

RESOLUTION GRANTING A SEWER EASMENT TO THE CITY OF COHOES

A regular meeting of City of Cohoes Industrial Development Agency (the "Agency") was convened in public session in the City Hall of Cohoes in the second floor Common Council Chambers located at 97 Mohawk Street in the City of Cohoes, Albany County, New York on November 20, 2018 at 8:15 o'clock a.m., local time.

The meeting was called to order by the Chairman of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Rod Dion	Chairman
Cliff Bird	Member
Horace Hallock, Jr.	Member
William T. Keeler	Member
Manny Santos	Member
Stanley Szozda	Member
Theresa M. Thibodeau	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Michael Jacobson	Commissioner	of	Economic
	Development		
Michael Durocher	CFO		
Debbie Jacques	Executive Assistant		
Catherine Hedgeman, Esq.	Agency Counsel		
A. Joseph Scott, III, Esq.	Agency Special Counsel		

The following resolution was offered by Manny Santos and seconded by Theresa Thibodeau
to wit:

Resolution No. _____

RESOLUTION GRANTING A SEWER EASEMENT TO THE CITY OF COHOES FOR LOT 1 OF THE JUNCTA SUBDIVISION

WHEREAS, City of Cohoes Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of 1969 Laws of New York, constituting Title 1 of Article 18 A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 313 of the 1972 Laws of New York, as amended, constituting Section 896-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and

economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, under Section 858 (4) of the Act, the Agency has the power to use, real property or rights or easements therein necessary for its corporate purposes in compliance with the local zoning and planning regulations; and

WHEREAS, the members of the Agency desire to grant a sewer easement to the City of Cohoes with regard to Lot 2 of the JUNCA/385 Saratoga Street Subdivision as more particularly described in Schedule A to this resolution; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF COHOES INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby grants a sewer easement to the City of Cohoes as more fully described in the attached Schedule A.

Section 2. The Agency hereby authorizes the Chairman, Agency Counsel and Special Agency Counsel to take all steps necessary to carry out the purpose of this resolution.

Section 3. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Rod Dion	VOTING	<u>Yes</u>
Cliff Bird	VOTING	<u>Yes</u>
Horace Hallock, Jr.	VOTING	<u>Yes</u>
William T. Keeler	VOTING	<u>Yes</u>
Manny Santos	VOTING	<u>Yes</u>
Stanley Szozda	VOTING	<u>Yes</u>
Theresa M. Thibodeau	VOTING	<u>Yes</u>

The foregoing Resolution was thereupon declared duly adopted.

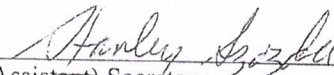
STATE OF NEW YORK)
)
COUNTY OF ALBANY)

I, the undersigned (Assistant) Secretary of City of Cohoes Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the resolution contained therein, held on November 20, 2018, with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through said meeting.

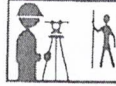
I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 20th day of November, 2018.



(Assistant) Secretary

(SEAL)



FREDERICK J. METZGER
LAND SURVEYOR, P.C.
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LEGAL DESCRIPTION

City of Cohoes IDA
Sewer Easement - Lot 2
0.2622± Acre Parcel – Saratoga Street

September 4, 2018
City of Cohoes
Albany County

BEGINNING at a point located on the division line between Lots 2 & 3 as shown on a map entitled, "Proposed 4-Lot Subdivision of Lands of City of Cohoes Industrial Development Agency, Saratoga Street – Cohoes, N.Y.", prepared by Frederick J. Metzger, Jr., P.L.S., dated May 07, 2018 and filed in the Albany County Clerk's Office on August 24, 2018 in Drawer-172 as Map #13611, said point being N-37°-40'-00"-E 44.67' and N-87°-15'-18"-E 112.44' from a Capped Iron Rod Set (CIRS) located in the Easterly line of Saratoga Street at the division line between lands N/F of Gary H. and Maureen L. Bazar (2591-321) on the North with lands N/F of the City of Cohoes Industrial Development Agency (R2016-25866) on the South; thence proceeding in an Easterly direction along the afore described division line, N-87°-15'-18"-E 30.07' to a point, thence in a Southerly direction crossing the aforesaid Lot 2, S-01°-17'-36"-W 177.54' and S-19°-21'-18"-E 136.53' to a point, thence continuing in a Southerly direction along the Westerly Highway Boundary of State Route 787 (Cohoes Boulevard-Southbound), S-12°-56'-30"-E 38.94' and S-02°-50'-56"-E 39.98' to a point, thence in a Westerly direction along the division line between Lots 1 & 2 of the afore described filed map, S-88°-31'-47"-W 21.34' to a point, thence in a Northerly direction crossing the aforesaid Lot 2, N-00°-07'-03"-W 18.26', N-19°-21'-18"-W 195.22' and N-01°-17'-36"-E 180.88' to a point, said point being the point of beginning.

BEING a parcel of land irregular in shape and containing in all 11,421±Square Feet or 0.2622±Acres.

ALSO being all of the Proposed Sanitary Sewer Easement crossing Lot 2 on the afore described Filed Map.

SUBJECT to Easements, Restrictions, Reservations and Rights of Way of Record.

Prepared by,

EASEMENT
LOT 2: 385 Saratoga Street
Tax Map ID 20.08-4-23

EASEMENT AGREEMENT made this _____ day of _____ 20____, between the Cohoes Industrial Development Agency hereinafter referred to as the "Grantor," having an office/residing at 97 Mohawk Street, Cohoes, New York 12047 and the City of Cohoes, hereinafter referred to as the "Grantee," having an office/residing at 97 Mohawk Street, Cohoes, New York 12047.

WHEREAS, the Grantor is the fee owner of certain land located in the City of Cohoes, Albany County, State of New York, designated as Tax Map I.D. 20.08-4-23 of the City of Cohoes, hereinafter referred to as 385 Saratoga Street and more particularly described by a metes and bounds description set forth in Schedule A annexed hereto and by this reference made a part hereof; and

WHEREAS, the City of Cohoes requires a sewer easement over the Premises known as 385 Saratoga Street; and

WHEREAS, the Grantor is willing to grant to the Grantee an easement permitting the City to service that part of the municipal sewer system located on and beneath 385 Saratoga Street;

NOW, THEREFORE, Grantor for itself, its legal representatives, successors and assigns hereby makes the following grant: Grantor hereby grants and conveys to Grantee its legal representatives, successors and assigns and to any, an easement on 385 Saratoga Street, as more particularly described in Schedule A attached hereto, as may be necessary for the purpose maintaining the City of Cohoes Sewer System on and beneath the Parcel

The covenants set forth herein shall run with the land and be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns;

This easement agreement shall be recorded at the Albany County Clerk's office against the Parcel more commonly known as 385 Saratoga Street, Cohoes, New York 12047, Tax Map I.D. 20.08-4-23.

IN WITNESS WHEREOF, Grantor and Grantee have made and executed the foregoing
easement agreement as of the date hereinabove written.

Grantor
By: Rod Dion
Chairman, Cohoes IDA

Grantee
By:

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the _____ day of _____, in the year _____, before me, the undersigned, **ROD DION** 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the _____ day of _____, in the year _____, before me, the undersigned, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public