

DRAFT AGREEMENT

THIS AGREEMENT made this _____ day of _____, 198 , between the Town of Barrington, a municipal corporation situate in the County of Yates, New York hereinafter called "Barrington"; the Village of Hammondsport, a municipal corporation situate in the County of Steuben, New York hereinafter called "Hammondsport"; the Town of Jerusalem, a municipal corporation situate in the County of Yates, New York hereinafter called "Jerusalem"; the Town of Milo, a municipal corporation situate in the County of Yates, New York hereinafter called "Milo"; the Village of Penn Yan, a municipal corporation situate in the County of Yates, New York hereinafter called "Penn Yan"; the Town of Pultney, a municipal corporation situate in the County of Steuben, New York hereinafter called "Pultney"; the Town of Urbana, a municipal corporation situate in the County of Steuben, New York hereinafter called "Urbana" and the Town of Wayne, a municipal corporation situate in the County of Steuben, New York hereinafter called "Wayne".

WITNESSETH:

WHEREAS, improvement of the Keuka Lake Outlet Control Structure at Penn Yan has been determined to be feasible, cost effective and environmentally acceptable, and

WHEREAS, said Keuka Lake is situate in the Towns of Barrington, Jerusalem, Milo, Pultney, Urbana and Wayne and the Villages of Hammondsport and Penn Yan, and

WHEREAS, the six above named Towns and two Villages will enter into an agreement with the State of New York (Department of

Environmental Conservation), hereinafter referred to as the "State",
and

WHEREAS, the State will enter into a contract with the United States of America acting through the Department of Defense, Corps of Engineers pertaining to the construction of a flood protection project in Keuka Lake Outlet at Penn Yan which project will be approved by the Chief of Engineers pursuant to Section 205 of the 1948 Flood Control Act as amended; and

WHEREAS, pursuant to Section 64(11-a) of the Town Law the Town Board of any town may, for the purpose of drainage and to protect the property within the town from floods, freshets and high waters, construct drains, culverts, ditches, sluices and other channels for the passage of water and, may deepen, straighten, alter, pipe or otherwise improve any of the lakes, ponds, streams, ditches, drains or water courses in any part or section of the town in order to prevent the same from overflowing and provide that the same carry off such additional water as may be brought to the same by other public improvements in the town and for such purposes the Town Board of any town may acquire real property or an interest therein by purchase, dedication, gift, devise or by condemnation in the manner provided by law for acquisition of real property, and

WHEREAS, pursuant to Section 1-102 and Section 4-412 of Village Law, the Board of Trustees may for the purpose of arresting and preventing damage to property within the village resulting from floods or erosion, construct drains, culverts, dams and bulkheads and dredge channels, and regulate water courses, ponds and watering places within or without the village and for such purposes the Board