

PUBLIC DRAINAGE EASEMENT AGREEMENT

THIS PUBLIC DRAINAGE EASEMENT ("Agreement") is dated as of the ___ day of May, 2022, and is from CAMP-ROLL LLC, a New York limited liability company having a place for the transaction of business at 6790 Main Street, Suite 100, Williamsville, NY 14221 ("Grantor") to TOWN OF PENDLETON, a municipal corporation of the State of New York having its principal office at 6750 Campbell Blvd., Lockport, New York 14094 ("Town").

1. Easement to Town. Grantor hereby grants unto Town a permanent easement and right of way to construct, operate, maintain, repair, reconstruct, expand and extend all pipes, conduits, swales, storm water drainage, detention or retention facilities and other similar facilities (collectively the "Drainage Facilities") now or hereafter located within those areas identified as "Public Drainage Easement" or "Proposed Drainage Easement" on the Subdivision Map of The Meadows at Pendleton North filed in the Niagara County Clerk's Office on May 28, 2020 as Instrument No. M2020-00018, Slide 620-A and amended and re-filed in the Niagara County Clerk's Office on January 10, 2022 as Instrument No. M2022-00001, Slide 652-A and as detailed on Exhibit A (the "Drainage Easement Premises") and to enter upon the Drainage Easement Premises with personnel, vehicles and machinery from the right-of-way of any highway contiguous to any portion of the Drainage Easement Premises for the purposes of exercising its rights under this Easement.

2. Maintenance by Owners. Nothing herein shall relieve the owner (an "Owner") of any subdivision lot (a "Lot") shown on the Subdivision Map of The Meadows at Pendleton North filed in the Niagara County Clerk's Office on May 28, 2020 as Instrument No. M2020-00018, Slide 620-A and amended and re-filed in the Niagara County Clerk's Office on January 10, 2022 as Instrument No. M2022-00001, Slide 652-A (the "Subdivision Map") of the primary obligation to maintain, repair and reconstruct any Drainage Facilities located on the property of such owner, it being the intention of this Easement that the Town shall have the right, but not the obligation, to maintain, repair and reconstruct any Drainage Facilities located on the property of any such Owner.

3. Restriction Upon Improvements on Drainage Easement Premises. No Owner may construct or maintain any temporary or permanent structures, buildings, fences or other improvements (except for Drainage Facilities) on any portion of the Drainage Easement Premises without the written authorization of the Town in each instance, which the Town may decline or condition in its sole and absolute discretion. Any temporary or permanent structures, buildings, fences or other improvements erected or maintained in violation of this restriction may be removed by the Town in its discretion at the sole cost and expense of the violating Owner. Nothing herein shall be construed to limit any other right or remedy available to the Town for a violation of this restriction.

4. Restoration. Following the exercise by Town of any of its rights under this Easement, the Town shall restore the affected portions of the Drainage Easement Premises as near as practicable to their prior condition.

5. Storm Water Drainage District. The Meadows of Pendleton North Subdivision is located in the Storm Water District accepted by the Town Board on November 11, 2019. The easement herein shall be subject to the terms and conditions of the resolutions and documents establishing such district and the easement herein shall run to any storm water drainage district so established without any further action on the part of

the Grantor, Town or any such district.

6. Successors, Assigns, etc. This Agreement shall inure to the benefit of the parties hereto and their respective successors and/or assigns forever and shall bind the Drainage Easement Premises and the Owner of each Lot and all other owners from time to time of any portion of the Drainage Easement Premises and their respective successors and assigns forever.

IN WITNESS WHEREOF, this Agreement has been executed as of the day and year first set forth above.

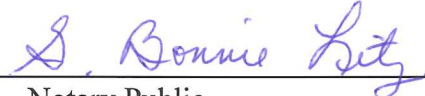
CAMP-ROLL LLC

By: 
Paul M. Bliss, Manager

State of New York)
County of Erie) ss:

On the 12th day of May, in the year 2022, before me, the undersigned, a notary public in and for said state, personally appeared Paul M. Bliss, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

S. BONNIE LITZ
Notary Public, State of New York
Registration #01LI5025894
Qualified In Erie County
Commission Expires April 4, 2026


Notary Public

TOWN OF PENDLETON

By: _____
Joel Maerten, Town Supervisor

State of New York)
County of Niagara) ss:

On the _____ day of _____, in the year 2022, before me, the undersigned, a notary public in and for said state, personally appeared Joel Maerten, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

EXHIBIT A

SUGGESTED DESCRIPTION
JOB NO. 2016040 PDE
FEBRUARY 6, 2022

MEADOWS AT PENDLETON NORTH
PUBLIC DRAINAGE EASEMENT

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Pendleton, County of Niagara and State of New York being part of Lot No 75, Township 13 Range 7 of the Holland Land Survey, so-called, bounded and described as follows:

VARYING WIDTH PUBLIC DRAINAGE EASEMENT

COMMENCING at the intersection of the north line of Brauer Drive (width varies) with the east line of Campbell Boulevard (66.0 feet wide) as shown on a subdivision map of The Meadows at Pendleton North filed in the Niagara County Clerk's Office as Instrument No. M2022-00001;

THENCE: N-00°-49'-12"-W, along the east line of Campbell Boulevard, a distance of 74.74 feet to the POINT OF BEGINNING;

THENCE: N-00°-49'-12"-W, along the east line of Campbell Boulevard, a distance of 60.79 feet to a point;

THENCE: Through Sub Lots 1, 2 and 3 of said Instrument No. M2022-00001, the following five (5) courses and distances;

- 1) N-23°-27'-48"-E, a distance of 88.92 feet to a point;
- 2) N-29°-28'-52"-E, a distance of 56.87 feet to a point;
- 3) N-77°-13'-18"-E, a distance of 68.93 feet to a point;
- 4) N-88°-27'-48"-E, a distance of 235.46 feet to a point;
- 5) N-01°-13'-21"-E, a distance of 66.50 feet to the north line of said Sub Lot 3;

THENCE: along the north, east and south lines of said Instrument No. M2022-00001, the following five (5) courses and distances;

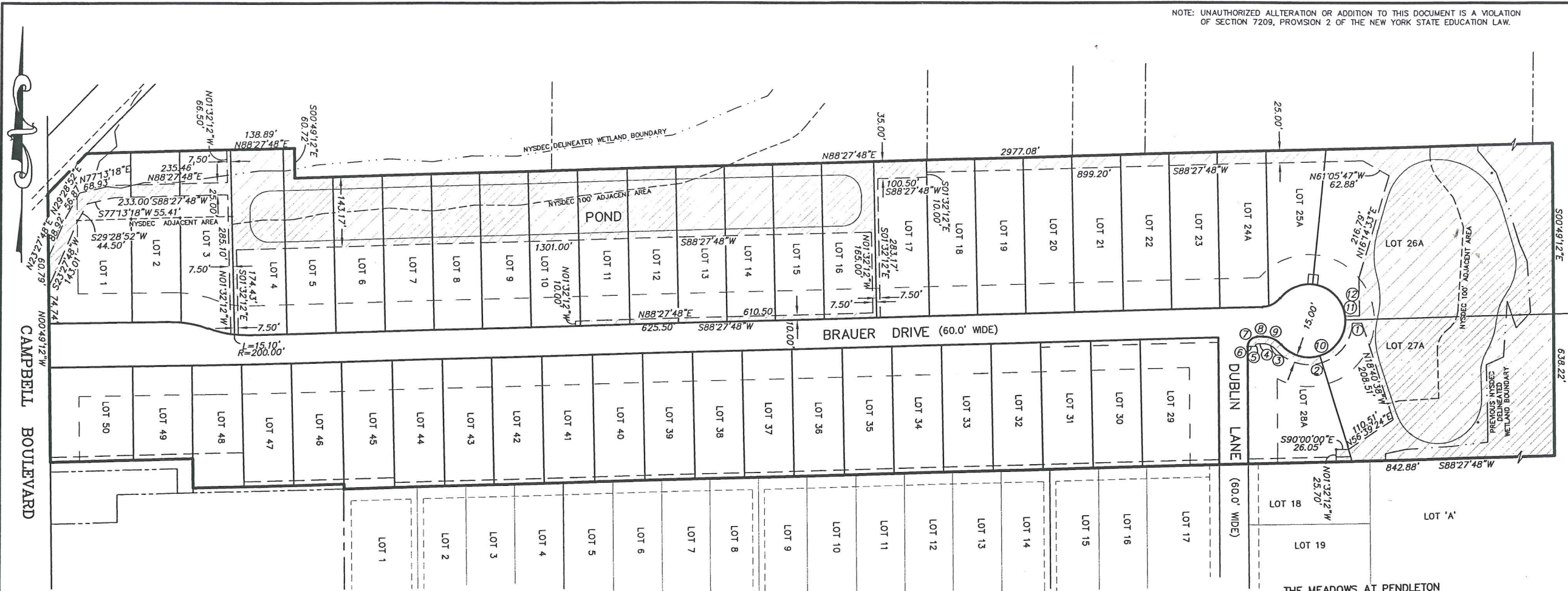
- 1) N-88°-27'-48"-E, a distance of 138.89 feet to a point;
- 2) S-00°-49'-12"-E, a distance of 60.72 feet to a point;
- 3) N-88°-27'-48"-E, a distance of 2977.08 feet to a point;
- 4) S-00°-49'-12"-E, a distance of 638.22 feet to a point;
- 5) S-88°-27'-48"-W, a distance of 842.88 feet to a point;

THENCE: Through said Instrument No. M2022-00001, the following thirty four (34) courses and distances;

- 1) N-01°-32'-12"-W, a distance of 25.70 feet to a point;
- 2) S-90°-00'-00"-E, a distance of 26.05 feet to a point;
- 3) N-56°-39'-24"-E, a distance of 110.51 feet to a point;
- 4) N-18°-40'-38"-W, a distance of 208.51 feet to a point;
- 5) S-88°-27'-48"-W, a distance of 19.43 feet to a point on a curve;

- 6) Southwesterly, on a curve to the right having a radius of 90.00 feet, an arc distance of 213.41 feet to a point of reverse curvature;
- 7) Northwesterly, on a curve to the left having a radius of 33.00 feet, an arc distance of 29.17 feet to a point of tangency;
- 8) S-88°-27'-48"-W, a distance of 11.68 feet to a point of curvature;
- 9) Southwesterly, on a curve to the left having a radius of 5.00 feet, an arc distance of 7.79 feet to a point;
- 10) S-89°-10'-48"-W, a distance of 15.00 feet to a point
- 11) Northeasterly, on a curve to the right having a radius of 20.00 feet, an arc distance of 31.17 feet to a point of tangency;
- 12) N-88°-27'-48"-E, a distance of 11.68 feet to a point of curvature;
- 13) Southeasterly, on a curve to the right having a radius of 48.00 feet, an arc distance of 42.43 feet to a point of reverse curvature;
- 14) Easterly and northerly, on a curve to the left having a radius of 75.00 feet, an arc distance of 191.61 feet to a point;
- 15) N-88°-27'-48"-E, a distance of 30.36 feet to a point;
- 16) N-01°-32'-12"-W, a distance of 77.38 feet to a point;
- 17) N-16°-14'-33"-E, a distance of 216.79 feet to a point;
- 18) N-61°-05'-47"-W, a distance of 62.88 feet to a point;
- 19) S-88°-27'-48"-W, a distance of 899.20 feet to a point;
- 20) S-01°-32'-12"-E, a distance of 10.00 feet to a point;
- 21) S-88°-27'-48"-W, a distance of 100.50 feet to a point;
- 22) S-01°-32'-12"-E, a distance of 283.17 feet to a point;
- 23) S-88°-27'-48"-W, a distance of 625.50 feet to a point;
- 24) N-01°-32'-12"-W, a distance of 10.00 feet to a point;
- 25) N-88°-27'-48"-E, a distance of 610.50 feet to a point;
- 26) N-01°-32'-12"-W, a distance of 165.00 feet to a point;
- 27) S-88°-27'-48"-W, a distance of 1301.00 feet to a point;
- 28) S-01°-32'-12"-E, a distance of 174.43 feet to a point on a curve;
- 29) Westerly, on a curve to the right having a radius of 200.00 feet, an arc distance of 15.10 feet to a point;
- 30) N-01°-32'-12"-W, a distance of 285.10 feet to a point;
- 31) S-88°-27'-48"-W, a distance of 233.00 feet to a point;
- 32) S-77°-13'-18"-W, a distance of 55.41 feet to a point;
- 33) S-29°-28'-52"-W, a distance of 44.50 feet to a point;
- 34) S-23°-27'-48"-W, a distance of 143.01 feet to the POINT OF BEGINNING.

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.



THE MEADOWS AT PENDLETON
PHASE 2, PART 1A
FILED AS INSTRUMENT No. M2013-00009

THE MEADOWS AT PENDLETON
PHASE 2, PART 1B
FILED AS INSTRUMENT No. M2015-00012 SLIDE 550-A

THE MEADOWS AT PENDLETON
PHASE 3
FILED AS INSTRUMENT No. M2016-00027 SLIDE 572-A

GRAPHIC SCALE



(IN FEET)
1 inch = 240 ft.

No.	BEARING	DISTANCE	LENGTH	RADIUS
1	S88°27'48"W	19.43'		
2			213.41'	90.00'
3			29.17'	33.00'
4	S88°27'48"W	11.68'		
5			7.79'	5.00'
6	S89°10'48"W	15.00'		
7			31.17'	20.00'
8	N88°27'48"E	11.68'		
9			42.43'	48.00'
10			191.61'	75.00'
11	N88°27'48"E	30.36'		
12	N01°32'12"W	77.38'		

MAP OF
PUBLIC DRAINAGE EASEMENT
TO BE CONVEYED TO THE TOWN OF PENDLETON
**The Meadows at Pendleton
North Subdivision**
INSTRUMENT No. M2022-00001
TOWN OF PENDLETON, NIAGARA COUNTY, NEW YORK
BEING PART OF LOT 75, TOWNSHIP 13, RANGE 7, HOLLAND LAND SURVEY

**GPI ENGINEERING, LANDSCAPE
ARCHITECTURE & SURVEYING, LLP**
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