

TOWN OF HARPERSFIELD

RESOLUTION NO. 005 OF THE YEAR 2002

At the regular monthly meeting of the Town of Harpersfield on November 4, 2002, Councilman Harold Bedford offered the following resolution and moved its adoption:

TITLE: A RESOLUTION AUTHORIZING CONVEYANCE OF REAL TOWN PROPERTY.

WHEREAS, the Town of Harpersfield is the owner in fee of the following described vacant land on Middlebrook Hill Road in the Town of Harpersfield, Delaware County, New York bounded and described as follows:

ALL THAT TRACT OR PARCEL OF VACANT LAND being a portion of Lot 84, Harpers Patent and situate in the Town of Harpersfield, County of Delaware and State of New York bounded and described as follows: Beginning at a point, marking the common corner of Lots 59, 60, 83 and 84, said point being marked by a steel rod, thence along the division line between Lots 60 and 84, being marked by a stone wall S 23 degrees 09 feet 30 inches E a distance of 199.2 feet to a point in the center line of Middlebrook Hill Road, thence along the lands formerly of Jay Silvernail and Eileene Silvernail (Liber 540, page 912) now Daniel R. Abrahamsen (Liber 835, page 227) N 38 degrees 32 feet 50 inches W a distance of 169.2 feet to an iron pipe; thence continuing along the lands formerly of Silvernail, now Abrahamsen, being marked by a wire fence S 44 degrees 31 feet 10 inches W a distance of 249.0 feet to a fence post; thence N 58-23-00 W 161.1 feet to the division line between Lots 83 and 84, being marked by a stone wall, thence along said division line N 66 degrees 59 feet 20 inches E, a distance of 368.2 feet to the point or place of beginning containing by estimation 0.70 acres of land.

All bearings are with reference to Magnetic Meridian 1979.

Being a portion of the premises described in a deed from Paul E. and Mary R. Titus dated 5/15/79 and recorded in the Delaware County Clerk's Office on 6/7/79 Liber 590 of Deeds page 563.

The premises are to be conveyed subject to the following restrictive covenants which shall run with the land, and be binding upon the party of the second part, his heirs and assigns:

1. No trailers, mobile homes, or disabled motor vehicles of any type shall be placed on or allowed to remain on the property.
2. No junk yard or dump shall be allowed to remain on the

premises.

- 3. The premises shall be used for residential purposes only and shall not be subdivided.

This conveyance is subject to all covenants, conditions and restrictions of record.

Said proposed conveyance to be subject to the Town of Harpersfield subdivision regulations and to the approval as a boundary line adjustment by the Town Planning Board.

WHEREAS, said premises have been and remain vacant from May 15, 1979 to the present day and is not necessary for any town use or purpose:

NOW, THEREFORE, BE IT RESOLVED, that subject to permissive referendum, James Eisel Sr., as Supervisor of the Town of Harpersfield, and for and on its behalf, be and he hereby is authorized to sell the premises described above to Daniel R. Abrahamsen, Middlebrook Hill Road, Harpersfield, NY, as adjoining his present property for \$1,000.00, purchaser to pay all costs, expenses and fees of every sort and nature in connection with such sale;

FURTHER RESOLVED, that James Eisel Sr., as Supervisor of the Town of Harpersfield, is hereby authorized to execute all documents that may be required to effectuate the sale and transfer of all right, title and interest of the Town of Harpersfield in said property.

The Town Clerk is hereby directed to cause a notice of this Resolution subject to permissive referendum to be posted and published in accordance with the New York statutes in such case made and provided.

Seconded by Councilwoman Catherine Straus with a roll call vote as follows:

Adopted: Supervisor James Eisel Sr.,.....Aye.
Councilman Harold Bedford.....Aye.
Councilman Morris Riddell Jr.,.....Aye.
Councilman David Ogborn.....Aye.
Councilwoman Catherine Straus.....Aye.

Linda E. Goss, Town Clerk
Town of Harpersfield
Date: November 25, 2002