

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

1118

CA 15-00735

PRESENT: SCUDDER, P.J., SMITH, CARNI, LINDLEY, AND VALENTINO, JJ.

W. JAMES CAMPERLINO, PLAINTIFF-APPELLANT,

V

ORDER

TOWN OF MANLIUS MUNICIPAL CORPORATION, VILLAGE OF MANLIUS, DEFENDANTS-RESPONDENTS, BENITA ROGERS, FRANK HEATH, CHRISTINE WARFIELD SMITH, EVAN SCOTT SMITH, KERI SEAGRAVES, DAVID ALTHOFF, MARY ANN CALO, MICHAEL J. CALO, DR. DAVID FEIGLIN, SHARON A. LINDBERG, JEROME A. LINDBERG, CAROL ILACQUA, DAVID SAMUEL AND TROOP D VETERANS, INC., INTERVENORS-RESPONDENTS.

LONGSTREET & BERRY, LLP, SYRACUSE (MICHAEL J. LONGSTREET OF COUNSEL), FOR PLAINTIFF-APPELLANT.

HARRIS BEACH PLLC, SYRACUSE (DAVID M. CAPRIOTTI OF COUNSEL), FOR DEFENDANT-RESPONDENT TOWN OF MANLIUS MUNICIPAL CORPORATION.

MACKENZIE HUGHES LLP, SYRACUSE (W. BRADLEY HUNT OF COUNSEL), FOR DEFENDANT-RESPONDENT VILLAGE OF MANLIUS.

NEIL M. GINGOLD, FAYETTEVILLE, FOR INTERVENORS-RESPONDENTS.

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered July 25, 2014 in a declaratory judgment action. The judgment, among other things, adjudged that the restrictive covenants in the 1981 agreement apply to plaintiff's property in lots 95 and 85 east of Sweet Road in the Town of Manlius.

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: November 13, 2015

Frances E. Cafarell
Clerk of the Court