

# 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 28, 2015

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

I (WE) Erin Emmett Stinson PRESENTLY

RESIDING AT NUMBER 19 Vermont Dr, Newburgh NY 12550

TELEPHONE NUMBER 914-489-6245

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:

105-10-1 (TAX MAP DESIGNATION)

19 Vermont Dr, Newburgh (STREET ADDRESS)

R-2 Zone - CVFD (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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 attachment 8  
Town of Newburgh Municipal Code  
Bulk table schedule 4 Requires a rear yard set back of 40' minimum



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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: 7/23/2015
- 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: 5' for 12' x 20' deck in rear of house.

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:

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

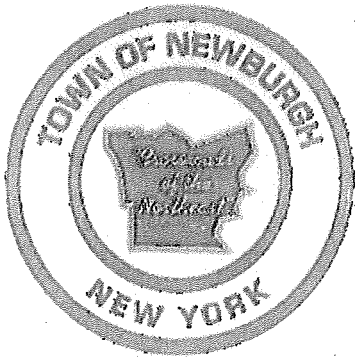
**(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)**

- 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:

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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 is only visible from the sides of the house and is only an additional 5' of deck from the original deck*

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 current setback only allows for a 7' wide deck.*

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

*it will not change the aesthetics of the house*

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

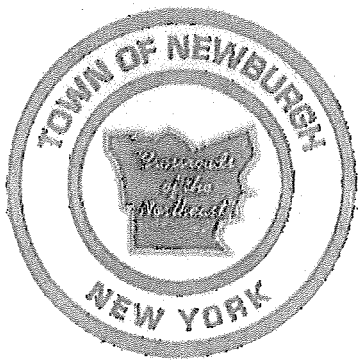
*the variance is within the open space in our rear yard.*

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

*of the predetermined setback*

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NEWBURGH, NEW YORK 12550

## 7. ADDITIONAL REASONS (IF PERTINENT):

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

*Evan Emmett Stinson*  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 28<sup>th</sup> DAY OF July 20 15

*Nancy L. Elgueta*  
NOTARY PUBLIC

NANCY L. ELGUETA  
NOTARY PUBLIC, STATE OF NEW YORK  
LIC. NO. 01EL6215586  
ORANGE COUNTY  
MY COMMISSION EXPIRES 01-04-2018

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.

(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:<br><i>12' x 20' deck at 19 Vermont Drive</i>  |                          |   |   |    |     |                                     |                          |
| Project Location (describe, and attach a location map):<br><i>Rear of House</i>  |                          |   |   |    |     |                                     |                          |
| Brief Description of Proposed Action:<br><i>We would like to build a deck of the rear of our house. The deck will be 12' x 20', have a 3' landing and set of stairs.</i>   |                          |   |   |    |     |                                     |                          |
| Name of Applicant or Sponsor:<br><i>Erin Emmett Stinson</i>  |                          | Telephone: <i>914-489-6245</i>                    |   |    |     |                                     |                          |
|  |                          | E-Mail: <i>erinemmett@gmail.com</i>               |   |    |     |                                     |                          |
| Address:<br><i>19 Vermont Drive</i>  |                          |   |   |    |     |                                     |                          |
| City/PO:<br><i>Newburgh</i>  |                          | State:<br><i>NY</i>                               | Zip Code:<br><i>12550</i>   |    |     |                                     |                          |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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.   |                          |   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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?<br>If Yes, list agency(s) name and permit or approval:   |                          |   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| NO   | YES                      |   |   |    |     |                                     |                          |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> |   |   |    |     |                                     |                          |
| 3.a. Total acreage of the site of the proposed action?   |                          | <i>0.007</i> acres (deck) <i>0.27</i> acres (lot) |   |    |     |                                     |                          |
| b. Total acreage to be physically disturbed?   |                          | <i>0.007</i> acres                                |   |    |     |                                     |                          |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?   |                          | <i>0.27</i> 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)<br><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____<br><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)?<br>If Yes, explain purpose and size: _____<br>_____<br>_____ | 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?<br>If Yes, describe: _____<br>_____<br>_____   | 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?<br>If Yes, describe: _____<br>_____<br>_____   | 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: Erin Emmett Stinson  
Signature: Erin Emmett Stinson

Date: 7/28/2015

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 checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 2. Will the proposed action result in a change in the use or intensity of use of land?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 3. Will the proposed action impair the character or quality of the existing community?   | <input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 7. Will the proposed action impact existing:   |                                     |                                    |
| a. public / private water supplies?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| b. public / private wastewater treatment utilities?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?                                   | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 11. Will the proposed action create a hazard to environmental resources or human health?   | <input checked="" 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.

Erin Emmett Stinson

Name of Lead Agency

7/28/2015

Date

Erin Emmett Stinson

Print or Type Name of Responsible Officer in Lead Agency

Home owner

Title of Responsible Officer

Erin Emmett Stinson

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

**2517-15**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**Date: 07/23/2015**

**Application No. 15-0560**

**To: Erin Emmett Stinson  
19 Vermont Dr  
Newburgh, NY 12550**

**SBL: 105-10-1  
ADDRESS: 19 Vermont Dr**

**ZONE: R2**

PLEASE TAKE NOTICE that your application dated 07/14/2015 for permit to construct a 12' x 20' rear deck. on the premises located at 19 Vermont Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:  
Bulk table schedule 4 Requires a rear yard set back of 40' minimum.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

**OWNER INFORMATION**

*BUILT WITH OUT A PERMIT*

*NO*

NAME: ERIN STINSON

ADDRESS: 19 VERMONT DR. NEWBURGH NY 12550

**PROJECT INFORMATION:**

TYPE OF STRUCTURE: 12' X 20' REAR DECK

SBL: 105-10-1      ZONE: R-2

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'     |          | 35'      | 5'       | 12.5%               |
| 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: The pool and pool deck has been previously removed between 2009 and 2011 based on image history from google earth. Demo permit is needed from current owners

**VARIANCE(S) REQUIRED:**

- 1 Bulk table schedule 4 Requires a rear yard setback of 40' minimum.
- 2 CORNER LOT / VERMONT & OHIO
- 3
- 4

*submitted*

REVIEWED BY: Joseph Mattina

DATE: 22-Jul-15

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

U.S. Bank National Association, Successor-in-Interest to Wachovia Bank, N.A. as indenture trustee on behalf of the Noteholders of Regis Asset Backed Securities Trust 2005-3 Mortgage-Backed Notes  
TO  
ERIN EMMETT

SECTION 105 BLOCK 10 LOT 1

RECORD AND RETURN TO:  
(name and address)

Heather Kitchen, Esq.  
2 Cannon Street  
Suite 304  
Poughkeepsie New York 12601



*Handwritten:* Saw Original 1/28/15

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)
- 2001 WASHINGTONVILLE (VLG)
- 2289 CHESTER (TN)
- 2201 CHESTER (VLG)
- 2489 CORNWALL (TN)
- 2401 CORNWALL (VLG)
- 2600 CRAWFORD (TN)
- 2800 DEERPARK (TN)
- 3089 GOSHEN (TN)
- 3001 GOSHEN (VLG)
- 3003 FLORIDA (VLG)
- 3005 CHESTER (VLG)
- 3200 GREENVILLE (TN)
- 3489 HAMPTONBURGH (TN)
- 3401 MAYBROOK (VLG)
- 3689 HIGHLANDS (TN)
- 3601 HIGHLAND FALLS (VLG)
- 3889 MINISINK (TN)
- 3801 UNIONVILLE (VLG)
- 4089 MONROE (TN)
- 4001 MONROE (VLG)
- 4003 HARRIMAN (VLG)
- 4005 KIRYAS JOEL (VLG)

- 4289 MONTGOMERY (TN)
- 4201 MAYBROOK (VLG)
- 4203 MONTGOMERY (VLG)
- 4205 WALDEN (VLG)
- 4489 MOUNT HOPE (TN)
- 4401 OTISVILLE (VLG)
- 4600 NEWBURGH (TN)
- 4800 NEW WINDSOR (TN)
- 5089 TUXEDO (TN)
- 5001 TUXEDO PARK (VLG)
- 5200 WALLKILL (TN)
- 5489 WARWICK (TN)
- 5401 FLORIDA (VLG)
- 5403 GREENWOOD LAKE (VLG)
- 5405 WARWICK (VLG)
- 5600 WAWAYANDA (TN)
- 5889 WOODBURY (TN)
- 5801 HARRIMAN (VLG)

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

NO PAGES 3 CROSS REF. \_\_\_\_\_  
CERT. COPY \_\_\_\_\_ ADD'L X-REF. \_\_\_\_\_  
MAP# \_\_\_\_\_ PGS. \_\_\_\_\_

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

Taxable CONSIDERATION \$ 177,000  
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 6 UNITS
- \_\_\_ (I) NAT.PERSON/CR. UNION
- \_\_\_ (J) NAT.PER-CR.UN/1 OR 2
- \_\_\_ (K) CONDO

*Donna L. Benson*  
DONNA L. BENSON  
ORANGE COUNTY CLERK

RECEIVED FROM: STG ASSOC.

RECORDED/FILED  
11/25/2009/ 15:45:51  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY  
FILE#20090115722  
DEED R / BK 12931PG 0779  
RECORDING FEES 185.00  
TTX# 002537 T TAX 708.00  
Receipt#1104410 dab

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 Nov 25, 2009 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* July 27, 2015  
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,  
ORANGE COUNTY



STB ASSOC 505794

Form 8002 — Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single Sheet)

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

THIS INDENTURE, made the 30<sup>th</sup> day of October, in the year 2009

BETWEEN  
U.S. BANK NATIONAL ASSOCIATION, SUCCESSOR-IN-INTEREST TO WACHOVIA BANK, N.A., AS  
INDENTURE TRUSTEE ON BEHALF OF THE NOTEHOLDERS OF AEGIS ASSET BACKED  
SECURITIES TRUST 2005-3, MORTGAGE-BACKED NOTES  
C/O OCWEN LOAN SERVICING LLP  
1661 WORTHINGTON ROAD, SUITE 100  
WEST PALM BEACH, FLORIDA 33409

party of the first part, and

ERIN EMMETT  
RESIDING AT:  
803 BAUSCHER COURT  
CENTRAL VALLEY, NEW YORK 10917

party of the second part,

S 105  
B 10  
C 1

WITNESSETH, that the party of the first part, in consideration of One Hundred Seventy Seven Thousand (\$177,000 & 00/100) 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, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, being known and designated as Lot #6, Block F, on a certain map entitled "Wedgewood Park, own of Newburgh, County of Orange, New York", dated April 7, 1966 and filed in the Orange County Clerk's Office on 8/21/72 as Map No. 2847, which said parcel may be described as follows:

BEGINNING in the southerly line of Delaware Dr., at the return of a curve connecting said road line with the easterly line of Vermont Drive;

THENCE easterly along a 323.63 foot radius curve to the left, an arc length of 56.00 feet to the westerly line of lot #7 as shown on said map;  
THENCE along said lot line, South 5 degrees 31 minutes 51 seconds West, 145.80 feet to the northerly line of lot #5, as shown on said map;  
THENCE along said lot line, North 66 degrees 02 minutes 47 seconds West, 130.02 feet to the said easterly line of Vermont Drive;  
THENCE along same, North 23 degrees 04 minutes 22 seconds East, 92.00 feet to a point of curvature;  
THENCE along same, and along a 580.40 foot radius curve to the right, an arc length of 27.69 feet to a point of compound curvature;  
THENCE Northeasterly along the curve first above mentioned, and along a 25.00 foot radius curve to the right, an arc length of 42.93 feet to the point or place of BEGINNING.

Premises known as and by 19 Vermont Drive, Newburgh, New York

Being the same premises transferred to the grantor by deed dated April 29, 2009 and recorded May 13, 2009 in Liber 12824 page 381 in the Office of the Clerk of the County of Orange.

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:

*[Signature]*



U.S. Bank National Association

By: *[Signature]* KEITH CHAPMAN  
REG Closing Manager  
Ocwen Loan Servicing, LLC

STATE OF NEW YORK, COUNTY OF  
On the day of in the year , before me,  
the undersigned, personally appeared

, personally known to me or proved to me on  
the basis of satisfactory evidence to be the individual(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 capacity(ies), and that by his/her/their signature(s) on  
the instrument, the individual(s), or the person on behalf of which  
the individual(s) acted, executed the instrument.

STATE OF , COUNTY OF  
On the day of in the year  
before me, the undersigned, a Notary Public in and for said State,  
personally appeared

, 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/she/they reside(s) in

(If the place of residence is in a city, include the street and street number if any,  
thereof; that he/she/they know(s)

to be the individual described in and who executed the foregoing  
instrument; that said subscribing witness was present and saw  
said

execute the same; and that said witness at the same time  
subscribed his/her/their name(s) as a witness thereto

[add the following if the acknowledgment is taken outside NY State]  
and that said subscribing witness made such appearance before  
the undersigned in the (insert the city or other political subdivision  
and the State or country or other place the proof was taken).

### Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. 09-7407-505794-ORAN

US BANK NATIONAL ASSOCIATION

TO

ERIN EMMETT

Distributed By  
Chicago Title Insurance Company

STATE OF FL  
On the 29 day of October in the year 2009  
before me, the undersigned, personally appeared

*ICelt Chapman*

, personally known to me or proved to me  
on the basis of satisfactory evidence to be the individual(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 capacity(ies), and that by his/her/their signature(s) on  
the instrument, the individual(s), or the person on behalf of which  
the individual(s) acted, executed the instrument

[add the following if the acknowledgment is taken outside NY State]  
and that said individual made such appearance before the  
undersigned in the (insert the city or other political subdivision and the  
State or country or other place the acknowledgment was taken).

MANUEL RODRIGUEZ  
Comm# DD0785369  
Expires 5/4/2012  
Florida Notary Assn., Inc

STATE OF , COUNTY OF  
On the day of in the year  
before me personally came

to me known, who, being by me duly sworn, did depose and say  
that he resides at  
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 corporation,  
and that he signed h name thereto by like order.

SECTION: 105  
BLOCK: 10  
LOT: 1

RETURN BY MAIL TO:

HEATHER KITCHEN, ESQ.  
2 CANNON STREET  
SUITE 304  
POUGHKEEPSIE, NEW YORK 12601 YES IT DOES

