

## Declaration for Ingress and Egress Easement

This Declaration made this 8 day of February 2023, by **FORT WORTH HOLDINGS LLC** with an address of 296 Schunemunk Street, Unit 202, Monroe, NY 10950 (the "Declarant")

**WHEREAS**, Declarant is the fee owner of the following parcel situate, lying and being in the Village of South Blooming Grove, Town of Blooming Grove, County of Orange, and State of New York; said premises known as 58 Fort Worth Place, Monroe, NY 10950 designated as tax map Section 217 Block 1 Lot 8 (the "Subject Property" "Lots")

**WHEREAS**, Declarant applying to subdivide the Subject Property into four (4) lots as shown on a map entitled "Preliminary Subdivision Plan Located at 58 Fort Worth Place" attached hereto as "EXHIBIT A".

**WHEREAS**, as a condition to get this proposed subdivision approved, Declarant desires to establish a Easement for ingress and egress over, on and across the lots for the use and benefit of the present and future owners of the Lots.

**NOW, THEREFORE**, for and in consideration of the Introductory Statement, which is deemed a material and substantive part of this Declaration, and Ten Dollars (\$10.00) and other good and valuable consideration, Declarant hereby declares, grants, covenants and agrees as follows:

1. Declarant on behalf of Lot 2 hereby establishes and grants a Ingress and Egress Easement for the benefit of Lot 3 and Lot 4.
  - A. Ingress and Egress Easement.** Each owner, tenants, licensees, employees, contractors, successors and assigns, shall have a perpetual non-exclusive easement for any size vehicular and pedestrian ingress and egress to and from their respective Lots, from and to a public way, over and across those portions of each Lot as are designated as the easement area.
  - B. Easement Area.** All easement areas are described and shown on the attached MAP hereto as "Exhibit A".
  - C. Binding Effect.** The covenants and agreements contained herein shall run with the land and shall be binding upon and inure to the benefit of the owners of the Lots and their successors and assigns.
  - D. Maintenance.** All easement areas shall be maintained in good and passable condition as a paved drive. all cost of maintaining said easement areas including but not limited to snowplowing and road improvement costs to keep it in a state of repair that is, at a minimum, as good as the condition of the easement areas at the time of the closing shall be shared between all.
  - E. Mortgages.** Any mortgages encumbering all or any portion of the Subject Property shall at all times be subordinate to the terms of this Declaration and any party foreclosing any such mortgage, or acquiring title by deed in lieu of foreclosure or trustee's sale, shall acquire title subject to all of the terms and provisions of this Declaration.

**IN WITNESS WHEREOF**, Declarant has caused this Declaration to be executed by its duly authorized representative as of the date and year first above written.

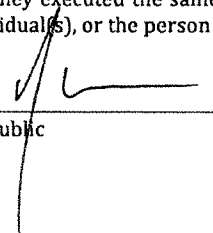
**FORT WORTH HOLDINGS LLC**



BY: Moishe Ostreicher, Managing member

STATE OF NEW YORK )  
COUNTY OF Orange ) ss.:

On the 8 day of Feb., in the year 2023, before me the undersigned, a Notary Public in and for said State, personally appeared Moishe Oestreicher, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
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Notary Public

YOEL WEISS  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01WE6337095  
Qualified in Orange County  
My Commission Expires 02-16-2024

Record and return to;  
**Fort Worth Holdings LLC**  
296 Schunnemunk Street, Unit 202  
Monroe, NY 10950