

To whom it may concern, showeth:

Whereas, the Montauk Friends of Olmsted Parks Corporation, established under the laws of the State of New York in 1994, by resolution of its membership did claim to assume the rights, powers and responsibilities of the Corporation of the Proprietors of Montauk (Montauk Trustee Corporation) established by an Act of the Senate and Assembly of the State of New York on April 2<sup>nd</sup> 1852 (chapter 139); and

Whereas, said resolution by the MFOP/Montauk Trustee Corporation was delivered to state, county and local governments and acted upon in multiple matters brought before the courts of the State of New York, and

Whereas, the undersigned members of the Board of Directors of the aforesaid Montauk Friends of Olmsted Parks Corporation, sitting as acting trustees of Montauk under a Constitution adopted by the corporation in December of 2000, are owners of real property, or interests in real property, and are therefore vested in all of the rights established by the 1686 Dongan Patent and at Chapter 139 of the laws of 1852; and

We do, therefore, find that the June 20<sup>th</sup>, 2005, decision and order of Justice Daniel J. Loughlin, J.S.C., that did deny our corporation's petition in the matter of Town of Montauk, Inc v. Gov. Pataki, et. al. and did, therefore, finally dismiss said proceeding on the ground that the MFOP/Montauk Trustee Corporation, which claims to be the governing body of the Incorporated Township of Montauk through the aforesaid Charters and legislative Act, "has failed to show its entitlement to such relief", a holding that we find to be in error and repugnant to law

*Richard S. Monahan*

Richard S. MONAHAN

*Helen Ficalora*

Helen Ficalora

*William Grimm*

William Grimm

*Herbert McKay*

Herbert McKay

Attest:

*Robert A. Ficalora*

Robert A Ficalora