

STATE OF NEW YORK

SUPREME COURT

COUNTY OF ESSEX

TOWN OF ESSEX

and

JAMES Z. MORGAN, Jr., as Superintendent
of Highways of the Town of Essex,
Plaintiffs,

-Against-

LEWIS FAMILY FARM, INC.,
Defendant.

**NOTICE OF
APPEAL**

INDEX # 000047-07

R.J.I.# 15-1-07-0014

Date Purchased:

January 17, 2007

SIR:

PLEASE TAKE NOTICE that the above named Plaintiffs, Town of Essex and James Z. Morgan, Jr., as Superintendent of Highways of the Town of Essex, hereby Appeals to the Appellate Division of the New York State Supreme Court, Third Department, from the attached Decision and Judgment of the Honorable Mark L. Powers, Acting Supreme Court Justice, Supreme Court, Essex County, New York, dated February 1, 2008 and entered in the Office of the County Clerk on February 11, 2008, in the above-entitled action .

Dated: Clifton Park, New York
February 26, 2008

BY: /s/ DARRELL W. HARP
DARRELL W. HARP
Attorney for Petitioner/Plaintiff
12 Rolling Brook Drive
Clifton Park, New York 12065
Tel: (518) 371-4836

TO:

Joseph R. Brennan, Esq.
Brennan & White LLP
Attorneys at Law
163 Haviland Road
Queensbury, NY 12804-8702