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December 19, 2017

Mr. Ray Burger
Director of Planning
Town of Dryden
93 E. Main Street
Dryden, NY 13053

Re: Common Driveway for Subdivision at 1540 Ellis Hollow Road

Dear Ray:

Buzz Dolph has asked me to clarify the intentions of Tiny Timber, LLC in regard to the common driveway for the proposed subdivision at 1540 Ellis Hollow Road.

As is shown on the attached sketch map, the lot for the common drive will run from Ellis Hollow Road to the north boundary of the property. Thus, it essentially duplicates the area that is subject to an easement given to Cornell University for ingress and egress to its property on the north. Tiny Timber, LLC will construct the initial drive before any of the lots are conveyed on a design and construction specifications prepared by an engineer. The initial drive will be constructed only to about the middle of Lot 5 to allow for the turn around of vehicles between Lots 4 and 5.

The deed for each lot in the subdivision will also convey an undivided 1/5 interest as tenant in common for the 30 foot wide strip of land on which the common drive will run. Each owner of a lot will therefore also be a partial owner of the common drive and will have use of the entire length of the drive. Each deed will also place restrictions on the common drive so that it will remain as a common drive, and to ensure that the cost of the future maintenance of the drive (including repair, replacement, and snow plowing), and any taxes on the common drive, will be split equally among the five lots (i.e., each lot to pay 1/5). For your information, I'm attaching the form of the Schedule A which will be used for each of the lots as they are conveyed. Parcel 1 will be the description for the individual lot being conveyed. Parcel 2 conveys the 1/5 interest in the common drive and #4 of the "Subject To's" places the restriction on the use and future upkeep of the common drive.


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Each of the house lots will have their own individual driveway which will branch off of the common drive. Each house lot will bear the cost of the maintenance of their individual driveways. Because the conservation area will not be open to the public, it is anticipated that the use of the common drive to access the conservation area will be very minimal.

This arrangement essentially duplicates the arrangement on the Tiny Timber subdivision that was approved at 1624 Ellis Hollow Rd. I hope this letter has addressed your concerns. Please let me know if I need to further clarify any matter.

Sincerely,



Richard P. Ruswick, Of Counsel

cc: Mr. Buzz Dolph
Ms. Mariette Geldenhuys, Esq.
Mr. Jon Albanese, Esq.