

**TERMINATION AND RELEASE OF EASEMENT**

THIS TERMINATION AND RELEASE OF EASEMENTS ("Termination") is made and entered as of September \_\_\_\_\_, 2020, by the **VILLAGE OF SPRINGVILLE, NEW YORK**, (the "Village") a municipal corporation with offices located at 5 West Main Street, Springville, New York.

WHEREAS, **BRUCE M. BOOKHAGEN** and **DIANE M. BOOKHAGEN**, own premises commonly known as 129 East Hill Run (SBL#: 336.18-2-19) and 0 East Hill Run (SBL#: 336.18-2-20) in the Village of Springville, Town of Concord, County of Erie and State of New York, and according to a map filed in the Erie County Clerk's Office under Map Cover 2552 are known as Subdivision Lot Numbers 19 and 20, respectively, according to said map.

WHEREAS, **JOSPEH BOYD** and **SUSAN BOYD**, own premises commonly known as 151 East Hill Run (SBL#: 336.18-2-21) in the Village of Springville, Town of Concord, County of Erie and State of New York, and according to a map filed in the Erie County Clerk's Office under Map Cover 2552 is known as Subdivision Lot Number 21 according to said map.

WHEREAS, **Thomas M. Reynolds**, **Ronald H. Tills**, and **John A. Schenne**, granted an Easement to the **VILLAGE OF SPRINGVILLE** dated December 17, 1990, and recorded in the Erie County Clerk's Office on December 31, 1990 in **Liber 10250 of Deeds at Page 741** ("Easement 1"). Said Easement 1 affecting Subdivision Lot Numbers 18, 19 and 20 as shown on said Map Cover 2552.

WHEREAS, Easement 1 pursuant to its terms was to terminate upon the acceptance by the Village of Springville of that portion of the proposed street continuation shown on said Map Cover 2552 lying within the easement area.

WHEREAS, the Village of Springville by an instrument dated July 6, 2004 and recorded in the Erie County Clerk's Office on July 14, 2004 in **Liber 11079 of Deeds at Page 4047**, released from Easement 1, any part of premises commonly known as 140 East Hill Run, in the Village of Springville, Town of Concord, County of Erie and State of New York, and according to said Map Cover 2552 is known as Subdivision Lot Number 18 (SBL#: 336.18-2-18) as shown on said map and as also shown on a survey prepared by James Shisler on April 6, 2004 a copy of which is annexed hereto and made a part hereof as Schedule A, while retaining and holding the remainder of said Easement 1 according to its terms and conditions.

WHEREAS, **Margaret Wittmeyer** and **B & B Homes, Inc.**, granted an Easement and Right of Way to the **VILLAGE OF SPRINGVILLE** dated June 4, 2004 and recorded in the Erie County Clerk's Office on July 14, 2004 in **Liber 11079 of Deeds at Page 4041** ("Easement 2") as shown on Schedule A. Said Easement 2 affecting Subdivision Lot Numbers 20 and 21 as show on said Schedule A.

WHEREAS, Easement 2 pursuant to its terms was to terminate upon the completion of the last phase of the East Hill Estates Subdivision and the Village's acceptance of title to and dedication of East Hill Run continuation as a public street as shown on said subdivision map under Map Cover 2552.

WHEREAS said last phase of the East Hill Estates Subdivision is complete and said East Hill Run road extension is complete and the Village has accepted title to and dedication of the East Hill Run continuation as a public street.

NOW, THEREFORE, in consideration of one and no more dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Village hereby releases and terminates in all respects Easement 1 and Easement 2 and further declares that Easement 1 and Easement 2 are hereby null, void and no longer in further force and effect.

IN WITNESS WHEREOF, the Village of Springville has caused its seal to be affixed hereto and these presents to be executed by its duly authorized officer on this \_\_\_\_\_ day of September, 2020.

VILLAGE OF SPRINGVILLE, NEW YORK

By: \_\_\_\_\_  
WILLIAM KREBS, Mayor

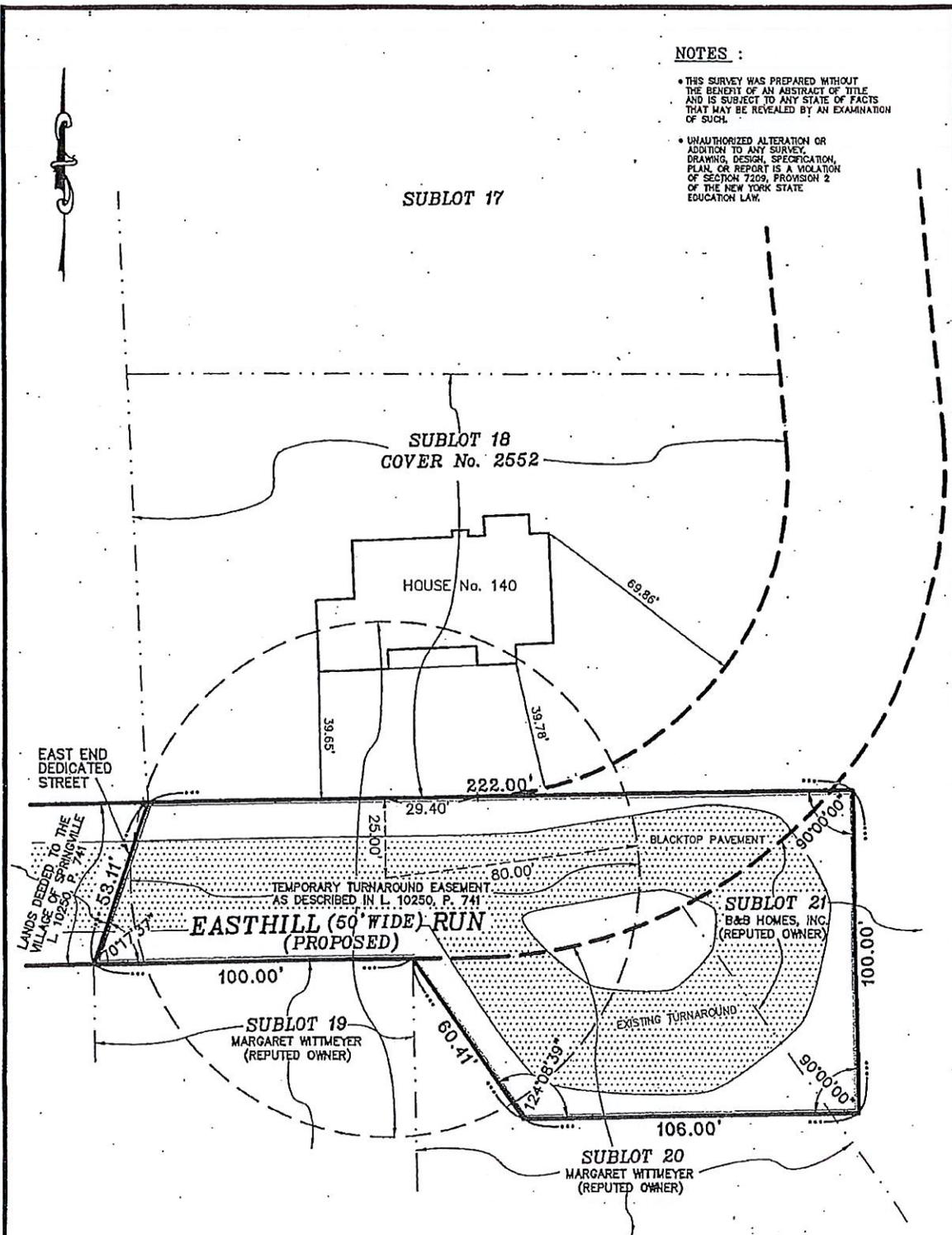
STATE OF NEW YORK     )  
  )  
  )     ss:  
COUNTY OF ERIE        )

On the \_\_\_\_\_ Day of \_\_\_\_\_ 2020, before me, the undersigned, personally appeared, William Krebs, As Mayor of the Village of Springville, New York, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person(s) on behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public, State of New York

**NOTES :**

- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.
- UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN, OR REPORT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.



**PROPOSED TURNAROUND EASEMENT**

PARTS OF SUBLOTS 20 & 21 & PART OF EASTHILL RUN  
 COVER 2552  
 PART OF L 10 S T 6 R 6 TOWN OF CONCORD VILLAGE OF SPRINGVILLE COUNTY OF ERIE STATE OF NEW YORK

RESURVEY			JAMES L. SHISLER, L.S., P.C. PROFESSIONAL LAND SURVEYOR	
DATE	JOB	DESCRIPTION	P.O. BOX 516 EAST AURORA, NEW YORK 14052-0516	(716) 655-1058
			DRAWN BY: T.A.K.	SCALE: 1" = 30'
			CHECKED BY: J.L.S.	DATE: 4/06/04
			JOB NO.: 04187	SHEET NO.: C-3385

*James L. Shisler*