

**VILLAGE OF BUCHANAN
RESOLUTION AUTHORIZING THE
MAYOR TO EXECUTE AN EASEMENT AGREEMENT**

Introduced by: _____
Seconded by: _____
Dated: _____

WHEREAS, Theresa Knickerbocker and Mary Knickerbocker ("Knickerbocker") of 191 Henry Street, Buchanan, New York are the owners of the lands and building located in the Village Circle, at 242-244 Tate Avenue (the "Premises"); and

WHEREAS, on January 28, 2004 Knickerbocker and her attorney requested that the Village Board grant approval for an easement over Village property to gain ingress and/or egress to the four (4) parking spaces located at the rear of said Premises; and

WHEREAS, on March 4, 2004, after a Public Hearing was held on the issue, the Village Board of Trustees approved a resolution authorizing the Mayor to sign an Easement Agreement with the Knickerbocker's upon the conclusion of certain conditions; and

WHEREAS, due to certain unforeseen circumstances and the economic downturn experienced by many Americans, the Knickerbockers were unable to fulfill those conditions until more recently and therefore the prior approval of the easement has expired; and

WHEREAS, the Zoning Board of Appeals and Planning Board previously requested that Knickerbocker agree to certain conditions pertaining to the legal requirements involving the grant of such easement, the terms of which were set forth in the ZBA's Decision & Order and Planning Board's Resolution, both issued in February 2004, and such conditions have now been met; and

WHEREAS, Knickerbocker has therefore again requested the grant of approval to allow for the aforesaid easement over the Village driveway off of Tate Avenue, the details of which are contained in drawings filed in the Village Clerk's Office; and

WHEREAS, the Village Board after due deliberation, finds it in the best interests of the Village of Buchanan to grant the requested easement to the extent and as set forth herein.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board does hereby grant to Knickerbocker an easement only (without the shifting of the main Village drive) for residential vehicular ingress and/or egress to the four (4) parking spaces located at the rear of said Premises to Knickerbocker for the subject Premises located at 242-244 Tate Avenue.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute an Easement Agreement on behalf of the Village and directs that same shall be recorded in the Office of the Clerk of the County of Westchester in accordance with the above and at the expense of the Knickerbockers.

Upon Roll Call Vote:

Mayor Sean Murray _____

Trustee Richard Funchion _____

Trustee Duane Jackson _____

Trustee Theresa Knickerbocker _____

Trustee Nicolas Zachary _____

Vote: Resolution carried by a vote of to .

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

I, KEVIN HAY, Village Clerk of the Village of Buchanan, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Village Board of the Village of Buchanan at a meeting of said Board held July 1, 2013.

KEVIN HAY-Administrator/Clerk