

SUPREME COURT
COUNTY OF SULLIVAN
STATE OF NEW YORK

RECEIVED
OFFICE OF COURT CLERK

94 JUL -7 AM 9:10

-----x
In the Matter
of
The application of EDWIN OLMSTEAD,

Petitioner,

For a Judgment under Article 78 of the Civil
Practice Law and Rules mandating proper
care of the Hoyt Cemetery, Bridgville, New
York,

-against-

TOWN OF THOMPSON TOWN BOARD,

Respondent.
-----x

ORDER

Index No. 2205/93
RII No. 52-10750-93

Present: Hon. Robert C. Williams, Justice

Upon reading the annexed Petition of Edwin Olmstead, verified August 9, 1993, and the Affirmation of K. C. Garn, Esq., affirmed August 5, 1993, and upon the Affidavit of Mrs. Marjorie Smith sworn to July 22, 1993, and the Exhibits submitted in support of the Petition and the Court, on December 7, 1993 and June 13, 1994, in the presence of counsel, having personally inspected the Hoyt Cemetery of Bridgville, County of Sullivan, which is the subject of this proceeding, and the respondents, through their attorney, having acknowledged responsibility for the care of said cemetery and having consented to the entry of an Order directing the maintenance of said cemetery in accordance with the Town Law of the State of New York and after due deliberation, It is hereby,

ORDERED, that pursuant to Town Law §291(1), it shall be the duty of the Town Board of the Town of Thompson to remove the grass and weeds from the Hoyt

Cemetery at least three times each year and, each year, this should be done once no later than Memorial Day, a second time by July 4th, and a third time by Labor Day, and, pursuant to said section, the Board shall also maintain the stone wall surrounding said cemetery.

Dated: July 5th, 1994
Monticello, New York

ENTER

Robert C. Wilson
J.S.C.