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January 23, 2018

Jennifer Gray, Esq.
Keane & Bean
445 Hamilton Avenue
White Plains, NY 10601

Re: Fairview Subdivision
City of Beacon
Tax Map No. 6055-82-645105 and 656107

Dear Ms. Gray:

This letter will confirm our discussions regarding the private road known as Glenn Avenue in our meeting on Tuesday.

I have attached a copy of Filed Map 1676 and I have drawn in my client's tax parcel as well as the adjoining tax parcels. As you can see from the filed map, my client is the owner of Lots 39, 40 and 41 which front on the paper street known as Glenn Avenue. My client has an access easement over Glenn Avenue by virtue of his ownership of lots on the filed map. As an owner of a lot on a filed map, such grantee has the right of access and such access need not be stated in a deed. (*Fonda v. Borst*, 2 Keyes 48 (1865)).

In addition, the fact that the road is a paper street has no adverse impact upon the easement. (*Bode v. Park Hill Estates Inc.*, 133 Misc. 515, 232 N.Y.S. 17 (Sup. Ct., Westchester Co., 1928)).

This letter will also confirm that tax lot 656107 which is also described as Lot 9 on said map is not owned by my client and the owner has no easement rights over my client's property.

I am enclosing a copy of a title policy which insures the owner of Lot 9. The policy clearly shows there is an encroachment onto my client's property, however there are no corresponding easements in favor of Lot 9.

Very truly yours,

LYONS & SUPPLE



PAUL B. SUPPLE

PBS/aedc

Enclosure

cc: John Russo, P.E.
Daniel Koehler, P.E.