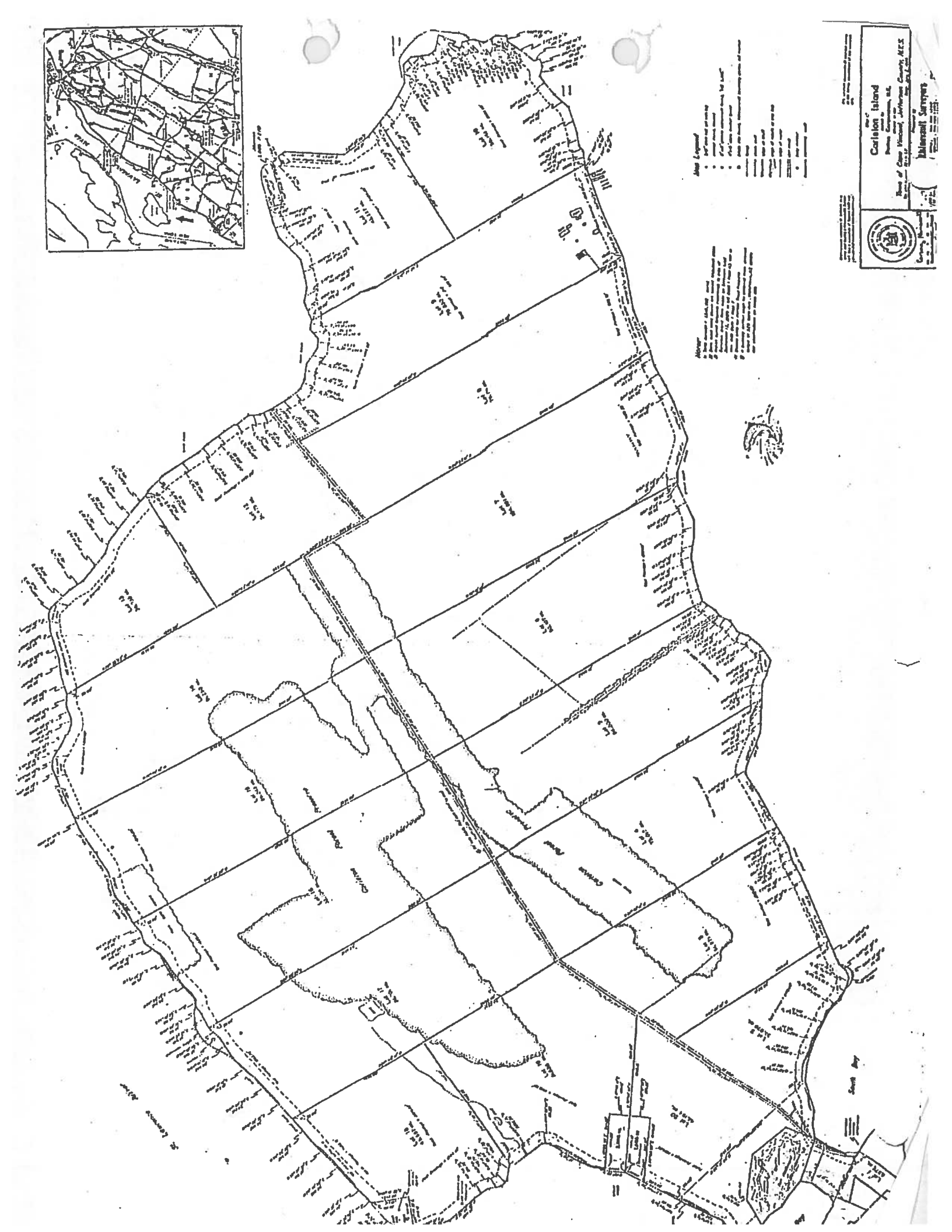
Carlson Island
Bidwell Surveys

DECLARATION OF RESTRICTIONS
OF
CARLETON ISLAND

THIS INSTRUMENT, made the 8th day of August , 1986, by PATTEN CORPORATION NORTHEAST, of Stamford, Vermont,

WITNESSETH:

WHEREAS, on July 2, 1986 certain premises known as Carleton Island were conveyed to Patten Corporation Northeast by John C. MacFarlane by deed which was recorded in the Jefferson County Clerk's Office on July 10, 1986 in Book 1029 of deeds at page 150, to which deed reference is hereby made for a more particular description of said property, and

WHEREAS, the property has been subdivided into lots as more particularly described and set forth in a map made by Rhinevault Surveyors entitled "Map of Carleton Island owned by Patten Corporation N. E. situate in the Town of Cape Vincent, Jefferson County, N.Y.S." dated June 2, 1986 and filed in the Jefferson County Clerk's Office in Book 17 of Maps at page 29, and

WHEREAS, Patten Corporation Northeast intends, as owner of such premises, to provide for an orderly and uniform development of said premises and desires to establish uniform restrictive covenants for the lots to be conveyed by it from such property, and

WHEREAS, Patten Corporation Northeast has executed a deed of conservation easement in gross in favor of the Patten Environmental Trust concerning the Carleton Forest Preserve, which deed is to be recorded in the Jefferson County Clerk's Office, and

WHEREAS, Patten Corporation Northeast has also executed a deed of conservation easement in gross in favor of the Patten Environmental Trust concerning the Carleton Island shoreline buffer zone which deed is to be recorded in the Jefferson County Clerk's Office, and

WHEREAS, Patten Corporation Northeast has also executed a deed of conservation easement in gross in favor of the Patten Environmental Trust concerning the Carleton Indian Burial Ground which deed is to be recorded in the Jefferson County Clerk's Office,

NOW, THEREFORE, in consideration of One Dollar ($1.00) and other good and valuable consideration, and for the purpose of providing uniform restrictive covenants for the premises owned by it and shown by map, the undersigned declares that all of the land owned by it as shown on said map known as Carleton Island, Town of Cape Vincent, Jefferson County, New York shall be deemed to be subject to the following restrictive covenants which shall be real and shall inure to the benefit of and shall run with the land:

1. There shall be no further subdivision of the land within one (1) year of purchase of any lot, unless Patten Corporation Northeast shall have sold all of the lots on said island within less than one year in which case this restriction shall terminate.

2. No lot smaller than five (5) acres will be permitted, provided, however, that Lot #1 as shown on said map may divided into no more than two (2) lots.

3. All lots must have a minimum frontage on the water of 300 feet, provided, however, that if any of said lots 1 through 20 shall have frontage on the water which after division by 300 feet shall leave

excess frontage of over 100 feet but less than 300 feet, then said lot owner may sell one additional lot, providing the same shall have a minimum frontage of 100 feet and shall be at least five (5) acres. No structures are permitted between the inland side of the 100' buffer zone and the waterward portion of the parcel that is less than 300 feet in width (parallel to shoreline). Standard shore structures are permitted as identified in the Buffer Zone Conservation Easement.

4. The placement of trailers, mobile homes, or motor homes on the property at any time for any reason is prohibited.

5. Construction of buildings within the Carleton Forest Preserve is not permitted. Roads are to be allowed within the Carleton Forest Preserve only after receiving consent from Patten Environmental Trust, its successors and assigns.

6. Commercial timber cutting is prohibited within Carleton Forest Preserve. Individual timber management will be permitted only within the limitations of the Carleton Forest Preserve Deed of Conservation Easement.

7. The dumping of ashes, trash, garbage and other unsightly material is prohibited.

8. No animal grazing of any kind will be permitted within the Carleton Forest Preserve area.

9. Construction of all structures within the 100' shoreline buffer area as shown on the aforementioned map, with the exception of duckblinds, docks and boathouses, is prohibited.

10. Construction of all structures and roads within the Carleton Indian Burial Ground area, so-called, located on Lots 19 and 20, will not be permitted unless otherwise authorized by the Patten Environmental Trust, its successors and assigns.

11. All plant life and surface vegetation within the said Carleton Indian Burial Ground area is to be left "as-is."

12. The use of all lots is subject to the terms and conditions of the Conservation Easements in Gross granted to the Patten Environmental Trust concerning the Carleton Forest Preserve, Carleton Island Shoreline Buffer Zone and Carleton Island Indian Burial Ground.

13. The use of all lots is subject to a 50' right of way which is to be used in common by all lot owners, their successors and assigns, for purposes of ingress and egress to their respective lots and which right of way is more particularly described in a map of Carleton Island made by Rhinevault Surveyors entitled "Map of Carleton Island owned by Patten Corporation, N.E. situate in the Town of Cape Vincent, Jefferson County, N.Y.S." dated June 2, 1986 and filed in the Jefferson County Clerk's Office in Book 17 of Maps at page 29.

14. The use of all lots is subject to the permanent right of Niagara Mohawk Power Corporation, its successors and assigns, to construct a power line across Carleton Island for the purpose of providing power to said lots. The location of said line shall be within the sole discretion of said Niagara Mohawk Power Corporation.

15. There shall be no commercial quarrying, mining or excavation on any lot at any time.

16. There shall be no grading of land surface, excavation, or exhumation activity on any portion of Lots 1, 2, and 20 located within the Fort Haldimand Buffer Zone, ie. within limits of nominated lands"

as shown on the aforementioned map without a minimum 30 day notice to the Thousand Island Land Trust, Inc. All parties may be relieved from the responsibility of this notice requirement upon written approval by the New York State Historic Preservation Officer and a representative of the New York State Museum.

IN WITNESS WHEREOF, the undersigned has set its hand and seal this 8th *day of* August *, 1986.*

Patten Corporation Northeast
By: Michael Patten

STATE OF VERMONT)
COUNTY OF BENNINGTON) ss.

On this 8th day of August, 1986, before me, the subscriber, personally appeared MICHAEL PATTEN to me personally known, who, being by me duly sworn, did depose and say that he resides in Williamstown, MA, that he is the President of PATTEN CORPORATION NORTHEAST, the corporation described in, and which executed, the within Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Notary Public
My Commission Expires 3/30/87