

Parma Town Board meeting held on Tuesday, April 3, 2007 at the  
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

### **ATTENDANCE**

Supervisor	Richard Lemcke
Councilman	Kenneth Blackburn
Councilman	Joseph Reinschmidt
Councilman	Carm Carmestro
Councilman	James Smith
Highway Supt.	Brian Speer
Recreation Director	Steve Fowler
Building Inspector	Jack Barton

### **OTHERS IN ATTENDANCE**

Art Cosgrove, Brad Delano, Gene DeMeyer, Joe Petricone and other unidentified members of the public.

### **CALL TO ORDER**

Supervisor Lemcke called the meeting to order at 7:00 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Supervisor Lemcke noted emergency exit procedures and that the meeting was being digitally recorded.

### **PUBLIC FORUM**

Supervisor Lemcke asked if anyone present would like to address the Town Board on any topic not on the agenda. There was no response.

### **MINUTES – MARCH 20, 2007**

**RESOLUTION NO. 107-2007** Motion by Councilman Smith, seconded by Councilman Blackburn, to accept the Minutes of the March 20 2007 meeting.  
Motion carried: Aye 5 Nay 0

### **TOWN CLERK REPORT**

The Town Clerk's report for March has been submitted.

The Town of Ogden has sent the Town of Parma a site plan, map and parcel description for a proposed Senior Housing rezoning at the corner of Gillette and Spencerport Roads. A copy is on file in the Town Clerk's office. This was a courtesy notification.

### **REQUEST FOR USING TOWN PARK FACILITIES**

A request was submitted by the Boys U16 Hilton Heat Soccer Team to use a pavilion on July 29, 2007 for an end of season team picnic. There was a discussion and it was determined that the fee would not be waived for individual team requests but requests for organization functions (like tournaments) should continue to come before the Town Board for approval on a case by case basis. Therefore, the fee will not be waived for the Boys U16 Hilton Heat Soccer Team.

**RESOLUTION NO. 108-2007** Motion by Councilman Carmestro, seconded by Councilman Smith, to deny individual team requests for pavilion use fee waivers.

Motion carried: Aye 5 Nay 0

### **RESIGNATION – LOLA RAE HEINRICH**

**RESOLUTION NO. 109-2007** Motion by Councilman Reinschmidt, seconded by Councilman Blackburn, to accept the resignation of Lola Rae Heinrich, with regrets, from the Parma Public Library Board of Directors. She served the Library well and the Town Board wishes her all the best.

Motion carried: Aye 5 Nay 0

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported that the grant requests submitted for three bridges to be repaired were accepted. No particular time table has been given and it is not expected that the work will be done all in one year. There was discussion regarding the average cost for each bridge and what portion will be paid by the federal, state and local funding.

Councilman Carmestro inquired as to the status of Greg Speer's on the job injury. There was discussion regarding notification of injuries to management, safety training on power equipment and when medical costs are paid outright by the Town or submitted as worker compensation claims.

### **HIGHWAY EQUIPMENT PURCHASES**

Supt. Speer has previously requested to purchase equipment for the Highway Department. There was discussion on whether to postpone discussion to a workshop session; obtaining more specific information on the use of a municipal lease; whether it would be better to use surplus funds for the two pick-ups requested and what pieces of equipment the Highway Superintendent felt should have the highest priority. Supt. Speer indicated that the Rubber Tire Excavator would be his first choice followed by the pick-up trucks. There was discussion regarding the number of hours the current Rubber Tire Excavator is used per year; if an alternative piece of equipment would better suit the Town and whether renting should be considered.

**RESOLUTION NO. 110-2007** Motion by Councilman Smith, seconded by Councilman Blackburn, to seek three sealed bids for a Rubber Tire Excavator based on the specifications set by the Highway Superintendent.

Motion carried: Aye 3 Nay 2 Councilman Carmestro and Supervisor Lemcke voting Nay.

### **RECREATION DEPARTMENT REPORT**

In response to earlier discussion regarding safety training, Mr. Fowler reported that the Recreation Department has a Safety Manual that has been approved by our insurance company. The manual is part of the orientation of all new staff.

Mr. Fowler provided the Town Board with an updated Hilton-Parma Administrative Office Equipment Replacement Schedule.

### **BUILDING DEPARTMENT REPORT**

The March Building Department Report has been submitted.

It was reported that a decision in favor of the Town of Parma to demolish three structures at 21 Dean Road has been received from the Supreme Court. Mr. Barton will be in contact with the Highway Department and contractors for pricing on demolition of the structures and notification will be sent to the property owner so that personal property can be removed. Demolition costs and attorney fees will be billed to the property owner.

Mr. Barton reported that the number of violations for 4742 and 4728 Ridge Road West was reduced by sixty. The court's decision to drop these violations was based primarily on the inability to prove clear ownership thus determining who would be responsible for repairs. Notices will be sent to the addresses where ownership was not clear. The remaining eighty violations, that were allowed, will proceed to Town Court.

Mr. Barton provided an update on 4671 Ridge Road West, the former Kirby Motel. The owners have obtained demolition permits and are currently in talks with the North Greece Fire Department for burn and smoke training exercises. The fire department is waiting for a release from their attorney. Asbestos has been removed from the site and a report was submitted. Hilton and Spencerport Fire Departments will also participate in the training exercises. It was noted that the demolition permit is good for six months. Concern was expressed by Town Board members that the visual appearance of the property is not good; the potential for more vandalism will increase the longer it remains in this condition and it is not in the best interest of the neighborhood to prolong the current status of the property.

Mr. Barton made the Town Board aware that there is no electric available at 670 Ogden Parma Townline Road. Mr. Barton informed the Town Board that a barn was built first and a house has been started on the property. Spencerport Village Electric has determined that they are at capacity and will not allow this property as an additional user. RG&E is trying to work with them. The nearest point of access with RG& E would be Trimmer Road.

There was discussion regarding the order of steps needed for rezoning when SEQR is involved and the need to classify the type. The type of classification under SEQR was not stated for the resolution to rezone 1776 Hilton Parma Corners Road.

**RESCIND RESOLUTION NO. 83-2007**

**RESOLUTION NO. 111(2)-2007** Motion by Councilman Smith, seconded by Councilman Blackburn, to rescind Resolution No. 83-2007 to correct wording.

Motion carried: Aye 5 Nay 0

**REZONE NORTHERLY PORTION OF 1776 HILTON PARMA CORNERS ROAD**

**RESOLUTION NO. 111-2007** Motion by Councilman Reinschmidt, seconded by Councilman Blackburn,

WHEREAS, the Town Board of the Town of Parma duly called a public hearing by legal notice published on the 18<sup>th</sup> day of February 2007 and posted on the Town Hall Bulletin Board and at the Post Office, to consider the rezoning of the northerly portion of 1776 Hilton Parma Corners Road, Tax Parcel No. 072.010-02-010, from Rural Residential to General Commercial; and

WHEREAS, the Parma Town Board finds this an Unlisted action under SEQR, accepts the Modified Short Environmental Assessment Form; and determines a negative declaration; and

WHEREAS, the proposed rezoning was reviewed by the Parma Planning Board and Monroe County Planning and Development.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Zoning Map of the Town of Parma be and the same hereby is amended to change the zoning classification from Rural Residential to General Commercial of the following:

All that tract or parcel of land containing 3.987 acres of land, more or less, situated in part of Town Lot 12, Township 4, of the Gore Tract situate off the east side of Parma Corners Hilton Road, Town of Parma, County of Monroe, State of New York, more particularly bounded and described as follows:

Beginning at a point in the centerline of Parma Corners Hilton Road, 333.0 feet north of the north R.O.W. line of Ridge Road, thence

1. Continuing north along the centerline of the Parma Corners Hilton Road, a distance of 520.53 feet to a point, thence
2. Easterly, along a line at an interior angle of 92° 22' 42" a distance of 322.97 feet to a point, thence
3. Southerly, along a line at an interior angle of 87° 43' 08" a distance of 554.38 feet to a point, thence
4. Westerly, along a line at an interior angle of 86° 17' 10" a distance of 324.29 feet to a point in the centerline of said above road being also the point of beginning.

Sec. 2. That the Town Clerk is hereby directed and authorized to publish a notice of adoption of this Resolution as required by law, and

Sec. 3. That said amendment and change shall take effect immediately.

Motion carried: Aye 5 Nay 0

## **PARKS DEPARTMENT**

Mr. Petricone reported Mike Ingham has been hired to fill an open position in the Parks Department. The Parks Department is now at full staff and is busy cleaning up winter debris. It is still very wet.

Bob Crowley will be here next week to address septic issues.

Mr. Petricone has purchased a light pole for the Historical Building and is seeking a price for the base. He will also get a price for a base for the VFW flagpole. The VFW Post will pay for modifications to the flagpole left over from the front of the Town Hall.

A letter and pictures have been provided to the Town Board of drainage work done in the east meadow of the nature trail/disc golf area by the Highway and Parks Departments. The pictures included shots of wood duck boxes which were donated by Jim Gillette and some of the twenty different types of birdhouses donated by John Frillici. Thanks were expressed to all.

## **BUSINESS ITEMS**

### **SELECTIVE INSURANCE**

Selective Insurance has made several recommendations based on a safety management survey they conducted. The list of items was discussed.

## **AMERICAN LEGION**

The Hiscock-Fishbaugh Post 788 of the American Legion has submitted a voucher for reimbursement of services. The Finance Director researched the Town's ability to honor this request with the Association of Towns. It was determined that this was an appropriate request.

**RESOLUTION NO. 112-2007** Motion by Supervisor Lemcke, seconded by Councilman Blackburn, to approve the voucher submitted by the Hiscock-Fishbaugh Post 788 of the American Legion for services rendered.

Motion carried: Aye 5 Nay 0

### **HUMAN RESOURCES**

Supervisor Lemcke summarized a letter from Mary Gavigan requesting that the Town Board consider a compensation line item for a Human Resources Director. She estimated that 15 to 25 hours per month are spent on the human resource function. A job description was included.

**RESOLUTION NO. 113-2007** Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve \$2,000.00 per year for funding of a compensation line for Director of Human Resources to be taken as a quarterly stipend.

Motion carried: Aye 5 Nay 0

### **PREPAID CHECKS**

Finance Director requested approval of the following checks as prepaids:

Critical Response Systems (Pagers)	\$ 325.50
Applied Business Systems (Postage for Assessment notices).	\$2,320.23
Doug Hurlbutt (Mileage for February)	\$ 92.34

**RESOLUTION NO. 114-2007** Motion by Councilman Smith, seconded by Councilman Carmestro, to approve the following prepaids: Critical Response Systems (Pagers) for \$325.50, Applied Business Systems (Postage for Assessment notices) for \$2,320.23, Doug Hurlbutt (Mileage for February) \$92.34.

Motion carried: Aye 5 Nay 0

### **RESOLUTION ACCEPTING DEED TO SUMMERTIME TRAIL SECTION ONE AND SECTION TWO FOR DEDICATION**

**RESOLUTION NO. 115-2007** Motion by Councilman Carmestro, seconded by Councilman Blackburn,

WHEREAS, certain parcels of land located in the All Seasons Subdivision, Section 1 and Section 2, more particularly described on Exhibit "A" attached hereto, has been offered for dedication to the Town of Parma (the "Town") for highway purposes by Crowley Development Corporation (the "Owner") of said land as shown on a map of All Seasons Subdivision, Section 1 and Section 2, filed in the Monroe County Clerk's Office in Liber 300 of Maps, page 89 and Liber 314 of Maps, page 20, and

WHEREAS, the Town Engineer has recommended acceptance of said parcel for dedication for highway purposes and the roadway having been completed in accordance with the Town specifications, and

WHEREAS, the Town Attorney has ordered a fee title insurance policy relating thereto,

NOW THEREFORE, BE IT RESOLVED by the Town Board of the Town of Parma in regular session duly convened herein agrees to accept the deed of dedication on the said road, to be known as Summertime Trail and directs the Town Clerk to record the same in the Monroe County Clerk's Office after verification that all easements have been filed.

Motion carried: Aye 5 Nay 0

\*\*\*See Exhibit "A" at end of Minutes

**COMMUNITY CENTER PROJECT**

Mr. Fowler presented two action items which resulted from the March 27<sup>th</sup> workshop meeting. The first was to accept the Hilton-Parma Recreation and Parks Commission's recommendation to use DeWolff Partnership as the architectural firm to develop the conceptual design for the Community/Health Center. The second was to discuss and act upon whether the Parma Town Hall Park and Athletic Complex should be considered as a construction location for the Community/Health Center

There was discussion on how we are referring to this project. It will be referred to as the Community Center Project going forward.

**COMMUNITY CENTER PROJECT – ARCHITECTURAL FIRM**  
**DEWOLFF PARTNERSHIP**

**RESOLUTION NO. 116-2007** Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to accept the recommendation of the Hilton Parma Recreation and Parks Commission to choose DeWolff Partnership as the architectural firm to develop the conceptual design for the Community Center.

Motion carried: Aye 5 Nay 0

There was discussion on naming the Town Hall Park and Athletic Complex as a site to be considered for the Community Center Project in addition to renovation and addition to 59 Henry Street. The Town Board was in agreement to include this location as a tentative site.

Additional discussion included land west of Merton Williams and a resolution passed by the Library Board today. The Library Board's resolution approved continued participation in the Community Center Project provided that the selected construction site is within the Village of Hilton or within a half mile radius of the Village boundary line in any direction.

There was discussion on whether to conduct a town wide survey and/or survey a focus group at this time. There was also discussion on whether it was too early to seek a commitment for alternative funding sources.

**REQUEST FOR USING TOWN PARK FACILITIES –**  
**GREECE BUCCANEERS**

A letter was received from the Greece Buccaneers requesting use of Town Hall Park soccer fields for their tournament, May 19<sup>th</sup> and 20<sup>th</sup>. It was decided that the fields are currently being used to their maximum potential and we are unable to accommodate their request.

**RESOLUTION NO. 117-2007** Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to deny the request of the Greece Buccaneers to use Town Hall Park soccer fields for their tournament, May 19<sup>th</sup> and 20<sup>th</sup>.

Motion carried: Aye 5 Nay 0

**MISCELLANEOUS**

**REPEAL CHAPTER 24 ENTITLED “BUILDING CONSTRUCTION” OF THE TOWN**  
**CODE OF THE TOWN OF PARMA, MONROE COUNTY, NEW YORK**

**IN THE MATTER OF REPEALING CHAPTER 24 ENTITLED**  
**“BUILDING CONSTRUCTION” OF THE TOWN CODE OF THE**  
**TOWN OF PARMA, MONROE COUNTY, NEW YORK**

**RESOLUTION NO. 118-2007** Motion by Councilman Carmestro, seconded by Councilman Reinschmidt,

**WHEREAS**, the Town Board of the Town of Parma having duly adopted Chapter 24 of the Parma Town Code entitled "Building Construction" by Resolution dated May 14, 1979, and

**WHEREAS**, the Town Board of the Town of Parma having duly adopted Local Law 3-2007 entitled "Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code (Part 1203)" dated February 20, 2007, and

**WHEREAS**, the Town Board of the Town of Parma, having intended to adopt the aforementioned Local Law 3-2007 in place and in stead of the aforementioned Chapter 24 of the Parma Town Code, hereby resolves as follows:

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Parma hereby repeals in its entirety Chapter 24 of the Parma Town Code entitled "Building Construction"; and be it

**FURTHER RESOLVED**, that Local Law 3-2007 shall at all times hereafter be known as Chapter 24 of the Parma Town Code.

DATED: April 3, 2007

**Vote of the Board:**

Richard Lemcke	AYE
Kenneth Blackburn	AYE
Joseph Reinschmidt	AYE
Carmey Carmestro	AYE
James Smith	AYE

BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF PARMA

DONNA CURRY, Town Clerk

**INFORMATIONAL ITEMS**

**MANDATORY TRAINING FOR PLANNING AND ZONING**

A sample resolution was given to Town Board members. This was tabled to the next Town Board meeting.

**MISCELLANEOUS**

**PROPOSAL - HIGHWAY GARAGE AT TOWN HALL**

Supervisor Lemcke submitted two concept plan maps as a proposal for the Town of Parma Highway Garage to be located on Town Hall Park property.

**TOWN HALL WATER MAIN EXTENSION**

Supervisor Lemcke reported that the Hilton Heat Soccer Club has approached the Town regarding the availability of water for Fields 1, 2 and 3 off Parma Center Road. The soccer club has expressed their desire to share in the cost of installation of a water main. Joe Petricone received 3 quotes and has met with contractors. There was discussion on whether materials could be purchased through the Monroe County Water Authority, whether labor and materials could be split out, the need for this to go out for bid, how much the soccer club might be willing to contribute and the impact on water pressure. There was also discussion on the

Town's responsibility and what legal requirements there might be in letting not for profit organizations use public property. Councilman Blackburn indicated that he would like to contact the Town Attorney.

### **OPEN SPACE COMMITTEE**

Supervisor Lemcke reported that he was contacted by Scott Copey, chairman of the Open Space Committee, with an update on what the committee has worked on. They hope to have speakers from other similar committees, the Genesee Land Trust and the Department of Environmental Conservation. They are also looking at available grant money. Many are matching grants or require that the Town contribute in some way. The committee would like the Town Boards feeling on whether they are committed to sharing in the cost. There was discussion. It was the Town Board's feeling that they would be willing to make that commitment and felt they would like survey results that sought public input.

### **SEWER EXTENSION OVER WEST CREEK**

Supervisor Lemcke reported that he received a letter from Land Tech Surveying and Planning P. L. L. C regarding extending the sewer to the north side of West Creek while bridge replacement construction is being done. There was discussion. The conclusion was that the Town would refer the developer to Pure Waters and NYS Department of Transportation.

### **WILDER ROAD SIDEWALK CONSTRUCTION PROJECT**

Supervisor Lemcke reported that information regarding authorization paperwork for funding of the Wilder Road Sidewalk Construction Project was received from Stephen Beauvais, Project Manager for the NYS Department of Transportation. The information will be provided to Town Board members to review for the next Town Board meeting.

### **LIAISON REPORTS**

\*\*Councilman Smith reported that he met with Jim Volkmar and has redesigned his spreadsheet to meet the immediate goal of getting the baseball field schedule in place with a monthly schedule for April through August. Councilman Smith's long range goal continues to be the collection of information regarding field usage for best utilization; how fields should best be scheduled based on over and under usage and then to integrate it with other departments and uses in the park.

\*\*Supervisor Lemcke reported that he has purchased a new laptop to replace his desktop and for use by the Town Board, Planning and Zoning Boards. He is also in the process of getting a projector and screen. It is hoped that the screen will be mounted on the wall and open and close electronically.

\*\*Councilman Carmestro reported that the POD emergency drill session went well. It was well organized and they were able to process the number of people in the allotted time.

He attended the Village Board meeting. Mr. Schultz was in attendance to discuss extension of sewers south to the proposed new senior housing project. The Village Board wanted to discuss further before making a final response.

Assessment letters have been mailed to property owners and calls are being received.

\*\*Councilman Reinschmidt reported that he attended the Library Board and reiterated the resignation of Lola Rae Heinrich and he shared with the Library Board what happened at the Community Center workshop session last week.

The Spencerport Fire District continues to work with Village Planning Board for final approval on the location of the building within the lot boundaries.



Supervisor Lemcke state that the town has been asked for a letter of support for the Volunteer Fireman tax exemption. He asked Councilman Reinschmidt to get the number of volunteers in the Spencerport Fire District who are Town of Parma residents.

\*\*Councilman Blackburn reported that the Parks Foreman had summarized Park issues already. The Code Enforcement Officer is following up on violations and working with a motel on Ridge Road to address issue of motel rooms (temporary guests) being rented as apartments (permanent).

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 10:10 p.m., seconded by Councilman Smith and all were in favor.

Respectively submitted,

Donna K. Curry  
Parma Town Clerk

**EXHIBIT "A"**

LEGAL DESCRIPTION FOR A  
DEDICATION OF SUMMERTIME TRAIL  
ALL SEASONS SUBDIVISION, SECTION 1  
TO THE TOWN OF PARMA

All that tract or parcel of land situated in part of the North Section of Braddock Bay Township, Town Lot 58, Township 4, Range 1, Mill Seat Tract of the Phelps and Gorham Purchase, Town of Parma, County of Monroe, State of New York, and more particularly described as follows:

Commencing at a point in the centerline of Collamer Road, said point being 1,25.60 feet south of the centerline of the intersection of Collamer Road with the centerline of Dunbar Road thence; S 86°51'09" W a distance of 33.00 feet to a point on the westerly right-of-way of Collamer Road, said point being the point an place of beginning for this description, thence;

- 1) S 86°51'09" W a distance of 280.00 feet to a point of curvature, thence;
- 2) On a curve to the right with a delta angle of 87°38'38", with a radius of 180.00, and an arc length of 275.34 feet to a point of reverse curvature, thence;
- 3) On a curve to the left with a delta angle of 87°46'52", with a radius of 30.00, and an arc length of 45.96 feet to a point of tangency, thence;
- 4) N 86°42'56" E a distance of 90.11 feet to a point, thence;
- 5) N 03°08'51" W a distance of 60.00 feet to a point, thence;
- 5) N 86°42'56" E a distance of 90.07 feet to a point of curvature, thence;
- 6) On a curve to the left with a delta angle of 89°51'47", with a radius of 30.00, and an arc length of 47.05 feet to a point of tangency, thence;
- 7) N 03°08'51" W a distance of 259.79 feet to a point of curvature, thence;
- 8) On a curve to the left with a delta angle of 90°08'13", with a radius of 120.00, and an arc length of 188.78 to a point of tangency, thence;
- 9) S 86°42'56" W a distance of 936.44 feet to a point,thence;

- 10) N 03°17'04" W a distance of 60.00 feet to a point, thence;
- 11) N 86°42'56" E a distance of 936.44 feet to a point of curvature, thence;
- 12) On a curve to the right with a delta angle of 90°08'13", with a radius of 180.00, and an arc length of 283.17 feet to a point of tangency, thence;
- 13) S 03°08'51" E a distance of 371.15 feet to a point of curvature, thence;
- 14) On a curve to the left with a delta angle of 89°59'60", with a radius of 120.00, and an arc length of 188.50 feet to a point of tangency, thence;
- 15) N 86°51'09" E a distance of 280.00 feet to a point on the westerly right-of-way of Collamer Road, thence;
- 16) S 03°08'51" E and along the westerly right-of-way of Collamer Road a distance of 60.00 feet to the point and place of beginning.

LEGAL DESCRIPTION FOR A  
DEDICATION OF SUMMERTIME TRAIL  
ALL SEASONS SUBDIVISION, SECTION 2  
TO THE TOWN OF PARMA

All that tract or parcel of land situated in part of the North Section of Braddock Bay Township, Town Lot 58, Township 4, Range 1, Mill Seat Tract of the Phelps and Gorham Purchase, Town of Parma, County of Monroe, State of New York, and more particularly described as follows:

Beginning at a point on the southerly right-of-way of Summertime Trail, said point being the westerly end of Section 1 of All Seasons Subdivision, thence;

- 1) S 86°42'56" W a distance of 131.70 feet to a point of curvature, thence;
- 2) On a curve to the left with a delta angle of 74°52'17", with a radius of 120.00, and an arc length of 156.81 feet to a point of tangency, thence;
- 3) S 11°50'39" W a distance of 946.59 feet to a point of curvature, thence;
- 4) On a curve to the left with a delta angle of 3°43'20", with a radius of 120.00, and an arc length of 7.80 feet to a point, said point being the southerly end of Summertime Trail, thence;
- 5) S 87°56'24" W a distance of 60.64 feet to a point of on the westerly line of Summertime Trail at it's southerly end, thence;
- 6) On a curve to the right with a delta angle of 7°08'10", with a radius of 180.00 feet, and an arc length of 22.42 feet, to a point of tangency, thence;
- ~~6) N 11°50'39" E a distance of 946.59 feet to a point of curvature, thence;~~
- 7) N 11°50'39" E a distance of 946.59 feet to a point of curvature, thence;
- 8) On a curve to the right with a delta angle of 74°52'17", with a radius of 180.00, and an arc length of 235.22 feet to a point of tangency, thence;
- 9) N 86°42'56" E a distance of 131.70 feet to a point on the westerly line of Summertime Trail in section 1, thence;
- 10) S 03°17'04" E a distance of 60.00 feet the point and place of beginning.