

TEMPORARY EASEMENT

THIS INDENTURE, made this 29 day of June, 2023

Between, VILLAGE OF MILLBROOK, with offices located at 35 Merritt Ave, Millbrook, NY 12545, party of the first part,

-and-

COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601, party of the second part.

WITNESSETH, that the party of the first part, in consideration of TEN and 00/100 (\$10.00) DOLLARS, lawful money of the United States, actual consideration paid by the party of the second part, does hereby grant and release by way of donation unto the party of the second part, its heirs successors and/or assigns the following described Temporary Construction Easement;

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Millbrook, Town of Stanford, County of Dutchess, State of New York, being more particularly bounded and described on Map 3, Parcel 4, annexed hereto.

Being a portion of those same lands described in a certain deed dated June 9, 1988, and recorded June 10, 1988 in Liber 1799 Page 831 in the Office of the County Clerk for Dutchess County, re: Parcel Number (135801-6765-18-353221-0000).

TERM OF TEMPORARY EASEMENT shall be for a period of two (2) years. The commencement date may be up to six (6) months after the execution of the temporary easement.

SAID TEMPORARY EASEMENT shall be exercised for the purpose of access and construction activities.

IT is further agreed and understood that the party of the second part is required to restore the property of the party of the first part that is disturbed as a result of construction personnel or equipment access to the condition that it was on the date of the execution of the Temporary Easement, to the extent reasonably possible.

IT is further agreed and understood that the party of the first part and its heirs, successors and/or assigns shall not be liable for personal injury or property damage caused by the carelessness, negligence or conduct of the party of the second part, its employees, contractors, invitees or agents in the use of the Easement Premises in connection with this Temporary Easement. The party of the second part agrees to defend, indemnify and hold harmless the party of the first part, its successor's and assigns from any and all claims and damages caused directly by the existence of this

Easement, the use and occupancy by the party of the second part of the Easement Premises, or the acts of party of the second part, its agents, employees or contractors.

IT is further understood that the contractor hired by the party of the second part shall maintain in effect during the term of this Temporary Easement, general liability insurance coverage to cover the work being done on the property that is the subject of the Temporary Easement. The party of the first part shall be listed as additional insured on the contractor's certificate of insurance.

IT is further agreed that the party of the second part shall not be liable for the maintenance of the area that was subject of the Temporary Easement or liable for the damages in connection therewith after termination of easement.

RESERVING, however, to the owner of any right, title or interest in and to the property described above and such owner's heirs successors and/or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction and as so constructed, the maintenance, of the herein identified project.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first written above.

party of the first part,

VILLAGE OF MILLBROOK


Authorized Official

party of the first part,

COUNTY OF DUTCHESS

William F.X. O'Neil
County Executive

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this 29 day of June, 2023, before me, the undersigned, personally appeared Tim Collopy, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

SARAH J. WITT
Notary Public - State of New York
No. 01WI6250628
Qualified in Dutchess County
My Commission Expires Oct. 31, 2023



Notary Public

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this _____ day of _____, 2023, before me, the undersigned, personally appeared William F.X. O'Neil, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

Record and Return to:
Anne Marie Smith
County Attorney
Dutchess County Department of Law
22 Market Street
Poughkeepsie, NY 12601

DUTCHESS COUNTY
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP
REPLACEMENT OF BRIDGE W-21

STANFORD ROAD
TOWN OF WASHINGTON
VILLAGE OF MILLBROOK

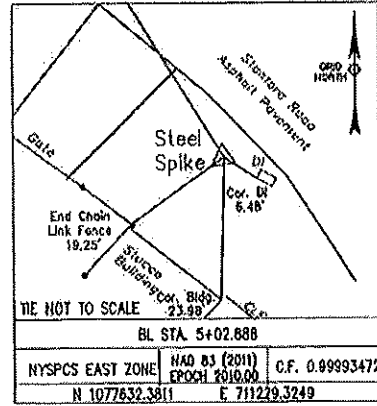
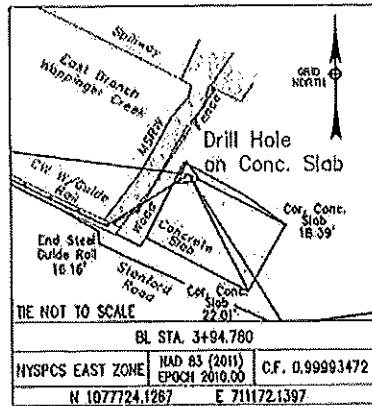
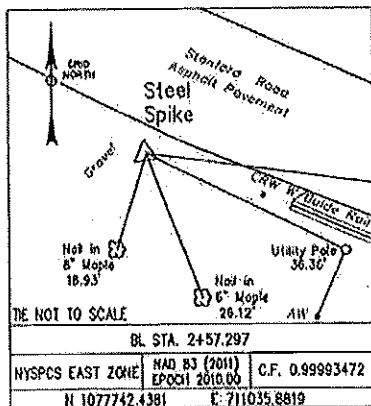
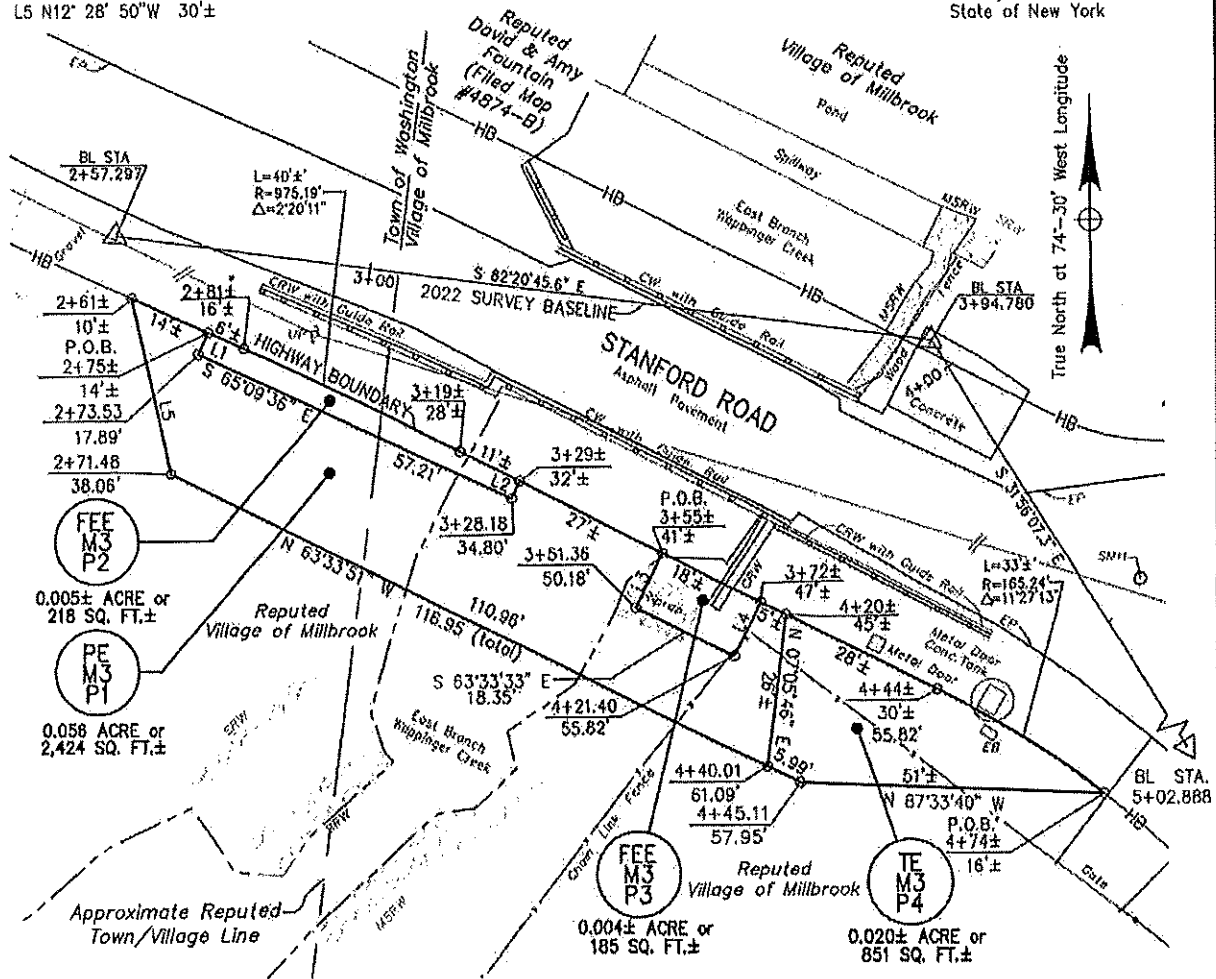
MAP NO. 3
PARCEL NOS. 1, 2, 3 & 4
SHEET 1 OF 3 SHEETS

Parcel Locator Point:
N: 1,077,689.2486
E: 711,126.9437
NAD 83 (2011) Epoch 2010.00

VILLAGE OF MILLBROOK
(REPUTED OWNER)
CCD: LIBER 1995, PAGE 491
LIBER 649, PAGE 575
LIBER 1799, PAGE 831

PARCEL SUMMARY:
Type: P1-Permanent Easement
P2 & P3-Fee
P4-Temporary Easement
Portion of 2022 Tax Map
Ref. No. 6765-14-332280
Ref. No. 6765-14-345235
Ref. No. 6765-14-353221
Town of Washington
Village of Millbrook
County of Dutchess
State of New York

Line Table
L1 N24° 50' 24"E 4'±
L2 N24° 50' 24"E 3'±
L3 N28° 29' 28"E 10'±
L4 N26° 25' 13"E 10'±
L5 N12° 28' 50"W 30'±



DUTCHESS COUNTY
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP
REPLACEMENT OF BRIDGE W-21

STANFORD ROAD
TOWN OF WASHINGTON
VILLAGE OF MILLBROOK

MAP NO. 3
PARCEL NOS. 1, 2, 3 & 4
SHEET 2 OF 3 SHEETS

Parcel No. 1

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A Permanent easement to be exercised by, on and over the property delineated above and hereinafter described for the purpose of constructing Highway Improvements. Such easement shall be exercised in and to all that piece or parcel of property designated as Parcel No. 1, situate in the Town of Washington, Village of Millbrook, County of Dutchess, State of New York as shown on the accompanying map and described as follows:

Beginning at a point on the existing southerly boundary of Stanford Road, said point being 141 feet distant southwesterly measured at right angles, from station 2+184 of the survey baseline referenced hereafter; thence through lands of the grantor herein the following three (3) courses: (1) South 24° 50' 24" West 41 feet to a point distant southwesterly 17.89 feet measured at right angles, from station 2+173.53 of said baseline; (2) South 65° 03' 36" West 57.21 feet to a point distant southwesterly 34.80 feet measured at right angles, from station 2+20.18 of said baseline; (3) North 24° 50' 24" East 32 feet to a point in said existing southerly boundary of Stanford Road distant 32 feet measured at right angles, from station 3+220 of said baseline; thence continuing along the existing southerly boundary of Stanford Road southwesterly 271 feet to a point distant 512 feet measured at right angles, from station 3+522; thence through lands of the grantor herein the following three (3) courses: (1) South 31° 20' 28" West 162 feet to a point distant southwesterly 50.18 feet measured at right angles, from station 3+551.36 of said baseline; (2) South 63° 33' 32 East 18.95 feet to a point distant southwesterly 55.82 feet measured at right angles, from station 4+21.40 of said baseline; (3) North 26° 29' 28" West 102 feet to a point in said southerly boundary of Stanford Road distant southwesterly 471 feet measured at right angles, from station 4+207; thence through lands of the grantor herein the following three (3) courses: (1) South 37° 03' 46" West 281 feet to a point distant southwesterly 61.09 feet measured at right angles, from station 4+30.01 of said baseline; (2) North 37° 51' West 119.56 feet to a point distant southwesterly 10.06 feet measured at right angles, to station 2+71.48 of said baseline; (3) thence North 17° 25' 56" West 301 feet to a point in said existing southerly boundary of Stanford Road distant southwesterly 102 feet measured at right angles, from station 2+618 of said baseline; thence along said southerly boundary of Stanford Road southwesterly 142 feet to the point of beginning; being 2,424 square feet or 0.056 acre more or less.

RESERVING, however, to the owner of any right, title or interest in and to the property delineated as Parcel No. 1 above, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purpose for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein project.

The above mentioned survey baseline is a portion of the 2022 survey baseline for the reconstruction of the Stanford Road Bridge over the East Branch of the Wappinger Creek and described as follows:

Beginning at station 2+57.297; thence South 82° 20' 45.6" East to station 3+24.760.

All bearings referred to TRUE NORTH at the 74° - 30' MERIDIAN OF WEST LONGITUDE.

Parcel No. 2

FEE

All that piece or parcel of property designated as Parcel No. 2, situate in the Town of Washington, Village of Millbrook, County of Dutchess, State of New York as shown on the accompanying map and described as follows:

Beginning at a point on the existing southerly boundary of Stanford Road, said point being 141 feet distant southwesterly measured at right angles, from station 2+551 of the survey baseline referenced hereafter; thence along said southerly boundary of Stanford Road southwesterly 62 feet to a point distant southwesterly 16 feet measured at right angles, from station 2+811 of said baseline; thence continuing southeasterly along said existing southerly boundary of Stanford Road following a curve to the right having a radius of 975.19 feet a distance of 409 feet to a point distant southwesterly 281 feet measured at right angles, from station 3+197 of said baseline; thence continuing along said existing southerly boundary of Stanford Road southeasterly 112 feet to a point distant southwesterly 321 feet measured at right angles, from station 3+291 of said baseline; thence through lands of the grantor herein the following three (3) courses: (1) South 26° 25' 13" West 31 feet to a point distant southwesterly 34.80 feet measured at right angles, from station 3+38.18 of said baseline; (2) North 65° 03' 36" West 57.21 feet to a point distant southwesterly 17.89 feet measured at right angles, from station 2+73.53 of said baseline; (3) North 24° 50' 24" East 41 feet to the point of beginning; being 218 square feet or 0.005 acre more or less.

The above mentioned survey baseline is a portion of the 2022 survey baseline for the reconstruction of the Stanford Road Bridge over the East Branch of the Wappinger Creek and described as follows:

Beginning at station 2+57.297; thence South 82° 20' 45.6" East to station 3+24.760 and South 31° 56' 07.3" East to station 5+02.888.

All bearings referred to TRUE NORTH at the 74° - 30' MERIDIAN OF WEST LONGITUDE.

Parcel No. 3

FEE

All that piece or parcel of property designated as Parcel No. 3, situate in the Town of Washington, Village of Millbrook, County of Dutchess, State of New York as shown on the accompanying map and described as follows:

Beginning at a point on the existing southerly boundary of Stanford Road, said point being 411 feet distant southwesterly measured at right angles, from station 3+551 of the survey baseline referenced hereafter; thence along said existing southerly boundary of Stanford Road southeasterly a distance of 162 feet to a point being distant 471 southwesterly measured at right angles, from station 3+72 of said baseline; thence through lands of the grantor herein the following three (3) courses: (1) South 26° 25' 13" West 102 feet to a point distant southwesterly 55.82 feet measured at right angles, from station 4+21.40 of said baseline; (2) North 63° 33' 32" West 18.95 feet to a point distant southwesterly 50.18 feet measured at right angles, from station 3+551.36 of said baseline; (3) North 26° 29' 28" East 162 feet to the point of beginning; being 185 square feet or 0.004 acre more or less.

The above mentioned survey baseline is a portion of the 2022 survey baseline for the reconstruction of the Stanford Road Bridge over the East Branch of the Wappinger Creek and described as follows:

Beginning at station 2+57.297; thence South 82° 20' 45.6" East to station 3+24.760 and South 31° 56' 07.3" East to station 5+02.888.

All bearings referred to TRUE NORTH at the 74° - 30' MERIDIAN OF WEST LONGITUDE.

DUTCHESS COUNTY
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP
REPLACEMENT OF BRIDGE W-21

STANFORD ROAD
TOWN OF WASHINGTON
VILLAGE OF MILLBROOK

MAP NO. 3
PARCEL NOS. 1, 2, 3 & 4
SHEET 3 OF 3 SHEETS

Parcel No. 4

TEMPORARY EASEMENT FOR HIGHWAY PURPOSES

A Temporary easement to be exercised in, on and over the property delineated above and hereinafter described for the purpose of constructing highway improvements. Such easement shall be exercised in and to all that piece or parcel of property designated as Parcel No. 4, situate in the Town of Washington, Village of Millbrook, County of Dutchess, State of New York as shown on the accompanying map and described as follows:

Beginning at a point on the existing southerly boundary of Stanford Road, said point being 161 feet distant southwesterly measured at right angles, from station 4+744 of the survey baseline referenced hereafter; thence through lands of the grantor heretofore the following three (3) courses: (1) North 87° 33' 40" West 51 feet to a point distant southwesterly 57.95 feet measured at right angles, from station 4+43.11 of said baseline; (2) North 63° 33' 51" West 5.89 feet to a point distant southwesterly 61.09 feet measured at right angles, from station 4+40.01 of said baseline; (3) thence North 07° 05' 46" East 261 feet to a point in said existing southerly boundary of Stanford Road distant southwesterly 451 feet measured at right angles from station 4+202 of said baseline; thence along said existing southerly boundary of Stanford Road southeasterly 281 feet to a point distant southwesterly 301 feet measured at right angles, from station 4+441 of said baseline; thence continuing along said existing southerly boundary of Stanford Road along a curve to the right having a radius of 165.24 feet a distance of 332 feet to the point of beginning; being 851 square feet or 0.020 acre more or less.

RESERVING, however, to the owner of any right, title or interest in and to the property delineated as Parcel No. 4 above, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein project.


The above mentioned survey baseline is a portion of the 2022 survey baseline for the reconstruction of the Stanford Road Bridge over the East Branch of the Wappinger Creek and described as follows:

Beginning at station 2+57.297; thence South 82° 20' 45.6" East to station 3+94.780 and South 31° 56' 07.3" East to station 5+02.888.

All bearings referred to TRUE NORTH at the 74° - 30' MERIDIAN OF WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

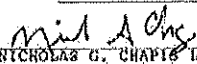
Date: June 7, 2023


ROBERT N. GAIKIND, P.E.
COMMISSIONER

Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law.

I hereby certify that this survey was performed in accordance with the current Standards for Land Surveys as adopted by the New York State Association of Professional Land Surveyors, Inc.

Date: _____, 2023


NICHOLAS G. CHAPIN, LAND SURVEYOR
P.L.S. LICENSE NO. 049330

