

RESOLUTION 20 of 2025

At a meeting of the Town of Clinton Town Board duly held at the Town Hall, Centre Road in the Town of Clinton on the 13th day of May, 2025. Upon the calling of the roll by the Town Clerk the following members were:

Present:

Supervisor Whitton
Councilman Dykas
Councilwoman Mustello
Councilwoman Auspitz
Deputy Supervisor Werner

Absent: None

The following resolution was offered for adoption by Deputy Supervisor Werner which resolution was seconded by Councilwoman Mustello

RESOLUTION APPROVING REVISED AND AMENDED DEED AGREEMENT OF COVENANTS AND RESTRICTIONS AND STIPULATION OF SETTLEMENT WITH OMEGA INSTITUTE FOR HOLISTIC STUDIES, INC.

WHEREAS, the Town of Clinton (the “Town”) and a prior owner of property located at 202 Lake Drive in the Town of Clinton, Parcel Number 132400-6464-00-032842, (the “Premises”), CVH Charter Corp., entered into a Deed Agreement of Covenants and Restrictions and Stipulation of Settlement dated January 22, 1991 and recorded with the Dutchess County Clerk on January 24, 1991, (the “1991 Agreement”), the terms of which run with the land and are binding on the current owner, Omega Institute for Holistic Studies, Inc. (“Omega”);

WHEREAS, the terms and conditions of the 1991 Agreement are outdated and are no longer suitable to govern the use and operation of the Premises and the Town and Omega wish to revoke it and replace it with a new agreement wherein the use and operation of the Premises are governed by the Town Code, including but not limited to Chapter 218 (Trailers and Trailer Parks), as amended;

WHEREAS, the Town and Omega agree that certain pre-existing non-conformities exist on the Premises which are not in compliance with the Town Code;

WHEREAS, the Town and Omega agree that said pre-existing non-conformities may continue to exist on the Premises subject to the terms and conditions governing Nonconformities found in Chapter 250 of the Town Code, as amended; and

WHEREAS, the Town and Omega desire to enter into the Revised and Amended Deed Agreement of Covenants and Restrictions and Stipulation of Settlement, which is attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the Revised and Amended Deed Agreement of Covenants and Restrictions and Stipulation of Settlement on behalf of the Town;

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized, directed and empowered to execute the Revised and Amended Deed Agreement of Covenants and Restrictions and Stipulation of Settlement in the substantial the form attached hereto, subject to any non-material changes deemed necessary in the Town Supervisor's reasonable discretion; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized, directed and empowered to execute any additional documents necessary to support and effectuate the Revised and Amended Deed Agreement of Covenants and Restrictions and Stipulation of Settlement, including but not limited to any documents necessary to effectuate its filing in the Office of the Dutchess County Clerk.


The vote having been taken upon such resolution the result was as follows:

Supervisor Michael Whitton	VOTING	<u>AYE</u>
Councilman Eliot Werner	VOTING	<u>AYE</u>
Councilman Katherine Mustello	VOTING	<u>AYE</u>
Councilman Charles Dykas	VOTING	<u>AYE</u>
Councilwoman Marion Auspitz	VOTING	AYR

There being a majority of the Town Board voting to approve the resolution, the resolution was declared by the Town Supervisor to have been adopted.

IN WITNESS WHEREOF, I affix the seal of the Town of Clinton as the Clerk thereof, this 13th day of May, 2025.

TOWN OF CLINTON, NEW YORK

Town Clerk: 
Carol-Jean Mackin