

TABLE "A":

A	S. 16° 32' 40" E.	193.31'
B	S. 46° 41' 23" W.	91.58'
C	S. 66° 54' 23" W.	126.43'
D	S. 42° 52' 36" W.	94.76'
E	S. 23° 22' 07" W.	177.31'
F	S. 29° 22' 07" W.	139.50'
G	S. 15° 20' 37" W.	149.59'
H	S. 72° 44' 04" E.	40.02'
I	N. 15° 20' 45" E.	146.02'
J	N. 29° 22' 07" E.	154.08'
K	N. 29° 22' 07" E.	153.07'
L	N. 42° 52' 36" E.	81.51'
M	N. 66° 54' 23" E.	125.05'
N	N. 46° 41' 23" E.	124.31'
O	N. 16° 32' 40" W.	199.85'
P	N. 83° 04' 30" W.	44.31'

LEGEND:

- EXISTING IRON MONUMENT
- IRON MONUMENT SET (TO BE SET)
- ▲ EXISTING GRANITE MONUMENT
- UTILITY POLE
- ⊙ WELL

SUBDIVISION NOTES:

"PHASE II - FRANZ PONDS SUBDIVISION"
LOTS #6 & 7

OWNER: JAMES J. & ALICIA B. SCHIMEX
107 OAKSIDE AVE
SMITHTOWN, NY 11787

TAX MAP ID # 194.00-02-20.07
TOTAL ACREAGE = 199.5± ACRES
TOTAL NUMBER OF LOTS = 2

ZONE: R - RURAL 4 RMU - MULTI USE RURAL
MINIMUM FRONT YARD SETBACK FROM ROAD BOUNDARY = 25'
MINIMUM SIDE YARD SETBACK = 20'
MINIMUM REAR YARD SETBACK = 40'

CONTOUR INTERVAL = 10'
FIELD TOPOGRAPHY AS PER OSWEGO COUNTY LIDAR.

FLOOD ZONE 4 NYSDEC CLASSIFIED WETLANDS AS DIGITIZED FROM EXISTING MAPPING.
FEDERAL CLASSIFIED WETLANDS EXIST ON SITE WITHIN NYSDEC CLASSIFIED WETLAND BUFFER. REVIEW OF NATIONAL WETLANDS INVENTORY MAPPING PRIOR TO ANY CONSTRUCTION.

NOTE: NO DEVELOPMENT WITHIN 100' OF ANY NYSDEC REGULATED WETLANDS WITHOUT PERMIT, AS PER ARTICLE 24 CONSERVATION LAW.

SURVEY NOTES:

DEED REF:
JOHN W. FRANZ, JR. AND MARY F. FRANZ TO JAMES J. SCHIMEX AND ALICIA B. SCHIMEX BY DEED DATED MAY 17, 2019 AND RECORDED IN THE OSWEGO COUNTY CLERK'S OFFICE ON JUNE 25, 2019 AS INSTRUMENT No. R-2019-005141.

MAP REF:
1) SURVEY MAP BY DAVID BARDOUN P.L.S., "FRANZ PONDS SUBDIVISION" DATED MAY 11, 2015 BEING LAST REVISED JULY 10, 2015 AND RECORDED IN THE OSWEGO COUNTY CLERK'S OFFICE ON OCTOBER 6 2015 IN MAP PLAT #3 AT LINE 51 AND AS INSTRUMENT No. R-2015-002666.

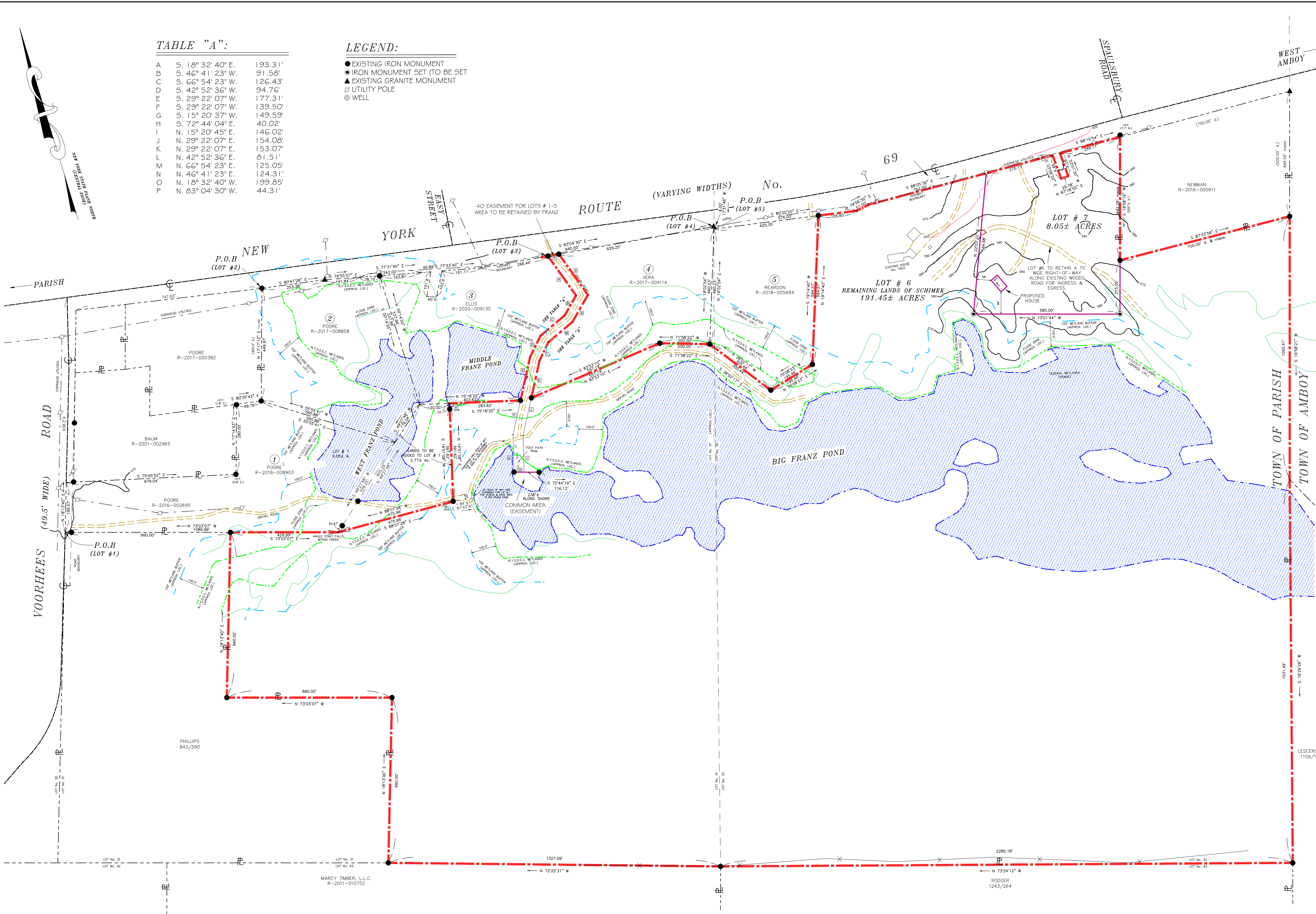
ABSTRACT REF:
THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE OR DOCUMENTS FROM A TITLE SEARCH AND IS THEREFORE SUBJECT TO WHATEVER STATE OF FACTS THAT MAY BE REVEALED IN SUCH REPORTS.

COVENANTS, EASEMENTS AND RESTRICTIONS:

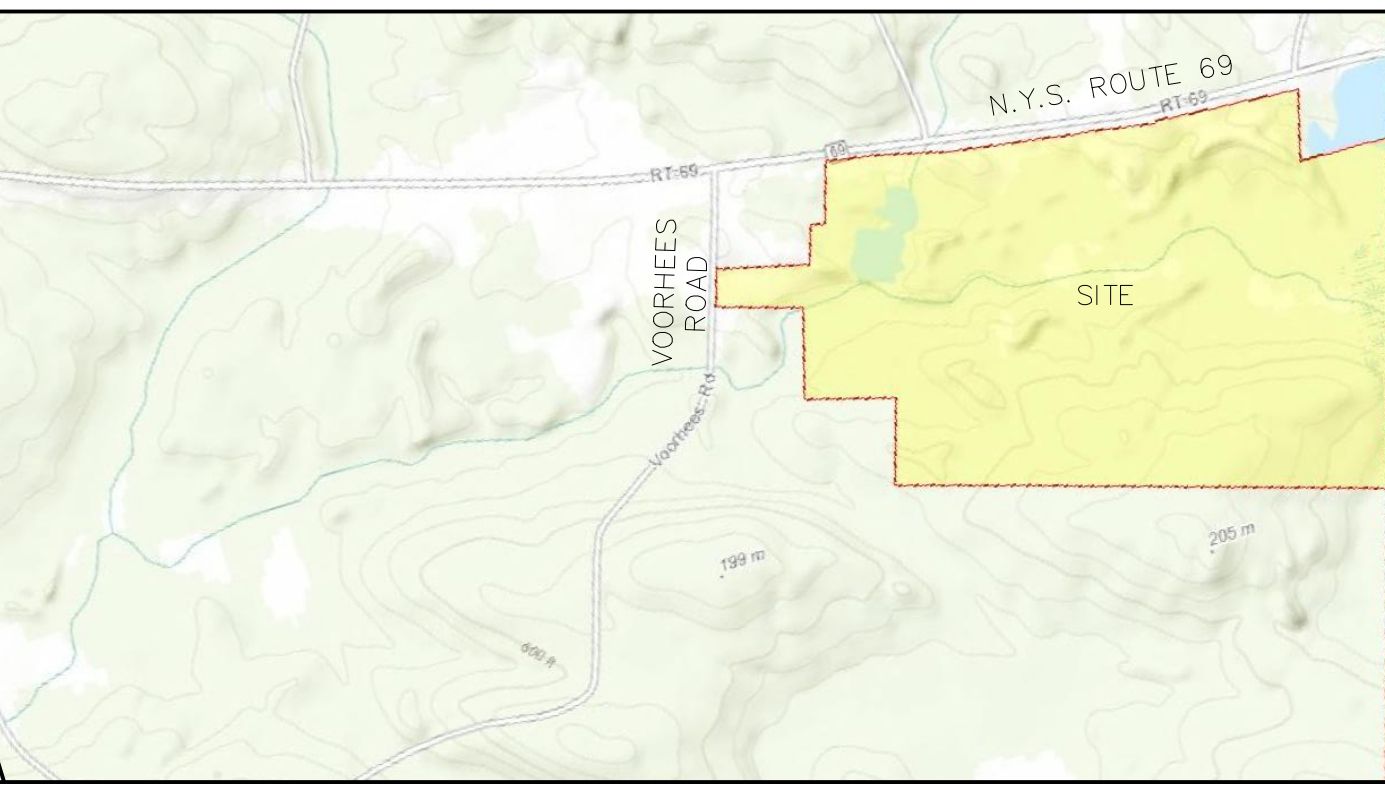
Franz Ponds Subdivision
Covenants, Easements and Restrictions
Town of Parish, Oswego County, New York

Said lot and all lots in the subdivision described on said survey map shall be subject to the following covenants and restrictions:

- (a) Lots shall be used only for residential, recreational, agricultural and forestry purposes.
- (b) There shall be only one single family dwelling or seasonal use camp on each lot. Two family and/or multi-family dwellings are prohibited. No building will be more than 30' in height and shall be a minimum of 966 sq. ft. or the minimum Town of Parish requirement whichever is greater. Pre-existing structures on any given lot are exempt from this covenant.
- (c) Docks, lean-to's, bathhouses and picnic areas along the shoreline of Big Franz Pond must be natural wood or log construction with all wood siding and shall be within the predetermined common area easement only.
- (d) All buildings, accessory structures, and sewage disposal systems shall adhere to the following setbacks:
 1. 100' from the shoreline and must comply with DOH and DEC regulations
 2. 100' from the boundary of any classified wetland.
 3. 25' from the side and rear lot lines of each lot.
 4. 100' from any stream or brook.
 5. Septic system must comply with DOH and DEC regulations
 6. Picnic areas, lean-to's, canoe racks and/or bathhouses are exempt from all setbacks.
- (e) Further subdivision of any lot except for the lot #6 owned by John & Mary Franz or the current owner of lot #6 is prohibited.
- (f) The property is meant to be kept wild and forested. No more than 10% of the trees greater than 6" dbh within 50 feet of shore, except dead, diseased or blown down trees may be cut in any 10 year period except for the lot #6 owned by John & Mary Franz or the current owner of lot #6.
- (g) No gas, motorized boats or personal watercrafts are allowed at any time on Big Franz Pond. The intended use of Big Franz Pond is for low impact canoeing, rowboating, electric boats, etc. The use of Big Franz Pond and its Common Area (which is accessed by using the woods road between Lots 3 and 4 at the North West corner of Big Franz Pond) is restricted to the lot owner(s) and their immediate family only. For bass, only catch and release fishing is allowed unless otherwise agreed to in writing by the current owners of lot #6. All other species may be kept. Use is not allowed during the Deer Hunting Season (beginning the first Saturday after the second Monday in September and ending 44 days after the 2nd Saturday after Columbus Day - refer to the NYSDEC hunting regulations for exact dates each year). There will be NO Hunting of any kind on or near Big Franz Pond except for the current owner of lot #6 and their guests. Any exceptions must be granted in writing by John & Mary Franz or the current owner of lot #6.
- (h) No trailer, mobile home, basement, tent, shack, garage or other out-building shall at any time be used as a residence. A camper trailer may be used for no more than 120 days and must be immediately removed after 120 days.
- (i) Unless pre-existing, the placement of abandoned buses, cars or junk vehicles is prohibited on this property.
- (j) The outside finish of all buildings must be completed within eighteen months after construction has started. No building paper, insulation board, sheathing or similar non-exterior materials shall be used for the exterior finish of any building. The exterior finish of all buildings shall be composed of natural earth tone colors harmonious with the existing environment.
- (k) No offensive activity shall be permitted on any lot nor shall any use or practice be allowed which is a source of annoyance to the residents of the subdivision or which shall interfere with the peaceful possession and proper use of the property. The current owners of lot #6, however, will not be restricted from target practice if conducted in a safe manner.
- (l) The burying or dumping of garbage, junk, trash, oil, petroleum or other liquid or solid waste on any lot is strictly prohibited. No commercial storage of petroleum products is allowed.
- (m) The Grantor and Grantee(s) hereby indemnify and hold harmless the Town of Parish and John & Mary Franz or the current owner of lot #6 from any action, liability or cause of action instituted by a lot owner in the event any such lot owner is unable to locate an adequate, potable supply of water or a site suitable for an individual on-site sewage disposal system within the bounds of a particular subdivision lot.
- (n) The Grantor and Grantee(s) herein covenant and agree that said lot shall be subject to these covenants, restrictions and easements. These covenants, restrictions and easements shall be included in all deeds and shall bind all lots in the subdivision of property presently owned by John & Mary Franz or the current owner of lot #6 of which this lot is a part. These covenants, restrictions and easements shall inure to the benefit of the Grantee(s) herein, their heirs, legal representatives, successors and assigns.
- (o) These covenants, restrictions and easements may be enforced by the owner(s) of any lot in said subdivision (including Grantor and/or the Town of Parish) against any person or persons violating or attempting to violate any provision hereof, either to restrain the violation thereof or to recover damages caused thereby. Once the owner is notified of a covenant violation the violation shall be corrected within 30 calendar days. After that time a penalty of \$ 100 per day shall be due and payable to the current owner of lot #6 until the violation is corrected. The failure to enforce any of these covenants, restrictions or easements shall in no event be deemed a waiver of the right to do so thereafter. Invalidity of any of these covenants, restrictions and easements shall not affect any other of these provisions which shall thereafter remain in full force and effect. Any lot owner who violates any of these covenants, restrictions and easements shall be liable for the reasonable attorneys' fees and legal expenses of any other lot owner who is successful in a legal action to enforce such covenant, restriction or easement.
- (p) The Grantor reserves to itself the right to vary or modify the aforesaid covenants, restrictions and easements, in cases of hardship or practical difficulty where the basic intent and purposes of said covenants, restrictions and easements would not be violated, subject to approval by the Town Planning Board, if any.
- (q) It is hereby acknowledged that the Franz Ponds are naturally occurring "Beaver Ponds" and that the existence of said ponds and water levels cannot be regulated or guaranteed.



SITE MAP
(NOT TO SCALE)



TOWN OF PARISH CERTIFICATIONS:

APPROVED BY
TOWN OF PARISH PLANNING BOARD

CHAIRMAN

DATE: _____

SURVEYOR'S CERTIFICATIONS:

STATE OF NEW YORK
DAVID BARDOUN
LICENSED LAND SURVEYOR

I HEREBY CERTIFY THAT THIS IS A CORRECT MAP MADE FROM AN ACTUAL SURVEY.

David Bardoun
N.Y.S. LICENSED LAND SURVEYOR # 5062

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.

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REVISIONS:	FINAL PLAT OF:	
	PHASE II	
	FRANZ PONDS SUBDIVISION	
	PART OF LOT'S No. 31 & 32 TOWNSHIP No. 23 OF SCRIBA'S PATENT	
TOWN OF PARISH COUNTY OF OSWEGO STATE OF NEW YORK		
	DAVID BARDOUN LICENSED LAND SURVEYOR CENTRAL SQUARE, NEW YORK (315) 668-7048	DATE: OCTOBER 18, 2023 SCALE: 1" = 200' FILE No.: 14.56-A-PII