

TOWN OF WEST SENECA



TINA M. HAWTHORNE
TOWN ATTORNEY
thawthorne@twsny.org

TOWN SUPERVISOR
SHEILA M. MEEGAN
TOWN COUNCIL
EUGENE P. HART
WILLIAM P. HANLEY, JR.

MEMO

To: The Honorable Town Board
From: Tina M. Hawthorne, Town Attorney
Date: October 2, 2019
Subject: Abandonment of Paper Street
Portion of Ashley Drive

Pursuant to §205 of the New York State Highway Law, a highway is deemed abandoned if it is not open and working within six (6) years from the time it is laid out.

Kindly adopt the attached Resolution authorizing the Town Board and the Superintendent of Highways to sign a Statement of Abandonment in a form approved by this office declaring the Town's abandonment of a portion of the paper street known as Ashley Drive as set forth in the Schedule A of the Statement of Abandonment.

Engineering reviewed our water, storm, and sanitary plates, and there is no infrastructure in the paper street.

H

TOWN OF WEST SENECA



TINA M. HAWTHORNE
TOWN ATTORNEY
thawthorne@twsny.org

TOWN SUPERVISOR
SHEILA M. MEEGAN
TOWN COUNCIL
EUGENE P. HART
WILLIAM P. HANLEY, JR.

Resolution for Abandonment of a Portion of Ashley Drive

WHEREAS, the Town Superintendent of Highways of the Town of West Seneca certifies that certain portions of the streets and highways described in Schedule A have not been opened or worked for a period in excess of the last six (6) years and that the same have never been accepted as public streets and highways of the Town of West Seneca and that the same have been abandoned by the public and have never been used as public streets or highways;

NOW, THEREFORE, be it

RESOLVED, that pursuant to the New York State Highway Law, the portions of said streets and highways described in Schedule A are declared and decreed to be discontinued.

STATE OF NEW YORK
COUNTY OF ERIE : TOWN OF WEST SENECA

STATEMENT OF ABANDONMENT

For the abandonment of a certain right of way in the Town of West Seneca

The undersigned, the Town Superintendent of Highways of the Town of West Seneca, County of Erie and State of New York, DOES HEREBY CERTIFY that certain portions of the streets and highways, hereinafter described, have not been opened or worked for a period in excess of the last six (6) years, and that the same have never been accepted as public streets and highways of the Town of West Seneca, and that the same have been abandoned by the public and have never been used as public streets or highways, to wit:

SEE ATTACHED SCHEDULE "A"

WE, the undersigned members of the Town Board of the Town of West Seneca, constituting the whole or a majority thereof, DO HEREBY CONSENT to the making and filing of this Certificate and do hereby sign the same.

Pursuant to 205 of the Highway Law of the State of New York, said portions of said streets and highways described above are hereby declared and decree by me, the undersigned Superintendent of Highways of the Town of West Seneca, to be and hereby are discontinued.

Dated at West Seneca, NY
This ___ day of _____, 2019

Superintendent of Highways

Supervisor

Councilman

Councilman

STATE OF NEW YORK) ss:
COUNTY OF ERIE)

On the ____ day of _____, 2019 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

STATE OF NEW YORK) ss:
COUNTY OF ERIE)

On the ____ day of _____, 2019 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

STATE OF NEW YORK) ss:
COUNTY OF ERIE)

On the ____ day of _____, 2019 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

STATE OF NEW YORK) ss:
COUNTY OF ERIE)

On the ____ day of _____, 2019 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Schedule "A"
Street Abandonment
Portion of Ashley Drive
West Seneca, NY

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of West Seneca, County of Erie, State of New York, being part of Lot 387, Township 10, Range 7 of the Buffalo Creek Reservation, more particularly described as follows:

BEGINNING at a point in the northeast corner of Sublot 29 Map Cover 2525;

THENCE southerly along the easterly line of said Subdivision Lot 29 a distance of 134.00 feet to the south line of Lot 387, Township 10, Range 7;

THENCE easterly and along the south line of Lot 387, Township 10, Range 7, a distance of 60 feet to the southwest corner of Sublot 28 Map Cover 2525;

THENCE northerly and along the west line of Sublot 28 Map Cover 2525 a distance of 130 feet to the northwest corner of Sublot 28 Map Cover 2525;

THENCE westerly and parallel to south line of Lot 387, Township 10, Range 7 a distance of 60 feet to the point or place of beginning.

Described parcel contains 0.25 acres more or less and is subject to all easements, right of ways and restrictions of legal record.

0.08 - 1 inch	0.58 - 7 inches
0.17 - 2 "	0.67 - 8 "
0.25 - 3 "	0.75 - 9 "
0.33 - 4 "	0.83 - 10 "
0.42 - 5 "	0.92 - 11 "
0.50 - 6 "	1.00 - 12 "

OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

ASHLEY (60.00 WIDE) DRIVE

(LANCELOT LANE)

FND. I.P. ON LINE 0.07'S.

CATV BOX 0.97'S, 0.05'E.

SET I.P.

NYLEX BOX 1.28'S, 1.45'W
TRANSFORMER ON LINE 4.32'S.

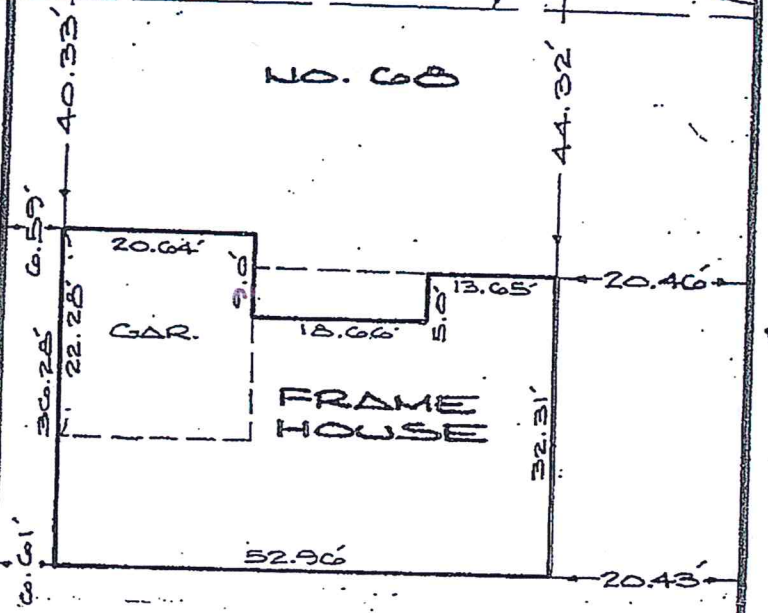
80.00'

15' WIDE UTILITY EASEMENT L.9944, P. 521

NO. 68



134.00'



134.00'

R.O.W. (60.00 WIDE) (UNIMPROVED)

539.92 TO S.W. CORNER COVER 2525

15' WIDE STORM EASEMENT

FND. I.P.

80.00'

SET I.P.

S. LINE LOT 387, T.10, R.7