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(NOT FOR SERVICE OF PROCESS)

September 14, 2011

Tim Hanna, Chairperson
Planning Board, Town of Smithville
5219 State Highway 41
Smithville Flats, NY 13841

Planning Board
Town of Oxford
PO Box 271
Oxford, NY 13830

Re: Application for Subdivision
Owner: Richard J. Ridgway
Town of Smithville Tax Map Parcel 193-1-22.1
Town of Oxford Tax Map Parcel 193-1-2

Good Morning:

As you know, I represent Richard J. Ridgway in his request for Subdivision approval of the Ridgeway Subdivision.

I confirm the following:

1. A Sketch Plan has been submitted to the Planning Board of the respective Towns.
2. The Subdivision has been classified as a Minor Subdivision.
3. After discussion, both Planning Boards and the applicant have agreed that a field survey of the boundary lines of the tract pursuant to Section 401 (2) of the Town of Oxford Subdivision Regulations and pursuant to Section 402 (2) of the Town of Smithville Subdivision Regulations shall be obtained and submitted as a Minor Subdivision Plat by the applicant.
4. The covenants/deed restrictions have been amended to provide that there shall be no further Subdivision of the parcel; a copy of such amended deed restrictions/ covenants is enclosed.
5. The survey of the final Plat shall take into consideration the 3 to 1 lot ratio, depth to width.

Subject to the following covenants and restrictions:

1. The premises conveyed shall only be used for single family homes or agricultural or non-commercial recreational uses except in home offices and one single building Bed and Breakfast businesses shall be allowed. No other commercial or industrial use of the property is allowed. The square footage requirement for the house size for the single family homes is a minimum of 1300 square feet.
2. Grantee agrees to keep this lot in a good and sanitary condition and shall not use it as a dumping ground for trash and rubbish. The outside placement or storage of unregistered vehicles is prohibited.
3. Single wide mobile homes are not allowed.
4. Grantee is responsible for obtaining the necessary state and local permits for buildings, wells and septic systems.
5. Driveways, driveway crossings and culvert sizes along municipal highways shall be approved by the appropriate Town Highway Superintendent or Chenango County highway Department.
6. For as long, as any portion of the property described in this deed is subject to regulation under State or Federal Wetland Laws, there shall be no construction, grading, filling excavating, clearing or other related activity, as defined by these laws, on this property within any wetland area or any adjacent area as set forth in said laws, at any time without having first secured the necessary permission and permit required pursuant to the above noted laws. This restriction shall bind the Grantees, their successors and assigns.
7. The parcel conveyed shall not be subdivided.
8. These Protective Covenants are to run with the land and shall be binding on Richard J. Ridgway and the Grantees, their successors and assigns. The invalidation of any one of the Protective Covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect. These Protective Covenants may be enforced by Richard J. Ridgway or the owner of any parcel within the subdivision. If Richard J. Ridgway brings an action to enforce any of these Protective Covenants, the violator must pay all costs and expense of such action, including reasonable attorney's fees.