

Tompkins County Clerk Recording Page

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LEVENE GOULDIN & THOMPSON

Maureen Reynolds, County Clerk

Tompkins County Clerk
320 North Tioga Street
Ithaca, NY 14850
(607) 274-5431

Document Type: **EASEMENT**

Receipt Number: 19-226458

Grantor (Party 1)

VTT LLC

Grantee (Party 2)

TOWN OF DRYDEN

Fees

Recording Fee	\$20.00
TP-584 Form Fee	\$5.00
Pages Fee	\$40.00
State Surcharge	\$20.00
Total Fees Paid:	\$85.00

Transfer Amt: \$0.00

Instrument #: 2019-02659
Transfer Tax #: 001385

Property located in **Dryden**

State of New York
County of Tompkins

Recorded on March 20th, 2019 at 3:32:58 PM with a
total page count of **8**.

Tompkins County Clerk

This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York

Do Not Detach

PERMANENT EASEMENT FOR STORM, WATER AND SEWER LINES

THIS INDENTURE, made this 14th day of March, 2019, between VTT, LLC, a New York Limited Liability Company with its principal office at 26 Quarry Road, Ithaca, NY 14850, ("Grantor"), and the Town of Dryden, a municipal corporation having its Town Hall at 65 East Main Street, Dryden, New York, 13053 ("Grantee").

WITNESSETH: Grantor in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the Grantee, receipt of which is hereby acknowledged, does hereby grant, remise, relinquish and release unto the Grantee, its successors and assigns a permanent EASEMENT AND RIGHT OF WAY to enter, re-enter, construct, install, alter, replace, maintain, and operate storm water, water and sewer lines with fixtures and appurtenances including hydrants, valves, and the like, together with the right of ingress and egress for such purposes and the right to trim and/or remove trees, shrubs or other obstructions in and over the property of the Grantor situate in the Town of Dryden, County of Tompkins and State of New York as more particularly described on Schedule A which is attached and made a part hereof. The proposed location of the water, storm, and sewer lines are shown on a survey map entitled, "Subdivision Map Showing Portion on Lands of VTT, LLC, Located on Dryden Road & Freese Road, Town of Dryden, Tompkins County, New York" as prepared by T.G. Miller, P.C., dated December 10, 2018, and revised January 7, 2019, a copy of which map was filed in the Tompkins County Clerk's Office on March 1, 2019 as Instrument #2019-01980. The easement and right-of-way shall be ten (10) feet in width on both sides of a storm water, water, or sewer line as actually installed; provided, however, that this easement shall not extend into nor affect any of the lots numbered 1-15 as shown on the above-described subdivision survey map.

The Grantee hereby agrees to restore the surface condition of the easement area to the same condition as it existed prior to entry thereon insofar as is reasonably possible following completion of construction and maintenance.


Construction and maintenance shall be performed in the least environmentally destructive manner reasonable under the circumstances.

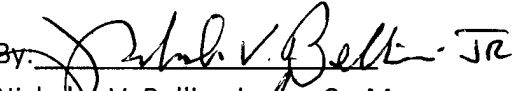
The Grantor retains the use of the surface area of this easement area following construction except that no permanent structure may be located within the easement and right-of-way area without the written approval of the Town of Dryden. Parking lots, drives, driveways, sidewalks, staircases and similar improvements are not considered "structures" for the purposes of this restriction.

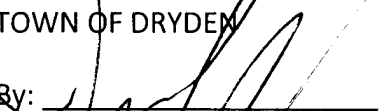
In Witness Whereof, the undersigned have hereunto signed on the day and year first above written.

In Presence of:

VTT, LLC

By: 
Ormsby Dolph, Co-Manager

By: 
Nickolas V. Bellisario, Jr., Co-Manager

TOWN OF DRYDEN
By: 
Jason Leifer, Town Supervisor

STATE OF NEW YORK)

COUNTY OF TOMPKINS)ss.:

On the ^{14th} day of March in the year 2019, before me, the undersigned, personally appeared Ormsby Dolph and Nickolas V. Bellisario, Jr., personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

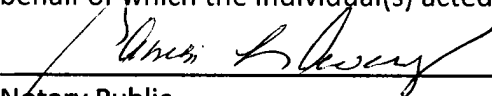

Notary Public

RICHARD P. RUSWICK
Notary Public, State of New York
No. 4861310
Qualified in Tompkins County
Commission Expires May 12, 2022

STATE OF NEW YORK)

COUNTY OF TOMPKINS)ss.:

On the ^{14th} day of ^{March} ~~February~~ in the year 2019, before me, the undersigned, personally appeared Jason Leifer, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public

BAMBI L. AVERY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01AV4634073
Qualified in Tompkins County
My Commission Expires June 30, 2022

SCHEDULE "A"

PARCEL I

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Dryden, County of Tompkins and State of New York, being part of Military Lots 51 and 61 in said Town, and more particularly bounded and described as follows:

COMMENCING at a point at the intersection of the center lines of Freese Road and Dryden Road (N.Y.S. Route 366);

THENCE northeasterly along the centerline of Dryden Road, (N.Y.S. Route 366) on a curve to the left a total distance of 406.60 + feet to the point, which point is a chord bearing of North 44 degrees 39 minutes 02 seconds East, and a chord distance of 406.47 feet from the point of beginning;

THENCE North 60 degrees 50 minutes 48 seconds West, along the southerly line of lands reputedly now or formerly of Cornell University (272/416 and 479/334) passing through points marked by a found iron pin at 34.59 feet, and an iron pipe at 336.34 feet, a total distance of 347.34 feet to a point marked by a found iron pipe;

THENCE South 15 degrees 23 minutes 54 seconds West, a distance of 84.42 feet to a point;

THENCE South 26 degrees 12 minutes 17 seconds West a distance of 77.84 feet to a point;

THENCE South 18 degrees 42 minutes 37 seconds West a distance of 85.51 feet to a point;

THENCE South 23 degrees 15 minutes 27 degrees West a distance of 147.14 feet to a point in the centerline of Freese Road;

THENCE South 60 degrees 22 minutes 43 seconds East along the center line of Freese Road, a distance of 184.05 feet to the point or place of beginning.

EXCEPTING AND RESERVING FROM THE ABOVE DESCRIPTION, the following parcels of land:

A) RESERVED PARCEL #1 - LOTS 5 -7 as shown on the following described map and more particularly bounded and described as follows:

BEGINNING at a computed point, which point is South 74 degrees 19 minutes 04 seconds West 64.02 feet from the northeast corner of the above-described parcel and which point is also the northeast corner of Lot 7 as shown in the survey map described below;

THENCE South 43 degrees 17 minutes 15 seconds West, 90.02 feet to a computed point;

THENCE South 43 degrees 38 minutes 33 seconds West, 37.87 feet to a point, which computed point is the southeast corner of Lot 5 as shown on the survey map described below;

THENCE North 45 degrees 22 minutes 15 seconds West, 46.82 feet to a point;

THENCE on a curve to the right having a radius of 12.00 feet, an arc distance of 18.85 feet to a point, which point is a chord bearing of North 00 degrees 22 minutes 15 seconds West, and a chord distance of 16.97 feet from the last-described point;

THENCE South 44 degrees 37 minutes 45 seconds West, 118.00 feet to a point, which point is the northwest corner of Lot 7 as shown in the survey map described below;

THENCE South 45 degrees 22 minutes 15 seconds East, 56.01 feet to the point or place of beginning.

B) RESERVED PARCEL #2 - LOTS 8 - 10 as shown on the following described map and more particularly bounded and described as follows:

BEGINNING at a computed point, which is North 85 degrees 10 minutes 51 seconds West 39.05 feet from the northwest corner of Lot 7 as shown in the survey map described below;

THENCE South 44 degrees 37 minutes 45 seconds West, 85.00 feet to a computed point;

THENCE North 45 degrees 22 minutes 15 seconds West, 104.00 feet to a computed point;

THENCE North 45 degrees 37 minutes 45 seconds East, 40.00 feet to a computed point;

THENCE South 45 degrees 22 minutes 15 seconds East, 52.00 feet to a computed point;

THENCE North 44 degrees 37 minutes 45 seconds East, 45.00 feet to a computed point;

THENCE South 45 degrees 22 minutes 15 seconds East, 52.00 feet to the point or place of beginning.

C) RESERVED PARCEL #3 - LOTS 1 - 4 as shown on the following described survey map and more particularly bounded and described as follows:

BEGINNING at a computed point, which point is South 43 degrees 38 minutes 33 seconds West 30.00 feet from the southeast corner of Lot 5 as shown in the survey map described below;

THENCE on a curve to the right having an arc distance of 40.01 feet to a computed point, which is a chord bearing of South 43 degrees 57 minutes 32 seconds West, and a chord distance of 40.00 feet from the last-described point;

THENCE South 45 degrees 25 minutes 36 seconds West, 45.00 feet to a computed point;

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THENCE on a curve to the right having an arc distance of 45.02 feet to a point, which point is a chord bearing of South 46 degrees 02 minutes 49 seconds West, and a chord distance of 45.01 feet from the last-described point;

THENCE on a curve to the right having an arc distance of 36.49 feet to a point, which point is a chord bearing of South 47 degrees 43 minutes 44 seconds West, and a chord distance of 36.48 feet from the last-described point;

THENCE North 60 degrees 28 minutes 41 seconds West, 58.10 feet to a point;

THENCE North 44 degrees 37 minutes 45 seconds East, 169.57 feet to a point;

THENCE on a curve to the right having a radius of 12.00, an arc distance of 18.85 feet to a point, which point is a chord bearing of North 89 degrees 37 minutes 45 seconds East, and a chord distance of 16.97 feet from the last-described point;

THENCE South 45 degrees 22 minutes 15 seconds East, 47.33 feet to the point or place of beginning.

D) RESERVED PARCEL #4 - LOTS 11 - 15 as shown on the following described survey map and more particularly bounded and described as follows:

BEGINNING at a point, which point is North 60 degrees 28 minutes 41 seconds West 5.1+ feet from the western corner of Lot 1 as shown in the survey map described below;

THENCE North 44 degrees 37 minutes 45 seconds East, 32.92 feet to a computed point;

THENCE North 45 degrees 22 minutes 15 seconds West, 40.90 feet to a computed point;

THENCE North 48 degrees 26 minutes 00 seconds East, 130.29 feet to a computed point;

THENCE North 45 degrees 22 minutes 15 seconds West, 96.75 feet to a computed point;

THENCE North 74 degrees 34 minutes 41 seconds West, 25.09 feet to a computed point;

THENCE South 23 degrees 15 minutes 27 seconds West, 141.09 feet to a computed point;

THENCE on a curve to the left having an arc distance of 73.07 feet, and a radius of 50.00 feet, to a point, which point is a chord bearing of South 18 degrees 36 minutes 37 seconds East, and a chord distance of 66.74 feet from the last described point;

THENCE South 60 degrees 22 minutes 41 seconds East, 41.32 feet to the point or place of beginning.

SUBJECT TO the following insofar as they may affect the above described premises:

1. The rights of the public in and to so much of the above described premises as may lie within the bounds of the public highways.
2. An easement granted to New York State Electric & Gas Corporation by instrument dated September 3, 1957 and recorded February 7, 1958 in said Clerk's Office in Liber 404 of Deeds at page 84.
3. An agreement among Elvira T. Bossack, Martin L. Ottenschot and Cornell University, recorded October 13, 1987 in said Clerk's Office in Liber 630 of Deeds at page 1116, but together with any rights thereunder with respect to the above described premises.[It is anticipated that this agreement will be modified prior to the granting of this deed.] [NOTE – PLEASE MAKE THE REVISED AGREEMENT AVAILABLE TO THE TOWN PRIOR TO FINALIZING THE EASEMENT]
4. Any rights of way to be granted to utilities to serve the subdivision.

The above-described premises are all of the area inside the perimeter of the above-described premises and outside of the designated lots numbered 1-15 as shown on a survey map entitled, "SUBDIVISION MAP SHOWING PORTION ON LANDS OF VTT, LLC, LOCATED ON DRYDEN ROAD & FREESE ROAD, TOWN OF DRYDEN, TOMPKINS COUNTY, NEW YORK," prepared by T.G. Miller, P.C., dated December 10, 2018 and revised January 7, 2019, a copy of which is intended to be filed concurrently herewith.

PARCEL II

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Dryden, County of Tompkins and State of New York, being part of Military Lots 51 and 61 in said Town, and more particularly bounded and described as follows:

COMMENCING at a point in the center line of Freese Road, said point being located northwesterly along said centerline a distance of 184.05 feet from its intersection with the center line of Dryden Road (N.Y.S. Route 366) and also being the south west corner of the premises conveyed herein as Parcel I; thence running north 62 degrees 42 minutes 10 seconds west along said centerline of Freese Road a distance of 209.45 feet to a point; thence running north 29 degrees 58 minutes 20 seconds east, passing through a pipe or pin in the northerly line of Freese Road. at a distance of 25 feet, a total distance of 146.00 feet to a point marked by pipe or pin; thence running north 60 degrees 15 minutes 30 seconds west a distance of 90.00 feet to a point marked by a pipe or pin; thence north 28 degrees 26 minutes 10 seconds east a distance of 232.93 feet to a point marked by a pipe or pin; thence running south 64 degrees 18

minutes 05 seconds east a distance of 219.48 feet to a point marked by a pipe or pin, said point marking the north west corner of the premises conveyed herein as Parcel I; thence running south 11 degrees 56 minutes 35 seconds west a distance of 84.42 feet to a pipe or pin; then running south 22 degrees 45 minutes 00 seconds west a distance of 77.84 feet to a point marked by a pipe or pin; thence running south 15 degrees 15 minutes 20 seconds west a distance of 85.51 feet to a point marked by a pipe or pin; thence running south 19 degrees 48 minutes 10 seconds west, passing through a point marked by a pipe or pin found at 121.98 feet in the northerly line of Freese Road, a total distance of 147.14 feet to the point or place of beginning.

SUBJECT TO the following insofar as they may affect the above described premises:

1. The rights of the public in and to so much of the above described premises as may lie within the bounds of the public highway.

2. An easement granted to New York State Electric and Gas Corporation by instrument dated September 3, 1957 and recorded February 7, 1958 in said Clerk's Office in Liber 404 of Deeds at page 84.

3. An easement granted to New York State Electric and Gas Corporation by instrument dated August 20, 1957 and recorded February 7, 1958 in said Clerk's Office in Liber 404 of Deeds at page 85.

4. An easement granted to New York State Electric and Gas Corporation by instrument dated August 20, 1957 and recorded February 7, 1958 in said Clerk's Office in Liber 404 of Deeds at page 86.

SUBJECT TO and TOGETHER WITH rights in a non-exclusive 20-foot right of way and the requirement of maintenance thereof as set forth in a deed from Elvira Tailby Bossack to Martin L. Ottenschot by deed dated October 13, 1987 and recorded October 13, 1987 in said Clerk's Office in Liber 630 of Deed at page 1121.

SUBJECT TO and TOGETHER WITH the right contained in an agreement among Elvira T. Bossack, Martin L. Ottenschot, and Cornell University dated October 12, 1987 and recorded October 13, 1987 in said Clerk's Office in Liber 630 of Deeds at page 1116.