

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: July 21, 2016

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

I (WE) RAM HOTELS, INC (C/O NIMIT PATEL) PRESENTLY

RESIDING AT NUMBER 1600 CENTRAL AVENUE ALBANY, NY 12205-2404

TELEPHONE NUMBER 917-797-4576

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:

97-2-37 (TAX MAP DESIGNATION)

UNITY PLACE / AUTO PARK PLACE (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

SECTION 185 ATTACHMENT B: MAXIMUM BUILDING HEIGHT
SECTION 185-27.C(1) - PRINCIPAL FRONTAGE ON
STATE OR COUNTY HIGHWAY



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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: 8/1/16
- 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: SEE ADDENDUM

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:
N/A



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

MIA

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:

SEE ADDENDUM

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:

SEE ADDENDUM

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

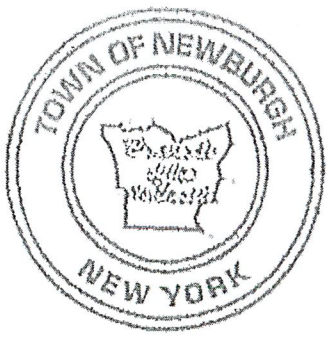
SEE ADDENDUM

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 ADDENDUM

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

SEE ADDENDUM



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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:

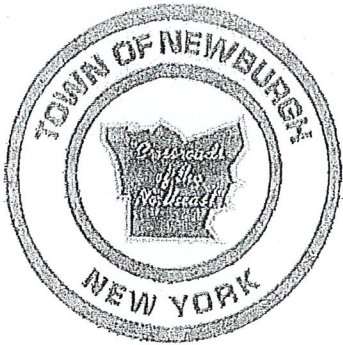
SWORN TO THIS 14th DAY OF July 2016

NOTARY PUBLIC

CHARLES E. FRANKEL
Notary Public, State of New York
Qualified in Orange County
My Commission Expires March 30, 2019

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

Newburgh Auto Park LLC
Ronald K Barton manages, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT *29 old mill Rd, Town of Newburgh*

IN THE COUNTY OF *orange* AND STATE OF *New York*

AND THAT HE/SHE IS THE OWNER IN FEE OF *97-2-37*

8.5A on Unity Place / ^{Auto Park Place} Newburgh, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED *Mexuro Norton-Tardiff-Marshall*
~~RAM Hotels Inc~~ / *Nimit Patel*
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: *7-21-2016* 

OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS *21* DAY OF *July* 20 *16*


NOTARY PUBLIC

ELAYNE S. ROSEN
ID# 01R06123259
NOTARY PUBLIC, STATE OF NEW YORK
RESIDING AND APPOINTED IN ORANGE COUNTY
COMMISSION EXPIRES MARCH 7, 2017

Short Environmental Assessment Form

Part 1 - Project Information

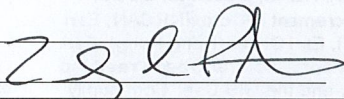
Instructions for Completing

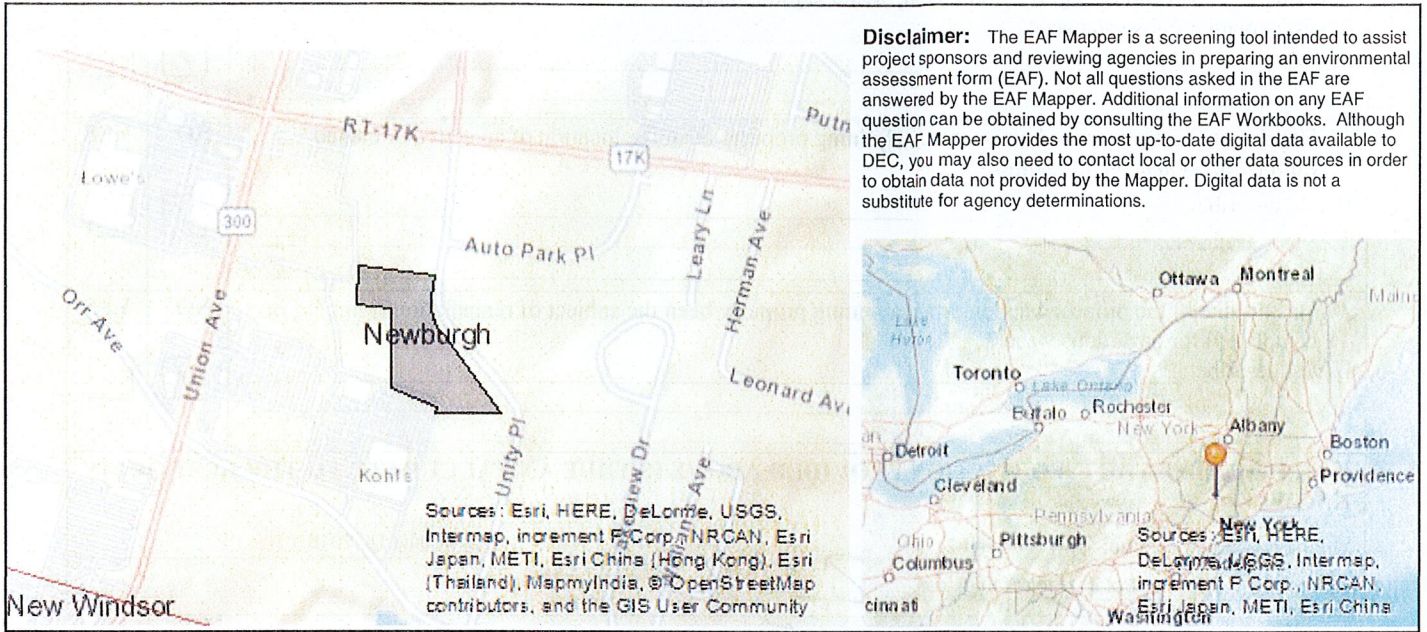
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: RAM Hotels Site Plan			
Project Location (describe, and attach a location map): Unity Place / Town of Newburgh ^{ALGO PARK PLACE} , Orange County			
Brief Description of Proposed Action: Proposed 5-story, 112-room hotel			
Name of Applicant or Sponsor: RAM Hotels, Inc. (c/o Nimit Patel)		Telephone: 917-797-4576	
Address: 1600 Central Avenue		E-Mail:	
City/PO: Albany		State: NY	Zip Code: 12205-2404
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? _____ ±6.4 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? _____ ±6.4 acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input 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? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>RAM Hotels, Inc.</u> Date: <u>July 14, 2016</u></p> <p>Signature: <u>Zachary A. Peters, Project Engineer</u> </p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



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

2595-16

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 08/01/2016

Application No. 16-0634

To: Newburgh Auto Park LLC
800 Auto Park PI
Newburgh, NY 12550

SBL: 97-2-37
ADDRESS: Auto Park PI

ZONE: IB

PLEASE TAKE NOTICE that your application dated 07/15/2016 for permit to construct a 5 story 112 room hotel on the premises located at Auto Park PI is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-27-C-1 The site must have principal Frontage on a state or county highway.
- 2) Bulk table schedule 8 Allows a maximum building height of 50'


Gerald Canfield

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: Newburgh Auot Park LLc

ADDRESS: 880 Auto park Place Newburgh NY 12550

2595-16

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: *Auto Park Place* 112 Room Hotel @ Unity Way *Auto Park Place*

SBL: 97-2-37 ZONE: I-B

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA	OK				
LOT WIDTH	OK				
LOT DEPTH	OK				
FRONT YARD	OK				
REAR YARD	OK				
SIDE YARD	OK				
MAX. BUILDING HEIGHT	50'		69.4'	19.4'	38.66%
BUILDING COVERAGE	OK				
SURFACE COVERAGE	OK				

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: This referal is for the above listed variances only. A complete plan review will be conducted as detailed plans are available.

VARIANCE(S) REQUIRED:

- 1 185-27-C-1 The site must have principal frontage on a state or county highway.
- 2 Bulk table schedule 8 Allows a maximum building height of 50'.
- 3 _____
- 4 _____

REVIEWED BY: Gerald Canfield

DATE: 1-Aug-16

William G. Norton, L.S.
Alphonse Mercurio, L.S.

Lawrence J. Marshall, P.E.
John Tarolli, P.E., L.S.

Zachary A. Peters, P.E.
Kenneth W. Vriesema, L.S.

Town of Newburgh Zoning Board of Appeals Variance Request Addendum – July 14, 2016

Relief Requested:

A. Description of Property and Property Use:

The project site is located in the Town of Newburgh, County of Orange, State of New York on the westerly side of Unity Place. The site is located approximately 1,000 feet from the intersection of Unity Place and NYS Route 17K. The project site consists of tax parcel: Section 97, Block 2, Lot 37, containing approximately 6.4 acres of land located in the IB zoning district.

The proposed project involves the construction of a 5-story, 112 room hotel located on Unity Place.

B. Variance Requested

In accordance with §185-27.C(1) of the Town Code, a hotel site shall have principal frontage on a state or county highway. The project site is located on Unity Place, a town road, approximately 1,000 feet from the intersection with NYS Route 17K.

An area variance for a hotel site with principal frontage on a town road is requested.

In accordance with the zoning bulk table in §185, Attachment B, the maximum building height in the IB zone is fifty (50) feet. The proposed building has a height of 69'-4" to the top of the parapet.

An area variance of 19'-4" is requested.

C. Legal Criteria for Granting the Area Variance (Frontage Variance):

a. The variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties because:

The project site does not currently have any frontage along a state or county road. No changes to the existing site frontage conditions are proposed. The proposed hotel use is a permitted use within the IB zoning district. A majority of the adjacent parcels are currently developed with commercial uses. Many of these sites have frontage along NYS Route 17K and NYS Route 300. The surrounding uses are consistent with those typically found in the vicinity of a hotel site. The proposed hotel is located within 1,000 feet of NYS Route 17K.



The interpretation of this office of this section of the code is to avoid having hotels located on smaller, local roads and ensure access to the hotel is direct from major thoroughfares and easily evident. While the lot does not front on a state or county road, the hotel will be visible from NYS Route 17K. Unity Place has been constructed to handle to traffic associated with this use and no increased traffic through local residential developments will be caused by this application.

b. The benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance, because:

The project site does not currently have any frontage along a state or county road. Access to the site is provided from Unity Place, a town road. A lot combination is not feasible as adjacent parcels with frontage on NYS Route 17K or NYS Route 300 are currently developed. It is our understanding that the lots on Unity Place were originally developed with the potential for having hotel(s).

c. The requested area variance is not substantial because:

The project site is located in close proximity to both NYS Route 300 and NYS Route 17K. The proposed hotel use is a permitted use in the IB zone, the deficiency is related solely to frontage on a state or county road. The proposed use is consistent with the types of uses on adjacent parcels in the vicinity of the project site. Access to and from the site will be directly from NYS Route 17K and patrons will have to drive less than 1,000 feet on Unity Place to access the site.

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 no adverse physical or environmental impacts as a result of the requested variance. The variance relates solely to the frontage of the proposed hotel site not the hotel use, which is a permitted use in the IB zone.

e. The hardship has not been self-created because:

The project site is an existing parcel.

D. Legal Criteria for Granting the Area Variance (Height Variance):

a. The variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties because:

The proposed hotel will be located approximately 1,000 feet from NYS Route 17K and approximately 75 feet from the edge of the Unity Place. Further, the proposed first floor elevation



is located approximately six (6) feet below the closest adjacent grade along Unity Place. The proposed hotel height and number of stories are consistent with hotels currently under construction in the vicinity of the project site.

b. The benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance, because:

The proposed hotel has been designed with 5-stories in order to reduce the building footprint and area of impervious cover as much as possible. A lower building height would require a larger building footprint in order to accommodate the number of rooms proposed. In accordance with current New York State Department of Environmental Conservation (NYSDEC) stormwater design guidelines, reducing impervious cover must be a consideration.

c. The requested area variance is not substantial because:

The requested variance results in an increase of approximately 40% of the maximum permitted building height. As the proposed finished grade will be located below the adjacent roadway and approximately 1,000 feet from NYS Route 17K, the building height will not appear as substantial as the requested variance indicates.

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 proposed building height results in a reduction in impervious cover for the proposed use. The corresponding layout preserves more green area than a building with a larger footprint. The smaller footprint results in less impervious cover and reduced runoff from the developed site. The increased height will not have a visual impact from any adjoining roadways due to the existing development in the area. The proposed building height has an overall benefit to the neighborhood by preserving more green space around the building and parking areas.

e. The hardship has not been self-created because:

The developer is required by NYSDEC stormwater regulations to attempt to reduce impervious cover to the greatest extent possible. NYSDEC guidelines specifically discuss a reduction in building footprint through the incorporation of additional stories.

E. Conclusion

The proposed area variances will not result in any significant adverse impacts to the neighborhood, nor would the granting of the variance set an undesired precedent for any potential future applications. The proposed use is consistent with uses in the adjacent IB zoning district.



ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



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

WEBB PROPERTIES, INC.

TO

NEWBURGH AUTO PARK, LLC

SECTION 97 BLOCK 2 LOT 37

RECORD AND RETURN TO:
(Name and Address)

RICHARD J. DRAKE ESQ
DRAKE SOMMERS LOEB TARSHIS CATANIA & LIBERTH
BO BOX 1479
NEWBURGH NY 12551
RJD/mwc/50973

Handwritten signature and date: 8/13/16

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 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) | |

NO. PAGES 7 CROSS REF _____
CERT. COPY _____ ADD'L X-REF _____
MAP # _____ PGS. _____
PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

CONSIDERATION \$ _____
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

- CITIES
- 0900 MIDDLETOWN
 - 1100 NEWBURGH
 - 1300 PORT JERVIS
 - 9999 HOLD

Donna L. Benson
DONNA L. BENSON
Orange County Clerk

RECEIVED FROM: *Drake*

RECORDED/FILED
01/19/2005/ 09:38:43
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY

FILE # 20050005972
DEED C / BK 11724 PG 1610
RECORDING FEES 207.00
TTX# 006529 T TAX 0.00
Receipt#367247 juls

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 Jan 19, 2005 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
July 14, 2016



Bargain & sale deed, with covenant against grantor's acts

THIS INDENTURE, made the 29 day of November, two thousand four
BETWEEN

WEBB PROPERTIES, INC., a New York corporation with an address at 800
Auto Park Drive, Newburgh, New York 12550

party of the first part, and

NEWBURGH AUTO PARK, LLC, a New York limited liability company with
an address at 800 Auto Park Drive, Newburgh, New York 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN AND 00/100
(\$10.00) DOLLARS, lawful money of the United States and other good and valuable
consideration paid by the party of the second part, does hereby grant and release unto the
party of the second part, the heirs or successors and assigns of the party of the second part
forever,

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of
Newburgh, County of Orange, and State of New York shown and designated as Lot A3
(8.47± acres) on a map entitled "Subdivision & Lot Line Change, Proposed Lots for
Webb, Yu, Tighe", filed in the Orange County Clerk's Office on November 7, 2001 as
Map #236-01.

This transaction is being made in the usual course of business actually conducted by the
grantor corporation and does not constitute a sale, transfer, or alienation of all or
substantially all of the assets of said corporation. This conveyance is authorized by the
Board of Directors and no other consent is required.

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

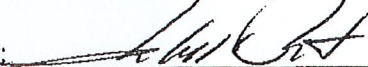
purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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:

WEBB PROPERTIES, INC.

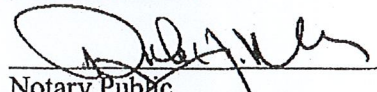
By: 
Ronald K. Barton, President

STATE OF NEW YORK)

)SS.:

COUNTY OF ORANGE)

On the 09 day of November, 2004, before me, the undersigned, a notary public in and for said state, personally appeared **Ronald K. Barton** 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 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

Record and Return to:
Richard J. Drake, Esq.
Drake, Sommers, Loeb, Tarshis,
Catania & Liberth, PLLC
PO Box 1479
Newburgh, New York 12551

RICHARD J. DRAKE
A Notary Public, State of New York
Qualified in Orange County
02DR6098165
Commission Expires August 31, 2008

Section 97, Block 2, Lot 37
T/Newburgh - C/Orange

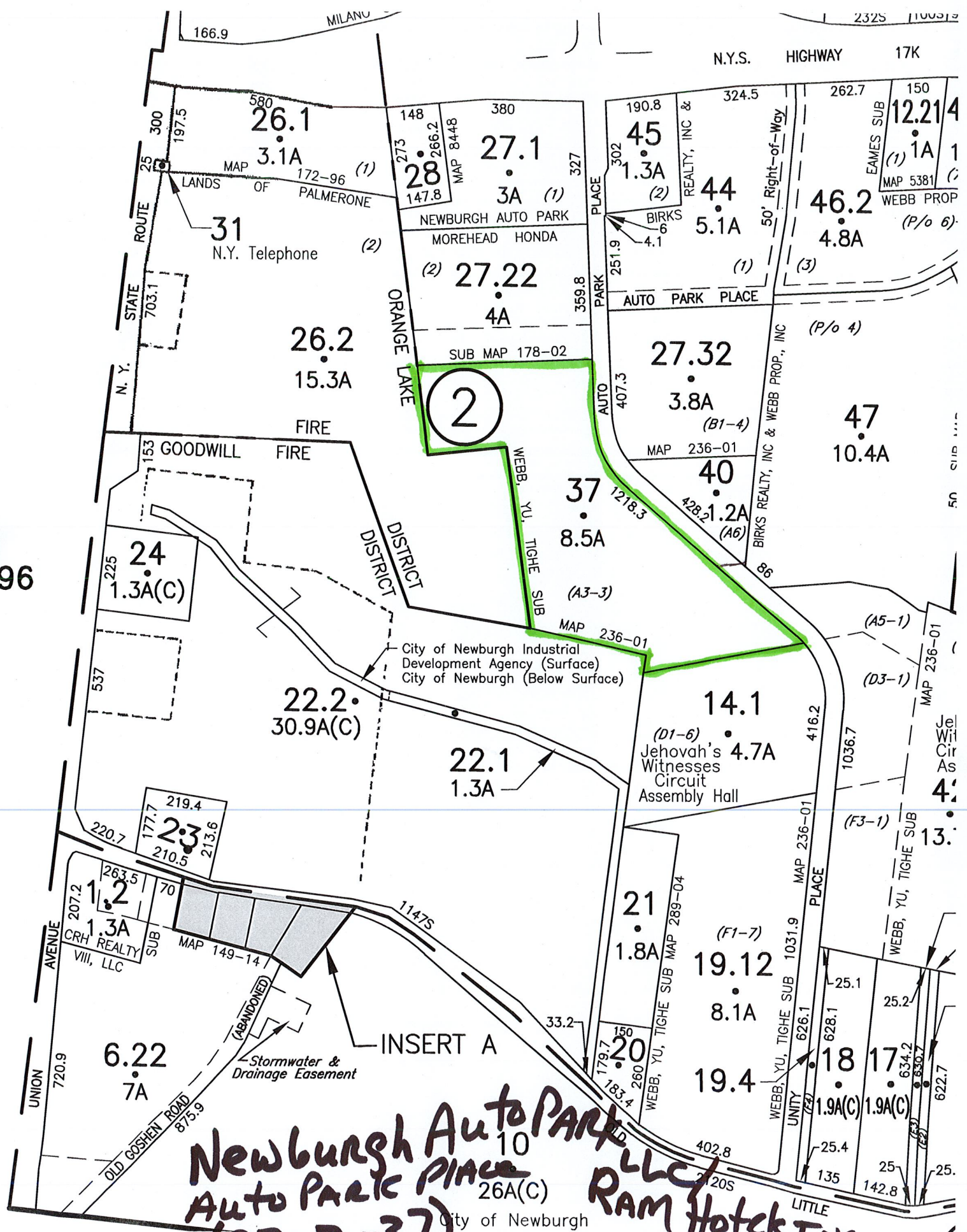
#277244
3985-50972
11/16/04

SCHEDULE A

ALL that certain lot, piece or parcel of land, situate, lying and being in the Town of Newburgh, County of Orange, State of New York shown and designated as Lot A3 (8.47+/- acres) on a map entitled "Subdivision & Lot Line Change, Proposed Lots for Webb, Yu, Tighe", filed in the Orange County Clerk's Office on 11/7/01 as Map #236-01.

2325 1100312

N.Y.S. HIGHWAY 17K



Newburgh Auto Park
Auto Park Place LLC
(97-2-37) City of Newburgh
RAM Hotels Inc

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