

**BILL OF SALE FOR WATER AND SEWER FACILITIES**

THIS AGREEMENT made this \_\_\_ day of \_\_\_\_\_ 20\_\_\_, by, between and among, BEAVER BROOK BEACON ACQUISITION LLC, a New York Limited Liability Company, having an address at 15 Point Road, Bellport, New York 11713 (hereinafter the “Grantor” or “Owner”) and the CITY OF BEACON, a municipal corporation organized and existing under the laws of the State of New York, with its principal office located at One Municipal Plaza, Suite One, Beacon, New York, 12508 (hereinafter the “Grantee” or “City”).

WITNESSETH:

WHEREAS, an irrevocable offer of dedication was made to the Grantee by OL Beacon LLC dated November 5, 2004 as Document No. 02 2004 1192 in connection with the “Final Subdivision Plat of Phase 3 of Polo Field Investments” (the “Offer of Dedication”), which map was filed in the Dutchess County Clerk’s Office on November 4, 2004 as Filed Map No. 11042B (the “Subdivision Plat”); and

WHEREAS, the Offer of Dedication included a roadway known as Riding Ridge Trail (the “Property”), which the City Council of the City of Beacon accepted the offer of dedication of Riding Ridge Trail as a City Right-of-Way public roadway by Resolution No. 21 of 2020 dated January 6, 2020; and

WHEREAS, in order to satisfy the condition of the final subdivision approval granted by the City of Beacon Planning Board for the subdivision entitled “Polo Filed Investments” (the “Subdivision Approval”) the certain water main facilities including sewer lines and water lines and related equipment, appurtenances and facilities were installed (the “Water and Sewer Facilities”) within the Property, which Water and Sewer Facilities are more fully described in

Schedule "A" annexed hereto and made a part hereof, and which Water and Sewer Facilities are connected to the City's municipal water and municipal sewer distribution systems; and

WHEREAS, in order to satisfy a condition of the Subdivision Approval, the Grantor must convey title to said Water and Sewer Facilities to the City; and

WHEREAS, the Grantor warrants and represents that it is the owner of the Water and Sewer Facilities located within the portion of the City's right-of-way as more fully shown in Schedule "A" annexed hereto; and

WHEREAS, the Grantor hereby delivers to the City this Bill of Sale for such Water and Sewer Facilities, said delivery constituting a formal Irrevocable Offer of Dedication to the City, which shall run with the land and be binding upon the Grantor, its successors and assigns, to be held by the City until the acceptance or rejection of such Irrevocable Offer of Dedication by the City at any time.


**NOW, THEREFORE**, in consideration of the sum of ten (\$10.00) Dollars, the receipt of which is hereby acknowledged, and other good and valuable consideration under the covenants, terms and conditions hereinafter set forth, the Grantor hereby bargains and sells to the City, its successors and assigns, free of all liens and/or encumbrances, the Water and Sewer Facilities lying within the portion of the City's right-of-way as more fully shown in Schedule "A" annexed hereto.

The Water and Sewer Facilities are sold and transferred by the Grantor to the City in an "As is/Where is" condition, and said sale is made without warranty, express, statutory or implied, of merchantability or as to description, condition, location, quality, fitness for any particular use or purpose, or otherwise.

This Bill of Sale shall be binding upon and shall inure to the benefit of the parties, their subsidiaries, affiliates, legal representatives, heirs, successors and assigns.

**IN WITNESS WHEREOF**, the parties hereto have duly executed this Bill of Sale as of the date and year first above written.

**BEAVER BROOK BEACON ACQUISITION LLC**

By:   
Name: \_\_\_\_\_  
Title:

**CITY OF BEACON**

By: \_\_\_\_\_  
Name:  
Title:

**ACKNOWLEDGEMENTS**

STATE OF New York )

) ss:

COUNTY OF Westchester )

On the 23<sup>rd</sup> day of April, 2020, before me, the undersigned, personally appeared Howard N. Blitman, personally known to me or proved to me on the basis of the 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 individual, or the person upon behalf of which the individual acted, executed the instrument.

Emilia Schnell  
Notary Public

**EMILIA SCHNELL**  
Notary Public, State of New York  
Registration #01SC6156460  
Qualified In Westchester County  
Commission Expires Nov. 27, 2022



STATE OF NEW YORK )

) ss:

COUNTY OF DUTCHESS )

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, 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

## **SCHEDULE A**

### **Description of Water Main Facilities**

All Water and Sewer Facilities installed within the City's right-of-way as shown on the as-built plan, annexed hereto, entitled "As-Built Survey of Riding Ridge Trail", dated August 17, 2017 and completed on September 13, 2017, as prepared by Badey & Watson Surveying & Engineering, P.C.

[Please see attached PDF of as-built plan]

