



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: 8-13-18

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

I (WE) CAROL A. PICK PRESENTLY

RESIDING AT NUMBER 17 HILL RUN ROAD

TELEPHONE NUMBER 565-4053

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:

73-11-6 (TAX MAP DESIGNATION)

17 HILL RUN ROAD (STREET ADDRESS)

R-3 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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



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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: 7-24-18
- 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: PLACEMENT OF A SHED (10'x12') WHERE PREVIOUS SHED (8'x8') WAS LOCATED

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 NEWER SHED WOULD BE REPLACING
AN OLDER SHED IN THE SAME LOCATION.
THE OLDER SHED HAD A PERMIT.

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:

THERE IS AN EASEMENT OR RIGHT OF WAY BEHIND
MY PROPERTY, THIS CREATES A "FRONT YARD" IN
MY BACK YARD. THE SHED NEEDS A VARIANCE, I'VE
BEEN TOLD.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

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

SEE a)

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

THE EXISTING SHED (WITH PERMIT) WAS
ROTTING AND NEEDED TO BE REPLACED.



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7. ADDITIONAL REASONS (IF PERTINENT):

Carol A. Puck

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 31 DAY OF August 20 18

JOSEPH P. PEDI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PE6370913
Qualified in Orange County
Commission Expires February 12, 2022

Joseph P. PEDI

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)



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PROXY

_____, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT _____

IN THE COUNTY OF _____ AND STATE OF _____

AND THAT HE/SHE IS THE OWNER IN FEE OF _____

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED _____

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: _____

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS _____ DAY OF _____ 20____

NOTARY PUBLIC

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			
PLACEMENT OF SHED IN BACKYARD			
Name of Action or Project: SHED			
Project Location (describe, and attach a location map): 17 HILL RUN ROAD			
Brief Description of Proposed Action: OLD SHED (WITH PERMIT) NEEDED TO BE TORN DOWN (DECAY) REPLACE OLD SHED WITH NEWER ONE IN SAME LOCATION			
Name of Applicant or Sponsor: CAROL A. PICK		Telephone: 565-4053	
		E-Mail: ccap137@gmail.com	
Address: 17 HILL RUN ROAD			
City/PO: NEWBURGH		State: NY	Zip Code: 12550
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	YES
		<input checked="" type="checkbox"/>	<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	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>287</u> acres	
b. Total acreage to be physically disturbed?		<u>10x12'</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>287</u> 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			

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: Carol A. Pick Date: 8-13-18
Signature: CAROL A. PICK

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.

- 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)



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ENCLOSURES: SUBMIT ALL ITEMS TOGETHER

* RECEIPT(S) ISSUED BY THE TOWN CLERK
(SEE 1-1-2017 FEE SCHEDULE)

*Town Clerk
Requests
separate
checks
OR CASH*

BUILDING INSPECTOR'S DISAPPROVAL
OR REFERRAL LETTER FROM PLANNING BOARD

PLOT PLAN, ELEVEN (11) COPIES DRAWN
TO SCALE

* DEED OR CERTIFIED COPY THEREOF

* ASSESSOR'S LIST OF PROPERTY OWNERS
WITHIN 500 FEET OF PROPERTY

FOUR PHOTOGRAPHS TAKEN AT DIFFERENT
ANGLES

* ZONING BOARD APPLICATION WITH SHORT
ENVIRONMENTAL ASSESSMENT FORM

* PROXY OR STATEMENT FOR REPRESENTATION
THEREOF

SEPTIC DESIGN BY P.E. (IF APPLICABLE)

PERCULATION TEST (IF APPLICABLE)

*** ORIGINALS ARE REQUIRED.**

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).

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Chapter 104 entitled 'Schedule of Fees' of the Code of the Town of Newburgh Zoning Board of Appeals Application Fees Effective January 1, 2017".

SECTION 2 - AMENDMENTS TO CHAPTER 104

1. That Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code is amended as follows:

Subsection 104-2D(2) of Section 104-2 entitled "Planning, zoning and building fees" of Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code be and hereby is amended to read as follows:

"(2) Zoning Board of Appeals Applications:

(a)	Area Variance for Single and Two Family Residential Use and Accessory Use thereto	\$250.00
(b)	Use Variance for Single and Two Family Residential Use And Accessory Use thereto	\$250.00
(c)	All other Area Variances	\$500.00
(d)	All other Use Variances	\$750.00
(e)	Special Permits	\$150.00
(f)	ZBA Interpretation of Code	\$250.00
(g)	Appeal of Code Compliance Determination	\$250.00

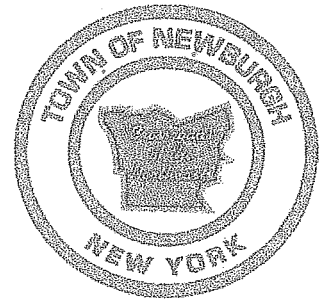
Additionally, a \$50.00 public hearing publication fee will be charged for all applications requiring a public hearing, and for those proceedings for which a court reporter is used, the applicant shall pay the costs of transcription

SECTION 3 - UNCONSTITUTIONALITY OR ILLEGALITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4 - EFFECTIVE DATE

This Local Law shall take effect on the later of the date it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law or January 1, 2017.



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

2700-18

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 07/24/2018

Application No. 18-0760

To: Carol Pick
17 Hill Run Rd
Newburgh, NY 12550

SBL: 73-11-6
ADDRESS: 17 Hill Run Rd

ZONE: R3

PLEASE TAKE NOTICE that your application dated 07/09/2018 for permit to keep a 10' x 12' accessory building in a front yard on the premises located at 17 Hill Run Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-15-A / A permitted accessory building may be located in any required side or rear yard, provided that


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: Carol Pick Building Application # 18-0760

ADDRESS: 17 Hill Run Rd Newburgh NY 12550

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: 10' x 12' accessory building

SBL: 73-11-6 ZONE: R-3 ZBA Application # 2700-18

TOWN WATER: YES / NO

TOWN SEWER: YES / NO

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES / NO
 2 OR MORE FRONT YARDS FOR THIS PROPERTY YES / NO
 CORNER LOT - 185-17-A YES / NO

ACCESSORY STRUCTURE:

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

NOTES: Parcel has 2 front yards / Hill Run Rd. and Wall Street (paper)

VARIANCE(S) REQUIRED:

- 1 185-15-A. An accessory building may be located in any required side or rear yard.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina

DATE: 24-Jul-18

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

DAVID D. Mateer and Cindy J. Mateer TO Carol A. Pick

SECTION 73 BLOCK 11 LOT 6



RECORD AND RETURN TO: (name and address)

Bloom & Bloom, P.C 530 Blooming Grove Trpk P.O. Box 4323 New Windsor NY 12553

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED [X] MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN) 4289 MONTGOMERY (TN)
2001 WASHINGTONVILLE (VLG) 4201 MAYBROOK (VLG)
2003 SO. BLOOMING GROVE (VLG) 4203 MONTGOMERY (VLG)
2289 CHESTER (TN) 4205 WALDEN (VLG)
2201 CHESTER (VLG) 4489 MOUNT HOPE (TN)
2489 CORNWALL (TN) 4401 OTISVILLE (VLG)
2401 CORNWALL (VLG) 4600 NEWBURGH (TN)
2600 CRAWFORD (TN) 4800 NEW WINDSOR (TN)
2800 DEERPARK (TN) 5089 TUXEDO (TN)
3089 GOSHEN (TN) 5001 TUXEDO PARK (VLG)
3001 GOSHEN (VLG) 5200 WALLKILL (TN)
3003 FLORIDA (VLG) 5489 WARWICK (TN)
3005 CHESTER (VLG) 5401 FLORIDA (VLG)
3200 GREENVILLE (TN) 5403 GREENWOOD LAKE (VLG)
3489 HAMPTONBURGH (TN) 5405 WARWICK (VLG)
3401 MAYBROOK (VLG) 5600 WAWAYANDA (TN)
3689 HIGHLANDS (TN) 5889 WOODBURY (TN)
3601 HIGHLAND FALLS (VLG) 5801 HARRIMAN (VLG)
3889 MINISINK (TN) 5809 WOODBURY (VLG)
3801 UNIONVILLE (VLG)
4089 MONROE (TN)
4001 MONROE (VLG)
4003 HARRIMAN (VLG)
4005 KIRYAS JOEL (VLG)
9999 HOLD

NO. PAGES 5 CROSS REF.
CERT. COPY ADD'L X-REF.
MAP# PGS.
PAYMENT TYPE: CHECK [X] CASH CHARGE NO FEE
Taxable CONSIDERATION \$ 212000
TAX EXEMPT
Taxable MORTGAGE AMT. \$

MORTGAGE TAX TYPE:
(A) COMMERCIAL/FULL 1%
(B) 1 OR 2 FAMILY
(C) UNDER \$10,000
(E) EXEMPT
(F) 3 TO 8 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 Hill N. Dale

RECORDED/FILED 09/25/2012/ 14:20:45 DONNA L. BENSON County Clerk ORANGE COUNTY, NY FILE#20120089835 DEED R / BK 13415PG 0026 RECORDING FEES 195.00 TTX# 001006 T TAX 848.00 Receipt#1505913 mr1

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 September 25, 2012 AND THE SAME IS A CORRECT TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE COUNTY August 20, 2018



BARGAIN AND SALE DEED WITH COVENANTS AGAINST GRANTORS ACTS

HN 47543

DEED

THIS INDENTURE, made the 6th day of September, 2012,

BETWEEN, DAVID D. MATEER and CINDY J. MATEER, 17 Hill Run Road, Newburgh , New York, 12550 as party of the first part, and

CAROL A. PICK, residing at 21 Parade Place, New Windsor, New York, 12553 as party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN DOLLARS AND NO/100 -----(\$10.00) and other good and valuable consideration paid by the party of the second part, the receipt and adequacy of which is hereby acknowledged, 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, State of New York and more particularly described in Schedule "A" annexed hereto as if set forth in full at this point.

BEING AND INTENDED TO BE the same premises conveyed to DAVID D. MATEER and CINDY J. MATEER, husband and wife, by Deed dated April 19, 1989 from Highpoint Developing Corp. and recorded in the Office of the County Clerk of Orange County on June 30, 1989 in Liber 3155 at Page 308, designated as Section 73, Block 11, Lot 6.

TOGETHER WITH all right, title and interest, if any, of the party of the first part in and to any streets and road abutting the above described premises to the enter 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 upon 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 Lien Law, covenants that the party of the first part will receive the consideration for the conveyance and will hold the right to

SEP 11 2012 12:41

#7173 P.003 /004



LEGAL DESCRIPTION
 SCHEDULE "A"

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 lot 94 as shown on a certain map entitled "GIDNEY ESTATES SUBDIVISION" filed in the Orange County Clerks Office on February 7, 1957 as map number 1694, bounded and described as follows:

BEGINNING at a bent iron rod on the westerly side of HILL RUN ROAD at the dividing line of lots 93 & 94 as shown on the abovementioned filed map;

THENCE South 67 degrees 20 minutes 55 seconds West a distance of 136.44 feet along the lands now or formerly WARD (liber 5456 page 21, lot 93 map no. 1694) to a 5/8" iron rod;

THENCE North 22 degrees 39 minutes 05 seconds West a distance of 90.00 feet generally following a stonewall and along the easterly side of WALL STREET (unimproved) to a 5/8" iron rod;

THENCE North 67 degrees 20 minutes 55 seconds East a distance of 137.25 feet along the lands now or formerly GALUSHA (liber 2306 page 627, lot 95 map no. 1694) to a point;

THENCE South 28 degrees 36 minutes 20 seconds East a distance of 36.52 feet and South 17 degrees 45 minutes 20 seconds East a distance of 53.88 feet along the westerly side of HILL RUN ROAD to the point or place of **BEGINNING**.

SUBJECT TO a utility easement as described in liber 1388 page 484.

TOGETHER with and subject to covenants, easements and restrictions of record.

CONTAINING - 0.287 acres of land more or less.

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 same for any other purpose. The word "party" shall be construed as if it reads "parties" whenever the sense of the indenture so requires.

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

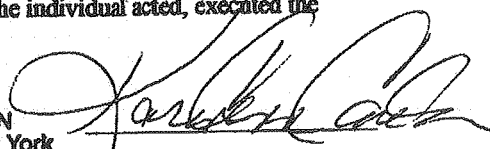
IN THE PRESENCE OF:


DAVID D. MATEER

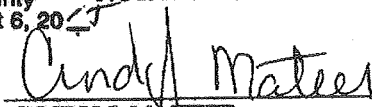
STATE OF NEW YORK, COUNTY OF ORANGE

On the 6th day of September, 2012, before me, the undersigned, a Notary Public in and for the State of New York, personally appeared DAVID D. MATEER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacities, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

KAREN ANNE CAROLAN
Notary Public, State of New York
No. 01CA6248054
Qualified in Orange County
My Commission Expires Sept 6, 2015

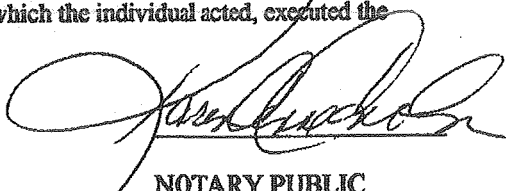

NOTARY PUBLIC

IN THE PRESENCE OF:


CINDY J. MATEER

STATE OF NEW YORK, COUNTY OF ORANGE

On the 6th day of September, 2012, before me, the undersigned, a Notary Public in and for the State of New York, personally appeared CINDY J. MATEER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacities, 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
KAREN ANNE CAROLAN
Notary Public, State of New York
No. 01CA6248054
Qualified in Orange County
My Commission Expires Sept 6, 2015

Tax Identification Number: 73-11-6
Town of Newburgh
County of Orange
State of New York

RECORD & RETURN TO:

BLOOM & BLOOM
530 Blooming Grove Turnpike
New Windsor, NY 12550



Pick
17 Hill Run Rd
(73-11-6)