

Incorporated Village of Mastic Beach

P.O. Box 521, 427 Neighborhood Road, Mastic Beach, NY 11951
631-281-2326 631-772-2432 Fax

INSPECTION UNDER CHAPTER 180 OF THE CODE OF THE VILLAGE OF MASTIC BEACH "UNSAFE OR HAZARDOUS BUILDING, CONDITION, PROPERTY OR STRUCTURE"

Premises: 25 Bayside Dr 209. 33. 05. 060

Inspector: Timothy Brojer

Date of Inspection: 9-15-14

EXISTING CONDITIONS: CHECK ALL THAT APPLY

- Interior walls other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.
- Exclusive of the foundation, shows 33% or more of damage or deterioration of the support member of members or 50% of damage or deterioration of the non-supporting enclosing or outside walls or covering.
- Improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used.
- Premises damaged by fire, wind, or other causes so as to have become dangerous to life, safety or the general health and welfare of the occupants or the public.
- Premises is so dilapidated, decayed, unsafe, unsanitary or utterly fails to provide amenities essential to decent living so that it is unfit for human habitation or is likely to cause sickness or disease so as to work injury to the health, safety, or general welfare of those living therein.
- Premises has light, air and sanitation facilities which are inadequate to protect the health, safety or general welfare of persons who live or may live therein.
- Inadequate facilities for egress in cases of fire or panic or insufficient stairways, elevators, fire escapes or other means of communication.
- Contains parts that are so attached that they may fall and injure members of the public or property.

ADDITIONAL INFORMATION REGARDING CONDITION OF PROPERTY (attach extra sheet if necessary):

RECOMMENDATION TO VILLAGE BOARD:

Circle One:

Repair

Remove

Describe in Detail Recommended Action:

All this time House is in
unsafe and unsaintary condition House
needs to be removed - The House
is a danger to the village and
the surrounding Houses

Date: Sept 15, 2014

By: 
Sign Name
Timothy Brojeu
Print Name

**BY ORDER OF THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF MASTIC BEACH**

**NOTICE AND ORDER TO REMOVE
SECTION 180-4 OF THE VILLAGE CODE**

TO:

Owners:

Thomas Zehner, Jr. and Nicole Zehner
25 Bayside Road
Mastic Beach, New York 11951

Thomas Zehner, Jr. and Nicole Zehner
3 Vintage Court
Middle Island, New York 11953

Mortgagees:

US Bank National Association, as Trustee
for JPM ALT 2006-A3
c/o Chase Home Finance, LLC
3415 Vision Drive
Columbus, Ohio 43219

Stein, Weiner & Roth, LLP
Attorneys for US Bank National Association
One Old Country Road, Suite 113
Carle Place, New York 11514

Greenwich Investors XXX III, LLC
1187 Coast Village Road, Suite 524
Santa Barbara, California 93108

Greenwich Investors XXX III, LLC
559 San Ysidor Road, Suite I
Santa Barbara, California 93108

Lien Holder:

Town of Brookhaven, Legal Department
One Independence Hill
Farmingville, New York 11738

PREMISES: 25 BAYSIDE ROAD, MASTIC BEACH, NEW YORK

- A. The premises is located at 25 Bayside Road, Mastic Beach, NY (S.C.T.M.: 0209-033.00-05.00-060.000)
- B. The building or structures on the property are unsafe or dangerous in the following ways:
- 1) Exclusive of the foundation, shows 33% or more of damage or deterioration of the support member or members or 50% of damage or deterioration of the non-supporting enclosed or outside wall or covering.
 - 2) Premises damage by fire, wind or other causes so as to have become dangerous to life, safety or the general health and welfare of the occupants or the general public.
 - 3) Premises is so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease so as to work injury to the health, safety, or general welfare of those living therein.
 - 4) Contains parts that are so attached that they may fall and injure members of the public or property.
- C. You are **HEREBY ORDERED** to have the structures removed immediately.
- D. You are **ORDERED** to commence the removal of the buildings or structures on or before October 29, 2014, and said work shall be completed within thirty (30) days thereafter.
- E. In the event you disobey this Order, a hearing will be held before the Board of Trustees of the Village of Mastic Beach on November 11, 2014 at 7:00 pm at Village Hall, 269 Neighborhood Road, Mastic Beach, New York 11951.
- F. In the event that the Village Board, after the hearing, shall determine that the building, property, or structure or condition thereon is dangerous, hazardous, or unsafe to the public, the Village Board may order the building to be taken down.
- G. In the event that the building shall be determined by the Village to be dangerous, hazardous, or unsafe, and in the event of the neglect or refusal of the owner to remove the structure within the time provided, the Village may remove such building or structure by whatever means it deems appropriate and assess all costs and expenses incurred by the Village in connection with the proceeding to remove, including the cost of actually removing said building or structure and any engineering, legal or other expenses, as an assessment against the land on which said building or structure is located to be charged to the owner of the property on the next Village tax roll, although the levying of an assessment by the Village against the property on the next Village tax roll shall not be an exclusive remedy and shall not preclude the Village from any other available remedy including but not limited to pursuing a civil

One Old Country Road, Suite 113
Carle Place, New York 11514

Greenwich Investors XXX III, LLC
1187 Coast Village Road, Suite 524
Santa Barbara, California 93108

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Santa Barbara, California 93108

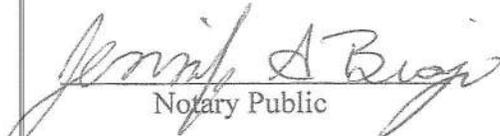
Judgment Creditor:

Town of Brookhaven, Legal Department
One Independence Hill
Farmingville, New York 11738

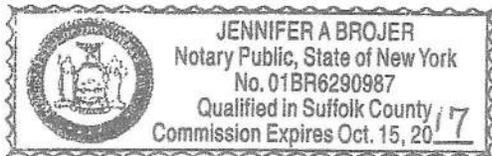


SUSAN F. ALEVAS, ESQ.

Sworn to before me this
14th day of October, 2014.



Notary Public



-----X
In the Matter of the Notice to Remove the premises
situated at 25 Bayside Road, Mastic Beach,
New York 11951

Suffolk County Tax Map No.
0209-33.00-05.00-060.000

**AFFIDAVIT OF
POSTING OF NOTICE**

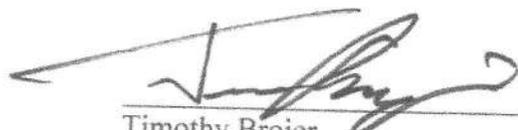
on Property owned by:
Thomas Zehner, Jr. and Nicole Zehner

Pursuant to Chapter 180 of the Village of Mastic
Beach

-----X
STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

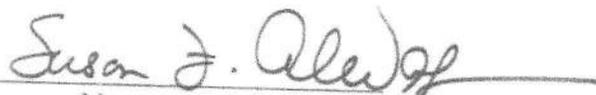
Timothy Brojer, being duly sworn, deposes and says:

1. I am a Senior Code Officer for the Village of Mastic Beach, Suffolk County, New York.
2. That on October 14, 2014, I caused to be posted upon the structure situated on 25 Bayside Drive, Mastic Beach, New York, designated by Suffolk County Tax Map No. 0209-033.00-5.00-060.000, reputedly owned by THOMAS ZEHNER, JR. and NICOLE ZEHNER, pursuant to the provisions of section 180-4(B) of Chapter 180 of the Code of the Village of Mastic Beach, a copy of the notice which is attached hereto and made a part hereof.



Timothy Brojer

Sworn to before me this
16th day of October, 2014.



Notary Public

SUSAN F. ALEVAS
NOTARY PUBLIC, STATE OF NEW YORK
NO. 52-4632785 SUFFOLK COUNTY
COMMISSION EXPIRES 7/28/2015

Village Of Mastic Beach

Process Server

11/07/14

Intex Contracting

Daniel McCue

631-335-5203

P.O Box 312 Shirley, NY 11967

LiProcessServer@Gmail.com

To serve summonses, subpoenas and other legal papers/documentation related to criminal actions that are commenced by the Village of Mastic Beach in the Village Justice Court. To serve defendants residing in Suffolk and Nassau County with summonses, subpoenas and other legal papers/documentation issued by the Village of Mastic Beach Justice Court within allocated timeframe.

Our proof of service shall specify the papers served, the person who was served and the date, time, address, or, in the event there is no address, place and manner of service, and set forth facts showing that the service was made by an authorized person and in an authorized manner. If required, proof of service may also include, a description of the person to whom it was so delivered, including, but not limited to, sex, color of skin, hair color, approximate age, approximate weight and height, and other identifying features. Other services in-which defendant was not personally served, will include the proof of service with specified dates, addresses and the times of attempted service.

The included proposal is a firm and irrevocable offer based upon the RFP provided by Mastic Beach Village.

Daniel McCue

P. 631-335-5203

P.O Box 312 Shirley, NY 11967

E. LiProcessServer@Gmail.com

APPENDIX A

PROPOSER GUARANTEES

- I. The Proposer certifies it can and will provide and make available, as a minimum, all services set forth in Nature of Services Required.
- II. The Proposer has read the entire RFP package including Appendices A-C, and agrees that the rights and prerogatives as detailed are retained by the Village.
- III. The Proposer agrees to be bound by the contractual requirements delineated in Appendices A-C.
- IV. Proposer warrants that it will not assign, delegate or subcontract its responsibilities under this agreement, unless approved by the Village of Mastic Beach.
- V. Proposer warrants that all information provided by it in connection with this proposal is true and accurate.

Signature of Representative:

Daniel McBee

Name:

Daniel McBee

Title:

President

Firm:

Intex Contracting

Date:

11/7/14

APPENDIX B

Rate Per Address (Suffolk County)

\$40.00

Rate Per Address (Nassau County)

\$45.00

*The rate includes the service of multiple summonses and other legal papers in one visit to a single address within Nassau and Suffolk Counties. The Process Server will not be paid for incomplete or failed service of process. The selected process server must serve all documents received from the Village and may not purposely withhold service of a document so that a later trip must be made to the same address. If multiple trips are required to complete service, the rate per address will still remain the same.