



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
ORLANDO OSARIO
6 CLARION COURT
Newburgh

Tax Map #: 85-1-13
Tax Map #:
Tax Map #:
Local File No.: 2547-16 A
2548-16 B
Size of Parcel*: 17,510 S.F.
*If more than one parcel, please include sum of all parcels.

(A) Deck
(B) Shed

Reason for County Review:

within 500 ft of city of Newburgh

Current Zoning District (include any overlays): R-1

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 1 USE (circle one) (A) REAR YARD SETBACK, COMBINED SIDE YARDS SETBACK, MAX SURFACE COVERAGE (B) MAX SURFACE COVERAGE
- Other

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

Local board comments or elaboration:

Signature of local official

3 / 24 / 16

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



Prior Built Side/REAR Deck 132x30

TOWN OF NEWBURGH

A

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: 3/16/16

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

I (WE) Orlando Osorio PRESENTLY
RESIDING AT NUMBER 6 CLARION Ct Newburgh NY 12550
TELEPHONE NUMBER 347 276 3888

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:

85-1-13 (TAX MAP DESIGNATION)
6 CLARION Ct Newburgh (STREET ADDRESS)
R-1 (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).

Bulk table schedule 3



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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: January 15, 2016
- 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:

Area Variance
to allow for the existing deck to remain

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:



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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:

the deck already exists and it is visually in unity with existing landscaping and trees

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 deck already exists and it is not financially feasible to remove the deck from its present location

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

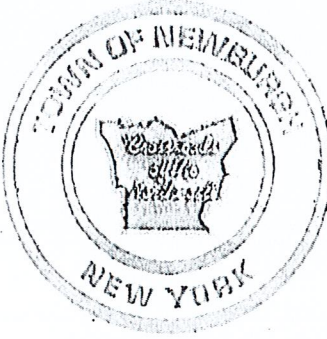
the request for the variance is only for 500 feet also see the disapproval for actual variance which is not substantial

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

the deck already exists and there have been no adverse impacts on the physical or environmental conditions in the neighborhood since its creation.

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

the house was obtained through a short sale. the seller could not have remedied the deck issue. the property was vacant and in disrepair. this was not self created.



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OLD TOWN HALL
308 GARDNERTOWN ROAD
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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

The premises are now occupied and will be continually maintained which can only result in making the neighborhood more appealing with no adverse effects.

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 16th DAY OF March 2016

NOTARY PUBLIC

LYNN A. PISCOPO
Notary Public, State of New York
No. 01PI4939547
Qualified in Ulster County
My Commission Expires July 25, 2018

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)

Short Environmental Assessment Form

Part 1 - Project Information

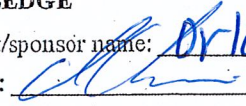
Instructions for Completing

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.

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map): <i>6 Clarion Ct, Newburgh SBL: 85-1-13</i>			
Brief Description of Proposed Action: <i>Area variance for existing deck</i>			
Name of Applicant or Sponsor: <i>Orlando Osorio</i>		Telephone: <i>(347) 276-3888</i>	
Address: <i>6 Clarion Ct</i>		E-Mail:	
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 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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ 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?	NO	YES	N/A
	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	
	<input 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: <u>N/A</u>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>already existing</u>	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: <u>already existing</u>	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"/>	
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"/>	
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 checked="" type="checkbox"/> Suburban <u>residential</u>			
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: <u>Orlando Osorio</u>		Date: <u>3/16/16</u>
Signature: <u></u>		

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:		
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"/>

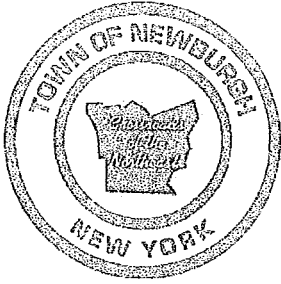
Agency Use Only [If applicable]

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)



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

2547-16

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 01/15/2016

Application No. 16-0029

**To: Orlando Osorio
6 Clarion Ct
Newburgh, NY 12550**

**SBL: 85-1-13
ADDRESS: 6 Clarion Ct**

ZONE: R1

PLEASE TAKE NOTICE that your application dated 01/14/2016 for permit to keep a prior built 32 x 30 side / rear yard deck on the premises located at 6 Clarion Ct is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) Bulk table schedule 3 requires a 40' rear yard set back.
- 2) Bulk table schedule 3 requires a combined side yard set back of 80".
- 3) Bulk table schedule 3 allows a maximum lot surface coverage of 20%


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

A

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

NAME: ORLANDO OSORIO

ADDRESS: 6 CLARION CT NEWBURGH NY 12550

2547-16

PROJECT INFORMATION:

TYPE OF STRUCTURE: PRIOR BUILT 32' X 30' DECK

SBL: 85-1-13 ZONE: R-1

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	40'	8'		32'	80.00%
COMBINED SIDE YARD	80'	28'		52'	65.00%
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE	20%=3502	3659 SF		157 SF	4.48%

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: **LOT AREA = 17,510 SF. (ALSO SEE PRIOR BUILT SHED APPLICATION)**

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 3 requires a 40' rear yard setback.
- 2 Bulk table schedule 3 requires a combined side yard of 80' minimum.
- 3 Bulk table schedule 3 allows 20% maximum lot surface coverage.
- 4 _____

REVIEWED BY: JOSEPH MATTINA DATE: 15-Jan-16



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

Law signed 3/25/14

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



BOOK/PAGE: 13975 / 475
INSTRUMENT #: 20150074164

Receipt#: 2040979
Clerk: LM
Rec Date: 11/20/2015 03:10:35 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 5
Rec'd Frm: ROBERT L REDA PC

Party1: KIRKPATRICK LISA
Party2: OSORIO ORLANDO
Town: NEWBURGH (TN)
85-1-13

Recording:	
Recording Fee	40.00
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

Sub Total: 190.00

Transfer Tax
Transfer Tax - State 544.00

Sub Total: 544.00

Total: 734.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 2922
Transfer Tax
Consideration: 136000.00

Transfer Tax - State 544.00

Total: 544.00

Payment Type: Check ___
Cash ___
Charge ___
No Fee ___

Comment: _____

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 *November 20, 2015* 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 March 17, 2016

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

Record and Return To:

LYNN PISCOPO ESQ
259 ROUTE 17K
NEWBURGH, NY 12550

ISAAT-2412

S-B-L: 85-1-13

Bargain and Sale Deed with Covenants Against Grantor's Acts

THIS INDENTURE, made this 17th day of November, 2015

BETWEEN **Lisa Kirkpatrick and Joseph Kirkpatrick** residing at 632 East J Street, Chula Vista, CA, party of the first part, and **Orlando Osorio** residing at 101 West 147th, Apt. 2C, New York, New York 10039, party of the second part,

Witnesseth, that the party of the first part, in consideration of ten (\$10.00) 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, being more particularly bounded and described on Schedule "A" annexed hereto and incorporated herein by this reference.

BEING AND INTENDED TO BE the same premises conveyed by Pedro J. Colon, Lisa Kirkpatrick and Joseph Kirkpatrick, to the Grantor herein by deed dated March 22, 2005 and recorded with the Office of the Clerk of Orange County on May 3, 2005 in Liber 11828 cp 884.

The premises are improved by a single-family residence only.

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 thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever; and

The party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid; and

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

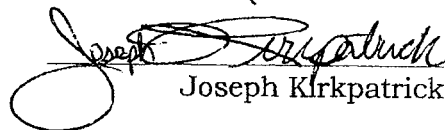
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:



Lisa Kirkpatrick



Joseph Kirkpatrick

STATE OF CALIFORNIA
COUNTY OF ss:

On November 16, 2015, before me the undersigned, a Notary Public in and for said State, personally appeared **Lisa Kirkpatrick and Joseph Kirkpatrick**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities and that by their signatures on the instrument, the individuals or the person upon behalf of which the individuals acted, executed the instrument.

see attached

Notary Public

Bargain And Sale Deed With Covenant Against Grantors Acts

Section/Block/Lot: 85-1-13
Street Address: 6 Clarion Court
Municipality: Town of Newburgh

RETURN BY MAIL TO:
Lynn Piscopo, Esq.
259 Route 17K
Newburgh, New York 12550

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

On Nov. 16 2015 before me, Todd Iacono Notary Public
(insert name and title of the officer)

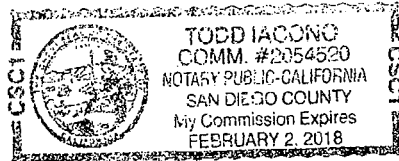
personally appeared Joseph Kirkpatrick and Lisa Kirkpatrick
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Todd Iacono*

(Seal)



Assurance Abstract & Title Services LLC

SCHEDULE A

Section 85 Block 1 Lot 13

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 the State of New York, bounded and described as follows:

BEGINNING at a point in the westerly line of lands now or formerly Bushart (Liber 1287, cp 337), said point being the northeasterly corner of lands now or formerly Kreisel (Liber 1963, cp 62); thence along the northeasterly line of the said lands now or formerly Kreisel (Liber 1963, cp 62) North 38 degrees 14' 30" West 170.05 feet to a point in the center line of a driveway leading from Balmville Road; thence along the center line of the said driveway the following courses:

1. North 49 degrees 51' 00" East 34.00 feet to a point, North 38 degrees 09' 00" East 25.00 feet to a point, North 31 degrees 32' 00" East 25.00 feet to a point and North 28 degrees 51' 00" East 18.98 feet to a point, said point being the southwesterly corner of lands now or formerly Hynes (Liber 2171, cp 657);
2. Thence along the southerly line of the said lands now or formerly Hynes (Liber 2171, cp 657) South 66 degrees 15' 00" East 108.35 feet to a point;
3. Thence along the westerly line of lands now or formerly Laskin (Liber 941, cp 207) South 19 degrees 45' 00" West 110.96 feet to a stone monument found;
4. Thence along the said westerly line of the said lands now or formerly Bushart (Liber 1287, cp 337) South 17 degrees 13' 45" West 67.98 feet to the point or place of BEGINNING. Containing 0.40 of an acre of land, more or less.

TOGETHER with a right of way over the road or driveway abutting the premises hereby conveyed on the west and north, as the same now exists, for the purpose of ingress and egress to and from the premises hereby conveyed to the Balmville Road, which said road or right of way shall be kept and maintained at the joint expense of those entitled to the use thereof and subject to use of the same by the owners of other properties adjoining said road or driveway.

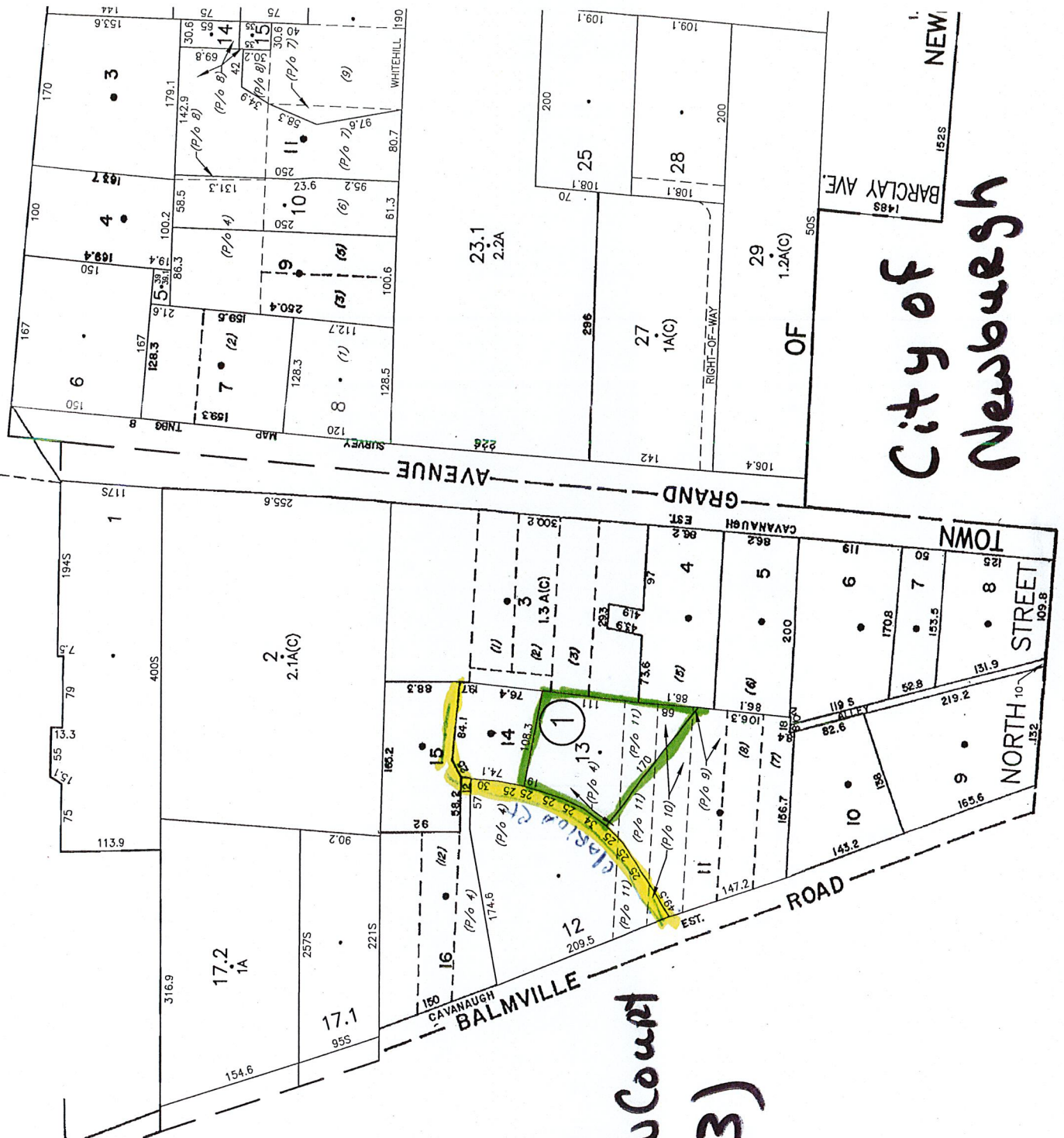
Premises known as 6 Clarion Court, Newburgh, NY 12550

Borrower: Orlando Osorio
Property Address: 6 Clarion Court
Tax Map No: 85-1-13

File No: 15-AAT-2412
County: Orange
Town/City/Village: Newburgh

INTERSTATE I-84

HWY.



OSORIO
6 CLARION COURT
(85-1-13)

City of
Newburgh

1485
BARCLAY AVE.
1525
NEW