



MEMO

To: The Honorable Town Board

From: Tina M. Hawthorne, Town Attorney

Date: November 23, 2021

Subject: Abandonment of Paper Streets
Julius Place and Janice Place
Grant Boulevard

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 Resolutions authorizing the Town Board and the Superintendent of Highways to sign Statements of Abandonment in a form approved by this office declaring the Town's abandonment of Julius/Janice Place and Grant Boulevard as set forth in the Schedule A of the Statements of Abandonment.

These paper roads are being abandoned as part of the development of the Queens Landing Subdivision.

Resolution for Abandonment of Julius Place and Janice Place

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.

Resolution for Abandonment of Grant Boulevard

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 _____, 2021

Superintendent of Highways

Supervisor

Councilman

Councilman

Councilman

Councilman

STATE OF NEW YORK) ss:
COUNTY OF ERIE)

On the ____ day of _____, 2021 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 _____, 2021 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 _____, 2021 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 _____, 2021 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 _____, 2021 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 _____, 2021 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
JULIUS PLACE AND JANICE PLACE
LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of West Seneca, County of Erie and State of New York, being part of Lot 427, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

Beginning at a point in the intersection of the north line of Janice Place (unimproved) and the east line of Lot 427, said point being the southeast corner of subdivision lot 28 as shown on map filed in the Erie County Clerk's office under cover 3558;

Thence S 01°18'48" W, along the east line of Lot 427, a distance of 60.00 feet to the south line of Janice Place (unimproved);

Thence N 88°47'32" W, along the south line of Janice Place (unimproved), a distance of 617.24 feet to the east line of Julius Place (unimproved);

Thence S 01°12'28" W, along the east line of Julius Place (unimproved), a distance of 76.93 feet;

Thence N 88°47'32" W, a distance of 60.00 feet to the west line of Julius Place (unimproved), said point being the southeast corner of subdivision lot 32 as shown on map filed in the Erie County Clerk's office under cover 3558;

Thence N 01°12'28" E, along the west line of Julius Place (unimproved), and along said subdivision lot 32, a distance of 190.77 feet to the south line of Grant Boulevard;

Thence northeast along the south line of Grant Boulevard along a curve to the left having a radius of 530.00 feet and an arc length of 26.60 feet to the point of tangency;

Thence N 66°49'20" E, along the south line of Grant Boulevard, a distance of 30.80 feet;

Thence S 88°47'32" E, a distance of 7.45 feet to the east line of Julius Place (unimproved);

Thence S 01°12'28" W, along the east line of Julius Place (unimproved), a distance of 76.93 feet to the north line of Janice Place (unimproved);

Thence S 88°47'32" E, along the north line of Janice Place (unimproved), a distance of 617.35 feet to the point of beginning.

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 _____, 2021

Superintendent of Highways

Supervisor

Councilman

Councilman

Councilman

Councilman

STATE OF NEW YORK) ss:
COUNTY OF ERIE)

On the ____ day of _____, 2021 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 _____, 2021 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)

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COUNTY OF ERIE)

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COUNTY OF ERIE)

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STATE OF NEW YORK) ss:
COUNTY OF ERIE)

On the ____ day of _____, 2021 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
GRANT BOULEVARD
LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of West Seneca, County of Erie and State of New York, being part of Lot 427, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

Beginning at a point in the intersection of the south line of Grant Boulevard and the west line of Julius Place (unimproved), said point being the northeast corner of subdivision lot 32 as shown on map filed in the Erie County Clerk's office under cover 3558;

Thence S 01°12'28" W, along the west line of Julius Place (unimproved), a distance of 36.91 feet;

Thence N 88°47'32" W, a distance of 100.00 feet to the west line of said subdivision lot 32;

Thence N 01°12'28" E, along the west line of said subdivision lot 32, a distance of 8.46 feet to the south line of Grant Boulevard;

Thence northeast along the south line of Grant Boulevard along a curve to the left having a radius of 530.00 feet and an arc length of 104.13 feet to the point of beginning.