

**Granting Revocable License To Cross The County Owned Railroad Property**

The Highways & Bridges / Buildings & Grounds / Public Works Administration Committee (Chairman Felicello and Legislators Hathaway, McAfee, Meyer, Stock, Berardi, Donaldson, Provenzano and Zimet) and The Economic Development / Education, Tourism and Cultural Affairs Committee (Chairman Harris and Legislators Cummings, Felicello, Roberti, Bartels, Loughran and Zimet) offer the following:

WHEREAS, Richard C. Coller owns a parcel of land that lies on both sides of the County owned railroad property, adjacent to Pine Hill Road in the Town of Shandaken, and

WHEREAS, Mr. Coller wishes to obtain permission from the County to cross the railroad property for access to the western portion of his land,

RESOLVED, that Richard C. Coller (“Licensee”) is hereby granted a revocable license to cross over the County owned railroad property adjacent to Pine Hill Road in the Town of Shandaken, in such manner as will not interfere with the use of the tracks and in accordance with plans therefor as approved by the County’s Commissioner of Highways and Bridges which shall be filed with the County Clerk with a certified copy of this Resolution, and the written agreement of Licensee to comply with the terms hereof, and

FURTHER RESOLVED, this license is on condition that Licensee shall indemnify and hold harmless the County of Ulster and any lessee of the railroad property from and against any claims arising out of the activities upon and uses of the County owned railroad property by Licensee, its agents, servants or employees and upon the lands so used or as a result of such activities thereon; and provide insurance, and a certificate thereof insuring this obligation in form and amount acceptable to the County’s Insurance Officer, and with the County as additional insured, and

FURTHER RESOLVED, that the Chairman of the Ulster County Legislature is authorized to execute on behalf of the County any documents necessary to confirm the grant of this license as may be approved by the County Attorney,

and moves its adoption.

**Resolution No. 355 December 14, 2005**

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ADOPTED BY THE FOLLOWING VOTE:

AYES: 32                      NOES: 0  
(Absent: Legislator Hyatt)

FINANCIAL IMPACT:  
NONE

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