

TRAIL EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made this 16th day of March, 2018 by and between **CATHLEEN McDERMOTT DONOVAN** (hereinafter referred to as "Owner of Parcel") of **1564 Slaterville Road, Ithaca, New York 14850** and the **TOWN OF DRYDEN** (hereinafter referred to as "Town"), a municipal corporation of the State of New York, with offices at 93 East Main Street, Dryden, New York 13053.

WHEREAS, Owner of Parcel is the owner in fee simple of certain real property (hereinafter referred to as the "Parcel") consisting of approximately 1.3 acres on N.Y.S. Route 366 in the Town of Dryden, Tompkins County, State of New York, currently designated as tax parcel number 39-1-12.12, as more particularly described in a deed dated April 24, 2008, and recorded April 28, 2008 as Instrument Number 525171-001 in the Tompkins County Clerk's Office; and

WHEREAS, Town is a municipal corporation of the State of New York which desires to preserve, protect and enhance land in its natural, scenic, educational, historical, agricultural, forested, and/or open space condition and also to provide a wide array of recreational opportunities to its residents, as well as alternative means of commuting; and

WHEREAS, Town desires to create a recreational trail (the "Trail") for non-vehicular use by the public within or adjacent to a certain abandoned railroad property, as more fully set forth in an instrument dated April 12, 1982, and recorded April 19, 1982 in Liber 588 of Deeds at page 546 in the Tompkins County Clerk's Office, a portion of which runs southeasterly of the Parcel adjacent to the southeasterly Parcel line, which Trail is intended to enhance local and regional hiking, bicycling and recreational opportunities for the general public by providing an attractive and scenic section of a local trail; and

WHEREAS, Owner of Parcel desires to grant to Town an easement across that portion of the Parcel parallel and adjacent to the southeasterly Parcel line, consisting of land thirty (30) feet in width and approximately 235 feet in length (the "Easement Area"), for Town to improve and/or maintain the Trail, and Town desires to accept said easement.

NOW, THEREFORE, in consideration of the foregoing recitals and \$1.00, and other good and valuable consideration, receipt of which is hereby acknowledged by Owner of Parcel, the parties agree as follows:

1. Grant of Easement to Town for Trail: Owner of Parcel hereby grants, transfers, and conveys to Town the following:
 - a. For the benefit of the public, a perpetual easement and right-of-way for non-vehicular ingress, egress, and access by the public over and across the Easement Area.

STATE OF NEW YORK)
COUNTY OF TOMPKINS) ss.:

On the 16th day of March in the year 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared **CATHLEEN McDERMOTT DONOVAN**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the persons upon behalf of whom the individuals acted, executed the instrument.



Notary Public

MARTIN W. JOHNSON
Notary Public - State of New York
No. 01JO6098402
Qualified in Broome County
My Commission Expires Sep. 08, 2019

STATE OF NEW YORK)
COUNTY OF TOMPKINS) ss.:

On the _____ day of _____ in the year 20____ before me, the undersigned, a Notary Public in and for said State, personally appeared **JASON M. LEIFER**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the persons upon behalf of whom the individuals acted, executed the instrument.

Notary Public