

**AMENDED  
MUNICIPAL COOPERATION AGREEMENT  
BOUGHTON PARK**

**THIS AMENDED AGREEMENT**, made this 10 day of June, 2003, by and between **THE TOWN OF EAST BLOOMFIELD, THE TOWN OF WEST BLOOMFIELD and THE TOWN OF VICTOR** (hereinafter collectively referred to as "Towns"), each of which is a Town in the County of Ontario and State of New York.

**W I T N E S S E T H**

**WHEREAS**, on March 15, 1990, the Towns, at a special joint Town Board meeting, adopted Park Resolution No. 1, finding that entrance fees not be charged to any resident of the townships of East Bloomfield, Victor, and West Bloomfield; and

**WHEREAS**, on or about the 27<sup>th</sup> day of March, 1990, the Towns entered into a certain Municipal Cooperation Agreement wherein the Towns agreed to cooperate with other in jointly acquiring lands and establishing a public park, which thereafter became known as "Boughton Park" located at the corner of the intersection of Boughton Road and Stirnie Road in the Town of East Bloomfield; and

**WHEREAS**, on April 4, 1990, the Towns, at a special joint Town Board meeting, adopted Park Resolution No. 7, that Park Resolution No. 1 be modified to include a residency requirement for the issuance of permits for entrance to the Park. It was determined that only residents of the Towns of East Bloomfield, Victor, and West Bloomfield be issued permits, subject however, to those residents having the right to take in guests from other localities; and

**WHEREAS**, in consideration of the aforementioned Agreement, the Towns purchased such property and have, to date, jointly maintained, operated, and managed the park for the benefit of its own residents; and

**WHEREAS**, issues have arisen wherein residents from other Towns and jurisdictions have requested entry into the park seeking to exercise their rights of assembly; and

**WHEREAS**, the park was funded privately and financed by each municipality through the sale of bonds without the necessity of requesting and/or receiving public grants; and

**WHEREAS**, it was the intention of the Towns to provide such park services for its own residents; and

**WHEREAS**, the aforementioned Municipal Cooperation Agreement stated that the park would be maintained for the benefit of the citizens of the Towns and "**the public at large**;" and

**WHEREAS**, it was never the intention of the Towns to provide such park services for "**the public at large**;"

**NOW, THEREFORE**, in consideration of the following covenants, the Towns do hereby agree to amend the aforesaid Municipal Cooperation Agreement as follows:

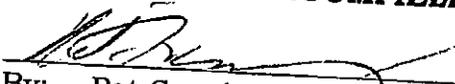
1. The second "WHEREAS" clause in the Agreement shall delete the language "**the public at large**."

2. Article I, Section 1.5, entitled "Definitions," shall be amended to read and be defined as follows: **"Park" shall mean the public park to be established upon the lands of the Towns for the sole benefit of the residents of such Towns.**"

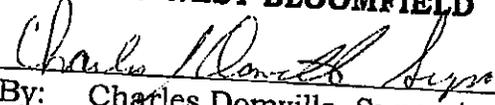
3. Article IV, Section 4.1, entitled "Purpose," shall delete the words, **". . . and the public at large."**

**IN WITNESS WHEREOF**, the Towns have caused this Agreement to be executed in their respective names.

**TOWN OF EAST BLOOMFIELD**

  
By: Pat Crowley, Supervisor

**TOWN OF WEST BLOOMFIELD**

  
By: Charles Domville, Supervisor

**TOWN OF VICTOR**

  
By: Jack Richter, Supervisor