

ONTARIO COUNTY CLERK'S OFFICE  
CLERK'S RECORDING PAGE

*This Document has been recorded*  
**This is NOT a bill**

Return To:

JOHN R KENNEDY ESQ  
66 N MAIN ST  
CANANDAIGUA NY 14424

PROPERTY DEVELOPMENT OF WNY IN  
C  
CANANDAIGUA LAKE COUNTY SEWER  
DISTRICT

Index DEED BOOK

Book 01225 Page 0162

No. Pages 0009

Instrument EASEMENT

Date : 4/16/2009

Time : 12:50:28

Control # 200904160093

IN # IN 2009 004421

T/T # TX 2009 002524

Employee ID COUNTER1 VK

RECORDING	\$	66.00
SURCHARGE	\$	4.75
SURCHARGE	\$	14.25
TRANS TAX	\$	.00
TP-584	\$	5.00
	\$	.00
	\$	.00
	\$	.00
	\$	.00

Total: \$ 90.00

STATE OF NEW YORK  
ONTARIO COUNTY CLERK'S OFFICE

TRANSFER TAX

THIS SHEET CONSTITUTES THE CLERK'S ENDORSE-  
MENT REQUIRED BY SECTION 316-A (5) AND  
SECTION 319 OF THE REAL PROPERTY LAW OF THE  
STATE OF NEW YORK. \*\* DO NOT DETACH \*\*

TRANSFER AMT \$ .00

TRANSFER TAX \$ .00

JOHN H. COOLEY  
COUNTY CLERK



200904160093

8

## SANITARY SEWER EASEMENT FOR FOX RIDGE SUBDIVISION PHASE 5B

THIS indenture, made this 3 day of April, 2009 between Property Development of WNY, Inc., being a New York State corporation with offices at 3556 East Lake Road, Canandaigua, New York 14424, hereinafter referred to as Grantor, and the Canandaigua Lake County Sewer District, a municipal district with offices at 2962 County Road 48, Canandaigua, New York, hereinafter referred to as Grantee,

WITNESSETH:

Grantor, in consideration of One Dollar (\$1.00) and other good and valuable consideration, paid by the grantee, does grant and release unto the grantee a permanent easement over and across those certain lands described as follows:

ALL that tract or parcel of land situate in the Town of Canandaigua, County of Ontario, State of New York, as described in Schedule "A" attached hereto and made a part hereof.

Subject to any easements or encumbrances of record.

THAT the above describes a certain permanent sanitary sewer easement for the Fox Ridge subdivision phase 5B.

THAT said easement is hereby conveyed for the purpose of allowing the grantee to use, maintain, replace, construct, repair, reconstruct, and improve the sanitary sewer system lying within, over, above, across, under and through the easement area.

THAT the Grantee, its employees, servants, agents and contractors shall have the right to enter upon all the easements described herein and to utilize the same, whenever necessary, for the exercise of the rights and privileges granted hereunder.

THAT this grant is made and accepted under the express conditions that, after any exercise of the rights and privileges granted hereunder, the grantee shall leave the premises in as good condition as found.


THE Grantor covenants and agrees that no building or structure shall be constructed within said easement area, that no trees or shrubs shall be planted within said easement area and that Grantor shall not allow such construction or plantings without consent of Grantee (except by Grantee as may be necessary for the purpose of said easement) which will in any way interfere with complete access by the Grantee, its successors, assigns, employees and agents, in order to access, construct, maintain, operate and repair said sewer line and appurtenances.

John R. Kennedy  
66 N. Main St.  
Canandaigua, NY 14424



**Grantee:**

# Canandaigua Lake County Sewer District

By:   
William C. Wright, P.E., Commissioner  
Ontario County Department of Public Works

STATE OF NEW YORK )  
 )  
COUNTY OF ONTARIO ) SS.:

On the 10 day of April in the year 2009 before me personally came William C. Wright, P.E., to me known, who, being by me duly sworn, did depose and say that he/she/they reside(s) in 2962 County RD 48, Canandaigua, NY (if the place of residence is in a city, include the street and street number, if any, thereof); that he/she/they is (are) the (Commissioner of Public Works or other officer or director or attorney in fact duly appointed) of the Canandaigua Lake County Sewer District, the municipal corporation described in and which executed the above instrument; and that he/she/they signed his/her/their name(s) thereto by authority of the board of directors of said corporation.

Jenni Helton  
Notary Public

JENNIE HALTON  
Notary Public, State of New York  
Ontario County No. 01HA6049216  
Commission Expires 10/10/20 10

Signature and office of person taking acknowledgment.

**Sanitary Sewer Easement (SSE-5)  
to the  
Canandaigua Lake County Sewer District**

**Lots 30, 31, 32, 33, 34 and 35**

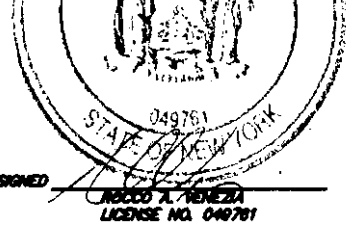
**ALL THAT TRACT OR PARCEL OF LAND** situate in the Town of Canandaigua, County of Ontario and State of New York, and as shown as "Proposed Easement to Canandaigua Lake County Sewer District (SSE-5)" on the Fox Ridge Subdivision Phase 5B Plat Map prepared by Professional Engineering Group, being more particularly bounded and described as follows:

Beginning at a point of beginning, said point being the southeast corner of Lot 30 at the westerly right of way of LaCrosse Circle; thence

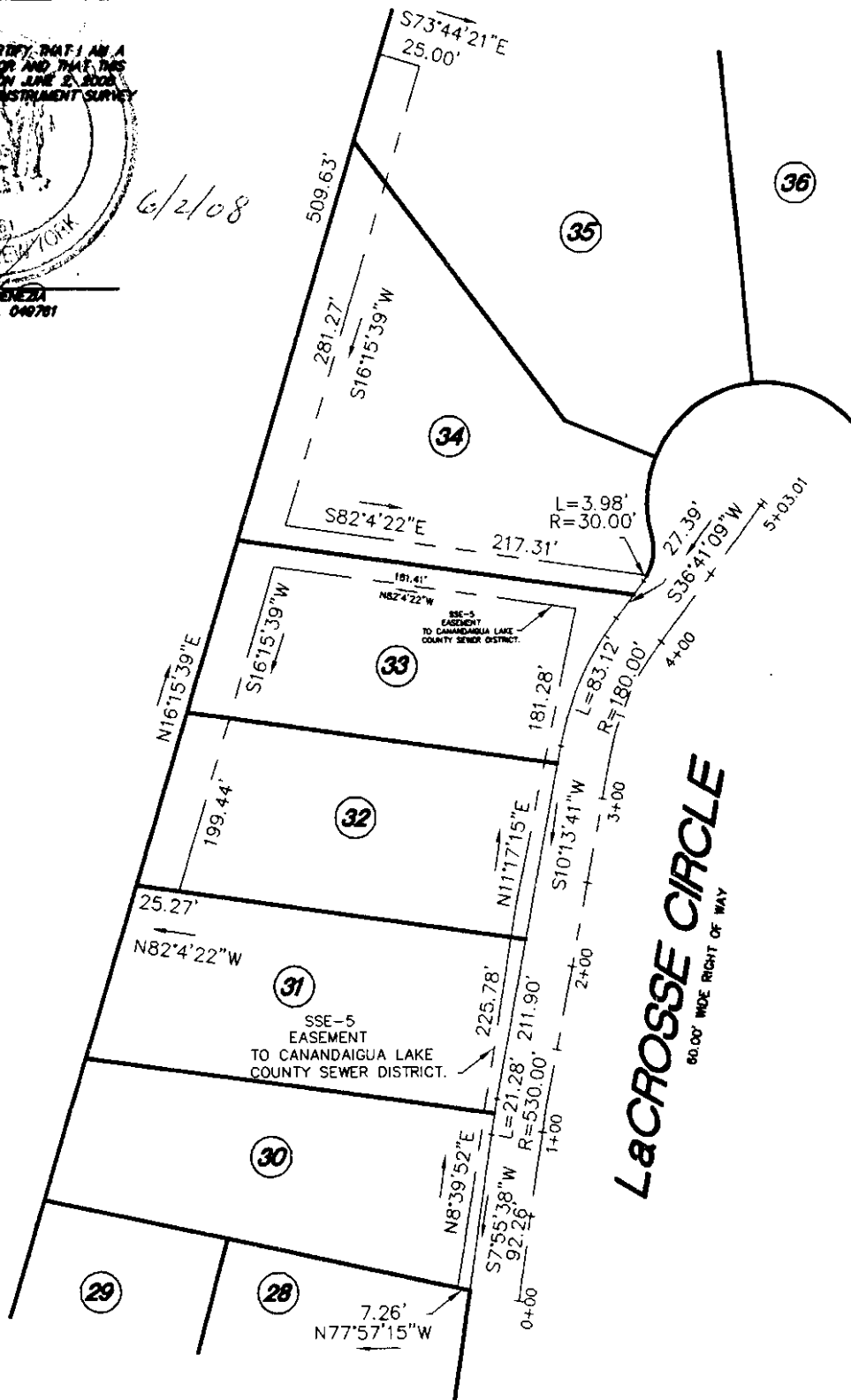
1. N 77° 57' 15" W in the southerly boundary line of Lot 30 a distance of 7.26' to a point; thence
2. N 08° 39' 52" E through lands of Lot 30, 31 and 32 a distance of 225.78' to a point; thence
3. N 11° 17' 15" E through lands of Lot 32 and 33 a distance of 181.28' to a point; thence
4. N 82° 04' 22" W through lands of Lot 33 a distance of 181.41' to a point; thence
5. S 16° 15' 39" W through lands of Lot 33 and 32 a distance of 199.44' to a point; thence
6. N 82° 04' 22" W along the southerly boundary line of Lot 32 a distance of 25.27' to a point; thence
7. N 16° 15' 39" E along the westerly boundary line of Lots 32, 33, 34 and 35 a distance of 509.63' to a point; thence
8. S 73° 44' 21" E through lands of Lot 35 a distance of 25.00' to a point; thence
9. S 16° 15' 39" W through lands of Lots 35 and 34 a distance of 281.27' to a point; thence
10. S 82° 04' 22" E through lands of Lot 34 a distance of 217.31 to a point in the aforesaid westerly right of way of LaCrosse Circle; thence
11. Clockwise along a curve having a radius of 30.00' in the westerly right of way of LaCrosse Circle a distance of 3.98' to a point of tangency; thence

12. S  $36^{\circ} 41' 09''$  W along said right of way a distance of 27.39 to a point; thence
13. Counterclockwise along a curve having a radius of 180.00' in said right of way a distance of 83.12' to a point of tangency; thence
14. S  $10^{\circ} 13' 41''$  W along said right of way a distance of 211.90' to a point; thence
15. Counterclockwise along a curve having a radius of 530.00' in said right of way a distance of 21.28' to a point of tangency; thence
16. S  $07^{\circ} 55' 38''$  W along said right of way a distance of 92.26' returning to the point of beginning.

THIS IS TO CERTIFY THAT I AM A  
LICENSED LAND SURVEYOR AND THAT THIS  
PLAN WAS COMPLETED ON JUNE 2, 2008  
FROM NOTES FROM AN INSTRUMENT SURVEY  
ON MAY 2008.



6/2/08



Easement drawing	1" = 100'	Ontario County Canandaigua Lake County Sewer District
SSE#5	Project Name: Fox Ridge Phase 5B	
SHEET # 1 OF 1		

**Sanitary Sewer Easement (SSE-6)  
to the  
Canandaigua Lake County Sewer District**

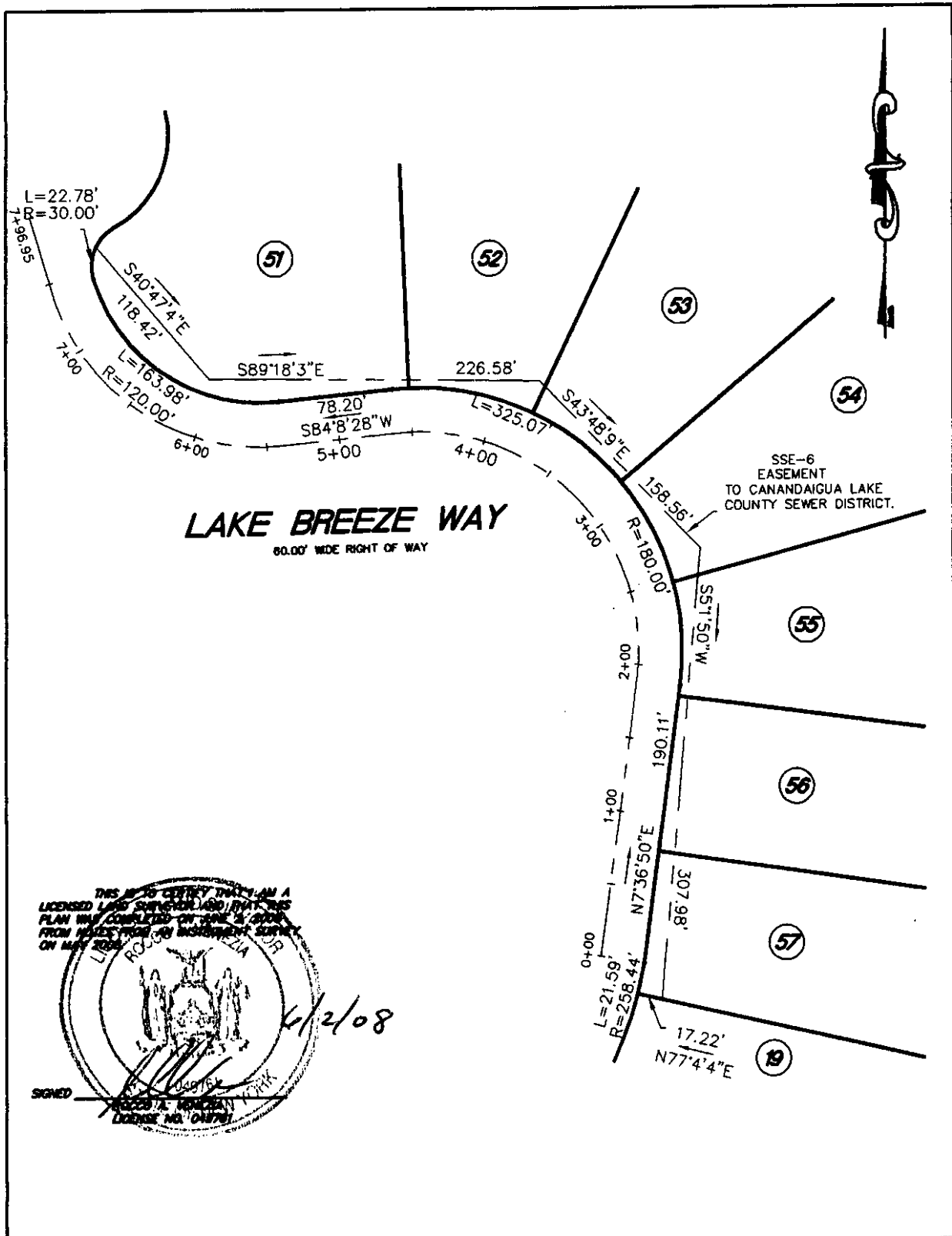
**Lots 51, 52, 53, 54, 55, 56 and 57**

**ALL THAT TRACT OR PARCEL OF LAND** situate in the Town of Canandaigua, County of Ontario and State of New York, and as shown as "Proposed Easement to Canandaigua Lake County Sewer District (SSE-6)" on the Fox Ridge Subdivision Phase 5B Plat Map prepared by Professional Engineering Group, being more particularly bounded and described as follows:

Beginning at a point of beginning, said point being the southwest corner of Lot 57 at the easterly right of way of Lake Breeze Way; thence

1. Counterclockwise along a curve having a radius of 258.44' in said right of way a distance of 21.59' to a point of tangency; thence
2. N 07° 36' 50" E along said right of way a distance of 190.11' to a point; thence
3. Counterclockwise along a curve having a radius of 180.00' in said right of way a distance of 325.07' to a point of tangency; thence
4. S 84° 08' 28" W along said right of way a distance of 78.20' to a point; thence
5. Clockwise along a curve having a radius of 120.00' in said right of way a distance of 163.98' to a point of curvature; thence
6. Clockwise along a curve having a radius of 30.00' in said right of way a distance of 22.78' to a point; thence
7. S 40° 47' 04" E through lands of Lot 51 a distance of 118.42' to a point; thence
8. S 89° 18' 03" E through lands of Lot 51 and 52 a distance of 226.58' to a point; thence  
52, W.C.W. (J.F.B.)
9. S 43° 48' 09" E through lands of Lots 53 and 54 a distance of 158.56 to a point; thence  
54, W.C.W. (J.F.B.)
10. S 05° 01' 50" W through lands of Lots 55, 56 and 57 a distance of 307.98 to a point in the south line of Lot 57; thence
11. N 77° 04' 04" W along the south line of Lot 57 distance of 17.22' returning to the point of beginning.





Easement drawing	1" = 100'	Ontario County Canandaigua Lake County Sewer District
SSE#6	Project Name: Fox Ridge Phase 5B	
SHEET # 1 OF 1		