

PETITION AND ORDER

AT a Special Term of the Supreme Court held in and for the 7th Judicial District at the Court House in the City of Rochester, Monroe County, New York, on the 2nd day of February March, 1926

Present:
HON. J. B. M. Stephens
Justice Presiding

STATE OF NEW YORK SUPREME COURT: MONROE COUNTY.

In the Matter

of

The Application of the Oak Hill Country Club for leave to sell its real estate

Upon reading and filing the Petition of the Oak Hill Country Club duly verified the 20 day of Feby., 1926, by which it appears that the Petitioner is a Membership Corporation and is desirous of selling and exchanging its Real Estate in the City of Rochester for a parcel of some three hundred and fifty four acres, more or less, owned by the University of Rochester in the Town of Pittsford and Brighton and it appearing to the satisfaction of the Court that the interest of said corporation, as well as that of the University of Rochester and the City of Rochester, generally, will be promoted by said sale and exchange, and that the execution of said deed of sale and exchange is authorized by at least two thirds of the Board of Governors, now, therefore, upon motion of _____

IT IS ORDERED that leave is hereby granted to the Oak Hill Country Club to make, execute and deliver to the University of Rochester, Rochester, N. Y., a deed to the premises described in the petition of said Corporation.

Enter J. B. M. Stephens

Justice Supreme Court.

James L. Hotchkiss
Clerk

STATE OF NEW YORK

SUPREME COURT: MONROE COUNTY

In the Matter

of

The application of the Oakhill Country Club for leave to sell its real estate.

To the Supreme Court:

The Petition of the Oak Hill Country Club respectfully shows:-

FIRST: That the Petitioner is a membership corporation and the name is "Oak Hill Country Club" and the names of its Directors and Board of Governors and their places of residence are as follows:

Clarence Wheeler,	residing at Rochester, N. Y.
Wm. S. Addison	residing at " " "
Henry O. Alderman	residing at " " "
John C. Wright	residing at " " "

Herman Russell residing at Rochester, N. Y.
 Joseph Seddard residing at " " "
 John F. Broom residing at " " "
 Wm. W. Hibbard residing at " " "
 J. H. Stafford residing at " " "
 L. T. Hallett residing at Brighton, N. Y.
 Ezra J. Holler residing at Rochester, N. Y.
 E. B. Dennie residing at " " "
 S. Rae Hickok residing at " " "
 L. W. Chapin residing at " " "
 O. L. Cadle residing at " " "

The names of its principal officers and their places of residence are as follows:-

President, residing at _____

Henry O. Alderman Vice President, residing at Rochester, N. Y.

Herman Russell, Secretary, residing at Rochester, N. Y.

Wm. S. Addison, Treasurer residing at Rochester, N. Y.

SECOND: That said Petitioner was duly incorporated under and pursuant to the Membership Corporation Law of the State of New York and has its office and principal place of business at the Club House of said Corporation in the Town of Pittsford, Monroe County, New York, That the object or purpose of its incorporation was the maintenance of a Club House for its members.

THIRD: The following is a description of the real property of the Club to be sold and exchanged:

"ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe and State of New York, being parts of Town Lots 21, 22 and 23, formerly in the Town of Brighton, bounded and described as follows:- Beginning at a point in the River Road or Wolcott Street at the western end of the boundary line between lands formerly owned by Joseph A. Adlington, deceased, and lands formerly owned by James E. Wolcott, where said boundary line meets the east line of lands heretofore conveyed by James E. Wolcott to the said City of Rochester; thence east along the lands of said Adlington about nine hundred and fifty-seven (57) feet; thence south along the east line of said Adlington's land, being the division line between Lots Twenty-two (22) and Twenty-three (23) about six hundred and fifty-two (652) feet; thence east along the north line of said Adlington's land, being the division line between Lot Twenty-two (22) and Twenty-four (24) about five hundred and twenty (520) feet to lands now owned or used by the Erie Railroad; thence northeasterly along the lands of said Railroad about Seventeen hundred and seventy (1770) feet to lands now owned by the State of New York and used and occupied for a feeder from the Genesee River to the Erie Canal; thence westerly along the said lands of the State of New York, about thirteen hundred and twenty-six (1326) feet; thence west by south and southwest along said lands of New York State, about Twelve hundred and sixteen (1216) feet to the lands above mentioned as having been conveyed by James E. Wolcott to the City of Rochester; thence south-

erly along said lands of said City about two hundred and twenty-eight (228) feet to the place of beginning, for a more particular description of which reference is had to a Map made by William R. Storey, Surveyor, June 1906 and filed in Monroe County Clerk's Office in Liber 16 of Maps at page 21.

"It is the purpose of this deed to convey what is commonly known as the Wolcott Farm, bounded, however, as above described, and excepting and reserving to the State of New York all gold and silver mines in that portion of the said premises containing about eighteen one-hundredths ($18/100$) of an acre, which was conveyed by the said State of New York to A. F. & G. P. Wolcott by Letters Patent, recorded in Monroe County Clerk's Office in Liber 251 of Deeds at page 87.

"Also, excepting and reserving to the City of Rochester an easement and right of way for a road called the River Road or Wolcott Street, as now used by the said City.

"Being the same premises conveyed to the party of the first part by Ida J. Wolcott by deed recorded in Liber 735 of Deeds at page 437.

"ALSO, ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe and State of New York, being parts of Lots 23, 24, 25 & 26 in the Third Division of Lots in Township No. 13 in the Seventh Range, which is bounded as follows: beginning, at a point in the easterly line of Wolcott Road, which is 200 feet north of the north line of Elmwood Avenue, (as measured at right angles with Elmwood Avenue); thence running easterly parallel with the north line of Elmwood Avenue five hundred eighty-three and two-tenths (583.2) feet to the westerly line of the land occupied by the N. Y. L. E. & W. R. R. Co.; thence northerly in the westerly line of said R. R. lands one thousand one hundred and seventeen and two-tenths (1,117.2) feet to the northerly line of land owned by Joseph A. Adlington at the time of his death; thence westerly in said north line and the division line between the Adlington lands and the Wolcott lands five hundred and seventy seven and five-tenths (577.5) feet to a stone monument; thence northerly in the division line between the Adlington Lands and the Wolcott lands six hundred and fifty and four-tenths (650.4) feet to a stone monument; thence westerly in the division line between the Adlington lands and the Wolcott lands nine hundred and twenty-eight and seven-tenths (928.7) feet to the easterly line of the Wolcott Road; thence southerly in the easterly line of the Wolcott Road about seventeen hundred and thirty-five (1735) feet to the point of beginning and containing about thirty-three and three-tenths (33.3) acres of land.

"Also, a strip of land thirty-five (35) feet in width and about seventeen hundred and thirty-five (1735) feet in length (mostly used as the highway, (Wolcott Road) bounded north by the north line of the Adlington lands; south by a line two hundred (200) feet north of the north line of Elmwood Avenue; east by the easterly line of the Wolcott Road; west by the easterly line of the second described parcel of land in a deed to the City of Rochester, dated January 11th, 1895 and recorded in

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Monroe County Clerk's Office in Liber 849 of Deeds at page 74, and containing about 1.4 acres of land, according to a Map of Oak Hill (property of the Adlington Estate) made by William B. Storey, Surveyor, in 1906 and filed in Monroe County Clerk's Office June 14, 1906, to which Map reference is hereby made." Liber 14 of Maps page 36

FOURTH: That the interests of the Corporation, as well as the interests of the City of Rochester, generally, and the University of Rochester, will be promoted by the selling and exchanging of the above described property for property of equal value in the Town of Pittsford purchased by the University of Rochester for the purpose of this exchange in order to permit of the building by the University of Rochester upon the property above described of a new University of Rochester. That the acquiring by your petitioner of the property purchased for the purpose of this sale or exchange of properties by the University of Rochester will be of particular advantage to your Petitioner, giving your Petitioner as it will a larger tract of land for its purposes, particularly for athletic grounds, tennis grounds, golf links, and other athletic sports. That the sale and exchange is necessary for the interests of the Corporation in order to permit it to build a larger Club House and increase its facilities for the accommodation of its members for the purposes for which the corporation is organized.

FIFTH: That the sale and exchange of said above described property for the premises now owned by the University of Rochester in the Town of Pittsford was duly authorized by a vote of at least two thirds of the Board of Governors of said Corporation at a meeting thereof duly called and held on the 30 day of January, 1925, at the Rochester Club, East Ave. Rochester, N. Y., and that a certified copy of the resolution granting said authority is hereto attached and made a part of this Petition.

SIXTH: That the said Oak Hill Country Club has no other property than above mentioned. That the property for which the above mentioned property is sought to be sold or exchanged is of equal value with the property above described.

SEVENTH: That the property to be received in exchange for the above described property is to be used solely for the purposes for which the petitioner is incorporated.

WHEREFORE your petitioner prays for an order of this Court allowing it to make, execute and deliver the necessary deed of transfer upon the above described premises of the University of Rochester.

Dated Rochester, N. Y.
Feb. 20th, 1925.

Oak Hill Country Club

By C. Wheeler

President

STATE OF NEW YORK)
COUNTY OF MONROE)SS:

Clarence Wheeler, being duly sworn deposes and says that he is the President of the Oak Hill Country Club, the Petitioner herein; that he has read the foregoing petition and knows the contents thereof; that the same is true except as to those matters stated to be alleged on information and belief, and as to those matters he believes it to be true; that the annexed is a copy of a resolution of the Board of

Governors passed by the concurrent vote of at least two thirds of its Governors or Directors.

Subscribed and sworn to before me
this 20th day of February, 1926

G. Wheeler

George H. Raines
Notary Public

OAK HILL COUNTRY CLUB

WHEREAS, The University of Rochester desired the property of Oak Hill Country Club on Elmwood Avenue, Rochester, New York, as a site for the University, and to secure it have purchased property in the Town of Pittsford and prepared a new home for the Oak Hill Country Club, and

WHEREAS, The membership of Oak Hill Country Club at a meeting held April 4, 1924, have, by formal vote, approved the exchange with the University of Rochester of the present Oak Hill property for the property purchased and prepared by the University of Rochester, and

WHEREAS, Section 13 of Membership Corporations Law required the concurring vote of at least two-thirds of the Board of Governors for conveyance of the real property and a court order permitting said sale and exchange.

THEREFORE BE IT RESOLVED, That the proper officers of the Club be, and they hereby are, authorized to make application to the Court for the required leave to sell and exchange and to do all things necessary to effect the transfer of properties between the Oak Hill Country Club and the University of Rochester

Dated Rochester, New York, January
30, 1926.

I hereby certify that the foregoing resolution was duly passed by a vote of two thirds of the whole number of members of the Board of Governors of the Oak Hill Country Club at a Meeting of said Board duly held at the Rochester Club, East Avenue, Rochester, New York, on the 30th day of January, 1926.

(SEAL)

Herman Russell

Secretary Oak Hill Country Club

A true copy of the original Rec'd.

March 5, 1926 at 1:12 o'clock P. M. & Exd.

James E. Hotchkiss
CLERK

RELEASE

RELEASE
Part of Mortgaged Premises

Mortgage for \$30,000, dated: January 30, 1924

Mortgagor: General Realty Service, Inc.

Mortgagee: Janet Oliver

Recorded in the Office of the Clerk of Monroe County, State of New York, in Book No. 918 of Mortgages at Page 147

IN CONSIDERATION of the sum of Two Hundred Fifty and 00/100 Dollars (\$250.00) to Janet Oliver paid, she does hereby release from the lien of the above described