

ERIE COUNTY CLERK'S OFFICE



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Party 1:

ERIE COUNTY LEGISLATURE

Party 2:

RODGERS ROAD TOWN OF HAMBURG

Recording Fees:

RECORDING \$0.00

Consideration Amount:

BASIC MT	\$0.00
SONYMA MT	\$0.00
ADDL MT/NFTA	\$0.00
SP MT/M-RAIL	\$0.00
NY STATE TT	\$0.00
ROAD FUND TT	\$0.00

**Total: \$0.00**

STATE OF NEW YORK  
ERIE COUNTY CLERK'S OFFICE

WARNING - THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Christopher L. Jacobs  
County Clerk

# STATE OF NEW YORK

## LEGISLATURE OF ERIE COUNTY CLERK'S OFFICE

BUFFALO, N.Y., November 8, 2012

TO WHOM IT MAY CONCERN:

**I HEREBY CERTIFY**, That at the *19th Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the Eighth day of November, 2012 A.D., a Resolution was adopted, of which the following is a true copy:*

WHEREAS, the Town of Hamburg ("Town") intends to create a Railroad Quiet Zone, on Rodgers Road, as per Federal Railroad Administration's (FRA) Train Horn Rule; and

WHEREAS, once construction is complete, Erie County plows will have difficulty plowing the road due to reduced road width at the railroad tracks; and

WHEREAS, the Town of Hamburg has indicated its willingness to assume ownership and maintenance of approximately two (2) centerline miles of Rodgers Road after Erie County has made agreed upon improvements to the road; and

WHEREAS, Town ownership of this section of Rodgers Road will relieve Erie County of plowing and maintenance responsibility; and

WHEREAS, A Memorandum of Understanding ("MOU") between the Town of Hamburg and the County will be necessary to allow the Town to proceed with design and construction of the Rodgers Road Quiet Zone Project, as well as assume ownership of this section of road.

NOW, THEREFORE, BE IT

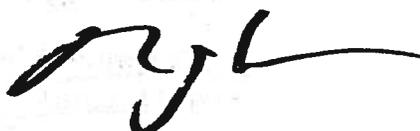
RESOLVED, that the County Executive be authorized, and is hereby directed to execute a MOU between Erie County and the Town of Hamburg which shall include the agreed upon County improvements to Rodgers Road; and be it further

RESOLVED, that ownership of approximately two (2) centerline miles of Rodgers Road, as defined by the Commissioner of Public Works, shall be turned over to the Town of Hamburg as per the MOU; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy of this resolution to the County Executive; the County Attorney; the Division of Budget and Management and the Department of Public Works.

REFERENCE:      **COMM. 18E-14 (2012)**

ATTEST



ROBERT M. GRABER

Clerk of the Legislature of Erie County

226073  
JTC  
Comm. 1E-2

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