

Warren County Board of Supervisors

RESOLUTION NO. 303 OF 2016

Resolution introduced by Supervisors Merlino, Dickinson, Wood and Frasier

RELINQUISHING WARREN COUNTY'S RIGHT TO TERMINATE THE WEST BROOK CONSERVATION EASEMENT

WHEREAS, Warren County, and the Village and Town of Lake George (Grantors) granted a Conservation Easement, filed in the Warren County Clerk's Office on March 19, 2008, instrument number 2008-00002070, Book 3505, Page 1, to The Fund for Lake George, Inc., The Lake George Association, Inc., and Lake George Land Conservancy, Inc., (Grantees), for property on the south side of West Brook Road, being Warren County Tax Map Parcels 264.06-3-30, 264.06-3-31, and 264.06-3-32; and property on the north side of West Brook Road being Warren County Tax Map Parcel numbers 264.06-2-52 and 264.06-3-29, property also shown on a certain map entitled "Map of Boundary & Topographic Survey Prepared for Lake George Association" dated August 2, 2007 and filed in the Office of the Warren County Clerk on March 19, 2008, instrument number 2008-3000045, book PLATC page 55 and last revised on March 17, 2008 and filed in said Clerk's Office on March 19, 2008; and

WHEREAS, the Town of Lake George transferred all of its interest in the above referenced property to the Village of Lake George by agreement dated October 19, 2010, and filed in the Warren County Clerk's Office on December 3, 2010, Document Number 2010-00008261, Book 4138, page 257; and

WHEREAS, the Conservation Easement was amended on October 8, 2013, to adjust the boundaries of, clear title to, and improve access to the above referenced property, said amendment was recorded in the Warren County Clerk's Office on October 8, 2013, Instrument Number 2013-8347, Book 4866, Page 313, and

WHEREAS, section III(2)(d) states that Grantees must use their best efforts to complete the construction of the Park Facilities within five (5) years of recording the Conservation Easement, and that

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if Grantees do not substantially complete construction of the Park Facilities within fifteen (15) years of recording the Conservation Easement, Grantors may terminate the Conservation Easement, and

WHEREAS, the Grantees have substantially completed the construction of the Park Facilities and have requested that the Grantors relinquish their right to terminate the Conservation Easement, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board to sign a Quit Claim Deed to be recorded in the Warren County Clerk's Office, and any other documents or actions which may be necessary to relinquish the County's right, pursuant to section III(2)(d), page 7 of 26, of the Conservation Easement dated March 14, 2008, to terminate said Conservation Easement.