



Steven M. Neuhaus
County Executive

Orange County Department of Planning Submittal Form for Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l,m, & n

Referral ID#
(County use only)

This form is to be completed by the local board having jurisdiction. Submittals from applicants will not be accepted unless coordinated with both the local board having jurisdiction and the County Department of Planning.

Please include all materials that are part of a "full statement" as defined by NYS GML §239-m (i.e. "all materials required by and submitted to the referring body as an application on a proposed action").

Municipality:	Town of Newburgh
Local Referring Board:	Zoning Board of Appeals
Applicant:	The Livanos Group LLC
Project Name:	Domino's Pizza
Location of Project Site:	88 North Plank Rd

Tax Map #:	77-2-2.1
Tax Map #:	
Tax Map #:	
Local File No.:	Planning B/L/16/1
Size of Parcel*:	5.5 acres

*If more than one parcel, please include sum of all parcels.

Reason for County Review: NYS on Route 32 (North Plank Rd)

Current Zoning District (include any overlays): B

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) front yard setback(s), lot surface coverage
- Other _____

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

Local board comments or elaboration:

[Signature] 10/27/17 Chairperson
Signature of local official Date Zoning Board of Appeals Title

Municipal Contact Phone Number: 845-566-4901

If you would like the applicant to be cc'd on this letter, please provide the applicant's address:

Please return, along with full statement, to: Orange County Dept. of Planning 124 Main St. Goshen, NY 10924
Question or comments, call: 845-615-3840 or email: planning@orangecountygov.com



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: OCT 23 2017

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

I (WE) Theodore C. Livanos/The Livanos Group LLC PRESENTLY

RESIDING AT NUMBER PO Box 501 Maspeth 11378

TELEPHONE NUMBER _____

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:

77-2-2.1 (TAX MAP DESIGNATION)

80 and 88 North Plank Road (STREET ADDRESS)

B (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).

Table of Use and Bulk Requirements B District
Schedule 7



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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: _____
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: Oct 20 2017

4. DESCRIPTION OF VARIANCE SOUGHT: R+32 front yard setback 27.26' where 60' is

required, Chestnut Lane 42.2' where 60' required, Stanley Lane 47.34' where 60' is required, lot
surface coverage 100% where 80% is required

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

N/A

- 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 SETBACK VARIANCES ARE FOR EXISTING
~~CONCRETE~~ BUILDINGS AND COVERAGE VARIANCE
IS FOR THE SITE AS CURRENTLY DEVELOPED

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:

IT IS COST PROHIBITIVE TO MOVE AND/OR
REMOVE PORTIONS OF THE EXISTING BUILDING.
THE EXISTING PAVEMENT IS FOR PARKING FOR
THE EXISTING BUILDINGS

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

THE BUILDINGS AND PAVEMENT ARE EXISTING

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 ARE FOR EXISTING BUILDINGS AND
PAVEMENT

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

SITE WAS CONSTRUCTED PRIOR TO
CURRENT ZONING



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550


OFFICE OF ZONING BOARD
(845) 566-4901

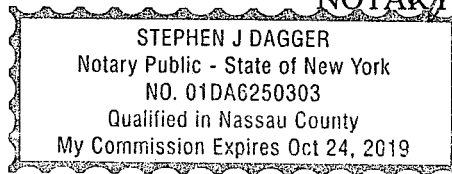
7. ADDITIONAL REASONS (IF PERTINENT):


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ^{NASSAU (SD)} ~~ORANGE~~:

SWORN TO THIS 8 DAY OF September 2017


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)



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

PROXY

Theodore C. Livanos, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 35-33 29 St. Astoria, NY 11006
IN THE COUNTY OF Queens AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF 88 North Park Rd.
Newburgh, NY S/B/L 77-2-2.1

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED CHARLES T. Brown
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 9/8/17 *Charles T. Brown*

OWNER'S SIGNATURE

[Signature]
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ^{NASSAU} ~~ORANGE~~:
SWORN TO THIS 8 DAY OF SEPTEMBER 20 17

Stephen J. Dagger
NOTARY PUBLIC
STEPHEN J DAGGER
Notary Public - State of New York
NO. 01DA6250303
Qualified in Nassau County
My Commission Expires Oct 24, 2019

Short Environmental Assessment Form

Part 1 - Project Information

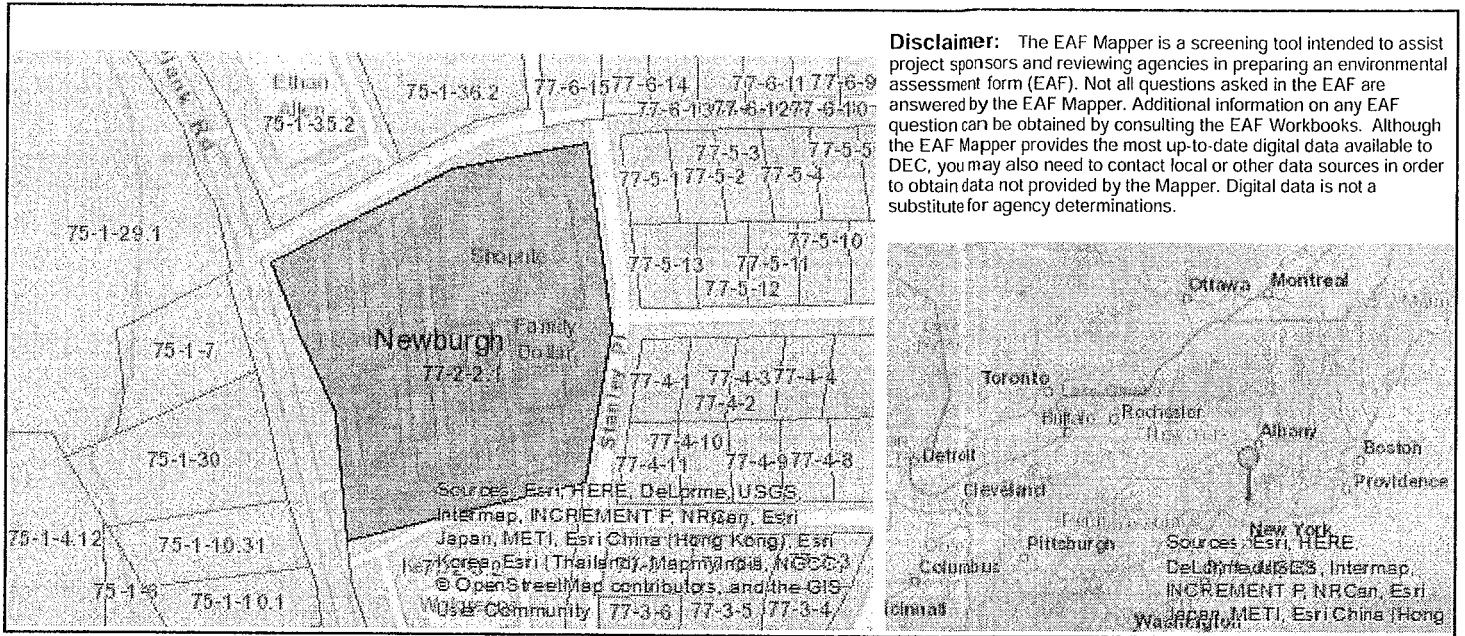
Instructions for Completing

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: DOMINO'S # 3311 SITE PLAN JOB # 17240			
Project Location (describe, and attach a location map): 88 NORTH PLANK ROAD, NEWBURGH			
Brief Description of Proposed Action: CONVERT AN EXISTING 1700 SQUARE FOOT BUILDING, FORMERLY A BANK TO A DOMINO'S PIZZA.			
Name of Applicant or Sponsor: LOUIS O'NEILL AT 3311 NEWBURGH PIZZA LLC		Telephone:	
		E-Mail:	
Address: 21600 SACAJAWEA ROAD			
City/PO: SEDALIA		State: MO	Zip Code: 65301
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: BUILDING PERMIT FROM TOWN BUILDING DEPARTMENT			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		5.5 acres	
b. Total acreage to be physically disturbed?		0.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5.5 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 checked="" 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			

<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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</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?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</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?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" 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: CHARLES T. BROWN, PE</p>		<p>Date: 9-1-2017</p>
<p>Signature: _____</p>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
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]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Dickover, Donnelly & Donovan, LLP
Attorneys and Counselors at Law

David A. Donovan
Michael H. Donnelly
Robert J. Dickover

Successor Law Firm To:
Alexander Appelbaum, P.C., Florida, N.Y. (1915-1988)
Ludmerer & Vurno, Esqs., Warwick, N.Y.

28 Bruen Place
P.O. Box 610
Goshen, NY 10924
Phone (845) 294-9447
mail@dddlaw.com
Fax (845) 294-6553
(Not for Service of Process)

October 20, 2017

Town of Newburgh Zoning Board of Appeals
308 Gardnertown Road
Newburgh, NY 12550

RE: Dominos Pizza (17.25)
88 North Plank Road (Zone B)
Section 77, Block 2, Lot 2.1

Members of the Board:

I write to you as the attorney for the Town of Newburgh Planning Board. The above referenced applicant appeared before the planning board during its meeting of October 19, 2017 seeking site plan approval to convert an existing 1700 square foot building from a bank to a Dominos Pizza restaurant. The existing building is nonconforming and this proposed conversion will cause that preexisting protection to be lost. Therefore, the planning board has asked me to refer this matter to you for consideration of granting the following variances:

- An area variance allowing a front yard setback from Route 32 of 27.26 feet where 60 feet is required;
- An area variance allowing a front yard setback from Chestnut Lane of 42.2 feet where 60 feet is required;
- An area variance allowing a front yard setback from Stanley Lane of 47.34 feet where 60 feet is required; and
- An area variance allowing a lot surface coverage of 100%.

The planning board has no particular matters to bring to your attention. If your review of this matter is not a Type II action under the New York State Environmental Quality Review Act the planning board sees no reason why your review of this project cannot be conducted on an uncoordinated review basis.

Very truly yours,

A handwritten signature in black ink, appearing to read 'MHD', written in a cursive style.

MICHAEL H. DONNELLY

MHD/lrm

cc: Town of Newburgh Planning Board
Talcott Engineering Design, PLLC

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

Theodore C. Livanos
Kiriaki Livanos
TO
The Livanos Group
LLC

SECTION 77 BLOCK 2 LOT 2.1

RECORD AND RETURN TO:
(name and address)



Venecia M. Segura Esq.
Po Box 110
Mohegan Lake NY 10547

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

- 2069 BLOOMING GROVE (TN)
- 2001 WASHINGTONVILLE (VLG)
- 2003 SO. BLOOMING GROVE (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 MERRICK (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 (VLS)
- 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)
- 5809 WOODBURY (VLG)
- CITY
- 0900 MIDDLETOWN
- X 1100 NEWBURGH
- 1300 PORT JERVIS
- 9999 HOLD

NO. PAGES 6 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAPS _____ POS. _____

PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

Taxable CONSIDERATION \$ 0
TAX EXEMPT _____
Taxable MORTGAGE AMT. \$ _____

MORTGAGE TAX TYPE:
____ (A) COMMERCIAL/FULL
____ (B) 1 OR 2 FAMILY
____ (C) UNDER \$10,000
____ (E) EXEMPT
____ (F) 3 TO 6 UNITS
____ (I) NAT.PERSONCR. UNION
____ (J) NAT.PER-CR.UMH OR 2
____ (K) CONDO

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

Received From Maven

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 5/19/09 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.
10/23/17 *Ang G. Rabitt*
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY

RECORDED/FILED
05/19/2009/ 14:30:02
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20090047741
DEED C / BK 12827PG 0973
RECORDING FEES 240.00
TTX# 005753 T TAX 0.00
Receipt#1026125 pete



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

THIS INDENTURE, made the 1ST day of MARCH, 2009

BETWEEN

THEODORE C. LIVANOS AND KIRIAKI LIVANOS, PO BOX 501, MASPETH, NY 11378

party of the first part, and

THE LIVANOS GROUP LLC, PO BOX 501, MASPETH, NY 11378

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ONE (\$1.00) dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the SEE SCHEDULE A LEGAL DESCRIPTION ANNEXED HERETO

Being the same premises conveyed to the party of the first part by deed dated 08/01/2007, recorded 10/26/2007, Orange County, New York in File # 20070116701

Said premises having an address of 88 North Plank Road, Newburgh, New York.

SUBJECT TO that certain Voluntary Consent Agreement made by the New York Department of Environmental Conservation ("Department"), dated June 29, 2000, Index # W3-0867-99-11 and the Declaration of Covenants and Restrictions, dated July , 2007, inclusive of the following restrictions:

Unless prior approval by the Department or, if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State's citizens, hereinafter referred to as the "Relevant Agency," is first obtained:

1. The Site shall not be used for purposes other than for the contemplated use as defined in the Voluntary Agreement (commercial uses other than health care and child care) without an express written waiver of such prohibition by the Department or Relevant Agency;
2. The groundwater underlying the Site shall not be used for drinking water or industrial use, unless the user first obtains permission to do so from Department or Relevant Agency;
3. Grantee and Grantee's successors and assigns shall continue in full force and effect any institutional and engineering controls required under the Voluntary Consent Agreement;
4. Soil contamination, if encountered during future construction or demolition activities, shall be managed and, if warranted, disposed of off site at an approved and permitted landfill in accordance with regulations adopted by the Department or Relevant Agency; and
5. Grantee, on behalf of itself and its successors and assigns, hereby consents to the enforcement by Department or Relevant Agency) of the prohibitions and restrictions required under Items 1-4 above and consents to the Department or Relevant Agency entering and inspecting the Site in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions., and hereby covenants not to contest such enforcement

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

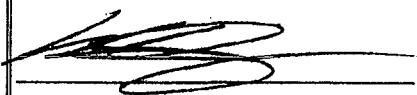
RIDGE ABSTRACT CORP.

Standard N.Y.B.T.U. Form 8002 - Bargain and Sale Deed, with Covenant against Grantor's Acts - Uniform Acknowledgment

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:



THEODORE C. LIVANOS



KIRJAKI LIVANOS

RIDGE ABSTRACT CORP.

SCHEDULE A (Description)

Title Number: **L580473OR**

SECTION 77, BLOCK 2, LOT 2.1 ON THE TAX MAP OF ORANGE COUNTY

PARCEL I

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Newburgh, County of Orange, State of New York bounded and described as follows:

BEGINNING at a point at the intersection of the Southerly line of Chestnut Lane with the Easterly line of North Plant Road and runs thence along the Easterly line of North Plank Road, South 08 degrees 26 minutes East, 121.90 feet to a point of bend in said line;

THENCE South 12 degrees 38 minutes East, 78.10 feet to a point;

THENCE North 74 degrees 22 minutes 30 seconds East, 200 feet (199.99 feet as measured) to a point;

THENCE North 10 degrees 04 minutes 30 seconds West, 200 feet (200.02 feet as measured) to a point in the middle of a stone fence in the Southerly line of Chestnut Lane;

THENCE along said line South 74 degrees 20 minutes West, 200 feet to the point or place of **BEGINNING**.

PARCEL II

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the City of Newburgh, County of Orange, State of New York, bounded and described as follows:

BEGINNING at a point in the Southerly line of Chestnut Lane at the Northeasterly corner of lands of Shell Oil Company, the said point of beginning being a distance of 200.00 feet measured on a course North 74 degrees 20 minutes East along said line of Chestnut Lane from the Easterly line of North Plant Road, and runs thence along the Southerly line of Chestnut Lane the following two courses and distances;

1. North 74 degrees 20 minutes East, 124.32 feet to a point;

2. South 89 degrees 55 minutes East as shown on a subdivision map of "Fenlo Park" by Wm. J. Hurlhe, Surveyor, dated October 1950, recorded in the Orange County Clerk's Office, 217.01 feet to a point at the intersection of said line of Chestnut Lane with the Westerly line of Noel Drive;

THENCE along said line of Noel Drive the following two courses and distances as shown on said map:

1072

RIDGE ABSTRACT CORP.

**as Agent for
Commonwealth Land Title Insurance Company**

SCHEDULE A (Description)

Title Number: L580473OR

- 1. South 4 degrees 18 minutes West 303.89 feet to a point;
- 2. South 21 degrees 22 minutes West 248.39 feet to a point;

THENCE through the lands now or formerly of said Cichoski, a calculated bearing and distance of South 87 degrees 46 minutes 37 seconds West (South 87 degrees 46 minutes 33 seconds West as measured) 391.74 feet to the Easterly line of North Plank Road;

THENCE along said line as shown on said map the following three courses and distances:

- 1. North 7 degrees 32 minutes East 128.89 feet to a point;
- 2. North 5 degrees 29 minutes East 76.50 feet to a point;
- 3. North 12 degrees 38 minutes West 63.10 feet to a point on the Southwesterly corner of lands of parcel;

THENCE along the Southerly line of said lands, North 74 degrees 22 minutes 30 seconds East, 199.99 feet to a point at the Southeasterly corner of said lands;

THENCE along the Easterly line of said lands, North 10 degrees 04 minutes 30 seconds West, 200.02 feet to the Southerly line of Chestnut Lane at the point or place of **BEGINNING**.

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE


State of New York, County of NASSAU ss:

State of New York, County of ss:

On the 1ST day of MARCH in the year 2009 before me, the undersigned, personally appeared **Theodore C Livanos + Kiriaki Livanos** 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 upon behalf of which the individual(s) acted, executed the instrument.

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 upon behalf of which the individual(s) acted, executed the instrument.


VENECIA M. SEGURA
(signature and office of individual taking acknowledgment)
Notary Public
No. 02SE611823
Qualified in Bronx County
Commission Expires June 28, 2012

(signature and office of individual taking acknowledgment)

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of ss:

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 upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

in (insert the City or other political subdivision) (and insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

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