

Town of Marlborough Planning Board Application

Application For: (Check One)

Subdivision _____ **Site Plan** _____ **Lot Line Revision** X

Application Number: _____

Date of Submission: _____

Name of Project: Lot Line Revision for LaMela Real Estate Holdings LLC

Location of Project: 1118 Route 9W & 1122 Route 9W

Tax Section Block and Lot: 108.4-5-30.1 & 108.4-5-30.2

Zoning District: HD

Number of Acres: 4.50 Sq. Footage of Building: 2,200 Sq.Ft & 12,300 Sq.Ft.

Description of Project (include number of lots/units & bedrooms): Revise the lot line between Car Wash parcel & Recycle parcel (SBL: 108.4-5-30.2 & 108.4-5-30.1) to remove encroachments. Both parcels are under same ownership & the resultant areas of each parcel will remain the same.

EMAIL: _____

Name of Property Owner: LaMela Real Estate Holdings LLC - John LaMela

Address of Property Owner: _____

Telephone Number of Property Owner: (845) 763-2108

Name of Applicant: John LaMela

Address of Applicant: _____

Telephone Number of Applicant: (845) 763-2108

Name of Surveyor: Spencer S. Hall
Address of Surveyor: 6244 Rte 82, Stanfordville, NY 12581
Telephone Number of Surveyor: (845) 868-1262

Name of Engineer: _____
Address of Engineer: _____
Telephone Number of Engineer: _____

Name of Attorney: _____
Address of Attorney: _____
Telephone Number of Attorney: _____

Reason For Application: Lot Line Revision

Description of Proposal: Revise the lot line between SBL: 108.4-5-30.2 & SBL: 108.4-5-30.1 to remove encroachments. Both parcels are under the same ownership & the resultant areas of each parcel will remain the same, 2.00 acres & 2.50 acres respectively.

John LaMela

Applicant's Name

CHECKLIST FOR MAJOR/MINOR SUBDIVISION, SITE PLAN and/or LOT LINE REVISION

- I. The following items shall be submitted for a COMPLETED Planning Board Application Form.
1. ✓ Completed Application
 2. ✓ Environmental Assessment Form (*May be obtained from Planning Board*)
 3. ✓ Letter of Agent Statement
 4. ✓ Application Fee (*Separate check from escrow fee*)
 5. ✓ Escrow Fee (*Separate check from application fee*)
 6. ✓ Copy of deed
 7. ✓ Completed checklist (*Automatic rejection of application without checklist*)
 8. Request Waiver Agricultural Data Statement (*if applicable*)
 9. ✓ Provide twelve (12) copies of all maps, plans, reports and a PDF computer file on CD of all documentation submitted. Plan sets must be correlated packages.
- II. The following checklist items shall be incorporated on the Subdivision Plat, Site Plan, or Lot Line Revision prior to consideration of being placed on the Planning Board Agenda. Non-Submittal of the checklist will result in application rejection.
1. ✓ Name and address of applicant
 2. ✓ Name and address of owner (*if different*)
 3. ✓ Subdivision name and location
 4. ✓ Tax Map Data (*Section-Block-Lot*)
 5. ✓ Location map at a scale of 1" = 2,000
 6. ✓ Zoning table showing what is required in the particular zone and what applicant is proposing.
 7. ✓ Show zoning boundary if any portion of proposed subdivision or site is within or adjacent to a different zone
 8. ✓ Date of plat preparation and/or plat revisions
 9. ✓ Scale the plat is drawn to (Max 1" = 100')
 10. ✓ North Arrow

11. ✓ Surveyor's Certification
12. ✓ Surveyor's seal and signature
13. ✓ Name, SBL and acreage of adjoining owners
14. ✓ NYSDEC Wetland and 100 foot buffer zone with an appropriate Certification block regarding DEC requirements.
15. N/A Flood plain boundaries
16. N/A Federal Wetland Boundary
17. ✓ Metes and bounds of all lots
18. ✓ Name and width of adjacent streets, include dedication parcels. The road boundary is to be a minimum of 25 feet from the centerline of the paved street.
19. N/A Show existing or proposed easements (*note restrictions*)
20. N/A Right of way width and Rights of Access and utility placement.
21. N/A Road profile and typical section including existing proposed grades, vertical curve data, utilities, drainage and other improvements.
22. ✓ Lot area acreage. For lots under 2 acres, list in square feet & acres.
23. N/A Number of lots including residual lot.
24. N/A Show any existing waterways, wetlands, ponds, lakes, streams, drainage courses within 200 feet of parcel boundaries.
25. N/A A note stating a road maintenance agreement is to be filed in the County Clerk's Office for private roads.
26. ✓ Applicable note pertaining to owners review and concurrence.
27. N/A Show any public improvements, i.e. drainage systems, water lines, sewer lines, etc.
28. Requested Waiver
" " Show all existing houses, accessory structures, wells and septic systems on and within 200 feet of the parcel to be subdivided.
29. " " 2 Foot Contours
30. ✓ Indicate any reference to a previous subdivision, i.e., filed map number, data and previous lot number.

31. N/A ^{N/A} If a private road, Town Board approval of name required, and notes on the plan that no Town services will be provided and a street sign (per Town specs) is to be furnished and installed.
32. N/A ^{N/A} The amount of grading expected or known to be required to bring the site to readiness.
33. N/A ^{N/A} Estimated or known cubic yards of material to be excavated.
34. N/A ^{N/A} Estimated or known cubic yards of fill required.
35. N/A ^{N/A} The amount of grading expected or known to be required to bring the site to readiness.
36. N/A ^{N/A} Type and amount of site preparation which falls within the 100 foot buffer strip of wetlands and within the Critical Environmental Area. Please explain in square feet or cubic yards.
37. N/A ^{N/A} Amount of site preparation within a 100-year flood plain or any water course on the site. Please explain in square feet or cubic yards.
38. ✓ Planning Board approval block 4" x 2"
39. ✓ Special district boundaries, agricultural, school, fire, water, sewer, etc.
40. Requested Waiver Sight distance of all intersections and driveways.
41. N/A Ridgeline and steep slope notation.
42. N/A Agricultural setbacks.
43. ✓ After final approval is given by the Planning Board, the Building dept. needs to be contacted for further guidance.

The plat for the proposed subdivision, site plan, or lot line revision has been prepared in accordance with this checklist.



Stamp

By: [Signature]
Licensed Professional

1/21/2021
Date

Legal Notices for Public Hearing

Public Hearings will be held only on the first (1st) Monday of the Month.

Procedure for Notice:

1. Planning Board will schedule Public Hearing during a regularly scheduled meeting, after approval for such is granted.
2. Applicant is to obtain surrounding property owner names and addresses from Assessor's Office.
3. Applicant is to send Public Notice Letter, obtained from Planning Board Office, via Certified Mail with Return Receipt to property owners no less than 10 days prior to Public Hearing.
4. Planning Board Office will send notification to the town's official newspaper.
5. All Certified Mail with Return Receipt receipts and a copy of the Assessor's listing of names and addresses must be submitted at Public Hearing.

Any questions regarding procedures may be answered at 845-795-5243.

Ethics Code

TOWN OF MARLBOROUGH NOTICE OF DISCLOSURE OF INTEREST

In accordance with the Town of Marlborough Code of Ethics, Article 13-3 (E) and Public Officers Law § 209, the following disclosure notice ("notice") must be completed and signed by any individual, including any officer or employee of the Town of Marlborough, who has an application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, special use permit, site plan, subdivision, exemption from a plat or official map, license or permit, pursuant to the provisions of the zoning and planning regulations of the Town of Marlborough before any Town of Marlborough Board, Agency or Department ("decision-making authority"), in which a Town officer or employee has an interest in the subject of the application. The purpose of the disclosure notice is to identify and disclose any potential or actual conflict of interest for the Town employee or officer, which may compromise his/her ability to make decisions solely in the public interest. Please refer to the Town of Marlborough Code of Ethics for further information.

Under the Town of Marlborough Code of Ethics an interest is defined as: a participation, connection or involvement of any sort whether direct or indirect, pecuniary or non-pecuniary, personal or professional, which may result in a benefit. For the purposes of the Town of Marlborough Code of Ethics, the "interests" of a Town officer or employee shall be deemed to include the "interest" of:

- A. An immediate family member. Immediate family member is defined as: grand parents, parents, spouse, significant other, children, grand children, brother, sister, dependent, or any household member of a Town officer, Town Board member or employee.
- B. Any person other than a bank, trust company or other lending institution with whom he/she has a substantial debtor-creditor or other financial relationship.
- C. Any person by whom he/she is employed or of which he/she is an officer, director or member having a controlling interest in any business or enterprise in which the Town employee or officer holds stock or has any other profit-bearing or beneficial relationship.
- D. An officer or employee shall also be deemed to have an interest in a matter if he/she or any person described in A through C above is a party to an agreement, expressed or implied, with any applicant before any Board of the Town, whereby he/she may receive any payment or other benefit whether or not for services rendered, dependent or contingent upon the favorable approval of any such application, petition or request by any Town body.

This notice must be completed and included with the application, petition or request to the appropriate Town of Marlborough Board, Agency or Department.

I, John L. Meli, residing at _____,
_____, make the following statements about interests in the
real property which is the subject of this application, petition or request for a _____
_____, before the _____
of The Town of Marlborough.

PART I: Except as otherwise set forth in Part II below:

A. Individuals with an interest in the property.

1. No individual, having an ownership interest in or has an interest in a contract to purchase the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person having an ownership interest in or has an interest in a contract to purchase the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

B. Corporations or other entities with an interest in the property.

1. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity, which has an ownership interest in or has an interest in a contract to purchase the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in or has an interest in a contract to purchase the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

C. Stockholder or controlling interest

1. No person who has a legal or beneficial ownership or control stock of a corporate applicant or is a member of a partnership or association with the applicant for the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person who has a legal or beneficial ownership or control stock of a corporate applicant or is a member of a partnership or association with the applicant for the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

D. Party to an agreement with the applicant

1. No person is a party to an agreement with an applicant, express or implied, or 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 for the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person is a party to an agreement with an applicant, express or implied, or 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 for the subject property is a immediate family member of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

PART II: If any of the statements under A through D above is not true, please explain and set forth the name and the relationship to the applicant and subject property of any Town employee or officer involved:

PART III: This completed notice is to be submitted to the Board, Agency or Department that is authorized to review and render a decision on the application, petition or request. Further, the submittal must be made prior to any review of the application, petition or request. This notice shall be made part of that decision-making authority's official record, disclosing the exact nature of the conflict in detail. If there is an actual or potential conflict, the Town officer or employee shall abstain from voting or otherwise acting on the application, petition or request so as to avoid an actual conflict.

ANY QUESTIONS REGARDING THIS DISCLOSURE NOTICE OR THE CODE OF ETHICS ARE TO BE DIRECTED TO THE TOWN SUPERVISOR AT (845) 795-2220.

PLEASE TAKE NOTICE.....A KNOWINGLY FALSE STATEMENT IS PUNISHABLE UNDER N.Y. GEN. MUN. LAW ' 809 AS A MISDEMEANOR.

Signed: John LaMela
Date: 1-25-21

ACKNOWLEDGMENT

State of New York
County of: Ulster

On January 25, 2021, before me personally appeared John LaMela, 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 this 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.

Notary George R Branagan

GEORGE R BRANAGAN
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BR6384136
Qualified in Dutchess County
My Commission Expires 12-03-2022

Planning Board Fees

(All Applications Subject To Escrow Fees)

Application Fees:

Residential Subdivision – Single Family or Town House	\$750.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$750.00, plus \$100.00 Per Unit
Commercial Subdivision	\$600.00, plus \$200.00 per Lot or Unit
Commercial Site Plan	\$1,000.00, plus \$10.00 per 1,000 sf of Building
All Other Site Plan Reviews	\$550.00
Lot Line Revision	\$600.00
Recreation Fees <i>(Residential Subdivisions & Site Plans – Excludes parent parcel)</i>	\$2,000.00 per Lot or Unit
Recreation Fees Adult Multiple Dwelling Affordable Housing <i>(50 and over)</i>	\$500.00 per Unit

Escrow Deposit: *(To be replenished to 75% of original escrow when level drops to 25% remaining in account.)*

Residential Subdivision – Single Family or Town House	\$750.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$750.00, plus \$100.00 per Unit
Commercial Subdivision	\$600.00 per Lot (up to 4 lots,) then \$200.00 per Lot Thereafter
Commercial Site Plan	\$1,000.00 Minimum
All Other Site Plans	\$750.00 Minimum
Lot Line Revision	\$600.00 Minimum

Engineer Inspection Fees (All Town Road Installation Inspections)

Improvements as approved by Town Engineer	5% of the estimated cost to construct
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Disclaimer

The applicant is advised that the Town of Marlborough Town Code, which contains the Town's Zoning Regulations, is subject to amendment. Submission of an application to the Planning Board does not grant the applicant any right to continued review under the code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new code requirements made while the application is pending.

An approval by the Planning Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer or water. It is the applicant's responsibility to apply for and obtain Town of Marlborough and other agency approvals not within this Board's authority to grant.

AFTER FINAL APPROVAL IS GIVEN BY THE PLANNING BOARD, THE BUILDING DEPT. MUST BE CONTACTED FOR FURTHER GUIDANCE.

The Town of Marlborough Town Board sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgment of responsibility for payment of these fees to the Planning Board for review of this application including, but not limited to, fees for professional services (Planners/Consultants, Engineers, Attorneys,) public hearings and site inspections. Applicant's submissions and re-submissions that are not complete will not be considered by the Planning Board or placed upon its agenda unless all outstanding fees have been paid.

The undersigned applies for subdivision, site plan, or lot line approval as described above under the rules and procedures of the Town of Marlborough, New York as duly authorized by the Town Board of Marlborough, New York.

The undersigned also acknowledges receipt of the "Disclaimer" above.

Applicant's Name(Print): John Lamela

Applicant's Signature: John LaMela

Date: 1-25-21

*****Application will not be accepted if not signed and filled out completely*****

Letter of Agent

I (We), John LaMela am (are) the owner(s) of a parcel of land located on 1118 Rte 9W & 1122 Rte 9W in the Town of Marlborough, Tax Map Designation: Section 108.4 Block 5 Lot 30.200 ~~#~~
108.4 5 30.100

I (We) hereby authorize Spencer S. Hall, LS to act as my (our) agent to represent my (our) interest in applying to the Town of Marlborough Planning Board for a _____ Lot Subdivision, Site Plan, or Lot Line Revision Application (circle one)

John LaMela
Signature

1-25-21
Date

Signature

Date

State Of New York }
County Of Ulster }

SS:

On the 25th day of JANUARY in the year 2021 before me, the undersigned, a Notary Public in and for said State, personally appeared

John LaMela, 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, 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.

George R Branagan
Notary Public

GEORGE R BRANAGAN
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BR6384136
Qualified in Dutchess County
My Commission Expires 12-03-2022

Spence Hall

To: cbrand@marlboroughny.us
Subject: New Lot Line Revision

Chairman Brand,

My name is Spencer Hall and I'm a Land Surveyor. I was recently employed by John LaMela of LaMela Sanitation to do a Lot Line Revision between his Recycling Plant at 1122 Route 9W and the Car Wash at 1118 Route 9W. I am preparing the application and would like to request a few waivers in that this Lot Line Revision isn't changing anything physical, nothing new is being added and the Lots will remain the same size when completed.

The waivers are:

Page 3.I.8. Agricultural Data Statement

Page 4.II.28. Shown All Existing houses, accessory structures, wells and septic systems on and within 200 feet of the parcel to be subdivided. Nothing is being subdivided – NO new Lots...

.29. 2 Foot Contours – Nothing is being designed

Page 5.II.40. Site Distances of all intersections and driveways – Nothing New all are existing

Thank you for your time and consideration.

Respectfully,

Spencer Hall, LS



733

ULSTER COUNTY CLERK

RECORDING PAGE

Type of Document:	DEED	Recorded:	7/29/1996
Recording Charge:	\$ 20.00	At:	2:16 PM
Location:	marlboro	In Liber:	2607
		Of:	DEED
Control No:	9607290223	On Page:	0266

EXAMINED AND CHARGED AS FOLLOWS:

Transfer Amount:	.00	Mortgage Amount:	.00
Received Tax on Above Deed:		Received Tax on Above Mortgage:	
		Basic:	.00 NO
		Additional:	.00 NO
		Special:	.00 NO
Total:	.00	Total:	.00
TT No.	00005960	MT No.	

(THIS PAGE IS A PART OF THE INSTRUMENT)

Party 1: LAMELA, FELICE &ORS

Party 2: LAMELA REAL ESTATE HOLDING LLC,

Albert Spada
 ALBERT SPADA
 ULSTER COUNTY CLERK

TED H FINKELSTEIN
 1 MAHOPAC PLAZA
 MAHOPAC NEW YORK 10541

LIBER 2607 PAGE 0267

THIS INDENTURE, made the 2nd day of May, nineteen hundred and ninety-six

BETWEEN
FELICE LaMELA
3 North Young Avenue
Marlboro, New York 12542

ANDREW LaMELA, SR.
93 Ridge Road
Marlboro, New York 12542

JOSEPH T. LaMELA
14 Hillside Court.

Newburgh, New York 12550

JOHN LaMELA, JR.
15 Idlewild Road
Marlboro, New York 12550

party of the first part, and

LaMELA REAL ESTATE HOLDINGS, LLC
1118 Route 9W
Marlboro, New York 12542

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Marlboro, County of Ulster and State of New York as described in the annexed Schedule "A".

BEING the same Premises conveyed to Grantors by deed from John LaMela dated April 30, 1985 and recorded on May 6, 1985 in the Office of the Clerk of Ulster County in Liber 1527 Page 0247.

SUBJECT TO a mortgage now a lien on the Premises described in the annexed Schedule "B" in the original amount of \$200,000.00 to Key Bank of Southeastern New York, N.A. dated December 3, 1987 and recorded on December 4, 1987 at Liber 1722, Page 0229, and SUBJECT TO a mortgage now a lien on the Premises described in the annexed Schedule "B" in the original amount of \$50,000.00 to Key Bank of Southeastern New York, N.A. dated December 3, 1987 and recorded on December 4, 1987 at Liber 1722, Page 0233, which mortgage debts, with interest thereon, the grantee hereby assumes and agrees to pay.

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 in 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:

LaMELA REAL ESTATE HOLDINGS, LLC

By: John LaMela, Jr.
John LaMela, Jr.

Felice LaMela
FELICE LaMELA
Andrew LaMela, Sr.
ANDREW LaMELA, SR.
Joseph T. LaMela
JOSEPH T. LaMELA
John LaMela, Jr.
JOHN LaMELA, JR.

STATE OF NEW YORK, COUNTY OF ULSTER

On the 2nd day of May, 1996 before me personally came FELICE LaMELA, ANDREW LaMELA, SR., JOSEPH T. LaMELA and JOHN LaMELA, JR. to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.

TED H. FINKELSTEIN
Notary Public, State of New York
No. 4774786
Qualified in Putnam County
Commission Expires 1/31/96 Notary Public

STATE OF NEW YORK, COUNTY OF

On the day of , 19 ,
before me personally came
to me known, who, being by me duly sworn, did
depose and say that he resides at No.

that he is the

of

the corporation
described in and which executed the foregoing
instrument; that he knows the seal of the
corporation; that the seal affixed to said
instrument is such corporate seal; that it
was so affixed by order of the board of
directors of said corporation, and that he
signed h name thereto by like order.

Notary Public

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACT
TITLE NO. _____

FELICE LaMELA, ANDREW LaMELA, SR., JOSEPH T.
LaMELA and JOHN LaMELA, JR.

TO

LaMELA REAL ESTATE HOLDINGS, LLC.

STATE OF NEW YORK, COUNTY OF ULSTER

On the 2nd day of May, 1996, before me personally came JOHN LaMELA, JR. to me known to be the individual described in and who executed the foregoing instrument as Manager of LaMela Real Estate Holdings, LLC and acknowledged that he executed the same.

TED H. FINKELSTEIN
Notary Public, State of New York
No. 4774786
Qualified in Putnam County
Commission Expires 1/31/96 Notary Public

STATE OF NEW YORK, COUNTY OF

On the day of , 19 ,
before me personally came
to me known, who, being by me duly sworn, did
depose and say that he resides at No.

that he is the

of

the corporation
described in and which executed the foregoing
instrument; that he knows the seal of the
corporation; that the seal affixed to said
instrument is such corporate seal; that it
was so affixed by order of the board of
directors of said corporation, and that he
signed h name thereto by like order.

Notary Public

SECTION 108.4
BLOCK 5
LOT 30.100 & 30.200
COUNTY OR TOWN ULSTER
TAX BILLING ADDRESS

Return by Mail To:

TED H. FINKELSTEIN, ESQ.
One Mahopac Plaza
Mahopac, New York 10541

Schedule "A".

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Marlboro, Ulster County, New York, and bounded and described as follows:

BEGINNING at a bolt set on the southeasterly side of Route 9W, at the southwesterly corner of the Tally-Ho Inn property, and running thence along the southerly line of the Tally-Ho Inn property, south $68^{\circ} 48'$ east 193 feet to an iron pipe; thence running along the westerly line of other lands formerly of Caterina Stallone and now of Vincenzina Di Pietro, south $11^{\circ} 56'$ west 38.3 feet to a spike on the northerly side of a private road; thence running along the northerly side of the private road, south $88^{\circ} 55'$ east 128.25 feet to a stake; thence crossing the private road and running along the line of lands of McCourt south $25^{\circ} 9'$ west 366.21 feet to a bolt set at the top of a bank; thence running along the line of lands of Schoonmaker, north $88^{\circ} 58'$ west 295.48 feet to a stone monument in the line of lands of Wardell; thence running along the line of lands of Wardell, north $86^{\circ} 59'$ west 418 feet to a concrete road monument on the southeasterly side of Route 9W; thence running along the southeasterly line of Route 9W the following courses and distances: north $54^{\circ} 10'$ east 569.56 feet to a concrete road monument; north $52^{\circ} 55'$ east 133.31 feet to the place of beginning.

SCHEDULE "B"

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Marlboro, Ulster County, New York, bounded and described as follows:

BEGINNING at a point on the easterly side of Route 9W and said point being the southwesterly corner of lands now or formerly of Minard and running thence along the southerly boundary of said Minard's land South 36 degrees 55' 14" East, 100 feet; thence along the easterly bounds of the lands now or formerly of Minard, North 53 degrees, 04' 46" East, 98.5 feet; thence North 2 degrees, 8' 46" East, 57.2 feet to a point in the southerly bounds of the lands now or formerly of Mannese; thence South 68 degrees, 38' 14" East, 125.63 feet to a point; thence South 0 degrees, 47' 07" West, 42.28 feet; thence North 88 degrees, 00' 07" East, 55.01 feet to a point in the property line of the lands now or formerly of McCourt; thence South 55 degrees, 42' 46" West, 182.78 feet to a point; thence South 51 degrees, 55' 02" West, 258.37 feet to a point; thence North 87 degrees, 10' 50" West, 370 feet to a point on the easterly side of Route 9W; thence along the easterly side of Route 9W, the following courses and distances: North 51 degrees, 27' 01" East, 107.85 feet to a point; thence North 58 degrees, 31' 54" East, 275.3 feet to a point; thence North 47 degrees, 19' 07" East, 108.2 feet; thence North 83 degrees, 04' 46" East, 26.3 feet to the point or place of beginning.

BEING a part of the premises conveyed to the mortgagors by John LaMelle by Deed dated the 30th day of April, 1985 and recorded in the Ulster County Clerk's Office on the 6th day of May, 1985 in Liber 1527 of Deeds at Page 0247.