PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2024212

RE: AUTHORIZING CONDEMNATION PROCEEDING FOR AN ACQUISITION AND TEMPORARY EASEMENT OF REAL PROPERTY OWNED BY BENNETT NICHOLL AND DANELLE LECREN IN CONNECTION WITH THE REPLACEMENT OF BRIDGE W-30 (BIN 3344110) VERBANK ROAD OVER UNNAMED CREEK, TOWN OF WASHINGTON

Legislators METZGER, PAOLONI, and GORMAN offer the following and move its adoption:

WHEREAS, the Department of Public Works ("DPW") has proposed the replacement of Bridge W-30 (BIN 3344110), Verbank Road, over an unnamed creek in the Town of Washington (hereinafter referred to as the "Project"), which Project includes the acquisition of various property interests, 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 of the NYCRR (SEQR) and will not have a significant impact on the environment, and as a Type II Action no further review is required, and

WHEREAS, DPW has made a determination that in order to complete the Project referenced above, it is necessary to acquire real property owned by Bennett Nicholl and Danelle Lecren located at 623 Verbank Road in the Town of Washington, Dutchess County, New York and described as Parcel Identification No. 135889-6664-00-329572-0000, described as follows:

- a fee acquisition of approximately 1,878.29 +/- square feet, as shown on Map No. 1, Parcel No. 1; and
- a temporary easement of approximately 3,025.46 +/- square feet, as shown on Map No. 2, Parcel No. 2, 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 the above fee acquisition and temporary easement involving property owned by Bennett Nicholl and Danelle Lecren, 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 property as follows:

Name	Map No.	Parcel No.	Sq. Feet	Proffered Amount
Fee Acquisition	1	1	1,878.29+/-	$ 2,205
Temporary Easement	2	2	3,025.46+/-	$ 720
Contributory Value of Improvements (trees & vegetative buffer)				$11,450
			TOTAL	$14,375

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 Bennett Nicholl and Danelle Lecren pursuant to the Eminent Domain Procedure Law for a fee acquisition and temporary easement over the above property in furtherance of the bridge replacement project of Bridge W-30 (BIN 3344110), Verbank Road, over an unnamed creek in the Town of Washington, Dutchess County, New York.

CA-134-24
AMS//rjw
R-1075
11/7/2024
Fiscal Impact: See Attached.

APPROVED
Susan J. Serino
SUSAN J. SERINO
COUNTY EXECUTIVE
Date 12/12/2024

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 9th day of December 2024, 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 9th day of December 2024.

DUTCHESS COUNTY SEAL

Leigh Wager
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 $ 14,375

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): $14,375
Over Five Years: _____

Additional Comments/Explanation:
RESOLUTION REQUEST TO BEGIN CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF REAL PROPERTY OWNED BY BENNETT NICHOLL and DANELLE LECREN IN CONNECTION WITH THE REPLACEMENT OF BRIDGE W-30 (BIN 3344110) VERBANK ROAD OVER UNNAMED CREEK, TOWN OF WASHINGTON, DUTCHESS COUNTY

Prepared by: Matthew W. Davis MD Prepared On: 11/4/24

Dut pdf

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: November 4, 2024

Re: RESOLUTION REQUEST – TO BEGIN CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF REAL PROPERTY OWNED BY BENNETT NICHOLL AND DANELLE LECREN IN CONNECTION WITH THE REPLACEMENT OF BRIDGE W-30 (BIN 3344110) VERBANK ROAD OVER UNNAMED CREEK, TOWN OF WASHINGTON, DUTCHESS COUNTY

Attached to this memo are the following documents:

- Purchase agreement presented to the property owners
- Contact Diary

The subject parcels are a portion of the property located on Verbank Road in the Town of Washington, with the parcel number (135889-6664-00-329572-0000).

Negotiations with the property owner have reached an impasse. The acquisition of the subject parcels is required to keep the project on schedule.

The subject project is a Type II Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR (SEQR),and will not have a significant impact on the environment.

Contact Diary

9/20/23	Mailed initial contact letter.
10/6/23	Property owner called stating he was opposed to cutting any trees and would like to see the proposed construction plans. The plan view sheets were sent for his review.
12/12/23	Spoke with Property owner and he was opposed to cutting any trees and the overall design and alignment of the bridge. He requested additional construction sheets to view.
12/13/23	Additional draft acquisition mapping and bridge plan sheets were sent. The Property owner responded that he did not support the bridge design or the proposed property acquisitions.
1/27/24	After several discussions with the Property owner, the Department agrees to revise the plans to address owners' concerns.
3/12/24	Met on site with the Property owner and appraiser. Property owner was unsatisfied with the modifications we made to the plans and expressed he did not want any trees cut and wanted to move the bridge away from his property.
5/14/24	Meet on site with Property owner to discuss his objections to the design project.
5/17/27	Received an email from the Property owner stating his objections to the design.
7/15/24	Revised plans and acquisitions sent to the Property owner.
8/13/24	New appraisal for the revised plans and reduced acquisition sizes.
8/21/24	Revised offer package sent to the Property owner.
9/21/24	No response.
10/21/24	No response.
11/6/24	No response.

AGREEMENT TO PURCHASE REAL PROPERTY

Project: REPLACEMENT OF BRIDGE W-30 (BIN 3344110) VERBANK ROAD OVER UNNAMED CREEK, TOWN OF WASHINGTON, DUTCHESS COUNTY

Maps: 1&2 Parcels: 1&2

This Agreement by and between BENNETT NICHOLL and DANELLE LECREN, as joint tenants with rights of survivorship residing at 93 Noble Street, Brooklyn, New York 11222, 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,

   ☒ *all right title and interest* to 1,878.29+/- square feet of real property. Purchase Price: $2,205.00

   ☒ a *temporary easement* to 3,025.46+/- square feet of real property. Purchase Price: $720.00

   Located at 623 Verbank Road, Town of Washington, Dutchess County, New York, being further described on Maps 1&2 Parcels 1&2, attached hereto.

   Being a portion of those same lands described in that certain deed dated July 18, 2012, and recorded July 20, 2012, as Document 02 2012 3189, in the Office of the County Clerk for Dutchess County, re: Parcel Number (135889-6664-00-329572-0000).

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement:

(3) small trees:	Compensation value: $492
(11) medium trees:	Compensation value: $7,712
(1) large tree:	Compensation value: $1,780
Vegetative visual buffer:	Compensation value: $1,466

3. PURCHASE PRICE. The total purchase price is FOURTEEN THOUSAND THREE HUNDRED SEVENTY-FIVE AND 00/100 DOLLARS ($14,375.00). This price includes the real property described in paragraph 1 and the improvements described in paragraph 2, if any.

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

5. BUYER'S POSSESSION OF THE PROPERTY. For fee simple acquisitions and permanent 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.

6. 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.

7. TEMPORARY EASEMENT USE. The temporary easement shall be exercised for the purposes of access and bridge construction together with all appurtenances.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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 _____ 2024, the parties have entered into this Agreement.

APPROVED AS TO FORM:

_____
Department of Law

APPROVED AS TO CONTENT:

_____
Department of Public Works

SELLER: _____
Bennett Nicholl

SELLER: _____
Danelle LeCren

BUYER: _____
County of Dutchess

Print Name: _____

Title: _____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REPLACEMENT OF
BRIDGE W-30
VERBANK 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: FEE
Portion of Real Property Tax
Parcel ID No.
135889-6664-00-329572-0000

Map entitled "SUBDIVISION AND LOT LINE CHANGE" as surveyed by Harry J. Bly, dated 1/10/1994, last revised 3/23/1994 and filed in the Dutchess County Clerk's office on 4/8/1994 as map FM#9863

Map entitled "SUBDIVISION AND LOT LINE CHANGE" as surveyed by Harry J. Bly, dated 12/31/1996, last revised 2/5/1997 and filed in the Dutchess County Clerk's office on 4/7/1997 as map FM#10402

BENNETT NICHOLL
& DANELLE LECREN
(REPUTED OWNERS)

DOCUMENT# 02-2012-3198

Town of Washington
County of Dutchess
State of New York

REPUTED OWNERS:
BENNETT NICHOLL
& DANELLE LECREN
93 NOBLE STREET
Brooklyn, NY 11222

FEE
M 1
P 1

BENNETT NICHOLL
& DANELLE LECREN
(REPUTED OWNERS)
623 VERBANK ROAD
1,878.29 SQ. FT± OF
WHICH 387.23 SQ. FT±
IS UNDERWATER.

GPS1 ACIR
STA. 29+01.41
N: 1071146.3103
E: 70670.2734

℄ STA. 25+17.28
33.36±FT
N 82°58'00" E
27.49±FT

℄ STA. 25+09.21
59.63±FT
S 01°45'30" E
32.47±FT
N 07°02'00" W
79.60±FT

F.I.P.B.

℄ STA. 24+85.50
26.71±FT
S 00°18'47" E
33.86±FT

℄ STA. 24+62.66
32.14±FT
S 07°20'21" E
13.64±FT

℄ STA. 24+51.00
53.86±FT
S 82°58'00" W
20.61±FT

P.O.B.

℄ STA. 24+49.08
33.34±FT

℄ OF PROPOSED IMPROVEMENT
2022 SURVEY BASELINE
N10°03'15"E
V 16+00
V 15+00
25+00
24+00
N12°23'59"W
VERBANK ROAD
FORE TANGENT PRODUCED BACK

GPS2 MAG NAIL
STA. 24+86.46
N: 1070737.7265
E: 701597.8306

BIN: 3344110

GPS3 RCIR
STA. 20+00.00
N: 1070262.6186
E: 701702.2876

GPS1 ACIR

GPS2 STA. 24+86.46

GPS3 STA. 20+00.00

MAP NUMBER 1
REVISED DATE
DATE PREPARED 11/07/2023

PREPARED BY ____ CHECKED BY ____ FINAL CHECK BY ____

REPLACEMENT OF
BRIDGE W-30
VERBANK 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 fee 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.

ALL THAT PIECE OR PARCEL OF PROPERTY HEREINAFTER DESIGNATED AS PARCEL NO. 1, SITUATE IN THE TOWN OF WASHINGTON, COUNTY OF DUTCHESS, STATE OF NEW YORK, AS SHOWN ON THE ACCOMPANYING MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF VERBANK ROAD, SAID POINT BEING 33.34±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 24+49.08 OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE REPLACEMENT OF BRIDGE W-30 VERBANK ROAD; THENCE THROUGH THE PROPERTY OF BENNETT NICHOLL AND DANELLE LECREN (REPUTED OWNERS) THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) SOUTH 82°-58'-00" WEST 20.61±FT TO A POINT 53.86±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 24+51.00 OF SAID BASELINE; (2) NORTH 07°-02'-00" WEST 79.60±FT TO A POINT 59.63±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 25+09.21 OF SAID BASELINE; AND (3) NORTH 82°-58'-00" EAST 27.49±FT TO A POINT ON THE WESTERLY BOUNDARY OF VERBANK ROAD, THE LAST MENTIONED POINT BEING 33.36±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 25+17.28 OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED WESTERLY BOUNDARY OF VERBANK ROAD THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) SOUTH 01°-45'-30" EAST 32.47±FT TO A POINT 26.71±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 24+85.50 OF THE FORE TANGENT PRODUCED BACK OF SAID BASELINE; (2) SOUTH 00°-18'-47" EAST 33.86±FT TO A POINT 32.14±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 24+82.66 OF SAID BASELINE; AND (3) SOUTH 07°-20'-21" EAST 13.64±FT TO THE POINT OF BEGINNING, SAID PARCEL BEING 1,878.29± SQUARE FEET MORE OR LESS OF WHICH 387.23± SQUARE FEET IS UNDERWATER.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2022 SURVEY BASELINE FOR THE REPLACEMENT OF BRIDGE W-30 VERBANK ROAD, AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 20+00.00; THENCE NORTH 12°-23'-59" WEST TO STATION 24+86.46; THENCE NORTH 10°-03'-15" EAST TO STATION 29+01.41.

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 Mar 25 2024

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

NEW YORK STATE OF NEW YORK JOSEPH G. 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 November 20 2023

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

MJ Engineering and Land Surveying, P.C.
1533 Crescent Road
Clifton Park, NY 12065

MAP NUMBER 1
REVISED DATE
DATE PREPARED 11/07/2023

PREPARED BY ____ CHECKED BY ____ FINAL CHECK BY ____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REPLACEMENT OF
BRIDGE W-30
VERBANK ROAD

PIN N/A

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

Originals of this map (sheets 1 through 3) 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.
135889-6664-00-329572-0000

Map entitled "SUBDIVISION AND LOT LINE CHANGE" as surveyed by Harry J. Bly, dated 1/10/1994, last revised 3/23/1994 and filed in the Dutchess County Clerk's office on 4/8/1994 as map FM#9863

Map entitled "SUBDIVISION AND LOT LINE CHANGE" as surveyed by Harry J. Bly, dated 12/31/1996, last revised 2/5/1997 and filed in the Dutchess County Clerk's office on 4/7/1997 as map FM#10402

BENNETT NICHOLL
& DANELLE LECREN
(REPUTED OWNERS)

DOCUMENT# 02-2012-3198

Town of Washington
County of Dutchess
State of New York

REPUTED OWNERS:
BENNETT NICHOLL
& DANELLE LECREN
93 NOBLE STREET
Brooklyn, NY 11222

S 07°02'00" E
79.60±FT
℄ STA. 24+51.00
53.86±FT
N 82°58'00" E
20.61 FT
BIN: 3344110
MATCH TO SHEET 2
FORE TANGENT
PRODUCED BACK

N 07°02'00" W
56.25±FT
℄ STA. 24+74.58
58.77±FT

N 63°00'32" E
19.95±FT
℄ STA. 24+69.55
78.08±FT
N 07°02'00" W
12.13±FT
℄ STA. 24+57.48
79.21±FT

℄ STA. 24+49.08
33.34±FT
S 07°20'21" E
29.63±FT

TF
M 2
P 2

BENNETT NICHOLL
& DANELLE LECREN
(REPUTED OWNERS)
623 VERBANK ROAD
3,025.46 SQ. FT± OF
WHICH 125.18 SQ. FT±
IS UNDERWATER.

N 39°44'37" W
100.18±FT
℄ STA. 24+19.56
35.96±FT
S 15°29'43" E
51.15±FT

P.O.B.
℄ STA. 23+68.49
33.19±FT

℄ OF PROPOSED IMPROVEMENT
VERBANK ROAD
2022 SURVEY BASELINE ℄ N12°23'58"W
V 14+00
V 15+00
24+00
24+50

GPS3 RCIR
STA. 20+00.00
N: 1070262.6186
E: 701702.2876

40 FT

GPS2 STA. 24+85.46

MAP NUMBER 2
REVISED DATE 01/29/2024
DATE PREPARED 11/07/2023

PREPARED BY _____ CHECKED BY _____ FINAL CHECK BY _____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REPLACEMENT OF
BRIDGE W-30
VERBANK ROAD

PIN N/A

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

Originals of this map (sheets 1 through 3) 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.
135889-6664-00-329572-0000

Map entitled "SUBDIVISION AND LOT LINE CHANGE" as surveyed by Harry J. Bly, dated 1/10/1994, last revised 3/23/1994 and filed in the Dutchess County Clerk's office on 4/8/1994 as map FM#9863

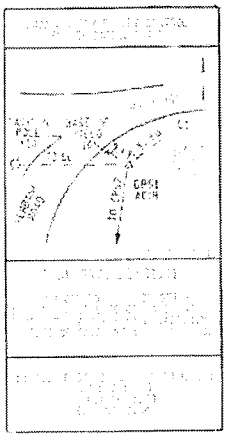
Map entitled "SUBDIVISION AND LOT LINE CHANGE" as surveyed by Harry J. Bly, dated 12/31/1996, last revised 2/5/1997 and filed in the Dutchess County Clerk's office on 4/7/1997 as map FM#10402

BENNETT NICHOLL
& DANELLE LECREN
(REPUTED OWNERS)

DOCUMENT# 02-2012-3198

Town of Washington
County of Dutchess
State of New York

REPUTED OWNERS:
BENNETT NICHOLL
& DANELLE LECREN
93 NOBLE STREET
Brooklyn, NY 11222



MAP NUMBER 2
REVISED DATE 07/29/2024
DATE PREPARED 11/01/2023

PREPARED BY _____ CHECKED BY _____ FINAL CHECK BY _____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REPLACEMENT OF
BRIDGE W-30
VERBANK ROAD

PIN N/A

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

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 BRIDGE W-30 VERBANK 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 WESTERLY BOUNDARY OF VERBANK ROAD, SAID POINT BEING 33.19±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 23+68.49 OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE REPLACEMENT OF BRIDGE W-30 VERBANK ROAD; THENCE THROUGH THE PROPERTY OF BENNETT NICHOLL AND DANELLE LECREN (REPUTED OWNERS) THE FOLLOWING SIX (6) COURSES AND DISTANCES: (1) NORTH 39°-44'-37" WEST 100.18±FT TO A POINT 79.21±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 24+57.48 OF SAID BASELINE; (2) NORTH 07°-02'-00" WEST 12.13±FT TO A POINT 78.08±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 24+69.55 OF SAID BASELINE; (3) NORTH 63°-00'-32" EAST 19.95±FT TO A POINT 58.77±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 24+74.58 OF SAID BASELINE; (4) NORTH 07°-02'-00" WEST 56.25±FT TO A POINT 66.51±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 25+06.80 OF SAID BASELINE; (5) NORTH 30°-32'-39" EAST 19.84±FT TO A POINT 59.36±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 25+25.38 OF SAID BASELINE; AND (6) NORTH 82°-57'-52" EAST 23.90±FT TO A POINT ON THE WESTERLY BOUNDARY OF VERBANK ROAD, THE LAST MENTIONED POINT BEING 36.52±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 25+32.41 OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED WESTERLY BOUNDARY OF VERBANK ROAD, SOUTH 01°-45'-30" EAST 15.45±FT TO A POINT 33.36±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 25+17.28 OF SAID BASELINE; THENCE THROUGH THE PROPERTY OF BENNETT NICHOLL AND DANELLE LECREN (REPUTED OWNERS) THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) SOUTH 82°-58'-00" WEST 27.49±FT TO A POINT 59.63±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 25+09.21 OF SAID BASELINE; (2) SOUTH 07°-02'-00" EAST 79.60±FT TO A POINT 53.86±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 24+51.00 OF SAID BASELINE; AND (3) NORTH 82°-58'-00" EAST 20.61±FT TO A POINT ON THE WESTERLY BOUNDARY OF VERBANK ROAD, THE LAST MENTIONED POINT BEING 33.34±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 24+49.08 OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED WESTERLY BOUNDARY OF VERBANK ROAD THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) SOUTH 07°-20'-21" EAST 29.63±FT TO A POINT 35.96±FT DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION 24+19.56 OF SAID BASELINE; AND (2) SOUTH 15°-29'-43" EAST 51.15±FT TO THE POINT OF BEGINNING, SAID PARCEL BEING 3,025.46± SQUARE FEET MORE OR LESS OF WHICH 125.18± 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 BRIDGE W-30 VERBANK ROAD, AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 20+00.00; THENCE NORTH 12°-23'-59" WEST TO STATION 24+86.46; THENCE NORTH 10°-03'-15" EAST TO STATION 29+01.41.

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 July 30, 2024

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

STATE OF NEW YORK
JOSEPH G. 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 JULY 29 2024

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

M.J. Engineering and Land Surveying, P.C.
1533 Crescent Road
Clifton Park, NY 12065

MAP NUMBER 2
REVISED DATE 07/29/2024
DATE PREPARED 11/07/2023

PREPARED BY [illegible] CHECKED BY [illegible] FINAL CHECK BY [illegible]

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*	Absent	
District 9 - City of Poughkeepsie	Atkins*		
District 1 - Town of Poughkeepsie	Gorman		
District 10 - City of Poughkeepsie	Johnson (VC)		
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		

Present: 11 Resolution: ✓ Total : 11 0

Absent: 1 Motion: ____ Yes No

Vacant: 0 Abstentions: 0

2024212 AUTHORIZING CONDEMNATION PROCEEDING FOR AN ACQUISITION AND TEMPORARY EASEMENT OF REAL PROPERTY OWNED BY BENNETT NICHOLL AND DANELLE LECREN IN CONNECTION WITH THE REPLACEMENT OF BRIDGE W-30 (BIN 3344110) VERBANK ROAD OVER UNNAMED CREEK, TOWN OF WASHINGTON

DECEMBER 5, 2024

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		
District 10 - City of Poughkeepsie	Johnson		
District 11 - Clinton, Pleasant Valley, and Rhinebeck	Kearney		
District 12 - East Fishkill	Metzger		
District 13 - East Fishkill and Wappinger	Paoloni		
District 14 - Wappinger and Town of Poughkeepsie	Versaci		
District 15 - Wappinger	Faust		
District 17 - Town and Village of Fishkill	McHoul		
District 18 - City of Beacon and Fishkill	Page		
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		
District 24 - Dover and Pawling	House		

Present: 25 **Resolution:** ✓ **Total :** 25 0

Absent: 0 **Motion:** ___ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2024212 AUTHORIZING CONDEMNATION PROCEEDING FOR AN ACQUISITION AND TEMPORARY EASEMENT OF REAL PROPERTY OWNED BY BENNETT NICHOLL AND DANELLE LECREN IN CONNECTION WITH THE REPLACEMENT OF BRIDGE W-30 (BIN 3344110) VERBANK ROAD OVER UNNAMED CREEK, TOWN OF WASHINGTON

DECEMBER 9, 2024