

**NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO  
PERMISSIVE REFERENDUM**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Babylon, County of Suffolk, State of New York, at a special meeting thereof held on the 28<sup>th</sup> day of June, 2018, duly adopted a resolution, subject to a Permissive Referendum, an abstract of which is as follows:

**RESOLUTION NO. 504 JUNE 28, 2018**

**AUTHORIZING A PERMANENT EASEMENT WITH THE VILLAGE OF AMITYVILLE FOR THE  
UNDERWATER LAND LOCATED AT THE SOUTHERLY END OF SOUTH BAY AVENUE, AMITYVILLE,  
NEW YORK**

WHEREAS, the Village of Amityville has commenced a project known as the Amityville Waterfront Resiliency Project (the "Project") which involves the installation of bulkheads and related appurtenances within the Village of Amityville; and

WHEREAS, in order to properly effectuate the Project, the Village must obtain a permanent easement over certain underwater land owned by the Town of Babylon located at the southerly end of South Bay Avenue in Amityville, New York and further described on the annexed Schedule A description; and

WHEREAS, the Town, at this time, does not object to granting such permanent easement,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to execute a Permanent Easement Agreement granting to the Village of Amityville, a permanent easement for the installation, replacement and maintenance of bulkheads and related appurtenances upon the land described in the annexed Schedule A and upon such terms, covenants and conditions acceptable to the Town Attorney; and be it further

RESOLVED, that this Resolution is subject to a permissive referendum and that the Town Clerk is hereby directed to publish notice of the adoption of this resolution in an official newspaper of the Town.

**SCHEDULE A**

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND WITH THE BUILDINGS AND IMPROVEMNETS THEREON ERECTED, SITUATE, LYING AND BEING IN THE INC. VILLAGE OF AMITYVILLE, TOWN OF BABYLON, COUNTY OF SUFFOLK AND STATE OF NEW YORK, BEING PART OF THE ROADWAY SHOWN ON MAP OF UNQUA PARK FILED IN THE OFFICE OF THE CLERK, COUNTY OF SUFFOLK ON AUGUST 25, 1919: FILE No. 742 WHICH SAID PART OF LOT IS MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE EASTERLY SIDE OF SOUTH BAY AVENUE INTERSECTS WITH THE SOUTHERY SIDE OF RICHMOND AVENUE.

RUNNING THENCE ALONG THE EASTERLY SIDE OF SOUTH BAY AVENUE SOUTH 38 DEGREES 46 MINUTES 00 SECONDS WEST 1298.87 FEET TO THE POINT OR PLACE OF BEGINNING;

RUNNING THENCE SOUTH 45 DEGREES 31 MINUTES 22 SECONDS EAST 11.64 FEET;

RUNNING THENCE SOUTH 38 DEGREES 33 MINUTES 50 SECONDS WEST 18.35 FEET;

RUNNING THENCE NORTH 53 DEGREES 14 MINUTES 52 SECONDS WEST 72.65 FEET;

RUNNING THENCE NORTH 38 DEGREES 21 MINUTES 50 SECONDS EAST 28.18 FEET;

RUNNING THENCE SOUTH 45 DEGREES 31 MINUTES 22 SECONDS EAST 61.46 FEET TO THE POINT OR PLACE OF BEGINNING

Dated: June 28, 2018, Town of Babylon

BY ORDER OF THE TOWN BOARD, TOWN OF BABYLON  
GERALDINE COMPITELLO, TOWN CLERK