

**UTILITY RIGHT-OF-WAY AND EASEMENT RECOGNITION AGREEMENT**

**THIS AGREEMENT** is made the 13th day of January, 2025 by **MICHELE BELOT** and **PHILIPP KIRCHER**, (hereinafter referred to as “Belot and Kircher”) as owners of real property located in the Village of Cayuga Heights, Town of Ithaca, County of Tompkins and State of New York (2024 Tax Map Parcel No. 9.-2-1), pursuant to a Warranty Deed from Carmel L. Lee and Kenneth C. Lee dated August 19, 2022 and record August 22, 1922 in the Tompkins County Clerk’s Office as Instrument No. 20220-09557.

**WITNESSETH:**

**WHEREAS**, Belot and Kircher desire to subdivide said real property into two lots (hereinafter referred to as “PARCEL A” and “PARCEL B”) as designated and shown as such parcels on a subdivision map entitled “Survey Map No. 634 Highland Road, Village of Cayuga Heights, Tompkins County, New York” prepared by Lee Dresser, L.L.S. No. 050096, of T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York, dated November 4, 2024, revised December 4, 2024 and January 9, 2025 (hereinafter referred to as the “Survey Map”), a copy of which is intended to be filed in the Tompkins County Clerk’s Office concurrently herewith; and

**WHEREAS**, future utility lines servicing PARCEL A, including those for electric, gas, water and communication (hereinafter “utility lines”) must run over and across PARCEL B; and

**WHEREAS**, the Village of Cayuga Heights, as a condition of approval of the aforesaid subdivision, desires to ensure a future owner of PARCEL A has the right to construct and maintain said utility lines over PARCEL B.

**NOW, THEREFORE**, Belot and Kircher, in consideration of the subdivision approval, acknowledge and agree as follows:

1. A future Owner of PARCEL A shall, and is hereby granted, a right-of-way and easement over PARCEL B to enter upon it to lay, construct, operate, maintain, alter, repair, remove and replace utility lines, together with such appurtenances and parts necessary or desirable for those purposes, over, upon, and under PARCEL B within the limits set forth herein, to provide for connections to sources located along Highland Road in the Village of Cayuga Heights, Town of Ithaca, County of Tompkins and State of New York.

2. The Owner of PARCEL A shall be solely responsible for the cost of construction of said utility lines and any maintenance to or replacement thereof, as well as returning any



This subdivision has been reviewed and approved by the Village of Cayuga Heights Planning Board after a public hearing and SEQR determination at its meeting on 12/16/24.

Signed by Fred Cowett, Chairman

**TITLE INFORMATION**  
**PARCEL A & PARCEL B**  
**MICHELE BELOT & PHILIPP KIRCHER**  
**INSTRUMENT No. 2022-09557**  
**TAX MAP No. 9-2-1**  
**AREA=1.01 ACRES**

LOT 39  
 BRADDOCK/KALAS (R.O.)  
 508094-002  
 TAX MAP No. 7-4-8.2

**NOTES:**

- HORIZONTAL DATUM OF MAPPING IS PER REF. MAP 1 VERTICAL DATUM IS APPROXIMATE NGVD29 PER THE TOMPKINS COUNTY GPS LIDAR DATA.
- UNDERGROUND UTILITIES NOT LOCATED AT THIS TIME. VERIFY ALL UTILITIES PRIOR TO DESIGN OR CONSTRUCTION.
- DATE OF LAST FIELD WORK = 7/25/2022.
- Subject to 20' buffer from the top of the intermittent streambanks.
- Subject to sanitary sewer easement, width defined as minimum necessary for maintenance.
- Parcel A is subject to Site Plan Review approval by the Village of Cayuga Heights Planning Board for all lot improvements and any new construction.
- Parcel B is subject to proposed underground utility connections to benefit parcel A said easement to be provided on the along the south portion of parcel B (10' wide centered on utility line)

LOT 38  
 SCHWARTZ/KALLENBERG (R.O.)  
 2013-05859  
 TAX MAP No. 7-4-8.1

**LEGEND**

- △ - COMPUTED POINT
- ⊙ - IRON PIN FOUND
- ⊗ - IRON PIPE FOUND
- - UTILITY POLE
- \* - PROPOSED NEW DIVISION LINE

**MAP REFERENCES:**  
 1.) "SURVEY MAP No. 634 HIGHLAND ROAD..." DATED 10/3/2018, REVISED 7/28/2022 BY T.G. MILLER P.C.  
 2.) "MAP SHOWING LANDS OF MICHAEL D. PINNISI & DONNA HEILWEIL..." DATED 7/12/1983 BY DENKENBERGER & GREENE LAST REVISED 9/6/2001.  
 3.) "SURVEY MAP No. 630 HIGHLAND ROAD..." DATED 8/19/1993 BY T.G. MILLER P.C.

EDGE OF ASPHALT

STREET LINE

SQUARE PIN FOUND  
 1.0' S'LY OF CORNER

145.0' (P TO P)  
 S 79°05'14" W 149.00'

CAYUGA PARK ROAD

PRESENT CENTERLINE

S 13°07'10" E 121.90'

MANHOLE

CULVERT

MEAS. 476 ± ALONG Q TO INT. OF CAYUGA PARK CIRCLE

CFCU Community Credit Union, Its Principals, Successors and/or Assigns  
 Klausner Cook, PLLC  
 Taughannock Abstract, LLC  
 Alexandre Khapalov  
 Irina Khapalova

**CERTIFICATION**

I hereby certify to that I am a licensed land surveyor, New York State License No.050096, and that this map correctly delineates an actual survey on the ground made by me or under my direct supervision and that I found no visible encroachments either way across property lines except as shown hereon.

SIGNED: \_\_\_\_\_ DATED: 12/4/2024

**PARCEL A**  
**AREA= 0.452 ACRES**

20' stream buffer see note 4.

CENTERLINE OF CREEK

top of crk bank

N 86°24'28" E 152.50'

LOT 35

KATHERINE BARNA REVOCABLE TRUST (R.O.)  
 574353-001  
 TAX MAP No. 9-2-2



**T. G. MILLER P.C.**

ENGINEERS AND SURVEYORS  
 605 WEST STATE STREET, SUITE A  
 ITHACA, NEW YORK 14850  
 TEL (607)272-6477

**TITLE:**

**SURVEY MAP**

**NO. 634 HIGHLAND ROAD**

VILLAGE OF CAYUGA HEIGHTS, TOMPKINS COUNTY, NEW YORK

DATE: 11/4/2024

SCALE: 1"=30'

S24956

139.0' (P TO P)  
 N 79°05'14" E 160.00'

SHED CORNER ON LINE

SHED

GARAGE

STONE WALK

STONE PATIO

HOUSE No. 634

PATIO

**PARCEL B**  
**AREA= 0.558 ACRES**

HOUSE & GAR = 1487 sf.  
 6.1% OF NEW LOT AREA

ASPHALT DRIVE

S 12°33'49" E 161.57'

MANHOLE

752.0'

750.0'

748.0'

O.H.

746.0'

744.0'

742.0'

740.0'

approx. location of utility easmt. to benefit parcel A See Note 7.

APPROX. LOCATION OF SANIT. SEWER LINE SEE 393/543 See Note 5.

PIN FND. 0.3' ± SWLY OF CORNER

S 83°17'37" W 46.00'

S 86°24'28" W 25.00'

2ND PIN FND. 0.3' ± SLY & 1.7' ± ELY OF CORNER

LOT 34

**REVISED**

12/4/2024 - added notes 4-6.  
 1/9/2025 - added notes 7.

**WARNING**  
 ALTERATION OF THIS MAP NOT CONFORMING TO SECTION 7209, SUBDIVISION 2, NEW YORK STATE EDUCATION LAW, ARE PROHIBITED BY LAW. ALL CERTIFICATIONS HEREON ARE VALID FOR THIS MAP AND COPIES THEREOF ONLY IF SAID MAP OR COPIES BEAR THE IMPRESSION SEAL OF THE LICENSED LAND SURVEYOR WHOSE SIGNATURE APPEARS HEREON.

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MAGNETIC 1993

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