



Edward A. Brown  
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:	Town of Newburgh	Tax Map #:	1-1-33, 22
Local Referring Board:	Zoning Board of Appeals	Tax Map #:	
Applicant:	Louis & Julia Sanchez	Tax Map #:	
Project Name:		Local File No.:	2354-13
Location of Project Site:	205 FOREST ROAD WALKILL	Size of Parcel:	1.4 acres
Reason for County Review:	ON CR-23   FOREST RD	Current Zoning District (include any overlays):	A/R

**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 / USE (circle one) Square Footage of MAX Allowed Accessory Buildings  
MAX Height of Access. Bldgs

Other \_\_\_\_\_

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

Local board comments or elaboration:

*Shane Cardone* 5/9/13 Chairperson,  
Signature of local official Date Title  
Zoning Board of Appeals

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@orangecountyny.gov](mailto:planning@orangecountyny.gov)

# 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: 5/6/13

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

I (WE) Julie & Louis SANCHEZ PRESENTLY

RESIDING AT NUMBER 205 Forest Rd

TELEPHONE NUMBER 845-564-8729 - 845-323-0728

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:

11-33;22 (TAX MAP DESIGNATION)

205 Forest Rd (STREET ADDRESS)

A/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).

18515-A1 & 185-15A4

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: 5/2/2013
- 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: Install 32'x32'

Polebarn / garage.

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:

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

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

N/A

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:

It's going to be sided & roofed to look just like the house

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 house currently has no garage.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

It is only slightly larger than the allowance

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

It will be pleasing to the eye and is not for business purposes

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

There was never a garage

7. ADDITIONAL REASONS (IF PERTINENT):

N/A

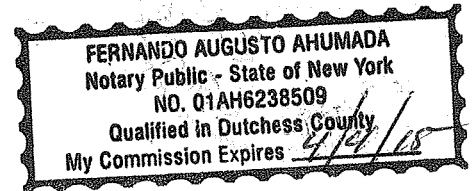
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Maria Sanchez  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OR ORANGE:

SWORN TO THIS 7<sup>th</sup> DAY OF May 20 13

Fernando Augusto Ahumada  
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.

## Appendix C

## State Environmental Quality Review

## SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

## PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR <i>Louis &amp; Julia SANCHEZ</i>	2. PROJECT NAME <i>GARAGE</i>
3. PROJECT LOCATION: Municipality _____ County <i>ORANGE</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>205 Forest Rd</i>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>install 32'x32' Pole barn/garage</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>.030</i> acres    Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: <i>A/R</i>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>Julia SANCHEZ</i>	Date: <i>5/6/13</i>
Signature: <i>Julia Sanchez</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

Reset

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.  
 Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  
 Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?  
 Yes  No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
 Yes  No If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- 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 AND provide, on attachments as necessary, the reasons supporting this determination.

\_\_\_\_\_  
 Name of Lead Agency

\_\_\_\_\_  
 Date

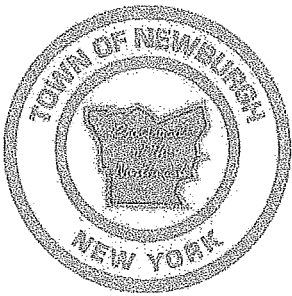
\_\_\_\_\_  
 Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
 Title of Responsible Officer

\_\_\_\_\_  
 Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
 Signature of Preparer (If different from responsible officer)

Reset



# 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

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/02/2013

Application No. 13-0293

To: Julia Sanchez  
205 FOREST ROAD  
WALLKILL, NY 12589

SBL: 1-1-33.22  
ADDRESS: 205 Forest Rd

ZONE: A-R

PLEASE TAKE NOTICE that your application dated 04/16/2013 for permit to Build a 32' x 32' x 23'-7 1/2" accessory building on the premises located at 205 Forest Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Zoning Code allows a maximum height of 15' for accessory buildings ( 185-15-A-1 ) and 1000 square foot ( 185-15-A-4 ) of total area.

Cc: Town Clerk & Assessor (500')  
File



# Town of Newburgh Code Compliance

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

**NAME:**      JULIA SANCHEZ

**ADDRESS:**      205 FOREST RD WALLKILL NY 12589

**PROJECT INFORMATION:**

*32 X 32 X 23' 7 1/2"*

**TYPE OF STRUCTURE:**      32 X 32 23'-7.5" ACCESSORY BUILDING

**SBL:**      1-1-33.22      **ZONE:**      A-R

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

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
NEW GARAGE S.F.	1000 S.F.	SEE BELOW	1024 S.F.	1224 S.F. TOTAL 2 BUILDINGS	22.4%
EXISTING SHED		200 S.F.	200 S.F.		
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT	15'		32'-7-1/2"	8'-7-5"	58.0%
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:      REQUESTING A 32 X 32 GARAGE. HAS A 10 X 20 PRIOR BUILT SHED. APPLICATION FOR THE SHED IS PENDING.**

**VARIANCE(S) REQUIRED:**

- 1 185-15-A-1 MAXIMUM ALLOWED HEIGHT FOR AN ACCESSORY STRUTCURE IS 15'
- 2 185-15-A-4 MAXIMUM ALLOWED SF FOR ALL ACCESSORY BUILDINGS IS 1000 S.F.
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

**REVIEWED BY:**      JOSEPH MATTINA      **DATE:**      2-May-13

# ACCESSORY STRUCTURE SQUARE FOOTAGE BY FORMULA

## PER THE TOWN OF NEWBURGH MUNICIPAL CODE SECTION 185-15(4) - ACCESSORY BUILDINGS

(4) An accessory use to a principal residential use, as listed in Article IV, Schedules of District Regulations, Use Table, Column A, that is housed within an accessory building shall be limited to a maximum of 1,000 square feet or to a lower number as may be determined by the following formula:

### FORMULA:

$$\frac{A+(B \times C)}{100} = D$$

A - GROSS AREA OF LOT IN SQUARE FEET

B - LIVABLE FLOOR AREA OF RESIDENCE IN SQUARE FEET

C - MINIMUM REQUIREMENT IN THE ZONING DISTRICT FOR ONE SIDE YARD, IN FEET

D - TOTAL SQUARE FOOTAGE PERMITTED FOR ALL ACCESSORY BUILDINGS

A= 60,297.00 SF

B= 3,894.00 SF

C= 30.00 FEET

D= 1,771.17 SF OR 1,000 SF WHICHEVER IS LESS IS PERMITTED.

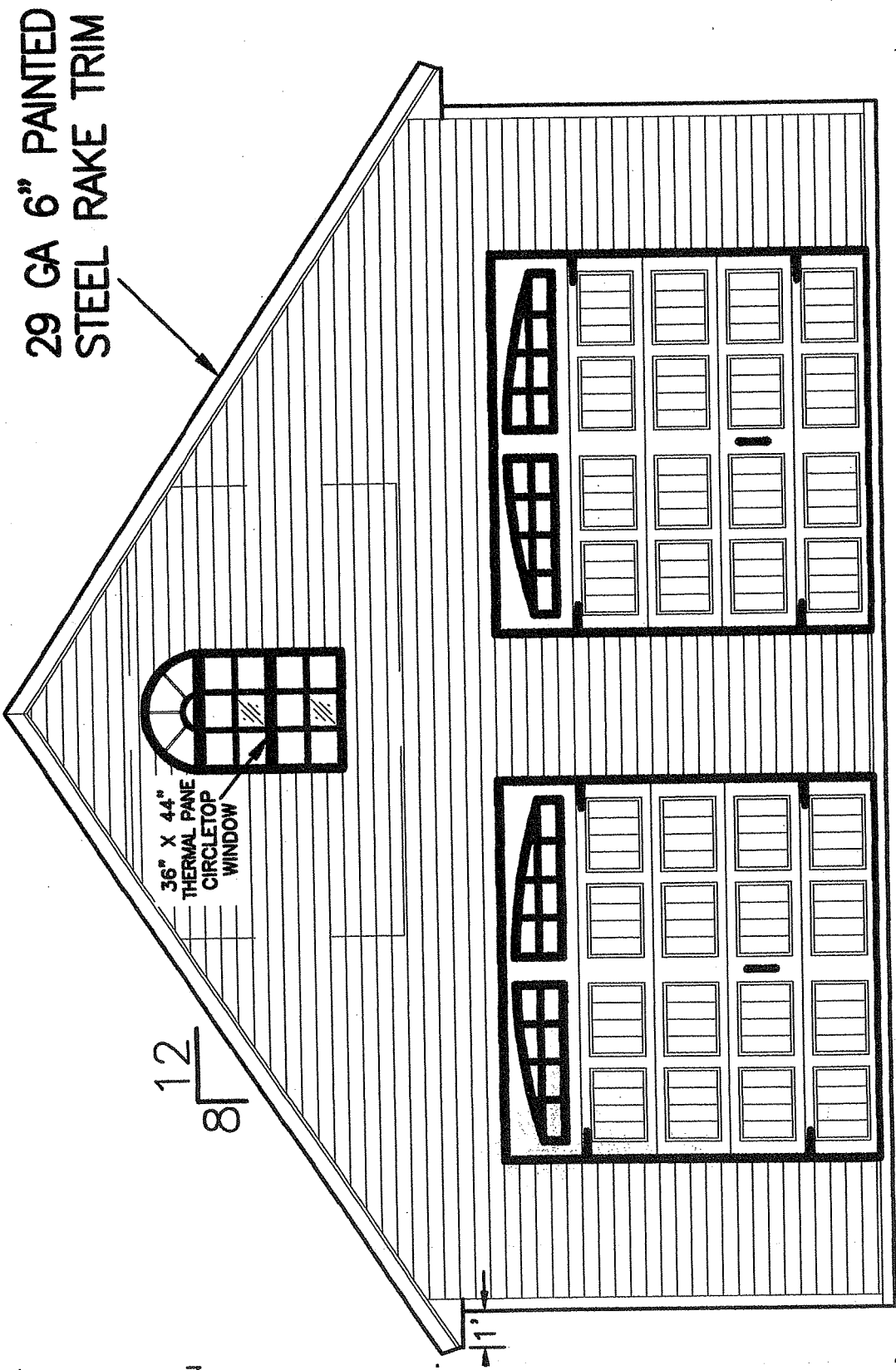
LOUIS SANCHEZ  
 205 FOREST RD.  
 WALLKILL, NY 125

ALL INFORMATION SHOWN ON THIS DRAWING IS THE PROPERTY OF SHIRLEY POLE BUILDINGS LLC. THIS DRAWING MAY NOT BE REPRODUCED WITHOUT PERMISSION. BUILDER AND OWNER ARE RESPONSIBLE TO VERIFY ALL DIMENSIONS BEFORE CONSTRUCTION.

DRAWN BY: ALS  
 REVIEW:  
 REVISIONS:

DATE: 03/27/2024  
 SITE: SANCHEZ ELEVATIONS

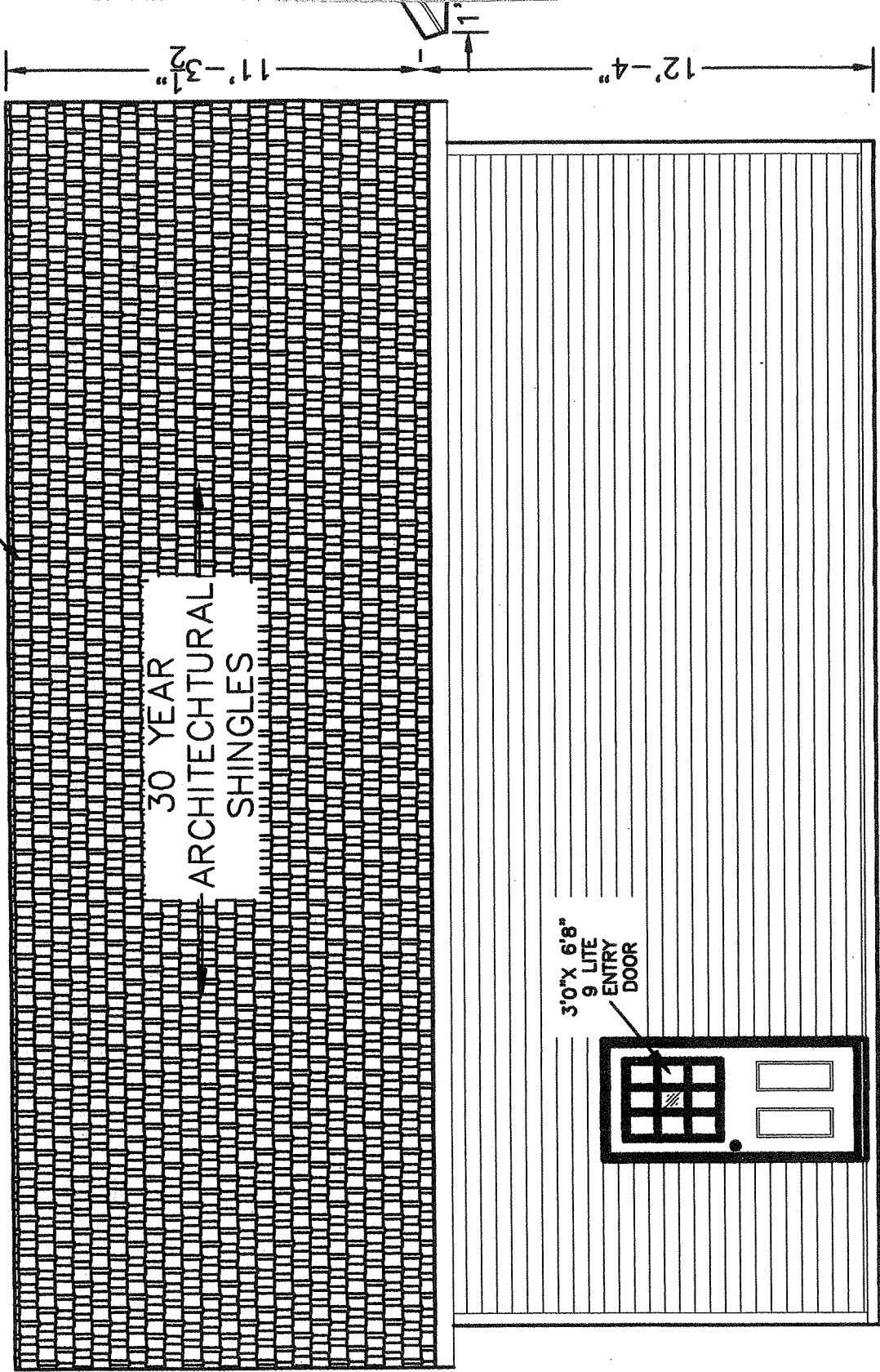
A.2



LEFT ENDWALL  
 SCALE: 1/8" = 1'0"

SCALE: 1/8" = 1'-0"

RIDGEVENT

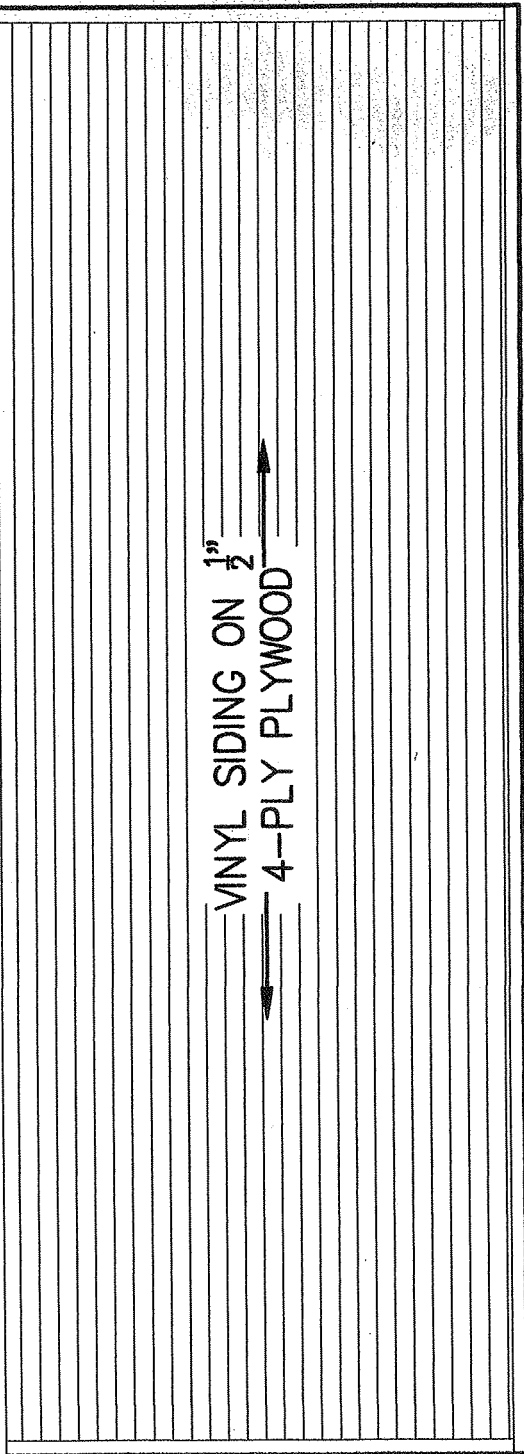
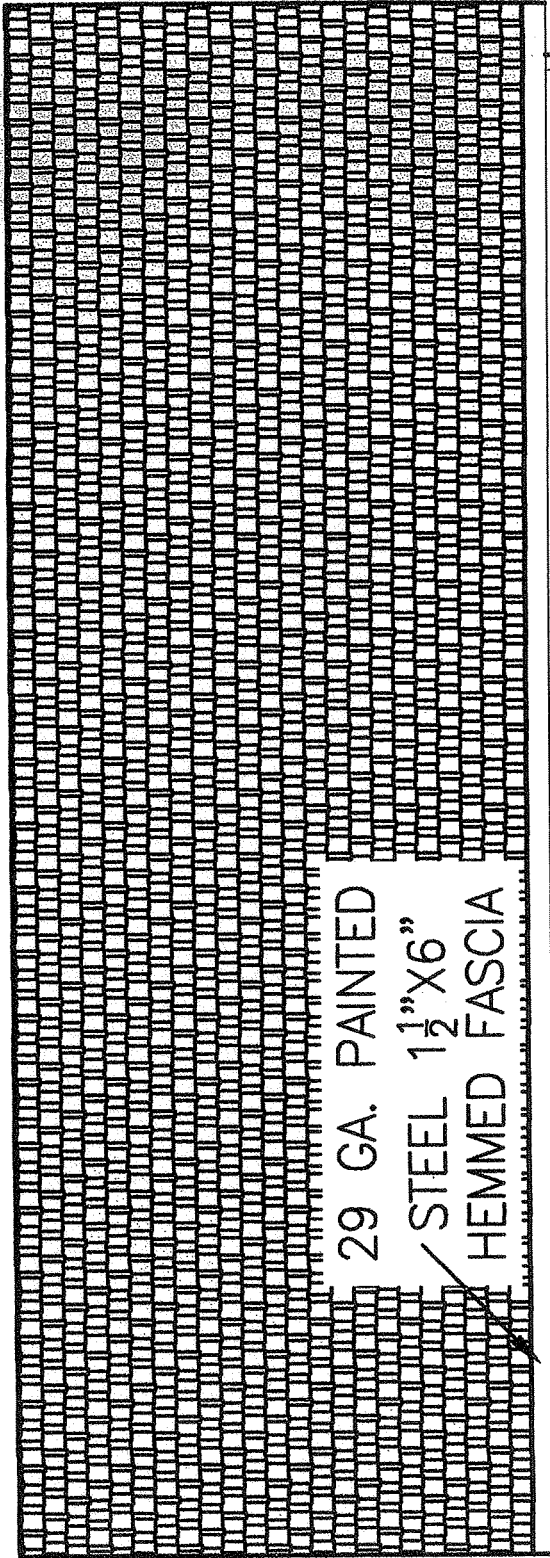


30 YEAR  
ARCHITECTURAL  
SHINGLES

3'0" X 6'8"  
9 LITE  
ENTRY  
DOOR

FRONT SIDEWALL  
SCALE: 1/8" = 1'-0"

12'-4" 11'-3 1/2" 1"



BACK SIDEWALL

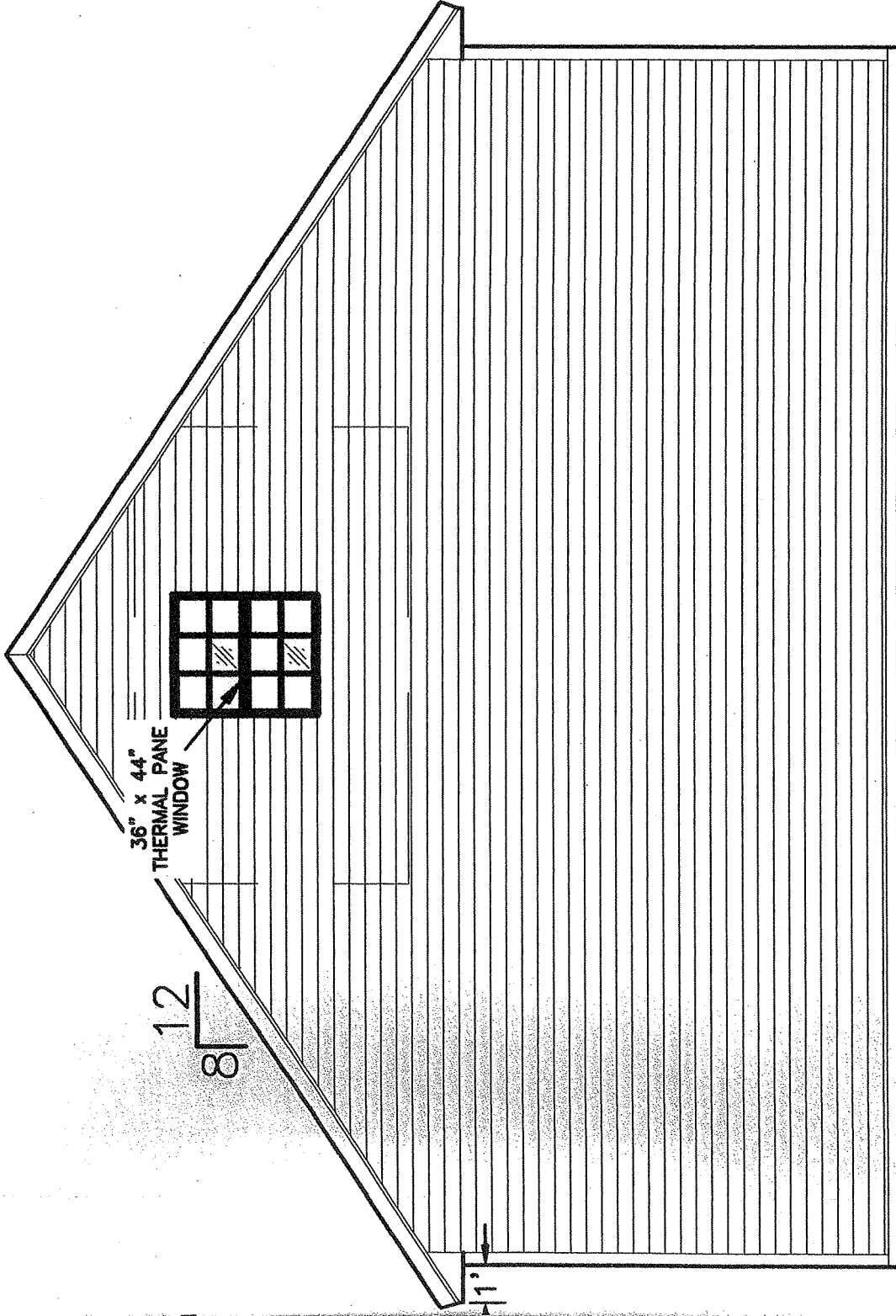
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SCALE: 1/8" = 1'0"

BUILDER

POLE BUILDINGS

OWNER



RIGHT ENDWALL  
SCALE: 1/8" = 1'0"

SECTION 1 BLOCK 1 LOT 33.2

# ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

(This Page is Part of the Instrument)

PRINT OR TYPE: BLACK INK ONLY

ROBERT N. FETZER  
TO  
LOUIS J. SANCHEZ and JULIA T. SANCHEZ

*Handwritten signature and initials*

RECORD AND RETURN TO:  
(Name and Address)

Jacobowitz & Gubits, Esqs.  
158 Orange Avenue P O Box 367  
Walden, New York 12586

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

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 065934 DATE 10-29-87 AFFIDAVIT FILED \_\_\_\_\_ 19 \_\_\_\_\_

INSTRUMENT TYPE: DEED  MORTGAGE \_\_\_\_\_ SATISFACTION \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_ OTHER \_\_\_\_\_

- BG20 Blooming Grove \_\_\_\_\_
- CH22 Chester \_\_\_\_\_
- CO24 Cornwall \_\_\_\_\_
- CR26 Crawford \_\_\_\_\_
- DP28 Deerpark \_\_\_\_\_
- GO30 Goshen \_\_\_\_\_
- GR32 Greenville \_\_\_\_\_
- HA34 Hamptonburgh \_\_\_\_\_
- HI36 Highland \_\_\_\_\_
- MK38 Minisink \_\_\_\_\_
- ME40 Monroe \_\_\_\_\_
- MY42 Montgomery \_\_\_\_\_
- MH44 Mount Hope \_\_\_\_\_
- NT46 Newburgh (T)
- NW48 New Windsor \_\_\_\_\_
- TU50 Tuxedo \_\_\_\_\_
- WL52 Wallkill \_\_\_\_\_
- WK54 Warwick \_\_\_\_\_
- WA56 Wawayanda \_\_\_\_\_
- WO58 Woodbury \_\_\_\_\_
- MN09 Middletown \_\_\_\_\_
- NC11 Newburgh \_\_\_\_\_
- PJ13 Port Jervis \_\_\_\_\_
- 9999 Hold \_\_\_\_\_

SERIAL NO. \_\_\_\_\_  
Mortgage Amount \$ \_\_\_\_\_  
Exempt Yes \_\_\_\_\_ No \_\_\_\_\_  
Received Tax on above Mortgage \_\_\_\_\_  
Basic \$ \_\_\_\_\_  
MTA \$ \_\_\_\_\_  
Spec. Add. \$ \_\_\_\_\_  
TOTAL \$ \_\_\_\_\_

CHECK  CASH \_\_\_\_\_ CHARGE \_\_\_\_\_  
MORTGAGE TAX \$ \_\_\_\_\_  
TRANSFER TAX \$ 500  
RECORD. FEE \$ 20  
REPORT FORMS \$ 5  
CERT. COPIES \$ \_\_\_\_\_

MARION S. MURPHY  
Orange County Clerk

by: \_\_\_\_\_  
ORANGE COUNTY CLERK'S OFFICE S.S.  
Recorded on the 4th day of Nov 1987 at 9:48  
O'Clock AM in Liber/Film 2826  
Deeds at page 182 and examined.

*Marion S. Murphy*  
County Clerk

*Handwritten signature*  
**RECEIVED**  
\$ 500  
REAL ESTATE  
NOV 4 1987  
TRANSFER TAX  
ORANGE COUNTY  
*ml*

60463

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

R-5161

THIS INDENTURE, made the 29th day of October, nineteen hundred and eighty seven.

BETWEEN ROBERT N. FEITZER, presently residing at #34 Cedar Avenue, Town of New Windsor, Orange County, New York 12550.

party of the first part, and LOUIS J. SANCHEZ and JULIA T. SANCHEZ, husband and wife, presently residing at #29 Debby Lane, Stony Point, New York 10980.

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 first part, the heirs or successors and assigns of the party of the second part forever,

1  
1  
33.2

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, bounded and described as follows:

BEGINNING at a point of intersection of the center line of Forrest Road and Cronk Road; and running thence along the center line of Cronk Road in a westerly direction to a point in the line of lands of Henry F. Schoellhorn and Doris C. Schoellhorn; thence S 12 degrees 53' 17" W along the easterly line of lands of Schoellhorn 373.10 feet to a stake; thence N 75 degrees 08' 28" W 325.82 feet along a stone wall being the southerly line of Schoellhorn to a point in an intersecting stone wall; thence S 16 degrees 15' 00" W along a stone wall 441.42 feet more or less to a point of intersection of another stone wall; thence along another stone wall S 74 degrees E to the center line of Forrest Road; thence along the center line of Forrest Road in a northeasterly direction to the point or place of BEGINNING.

CONTAINING 17 acres more or less.

BEING and intended to be all of the lands of the party of the first part lying on the west side of Forrest Road excepting thereout and therefrom that piece or parcel of land conveyed to Henry F. Schoellhorn and Doris C. Schoellhorn, husband and wife, by Deed dated February 25, 1960, and recorded in the Orange County Clerk's Office on March 21, 1960, in Book 1543 of Deeds at Page 362.

ALSO BEING a portion of the premises conveyed by Hassie A. Tillson and S. Elizabeth Tillson to Felix Cella and Madeleine Cella, his wife, by deed dated March 26, 1928 and recorded March 28, 1928, in the Orange County Clerk's Office in Liber 684 of Deeds, page 382. The said Madeleine Cella having died intestate, a resident of the Town of Newburgh, Orange County, New York, on May 11, 1960, and Letters of Administration having been duly granted to Felix Cella by the Surrogate of Orange County on August 16, 1960.

EXCEPTING AND RESERVING 2.818 acres of land surveyed by Sidney L. Horowitz, C.E. and P.E. & L.S. 27130 on October 6, 1972, being



2. Along the division line between Lot No. 2 and Lot No. 4 N 11 degrees 12' 32" E 148.26' to a point;
3. Along the division line between Lot No. 1 and Lot No. 2 S 79 degrees 57' 02" E 360.95' to a point in the westerly line of Forest Road;
4. Along said line S 12 degrees 08' 30" W 9.29' to a point;
5. Still along said line S 11 degrees 02' 30" W 176.55' to the point or place of BEGINNING.

CONTAINING 60,297 square feet or 1.4 acres of land, more or less.

BEING and intended to be the same premises as described in that certain deed dated February 22, 1985, made by Marie Aagotnes to Robert N. Fetzner, and recorded in the Orange County Clerk's Office on February 25, 1985, in Liber 2329 of Deeds at Page 293.

LIBER 2826 PG 184

bounded and described as follows:

BEGINNING at a point at the intersection of the westerly line of Forrest Road with the southerly line of Cronk Road, said point being 25' westerly of the center line of Forrest Road and 25' southerly of the center line of Cronk Road; thence along the westerly line of Forrest Road S 13 degrees 22' 18" W 300.56 feet to a point; thence through the lands of Di Benedetto, N 37 degrees 08' 42" W 418.28 feet to a point; thence N 16 degrees 51' 18" E 300.0 feet to a point on the southerly line of Cronk Road; thence along the southerly line of Cronk Road, S 73 degrees 08' 42" E 400.00 feet to the point and place of BEGINNING.

CONTAINING 2.818 acres.

BEING a portion of the premises conveyed by Felix Cella to Josephine Di Benedetto, by deed dated August 16, 1961, and recorded August 17, 1961, in Liber 1599 of Deeds at Page 441.

ALSO BEING the same premises as described in that certain deed dated June 21st, 1978, made by Anthony Di Benedetto and Josephine Di Benedetto, husband and wife, to Marie Aagotnes, the grantor herein, and recorded in the Orange County Clerk's Office on June 26, 1978, in Liber 2102 of Deeds at Page 380.

SAID PREMISES are also described in accordance with a recent survey as follows:

ALL that parcel of land situate in the Town of Newburgh, County of Orange, and State of New York, bounded and described as follows:

BEGINNING at a point on the Westerly side of Forest Road, A/K/A County Road 23, said point marking the Southeast corner of the herein described parcel and the Northeast corner of Lot #1, (Filed Map 6283) running thence Northwesterly along the same, in part, and along a stonewall and along the Northerly line of Lot #2 North 74-00-00 West 946.47 feet to a point marking the Southwest corner of the herein described parcel running thence Northeasterly along a stonewall and along the Easterly line of lands now or formerly Paul in part North 16-15-00 East 425.04 feet to a point marking the Northerly division line of the herein described parcel and the Southerly line of lands now or formerly Schoellhorn running thence the following two courses along a stonewall and along the Southerly and Easterly line of the aforementioned Schoellhorn, South 75-08-28 East 325.82 feet and North 12-53-17 East 373.10 feet to a point on the Southerly side of Cronk Road running thence Southeasterly along the same South 73-08-42 East 183.38 feet to a point marking the Easterly line of the herein described parcel and the Westerly line of lands now or formerly Mazzariello, running thence the following two courses along the Westerly and Southerly line of said Mazzariello South 16-51-18 West 300.00 feet and South 73-08-42 East 418.28 feet to a point marking the Northeast corner of the herein described parcel and the Westerly line of the aforementioned Forest Road, running thence Southwesterly along the same South 12-08-30 West 153.73 feet South 11-02-30 West 193.58 feet and South 10-16-10 West 149.63 feet to the point or place of BEGINNING.

ALSO BEING the same premises as described in a recent survey prepared by Elias D. Grevas, L.S., on September 29, 1987, as follows:

ALL that certain piece or parcel of land lying, situate and being in the Town of Newburgh, Orange County, New York, known as Lot No. 2 as shown on a map entitled "Robert N. Fetzner Minor Subdivision." Said map having been filed in the Orange County Clerk's Office on 7 July, 1987, as Map No. 8366. Being more particularly described as follows:

BEGINNING at a point in the westerly line of Forest Road (County Road No. 23) where said line is intersected by the division line between Lot No. 2 and Lot No. 3, as shown on the above-referenced map running thence the following courses:

1. Along said division line N 74 degrees 00' 00" W 362.51' to a point;

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SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF.

**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 incumbered 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.

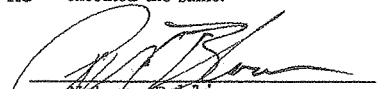
IN PRESENCE OF:

FRANKLIN COUNTY DEED BOOK 186 PAGE 186

*Robert N. Fetzner*  
Robert N. Fetzner

STATE OF NEW YORK, COUNTY OF  
On the day of October 19 87, before me  
personally came  
Robert N. Fetzer

to me known to be the individual described in and who  
executed the foregoing instrument, and acknowledged that  
he executed the same.

  
Notary Public

PETER E. BLOOM  
NOTARY PUBLIC, State of New York  
Residing in Orange County  
Comm. Expires March 30, 1988  
June

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me  
personally came  
to me known, who, being by me duly sworn, did depose and  
say that he resides at No.

that he is the  
of

, the corporation described  
in and which executed the foregoing instrument; that he  
knows the seal of said corporation; that the seal affixed  
to said instrument is such corporate seal; that it was so  
affixed by order of the board of directors of said corpora-  
tion, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF  
On the day of 19 , before me  
personally came

to me known to be the individual described in and who  
executed the foregoing instrument, and acknowledged that  
executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me  
personally came  
the subscribing witness to the foregoing instrument, with  
whom I am personally acquainted, who, being by me duly  
sworn, did depose and say that he resides at No.

that he knows

to be the individual  
described in and who executed the foregoing instrument;  
that he, said subscribing witness, was present and saw  
execute the same; and that he, said witness,  
at the same time subscribed his name as witness thereto.

**Bargain and Sale Deed**

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

SECTION 1  
BLOCK 1  
LOT 33.2  
COUNTY OR TOWN Newburgh

ROBERT N. FETZER  
TO  
LOUIS J. SANCHEZ and JULIA T. SANCHEZ

RECORD & RETURN BY MAIL TO:

Jacobowitz & Gubitz, Esqs.  
158 Orange Avenue POB 367  
Walden, New York Zip No. 12586

Reserve this space for use of Recording Office.  
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