

DRAINAGE EASEMENT

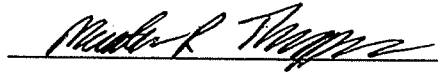
THIS INDENTURE made this _____ day of _____, by and between MATTHEW R. THOMPSON residing at 1398 Cass Hill Road, East Berne, New York 12059, as "Grantor", and the COUNTY OF ALBANY, NEW YORK, a New York municipal corporation having its principal office located at 112 State Street, Albany, New York 12207 as "Grantee",.

WITNESSETH: That Grantor in consideration of One Dollar (\$1.00) to him in hand paid by Grantor, the receipt whereof is hereby acknowledged, does grant unto Grantee, its successors or assigns, a permanent easement for the installation, construction, maintenance, and/or repair of drainage facilities and appurtenances related thereto, in, on, over and through that area of the lands of Grantor bounded and described in Schedule "A" attached hereto and made part hereof. Said easement affects the lands conveyed to Grantor by Deed recorded in the Albany County Clerk's office as Document No. R2017-20872 (Tax Map No.116.-1-19). In addition, if it becomes reasonably necessary in the course of the installation and construction and/or the subsequent maintenance or repair of said drainage facilities and/or the appurtenances related thereto, Grantee and its agents, servants and employees may go upon the lands of Grantor immediately adjacent to the easement area and temporarily lay excavated dirt thereon and use machines or tools thereon. Grantee shall restore the surface of the easement area and adjoining lands of Grantor, including lawns, driveways and shrubs, to the extent they are disturbed as the result of such work. maintenance and/or repair work performed by grantee, its agents, servants or employees on said drainage facilities and/or the appurtenances related thereto, shall be completed within a reasonable time after it is commenced. Grantor and his successors and assigns shall not construct, install or place anything within the easement area herein granted which will in any way interfere with full and unobstructed access to such area or the appurtenances related thereto, by Grantee, its agents, servants or employees, for any of the purposes above set forth. Grantee shall hold Grantor harmless from any and all third-party injury and/or damage claims arising out of Grantee's, its agents', servants' or employees' use and operation of said drainage

facilities or the appurtenances related thereto. Grantee shall provide and maintain appropriate insurance coverage for Grantee its agents', servants' or employees' use and operation of and work performed upon said drainage facilities and the appurtenances related thereto, which coverage shall name Grantor as additional insured.

IN WITNESS WHEREOF, Grantor and Grantee have hereunto set their hands this day of _____ of _____, 2020

GRANTOR

A handwritten signature in dark ink, appearing to read "Matthew R. Thompson", is written over a horizontal line.

MATTHEW R. THOMPSON

GRANTEE

The COUNTY OF ALBANY, NEW YORK

By _____

DANIEL P. MCCOY

Albany County Executive

STATE OF NEW YORK)

COUNTY OF ALBANY) ss:

On the 3rd day of December, 2020, before me personally appeared MATTHEW R. THOMPSON 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 by his signature on this instrument he executed the instrument.

Melanie J. Bunzey

NOTARY PUBLIC – STATE OF NEW YORK

MELANIE J. BUNZEY
Notary Public, State of New York
Qualified in Albany County
No. 01806048902
Commission Expires Oct. 2, 2022

STATE OF NEW YORK)

COUNTY OF ALBANY) ss:

On the _____ day of _____, 2020, before me personally appeared DANIEL P. McCOY 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 he executed the same, and that by his signature on this instrument, the individual or the person upon behalf of which he acted, to wit: the COUNTY OF ALBANY, NEW YORK, executed the instrument.

NOTARY PUBLIC – STATE OF NEW YORK

SCHEDULE "A"

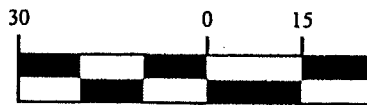
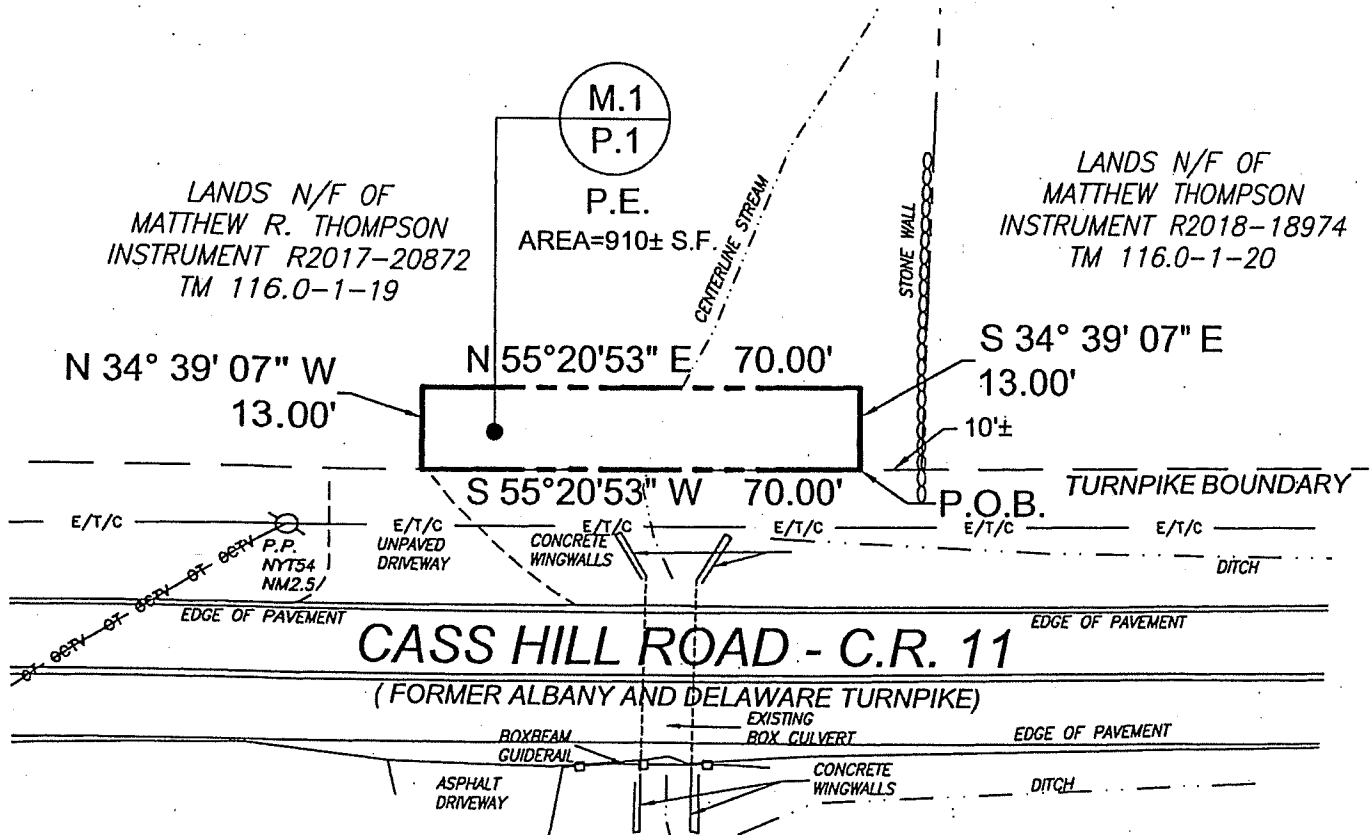
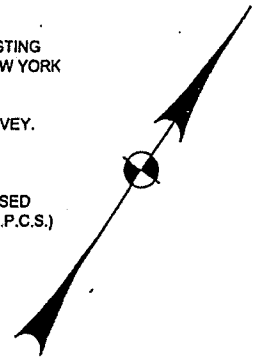
Description Permanent Easement "Parcel 1" located in the Town of Berne, County of Albany, State of New York to be conveyed by Matthew R. Thompson to the County of Albany, New York

Beginning at a point in the northwesterly boundary line of a County Road known as Cass Hill Road-County Route 11, said point being S 55° 20' 53" W, 10+/- feet from its point of intersection with the division line between lands on the northeast now or formerly of Matthew Thompson (TM No. 116.0-1-20) and lands on the southwest now or formerly of Matthew R. Thompson (TM No. 116.0-1-19); thence proceeding southwesterly S 55° 20' 53" W along the first mentioned boundary line of Cass Hill Road-County Route 11, 70.00 feet to a point; thence the following three courses and distances, through the lands now or formerly of Matthew R. Thompson (TM No. 116.0-1-19); 1. N 34° 39' 07" W 13.00 feet to a point, 2. N 55° 20' 53" E 70.00 feet to a point, and 3. S 34° 39' 07" E 13.00 feet to the point of beginning. Containing 910 +/- sq. ft. of land.

All as shown on a survey map entitled "Map of Proposed Easement to be conveyed to the County of Albany (Parcel No. 1) located in the Town of Berne, Albany County, State of New York". Prepared for the Albany County Department of Public Works by Creighton Manning Engineering dated July 13, 2020.

NOTES:

1. SURVEY SHOWN WAS PREPARED FROM A JUNE 2020 FIELD SURVEY.
2. SURVEY SHOWN WAS PREPARED WITHOUT THE BENEFIT OF AN UP TO DATE ABSTRACT OF TITLE OR TITLE REPORT AND IS SUBJECT TO ANY STATEMENTS OF FACT THAT SUCH AN ABSTRACT OF TITLE OR TITLE REPORT MAY REVEAL.
3. SURVEY SHOWN IS SUBJECT TO ANY SUBSURFACE CONDITIONS THAT MAY EXIST, IF ANY.
4. UNAUTHORIZED ALTERATIONS OR ADDITIONS TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
5. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S SEAL, AND SIGNATURE IN RED, SHALL BE CONSIDERED TO BE TRUE AND VALID COPIES.
6. THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.
7. DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
8. NORTH ORIENTATION AND BEARINGS SHOWN HEREON ARE BASED ON THE NEW YORK STATE PLANE COORDINATE SYSTEM (N.Y.S.P.C.S.) NAD 83/2011 WHICH WAS ESTABLISHED BY GPS OBSERVATION.



1 inch = 30 feet

Copy for
Landowner

08/27/20 - REVISED DEED CALL OUT

DONALD G. SOVEY, PLS



DRAWN: M.T.P./J.M.O.
CHECKED: D.G.S.
PROJ. NO.: 120-105
SCALE: 1" = 30'
DATE: JULY 13, 2020
FILE: cass hill rd.dwg



CREIGHTON MANNING ENGINEER
2 WINNERS CIRCLE - ALBANY - NEW YORK
P: (518) 446-0246 F: (518) 446-0277 WWW.CME

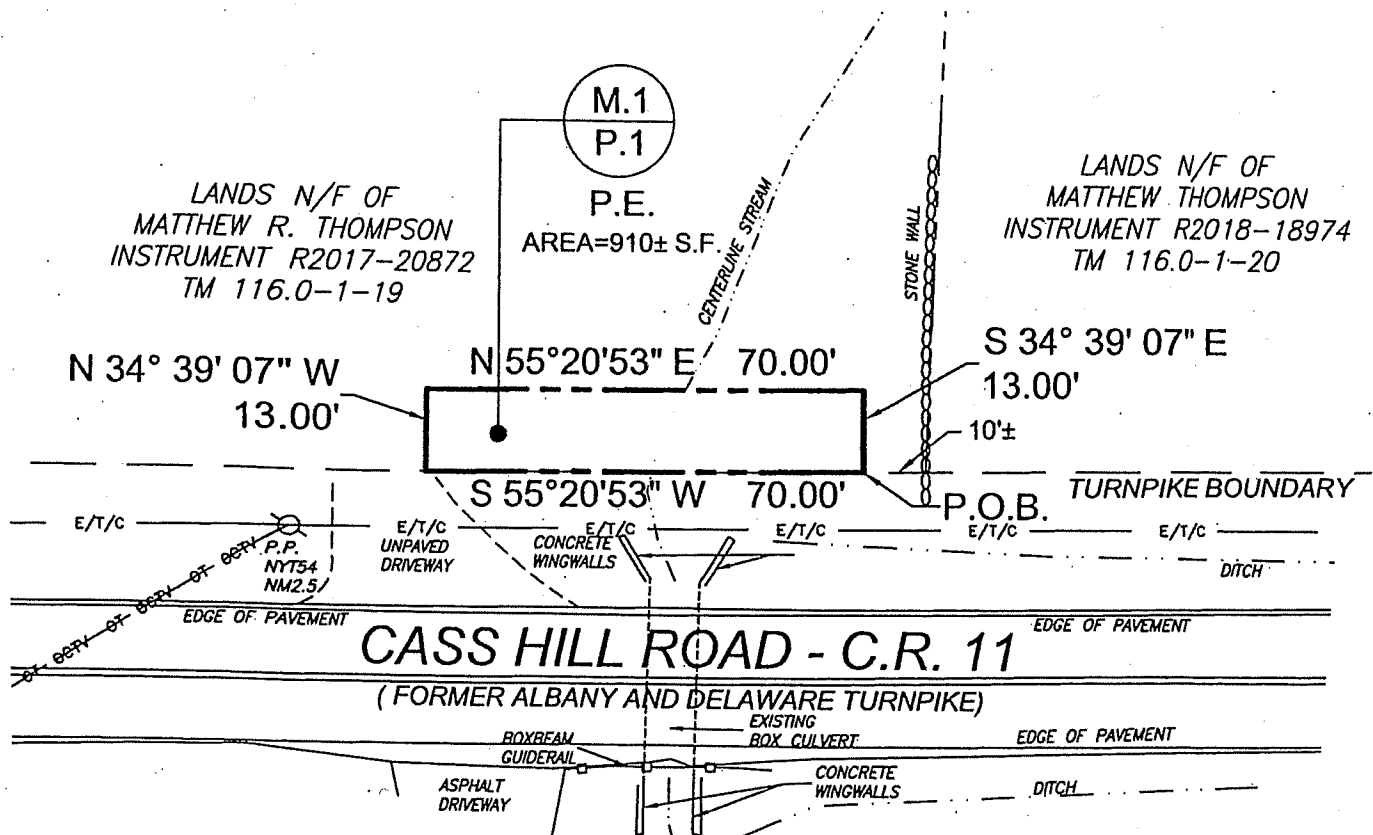
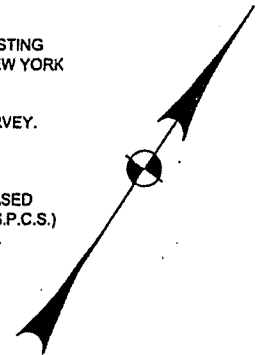
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CREIGHTON MANNING
ENGINEERING, LLP
ENGINEERS, PLANNERS &
SURVEYORS

PREPARED FOR
ALBANY COUNTY
DEPARTMENT OF
PUBLIC WORKS

COUNTY OF ALBANY
STATE OF NEW YORK

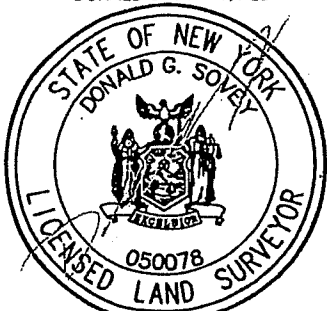
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08/27/20 - REVISED DEED CALL OUT

DONALD G. SOVEY, PLS



LIC. NO. 050078

DRAWN: M.T.P./J.M.O.
CHECKED: D.G.S.
PROJ. NO.: 120-105
SCALE: 1" = 30'
DATE: JULY 13, 2020
FILE: cass hill rd.dwg

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CREIGHTON MANNING
ENGINEERING, LLP
ENGINEERS, PLANNERS &
SURVEYORS



**Creighton
Manning**

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PREPARED FOR:
ALBANY COUNTY
DEPARTMENT OF
PUBLIC WORKS

MAP OF PROPOSED EASEMENT
TO BE CONVEYED TO
THE COUNTY OF ALBANY
(PARCEL NO. 1)

TOWN OF BERNE
COUNTY OF ALBANY,
STATE OF NEW YORK