

ARTICLE 8

General Exceptions

Section 8.010: General Exception to Minimum Lot Area Requirements. Any legal non-conforming lot on record as of the date of this ordinance which does not meet the minimum lot area and/or the minimum lot width requirements of this ordinance for the zoning district in which such lot is situated, shall be considered as complying with such minimum lot requirements; and no variance shall be required, provided that the minimum side yard requirement shall be reduced by no more than the same percentage as the lot width does not conform to the minimum lot width requirement for the district in which the lot is situated. Any greater reduction of the side yard shall require a variance, as outlined under Article 10 of this ordinance.

Section 8.020: Gifts, Devises and Inheritances. The mere decision of land resulting from bona fide gift, devise and inheritance by and from "natural persons" shall not be subject to review by the Caroga Planning Board. New land use or development on lots, parcels or sites conveyed by individuals, who on the date of May 22, 1973, when the Adirondack Park Law became law, own such land to members of their immediate families by bona fide gift, devise or inheritance, shall be exempt from the overall intensity guidelines and the minimum lot size criteria specified in Section 4.050 for the purpose of constructing one single family dwelling on any such lot, parcel or site, except that the minimum side yard requirement shall be reduced by no more than the same percentage as the lot width does not conform to the minimum lot width requirement for the district in which the lot is situated. Any greater reduction shall require a variance, as outlined under Article 10 of this ordinance. All other permit requirements and restrictions of this ordinance still apply.

DISTRICT C - CONSERVATION

Uses Permitted by Right	Uses Permitted by Site Plan Review	Minimum Lot Size		Minimum Yard Dimensions			Maximum % of Lot To Be Covered	Maximum Building Height
		Acres	Lot Width	Front	Side	Rear		
Fence	Municipal Buildings by Uses			50	30	30		
	Non-Proprietary Uses							
	Portable Structure							

DISTRICT LE-1—LAKEFRONT RESIDENTIAL

Uses Permitted by Right	Uses Permitted by Site Plan Review	Minimum Lot Size		Minimum Yard Dimensions			Maximum % of Lot To Be Covered	Maximum Building Height
		Acres	Lot Width	Front	Side	Rear		
Single Family Dwellings	Major Public Utility Use	1	100	25	20	20	25	35'
Municipal Buildings	Portable Structure							
Home Occupations	Fence							
Accessory Uses								
Essential Services								
Fence								

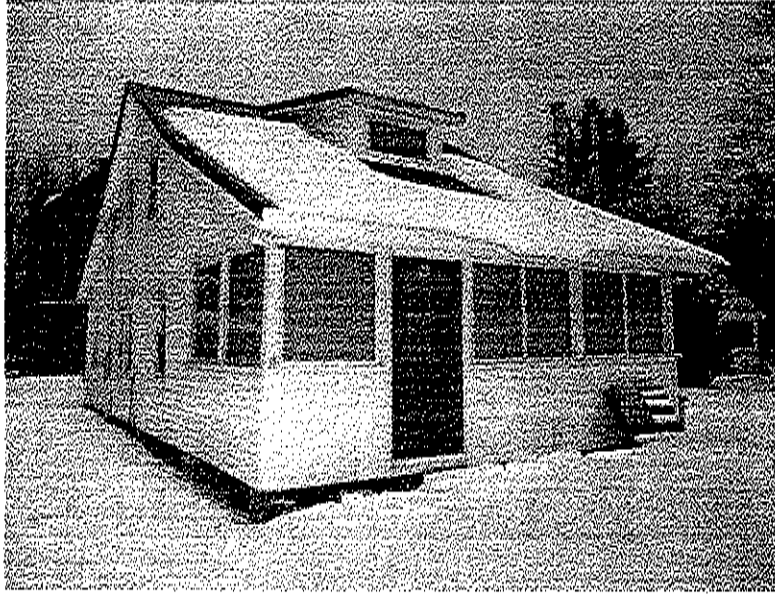
Shoreline Restrictions
 -Lot Width at Shore: 125 feet
 -Building Setback: 75 feet

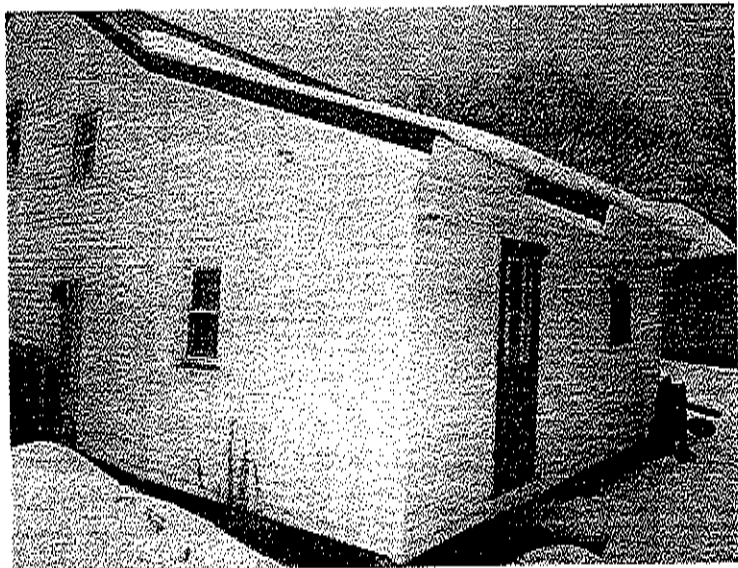
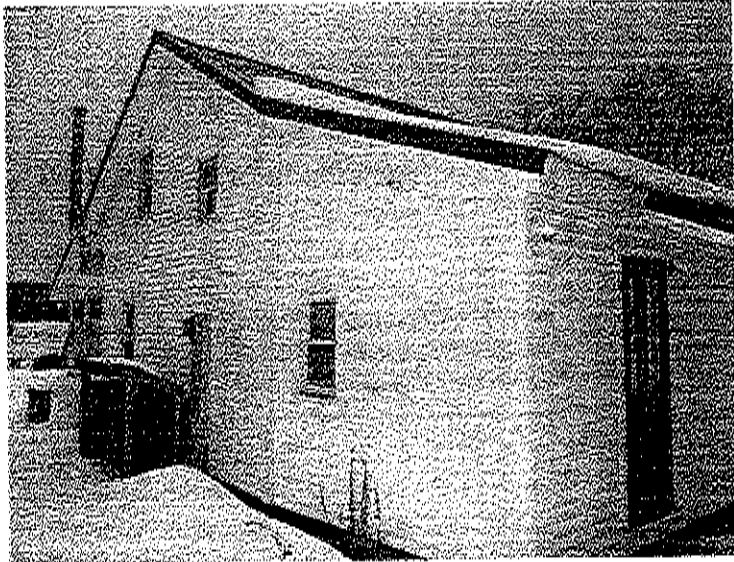
DISTRICT LE A—LAKEFRONT RESIDENTIAL

Uses Permitted by Right	Uses Permitted by Site Plan Review	Minimum Lot Size		Minimum Yard Dimensions			Maximum % of Lot To Be Covered	Maximum Building Height
		Acres	Lot Width	Front	Side	Rear		
Single Family Dwellings	Major Public Utility Use	25,000 sq. ft.	100	25	20	20	25	35'
Municipal Buildings	Portable Structure							
Home Occupations	Fence							
Accessory Uses								
Essential Services								
Fence								

Shoreline Restrictions
 -Lot Width at Shore: 50 feet
 -Building Setback: 50 feet

108 MONTANA





LIBER# 1011

PAGE#

COUNTY OF FULTON
COUNTY BUILDING
228 WEST MAIN STREET
JOHNSTOWN, NEW YORK 12095
Phone: (518)736-5555

Place Validation Stamp below:

LIBER: 1011 PG: 223
08/02/2005 03:10:28PM
INST # 5018
FULTON COUNTY CLERK
WILLIAM E. ESCHLER

Type of Document: DEED

0030

Party(ies): Grantor / Mortgagor / Assignor

JOR SHEKERJIAN + PAUL DUNHEAVY

RECEIVED
REAL ESTATE
TRANSFER TAX
FULTON COUNTY

Party(ies): Grantee / Mortgagee / Assignee

LUCIA *maddalone*

Town: CAROGA

Consideration: \$312,649

Record and Return to:

LUCIA MADALONE

1124 RUGBY ROAD

SCHENECTADY, NY 12308

Recorded by: _____

This sheet constitutes the Clerk endorsement required by section 316 A (5) for the Real Property Law of the State of New York.

This Indenture

Made the 28th day of July, Two Thousand Five.

Between

For Shekerjian and Paul Dunleavy, residing at 16 Imperial Avenue, Cohoes, NY 12047.

and

parties of the first part.
AM
 Lucia Madalena, residing at 1124 Rugby Road, Schenectady, New York 12308.

party of the second part.

Witnesseth that the parties of the first part, in consideration of One Dollar (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, do hereby grant and release unto the party second part, her heirs or successors and/or assigns forever,

ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate in the Town of Caroga, County of Fulton and State of New York, bounded and described as follows:

Commencing on the north side of a private road running westerly from the Johnstown-Caroga Highway and at the southwest corner of lands now or formerly owned and occupied by Nellis Shaver, and running thence northerly along the west line of said land now or formerly of Nellis Shaver to the south shore of Caroga Lake at an iron stake set for a corner; thence in a westerly direction along the shore of said Lake to lands now or formerly of Elton Cross; thence southerly along the east line of said lands now or formerly of Cross to the northwest corner of lands heretofore conveyed from Frankie A. Jeffers and others to Hiram L. Montayne; thence easterly along the north line of lands now or formerly of said Hiram L. Montayne, Gertrude M. Fusmer and Fred Kettler to a point on the south side of the first mentioned private road directly opposite the point of beginning; and thence northerly across said private road in a straight line with the course first herein described to the said point and place of beginning.

Excepting and reserving all that piece or parcel of land situate, lying and being in the Town of Caroga, County of Fulton, State of New York, bounded and described as follows:

Beginning at an iron pin driven in the ground at the northeast corner of lands already owned by Hiram L. Montayne and wife, and prior to February 26, 1937, and as conveyed to them by deed from the heirs of Edward B. Gifford, deceased, and running thence westerly a distance of 36 feet along the north line of lands so conveyed to said Montayne and wife to the east line of lands formerly of Mrs. Minnie Cross; thence northerly along the east line of lands now owned by one, Timmerman (Formerly of Mrs. Minnie Cross) to the south shore of West Caroga Lake; thence east along the south shore of West Caroga Lake 20 feet; thence southerly parallel with the second course herein described and the east line of said Timmerman lands to a point 3 feet westerly from the cottage now standing on the lands first herein conveyed; thence southeasterly parallel with and 3 feet distant from the former Julia Wells' last mentioned cottage to a point 20 feet northerly from the point of beginning; and thence southerly 20 feet to the point and place of beginning.

Subject to any and all enforceable covenants, conditions, easements and restrictions of record, if any, affecting said premises.

Being a portion of the same premises conveyed to the parties of the first part by Rose Marie Sedor and Rose Visceglie, by deed dated August 14, 2002 and recorded in the Fulton County Clerk's Office in Liber 920 at Page 154.

Together with the appurtenances and all the estate and rights of the parties 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, her heirs, successors and/or assigns forever.

And said parties of the first part covenant as follows:

First, That the party of the second part, shall quietly enjoy the said premises;

Second, That said parties of the first part will forever Warrant the title to said premises.

Third, That in Compliance with Sec. 13 of the Lien Law, the grantors 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.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Tor Shekerjian L.S.
Tor Shekerjian

Paul Dunleavy L.S.
Paul Dunleavy

State of New York
County of Saratoga ss.:

On the 28th day of July, in the year 2005, before me the undersigned, personally appeared Tor Shekerjian and Paul Dunleavy, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity and that by their signatures on the instrument, the individuals, or the persons upon behalf of which the individuals acted, executed the instrument.

Stephen P. Monthie

Notary Public

STEPHEN P. MONTHIE
NOTARY PUBLIC - State of New York
Qualified in Saratoga Co.
Reg No. 01MO4801695
Commission Expires Sept. 30, 2005

Near By Property Owners of 108 Montanye Lane Caroga Lake NY 12032

Eugene Stasia 106 Montanye Lane Caroga Lake NY

Steve Becker 108 2284 State Highway 10 Caroga Lake NY

Michael Casey 110 Hys Road Caroga Lake NY

Linda Stevens 2296 State Highway 10 Caroga Lake NY

Eric D'Arcy 2294 State Highway 10 Caroga Lake NY

Christina Ardito 2292 State Highway 10 Caroga Lake NY

Bob Tryon 2288 State Highway 10 Caroga Lake

