

## RESOLUTION

WHEREAS, the Village of Ellenville requires a permanent easement over said property owned by the Ellenville Central School District, for the purpose of constructing a rail trail over D&H Canal and O&W Railroad Heritage Trail; and

WHEREAS, the Board of Education of the Ellenville Central School District desires to grant said easement to accomplish this purpose, subject to approval by its residents in accordance with the provisions of Section 405 of the Education Law;

NOW THEREFORE, BE IT RESOLVED, that the Board of Education of the Ellenville Central School District hereby authorizes the placement of a proposition on the ballot to be voted on at a Special District Meeting to be held on October 3, 2017 at the Ellenville High School Media Center, between the hours of 8:00 am and 8:00 pm, to decide whether the Board of Education shall be authorized to convey an easement to the Board of Trustees of the Village of Ellenville, pursuant to Section 405 of the Education Law, over those lands owned by the Ellenville Central School District, which are more particularly bounded and described on Exhibit "A" annexed hereto and as shown on a survey map prepared by CHA, dated April 19, 2017, a copy of which survey map is on file with the District Clerk; and

BE IT FURTHER RESOLVED that the Board of Education authorizes the District Clerk to publish notice of the following proposition to be voted on at a Special District Meeting to be held on October 3, 2017 at the Ellenville High School Media Center, between the hours of 8:00 am and 8:00 pm, in the manner prescribed by the Education Law:

### PROPOSITION NO. 1 – PERMANENT EASEMENT GRANT TO VILLAGE OF ELLENVILLE

Shall the following resolution be adopted, to wit:

RESOLVED, that the Board of Education of the Ellenville Central School District is hereby authorized, pursuant to Section 405 of the Education Law, to grant a permanent easement to the Board of Trustees of the Village of Ellenville over those certain lands owned by the Ellenville Central School District, which are more particularly bounded and described as shown on a survey map prepared by CHA, dated April 19, 2017.

## EXHIBT A

All that certain piece or parcel of land situate on the northerly side of Berme Road in the Village of Ellenville, Ulster County and State of New York being more particularly bounded and described as follows:

Commencing at an iron pipe at its intersection with the property division line between lands now or formerly of James J. Weissman and Nancy Weissman as described in Liber 4851 of Deeds at page 134 on the west and lands now or formerly of Board of Education of Central School District #2W as described in Liber 1179 of Deeds at page 1108 on the east; thence North  $34^{\circ}19'47''$  West, along said property division line, a distance of 17.29 feet to a point, said point being at the most westerly corner of a permanent easement reputedly granted to the Village of Ellenville by Ellenville School District; thence North  $34^{\circ}07'52''$  East, along the westerly line of said permanent easement reputedly granted to the Village of Ellenville, a distance of 268.89 feet to the point of beginning of the hereinafter described permanent easement; thence running through said lands of Board of Education of Central School District #2W the following three (3) courses and distances:

- 1) North  $19^{\circ}58'50''$  West, a distance of 87.90 feet to a point;
- 2) North  $70^{\circ}01'10''$  East, a distance of 40.00 feet to a point; and
- 3) South  $19^{\circ}58'50''$  East, a distance of 58.96 feet to a point on the said westerly line of said permanent easement reputedly granted to the Village of Ellenville;

Thence South  $34^{\circ}07'52''$  West, along said westerly line of said permanent easement reputedly granted to the Village of Ellenville, a distance of 49.37 feet to the point or place of beginning.

Containing 2,973 square feet or 0.07 acres of land, more or less.

The above described parcel is shown on a map entitled "Proposed Permanent Easement to be granted to The Village of Ellenville, Village of Ellenville, County of Ulster, State of New York", as prepared by CHA and dated April 19, 2017.