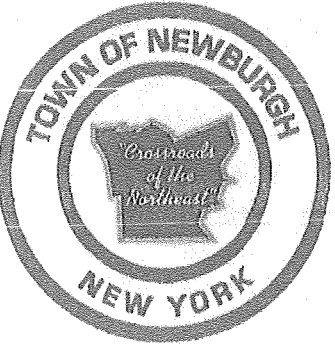


A



# 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: JUNE 9, 2015

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

I (WE) ROBERT AND TESHA VOLZ PRESENTLY  
RESIDING AT NUMBER 489 LAKESIDE ROAD, NEWBURGH, NEW YORK 12550  
TELEPHONE NUMBER 845-913-6312

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR  
THE FOLLOWING:

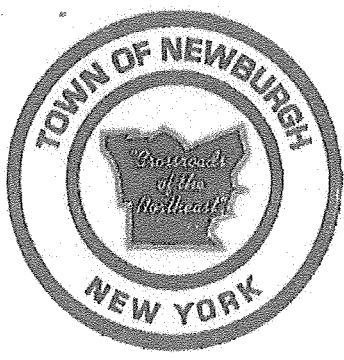
- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

28-1-13.3 (TAX MAP DESIGNATION)  
489 LAKESIDE ROAD (STREET ADDRESS)  
R-1 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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-43-B POOLS SHALL BE LOCATED 10' MIN. FROM ANY LOT LINE  
\_\_\_\_\_  
\_\_\_\_\_



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

### 7. ADDITIONAL REASONS (IF PERTINENT):

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

**ROBERT AND TESSA VOLZ**  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

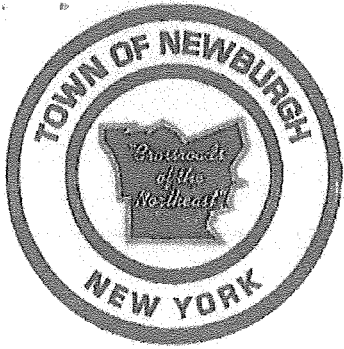
SWORN TO THIS FIRST DAY OF JUNE 2015

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.

(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

ROBERT AND TESHA VOLZ, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 489 LAKESIDE ROAD, NEWBURGH, NEW YORK 12550

IN THE COUNTY OF ORANGE AND STATE OF NEW YORK

AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_

489 LAKESIDE ROAD (S/B/L: 28-1-13.3), 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: JUN - 1 2015

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS FIRST DAY OF JUNE 20 15

NOTARY PUBLIC

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

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.

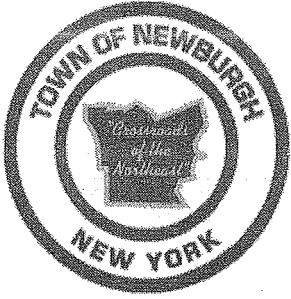
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
LANDS OF ROBERT AND TESHA VOLZ			
Name of Action or Project: PROPOSED PLOT PLAN FOR DETACHED GARAGE			
Project Location (describe, and attach a location map): 489 LAKESIDE ROAD (S/B/L: 28-1-13.3), APPROXIMATELY 0.10 MILE SOUTH OF LAKESIDE ROAD AND UNION AVENUE INTERSECTION.			
Brief Description of Proposed Action: OBTAIN AREA VARIANCE FROM TOWN OF NEWBURGH ZONING BOARD OF APPEALS FOR PREVIOUSLY CONSTRUCTED ABOVE GROUND SWIMMING POOL CONSTRUCTED WITHIN 10' OF SIDE PROPERTY LINE (8'+/- EXISTING, 10' REQUIRED).			
Name of Applicant or Sponsor: ROBERT AND TESHA VOLZ		Telephone: 845-913-6312 E-Mail: teshav@aol.com	
Address: 489 LAKESIDE ROAD			
City/PO: NEWBURGH		State: NEW YORK	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
		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 BOARD OF APPEALS FOR AREA VARIANCES FOR SWIMMING POOL.		NO	YES
			X
3.a. Total acreage of the site of the proposed action?		0.76 acres	
b. Total acreage to be physically disturbed?		0.02 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.20 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	
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: JONATHAN CELLA, P.E.	Date: 6/10/2015	
Signature: <i>Jonathan Cella</i>		

**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?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
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?	X	
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?	X	
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	X	
	X	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	



**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

**2499-15**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**Date: 05/22/2015**

**Application No. 02-16669**

**To: Robert Volz  
489 Lakeside Rd  
Newburgh, NY 12550**

**SBL: 28-1-13.3  
ADDRESS: 489 Lakeside Rd**

**ZONE: R-1**

PLEASE TAKE NOTICE that your application dated 05/21/2015 for permit to keep a 27' above ground pool that was not installed in it's approved location on the premises located at 489 Lakeside Rd is returned herewith and disapproved on the following grounds:

TOWN OF NEWBURGH MUNICIPAL CODE:  
185-43-B Pools shall be located 10' from any lot line.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

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

NAME: \_\_\_\_\_ ROBERT VOLZ \_\_\_\_\_

ADDRESS: \_\_\_\_\_ 489 LAKESIDE RD NEWBURGH NY 12550 \_\_\_\_\_

2499-15

**PROJECT INFORMATION:**

TYPE OF STRUCTURE: \_\_\_\_\_ **27' ROUND ABOVE GROUND POOL** \_\_\_\_\_

SBL: \_\_\_\_\_ 28-1-13.3 \_\_\_\_\_      ZONE: \_\_\_\_\_ R-1 \_\_\_\_\_

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

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

**ACCESSORY STRUCTURE:**

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

**NOTES:    A POOL PERMIT WAS ISSUED IN 2002 (#16669-02) AND NEVER CLOSED OUT, SUBMITTED SURVEY SHOWS IT IS NOT IN THE APPROVED LOCATION.**

**VARIANCE(S) REQUIRED:**

- 1 185-43-B Pools shall be located 10' from any lot line.
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_ Joseph Mattina \_\_\_\_\_      DATE: \_\_\_\_\_ 20-May-15 \_\_\_\_\_

June 10, 2015

To: Town of Zoning Board of Appeals  
1496 New York State Route 300  
Newburgh, New York 12550

Re.: **Request for Area Variances**  
**Lands of Robert and Tesha Volz**  
489 Lakeside Road (S/B/L: 28-1-13.3), Town of Newburgh, Orange County, N.Y.

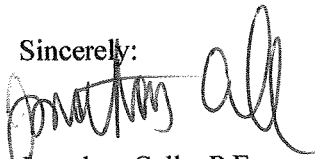
Dear Chairman and Zoning Board of Appeals Members:

Enclosed please find application fees for the initial submission of the above referenced subdivision that includes the following:

1. One (1) copy of Zoning Board of Appeals Application Package for Detached Garage.
2. Letter of Referral from the Town of Newburgh Code Compliance for Application Number 15-0219 dated 05/22/2015.
3. One (1) copy of Short Form Environmental Assessment Form for Detached Garage Area Variances.
4. One (1) copy of Zoning Board of Appeals Application Package for Swimming Pool.
5. Letter of Referral from the Town of Newburgh Code Compliance for Application Number 02-16669 dated 05/22/2015.
6. One (1) copy of Short Form Environmental Assessment Form for Pool Area Variance
7. One (1) copy of cover letter dated June 10, 2015.
8. Eleven (11) copies of plot plan titled "plot Plan for Detached Garage, Residential Site Plan for Robert and Tesha Volz," Sheet 1 of 1 dated 04-03-2015 and last revised 06/02/2015.
9. Four (4) copies of property photos (4 sheets dated 06-02-2015)
10. Deed (original provided at submission)
11. \$200.00 Application fees for detached garage area variances.
12. \$200.00 Application fees for pool area variance.

At this time we respectfully request that this application be placed on the next available Town of Newburgh Zoning Board of Appeals for review and public hearing. Please do not hesitate to contact me with any questions or concerns related to this matter. Thank you.

Sincerely:



Jonathan Cella, P.E.

Project Engineer

51 Hunt Road, Wallkill, New York 12589  
845-741-0363, [jonathancellahotmail.com](mailto:jonathancellahotmail.com)



June 10, 2015

To: Town of Zoning Board of Appeals  
1496 New York State Route 300  
Newburgh, New York 12550

Re.: **Request for Area Variances**  
**Lands of Robert and Tesha Volz**  
489 Lakeside Road (S/B/L: 28-1-13.3), Town of Newburgh, Orange County, N.Y.

Dear Chairman and Zoning Board of Appeals Members:

The above referenced property lies in the Town of Newburgh R-1 zoning district and contains one single family residence, which is owner occupied. The current owners' purchased the property in October 2001 and has occupied the residence since. Included with this submission is a plot plan based upon a March 2015 survey prepared by Jonathan Millen, P.L.S., depicting the property in proposed conditions

A summary of the requested variances are as follows:

1. Area variance for side yard setback for existing 27' diameter above ground pool (10' minimum required, 8.5' existing)

This pool was installed by a contractor hired by the current owner and based upon the current survey it has been determined that the pool is too close to the northern property line. As this pool was installed by a contractor this is a condition that was not self-created and would be a hardship on the owner if it had to be relocated.

2. Area variances for construction of a proposed detached garage at the end of the existing driveway along the property's southern property line. Construction of this garage will require area variances for height of proposed accessory structure (15' maximum permitted, 24' proposed), and total footprint of accessory structures (756 square feet (s.f.) permitted, 1,146 proposed).

The owners' of the property are proposing to construct a two story two car garage for storage of their automobiles on the ground level and possessions on the second floor. This garage will also include construction a 10' wide covered patio on the north side of the garage. The 1,146 s.f. total area of accessory structures on the subject property includes an existing 186 s.f. shed which will be located behind the proposed garage and will not be visible from the road should the ZBA approve the requested area variances. The owners wish to construct the garage as the existing residence is only 1,416 square feet and the garage will make living more comfortable.

**Request for Area Variances**  
**Lands of Robert and Tesha Volz**  
489 Lakeside Road (S/B/L: 28-1-13.3), Town of Newburgh, Orange County, N.Y.

June 10, 2015

1 of 2

6/5/01  
*[Handwritten signature]*

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

*Mel Martinez, Secretary of Housing + Urban Development of Washington, D.C. acting through the Federal Housing Commissioner TO*  
*Robert M. Volz + Teasha L. Volz*

SECTION 28 BLOCK 1 LOT 13.3

RECORD AND RETURN TO:  
 (name and address)

*Todd Kalam, Esq.*  
*254 Ple 17K*  
*Newburgh, Ny 12550*

THIS IS PAGE ONE OF THE RECORDING

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

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED  MORTGAGE  SATISFACTION  ASSIGNMENT  OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
- 2001 WASHINGTONVILLE (VLG)
- 2289 CHESTER (TN)
- 2201 CHESTER (VLG)
- 2489 CORNWALL (TN)
- 2401 CORNWALL (VLG)
- 2600 CRAWFORD (TN)
- 2800 DEERPARK (TN)
- 3089 GOSHEN (TN)
- 3001 GOSHEN (VLG)
- 3003 FLORIDA (VLG)
- 3005 CHESTER (VLG)
- 3200 GREENVILLE (TN)
- 3489 HAMPTONBURGH (TN)
- 3401 MAYBROOK (VLG)
- 3689 HIGHLANDS (TN)
- 3601 HIGHLAND FALLS (VLG)
- 3889 MINISINK (TN)
- 3801 UNIONVILLE (VLG)
- 4089 MONROE (TN)
- 4001 MONROE (VLG)
- 4003 HARRIMAN (VLG)
- 4005 KIRYAS JOEL (VLG)

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

CITIES

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

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

PAYMENT TYPE: CHECK   
 CASH   
 CHARGE   
 NO FEE

CONSIDERATION \$ 181,000  
 TAX EXEMPT

MORTGAGE AMT. \$   
 DATE

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. UNI
- (J) NAT.PER-CR.UNI/1 OF
- (K) CONDO

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

RECEIVED FROM: *Todd Kalam*

LIBER 5645 PAGE 68

LIBER 5645 PAGE 68

ORANGE COUNTY CLERKS OFFICE 58499 FL  
 RECORDED/FILED 10/03/2001 09:48:15 AM

FEES 47.00 EDUCATION FUND 5.00  
 SERIAL NUMBER: 002208  
 DEED CNTL NO 63963 RE TAX 724.00

374-237067

BARGAIN AND SALE DEED

60 110

THIS INDENTURE, made as of the 25th day of September, 2001,  
BETWEEN

MEL MARTINEZ, Secretary Of Housing and Urban Development, of Washington, D.C., acting  
by and through the Federal Housing Commissioner, Grantor, and

ROBERT M. VOLZ and TEASHA L. VOLZ,  
276 Temple Hill Road, New Windsor, New York, Grantee,  
Blind Husband & Wife.

WITNESSETH: That the Grantor, for and in consideration of the sum of \$181,000.00  
lawful money of the United States of America, unto him/her will and truly paid by the Grantee(s)  
at and before the sealing and delivery of these presents, the receipt whereof is hereby  
acknowledged, hath granted, bargained, sold, aliened, enfeoffed, released and confirmed, and by  
these presents doth grant, bargain, sell, alien, enfeoff, release and confirm unto the Grantee(s),

ALL that certain plot, piece or parcel of land, situate, lying and being

SEE SCHEDULE A ATTACHED HERETO.

SAID PREMISES also known as and by the street address: 489 Lakeside Road, Newburgh, New  
York.

DISTRICT: SECTION: 28 BLOCK: 1 LOT: 13.3 COUNTY: ORANGE

BEING THE SAME PREMISES acquired by deed from EUGENE GRILLO, Esq.,  
dated 5/17/2001, recorded 7/26/2001 in Liber 5585 page 325.

BEING the same property acquired by the Grantor first part pursuant to the provisions of the  
National Housing Act, as amended (12 U.S.C. 1701 et seq.) and the Department of Housing and  
Urban Development Act (79 Stat. 667).

TOGETHER WITH all right, title and interest, if any, of the Grantor 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 Grantor in and to said  
premises;

TO HAVE AND TO HOLD the premises herein granted unto the Grantee(s), and to the heirs,  
distributees and assigns of the said Grantee(s) forever.

SUBJECT TO ALL covenants, restrictions, reservations, easements, conditions and rights  
appearing of record; and SUBJECT to any state of facts an accurate survey would show.

AND THE Grantor covenants that he has not done or suffered anything whereby the said  
premises have been incumbered in any way whatsoever, except as aforesaid.

GOSHEN SEARCHERS INC.  
20 SCOTCHTOWN AVENUE  
GOSHEN, NEW YORK 10924  
OFFICE: 914-294-5110  
COUNTY BUILDING: 914-294-6913  
NEWBURGH TIE LINE: 914-564-6150  
FAX 914-294-9581

LIBER 5645 PAGE

THE GRANTOR covenants that if any improvements, repairs or alterations to the premises have been commenced and have not been completed at least four months before the recording of this deed, the Grantor 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 improvement, and that said Grantor will apply the same first to the payment of the cost of improvement before using any part of the total of the same for any other purpose.

THE WORD "party" shall be construed as if it reads "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the undersigned has set her hand and seal in Blue Bell, Pennsylvania as attorney-in-fact for and on behalf of the Secretary of Housing and Urban Development ("HUD"), by virtue of a certain limited power of attorney dated February 27, 2001 given by the Secretary of HUD and recorded in the Office of the County Clerk of Orange County on 4/5/2001 in Liber 5493 Page 100, under authority and by virtue of 62 F.R. 54465 (10/20/97).

In Presence of: MEL MARTINEZ  
Secretary of Housing and Urban Development

By: DALE ALBERTELLI (SEAL)  
DALE ALBERTELLI  
(of First Preston Management)  
Attorney in Fact

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF Montgomery ) ss.:

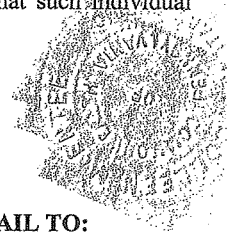
On this 24 day of September, 2001, before me, the undersigned, personally appeared

DALE ALBERTELLI

personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in Blue Bell, Pennsylvania.

Colleen McEntee  
Notary Public

Notarial Seal  
Colleen McEntee, Notary Public  
Whitpain Twp., Montgomery County  
My Commission Expires July 14, 2004



BARGAIN AND SALE DEED

RETURN BY MAIL TO:

SECRETARY OF HUD

to

ROBERT M. VOLZ and  
TEASHA L. VOLZ

DISTRICT SECTION 28 BLOCK 1 LOT 13.3 COUNTY ORANGE

## SCHEDULE A

GO 11017

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, County of Orange, State of New York, known and designated as Lot #3 on map entitled "Subdivision Plan of Lands of Jane A. Jockers", dated April 25, 1987, filed in the Orange County Clerk's Office on July 17, 1987 as Map No. 8389, being more particularly bounded and described as follows: Beginning at a point in the northwesterly line of the existing Lakeside Road, said point being on the division line between Lot No. 4 of the above mentioned filed map, lands now or formerly of Gilespie on the south and Lot No. 3 herein described on the north; thence along the last mentioned division line, North 68 degrees 25 minutes 41 seconds West 229.25 feet to a point on the division line between Lot No. 5 of the above mentioned filed map, lands now or formerly of Mills on the west and north and Lot No. 3 herein described on the east and south; thence along the last mentioned division line the following two (2) courses: (1) North 16 degrees 40 minutes 18 seconds East 137.30 feet and (2) South 68 degrees 25 minutes 41 seconds East 254.79 feet to a point on the aforementioned northwesterly line of Lakeside Road; thence along the last mentioned line the following two (2) courses: (1) South 26 degrees 38 minutes 05 seconds West 61.23 feet and (2) South 27 degrees 54 minutes 02 seconds West 76.27 feet to the point or place of beginning. Together with all rights, privileges and easements and subject to all covenants, easements, reservations and restrictions of record affecting said premises.

Said premises being known as and by street address: 489 Lakeside Road, Newburgh, New York 12550.

