



LAW OFFICE OF ALYSE D. TERHUNE, ESQ.  
82 E. Allendale Rd., Suite 6  
Saddle River, NJ 07458  
(201) 934-9800  
[alyse@aterhunelaw.com](mailto:alyse@aterhunelaw.com)

August 8, 2023

*Via Regular Mail*

Kim Zahra, Village Clerk  
Village of Monroe  
7 Stage Road  
Monroe, NY 10950

Re: Village v. WC Lincoln

Dear Kim,

Enclosed please find the "Affidavit of Attempted Service" in the WC Lincoln eminent domain proceeding. This affidavit is proof that the Village attempted to serve notice of the public hearing on the corporation through service on the NY Secretary of State and that the service was rejected. Please keep this in your files as proof should WC Lincoln alleged it was not properly served notice.

Sincerely,

A handwritten signature in blue ink that reads "Alyse D. Terhune". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Alyse D. Terhune, Esq.

encl.

AFFIDAVIT OF ATTEMPTED SERVICE

\*\*\*\*\*

THE VILLAGE OF MONROE BOARD (THE 'BOARD')
vs
WC LINCOLN CORP.

Index No.: NA
Filed On: 7/18/2023

\*\*\*\*\*

STATE OF NEW YORK
COUNTY OF ALBANY SS.:

James Perone, the undersigned am and was on the dates herein mentioned,
over the age of eighteen years, a resident of the State of New York and not a party to this action. I received the within

NOTICE OF PUBLIC HEARING

for service on WC LINCOLN CORP. and that after due search,
careful inquiry and diligent attempts at the [ ] Dwelling House [ ] Usual Place of Abode [ ] Place of Business,
I have been unable to make delivery of said process on the within named defendant/witness.

I further state that I attempted to serve the within process on the following dates and times indicated:
8/2/2023 11:00 AM NYS Secretary of State, 99 Washington Ave, Albany NY 12210

PROCESS IS BEING RETURNED WITHOUT SERVICE FOR THE FOLLOWING REASONS:

The Department of State cannot accept service as this is not considered process.

Sworn to before me on this
3rd day of August 2023

Notary signature and stamp: HEATHER MORIGERATO, NOTARY PUBLIC, STATE OF NEW YORK, NO. 01M06261464, QUALIFIED IN ALBANY COUNTY, COMMISSION EXPIRES MAY 14, 2024

James Perone signature and name

Invoice Work Order # S1896130

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Village of Monroe Village Board (the "Board") will hold a Public Hearing, open to all persons, on August 15, 2023 at the Village of Monroe Village Hall, 7 Stage Road, Monroe, New York, at 7:00 p.m. The public hearing is being held pursuant to Sections 201 - 204 of the New York State Eminent Domain Procedure Law ("EDPL") to consider the proposed acquisition by eminent domain of certain real property commonly known as 47 Lakes Rd, Tax Map No. 211-1-1, Village of Monroe, Orange County (the "Property") for the purpose of historic preservation, important cultural characteristics to the Village, potential creation of parkland and/or gardens, public health, well-being and other improvements that will benefit the entire Village of Monroe.

The purposes of the public hearing are to review the public use to be served by the acquisition and the impact of the acquisition on the environment and residents of the locality where the Project is proposed to be constructed, pursuant to Article 2 of the EDPL, and to give all interested persons an opportunity to present oral or written statements and to submit other documents concerning the acquisition of property to be acquired.

The proposed property acquisition involves the exercise by the Board of its power of eminent domain, either with or without a negotiated agreement, to all of the Property described as follows:

<b>Reputed Owner</b>	<b>Tax Map Parcel Number</b>	<b>Address</b>
WC Lincoln Corp.	211-1-1	47 Lakes Road

More particular information concerning the Property to be acquired under the EDPL, including legal descriptions and maps, and the acquisition are available for public inspection during normal business hours at Village Hall, 7 Stage Road, Monroe, NY 10950.

All persons having an interest in the acquisition are invited to attend the public hearing to give oral or written statements and to submit other documentation concerning this proposed publicly needed project.

ACCORDING TO EDPL §202(C)(2), THOSE PROPERTY OWNERS WHO MAY SUBSEQUENTLY WISH TO CHALLENGE THE CONDEMNATION OF THEIR PROPERTY VIA JUDICIAL REVIEW, MAY DO SO ONLY ON THE BASIS OF ISSUES, FACTS, AND OBJECTIONS RAISED AT THE HEARING.

Comments on the proposed acquisition may be made orally or in writing at the public hearing on August 15, 2023, or presented in writing to the Board at Village Hall, 7 Stage Road, Monroe, NY 10950 on or before August 15, 2023. Comments received after the close of the public hearing on August 15, 2023 will not be considered.

BY ORDER OF THE BOARD OF TRUSTEES  
VILLAGE OF MONROE  
KIMBERLY ZAHRA  
VILLAGE CLERK

Dated: July 18, 2023