

3600

Easement

The undersigned, hereinafter called the Grantor(s), being the owner of or having an interest in land situate in the TOWN of GENEVA County of ONTARIO State of New York, fronting on the street or highway known as N.Y. STATE ROUTE #5 & U.S. ROUTE #20 and bounded WESTERLY by the land of RAYMOND J. MOORE and EASTERLY by the land of MOSIER ENTERPRISES, INC.

In Consideration, of \$1.00 paid by the Grantee, hereby grants and releases unto the NEW YORK STATE ELECTRIC & GAS CORPORATION, a corporation organized under the laws of the State of New York, having an office at Town of Dryden, (no street address), County of Tompkins, State of New York, herein called the Grantee, its successors and assigns, its or their lessees or licensees, the right, privilege, and authority at anytime to construct, reconstruct, extend, operate, inspect, maintain, and at its pleasure, remove a pole line with the necessary wires, cross arms, guy wires, braces and other fixtures and appurtenances used or adopted for the transmission and/or distribution of electric current and/or for telephone or telegraph communication for public or private use, upon and over said land and property and/or the highways abutting or running through said land. The easement and right of way hereby granted and released is 20 feet in width throughout its extent, situate, lying and being as follows:

The center line of said easement and right of way enters Grantor(s) lands on the West at a point of about 50 feet Northerly from the center of N.Y. State Route #5 & U.S. Route #20; thence said center line extends across Grantor(s) lands in an Easterly direction, along and adjacent to the Northerly side of said N.Y. State Route #5 & U.S. Route #20, to Grantor(s) Easterly property line at a point of about 50 feet Northerly from the center of said N.Y. State Route #5 & U.S. Route #20.

Together with free ingress and egress for all the above purposes including the right now and from time to time to trim, cut, burn and remove by manual, mechanical or chemical means trees, brush and other obstructions within said easement and right of way.

Provided, however, that any damage (other than for trimming, cutting, or removing trees, as above provided) to the property of the Grantor(s), caused by the Grantee in constructing or repairing said line, shall be borne by the Grantee.

Reserving, however, to the Grantor(s) the right to cultivate the ground between said poles and supporting structures and beneath said wires and fixtures and the right to cross and recross said easement and right of way provided that such use of said ground shall not interfere with, obstruct or endanger any rights granted as aforesaid and shall not disturb the grade of said ground as it now exists, and provided that no structure shall be erected, and no excavating, mining or blasting shall be undertaken within the limits of the right of way without written consent of the Grantee. Grantor(s) in said use of said ground shall maintain a clearance of 10 feet or more from Grantee's aerial wires with equipment or otherwise.

In Witness Whereof, the Grantor has hereunto set hand and seal this 15th day of February, 1987.

In Presence of:

PIZZA HUT OF AMERICA, INC.
PIZZA HUT OF NORTH HAVEN, INC.

ATTEST:

Edward C. Johnson
Edward C. Johnson, Secretary

BY: *D. J. McClure* (L.S.)
D. J. McClure, President
Address: 9111 East Douglas
Wichita, KS 67207

Address: (L.S.)

Address: (L.S.)

Address: (L.S.)



(D)

NEW YORK STATE ELECTRIC & GAS CORP. ITHACA DOCUMENT FILE 12

Instrument

Line GR-74
Auth. 42057-900 Parcel No. 4-27-1
Area cost center number 42-70
Construction N. O. No. 42326-1

PIZZA HUT OF AMERICA, INC.

BY: D. J. McClure, President

TO
NEW YORK STATE ELECTRIC
& GAS CORPORATION

Dated February 18, 1987

Recorded on the 9 day of April, 1987
at 11:30 o'clock A. M.
In Book 861 of Deeds at
Page 57 and examined.
Antonio D. Vucchi
(Clerk)

(Personal Acknowledgment)

State of New York
County of
On this day of
1987, before me, the subscriber, personally appeared

to me personally known and known to me to be the same person described in and who executed the within instrument and duly acknowledged to me the execution of the same.

(Notary Public)

REMARKS

Title verified by *Deed* Date *3/24/87*
Paid from Working Fund
CL No. Amt. Date
CK No. Amt. Date

Consideration on this Document is less than \$100.00

APR 06 1987

RETURN TO
CORPORATE RECORDS CENTER
NEW YORK STATE ELECTRIC & GAS CORP.
POST OFFICE BOX 287
ITHACA, NEW YORK 14851

(Subscribing Witness Acknowledgment)

State of New York
County of
On this day of
1987, before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who being by me duly sworn, did depose and say that he resides at

in the
of that he knew

(Notary Public)

(Corporate Acknowledgment With Seal)

KANSAS
State of Sedgewick
County of SEDGWICK
On this 18th day of February
1987, before me came D. J. McClure

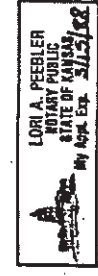
to me personally known, who, being by me duly sworn, did depose and say that he resides at
14330 Donegal, Wichita, KS 67230,
in the City of Wichita
of State of Kansas

and that he is President
of Pizza Hut of America, Inc.

the corporation described in and which executed the above instrument that he knows the seal of said Corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto by like order.

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Lori A. Peebler
(Notary Public)
Lori A. Peebler



RECEIVED
REAL ESTATE
APR 9 1987
TRANSFER TAX
ONTARIO
COUNTY