



AREA VARIANCE APPLICATION PLANNING AND ZONING DEPARTMENT

INSTRUCTIONS: Complete form, sign, and date.
See applicable application packet for all required checklist items.

CONTACT INFORMATION					
APPLICANT	Town of Ulysses				
ADDRESS	10 Elm Street				
CITY	Trumansburg	STATE	NY	ZIP	14886
PHONE	607-387-5767	EMAIL			
OWNER	Marvin and Allison Pritts				
ADDRESS	5150 Cold Springs Rd				
CITY	Ulysses	STATE	NY	ZIP	14886
PHONE		EMAIL			
PRIMARY CONTACT: <input checked="" type="checkbox"/> APPLICANT <input type="checkbox"/> OWNER <input type="checkbox"/> OTHER, PLEASE SPECIFY BELOW					
NAME					
PHONE		EMAIL			

PROJECT SITE INFORMATION	
ADDRESS	5230 Cold Springs Rd
PARCEL NO(S)	12-4-19.2

PROJECT INFORMATION	
PROJECT NAME	Area variance related to minor subdivision of land
PROJECT DESCRIPTION	Area variance to allow a smaller flagpole of a proposed flag lot being created through the minor subdivision process.
VALUATION	

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	12/17/25
PRINT NAME	Nathan VanWhy, attorney for the Town of Ulysses		
CITY, STATE	Binghamton, NY		



10 Elm Street
Trumansburg, NY 14886



607.387.5767



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UPDATED 2025



AREA VARIANCE NARRATIVE

PLANNING AND ZONING DEPARTMENT

Address each of the following items below to the fullest extent feasible, attach extra sheets if needed.

1. Describe how the proposal will not create an undesirable change in the character of the neighborhood or create a detriment to nearby properties if the area variance(s) were to be granted.

The neighborhood is a mix of residential and agricultural land. The variance will allow the creation of a flag lot. The potential uses of the parcel are allowed uses in the district, while the intended use is the establishment of a park to the rear of the residential parcels. The establishment of a park is a needed community service.

2. Describe how the proposal cannot be achieved by a feasible alternate method other than the area variance(s).

There are no other available access routes to the property.

3. Describe how the requested area variance(s) is/are not substantial.

The variance is for 12 feet from the required 50 feet, representing a variance of 24%. The requested variance is not substantial because the remaining flag lot width is adequate for two lane traffic, which is the purpose of the 50 feet width, and parking is prohibited along the flag pole.



10 Elm Street
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4. Describe how the proposed variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because the variance will result in a flag pole that is adequate for the passage of traffic to the newly created lot to the rear of the adjacent parcels. The potential uses of the parcel are all allowed uses.

The intended future use of the parcel allowed by creating the variance will not have an adverse effect or impact because a park is a community service, and the conditions attached to the granting of the park adequately protect neighboring parcels from impacts.

5. Describe how the difficulty for the proposal to comply with code regulation(s) is not self-created.

The difficulty is self-created.

6. Describe how the granting of the area variance(s) will not create a detriment to the health, safety, and welfare of the neighborhood or community.

The granting of the area variance will not create a detriment to the health, safety and welfare of the neighborhood or community because the intended future use of the parcel is as a park, which is inherently beneficial to the health, safety and welfare of the neighborhood and community, as it provides an identified and needed public service.

NOTES

1- Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.

2- Only copies from the original of this survey map with the surveyor's embossed seal are genuine, true and valid copies of the surveyor's original work and opinion.

3- Certifications on this boundary survey map signify that the map was prepared in accordance with the current edition of the Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. The certification is limited to persons for whom the boundary survey map is prepared, to the title company, and to the lending institution listed on this survey map and are not transferable.

TITLE INFORMATION

MARVIN P. PRITTS
ALLISON P. PRITTS
P/O DEED BOOK 821 PAGE 307
P/O TAX MAP NO.12-4-18.3
INST. NO.439800-001
TAX MAP NO.12-4-19.2
AREA=16.696 ACRES TO C/L

APPROVAL: MINOR SUBDIVISION NO. MNSUB2512-01
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
ULYSES AND IS HEREBY APPROVED.

NOTE: THE TOWN OF ULYSES 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

Tompkins County Whole Health Department approval signature block

EXAMINED AND APPROVED THIS _____ DAY OF _____, 20____

TOMPKINS COUNTY WHOLE HEALTH DEPARTMENT

Tompkins County Assessment Department approval signature block

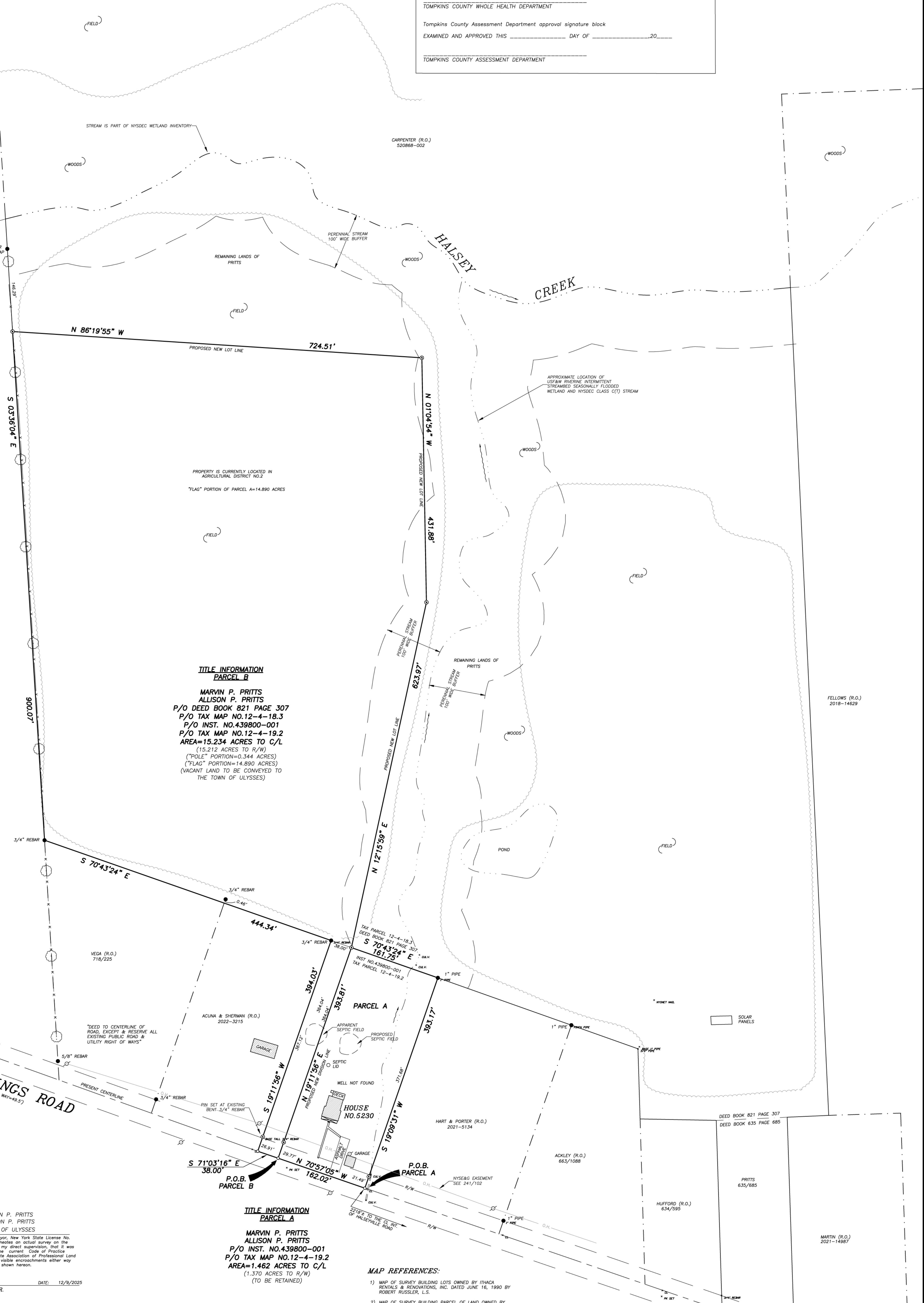
EXAMINED AND APPROVED THIS _____ DAY OF _____, 20____

TOMPKINS COUNTY ASSESSMENT DEPARTMENT

LEGEND

- - COMPUTED POINT
- - EXISTING IRON, LABELED
- - 3/4" REBAR SET WITH CAP
- - UTILITY POLE
- - TELEPHONE PEDESTAL
- FENCE & HEDGE

OB88 x



0 80 160 240

WILLIAMS & EDSALL LAND SURVEYORS, P.C.

The Turner House, Suite 101
24 NYS Rte. 96 Owego, NY 13827
Telephone: (607)687-8953

Suggested Description
PARCEL A

BEGINNING at a point in the centerline of Cold Springs Road which lies 2218± feet westerly of the centerline intersection of Cold Springs Road and Haleyville Road;

THENCE N 70°57'05" W along the centerline of Cold Springs Road for a distance of 162.02 feet to a point;

THENCE N 19°11'56" E passing through a ¾" rebar set with cap at 29.77 feet for a total distance of 393.81 feet to a ¾" rebar set with cap;

THENCE S 70°43'24" E for a distance of 161.75 feet to a 1" pipe;

THENCE S 19°09'31" W passing through a ¾" rebar set with cap at 371.68 feet for a total distance of 393.17 feet to the Point of Beginning;

CONTAINING 1.462 Acres as shown as Parcel A on a survey map prepared by Williams and Edsall Land Surveyors titled Survey for Marvin P. Pritts and Allison P. Pritts and the Town of Ulysses dated November 26, 2024. (job no.2024-391).

WILLIAMS & EDSALL LAND SURVEYORS, P.C.

The Turner House, Suite 101
24 NYS Rte. 96 Owego, NY 13827
Telephone: (607)687-8953

Suggested Description
PARCEL B

BEGINNING at a point in the centerline of Cold Springs Road which lies 2218± feet westerly of the centerline intersection of Cold Springs Road and Haleyville Road;

THENCE N 70°57'05" W along the centerline of Cold Springs Road for a distance of 162.02 feet to a point marking the **True Point of Beginning**;

THENCE N 19°11'56" E passing through a ¾" rebar set with cap at 29.77 feet for a total distance of 393.81 feet to a ¾" rebar set with cap;

THENCE N 12°15'59" E for a distance of 623.97 feet to a ¾" rebar set with cap;

THENCE N 01°04'54" W for a distance of 431.88 feet to a ¾" rebar set with cap;

THENCE N 86°19'55" W for a distance of 724.51 feet to a ¾" rebar set with cap;

THENCE S 03°36'04" E for a distance of 900.07 feet to a ¾" rebar ;

THENCE S 70°43'24" E for a distance of 536.27 feet to a ¾" rebar;

THENCE S 19°11'56" W passing through a ¾" rebar set with cap at 367.12 feet for a total distance of 394.03 feet to a point in the centerline of Cold Springs Road;

THENCE S 71°03'16" E along the centerline of Cold Springs Road for a distance of 38.00 feet to the **True Point of Beginning**;

CONTAINING 15.234 Acres as shown as Parcel B on a survey map prepared by Williams and Edsall Land Surveyors titled Survey for Marvin P. Pritts and Allison P. Pritts and the Town of Ulysses dated November 26, 2024. (job no.2024-391).

RESTRICTIONS AND COVENANTS

Below are the restrictions and covenants to be placed within the deed transferring the newly created lot to the Town of Ulysses.

1. The property shall always and forever only be used for public park and recreation purposes.
2. Artificial lighting may be used for illuminating walkways and ancillary facilities for safety purposes but cannot be used for illuminating outdoor activities after dark. Amplified sound cannot be used after dark.
3. If grantee erects a fence along that portion of the western boundary of Parcel B of the premises, said boundary being notated as “proposed new division line” between Parcel B and Remaining Lands of Pritts, as more particularly shown on a survey map prepared by Williams and Edsall Land Surveyors titled Survey for Marvin P. Pritts and Allison P. Pritts and the Town of Ulysses dated November 26, 2024, then grantee shall include one three-foot pedestrian gate of material similar to the fence material to allow the then current owners of the property identified as Remaining Lands of Pritts on said survey map access when the property is open for public use.
4. Parking is not permitted within that area bounded as follows: the Point of Beginning of Parcel B and that rebar set with cap N 19°11'56" E a distance of 393.81 feet to a 3/4" rebar set with cap, thence northeasterly a distance of 38 feet to a 3/4" rebar being the northeasterly corner of the lands now or formerly of Acuna & Sherman (Instrument No. 2022-3215), thence S 19°11'56" W a distance of 394.03 feet from said point, thence S 71°03'16" E to the Point of Beginning of Parcel B, as more particularly shown on a survey map prepared by Williams and Edsall Land Surveyors L.S. 050823 titled Survey for Marvin P. Pritts and Allison P. Pritts and the Town of Ulysses dated November 26, 2024.
5. Grantee shall plant and maintain trees native to Tompkins County reasonably adequate and sufficient to partially obstruct from view the property’s use as a public park along that portion of the demised property between a point with rebar cap, as measured from the True Point of Beginning thence N 71°03'16" W a distance of 38 feet and thence N 19°11'56" E a distance of 394.03 feet, and a point as measured from said rebar cap N 70°43'24" W a distance of 536.27 feet, as shown on a survey map prepared by Williams and Edsall Land Surveyors titled Survey for Marvin P. Pritts and Allison P. Pritts and the Town of Ulysses dated November 26, 2024. (job no.2024-391). “Reasonably adequate and sufficient” for purposes of this paragraph shall mean a distance between trees such that, when said trees are considered mature for their species, there is adequate space to allow said trees to normally exist without intervention.
6. Grantor reserves a right to maintain and access a sand pit serving Grantor’s septic system serving Grantor’s adjacent property. Grantee shall relocate such sand pit on or before the time when Donee undertakes improvements to the property. Said relocation shall be to a place on and within Grantor’s adjacent property, subject to all laws, rules and regulations governing septic systems. Upon such relocation, Grantor’s right to maintain and access shall extinguish.



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: Town of Ulysses / Marvin and Allison Pratts

B. Address: 5230 Cold Springs Rd., Ulysses NY

C. Description of Project Minor subdivision of land prior to donation of newly created flag lot to Town for creation of a park

D. Location of Proposed Project (tax map number): 12.-4-19.2

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. Paul Carpenter	7305 Halseyville Rd, Trumansburg, NY 14886	12.-4-15.21
2.		
3.		
4.		
5.		

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



TOWN OF ULYSSES

10 Elm Street, Trumansburg, NY 14886
townofulyssesny.gov

Town Supervisor (607) 387-5767, Ext 232 • supervisor@townofulyssesny.gov
Town Clerk (607) 387-5767, Ext 221 • clerk@townofulyssesny.gov

STATE OF NEW YORK}
COUNTY OF TOMPKINS} SS:
TOWN OF ULYSSES:

ADOPTING PARTS 2 AND 3 OF THE FEA FOR COLD SPRINGS ROAD LAND DONATION

RESOLUTION #121 of 2025:

Resolved that the Town Board adopts the proposed findings set forth in the FEA Part 2, Part 2 narrative, and Part 3; makes a determination that the proposed action will not result in any significant adverse environmental impacts; and issues a negative declaration of environmental significance in accordance with Article 8 of the Environmental Conservation Law.

Vote: 5-0

Date adopted: 8/27/25

I, the undersigned Town Clerk of the Town of Ulysses, County of Tompkins, DO HEREBY CERTIFY that the above resolution is an exact copy of the same adopted by the Ulysses Town Board at a meeting on the 27th day of August, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Ulysses, New York, on this 18th day of December, 2025.

A handwritten signature in black ink that reads "Carissa Parlato".

Carissa Parlato, Town Clerk

{ SEAL }

DECLARATION OF OWNERSHIP
MINOR SUBDIVISION # _____

Know all men by these presents:

That I/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): See attached

Tax parcel number: 12-4-19.2

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

Dated this 13 day of Nov, 2025.
Signature (s) Marvin P. Putts

Allison P. Putts

STATE OF NEW YORK)

ss.

County of Tompkins)

I certify that I know or have satisfactory evidence that
Marvin and Allison Putts
are the persons 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: November 13th 2025

Signature of _____
Notary Public: Cassandra M. Beck

Cassandra M. Beck
Notary Public, State of New York
No. 01BE0005516
Qualified in Tompkins County
My Commission Expires:
April 13, 2027

My commission expires: April 13, 2027

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 13 day of Nov, 2025.

Signature (s)

Marvin Pritts

Title

Allison P. Pritts

Title

STATE OF NEW YORK)
ss.
County of Tompkins)

I certify that I know or have satisfactory evidence that
Marvin and Allison Pritts 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.

Cassandra M. Beck
Notary Public, State of New York
No. 01BE0005516
Qualified in Tompkins County
My Commission Expires:
April 13, 2027

Dated: November 13th 2025

Signature of
Notary Public: CMB

My commission expires: April 13, 2027

Aurora R. Valenti
TOMPKINS COUNTY CLERK

320 North Tioga Street
Ithaca, NY 14850
607-274-5431
Fax: 607-274-5445

INSTRUMENT NUMBER
439800-001

No. of Pages: 3 Delivered By: DON CRITTENDEN

Receipt No. 439800 Return To:
DON CRITTENDEN

DATE: 09/12/2003

Time: 14:59

Document Type: DEED

Parties To Transaction: DRAKE TO PRITTS

Deed Information

Consideration: \$47,500.00

Mortgage Amount:

Transfer Tax: \$190.00

Basic Mtge. Tax:

RETT No: 00377

Special Mtge. Tax:

Mortgage Serial No.:

State of New York
Tompkins County Clerk

This sheet constitutes the Clerk endorsement required by Section 316-A(5) & Section 319 of the Real Property Law of the State of New York. DO NOT DETACH

Aurora R. Valenti

Tompkins County Clerk





This Indenture, Dated September 12, 2003

Between TERRY L. DRAKE and SUSAN DRAKE of 6000 Kelsey Road,
Alpine, New York 14805,

parties of the first part, and
MARVIN PRITTS and ALLISON PRITTS of 5150 Cold Springs Road,
Trumansburg, New York 14886, husband and wife, as tenants by the entirety,

Witnesseth that the parties of the first part, in consideration of *parties of the second part,*

One dollar and 00/100 *Dollar (\$ 1.00)*
lawful money of the United States,
paid by the parties of the second part, do hereby grant and release unto the
parties of the second part, their heirs and assigns forever, all

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Ulysses, County of Tompkins and State of New York, known generally as 5230 Cold Springs Road, Trumansburg, New York 14886, and more particularly bounded and described as shown in the Schedule "A" attached hereto and made a part hereof.

SCHEDULE A

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

BEGINNING at a point in the centerline of Cold Springs Road approximately 2,418 feet westerly from its intersection with the centerline of Halseyville Road, and at the southeast corner of premises conveyed to Earl Yonge and Carol Yonge to Roger G. Smith and Linda A. Smith by deed dated March 31, 1989 and recorded in the Tompkins County Clerk's Office in Book 644 of Deeds at Page 880;

THENCE running North 29° 14' 10" east, and passing through an iron pipe in the northerly highway line at a distance of 25 feet, a total distance of 392.76 feet to a point marked by an iron pipe at the northeast corner of the premises conveyed to Smith as aforesaid;

THENCE running South 60° 37' 35" East a distance of 200 feet to a point marking the northwest corner of premises conveyed by Earl Yonge and Carol Yonge to Glenn Willammee and Richard Ike by deed dated September 28, 1988 and recorded in the Tompkins County Clerk's Office in Book 640 of Deeds at Page 667;

THENCE running South 29° 14' 10" West and along the west line of premises conveyed to Willammee and Ike as aforesaid a total distance of 393.43 feet (passing through an iron pipe set adjacent to northerly highway line a distance of 25 feet from the centerline thereof) to the centerline of the Cold Springs Road;

THENCE running North 60° 26' West along the centerline of the Cold Springs Road a distance of 200 feet to the point or place of beginning.

SUBJECT TO the rights of the public in and to so much of the within described premises as lies within the boundary of the highway known as Cold Springs Road;

SUBJECT TO an easement granted to the New York Electric & Gas Corporation by instrument dated October 26, 1935 and recorded in the Tompkins County Clerk's Office in Book 241 of Deeds at Page 102.

BEING the same premises conveyed to Terry L. Drake and Susan Drake, the grantors herein, by Earl Yonge and Carol Yonge by deed dated May 1, 1990 and recorded May 21, 1990 in the Tompkins County Clerk's Office in Liber 654 of Deeds at Page 590. In previous deed from Viola Ahlson to Earl Yonge and carol Yonge dated July 31, 1987 and recorded in the Tompkins County Clerk's Office in Liber 628 of Deeds at Page 1122, Viola Ahlson reserved unto herself life use of all of the above described premises. Said Viola Ahlson died July 8, 2003.

The above described premises are improved by a one or two-family dwelling known as 5230 Cold Springs Road, Trumansburg, New York 14886.

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

To have and to hold the premises herein granted unto the parties of the second part, and assigns forever.

And said parties of the first part

covenant as follows:

First, That the parties of the second part shall quietly enjoy the said premises;

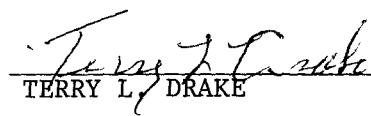
Second, That said parties of the first part

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 parties of the first part have hereunto set their hands and seals the day and year first above written.

In Presence of


TERRY L. DRAKE

 T.L.D


SUSAN DRAKE

 S.D

State of New York { ss.
County of TOMPKINS

On September 12, 2003
personally appeared Terry L. Drake and Susan Drake

before me, the undersigned,

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 upon behalf of which the individual(s) acted, executed the instrument.

State of New York { ss.
County of

On
personally appeared

(signature and office of individual taking acknowledgment)

RALPH W. NASH Notary Public
Notary Public, State Of New York
No. 02NA4669490, Reg. In Tompkins County
My Commission Expires December 31, 2012

before me, the undersigned,

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 upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgment)

05187

USA 821-307

This Indenture

Made the day of June

Nineteen Hundred and Ninety-Eight

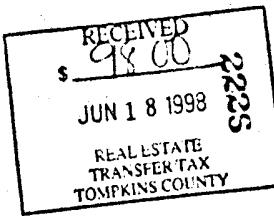
Between GEORGE D. MURPHIEY, 443 Clover Circle, Horseheads, NY 14845
MURPHIEY, ROBERT D., 646 Foss Ave., (Brexville) PA 19026 Drexell Hill
BERRY, SHAWN M.B., 197 Hobart Street, Danvers, MA 09103 1723
A/K/A SHAWN DIERDRE MURPHIEY BARTOW

parties of the first part, and

MARVIN P. PRITTS and ALLISON P. PRITTS, husband-and-wife each and
both of Cold Springs Road, Trumansburg, New York 14886

Witnesseth that the parties of the first part, in consideration of -----
part of the second part,
lawful money of the United States, one or more Dollars (\$ 1,00+)
paid by the parties of the second part, do hereby grant and release unto the
parties of the second part, their heirs, distributees
and assigns forever, all

SEE ATTACHED SCHEDULE A



SCHEDULE A

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

Map

BEGINNING at a point marked by a 3/4" capped iron pin set in the southwest corner of lands now or formerly owned by Fellows (506/287), which point is also on the northern boundary of lands now or formerly owned by Gladstone (507/981), running thence N 79°41'20" W along the said northern boundary of Gladstone a distance of 73.60' to a point marked by an iron pipe found on the northeast corner of lands now or formerly owned by Pritts (635/685); continuing thence on the same bearing and course along the said northern boundary of the said lands of Pritts a distance of 125.52' to a point marked by an iron pipe found on the northeast corner of lands now or formerly owned by Hufford (634/595), running thence N 75°55'10" W along the northern line of the said lands of Hufford a distance of 134.55' to a point marked by an iron pipe on the eastern boundary of lands now or formerly owned by Ackley (663/1088); running thence N 11°17'30" E along the said eastern line of the said lands of Ackley a distance of 123.79' to a point marked by an iron pipe found on the northeast corner of the said lands of Ackley; running thence N 57°31'45" W a distance of 124.86' to a point marked by an iron pipe found on the northeast corner of lands now or formerly owned by Hovencamp (663/213), running thence N 57°33'25" W along the northerly boundary of the said lands of Hovencamp a distance of 250.11' to a point marked by an iron pipe found on the northeast corner of lands now or formerly owned by Drake (654/590), running thence N 57°48'15" W along the northern boundary of the said lands of Drake a distance of 200' to a point marked by an iron pipe found on the northeast corner of lands now or formerly owned by Reeves (712/280); continuing thence on the same bearing along the northern boundary of the said lands of Reeves a distance of 200' to a point marked by an iron pipe found on the northeast corner of lands now or formerly owned by McAllen (718/225); continuing thence on the same bearing along the northern boundary of the said lands of McAllen a distance of 336.02' to a point marked by a bent iron pin found along the eastern boundary of lands now or formerly owned by Van Leer (629/54); running thence N 9°18'30" E along the said eastern boundary of the said lands of Van Leer (passing through a 3/4" capped iron pin set at 1046.13') a total distance of 1096.13' to a point in the center of Halsey Creek, to the north of which lie remaining lands of the Grantors; running thence in an easterly direction along the center line of said creek as it twists and turns a tie line bearing of S 72°42'15" E a tie line distance of 1390.44' (actually distance of 1546 ft. along the said center line of Halsey Creek) to a point on the northern boundary of the above referred to lands now or formerly owned by Fellows (506/287), 50 ft. more or less north of a 3/4" capped iron pin set on the said northern boundary of the said lands of Fellows, running thence away from the said creek S 10°17'05" W along the said northern boundary of the said lands of Fellows (passing through the said pin at 50 ft.) a total distance of 1475.21' to the point or place of beginning, containing approximately 41.64 acres of land.

SUBJECT to the following, insofar as they affect the subject premises.

1. A Right of Way granted to the New York State Electric Corporation by instrument of W.H. Williams dated February 24, 1929 and recorded in the office of the Tompkins County Clerk on June 21, 1930 in Liber 222 of Deeds at Page 216.

2. An Easement granted to New York State Electric Corporation by instrument of Geo. (sic) F. Doll dated February 24, 1930 and recorded in the office of the Tompkins County Clerk on June 21, 1930 in Liber 222 of Deeds at Page 29:

3. An Easement granted to the New York Telephone Company by instrument of Robert Dean Murphey and Camille Mildred Murphey dated February 17, 1950 and recorded in the office of the Tompkins County Clerk on February 23, 1950 in Liber 329 of Deeds at Page 314.

BEING part of the same premises to Grantors herein (including the decedent) by Warrant Deed of Camille M. Murphey Bartow dated August 12, 1978 and recorded in the office of the Tompkins County Clerk on September 13, 1978 in Liber 566 of Deeds at Page 1178.

USER 821 REC 310

Together with the appurtenances and all the estate and rights of the part IES of the first part in and to said premises.

To have and to hold the premises herein granted unto the part IES of the second part, THEIR HEIRS, DISTRIBUTEES and assigns forever.

And said parties of the first part covenant as follows:

First, That the parties of the second part shall quietly enjoy the said premises;

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 parties of the first part have hereunto set hand and seal the day and year first above written.

In presence of

Tompkins County, N.Y.

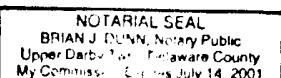
Reported on the 18th Day of June 1998 at 1:30 o'clock P.M., in Liber P-11 of Deeds at page 507 and examined.

Aurora R. Valenti

George D. Murphey
George D. Murphey
Robert D. Murphey
Robert D. Murphey
Shawn M.B. Berry
Shawn M.B. Berry

State of New York, { ss. On this 6 day of June 1998
County of Tomkins Nineteen Hundred and Ninety-Eight
before me, the subscriber, personally appeared Robert D. Murphey

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.



Brian J. Dunn
Notary Public

MASSACHUSETTS
State of New York, { ss. On this 8 day of June
County of Tomkins Nineteen Hundred and Ninety-Eight
before me, the subscriber, personally appeared Shawn M.B. Berry

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.

Shawn M.B. Berry
Shawn M.B. Berry, Notary Public
My Commission Expires October 23, 1998
Commission Expires October 23, 1998