.4A  
1576  
1576  
TANSOSCH  
AVENUE  
307.1  
200  
1A  
220  
153.3  
197

Town of  
Newburgh  
Consolidated  
Water District

Town of Newburgh

C.H.G. &

LEGHORN & DIECKMAN SUB