

RONALD S. KOSSAR

ATTORNEY AT LAW

**402 EAST MAIN STREET
POST OFFICE BOX 548
MIDDLETOWN, NEW YORK 10940**

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E-MAIL rsklaw@frontiernet.net

November 2, 2023

Hon. Rick Budakowski, Chairperson
Village of Washingtonville Zoning
Board of Appeals
9 Fairlawn Drive
Washingtonville, New York 10992

*FOR REVIEW
ONLY
Schiffmacher*

NOV 02 2023

Re: Daniel Dulin with Village of
Washingtonville Zoning Board of
Appeals
Application for Appeal of Appearance
Ticket # C2023-0322 (the "Appearance
Ticket")
Appearance Ticket Appeal
Premises located at 31 Lark Street,
Village of Washingtonville, Orange
County, New York
Section 107, Block 2, Lot 15.2

Dear Chairman Budakowski:

Please be advised that this office represents Daniel Dulin, the Appellant Owner/Applicant, of the above-captioned premises in connection with my client's Application to the Village of Washingtonville Zoning Board of Appeals for an Appeal of the Appearance Ticket pursuant to Section 175-121 subparagraph C. of the Village of Washingtonville Zoning Ordinance in connection with the conduct and operation of my client's landscaping business within an R-85 District in accordance with the exception provided in the Village of Washingtonville Building Code Section 175-21 E. and Section 175-8 Paragraph A., Subparagraph (3) enclosed herein.

Also enclosed please find my attorney check # 29080 dated November 1, 2023 in the sum of \$275.00 representing the fee for the Appeal.

Kindly advise my office when this matter will be placed on the Agenda with the Zoning Board of Appeals.

Hon. Rick Budakowski, Chairperson
Village of Washingtonville Zoning
Board of Appeals

November 2, 2023
Page 2

Thank you for your kind assistance and courtesies extended in this matter.

If you have any questions or wish to discuss this matter please do not hesitate to contact my office.

Respectfully submitted



RONALD S. KOSSAR

RK/sb

Enclosures

cc: Daniel Dulin (w/encls.)
(sent via e-mail)
Bill Carroll, Member (w/encls.)
Pat Cooney, Member (w/encls.)
Patrice Gesner, Member (w/encls.)
Trisha MacBain, Member (w/encls.)
John Terry, Code Enforcement/
Building Inspector (w/encls.)
David MacCartney, Esq. (w/encls.)
Village Zoning Board of Appeals Attorney
Feerick, Nugent, MacCartney
Hon. Tom Devinko, Mayor of the Village of
Washingtonville (w/encls.)

HAND DELIVERED

VILLAGE OF WASHINGTONVILLE

Check Number 29080

Check Date: Nov 1, 2023

Item to be Paid - Description

Check Amount \$275.00

Discount Taker Amount Paid

APPEAL FEE

275.00

RONALD KOSSAR ATTORNEY AT LAW

402 EAST MAIN STREET

P.O. BOX 548

MIDDLETOWN, NY 10940-2516

ORANGE BANK & TRUST COMPANY

29080

50-241/219

DATE

Nov 1, 2023

CHECK AMOUNT

AMOUNT

\$ *****275.00

Memo: #11995MUN DULIN

PAY
TO THE
ORDER
OF:

Two Hundred Seventy-Five and 00/100 Dollars

VILLAGE OF WASHINGTONVILLE

AUTHORIZED SIGNATURE



Details on Back.

Photo Safe Deposit®

⑈029080⑈ ⑆021902475⑆ 6994084⑈

APPLICATION TO BOARD OF APPEALS

TAX MAP: SECTION 107, BLOCK 2, LOT 15.2 APPEAL NO. _____ DATE: 10/20/23

TO THE ZONING BOARD OF APPEALS, VILLAGE OF WASHINGTONVILLE, NEW YORK

I (WE) Daniel Dulin OF 31 Park Street,
(Name of Applicant) (Street and Number)
Washingtonville, New York HEREBY APPEAL TO
(Municipality) (State)

THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING INSPECTOR ON APPLICATION FOR BUILDING PERMIT NO. _____, DATED _____, WHEREBY THE BUILDING INSPECTOR DID (☐) GRANT / (☐) DENY TO _____

See Addendum Number 1 attached hereto and made a part herein

OF _____
(Street & No., Municipality, State)

- (X) A Permit for Use
() A Permit for Occupancy
() A Temporary Permit or Extension Thereof
() A Certificate of Existing Use
() A Building Permit

1. LOCATION OF THE PROPERTY 31 Lark Street, Use District R-85 Washingtonville., NY
(Street & No.) (Use District on Zoning Map)

2. PROVISION(S) OF THE ZONING ORDINACE OR OTHER LAW APPEALED (Indicate the Article, section, subsection and paragraph of the law being appealed, by number. Do not quote the law). Appearance
Ticket attached hereto and made a part hereof

See Addendum Number 2 attached hereto and made a part hereof

3. TYPE OF APPEAL. Appeal is made herewith for:

☐ An interpretation of the Zoning Ordinance or Zoning Map

☒ A special permit under the Zoning Ordinance

☐ A temporary permit

☐ A building permit for other reason

4. PREVIOUS APPEAL. A previous appeal N/A
☐ Has not been made with respect to this decision of the Building Inspector or with respect to the property.
☐ Such appeal(s) was (were) in the form of:
☐ a requested interpretation
☐ a request for a special permit
☐ a request for variance
☐ a temporary permit

And was (were) made in Appeal No. _____ dated _____

5. NAMES AND ADDRESSES OF OWNERS OF ADJOINING LANDS IN ALL DIRECTIONS INCLUDING ACROSS STREETS: See addendum Number 3 attached hereto and made a part hereof

(Name)	(Address)
(Name)	(Address)
(Name)	(Address)
(Name)	(Address)

6. REASON FOR APPEAL. (Complete relevant blank. Use extra sheet if necessary) .
A. INTERPRETATION OF THE ZONING ORDINANCE IS REQUESTED because: _____

B. A SPECIAL PERMIT UNDER THE ZONING ORDINANCE IS REQUESTED pursuant to:
ARTICLE XIX, SECTION 175, SUBSECTION 8,
and Section 175 Subsection 21 Paragraph E for the reversal of the issuance of the Appearance Ticket
Paragraph A (3) of the Zoning Ordinance, because: See Addendum Number 4
attached hereto and made a part hereof. See, also Addendum Number 5

C. *A VARIANCE TO THE ZONING ORDINANCE IS REQUESTED FOR these reasons:
1) STRICT APPLICATION of the Ordinance would produce UNDUE HARDSHIP because _____

2) The hardship created is UNIQUE and is not shared by all properties alike in the immediate
vicinity of this property and in this use district because _____

3) The VARIANCE would observe the spirit of the ordinance and would NOT CHANGE THE
CHARACTER OF THE DISTRICT because _____

D. EXTENSION TO A TEMPORARY PERMIT IS REQUESTED because _____

E. A TEMPORARY PERMIT IS REQUESTED because _____

F. BUIDLING PERMIT IS REQUESTED FOR PARCEL NOT ON APPROVED STREET because _____

State of New York ss:
County of Orange
Sworn to this 30th day of October, 2023

Susan Busby
Notary Public

SUSAN BUSBY
Notary Public, State of New York
No. 244824186
Qualified in Orange County
Commission Expires January 31, 2027

Daniel Dulin
Signature DANIEL DULIN

The Owner should submit with this application supporting materials including plans, surveys, building locations,
elevations, landscaping diagrams, traffic circulation diagrams, neighborhood land use maps and any other
materials that will assist the Board to understand the request.

*C: For Variance, specify each variance requested:

Section	Nature of Variance	From	To

DISCLOSURE ADDENDUM STATEMENT TO APPLICATION, PETITION AND REQUEST

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of this municipality, or of the Town or County of which it is a part, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

(X) None

() Names:

Name	Address	Relationship or Interest (Financial or otherwise)
------	---------	---

Name	Address	Relationship or Interest (Financial or otherwise)
------	---------	---

Name	Address	Relationship or Interest (Financial or otherwise)
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This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board and request made by the undersigned applicant to the following Board or Officer or Political Subdivision of the Municipality.

() Village / Town Board

(X) Zoning Board of Appeals

() Building Inspector

() Planning Board

() Zoning Enforcement Officer

() Other

Dated: October 30, 2023

Individual Applicant

DANIEL DULIN

Corporate or Partnership Applicant

By:

(President / Partner / Vice-President / Secretary / Treasurer)

GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK

Section 809. Disclosure in certain applications:

- Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
- For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them.
 - is the applicant, or
 - is an officer, director, partner or employee of the applicant, or
 - legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - is a part to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
- Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
- A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

**ADDENDUM NUMBER 1 TO APPLICATION TO VILLAGE
OF WASHINGTONVILLE ZONING BOARD OF APPEAL**

On Appearance Ticket No. C2023-0322 (copy attached)

WHEREBY THE BUILDING INSPECTOR DID Cite Appellant Owner/Applicant of the subject premises alleging that the property at 31 Lark Street was conducting a landscaping business in a single family residential district in violation Washingtonville Municipal Code: Permitted Uses. [Amended 5-8-1995 by L.L. No. 4-1995: 5-8-1995 by L.L. No. 5-1995] which provides in, pertinent part, within any R-85 District, no building, structure, lot or land shall be used for other than one of the following uses, except as provided in Village of Washingtonville Zoning Ordinance Sections 175-18 and 175-21 E. and Article XIX.



C2023-0322

Village of Washingtonville
9 Fairlawn Drive
Washingtonville, New York 10992

APPEARANCE TICKET

Daniel Dulin
31 Lark St
Washingtonville, NY 10992

You are hereby directed to appear in the court described below on 10/26/2023 at 6:00 pm

in connection with your alleged commission of the offense of On the date of August 8, 2023 having received an incident report I observed that the property at 31 Lark Street was conducting a landscaping commercial business in a single family residential district. This is a violation of Washingtonville Municipal Code: Permitted uses [Amended 5-8-1995 by L.L. No. 4-1995; 5-8-1995 by L.L. No. 5-1995] Within any R-85 District, no building, structure, lot or land shall be used for other than one of the following uses, except as provided in §§ 175-18 and 175-21 and Article XIX:

- A. Single-family dwelling.
- B. Public park or playground.
- C. Community sanitary plant; community water plant, contrary to the provisions of article/chapter Village of Washingtonville 2015.

Location of offense: 31 Lark St
Tax Map ID: 107-2-15.2

Name of court Village of Washingtonville Justice Court Location of court 9 Fairlawn Drive Washingtonville
NY 10992

*NOTE - If you fail to appear on the date and the time indicated, the court may issue a summons or warrant for your arrest. Issued and subscribed by
Issued to:

You are hereby directed to appear in the court described

SIGNATURE JOHN TERRY

ADDENDUM NUMBER 2 TO APPLICATION TO VILLAGE OF WASHINGTONVILLE ZONING BOARD OF APPEALS

6.B - Village of Washingtonville Section 175-125 Permitted topics of appeal which provides, in pertinent, as follows:

The Board of Appeals is hereby authorized, upon an appeal to hear and decide:

...

- C. Any other matter relating to this chapter, where an appellant seeks a review of any decision, order or ruling made by the Building Inspector.

...

6.B - Village of Washingtonville Zoning Ordinance Section 175-8 Accessory Uses. Within any R-A District (as cross reference by Section 175-21 Special exception uses) which provides as follows:

Village of Washingtonville Zoning Ordinance Section 175-8 Accessory Uses Paragraph A., Subparagraph (3) which permits a private garage or barn-type structure for equipment and vehicles customarily used in connection with on-site agricultural, horticultural or animal husbandry activities, provided that such equipment or vehicles be regularly kept inside such structures, or outdoor storage area for such equipment and vehicles, provided that it be located at least 200 feet from all property boundary lines.

Village of Washingtonville Zoning Ordinance Section 175-21 Special exception uses provides, in pertinent part, as follows:

...

Within any R-85 District, the following special exception uses shall be permitted, subject to approval by the Planning Board pursuant to § 175-126:

- E. Any use permitted in the R-100 and R-A Districts.

[Amended 5-8-1995 by L.L. No. 5-1995]

**ADDENDUM NUMBER 3 TO APPLICATION TO VILLAGE
OF WASHINGTONVILLE ZONING BOARD OF APPEALS**

NAME	ADDRESS	TAX LOT NO.
Matthew Versweyveld	35 Lark Street Washingtonville, NY 10992	107-2-14
Nicholas Gross	27 Lark Street Washingtonville, NY 10992	107-2-17
Barbara-Jo Grausso	25 Lark Street Washingtonville, NY 10992	107-2-18
Linda Dembeck and James Connelly	23 Lark Street Washingtonville, NY 10992	107-2-19
Arthur R. Morgan and Susan M. Morgan	17 Lark Street Washingtonville, NY 10992	107-2-20
First Presbyterian Church	Route 208 Washingtonville, NY 10992	107-2-36.22
Alma Louise Gregg	38 North Street Washingtonville, NY 10992	107-2-64

**ADDENDUM NUMBER 4 TO APPLICATION TO VILLAGE
OF WASHINGTONVILLE ZONING BOARD OF APPEALS**

For reversal of the Appearance Ticket and Special Permit and Area Variance for Premises located at 31 Lark Street, Village of Washingtonville, New York and Known on the Tax Rolls of the Village of Washingtonville as Section 107, Block 2, Lot 15.2 (the "Premises").

ADDENDUM NUMBER 5 TO APPLICATION TO VILLAGE OF WASHINGTONVILLE ZONING BOARD OF APPEALS

GROUND'S FOR APPEAL AND REVERSAL OF THE APPEARANCE TICKET

The Appearance Ticket should be reversed for the reasons set forth below as the Appellant Owner/Applicant is permitted under the existing Village of Washingtonville Zoning Ordinance to conduct horticultural activities (such as the conduct and operation of the Appellant Owner/Applicant's landscaping business conducted on the Premises since 2016) as hereinafter discussed: subject, however, to the Appellant pertaining an Area Variance as referred to below.

BACKGROUND AND HISTORY

An Accessory Building Garage was constructed on the above-captioned Premises by the predecessor owners Ralph Kint and Anna Kint on or about September 5, 1979 in connection with the issuance by the Village of Washingtonville of a Certificate of Occupancy No. R-221, a copy of which is attached hereto and made a part hereof as Exhibit "A". A historical search of the Premises indicates that a locksmith business was conducted on the Premises since in or about the September 5, 1979 through and including the date of transfer of the subject premises to Daniel Dulin on or about May 31, 2016 in accordance with the Executor's Deed dated May 31, 2016 between Ralph Kint, Jr., as Executor of the Last Will and Testament of Ralph G. Kint, as Guarantor to Daniel Dulin, as Grantee dated May 31, 2016 ("Deed"), a copy of which is attached hereto and made a part hereof as Exhibit "B".

The prior owner used and occupied the Single Family Residence within the Zoning Ordinance District R-85 as both a Single Family Home and Garage in connection with the conduct and operation of a locksmith business inclusive of the storage of commercial vehicles used in connection therewith adjacent to the Garage.

Based upon the foregoing, the Applicant/Owner, Daniel Dulin, has continuously used the Premises both as a Single Family Residence and in connection with the conduct and operation of a landscaping commercial business in a Single Family Residential District in connection with garage storage and parking of its commercial vehicles adjacent thereto in accordance with a Permitted Accessory Use as an exception to the Permitted Uses allowed within the R-85 Single Family Residential Zone as an Accessory Use for its commercial landscaping business and the exterior storage of its vehicles in accordance with the exception in the Village of Washingtonville Zoning Law Section 175-8 Accessory Uses (as cross reference by Section 175-21 Special exception uses) which provides in pertinent part as follows:

Within any R-A District, the following accessory uses shall be permitted:

- ...
- A. Pursuant to Articles XVI and XVIII, the

following are permitted. Parking of storage of vehicles and Equipment, other than that specifically noted herein, shall be prohibited:

[Amended 5-8-1995 by L.L. No. 4-1995; 5-8-1995 L.L. No 5-1995]

- (1) Private garage or private parking area for passenger vehicles customarily associated with the permitted uses.
 - (2) Private garage or private parking area for not more than one truck of not more than three-fourths-ton capacity used in connection with a permitted or with a permitted or accessory use.
 - (3) Private garage or barn-type structure for equipment and vehicles customarily used in connection with on-site agricultural, horticultural or animal husbandry activities, provided that such equipment or vehicles be regularly kept inside such structures, or outdoor storage area for such equipment and vehicles, provided that it be located at least 200 feet from all property boundary lines.
- B. Customary accessory structures and uses.
 - C. Signs, pursuant to Article XVIII.
 - D. Home professional office.
 - E. Home Occupation.
 - F. Noncommercial swimming pool, as defined in § 175-83.

Village of Washingtonville Zoning Ordinance Section 175-21 Special exception uses provides, in pertinent part, as follows:

. . .

Within any R-85 District, the following special exception uses shall be permitted, subject to approval by the Planning Board pursuant to § 175-126:

- E. Any use permitted in the R-100 and R-A Districts.

[Amended 5-8-1995 by L.L. No. 5-1995]

To permit the Accessory Permitted Use as a commercial landscaping business within the R-85 Zoning District Village of Washingtonville Zoning Code Section 175-8 requires that Paragraph A. Subparagraph (3) above that a private garage or barn-type structure for equipment and vehicles customarily used in connection with on-site . . . horticultural . . . activities, provided that such equipment or vehicles be regularly kept inside such structures, or outdoor storage area for such equipment and vehicles, provided that it be located at least 200 feet from all property boundary lines to enable the Appellant Owner/Applicant to comply with Section 175-8. Accessory Uses the Appellant Owner/Applicant, needs an Area Variance of 125 feet to its boundary line adjacent to the Lands of Matthew Versweyveld (35 Lark Street) and 155 feet to its boundary line adjacent to the Lands of First Presbyterian Church (Route 208). All other boundary lines are in compliance (see the attached Map indicating the necessary Area Side Yard Variances attached hereto and made a part hereof as Exhibit "C").

The Appellant Owner/Applicant is engaged in horticultural activities in connection with the conduct and operation of its landscaping business.

To afford the adjacent property owner additional privacy the Appellant Owner/Applicant is willing, at his own cost and expense, to provide additional vegetative screening on the boundary line of the Lands of Matthew Versweyveld (35 Lark Street) by planting such trees as spruce trees or arborvitaes trees on a double column staggered basis which ultimately will provide natural screening in addition to the trees already planted which should afford the Lands of Matthew Versweyveld with complete privacy without any view of my client's property. The aforesaid additional vegetative screening that my client will provide at his own cost and expense will provide the Lands of Matthew Versweyveld with more privacy than exists at the present time.

The relief being requested herein by the Appellant Owner/Applicant will not in any way shape or form change the character of the district/neighborhood in that the use has been in existence one way or the other since 1979.

It is respectfully submitted that denying the Appellant Owner/Applicant, Application for a Special Permit to enable it to continue a use that has been in existence from 2016 and prior thereto as a Locksmith Business since 1979 would constitute an extreme undue hardship on the Appellant Owner/Applicant in that it would deprive the Appellant Owner/Applicant of his livelihood.

Accordingly, based upon the foregoing, the Appellant Owner/Applicant, hereby request that the Village of Washingtonville Zoning Board of Appeals grant the pending Application for a Special Permit to permit the Appellant Owner/Applicant to conduct its commercial landscaping business as an Accessory Use to the Applicant's single-family residence within the existing R-85 Zone.

EXHIBIT “A”

Village of Washingtonville, New York
CERTIFICATE OF OCCUPANCY

No. 8224 Date 9-5-79

This certifies that building located

AT 115 166A STREET
WASHINGTONVILLE, N.Y. 12982

In the Village of Washingtonville, New York, conforms substantially to the plans and specifications heretofore filed in the office of the Zoning Inspector with Application for building permit dated 12-10-78 pursuant to which building permit No. 71624 was issued, and conforms to all the requirements of the applicable provisions of the Zoning Law.

THIS CERTIFICATE IS ISSUED TO

RALPH KENT Owner

of aforesaid building.

[Signature] Zoning Inspector.

EXHIBIT “B”



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

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



BOOK/PAGE: 14073 / 1262
INSTRUMENT #: 20160044099

Receipt#: 2157908
Clerk: KS
Rec Date: 07/08/2016 01:41:24 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 5
Rec'd Frm: JT ABSTRACT

Party1: KINT RALFPH JR EX
Party2: DULIN DANIEL
Town: BLOOMING GROVE-WASHINGTONVILLE
107-2-15.2

Recording:

Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 195.00

Transfer Tax
Transfer Tax - State 600.00

Sub Total: 600.00

Total: 795.00

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

***** Transfer Tax *****

Transfer Tax #: 9132

Transfer Tax

Consideration: 149900.00

Transfer Tax - State 600.00

Total: 600.00

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

Comment: _____

Ann G. Rabbitt
Orange County Clerk

Record and Return To:

JT ABSTRACT
717 BROADWAY
NEWBURGH, NY 12550

EXECUTOR'S DEED

THIS INDENTURE, made the 31st day of May, in the year 2016,

BETWEEN RALPH KINT, JR. as executor of the last will and testament, of Ralph G. Kint, late of Orange County, New York, deceased, January 12, 2014; party of the first part and DANIEL DULIN of 242 Danier Avenue, New Windsor, NY 12553; party of the second part.

**31 Lark Street, Washingtonville NY 10992*
WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said last will and testament, and in consideration of One Hundred Forty-nine Thousand Nine Hundred and 00/100 Cents (\$149,900.00) dollars, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs of successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land situate and being in the Town of Blooming Grove, County of Orange, State of New York, lying to the southeast side of Lark Street bounded and described as follows:

Please see attached **Schedule A Description** for a Complete Description of this Property.

SAID PREMISES KNOWN AS: 31 LARK STREET, WASHINGTONVILLE, NY 10992

SECTION: 107 BLOCK: 2 and LOT: 15.2

Being and intended to be the same premises as described in deed dated June 16, 2010, by and between Ralph G. Kint, Grantor, and Ralph G. Kint, Grantee, and recorded on July 7, 2010 in Book 13024, Page 340 in the Orange County Clerk's Office.

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 also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise; 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 part 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:

Ralph G. Kint, Jr. Ex.
RALPH KINT, JR. as Executor of the
Estate of Ralph G. Kint

107-2-15.2

Schedule A Description

Title Number JT-WC1335

Page 1

ALL that certain plot, piece or parcel of land situate lying and being in the Town of Blooming Grove, County of Orange, State of New York, lying to the southeast side of Lark Street bounded and described as follows:

BEGINNING at an iron pipe marking the most northerly corner of a 2.28 acre parcel conveyed by Deed in Liber 1149 page 167 to Wilbur and Anna Morgan; thence from the above described point of beginning and along lands now or formerly I.J. Bull, South 61-15-00 East 140.00 feet to an iron pipe marking the northeasterly corner of lands owned by the Washingtonville Cemetery Association; thence along lines of said cemetery, South 26-2-00 West 4425.19 feet to an iron pipe; thence on a new division line setting apart lands to be retained by Wilbur and Anna W. Morgan, North 57-00-00 West 186.38 feet to an iron pipe; thence North 33-00-00 East 150 feet distant from and parallel to the southeasterly side of Lark Street 412.00 feet to the point and place of beginning.

TOGETHER WITH AND SUBJECT TO a right of way in common with all others having a similar right over a strip of land 16 feet in width from the northeasterly end of Lark Street as shown on a map made by T.C. Marshall of lands of Mary L. Bull to the lands hereby conveyed between the lands now or formerly of Mary L. Bull and the lands now or formerly of Isaac J. Bull, said right of way being bounded and described as follows:

BEGINNING at an iron pipe in the northwesterly line of the above described parcel, said iron pipe being referenced South 33-00-00 East 16.00 feet to an iron pipe; thence south 57-00-00 East 150.00 feet to the point and place of beginning.

AND ALSO ALL that certain plot, piece or parcel of land situate lying and being in the Village of Washingtonville, Town of Blooming Grove, Orange County, New York, bounded and described as:

BEGINNING at the northwesterly corner of lands conveyed to King by Deed in Liber 1726 page 73 and running thence South 57-00-00 East 188.38 feet to an iron pipe in the line of lands of Washingtonville Cemetery Association; thence along lands of Washingtonville Cemetery Association, South 26-25-00 West 50 feet; thence North 57-00-00 West 188.38 feet more or less to a point in the line of lands of Wilbur Morgan and Anna W. Morgan; and thence along the line of their said lands North 33-00-00 East 50 feet to the point or place of beginning.

Continued On Next Page

AND ALSO ALL that certain plot, piece or parcel of land situate lying and being in the Village of Washingtonville, Town of Blooming Grove, Orange county, New York described as :

THE POINT OF BEGINNING is 800 feet northerly from the center of a large oak tree on the northerly line of "Goshen Road" and the easterly line of Lark Street on a course of North 33 degrees East at the northwesterly corner of the lands of Henry Board; thence from said point of beginning southeasterly along the line of the said Henry Board's lands, 150 feet to the easterly corner thereof; thence North 33 degrees East 20 feet; thence northwesterly 150 feet to the easterly line of Lark Street, which point is 20 feet on a course of North 33 degrees East from the point or place of beginning; thence along the easterly line of Lark Street, South 33 degrees West 20 feet th the place of beginning.

FOR INFORMATION ONLY: BEING the same premises conveyed to Ralph G. Kint by Deed dated June 16, 2010 recorded in the Orange County Clerk's Office on July 7, 2010 in Liber 13024 page 340.

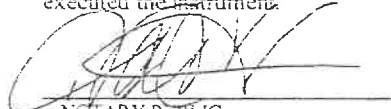
Ralph G. Kint aka Ralph G. Kint Sr. died a resident of Orange County, New York January 12, 2014. His Last Will & Testament was admitted to probate and Letters Testamentary issued March 25, 2014 (Surrogate's Court, Orange County, File No. 2014-188).

STATE OF NEW YORK)

) ss

COUNTY OF ORANGE)

On the 31st day of May, in the year 2016, before me, the undersigned, personally appeared RALPH KINT, JR., 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


NOTARY PUBLIC

Karlstein GARD
Notary Public, State of New York
No. 01694824632
Qualified in Orange County
Commission Expires

8/31/2018

107-2-15.2

EXECUTOR'S DEED
Individual or Corporation

TITLE NO. JT-WC1886

RALPH KINT, JR. as Executor of the
Estate of Ralph G. Kint

TO

DANIEL DULIN

SECTION: 107
BLOCK: 2
LOT: 15.2

RECORD & RETURN TO:

THOMAS J. MURPHY, ESQ.
Murphy & Schisano
717 Broadway
Newburgh, NY 12550

WC1886

J T Abstract Co Inc
717 Broadway
Newburgh New York 12550
845-562-8355 fax 845-562-0050
JTAbstract@verizon.net

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(IES) TO DOCUMENT

SECTION 107 BLOCK 2 LOT 15.2

RECORD AND RETURN TO:
(name and address)



TO

Jeane Simpson
11 East Main St
Washingtonville, NY 12992

THIS IS THE FIRST PAGE 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 SALE ASSIGNMENT OTHER

PROPERTY LOCATION

2049 BLOOMING GROVE (TN)
2001 WASHINGTONVILLE (VLS)
2003 SO. BLOOMING GROVE (VLS)
2239 CHESTER (TN)
2201 CHESTER (VLS)
2489 CORNWALL (TN)
2401 CORNWALL (VLS)
2600 CRAWFORD (TN)
2800 DISNEY PARK (TN)
3059 GOUGHEN (TN)
3001 GOUGHEN (VLS)
3003 FLORIDA (VLS)
3005 CHESTER (VLS)
3200 GREENVILLE (TN)
3489 HAMPTONBURGH (TN)
3401 HAYSTACK (VLS)
3639 HIGHLANDS (TN)
3601 HIGHLAND FALLS (VLS)
3839 KINGSBANK (TN)
3801 LINCOLN (VLS)
4039 MONROE (TN)
4001 MONROE (VLS)
4003 HARRISMAN (VLS)
4005 NEWTON JAIL (VLS)

4239 MONTGOMERY (TN)
4201 HAYSTACK (VLS)
4203 MONTGOMERY (VLS)
4205 WALDEN (VLS)
4439 MOUNT HOPE (TN)
4401 OTSEVILLE (VLS)
4600 MEYERBURGH (TN)
4800 NEW WINDSOR (TN)
5089 TUNEDO (TN)
5001 TUNEDO PARK (VLS)
5260 WALLKILL (TN)
5489 WARTONCK (TN)
5401 FLORIDA (VLS)
5403 GREENWOOD LAKE (VLS)
5405 WARWICK (VLS)
5609 WAWAYANEA (TN)
5839 WOODBURY (TN)
5801 HARRISMAN (VLS)
5809 WOODBURY (VLS)
6000 MIDDLETOWN
1100 NEWBURGH
1200 PORT JERVIS
9999 HOLD

NO. PAGES 5 CROSS REF.
CERT. COPY ADDL. X-REF.
MAPS FILE

PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

TAXES: CONDEMNATION
TAX EXEMPT
TAXABLE
MORTGAGE AMT. \$

MORTGAGE TAX TYPE:

(A) COMMERCIAL FULL 1%
(B) 1 OR 2 FAMILY
(C) UNDER \$10,000
(D) EXEMPT
(E) 3 TO 4 UNITS
(F) NAT. PERSONAL UNION
(G) NAT. PER-CRUM 1 OR 2
(H) COMED

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

Received From *J. Simpson*

RECORDED/FILED
07/07/2010/ 10:29:03
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#2010006355
DEED R / BK 13024PG 0340
RECORDING FEES 195.00
TTX# 006848 T TAX 0.00
Receipt#1190143 jul:



CORRECTION

BARGAIN & SALE DEED

THIS INDENTURE, made the 11 day of June, Two Thousand Ten.

BETWEEN, Ralph G. Kint residing at 31 Lark St, Washingtonville NY 10992, party of the first part, and Ralph G. Kint residing at 31 Lark St, Washingtonville NY 10992, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) dollars, lawful money of the United States, and other good and 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,

PARCEL 1

ALL that certain lot, piece or parcel of land situate in the Town of Blooming Grove, County of Orange, State of New York, lying to the south-east side of Lark Street bounded and described as follows:

BEGINNING at an iron pipe marking the most northerly corner of a 2.23 acre parcel conveyed by Deed Liber 1149 Page 167 on file in the Office of the Clerk of Orange County to Wilbur and Anna Morgan; thence from the above described point of beginning and along lands now formerly I. J. Bull, S 61° 15' 00" E 140.00 feet to an iron pipe marking the northeasterly corner of lands owned by the Washingtonville Cemetery Association; thence along lines of said cemetery, S 26° 25' 00" W 425.19 feet to an iron pipe; thence on a new division line setting apart lands to be retained by Wilbur and Anna W. Morgan, N 57° 00' 00" W 186.38 feet to an iron pipe; thence N 33° 00' 00" E 150' distant from and parallel to the southeasterly side of Lark Street 412.00 feet to the point and place of beginning, containing in area 68,538.06 sq. ft. or 1.5734 acres

TOGETHER with and subject to a right of way in common with all others having a similar right over a strip of land 16 feet in width from the northeasterly end of Lark Street as shown on a map made by T.C. Marshall of lands of Mary L. Bull to the lands hereby conveyed between the lands now or formerly of Mary L. Bull and the lands now or formerly of Isaac J. Bull, said right of way being bounded and described as follows:

BEGINNING at an iron pipe in the northwesterly line of the above described 1.5734 acre parcel, said iron pipe being referenced S 33° 00' 00" E 16.00 feet to an iron pipe; thence S 57° 00' 00" E 150.00 feet to the point and place of beginning.

SUBJECT to the following restrictions which shall attach to and run with the title to said lands forever, namely:

1. That not more than one private dwelling house for use by one family shall be erected, maintained, used or occupied or permitted to be erected, maintained, used or occupied upon said premises.
2. That no sewage, oils or other matter which may be obnoxious by reason of odor or otherwise which may pollute or contaminate the stream on the premises above described will ever be permitted to drain into said stream.

SUBJECT to zoning ordinances and building codes of the village of Washingtonville and to any and all covenants, reservations, easements and restrictions of record, if any, affecting said premises and subject to any state of facts an accurate survey or inspection of said premises may disclose provided the title to said premises is not rendered unmarketable thereby.

Being and intended to be the same premises conveyed to RALPH G. KNIT AND ANNA W. KNIT, husband and wife by deed dated October 1, 1965, and recorded in the Orange County Clerk's office on October 1, 1965 in Liber 1726 cp 73. ANNA W. KINT died a resident of Orange County on January 5, 2010.

PARCEL 2

ALL that certain lot, piece or parcel of land situate, lying and being in the Village of Washingtonville, Orange County, New York, bounded and described as follows:

BEGINNING at the northwesterly corner of lands conveyed by Wilbur Morgan and Anna W. Morgan, his wife, to Ralph G. Kint and Anna W. Kint, his wife, by deed dated September 30, 1965, recorded Orange County Clerk's Office October 1, 1965 in Liber 1726 of Deeds at page 73 and running thence south 57° 00' 00" east 188.38 feet to an iron pipe in the line of lands of Washingtonville Cemetery Association; thence along lands of Washingtonville Cemetery Association south 26° 25' 00" west 50 feet; thence north 57° 00' 00" west 188.38 feet more or less to a point in the line of lands of Wilbur Morgan and Anna W. Morgan, his wife, and thence along the line of their said lands north 33° 00' 00" east 50 feet to the point or place of beginning.

SUBJECT to zoning ordinances and building codes of the Village of Washingtonville and easements and restrictions of record affecting said premises.

Being and intended to be the same premises as conveyed to RALPH G. KINT and ANNA W. KINT, husband and wife by deed dated May 24, 1971 and recorded in the Orange County Clerk's office on May 26, 1971 in Liber 1873 cp 1107. ANNA W. KINT died a resident of Orange County on January 5, 2010.

PARCEL 3

ALL that tract or parcel of vacant land situate , lying and being in the Village of Washingtonville, Town of Blooming Grove, Orange County, New York described as follows: THE POINT OF BEGINNING is 800 feet northerly from the center of a

large oak tree on the northerly line of "Goshen Road" and the easterly line of Lark Street on a course of North 33° East at the northwesterly corner of the land of Henry Board; thence from said point of beginning southeasterly along the line of the said Henry Board's lands 150 feet to the easterly corner thereof; thence North 33° East 20 feet; thence northwesterly thru the lands of the parties of the first part 150 feet to the easterly line of Lark Street, which point is 20 feet on a course of North 33° East from the point or place of beginning; thence along the easterly line of Lark Street South 33° West 20 feet to the place of beginning.

Being and intended to be the same premises as conveyed to ANNA W. KINT and RALPH G. KINT, husband and wife by deed dated April 28, 1996 and recorded in the Orange County Clerk's office on May 26, 1996 in Liber 1744 cp 208. ANNA W. KINT died a resident of Orange County of January 5, 2010.

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 part 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 reason for this correction deed is because a parcel was inadvertently left out. ✓
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:

Ralph G. Kint
RALPH G. KINT

STATE OF NEW YORK)

)SS:

COUNTY OF ORANGE)

On the 16 day of June in the year 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared RALPH G. KINT, 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.

Jeanne Tompkins
NOTARY PUBLIC

Bargain and Sale Deed

With Covenants Against Grantor's Acts

=====

RALPH G. KINT

to

RALPH G. KINT

SECTION 107

BLOCK 2

LOT 15.2

RECORD & RETURN TO:

JEANNE TOMPKINS, ESQ
11 EAST MAIN STREET
WASHINGTONVILLE, NEW YORK 10992

JEANNE TOMPKINS
Notary Public, State of New York
No. 0170404789
Qualified in Orange County
Commission Expires August 28, 2011 10

EXHIBIT “C”

$41^{\circ}25'55''\text{N } 74^{\circ}09'58''\text{W}$

75' 45' 45'

460'
Length

165' Width

