

89-1-19.22

(3)

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

(This Page is Part of the Instrument)

91-1588

ALEX NICHOLS and PATRICK MULHOLLAND

SECTION 89 BLOCK 1 LOT 19.93

NEWBURGH PARK ASSOCIATES, INC.

RECORD AND RETURN TO:

John J. Basso, Esq.
Spiegel, Pergament, Brown & Basso
272 Mill Street, P.O. Box 831
Poughkeepsie, New York 12602

CONTROL NO. 54692 DATE 12/31/91 CHECK CASH CHARGE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

- IG20 Blooming Grove _____
- JH22 Chester _____
- JO24 Cornwall _____
- JR26 Crawford _____
- JP28 Deerpark _____
- JO30 Goshen _____
- JR32 Graonville _____
- 4A34 Hamptonburgh _____
- 4H36 Highland _____
- 4K38 Minisink _____
- 4E40 Monroe _____
- MY42 Montgomery _____
- MH44 Mount Hope _____
- NT48 Newburgh (T)
- NW48 Nw Windsor _____
- TU50 Tuxedo _____
- WLS2 Walkill _____
- WK54 Warwick _____
- WA56 Wawayanda _____
- WO58 Woodbury _____
- MN09 Middletown _____
- NC11 Newburgh _____
- PJ13 Port Jervis _____
- 9999 Held _____

RECEIVED
 \$ 70
 REAL ESTATE
 TRANSFER TAX
 ORANGE COUNTY

ORANGE COUNTY CLERK'S OFFICE S.S.
 Recorded on the 11th day of May
 19 92 at 12:00
 O'Clock P.M. in Liber 3600 deals
 at page 186 and examined.
Marion S. Murphy
 County Clerk

Mortgage Amount _____
 Exempt Yes _____ No _____
 Received Tax on above Mortgage
 Basic \$ _____
 MTA \$ _____
 Spec. Add. \$ _____
 TOTAL \$ _____
 MARIÓN S. MURPHY
 Orange County Clerk
 by: _____

Kurtin
 MORTGAGE TAX \$ _____
 TRANSFER TAX \$ 70-
 SERIAL NO. _____
 RECORD. FEE \$ 15-
 REPORT FORMS \$ 30-
 CERT. COPIES \$ _____
 LIBER 3600 PAGE 186

KAR-VIN ABSTRACT CORP.
 279 Quasselok Avenue
 New Windsor, N.Y. 12553
 (914) 562-2622 FAX (914) 565-8737

917308
 REC 05/11/92 12:00:27 21571 47.00

***** EDUCATION FUND: 5.00 *****
 DEED CONTROL NO: 54692 70.00 &
 ***** SERIAL NUMBER: 006149 *****

3600/186

Zoning Board of Appeals
 MAR 10 2022
 Town of Newburgh

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

THIS INDENTURE, made the 31st day of December, nineteen hundred and Ninety One BETWEEN

ALEX NICHOLS, residing at 62 Hegemena Lane, Long Island, New York,

-AND-

PATRICK MULHOLLAND, residing at 577 Grandview Road, Glenham, New York,

party of the first part, and

NEWBURGH PARK ASSOCIATES, INC., Drury Lane, RD #1, Rock Tavern, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

dollars,

lawful money of the United States,

paid

by the party of the second part, does hereby grant and release unto the party of the first 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

ALL that certain lot, piece or parcel of land situate in the Town of Newburgh in the County of Orange and State of New York, being the farm whereof Robert Beattie, late of the said Town of Newburgh, died, seized and possessed and is bounded and described as follows: On the north by lands now or formerly of James Waugh; on the East by lands now or formerly of John Robinson; on the South by lands now or formerly of John B. Kernochan; on the West by lands now or formerly of James M. Arnett and George Ormston, containing one hundred and forty acres of land, be the same, more or less.

EXCEPTING AND RESERVING however, from the said farm of lands all that part or portion thereof constituting parcel No. 408 of the Board of Water Supply of the City of New York, on the right of way for the Catskill Aqueduct, said excepted portion containing about 21.985 acres of land, more or less.

ALSO, EXCEPTING AND RESERVING from the said farm all that certain lot, piece or parcel of land situate in the Town of Newburgh, in the County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point in the south line of lands of McGibbon at the point where the east line of the Catskill Aqueduct property intersects the same (at a concrete fence post) and running thence easterly along the south line of said McGibbon lands about 321 feet to the center of a stone wall fence at an angle in the line of the said McGibbon lands; thence southerly along the westerly line of said McGibbon lands, being the center line of a stone wall fence about 380 feet to a point in the east line of the said Catskill Aqueduct property at another concrete fence post; and thence northerly along the easterly line of the said Catskill Aqueduct property about 556 feet to the point or place of beginning, containing all within said bounds.

3600/186

TOGETHER with such right of way as the party of the first part has from the property herein described over and across said Catskill Aqueduct property to the public highway such right of way being located near the north end of the course last above described.

EXCEPTING AND RESERVING the lands and premises described in a deed from Frank Agor, Jr. and Fannie Clara Agor, to Andrew C. Smith and Mildred Smith, dated May 24, 1945 and recorded in the Orange County Clerk's Office on May 26, 1945 in Liber 958 of Deeds at page 572; and also in a deed from Frank Agor, Jr. and Fannie Clara Agor, to Arthur Douglas Agor and Doris May Agor, dated May 24, 1945 and recorded in the Orange County Clerk's Office on May 26, 1945 in Liber 958 of Deeds at page 575, and reference is made to the record of said deeds for a complete description thereof.

EXCEPTING AND RESERVING therefrom all those certain premises described in the following deeds; (1) George Huiss and Viola Huiss, his wife, to the County of Orange, dated September 19, 1952 and recorded in the Orange County Clerk's Office on September 22, 1952 in Liber 1244 of Deeds at Page 233, (2) George Huiss and Viola Huiss, his wife, to William J. Heitzman and Rosalie E. Heitzman, his wife, dated July 11, 1955 and recorded in the Orange County Clerk's Office on July 18, 1955 in Liber 1354 of Deeds at page 138, (3) George Huiss and Viola Huiss, his wife, to Robert Paul Mazzarella and Carole H. Clarkson, as joint tenants with the right of survivorship, dated May 10, 1965 and recorded in the Orange County Clerk's Office on May 26, 1965 in Liber 1713 of Deeds at page 542, (4) George Huiss and Viola Huiss, his wife, to George Huiss, Jr. and John R. Horton, Jr., dated July 13, 1972 and recorded in the Orange County Clerk's Office on July 17, 1972 in Liber 1912 of Deeds at page 654, and (5) George Huiss and Viola Huiss, his wife, to Carole H. Mazzarella, dated April 23, 1973 and recorded in the Orange County Clerk's Office on April 26, 1973 in Liber 1940 of Deeds at page 461.

FURTHER EXCEPTING any premises taken by the State of New York by virtue of Notices of Appropriation recorded in the Orange County Clerk's Office in the following libers and pages; 1867/462; 1788/99; 1788/100; 1885/1065; and 1897/128, and subject to oil and gas leases recorded in Liber 2057, page 1134 and Liber 2216, page 570.

BEING same premises conveyed to Patrick Mulholand and Alex Nichols, by deed from George and Viola Huiss, dated December 17, 1964 and recorded in the Orange County Clerk's Office on December 20, 1964 in Liber 2309 of Deeds at page 804.

LIBER 3600 PAGE 186

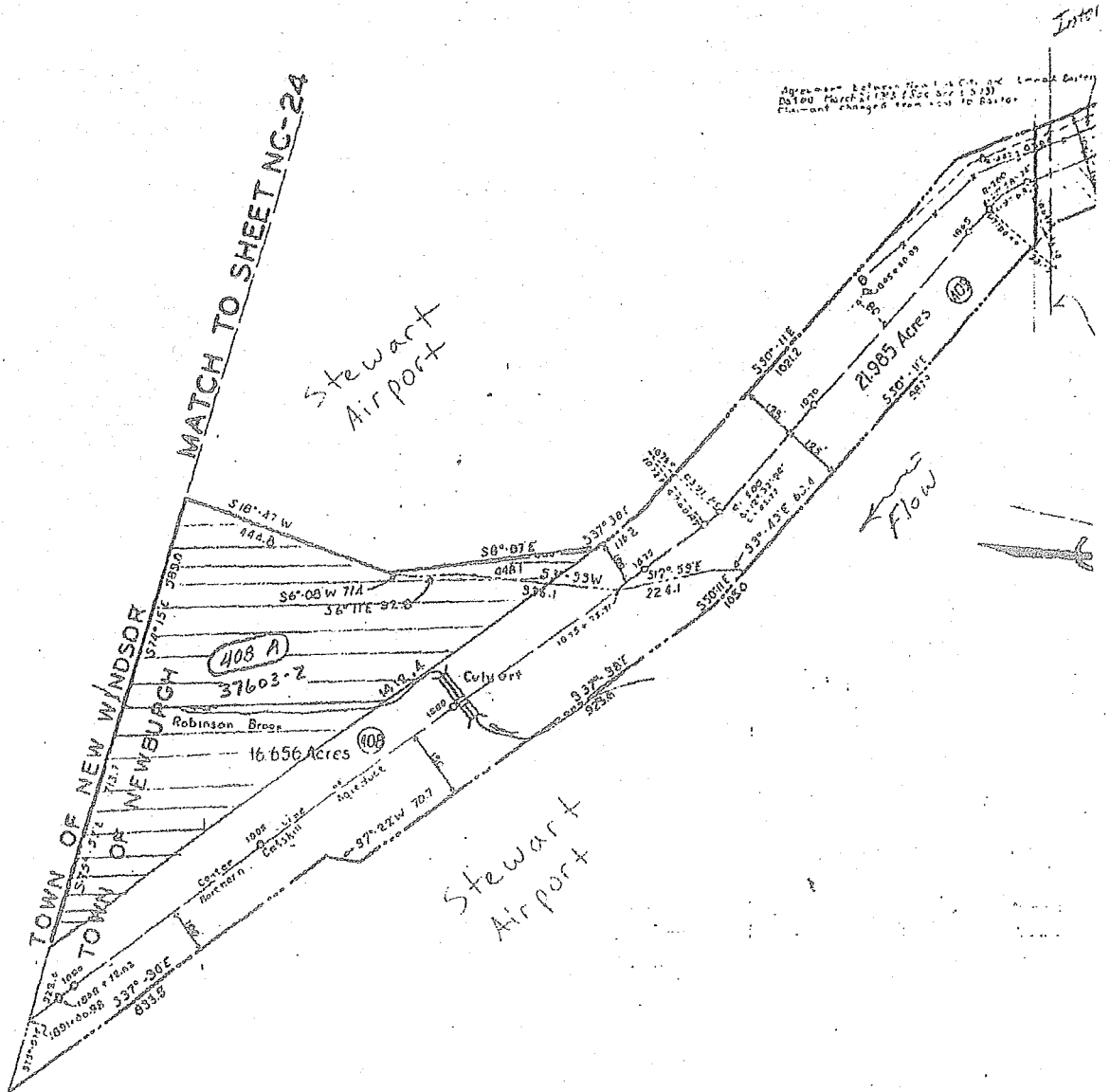
3600/186

PARCELS TAKEN

NO.	NAME	TAKING MAP NUMBER	TAKING MAP DATE	TITLE FILED	REC'D OR FILED	LIB.	PG.	DESCRIPTION		AREA	
								BOOK PAGE	BOOK PAGE	TAKEN	RELEASED/RETAINED
408	Nancy J. Robinson			12/17/09	5/11/09			NAB-6	31	16.656	
409	William G. Ross			6/15/08	1/15/09			NAB-6	29	21.385	
294	Charles Baxter							NAB-4	2200	3.549	
295	William C. Loeff							NAB-6	19	6.528	

PARCELS RELEASED

NO.	YEAR	SINK FUND MIN.	RELEASE MAP NO.	AREA	NO.	YEAR	SINK FUND MIN.	RELEASE MAP NO.	AREA



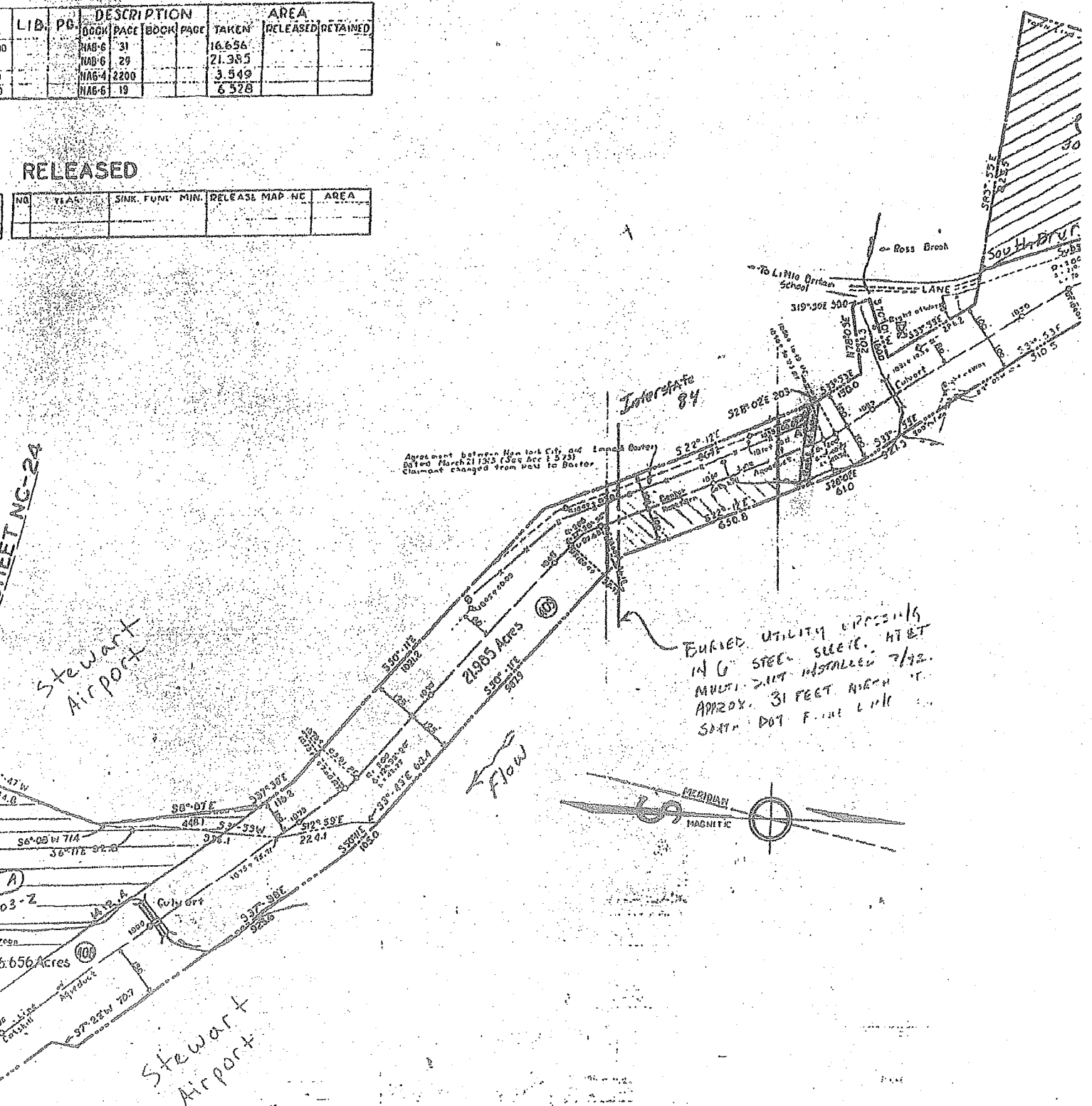
S TAKEN

LIB.	PG.	DESCRIPTION		AREA	
		BOOK	PAGE	TAKEN	RELEASED/RETAINED
		NAB-6	31	16.656	
		NAB-6	29	21.385	
		NAB-4	2200	3.549	
		NAB-6	19	6.528	

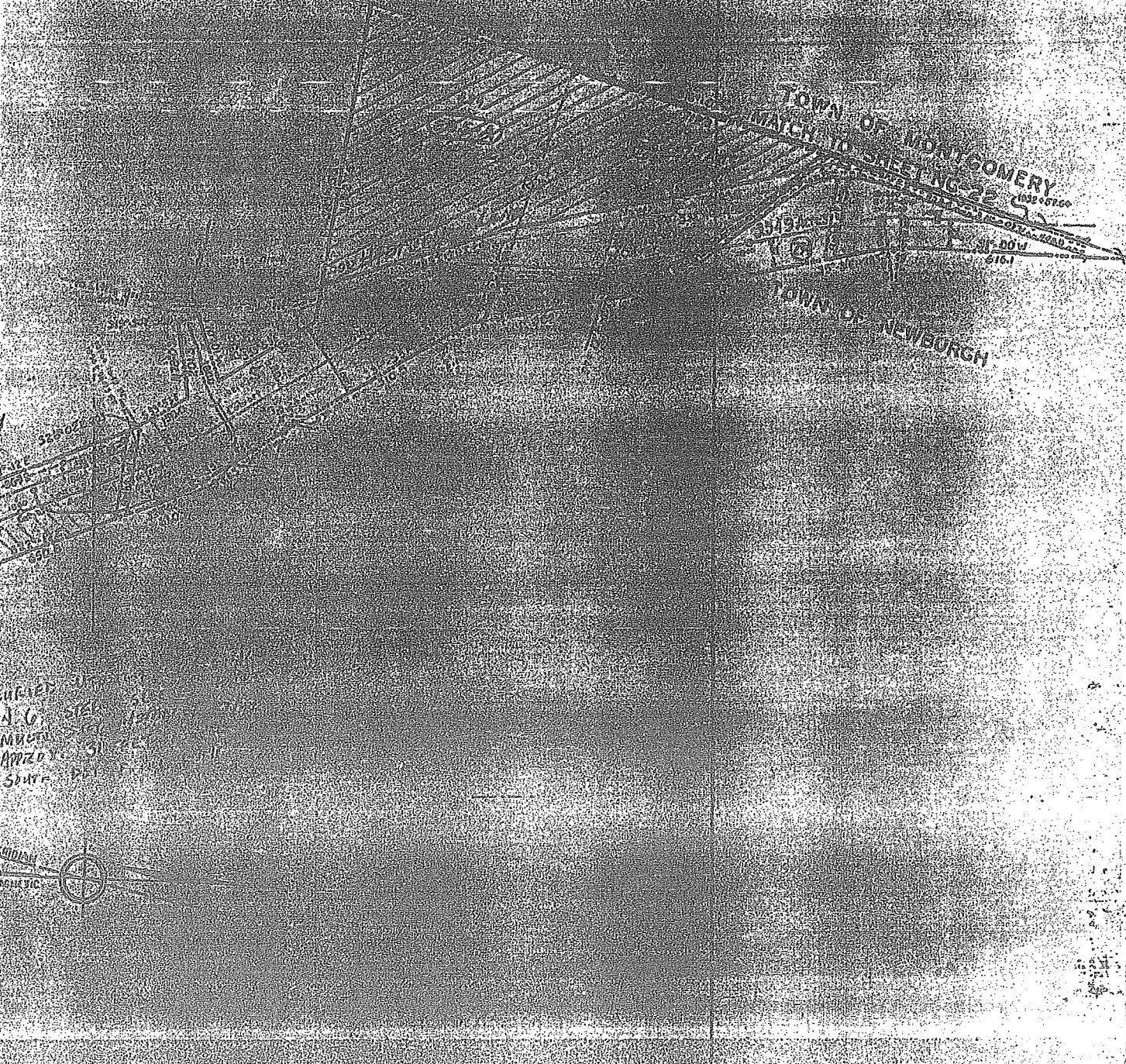
RELEASED

NO.	YEAR	SINK FUND MIN.	RELEASE MAP NO.	AREA

SHEET NC-24



NORTHERN CATSKILL AQUEDUCT



CITY OF MONTGOMERY
SHEET NO. 32

TOWN OF NEWBURGH

APPROVED
A. G. STEWART
MAYOR



CITY OF NEW YORK
DEPARTMENT OF WATER SUPPLY, GAS & ELECTRICITY
TOWN OF NEWBURGH
SCHOOL DIST. NO. 10
COUNTY OF ORANGE

221

point of same; thence the following courses and distances: S. 50° 11' E. 105 feet, S. 37° 33' E. 925.6 feet, S. 7° 22' W. 70.7 feet and S. 37° 33' E. 833.5 feet to the point or place of beginning, containing 16.656 acres. 192

~~WARRANT OF SEIZURE~~

~~Warrant of G. Ross Clamant~~

All that certain piece or parcel of real estate situated in the Town of Newburg, County of Orange and State of New York, designated on the map hereinbefore referred to as Parcel Number 409, which said parcel is described as follows: 193

Beginning at the most northerly point of Parcel No. 408, and running thence partly along the westerly line of said parcel the following courses and distances: S. 3° 43' E. 60.4 feet, S. 12° 59' E. 224.1 feet, S. 3° 55' W. 830.1 feet, S. 6° 11' E. 92.5 feet and S. 6° 08' W. 71.4 feet; thence the following courses and distances: N. 8° 07' W. 448.1 feet, N. 37° 38' W. 116.2 feet, N. 50° 11' W. 1021.2 feet, N. 22° 12' W. 307.2 feet, N. 28° 12' W. 20.3 feet, N. 33° 53' W. 150. feet, S. 78° 03' W. 204.3 feet, N. 19° 50' W. 50. feet, N. 70° 10' E. 180. feet, N. 33° 53' W. 286.2 feet and N. 33° 53' W. 825.5 feet, crossing Drury Lane (leading from Little Britain to St. Andrew) to a point in the line between the Towns of Montgomery and Newburg; thence along said town line N. 16° 07' E. 550 feet, to the southwest corner of Parcel No. 295 of Real Estate Section, No. 6, Northern

Product Department (the map of which section was filed in the office of the County Clerk of the County of Orange, at Cochen, New York, on the 15th day of June, 1908): thence along the southerly line of said parcel, S. 73° 54' E. 646 feet, recrossing before-mentioned Drury Lane, to the southeast corner of said parcel; thence the following courses and distances: S. 12° 01' E. 44.4 feet, S. 33° 53' E. 510.5 feet, S. 22° 06' W. 10.4 feet, S. 69° 06'

194
195

196

196 E. 10.6 feet S. 33° 53' E. 321.5 feet S. 28° 02' E. 61 feet S. 22° 12' E. 650.8 feet and S. 50° 11' E. 087.9 feet to the point or place of beginning: containing 21.985 acres.

The greatest width of the proposed taking along the line of the aqueduct is 950 feet, which occurs across Parcels 373 and 374.

197 The least width of the said taking is 50 feet, which occurs across Parcels 370 to 373, both inclusive, and 375 to 382, both inclusive.

The fee of all the real state shown on said map is to be acquired by The City of New York, designated as Parcels 370 to 409, both inclusive, except Parcel No. 384, colored dark blue on said map, in which a perpetual easement is to be acquired, being the right to construct and forever maintain the aqueduct and its appurtenances as provided for by said act and the acts amendatory thereof and relating thereto on, over or through said parcel.

198 Reference is hereby made to the said map, filed as aforesaid in the office of the County Clerk of the County of Orange for a more detailed description of the real estate to be acquired as above stated.

The Board of Water Supply further shows to the Court and alleges that it has taken all the steps and discharged all the duties imposed upon said Board of Water Supply to entitle the petitioner to the relief prayed for.

199 Wherefore, the Board of Water Supply, for and on behalf of The City of New York and for the purpose of vesting the fee in said City of all parcels, with the exception of Parcel Number 384, in which a permanent easement is to be acquired, prays this Honorable Court to make an order for the appointment of three disinterested and competent freeholders, at least one of whom shall reside in the County of New York, and one of whom shall reside in the County of Orange, Commissioners of Appraisal to ascertain

made to the owner of estate laid down or affected for the purpose and discharge all Commissioners of Appraisal amendatory thereof.

And your petition in said order appointing and place of the freeholders grant such other relief as may be just.

Dated March

Bo.

praisal to ascertain and appraise the compensation to be 200
 made to the owners or any persons interested in the real
 estate laid down on said maps as proposed to be taken or
 affected for the purposes indicated in said act to exercise
 and discharge all the powers and duties conferred upon
 Commissioners of Appraisal by said act or the act
 amendatory thereof or relating thereto.

And your petitioner further prays that the Court shall
 in said order appointing said Commissioners fix the time
 and place of the first meeting of said Commissioners and 201
 grant such other and further relief as may be just.

Dated March 22, 1909.

BOARD OF WATER SUPPLY OF THE CITY OF
 NEW YORK.

By CHARLES A. SLEAW
 Commissioner.

Case 15 Dr. 41 Acres E 25.4 revised from Acc. No. NN 443

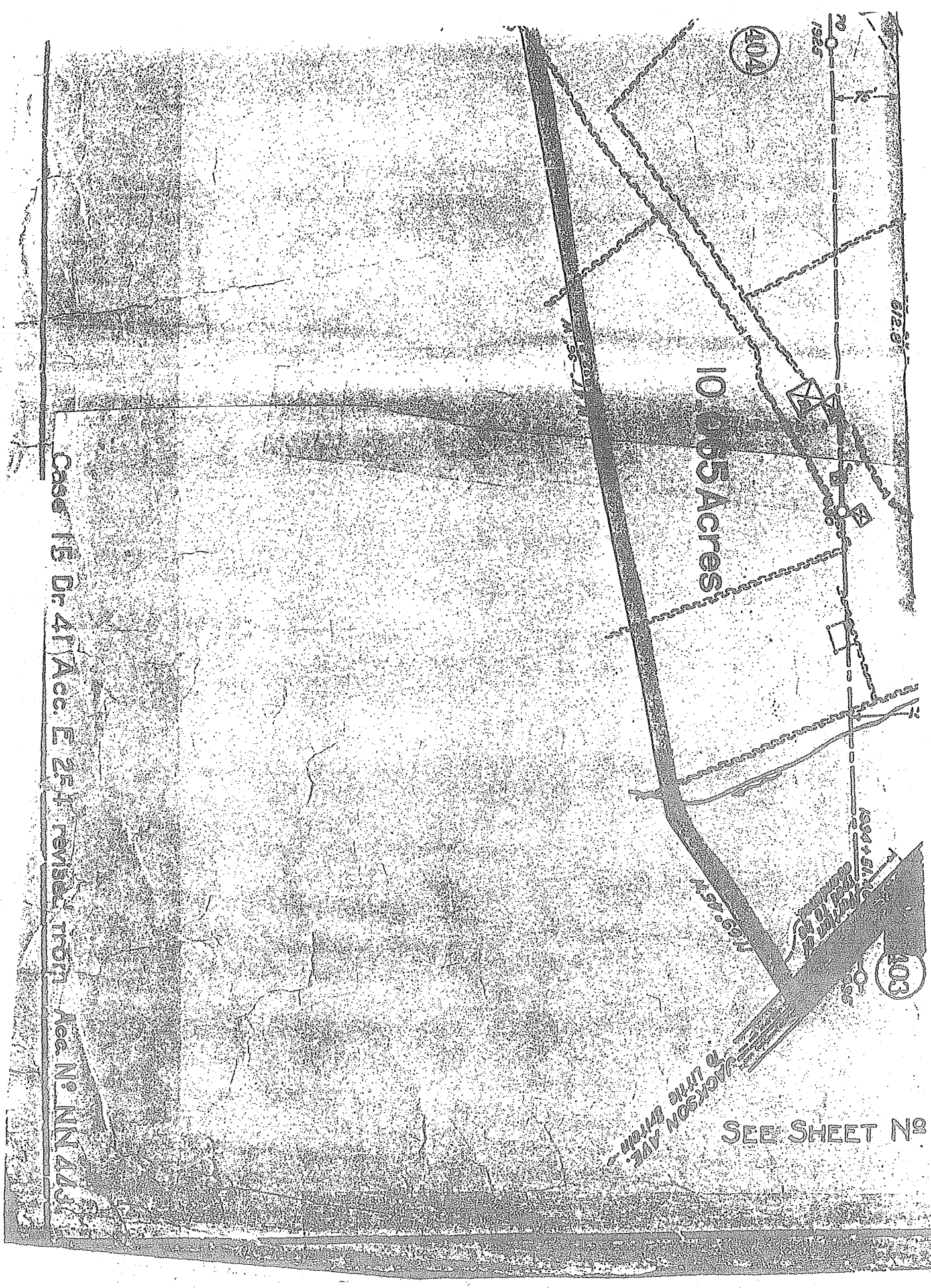
10.65 Acres

404

403

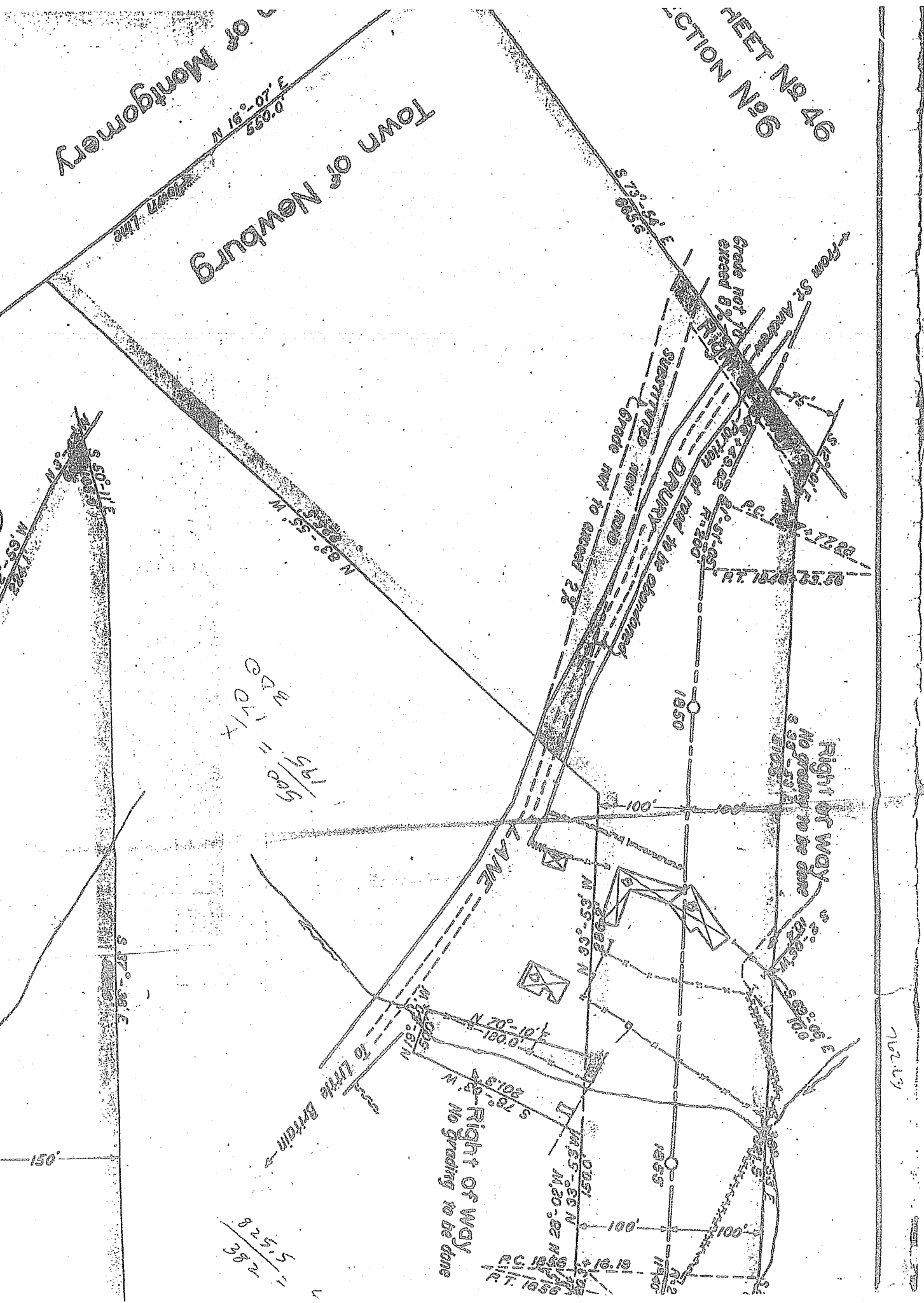
SEE SHEET No

JACKSON AVE.
to LINE BRIDGE



SHEET No 46
SECTION No 6

Town of Newburg
Town Line
N 16°-07' E
550.0



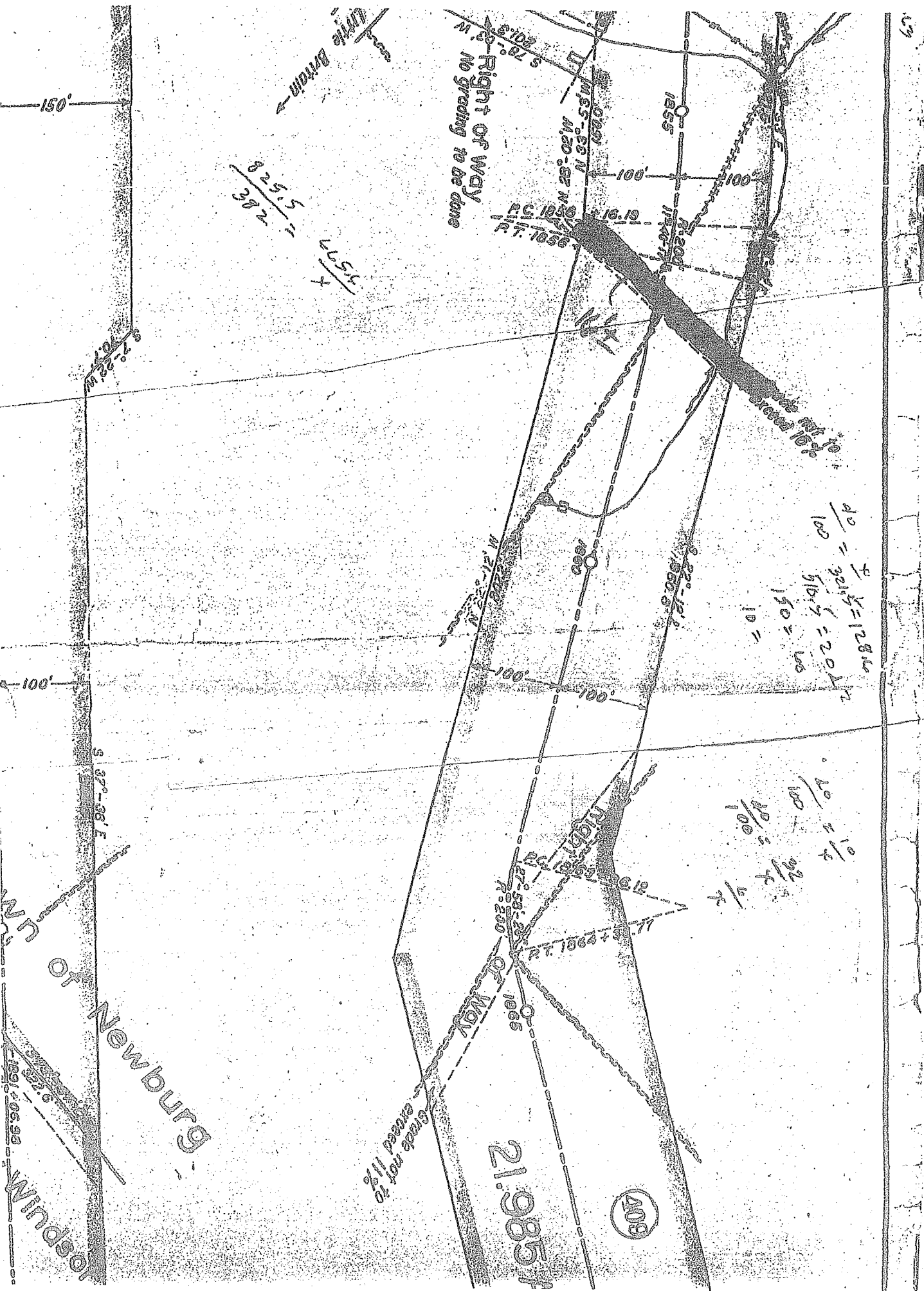
G.A.V. = 1/25

Right of Way
No grading to be done

Right of Way
No grading to be done

5.5.11
2.8
8.3

112.49



Right of Way
No grading to be done

$$\frac{825.5}{2.82} = 292.7$$

$$\frac{100}{100} = \frac{321.5}{515.5} = 2.0 \Delta$$

$$150 = 100$$

$$\frac{100}{100} = \frac{100}{100} = 1$$

21.9851

409

Grade not to exceed 11%

WIND of Newburg

150'

100'

1091' 05.93

10.7

S 87°-38' E

WIND

WIND

Little Britain

M. 21°-22' N

M. 27°-58' E

M. 55°-58' N

M. 20°-52' N

M. 7°-16' 56"

1855

1860

1865

16.18

6.12

6.77

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

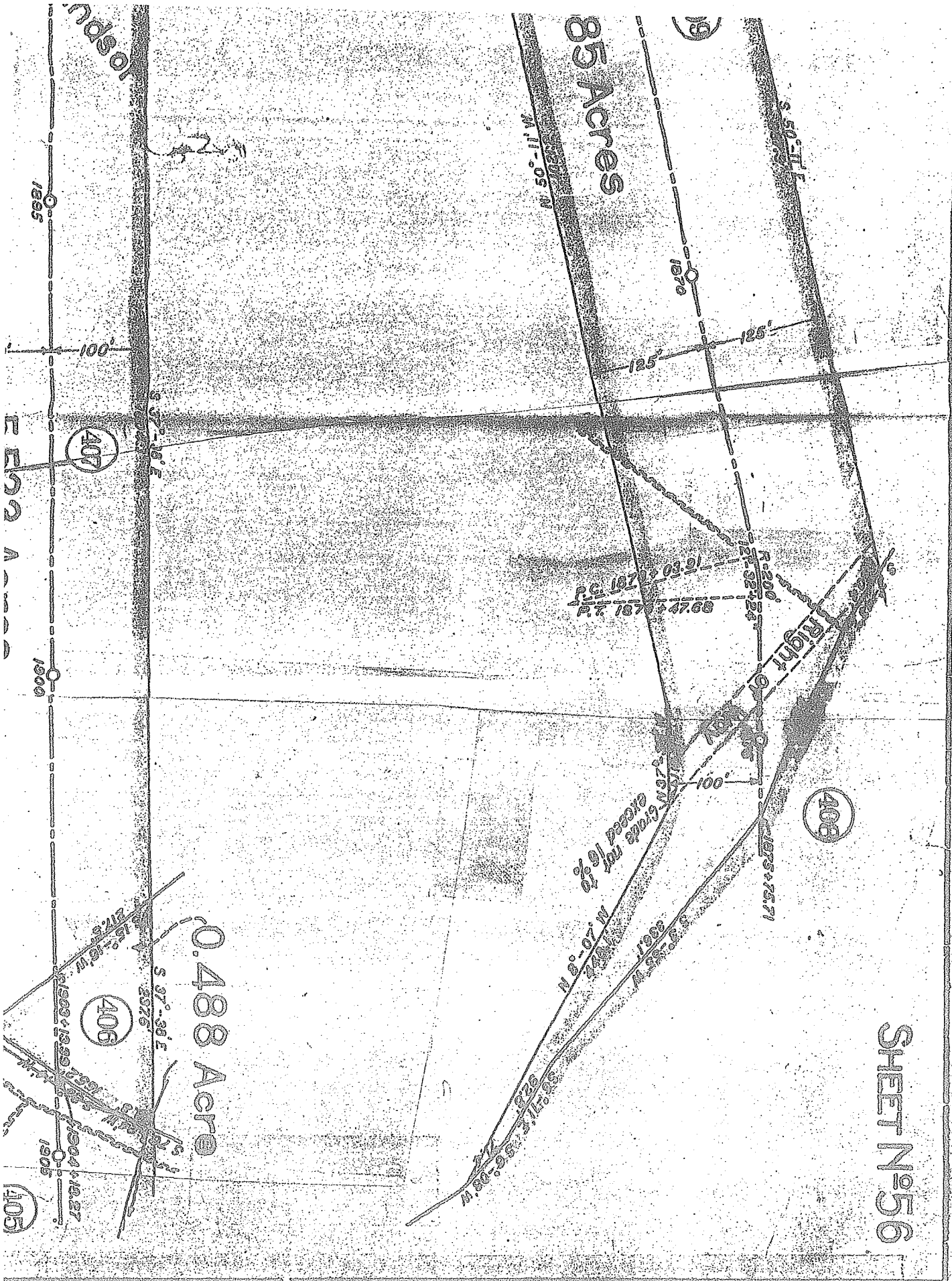
100'

100'

SHEET N^o 56

85 Acres

0.488 Acre



SURVEY NOTES ON FILE AT NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGIONAL OFFICE NO. 8 LOCATED AT POUGHKEEPSIE, N.Y.

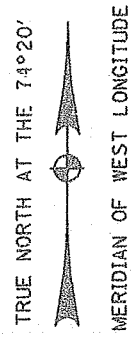
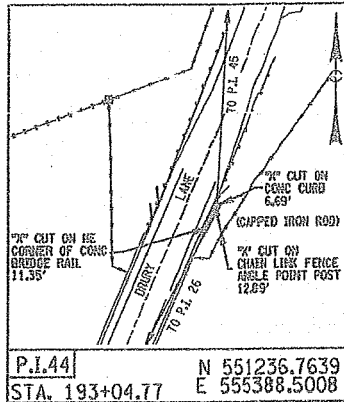
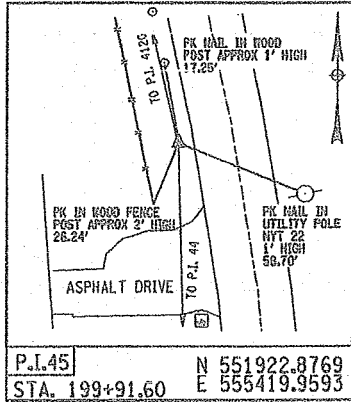
TRN 5

REF: SHOWN ON MAP OF THE NORTHERN CATSKILL AQUEDUCT,
CITY OF NEW YORK DEPARTMENT OF WATER SUPPLY, GAS &
ELECTRICITY PROPERTY IN TOWN OF NEWBURGH, COUNTY OF ORANGE
SHEET NO. NC-23
DATED 1940

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

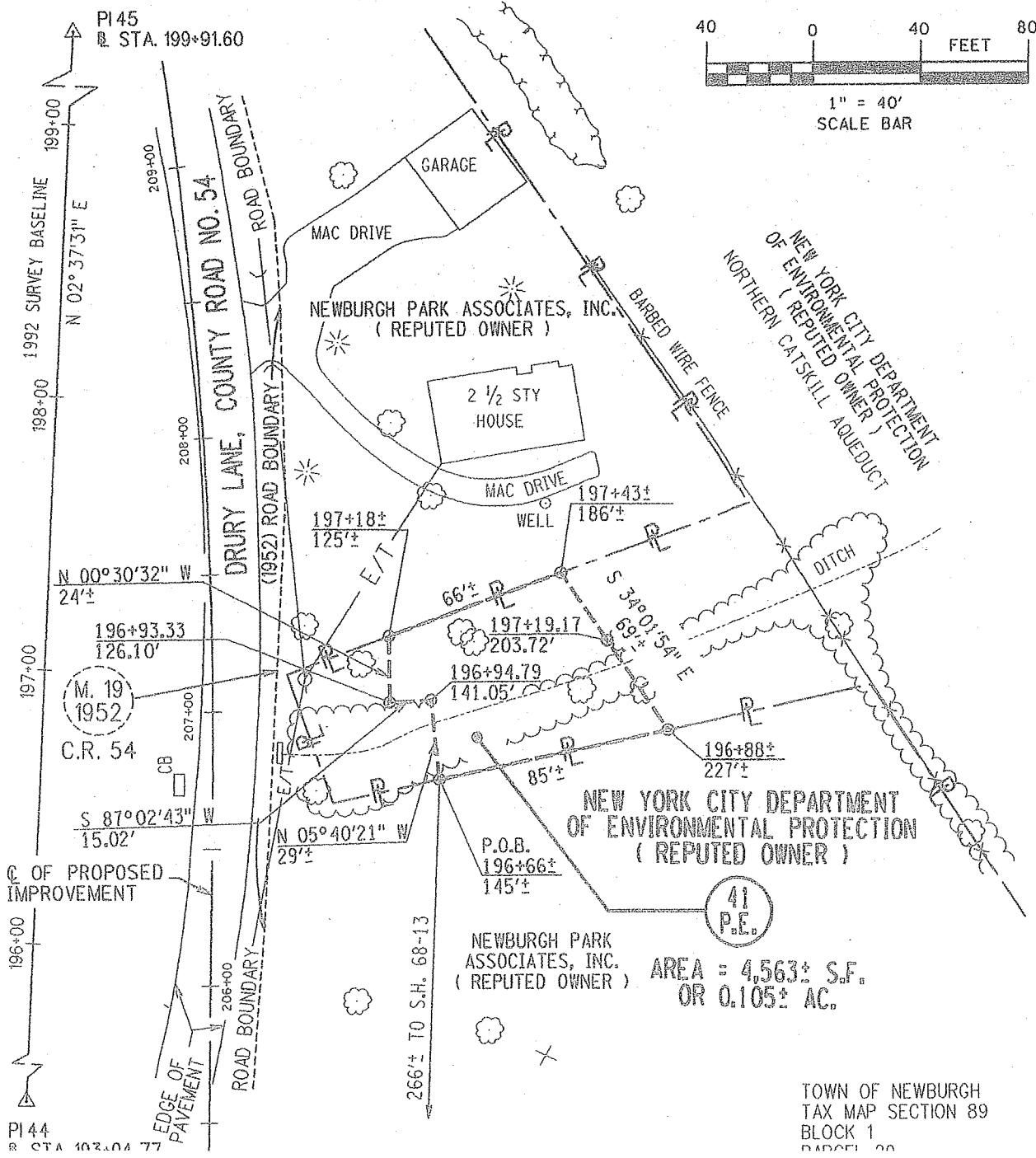
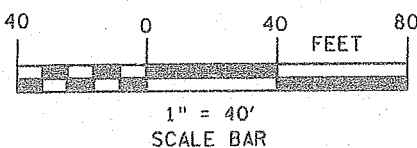
(Reputed Owner)

ZONE: NY EAST
DATUM: NAD 27
PLP: N 551590.8616
E 555550.1476



P.I.45 N 551922.8769
STA. 199+91.60 E 555419.9593

P.I.44 N 551236.7639
STA. 193+04.77 E 555388.5008



NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION (Reputed Owner)

PERMANENT EASEMENT FOR DRAINAGE DITCH AND STRUCTURES AND FOR ACCESS ROAD

A permanent easement to be exercised in, on, and over the property above delineated and hereinafter described for the purpose of constructing, reconstructing and maintaining thereon a drainage ditch and drainage structures, together with appurtenances and also for the purpose of constructing, reconstructing and maintaining thereon an access road and appurtenances. Such easement shall be exercised in and to all that piece or parcel of property hereinafter designated as Parcel No. 41, being a portion of Section 89, Block 1, Parcel 20, as shown on the Official Tax Map dated June 20, 1967 and last revised March 1, 1993, situate in the Town of Newburgh, County of Orange, State of New York, as shown on the accompanying map and described as follows:

Parcel No. 41

Beginning at a point on the division line between the property of the New York City Department of Environmental Protection (reputed owner) on the north and the property of Newburgh Park Associates, Inc. (reputed owner) on the south, said point being 145± feet distant easterly, measured at right angles, from Station 196+66± of the hereinafter described survey baseline for the reconstruction of Drury Lane, County Road No. 54; thence through the property of the New York City Department of Environmental Protection (reputed owner) the following three (3) courses and distances: 1) North 05°40'21" West, 29± feet to a point 141.05 feet distant easterly, measured at right angles, from Station 196+94.79 of said baseline; 2) South 87°02'43" West, 15.02 feet to a point 126.10 feet distant easterly, measured at right angles, from Station 196+93.33 of said baseline; and 3) North 00°30'32" West, 24± feet to a point on the division line between the property of Newburgh Park Associates, Inc. (reputed owner) on the north and the property of the New York City Department of Environmental Protection (reputed owner) on the south, said point being 125± feet distant easterly, measured at right angles, from Station 197+18± of said baseline; thence easterly along said division line 66± feet to a point being 186± feet distant easterly, measured at right angles, from Station 197+43± of said baseline; thence through the property of the New York City Department of Environmental Protection (reputed owner) South 34°01'54" East, passing through a point 203.72 feet distant easterly, measured at right angles, from Station 197+19.17 of said baseline, 69± feet to a point on the first mentioned division line, said point being 227± feet distant easterly, measured at right angles, from Station 196+88± of said baseline; thence westerly along said division line 85± feet to the point of beginning; being 4,563 square feet or 0.105 acre more or less.

Reserving, however, to the owner of any right, title or interest in and to the property described above as Parcel No. 41, and such owner's successors or assigns, the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction and as so constructed, the maintenance, of the herein identified project.

The above mentioned survey baseline is a portion of the 1992 survey baseline for the reconstruction of Drury Lane, County Road No. 54, as shown on a map and plan on file in the Office of the State Department of Transportation and described as follows:

Beginning at Station 193+04.77; thence North 02°37'31" East to Station 199+91.60.

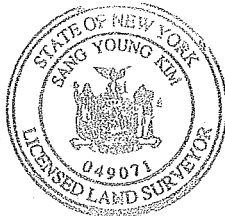
All bearings referred to True North at the 74°20' Meridian of West Longitude.

Unauthorized alteration or addition to a survey map bearing a licensed surveyor's seal is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

I hereby certify that the property described and mapped above is necessary for this project, and the acquisition thereof is recommended.

Date September 6, 2001

Phillips C. Crocker, Regional Design Engineer
for the Regional Director of Transportation
Region No. 8



I hereby certify that this map was prepared in accordance with all current NYS DOT policies, standards and procedures.

Date September 6, 2001

Seng Y. Kim, Land Surveyor
P.L.S. License No. 49071

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
DESCRIPTION AND MAP FOR THE ACQUISITION OF PROPERTY

DRURY LANE
COUNTY ROAD NO. 54
ORANGE COUNTY

Map No. 39
Parcel No. 41

NEW YORK CITY DEPARTMENT OF
ENVIRONMENTAL PROTECTION
(Reputed Owner)

Total Area = 4,563± S.F. OR
0.105± AC.

Description and map of property in and to which an easement, as hereinabove defined, is deemed necessary by the Commissioner of Transportation to be acquired by appropriation in the name of the People of the State of New York for purposes connected with the highway system of the State of New York pursuant to Section 30 and Section 10, Subdivision 24-d of the Highway Law and the Eminent Domain Procedure Law.

There is excepted from this appropriation all the right, title and interest, if any, of the United States of America in or to said property.

Pursuant to statutes set forth above and the authority delegated to me by official order of the Commissioner of Transportation, the above description and map are hereby officially approved, and said description and the original tracing of this map are hereby officially filed in the Office of the State Department of Transportation.

Date November 28, 2001

Richard J. Morris, Director, Real Estate Division

I have compared the foregoing copy of description and map with the original thereof, as filed in the Office of the State Department of Transportation, and I do hereby certify the same to be a true and correct copy of said original and of the whole thereof.