



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232
www.nysdot.gov

ED

JOAN McDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

December 5, 2011

Mr. Robert M. Graber
Clerk of the Erie County Legislature
92 Franklin Street
4th Floor
Buffalo, NY 14202

Dear Mr. Graber:

I, Charles Briggs, Transportation Maintenance Division, Department of Transportation, State of New York, do
HEREBY CERTIFY that the foregoing is a true copy of Official Order H2559 of the Department of Transportation
and the same has been compared with the original thereof filed in my office on the 5th day of December, 2011 and
the same is a correct transcript there from and of the whole thereof. In witness whereof, I have thereunto set my
hand and affixed the seal of the Department of Transportation of the State of New York, this 5th day of December,
2011.

A handwritten signature in cursive script, appearing to read 'Charles Briggs', written over a horizontal line.

TRANSPORTATION MAINTENANCE DIVISION
DEPARTMENT OF TRANSPORTATION

4M-18

TO:	<p align="center">OFFICIAL ORDER</p> <p align="center">NEW YORK STATE DEPARTMENT OF TRANSPORTATION SUBJECT: DISCONTINUANCE OF MAINTENANCE OF A PORTION OF KINSLEY ROAD, OF CONTRACT D254900, IN THE TOWN OF ELMA, COUNTY OF ERIE</p>
Distribution: <input type="checkbox"/> Department-wide <input type="checkbox"/> Highways <input type="checkbox"/> Special <input type="checkbox"/> Waterways	Number <u>H 2559</u> Date <u>12/5/2011</u> Supersedes:

WHEREAS, Highway Law § 10(25) provides that the Commissioner of Transportation shall have power to combine, connect, alter, relocate, terminate, and pave intersecting highways, roads or streets and to provide drainage therefore; and to provide, when she deems it to be in the interest of public safety, for a suitable structure or structures across highways to accommodate at an adjusted grade the continuity of such highways, roads or streets by an under-pass or over-pass, and to adjust grades and traffic to such structures; and any such portion of intersecting highway, road or street upon which such work is completed shall, if not determined by the Commissioner of Transportation to be a part of the state highway system, be maintained by the municipality or the municipalities in which such frontage, marginal or service road or such portion of intersecting highway, road or street is located; and

WHEREAS, a portion of Kinsley Road in the Town of Elma having been reconstructed by the Department of Transportation for the purpose of connecting the existing portion of Kinsley Road with SH 9217, it is NOW THEREFORE, HEREBY

ORDERED: That pursuant to Highway Law § 10(25), the following described portion of Kinsley Road, including any and all bridges and culverts located thereon or immediately adjacent thereto reconstructed under Contract D254900, is in the judgment of the Commissioner of Transportation, not deemed to be a part of the state highway system and all maintenance obligations of the State therein are hereby transferred to the Town of Elma, as follows:

Beginning at Centerline Station 15+0± (Kinsley Road) of contract D254900, accepted March 1, 1995, thence running northerly and easterly to station 8 +27.22± for a total distance of approximately 677.22± linear feet or .128± miles.

The above mentioned Centerline Station, as shown on the accompanying map, is established for the reconstruction of Route 20 intersection with Route 187, State Highways 9269 and 9217, as shown on a map and plan on file in the office of the State Department of Transportation in Buffalo; and it is

FURTHER ORDERED: That certified copies hereof be mailed to the Clerk of the Town of Elma, the Superintendent of Highways for the Town of Elma, the Clerk of the County of Erie, the Commissioner of Public Works of the County of Erie, the Clerk of the Erie County Legislature, the Erie County Comptroller's Office and the Office of State Comptroller.

