

**From:** Braun, Jack D <Jack.Braun@ontariocountyny.gov>  
**Sent:** Friday, December 4, 2020 9:50 AM  
**To:** Taylor A. Henry; ecooper@townofcanandaigua.org  
**Cc:** John D. Goodwin; David K. Hou; James P. Sprague; James, Arthur L; Havens, Donald E  
**Subject:** RE: Fox Ridge Subdivision

Good morning all –

I think a bit of clarification is necessary – it's the County, or more specifically, the Canandaigua Lake County Sewer District that will ultimately assume ownership of the sanitary sewer that crosses the City's water main and encroaches their easement. From a legal standpoint, it's unclear whether the Town has any involvement.

For their information, I have included the County's attorney as well as the District Supervisor in this distribution.

-jack

John D. Braun  
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**From:** Taylor A. Henry [mailto:thenry@boylanocode.com]  
**Sent:** Thursday, December 3, 2020 11:11 AM  
**To:** ecooper@townofcanandaigua.org  
**Cc:** John D. Goodwin; David K. Hou; James P. Sprague; Braun, Jack D  
**Subject:** Fox Ridge Subdivision

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Hi Eric,

We are Corporation Counsel for the City; I am touching base about the Fox Ridge Subdivision water main easement issue. Per Jim Sprague's October 28 memo, the City is ok with the proposed installation, but in order to proceed, the City will need an agreement between the Town, Developer, and City to govern each party's rights & responsibilities with respect to the overlapping easements. Specifically, the Town & Developer will need to agree to indemnify the City for any damages caused to the City's main (or repairs to the City's main made necessary) by the Developer (during construction) or the Town (after transfer of the easement to the town). If acceptable, we can prepare that document.

The City will also need to confirm the exact location of the existing main & the proposed – please forward a survey map that depicts the same. I understand all parties are eager to get this wrapped up – I will give you a call this afternoon to discuss.

Thanks,  
Taylor

**Taylor A. Henry, Esq.**  
**Associate**



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