



2018-19 Budget Development  
Cobblestone School  
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# History

- 1840 Property conveyed by Stephen Van Rensselaer for the purpose of constructing a schoolhouse. Deed contained a right of reverter clause stating that should the property be used for any other purpose than a site for a school house, the property would revert back to Mr. Van Rensselaer or his heirs.
- 1860 One room cobblestone schoolhouse constructed
- 1941 Schoolhouse closed
- 1982 Cobblestone School placed on the National Register of Historic Places

# Most Recent Cobblestone Repairs

- 2003 Cedar shake roof replacement, rebuild exposed brick chimney above roof line
- 2017 Board of Education authorizes \$35,000 to maintain the structural integrity of the building by shoring up a corner of the foundation, replacement of rotted floor joists and wood flooring, and the replacement of rotted sections of roof soffit and fascia boards







# Additional Needed Repairs

Additional repairs needed in the near future with estimated costs:

- Roof replacement \$23,400
- Shoring east side of building foundation \$8,250
- Trim back large overhanging oak tree \$5,000
- Dependent on planned use, replace water damaged interior walls and ceiling (lead paint concern) \$12,400\*

Total Estimated Repair Costs = \$49,050\*

\*Excludes replacement of wall and ceiling insulation

# Heir Search

- Only known Van Rensselaer heir stated that there are numerous family heirs across multiple states. Although not personally interested in the property, he could not speak for other heirs.
- Two descendants of the Ogsbury family claim to have an interest in the property. Neither has provided substantive documentation at this time to establish an ownership interest in the property.

# Title Search

- 1840 deed was never recorded or not recorded where it should have been.
- Full title report would cost between \$5,000 and \$10,000 given the length of time since the deed originated and numerous Van Rensselaer heirs (Mr. Van Rensselaer had eight children) and could take several months to complete.



# Title Search

- Van Rensselaer heirs may now have a diminished ownership interest in the property. Reverter clause would have been triggered in 1941 and the school district is the only identified owner since that time.
- Strong legal argument exists that the district took possession of the property through “adverse possession” based on continued occupancy and use over the past 76 years.

# Option 1

## Transfer the property without quieting title

A qualified entity such as the county or a historical society willing to assume the property and indemnify the district from any future actions initiated by individuals claiming an ownership right in the property. The district would not be able to convey clear legal title to the property.

# Option 2

## Initiate a Quiet Title Action

This option would be utilized if there was a party willing to assume ownership but only if clear legal title to the property was established. Parties claiming an ownership right to the property would present their case to a judge who would render the ultimate decision as to ownership rights and establish a clear legal title. The primary purpose of this action would be to facilitate a full transfer of ownership rights, therefore, the district would want to ensure that an interested party exists before initiating the quiet title action. The action would take several months to complete and cost between \$6,000 and \$12,000.

# Option 3

Keep the property without any further action

The district continues as the owner of the property bolstered by the adverse possession claim. The district would be obligated to repair and maintain the schoolhouse as needed.



# Immediate Decision for 2018-19 Budget Development

Does the Board of Education wish to:

- a. Maintain ownership of the Cobblestone School
- or
- b. Transfer ownership of the Cobblestone School

