



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

March 6, 2014

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

**Re: Conveyance of Excess Highway Right-of-Way North Forest Road (CR 294) -
Town of Amherst**

Dear Honorable Members:

Please find attached for your consideration and approval a resolution requesting the conveyance of excess highway right-of-way along North Forest Road (CR 294) adjacent to 1731 North Forest Road in the Town of Amherst.

Should your Honorable Body require further information, I encourage you to contact Commissioner John Loffredo at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/dab
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Division of Highways
Re: Conveyance of Excess Highway Right-of-Way
North Forest Road (CR 294) - Town of Amherst
Date: March 6, 2014

SUMMARY

That the conveyance of interest in the one parcel of land for North Forest Road (CR 294) adjacent to 1731 North Forest Road, SBL 55.07-6-35.1, herein described be authorized.

FISCAL IMPLICATIONS

Erie County is to receive \$3,400.00 in consideration for the parcel transfer.

REASONS FOR RECOMMENDATION

The Erie County Lands Advisory Review Committee (ARC) recommends that this approval be granted so that the parcel can be conveyed to the adjoining owner on North Forest Road (CR 294) in the town of Amherst.

BACKGROUND INFORMATION

The land adjacent to 1731 North Forest Road, SBL 55.07-6-35.1, is currently owned by the County of Erie.

The adjacent property owner at 1731 North Forest Road, SBL 55.07-6-35.1, wishes to purchase this parcel totaling 0.155± acre of County highway right-of-way no longer needed for highway purposes adjacent to their property.

CONSEQUENCES OF NEGATIVE ACTION

The right-of-way along North Forest Road, Town of Amherst, could not be conveyed and would remain under Erie County's ownership.

STEPS FOLLOWING APPROVAL

The Department of Public Works, Division of Highways will convey the lands described herein to the adjacent property owner.

**A RESOLUTION SUBMITTED BY
DEPARTMENT OF PUBLIC WORKS**

RE: Conveyance of Excess Highway Right-of-Way North Forest Road (CR 294) - Town of Amherst

WHEREAS, the County of Erie has surplus land along the realigned North Forest Road;
and

WHEREAS, this subject Parcel, Parcel North 422, is detailed on the attached MAP NORTH SK 139-422C; and

WHEREAS, the property owner at 1731 North Forest Road, SBL 55.07-6-35.1, Amherst, wishes to purchase a portion of this land, highway right-of-way associated North Forest Road, deemed no longer necessary for County highway purposes by the Erie County Lands Advisory Review Committee (ARC); and

WHEREAS, the property owner at 1731 North Forest Road, SBL 55.07-6-35.1, being the adjoining property owner, will compensate the County of Erie the agreed upon price of \$3,400.00 for the transfer of the 0.155± acre parcel of land at the time of filing in the Erie County Clerk's Office.

NOW, THEREFORE, BE IT

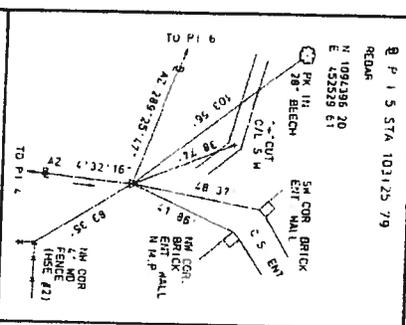
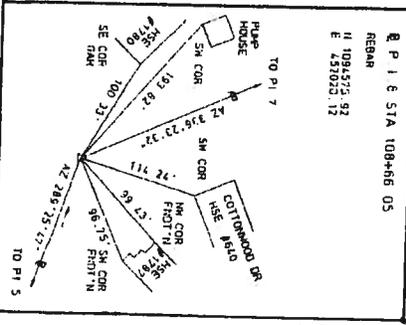
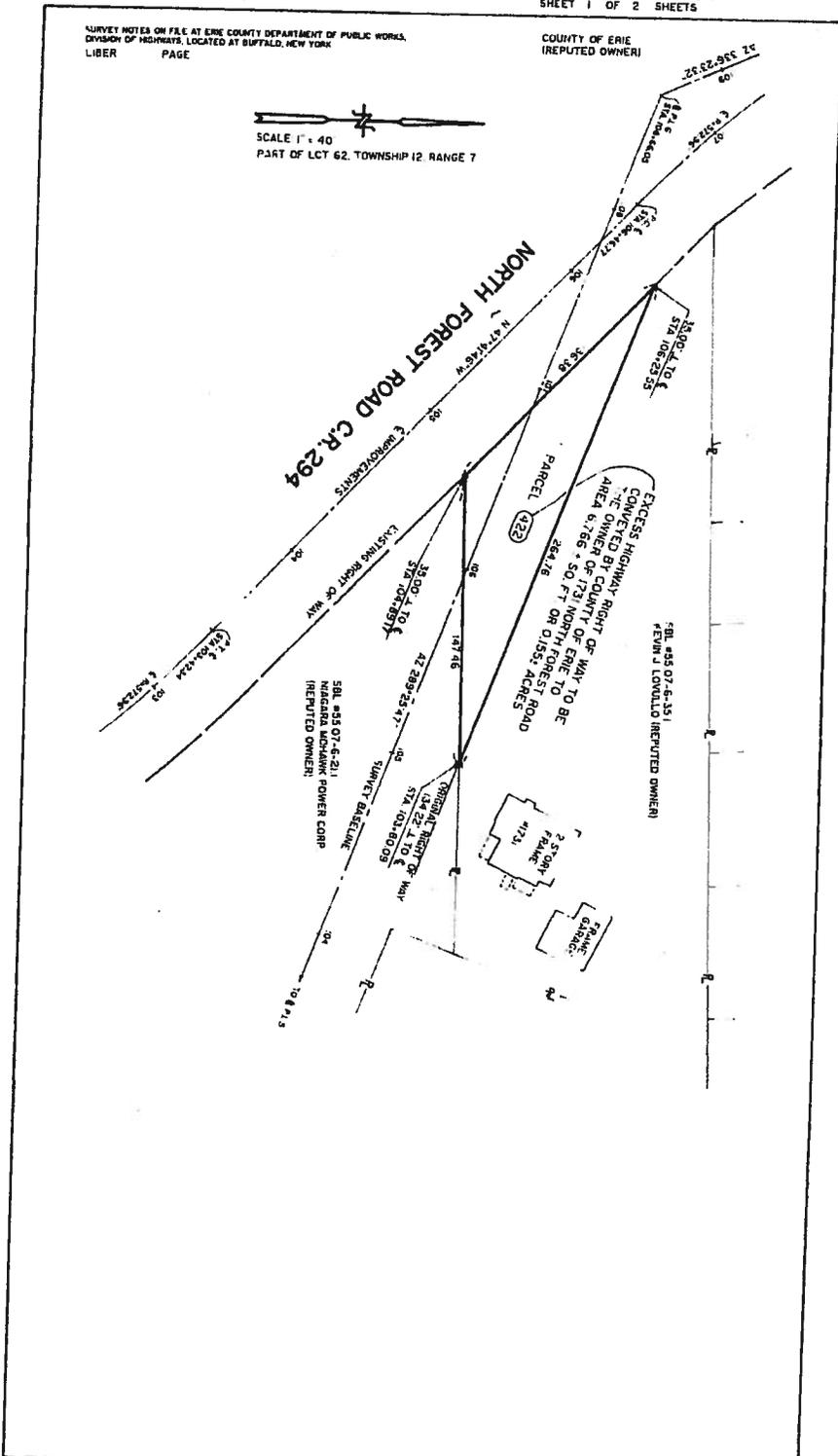
RESOLVED, that for County purposes of transferring land no longer necessary for highway purposes, the County Executive is hereby authorized and directed to convey the County's interest in the parcel of land herein described for and in consideration of the sum of \$3,400.00 as described herein; and be it further

RESOLVED, that three (3) certified copies of this resolution be sent to the Department of Public Works, Division of Highways, and one copy each to the Office of the County Executive, the Division of Budget, Management and Finance, and the Office of the Comptroller.

SURVEY NOTES ON FILE AT ERIE COUNTY DEPARTMENT OF PUBLIC WORKS,
DIVISION OF HIGHWAYS, LOCATED AT BUFFALO, NEW YORK
LIBER PAGE

COUNTY OF ERIE
(REPUTED OWNER)

SCALE 1" = 40'
PART OF LCT 62, TOWNSHIP 12, RANGE 7



CONTINUED ON SHEET 2

0-4-9

All that piece or parcel of property hereinafter designated as Parcel No. 422 situate in the Town of Amherst, County of Erie and State of New York, being Part of Lot 62, Township 12, Range 7 of the Holland Land Company's Survey, as shown on the accompanying map and described as follows:

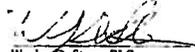
PARCEL NO. 422

Beginning at the point of intersection of the original northeasterly highway boundary of North Forest Road C. R. 294, and the division line between the property of Niagara Mohawk Power Corp. (Reputed Owner) on the south and Kevin J. LoVullo (Reputed Owner) on the north, said point being 134.22 feet distant northeasterly measured at right angles from Station 103+80.09 of the hereinafter described new centerline for the reconstruction of North Forest Road, C. R. 294, thence westerly along the division line of the properties of Niagara Mohawk Power Corp. (Reputed Owner) on the south and the County of Erie (Reputed Owner) on the north, 147.46 feet more or less to the northeasterly boundary of North Forest Road C. R. 294, said point being 35 feet distant northeasterly measured at right angles from Station 104+89.17 of said new centerline; thence northwesterly along the northeasterly boundary of North Forest Road C. R. 294, 136.38 feet more or less to a point on the original northeasterly highway boundary of North Forest Road C. R. 294, said point being 35 feet distant northeasterly measured at right angles from Station 106+25.53 of said new centerline; thence southeasterly along the original northeasterly boundary of North Forest Road C. R. 294, 264.76 feet more or less to the point or place of beginning, being 0.766 square feet or 0.155 acres more or less in area.

Subject to the easement rights of others, as their interest in the property was previously granted.

All azimuths referred to True North at the 78°35'00" Meridian of West Longitude.

Date 2/28/2014


Wesley D. Stone, PLS
License No. 49683



ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS
DESCRIPTION AND MAP FOR THE CONVEYANCE OF PROPERTY

ERIE COUNTY
PROPERTY TO BE CONVEYED TO
THE OWNER OF 1731 NORTH FOREST ROAD

MAP NO. SK 139-422 C
PARCEL NO. 422

NET AREA = 6766 SQ. FT. OR
0.155 ACRES

COUNTY OF ERIE
(REPUTED OWNER)

8-4109