



Steven M. Neuhaus
County Executive

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

Referral ID#:
(County use only)

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

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

Municipality:	Town of Newburgh	Tax Map #:	75-1-8
Local Referring Board:	Zoning Board of Appeals	Tax Map #:	
Applicant:	Chen Group LLC - Xiang Zhen Chen	Tax Map #:	
Project Name:		Local File No.:	2585-16
Location of Project Site:	101 N. PLANK RD	Size of Parcel*:	1.9 acres
		*If more than one parcel, please include sum of all parcels.	
Reason for County Review:	ON NYS Route 32		Current Zoning District (include any overlays):
			B

Type of Review:

Comprehensive Plan Update/Adoption

Zoning Amendment

Zoning District Change from _____ to _____

Ordinance Modification (cite section): _____

Local Law

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

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

Special Use Permit Number of lots proposed: _____

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

Variance AREA / USE (circle one) Bulk Table - Schedule 7 &

Other 185-19-A-4

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

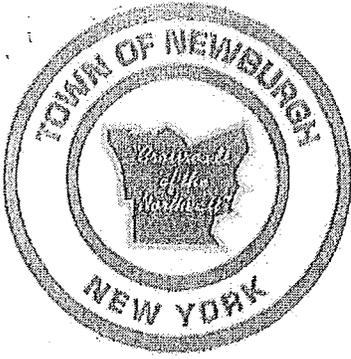
Local board comments or elaboration:

Signature of local official: [Signature] Date: 9/28/16 Title: Chairperson Zoning Board of Appeals

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: June 15, 2016

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

I (WE) XIANG CHEN (David) / Chen Group LLC PRESENTLY

RESIDING AT NUMBER 55 Harwich St Kingston, NY12401

TELEPHONE NUMBER 203 889 7169

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

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

1. LOCATION OF THE PROPERTY:

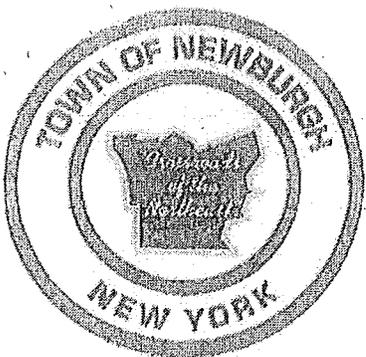
75-1-8 (TAX MAP DESIGNATION)

101 N Plank Road (STREET ADDRESS)

B X 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)

Bulk Table schedule 7
185-19A-4A



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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: 7/1/16

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: Reinstatement of existing apartment for use by owner.

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:
The existing apartment cannot be used for anything else except as an apartment, if not approved it will remain vacant and deprived owner of a place to live.

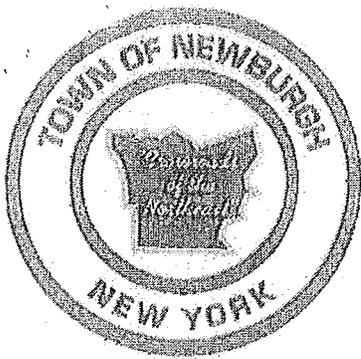
(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

It already exists and was used as a legal apartment before

c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

It already exists and was used as a legal apartment before



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- d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:
The building/restaurant was purchased with the existing apartment

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:

It already exists and was already used as a legal apartment before

- 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:

I bought the restaurant with the apartment above to live in and watch my investment in Newburgh. I live in Kingston, NY now.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

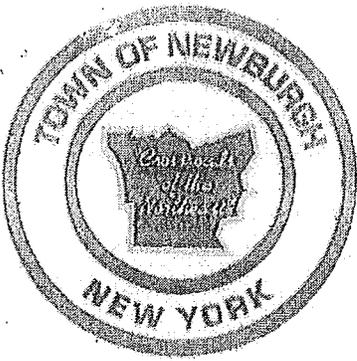
The apartment is existing and was rented out by the former owner. I will live in the apartment to watch my restaurant.

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

It already exists and was used as a legal apartment before

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

I bought the building/restaurant with the apartment to live in and now found out that I can't and need to apply for a variance.



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OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 1st DAY OF August 2016

NOTARY PUBLIC

IOANA G TUTA
Notary Public - State of New York
No. 01TU6333934
Qualified in Ulster
My Commission Exp. 12/07/2019

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			
XIANG CHEN (David)			
Name of Action or Project: Iron Chef Habitchi & Asian Restaurant			
Project Location (describe, and attach a location map): 101 N Plank Road Newburgh, NY 12550 Map 75-1-8			
Brief Description of Proposed Action: Seeking a variance for an existing 3 bedroom apartment above the restaurant. This was a legal apartment at one time and I need the C of O to live in it and watch my restuarant and investment.			
Name of Applicant or Sponsor: XIANG CHEN (David)		Telephone: 203 889 7169	
		E-Mail: david2return@gmail.com	
Address: 55 Harwich St			
City/PO: Kingston		State: NY	Zip Code: 12401
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.9 acres	
b. Total acreage to be physically disturbed?		NONE acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.9 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>FLORIAN 2420</u> Date: <u>8/1/2016</u></p> <p>Signature: <u>[Signature]</u> <u>Chen</u></p>		

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:	<input type="checkbox"/>	<input type="checkbox"/>
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"/>

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
---------------------	------

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

2585-16

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 07/01/2016

Application No. 16-0554

Chen Group LLC
**To: Xiang Zhen Chen
55 Harwich St
Kingston, NY 12401**

**SBL: 75-1-8
ADDRESS: 101 N Plank Rd**

ZONE: B

PLEASE TAKE NOTICE that your application dated 06/24/2016 for permit to keep a prior built 3 bedroom dwelling unit (living space) above the proposed restaurant on the premises located at 101 N Plank Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) Bulk table schedule 7 Allows existing single family dwelling units.
- 2) 185-19-A-4 A non-conforming use shall not be reestablished if such use has been discontinued for 1 year.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: Chen Group LLC
Xiang Zhen Chen

2585-16

ADDRESS: 55 Harwich St. Kingston NY 12401

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: Restaurant @ 101 North Plank Rd

SBL: 75-1-8 ZONE: B

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:

**Created a 3 bedroom dwelling unit (living space) above an existing restaurant.
 There are no building permit on file allowing such use.**

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 7 permits only existing single family dwellings.
- 2 185-19-A-4 Non-conforming use void after 1 year of discontinuance
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina

DATE: 1-Jul-16



ORANGE COUNTY - STATE OF NEW YORK
ANN G. RABBITT, COUNTY CLERK
255 MAIN STREET
GOSHEN, NEW YORK 10924

Low original
9/28/16
[Signature]

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH



BOOK/PAGE: 13981 / 753
INSTRUMENT #: 20150077097

Receipt#: 2048890
Clerk: MRL
Rec Date: 12/09/2015 01:30:04 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 4
Rec'd Frm: BENCHMARK ABSTRACT LLC

Party1: WESTLINK LLC
Party2: CHEN GROUP LLC
Town: NEWBURGH (TN)
75-1-8

Recording:
Recording Fee 40.00
Cultural Ed 14.25
Records Management - Coun 1.00
Records Management - Stat 4.75
TP584 5.00
RP5217 All others - State 241.00
RP5217 - County 9.00

Sub Total: 315.00

Transfer Tax
Transfer Tax - State 1800.00

Sub Total: 1800.00

Total: 2115.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 3348
Commercial Transfer Tax
Consideration: 450000.00

Transfer Tax - State 1800.00

Total: 1800.00

Payment Type: Check ___
Cash ___
Charge ___
No Fee ___

Comment: _____

Ann G. Rabbitt

Ann G. Rabbitt
Orange County Clerk

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 *Dec 9, 2015* 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 *August 1, 2016*

Record and Return To:

MAY CHIN ESQ
1799 LUCAS AVE
CUTTEKILL NY 12419

BPA73459



First American Title Insurance Company of New York

BARGAIN and SALE DEED, with COVENANT
Against Grantor's Acts - Individual or Corporation

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

THIS INDENTURE, made the 1st day of Dec, in the year 2015

BETWEEN

Name: Westlink, LLC Address: 261 West Lincoln Ave., Mount Vernon, NY 10550

party of the first part, and

Name: Chen Group LLC Address: 101 North Plank Road, Newburgh, NY 12550

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 party forever,

SEE SCHEDULE A FOR PROPERTY DESCRIPTION

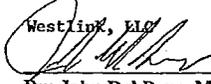
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other 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: _____

Westlink, LLC

By: John Del Bene, Managing Member

Sec 75 Blk 1 Lot 8



First American Title Insurance Company of New York

BARGAIN and SALE DEED, with COVENANT Against Grantor's Acts - Individual or Corporation

* STATE OF NEW YORK

COUNTY OF Westchester

} ss.:

On the 1 day of Dec in the year 2015 before me, the undersigned, personally appeared John Del Bene, 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.

FRANK P. MARINO
Notary Public, State of New York
Qualified in Westchester County
No. 02MA4899445
Commission Expires June 15, 2019

* For acknowledgments taken in New York State.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

Westlink, LLC

TO

Chen Group LLC



First American Title Insurance Company
of New York
Hudson Valley Region
188 East Post Road
White Plains, New York, 10601
Phone (914) 428-3433
Fax (914) 428-0139

PREMISES

Sheet
Section 75
Block 1
Lot 8
Plate
Volume
Page
District
Tax Map Des.
County or Town Westchester
Street Number 101 North Plank Road, Newburgh, NY
Recorded At Request of
First American Title Insurance Company of New York
RETURN BY MAIL TO:

May Chin, Esq.
1799 Lucase Ave.
Cuttekill, NY 12419

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

Benchmark Title Agency, LLC

Title No. BTA73459

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Newburgh, County of Orange, State of New York and being more particularly described as follows:

BEGINNING at an iron rod found on the westerly line of North Plank Road (New York State Route No. 32) at the southeasterly corner of the herein described parcel and at the northeasterly corner of lands now or formerly of Machinery Funding Corp., and;

RUNNING THENCE along the line of said Machinery Funding Corp., the following three (3) courses and distances:

- 1) South 59 degrees 11 minutes 24 seconds West passing through an iron rod found in a stone wall at 271.45 feet, a total distance of 272.99 feet to a point;
- 2) South 16 degrees 09 minutes 59 seconds East crossing Gidneytown Creek 28.61 feet to a point;
- 3) South 79 degrees 00 minutes 37 seconds West 127.17 feet to an iron pipe found at the end of a stone wall, said point being at the corner of lands now or formerly of Michael Smith and William Nicklin and the corner of the lands now or formerly of Isabelle E. Morris, et al.;

THENCE along the line of lands of said Morris, et al the following two (2) courses and distances:

- 1) North 33 degrees 48 minutes West crossing said Gidneytown Creek and passing through an iron pipe found at 169.43 feet, a total distance of 169.90 feet to a point;
- 2) North 55 degrees 39 minutes 40 seconds East 412.33 feet to a point on the westerly line of aforesaid North Plank Road;

THENCE along the said line of North Plank Road, South 30 degrees 02 minutes 25 seconds East 210.50 feet to the point or place of **BEGINNING**.

FOR
CONVEYANCING
ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

Chen Group, LLC
101 N. PLANK RD (Route 32)
(75-1-8)

SECTION 114

SECTION 42

MAP 267-0A

(6)
3.6
7A

(7)
3.7
4A
1

2
46.2A
Town of Newburgh

SECTION 74

GARDWERTOWN

SECTION

