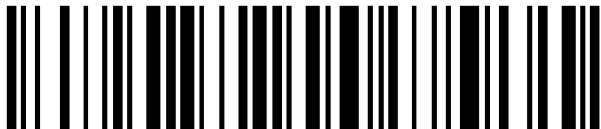




ULSTER COUNTY – STATE OF NEW YORK  
NINA POSTUPACK, COUNTY CLERK  
244 FAIR STREET, KINGSTON, NEW YORK 12401

COUNTY CLERK'S RECORDING PAGE

\*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



BOOK/PAGE: 7250 / 139  
INSTRUMENT #: 2023-8363

Receipt#: 2023053164  
Clerk: SM  
Rec Date: 07/26/2023 02:35:43 PM  
Doc Grp: D  
Descrip: DEED  
Num Pgs: 7  
Rec'd Frm: FIRST AMERICAN TITLE INSURANCE  
CO - NCS NEW YORK

Party1: KBAR ORCHARDS LLC  
Party2: MARLBOROUGH RESORT LLC  
Town: MARLBOROUGH

Recording:

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

Sub Total: 200.00

Transfer Tax  
Transfer Tax - State 3920.00

Sub Total: 3920.00

Total: 4120.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5821  
Transfer Tax  
Consideration: 980000.00

Transfer Tax - State 3920.00

Total: 3920.00

Record and Return To:

ELECTRONICALLY RECORDED BY SIMPLIFILE

WARNING\*\*\*

\*\*\* Information may be amended during the verification process, and may not be reflected on this cover page.

THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a (5) & 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

*Nina Postupack*  
Nina Postupack  
Ulster County Clerk

SBL: 102.4-2-29

First American Title  
Insurance Company  
666 Third Avenue, 5th Floor  
New York, N.Y. 10017  
Phone (212) 922-9700

1182332

**BARGAIN & SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS**

THIS INDENTURE, made the 24<sup>th</sup> day of July, Two Thousand and Twenty-Three

BETWEEN KBAR ORCHARDS, LLC, a New York limited liability company with an address of 5 Ashlyn Drive, Marlboro, New York 12542, party of the first part, and

MARLBOROUGH RESORT, LLC, a Delaware limited liability company with an address of 100 Ring Road West, Room 101, Garden City, New York 11530 party of the second part

**WITNESSETH**, that the party of the first part, in consideration of TEN AND 00/100 (\$10.00) DOLLARS, lawful money of the United States and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**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, and State of New York, being further bounded and described in Schedule A attached hereto.

**SUBJECT** to all covenants, easements and restrictions of record, if any, affecting said premises;

**BEING** and intended to be the same premises conveyed to the party of the first part in a certain deed dated July 24, 2013, by Martin Ridge, LLC and recorded in the office of the Ulster County Clerk in Liber 5634 of deeds at page 269 on August 23, 2013.

**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.

15

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:

*Deery*

By: *Kathleen G. Guarino*  
Name: Kathleen G. Guarino  
Title: President

STATE OF NEW YORK     )  
  ).ss:  
COUNTY OF Orange     )

On the 20<sup>th</sup> day of July, in the year 2023, before me, the undersigned, a Notary Public in and for the State, personally appeared **Kathleen G. Guarino** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

*Lorrie A. Turner*  
Notary Public

ADDRESS: 255 Ridge Road, Marlboro, New York 12542  
SBL: 102.4-2-29

LORRIE A. TURNER  
Notary Public, State of New York  
Qualified in Orange County  
No. 01TU6340483  
Commission Expires April 18, 2024

**RECORD & RETURN BY MAIL TO:**

Maureen Hannon, Esq.  
Akerman LLP  
1251 Avenue of the Americas  
37th Floor  
New York, NY 10020

## **SCHEDULE A**

### **Property Description**

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, KNOWN AS BLOOMER LOT NO. TWO, BOUNDED ON THE EAST BY LANDS OF F. VAIL AND J. KALEY, ON THE SOUTH BY LANDS OF FOSTER CLARK, ON THE WEST BY LANDS OF A. CHILLURA AND ON THE NORTH BY LANDS OF J. H. CLARKE. THE ABOVE DESCRIBED LAND SITUATE IN TOWN OF MARLBOROUGH, COUNTY OF ULSTER, STATE OF NEW YORK. ALL THAT PARCEL OF LAND KNOWN AS BLOOMER LOT NO. ONE, BOUNDED ON THE EAST BY LANDS OF F. VAIL, ON SOUTH BY LANDS THIS DAY CONVEYED TO HELEN C. TABER, ON WEST BY LANDS OF A. CHILLURA AND NORTH BY LANDS OF E. M. CLARKE. THE ABOVE DESCRIBED LAND SITUATE IN THE TOWN OF MARLBOROUGH, COUNTY OF ULSTER, STATE OF NEW YORK.

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE TOWN OF MARLBOROUGH, COUNTY OF ULSTER, AND STATE OF NEW YORK, BOUNDED AS FOLLOWS: VIZ:-

ON THE EAST BY LANDS OCCUPIED BY JAS. KALEY, ON THE SOUTH BY LANDS OF HEIRS OF EDW. DUBOIS; ON THE WEST BY LANDS FORMERLY OWNED BY C. D. BLOOMER AND ON THE NORTH BY LANDS OF SAID E. M. CLARKE.

THE SAME BEING KNOWN AS BLOOMER LOTS NOS. THREE AND FOUR, AND BEING THE SOUTHERN TWO FIFTHS OF THAT PIECE OF LAND, CONVEYED BY C. D. BLOOMER TO E. M. CLARKE OCTOBER 14, 1895 AND FULLY DESCRIBED AND RECORDED IN BOOK 329 OF DEEDS, PAGE 314 OF ULSTER COUNTY.

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF MARLBOROUGH, COUNTY OF ULSTER AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER OF TWO WALLS ON THE EAST SIDE OF A FARM ROAD BEING THE SOUTHWEST CORNER OF LANDS OF JAMES R. AND LEONARD M. CLARKE AND THE NORTHWEST CORNER OF THE LANDS HEREIN DESCRIBED; RUNNING THENCE ALONG A STONE WALL AND THE SOUTHERLY BOUNDS ON THE SAID JAMES R. AND LEONARD M. CLARKE AND PAUL MAXWELL SOUTH 68° EAST A DISTANCE OF 2065 FEET TO THE CENTER OF THE RIDGE ROAD;

THENCE ALONG THE CENTER OF THE SAID ROAD SOUTH 11° WEST A DISTANCE OF 210 FEET TO A POINT OPPOSITE THE EASTERLY END OF A WALL;

THENCE ALONG THE WALL AND LANDS OF THE SAID JOHN L. KALEY NORTH 76° 30' WEST A DISTANCE OF 665 FEET, SOUTH 16° 45' WEST A DISTANCE OF 382 FEET, NORTH 71° WEST A DISTANCE OF 190 FEET AND NORTH 78° 45' WEST A DISTANCE OF 846 FEET TO A WALL CORNER AT THE EAST SIDE OF THE FARM ROAD AFORESAID AND;

THENCE ALONG THE EASTERLY SIDE OF THE FARM ROAD NORTH 2° 30' WEST A DISTANCE OF 1117 FEET TO THE POINT OR PLACE OF BEGINNING.

ALL BEARINGS REFER TO THE MAGNETIC NORTH AS IN JUNE 1946.

Also Described As

ALL THAT PARCEL OF LAND SITUATE IN THE TOWN OF MARLBOROUGH, COUNTY OF ULSTER, AND STATE OF NEW YORK BEING THE PREMISES CONVEYED BY MARTIN RIDGE, LLC TO KBAR ORCHARDS, LLC AS RECORDED IN DEED LIBER 5634 AT PAGE 269, SAID PARCEL BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR FOUND SET ON THE WESTERLY SIDE OF RIDGE ROAD AT THE MOST NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND, SAID REBAR BEING ON THE DIVISION LINE WITH LANDS CONVEYED TO THOMAS DRAGISICS AS RECORDED IN DEED LIBER 6706 AT PAGE 168 AND DESIGNATED AS LOT 6 ON MAP #10-175 ON FILE WITH THE OFFICE OF THE ULSTER COUNTY CLERK, AND RUNNING THENCE ALONG THE WESTERLY SIDE OF RIDGE ROAD, SOUTH 04° 29' 21" EAST 216.15 FEET TO AN IRON PIPE FOUND SET ON THE DIVISION LINE WITH LANDS CONVEYED TO ANTHONY SANTELIA AND MADELINE ROCCHIO SANTELIA AS RECORDED IN DEED LIBER 3618 AT PAGE 283 AND DESIGNATED AS LOT 1 ON MAP #12293 ON FILE WITH THE OFFICE OF THE ULSTER COUNTY CLERK, THENCE ALONG THE DIVISION LINE WITH SAID LANDS OF SANTELIA AND GENERALLY ALONG A STONE WALL, NORTH 86° 57' 58" WEST 648.50 FEET TO A POINT, THENCE CONTINUING ALONG A STONE WALL AND LANDS OF SANTELIA, SOUTH 06° 31' 03" WEST 364.74 FEET TO A POINT IN A STONE WALL CORNER ON THE DIVISION LINE WITH LANDS CONVEYED TO ANTHONY SANTELIA AND MADELINE ROCCHIO SANTELIA AS RECORDED IN DEED LIBER 4163 AT PAGE 45 AND DESIGNATED AS LOT 3 ON MAP #04-589 ON FILE WITH THE OFFICE OF THE ULSTER COUNTY CLERK, THENCE ALONG THE DIVISION LINE WITH SAID LANDS OF SANTELIA AND ALONG A STONE WALL, NORTH 84° 05' 09" WEST 174.56 FEET TO A POINT IN THE STONE WALL, THENCE SOUTH 88° 01' 57" WEST 331.12 FEET TO A POINT IN THE STONE WALL, AND THENCE NORTH 89° 10' 55" WEST 515.20 FEET TO AN IRON PIPE FOUND SET IN THE STONE WALL CORNER, THENCE SOUTH 14° 24' 28" EAST 81.95 FEET TO A REBAR FOUND SET IN THE STONE WALL ON THE DIVISION LINE WITH LANDS CONVEYED TO HARLEY RIDGE, LLC AS RECORDED IN DEED LIBER 5456 AT PAGE 261, THENCE ALONG THE DIVISION LINE WITH SAID LANDS OF HARLEY RIDGE AND IN PART ALONG A STONE WALL, SOUTH 83° 57' 53" WEST 255.73 FEET TO A POINT IN THE STONE WALL, THENCE SOUTH 83° 48' 00" WEST 166.22 FEET TO A POINT IN THE STONE WALL AND THENCE SOUTH 82° 41' 39" WEST 580.32 FEET TO A POINT ON THE DIVISION LINE WITH LANDS CONVEYED TO GOOD FRIDAY, LLC AS RECORDED IN DEED LIBER 4936 AT PAGE 41, THENCE ALONG THE DIVISION LINE WITH SAID LANDS OF GOOD FRIDAY, LLC AND ALONG A STONE WALL THE FOLLOWING: NORTH 01° 52' 55" WEST 379.53 FEET TO A POINT IN THE STONE WALL, THENCE NORTH 02° 38' 44" WEST 72.98 FEET TO A POINT IN THE STONE WALL, THENCE NORTH 02° 38' 04" WEST 130.67 FEET TO A POINT IN THE STONE WALL, THENCE NORTH 04° 30' 43" WEST 86.28 FEET TO A POINT IN THE STONE WALL, THENCE NORTH 00° 55' 54" WEST 56.94 FEET TO A POINT IN THE STONE WALL, THENCE LEAVING THE STONE WALL AND RUNNING NORTH 35° 49' 39" WEST 537.90 FEET TO A POINT IN THE END OF ANOTHER STONE WALL, THENCE

ALONG SAID WALL NORTH 01° 00' 21" EAST 465.96 FEET TO A POINT IN A STONE WALL INTERSECTION ON THE DIVISION LINE WITH LANDS CONVEYED TO RICHARD A. AND LORRAINE FINO AS RECORDED IN DEED LIBER 6719 AT PAGE 188, THENCE ALONG THE DIVISION LINE WITH SAID LANDS OF FINO AND ALONG THE STONE WALL, NORTH 82° 35' 36" EAST 583.62 FEET TO A POINT IN A STONE WALL INTERSECTION ON THE DIVISION LINE WITH LANDS CONVEYED TO NORTH RIDGE ORCHARDS, LLC AS RECORDED IN DEED LIBER 5278 AT PAGE 281 AND DESIGNATED ON MAP #09-274 ON FILE WITH THE OFFICE OF THE ULSTER COUNTY CLERK, THENCE ALONG SAID DIVISION LINE AND ALONG THE STONE WALL, NORTH 82° 52' 40" EAST 297.42 FEET TO A POINT IN THE STONE WALL, AND THENCE NORTH 83° 56' 29" EAST 265.46 FEET TO A POINT ON THE EASTERLY SIDE OF A FARM LANE, BEING THE EASTERLY BOUNDS OF A RIGHT OF WAY OUT TO OLD INDIAN ROAD, ON THE DIVISION LINE WITH LANDS CONVEYED TO BRADLEY S. CLARKE AS RECORDED IN DEED LIBER 6725 AT PAGE 322, THENCE ALONG THE DIVISION LINE WITH SAID LANDS OF CLARKE AND ALONG THE EASTERLY SIDE OF A FARM LANE, SOUTH 10° 14' 58" WEST 515.26 FEET TO A POINT IN A STONE WALL CORNER, THENCE CONTINUING ALONG THE DIVISION LINE WITH SAID LANDS OF CLARKE AND ALONG A STONE WALL, SOUTH 74° 42' 16" EAST 383.98 FEET TO A POINT IN A STONE WALL INTERSECTION ON THE DIVISION LINE WITH LANDS CONVEYED TO NICHOLAS AND ANNA GALELLA AS RECORDED IN DEED LIBER 5207 AT PAGE 49 AND DESIGNATED AS LOT 1 ON MAP #20-279 ON FILE WITH THE OFFICE OF THE ULSTER COUNTY CLERK, THENCE IN PART ALONG THE DIVISION LINE WITH SAID LANDS OF GALELLA, IN PART ALONG THE DIVISION LINE WITH LANDS CONVEYED TO MICHAEL AND JENNA MANNING AS RECORDED IN DEED LIBER 6222 AT PAGE 131 AND DESIGNATED AS LOT 7 ON AFOREMENTIONED FILED MAP #10-175, AND IN PART ALONG THE DIVISION LINE WITH AFOREMENTIONED LANDS OF DRAGISICS, SAID LINE RUNNING GENERALLY AND IN PART ALONG A STONE WALL, SOUTH 74° 46' 04" EAST 1643.98 FEET TO THE PLACE OF BEGINNING.

BEARINGS ARE WITH REFERENCE TO NAD 83 STATE PLANE COORDINATE SYSTEM, NY NORTH EAST DATUM.

FOR COUNTY USE ONLY

Swis Code # 513600  
Date Deed Recorded 07/26/2023  
Bk # 7250 Pg # 139 Instr # 2023-8363

New York State Department of  
Taxation and Finance

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (8/10)

## PROPERTY INFORMATION

1. Property Location 255 Ridge Road  
\* STREET NUMBER \* STREET NAME  
Marlboro 12542  
\* CITY OR TOWN \* ZIP CODE

2. Buyer Name MARLBOROUGH RESORT, LLC  
\* LAST NAME/COMPANY FIRST NAME  
LAST NAME/COMPANY FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent  
if other than buyer address(at bottom of form) LAST NAME/COMPANY FIRST NAME  
STREET NUMBER AND NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel (Only if Part of a Parcel) Check as they apply:  
4A. Planning Board with Subdivision Authority Exists ☐  
4B. Subdivision Approval was Required for Transfer ☐  
4C. Parcel Approved for Subdivision with Map Provided ☐

5. Deed Property Size X 61.00  
\* FRONT FEET \* DEPTH \* ACRES

6. Seller Name KBAR ORCHARDS, LLC  
\* LAST NAME/COMPANY FIRST NAME  
LAST NAME/COMPANY FIRST NAME

\*7. Select the description which most accurately describes the use of the property at the time of sale:  
E. Agricultural

Check the boxes below as they apply:  
8. Ownership Type is Condominium ☐  
9. New Construction on a Vacant Land ☐  
10A. Property Located within an Agricultural District ☐  
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

## SALE INFORMATION

11. Sale Contract Date 07/18/2023  
\* 12. Date of Sale/Transfer 07/24/2023  
\*13. Full Sale Price 980,000.00  
(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale 0.00

15. Check one or more of these conditions as applicable to transfer:  
☐ A. Sale Between Relatives or Former Relatives  
☐ B. Sale between Related Companies or Partners in Business.  
☐ C. One of the Buyers is also a Seller  
☐ D. Buyer or Seller is Government Agency or Lending Institution  
☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)  
☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)  
☐ G. Significant Change in Property Between Taxable Status and Sale Dates  
☐ H. Sale of Business is included in Sale Price  
☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)  
☒ J. None

\*Comment(s) on Condition:

## ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YY) 23 \*17. Total Assessed Value 193,000  
\*18. Property Class 151 1 \*19. School District Name Marlboro  
\*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))  
102.4-2-29

## CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

## SELLER SIGNATURE

KBAR ORCHARDS, LLC  
by Katha G. Givans Pres 7/24/23  
SELLER SIGNATURE DATE

## BUYER SIGNATURE

BUYER SIGNATURE DATE 7/26/2023

## BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

Achenbaum Michael  
\* LAST NAME FIRST NAME  
(516) 248-4920  
\* AREA CODE \* TELEPHONE NUMBER (Ex: 9999999)  
100 Ridge Road West, Room 10  
\* STREET NUMBER \* STREET NAME  
Garden City NY 11530  
\* CITY OR TOWN \* STATE \* ZIP CODE

## BUYER'S ATTORNEY

Kornreich Ronald S.  
LAST NAME FIRST NAME  
(212) 259-6481  
AREA CODE TELEPHONE NUMBER (Ex: 9999999)

