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# COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

ED

April 16, 2012

Erie County Legislature  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Conveyance of Excess Highway Right-of-Way  
Ridge Road (CR 137)  
Langner Road (CR 458)  
Town of West Seneca**

Dear Honorable Members:

The attached resolution is being submitted for your consideration and approval. The Department of Public Works, Division of Highways, is requesting that the conveyance of excess highway right-of-way of Ridge Road (CR 137) and Langner Road (CR 458) in the Town of West Seneca be approved.

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

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:dab  
Enclosure

cc: John C. Loffredo, Commissioner Department of Public Works

8E-15

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works/Division of Highway  
**Re:** Conveyance of Excess Highway Right-of-Way  
Ridge Road (CR 137)  
Langner Road (CR 458)  
Town of West Seneca  
**Date:** April 3, 2012

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### **SUMMARY**

That the conveyance of interest in the parcel of land for Ridge Road (CR 137) and Langner Road (CR 458) herein described be authorized.

### **FISCAL IMPLICATIONS**

Erie County is to receive \$17,500 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 parcels can be conveyed to the adjoining owner on Ridge Road and Langner Road, Town of West Seneca.

### **BACKGROUND INFORMATION**

The adjacent property owner at 348 Langner Road wished to purchase the two lots (total 0.196± 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 Ridge Road and Langner Road, Town could not be conveyed and would remain under Erie County's jurisdiction.

### **STEPS FOLLOWING APPROVAL**

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

JCL:db  
File Copy (Hgwy.4.3.12.Ridge/Langner.WestSeneca)

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF HIGHWAYS

RE:           Conveyance of Excess Highway  
              Right-of-Way  
              Ridge Road (CR 137)  
              Langner Road (CR 458)  
              Town of West Seneca

WHEREAS, Benderson Development Company, LLC, property owner at 348 Langner Road, West Seneca, New York, wishes to purchase a portion of highway right-of-way deemed no longer necessary by the Erie County Lands Advisory Review Committee (ARC); and

WHEREAS, Benderson Development Company, LLC, being the adjacent property owner to the existing right-of-way will compensate the County of Erie for the agreed upon price of \$17,500 for 0.196± acre 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 following interest in the parcel of land herein described for and in consideration of the sum described herein for Ridge Road (CR 137) and Langner Road (CR 458), in the Town of West Seneca

PARCELS	OWNER	AREA	VALUE
1 & 2	County of Erie	0.196± acre	\$17,500

; 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.

LANGNER ROAD  
D.R. 46B

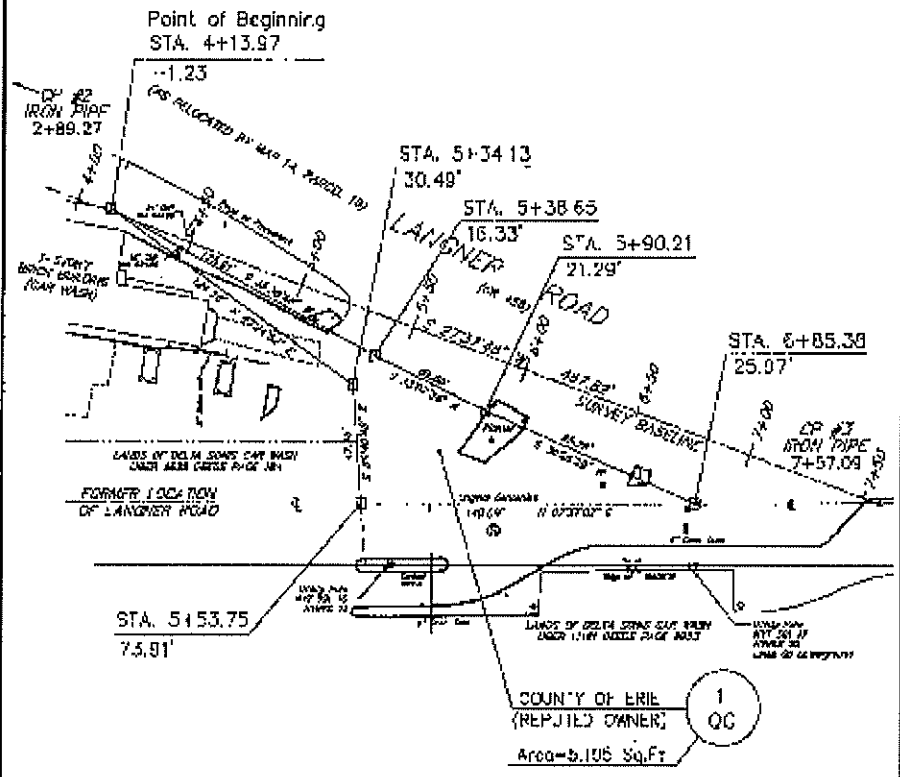
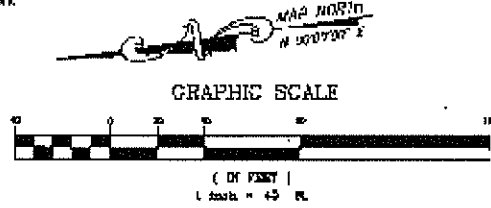
ERIE COUNTY  
TOWN OF WEST SENeca

MAP NO 5K-416-1  
PARCEL NO. 1  
SHEET 1 OF 2 SHEETS

Survey taken on file at Erie County  
Department of Public Works  
located at Buffalo, New York.

COUNTY OF ERIE  
(Reputed Owner)

LEULK 10924 PAGE 2265  
SEL 143.65-2-1.11, 9  
LOT 293  
TOWNSHIP 10  
RANGE 7

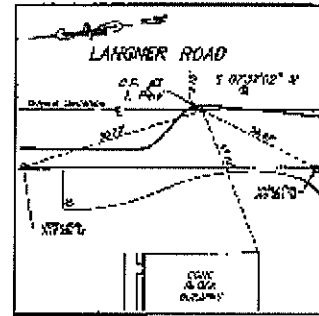
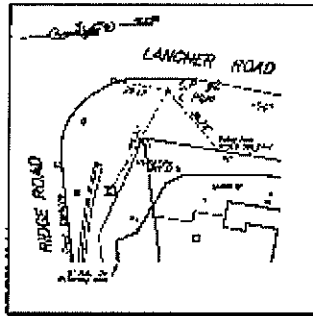


CONTINUED ON SHEET NO. 2

LANGNER ROAD  
C.R. 453

ERIE COUNTY  
TOWN OF WEST SENECA

MAP NO. SK 416-1  
PARCEL NO. 1  
SHEET 2 OF 2 SHEETS



All that piece or parcel of property hereinafter designated as Parcel No. 1, situate in Lot 293, Township 10, Range 7 of the Buffalo Creek Reclamation Survey, in the Town of West Seneca, County of Erie, State of New York, as shown on the accompanying map and described as follows:

PARCEL NO. 1

Beginning at a point of intersection of the westerly line of Ridge Road with the westerly line of Langner Road (as located by Map 14, Parcel 15); Thence southeasterly along the aforementioned westerly line of Langner Road a distance of 129.70 feet to the True Point and Place of Beginning; said point 1.23 feet southeasterly measured at right angles from Station 4413.87 of said survey baseline; Thence S 33°39'48\"/>

The survey baseline is described as follows:

Beginning at a point designated as Control Point #2 and monumented with an iron pipe, having a station of 2489.27; thence South 27°37'40\"/>

Subject to the easement rights of others, as their interests in the property were previously granted.

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's seal is a violation of Section 7200 Subdivision 2, of New York State Education Law.

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

MAP NO. SK-416-1  
PARCEL NO. 1

ERIE COUNTY

Total Area = 5.95± Square Feet

COUNTY OF ERIE  
(See last page)

I hereby certify that this is an accurate description and map made from an accurate survey, prepared under my direction.

Date: January 30, 2012



*Markny & Deles*  
Markny & Deles Land Surveyors, LLC  
Frank C. Deles  
License No. 350477

RIDGE ROAD  
C.R. 137

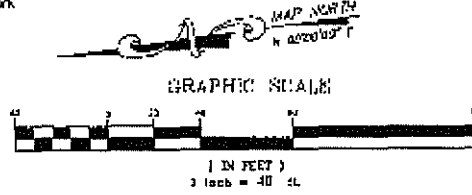
ERIE COUNTY  
TOWN OF WEST SENEGA

MAP NO. SK-417-2  
PARCEL NO. 2  
SHEET 1 OF 2 SHEETS

Survey notes on file at Erie County  
Department of Public Works  
located at Buffalo, New York

COUNTY OF ERIE  
(Reputed Owner)

LEGER 18824 PAGE 2563  
SEL. 143.02-2-1.11  
LOT 903  
TOWNSHIP 10  
RANGE 7



Point of Beginning  
STA. 2+69.46  
-1'.89'

LANGNER ROAD  
CP 82  
IRON PIPE  
24-89.27 (C.R. 450)

STA. 2128.39  
-33.75'

RIDGE ROAD  
(C.R. 147)

1-STORY  
BRICK BUILDING  
(OAK WALNUT)

LANDS TO BE SET ASIDE FROM  
LARRY 2000 COUNTY PLAT USE

COUNTY OF ERIE  
(REPUTED OWNER)

Area=3,336 Sq.Ft.

FORMER LOCATION  
OF LANGNER ROAD

STA. 1+29.68  
10.79'

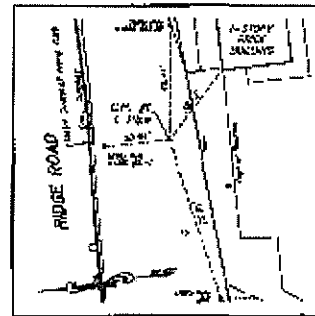
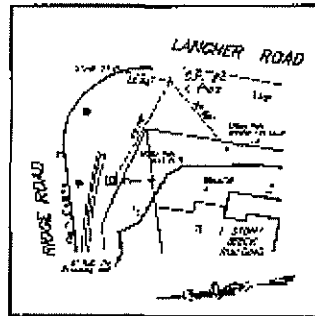
STA. 1+05.73  
-24.14'

STA. 1+04.89  
-11.05'

STA. 1+29.04  
-0.66'

CP 81  
IRON PIPE  
0100.00

CONTINUED ON SHEET NO. 2



All that piece or parcel of property hereinafter designated as Parcel No. 2, situate in Lot 243, Township 10, Range 7 of the Buffalo Creek Reservation Survey in the Town of West Seneca, County of Erie State of New York, as shown on the accompanying map and described as follows:

**PARCEL NO. 2**

Beginning at a point of intersection of the southerly line of Ridge Road with the westerly line of Langer Road (as located by Map 14, Parcel 16), said point being -11.60 feet northeasterly measured at right angles from Station 2488.46 of the survey baseline; Thence N 58°05'08" W along the aforementioned southerly line of Ridge Road to an angle point known a distance of 45.53 feet to a point -33.75 feet northeasterly measured at right angles from Station 2-28.30 of said survey baseline; Thence S 89°24'52" W along the aforementioned southerly line of Ridge Road a distance of 123.02 feet to a point -24.14 feet northeasterly measured at right angles from Station 1462.74 of said survey baseline; Thence S 27°57'03" W a distance of 13.14 feet to a point -11.03 feet northeasterly measured at right angles from Station 1404.98 of said survey baseline; Thence S 05°33'22" E a distance of 24.73 feet to a point -15.73 feet northeasterly measured at right angles from Station 1424.68 of said survey baseline; Thence S 07°37'02" W a distance of 9.03 feet to a point -0.88 feet northeasterly measured at right angles from Station 1429.04 of said survey baseline; Thence N 08°24'52" E a distance of 140.88 feet to the point of beginning, containing 3,338 square feet, more or less.

The survey baseline is described as follows:

Beginning at a point designated as Control Point #1 and monumented with an iron pipe having a station of 0410, thence South 86°06'18" East, a distance of 289.27 feet to a point designated as Control Point #2 and monumented with an iron pipe, having a station of 2-28.87.

Subject to the eminent domain rights of others, as they pertain to the property herein previously granted.

Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation of Section 7209 (b), Article 2, of New York State Education Law.

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

MAP NO. SK-417-2  
PARCEL NO. 2

ERIE COUNTY

Total Area = 3,338 Square Feet

COUNTY OF ERIE  
(Reputed Owner)

I hereby certify that this is an accurate description and map made from an accurate survey prepared under my direction.



Date: January 30, 2012

Milne, Mackay & Deles Land Surveyors, LLP  
Francis C. Gallo  
License No. 250417