

THIS INDENTURE, made the 10th day of February 1954, between BELLPORT REALTY COMPANY, INC., a domestic corporation having its principal place of business at 110 West 34th Street, Borough of Manhattan, City, County and State of New York, party of the first part, and BELLPORT BEACH PROPERTY OWNERS ASSOCIATION, INC., a corporation organized under the Membership Corporation Law of the State of New York, having its principal office at Bellport, Suffolk County, State of New York.

WITNESSETH; That the party of the first part in consideration of One Dollar (\$1.00) lawful money of the United States paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns forever, upon the following conditions, for the uses hereinafter expressed and subject to the provisions hereinafter set forth, ALL THOSE CERTAIN LOTS, PIECES OR PARCELS OF LAND, situate, lying and being at Bellport in the Town of Brookhaven, County of Suffolk and State of New York, bounded and described as follows:

PARCEL ONE

BEGINNING at a locust stake set in the westerly line of the land of the Bellport Land Co. as shown on "Amended Map-Wood Acres, Section "A" Suffolk County Clerk's Map No. 581, said land being "Tract E," conveyed by Wood Acres Realty Corporation to Bellport Realty Company, Inc. by deed recorded in the Suffolk County Clerk's Office in Liber 2732 Page 440, said locust stake being distant southerly as measured along said westerly line on a bearing S. 49° 00' 00" W. 45.48 feet from the intersection of said westerly line with the southerly line of Bay Road as shown on said Map; said southerly line of Bay Road having a bearing of S. 58° 01' 00" E.; running from said locust stake, by and with the said westerly line S. 49° 00' 00" W. 360.43 feet to the general line of the North

Shore of the Great South Bay as it existed in January, 1953; running thence by and with said general line of the north shore of the Great South Bay S. 82° 28' 30" W. 300.00 feet to the other land of the Bellport Realty Company, Inc.; running thence by and with said other land N. 20° 24' 00" E. 225.00 feet to a point; running thence still by and with said other land and continuing by and with the southerly terminus of a right of way hereinafter described; N. 82° 28' 30" E. 495.27 feet to the locust stake at the point and place of beginning. Together with a right of way 50 feet in width described as follows: Beginning at the southwest corner of Lot No. 4 as shown on "Amended Map-Wood Acres - Section A" Suffolk County Clerk's Map No. 581; running thence by and with the westerly terminus of Bay Road as shown on said map S. 58° 57' 20" W. 56.10 feet to the southerly line of said Bay Road; thence running by and with the southerly line of said Bay Road S. 58° 01' 00" E. 8.24 feet to the said land of the Bellport Land Co.; running thence by and with the said land of Bellport Land Co. S. 49° 00' 00" W. 45.48 feet to a locust stake and the land above described; running thence by and with the land above described S. 82° 28' 30" W. 90.65 feet to other land of the Bellport Realty Company, Inc., running thence by and with said other land the following courses and distances; N. 49° 00' 00" E. 121.09 feet; northerly on the arc of a curve to the right having a radius of 50.00 feet the distance of 63.69 feet, and S. 58° 01' 00" E. 17.21 feet to the point or place of beginning. Parcel One and the Right of Way above described being and intended to be a part of "Tract C" conveyed by Wood Acres Realty Corporation to Bellport Realty Company, Inc. by deed recorded in the Suffolk County Clerk's Office in Liber 2732 page 440. Together with the right to use the Foot Path running from Lyman Road to Bay Road as shown on survey dated May 1953 and made by Norton Bros., Surveyors

PARCEL TWO

BEGINNING at the locust stake at the point and place of beginning of Parcel One, above described, and running thence by and with said parcel one S. 49° 00' 00" W. 360.43 feet to the general line of the North Shore of the Great South Bay as it existed in January, 1953; running thence by and with said general line of the north shore of the Great South Bay, the following courses and distances, N. 65° 19' 30" E. 100.00 feet, N. 86° 45' 00" E. 62.00 feet and S. 59° 42' 30" E. 41.56 feet to other land of the Bellport Realty Company, Inc.; running thence by and with said other land N. 26° 25' 50" E. 199.42 feet to a locust stake; thence running N. 49° 00' 00" E. a distance of 36.29 feet to a locust stake in the southerly side of Bay Road; thence running N. 58° 01' 00" W. by and with the southerly side of Bay Road a distance of 30.20 feet to a locust stake; and thence running; S. 49° 00' 00" W. a distance of 45.48 feet to a locust stake at the point or place of beginning. Being and intended to be a part of Tracts D and E. conveyed by Wood Acres Realty Corporation to Bellport Realty Co., Inc. by deed recorded in the Suffolk County Clerk's Office in Liber 2732 page 440. Subject to a permanent right of way over that portion of the above described premises as lies within Parcel E conveyed by Wood Acres Realty Corporation to Bellport Realty Company Inc. by deed recorded in the Suffolk County Clerk's Office in Liber 2732 of conveyances at page 440.

Subject to the rights of the party of the first part, its successors, and assigns, and its grantees to use the rights of ways and footpath described in Parcel One and Parcel Two for the purpose of ingress and egress from Bay Road in Wood Acres Section A to the property of the party of the first part West of Wood Acres Section A known as Parcel "C". The party of the first part, its successors or assigns also reserve the right to incorporate the footpath above referred to or any part thereof within the lines

of a street, at which time the easement granted in the footpath shall attach to the street within whose lines the footpath lies.

Subject to zoning restrictions affecting the premises.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, its successors and assigns forever, upon the following conditions and subject to the following uses, limitations and conditions: -

(1) Subject to an easement, in common, for the use as a private beach of the premises hereinabove conveyed, in favor of all purchasers from the grantor herein, its successors and assigns, whether prior or subsequent to the date hereof, of lots or tracts of land on the maps set forth and listed below, which said easements in common are hereby granted and confirmed to all such prior and future purchasers of property, **their respective heirs and assigns.**

*S. C. T. atty*  
*4/8*

SHOWN ON THE FOLLOWING MAPS

A)  
Map entitled "Amended Map of 'Wood Acres' Section A, situate at Bellport, Town of Brookhaven, Suffolk County, Long Island, owned and developed by the Bellport Land Compan, Inc.," made by May & Smith Inc., Civil Engineers, Patchogue, New York, dated January 8, 1921 and completed March 31, 1927, and filed in the Suffolk County Clerk's Office on October 9, 1929 under File No. 581, All or any part of property shown on plots on Map of Section A with the exception of the following plots: Plot No. 13, 14, 15, 51, 52 and 53.

Wood Acres, Map #581  
All or any part of property shown on map of/Section A on the south side of Bay Road as shown on said map as land of "Henry L. Dikeman."

*S. C. T. atty*

B)  
Map entitled "Bellport Beach Estates, Section Two, Bellport,

Suffolk County, New York, owned and developed by Bellport Realty Company, Inc." filed in Suffolk County Clerk's Office on November 9th, 1948, as Map 1660." including all property shown on Map of Section Two.

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C) Map entitled "Bellport Beach Estates, Section Three, Bellport, Suffolk County, New York, owned and developed by Bellport Realty Company, Inc.", filed in Suffolk County Clerk's Office on July 14, 1949, as Map No. 1671, including all the property shown on Map of Section Three

D) Map entitled "Bellport Beach Estates, Section Four, Bellport, Suffolk County, New York, owned and developed by Bellport Realty Company, Inc.", filed in Suffolk County Clerk's Office on January 10th, 1950, as Map No. 1727, including all property shown on Map of Section Four, also property with frontage on Lyman Road and Lyman Circle not plotted but designated as "described."

E) Twelve (12) lots, as follows: No. 6 - Frith & Secor; No 8-Stanganelli; Nos. 9 and 30 - Olsworth; No. 18 - Laraia - Nos. 19 and 29 - Nuovo; No. 24 - Hawkins; No. 25 - West; No. 26-Schmidtchen; No. 27 - Ruopp; and No. 28 - Burns as shown on Map of Bellport Country Club Estates" situate at Bellport, Suffolk County, New York, filed in Suffolk County Clerk's Office at Riverhead, New York, on January 2, 1920 as Map No. 281.

F) All or any part of a described parcel of approximately 11 1/2 acres in Parcel C in the deed from Wood Acres Realty Corp. to Bellport Realty Company, Inc. recorded in Liber 2732 of conveyances at page 440 in Suffolk County Clerk's Office.

The party of the first part reserves the right to convey similar easements to any property owner or owners of property excepted



herein and/or to purchasers of any property which may hereafter be owned or acquired by the party of the first part provided <sup>above designated,</sup> said property is located on any of the maps ~~XXXXXX~~ <sup>other than Map designated in Paragraph E above.</sup> ~~XXXXXXXXXXXXXXXXXXXX~~

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(2) The party of the second part hereby agrees and this conveyance is made upon the express condition that the party of the second <sup>including the footpath easement above described</sup> part will hold the premises herein conveyed in trust for and for the exclusive use and benefit of all the present and future owners of property listed herein who are entitled to the use of the aforesaid beach property and nothing herein contained shall be construed to mean that the premises herein conveyed shall be held exclusively for the use of the property owners who are entitled to said easements and who now are or may hereafter be members of the party of the second part.

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(3) The premises shall be used solely and exclusively as a private beach and the party of the second part, may make, adopt and enforce such reasonable regulation, and improvements as the property owners may deem necessary to the proper use and enjoyment of the premises but such regulations, and/or improvements shall in no manner interfere with, impair or mitigate the rights of any property owners or owner entitled to the easements and privileges heretofore or hereafter granted by the party of the first part in respect to said premises.

(4) The party of the second part shall have no right to grant to anyone any easements, rights or privileges on or over the premises herein conveyed for any purposes whatsoever, nor shall it encumber or sell the premises herein granted without the consent of all parties having rights therein.

(5) The party of the second part agrees to pay any and all taxes, assessments or other charges against the premises which may hereafter become due.

(6) The party of the first part in addition to its rights hereunder and its rights as a property owner further reserves unto itself, its

agents, successors and assigns, the right to enter upon the premises herein conveyed at anytime for any reason which it in its opinion deems necessary in the protection and sale of its property interests in said development. Nothing herein contained shall be construed to permit the parties hereto to do any act or thing which would nullify or interfere with the beach easements above referred to or to the purposes of the within grant.

IN WITNESS WHEREOF, the party of the first part has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer the day and year first above written, and the party of the second part, in order to evidence its acceptance of this conveyance according to the terms thereof has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer the day and year first above written.

BELLPORT REALTY COMPANY INC

BY:

*[Handwritten signature]*

President

ATTEST:

*[Handwritten signature]*

Secretary



BELLPORT BEACH PROPERTY OWNERS ASSOCIATION INC.

BY:

*[Handwritten signature]*

President

ATTEST:

*[Handwritten signature]*

Secretary

