

AGREEMENT

WHEREAS, the Town of Dryden has duly adopted by Resolution No. 144-1986, the Town of Dryden Cemetery Ordinance (now codified, how do we refer to this) and

WHEREAS, sufficient proof having been presented to the Town Board as to the ownership of the property at _____ (Town of Dryden Tax Map Parcel # _____), and

WHEREAS, the owner and all interested persons who have an ownership interest in said property have requested permission for the burial of _____ on said property, and

WHEREAS, the interests of the Town are adequately protected by the provisions of this agreement,

NOW, THEREFORE, be it resolved as follows:

1. Permission to bury _____ on the real property at _____ is hereby granted on the terms and conditions hereinafter set forth. This permission is for the burial of only _____ and shall not constitute permission for the burial of any other person(s).
2. The owner of the property shall comply with all other applicable provisions of any federal, state or local laws, ordinances or regulations governing such burial.
3. It is hereby expressly understood and agreed that this agreement permits only the establishment of a private burial ground for this individual. Under no circumstances shall the Town be responsible for the control, preservation, care of fencing of such private burial ground, the responsibility for the same being to the owner of the property and their respective distributes, successors and assigns in perpetuity.
4. The permission granted by this agreement shall not be deemed permission of the establishment of a cemetery under the provisions of the Town of Dryden Cemetery Ordinance, the common law or Town Law §291.
5. A copy of this agreement shall be recorded in the Tompkins County Clerk's office and indexed against the title records to the property at _____ to provide notice to the public and to all persons obtaining title through the owners of said property of the existence of such private burial ground and this agreement which provides that no establishment of a cemetery or burial ground for the inhabitants of the Town is intended, it being the express representation and agreement of the parties that the burial of _____ only shall constitute the establishment of private burial ground and under no circumstances shall title to any property used for such burial ever vest in the Town nor

shall the Town every be responsible for the control, maintenance, preservation, care or fencing of such private burial ground.

IN WITNESS WHEREOF, the parties hereby have executed this agreement this ____ day of J-_____, 20__.

Town of Dryden

By _____
Jason Leifer, Deputy Town Supervisor

STATE OF NEW YORK)
COUNTY OF TOMPKINS)ss:

On this ____ day of July, 20__, before me, the subscriber, personally appeared _____ and _____, to me personally known and known to me to be the same person described in and who executed the within instrument, and they acknowledged to me that they executed the same.

Notary Public

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

On this ____ day of _____, 20__, before me personally came Jason Leifer, to me personally known, who being by me duly sworn did depose and say that he resides in the Town of Dryden, New York; that he is the Deputy Town Supervisor of the Town of Dryden, the municipal corporation described in, and which executed the within instrument; and that he signed his name thereto by resolution of the Town Board.

Notary Public