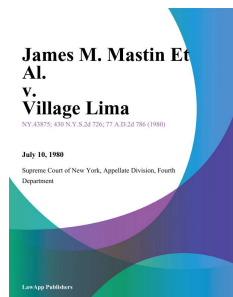


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JAMES M MASTIN ET AL V VILLAGE LIMA EBOOKS 2019



Author: Supreme Court of New York

Realese Date: Expected @@expectedReleaseDate@@

Case held, decision reversed, and matter remitted to Trial Term for further proceedings in accordance with the following memorandum: This is an appeal from a judgment of the trial court which dismissed plaintiffs causes of action which sought to compel removal of a water tower and other improvements constructed by the Village of Lima allegedly on plaintiffs property, and to recover damages. Plaintiffs purchased real property in the Village of Lima from Thomas and Elinor Bennett in December, 1974. In April, 1975 the Village of Lima purchased real property west of and adjacent to plaintiffs property from the Elim Bible Institute, Inc. The village then constructed a water tower on this parcel. Plaintiffs claim that [77 A.D.2d 786 Page 787]

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