

Town of Marlborough Planning Board Application

Application For:

(Check One)

Subdivision ☒

Site Plan ☐

Lot Line Revision ☐

Application Number: 226006

Date of Submission: 3/25/22

Name of Project: DUBOIS SUBDIVISION

Location of Project: 228 MAHONEY ROAD MILTON NY 12547

Tax Section Block and Lot: 95.4-2-15

Zoning District: RAG-1

Number of Acres: 63.06 Sq. Footage of Building: N/A

Description of Project (include number of lots/units & bedrooms):

3 LOT SUBDIVISION

EMAIL: daveadubois1965@gmail.com

Name of Property Owner: DAVID AND JOLEE DUBOIS

Address of Property Owner: 209 PERKINSVILLE ROAD HIGHLAND NY 12528

Telephone Number of Property Owner: (845) 418-0419

Name of Applicant: SAME AS ABOVE

Address of Applicant:

Telephone Number of Applicant:

Name of Surveyor: CARNEY RHINEVAULT

Address of Surveyor: 6 MAIN STREET HYDE PARK NY 12538

Telephone Number of Surveyor: 845-229-8225

Name of Engineer: PAUL MELE

Address of Engineer: 2553 RTE. 44-55 GARDINER NY 12525

Telephone Number of Engineer 845 - 255 - 7243

Name of Attorney: LINDA FICHERA-BARTOLOTTI

Address of Attorney: 35 GARDEN STREET POUGHKEEPSIE NY 12601

Telephone Number of Attorney: 845 - 454 - 2121

Reason For Application: TO SPLIT THE PROPERTY INTO THREE LOTS

Description of Proposal: SUBDIVIDING 63.06 ACRE LOT INTO
THREE PARCELS - ONE PARCEL IS 22.38 ACRES;
ONE PARCEL IS 39.40 ACRES; AND THE LAST IS
1.28 ACRES.

DAVID & JULIE DUBOIS
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. ☐ Agricultural Data Statement *(if applicable)* N/A
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.

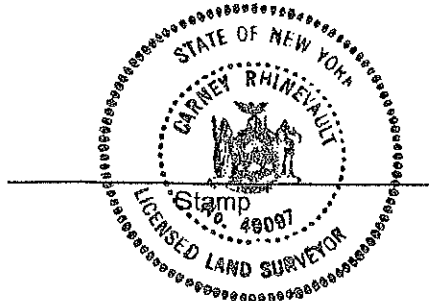
II. The following checklist items shall be incorporated on the Subdivision Plat, Site Plan, or Lot Line Revision prior to consideration of being placed on the Planning Board Agenda. Non-Submittal of the checklist will result in application rejection.

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. ☒ Flood plain boundaries
16. ☒ Federal Wetland Boundary
17. ☐ Metes and bounds of all lots *next map*
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. ☒ Show existing or proposed easements *(note restrictions)*
20. ☒ Right of way width and Rights of Access and utility placement.
21. ☒ 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. ☒ Number of lots including residual lot.
24. ☐ Show any existing waterways, wetlands, ponds, lakes, streams, drainage courses within 200 feet of parcel boundaries. *N/A*
25. ☐ A note stating a road maintenance agreement is to be filed in the County Clerk's Office for private roads. *N/A*
26. ☒ Applicable note pertaining to owners review and concurrence.
27. ☒ Show any public improvements, i.e. drainage systems, water lines, sewer lines, etc.
28. ☒ 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. *N/A*

31. ☐ 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. *NA*
32. ☐ The amount of grading expected or known to be required to bring the site to readiness. *NA*
33. ☐ Estimated or known cubic yards of material to be excavated. *N/A*
34. ☐ Estimated or known cubic yards of fill required. *N/A*
35. ☐ The amount of grading expected or known to be required to bring the site to readiness. *N/A*
36. ☐ 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. *NA*
37. ☐ 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. *NA*
38. ☒ Planning Board approval block 4" x 2"
39. ☐ Special district boundaries, agricultural, school, fire, water, sewer, etc. ~~NA~~ *NA*
40. ☐ Sight distance of all intersections and driveways. ~~NA~~ *NA*
41. ☐ Ridgeline and steep slope notation. *NA*
42. ☐ Agricultural setbacks. *NA*
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.



By: [Signature]
Licensed Professional

3/25/22
Date

**Town of Marlborough Planning Board
Legal Notices for Public Hearing**

Public Hearings are generally held only on the first (1st) Monday of the Month.

Procedure for Legal Notices:

1. The Town of Marlborough Planning Board will schedule Public Hearings during a regularly scheduled meeting after approval for the Public Hearing has been granted.
2. Applicants are required to obtain surrounding property owner names and addresses from the Ulster County Parcel viewer for 500 feet from the parcel. See <https://ulstercountyny.gov/maps/parcel-viewer/>.
3. Applicants are required to send a Public Notice Letter, obtained from the Town of Marlborough Planning Board Office, via Certified Mail with Return Receipt to property owners no less than 10 days prior to Public Hearing.
4. The Town of Marlborough Planning Board Office will send notification to the Town's official newspaper.
5. All Certified Mail with Return Receipt receipts, in addition to a copy of the Ulster County Parcel viewer's listing of names and addresses, must be submitted at the Public Hearing.

Any questions regarding procedures should be directed to The Town of Marlborough Planning Board Office.

Phone: 845-795-6167

Email: marlboroughplanning@marlboroughny.us

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, DAVID & JULIE DUBOIS, residing at 209 PELKINSVILLE ROAD HIGHAMON NY 12528, make the following statements about interests in the real property which is the subject of this application, petition or request for a 3 LOT SUBDIVISION, before the PLANNING BOARD 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: _____

Date: _____

ACKNOWLEDGMENT

State of New York
County of:

On _____, before me personally appeared _____,
personally known to me or proved to me on the basis of satisfactory evidence to be the
individual(s) whose name(s) is/are subscribed to 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

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): DAVID & JILL DUBOIS

Applicant's Signature:  

Date: 3/25/22

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

Letter of Agent

I (We), _____ am (are) the owner(s) of a parcel of land located on _____ in the Town of Marlborough, Tax Map Designation: Section _____ Block _____ Lot _____.

I (We) hereby authorize _____ 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)

Signature

Date

Signature

Date

State Of New York}

County Of _____}

SS:

On the _____ day of _____ in the year _____ before me, the undersigned, a Notary Public in and for said State, personally appeared

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, 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 Public

Short Environmental Assessment Form

Part 1 - Project Information

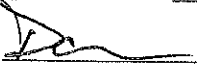
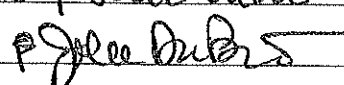
Instructions for Completing

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			
Name of Action or Project: DUBOIS SUBDIVISION			
Project Location (describe, and attach a location map): 228 MATHONEY ROAD MILTON NY 12547			
Brief Description of Proposed Action: 3 LOT SUBDIVISION			
Name of Applicant or Sponsor: DAVID & JOLEE DUBOIS		Telephone: 845-418-0419	
		E-Mail: daveadubois1965@gmail.com	
Address: 209 PERKINSVILLE ROAD			
City/PO: HIGHTLAND		State: NY	Zip Code: 12528
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 type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ 0 _____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>DAVID & JULIE DUBOIS</u> Date: <u>3/25/22</u>		
Signature: <u></u> <u></u> Title: <u>OWNERS</u>		

SCHEDULE "A" CONTINUED

PARCEL II

ALSO ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Marlborough, County of Ulster, and State of New York bounded and described as follows:

BEGINNING at a point, said point being on the boundary line between the Towns of Lloyd and Marlborough, and said point being the northeasterly corner of the lands of the grantors as described in a correction deed made by Ellen M. Eagen and Peter X. McManus, dated the 5th day of July, 1978, in Liber 1394 at page 617; and running thence along a stone wall marking the easterly bounds of the lands of the grantors, South 21° 15' 45" West 288.75 feet and South 19° 34' 00" West 372.60 feet to a point; thence still along the lands of the grantors South 61° 42' 00" East 131.30 feet and South 59° 17' 10" East 108.83 feet to a set chisel mark; thence still along the lands of said grantors South 3° 09' 00" East 66 feet; thence South 0° 08' 45" West 84 feet, South 15° 54' 30" West 32.25 feet and South 69° 48' 00" East 160.25 feet to an intersection of stonewalls; thence North 28° 23' 00" East along the lands now or formerly of Hudson Valley Farms to the Town line between the Town of Lloyd and the Town of Marlborough; thence along said Town line, northwesterly to the point or place of BEGINNING.

BEING and intended to be the same premises as conveyed by Deed dated December 29, 1992 from Leonard W. Schreiber aka Leonard J. Schreiber and Elva M. Schreiber husband and wife to David A. Schreiber said Deed having been recorded on Decemebr 30, 1992 in the Ulster County Clerk's Office in Liber 2238 of Deeds at Page 256.

SCHEDULE "A"

PARCEL I

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Marlborough, County of Ulster, and State of New York bounded and described as follows:

BEGINNING at a point in the center of Gabriety Road, said point being in range with a stone wall to the southeast, said point also being on the assumed town line between the Town of Lloyd and Marlboro; and running thence along said assumed line through a stone wall and along lands of Paladino South 46° 24' 25" East 629.52 feet, South 45° 22' 00" East 180.00 feet, South 49° 09' 30" East 190.50 feet, South 48° 00' 45" East 235.60 feet and South 48° 50' 00" East 280.50 feet to the intersection of a stone wall running to the south; thence following said wall South 21° 15' 45" West 288.75 feet, South 19° 34' 00" West 372.60 feet to a wall intersection; thence still following a wall South 61° 42' 00" East 131.30 feet, South 59° 17' 10" East 108.83 feet to a set chiseled cross at a bend in a wall; thence following a wall South 3° 09' 00" East 66.00 feet, South 0° 08' 45" West 84.00 feet, South 15° 54' 30" West 32.25 feet to a wall corner and South 69° 48' 00" East 160.25 feet to a wall intersection; thence along lands now or formerly of Rose and following a stone wall South 28° 23' 00" West 431.00 feet, South 27° 06' 30" West 488.50 feet, South 31° 02' 00" West 126.50 feet, South 20° 32' 00" West 87.00 feet and South 26° 23' 30" West 149.68 feet to a point in Mahoney Road; thence through Mahoney Road the following: North 12° 32' 00" West 29.00 feet, North 2° 09' 00" West 83.00 feet, North 6° 31' 00" West 70.00 feet, North 17° 35' 00" West 41.00 feet, North 36° 05' 00" West 61.00 feet, North 47° 37' 00" West 65.00 feet, North 51° 02' 00" West 183.00 feet, North 53° 00' 00" West 323.00 feet, North 51° 14' 00" West 338.00 feet, North 46° 24' 00" West 59.00 feet, North 32° 22' 30" West 57.00 feet, North 16° 12' 00" West 55.00 feet, North 8° 00' 00" West 242.00 feet, North 9° 42' 00" West 145.50 feet and North 18° 32' 10" West 65.42 feet to the intersection with Gabriety Road; thence through Gabriety Road the following: North 28° 44' 00" East 127.00 feet, North 24° 13' 00" East 252.50 feet, North 26° 41' 00" East 231.50 feet, North 23° 57' 00" East 91.00, North 18° 01' 00" East 74.00 feet, North 8° 02' 00" East 75.50 feet, North 0° 43' 00" East 106.00, North 3° 12' 30" West 102.00 feet, North 10 18' 00" West 154.00 feet, North 2° 02' 00" East 280.00 feet, North 1° 03' 00" East 115.50 feet and North 0° 13' 20" West 262.00 feet to the point or place of BEGINNING.

ALSO BEGINNING at a point, said point being at the intersection of Gabriety and Mahoney Roads; and running thence through Mahoney Road South 18° 32' 10" East 65.42 feet, South 9° 42' 00" East 145.50 feet, South 8° 00' 00" East 242.00 feet, South 16° 12' 00" East 55.00 feet and South 32° 22' 30" East 57.00 feet; thence leaving Mahoney Road and running through the assumed center line of Old Mahoney Road and along lands of H. Albinder North 48° 42' 00" West 364.00 feet to the assumed intersection with Old Gabriety Road; thence through the assumed center line of Old Gabriety Road North 25° 55' 00" East 340.00 feet to the point or place of BEGINNING.

Section _____, Block _____, Lot _____

Bargain and Sale Deed with Covenant against Grantor's Acts

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

THIS INDENTURE, made this 11th day of February, Two Thousand Twenty-Two

BETWEEN

David A. Schreiber, residing at 35 Cubbard Drive, Milton, New York 12547,

party of the first part, and

David A DuBois and Jolee A. Dubois, husband and wife, residing at 209 Perkinsville Road, Highland, New York 12528,

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 right, title and interest in and to:

SEE ATTACHED SCHEDULE A

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.

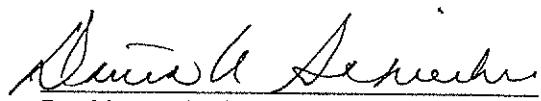
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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 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:


David A. Schreiber

STATE OF NEW YORK)

ss.:

COUNTY OF ULSTER)

On the 3rd day of January, 2022 before me, the undersigned, a Notary Public in and for said State, personally appeared David A. Schreiber, personally known to me or proved to me on the basis of satisfactory evidence to be

9
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 right, title and interest in and to:

SEE ATTACHED SCHEDULE A

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.

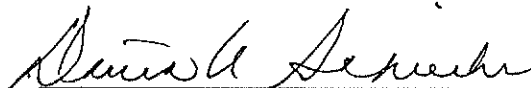
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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 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:



David A. Schreiber

STATE OF NEW YORK)

ss.:

COUNTY OF ULSTER)

On the 3rd day of January, 2022 before me, the undersigned, a Notary Public in and for said State, personally appeared **David A. Schreiber**, 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

DANIEL M. MARTUSCELLO
NOTARY PUBLIC, State of New York
Qualified in Ulster County
Commission Expires Sept. 30, 2022

R & R to: **Linda R. Fichera-Bartolotti, Esq.**
The Law Office of Linda R. Fichera-Bartolotti
35 Garden Street
Poughkeepsie, New York, 12601

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