



RONALD R. STEVENS
SHERIFF

DUANE F. TILLAPPAUGH
UNDERSHERIFF
(518) 295-2266

Schoharie County Sheriff's Office

157 DEPOT LANE
PO BOX 689
SCHOHARIE, NY 12157
FAX (518)295-2267
EMERGENCY 911

GENERAL AFFIDAVIT

The within named person (affiant) Sgt J.McCoy , who is a resident of 157 Steadman Way Schoharie County, State of New York, Personally came and appeared before me, the undersigned Notary Public, and makes this his/her statement , testimony and General Affidavit under oath or affirmation, in good faith, and under penalty of perjury, of sincere belief and personal knowledge that the following matters, facts and things set forth are true and correct, to the best of his/her knowledge:

I am employed as a Deputy Sheriff by the Schoharie County Sheriff's Office with my Title being that of Road Patrol Sergeant. As a part of my duties I Supervise the Civil Division of the Sheriff's Office. Our Office received a Warrant of Eviction for 208 Bassler Road in the Town of Middleburgh. The named parties of Fred Dufek, Robin Dufek, Laurie Dufek and Troy Dufek were listed on the warrant. This Warrant was signed by Judge Guntert the Town of Middleburgh Justice and was dated the 5th Day of September 2018. This Warrant was received by our office on September 26th 2018. Attempts at personal delivery were made without success and a copy of the warrant with 72 hour notice was affixed to the door of the home and a copy mailed. I have had numerous conversations with the Office of David Gallo (Attorney of Record for Plaintiff) relative to the difficulties in enforcement of the Warrant of Eviction. From research I have conducted at the County Tax Office the property appears to be land locked. For practical purposes there is a single point of access from Bassler Road to 208 Bassler Road which would allow vehicular travel (ie a moving truck). This entry point is blocked by a gate with numerous signs on it stating "no trespassing" "Property under video surveillance" amongst others. In front of the gate approximately 10 to 15 feet is a metal chain which appears to be an attempt to further prevent vehicular access which also displays signage stating "no trespassing". The Road frontage along Bassler Road in the property adjoining 208 Bassler road has been posted for trespass and a large portion of it is fenced. To access 208 Bassler Road to perform the eviction the private property of another person would have to be crossed. The property has been posted and personal

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property of its owner would have to be damaged in order to access the only possible roadway to the property to carry out the eviction. Extensive attempts were made at service of the warrant which was only able to be affixed when a gate was left open on a single occasion. Without a Court Order directing otherwise at the present time I am unable to carry out the eviction due to a lack of legal access to the property.

Dated this 21st day of December, 2021,

[Signature]
Signature of Affiant

State of New York
County of Schoharie

Subscribed and sworn to, or affirmed before me on this 21 day of December 2021 by Affiant Becky S Binder

[Signature]
Signature of Notary Public

Becky S Binder
Notary Public, State of New York
No. 01B16368071
Qualified in Schoharie County
My Commission Ends Dec 04, 2025

12/04/2025
My Commission Expires

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