

01207

LIB. 693 CASE 315

BOUNDARY LINE AGREEMENT

THIS AGREEMENT, made this 24 day of February, 199³2, is by and between JAMES M. WOOD of East Lansing Road, Groton, New York, HOWARD GROAT and LORRAINE GROAT, of 402 VanOstrand Road, Groton, New York, THERESA E. TEETER, of 394 VanOstrand Road, Groton, New York, and CARL TEETER and THELMA TEETER, of 390 VanOstrand Road, Groton, New York.

WHEREAS, JAMES M. WOOD is the owner as surviving tenant by the entirety (KATHERINE M. WOOD having died on November 19, 1992) of premises described in a warranty deed recorded in the Tompkins County Clerk's Office in Liber 367 of Deeds at Page 48, in the Town of Lansing, Tompkins County, New York, having conveyed portions of said premises to the following individuals or to their predecessors in title (among others); and

WHEREAS, HOWARD and LORRAINE GROAT are the owners of premises conveyed by JAMES M. WOOD and KATHERINE M. WOOD by warranty deed dated April 14, 1950 and recorded April 29, 1959, in said Clerk's office in Liber 416 of Deeds at page 140; and

WHEREAS THERESA E. TEETER is the owner of premises conveyed to CLIFFORD C. and THERESA E. TEETER by FRANK SCHEFFLER and CHARLOTTE SCHEFFLER as executors for THELMA B. LUCE by executor's deed dated June 5, 1974, and recorded June 10, 1974, in said Clerk's office in Liber 524 of Deeds at page 59; THERESA E. TEETER is the surviving joint owner of said premises, CLIFFORD C. TEETER having died on September 9, 1991; and

WHEREAS CARL and THELMA TEETER are the owners of premises conveyed by JAMES M. WOOD and KATHERINE M. WOOD by warranty deed dated December 21, 1956, and recorded January 9, 1957, in said Clerk's office in Liber 394 of Deeds at page 242;

WHEREAS, the parties desire to enter into an agreement to fix their common boundary lines, to correct errors in the description of the location of the starting points of each parcel, and to confirm the original intention of JAMES M. to retain title to an access lane to remaining lands of WOOD,

NOW, THEREFORE, the parties agree as follows:

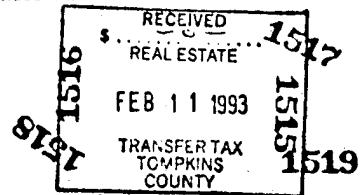
1. The parties hereby agree that the boundary lines of the premises owned by HOWARD AND LORRAINE GROAT are as shown on a survey map entitled "SURVEY MAP, showing lands of Carl and Thelma Teeter, Clifford and Theresa Teeter, Howard and Lorraine Groat, James and Katherine Wood, VanOstrand Road, Town of Lansing, Tompkins Co., New York," dated October 4, 1991, and amended March 12, 1992, by T.G. Miller, P.C., Engineers & Surveyors, which is to be filed concurrently with this agreement. In accordance with said survey map, the premises belonging to HOWARD AND LORRAINE GROAT are described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lansing, County of Tompkins, State of New York, and being a part of lot 80 in said Town, and more particularly bounded and described as follows:

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map

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BEGINNING at a point in the centerline of VanOstrand Road a distance of 183.4 feet southerly from the intersection of the centerlines of VanOstrand Road and East Lansing Road (Luce Road); thence north 81 degrees 03 minutes west, passing through a pipe set at 25 feet from the centerline of VanOstrand Road, for a total distance of 150 feet to a point marked by a set pipe; thence south 10 degrees 10 minutes west a distance of 200 feet to a point marked by a set pipe; thence south 81 degrees 03 minutes east a distance of 150 feet to a point in the centerline of VanOstrand Road, passing through a pipe set at a distance of 25 feet from the centerline of VanOstrand Road; thence north 10 degrees 10 minutes east a distance of 200 feet to the point or place of beginning.

2. The parties hereby agree that the boundary lines of the premises owned by JAMES M. WOOD are as shown on the above mentioned survey map. In accordance with said survey map, premises belonging to JAMES M. WOOD (in addition to and contiguous with remaining premises of WOOD as described in the deed recorded at Liber 367, page 48) are described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lansing, County of Tompkins, State of New York, and being a part of lot 80 in said Town, and more particularly bounded and described as follows:

BEGINNING at a point in the centerline of VanOstrand Road a distance of 383.4 feet southerly from the intersection of the centerlines of VanOstrand Road and East Lansing Road (Luce Road); thence north 81 degrees 03 minutes west, passing through a pipe set at 25 feet from the centerline of VanOstrand Road, for a total distance of 150 feet to a point marked by a set pipe; thence south 10 degrees 10 minutes west a distance of 42.6 feet to a point marked by a set pipe; thence south 81 degrees 03 minutes east a distance of 150 feet to a point in the centerline of VanOstrand Road, passing through a pipe set at a distance of 25 feet from the centerline of VanOstrand Road; thence north 10 degrees 10 minutes east a distance of 42.6 feet to the point or place of beginning.

3. The parties hereby agree that the boundary lines of the premises owned by THERESA E. TEETER are as shown on the above mentioned survey map. In accordance with said survey map, the premises belonging to THERESA E. TEETER are described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lansing, County of Tompkins, State of New York, and being a part of lot 80 in said Town, and more particularly bounded and described as follows:

BEGINNING at a point in the centerline of VanOstrand Road a distance of 526 feet southerly from the intersection of the centerlines of VanOstrand Road and East Lansing Road (Luce Road); thence north 81 degrees 03 minutes west, passing through a pipe set at 25 feet from the centerline of VanOstrand Road, for a total distance of 150 feet to a point marked by a set pipe; thence north 10 degrees 10 minutes east a distance of 100 feet to a point marked by

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a set pipe; thence south 81 degrees 03 minutes east a distance of 150 feet to a point in the centerline of VanOstrand Road, passing through a pipe set at a distance of 25 feet from the centerline of VanOstrand Road; thence south 10 degrees 10 minutes west a distance of 100 feet to the point or place of beginning.

4. The parties hereby agree that the boundary lines of the premises owned by CARL and THELMA TEETER are as shown on the above mentioned survey map. In accordance with said survey map, the premises belonging to CARL and THELMA TEETER are described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lansing, County of Tompkins, State of New York, and being a part of lot 80 in said Town, and more particularly bounded and described as follows:

BEGINNING at a point in the centerline of VanOstrand Road a distance of 701 feet southerly from the intersection of the centerlines of VanOstrand Road and East Lansing Road (Luce Road); thence north 81 degrees 03 minutes west, passing through a pipe set at 25 feet from the centerline of VanOstrand Road, for a total distance of 150 feet to a point marked by a set pipe; thence north 10 degrees 10 minutes east a distance of 175 feet to a point marked by a set pipe; thence south 81 degrees 03 minutes east a distance of 150 feet to a point in the centerline of VanOstrand Road, passing through a pipe set at a distance of 25 feet from the centerline of VanOstrand Road; thence south 10 degrees 10 minutes west a distance of 175 feet to the point or place of beginning.

5. The parties to this agreement acknowledge that this agreement does not in any way address or affect title to premises lying south of the above described southerly boundary of premises of CARL and THELMA TEETER and north of the line shown on said survey map as "South Deed Line of Carl & Thelma Teeter".

6. JAMES M. WOOD hereby quitclaims to HOWARD and LORRAINE GROAT all of his right, title and interest in and to those premises shown as premises of HOWARD and LORRAINE GROAT on said survey map.

7. HOWARD and LORRAINE GROAT hereby quitclaim to JAMES M. WOOD all of their right, title and interest in and to those premises shown as the premises to be retained by JAMES M. and KATHERINE M. WOOD on said survey map.

8. HOWARD and LORRAINE GROAT hereby quitclaim to THERESA E. TEETER all of their right, title and interest in and to those premises shown as premises of CLIFFORD and THERESA TEETER on said survey map.

9. THERESA E. TEETER hereby quitclaims to CARL and THELMA TEETER all of her right, title and interest in and to those premises shown as premises of CARL and THELMA TEETER on said survey map.

10. HOWARD and LORRAINE GROAT and JAMES M. WOOD further acknowledge their recognition that, as shown on said survey map, two sheds of GROAT

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encroach on premises of WOOD.

11. JAMES M. WOOD agrees to allow HOWARD and LORRAINE GROAT to maintain said sheds in their present location for one year from the date of this agreement and to allow HOWARD and LORRAINE GROAT access to said sheds for the purpose of removal of the sheds.

12. HOWARD and LORRAINE GROAT and JAMES M. WOOD further acknowledge their recognition that pasture fence of WOOD encroaches on premises of GROAT along the western boundary of premises of GROAT.

13. HOWARD and LORRAINE GROAT agree to allow JAMES M. WOOD to maintain said pasture fence in its present location and to allow WOOD access to maintain and repair the encroaching fence line in safe condition. At such point as JAMES M. WOOD ceases to use his adjacent premises as pasture for farm animals, JAMES M. WOOD agrees to remove said fence line. At such point as said fence line requires replacement, JAMES M. WOOD agrees to relocate said fence line outside of premises of GROAT.

14. HOWARD and LORRAINE GROAT and JAMES M. WOOD acknowledge in any event that no permanent easement is created in the premises of each other on account of either of the aforesaid encroachments.

15. JAMES M. WOOD hereby grants to CARL and THELMA TEETER a right of way and easement on and through premises of WOOD located on the westerly side of TEETER for the purpose of maintaining and operating an existing underground drainage line serving premises of TEETER. This right of way and easement extends in a westerly direction from premises of TEETER running thence northerly along the fence line shown on the above-referenced survey map through WOOD's adjacent premises to the creek shown on said survey map. Accompanying this right is the further right in TEETER, his successors and assigns, to enter and depart as needed over and upon that portion of WOOD's land to effect the purposes of the easement. After any maintenance performed by TEETER, TEETER shall restore WOOD's premises to its former and usual condition.

16. This agreement shall be binding on the heirs, executors, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals.

James M. Wood
JAMES M. WOOD

Howard S. Groat
HOWARD GROAT

Carl Teeter
CARL TEETER

Lorraine H. Groat
LORRAINE GROAT

Thelma E. Teeter
THELMA TEETER

Theresa E. Teeter
THERESA E. TEETER

STEVENS & WITHEAM
ATTORNEYS
NORTHAN BUILDING
ITHACA NY
14850

State of New York, County of Tompkins, ss:

On this February 8, 199³, before me, the subscriber, personally appeared JAMES M. WOOD, 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.

Frederick Beck Jr.
Notary Public

FREDERICK BECK JR.
Notary Public, State of New York
No. 4714134
Qualified in Tompkins County
Term Expires February 28, 1923

State of New York, County of Tompkins, ss:

On this February 8, 199³, before me, the subscriber, personally appeared HOWARD GROAT and LORRAINE GROAT, to me personally known and known to me to be the same persons described in and who executed the within Instrument, and they acknowledged to me that they executed the same.

Diane B. Withiam
Notary Public

DIANE B. WITHIAM
Notary Public, State of New York
No. 4714134
Qualified in Tompkins County
Term Expires February 28, 1923

State of New York, County of Tompkins, ss:

On this February 8, 199³, before me, the subscriber, personally appeared CARL TEETER and THELMA TEETER, to me personally known and known to me to be the same persons described in and who executed the within Instrument, and they acknowledged to me that they executed the same.

Diane B. Withiam
Notary Public

DIANE B. WITHIAM
Notary Public, State of New York
No. 4714134
Qualified in Tompkins County
Term Expires February 28, 1923

State of New York, County of Tompkins, ss:

On this February 8, 199³, before me, the subscriber, personally appeared THERESA E. TEETER, to me personally known and known to me to be the same person described in and who executed the within Instrument, and she acknowledged to me that she executed the same.

Diane B. Withiam
Notary Public

DIANE B. WITHIAM
Notary Public, State of New York
No. 4714134
Qualified in Tompkins County
Term Expires February 28, 1923

DIANE B. WITHIAM
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Tompkins County, ss.
Recorded on the 11th Day
of February, 19⁹³, at 2:25
o'clock P.M., in Liber 693 of
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at Page 345 and examined.
Aurora P. Valente Clerk