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## Certificate and Acknowledgement

The undersigned applicant represents, warrants, covenants and agrees that it shall notify all successors, assigns, purchasers and transferees of applicant's interest in the subject property, or rights to develop the subject property, or membership interests in the applicant, of the deferral of the payment of the Recreation Fee in Lieu of Parkland and the delivery of the performance security for landscaping improvements and the conditions thereof and that it shall cause those conditions to be binding upon all such successors, assigns, purchasers and transferees.

The applicant agrees for itself and all successors, assigns, purchasers and transferees, that in the event of any failure to comply with any of terms and conditions of the deferral of payment of the Recreation Fee in Lieu of Parkland and the delivery of the performance security for landscaping improvements pursuant to the Town Board of the Town of Newburgh resolution dated July 15, 2009 by the applicant, its successors, assigns, purchasers or transferees, the Town of Newburgh, in addition to all other remedies, shall be entitled to (a) issue a stop work order for any and all work commenced on the Subject Property and (b) withhold or revoke any and all building permits issued for the Subject Property.

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\_\_\_\_\_, Applicant



STATE OF NEW YORK :  
 :SS.:  
COUNTY OF \_\_\_\_\_:

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year  
\_\_\_\_\_ before me personally came \_\_\_\_\_, to me  
known, who, being by me duly sworn, did depose and say that he/she/they  
reside(s) in \_\_\_\_\_ (if the place of residence is in a city, include the  
street and street number, if any, thereof); that he/she/they (is)(are) the (president  
or other officer or director or attorney in fact duly appointed) of the  
\_\_\_\_\_ (name of corporation), the corporation described in and  
which executed the above instrument; that he/she/they know(s) the seal of said  
corporation; that the seal affixed to said instrument is such corporate seal; that it  
was so affixed by authority of the board of directors of said corporation, and that  
he/she/they signed his/her/their name(s) thereto by like authority

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Notary Public

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