

**TOWN OF DRYDEN**  
**RESOLUTION # \_\_\_\_ OF 2019 AUTHORIZING ACQUISITION OF EASEMENTS FOR THE**  
**PURPOSES OF PROVIDING RECREATIONAL OPPORTUNITIES TO THE PUBLIC**

WHEREAS, the 2005 Town of Dryden Comprehensive Plan and the 2011 Recreation Master Plan both identified a need for increased outdoor leisure and recreational space; and

WHEREAS, the Town wishes to create a recreational trail (“the Trail”) for non-vehicular use by the public within abandoned railroad property; and

WHEREAS, the property owners listed in the attachment hereto entitled “Trail Easement Agreements Town of Dryden” (“the Property List”) wish to grant to the Town easements (“the Trail Easements”) across those portions of the parcels they own consisting of abandoned railroad property (“the Easement Areas”) for the Trail; and

WHEREAS, the property owners agreed to grant the easements to the Town for nominal consideration, and the Town will not have to expend funds to acquire the easements; and

WHEREAS, such property owners executed proposed agreements with the Town (“the Trail Easement Agreements”); and

WHEREAS, the Town wishes to accept the Trail Easements; and

WHEREAS, §247(3) of the General Municipal Law provides that the acquisition of interests or rights in real property, including by easement, for the preservation of open spaces is a public purpose and that such acquisition requires a public hearing subject to due notice; and

WHEREAS, a public hearing on the proposed acquisition of the Trail Easements was held on September 19, 2019 at 6:05 p.m. at the Town Hall of the Town of Dryden, 93 East Main Street, Dryden, New York 13053, and notice of such public hearing was duly given by posting at the Town Hall and publication in The Ithaca Journal; and

WHEREAS, the Town Board on December 15, 2016 issued a negative declaration under Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, “SEQR”) with respect to acceptance of the Trail Easements;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board finds that the acceptance of the Trail Easements and execution and recording of the Trail Easement Agreements in the form attached hereto is in the public interest; and be it further

RESOLVED that the Town Board finds that the Easement Areas are suitable for a recreational trail; and be it further

RESOLVED that the Town Board approves the Trail Easement Agreements and authorizes the Town Supervisor to execute them and any and all related documents required for recording of such Agreements.

**Attachment A**  
**9-19-19**  
**Trail Easement Agreements Town of Dryden**

<u>Property owners</u>	<u>Tax parcel numbers</u>	<u>Deed references</u>
1. Charles Leonard	39-1-12.141 and 39-1-12.143	Liber 654 Page 1043
2. Shawn Leonard & Mariya Leonard	39-1-12.142	Instrument #2017-10818
3. Cathleen McDermott Donovan	39-1-12.12	Instrument #525171-001
4. Albert J. Volpini & Janice Volpini	39-1-12.22 and 39-1-12.23	Instrument #2014-09163