



July 29, 2021

Erie County Water Authority
attn. Michael Quinn
295 Main Street
Buffalo, NY 14203

Re. New Pole and Pad-mounted Transformer at Pleasant Avenue
Town of Hamburg, Erie County, New York
Tax Parcel 182.00-3-29
Notification: 10300728893

Dear Mr Quinn,

Please find enclosed the NYSEG easement necessary to extend the service pole line and to set a transformer at your above-captioned tax parcel.

Please have Mr Schad sign the front of the easement as indicated in front of a Notary and have Notary complete the acknowledgement on page 2 of the easement.

Return the completed easement in the enclosed business reply envelope.

Don't hesitate to contact me if you have any questions. I am best reached at (585) 484-4319.

Very truly yours,

Mark Porter
Contractor to New York State Electric & Gas Corporation
Geneva & Auburn Divisions

ERIE COUNTY WATER AUTHORITY
AUTHORIZATION FORM
For Approval/Execution of Documents
(check which apply)

Contract: _____ **Project No.:** _____
Project Description: Authorization to Grant and Release an Easement to NYSEG for
Pleasant Avenue, Town of Hamburg

Item Description:



- | | | | |
|---|--|---|---------------------------------------|
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Professional Service Contract | <input type="checkbox"/> Amendment | <input type="checkbox"/> Change Order |
| <input type="checkbox"/> BCD | <input type="checkbox"/> NYSDOT Agreement | <input type="checkbox"/> Contract Documents | <input type="checkbox"/> Addendum |
| <input type="checkbox"/> Recommendation for Award of Contract | <input type="checkbox"/> Recommendation to Reject Bids | | |
| <input type="checkbox"/> Request for Proposals | | | |
| <input checked="" type="checkbox"/> Other <u>Authorization to Grant and Release an Easement to NYSEG for Pleasant Ave., Hamburg</u> | | | |

Action Requested:

- | | |
|---|--|
| <input type="checkbox"/> Board Authorization to Execute | <input type="checkbox"/> Legal Approval |
| <input type="checkbox"/> Board Authorization to Award | <input type="checkbox"/> Execution by the Chairman |
| <input type="checkbox"/> Board Authorization to Advertise for Bids | <input type="checkbox"/> Execution by the Secretary to the Authority |
| <input type="checkbox"/> Board Authorization to Solicit Request for Proposals | |
| <input checked="" type="checkbox"/> Other <u>Authorization to Grant and Release an Easement to NYSEG for Pleasant Ave., Hamburg</u> | |

Approvals Needed:

APPROVED AS TO CONTENT:

<input type="checkbox"/> Other (if applicable)	_____	Date: _____
<input checked="" type="checkbox"/> Chief Operating Officer	<u></u>	Date: <u>8/12/2021</u>
<input type="checkbox"/> Executive Engineer	_____	Date: _____
<input type="checkbox"/> Director of Administration	_____	Date: _____
<input type="checkbox"/> Risk Manager	_____	Date: _____
<input type="checkbox"/> Chief Financial Officer	_____	Date: _____
<input checked="" type="checkbox"/> Legal	<u></u>	Date: <u>8/12/2021</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority	<u></u>	Date: <u>08/12/21</u>
--	--	-----------------------

Remarks: _____

Resolution Date: _____ **Item No:** _____

EASEMENT

THIS INSTRUMENT WITNESSETH THAT ERIE COUNTY WATER AUTHORITY

By: Jerome D Schad as Chairman

hereinafter called the Grantor(s), being the owner(s) of or having an interest in land situate in the _____ TOWN _____ of
HAMBURG _____, County of ERIE _____, State of New York, fronting on the street or highway know as PLEASANT
AVENUE _____, bounded _____ NORTHERLY _____ by lands of N/F NEW YORK STATE THRUWAY (Rte 190) _____ and
WESTERLY _____ by lands of N/F PLEASANT AVENUE _____ for and in consideration of the sum of One and
No/100 Dollars (\$1.00), the receipt of which is hereby acknowledged, does hereby grant and release unto NEW YORK
STATE ELECTRIC & GAS CORPORATION, a corporation organized under the laws of the State of New York, having an
office at 18 Link Drive in the Town of Kirkwood, County of Broome, State of New York, hereinafter called the Grantee, its
lessees, licensees, successors and assigns forever, a permanent easement and right of way, with the right, privilege and
authority to install, construct, reconstruct, extend, operate, inspect, maintain, repair, replace, and at its pleasure, remove,
underground electric, gas and communication systems, including cables, wires, vaults, pedestals, closures, hand/man
holes, pipes, ducts and conduits, with the necessary fixtures or appurtenances thereto, including transformers and
switching equipment, which the Grantee shall require now and from time to time for the underground transmission and/or
distribution of electric current, natural and/or manufactured gas and communications, for public or private use, in, upon,
over, under, and across said land and/or the highways abutting or running through said land.

THE EASEMENT AND RIGHT OF WAY hereby granted and released is - 20 - feet in width throughout its extent, situate, lying and being as follows:

SAID EASEMENT AND RIGHT OF WAY commences at a point said point being Grantee's existing pole No. 87-1 on electrical line No. 730 located easterly about TEN (10) feet from the easterly highway boundary of PLEASANT AVENUE and adjacent to the intersection of Grantor's westerly and easterly property lines (Grantor's southerly corner) , thence northwesterly and substantially parallel to the easterly highway boundary of PLEASANT AVENUE a distance of about EIGHTEEN (18) feet to a point, said point being Grantee's pole No. 87-1A on electrical line No. 730; thence continuing northwesterly parallel to said PLEASANT AVENUE easterly highway boundary a distance of about ONE HUNDRED AND SIXTY (160) feet to a point, said point being Grantee's pole No. 87-2A. Together with the right to extend to Grantor's northerly property line and for quying facilities to be located outside the stated easement width.

SAID EASEMENT IS ALSO GRANTED for the right to install, maintain, repair and/or replace a pad-mounted transformer PU87-3A to be located upon grantor's lands installed atop grantor's private pad as constructed. Said easement area shall be TEN (10) feet by TEN (10 feet) square with transformer centered therein. The center of the easement area shall be governed by the actual placement of Grantor's private pad the centre of which shall be located northeasterly about FIFTEEN (15) feet from said Pole No. 87-2A and northerly about ONE HUNDRED AND EIGHTY (180) feet from Grantor's southerly property line. Together with unobstructed free ingress and egress at all times upon, over and across Grantor's driveway and lands adjacent thereto to the extent necessary to access the transformer with personnel, vehicles and equipment. Grantor(s) shall be responsible for the repair and/or maintenance of their privately installed underground service cables.

Address: 0 Pleasant Avenue
Tax Acc: 182.00-3-29
Deed Ref: L7577 P 497
Prop Desc: Lot 20, TWP 9, Range 8

THE GRANTEE, its successors and assigns, are hereby expressly given and granted the right to assign this easement and right of way, or any part thereof, or interest therein, and the same shall be divisible among two or more owners, as to any right or rights created hereunder, so that each assignee or owner shall have the full rights and privileges herein granted, to be owned and enjoyed either in common or severally.

TOGETHER with free ingress and egress over the easement and right of way and other lands of the Grantor(s) for all of the above purposes and the right now and from time to time to trim, cut, burn, treat and/or remove by manual, mechanical and chemical means trees, roots, brush, structures and other obstructions within said easement and right of way.

PROVIDED, however, that any damage (other than for trimming, cutting, treating, burning and/or removing trees, roots, brush, structures and other obstructions as above provided) to the property of the Grantor(s), caused by the Grantee in the exercise of its rights under this instrument shall be borne by the Grantee.

RESERVING, however, to the Grantor(s) the right to cultivate the ground, and the right to cross and recross said easement and right of way provided that such use of said ground shall not interfere with, obstruct or endanger any rights granted as aforesaid and shall not disturb the grade of said ground as it now exists, and provided that no structure shall be erected, no trees shall be grown, cultivated or harvested, and no excavating, mining or blasting shall be undertaken within the limits of the easement and right of way without written consent of the Grantee.

THIS INSTRUMENT shall be binding on and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the Grantor(s) has hereunto set his hand(s) and seal(s) this

day of _____, _____

By: Jerome D Schad as Chairman

Name and Title of Signatory

Sign here: X _____ L.S.)

Address: Ellicott Square Building, Buffalo, NY 14203

NOTARIZE PAGE 2 OF EASEMENT

EASEMENT	(Personal or Corporate Acknowledgement)	(Personal or Corporate Acknowledgement)	(Subscribing Witness Acknowledgement)
Line <u>730; PLEASANT AVENUE</u>	STATE OF NEW YORK }	STATE OF NEW YORK }	STATE OF NEW YORK }
Auth. <u>9800008392</u> Parcel No. <u>132-40</u>	COUNTY OF _____ } ss:	COUNTY OF _____ } ss:	COUNTY OF _____ } ss:
Area Cost Centre No. <u>RC2J020410</u>	On the _____ day of _____	On the _____ day of _____	On the _____ day of _____
Construction W.O. No. <u>801000312339</u>	_____, before me the undersigned, a Notary	_____, before me the undersigned, a Notary	_____, before me the undersigned, a Notary
_____	Public in and for said State personally appeared	Public in and for said State personally appeared	Public in and for said State personally came

ERIE COUNTY WATER AUTHORITY	JEROME D SCHAD		
By: <u>Jerome D Schad as Chairman</u>			
<div>TO NEW YORK STATE ELECTRIC & GAS CORPORATION</div>	Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person* upon behalf of which the individual(s) acted, executed the instrument.	Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person* upon behalf of which the individual(s) acted, executed the instrument.	the subscribing witness to the forgoing instrument, with whom I am personally acquainted, who, being duly sworn, did depose and say that _____he
Dated _____			resides at _____

STATE OF NEW YORK }			in the _____
COUNTY OF _____ } ss:	_____	_____	that _____he knew _____
	Notary Public	Notary Public	to be the individual(s) described in and who executed the foregoing instrument, that _____he, said sub-
			scribing witness, was present and saw _____
Recorded on the _____ day of _____			execute the same; and that _____, said witness, at the same time, subscribed h _____ name as witness thereto.

at _____ o'clock _____ M			Notary Public
in Book _____ of Deeds at			TAX MAP NUMBER
Page _____ and examined			Section <u>182.00</u> Block <u>3</u> Lot <u>29</u>

Clerk			RETURN TO
Consideration on this document			PROPERTY MANAGEMENT
is less than \$100.00			RECORDS CENTRE
			NEW YORK ELECTRIC & GAS CORP.
			POST OFFICE BOX 5224 BINGHAMTON, NEW YORK 13902-5224

*For the purposes of this section, the term "person" means any corporation, joint stock company, estate, general partnership (including any registered limited liability partnership), limited liability company (including a professional service limited liability company), foreign limited liability company (including a foreign professional limited liability company, joint venture, limited partnership, natural person, attorney in fact, real estate investment trust, business trust or other trust custodians, nominee or any other individual or entity in its own or any representative capacity."

*For the purposes of this section, the term "person" means any corporation, joint stock company, estate, general partnership (including any registered limited liability partnership), limited liability company (including a professional service limited liability company), foreign limited liability company (including a foreign professional limited liability company, joint venture, limited partnership, natural person, attorney in fact, real estate investment trust, business trust or other trust custodians, nominee or any other individual or entity in its own or any representative capacity."