



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 §239-1,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:	LINDSEY TIBBETTS
Project Name:	
Location of Project Site:	59 EAST ROAD WALKILL

Tax Map #:	2-2-46
Tax Map #:	
Tax Map #:	
Local File No.:	2589-16
Size of Parcel*:	

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

Reason for County Review: within 500 ft of Ulster County

Current Zoning District (include any overlays): RR

Type of Review:

Comprehensive Plan Update/Adoption

Zoning Amendment

Zoning District Change from _____ to _____

Ordinance Modification (cite section): _____

Local Law

Site Plan

Subdivision

Special Use Permit

Lot Line Change

Variance

Other

Sq. feet proposed (non-residential only): _____

Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)


Number of lots proposed: _____

Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

AREA / USE (circle one) INCREASING DEGREE OF NON CONFORMITY
OF REAR YARD SETBACK & ONE SIDE YARD SETBACK

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

Local board comments or elaboration:

 Signature of local official

7/15/16 Date

Chairperson
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: JULY 12, 2016

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

I (WE) LINDSEY TIBBETTS PRESENTLY

RESIDING AT NUMBER 59 EAST ROAD, WALLKILL, NEW YORK 12589

TELEPHONE NUMBER 845-542-8225

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:

2-2-46 (TAX MAP DESIGNATION)

59 EAST ROAD (STREET ADDRESS)

RR SINGLE FAMILY RESIDENTIAL (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: INCREASING THE DEGREE OF NON-CONFORMITY (REAR YARD).

185-19-C-1 INCREASING THE DEGREE OF NON CONFORMITY (ONE SIDE YARD).



TOWN OF NEWBURGH

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

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:

HOME IS OWNER OCCUPIED SINCE 2010 AND THE ADDITION IS ON THE SECOND STORY AND WILL BE WITHIN THE FOOTPRINT OF THE EXISTING STRUCTURE.
MANY HOMES NEAR SUBJECT PROPERTY ARE ALSO TWO STORIES.

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:

CONSTRUCTING THE ADDITION ON THE GROUND LEVEL WOULD REQUIRE MORE SEVERE VARIANCES AS THE LOT GEOMETRY OF THE SUBJECT PROPERTY LEAVES A VERY SMALL BUILDING ENVELOPE.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE: IT WILL NOT CREATE ANY ADDITIONAL BURDEN ON THE TOWN OF NEWBURGH INFRASTRUCTURE INCLUDING ROADS, EMERGENCY SERVICES, OR SCHOOLS,

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 PROPOSED ADDITION WILL NOT INCREASE ANY IMPERVIOUS AREAS ON THE SUBJECT PROPERTY AS IT IS WITHIN THE FOOTPRINT OF THE EXISTING BUILDING AND ALL DISTURBED LAND AREAS WILL BE RECLAIMED AS RESIDENTIAL LAWN AREA.

e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE: THE OWNERS' FAMILY HAS GROWN SINCE PURCHASING PROPERTY AND IS IN A HOME THEY CAN AFFORD FINANCIALLY. ALSO HOME WAS BOUGHT AT PEAK OF MARKET AND CURRENTLY THE HOME IS WORTH LESS THAN THE PURCHASE PRICE.



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7. ADDITIONAL REASONS (IF PERTINENT):

BEDROOM COUNT OF THE RESIDENCE WILL REMAIN THE SAME AND A SEPTIC EXPANSION IS NOT REQUIRED.

LINDSEY TABBETTS

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

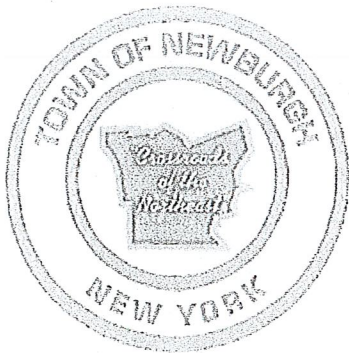
SWORN TO THIS 13TH DAY OF July 20 16

NOTARY PUBLIC

Robert Galante
Notary Public, State of New York
No. 01GA6014493
Qualified in Westchester City
Commission Exp. October 13, 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)



TOWN OF NEWBURGH

Crossroads of the Northeast

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

PROXY

LINDSEY TIBBETTS, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 59 EAST ROAD, WALLKILL, NEW YORK 12589

IN THE COUNTY OF ORANGE AND STATE OF NEW YORK

AND THAT HE/SHE IS THE OWNER IN FEE OF _____

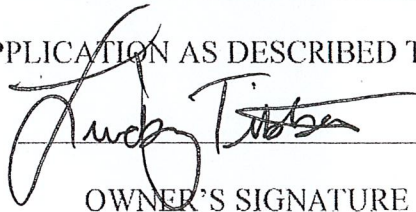
59 EAST ROAD (S/B/L: 2-2-46), TOWN OF NEWBURGH, ORANGE COUNTY, NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED JONATHAN CELLA, P.E.

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 7/13/16


OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 13TH DAY OF JULY 20 16

Robert Galante
Notary Public, State of New York
No. 01GA6014493
Qualified in Westchester Cty
Commission Exp. October 13, 2018


NOTARY PUBLIC

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			
LANDS OF LINDSEY TIBBETTS			
Name of Action or Project: PROPOSED PLOT PLAN FOR SECOND STORY RESIDENTIAL ADDITION			
Project Location (describe, and attach a location map): 59 EAST ROAD (S/B/L: 2-2-26), APPROXIMATELY 0.25 MILES WEST OF PRESSLER ROAD AND EAST ROAD INTERSECTION.			
Brief Description of Proposed Action: CONSTRUCTION OF A SECOND STORY ADDITION THAT IS WITHIN THE FOOTPRINT OF THE EXISTING STRUCTURE. THE CONSTRUCTION WILL INCLUDE INTERNAL RENOVATION OF RESIDENCE SUCH THAT THE TOTAL BEDROOM COUNT WILL REMAIN AT THREE (3) SO THAT EXPANSION OF THE EXISTING SEWAGE DISPOSAL SYSTEM (SDS) IS NOT REQUIRED.			
Name of Applicant or Sponsor: LINDSEY TIBBETTS		Telephone: 845-542-8225	
		E-Mail: mcgann23@gmail.com	
Address: 59 EAST ROAD			
City/PO: WALLKILL		State: NEW YORK	Zip Code: 12589
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
			X
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: TOWN OF NEWBURGH ZONING BOAR OF APPEALS FOR AREA VARINCES FOR SWIMMING POOL AND DETACHED GARAGE.			NO YES
			X
3.a. Total acreage of the site of the proposed action?		1.13 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.13 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			

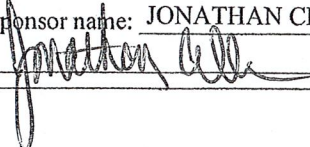
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	X	
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
	X	

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: JONATHAN CELLA, P.E.

Date: 07/12/2016

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.

- 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.

TOWN OF NEWBURGH ZONING BOARD OF APPEALS _____ Date _____
 Name of Lead Agency

JAMES MANLEY _____ CHAIRPERSON _____
 Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)



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

2589-16

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 07/06/2016

Application No. 16-0593

To: Lindsey Tibbetts
59 East Rd
Walkkill, NY 12589

SBL: 2-2-46
ADDRESS: 59 East Rd

ZONE: RR

PLEASE TAKE NOTICE that your application dated 07/06/2016 for permit to add a second story on the existing dwelling on the premises located at 59 East Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-19-C-1 Shall not increase the degree of non-conformity. (Rear yard setbacks)
- 2) 185-19-C-1 Shall not increase the degree of non-conformity. (1 side yard setback)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: Lindsey Tibbetts

ADDRESS: 59 East Rd Walkill NY 12589

2589-16

PROJECT INFORMATION: AREA VARIANCE USE VARIANCE

TYPE OF STRUCTURE: 2nd floor addition

SBL: 2-2-46 ZONE: R-R

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	100'	95'	Increasing degree of non-conformity		
SIDE YARD	50'	45'	Increasing degree of non-conformity		
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES X 2
 2 OR MORE FRONT YARDS FOR THIS PROPERTY YES / NO
 CORNER LOT - 185-17-A YES / NO

ACCESSORY STRUCTURE:

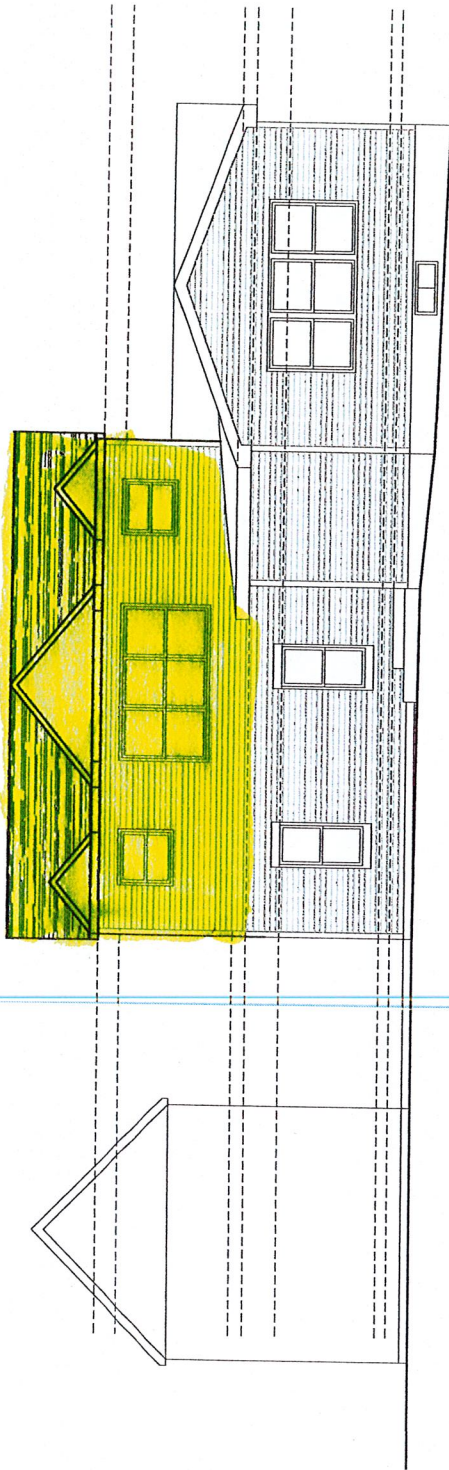
GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES / NO
 FRONT YARD - 185-15-A YES / NO
 STORAGE OF MORE THEN 4 VEHICLES YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO

NOTES: Existing non-conforming for 1 side yard and rear yard setbacks.

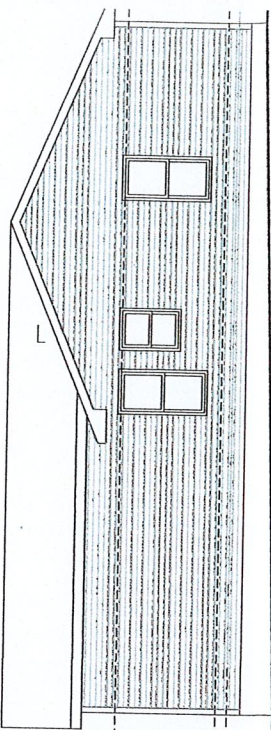
VARIANCE(S) REQUIRED:

- 1 185-19-C-1 Shall not increase the degree of non-conformity. (1 side yard)
- 2 185-19-C-1 Shall not increase the degree of non-conformity. (rear yard)
- 3 _____
- 4 _____

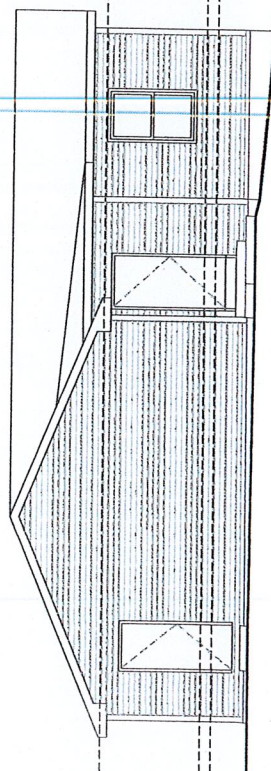
REVIEWED BY: Joseph Mattina DATE: 6-Jul-16



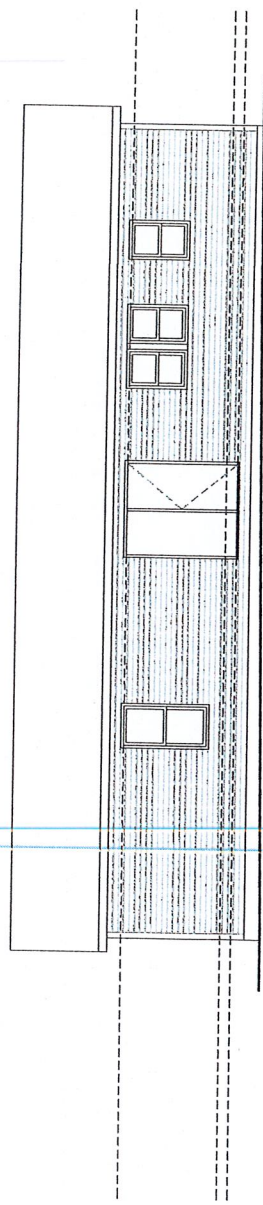
FRONT ELEVATION
Scale: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
Scale: 1/4" = 1'-0"

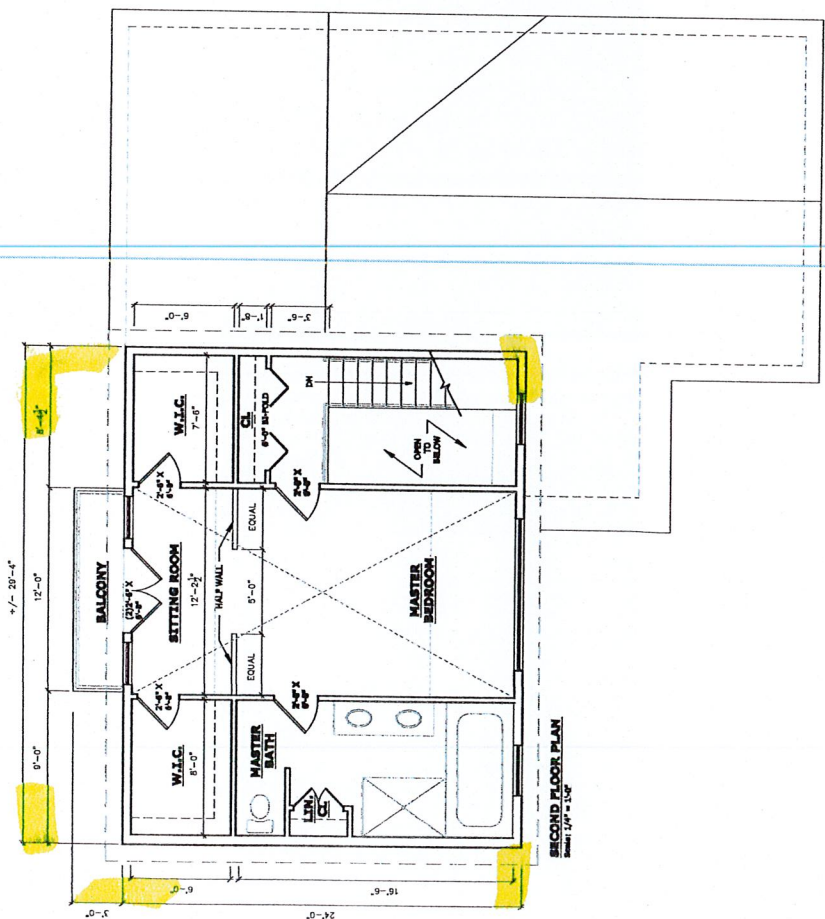


LEFT SIDE ELEVATION
Scale: 1/4" = 1'-0"

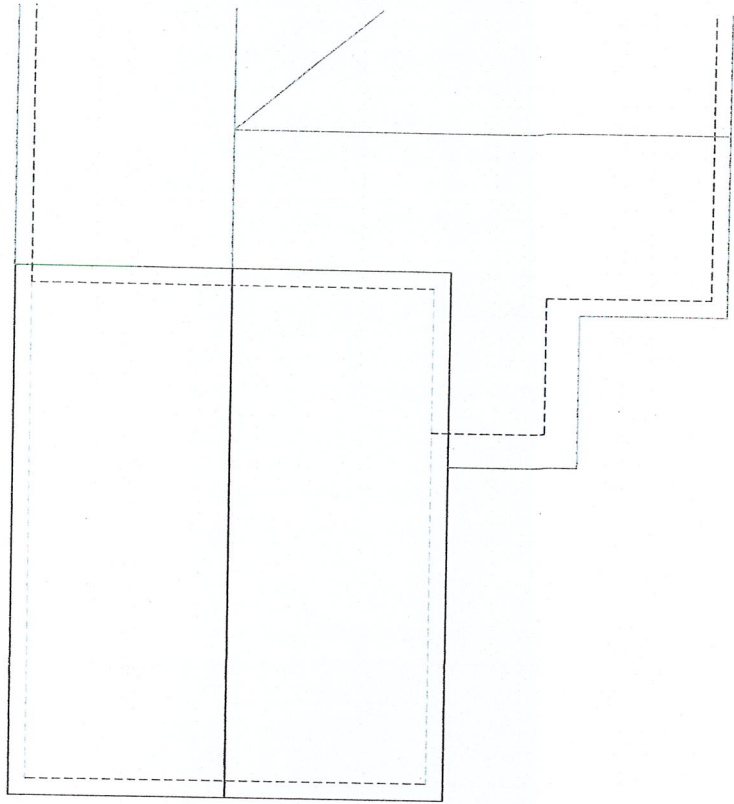


REAR ELEVATION
Scale: 1/4" = 1'-0"

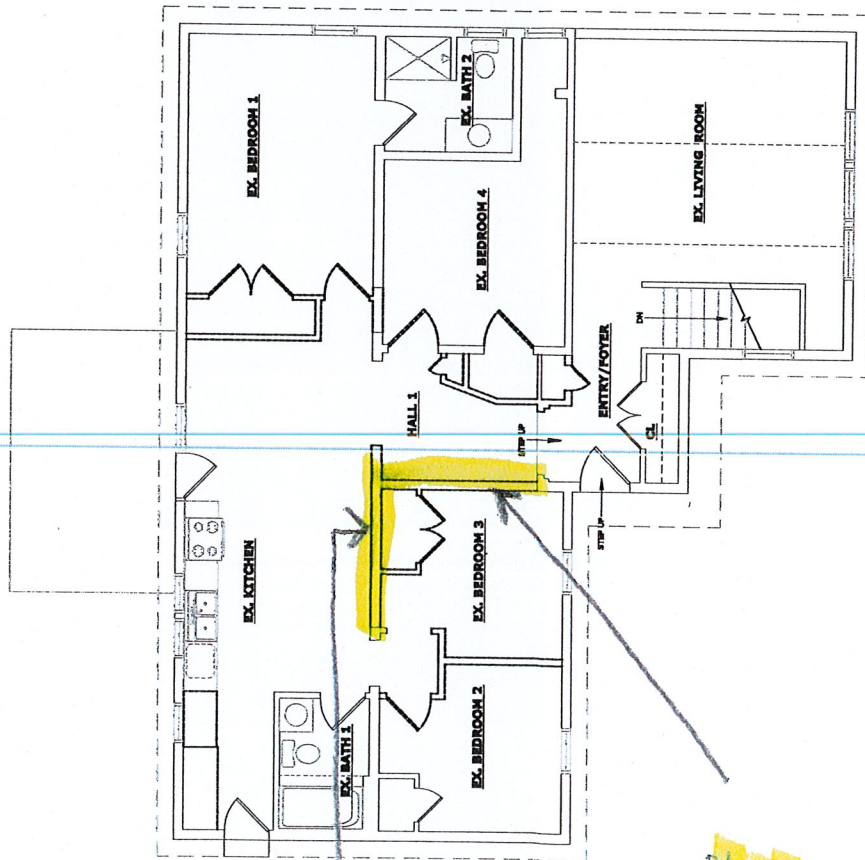
ADDITION



SECOND FLOOR PLAN
Scale: 1/4" = 1'-0"



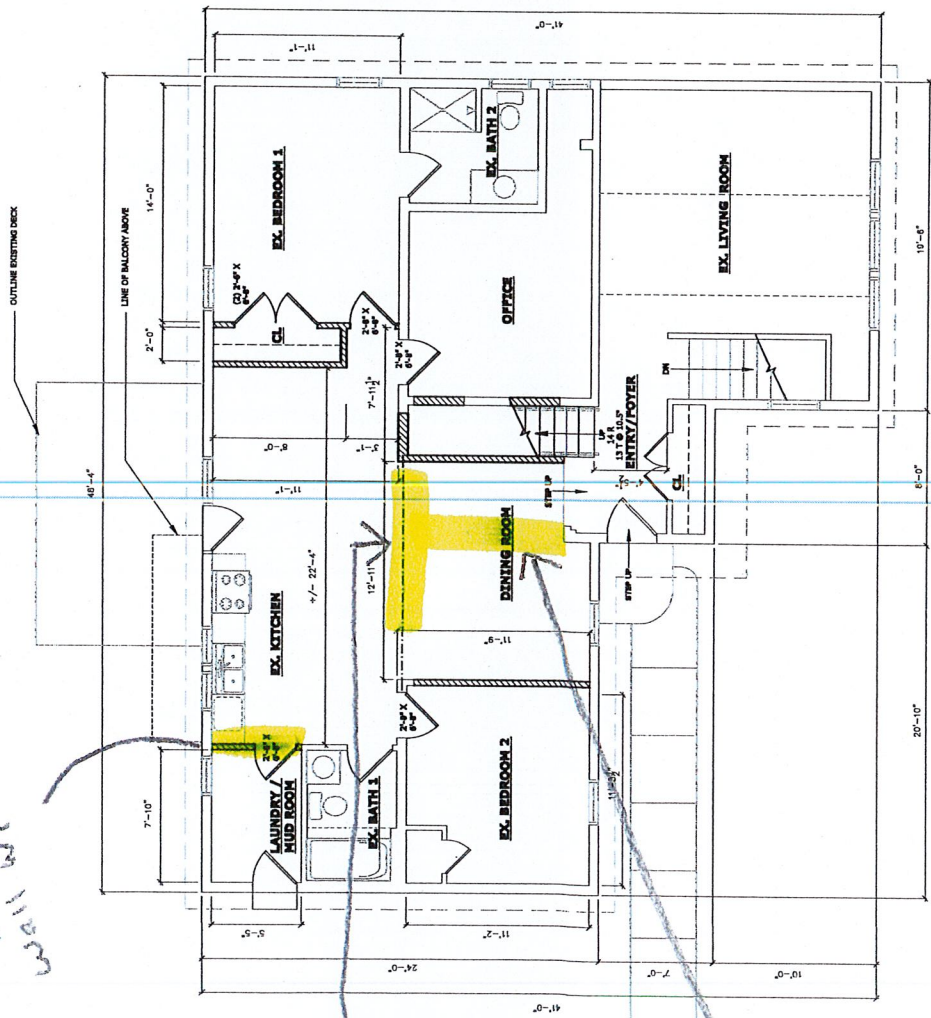
ROOF PLAN
Scale: 1/8" = 1'-0"



Remove Wall

Remove Wall

EXISTING / DEMOLITION FIRST FLOOR PLAN
 Scale: 1/4" = 1'-0"



FIRST FLOOR PLAN
Scale: 1/4" = 1'-0"

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

*Jonathan R. Starr
Lindsey A. Tibbetts*

TO

Lindsey A. Tibbetts

SECTION 2 BLOCK 2 LOT 46

RECORD AND RETURN TO:
(name and address)

*Lindsey A. Tibbetts
59 East Road
Wallkill, New York 12588*



*Law Original
7/14/16
[Signature]*

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)
 - 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 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)
 - 5809 WOODBURY (VLG)
- CITIES
- 0900 MIDDLETOWN
 - 1100 NEWBURGH
 - 1300 PORT JERVIS
 - 9999 HOLD

NO. PAGES 4 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____

PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

Taxable
CONSIDERATION \$ 0
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 Rel's Title

RECORDED/FILED
05/20/2011 / 10:43:31
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20110048146
DEED R / BK 13178PG 0478
RECORDING FEES 190.00
TTX# 005333 T TAX 0.00
Receipt#1316247 marse

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 May 20, 2011 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
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY
July 13, 2016



Form 8003 (9/99) — Warranty Deed, With Full Covenants—Individual or Corporation. (single sheet)

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

994084

THIS INDENTURE, made the 18TH day of August 2010 ~~and~~
BETWEEN

NO
CONSIDERATION

JONATHAN R. STARR and LINDSEY A. TIBBETTS, residing at
59 East Road, Wallkill, New York 12589

party of the first part, and

LINDSEY A. TIBBETTS, residing at 59 East Road, Wallkill, New York 12589

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration 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" ATTACHED HERETO AND MADE A PART HEREOF

Sec:
2

Block:
2

Lot:
46

BEING THE same premises as conveyed to the party of the first part by deed dated April 23, 2007 and recorded in the ORANGE County Clerk's office on May 17, 2001 in Liber 12447 Page 1322

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.

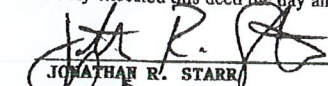
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of 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.


AND the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same; that the party of the second part shall quietly enjoy the said premises; that the said premises are free from incumbrances, except as aforesaid; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the title to said premises.

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:



JONATHAN R. STARR


LINDSEY A. TIBBETTS

Acknowledgement taken in New York State

State of New York, County of Putnam, ss:

On the 18th day of August, in the year 2010, before me, the undersigned, personally appeared Jonathan R. Starr 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.

Debra A. Callahan
Notary Public

DEBRA A CALLAHAN
Notary Public - State of New York
No. 01CA8048844
Qualified in Putnam County
My Commission Expires July 31, 2014

Acknowledgement by Subscribing Witness taken in New York State

State of New York, County of _____, ss:

On the _____ day of _____, in the year _____, before me, the undersigned, 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 _____

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.

Title No.: 994006-12
JONATHAN R. STARR and LINDSEY A. STARR

TO
LINDSEY A. TIBBETTS

Distributed by
Chicago Title Insurance Company

Acknowledgement taken in New York State

State of New York, County of Putnam, ss:

On the 18th day of August, in the year 2010, before me, the undersigned, personally appeared Lindsey A. Tibbetts 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.

Debra A. Callahan
Notary Public

DEBRA A CALLAHAN
Notary Public - State of New York
No. 01CA8048844
Qualified in Putnam County
My Commission Expires July 31, 2014

Acknowledgement taken outside New York State

* State of _____, County of _____, ss:
* (or Insert District of Columbia, Territory, Possession or Foreign Country)

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), 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 _____

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

SECTION 2
BLOCK 2
LOT 46

COUNTY ~~Putnam~~ Hester Chase

RETURN BY MAIL TO:

Lindsey A. Tibbetts
59 East Road
Walkkill, New York 12589

Zip No.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

**585 Stewart Avenue, Suite 330, Garden City, NY 11530
(516)746-6500 - Fax (866)611-3361**

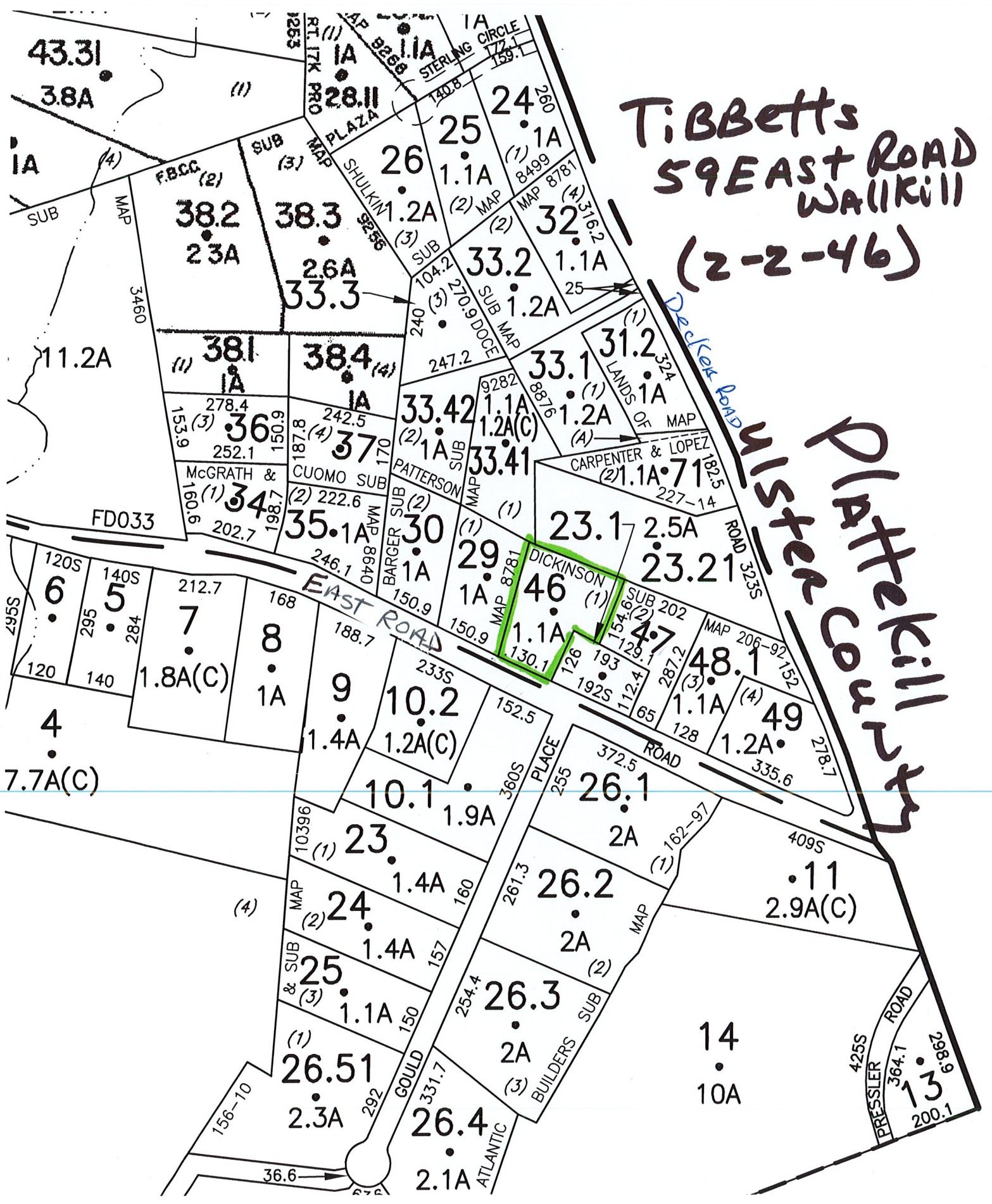
Title No. 1191-984006-10

SCHEDULE "A"

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Newburgh, County of Orange and State of New York, being designated as Lot No. 1 on a certain map entitled, "4 Lot Subdivision East Road, Town of Newburgh", filed in the Office of the Orange County Clerk as Filed Map No. 206-92, being bounded and described as follows:

BEGINNING at a point in the northerly line of East Road, said point being in the easterly division line of Lot No. 1, Filed Map No. 8543 and the westerly line of the herein described parcel, running thence along the same, North 16 degrees 35' 00" East 263.71 feet to the northwesterly corner of the herein described parcel, running thence southeasterly along said Lot 1, Filed Map No. 8543, in part, and along lands nff of Carpenter, Liber 1913 page 57B, the following two courses, South 64 degrees 17' 07" East 14.00 feet to the southwesterly corner of said Carpenter, thence along the same, South 67 degrees 19' 40" East 213.83 feet to a point marking the northeasterly corner of the herein described parcel and the northwesterly corner of Lot 2, Filed Map No. 206-92, running thence along said Lot 2, South 22 degrees 43' 11" West 154.57 feet to the southwesterly corner of said Lot No. 2 and the northerly line of lands nff of Dickenson, Liber 1913 page 1606, running thence the following two courses along Dickenson northerly and westerly lines, North 60 degrees 29' 00" West 63.90 feet to a point and South 25 degrees 39' 00" West 123.31 feet to a point in the northerly line of the aforementioned East Road thence along the same, North 63 degrees 45' 00" West 130.11 feet to the point of BEGINNING.

FOR CONVEYANCING ONLY: TOGETHER with all the right, title and interest of the party of the first part, of in and to the land lying in the street in front of and adjoining said premises.



Tibbets
 59 East Road
 Walkill
 (2-2-46)

Ulster County
 Plattekill

14
 10A

13
 200.1