

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2014250

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE RESURFACING, RESTORATION AND REHABILITATION OF NOXON ROAD, CR 21 BETWEEN NYS ROUTE 55 AND TITUSVILLE ROAD, CR 49, TOWN OF LAGRANGE OWNED BY EDWARD KREUTER (PIN 8755.41)

Legislators HUTCHINGS, MICCIO, SAGLIANO, and JETER-JACKSON offers the following and moves its adoption:

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN#8755.41) includes the acquisition of portions of certain properties, and

WHEREAS, a short environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to improve said road, is necessary to acquire a portion of property owned by Edward Kreuter, and

WHEREAS, an Agreement to Purchase the necessary real property is attached hereto, and

WHEREAS, the property to acquire in fee is 158.32 ± square meters (1,704.14± square feet) located on Noxon Road, CR 21 in the Town of LaGrange as shown on Dutchess County Acquisition Map No. 54, Parcel No. 143 (fee acquisition) a portion of Tax Grid No. 133400-6360-01-214557-0000, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property be purchased for the sum of \$14,660.00 plus up to \$1,000.00 for related expenses and that the terms and conditions of the Agreement be carried forth, now therefore, be it

RESOLVED, that the County Executive is authorized to execute the Agreement to Purchase Real Property in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of \$14,660.00, that

the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property be carried out by the Dutchess County Department of Public Works.

CA-157-14(a)

CAB/ca/R-0907-FFF

8/14/14; revised 9/8/14

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of September 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8th day of September 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost \$ 15,660

Total Current Year Revenue \$ 14,877  
and Source

Source of County Funds *(check one)*:  Existing Appropriations,  Contingency,  
 Transfer of Existing Appropriations,  Additional Appropriations,  Other *(explain)*.

Identify Line Items(s):

H0290 5110 3009

Related Expenses: Amount \$ 1,000

Nature/Reason:

Anticipated Administrative Costs and Fees.

Anticipated Savings to County: \$14,877

Net County Cost (this year): \$783  
Over Five Years: \_\_\_\_\_

#### Additional Comments/Explanation:

This fiscal impact statement pertains to the accompanying resolution request for request authorization to acquire in fee a 158.32+/- square meter (1,704.14+/- square foot) parcel for a consideration of \$14,660.00 from Edward Kreuter, identified on Map 54 Parcel 143 in connection to the project identified as PIN 8755.41, Rehabilitation of County Route 21 (Noxon Road), NYS 55 to County Route 49 (Titusville Road), Town of Lagrange.

Related expenses in the amount of 1,000 are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis

EX. 2929

AGREEMENT TO PURCHASE REAL PROPERTY  
(FEE ACQUISITION)

Project: REHABILITATION OF NOXON ROAD (NYS ROUTE 55 TO TITUSVILLE ROAD)  
PIN: 8755.41            Map: 54            Parcel: 143

This Agreement by and between EDWARD KREUTER, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey a fee acquisition to a 158.32± Square Meter (1704.14± Square Foot) parcel located on the East Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:  
  
Being a portion of those same lands described in a deed dated June 17, 2005 in Liber 22005 at Page 5674 (as Document 0220055674) in the Office of the County Clerk for Dutchess County, New York with the address 317 Noxon Road (Re. Tax map No. 133400-6360-01-214557-0000), and being the same lands designated as Map 54, Parcel 143 on exhibit "A" attached hereto.
2. **IMPROVEMENTS INCLUDED IN THE PURCHASE.** The following improvements, if any, now in or on the property are included in this Agreement: Removal of (2) 8" dia. Trees, (9) 12-24" dia. trees
3. **PURCHASE PRICE.** The total purchase price is FOURTEEN THOUSAND SIX HUNDRED SIXTY Dollars (\$14,660.00). This price includes the acquisition of the above real property in fee acquisition as described in paragraph 1 and the improvements described in paragraph 2, if any.
4. **PAYMENT.** All by check at closing.
5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about 10/29/14.
6. **TITLE DOCUMENTS.** Buyer shall provide the following documents in connection with the sale:
  - A. **Closing Documents.** Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
  - B. **Abstract, Bankruptcy and Tax Searches, and Acquisition Map.** Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
  - C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.
7. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the fee simple acquisition of the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.
8. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between the Seller and Buyer as of the date of closing; current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

- 9. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
- 10. ENTIRE AGREEMENT. This agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be approved by the Dutchess County Legislature and executed by the Dutchess County Executive in order for it to be binding on the parties.
- 11. NOTICES. All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
- 12. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: Including, but not limited to the following: An existing retaining wall will be removed and replaced with a new retaining wall structure, excavation associated with the retaining wall installation including any necessary rock removal, clearing/grubbing of the side slope as needed and the proposed ground surface behind the new retaining wall will be graded and seeded to re-establish a grassed surface; both driveways will be rehabilitated to meet the proposed roadway edge, and temporary erosion and sediment control measures will be placed for the duration of this project.

IN WITNESS WHEREOF, on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, the parties have entered into this Agreement.

**Seller: Edward Kreuter**  
**Representative: XXX**

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
 Printed Name

\_\_\_\_\_  
 Printed Name

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Title

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_

County of Dutchess

Witness: \_\_\_\_\_

Buyer: \_\_\_\_\_  
 Marcus J. Molinaro  
 County Executive

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
 Carol A. Bogle  
 Chief Asst. County Attorney

\_\_\_\_\_  
 Robert H. Balkind, P.E.  
 Deputy Commissioner



'EXHIBIT A'  
 COUNTY OF DUTCHESS  
 DEPARTMENT OF PUBLIC WORKS

MAP NO. 54  
 PARCEL NO. 112.143  
 SHEET 1 OF 5

REHABILITATION OF NOXON ROAD  
 NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

Originals of this map (sheets 1 through 5)  
 are on file at the offices of the Dutchess  
 County Department of Public Works

EDWARD KREUTER  
 (REPUTED OWNER)  
 L.22005 P.5674

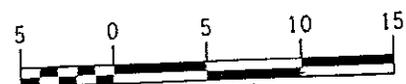
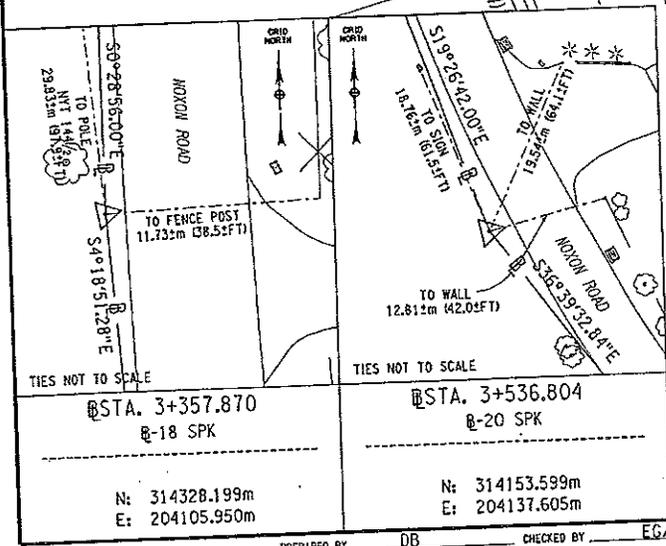
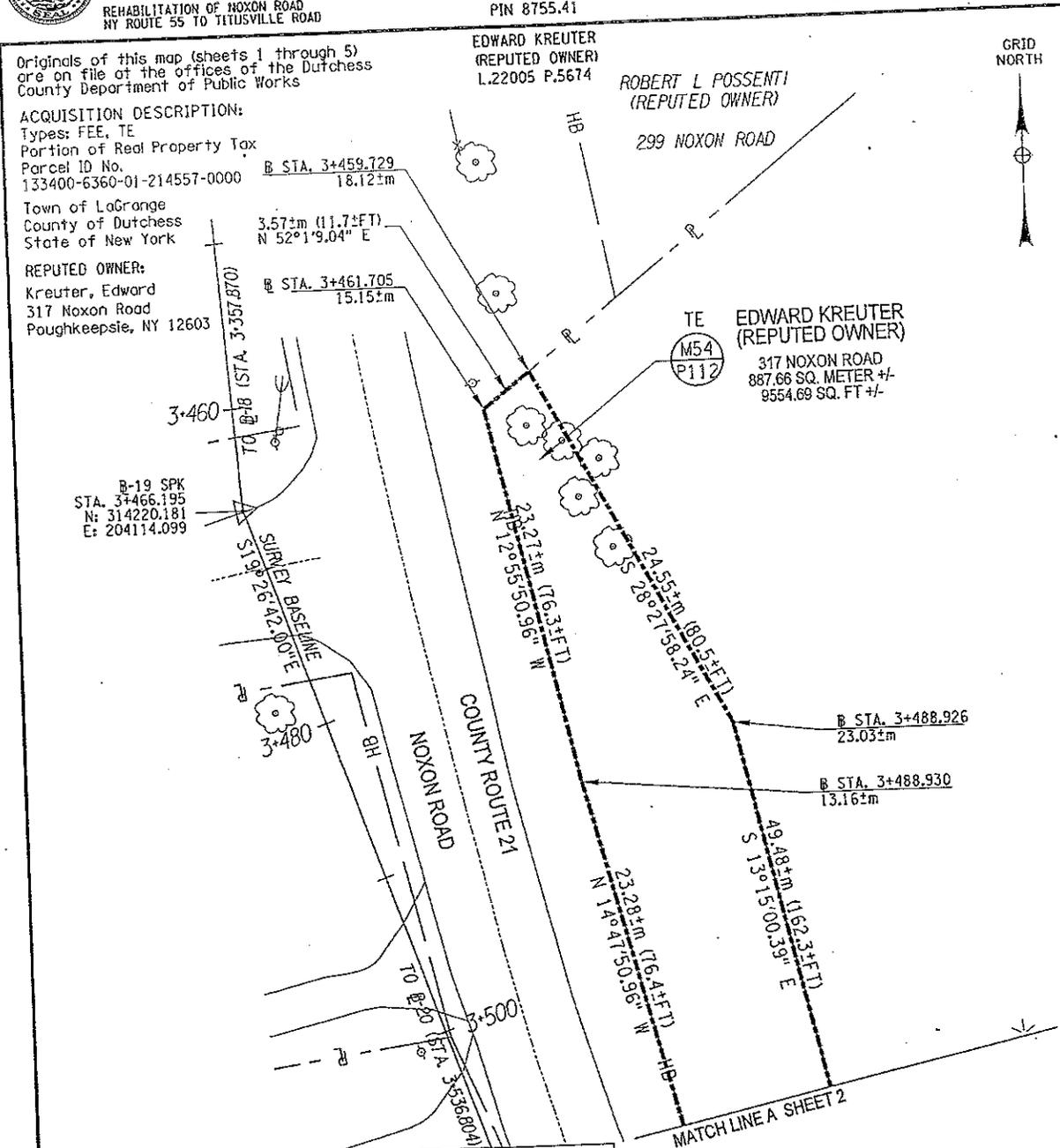
ROBERT L POSSENTI  
 (REPUTED OWNER)

ACQUISITION DESCRIPTION:  
 Types: FEE, TE  
 Portion of Real Property Tax  
 Parcel ID No.  
 133400-6360-01-214557-0000  
 Town of LaGrange  
 County of Dutchess  
 State of New York

REPUTED OWNER:  
 Kreuter, Edward  
 317 Noxon Road  
 Poughkeepsie, NY 12603

TE EDWARD KREUTER  
 (REPUTED OWNER)  
 M54  
 P112  
 317 NOXON ROAD  
 887.66 SQ. METER +/-  
 9554.69 SQ. FT +/-

GRID  
 NORTH



MAP NUMBER 54  
 REVISED DATE 4/24/13 5/6/13  
 DATE PREPARED 4/13/12 8/22/13  
 5/12/14



'EXHIBIT A'  
 COUNTY OF DUTCHESS  
 DEPARTMENT OF PUBLIC WORKS

MAP NO. 54  
 PARCEL NO. 112, 143  
 SHEET 2 OF 5

REHABILITATION OF NOXON ROAD  
 NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

EDWARD KREUTER  
 (REPUTED OWNER)  
 L.22005 P.5674

Originals of this map (sheets 1 through 5)  
 are on file at the offices of the Dutchess  
 County Department of Public Works

ACQUISITION DESCRIPTION:

Types: FEE, TE  
 Portion of Real Property Tax  
 Parcel ID No.  
 133400-6360-01-214557-0000  
 Town of LaGrange  
 County of Dutchess  
 State of New York

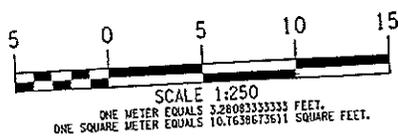
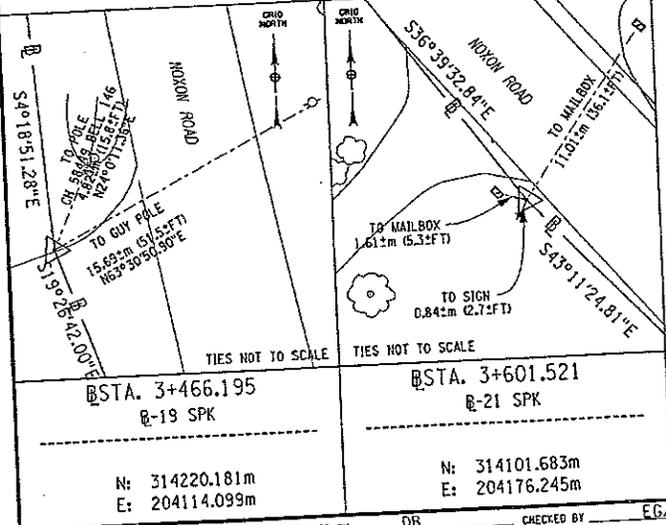
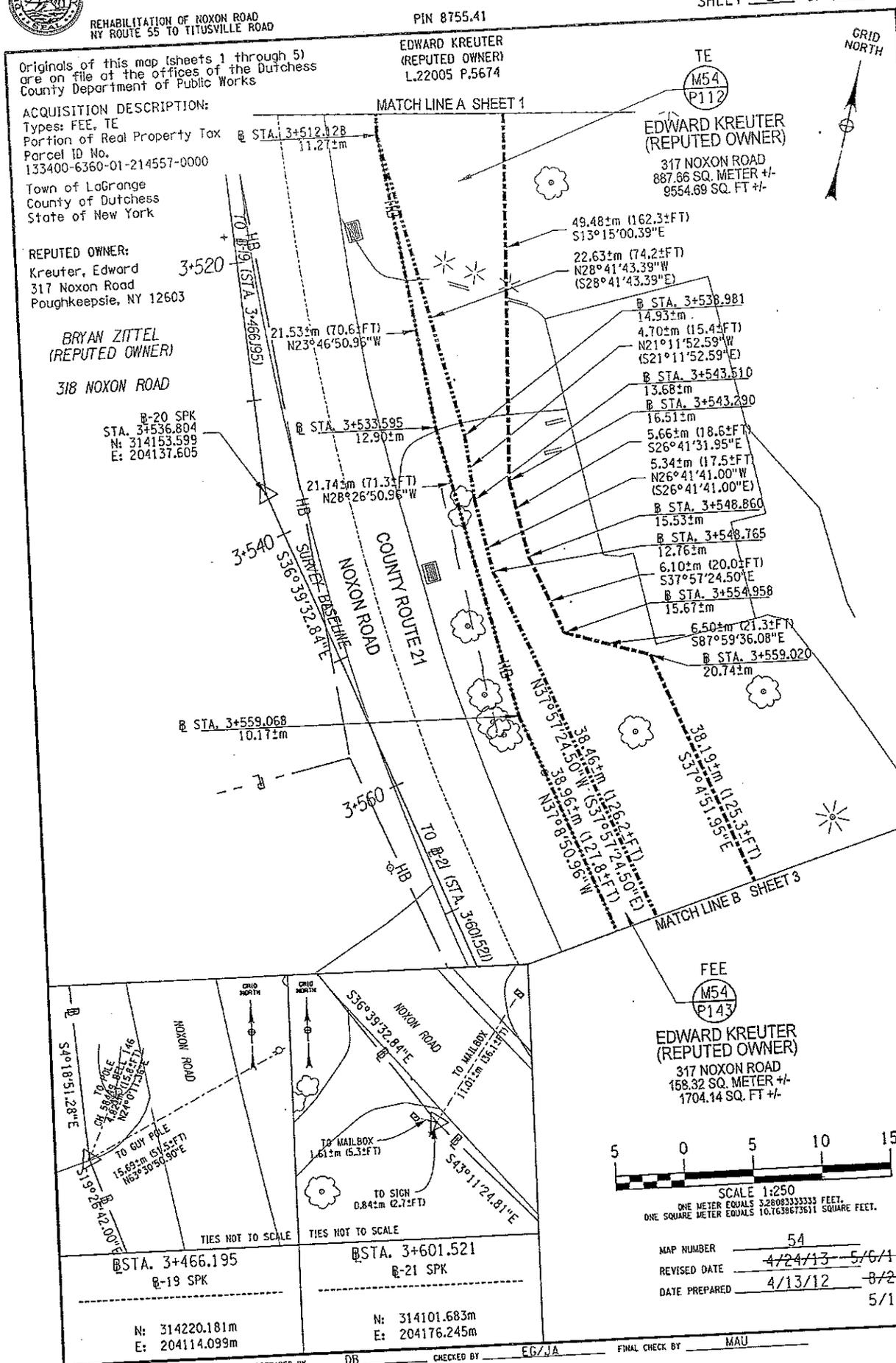
REPUTED OWNER:

Kreuter, Edward  
 317 Noxon Road  
 Poughkeepsie, NY 12603

BRYAN ZITTEL  
 (REPUTED OWNER)

318 NOXON ROAD

B-20 SPK  
 STA. 3+536.804  
 N: 314153.599  
 E: 204137.605



FEE  
 M54  
 P143  
 EDWARD KREUTER  
 (REPUTED OWNER)  
 317 NOXON ROAD  
 158.32 SQ. METER +/-  
 1704.14 SQ. FT +/-

MAP NUMBER 54  
 REVISED DATE 4/24/13 ~~5/6/13~~  
 DATE PREPARED 4/13/12 ~~8/22/13~~  
 5/12/14



REHABILITATION OF NOXON ROAD  
BY ROUTE 55 TO TITUSVILLE ROAD

'EXHIBIT A'  
COUNTY OF DUTCHESS  
DEPARTMENT OF PUBLIC WORKS

PIN 8755.41

MAP NO. 54  
PARCEL NO. 112.143  
SHEET 3 OF 5

Originals of this map (sheets 1 through 5)  
are on file at the offices of the Dutchess  
County Department of Public Works

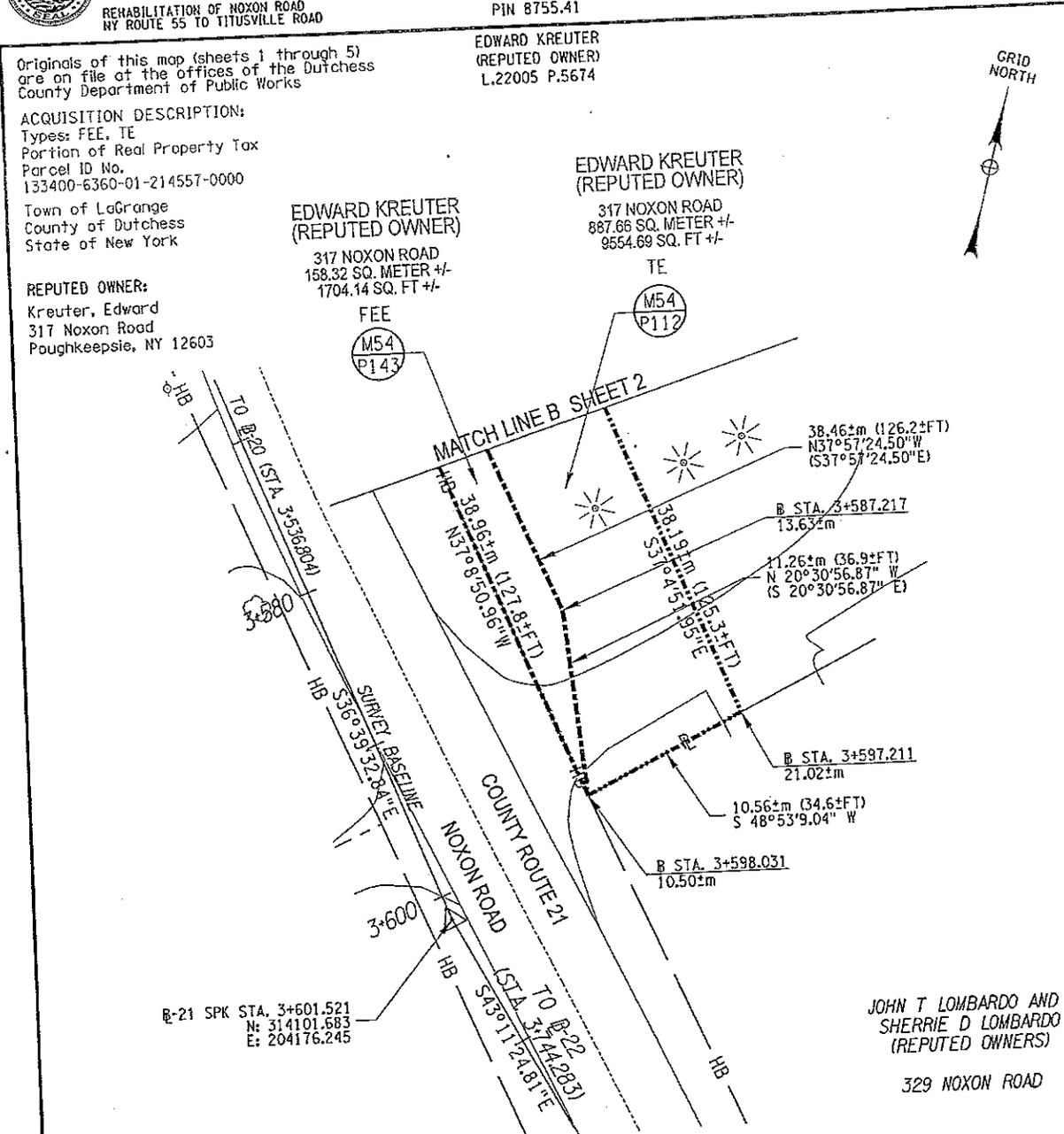
EDWARD KREUTER  
(REPUTED OWNER)  
L.22005 P.5674

ACQUISITION DESCRIPTION:  
Types: FEE, TE  
Portion of Real Property Tax  
Parcel ID No.  
133400-6360-01-214557-0000  
Town of LaGrange  
County of Dutchess  
State of New York

REPUTED OWNER:  
Kreuter, Edward  
317 Noxon Road  
Poughkeepsie, NY 12603

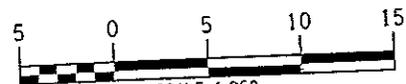
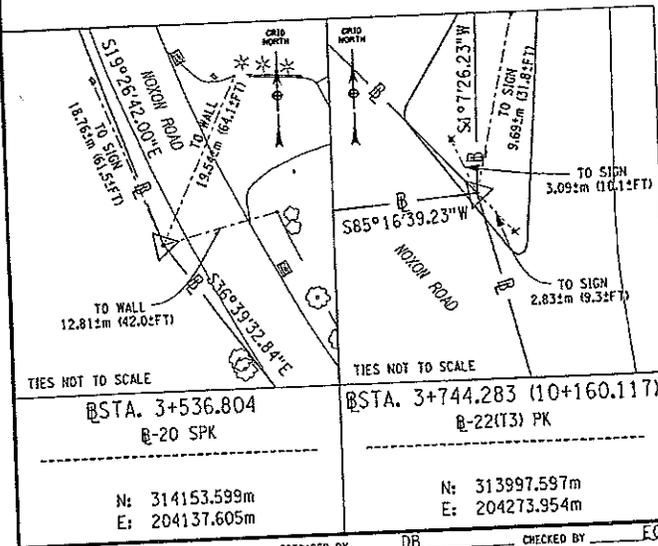
EDWARD KREUTER  
(REPUTED OWNER)  
317 NOXON ROAD  
158.32 SQ. METER +/-  
1704.14 SQ. FT +/-

EDWARD KREUTER  
(REPUTED OWNER)  
317 NOXON ROAD  
887.66 SQ. METER +/-  
9554.69 SQ. FT +/-



JOHN T LOMBARDO AND  
SHERRIE D LOMBARDO  
(REPUTED OWNERS)

329 NOXON ROAD



MAP NUMBER 54  
REVISED DATE 4/24/13 5/6/13  
DATE PREPARED 4/13/12 8/22/13  
5/12/14

N: 314153.599m  
E: 204137.605m

N: 313997.597m  
E: 204273.954m

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU



'EXHIBIT A'  
 COUNTY OF DUTCHESS  
 DEPARTMENT OF PUBLIC WORKS

MAP NO. 54  
 PARCEL NO. 112, 143  
 SHEET 4 OF 5

REHABILITATION OF NOXON ROAD  
 NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in fee acquisition and temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL NO. 143, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: AN EXISTING RETAINING WALL WILL BE REMOVED AND REPLACED WITH A NEW RETAINING WALL STRUCTURE, EXCAVATION ASSOCIATED WITH THE RETAINING WALL INSTALLATION INCLUDING ANY NECESSARY ROCK REMOVAL, CLEARING/GRUBBING OF THE SIDE SLOPE AS NEEDED AND THE PROPOSED GROUND SURFACE BEHIND THE NEW RETAINING WALL WILL BE GRADED AND SEEDED TO RE-ESTABLISH A GRASSED SURFACE; BOTH DRIVEWAYS WILL BE REHABILITATED TO MEET THE PROPOSED ROADWAY EDGE, AND TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES WILL BE PLACED FOR THE DURATION OF THIS PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT BEING DISTANT 11.27±m MEASURED AT RIGHT ANGLES FROM STATION 3+512.128± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH THE LANDS OF EDWARD KREUTER (REPUTED OWNER) SOUTH 28°41'43.39" EAST A DISTANCE OF 22.63±m (74.2±FT) TO A POINT, SAID POINT BEING DISTANT 14.93±m MEASURED AT RIGHT ANGLES FROM STATION 3+538.981± OF SAID BASELINE; THENCE CONTINUING SOUTH 21°11'52.59" EAST A DISTANCE OF 4.70±m (15.4±FT) TO A POINT, SAID POINT BEING DISTANT 13.68±m MEASURED AT RIGHT ANGLES FROM STATION 3+543.510± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 26°41'41.00" EAST A DISTANCE OF 5.34±m (17.5±FT) TO A POINT, SAID POINT BEING DISTANT 12.76±m MEASURED AT RIGHT ANGLES FROM STATION 3+548.765± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 37°57'24.50" EAST A DISTANCE OF 38.46±m (126.2±FT) TO A POINT, SAID POINT BEING DISTANT 13.63±m MEASURED AT RIGHT ANGLES FROM STATION 3+587.217± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 20°30'56.87" EAST A DISTANCE OF 11.26±m (36.9±FT) TO A POINT, SAID POINT BEING DISTANT 10.50±m MEASURED AT RIGHT ANGLES FROM STATION 3+598.031±, SAID POINT ALSO BEING AT THE INTERSECTION OF THE EASTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD) AND THE DIVISION LINE OF LANDS OF EDWARD KREUTER (REPUTED OWNER) TO THE NORTH AND JOHN T LOMBARDO AND SHERRIE D LOMBARDO (REPUTED OWNERS) TO THE SOUTH; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 37°8'50.96" WEST A DISTANCE OF 38.96±m (127.8±FT) TO A POINT, SAID POINT BEING DISTANT 10.17±m MEASURED AT RIGHT ANGLES FROM STATION 3+559.068± OF SAID BASELINE; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 28°26'50.96" WEST A DISTANCE OF 21.74±m (71.3±FT) TO A POINT, SAID POINT BEING DISTANT 12.90±m MEASURED AT RIGHT ANGLES FROM STATION 3+533.595± OF SAID BASELINE; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 23°46'50.96" WEST A DISTANCE OF 21.53±m (70.6±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 158.32± SQUARE METERS (1704.14± SQUARE FEET) MORE OR LESS.

MAP NUMBER 54  
 REVISED DATE 4/24/13 5/6/13  
 DATE PREPARED 4/13/12 8/22/13  
5/12/14



'EXHIBIT A'  
COUNTY OF DUTCHESS  
DEPARTMENT OF PUBLIC WORKS

MAP NO. 54  
PARCEL NO. 112.143  
SHEET 5 OF 5

REHABILITATION OF NOXON ROAD  
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

PARCEL NO. 112 A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA FOR CONSTRUCTION ACCESS AND STORAGE OF CONSTRUCTION MATERIALS RELATED TO A PROPOSED RETAINING WALL, EXCAVATION ASSOCIATED WITH THE RETAINING WALL INSTALLATION INCLUDING ANY NECESSARY ROCK REMOVAL, INSTALLATION OF A PERMANENT FENCE, CLEARING/GRUBBING AS NEEDED, TREE REMOVAL IF NECESSARY, GRADING BEHIND THE PROPOSED RETAINING WALL TO MEET EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASSSED SURFACE, BOTH DRIVEWAYS WILL BE REHABILITATED TO MEET THE PROPOSED ROADWAY EDGE, AND THE PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT, ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT ALSO BEING AT THE INTERSECTION OF THE DIVISION LINE OF LANDS OF EDWARD KREUTER (REPUTED OWNER) TO THE NORTH AND LANDS OF JOHN T LOMBARDO AND SHERRIE D LOMBARDO (REPUTED OWNERS), SAID POINT ALSO BEING DISTANT 10.50±m MEASURED AT RIGHT ANGLES FROM STATION 3+598.031± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH THE LANDS OF EDWARD KREUTER (REPUTED OWNER) NORTH 20°30'56.87" EAST A DISTANCE OF 11.26±m (36.9±FT) TO A POINT, SAID POINT BEING DISTANT 13.63±m MEASURED AT RIGHT ANGLES FROM STATION 3+587.217± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 37°57'24.50" WEST A DISTANCE OF 38.46±m (126.2±FT) TO A POINT, SAID POINT BEING DISTANT 12.76±m MEASURED AT RIGHT ANGLES FROM STATION 3+548.765± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 26°41'41.00" WEST A DISTANCE OF 5.34±m (17.5±FT) TO A POINT, SAID POINT BEING DISTANT 13.68±m MEASURED AT RIGHT ANGLES FROM STATION 3+543.510± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 21°11'52.59" WEST A DISTANCE OF 4.70±m (15.4±FT) TO A POINT, SAID POINT BEING DISTANT 14.93±m MEASURED AT RIGHT ANGLES FROM STATION 3+538.981± OF SAID BASELINE, THENCE CONTINUING THROUGH SAID LANDS NORTH 28°41'43.39" WEST A DISTANCE OF 22.63±m (74.2±FT) TO A POINT, SAID POINT BEING DISTANT 11.27±m MEASURED AT RIGHT ANGLES FROM STATION 3+512.128± OF SAID BASELINE, SAID POINT ALSO BEING ON THE EASTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD); THENCE CONTINUING ALONG SAID BOUNDARY NORTH 14°47'50.96" WEST A DISTANCE OF 23.28±m (76.4±FT) TO A POINT, SAID POINT BEING DISTANT 13.16±m MEASURED AT RIGHT ANGLES FROM STATION 3+488.930± OF SAID BASELINE, THENCE CONTINUING ALONG SAID BOUNDARY NORTH 12°55'50.96" WEST A DISTANCE OF 23.27±m (76.3±FT) TO A POINT, SAID POINT BEING DISTANT 15.15±m MEASURED AT RIGHT ANGLES FROM STATION 3+461.705± OF SAID BASELINE, SAID POINT ALSO BEING ON THE DIVISION LINE OF THE LANDS OF ROBERT L POSSENTI (REPUTED OWNER) TO THE NORTH AND THE LANDS OF EDWARD KREUTER (REPUTED OWNER) TO THE SOUTH; THENCE CONTINUING ALONG SAID DIVISION LINE NORTH 52°19.04" EAST A DISTANCE OF 3.57±m (11.7±FT) TO A POINT, SAID POINT BEING DISTANT 18.12±m MEASURED AT RIGHT ANGLES FROM STATION 3+459.729± OF SAID BASELINE; THENCE CONTINUING THROUGH THE LANDS OF EDWARD KREUTER (REPUTED OWNER) SOUTH 28°27'58.24" EAST A DISTANCE OF 24.55±m (80.5±FT) TO A POINT, SAID POINT BEING DISTANT 23.03±m MEASURED AT RIGHT ANGLES FROM STATION 3+488.926± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 13°15'00.39" EAST A DISTANCE OF 49.48±m (162.3±FT) TO A POINT, SAID POINT BEING DISTANT 16.51±m MEASURED AT RIGHT ANGLES FROM STATION 3+543.290± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 26°41'31.95" EAST A DISTANCE OF 5.66±m (18.6±FT) TO A POINT, SAID POINT BEING DISTANT 15.53±m MEASURED AT RIGHT ANGLES FROM STATION 3+548.860± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 37°57'24.50" EAST A DISTANCE OF 6.10±m (20.0±FT) TO A POINT, SAID POINT BEING DISTANT 15.67±m MEASURED AT RIGHT ANGLES FROM STATION 3+554.958± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 87°59'36.08" EAST A DISTANCE OF 6.50±m (21.3±FT) TO A POINT, SAID POINT BEING DISTANT 20.74±m MEASURED AT RIGHT ANGLES FROM STATION 3+559.020± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 37°04'51.95" EAST A DISTANCE OF 38.19±m (125.3±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF EDWARD KREUTER (REPUTED OWNER) TO THE NORTH AND LANDS OF JOHN T LOMBARDO AND SHERRIE D LOMBARDO (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 21.02±m MEASURED AT RIGHT ANGLES FROM STATION 3+597.211± OF SAID BASELINE; THENCE CONTINUING ALONG SAID DIVISION LINE SOUTH 48°53'9.04" WEST A DISTANCE OF 10.56±m (34.6±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 887.66± SQUARE METERS (9554.69± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 112 AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 3+357.870; THENCE SOUTH 4°18'51.28" EAST TO STATION 3+466.195; THENCE SOUTH 19°26'42.00" EAST TO STATION 3+536.804; THENCE SOUTH 36°39'32.84" EAST TO STATION 3+601.521; THENCE SOUTH 43°11'24.81" EAST TO STATION 3+744.283.

MAP NUMBER 54  
REVISED DATE 4/24/13 5/6/13  
DATE PREPARED 4/13/12 8/22/13  
5/12/14

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date 5/16 20 14

Noel H.S. Krille  
Noel H.S. Krille, AIA, ASLA  
Commissioner of Public Works

Recommended by:

Date 5/15/14 20 14  
Robert H. Balkind

Robert H. Balkind, P.E.  
Deputy Commissioner of Public Works

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date MAY 13 20 14

GARY M. REED  
GARY M. REED Land Surveyor  
P.L.S. License No. 50557



WSP- SELLS  
555 PLEASANTVILLE ROAD  
BRIARCLIFF MANOR, NY 10510

626 Dutchess Turnpike  
Poughkeepsie, NY 12603  
Phone: (845) 486-2925  
Fax: (845) 486-2940

**Dutchess County**  
**DPW ENGINEERING**

# Memo

**To:** Robert H. Balkind, P.E., Deputy Commissioner of Public Works

**From:** Matthew W. Davis, Assistant Civil Engineer I *MD*

**Date:** September 8, 2014

**Re: RESOLUTION REQUEST  
FEE ACQUISITION, MAP 54, PARCEL 143  
PIN 8755.41 REHABILITATION OF CR 21 (NOXON RD), NYS 55 TO CR 49  
(TITUSVILLE ROAD), TOWN OF LAGRANGE**

Accompanying this memo is a Resolution Request and Fiscal Impact Statement with supporting documentation to request authorization to acquire in fee a 158.32+/- square meter (1,704.14+/- square foot) parcel for a consideration of \$14,660.00. This parcel is a portion of property owned by Edward Kreuter, located on County Route 21, (Noxon Road), in the Town of LaGrange, identified as parcel identification number 133400-6360-01-214557-0000. The purchase of these parcels is required to facilitate the rehabilitation of County Route 21 under the subject Federal Aid Project. The amount of this resolution request is for \$15,660.00, which includes related expenses as shown on the accompanying Fiscal Impact Statement

The subject project has been reviewed under SEQR and is classified as an Unlisted Action. A Negative Declaration was approved and adopted by the Legislature on December 8, 2008, under Resolution No. 208403.

Attached for your review, is the documentation required for the Resolution Request submittal. Please contact me if you have any questions or require any additional information.

2014 SEP - 8 A 11:42  
COUNTY ATTORNEY  
RECEIVED