



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: 15 Nov 2017

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

I (WE) Stanley & Cynthia Thomas PRESENTLY
RESIDING AT NUMBER 212 Sunset Cove Road
TELEPHONE NUMBER 703-499-2234 or 703-499-3380

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:

51-5-48 (TAX MAP DESIGNATION)
212 Sunset Cove Road (STREET ADDRESS)
R-1 ZONE (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-1-5-B
185-15-A-2
185-115-A-4
Bulk Table Schedule 3



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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: 9/19/2017

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

AREA VARIANCE

4. DESCRIPTION OF VARIANCE SOUGHT: TO REMOVE AND ENLARGE EXISTING ACCESSORY BUILDING

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:

DEGRADED STRUCTURE ALREADY EXISTS ;
NEW STRUCTURE WILL FIT CHARACTER OF
AREA.

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:

PROPERTY IS LIMITED

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

CONVERTING GARAGE TO STORAGE SHED
NO WATER SEWER OR ELECTRICAL
NO FOOTERS OR CONCRETE FLOOR - SINGLE LEVEL

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

SMALL FOOTPRINT THAT "FITS" SPACE ; NO
FOOTERS OR CONCRETE FLOOR TO ALLOW 120' TREES
TO LIVE.

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

COTTAGE LOTS CREATED AT TURN OF
CENTURY (1900)



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7. ADDITIONAL REASONS (IF PERTINENT):

*STRUCTURE WILL MOVE
SLIGHTLY REDUCING VARIANCE AND COMPROMISE
SAFETY FOR THE PURPOSE OF PRESERVING AN
EXISTING 120' NORWAY SPRUCE TREE.*

[Handwritten Signature]

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 15 DAY OF NOVEMBER 2015

[Handwritten Signature]

NOTARY PUBLIC

ANDREW J. ZARUTSKIE
Notary Public, State of New York
No. 01ZA4502524
Qualified in Orange County
Commission Expires Nov. 30, 2017

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)

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: 212 Sunset Cove Rd. Newburgh (51-5-48) RI ZONE			
Project Location (describe, and attach a location map): 212 Sunset Cove Rd, Newburgh NY			
Brief Description of Proposed Action: Remove and enlarge existing accessory building			
Name of Applicant or Sponsor: Stanley Thomas DP		Telephone: 703-499-2234	
Address: 212 Sunset Cove Rd		E-Mail: stanley.thomas@ri-council.com	
City/PO: NEWBURGH	State: NY	Zip Code: 12550	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input 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
TOWN OF NEWBURGH CODE COMPLIANCE DEPARTMENT		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.16	acres
b. Total acreage to be physically disturbed?		0.01	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.16	acres
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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"/>	
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 type="checkbox"/>	N/A
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"/>	N/A
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"/>	N/A
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 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 type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" 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 checked="" type="checkbox"/>	<input 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,	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties? <input checked="" 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: _____			
	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Stacey Thomas</u> Date: <u>11/11/2017</u>		
Signature: <u>[Signature]</u>		

Agency Use Only [If applicable]

Project:	
Date:	

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:	
Date:	

Short Environmental Assessment Form
Part 3 Determination of Significance

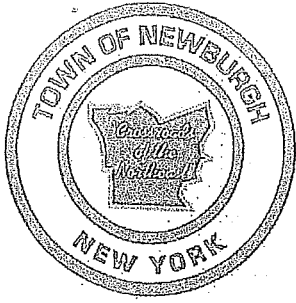
For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
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Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
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Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)
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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

2645-17

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/19/2017

Application No. 17-0779

**To: Stanley Thomas
212 Sunset Cove Road
Newburgh, NY 12550**

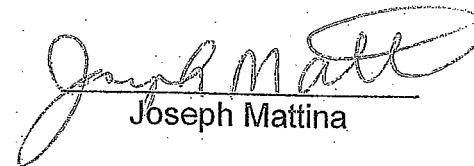
**SBL: 51-5-48
ADDRESS: 212 Sunset Cove Rd**

ZONE: R1

PLEASE TAKE NOTICE that your application dated 08/17/2017 for permit to Remove and enlarge an existing accessory building in a front yard on the premises located at 212 Sunset Cove Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-1-5-B No building shall be closer to the fronting street than the main dwelling.
- 2) 185-15-A-2 Such building shall setback 5' from side / rear lot lines.
- 3) 185-15-A-4 The maximum allowed square footage per the formula is 293.41 SF.
- 4) Bulk table schedule 3 permits a maximum lot building coverage of 10%


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

2645-17

Town of Newburgh Code Compliance

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

NAME: Stanley Thomas Building Application # 17-0779

ADDRESS: 212 Sunset Cove Rd. Newburgh NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 18' x 24' accessory building

SBL: 51-5-48 ZONE: R-1 ZBA Application #

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
SETBACKS	5'		2.5'	2.5'	50.00%
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
TOTAL ACCESSORY SF	293.41 SF		432 SF	138.59 SF	47.23%
BUILDING COVERAGE	10%=675.1 SF		1185 SF	509.9 SF	75.52%
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-B _____ 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: **Removing and enlarging an existing accessory building**

VARIANCE(S) REQUIRED:

- 185-15-B No building shall be closer ^{to} the fronting street than front of main building
- 185-15-A-2 Building shall setback 5' from side / rear lot line.
- 185-15-A-4 Maximum allowed SF per the formula is 293.41 SF
- Bulk table schedule 3 limits the building lot surface coverage to 10%

REVIEWED BY: Joseph Mattina DATE: 19-Sep-17

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= 6,751.00 SF

B= 753.00 SF

C= 30.00 FEET

D= 293.41 SF OR 1,000 SF WHICHEVER IS LESS IS PERMITTED.

THIS INDENTURE, made the 9th day of November nineteen hundred and ninety
Sec. 51
Block 5 Lot 48
BETWEEN STANLEY THOMAS, III, 19 Sibert Lane, Fort Leonard Wood,
Missouri 65473

Stanley Thomas III
11/10/17
SS

party of the first part, and STANLEY THOMAS, III and CYNTHIA ANN THOMAS,
husband and wife, 19 Sibert Lane, Fort Leonard Wood, Missouri 65473

party of the second part,
WITNESSETH, that the party of the first part, in consideration of ONE AND-----

-----(\$1.00)-----00/100 dollars,
and mutual love and affection
lawful money of the United States, 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 for the party of the second part forever,

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

BEGINNING at a point in the Westerly line of a roadway (unnamed)
running Southwesterly from Lakeside Road, said point being an
iron pipe set in the ground at the intersection of said (unnamed)
road line with the Southeasterly corner of lands now or formerly
of Margaret A. Gee (Liber 1561, page 425) and running thence, the
following courses:

1. Along said road line, S 34 degrees 27' 00" W, 43.00' to a point;
2. Along lands now or formerly of Marchione (Liber 1561, page 428), N 70 degrees 56' 50" W, 70.27' to a point;
3. Still along said Marchione lands, N 54 degrees 09' 30" W, 77.21' to a point in the approximate shoreline of Orange Lake;
4. Along said shoreline, more or less, N 18 degrees 50' 10" E, 39.21' to a point;
5. Along lands now or formerly of Gee, S 63 degrees 36' 40" E, 157.04' to the point or place of BEGINNING.

Containing 6,952 square feet, 0.16 acres of land, more or less.

BEING the same premises conveyed by Cannon Point Associates, Inc.
to Stanley Thomas, III by Deed dated July 14, 1986 and recorded
in the Orange County Clerk's Office July 29, 1986 in Liber 2550
at Page 212.

TOGETHER with the right to use the proposed roadway in common
with others given a similar right as a means of ordinary ingress
and egress to and from Lakeside Road, until such time as it may
be acquired by the Town of Newburgh as a public road, and together
with all the right, title and interest, if any, of the parties of
the first part in and to the waters of Orange Lake and the land
underneath the same adjacent to the above described premises.

MISSOURI

STATE OF ~~NEW YORK~~ COUNTY OF Pulaski ss:

On the 9th day of November 1990, before me personally came Stanley Thomas, III

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

Maurie Garrison

Notary Public

Notary Public
State of Missouri
My commission expires

STATE OF NEW YORK, COUNTY OF ss:

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 corporation, and that he signed h, name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss:

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 ss:

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 h name as witness thereto.

Bargain and Sale Deed

Covenant Against Grantor's Acts With

Title No. _____

STANLEY THOMAS, III

TO

STANLEY THOMAS, III and
CYNTHIA ANN THOMAS

Standard Form of New York
Board of Title Underwriters
Distributed by

USLIFE TITLE INSURANCE
Company of New York

SECTION

BLOCK

LOT

COUNTY OR TOWN

Recorded at Request of
USLIFE TITLE INSURANCE
Company of New York
RETURN BY MAIL TO

DAVID E. TOWER, ESQUIRE
45 GRAND STREET
NEWBURGH
NEW YORK 12550

Zip No.

LIBER 3380 PAGE 292

RESERVE THIS SPACE FOR
USE OF RECORDING OFFICE

TOGETHER with all rights, 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 of 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:


STANLEY THOMAS, III

THOMAS
212 Sunset Cove Road
51-5-48

ORANGE LAKE

ON

47



NYS Rte 52