

AMENDED PEDESTRIAN WALKWAY EASEMENT

AMENDED PEDESTRIAN WALKWAY EASEMENT (this "Amended Easement") made as of the ____ day of July, 2019, by DMS Consolidators Ltd. having an address at 108 Village Square, PMB 403, Somers, New York 10589 (the "Grantor") to the CITY OF BEACON, a municipal corporation having its offices at One Municipal Plaza, Suite One, Beacon, New York 12508 (the "Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner in fee simple of certain real property known as 26 Beekman Street in the City of Beacon, Dutchess County, New York and designated as Tax Map No. 5954-26-660924 and Tax Map No. 5954-26-641931 on the Tax Map of the City of Beacon (the "Premises"); and

WHEREAS, Grantor granted a Pedestrian Walkway Easement in favor of the City of Beacon on August 7, 2017 which was recorded in the Dutchess County Clerk's Office on August 30, 2017 as Document # 02 2017 6583, hereinafter the "Existing Easement"; and

WHEREAS, Grantor desires to extinguish / terminate the easement description set forth on Schedule A and Schedule B on the Existing Easement and replace same with the easement descriptions provided on the attached "Schedule A - Amended Easement Area" and "Schedule B - Map of Amended Easement Area"; and

WHEREAS, Grantee does not object to this change in the Easement Area; and

NOW THEREFORE, Grantor and Grantee do hereby agree to subject the Premises to the following:

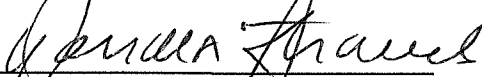
1. The provisions of the preamble are hereby incorporated herein by this reference and made a part of this Amended Easement.

2. The metes and bounds description in "Schedule A - Amended Easement Area" attached hereto shall replace the metes and bounds descriptions attached to the Existing Easement, referenced therein as "Schedule A – Legal Description of Easement Area".
3. The map of the easement area attached hereto as "Schedule B - Map of Amended Easement Area" shall replace the map of the easement area attached to the Existing Easement, referenced therein as "Schedule B - Map of Easement Area"
4. All provisions of the Existing Easement shall remain in full force and effect except as modified herein to amend the location of the easement area. The rights of way, easements, and other rights created herein shall run with the land and shall be binding upon and shall inure to the benefit of the parties herein and their successors and assigns.
5. This Amended Easement shall be governed and construed under and in accordance with the laws of the State of New York.
6. This Amended Easement can only be modified in writing in such form as required to record a modification hereto in the Office of the Clerk of the County of Dutchess, and signed by the City. No modification, waiver or consent with respect to this Agreement shall be binding unless it is in writing and signed by the party against whom such modification, waiver, or consent is sought.

IN WITNESS WHEREOF, Declarant has executed this Amended Easement as of the date first appearing above, intending the same to be recorded in the Office of the Dutchess County Clerk.

Grantor:

DMS CONSOLIDATORS, LTD

By: 

Name: Donald Strauch

Title: President

Grantee:

CITY OF BEACON

By: _____

Name: Anthony Ruggiero

Title: City Administrator

STATE OF NEW YORK)
COUNTY OF DUTCHESS) ss:

On the 19th day of July in the year, 2019, before me the undersigned, personally appeared DONALD E. STRAUCH, 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, he executed the instrument.



BART LANSKY
NOTARY PUBLIC-STATE OF NEW YORK
No. 02LA6185616
Qualified in Westchester County
My Commission Expires April 21, 2012

STATE OF NEW YORK)
COUNTY OF DUTCHESS) ss:

On the _____ day of July in the year, 2019, before me the undersigned, personally appeared ANTHONY RUGGIERO, 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, he executed the instrument.

“Schedule A - Amended Easement Area”

Gary R. LaTour
NEW YORK STATE LICENSED LAND SURVEYOR
License No. 049457
273 East Main Street
Beacon, New York 12508-3515
Phone/Fax: 845 831-8556
E-Mail: GARYLALS@aol.com

January 28, 2019

**REVISED PEDESTRIAN WALKWAY EASEMENT
DMS CONSOLIDATORS, LTD TO THE CITY OF BEACON**

All that certain tract or parcel of land situate in the **City of Beacon**, County of Dutchess and State of New York bounded and described as follows:

Beginning at a point in the southerly line of Beekman Street, said point being the northeast corner of a parcel of land conveyed by Anthony Ruggiero as City Administrator of the City of Beacon to DMS Consolidators LTD as described in Document # 02-2015-4533, and the most westerly corner of Parcel No. 19 as described in a deed from the People of the State of New York to the City of Beacon (Document #02-2002-1117), and running from thence along the easterly line of said lands of DMS Consolidators, running through the former location of Beekman Street, South 47-03-30 East 38.75 feet to the most northerly corner of Lot 1 as shown on a map entitled "**Final Subdivision Plat Prepared for Beacon Ridge Associates, Inc.**" and filed in the Dutchess County Clerk's Office on June 7, 1994 as **Map # 9899**; thence along the westerly lines of Lot 2 as shown on said map, being now or formerly lands of the City of Beacon (Liber 1945 page 119), South 35-00-00 East 135.06 feet and South 41-16-37 West 84.00 feet; thence running through said Lot 1 on Filed Map 9899 and through lands of DMS Consolidators as described in Document #02-2015-4533, North 44-30-00 West 23.83 feet, North 01-00-00 West 55.48 feet, North 12-00-00 East 30.00 feet, North 26-40-00 West 73.00 feet and North 47-03-30 West 34.09 feet to a point in the southerly line of Beekman Street; thence along the same, North 62-10-00 East 21.18 feet to the point of beginning.

Containing 7,883 square feet or 0.181 acres of land.

Being a portion of the premises conveyed by Anthony Ruggiero as City Administrator of the City of Beacon to DMS Consolidators LTD by deed dated July 6, 2015 and recorded in the Dutchess County Clerk's Office on July 28, 2015 as Document #02-2015-4533, **together with a portion of** the premises conveyed by Beacon Ridge Associates, Inc. to DMS Consolidators LTD by deed dated April 16, 2015 and recorded in the Dutchess County Clerk's Office on April 28, 2015 as Document #02-2015-2498 (Lot 1, Filed Map #9899).



“Schedule B - Map of Amended Easement Area”

NORTH
SCALE 1"=30'

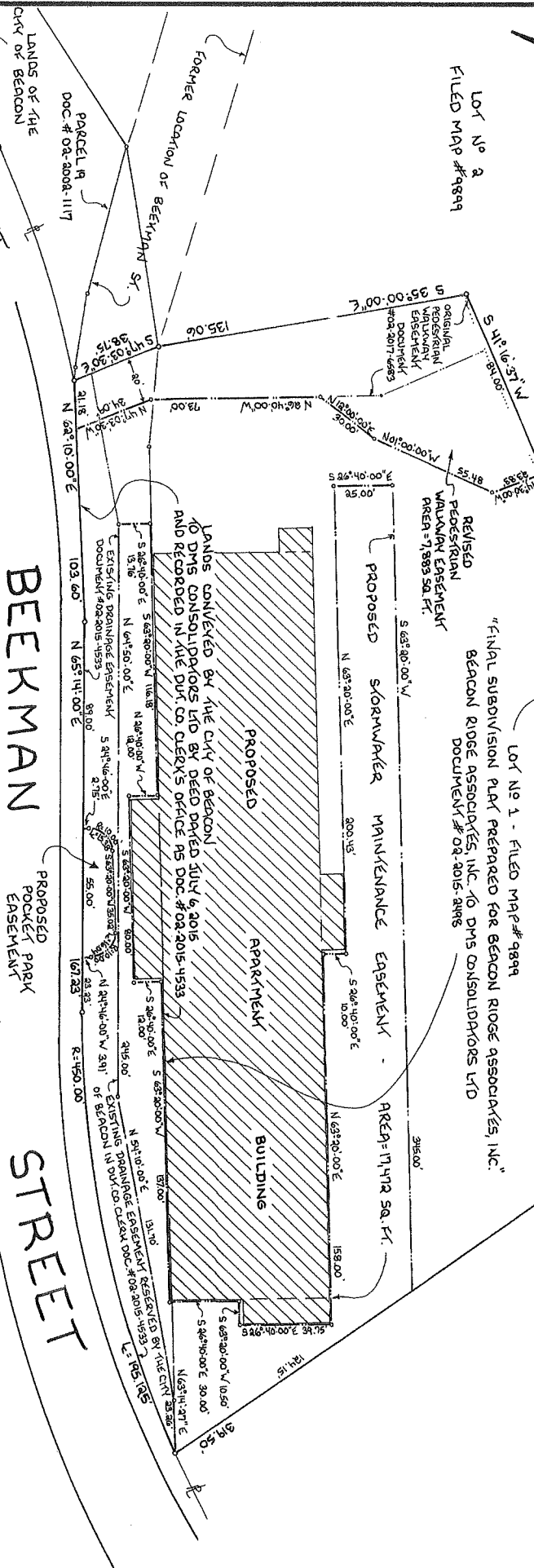
LANDS OF
THE CITY OF BEACON
LIBER 1945 PAGE 119

N/L
PROTESTANT
REFORMED
DUTCH
CHURCH
OF
FISHKILL
LANDING
LIBER 191 PAGE 692

LOT N° 2
FILED MAP # 9899

"FINAL SUBDIVISION PLAT PREPARED FOR BEACON RIDGE ASSOCIATES, INC."
BEACON RIDGE ASSOCIATES, INC. TO DMS CONSOLIDATORS LTD
DOCUMENT # 02-2015-2498
REVISOR
PEDESTRIAN
WALKWAY EASEMENT
AREA = 7,893 SQ. FT.

LOT N° 1 - FILED MAP # 9899



BECKMAN STREET

STREET

BECKMAN STREET
AS RELOCATED IN
THE LATE 1970'S
BY THE
BEACON URBAN RENEWAL PROJECT

NOTE: THE TWO PARCELS OF LAND CONVEYED TO DMS CONSOLIDATORS LTD BY DEEDS RECORDED IN THE DUTCHESS COUNTY CLERK'S OFFICE AS DOCUMENTS #02-2015-2498 AND 02-2015-1533 WERE CONSOLIDATED INTO ONE TAX PARCEL BY DEED DATED OCTOBER 21, 2015 AND RECORDED IN THE DUTCHESS COUNTY CLERK'S OFFICE ON OCTOBER 22, 2015 AS DOCUMENT # 02-2015-6789.

PROPOSED
PARKING
EASEMENT
AREA: 670 SQ. FT.

ADDITIONAL EASEMENTS TO BE
GRANTED BY

DMS CONSOLIDATORS LTD TO THE
CITY OF BEACON

PREPARED BY:

GARY R. LATOUR, L.S.
273 EAST MAIN ST.
BEACON, NEW YORK

CERTIFIED TO:

DMS CONSOLIDATORS LTD
STEWART TITLE INSURANCE CO.
THE CITY OF BEACON
SAUSSEUR BANK & TRUST, ITS SUCCESSORS
AND/OR ASSIGNS



CITY OF BEACON, DUTCHESS COUNTY, NEW YORK

SCALE 1" = 30'

PUGUST 12, 2016 REV. 10/17/16 (GEOGRAPHIC PRINTER 65MM)