

Town of Marlborough Planning Board Application

Application For:

(Check One)

Subdivision

☒

Site Plan

☐

Lot Line Revision

☐

Application Number: _____

Date of Submission: _____

Name of Project:

PROPOSED 4 LOT SUBDIVISION - 33-35 ORANGE ST. - LANDS OF NOTO

Location of Project:

33-35 ORANGE STREET

Tax Section Block and Lot:

108.12-4-1

Zoning District:

R

Number of Acres:

1.30

Sq. Footage of Building:

N/A

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

4 LOT SUBDIVISION

3 OF THE LOTS ARE PROPOSED DUPLEX DWELLINGS

1 OF THE LOTS AS A PROPOSED SINGLE FAMILY DWELLING

EMAIL:

heritagesurvey@hotmail.com

Name of Property Owner:

JOEL TRUNCALI

Address of Property Owner:

10 WYGANT ROAD

Telephone Number of Property Owner: _____

Name of Applicant:

KRIS NOTO

Address of Applicant:

44 PLATEAU ROAD, MARLBOROUGH NY 12542

Telephone Number of Applicant:

1 (845) 728-3945

Name of Surveyor: DARREN STRIDIRON HERITAGE LAND SURVEYING PC

Address of Surveyor: 155 PRESSLER ROAD, WALKILL NY 12589

Telephone Number of Surveyor: (845) 234-2310

Name of Engineer: DAVID FEENEY FEENEY ENGINEERING

Address of Engineer: 20 ALTA DRIVE, NEWBURGH, NY 12550

Telephone Number of Engineer (845) 590-5543

Name of Attorney: RUSK, WADLIN, HEPPNER & MARTUSCLO ULP

Address of Attorney: 1390 ROUTE 9W, MARLBORO NY 12542

Telephone Number of Attorney: (845) 236-4411

Reason For Application: SUBDIVISION OF A PARCEL WITH 1 DUPLEX INTO
4 LOTS FOR RESIDENTIAL USE.

Description of Proposal: PROPOSED LOT 1 & 2 (DUPLEX WITH 2 DRIVEWAYS
ONTO ORANGE STREET)

PROPOSED LOT 3 (DUPLEX WITH 1 DRIVEWAYS ONTO GRAND STREET)

PROPOSED LOT 4 (SINGLE FAMILY DWELLING WITH ONE DRIVEWAY
ONTO CHURCH STREET)

KRIS NOTO

Applicant's Name

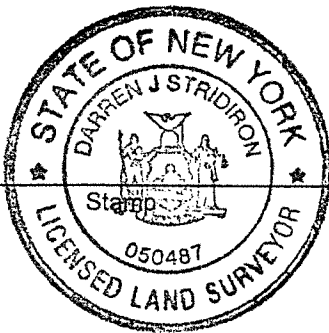
CHECKLIST FOR MAJOR/MINOR SUBDIVISION, SITE PLAN and/or LOT LINE REVISION

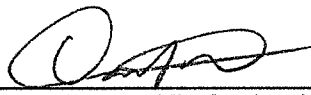
- I. The following items shall be submitted for a COMPLETED Planning Board Application Form.
1. ☒ Completed Application
 2. ☒ Environmental Assessment Form (*May be obtained from Planning Board*)
 3. ☒ Letter of Agent Statement
 4. ☒ Application Fee (*Separate check from escrow fee*)
 5. ☐ Escrow Fee (*Separate check from application fee*)
 6. ☒ Copy of deed
 7. ☒ Completed checklist (*Automatic rejection of application without checklist*)
 8. ☒ Agricultural Data Statement (*if applicable*)
 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
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.
25. ☒ 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. ☒ 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.

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



By: 
 Licensed Professional

8/30/22
 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, DARREN SMITHSON, residing at 155 PRESSLER RD, WILMINGTON MA
01897, make the following statements about interests in the
real property which is the subject of this application, petition or request for a 4 LOT SUBDIVISION
PLANNING BOARD, 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

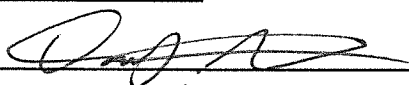
1. No person is a party to an agreement with an applicant, express or implied, or may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application; petition or request for the subject property is an officer or employee 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: 

Date: 11/9/22

ACKNOWLEDGMENT

State of New York

County of:

On 11/9/22, before me personally appeared Darren Stridiron 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



LOUISE ALICEA
Notary Public, State of New York
No. 01AL6376297
Qualified in Orange County
Commission Expires June 11, 2026

Planning Board Fees

(All Applications Subject To Escrow Fees)

Application Fees:

$$\$750 + \$600 = \$1350.00$$

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.)*

$$\$750 + \$600 = \$1350.00$$

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

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.

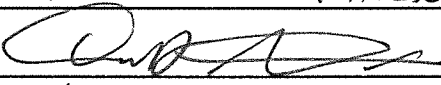
An approval by the Planning Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer or water. It is the applicant's responsibility to apply for and obtain Town of Marlborough and other agency approvals not within this Board's authority to grant.

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): DARREN STODINOW
Applicant's Signature: 
Date: 11/9/22

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

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			
LANDS OF NOTO - PROPOSED 4 LOT SUBDIVISION			
Name of Action or Project: 33-35 ORANGE STREET - MARLBORO, NY			
Project Location (describe, and attach a location map): INTERSECTION OF ORANGE STREET & CHURCH STREET			
Brief Description of Proposed Action: CURRENT LOT HAS 1 - DUPLEX PROPOSED 4 LOT SUBDIVISION - 2 MORE DUPLEX 1 SINGLE FAMILY DWELLING			
Name of Applicant or Sponsor: KRIS NOTO		Telephone: (845) 728-3945 E-Mail: noto.kris@yahoo.com	
Address: 44 PLATEKIA ROAD			
City/PO: MARLBOROUGH		State: NY	Zip Code: 12542
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☐ YES ☒
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: TOWN OF MARLBOROUGH PLANNING BOARD			NO ☐ YES ☒
3. a. Total acreage of the site of the proposed action?		1.23 acres	
b. Total acreage to be physically disturbed?		1.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.23 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other(Specify): FIREHOUSE ☐ Parkland			

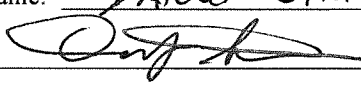
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
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?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
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: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
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	
	☐	☒	
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?	☐	☒	
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	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

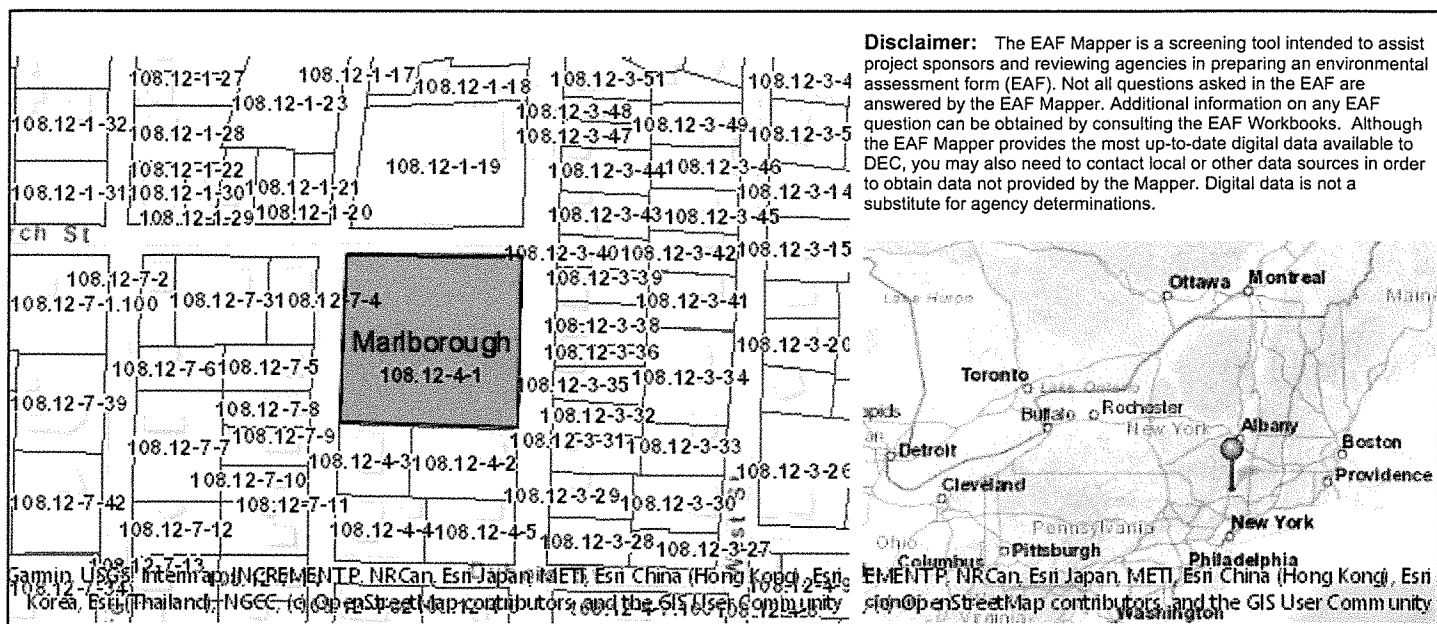
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☒	☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐

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
	☒	☐

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
	☒	☐

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
	☒	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>DAMEN STRIDNER</u> Date: <u>11/9/22</u> Signature: <u></u> Title: <u>LAND SURVEYOR</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



LOCATION MAP

SCALE: 1" = 800'

Ulster County
Nina Postupack
County Clerk
Kingston, NY 12401



60 2009 00009820

Instrument Number: 2009- 00009820

Recorded On: June 26, 2009 As
D01 - Deed

Parties: UNITED STATES POSTAL SERVICE

To
TRUNCALI JOEL

Billable Pages: 4

Recorded By: PRIME TITLE

Num Of Pages: 4

Comment:

**** Examined and Charged as Follows: ****

D01 - Deed	60.00	RP5217-250	250.00	Tax Affidavit TP 584	5.00
Recording Charge:	315.00				
	Amount	Consideration Amount	RS#/CS#		
Tax-Transfer	600.00	150,000.00	4080	Basic	0.00
MARLBOROUGH				Additional	0.00
				Special Additional	0.00
				Transfer	600.00
Tax Charge:	600.00				

**** THIS PAGE IS PART OF THE INSTRUMENT ****

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Ulster County,

File Information:

Document Number: 2009- 00009820
Receipt Number: 808451
Recorded Date/Time: June 26, 2009 09:07:27A
Book-Vol/Pg: Bk-D VI-4762 Pg-36
Cashier / Station: s smar / Cashier Workstation 6

Record and Return To:

GEORGE RUSK ESQ
RUSK WADLIN HEPPNER&MARTUSCELLO
PO BOX 727
MARLBORO NY 12542



Nina Postupack

Nina Postupack Ulster County Clerk

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

THIS INDENTURE, made this 22nd day of June, Two Thousand Nine

BETWEEN **UNITED STATES POSTAL SERVICE**, an independent establishment of the executive branch of the government of the United States, whose address is New York FSO, 2 Hudson Place, 5th Floor, Hoboken, NJ 07030-5502,
party of the first part, and

JOEL TRUNCALI, residing at 10 Wygant Road, Marlboro, NY 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,

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:

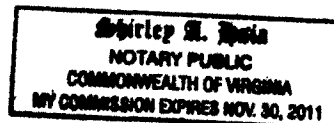
UNITED STATES POSTAL SERVICE

By: [Signature]
Name: STEPHEN C. ROTH
Title: MGR. REALTY ASSET & LEASE MGMT

STATE OF Virginia
COUNTY OF Arlington SS:

On the 22nd day of JUNE, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared STEPHEN C. ROTH, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]
Notary Public



R & R to: George Rusk, Esq.
Rusk Wadlin Heppner & Martuscello
PO Box 727
Marlboro, NY 12542

CHECKED OC
ENTERED SM
MARK/OFF _____

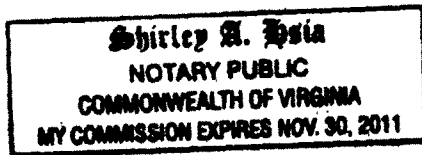
✓ Prime Title

(Premises: 1 Church Street a/k/a 7 Grand Street, Marlboro, NY)

Acknowledgement taken outside New York State

STATE OF VIRGINIA }
 }SS
COUNTY OF ARLINGTON }

On the ~~22~~ day of JUNE, in the year 2009, before me the undersigned, personally appeared Stephen Roth, 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 with the United States Postal Service, and that by his signature on the instrument, the entity on behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in the city and county of Arlington, state of Virginia.



A handwritten signature in cursive script, appearing to read "Shirley A. Hsia".

Notary Public

Schedule A

LEGAL DESCRIPTION

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

BEGINNING at a point formed by the intersection of the Westerly side of Grand Street with the southerly side of Church Street, (formerly North Street), said point the Northeasterly corner of the herein described parcel:

- (1) THENCE from said point of beginning along the Westerly side of Grand Street, South 14 degrees 55 minutes 21 seconds West, 223.74 feet to a point;
- (2) THENCE along the Northerly lines of lands of Thomas C. and Deborah A. Agnew, L. 1391 P 1134, and lands of Earl and Bernice McQuinton, L. 1109 P 519, and passing through a recovered bar, North 75 degrees 04 minutes 39 seconds West, 239.58 feet to a recovered bar on the Easterly side of Orange Street;
- (3) THENCE along the Easterly side of Orange Street, North 14 degrees 55 minutes 21 seconds East, 223.74 feet to a point formed by the intersection of the Easterly side of Orange Street with the southerly side of Church Street;
- (4) THENCE along the Southerly side of Church Street, South 75 degrees 04 minutes 39 seconds East, 239.58 feet to the point and place of beginning.

BEING the same premises as conveyed to United States Postal Service from Water Quality Management, Inc. in a deed dated April 8, 1999 and recorded April 20, 1999 in the Ulster County Clerk's Office in Liber 2913 Page 0243.
