PUBLIC WORKS AND CAPITAL PROJECTS

RESOLUTION NO. 2025169

RE: AUTHORIZING CONDEMNATION PROCEEDING TO ACQUIRE TEMPORARY EASEMENTS ON REAL PROPERTY OWNED BY MILLBROOK EQUESTRIAN FARM INC. IN CONNECTION WITH CULVERT (D-06) CHESTNUT RIDGE ROAD (CR-23) OVER STONY BROOK AND CULVERT (D-07) HALLS CORNERS ROAD (CR 24) OVER STONY BROOK, REPLACEMENT PROJECT, IN THE TOWN OF DOVER

Legislators METZGER, HOUSTON, PAOLONI, D'AQUANNI, and GORMAN offer the following and move its adoption:

WHEREAS, the Department of Public Works ("DPW") has proposed replacement of Culverts D-06 located on Chestnut Ridge Road (CR-23) over Stony Brook and D-07 Halls Corners Road (CR24) over Stony Brook, Town of Dover, which project includes the acquisition of various portions of real property (the "Project"), and

WHEREAS, DPW has determined that this Project is classified as a Type II action pursuant to Article 8 of the Environmental Conservation Law and Part 617.5(c) (2) of the NYCRR (SEQR) and as such no further action is required, and

WHEREAS, DPW has made a determination that in order to complete the Project referenced above, it is necessary to acquire three (3) temporary easements over real property owned by Millbrook Equestrian Farm Inc. located at 57 Halls Corners Road, Town of Dover, described as approximately 5,050.33 +/- square foot parcel, Map Nos. 1,2,3, Parcel Nos. 1,2,3 of Tax Grid No. 132600-6963-00-259195 and 132600-6963-00-333245-0000, and

WHEREAS, negotiations with the property owners to acquire these properties have reached an impasse and authorization is requested to begin Eminent Domain Proceedings to acquire three (3) temporary easements over portions of property owned by Millbrook Equestrian Farm Inc., and

WHEREAS, it is now necessary for this Legislature to authorize the commencement of proceedings pursuant to the Eminent Domain Procedure Law for the acquisition of said temporary easements as follows:

Name	Map Nos.	Parcel Nos.	Area sq. ft	Proffered Amount
Millbrook Equestrian Farm LLC	1	1	3,554.97 +/-	$ 610
	2	2	669.79 +/-	$ 195
	3	3	825.57 +/-	$ 145
Contributory value of improvements (Maple Tree)				$1,175

Total $2,125

now therefore, be it

RESOLVED, that the Commissioner of Public Works on behalf of Dutchess County be and is hereby authorized and empowered to commence proceedings against Millbrook Equestrian Farm Inc. pursuant to the Eminent Domain Procedure Law for the acquisition of three (3) temporary easements over the above property in furtherance of the replacement of Culverts D-06 located on Chestnut Ridge Road (CR-23) over Stony Brook and D-07 Halls Corners Road (CR24) over Stony Brook, Town of Dover, Dutchess County, New York.

CA-108-25
AMS/mar/rjw
R-1089-A
09/03/25; rev'd 9/25/25
Fiscal Impact: See Attached.

APPROVED
SUSAN J. SERINO
COUNTY EXECUTIVE
Date 10/16/25

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess, have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of October 2025, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of October 2025.

DUTCHESS COUNTY SEAL

LEIGH WAGER, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 2,125

Total Current Year Revenue $ _____
and Source

Source of County Funds *(check one)*: ☑ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other *(explain)*.

Identify Line Items(s):

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $2,125
Over Five Years: _____

Additional Comments/Explanation:
RESOLUTION REQUEST TO BEGIN CONDEMNATION PROCEEDINGS TO ACQUIRE TEMPORARY EASEMENTS FROM MILLBROOK EQUESTRIAN FARM INC. IN CONNECTION WITH THE CULVERT (D-06) CHESTNUT RIDGE ROAD (CR 23) OVER STONY BROOK AND CULVERT (D-07) HALLS CORNERS ROAD (CR 24) OVER STONY BROOK, REPLACEMENT PROJECT, TOWN OF DOVER, DUTCHESS COUNTY, NEW YORK

Prepared by: Matthew W. Davis MWD Prepared On: 8/26/25

SUE SERINO
COUNTY EXECUTIVE

ROBERT H. BALKIND, P.E.
COMMISSIONER

DAVID C. WHALEN
DEPUTY COMMISSIONER

DUTCHESS COUNTY GOVERNMENT
DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Robert H. Balkind, P.E., Commissioner

FROM: Matthew W. Davis, Assistant Civil Engineer I MD

DATE: September 25, 2025

RE: RESOLUTION REQUEST –TO BEGIN CONDEMNATION PROCEEDINGS TO ACQUIRE A TEMPORARY EASEMENT FROM MILLBROOK EQUESTRIAN FARM INC. IN CONNECTION WITH THE CULVERT (D-06) CHESTNUT RIDGE ROAD (CR 23) OVER STONY BROOK AND CULVERT (D-07) HALLS CORNERS ROAD (CR 24) OVER STONY BROOK, REPLACEMENT PROJECT, TOWN OF DOVER, DUTCHESS COUNTY, NEW YORK

The Department of Public Works is seeking authorization to begin condemnation proceedings to acquire temporary easements totaling 5,050.33 +/- square feet as described on Maps 1,2,3 Parcels 1,2,3 for the purchase price of $950.00 along with a maple tree with a site improvement value of $1,175.00.

These easements are located at 57 Halls Corners Road in the Town of Dover, Parcel Identification Number: (132600-6963-00-333245-0000) and 779 Chestnut Ridge Road in the Town of Dover, Parcel Identification Number: (132600-6963-00- 259195-0000).

The initial offer package was mailed certified to the property owner on June 3, 2025. The County Attorney's Office received a signed certified mailing receipt from the primary owners' mailing address on August 25, 2025. The initial 90 day offer period will expire on September 3, 2025. In order to keep the project on schedule the department is antedating a condemnation request. The County Attorney's Office will continue to try to contact and work with the property owner to secure the temporary easements without condemnation. If the county attorney can secure all the necessary closing documents before the October 14, 2025 legislative board meeting this condemnation request will be pulled from the agenda.

The subject project is classified as a Type II Action as per 6 NYCRR§617.5(c) (2). No further action is required

AGREEMENT TO PURCHASE REAL PROPERTY

Project: CULVERT (D-06) CHESTNUT RIDGE ROAD (CR 23) OVER STONY BROOK AND CULVERT (D-07) HALLS CORNERS ROAD (CR 24) OVER STONY BROOK, REPLACEMENT PROJECT, TOWN OF DOVER, DUTCHESS COUNTY, NEW YORK

This Agreement by and between MILLBROOK EQUESTRIAN FARM INC., with a mailing address of 100 Coliseum Drive, Cohoes, NY 12047, hereinafter referred to as "Seller", and the COUNTY OF DUTCHESS, with offices at 22 Market Street, Poughkeepsie, New York, 12601 hereinafter referred to as "Buyer".

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey the following temporary easements located at 779 Chestnut Road and 57 Halls Corners Road, Dover Plains, NY 10280,

   ☒ a *temporary easement* to 3,554.97+/- square feet of real property as shown on Map 1 Parcel 1 for the purchase price of $610.00

   ☒ a *temporary easement* to 669.79+/- square feet of real property as shown on Map 2 Parcel 2 for the purchase price of $195.00

   ☒ a *temporary easement* to 825.57+/- square feet of real property as shown on Map 3 Parcel 3 for the purchase price of $145.00

   Map 2 being a portion of those same lands described in that certain deed dated March 15, 2002, and recorded April 4, 2002 as Document 02 2002 3181 in the Office of the County Clerk for Dutchess County, with the Parcel Number (132600-6963-00-259195-0000).

   Maps 1 and 3 being portions of those same lands described in that certain deed dated April 4, 1995, and recorded April 20, 1995 in Liber 1960 Page 339 in the Office of the County Clerk for Dutchess County, with the Parcel Number (132600-6963-00-333245-0000).

2. TEMPORARY EASEMENT USE. The temporary easements shall be exercised for the purpose of access and constructing or reconstructing two box culvert structures together with all appearances.

3. TERM OF TEMPORARY EASEMENT. The term of the temporary easement shall be for two (2) years. The commencement date may be up to nine (9) months after the date of execution of the temporary easement. If required, the temporary easement may be extended as agreed to by both the Seller and Buyer.

4. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement: Maple tree with the improvement value of $1,175.00.

5. PURCHASE PRICE. The total purchase price is TWO THOUSAND ONE HUNDRED TWENTY-FIVE AND 00/100 DOLLARS ($2,125.00). This price includes the real property described in paragraph 1 and the improvements described in paragraph 4 if any.

6. THE PARTY OF THE SECOND PART is required to restore the property of the party of the first part that is disturbed as a result of construction personnel or equipment access to the condition that it was on the date of the execution of the temporary easement, to the extent reasonably possible.

7. THE PARTY OF THE FIRST PART AND ITS HEIRS, SUCCESSORS AND/OR ASSIGNS shall not be liable for personal injury or property damage caused by the carelessness, negligence or conduct of the party of the second part, its employees, contractors, invitees or agents in the use of the Easement Premises in connection with this temporary easement. The party of the second part agrees to defend, indemnify and hold harmless the party of the first part, its successor's and assigns from any and all claims and damages caused directly by the existence of this temporary easement, the use and occupancy by the party of the second part of the easement premises, or the acts of party of the second part, its agents, employees or contractors.

8. THE CONTRACTOR hired by the party of the second part shall maintain in effect during the term of this temporary easement, general liability insurance coverage to cover the work being done on the property that is the subject of the temporary easement. The party of the first part shall be listed as additional insured on the contractor's certificate of insurance.

9. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:

   A. Deed. Buyer will prepare and deliver to the Seller for execution at the time of closing all documents required to convey the real property interest(s) described in paragraph 1 above. Buyer will pay for a title search.

10. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. Seller agrees to cooperate with Buyer in its curative action activities. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3 and paid to the appropriate

party by the Buyer at the time of closing. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

11. RECORDING COSTS AND CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of closing: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

12. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

13. ENTIRE AGREEMENT. This Agreement when signed by both the Buyer and the Seller will be the record of the complete Agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.

14. BUYER'S POSSESSION OF THE PROPERTY. For fee simple acquisitions and permanent and temporary easements, the Buyer shall have possession of the property rights on the day payment is received by the Seller. Any closing documents received by the Buyer prior to payment pursuant to paragraph 4 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent.

15. NOTICES. All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this Agreement may be given by the attorneys for the parties.

16. CLOSING DATE AND PLACE. Transfer of title shall take place through the mail or at a mutually acceptable location. This Agreement may be subject to the approval of the Dutchess County Legislature.

17. COUNTERPARTS. SIGNATURES TRANSMITTED BY ELECTRONIC MEANS. This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one Agreement, and any of the parties hereto may execute this Agreement by signing any such counterpart. A facsimile of signature transmitted by electronic means applied hereto or to any other document shall have the same and effect as a manually signed original. This provision contemplates giving legal force and effect to copies of signatures. This provision dose not contemplate the use of "electronic signatures" as regulated by New York State Technology Law Article 3, "Electronic Signatures and Records Act."

IN WITNESS WHEREOF, on this ____ day of _____2025, the parties have entered into this Agreement.

APPROVED AS TO FORM:

SELLER: _____
Millbrook Equestrian Farm Inc.

_____
Department of Law

Print Name: _____

Title: _____

APPROVED AS TO CONTENT:

BUYER: _____
County of Dutchess

_____
Department of Public Works

Print Name: _____

Title: _____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REPLACEMENT OF
CULVERT D-07
COUNTY ROUTE 24
(HALLS CORNERS ROAD)

PIN N/A

MAP NO. 1
PARCEL NO. 1
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

Type: TEMPORARY EASEMENT
Portion of Real Property Tax
Parcel ID No.
132600-6963-00-333245-0000

Lot #5 on a map entitled "Survey Map Showing Wiendieck Subdivision" as surveyed by Kevin Cunningham, dated 3/7/88, and filed in the Dutchess County Clerk's Office on 6/27/88 as Filed Map No. 8432.

MILLBROOK EQUESTRIAN
FARMS, INC.
(REPUTED OWNER)

B. 1960 P. 339

Town of Dover
County of Dutchess
State of New York

REPUTED OWNER:
MILLBROOK EQUESTRIAN
FARMS, INC.
100 COLISEUM DRIVE
COHOES, NY 12047

TRUE NORTH AT THE 74°30' MERIDIAN OF WEST LONGITUDE

GPS1 MAG NAIL
STA. CR 10+00.00=
STA. HC 10+00.00
N: 1056912.5760
E: 730239.9357

N 65°37'47" W
17.62±FT
℄ STA. HC 13+11.24
19.15±FT

CB52 DOCK SPIKE
STA. HC 13+53.18
N: 1056717.2330
E: 730534.1768

P.O.B.
℄ STA. HC 12+93.85
16.33±FT
N 39°22'00" E
22.96±FT
℄ STA. HC 12+96.16
39.17±FT

S 56°25'13"E
1+00 HC 13+00
℄ OF PROPOSED IMPROVEMENT

N 87°37'47" W
68.91±FT

S 89°50'05" E
130.26±FT

S 82°22'13" W
72.41±FT

S 33°31'14" E
21.45±FT

2+00 2022 SURVEY BASELINE N75°29'38"E

HC 14+00 COUNTY ROUTE 24 HALLS CORNERS ROAD 3+00 HC 14+50 HC 15+00

BOX CULVERT D-07

EDGE OF WATER
STREAM BED
EDGE OF WATER

TE
M 1
P 1

MILLBROOK
EQUESTRIAN
FARMS, INC.
(REPUTED OWNER)

57 HALLS CORNERS RD
3,554.97 SQ. FT± OF
WHICH 200.04 SQ. FT±
IS UNDERWATER.

℄ STA. HC 14+05.35
24.00±FT

℄ STA. HC 14+70.25
35.61±FT

℄ STA. HC 14+77.24
15.33±FT

5' WOOD POST & RAIL
FENCE W/ELEC. WIRE

CB53 DOCK SPIKE
STA. HC 15+74.01
N: 1056772.5462
E: 730747.9650

2022 PRIMARY CONTROL BASELINE TIE

NO TIES AVAILABLE

GPS1 STA. CR 10+00.00=
STA. HC 10+00.00
MAG NAIL SET IN PAVEMENT +/- 3.5' SOUTHWESTERLY FROM PAVEMENT EDGE OF HALLS CORNERS ROAD EASTBOUND AND +/- 32.6' NORTHEASTERLY FROM INTERSECTION CENTERLINE OF CHESTNUT RIDGE ROAD.

NYSPCS EAST ZONE NAD 83/2011
N: 1056912.5760
E: 730239.9357

2022 SECONDARY CONTROL BASELINE TIE

CB52 STA. HC 13+53.18
DOCK SPIKE SET +/- 2.6' SOUTHERLY OF PAVEMENT EDGE OF HALLS CORNERS ROAD EASTBOUND AND +/- 375.4' SOUTHEASTERLY FROM INTERSECTION CENTERLINE OF CHESTNUT RIDGE ROAD.

NYSPCS EAST ZONE NAD 83/2011
N: 1056717.2330
E: 730534.1768

2022 SECONDARY CONTROL BASELINE TIE

CB53 STA. HC 15+74.01
DOCK SPIKE SET +/- 2.2' NORTHERLY OF PAVEMENT EDGE OF HALLS CORNERS ROAD WESTBOUND AND +/- 584.0' SOUTHEASTERLY FROM INTERSECTION CENTERLINE OF CHESTNUT RIDGE ROAD.

NYSPCS EAST ZONE NAD 83/2011
N: 1056772.5462
E: 730747.9650

20 0 20 40 FT
SCALE 1"=20'

MAP NUMBER 1
REVISED DATE
DATE PREPARED 12/23/2024

PREPARED BY J. HENSLEY CHECKED BY R. DIEHL FINAL CHECK BY J. VAN DEMARK

FILE NAME: S:\SURVEY\Dutchess County\DCDPW Proj Maps\10.87.24 Plugin

REPLACEMENT OF
CULVERT D-07
COUNTY ROUTE 24
(HALLS CORNERS ROAD)

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

PIN N/A

MAP NO. 1
PARCEL NO. 1
SHEET 2 OF 2

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in temporary easement acquisition, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL NO. 1, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF CONSTRUCTION AND GROUND RESTORATION IN CONNECTION WITH THE REPLACEMENT OF CULVERT D-07, COUNTY ROUTE 24 (HALLS CORNERS ROAD) TO RECONSTRUCT AND GRADE THE SIDE SLOPES TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY OF COUNTY ROUTE 24 (HALLS CORNERS ROAD), SAID POINT BEING 16.33±FT DISTANT NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION HC 12+93.85 OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE REPLACEMENT OF CULVERT D-07, COUNTY ROUTE 24 (HALLS CORNERS ROAD) PROJECT; THENCE THROUGH THE PROPERTY OF MILLBROOK EQUESTRIAN FARMS, INC. (REPUTED OWNER) THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) NORTH 39°22'00" EAST 22.96±FT TO A POINT 39.17±FT DISTANT NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION HC 12+96.16 OF SAID BASELINE; (2) SOUTH 89°50'05" EAST 130.26±FT TO A POINT 35.61±FT DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION HC 14+70.25 OF SAID BASELINE; AND (3) SOUTH 33°31'14" EAST 21.45±FT TO A POINT ON THE FIRST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 24 (HALLS CORNERS ROAD), THE LAST MENTIONED POINT BEING 15.33±FT DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION HC 14+77.24 OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 24 (HALLS CORNERS ROAD) THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) SOUTH 82°22'13" WEST 72.41±FT TO A POINT 24.00±FT DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION HC 14+05.35 OF SAID BASELINE; (2) NORTH 87°37'47" WEST 68.91±FT TO A POINT 19.15±FT DISTANT NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION HC 13+11.24 OF SAID BASELINE; AND (3) NORTH 65°37'47" WEST 17.62±FT TO THE POINT OF BEGINNING, SAID PARCEL BEING 3,554.97± SQUARE FEET MORE OR LESS OF WHICH 200.04± SQUARE FEET IS UNDERWATER.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE, OR INTEREST IN AND TO THE PROPERTY ABOVE DELINEATED, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHT OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND ESTABLISHED BY, THE CONSTRUCTION OR RECONSTRUCTION AND AS SO CONSTRUCTED OR RECONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2022 SURVEY BASELINE FOR THE REPLACEMENT OF CULVERT D-07, COUNTY ROUTE 24 (HALLS CORNERS ROAD), AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT STATION CR 10+00.00= HC 10+00.00; THENCE SOUTH 56°25'13" EAST TO STATION HC 13+53.18; THENCE NORTH 75°29'38" EAST TO STATION HC 15+74.01.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date JAN 7 2025

Robert H. Balkind, P.E.
Commissioner of Public Works

STATE OF NEW YORK
JOSEPH O. MALINOWSKI
LICENSED LAND SURVEYOR
050314

Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law.

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date January 7 2025

Joseph O. Malinowski - Land Surveyor
P.L.S. License No. 050314

MJ Engineering, Architecture, Landscape Architecture and Land Surveying, P.C.
21 Corporate Drive
Clifton Park, NY 12065

MAP NUMBER 1
REVISED DATE
DATE PREPARED 12/23/2024

PREPARED BY J. HOWLEY CHECKED BY R. DIEM FINAL CHECK BY J. MALINOWSKI

FILE NAME = G:\PROJECTS\Dutchess County\DOPW\Culverts D-07 Hall Woods Rd\D-07 Plat.dgn

REPLACEMENT OF
CULVERT D-06
COUNTY ROUTE 23
(CHESTNUT RIDGE ROAD)

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

PIN N/A

MAP NO. 2
PARCEL NO. 2
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

Type: TEMPORARY EASEMENT
Portion of Real Property Tax
Parcel ID No.
132600-6963-00-259195-0000

Lot #2 on a map entitled "Plat of Wiendieck Subdivision" as surveyed by Harry L. Bly, L.S., dated 6/11/87, last revised 7/21/87 and filed in the Dutchess County Clerk's Office on 12/21/87 as Filed Map No. 8222.

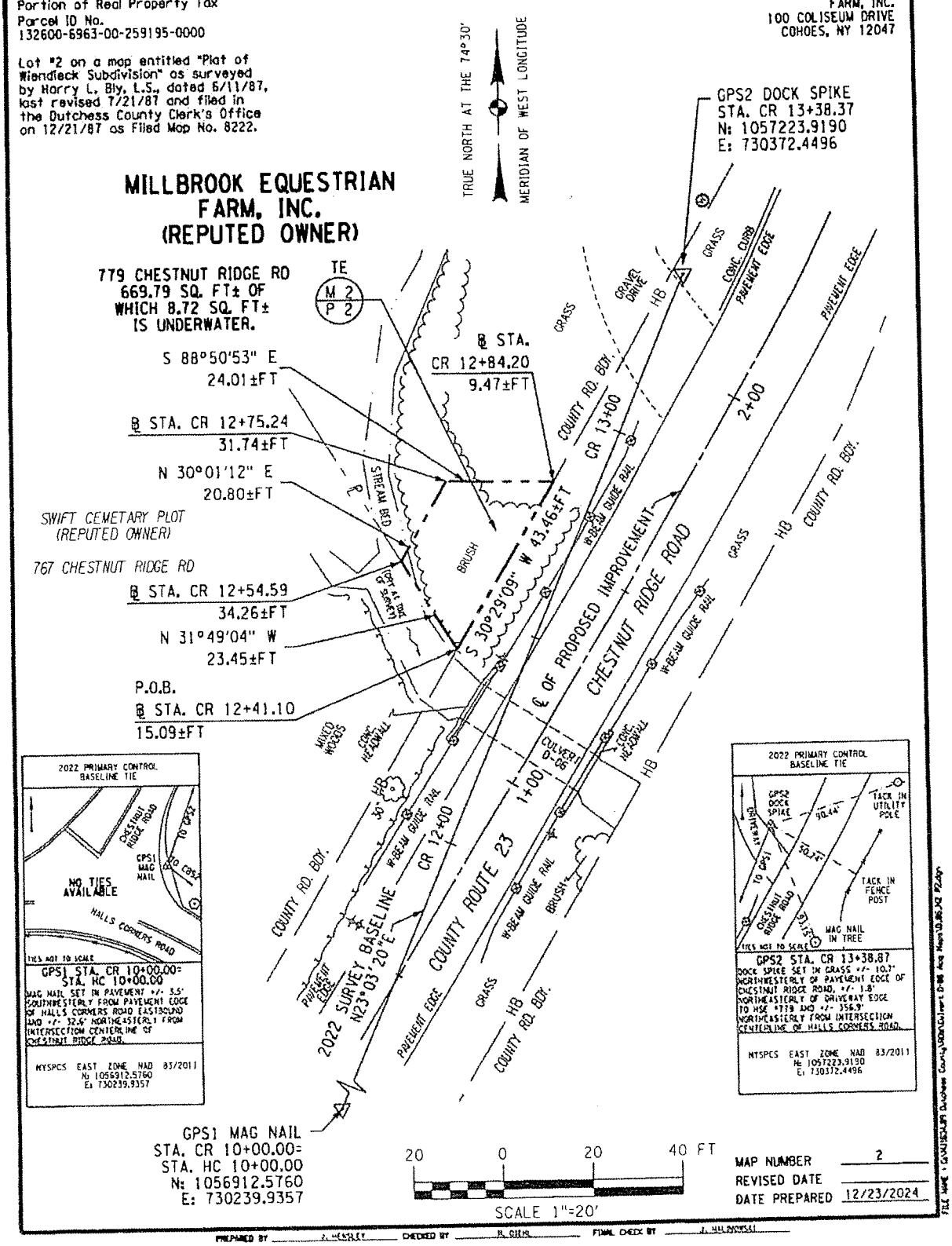
MILLBROOK EQUESTRIAN
FARM, INC.
(REPUTED OWNER)

DOCUMENT# 02-2002-3181

Town of Dover
County of Dutchess
State of New York

REPUTED OWNER:
MILLBROOK EQUESTRIAN
FARM, INC.
100 COLISEUM DRIVE
COHOES, NY 12047

TRUE NORTH AT THE 74°30' MERIDIAN OF WEST LONGITUDE



MAP NUMBER 2
REVISED DATE
DATE PREPARED 12/23/2024

PREPARED BY J. MCKINLEY CHECKED BY R. GIESE FINAL CHECK BY J. MULDOWNEY

FILE NAME: C:\SURVEY\CAD\Dutchess County\ROW\Culvert D-06 Rte 23\Maps\D-06_RTE23_MAP2.dgn

REPLACEMENT OF
CULVERT D-06
COUNTY ROUTE 23
(CHESTNUT RIDGE ROAD)

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

PIN N/A

MAP NO. 2
PARCEL NO. 2
SHEET 2 OF 2

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in temporary easement acquisition, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL NO. 2 A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF CONSTRUCTION AND GROUND RESTORATION IN CONNECTION WITH THE REPLACEMENT OF CULVERT D-06, COUNTY ROUTE 23 (CHESTNUT RIDGE ROAD) TO RECONSTRUCT AND GRADE THE SIDE SLOPES TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY BOUNDARY OF COUNTY ROUTE 23 (CHESTNUT RIDGE ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE DIVISION LINE BETWEEN THE PROPERTY OF SWIFT CEMETERY PLOT (REPUTED OWNER) ON THE SOUTHWEST AND THE PROPERTY OF MILLBROOK EQUESTRIAN FARM, INC. (REPUTED OWNER) ON THE NORTHEAST, SAID POINT BEING 15.09±FT DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION CR 12+41.10 OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE REPLACEMENT OF CULVERT D-06, COUNTY ROUTE 23 (CHESTNUT RIDGE ROAD) PROJECT; THENCE NORTH 31°49'04" WEST ALONG SAID DIVISION LINE 23.45±FT TO A POINT 34.26±FT DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION CR 12+54.59 OF SAID BASELINE; THENCE THROUGH THE PROPERTY OF MILLBROOK EQUESTRIAN FARM, INC. (REPUTED OWNER) THE FOLLOWING TWO (2) COURSES AND DISTANCES; (1) NORTH 30°-01'-12" EAST 20.80±FT TO A POINT 31.74±FT DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION CR 12+75.24 OF SAID BASELINE; AND (2) SOUTH 88°-50'-53" EAST 24.01±FT TO A POINT ON THE FIRST MENTIONED NORTHWESTERLY BOUNDARY OF COUNTY ROUTE 23 (CHESTNUT RIDGE ROAD), THE LAST MENTIONED POINT BEING 9.47±FT DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION CR 12+84.20 OF SAID BASELINE; THENCE SOUTH 30°29'09" WEST ALONG THE LAST MENTIONED NORTHWESTERLY BOUNDARY OF COUNTY ROUTE 23 (CHESTNUT RIDGE ROAD) 43.46±FT TO THE POINT OF BEGINNING, SAID PARCEL BEING 669.79± SQUARE FEET MORE OR LESS OF WHICH 8.72± SQUARE FEET IS UNDERWATER.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE, OR INTEREST IN AND TO THE PROPERTY ABOVE DELINEATED, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHT OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND ESTABLISHED BY, THE CONSTRUCTION OR RECONSTRUCTION AND AS SO CONSTRUCTED OR RECONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2022 SURVEY BASELINE FOR THE REPLACEMENT OF CULVERT D-06, COUNTY ROUTE 23 (CHESTNUT RIDGE ROAD), AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT STATION CR 10+00.00= HC 10+00.00; THENCE NORTH 23°03'20" EAST TO STATION CR 13+38.37.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date JAN 7 2025

Robert H. Balkind, P.E.
Commissioner of Public Works

STATE OF NEW YORK · JOSEPH O. MALINOWSKI · LICENSED LAND SURVEYOR · 050314

Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law.

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date January 7 2025

Joseph O. Malinowski - Land Surveyor
P.L.S. License No. 050314

MJ Engineering, Architecture, Landscape Architecture and Land Surveying, P.C.
21 Corporate Drive
Clifton Park, NY 12065

MAP NUMBER 2
REVISED DATE
DATE PREPARED 12/20/2024

PREPARED BY J. MUSSLEY CHECKED BY R. DIEHL FINAL CHECK BY J. MALINOWSKI

THIS MAP IS THE PROPERTY OF DUTCHESS COUNTY DEPARTMENT OF PUBLIC WORKS AND IS LOANED FOR THE SPECIFIC PURPOSE STATED. IT MUST BE RETURNED UPON REQUEST AND NOT COPIED OR LOANED TO ANY OTHER PERSON OR FIRM.

REPLACEMENT OF
CULVERT D-06
COUNTY ROUTE 23
(CHESTNUT RIDGE ROAD)

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

PIN N/A

MAP NO. 3
PARCEL NO. 3
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

Type: TEMPORARY EASEMENT
Portion of Real Property Tax
Parcel ID No.
132600-6963-00-333245-0000

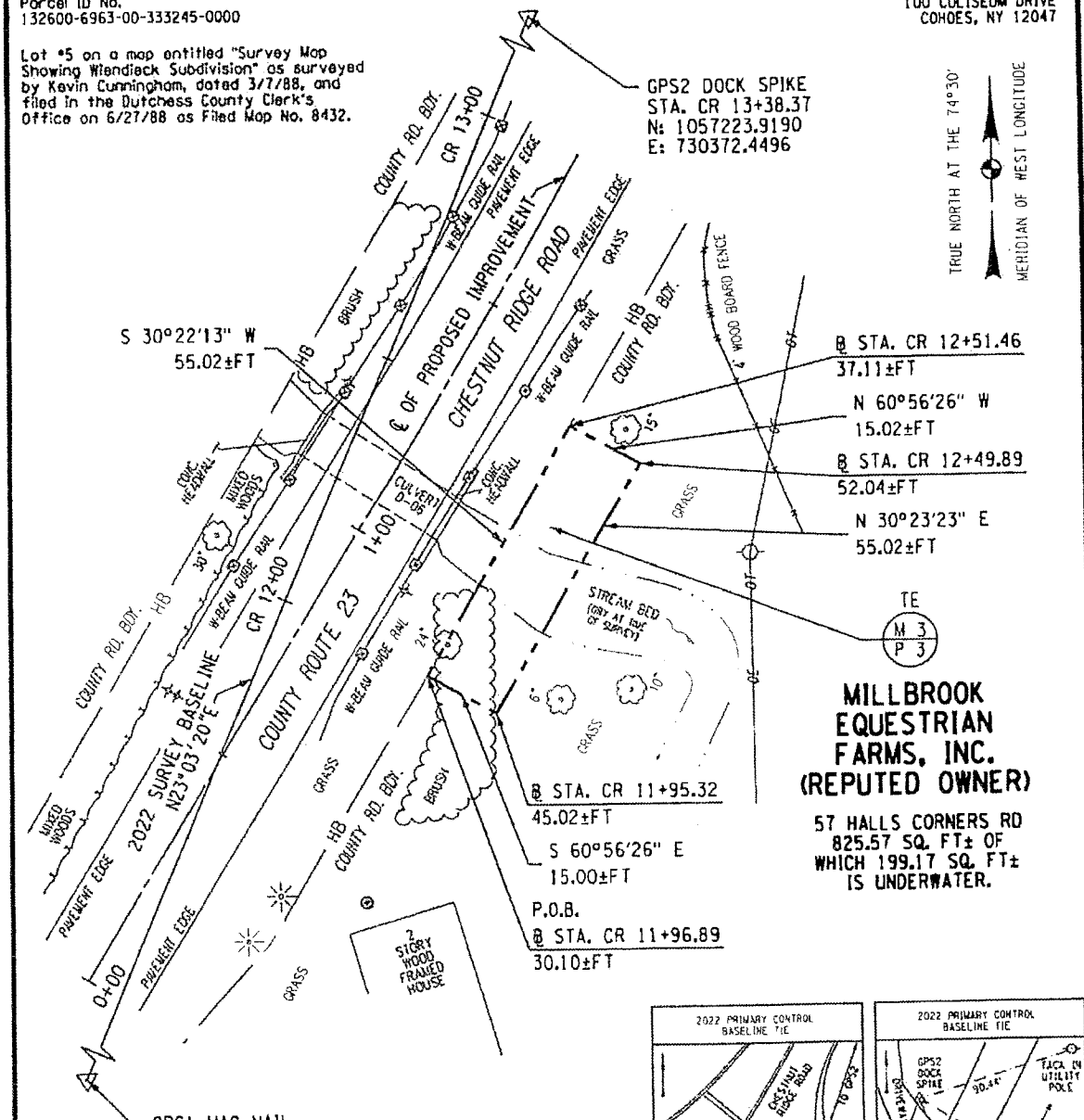
Lot #5 on a map entitled "Survey Map Showing Wendieck Subdivision" as surveyed by Kevin Cunningham, dated 3/7/88, and filed in the Dutchess County Clerk's Office on 6/27/88 as Filed Map No. 8432.

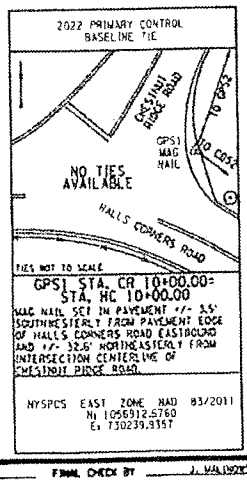
MILLBROOK EQUESTRIAN
FARMS, INC.
(REPUTED OWNER)

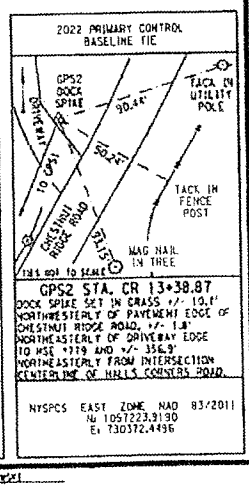
B. 1960 P. 339

Town of Dover
County of Dutchess
State of New York

REPUTED OWNER:
MILLBROOK EQUESTRIAN
FARMS, INC.
100 COLISEUM DRIVE
COHOES, NY 12047







MAP NUMBER 3
REVISED DATE
DATE PREPARED 12/23/2024

20 0 20 40 FT
SCALE 1"=20'

PREPARED BY A. MENDLEY CHECKED BY R. DION FINAL CHECK BY J. MALINOWSKI

FILE NAME: I:\SURVEY\Dutchess County\ROADS\Culvert D-06 over Trout Brook\CAD Files\

REPLACEMENT OF
CULVERT D-06
COUNTY ROUTE 23
(CHESTNUT RIDGE ROAD)

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

PIN N/A

MAP NO. 3
PARCEL NO. 3
SHEET 2 OF 2

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in temporary easement acquisition, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL NO. 3, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF CONSTRUCTION AND GROUND RESTORATION IN CONNECTION WITH THE REPLACEMENT OF CULVERT D-06, COUNTY ROUTE 23 (CHESTNUT RIDGE ROAD) TO RECONSTRUCT AND GRADE THE SIDE SLOPES TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY BOUNDARY OF COUNTY ROUTE 23 (CHESTNUT RIDGE ROAD), SAID POINT BEING 30.10±FT DISTANT SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION CR 11+96.89 OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE REPLACEMENT OF CULVERT D-06, COUNTY ROUTE 23 (CHESTNUT RIDGE ROAD) PROJECT; THENCE THROUGH THE PROPERTY OF MILLBROOK EQUESTRIAN FARMS, INC. (REPUTED OWNER) THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) SOUTH 60°56'26" EAST 15.00±FT TO A POINT 45.02±FT DISTANT SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION CR 11+95.32 OF SAID BASELINE; (2) NORTH 30°23'23" EAST 55.02±FT TO A POINT 52.04±FT DISTANT SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION CR 12+49.89 OF SAID BASELINE; AND (3) NORTH 60°56'26" WEST 15.02±FT TO A POINT ON THE FIRST MENTIONED SOUTHEASTERLY BOUNDARY OF COUNTY ROUTE 23 (CHESTNUT RIDGE ROAD), THE LAST MENTIONED POINT BEING 37.11±FT DISTANT SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION CR 12+51.46 OF SAID BASELINE; THENCE SOUTH 30°22'13" WEST ALONG THE LAST MENTIONED SOUTHEASTERLY BOUNDARY OF COUNTY ROUTE 23 (CHESTNUT RIDGE ROAD) 55.02±FT TO THE POINT OF BEGINNING, SAID PARCEL BEING 825.57± SQUARE FEET MORE OR LESS OF WHICH 199.17± SQUARE FEET IS UNDERWATER.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE, OR INTEREST IN AND TO THE PROPERTY ABOVE DELINEATED, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHT OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND ESTABLISHED BY, THE CONSTRUCTION OR RECONSTRUCTION AND AS SO CONSTRUCTED OR RECONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

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BEGINNING AT STATION CR 10+00.00= HC 10+00.00; THENCE NORTH 23°03'20" EAST TO STATION CR 13+38.37.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date JAN 7 2025

Robert H. Balkind, P.E.
Commissioner of Public Works

STATE OF NEW YORK
JOSEPH O. MALINOWSKI
050314
LICENSED LAND SURVEYOR

Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law.

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date January 7 2025

Joseph O. Malinowski - Land Surveyor
P.L.S. License No. 050314

MJ Engineering, Architecture,
Landscape Architecture and
Land Surveying, P.C.
21 Corporate Drive
Clifton Park, NY 12065

MAP NUMBER 3
REVISED DATE
DATE PREPARED 12/23/2024

PREPARED BY J. MCNALLY CHECKED BY S. SIEMS FINAL CHECK BY J. MALINOWSKI

FILE NAME = G:\PROJECTS\Dutchess County\DOC\Culvert D-06 Rep\Maps\D-06_MAP.dgn

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 7 - Hyde Park and Pleasant Valley	Truitt*	✓	
District 25 - Amenia, Washington, Pleasant Valley & Millbrook	Houston*		
District 3 - LaGrange	Polasek*		
District 16 - Fishkill and Beacon	Valdés Smith*		
District 9 - City of Poughkeepsie	Atkins*		
District 1 - Town of Poughkeepsie	Gorman		
District 10 - City of Poughkeepsie	Johnson (VC)	Absent	
District 12 - East Fishkill	Metzger (C)		
District 13 - East Fishkill and Wappinger	Paoloni		
District 15 - Wappinger	Faust		
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn		
District 23 - Pawling, Beekman and East Fishkill	Rolison	Absent	

Present: 10
Absent: 2
Vacant: 0

Resolution: ✓
Motion: ___

Total : 10 (Yes) 0 (No)
Abstentions: 0

2025169 AUTHORIZING CONDEMNATION PROCEEDING TO ACQUIRE TEMPORARY EASEMENTS ON REAL PROPERTY OWNED BY MILLBROOK EQUESTRIAN FARM INC. IN CONNECTION WITH CULVERT (D-06) CHESTNUT RIDGE ROAD (CR-23) OVER STONY BROOK AND CULVERT (D-07)
HALLS CORNERS ROAD (CR 24) OVER STONY BROOK, REPLACEMENT PROJECT, IN THE TOWN OF DOVER

OCTOBER 9, 2025

Roll Call Sheets

District	Last Name	YES	NO
District 7 - Hyde Park and Pleasant Valley	Truitt	✓	
District 25 - Amenia, Washington, Pleasant Valley & Millbrook	Houston		
District 3 - LaGrange	Polasek		
District 16 - Fishkill and Beacon	Valdés Smith		
District 9 - City of Poughkeepsie	Atkins		
District 1 - Town of Poughkeepsie	Gorman		
District 2 - LaGrange, Pleasant Valley & Town of Poughkeepsie	Travelpiece		
District 4 - Hyde Park and Town of Poughkeepsie	Lawler		
District 5 - Town of Poughkeepsie	D'Aquanni		
District 6 - Town of Poughkeepsie	Kaul		
District 8 - City and Town of Poughkeepsie	Brendli	Absent	
District 10 - City of Poughkeepsie	Johnson	Absent	
District 11 - Clinton, Pleasant Valley, and Rhinebeck	Kearney		
District 12 - East Fishkill	Metzger		
District 13 - East Fishkill and Wappinger	Paoloni	Absent	
District 14 - Wappinger and Town of Poughkeepsie	Versaci	Absent	
District 15 - Wappinger	Faust		
District 17 - Town and Village of Fishkill	McHoul		
District 18 - City of Beacon and Fishkill	Page	Absent	
District 19 - North East, Stanford, Pine Plains, Milan & Red Hook	Drago		
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn		
District 21 - East Fishkill	Caswell		
District 22 - Beekman and Union Vale	Garito		
District 23 - Pawling, Beekman and East Fishkill	Rolison	Absent	
District 24 - Dover and Pawling	House		

Present: 19 **Resolution:** ✓ **Total :** 19 (Yes) 0 (No)

Absent: 6 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2025169 AUTHORIZING CONDEMNATION PROCEEDING TO ACQUIRE TEMPORARY EASEMENTS ON REAL PROPERTY OWNED BY MILLBROOK EQUESTRIAN FARM INC. IN CONNECTION WITH CULVERT (D-06) CHESTNUT RIDGE ROAD (CR-23) OVER STONY BROOK AND CULVERT (D-07)
HALLS CORNERS ROAD (CR 24) OVER STONY BROOK, REPLACEMENT PROJECT, IN THE TOWN OF DOVER

OCTOBER 14, 2025