



TOWN OF ULYSSES
10 Elm Street, Trumansburg, NY 14886
ulysses.ny.us

Town Supervisor (607) 387-5767, Ext 232 supervisor@ulysses.ny.us
Town Clerk (607) 387-5767, Ext 221 clerk@ulysses.ny.us

ENVIRONMENTAL DEED USE RESTRICTIONS

This conveyance is made subject to i) easements, conditions, encumbrances and restrictions of record, and ii) all matters apparent from an inspection of the Property, or which a current, accurate survey of the Property would disclose, including but not limited to any encroachments, overlaps or boundary line disputes, and iii) the following restrictions, covenants and agreements ("Permitted Encumbrances").

A. Use Restrictions. The following Use Restrictions (as defined below) are established and will permanently apply to the Property

1. No Agricultural or Groundwater Use. The Property may not be used for any agricultural uses. Groundwater in, on or under the surface of the Property may not be used by Grantee or authorized for use by Grantee for any purpose. The construction or installation of any water supply well by Grantee or authorized by Grantee, whether for drinking, irrigation or any other purpose, on the Property is prohibited. Notwithstanding the foregoing, private flower and vegetable gardens associated with residential use are permitted

2. No Subsurface Use. Excavation of the subsurface of the Property for development or construction of underground parking, basements or substructures is prohibited. Excavation of the subsurface of the Property for storage spaces or utility conduits where hydrocarbon vapors may accumulate is prohibited. This clause does not prohibit installation of a septic system or geothermal heating system or excavation to connect utilities, provided that such installation and excavation do not encourage accumulation of hydrocarbon vapors in a manner which may pose a risk to human health or safety.

B. Engineering and Institutional Controls. The Property is subject to the following engineering and institutional controls:

1. Impervious Liners or Vapor Barriers. Grantee agrees to use appropriately engineered impervious liners or vapor barriers designed, constructed and maintained to prevent the migration of hydrocarbon vapors or liquids, if any, from the soil to the interior of any structures constructed at or on the Property in areas where site conditions dictate that an environmental consultant or engineer, using practices consistent with the standard of care of consultants or engineers practicing under similar circumstances in similar locations, would suggest the use of such impervious liners or vapor barriers for protection of human health. Such barrier or liner must be installed by a licensed contractor experienced in the installation of such barriers or liners. In addition, Grantee must maintain the barrier or liner so that it remains as an effective barrier or liner. The barrier or liner must be of the appropriate strength and quality and at an appropriate level beneath ground level. Such installation must be performed in accordance with all applicable laws and in accordance with the highest industry standards to protect human health and safety.

2. Slab on Grade. Grantee agrees that all buildings constructed on the Property must be constructed slab on grade and must not have any living, working, storage or parking areas below grade.

C. The restrictions, prohibitions, limitations, engineering and institutional controls contained in the immediately preceding paragraphs "A" and "B," are collectively referred to as "Use Restrictions."