



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

Engineer for the Town

30 August 2007

Gerald N. Jacobowitz
Jacobowitz and Gubits, LLP
P.O. Box 367
Walden, New York 12586-0367

SUBJECT: SEWER ALLOCATION – Woodlawn Manor
Your File No. 300-7

Dear Jerry:

We are in receipt of your letter dated 14 June 2007 in connection with a proposed sale of sewer capacity to Upstate Properties USA, LLC as part of the Moodna Creek Development (Majestic) Reallocation Agreement.

As per the procedure adopted by the Towns of New Windsor and Cornwall in October 2006, your office should prepare a draft allocation contract which should include the following:

- Name(s) of Prospective Purchaser
- Address of Prospective Purchaser
- Location of Property (street location)
- Tax Map Number(s) of parcel(s) involved
- Description of Proposed Development (number of lots or units proposed)
- Estimated Development Timetable
- Copy of Plan and/or Deed
- Indication if there is a current application before the Town of New Windsor Planning Board (if so provide application number).

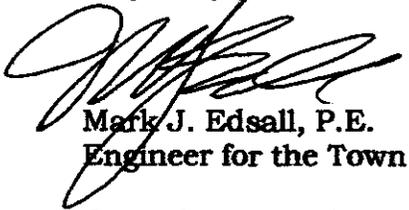
The draft contract should indicate that the final allocation amount (gallons per day) is determined by the Town following Preliminary Approval of an application (or equivalent for a site plan).

As per the Town's procedures, a copy of the aforementioned draft contract should be forwarded to the undersigned at Town Hall.

The Town has an application known as Woodlawn Manor (App. No. 03-17); however, it is my belief that this application has been before the board since June 2004. The disposition of the application is unknown. At minimum, the application will need to become active again and all preliminary type issues addressed such that a final allocation assignment can be considered.

We will await such progress before taking any further action.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark J. Edsall', is written over the typed name and title.

Mark J. Edsall, P.E.
Engineer for the Town

Cc: George A. Green, Town Supervisor (via email)
Michael D. Blythe, Esq., Town Attorney (via email)
Richard D. McGoey, P.E., Town Engineer (via email)