

THIS INDENTURE, made the 13<sup>th</sup> day of December, 1950, between MONA WILLIAMS, residing at (no street number) Bayville Avenue, Village of Bayville, Nassau County, New York, party of the first part, and INCORPORATED VILLAGE OF BAYVILLE, Nassau County, New York, party of the second part:

WITNESSETH, that the party of the first part, in dedication of the following described premises to public uses and the acceptance thereof by the party of the second part for the public use of the people of Bayville, does hereby grant and release unto the party of the second part and its public successors forever,

ALL that certain tract or parcel of land in the Incorporated Village of Bayville, Nassau County, New York, consisting of approximately 29 acres of land more or less, with the buildings and structures erected thereon, described as follows:

BEGINNING at a point on the southerly line of Bayville Avenue where the same is intersected by the westerly line of a certain private street known as School House Road, which point is the northeast corner of property now or formerly of Cheshire; running thence along the southerly line of Bayville Avenue South  $83^{\circ} 31'$  East 49.60 feet to a point; thence South  $2^{\circ} 53'$  West 197.37 feet along property now or formerly of Helme; thence continuing along said Helme property South  $81^{\circ} 52'$  East 209.90 feet and North  $2^{\circ} 39'$  East 196.92 feet to a point in the southerly line of Bayville Avenue; thence South  $73^{\circ} 07'$  East 290.87 feet along the southerly line of Bayville Avenue to a point in the westerly line of property now or formerly of Jelke; thence along land of Jelke South  $4^{\circ} 41' 40''$  West 1573.45 feet more or less to the northerly side of Godfrey Avenue; thence along the northerly side of Godfrey Avenue as it bends and turns to a point in the east line of land now or formerly of Clarkson; thence North  $3^{\circ} 53'$  East 775.41 feet along land now or formerly of Clarkson to a stone monument and land now or formerly of Rouss; thence along said land of Rouss South  $79^{\circ} 18'$  East 534 feet to another stone monument; thence continuing along said land of Rouss and later along land now or formerly of Cheshire North  $2^{\circ} 53'$  East 967.14 feet to the southerly side of Bayville Avenue and the point

DEED 4388 PAGE 544

or place of beginning, be said courses and distances more or less.

TOGETHER with all the right, title and interest of the party of the first part, of, in and to Bayville Avenue and Godfrey Avenue in front of and adjoining the premises to the center lines thereof and of, in and to all gores and strips of land, if any, lying between Bayville Avenue and Godfrey Avenue adjoining the above described premises.

The party of the second part, in consideration of this grant by the party of the first part and to induce the party of the first part to make this grant, hereby covenants and agrees for itself, its successors and assigns with the party of the first part and declares that the property hereby conveyed is held and shall forever be held subject to the following conditions, restrictions, covenants and agreements:

1. The premises to a uniform depth of 800 feet south of Bayville Avenue, except for a roadway at the present location of the private road known as School House Road, shall be used and maintained as a landscaped park area with foot-paths, without roads, but shall not be used in whole or in part as an amusement or playground area or municipal assembly or gathering place and no buildings shall be erected thereon and no public amusements, concessions, vending, restaurants or other commercial enterprises shall be permitted thereon and in addition, no use of the premises shall be made or permitted which would be offensive, dangerous or obnoxious to the owners or any owner (now or hereafter) of land within a radius of one-quarter of a mile of the premises whether by reason of the type of persons permitted to use the area, smoke, odor, fumes or any other use whatsoever offensive to such owners or owner of land.

2. The land lying south of the above mentioned 300 foot strip shall be used for municipal uses and purposes and for recreational facilities for use by the People of Bayville, but no public amusements, concessions, vending, restaurants or other commercial enterprises shall be permitted thereon and, in addition, no use of the premises shall be made or permitted which would be offensive, dangerous or obnoxious to the owners or any owner (now

or hereafter) of land within a radius of one mile of the premises whether by reason of smoke, odor, fumes or any other use whatsoever offensive to such owners or owner of land.

3. No part of the premises shall be used for a dumping ground, garbage disposal purposes, an incinerator or any like particular or general use but this enumeration shall not limit the generality of the limitations upon use provided in "1" and "2" hereof.

4. Notwithstanding the foregoing provisions, a water tank may be erected on said premises at any point within 200 feet of Godfrey Avenue.

The provisions herein contained constitute conditions, restrictions, covenants and agreements running with the land and shall bind the land as well as the party of the second part, its successors and assigns.

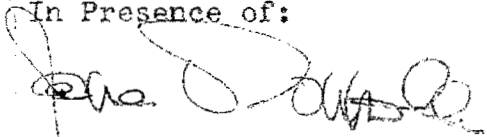
TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, its public successors forever subject, however, to the obligations, covenants and restrictions herein expressed.

And the party of the first part, in compliance with Section 13 of the Lien Law, covenants that she will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and that she will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the party of the first part has hereunto set her hand and seal the day and year first above written.

In Presence of:



MONA WILLIAMS

*Harrison Williams* (L.S.)  
Harrison Williams  
Attorney-in-fact

DEED 1388 PAGE 545

STATE OF NEW YORK )  
: SS.:  
COUNTY OF NEW YORK )

On this 13 day of December, 1950, before me personally came Harrison Williams to me known to be the individual described in and who executed the foregoing instrument, and to me known to be the attorney-in-fact of Mona Williams, the individual described in, and who by his said attorney-in-fact, executed the same, and acknowledged that he executed said instrument as the act and deed of said Mona Williams, by virtue of a power of attorney, dated November 28 , 1950, <sup>to be</sup> and recorded in the office of the register of the County of Nassau simultaneously with this instrument.

*[Handwritten Signature]*  
OTTO A. PHILIPPE  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 3 - 18750  
Qualified in Nassau County  
Cert. filed with N. Y. Co. Clerk & Register  
Term expires March 30, 1951