

DECLARATION OF EASEMENTS

This Declaration is of EASEMENTS made the 7 day of July , 2025, by NICOLAS R. ATKINS, and ANDREW R. SKVARCIUS, residing at 33-35 Old Indian Rd., Milton NY 12547, hereinafter referred to as the "Declarants."

W I T N E S S E T H :

WHEREAS, the Declarants are the owners of Lots 1 and 2 as shown on a subdivision map prepared by MEDENBACH, EGGERS, & CARR, Civil Engineering and Land Surveying, P.C., which map is entitled "FINAL PLAN SHOWING SUBDIVISION FOR LANDS OF NICHOLAS R. ATKINS & ANDREW R. SKVARKIUS" and filed in the Ulster County Clerk's Office on the day of

as Map No. , and

WHEREAS, the above referenced filed map depicts a right of way benefitting Lot 1 and burdening Lot 2 as shown on the above referenced filed map and further described in Schedule A attached to and made a part of this document, the owner of Lot 1 is hereby granted an easement granting the right to ingress and egress over the easement area. The owner of each lot shall have the right to and share the costs to maintain and repair the road in the easement area.

WHEREAS, the above referenced filed map depicts utility lines crossing over Lot 2 through Lot 1 continuing to the public utility lines on Cubbard Drive, for the benefit of Lot 1, the owner of lot 1 is hereby granted an easement over Lot to 2 for said utility lines to remain, and be repaired, and replaced as necessary. The easement area shall be the area to the extent reasonably necessary for repair and replacement.

ONRA  
7/3/25

WHEREAS, the above referenced filed map depicts an existing well on Lot 2. While the well remains in use, the owner of Lot 1 and Lot 2 shall both have use of the well and share any costs associated with its operation, repair, or improvement. The owner of Lot 1 is hereby granted an easement for the water line to continue to exist supplying the house on Lot 1 in its current location on Lot 2, and has the right to access said line for repair or maintenance, as necessary.

If the proposed water line shown on the above referenced map, connecting the house on Lot 1 to the municipal source is installed and operational, supplying water to the house on Lot 1, the easement relating to access to and use of the well shall be deemed extinguished.

The owner of Lot 1 shall be obligated to restore the landscaping to its condition prior to the disturbance of the ground in relation to any repairs or maintenance regarding any of the above easements.

The owner of Lot 2 shall be restricted from building in the easement area any structures, fences, or shrubbery, or anything else that could limit access to the owner of Lot 1 for the purposes set forth in this document.

The terms of this Declaration shall be binding upon the respective owners of Lot 1 and Lot 2 as shown on the aforesaid map and their respective heirs, executors, administrators, successors and assigns and shall run with the land.

IN WITNESS WHEREOF, the Declarants has set his hand and seal the day and year first  
above written.

  
NICOLAS R. ATKINS, 7/13/25  
  
ANDREW R. SKVARCIUS

STATE OF NEW YORK )  
COUNTY OF DUTCHESS ) ss.

On July 3, 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared NICOLAS R. ATKINS, and ~~ANDREW R. SKVARCIUS~~ 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 executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

Record and Return to:  
Dominick J. Penzetta, Esq.  
PO Box 429  
Beacon, NY 12508

OSHINOFA LAKOJU  
Notary Public - State of New York  
No. 01LA0036277  
Qualified in New York County  
My Commission Expires April 17, 2029

County/City of New York  
Commonwealth/State of New York  
The foregoing instrument was subscribed and  
sworn before me this 3rd day of July,  
2025 by  
Nicolas R. Atkins  
(name of person seeking acknowledgement)

Notary Public  
My Commission Expires: 4/17/2029

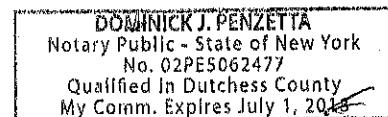


STATE OF NEW YORK )  
COUNTY OF DUTCHESS ) ss.

On July 7, 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared ANDREW R. SKVARCIUS 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 executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

Record and Return to:  
Dominick J. Penzetta, Esq.  
PO Box 429  
Beacon, NY 12508



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SCHEDULE A

**DESCRIPTION OF ACCESS EASEMENT OR RIGHT OF WAY  
PREPARED FOR ATKINS & SKVARCIUS**

ALL that certain easement or right of way, sixteen feet in width, situate, lying and being in the Town of Marlborough, County of Ulster and State of New York to be used for ingress and egress in common with the parties of the first part herein, their heirs and/or assigns, leading from Cubbard Drive over Lot 2 into Lot 1 as shown on "Final Plan Showing Subdivision for lands of Nicholas R. Atkins & Andrew R. Skvarcius" and filed in the Ulster County Clerk's Office on \_\_\_\_\_ as Map No. \_\_\_\_\_, and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly bounds of Cubbard Drive at the northeasterly corner of lands now or formerly of Heilweil, B. 4615 – P. 0314;

THENCE from said point of beginning and running through Lot 2 as shown on the said filed map for the following four courses and curves:

1. North 66 degrees 50 minutes 38 seconds West a distance of 58.35 feet,
2. North 81 degrees 54 minutes 37 seconds West a distance of 25.89 feet,
3. along a curve to the right having a radius of 40.00 feet for an arc length of 55.89 feet and
4. North 01 degrees 50 minutes 54 seconds West a distance of 88.60 feet to a point on the bounds of Lot 1;

THENCE following the bounds of Lot 1 North 12 degrees 02 minutes 10 seconds East a distance of 45.78 feet;

THENCE running through Lot 2 for the following three courses and curves:

1. along a curve to the right having a radius of 31.00 feet for an arc length of 51.65 feet,
2. South 72 degrees 30 minutes 16 seconds East a distance of 82.90 feet and
3. South 15 degrees 39 minutes 59 seconds East a distance of 38.60 feet to a point on the westerly bounds of Cubbard Drive;

THENCE following the said road bounds South 07 degrees 55 minutes 53 seconds West a distance of 39.97 feet;

THENCE running through Lot 2 for the following eight courses and curves:

1. North 15 degrees 39 minutes 59 seconds West a distance of 66.57 feet,
2. North 72 degrees 30 minutes 16 seconds West a distance of 74.24 feet,
3. along a curve to the left having a radius of 15.00 feet for an arc length of 24.99 feet,

4. South 12 degrees 02 minutes 10 seconds West a distance of 43.84 feet,
5. South 01 degrees 50 minutes 57 seconds East a distance of 86.65 feet,
6. along a curve to the left having a radius of 24.00 feet for an arc length of 33.54 feet,
7. South 81 degrees 54 minutes 37 seconds East a distance of 28.01 feet and
8. South 66 degrees 50 minutes 38 seconds East a distance of 56.11 feet to a point on the bounds of Cubbard Drive;

THENCE following the said road bounds South 07 degrees 55 minutes 53 seconds West a distance of 16.58 feet to the point of beginning.

The above courses are in reference to Grid North, New York State Plane Coordinate System, East Zone, NAD 83/2011.

The above description was prepared on June 26, 2025 by Medenbach, Eggers & Carr, Civil Engineering and Land Surveying, P.C., Stone Ridge, NY.