

LEGAL NOTICE
Notice of Public Hearing
Village of South Glens Falls

The Village of South Glens Falls will hold a public hearing on June 7, 2023 at 07:01 PM for the purpose of hearing public comments on a proposed water easement to Common Roots Brewing for the purposes of new construction on Marion Avenue.

Whereas, the Grantor is the owner of a certain street known as West Marion Avenue (the "Street"); and Whereas, Grantee is the owner of certain parcels of land located on either side of West Marion Avenue identified as follows: 1. 58 Saratoga Avenue, Village of South Glens Falls, Town of Moreau, State of New York, and being more fully described in a deed dated December 20, 2019 and recorded in the Saratoga County Clerk's Office on December 26, 2019 as Instrument Number 2019036962, and identified for tax map purposes as tax map parcel 37.69-1-22 (hereinafter "Parcel A"); and 2. Grantee is also the owner of real property located at 62-64 Saratoga Avenue Village of South Glens Falls, Town of Moreau, State of New York, and being more fully described in a deed dated September 20, 2022 and recorded in the Saratoga County Clerk's Office on September 27, 2022 as Instrument Number 2022030960, and identified for tax map purposes as tax map parcel 37.69-1-21 (hereinafter "Parcel B"); and Whereas, Grantee has executed an instrument titled "Dedication of Water Supply Easement" which is intended to be recorded with the recording of this Easement; and Whereas, Grantee has developed Parcel A and intends to develop Parcel B; and Whereas, part of the improvements on Parcel A include connection to Grantor's water tank located on additional lands of Grantor, and Grantee desires to install water related improvements to connect Parcel B to such water tank and related improvements, which water related improvements shall be beneath West Marion Avenue and through the Easement Area as defined in the Dedication of Water Supply Easement across the rear of Parcel A; and Whereas, Grantor wishes to grant an easement as set forth in this Easement to Grantee to connect Parcels A and B for the providing of water supply services from Grantor's water tank, thence beneath Parcel A within the Easement Area, thence beneath West Marion Avenue, to Parcel B, all as set forth in this Easement. Now, therefore and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States, other good and valuable consideration and the mutual promises and covenants contained herein, the parties do hereby covenant and agree as follows: Grantor does hereby give, grant, release, convey and quit claim unto the Grantee a permanent easement through and beneath West Marion Street, so called, for purposes of the installation of a water line and related improvements beneath West Marion Street, together with the right to enter the jurisdictional limits of West Marion Street of Grantor for purposes of installation, maintenance, repair, replacement of such water line and water related improvements as may be necessary to convey water from the Grantor's water system, beneath Parcel A within the Easement Area, thence beneath West Marion Avenue, to Parcel B, provided, that Grantor shall indemnify and hold harmless Grantor from any claim, cause of action or damages arising from Grantee's exercising of any rights herein, and that except for emergency maintenance or repairs, Grantee shall file with Grantor for Grantor's prior approval, which approval will not be unreasonably withheld, plans and specifications for any repairs or replacement to any water related infrastructure installed by Grantee pursuant to this Easement. The area within West Marion Avenue subject this Easement shall be defined as the area being an extension of the 10 foot easement set forth in the Dedication of Water Supply Easement by Grantee, and extended south through Marion Street along the extended line of the westerly boundary of Parcel A to the northerly boundary of Parcel B. Excepting and reserving unto the Grantor all rights of ownership and control over West Marion Avenue, including but not limited to the right to enter West Marion Avenue including all lands beneath West Marion Avenue for any purposes whatsoever, and included in such reservation is the right to locate or relocate the water service of Grantee as created by the exercise of the rights contained herein by Grantee, without claim or liability to Grantee, provided that Grantor agrees that it shall not unreasonably interfere with the water service afforded Parcel B as intended in this Easement and the Dedication of Water Supply Easement, it being the understanding of Grantor and Grantee that Grantor may install, repair, replace, maintain, relocate, any and all utilities including but not limited to water, sewer, electric, gas or future utilities, within or above West Marion Avenue including within the area of the easement set forth in this Easement. The foregoing Easement to touch and concern and run with the lands of Grantor and Grantee.

The public hearing will be held during the Village's regular board meeting scheduled for June 7, 2023, 07:01 PM (EST) and attendees can access the meeting by computer, tablet or phone using the link and call-in information posted on the Village's website.

Samantha Berg
Clerk Treasurer
Village of South Glens Falls