

BLUSTEIN, SHAPIRO,
FRANK & BARONE LLP

ATTORNEYS AT LAW

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WILLIAM E. DUQUETTE, JR.*
BARBARA A. GARIGLIANO
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ALSO ADMITTED IN PA*
ALSO ADMITTED IN NJ*
ALSO ADMITTED IN MA*

449 BROADWAY
MONTICELLO, NEW YORK 12701
(845) 796-1010
FAX (845) 796-1040
www.catskills.law

Please Reply to Monticello Office

February 9, 2024

JEANINE GARRITANO WADESON
BRIAN M. NEWMAN^
LYNN A. PISCOPO
MEHVISH MAQBOOL
JAY R. MYROW
OF COUNSEL
BURT J. BLUSTEIN
1940 - 2022
ARTHUR SHAPIRO
RETIRED
RITA G. RICH
RETIRED

Town of Forestburgh
Forestburgh Planning Board
332 King Road
Forestburgh, NY 12777

Re: Lot Improvement Application: Town of Forestburgh SBL 24.-1-27.1 and 27.3
Our file No. 23-1599

Dear Chairman Robbins and Members of the Town of Forestburgh Planning Board:

Enclosed you will find the following in support of the above referenced Lot Improvement Application:

Completed Application

Completed Short Form Environmental Assessment Form.

Steven Kozachuk, Jr. Owner's Proxy.

Deed for Kozachuk Property.

Deed for Schumann Property.

Lot Improvement Survey Map of Lands of Kozachuk dated September 10, 2023 prepared by Robert T. Lounsbury, PLS.

Check number 26574 made payable to the Town of Forestburgh (Lot Improvement Application Fee).

Check number 26575 made payable to the Town of Forestburgh (Lot Improvement Escrow Fee).

As required, I have assembled 13 packages including a copy of each of the above items and have delivered them to the Town Hall on February 9, 2024 for distribution. Additionally, I hand delivered a similar package to Joseph Gottlieb, PE, PC today and I sent a package via UPS to Javid Afzali, Esq today. I also emailed an electronic copy of this application to the Town and to the Planning Board Chairman.

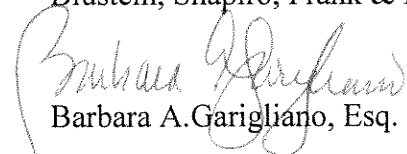
As you can see by the survey map, this Lot Improvement Application involves a 0.48 acre parcel of land currently owned by the Peter K. Schumann Revocable Trust (SBL 24.-1-27.1), which will be conveyed to the neighboring parcel owned by Seven Kozachuk Jr. and Linda Kozachuk (SBL 24.-1-27.3). The current acreage of the Schumann parcel is approximately 81.76 acres and the current acreage of the Kozachuk parcel is 5.0 acres. You will note on the map that the 0.48 acres encompasses the Kozachuk driveway which they use to access their property. The access is currently granted by a deeded right of way as noted in the Kozachuk deed, which I have provided. After the lot improvement, the Kozachuks will own the access in fee.

Please put this Lot Improvement Application on the Planning Board's Agenda for February 27, 2024.

If anything additional is required, do not hesitate to contact me.

Very truly yours,

Blustein, Shapiro, Frank & Barone, LLP



Barbara A. Garigliano, Esq.

BAG:lg
Enc.
80011-088v2

Blustein, Shapiro, Frank & Barone, LLP
Attorney Escrow Account - IOLA

26574

DATE : Feb 9/2024
CHE # : 26574
AMOUNT : \$250.00
ACCOUNT : #43 Orange Bank & Trust Company
PAID TO : Town of Forestburgh

#23-1599 - Minor Subdivision Fee

CLIENT : Schumann
MATTER : 23-1599

FOR SECURITY PURPOSES, THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICROPRINTING IN THE BORDER

Blustein, Shapiro, Frank & Barone, LLP
Attorney Escrow Account - IOLA
10 Matthews Street
Goshen, NY 10924

Orange Bank & Trust Company

26574

Two Hundred Fifty and 00/100*****

DATE AMOUNT

Feb 9/2024 \$250.00

PAY TO THE ORDER OF Town of Forestburgh

Barbara Garigliano
AUTHORIZED SIGNATURE

#23-1599 - Minor Subdivision Fee

SECURITY FEATURES INCLUDED. DETAILS ON BACK

⑈026574⑈ ⑆021902475⑆ 8504016⑈

Blustein, Shapiro, Frank & Barone, LLP
Attorney Escrow Account - IOLA

26574

DATE : Feb 9/2024
CHE # : 26574
AMOUNT : \$250.00
ACCOUNT : #43 Orange Bank & Trust Company
PAID TO : Town of Forestburgh
#23-1599 - Minor Subdivision Fee
MATTER : 23-1599 250.00
LAWYER : Barbara Garigliano

** GENERAL BALANCES **

UNBILLED DISBS : 0.00
A/R BALANCE : 0.00

** TRUST BALANCES **

#43 Orange Bank & Trust Company 1,750.00

TRUST BALANCE : 1,750.00

Blustein, Shapiro, Frank & Barone, LLP
Attorney Escrow Account - IOLA

26575

DATE : Feb 9/2024
CHE # : 26575
AMOUNT : \$750.00
ACCOUNT : #43 Orange Bank & Trust Company
PAID TO : Town of Forestburgh

#23-1599 - Lot Line Improvement Fee

CLIENT : Schumann
MATTER : 23-1599

FOR SECURITY PURPOSES, THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICROPRINTING IN THE BORDER

Blustein, Shapiro, Frank & Barone, LLP
Attorney Escrow Account - IOLA
10 Matthews Street
Goshen, NY 10924

Orange Bank & Trust Company

26575

Seven Hundred Fifty and 00/100*****

DATE AMOUNT

Feb 9/2024 \$750.00

PAY TO THE ORDER OF Town of Forestburgh

Barbara Garigliano
AUTHORIZED SIGNATURE

#23-1599 - Lot Line Improvement Fee

SECURITY FEATURES INCLUDED. DETAILS ON BACK

⑈026575⑈ ⑆021902475⑆ 8504016⑈

Blustein, Shapiro, Frank & Barone, LLP
Attorney Escrow Account - IOLA

26575

DATE : Feb 9/2024
CHE # : 26575
AMOUNT : \$750.00
ACCOUNT : #43 Orange Bank & Trust Company
PAID TO : Town of Forestburgh
#23-1599 - Lot Line Improvement Fee
MATTER : 23-1599 750.00
LAWYER : Barbara Garigliano

** GENERAL BALANCES **

UNBILLED DISBS : 0.00
A/R BALANCE : 0.00

** TRUST BALANCES **

#43 Orange Bank & Trust Company 1,000.00

TRUST BALANCE : 1,000.00

TOWN OF FORESTBURGH
PLANNING BOARD
332 King Road
Forestburgh, New York 12777
845-794-0611 x23

APPLICATION

Original page to be submitted to the Planning Board, copy to applicant

Date of Application: February 8, 2027 APPLICATION NO. _____

Applicant's Name: Peter K. Schumann as trustee of the Peter K. Schumann Revocable Trust dated 4/28/2020
as amended and restated March 30, 2023

Applicant's Address: c/o Blustein, Shapiro, Frank & Barone, LLP, 449 Broadway, Monticello, NY 12701

BSFB
Applicant's Telephone: c/o (845) 796-1010 Email: bgarigliano@catskills.law

* Owner's Name: Peter K. Schumann Revocable Trust

Owner's Address: 155 Ocean Lake Drive, Apt. 1114, Key Biscayne, FL 33149

BSFB
Owner's Telephone: (845) 796-1010 Email: bgarigliano@catskills.law

Address of Project: State Route 42 Forestburgh, NY 12777

Section: 24 Block: 1 Lot: 27.1 & 27.3 Zone: RR (Residential-Recreation)

Existing Use: Residential

Proposed Use: Residential

Nature of Project (check one):

Lot improvements or Natural Subdivision (§148-10 - §148-12)

Subdivision:

Minor (§ 148-13, 14) _____ Site Plan Approval _____
(new or amendment)

Major (§148-15, 16, 17) _____ Special Use Permit _____

Conservation (§148-18) _____ Other (specify) _____

The following must be submitted to the Planning Board (c/o the Forestburgh Town Clerk) in
13 pre-packaged envelopes ready for delivery (SEE INSTRUCTIONS):

- 1) Letter of explanation
- 2) Completed Short-Form EAF (<https://www.dec.ny.gov/permits/6191.html>)
- 3) Proof of ownership or Owner's Proxy (form attached)
- 4) Site Plan
- 5) Estimated cost of project
- 6) Receipt of fees paid. (Fee must be paid at time application is filed. Fee schedule attached.)

FOR OFFICE USE ONLY

FEE PAID \$ _____ DATE PAID: _____ RECEIPT NO: _____

*Parcel 24.-1-27.3 is owned by Steven Kozachuk, Jr. & Linda Kozachuk, 2622 State Route 42, Forestburgh, NY 12777

INSTRUCTIONS FOR APPLICANT TO THE PLANNING BOARD

PLEASE NOTE: Paragraphs 1-4 are to be filled in by the person distributing this application.

1. Name of applicant: Peter K. Schumann as trustee

2. Date applicant receives this form: February 9, 2024

3. Date of next planning board meeting: February 27, 2024

4. Applicants must submit all required materials to the Town Hall on or before 12:00 PM (noon) of February 12, 2024 (date determined by computing Fifteen (15) calendar days before the next Planning Board meeting - see schedule of meetings). If the submission date falls on a holiday, the next business day after the holiday becomes the last day to submit, otherwise the Planning Board may determine to delay consideration or review of the application until the following meeting.

GENERAL INFORMATION

Applicant can expect a minimum of two (2) complete meetings conducted over a period of two (2) months to obtain a decision. All applications must be submitted both in paper and electronic forms. Lot Line improvement applications may omit the electronic copy if the applicant is self-represented or for other good cause shown.

- a. Appearances before the Planning Board must be preceded by notice to the Planning Board Chair 15 days in advance of all meetings.
- b. Planning Board meeting starts at 7:00 PM on the fourth Tuesday of the Month, unless otherwise noted. If necessary, work sessions may be held prior to the regular Board meeting.
- c. The application and escrow fees must be paid before being placed on any agenda. Separate checks must be provided for the fee and for the escrow.
- d. Discussion prior to the public hearing and some public hearings may extend beyond a single meeting.
- e. Decision may be rendered the night of the public hearing. However, the Board may adjourn action on application up to sixty-two (62) days after the date the public hearing is closed. The period of deliberation may be extended by the mutual consent of the Applicant and the Planning Board.
- f. Applications that have not received consideration by the Planning Board (i.e., that have not been discussed, reviewed, commented upon, revised, or approved) due to the Applicant's non-appearance before, failure to provide requested materials, and/or failure to request action by the Planning Board, may be deemed abandoned at the discretion of the Planning Board after six (6) months without further notice. If an application is deemed abandoned, applicant will be so advised, and any unused escrow funds will be returned to the applicant. Thereafter, the Applicant will have to file a new application with all fees and regulations as required without "credit" for application or other fees previously paid in order to pursue the requested approval.
- g. Applicants are encouraged to check subsequent Planning Board minutes while their application is pending. Minutes are available at the Town website, www.forestburgh.net and also at Town Hall.

INSTRUCTIONS FOR APPLICANT TO THE PLANNING BOARD (cont.)

PRE-MEETING SUBMISSIONS:

- 1) **Fifteen (15) days** prior to the first meeting, copies of the following must be submitted to the Planning Board (c/o the Forestburgh Town Clerk) electronically and in paper format in **13** pre-packaged envelopes ready for delivery to Board Members. Two additional packages are to be delivered to the Planning Board attorney and engineer:
 - ✓ a) Completed application
 - ✓ b) Letter briefly explaining the project
 - ✓ c) Completed Short Form EAF (Environmental Assessment Form (<https://www.dec.ny.gov/permits/6191.html>))
 - ✓ d) Proof applicant(s) own property involved, or written permission from owner (owner proxy, corporate or other)
 - ✓ e) Copies of site plan - each plan folded

**THE APPLICATION FEE AND ESCROW FEES MUST
ALSO BE PAID AT THIS TIME**

The Applicant or a representative must appear at the first meeting, and each and every subsequent meeting when the matter is on the Planning Board's agenda. If the applicant is not present, the matter will be removed from the agenda and adjourned.

Revised site plans or supplemental materials may be requested. All requested information or revisions must be submitted to the Planning Board (c/o the Forestburgh Town Clerk) electronically and in pre-packaged envelopes **NO LATER THAN Fifteen (15) days** prior to the next scheduled meeting and/or public hearing. If not submitted on time, discussion on the project revisions and/or the public hearing will not be held and will be rescheduled to the next meeting.

PRIOR TO THE PUBLIC HEARING:

- 1) After the Planning Board schedules applicant's public hearing, go to the Assessor's Office (Town Hall) the next day for information on obtaining a list of property owners to whom applicant must forward applicant's mailings.
- 2) At least ***Fifteen (15) days*** before the date of the public hearing, each owner appearing on the Assessor's list with property within 500' of applicant's property (including property across a street, road or highway) must be forwarded a copy of the Public Hearing Notice by mail. Proof of mailing to each owner must be submitted and presented to the Secretary of the Board prior to the public hearing.
- 3) The applicant will place a public notice in the legal section of the official newspaper of the Town of Forestburgh and post the notice in Town Hall as notification to the general public.

NOTE:

If fifteen (15) days prior to the public hearing applicant has not submitted any and all additional information or revised plans requested to the Planning Board (c/o the Forestburgh Town Clerk), mailings to surrounding property owners should not be sent as no hearing will be conducted in the absence of such additional information.

IMPORTANT:

Per Zoning Law relative to Commercial Applications, "An approval of a site development plan by the Planning Board shall expire unless a building permit is secured within six (6) months of approval, and unless actual construction is begun within nine (9) months of approval."

NUMBER OF SUBMISSIONS REQUIRED FOR NEXT MAILING

ALL SUBMISSIONS MUST BE RECEIVED IN THE TOWN HALL NO LESS THAN 15 CALENDAR DAYS BEFORE THE PLANNING BOARD MEETING IN WHICH THE APPLICANT IS SCHEDULED TO APPEAR and ALL SUBMISSIONS MUST BE IN UNSEALED MAILABLE ENVELOPES

NAME OF APPLICANT: Peter K. Schumann Trustee DATE: February, 2024

Forestburgh Planning Board Members & Secretary	(8)
Planning Board File Copy	(1)
Town Supervisor	(1)
Highway Superintendent	(1)
Forestburgh Fire Department Chief	(1)
Forestburgh Code Enforcement Officer	(1)

NUMBER OF COPIES TO BE DELIVERED
TO THE TOWN HALL at the time of the initial submission: 13

IN ADDITION, 2 PACKETS MUST BE PROVIDED DIRECTLY BY THE APPLICANT TO:

Harris Beach PLLC
ATTN: Javid Afzali, Esq.
Attorney for the Town
677 Broadway, Suite 1101
Albany, NY 12207

Joseph Gottlieb, P.E., P.C.
Forestburgh Engineer
18 Anawana Lake Rd
Monticello, NY 12701

These submissions must be received at the addresses listed no less than 15 calendar days before the Planning Board meeting in which the applicant is scheduled to appear. Please allow ample time for mailing if not delivering by hand or via overnight courier service.

If applicant's packets are not submitted by the stated date, the Planning Board may determine to delay consideration or review of applicant's application until the following meeting.

Additional copies to other involved agencies or parties may be required depending upon the nature of the application. Applicant will be notified by the Planning Board if additional applications need be submitted, when, how many, and to whom.

Owner's Proxy before the Forestburgh Planning Board

INDIVIDUAL/PARTNERSHIP OWNER

(Owner/Partner/Manager) Steven Kozachuk, Jr. deposes and says he/she resides at

2622 State Route 42, Forestburgh, NY 12777

and that he/she/it is the owner of the premises described in the attached application located at

2622 State Route 42, Forestburgh, NY 12777

The owner has authorized Blustein, Shapiro, Frank & Barone, LLP by Barbara A. Garigliano to make the attached application and to appear before the Planning Board.

Steven Kozachuk Jr.
Owner/Partner/Manager Signature

Sworn to before me this
9th day of February, 2024.

Barbara Garigliano
Notary Public

BARBARA GARIGLIANO
Notary Public, State of New York
Reg. No. 02GA4838400
Qualified in Sullivan County
Commission Expires Oct 31, 2025

Town of Forestburgh Planning Board
Schedule of 2023 Monthly Meetings

MEETING DATES	APPLICATION DEADLINE
January 23, 2024	January 8, 2024
February 27, 2024	February 12, 2024
March 26, 2024	March 11, 2024
April 23, 2024	April 8, 2024
May 28, 2024	May 13, 2024
June 25, 2024	June 10, 2024
July 23, 2024	July 8, 2023
August 27, 2024	August 12, 2024
September 24, 2024	September 9, 2024
October 22, 2024	October 7, 2024
November 26, 2024	November 11, 2024
December 17, 2024	December 2, 2024

Applicant should call to confirm date of meeting.
 Meetings begin at 7:00pm unless otherwise noted.

**APPLICATION AND ESCROW FEES MUST BE PAID BEFORE
 BEING PLACED ON ANY AGENDA**

TOWN OF FORESTBURGH PLANNING BOARD FEES

SITE PLAN APPLICATION/SPECIAL USE PERMIT.....	\$325.00
MINOR SUBDIVISION.....	\$250.00
MAJOR & CONSERVATION SUBDIVISION UP TO 10 LOTS.....	\$1,000.00
EACH ADDITIONAL LOT.....	\$100.00
PARKLAND FEE - PER LOT.....	\$2,000.00

TOWN OF FORESTBURGH ESCROW FEES

THE FOLLOWING ESCROW FEES WILL BE CHARGED TO THE APPLICANTS FOR THE TOWN'S ENGINEER AND ATTORNEY:

1. SITE PLAN REVIEWING ONLY	\$1,000.00
2. SITE PLAN REVIEW AND SPECIAL USE PERMIT	\$2,000.00
3. LOT LINE IMPROVEMENT	\$750.00
4. SKETCH PLAN REVIEW	\$750.00
5. SUBDIVISION, MINOR	\$750.00
6. SUBDIVISION, MAJOR	\$2,000.00
7. SUBDIVISION, CONSERVATION	\$2,000.00

Fees stated are combined to cover both the Engineer and the Attorney.

APPLICATION AND ESCROW FEES MUST BE PAID WITH SEPARATE CHECKS

MADE PAYABLE TO: *Town of Forestburgh*

**TOWN OF FORESTBURGH PLANNING BOARD
REQUEST FOR APPROVAL OF
FIRE CHIEF OF FIRE DISTRICT OF PROJECT LOCATION**

Applicant: Peter K. Schumann, Trustee of the Peter K. Schumann Revocable Trust

Location: 2622 State Route 42, Forestburgh, NY 12777

Tax Map Parcel: 0.48 acres to be taken from Parcel 27-1-27.1 and add to 24-1- 27.3

Drawing Entitled: Lot Improvement Map of Lands of Kozachuk

Prepared By: Robert T. Lounsbury, Professional Land Surveyor

Drawing Reviewed: _____ **Last Revised:** 9/10/2023

Recommended _____ **Not Recommended** _____

Approved with Comments _____

Additional Comments: _____

Signature
Fire Chief of Fire District
of project location

Date

cc: Planning Board, Town of Forestburgh
Code Enforcement Office, Town of Forestburgh

**TOWN OF FORESTBURGH PLANNING BOARD
REQUEST FOR APPROVAL OF
FIRE CHIEF OF FIRE DISTRICT OF PROJECT LOCATION**

Applicant: Peter K. Schumann, Trustee of the Peter K. Schumann Revocable Trust

Location: 2622 State Route 42, Forestburgh, NY 12777

Tax Map Parcel: 0.48 acres to be taken from Parcel 27-1-27.1 and add to 24-1- 27.3

Drawing Entitled: Lot Improvement Map of Lands of Kozachuk

Prepared By: Robert T. Lounsbury, Professional Land Surveyor

Drawing Reviewed: _____ **Last Revised:** 9/10/2023

Recommended _____ **Not Recommended** _____

Approved with Comments _____

Additional Comments: _____

Signature
Fire Chief of Fire District
of project location

Date

cc: Planning Board, Town of Forestburgh
Code Enforcement Office, Town of Forestburgh

617.20
Appendix B
Short Environmental Assessment Form

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			
Peter K. Schumann, Trustee of the Peter K. Schumann Revocable Trust dated February 16, 2006 as amended and restated on March 30, 2023			
Name of Action or Project: Schumann/ Kozachuk Lot Improvement			
Project Location (describe, and attach a location map): 2622 State Route 42, Forestburgh, NY 12777 SBL 24.-1-27.1 and 27.3			
Brief Description of Proposed Action: A 0.48 acres portion of Schumann Parcel SBL 24.-1.27.1 is to be added to the Kozachuk Parcel SBL 24.-1-27.1. As depicted on the lot improvement map attached to the application, the 0.48 acre parcel encompasses the current driveway for the Kozachuk Parcel.			
Name of Applicant or Sponsor: Peter K. Schumann Trustee c/oBlustein,Shapiro, Frank&Barone,LLP,Barbara Garigliano		Telephone: 845 796 1010 E-Mail: bgarigliano@catskills.law	
Address: 449 Broadway			
City/PO: Monticello	State: NY	Zip Code: 12701	
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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.48 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		81.76 acres	
4. Check all land uses that occur on, adjoining and 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<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? If Yes, identify: _____	NO	YES	
	<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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<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? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 checked="" type="checkbox"/> Forest <input 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 plain?	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, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Barbara A. Garigliano, Esq.</u>	Date: <u>February 9, 2024</u>	
Signature: <u><i>Barbara A. Garigliano</i></u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Forestburgh Planning Board

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT

RESET

LIB 862 REC 301

EXECUTOR'S DEED

THIS EXECUTOR'S DEED made the 27th day of May, 1977, between ELINOR W. OSBORN, residing at R.D. #1, Box 63D, Monticello, NY 12701 (no street address), Executrix of the Estate of Melvin C. Osborn, under the Last Will and Testament of Melvin C. Osborn, deceased, herein called the grantor and STEVEN KOZACHUK, JR. and LINDA KOZACHUK, his wife, residing at R.F.D #1, Monticello, N.Y. 12701 (no street address), as beneficiaries to whom real property was devised under the Last Will and Testament of Melvin C. Osborn, deceased, grantees.

By virtue of the power and authority given to Elinor W. Osborn in and by the Last Will and Testament of Melvin C. Osborn, deceased, which Last Will and Testament is dated Sept. 5, 1975, was duly admitted to probate by the Surrogate of Sullivan County on August 4, 1976 and recorded in the Surrogate's Office on August 4, 1976 in Liber 60 of Wills at page 386, the grantor does hereby grant and release to the grantees, their heirs and assigns forever:

ALL that tract or parcel of land situate in the Town of Forestburgh, County of Sullivan and State of New York being a portion of a 95 acre parcel of land conveyed to Melvin Chester Osborn by Ernest A. Moody by deed dated December 3, 1945 and recorded in the Sullivan County Clerk's Office in Liber of Deeds 365 at page 284, bounded and described as follows:

Beginning at an iron pin set at the most easterly corner of a 0.46 acre parcel of land conveyed to Harry Shiells and Clare D. Shiells by Melvin C. Osborn by deed dated November 30, 1971 and recorded in the Sullivan County Clerk's Office in Liber of Deeds 762 at page 948 and running thence from said place of beginning along the easterly bounds of said 0.46 acre parcel South 36 degrees 06 minutes West 50.02 feet to a point at the most southerly corner of said 0.46 acre Shiells parcel and the most easterly corner of a 2.7 acre parcel of land conveyed by Harry Shiells to Harry Shiells and Clare D. Shiells by a deed dated Feb. 16, 1968 and recorded in the Sullivan County Clerk's Office in Liber of Deeds 720 at page 763; thence running along the easterly bounds of said Shiells 2.7 acre parcel South 36 degrees 06 minutes West 232.50 feet to an iron pin with stones around it found at the southeast corner of said Shiells 2.7 acre parcel of land, said iron pin with stones around it being South 71 degrees 06 minutes East

DE 862 NY 302

428.00 feet from an iron pin found on the easterly bounds of New York State Route #42 at the most westerly corner of said Shiells 2.7 acre parcel; thence running along a southerly bounds of lands of said Melvin C. Osborn and the northerly bounds of lands of William C. Yodice and others (See Liber of Deeds 789 at page 625) South 71 degrees 06 minutes East 669.58 feet to an iron pin and stones set at the northeasterly corner of the said Yodice parcel and at a southerly corner of lands of said Melvin C. Osborn; thence running through the lands of said Melvin C. Osborn North 18 degrees 54 minutes East 435.00 feet to an iron pin and stones set; thence continuing through the lands of said Melvin C. Osborn North 86 degrees 50 minutes West 608.86 feet to the point or place of beginning containing 5.00 acres of land to be the same more or less.

Subject to any easements of record.

Also granting a fifty (50) foot wide right of way or easement for ingress and egress from the above described 5.00 acre parcel to New York State Route 42 bounded and described as follows:

Beginning at an iron pin set at the northwesterly corner of the above described 5.00 acre parcel of land at the most easterly corner of said 0.46 acre parcel of land conveyed to Harry Shiells and Clare D. Shiells by Melvin C. Osborn by deed dated November 30, 1971 and recorded in the Sullivan County Clerk's Office in Liber of Deeds 762 at page 948 and running thence from said place of beginning along the northeasterly bounds of said 0.46 acre parcel of land North 52 degrees 30 minutes West 398.78 feet to an iron pin set on the easterly bounds of New York State Route 42 at the most northerly corner of said Shiells 0.46 acre parcel of land; thence running along the easterly bounds of said New York State Route #42 North 37 degrees 30 minutes East 50.00 feet to an iron pin set; thence leaving said easterly bounds of said New York State Route 42 and running thence South 52 degrees 30 minutes East 471.96 feet parallel to the northeasterly bounds of said Shiells 0.46 acre parcel of land to an iron pin set on the northerly bounds of the above described 5.00 acre parcel of land; thence running along the northerly bounds of said 5.00 acre parcel of land North 86 degrees 50 minutes West 88.62 feet to the point or place of beginning containing 0.50 acre of land to be the same more or less.

Courses are as the magnetic needle pointed in July, 1953.

The above description was prepared by John W. Galligan, Licensed Land Surveyor, dated August 31, 1975.

Being the same premises excepted and reserved in a deed dated May 27, 1977, from Elinor W. Osborn to Elinor W. Osborn and Wallace M. Berkowitz, Testamentary Trustees, which deed was dated and intended to be recorded simultaneously herewith.

Being the same premises devised to Steven Kozachuk, Jr. and Linda Kozachuk, his wife, by Last Will and Testament of Melvin C. Osborn, deceased, dated Sept. 5, 1975, admitted to probate on Aug. 4, 1976 and recorded in the Surrogate's Office on Aug. 4, 1976 in Liber 60 of Wills at page 386.

862 303

The premises conveyed by this deed are subject to the following covenants which are hereby declared to be covenants running with the land and the grantees, by the acceptance of this deed and in joining in the execution of this deed, covenant and agree to be bound thereby for themselves, their heirs, distributees, and assigns:

The conveyed premises are subject to all rights and easements of electric and telephone companies and all other utilities heretofore granted; and subject to all rights and easements of electric and telephone companies and all other utilities which may hereafter be granted, by the grantor, her heirs, successors, and assigns.

At no time hereafter shall any building or structure of any nature other than a dwelling house to be used as a private dwelling only, and for no other purposes whatever, be built, maintained, constructed or erected upon the above described realty; nor shall said dwelling house be more than two (2) stories in height. The dwelling shall be used exclusively for residential purposes.

No building nor any appurtenances, porches, verandas or additions shall be erected upon the above described premises within fifty feet of any right of way, street, avenue, or highway fronting said premises nor within fifty feet of any other bounds thereof.

No part of the premises nor any building thereon shall, at any time, be used or suffered or permitted to be used, maintained or erected for any commercial purpose nor for any trade, profession or business, nor as a boarding house, hotel, rooming house, club, club house, cemetery or mortuary, nor shall any sign or other advertising media be erected, maintained or allowed on the land or on any building whereby any profession, trade, business or commercial venture of any kind is advertised.

No garage of more than two car capacity shall be built, whether attached to, or as a separate unit from the dwelling on any lot. The garage shall conform in color and design with the residence structure and no garage shall be used as a temporary or permanent residence. No trailer or moveable structure, whether on wheels or not, shall be used or occupied for temporary or permanent residence.

The said premises shall at all times be kept neat and clean; no garbage or other refuse shall be permitted to accumulate upon or be dumped upon said premises; no farm animals or fowl shall be kept or raised thereon; sewage disposal facilities shall be constructed and operated so that no sewage or effluent therefrom shall be permitted to flow upon or from the said premises; no public or private nuisances shall be permitted or maintained thereon.

Any building erected upon the above described premises shall contain a minimum of 1100 square feet of living space on one floor or split level on two levels of a split level house.

Melvin C. Osborn died on July 27, 1976.

THE 862 NY 304

Letters Testamentary of the Last Will and Testament of Melvin C. Osborn, Deceased were duly issued by the Surrogate's Court of Sullivan County to the grantor on August 4, 1976.

The Executrix duly qualified, has acted, and is still acting as such Executrix.

The conveyance of the real property described above is together with all right, title, and interest, if any, of the grantor in and to any streets and roads abutting the premises to the center line thereof;

Together with the appurtenances and also all the estate which the said decedent had at the time of said decedent's death in said premises and also the estate therein, which the grantor has or has power to convey or dispose of, by virtue of said Will;

To have and to hold the premises herein granted unto the grantee, her distributees or successors and assigns forever.

The grantor covenants that she has not done or suffered anything whereby the said premises have been encumbered in any way.

Subject to the trust fund provisions of Section 13 of the Lien Law.

This conveyance or transfer has been made pursuant to the provisions of said Last Will and Testament without any cash consideration paid by the grantees to the grantor and as a result, is not subject to New York real property transfer tax.

IN WITNESS WHEREOF, the grantor has duly executed this deed the day and year first above written.

Elinor W. Osborn
Elinor W. Osborn, as Executrix under
the Last Will and Testament of Melvin C.
Osborn, Deceased

Steven Kozachuk, Jr.
Steven Kozachuk, Jr., Grantee

Linda Kozachuk
Linda Kozachuk, Grantee

STATE OF NEW YORK)
COUNTY OF SULLIVAN) SS.:

On the 27th day of May, 1977, before me came ELINOR W. OSBORN, to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that she executed the same.

Morton I. Baum
Notary Public

MORTON I. BAUM
Notary Public, State of New York
Sullivan County Clerk's #847
Commission Expires March 30, 1979

STATE OF NEW YORK)
COUNTY OF SULLIVAN) SS.:

On the 27th day of May, 1977, before me came STEVEN KOZACHUK, JR. and LINDA KOZACHUK, to me known and known to me to be the individuals described in, and who executed, the foregoing instrument, and they acknowledged to me that they executed the same.

Evelyn M. Parks
Notary Public

EVELYN M. PARKS
Notary Public, State of New York
Sullivan County Clerk's #1256
Commission Expires March 30, 1978

RECEIVED
SULLIVAN COUNTY

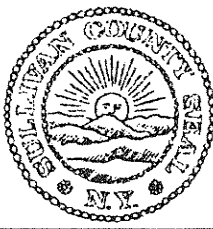
JUN 28 1977

REAL ESTATE
TRANSFER TAX
SULLIVAN COUNTY

603220

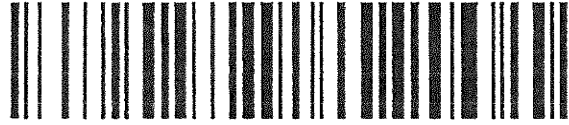
A TRUE RECORD ENTERED JUN 28 1977 AD

12:06 PM JOSEPH M. PURCELL CLERK



SULLIVAN COUNTY – STATE OF NEW YORK
 RUSSELL H. REEVES, COUNTY CLERK
 100 NORTH STREET, MONTICELLO, NY 12701

COUNTY CLERK'S RECORDING PAGE
 THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



INSTRUMENT #: 2022-2336

Receipt#: 2022905667
 Clerk: BT
 Rec Date: 02/28/2022 10:01:02 AM
 Doc Grp: RP
 Descrip: DEED
 Num Pgs: 6
 Rec'd Frm: J&H ABSTRACT LLC

Party1: SHO FU DEN LLC
 Party2: SHUMANN PETER K TRUSTEE
 Town: FORESTBURGH
 24.-1-27.1

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 - County 9.00
 RP5217 All others - State 241.00

Sub Total: 325.00
 Transfer Tax
 Transfer Tax 708.00
 Sub Total: 708.00

Total: 1033.00
 **** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
 Transfer Tax #: 3036
 Transfer Tax
 Consideration: 177000.00

Transfer Tax 708.00
 Total: 708.00

I hereby certify that the within and foregoing was recorded in the Sullivan County Clerk's Office

Russell H. Reeves
 Sullivan County Clerk

Record and Return To:

J&H ABSTRACT LLC
 P/U

THIS IS NOT AN INVOICE

BARGAIN AND SALE DEED

THIS INDENTURE, made the 18th day of November, 2021,

BETWEEN,

SHO FU DEN, LLC, a Delaware Limited Liability Company, with an address of P.O. Box 237174, New York, NY 10230-032, Grantor, as party of the first part, and

Peter K. Shumann, Trustee of the Peter K. Shumann Revocable Trust dated 4/28/2000
~~PINE MAPLE LLC, a New York Limited Liability Company,~~ with an address at 1 Holland Road, Forestburgh, NY 12777, Grantee, as parties of the second part.

WITNESSETH, that the party of the first part, in consideration of less than One and 00/100 (\$1.00) Dollar, lawful money of the United States, to it in hand paid by the party of the second part, does hereby grant and release unto the party of the second part, his successors and assigns, following premises:

ALL that certain plot, piece or parcel of land together with the buildings and improvements erected and located thereon, situate, lying and being in the Town of Forestburgh (Section 24, Block 1 Lot 27.1), County of Sullivan, State of New York, more particularly described in Schedule "A" annexed hereto and made a part hereof.

THIS CONVEYANCE does not constitute all, or nearly all, of the assets of the Limited Liability Company.

BEING and intended to be part of the same premises conveyed by Japanese Heritage Foundation, Inc. to Sho Fu Den, LLC by deed dated May 14, 2002 and recorded May 24, 2002 in Liber 2412 at Page 319 in the Sullivan County Clerk's Office.

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 centerlines 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 part 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 whatsoever, except as aforesaid.

J&H Abstract LLC
196 Bridgeville Road - Suite 1
Monticello, NY 12701
T: (845) 707-4158 F: (888) 280-3802
File No.: FOR-016A

J & H ABSTRACT LLC
As Agent for
WESTCOR LAND TITLE INSURANCE COMPANY

SCHEDULE A Description

Title Number: FOR-016A

24-1-27.1:

PARCEL 1
FORESTBURGH WILDLANDS PARCEL

ALL that tract or parcel of land situate in the Town of Forestburgh, County of Sullivan and State of New York and being the remaining lands of Melvin Chester Osborn as described in a deed recorded in the Sullivan County Clerk's Office in Liber of Deeds 185 at page 284, more particularly bounded and described as follows:

BEGINNING at the most northerly corner of said lands described in Deed Liber 185 at page 284 on the easterly side of New York State Route 42;

TRENCHE running along the said easterly side of New York State Route 42 South 30 degrees West 572.22 feet, South 35 degrees 30 minutes West 528.0 feet and South 31 degrees West plus or minus 95.8 feet to a point at the northwesterly corner of lands of Shielle (Deed Liber 762 at page 948);

TRENCHE along the northeasterly bounds of said lands of Shielle South 59 degrees 00 minutes East plus or minus 400.0 feet to a point at the northeasterly corner of said lands of Shielle;

TRENCHE along the easterly bounds of said lands of Shielle and to and along the easterly bounds of other lands of Shielle (Deed Liber 489 at page 240) South 29 degrees 36 minutes West plus or minus 282.5 feet to a point at the southeasterly corner of said other lands of Shielle (Deed Liber 489 at page 240) on the northerly bounds of lands of Yodice and others (Deed Liber 789 at page 625);

TRENCHE along the northerly bounds of said lands of Yodice and others South 76 degrees East plus or minus 670.0 feet to a point at the northeasterly corner of said lands of Yodice and others;

TRENCHE along the easterly bounds of said lands of Yodice and others and a projection thereof South 14 degrees West 594.0 feet to a point at a southwesterly corner of lands described in Deed Liber 385 at page 284;

TRENCHE along bounds of said lands described in Deed Liber 185 at page 284 the following three (3) courses and distances:

- (1) South 61 degrees 45 minutes East 1650.0 feet;
- (2) North 22 degrees 30 minutes East 1207.8 feet; and

SCHEDULE A Description - continued

Title Number: FOR-016A

(J) North 31 degrees 30 minutes West 1594.0 feet and running to and along the southwesterly bounds of a 50 foot wide fire lane as shown on a "Plot Map of A, C and G, Merrivold Park, Sullivan County, New York showing New Lake Side Road approved July 23, 1902; and filed in the Sullivan County Clerk's Office on August 13, 1904;

THENCE along the northerly bounds of said land described in Deed Liber 385 at page 284 and along the southerly bounds of said fire lane North 66 degrees 30 minutes West 1155.0 feet to the point or place of beginning.

BEARINGS AND DISTANCES are approximate.

EXCEPTING all that portion of the above described parcel of land that is now used or has been previously conveyed for highway purposes.

EXCEPTING AND RESERVING therefrom the following described property which was devised to Steven Kozachuk, Jr. and Linda Kozachuk, his wife, and particularly described in the said Last Will and Testament of Melvin C. Osborn and conveyed by Elinor W. Osborn as Executrix to Steven Kozachuk, Jr. and Linda Kozachuk, his wife, by deed dated May 27, 1977 and recorded on June 8, 1977 in Liber of Deeds 860 page 280 in the Sullivan County Clerk's Office.

ALL that tract or parcel of land, situate in the Town of Forestburgh, County of Sullivan and State of New York being a portion of a parcel of land conveyed to Melvin Chester Osborn by Ernest A. Moody by deed dated December 3, 1945 and recorded in the Sullivan County Clerk's Office in Liber of Deeds 383 at page 284, bounded and described as follows:

BEGINNING at an iron pin set at the most easterly corner of a 0.46 acre parcel of land conveyed to Harry Shielle and Clare D. Shielle by Melvin C. Osborn by deed dated November 30, 1971 and recorded in the Sullivan County Clerk's Office in Liber of Deeds 762 at page 948; and

RUNNING THENCE from said place of beginning along the easterly bounds of said 0.46 acre parcel South 36 degrees 06 minutes West 50.02 feet to a point at the most southerly corner of said 0.46 acre Shielle parcel and the most easterly corner of a 2.7 acre parcel of land conveyed by Harry Shielle to Harry Shielle and Clare D. Shielle by deed dated February 16, 1968 and recorded in the Sullivan County Clerk's Office in Liber of Deeds 720 at page 763;

SCHEDULE A Description - continued

Title Number: FOR-016A

TRENCH along the easterly bounds of said Shielle 2.7 acre parcel South 38 degrees 06 minutes West 232.50 feet to an iron pin with stones around it found at the southeast corner of said Shielle 2.7 acre parcel of land, said iron pin with stones around it being South 71 degrees 06 minutes East 428.00 feet from an iron pin found on the easterly bounds of New York State Route #42 at the most westerly corner of said Shielle 2.7 acre parcel;

TRENCH along the southerly bounds of lands of said Melvin C. Osborn and the northerly bounds of lands of William C. Yodice and others (See Liber of Deeds 789 at page 625) South 71 degrees 06 minutes East 669.58 feet to an iron pin and stones set at the northeasterly corner of the said Yodice parcel and at a southerly corner of lands of said Melvin C. Osborn;

TRENCH through the lands of said Melvin C. Osborn North 18 degrees 54 minutes East 435.00 feet to an iron pin and stones set;

TRENCH continuing through the lands of said Melvin C. Osborn North 86 degrees 30 minutes West 608.86 feet to the point or place of beginning.

Also granting a fifty (50) foot wide right of way or easement for ingress and egress front the above described parcel to New York State Route 42 bounded and described as follows:

BEGINNING at an iron pin set at the northwesterly corner of the above described parcel of land at the most easterly corner of said 0.46 acre parcel of land conveyed to Harry Shielle and Clare D. Shielle by Melvin C. Osborn by deed dated November 30, 1971 and recorded in the Sullivan County Clerk's Office in Liber of Deeds 762 at page 948; and running

TRENCH from said place of beginning along the northeasterly bounds of said 0.46 acre parcel of land North 52 degrees 30 minutes West 198.78 feet to an iron pin set on the easterly bounds of New York State Route 42 at the most northerly corner of said Shielle 0.46 acre parcel of land;

TRENCH along the easterly bounds of said New York State Route #42 North 37 degrees 30 minutes East 50.00 feet to an iron pin set;

TRENCH leaving said easterly bounds of said New York State Route 42; and

TRENCH South 52 degrees 30 minutes East 471.96 feet parallel to the northeasterly bounds of said Shielle 0.46 acre parcel of land to an iron pin set on the northerly bounds of the above described 5.00 acre parcel of land;

TRENCH along the northerly bounds of said 5.00 acre parcel of land North 86 degrees 50 minutes West 88.62 feet to the point or place of beginning.

Courses are as the magnetic needle pointed in July, 1953. The above description was prepared by John W. Galligan, Licensed Land Surveyor, dated August 31, 1973.

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 costs 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 premises are not encumbered by a credit line mortgage. 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.

Sho Fu Den, LLC

BY: _____

Tomio Taki, Sole Member

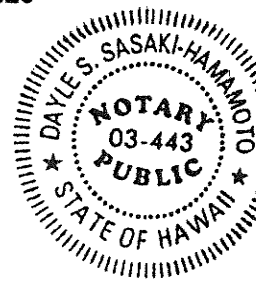
STATE OF Hawaii)
County of Honolulu) ss.:
COUNTY OF Honolulu)

On the 18th day of November in the year 2021, before me, the undersigned, a notary public in and for said state, personally appeared, TOMIO TAKI, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in the Town/City/Village of Honolulu

Dayle Sasaki-Hamamoto
NOTARY PUBLIC

DAYLE S. SASAKI-HAMAMOTO
Notary Public, State of Hawaii
My commission expires August 3, 2023

RECORD AND RETURN TO:



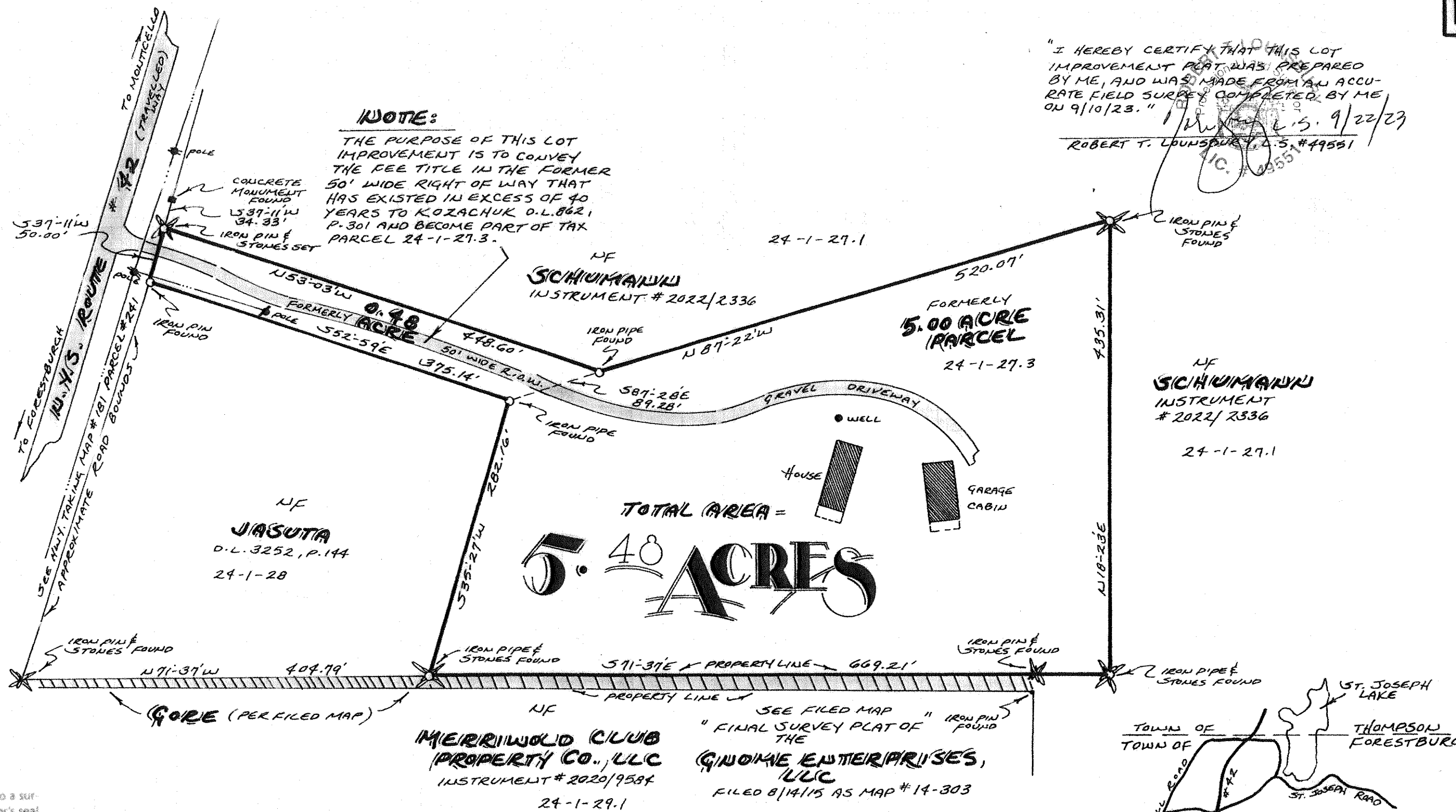
⑤
95
25
50
908
1033

"I HEREBY CERTIFY THAT THIS LOT IMPROVEMENT PLAT WAS PREPARED BY ME, AND WAS MADE FROM AN ACCURATE FIELD SURVEY COMPLETED BY ME ON 9/10/23."

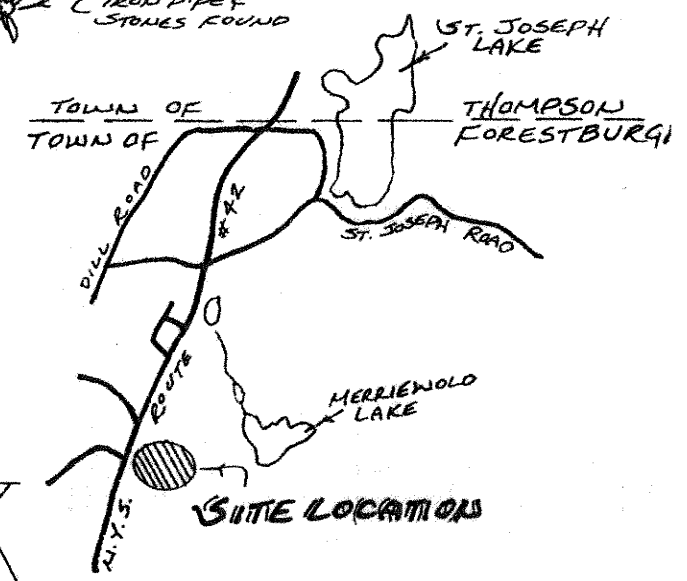
ROBERT T. LOUNSBURY, L.S. #49551

NOTE:

THE PURPOSE OF THIS LOT IMPROVEMENT IS TO CONVEY THE FEE TITLE IN THE FORMER 50' WIDE RIGHT OF WAY THAT HAS EXISTED IN EXCESS OF 40 YEARS TO KOZACHUK O.L. 862, P. 301 AND BECOME PART OF TAX PARCEL 24-1-29.3.



TOTAL AREA =
5.48 ACRES



Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.

Copies from the original of this survey map not marked with an original of the land surveyor's inked seal or his embossed seal shall not be considered to be a valid true copy.

Certifications indicated hereon shall run only to the person for whom the survey is prepared and on his behalf to the title company, governmental agency and lending institution listed hereon. Certifications are not transferable to additional institutions or subsequent owners.

"APPROVAL IS GRANTED FOR RECORDING PURPOSES ONLY IN ACCORDANCE WITH THE TOWN OF FORESTBURGH SUBDIVISION OF LAND LAW"

TOWN OF FORESTBURGH PLANNING BOARD

CHAIRPERSON _____ DATE: _____

LOT IMPROVEMENT MAP
OF LANDS OF:
KOZACHUK

BEING THE SAME PREMISES DESCRIBED IN DEED

ROBERT T. LOUNSBURY
PROFESSIONAL LAND SURVEYOR