

## Property Information Package

### Historic Chapman Steamer Building 179 Dubois Street, Newburgh, NY



Preview: Please Call for Details

Auction: August 27, 10am ET

Auction Location: Orange County Courthouse, 3<sup>rd</sup> Floor  
285 Main Street, Goshen, NY 10924

Property#: AP13064



**Tranzon Auction Properties**

93 Exchange Street  
Portland, ME

P: 716-507-9009

F: 716-408-8968

APinfo@tranzon.com

Michael Foster | Broker NY#49F00966562

August 4, 2013

Dear Prospective Bidder:

Enclosed for your review is the detailed Property Information Package you requested on the auction of the property located in Newburgh, New York.

The auction will be conducted on Tuesday, August 27, 2013 at 10:00 a.m., and will be held at the Orange County Courthouse, 3<sup>rd</sup> Floor, 285 Main Street, Goshen, NY. Parties interested in bidding may register for the sale anytime after 9:30 a.m. on the day of the auction.

Please contact our office for preview information.

Deposit money for this auction must be paid to Referee on the day of the sale in an amount equal to 10% of the purchase price in cash or certified check. The balance will be due and payable within 30 days.

Our staff is readily available to assist you with any questions you may have regarding the property or the auction process.

As a reminder to real estate sales agents, associate brokers and brokers, we offer a broker participation fee. Please call us at (716) 507-9009 for details.

Thank you for your interest in this property and we look forward to seeing you on the day of the auction.

Sincerely,



MICHAEL S. FOSTER  
Broker/Auctioneer

MSF/spr

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**NOTICE**  
**ATTENTION PROSPECTIVE BIDDERS**

**Auction Company is acting solely as agent for the Seller**

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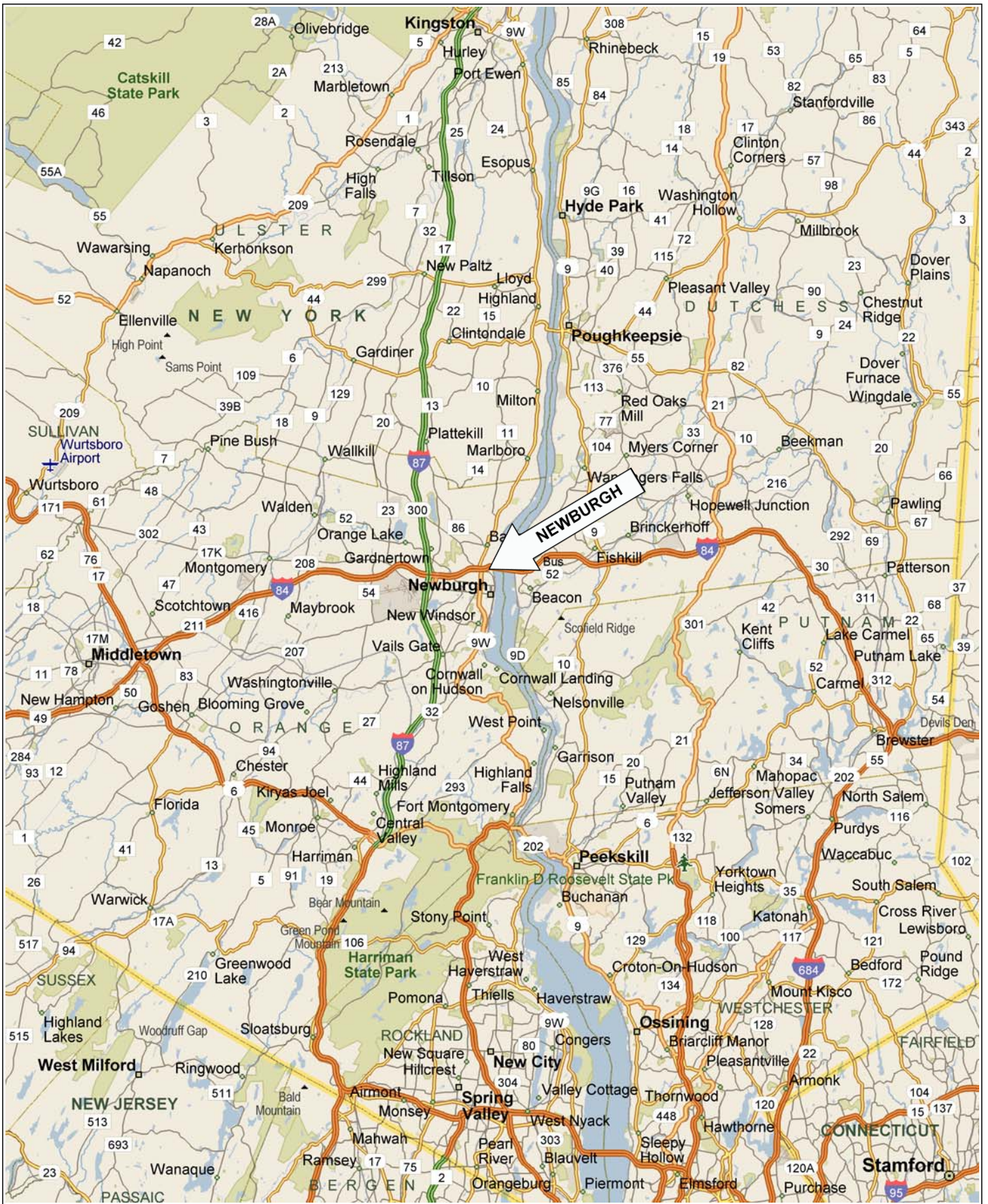
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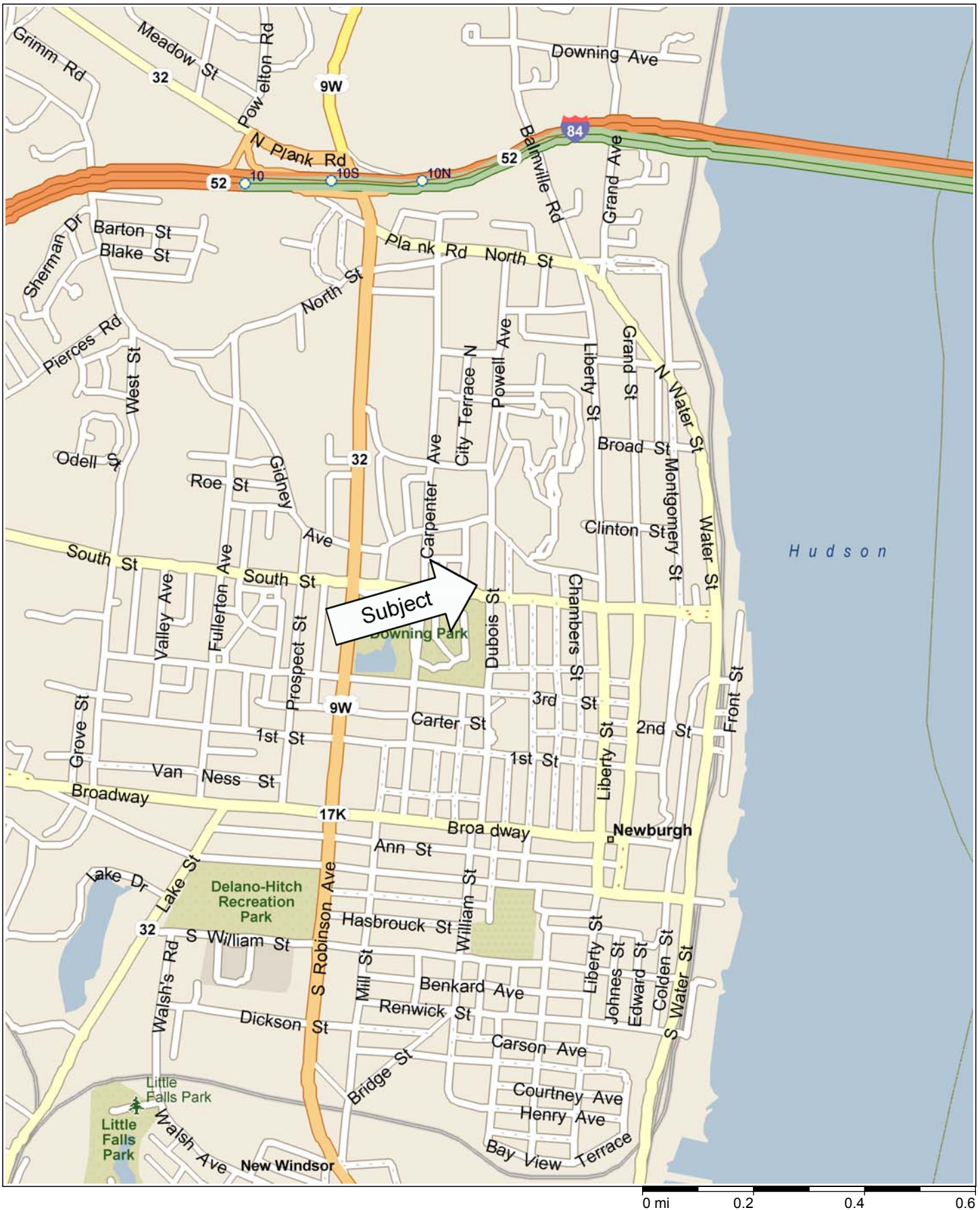
**TRANZON AUCTION PROPERTIES IS A MEMBER COMPANY OF TRANZON, LLC AND TRANZON INTERNATIONAL, LLC. ALL TRANZON COMPANIES ARE INDEPENDENTLY OWNED AND OPERATED.**

# AREA MAP



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# PROPERTY LOCATION MAP



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COPY OF ADVERTISING

**tranzon**  **auction**

**Court Ordered | Referee Auction**  
**Historic Chapman Steamer Bldg.**



- Excellent Renovation Project
- 7,140± sf 3-Story Building
- Possible Multiple Residential Units, Single Family Home, Artist Loft Space, Etc.

August 27, 10am ET  
Property Location: 179 Dubois Street, Newburgh, NY  
Auction Location: Orange County Courthouse, 285 Main Street, 3<sup>rd</sup> Floor, Goshen, NY

 Tranzon Auction Properties  
Sale subject to Terms & Conditions. Brokers welcome.

**TRANZON.COM 716-507-9009**

## PROPERTY DESCRIPTION



### Location & Site

The city of Newburgh is located in Orange County 60± miles north of NYC and 90± miles South of Albany on the Hudson River. Subject property is located on the west side of Dubois Street on a corner lot.

- **Address:** 179 Dubois Street, Newburgh, NY
- **Lot Size:** 4,396± SF/0.10± Acres
- **Frontage:** 44'± along west side of Dubois Street and 100'± along the north side of South Street
- **Access:** Via Dubois Street with one curb cut
- **Utilities:** Public water and sewer

### Building Information

Known as the Chapman Steamer Building, this 7,048± SF three story building was formerly used as a firehouse and has since been gutted and left in the initial stages of renovation.

- **Year Built:** 1910±
- **Building Area:** 7,048± SF
- **Stories:** 3
- **Layout/Design:** Each floor has an open layout
- **Baths:** One half bath on the first floor
- **Construction:** Brick, Wood and steel I-Beam
- **Foundation:** Concrete; partial basement
- **Roof/Roofing:** Rolled roofing
- **Exterior Siding:** Brick; rear section is concrete block
- **Heating/Cooling:** Reportedly no mechanical systems in building
- **Electrical:** 100 amp service
- **Additional:** Rear fire escape, two garage-type entrances



**DISCLAIMER:** This information is derived from sources believed correct, but is not guaranteed. Buyers shall rely entirely on their own information, judgment and inspection of the property records. All properties sold on an "AS IS, WHERE IS" basis.



## SUMMARY OF DATA

City of Newburgh  
Tel: (845) 569-7300  
[www.cityofnewburgh-ny.gov](http://www.cityofnewburgh-ny.gov)

### LOCATION INFORMATION

**Address:** 179 Dubois Street, Newburgh, NY  
**Parcel ID #:** 17-8-18

**Zoning:** Per the City of Newburgh, property is located in the R-1 One-Family Residential District and the Historic and Architectural Design Overlay District. For your convenience, a portion of the zoning is included in this package. For complete zoning information, please contact the Planning and Development Department at (845) 569-9400.

### TAX INFORMATION

**Tax Year:** County/City: January 1<sup>st</sup> through December 31<sup>st</sup>  
School: September 1<sup>st</sup> through August 31<sup>st</sup>

**Taxes Due:** County/City: February 7<sup>th</sup>  
School: April 1<sup>st</sup>

**Assessed Value:** \$209,200 (2013 Tax Year)

**Taxable Value:** \$188,300

**Annual Taxes:** County/City: \$5,528.92  
School: \$5,240.77

**Amounts Outstanding:** \$27,557.27 (with interest calculated to 8/27/13)

### UTILITIES

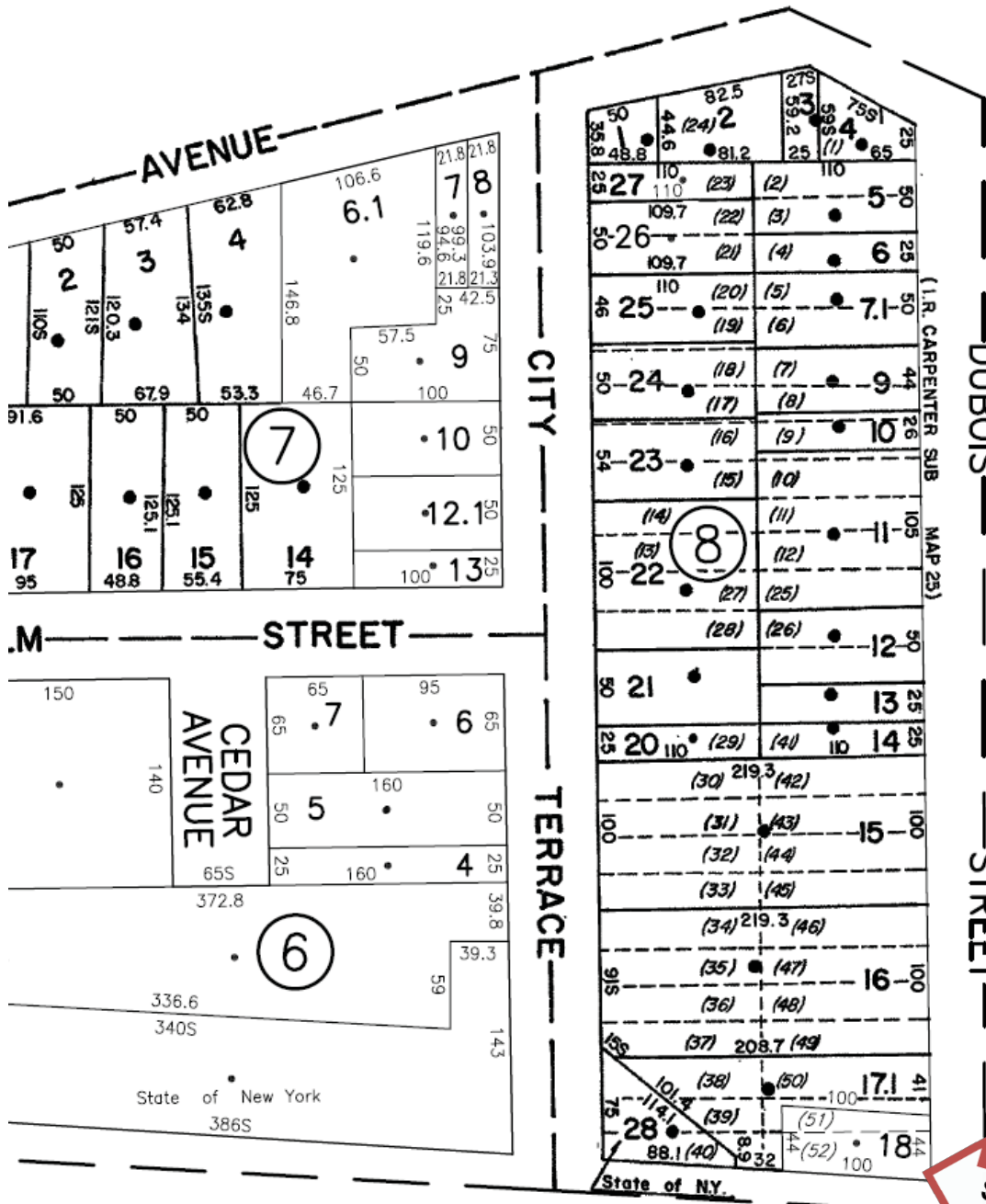
**Water & Sewer:** Both Public – billed by the City of Newburgh Water Department; (845) 569-7330

**Amounts Outstanding:** \$3,845.55 (with interest calculated to 8/27/13)

**Outstanding Garbage Fee:** \$325.15 (with interest calculated to 8/27/13)

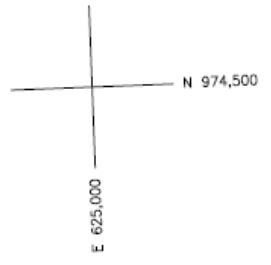
**Tranzon Auction Properties Note:** The foregoing information is based on a telephone conversation with the municipal office and its accuracy is not certified. Tranzon Auction Properties strongly recommends you contact the appropriate offices to verify information as well as review files pertaining to this property, including, but not limited to, Code Enforcement, Zoning, Planning Board, Assessor, and Collector files.

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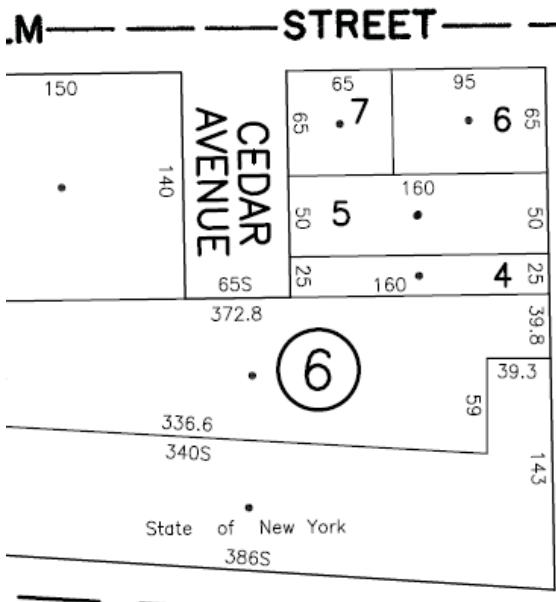


DUBOIS STREET

SECTION 11



Subject



9

7

SECTION 18



# Property Description Report For: 179 Dubois St, Municipality of City of Newburgh

*No Photo Available*

**Status:** Active  
**Roll Section:** Taxable  
**Swis:** 331100  
**Tax Map ID #:** 17-8-18  
**Property Class:** 482 - Det row bldg  
**Site:** COM 1  
**In Ag. District:** No (1.0000)  
**Site Property Class:** 482 - Det row bldg  
**Zoning Code:** R-1  
**Neighborhood Code:** 00031  
**School District:** Newburg  
**Total Assessment:** 2013 - \$188,300  
**Legal Property Desc:** Chapman Engine Co  
**Deed Page:** 259  
**Grid North:** 974411

**Total Acreage/Size:** 44 x 100  
**Land Assessment:** 2013 - \$28,400  
**Full Market Value:** 2013 - \$188,300  
**Equalization Rate:** ----  
**Deed Book:** 12729  
**Grid East:** 624816

## Owners

The Chapman Steamer P.O. Box 20119 West Village Station New York NY 10014	Collective LLC P.O. Box 20119 West Village Station New York NY 10014
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## Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book and Page
9/2/2008	\$1	312 - Vac w/imprv	Land & Building	Wang, Mei Y	No	No	No	12729/259
8/8/2007	\$325,000	312 - Vac w/imprv	Land & Building	Wu, Hawlin	Yes	Yes	No	12515/385
5/20/2004	\$200,000	482 - Det row bldg	Land & Building	Chapman, Steamer Property	Yes	Yes	No	11547/225
8/28/2000	\$50,000	482 - Det row bldg	Land & Building	Kramer, Maria	Yes	Yes	No	5362/261
6/18/1998	\$31,800	482 - Det row bldg	Land & Building	Whitmore, Joseph	No	No	No	4864/285

## Utilities

**Sewer Type:** Comm/public      **Water Supply:** Comm/public  
**Utilities:** Gas & elec

### Inventory

<b>Overall Eff Year Built:</b> 0	<b>Overall Condition:</b> Normal
<b>Overall Grade:</b> Average	<b>Overall Desirability:</b> 3

### Buildings

AC%	Sprinkler%	Alarm%	Elevators	Basement Type	Year Built	Condition	Quality	Gross Floor Area (sqft)	Stories
0	0	0	0	Finished	1948	Poor	Average	7140	3.00

### Site Uses

Use	Rentable Area (sqft)	Total Units
Non-contrib	9,520	1

### Improvements

Structure	Size	Grade	Condition	Year
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### Land Types

Type	Size
Primary	4,356 sq ft

### Special Districts for 2013

No information available for the 2013 roll year.

### Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
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# Image Mate Online

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**Municipality of City of Newburgh**

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SWIS:	331100	Tax ID:	17-8-18
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**Tax Map ID / Property Data**

Status:	Active	Roll Section:	Taxable
Address:	179 Dubois St		
Property Class:	482 - Det row bldg	Site Property Class:	482 - Det row bldg
Site:	Com 1	In Ag. District:	No (1.0000)
Zoning Code:	R-1 -	Bldg. Style:	Not Applicable
Neighborhood:	00031 -	School District:	Newburg
Legal Property Description:	Chapman Engine Co		
Total Acreage/Size:	44 x 100	Equalization Rate:	----
Land Assessment:	2013 - \$28,400	Total Assessment:	2013 - \$188,300
Full Market Value:	2013 - \$188,300		
Deed Book:	12729	Deed Page:	259
Grid East:	624816	Grid North:	974411
Bank Code:	C030982		

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**Special Districts for 2013**

*No information available for the 2013 roll year.*

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**Land Types**

**Photographs**

No Photo Available

**Pictometry LiveLink**

View this property's Pictometry imagery in LiveLink.

**Documents**

No documents found for this parcel

**Maps**

[View Tax Map](#)

[View in Google Maps](#)

[View in Yahoo! Maps](#)

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Map Disclaimer

Type	Size
Primary	4,356 sq ft



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Tax Links
<a href="#">Property Info</a>

## Tax Bill Information

### Municipality of City of Newburgh

SWIS:	331100	Tax ID:	17-8-18
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### Tax Summary

Taxes may not reflect exemptions or changes in assessment

Tax Year	Tax Type	Original Bill	Total Assessed Value	Full Market Value	Uniform %	Roll Section
2013	County	\$6,725.11	\$209,200.00	\$209,200.00	100	1

[Display Details for Taxes Levied in 2013](#)

[Display Historical Tax Information](#)

### Taxable Values

2013			
County Taxable	\$188,300	Exemptions	\$0
Muni. Taxable	\$188,300	Exemptions	\$0
School Taxable	\$188,300	Exemptions	\$0

### Exemptions for 2013

*No Details Available*



# Image Mate Online

## Details for Taxes Levied in 2013

Tax Links
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### Municipality of City of Newburgh

Swis:	331100	Tax Map ID#:	17-8-18
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<b>City Taxes</b>
No City tax information is available.

<b>County Taxes</b>			
Description	Rate (per \$1000 or Unit)	Value	Amount Due
COUNTY	3.548900	209,200.00	742.43
CITY	22.879980	209,200.00	4,786.49
Upd sanitation	0.000000	0.00	281.16
Unpaid utilities	0.000000	0.00	915.03
			Total: 6,725.11

<b>School Taxes</b>
No School tax information is available.

<b>Village Taxes</b>
No Village tax information is available.



**TRANZON AUCTION PROPERTIES NOTE:** PER THE CITY OF NEWBURGH, PROPERTY IS LOCATED IN THE R-1 ONE-FAMILY RESIDENTIAL DISTRICT AND THE HISTORIC AND ARCHITECTURAL DESIGN OVERLAY DISTRICT. FOR YOUR CONVENIENCE, A PORTION OF THE ZONING IS INCLUDED IN THIS PACKAGE. PLEASE CONTACT THE CITY TO VERIFY AND OBTAIN COMPLETE ZONING INFORMATION.

ZONING

300 Attachment 1

City of Newburgh

Schedule of Use and Bulk Regulations  
R-1 One-Family Residential District

**KEY:**  
P = Permitted Use      SP = Special Permit Use      A = Accessory

Use	Use Type	Minimum Lot Area (feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Front Yard (feet)	Minimum Side Yard Each (feet)	Minimum Rear Yard (feet)	Maximum Building Height	
								Stories	Feet
One-family detached dwelling	P	7,500	75	100	15	10	20	2.5	35
One-family attached (duplex, townhome) on a preexisting lot (see § 300-21)	P	2,500	25	100	10	0/10*	20	2.5	35
Church and similar place of worship	P	7,500	75	100	30	30	30	2.5	35
School of general instruction	P	15,000	100	150	30	30	30	3	40
Park, playground	P								
Home occupation and professional office accessory to one-family dwelling	SP; A	7,500	75	100	15	10	20	2.5	35
Private or parochial college, university	SP	5 acres	200	400	100	50	50	3	40
Off-street parking	A								
Swimming pool accessory to residential use	A								
Other customary accessory uses and buildings, provided that such use is clearly incidental to the principal use and does not include any activity commonly conducted as a business	A								

**NOTES:**  
\* Where dwelling shares common wall, no side yard is required.

## Chapter 300. ZONING

### Article V. Historic and Architectural Design Overlay Districts

#### § 300-25. Designation of landmarks, historic districts or architectural design districts.

##### A. Landmark designation.

- (1) The Commission may recommend to the City Council the designation of a structure, building, or property as a landmark if it:
  - (a) Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the City of Newburgh, Hudson River Valley, New York State or the United States;
  - (b) Is identified with historic personages;
  - (c) Embodies the distinguishing characteristics of an architectural style;
  - (d) Is the work of a designer whose work has significantly influenced an age; or
  - (e) Because of a unique location or singular physical attribute, represents an established and familiar visual feature of the neighborhood.
- (2) Notice of a proposed designation shall be sent by regular mail to the owner of the property proposed for designation at the address on file for said property owner with the City Assessor, describing the property proposed and announcing a public hearing by the City Council to consider the designation. The proposal shall also be published at least once in all official newspapers of the City at least five days prior to the date of the public hearing. Once the City Council has issued notice of a proposed designation, no building permit shall be issued by the Building Inspector until the City Council has made its decision.
- (3) The City Council shall hold a public hearing prior to designation of any landmark. The Commission, owners, and interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural, or cultural importance of the proposed landmark. The record may also contain staff reports, public comments, or other evidence offered outside of the hearing.
- (4) The City Council shall forward notice of each property designated as a landmark to the office of the Orange County Clerk for recordation.
- (5) The location of each landmark designated henceforth shall be specified in detail and shall be filed, in writing, in the Building Inspector's office for public inspection.

##### B. Historic district or architectural design district.

- (1) The Commission may recommend to the Council the designation of a group of properties as an historic district or architectural design district if the proposed district:
  - (a) Contains properties which meet one or more of the criteria for designation of a landmark; and
  - (b) By reason of possessing such qualities, constitutes a distinct section of the City.
- (2) Designation of an historic district or architectural design district represents an amendment to this chapter and Zoning Map and shall be done in accordance with the procedures contained in § 300-9 of this chapter and in accordance with § 83 of the General City Law of the State of New York.
- (3) The location of each historic district or architectural design district designated henceforth shall be specified in detail and shall be filed, in writing, in the Building Inspector's office for public inspection.

- (4) The location of each historic district or architectural district shall be shown as an overlay district on the City of Newburgh Zoning Map.
- (5) The City Council shall forward notice of each designated historic district or architectural design district to the office of the Orange County Clerk for recordation.

STATE OF NEW YORK  
SUPREME COURT

COUNTY OF ORANGE

KEYBANK NATIONAL ASSOCIATION,

Plaintiff,

-against-

THE CHAPMAN STEAMER COLLECTIVE LLC and  
MEI Y. WANG,

Defendants.

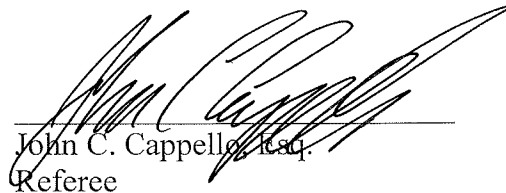
**NOTICE OF SALE**

Index No. 008671/2010

Hon. Paul I Marx, J.S.C.

Pursuant to the Judgment of Foreclosure and Sale dated October 1, 2012, duly made and executed in the above-entitled action in the amount of \$307,230.64, plus interest, costs and disbursements, attorney's fees and other amounts awarded by the Court, I, the undersigned, the Referee named by the Order Appointing Successor Referee dated May 16, 2013, will sell at public auction **in the Third Floor Lobby/Foreclosure Sales Area of the Orange County Courthouse located at 285 Main Street, Goshen, New York, on Tuesday, August 27, 2013, at 10 o'clock in the morning of that date**, the real property directed by said Judgment to be sold, commonly known as 179 Dubois Street in the City of Newburgh, County of Orange and State of New York, designated as Section 17, Block 8, Lot 18 on the Tax Map of the City of Newburgh, and more particularly described in Schedule "A" annexed to said Judgment, together with the buildings and improvements thereon.

Dated: July 29, 2013  
Walden, New York

  
John C. Cappello, Esq.  
Referee

NOLAN & HELLER, LLP  
Justin A. Heller, Esq.  
*Attorneys for Plaintiff*  
39 North Pearl Street, 3rd Floor  
Albany, New York 12207  
(518) 449-3300

KEYBANK NATIONAL ASSOCIATION,

Plaintiff,

-against-

THE CHAPMAN STEAMER COLLECTIVE LLC and  
MEI Y. WANG,

Defendants.

**TERMS OF SALE**

Index No. 008671/2010

Hon. Paul I Marx, J.S.C.

The premises described in the within Notice of Sale will be sold under the direction of John C. Cappello, Esq., Referee, upon the following terms:

1. Ten (10%) percent of the purchase money of said premises will be required to be paid in cash or certified check to the said Referee at the time and place of sale, and for which the Referee's receipt will be given; unless the Plaintiff shall become the purchaser, in which event this payment shall be waived.

2. The residue of said purchase money will be required to be paid in cash or certified check made payable to or as directed by the Referee and delivered to the offices of Nolan & Heller, LLP, 39 North Pearl Street, 3rd Floor, Albany, New York 12207, on or before September 27, 2013, when the Referee's deed will be ready for delivery, time being of the essence as to the purchaser only.

3. The Referee is not required to send any notice to the purchaser; if purchaser neglects to call at the time and place specified above to receive the deed, the purchaser will be charged with interest thereafter on the whole amount of the purchase, at the lawful rate for judgments in New York State, unless the Referee shall deem it proper to extend the time for the completion of said purchase.

4. The premises are **SUBJECT TO:**

(a) Any covenants, restrictions, easements, public agreements, rights of way, and building and zoning ordinances or regulations affecting said premises, either appearing on the public record or apparent from physical examination of the premises, and any existing violations of same;

(b) Any state of facts an accurate survey or inspection of the premises would disclose;

(c) Any equity of redemption of the United States of America to redeem the premises within 120 days from date of sale, if any;

(d) Any equity of redemption of the Federal Deposit Insurance Corporation or the Resolution Trust Corporation as a consequence of the receivership of a defendant in this action, if any;

(e) All rights of tenants or persons in possession of the premises whether or not such possession is lawful, inclusive of the rights afforded occupants and tenants pursuant to Section 1305 of the New York Real Property Actions and Proceedings Law (the "RPAPL") exclusively for residential real property as defined in RPAPL Section 1305(1)(a);

(f) Prior lien(s) of record, if any; and

(g) All unpaid taxes, assessments, water rates, sewer rents, and any other encumbrance which become liens upon the property sold after the date of the sale.

5. In the event of an actual sale to a third party bidder who is not the Plaintiff herein, the purchaser shall pay all taxes, assessments, water rates and sewer rents which are, at the time of the sale, liens or encumbrances upon said premises, and shall, prior to the delivery of the deed, produce to the Referee proof of payment thereof. Purchaser shall not be entitled to any credit against the purchase price on account of any such taxes, assessments,

water rates or sewer rents. The premises shall be sold subject to any taxes, assessments, water rates and sewer rents which become liens against the premises after the time of the sale.

6. The premises are to be sold in "as is" physical order and condition. The condition of the premises is unknown to the Referee and the Plaintiff, and neither the Referee nor the Plaintiff has made, and they do not make, any representations as to the physical condition, rents, leases, expenses, operation, value, or any other matter or thing affecting or related to the premises, except as herein specifically set forth. Neither the Referee nor the Plaintiff shall be liable for or bound by any verbal or written statements, representations, real estate broker's "set-ups," or information pertaining to the premises furnished by any real property broker, agent, employee, or any other person except as specifically set forth herein. The Referee and the Plaintiff are not liable for any expenses, express or implied warranties, guaranties, promises, or statements of any kind relating in any manner to the premises. The Terms of Sale express the complete understanding and agreements of the parties and cannot be changed, terminated, or waived orally. These Terms of Sale shall be binding on the purchaser and its, his or her heirs, successors, and assigns.

7. All expenses of recording the Referee's Deed, including real property transfer tax and transfer stamps, and other closing costs, shall be borne by the purchaser, notwithstanding any local custom to the contrary.

8. The bidding will be kept open after the premises are struck down, and in case any purchaser shall fail to comply with any of the conditions of sale set forth herein, the premises so struck down to purchaser will again be put up for sale under the direction of said Referee, pursuant to these same terms of sale, without application to the Court, unless Plaintiff's attorneys shall elect to make such application; and such purchaser will be held liable for any deficiency there may be between the sum for which said premises shall be struck

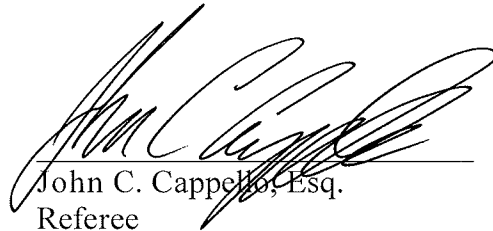
down upon the sale, and that for which the premises may be purchased on the re-sale, as well as for any costs or expenses occurring on such re-sale and upon purchaser's default, and the bid deposit shall automatically be forfeited and released to the Plaintiff and applied to the aforesaid deficiency, if any. Such forfeiture shall not be a waiver of any rights of the Plaintiff to seek and obtain damages from the defaulting bidder.

9. Plaintiff shall be entitled to credit bid at the sale and in the event the Plaintiff is the successful bidder at the sale, Plaintiff's attorneys may waive the down payment provided above.

10. The Referee shall execute to the purchaser on such sale a Deed of the premises sold; said purchaser shall be responsible for the cost of any and all abstracts of title and surveys, notwithstanding any local custom to the contrary.

11. The purchaser of said premises, or any portion thereof, will, at the time and place of sale, sign a memorandum of the purchase and an agreement to comply with the terms and conditions of sale herein contained.

Dated: July 29, 2013  
Walden, New York

  
John C. Cappello, Esq.  
Referee

97908



**MEMORANDUM OF SALE**

The undersigned has today purchased the premises described in the annexed printed advertisement of sale for the sum of \$ \_\_\_\_\_ Dollars (\$\_\_\_\_\_) and hereby promises and agrees to comply with the terms and conditions of the sale of said premises as set forth in the above Terms of Sale, which are incorporated herein by reference.

Dated: August \_\_, 2013

\_\_\_\_\_ John C. Cappello, Esq.

\_\_\_\_\_ Print Purchaser's Name

\_\_\_\_\_ Purchaser's Address

\_\_\_\_\_

\_\_\_\_\_ Purchaser's Signature

RECEIVED from \_\_\_\_\_, purchaser, the sum of \$ \_\_\_\_\_ Dollars (\$\_\_\_\_\_), being at least ten (10%) percent of the amount bid by said purchaser for the premises sold by me pursuant to the Judgment in the above entitled action.

Dated: August \_\_, 2013

\_\_\_\_\_ John C. Cappello, Esq., Referee

The ten (10%) percent down payment is hereby waived.

\_\_\_\_\_ Nolan & Heller, LLP  
Attorneys for Plaintiff

\_\_\_\_\_ John C. Cappello, Esq., Referee

Schedule "A"

Legal Description of Mortgaged Premises

Guarantee No.: 1003-30106

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ALL that certain plot, piece, or parcel of land situate, lying and being in the City of Newburgh, County of Orange and State of New York, being bounded and described as follows:

BEGINNING at a point formed by the northwesterly side of Dubois Street as the same intersects with the northeasterly side of South Street, thence from said point of beginning and along said side of South Street North 72 degrees 38' 10" West, 100.00 feet to a point; thence along the lands now or formerly of Vazquez North 12 degrees 49' 50" East, 44.00 feet to a point and South 72 degrees 38' 10" East, 100.00 feet to a point; thence along the aforesaid side of Dubois Street, 12 degrees 40' 50" West, 44.00 feet to the point or place of beginning.

STATE OF NEW YORK  
SUPREME COURT COUNTY OF ORANGE

KEYBANK NATIONAL ASSOCIATION,

Plaintiff,

-against-

THE CHAPMAN STEAMER COLLECTIVE LLC and  
MEI Y. WANG,

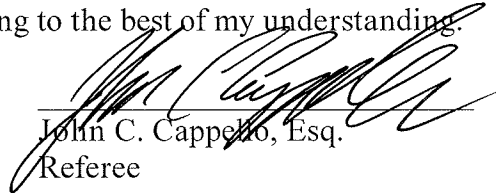
Defendants.

**OATH OF SALE**


Index No. 008671/2010

Hon. Paul I Marx, J.S.C.

I, John C. Cappello, Esq., the Referee appointed in the above-captioned action, pursuant to the Judgment of Foreclosure and Sale dated October 1, 2012 and the Order Appointing Successor Referee dated May 16, 2013, to sell the subject mortgaged premises at public auction according to the law and custom of this Court, being duly sworn, deposes and says that I will faithfully and fairly perform my duties assigned to me as the case requires and will make a just and true report thereon according to the best of my understanding.

  
John C. Cappello, Esq.  
Referee

Sworn to before me this  
29 day of July, 2013.

  
Notary Public, State of New York

SALLY A. CHRISTIAN  
Notary Public, State of New York  
No. 4890610  
Qualified in Ulster County  
Commission Expires May 4, 2015

97908