



## MINOR SUBDIVISION PERMIT APPLICATION

### TOWN OF ULYSSES PLANNING AND ZONING DEPARTMENT

**INSTRUCTIONS:** Complete form, sign, and date.

See applicable application packet for all required checklist items.

CONTACT INFORMATION					
APPLICANT	Daniel H Smith				
ADDRESS	3180 Waterburg Rd				
CITY	Trumansburg	STATE	ny	ZIP	14886
PHONE	607-227-2241	EMAIL	DHS62@gmail.com		
OWNER	Daniel H Smith				
ADDRESS	3180 Waterburg Rd				
CITY	Trumansburg	STATE	ny	ZIP	14886
PHONE	607-227-2241	EMAIL	DHS62@gmail.com		
PRIMARY CONTACT: <input type="checkbox"/> APPLICANT <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> OTHER, PLEASE SPECIFY BELOW					
NAME	Katrina Thaler Medeiros Eng				
PHONE	607-272-2314	EMAIL	Kmedeiros@thalerandthaler.com		

PROJECT SITE INFORMATION	
ADDRESS	3182 Waterburg Rd, Town Ulysses
PARCEL NO(S)	36.-2-9.2

PROJECT INFORMATION	
PROJECT NAME	Daniel H. Smith Minor Subdivision
PROJECT DESCRIPTION	Subdivision of 11.57 acres from original 118.71 acres (subdivision to include house, septic & well)
VALUATION	Total Assessed Value - \$850,000.00

**Authorization:** I am the owner or am authorized by the owner to sign and submit this application. I certify under penalty of perjury of the laws of the State of New York that the information on this application and all information submitted herewith is true, complete, and correct.

SIGNATURE		DATE	12-2-24
PRINT NAME	Daniel H Smith		
CITY, STATE	Ithaca ny 14850		



10 Elm Street  
Trumansburg, NY 14886



607.387.5767



planner@townofulyssesny.gov  
www.ulysses.ny.us

UPDATED 2022

WATERBURG ROAD  
(ASSUMED 3 ROD RIGHT OF WAY=49.5')

CERTIFICATION

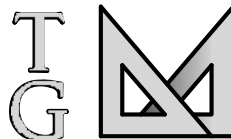
I hereby certify to DANIEL H. SMITH  
that I am a licensed land surveyor, New York State License  
No.050096, and that this map correctly delineates an  
actual survey on the ground made by me or under my direct  
supervision and that I found no visible encroachments either  
way across property lines except as shown hereon.

SIGNED: Lee Dresser DATED: 9/23/2024

APPROVAL: MINOR SUBDIVISION NO. \_\_\_\_\_  
THE TOWN OF ULYSSES HEREBY DETERMINES THAT THIS MINOR SUBDIVISION CONFORMS TO  
CONSOLIDATED LAWS OF NEW YORK 62.16-276-277 AND THE ZONING CODE OF THE TOWN OF  
ULYSSES AND IS HEREBY APPROVED.  
NOTE: THE TOWN OF ULYSSES DOES NOT IN ANY WAY WARRANT NOR GUARANTEE THE  
ACCURACY OF THIS RECORD OF SURVEY.  
EXAMINED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

PLANNING BOARD CHAIR, TOWN OF ULYSSES

NOTE:  
THIS SURVEY MAP PREPARED WITHOUT  
BENEFIT OF AN ABSTRACT OF TITLE  
PROVIDED, SUBJECT TO ANY STATE OF  
FACT THAT AN UPDATED ABSTRACT OF  
TITLE MAY SHOW.



**T.G. MILLER, P.C.**  
ENGINEERS AND SURVEYORS  
605 WEST STATE STREET, SUITE A  
ITHACA, NEW YORK 14850  
WWW.TGMILLERPC.COM  
607-272-6477

TITLE: Final Minor Subdivision

SHOWING PORTION OF LANDS OF  
**DANIEL H. SMITH**  
LOCATED ON WATERBURG ROAD

TOWN OF ULYSSES, TOMPKINS COUNTY, NEW YORK

DATE: 9/23/2024

S24835-B

SCALE: 1"=150'

REVISED



- LEGEND
- △ - COMPUTED POINT
  - - PIN SET WITH CAP
  - ✕ - IRON PIN FOUND
  - - UTILITY POLE
  - FENCE & HEDGE
  - \* - PROPOSED NEW DIVISION LINE
  - - STONE MONUMENT

BERGEN FARMS REALTY, LLC (R.O.)  
2023-06337  
TAX MAP No. 36-2-1.1

WATERBURH HEIGHTS LLC (R.O.)  
2023-06335  
TAX MAP No. 36-2-1.2

WELCH (R.O.)  
2020-08817  
TAX MAP No. 36-2-9.1

SMITH (R.O.)  
2014-05909  
TAX MAP No. 36-2-4.2

SMITH (R.O.)  
2014-05909  
TAX MAP No. 36-2-5

TITLE INFORMATION  
DANIEL H. SMITH  
PART OF DEED BOOK 720, PAGE 137  
PART OF TAX MAP No. 36-2-9.2  
AREA= 11.57 ACRES NET TO ROAD R/W

REMAINING LANDS OF SMITH  
P/O 720/137  
P/O TAX MAP No. 36-2-9.2  
AREA=106.2 ACRES± TO ROAD R/W

APPROXIMATE LOCATION OF  
TOMPKINS COUNTY RESOURCES  
COUNCIL WETLANDS 2012

NOTE: INFORMATION SHOWN HEREON  
IS PER TOMPKINS COUNTY NATURAL  
RESOURCES INVENTORY WEBSITE  
(<https://apps.geocortex.com/webview>)

NO JURISDICTIONAL DELINEATIONS WERE PERFORMED  
NO WETLANDS WERE PHYSICALLY LOCATED OR  
MAPPED BY NRCS (Natural Resources Conservation Service)

APPROXIMATE LOCATION OF  
TOMPKINS COUNTY RESOURCES  
COUNCIL WETLANDS 2012

WARNING  
ALTERATION OF THIS MAP NOT  
CONFORMING TO SECTION 7209,  
SUBDIVISION 2, NEW YORK STATE  
EDUCATION LAW, ARE PROHIBITED  
BY LAW. ALL CERTIFICATIONS  
HEREON ARE VALID FOR THIS MAP  
AND COPIES THEREOF ONLY IF SAID  
MAP OR COPIES BEAR THE IMPRESSION  
SEAL OF THE LICENSED LAND SURVEYOR  
WHOSE SIGNATURE APPEARS HEREON.

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information																		
Name of Action or Project: <u>3182 WATERBORG ROAD MINOR SUBDIVISION</u>																		
Project Location (describe, and attach a location map): <u>3182 WATERBURG ROAD, TOWN OF ULYSSES</u>																		
Brief Description of Proposed Action: <u>SUBDIVISION OF 11.57 ACES INCLUDING HOUSE, SEPTIC AND WELL FROM ORIGINAL 118.71 ACES</u>																		
Name of Applicant or Sponsor: <u>DANIEL H. SMITH</u>		Telephone: <u>607-227-2241</u>																
		E-Mail: <u>DH562@gmail.com</u>																
Address: <u>3180 WATERBURG ROAD</u>																		
City/PO: <u>TRUMANSBURG</u>		State: <u>NY</u>	Zip Code: <u>14886</u>															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
3.a. Total acreage of the site of the proposed action?		<u>118.71</u> acres																
b. Total acreage to be physically disturbed?		<u>0</u> acres																
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>593.434</u> acres																
4. Check all land uses that occur on, adjoining and near the proposed action.																		
<table style="width: 100%;"> <tr> <td><input type="checkbox"/> Urban</td> <td><input type="checkbox"/> Rural (non-agriculture)</td> <td><input type="checkbox"/> Industrial</td> <td><input type="checkbox"/> Commercial</td> <td><input type="checkbox"/> Residential (suburban)</td> </tr> <tr> <td><input type="checkbox"/> Forest</td> <td><input checked="" type="checkbox"/> Agriculture</td> <td><input type="checkbox"/> Aquatic</td> <td colspan="2"><input type="checkbox"/> Other (specify): _____</td> </tr> <tr> <td><input type="checkbox"/> Parkland</td> <td colspan="4"></td> </tr> </table>				<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)														
<input type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____															
<input type="checkbox"/> Parkland																		

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>NIA</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES			



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	<b>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	<b>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	<b>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Daniel H. Smith</u>		Date: <u>12/2/24</u>
Signature: <u>[Signature] Attorney for Daniel H. Smith</u> <u>Karina Thayer Morales</u>		

DECLARATION OF LEGAL DOCUMENTATION  
MINOR SUBDIVISION # \_\_\_\_\_

Know all men by these presents:

That I/we, the undersigned, depose and state that I/we are the owner/owners of the properties subject to the minor subdivision and am/are solely responsible for securing and executing, as well as seeking, all necessary legal advice or assistance concerning the legal documents necessary to transfer title to those portions of the properties involved in the minor subdivision.

That I/we, the undersigned, further depose and state that the legal documents necessary to transfer title to the properties in question have been prepared and executed so that upon the recording of the minor subdivision, the title to the subject properties will accurately reflect the new lots resulting from the minor subdivision as approved by the Town of Ulysses.

DATED this 2 day of Dec, 2024.

Signature (s) \_\_\_\_\_

\_\_\_\_\_ Title

\_\_\_\_\_ Title

STATE OF NEW YORK)

ss.

County of Tompkins

I certify that I know or have satisfactory evidence that

Daniel H Smith signed this instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 12-2-24

Signature of  
Notary Public: \_\_\_\_\_

Gail M Burton

My commission expires: \_\_\_\_\_

GAIL M. BURTON  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BU4952696  
Qualified in TOMPKINS County  
Commission Expires JUNE 26, 2027

## SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Ulysses, County of Tompkins, State of New York and more particularly bounded and described as follows:

BEGINNING at a point in the centerline of Waterburg Road, said point located 2,914 feet, more or less, as measured along said centerline from its intersection with the centerline of Perry City Road;

THENCE North 86 degrees 32 minutes 29 seconds East, passing through an iron pin set with cap at 30.51 feet, a total distance of 880.22 feet to a point marked by a pin set with cap;

THENCE South 51 degrees 07 minutes 12 seconds East a distance of 41.71 feet to a point marked by a pin set with cap;

THENCE South 06 degrees 44 minutes 41 seconds East a distance of 531.36 feet to a point marked by a pin set with cap;

THENCE South 86 degrees 32 minutes 29 seconds West, passing through an iron pin found at 915.87 feet to a point in the centerline of Waterburg Road;

THENCE North 02 degrees 58 minutes 43 seconds West a distance of 558.60 feet to the point or place of beginning; containing 11.57 acres net to the road right of way.

REFERENCE is hereby made to a survey map entitled "Final Minor Subdivision Showing Portion of Lands of Daniel H. Smith Located on Waterburg Road, Town of Ulysses, Tompkins County, New York," dated September 23, 2024, prepared by Lee Dresser, LLS No. 050096, of T.G. Miller, P.C., incorporated herein by reference.

BEING a portion of premises conveyed to Daniel H. Smith by Warranty Deed dated January 13, 1994, and recorded March 11, 1994, in the Tompkins County Clerk's Office in Liber 720 of Deeds at page 137.

Part of Town of Ulysses Tax Map Parcel No. 36.-2-9.2.

DECLARATION OF OWNERSHIP

MINOR SUBDIVISION # \_\_\_\_\_

Know all men by these presents:

That I/<sup>am</sup>we, the undersigned, depose and state that I/we are the owner/owners of land described by this declaration; and do hereby declare that I/we have no objections to the herein described property being subdivided.

Legal description of property (attach if necessary):

Tax parcel number: 36.-2-9.2

Cross reference: See Record of Surveys Auditor File # \_\_\_\_\_  
Records of Tompkins County, New York.

Dated this 2 day of December, 2024

Signature (s) \_\_\_\_\_

STATE OF NEW YORK)

County of Tompkins <sup>ss.</sup>

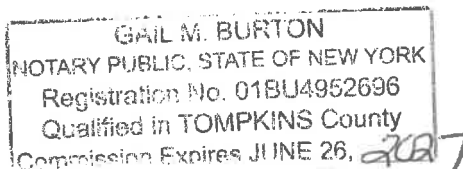
I certify that I know or have satisfactory evidence that

Daniel H Smith  
is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 12-2-24

Signature of  
Notary Public: Gail M Burton

My commission expires: \_\_\_\_\_







# This Indenture

02133

LIBER 720 PAGE 137

Made the 13th day of January

Nineteen Hundred and Ninety-Four

Between HORACE WILLIAM SMITH, a/k/a HORACE W. SMITH, a/k/a H. WILLIAM SMITH,  
and LAURA P. SMITH, husband and wife, both of 459 Waterburg Road, Trumansburg,  
New York,

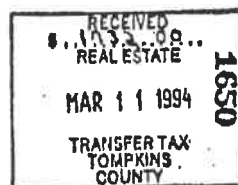
part less of the first part, and

DANIEL H. SMITH, of 3292 Waterburg Road, Trumansburg, New York,

Witnesseth that the part less of the first part, in consideration of <sup>part of the second part,</sup>

One Dollar (\$1.00)  
lawful money of the United States, and other lawful and valuable consideration  
paid by the part of the second part, do hereby grant and release unto the  
part of the second part, his heirs, successors  
and assigns forever, all

SEE SCHEDULE A ATTACHED



ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Ulysses, County of Tompkins and State of New York, being a part of Military Lots 18, 26, and 27 in said Town and more particularly bounded and described as follows:

COMMENCING at the southeast corner of Military Lot No. 26 at the intersection of the center line of Waterburg Road with the center line of Iradell Road; running thence westerly along the center line of Iradell Road, to the southwest corner of a 30 acre parcel of land conveyed to Fred N. Smith by deed of Abram G. Updike and wife dated March 20, 1920 and recorded March 26, 1920 in the Tompkins County Clerk's Office in Liber 194 of Deeds at page 495, and at the southeast corner of premises formerly of Thomas Nash; running thence north a distance of 15 chains 88 links, more or less, to a corner; running thence easterly to the southwest corner of a 44 acre, 11 rod parcel of land conveyed to Fred N. Smith by deed of John C. Fairchild and wife dated February 18, 1891 and recorded March 4, 1891 in said Clerk's Office in Liber 138 of Deeds at page 56; running thence north to a southeast corner of a 184 acre, 1 rood, 2 rod parcel of land conveyed to Frederick N. Smith by deed of Jesse G. Corey et al. dated March 25, 1914 and recorded April 1, 1914 in said Clerk's Office in Liber 182 of Deeds at page 455; running thence north 86-1/2 degrees west a distance of 20 chains 15 links to a corner; running thence north 3-1/2 degrees east a distance of 37 chains 56 links to a point in the center line of Perry City Road; running thence north 86-1/2 degrees west, along the center line of Perry City Road a distance of 902.94 feet to the southeast corner of a parcel of land conveyed to Philip David Stillman and wife by deed of Mary E. Smith dated December , 1967 and recorded November 12, 1971 in said Clerk's Office in Liber 496 of Deeds at page 780; running thence northerly a distance of 1500 feet to a point; running thence south 86 degrees 30' east a distance of 241 feet to a point; running thence north 3 degrees east a distance of 295 feet to a point; running thence north 86 degrees east a distance of 140.5 feet to a point; running thence north 11 degrees east a distance of 298 feet to an iron pipe set adjacent to the southerly line of Brook Road; running thence northerly a distance of approximately 35 feet to a point in the center line of Brook Road, which point is approximately 265 feet easterly from the easterly end of a bridge over Taughannock Creek; running thence north 56 degrees east along the center line of Brook Road to a point which is a northwest corner of the 20 acre, 1 rood, 31.1 rod parcel of land which is the fourth parcel conveyed to Fred N. Smith by deed of Minnie A. Smith dated November 21, 1910 and recorded March 30, 1912 in said Clerk's Office in Liber 177 of Deeds at Page 572; running thence north 56 degrees east along the center line of Brook Road, a distance of 6 chains 26 links to a point; running thence north 1-1/2 degrees east a distance of 18 chains 98 links to a point; running thence south 88-1/2 degrees east a distance of 6 chains to the northeast corner of said 20 acre, 1 rood, 31.1 rod parcel (177 Deeds 572); thence continuing easterly to a corner; running thence southerly to a point in the center line of Brook Road; running thence southwesterly to a point in said center line formerly marked by a stone; running thence south 1/2 degree west a distance of 12 chains 43 links to a point in a northerly line of said 184 acre parcel, 1 rood 2 rod parcel (182 Deeds 455); running thence south 87 degrees east to the northeast corner of said 184 acre, 1 rood 2 rod parcel; running thence south 3-1/2 degrees west a distance of 27 chains 44 links to a point in the center line of Perry City Road; running thence north 86-1/2 degrees west along the center line of Perry City Road a distance of 14 chains to a point; running thence south 3-1/2 degrees west a distance of 25 chains 81 links to a point; running thence south 86-1/2 degrees east a distance of 7 chains 75 links to a point; running thence southerly to the northwest corner of a 21-1/2 acre parcel of land conveyed to Fred N. Smith by deed of David Bower and wife dated February 1, 1895 and recorded February 2, 1895 in said Clerk's Office in Liber 143 of Deeds at page 572; running thence south 86-1/2 degrees east a distance of 19 chains 13 links to a point; running thence south 85-3/4 degrees east a distance of 12 chains 66 links to a point in the center line of Waterburg Road; running thence northerly along the center line of

Waterburg Road to the northwest corner of an 82 acre, 2 road, 13 rod parcel of land conveyed to Minnie A. Smith by deed of Emma S. Kelsey et al. dated January 26, 1909 and recorded February 25, 1909 in said Clerk's Office in Liber 169 of Deeds at page 535; running thence east a distance of 47 chains 44 links to a point; running thence south a distance of 17 chains 40-3/4 links to the northeast corner of a 40 acre parcel of land conveyed to Minnie Smith by deed of Jessie Maud Smith Addington dated April 17, 1906 and recorded August 23, 1906 in said Clerk's Office in Liber 165 of Deeds at page 529; continuing thence south a distance of 8 chains 43-1/4 links to a point; running thence west a distance of 47 chains 44 links to a point in the center line of Waterburg Road; running thence southerly to a point in said center line which is the northeast corner of a 7 acre parcel of land conveyed to Charles H. Bower by deed of Alfred Cole et al. dated March 29, 1904 and recorded April 12, 1904 in said Clerk's Office in Liber 161 of Deeds at page 143; running thence south along the center line of Waterburg Road, a distance of 15 chains 88 links, more or less, to the point or place of beginning.

*map* A portion of the above-described premises is shown on a survey map entitled "MAP OF SURVEY PORTION OF LANDS OF HORACE W. AND LAURA P. SMITH TOWN OF ULYSSES ML. 26 TOMPKINS COUNTY NEW YORK" dated November 15, 1993 made by Robert S. Russler, Jr., Licensed Surveyor No. 049709-1, a copy of which is filed in said Clerk's Office concurrently herewith.

TOGETHER WITH a right of way approximately 12 foot in width more particularly described in a deed from Mary E. Smith to Philip David Stillman and Bettye Jean Stillman dated December , 1967 and recorded November 12, 1971 in said Clerk's Office in Liber 496 of Deeds at Page 780.

SUBJECT to the following insofar as they may affect the above described premises:

1. The rights of the public in and to so much of the above described premises as may lie within the bounds of the public highways.
2. An easement granted to New York State Electric and Gas Corporation by instrument dated October 23, 1935 and recorded December 1, 1936 in said Clerk's Office in Liber 241 of Deeds at Page 91.
3. An easement granted to New York State Electric & Gas Corporation by instrument dated December 9, 1949 and recorded January 10, 1950 in said Clerk's Office in Liber 328 of Deeds at Page 304.
4. An easement granted to New York State Electric and Gas Corporation by instrument dated February 2, 1954 and recorded May 17, 1954 in said Clerk's Office in Liber 367 of Deeds at page 421.
5. An easement granted to New York State Electric and Gas Corporation by instrument dated June 15, 1944 and recorded July 26, 1944 in said Clerk's Office in Liber 259 of Deeds at page 488.
6. An easement granted to New York State Electric and Gas Corporation by instrument dated August 3, 1937 and recorded December 13, 1937 in said Clerk's Office in Liber 241 of Deeds at page 301.
7. An easement granted to New York State Electric and Gas Corporation by instrument dated October 22, 1935 and recorded December 1, 1936 in said Clerk's Office in Liber 241 of Deeds at Page 100.
8. An easement granted to New York State Electric and Gas Corporation by instrument dated February 8, 1949 and recorded February 19, 1949 in said Clerk's Office in Liber 318 of Deeds at page 225.

EXCEPTING from the above described premises a parcel containing 0.582 acres, more or less, conveyed by Harold N. Smith, as Executor of the Last Will and Testament of Minnie A. Smith, deceased, to the County of Tompkins for reconstruction of the Perry City Road (County Road No. 142) by deed dated December 16, 1949 and recorded December 27, 1949 in said Clerk's Office in Liber 328 of Deeds at page 97.

Being the same premises described in a deed to Horace W. Smith and Laura P. Smith from Mary E. Smith dated June 2, 1982 and recorded in said Clerk's Office in Liber 589 of Deeds at Page 333.

Subject to a life use in the Grantors herein to live in the home on the above described premises which they presently occupy.

This conveyance is made and accepted subject to two indebtednesses secured by two mortgages upon said premises:

(1) In the sum of \$145,000.00 held by The Federal Land Bank of Springfield dated June 2, 1982, which mortgage was recorded in said Clerk's Office in Liber 444 of Mortgages at Page 569 upon which there is \$104,766.22 principal outstanding at the time of this conveyance and which mortgage is being assigned to the Tompkins County Trust Company by instrument dated concurrently herewith and recorded in said Clerk's Office concurrent herewith; and

(2) In the sum of \$110,000.00 held by the Tompkins County Trust Company dated February 8, 1991, which mortgage was recorded in said Clerk's Office in Liber 593 of Mortgages at Page 187 upon which there is unpaid principal balance as of the date of this instrument of \$100,129.65, and which mortgage is being consolidated with a mortgage held by the Tompkins County Trust Company; together the total indebtedness shall be \$247,000.00.

The combined total of the indebtedness of (1) and (2) assumed is \$204,895.87.

Each  
with  
del.

in the  
house

- 2

Together with the appurtenances and all the estate and rights of the part 1st of the first part in and to said premises,

To have and to hold the premises herein granted unto the part 2nd of the second part, his heirs, successors and assigns forever.

And said parties of the first part

First, That the part 2nd of the second part shall quietly enjoy the said premises; covenant as follows:

Second, That said parties of the first part

will forever warrant the title to said premises.

Third, That, in Compliance with Sec. 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the part 1st of the first part have hereunto set their hands and seal, the day and year first above written.

In Presence of

*Horace W. Smith*  
*Laura P. Smith*  
*D. H. Smith*

State of New York }  
County of TOMPKINS } ss.  
before me, the subscriber, personally appeared

On this 13th day of January  
Nineteen Hundred and Ninety-Four

HORACE WILLIAM SMITH, a/k/a HORACE W. SMITH, a/k/a H. WILLIAM SMITH and  
LAURA P. SMITH

to me personally known and known to me to be the same person described in and who executed the within instrument, and they each duly acknowledged to me that he executed the same.

*Patricia K. Smith*  
Notary Public

PATRICIA K. SMITH  
Notary Public, State of New York  
Qualified in Tompkins Co. No. 4680027  
Commission Expires Nov. 30, 1994

STATE OF NEW YORK )  
COUNTY OF TOMPKINS ) ss.

On this 10th day of March, 1994 before me, the subscriber, personally appeared Daniel H. Smith, to me personally known and known to me to be the same person described in and who executed the within instrument, and he acknowledged to me that he executed the same.

Recorded on the 11th day of March, 1994 at 4:39  
of 1994  
o'clock 7:20  
of 1994  
at Page 137 and examined.  
*Laura P. Valenti* Clerk

*Richard B. Thaler*  
Notary Public  
RICHARD B. THALER  
Notary Public, State of New York  
Qualified in Tompkins Co. No. 55-3958425  
My Commission Expires October 31, 1995



# AGRICULTURAL DATA STATEMENT

## PLANNING AND ZONING DEPARTMENT

Certain lands in the Town of Ulysses lie in an area that has been designated as an Agricultural District. Section 283-a of the New York State Town Law requires any application for a Special Permit, Site Plan, Use Variance or Subdivision on property within such a District containing a farm operation or on property with boundaries within five hundred (500) feet of a farm operation located in such a District to include an Agricultural Data Statement.

"Farming operations" are defined by Section 301, Article 25AA of the New York State Agriculture and Markets Law as "... the land used in agricultural production, farm buildings, equipment and farm residential buildings."

- A. Name of Applicant: Daniel H Smith
- B. Address: 3180 Waterburg Road, Trumansburg NY 14886
- C. Description of Project Subdivision of 11.57 acres from original 118.71 acres (subdivision to include house, septic & well)
- D. Location of Proposed Project (tax map number): 36-2-9.2
- E. Names and address of owners of land within the Agricultural District containing Farm Operations and located within five hundred (500) feet of the project property.
- | Name                              | Address   | Tax Map #       |
|-----------------------------------|---|-----------------|
| 1. <u>Barbara Redman</u>          | <u>4075 Interlaken Beach Rd, Interlaken, NY 14847</u>           | <u>36-1-6</u>   |
| 2. <u>Bergen Farms Realty LLC</u> | <u>4060 Bergen Rd, Odessa, NY 14869</u>                         | <u>36-2-1.1</u> |
| 3. <u>Waterburg Heights LLC</u>   | <u>22 Sunset Blvd, Pittsford, NY 14534</u>                      | <u>36-2-1.2</u> |
| 4. <u>Bergen Farms Realty LLC</u> | <u>4060 Bergen Rd, Odessa, NY 14869</u>                         | <u>36-2-3.2</u> |
| 5. <u>Michael Niemi</u>           | <u>3245 Podunk Rd, Trumansburg, NY 14886</u>                    | <u>36-2-4.2</u> |
|                                   | <u>Bergen Farms Realty LLC 4060 Bergen Rd, Odessa, NY 14869</u> | <u>36-2-8.2</u> |
- F. Attach a tax map showing the site of the proposed project relative to the location of the Farm Operations identified above.



10 Elm Street  
Trumansburg, NY 14886



607.387.5767



planner@townofulyssesny.gov  
www.ulysses.ny.us

UPDATED 2023



