Re: Application by Petition of Daniel Sutherland for a Hardship Variance.

Sir/Madam:

Pursuant to the provisions provided therefor in Local Law No 1 of 2016, Daniel Sutherland hereby submits his Petition for a Hardship Variance from the Moratorium. Enclosed is the original Verified Petition and Exhibits 1 and 2.

Please call me to advise when the Town Board is scheduled to act and/or hold any proceedings on this matter.

Respectfully,

Daniel Sutherland
In the Matter of the Application of

**Daniel Sutherland**, Petitioner

for a Hardship Variance from the Town's

Moratorium via Local Law 1 of 2016

To: Town Board - Town of Monroe

Petitioner, Daniel Sutherland, as and for his application for a hardship variance from the

application of the Moratorium via Local Law 1 of 2016, respectfully alleges as follows:

1. Your Petitioner, Daniel Sutherland, resides at 695 Lakes Road Monroe, NY 10950. By

   this Petition, Petitioner seeks a Variance from that certain Moratorium the Town Board

   of the Town of Monroe purported to adopt as Local Law No 1 of 2016 (“Moratorium”),

   which Variance would relieve Petitioner from the mandates and prohibitions set forth in

   said Moratorium.

2. By Deed dated the 11th day of March, 2011, your Petitioner became owner, in a bargain

   and sale deed, of all those certain parcels of land (hereinafter “Lands”) described in

   **Schedule A to Exhibit 1** hereto, which Lands are identified on the tax maps of the Town

   of Monroe as Section 29, Block 1, Lot 56. The Lands consist of approximately 1.56

   acres of land. Attached hereto as **Exhibit 1** is a true copy of said Deed whereby

   Petitioner acquired title to said Lands.
3. Petitioner submits the following facts and information in relation to my property so as to be able to develop my land:

Wherefore, Petitioner requests relief from the Moratorium, a variance, being complete relief from the Moratorium, so Petitioner can proceed with building a garage, and Petitioner may have such other and further relief as is just and proper.

AFFIDAVIT OF VERIFICATION

STATE OF NEW YORK: )
COUNTY OF ORANGE: )

I, Daniel Sutherland, being duly sworn deposes and says that I am the Petitioner in this proceeding; that I have read the annexed petition and know the contents thereof; that the same is true to my knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true.

(Signature)

(In the case of a corporation, LLC, LLP, or other business entity, include the title of officer or authorized representative signing the affidavit of verification.)

Subscribed and sworn to before me this 8 day of June 2016

(Signature of notary public)
First American Title Insurance Company

Schedule A

Description

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereof erected, situate, lying and being in the Town of Monroe, County of Orange and State of New York being more particularly described as follows:

Being shown and designated as part of Parcel No. 2 on subdivision map entitled, "Sketch Plat for Steverand Inc. IL," Towns of Monroe and Chester, Orange County, New York, dated August 11, 1981, prepared by Raymond Associates, P.C., and filed in the Orange County Clerk's Office on November 18, 1981 as Map No. 5777.

Also as described in a certain survey made by Gerald Zimmerman, P.E., L.S. as follows, as Lot No. 2 onFiled Map No. 7145;

BEGINNING at a point in the Easery line of County Road No. 5, said point also being the Northwesterly corner of Parcel B on Filed Map No. 6121;

THENCE from said point of beginning and along the Easery line of County Road No. 5, North 24 degrees 14 minutes 32 seconds East, 150.00 feet to a point;

THENCE along the lines of Lot No. 1 on Filed Map No. 7145 on the following two courses and distances:

1. South 72 degrees 25 minutes 23 seconds East, 400.00 feet to a point;
2. South 17 degrees 34 minutes 37 seconds West, 203.55 feet to a point;

THENCE along the Northerly line of Parcel B on Filed Map No. 6121, North 62 degrees 15 minutes 25 seconds West, 421.71 feet to the point and place of BEGINNING.

The policy to be issued under this report will insure the title to such buildings and improvement erected on the premises which by law constitute real property:

FOR CONVEYANCING ONLY:
TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises.
THIS INDENTURE, made the 11th day of March, Two Thousand Eleven

BETWEEN MARTIN HABER, residing at 695 Lakes Rd., Monroe, NY

party of the first part, and

DANIEL SUTHERLAND, residing at 56 Still Rd., Monroe, NY

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, 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 Monroe, County of Orange and State of New York, as is more particularly bounded and described in Schedule "A" annexed herewith.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the
party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if 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.

MARTIN HABER
STATE OF NEW YORK:
COUNTY OF ORANGE

On the 11th day of March, 2011 before me, the undersigned, a Notary Public in and for said State, personally
appeared MARTIN HABER personally known to me or proved to me on the basis of satisfactory evidence to be
the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

PAUL S. SHOOCK
Notary Public: State of New York
No. 02SH4792098
Qualified in Orange County
Commission Expires 8/26/13

BARGAIN & SALE DEED
SECTION 29
WITH COVENANT AGAINST GRANTOR'S ACTS
TITLE NO. Record Search 206620
BLOCK 1
LOT 56
COUNTY OF ORANGE

MARTIN HABER
TO
DANIEL SUTHERLAND

RETURN BY MAIL TO:
Paul E. Johnson, Esq.
12 John St. Bidg B
Goshen, NY 10924
LAKES ROAD

ZONING DATA

DISTRICT: SR-20

MIN. LOT AREA = 30,000 S.F.
MIN. LOT WIDTH = 125'
MIN. FRONT YD. = 50'
MIN. SIDE YD. = 35'-65'
MIN. REAR YD. = 60'

SURVEY & PLOT PLAN
FOR

MARTY HABER

MAP REF: PARCEL NO. 2
ON A MAP ENTITLED
"FINAL SUBDIVISION
PLAT STEVERAND INC.
II." N.Y. FILED IN THE
O.C.C.O. AS MAP
NO. 5777 ON 11-18-81

LOT NO. 2 ON A MAP
ENTITLED "2 LOT
SUBDIVISION FOR
DORIS M. LORENZ"
TOWN OF MONROE,
ORANGE Cnty., N.Y.
FILED IN THE O.C.C.O.
AS MAP NO. 7145
ON 7-11-85

NOTE:
FOR SEPTIC SYSTEM
SEE FILED MAP.

CERTIFIED TRUE & CORRECT
TO:

MARTIN HABER
DEBORAH HABER

Exhibit 2