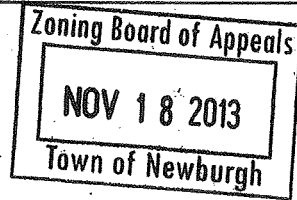


TOWN OF NEWBURGH

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: 11/13/2013

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

I (WE) Stanley Thomas III PRESENTLY
RESIDING AT NUMBER 212 Sunset Cove Rd, Newburgh NY
TELEPHONE NUMBER (703) 499-2234

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 Rd (STREET ADDRESS)
R-1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-(1)
185-19-C-(1)
185-19-C-(1)

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: 11/08/2013
- 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: Area variance; remove old shed roof and replace with standard gable roof on shed roof side of house only.

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:

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:

- Footprint of house is not changing
- only the road side of house is changing
- structure will remain a single level residence

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:

- Shed roof provides sub-standard interior space
- Best practice construction uses 8' interior ceilings.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

- It only affects the road side of existing house footprint
- Raises roof height only enough to achieve best practice standard gable roof for single residence.

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

- Footprint is not changing
- Roof lines are matched (5-12 pitch) to blend seamlessly in neighborhood.

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

- Residence purchased as-is in 1986
- Structure originally built in 1920 and is beyond its usable life and in need of updating to current standards.

7. ADDITIONAL REASONS (IF PERTINENT):


Sub-standard interior space; desire is to
update to best practice interior space and air flow.



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 18th DAY OF November 20 13



NOTARY PUBLIC

CHARLENE M. BLACK
Notary Public, State of New York
No. 01BL6149416
Qualified in Orange County
Commission Expires July 10, 20 14

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.

617.20
Appendix B
Short Environmental Assessment Form

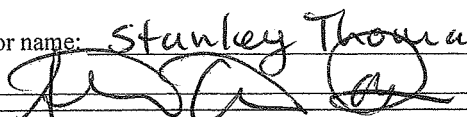
Instructions for Completing

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: <i>Alteration of shed roof to a standard Gable</i>			
Project Location (describe, and attach a location map): <i>212 Sunset Cove Rd.</i>			
Brief Description of Proposed Action: <i>Removal of shed roof on Roadside of house, approximately 15' of house to a standard 8' interior standard Gable Roof.</i>			
Name of Applicant or Sponsor: <i>Stanley Thomas III rd</i>		Telephone: <i>703 499 2234</i>	
Address: <i>4701 Split Rock Rd</i>		E-Mail: <i>Stanley.Thomas@idealinnovations.com</i>	
City/PO: <i>Alexandria, VA</i>		State: <i>VA</i>	Zip Code: <i>22310</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>.16</i> acres	
b. Total acreage to be physically disturbed?		<i>0</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>.16</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)			
<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
		✓	
b. Consistent with the adopted comprehensive plan?		✓	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
			✓
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	
		✓	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
		✓	
		✓	
		✓	
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	
			✓
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>* already connected</u>	NO	YES	
			✓
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>* already connected</u>	NO	YES	
			✓
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
		✓	
		✓	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
		✓	
		✓	
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	
		✓	
16. Is the project site located in the 100 year flood plain?	NO	YES	
		✓	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input 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: _____	NO	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
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
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
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Stanley Thomas III Rd</u>		Date: <u>13 Nov 2013</u>
Signature: 		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. 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?"

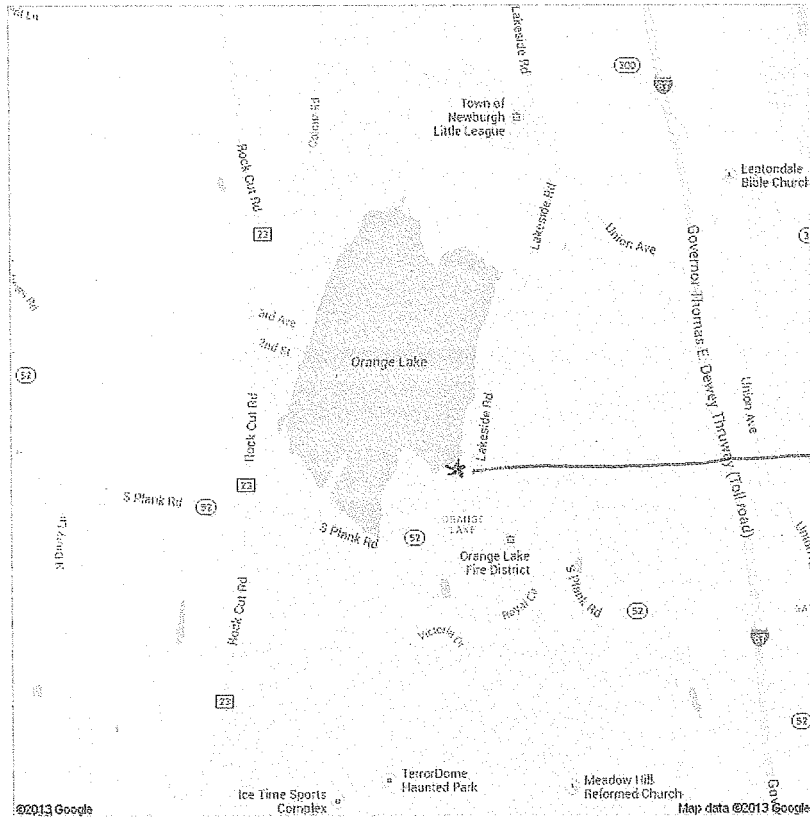
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

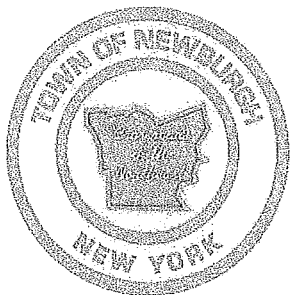
Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant 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.

<input type="checkbox"/> 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.	
<input type="checkbox"/> 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.	
<hr/> Name of Lead Agency	<hr/> Date
<hr/> Print or Type Name of Responsible Officer in Lead Agency	<hr/> Title of Responsible Officer
<hr/> Signature of Responsible Officer in Lead Agency	<hr/> Signature of Preparer (if different from Responsible Officer)

Google



Location of
212 sunset care Rd
Newburgh NY 12550



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

2391 -13

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 11/07/2013

Application No. 13-1034

To: Stanley Thomas
4701 Split Rock Rd
Alexandria, VA 22310

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

ZONE: R-1

PLEASE TAKE NOTICE that your application dated 10/30/2013 for permit to REMOVE OLD SHED STYLE ROOF AND REPLACE WITH STANDARD GABLE ROOF on the premises located at 212 Sunset Cove Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 185-19-C-(1) Increasing the degree of nonconformity of the rear yard setback
- 185-19-C-(1) Increasing the degree of nonconformity of the one side yard setback
- 185-19-C-(1) Increasing the degree of nonconformity of the combined side yard setback


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

NO

NAME: STANLEY THOMAS

2391-13

ADDRESS: 212 SUNSET COVE RD NEWBURGH NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: ONE STORY EXISTING NON CONFORMING DWELLING

SBL: 51-5-48 ZONE: R-1

TOWN WATER:

TOWN SEWER:

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
REAR YARD	40'	6.8'	INCREASING DEGREE NON CONFORMITY		
ONE SIDE YARD	30'	5'	INCREASING DEGREE NON CONFORMITY		
COMBINED SIDE YARD	80'	20.2'	INCREASING DEGREE NON CONFORMITY		
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 / 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: EXISTING NON CONFORMING DWELLING. RAISING THE ROOF FROM 6' TO13' WITH NEW TRUSSES.

VARIANCE(S) REQUIRED:

- 1 185-19-C-1 SHALL NOT INCREASE THE DEGREE OF NONCONFORMITY (REAR YARD)
- 2 185-19-C-1 SHALL NOT INCREASE THE DEGREE OF NONCONFORMITY (ONE SIDE YARD)
- 3 185-19-C-1 SHALL NOT INCREASE THE DEGREE OF NONCONFORMITY (COMBINED SIDE YARDS)
- 4 _____

REVIEWED BY: JOSEPH MATTINA

DATE: 7-Nov-13

Existing cross-plank # at 11' and 13'

Existing shed roof starting at 6' and rising to 9'

to remain unchanged

The drawing set includes four elevation views of a house: North, South, West, and East. The North Elevation shows a gabled roof with a chimney on the left and a window on the right. The South Elevation shows a similar view from the opposite side. The West Elevation shows a gabled roof with a chimney on the left and a window on the right. The East Elevation shows a similar view from the opposite side. A floor plan is located at the bottom right, showing the layout of the house with rooms labeled 'Living Room', 'Kitchen', 'Bathroom', and 'Bedroom'. The floor plan also shows the location of the chimney and the roof structure. The drawings are labeled 'Existing Elevations' and 'Existing Floor Plan'.

North Elevation, Existing
12.5'

South Elevation, Existing

West Elevation, Existing

East Elevation, Existing

Existing Floor Plan

Existing Elevations and Plan View
Shade As Noted

Job Address: 212 Sunsel Cove Road
Owner: Stanley Thomas
Owner's Phone: 703.980.9149
Job Address: Newburgh, NY 12550

Drawing Date: Oct. 23, 2013
These Drawings Are Stamped:
This Drawing Not For Construction Unless All Pages, Including Revision Pages, Are Attached and All Pages Are Stamped By New York Licensed Architect Or Engineer Who is Solely Responsible For All Design And Structural Calculations And In Compliance With The New York State Residential Code in Effective As Of The Date These Drawings Are Stamped.

Drawn By: Economy Blue Prints
Spartan, NY 12177
703-980-3335
www.economyblueprints.com

Remodeling Plan For Stanley Thomas IV

Page # 2
Of
2 Pages

All Applicable Provisions And Requirements Of The Latest Edition Of The New York State Residential Code Are Incorporated Into This Drawing By Reference, Whether Or Not Such Provisions Are Expressly Stated

**ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE**

PRINT OR TYPE: BLACK INK ONLY

STANLEY THOMAS, III
TO
STANLEY THOMAS, III and
CYNTHIA ANN THOMAS

Stanley Thomas
11/18/90

SECTION 51 BLOCK 5 LOT 48

CHARGE, RECORD AND RETURN TO:
(Name and Address)

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

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

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 61908 DATE 11/9/90 AFFIDAVIT FILED _____ 19____

INSTRUMENT TYPE: DEED X MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

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

SERIAL NO. _____
Mortgage Amount \$ _____
Exempt Yes _____ No _____
3-6 Cooking Units Yes _____ No _____
Received Tax on above Mortgage
Basic \$ _____
MTA \$ _____
Spec. Add. \$ _____
TOTAL \$ _____

CHECK _____ CASH _____ CHARGE X

MORTGAGE TAX \$ _____
TRANSFER TAX \$ E
Ed Fund 5-
RECORD. FEE \$ 14-
REPORT FORMS \$ 5-
CERT. COPIES \$ _____

MARION S. MURPHY
Orange County Clerk

D Tower

ORANGE COUNTY CLERK'S OFFICE S.S.
Recorded on DEC 05 1990
at 10:42 O'Clock a M.
in Liber/Film 3380 Deed
at page 289 and examined.
Marion S. Murphy
County Clerk

RECEIVED
\$ EXEMPT
REAL ESTATE
DEC 05 1990
TRANSFER TAX
ORANGE COUNTY
mlc

LIBER 3380 PAGE 289

ORC 12/05/90 10:42:47 46073 19.00

***** EDUCATION FUND: 5.00 *****
DEED CONTROL NO: 61908 .00 *
***** SERIAL NUMBER: 003056 *****

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

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.

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.

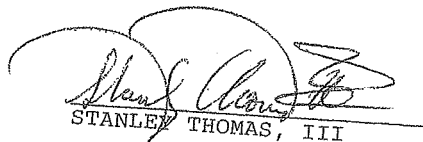
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

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

MISSOURI

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

On the 9th day of ~~October~~ November 19 90, 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.

Maude Garrison

Notary Public

Notary Public, State of Missouri
My commission expires 1994

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

