

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 2, Parcel 2, 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 (135801-6765-14-368259-0000).

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 above written.

party of the first part,

VILLAGE OF MILLBROOK


Authorized Official

party of the first part,

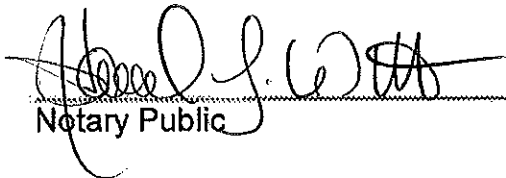
COUNTY OF DUTCHESS

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. 01W16250628
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

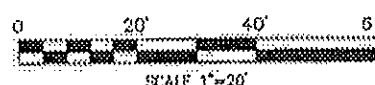
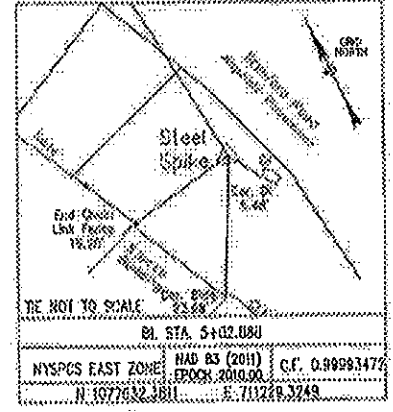
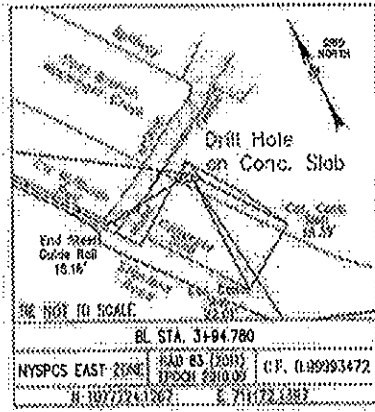
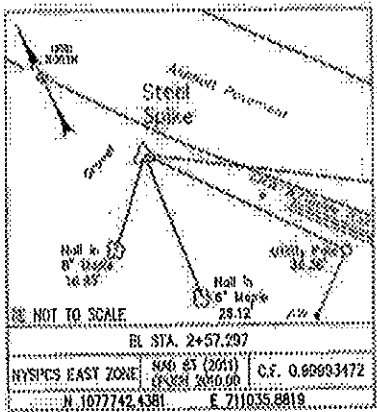
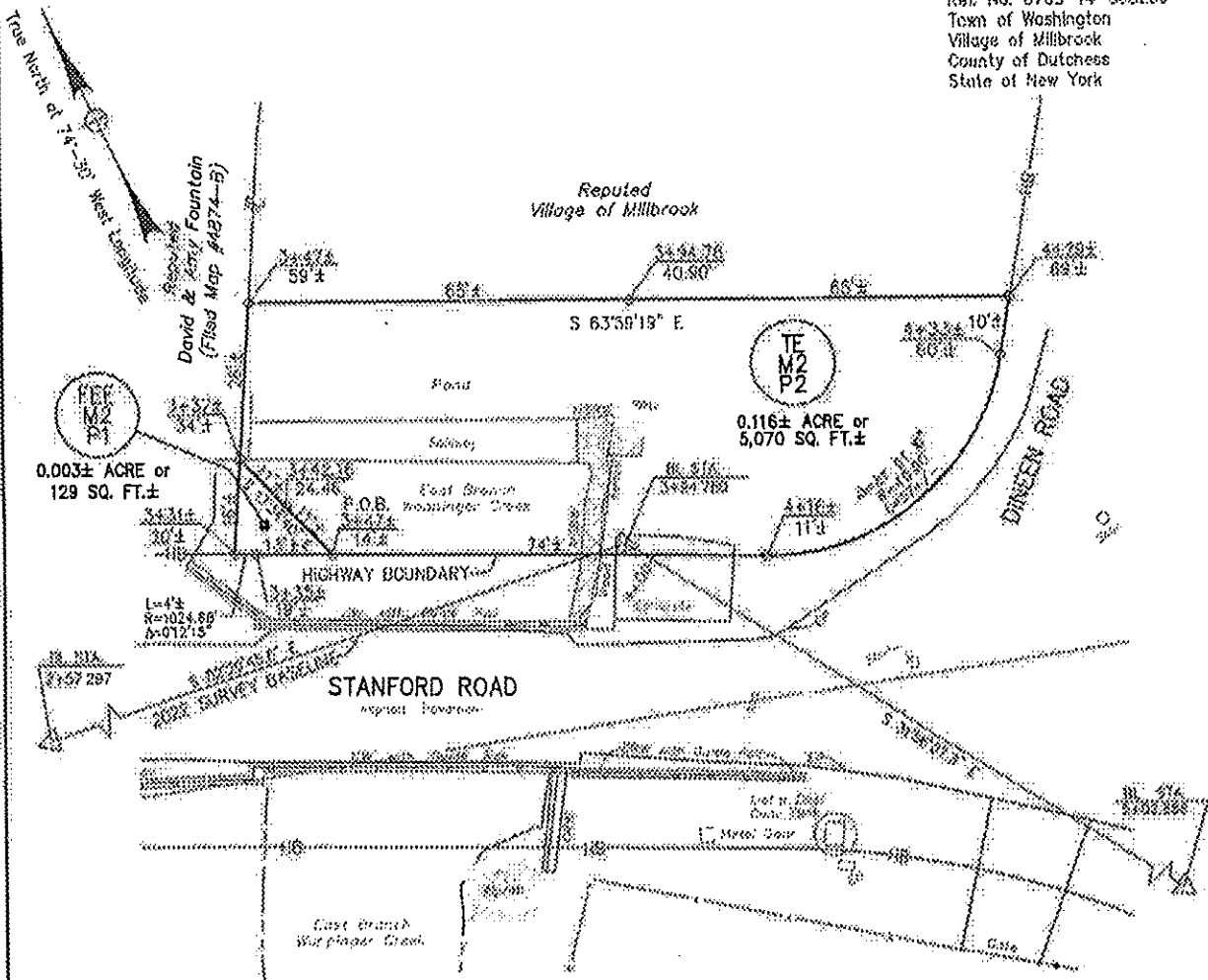
STANFORD ROAD
TOWN OF WASHINGTON
VILLAGE OF MILLBROOK

MAP NO. 2
PARCEL NOS. 1 & 2
SHEET 1 OF 2 SHEETS

Parcel Locator Point:
N: 1,077,744.8368
E: 711,126.5879
NAD 83 (2011) Epoch 2010.00

VILLAGE OF MILLBROOK
(REPUTED OWNER)
LIBER 1799, PAGE 831

PARCEL SUMMARY:
Type: P1-Fees
P2-Temporary Easement
Portion of 2022 Tax Map
Rel. No. 8705-14-368259
Town of Washington
Village of Millbrook
County of Dutchess
State of New York



STANFORD ROAD
TOWN OF WASHINGTON
VILLAGE OF MILLBROOK

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

MAP NO. 2
PARCEL NOS. 1 & 2
SHEET 2 OF 2 SHEETS

Parcel No. 1

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All that piece or parcel of property designated as Parcel No. 1, situated 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 westerly boundary of Stanford Road, said point being 141 feet distant northeasterly measured at right angles from station 2+87.387 of the survey baseline hereinafter described thence along said westerly boundary of Stanford Road northeasterly 141 feet to a point distant northeasterly 141 feet measured at right angles from station 2+87.387 of said baseline thence continuing northeasterly along said westerly boundary of Stanford Road following a curve in the left bearing a radius of 1221.88 feet a distance of 24 feet to a point on said boundary of Stanford Road northeasterly 280 feet measured at right angles from station 2+87.387 of said baseline thence along said westerly boundary of Stanford Road to a point distant from station 2+87.387 of said baseline thence through lands of the greater herein south 43° 58' 18" East 696 feet to a point distant northeasterly 121 feet from station 2+87.387 of said baseline thence through lands of the greater herein south 43° 58' 18" East 696 feet to a point distant from station 2+87.387 of said baseline thence along a curve in the left bearing a radius of 1221.88 feet a distance of 24 feet to the point of beginning with 1221.88 square feet or less.

The above mentioned survey baseline is a portion of the 2070 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+87.387 thence South 82° 20' 43" East to station 2+89.780.

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

Parcel No. 2

TERMINARY EASEMENT FOR HIGHWAY PURPOSES

I hereby warrant to an easement in and over the property hereinafter described for the purpose of constructing roadway improvements, such easement shall be hereinafter described as that piece or parcel of property designated as Parcel No. 2, situated 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 westerly boundary of Stanford Road, said point being 141 feet distant northeasterly measured at right angles from station 2+87.387 of the survey baseline hereinafter described thence through lands of the greater herein north 22° 12' 58" West 131 feet to a point distant northeasterly 141 feet measured at right angles from station 2+87.387 of said baseline thence continuing through lands of the greater herein north 22° 12' 58" West 131 feet to a point distant northeasterly 141 feet measured at right angles from station 2+87.387 of said baseline thence through lands of the greater herein north 22° 12' 58" West 131 feet to a point distant northeasterly 141 feet measured at right angles from station 2+87.387 of said baseline thence through lands of the greater herein north 22° 12' 58" West 131 feet to a point distant northeasterly 141 feet measured at right angles from station 2+87.387 of said baseline thence through lands of the greater herein south 43° 58' 18" East 696 feet to a point distant northeasterly 121 feet from station 2+87.387 of said baseline thence through lands of the greater herein south 43° 58' 18" East 696 feet to a point distant from station 2+87.387 of said baseline thence along a curve in the left bearing a radius of 1221.88 feet a distance of 24 feet to the point of beginning with 1221.88 square feet or less.

RESERVING however, to the owner of any portion of the tract in and over the property hereinafter described as Parcel No. 2 above, and such owner's successors or assigns, the right to access and the enjoyment of such said property and such use shall not be further limited or restricted by this easement beyond that which is necessary to effectuate its purposes for, and as established by, the acquisition or reconstruction and as so constructed or reconstructed, the maintenance, of the herein project.

The above mentioned survey baseline is a portion of the 2070 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+87.387 thence South 82° 20' 43" East to station 2+89.780 and thence North 71° 15' 07.3" East to station 2+87.387.

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

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 various standards for Land Surveys as stipulated by the New York State Association of Professional Land Surveyors, Inc.

I hereby certify that the property mapped herein is necessary for this project, and the similarity thereof is guaranteed.
Date: May 7, 2023
[Signature]
[Name]
COMMISSIONER



Date: May 7, 2023
[Signature]
ROBERT H. ...
P.L.S. LICENSE NO. 049130