



Public Notices

— LEGAL NOTICE —

PLEASE TAKE NOTICE that on September 28, 2006, the County Legislature of the County of Erie, New York, adopted Resolution No. 279-2006 approving the extension of Erie County Sewer District No. 3, a true copy of which follows, which resolution is subject to permissive referendum:

RESOLUTION NO. 279
RESOLUTION DATED September 28, 2006

RESOLUTION APPROVING THE EXTENSION OF ERIE COUNTY SEWER DISTRICT NO. 3 AND MAKING OTHER DETERMINATIONS IN CONNECTION THEREWITH

(Introduced) September 21, 2006.
(Adopted) September 28, 2006.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, a report of the Erie County Sewer Agency dated May 3, 2006 and a resolution of the Erie County Sewer District No. 3 Board of Managers dated June 14, 2006, an extension of Sewer District No. 3 of the County of Erie, New York has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 3, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, said map, plan, report and estimate of cost contains (i) a description of the proposed boundaries of the area which the Department in its judgment considers will be benefited by the Proposed Sewer District, (ii) a description of the areas of the Proposed Sewer District to permit definite and conclusive identification of all parcels of property included therein, (iii) the proposed location of facilities of the Proposed Sewer District, and (iv) estimates of the cost of construction, reconstruction, if any, or procurement and installation of facilities, all as more fully described in the map, plan, report and estimate of cost hereinbefore referred to; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 3 with respect to the extension of the boundaries of such District and the acquisition of the existing facilities, but future annual charges will be apportioned between real property in the District in accordance with their respective proportionate shares in accordance applicable flat charges, hook-up charges and charges based on units, assessed value and footage, specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, hook up fees are \$250 per home for a lateral inspections of individual connections to existing county-built sewers, \$250 per home for inspections associated with subdivisions or other privately built sewers and a \$2 permit fee at the time of connection, and new homes or businesses will be charged a one-time equity fee of \$1,100 for connecting to existing sewers; and

WHEREAS, pursuant to Section 258 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the establishment of the extension of the District because the cost thereof to the Typical Property (as defined in the County Law) does not exceed the Average Estimated Cost to the Typical Properties for similar types of expenditures, as computed by the State Comptroller and such cost is \$276.00; and

WHEREAS, said County Legislature duly adopted Resolution No. 198 on the 13th day of July, 2006, calling a meeting of the County Legislature for the purpose of holding a public hearing on the aforesaid extension of Erie County Sewer District No. 3 in accordance with the aforesaid map and plan, and

WHEREAS, the Erie County Sewer District No. 3 Board of Managers and the County Legislature have given due consideration to the impact that the extension of Erie County Sewer District No. 3 may have on the environment and on the basis of such consideration, have found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Erie County Sewer District No. 3 Board of Managers and the County Legislature have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith; and

WHEREAS, said public hearing was duly held at 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 3rd day of August, 2006, at 1:30 o'clock P.M., Prevaling Time; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof was submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at such public hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the public hearing held on August 3, 2006, and after due consideration of the map and plan, and other recommendations and other data, if any, heretofore provided to the County Legislature, it is hereby found and determined that:

(a) the proposed extension is satisfactory, sufficient, adequate and appropriate;

(b) all the property and property owners within the proposed extension are benefited thereby;

(c) all the property and property owners benefited are included within the limits of the proposed extension;

(d) it is in the public interest to extend said Erie County Sewer District No. 3.

Section 2. The extension of Erie County Sewer District No. 3 is hereby approved and said extension shall comprise an area described as follows:

Hamburg Sewer District 7

ALL THAT TRACT OR parcel of land situate in the Town of Hamburg, County of Erie and State of New York and part of Farm Lot 56, Township 9, Range 7 of the Holland

Land Company's survey, more particularly described as being sub-lots 182-199 inclusive and 541-544 inclusive as shown on map entitled "Highland Acres No. 2" and filed in the Erie County Clerk's Office under Map Cover 893, together with that portion of Fairview Parkway (that lies within Farm Lot 56) on which said sub-lots front; also that other parcel of land lying within Farm Lot 41, Township 10, Range 7 and more particularly described as being sub-lots 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35 in Block 4, sub-lots 7-36 inclusive in Block 8, sub-lots 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, and 29 in Block 11, sub-lots 1, 3, 5 and 7-36 inclusive in Block 12, sub-lots 12, 14, 16, 18, 20, 22, 24 and 26-30 inclusive in Block 15, sub-lots 1-38 inclusive in Block 16, and sub-lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, and 32-35 inclusive in Block 20, as shown on map entitled "Sagamore Heights" and filed in the Erie County Clerk's Office under Map Cover 1471, together with those portions of Fairview Parkway (that lie within Farm Lot 41), White Avenue, Fuller Avenue, James Avenue, Harrison Avenue, and Telfer Street, on which said sub-lots front.

It being the intention to include an area lying adjacent to and south of the present Osborne-Sagamore Sewer District, more particularly described by metes and bounds as follows:

Beginning at a point in the south line of Farm Lot 41, Township 10, Range 7, one hundred fifty-six (156.00) feet east from its southwest corner, said point being easterly corner of the existing Osborne-Sagamore Sewer District; thence, starting northerly, along said sewer district boundary by various metes and bounds two thousand thirty-two and seventy-nine one-hundredths (2032.79) feet to a point in the centerline of Fuller Avenue at a southeasterly corner of said existing sewer district; thence continuing easterly thirty (30.00) feet to the east line of said Fuller Avenue; thence southerly along the easterly line of Fuller Avenue eighty (80.00) feet to the northwest corner of sub-lot 12, Block 15; thence easterly along the northerly line of said sub-lot 12, one hundred twenty (120.00) feet to its northeast corner; thence southerly along its rear line and extension thereof three hundred twenty (320.00) feet to the northwest corner of sub-lot 27, Block 15, thence easterly along the northerly line of said sub-lot 27 and extension thereof one hundred eighty (180.00) feet to the easterly line of White Avenue; thence southerly along said easterly line of White Avenue eighty (80.00) feet to the northerly line of Telfer Street; thence easterly along said northerly line of Telfer Street one hundred seventeen and eighty one-hundredths (117.80) feet; thence southerly along the rear lines of sub-lots (and extension across Telfer Street) eight hundred forty-eight and sixty-two one-hundredths (848.62) feet to the south line of Farm Lot 41, Township 10, Range 7; thence easterly along said southerly lot line three and forty-nine one-hundredths (3.49) feet to the northerly extension of the easterly line of sub-lot 541, Map Cover 893; thence southerly (in Farm Lot 56, Township 9, Range 7) along the easterly line of sub-lot 541 (and said line extended) two hundred nine and seventeen one-hundredths (209.17) feet to its southeast corner; thence westerly along the southerly line of said sub-lot 541 and extension there of one thousand one-hundred ninety-one and forty-eight one-hundredths (1191.48) feet to the southwest corner of sub-lot 199; thence northerly along the westerly line of said sub-lot 199 and extension there of two hundred nine and nineteen one-hundredths (209.19) feet to the north line of Farm Lot 56, Township 9, Range 7; thence westerly along said lot line seven (7.00) feet to the point of beginning.

Hamburg Sewer District 8

Being that parcel of land of the east side of Grafton Parkway as extended southerly extending from the south line of the present sewer district to the north line of Fairview Parkway (also known as Modoc Street) a total frontage of 565.55 ft. and a depth of 110 ft.

Also, that parcel of land on the west side of Grafton Parkway (as extended southerly) extending from the south line of the present sewer district to the north line of Fairview Parkway (also known as Modoc Street) a total frontage of 564.3 ft. and a depth of 110 ft.

Also, that parcel of land lying on the south side of Fairview Parkway (as extended westerly) extending from the west line of the present sewer district a distance of 280.4 ft. said parcel having a depth of 124.17 ft.

Also, including the full width of all street areas on which above parcels front.

Hamburg Sewer District 11

Commencing in the center of Taylor Road at the intersection of the south line of the Village of Hamburg; thence east along said south line of the Village of Hamburg about 930 feet to the southwesterly bank of Eighteen Mile Creek; thence southeasterly along said creek bank about 3180 feet to a point 265.65 feet easterly from the west line of Lot 42-T9-R7; thence south, parallel with said west line of Lot 42 and 265.65 feet east there from about 1880 feet to a point on the east line of Vail's Subdivision (filed under Cover 1753), which point is the south line of Sub Lot No. 36; thence west along the south line of Sub Lot 36 about 317 feet to the west line of Woodland Drive; thence north along west line of woodland Drive about 36 feet to the south line of Sub Lot No. 13; thence west about 200 feet to the northeast corner of Sub Lot 37. Vail Subdivision No. 2; thence south 100 feet to the south line of said Sub Lot 37; thence west along south line of Sub Lot 37 about 200 feet to the east line of Vail Drive; thence north about 64 feet along east line of Vail Drive; thence west 200 feet along south line of Sub Lot 10 in Cover Map 1753 to the west line of Vail's Subdivision; thence north along the west line of Vail's Subdivision about 850 feet to the southwest corner of Lot No. 1 in said Subdivision; thence northerly, parallel with the center line of Taylor Road and 250 feet south there from approximately 3300 feet to the west line of Albert Bole property; thence north about 210 feet to the south line of the Village of Hamburg; thence east along the south line of the Village of Hamburg to the place of beginning.

Executed in duplicate under my hand and the seal of the Comptroller of the State of New York, at the City of Albany, this 9th day of May, 1955.

Hamburg Sewer District 15

ALL THAT TRACT OF PARCEL OF LAND, situate in the Town of Hamburg, County of Erie and State of New York, being part of lot number four hundred thirty-eight (438), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and further distinguished as Subdivision Lot Numbers one (1) to fifty-five (55) inclusive as shown on a map of the Taylor Subdivision Number 2 files in Erie County Clerk's Office under Cover Number 1983, including a piece marked "future street" being sixty (60) feet front and rear by one hundred thirty-five and eighty-five hundredths (135.85) feet in depth, situate between Subdivision Lot Numbers forty-eight (48) and forty-nine (49) according to said map.

Hamburg Sewer District 16

BEING ALL THAT TRACT OR PARCEL OF LAND located east of east boundary line of the Village of Blasdel and north of Stieffer Subdivision part one as filed on the map cover 1849 and being part of Lot 40, Township 10, Range 7 of the Buffalo Creek Indian Reservation and located in the Town of Hamburg, Erie County, New York and further bounded and described as follows:

BEGINNING at a point on the east line of the Village of Blasdel and being one hundred fifty (150) feet east of the east right-of-way line of South Park Avenue and said point of beginning being the northwest corner of Sub Lot 8 of Stieffer Subdivision map cover 1849 and measured approximately one hundred fifteen (115) feet north of the north right-of-way line of Allen Street; thence measuring north and along the east line of the Village of Blasdel and parallel with the east right-of-way line of South Park Avenue a distance of two hundred seventy-five and fifty-two hundredths (275.52) feet; thence measuring east and at right angles to the last described line a distance of fifty-eight (58) feet and thence measuring northerly and parallel with the east line of the Village of Blasdel a distance of one hundred thirty-eight (138) feet and thence measuring easterly and at right angles to the last described line a distance of six hundred seventy (670) feet more or less to a point on the west line of the New York State Thruway Connection map No. 753 and parcel No. 573 and thence measuring southwesterly and along the west line of the New York State Thruway connection a distance of five hundred twenty-six and one hundredth (526.1) feet more or less to the intersection of the west line of the New York State Thruway Connection and the north line of Allen Street; said Allen Street at this point having a fill right-of-way width of sixty (60) feet and thence measuring westerly and along the north right-of-way line of Allen Street a distance of one hundred forty (140) feet more or less to the southeast corner of Sub Lot 12 as filed under map cover 1849 and thence measuring northerly and along the easterly line of Sub Lot 12 a distance of one hundred twenty-five (125) feet and thence measuring westerly and along the north lines of Sub Lots 10, 11, and 12 of map cover 1849 a distance of two hundred forty-nine (249) feet to a point on the easterly right-of-way line of Raymond Drive; thence measured southerly and along the east line of Raymond Drive which is the west line of Sub Lot 10 and at right angles to the last described line a distance of twenty (20) feet and thence measuring westerly and at right angles to the last described line and along the north line of Sub Lots 8 and 9 produced easterly a distance of two hundred sixty-three (263) feet to the point of beginning and containing six and seventy-one hundredths acres more or less; including five (5) foot right-of-way from the east line of the Village of Blasdel to the west right-of-way line of South Park Avenue and being three hundred twenty-five and eight hundredths (325.8) feet north of the north right-of-way line of Allen Street as measured along the east right-of-way line of South Park Avenue.

Hamburg Sewer District 17

ALL THAT TRACT OF PARCEL OF LAND, situate in the Town of Hamburg, County of Erie, and State of New York, being part of Lot number 439, Township 10, and Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the northerly line of Linwood Avenue, distant 180 feet easterly from the point of intersection of the northerly line of Linwood Avenue with the easterly line of South Park Avenue, said point of beginning the southwest corner of Subdivision Lot Number 6, Cover 439, Erie County Clerk's Office; running thence northerly along the westerly line of said Subdivision Lot Number 6 one hundred twenty (120) feet to the northwest corner of said Subdivision Lot Number 6; running thence easterly and parallel with Linwood Avenue fourteen hundred and two (1,402) feet to the northeast corner of Subdivision Lot Number 445, Cover 439, Erie County Clerk's Office; running thence southerly and along the easterly line of Glenwood Avenue seven hundred twenty-seven and fifty hundredths (727.50) feet to the southerly line of Oakwood Avenue extended easterly; thence westerly and along the southerly line of Oakwood Avenue extended easterly and along the southerly line of Oakwood Avenue eight hundred twenty-seven (827) feet to the point of intersection of the southerly line of Oakwood Avenue with the westerly line of Powers Avenue; running thence northerly along the westerly line of Powers Avenue two hundred seventy-five and thirty-four hundredths (275.34) feet to the point of intersection of the westerly line of Powers Avenue with the southerly line of Elmwood Street; running thence westerly along the southerly line of Elmwood Avenue ninety-five (95) feet to a point in the westerly line of Subdivision Lot Number 122, Cover 439, Erie County Clerk's Office extended southerly; running thence northerly along the westerly line of said Subdivision Lot Number 122 extended southerly and along the westerly line of said Subdivision lot Number 122, one hundred seventy (170) feet to the northwest corner of said Subdivision Lot Number 122; running thence westerly parallel with the southerly line of Linwood Avenue and one hundred twenty (120) feet southerly there from three hundred (300) feet to the southwest corner of Subdivision Lot Number 89, Cover 439, Erie County Clerk's Office; running thence northerly and along the westerly line of said Subdivision Lot Number 89 one hundred twenty (120) feet to the southerly line of Linwood Avenue; running thence westerly along the southerly line of Linwood Avenue one hundred eighty (180) feet to a point in

the southerly line of Linwood Avenue distant one hundred eight (180) feet easterly from the point of intersection on the southerly line of Linwood Avenue with the easterly line of South Park Avenue; running thence northerly at right angles fifty (50) feet to the point of beginning.

Hamburg Sewer District 20

ALL THAT TRACT OF PARCEL OF LAND, situate in the Town of Hamburg, County of Erie, and State of New York, being part of Lot number 439, Township 10, and Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the northerly line of Linwood Avenue, distant 180 feet easterly from the point of intersection of the northerly line of Linwood Avenue with the easterly line of South Park Avenue, said point of beginning being the southwest corner of Subdivision Lot Number 6, Cover 439, Erie County Clerk's Office; running thence northerly along the westerly line of said Subdivision Lot Number 6 one hundred twenty (120.00) feet to the northwest corner of said Subdivision Lot Number 6; running thence easterly and parallel with Linwood Avenue fourteen hundred and two (1402.00) feet to the northwest corner of Subdivision Lot Number 445, Cover 439, Erie County Clerk's Office; running thence southerly and along the easterly line of Glenwood Avenue seven hundred twenty-seven and fifty hundredths (727.50) feet to the southerly line of Oakwood Avenue extended easterly; thence westerly and along the southerly line of Oakwood Avenue extended easterly and along the southerly line of Oakwood Avenue eight hundred twenty-seven (827.00) feet to the point of intersection of the southerly line of Oakwood Avenue with the westerly line of Powers Avenue; running thence northerly along the westerly line of Powers Avenue two hundred seventy-five and thirty-four hundredths (275.34) feet to the point of intersection of the westerly line of Powers Avenue with the southerly line of Elmwood Street; running thence westerly along the southerly line of Elmwood Avenue ninety-five (95.00) feet to a point in the westerly line of Subdivision Lot Number 122, Cover 439, Erie County Clerk's Office extended southerly; running thence northerly along the westerly line of said Subdivision Lot Number 122 extended southerly and along the westerly line of said Subdivision Lot Number 122, one hundred seventy (170.00) feet to the northwest corner of said Subdivision Lot Number 122; running thence westerly parallel with the southerly line of Linwood Avenue and one hundred twenty (120.00) feet southerly there from three hundred (300.00) feet to the southwest corner of Subdivision Lot Number 89, Cover 439, Erie County Clerk's Office; running thence northerly and along the westerly line of Subdivision Lot Number 89 one hundred twenty (120.00) feet to the southerly line of Linwood Avenue; running thence westerly along the southerly line of Linwood Avenue one hundred eighty (180.00) feet to a point in the southerly line of Linwood Avenue distant one hundred eighty (108.00) feet easterly from the point of intersection on the southerly line of Linwood Avenue with the easterly line of South Park Avenue; running thence northerly at right angles fifty (50.00) feet to the point of beginning.

Hamburg Sewer District 23

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF HAMBURG, COUNTY OF ERIE, STATE OF NEW YORK, being part of Lot 439, Township 10, Range 7 of the Buffalo Creek Indian Reservation being more particularly bounded and described as follows:

BEGINNING at the south east corner of subdivision Lot Number 5 as shown on a subdivision map filed in the Erie County Clerk's Office in Map Cover 439; thence northerly along the easterly line of said subdivision Lot Number 5, a distance of one hundred twenty (120.0) feet to the northeast corner of said subdivision Lot Number 5; thence westerly along the northerly line of said subdivision Lot Number 5, a distance of thirty (30.0) feet to its northwest corner; thence southerly along the west of said subdivision Lot Number 5 and an extension southerly of the westerly line of said subdivision Lot Number 5 and the westerly line of subdivision lots numbered 96 and 105 as shown in Map Cover 439, a distance of four hundred sixty (460.0) feet to the northwest corner of subdivision Lot Number 196, Map Cover 439, said point being in the southerly line of Elmwood Avenue; thence easterly along the southerly line of Elmwood Avenue a distance of one hundred twenty (120.0) feet to the northeast corner of subdivision Lot Number 193, Map Cover 439; thence southerly along the easterly line of subdivision Lot Number 193, a distance of one hundred twenty (120.0) feet to the northwest corner of subdivision Lot Number 208, Map Cover 439; thence easterly along the northerly line of said subdivision Lot Number 208, a distance of thirty (30.0) feet to the northeast corner of said subdivision Lot Number 208; thence southerly along the easterly line of said subdivision Lot Number 208 and its extension southerly, a distance of one hundred fifty-nine and ninety one hundredths (159.90) feet to a point in the southerly line of Oakwood Avenue; thence easterly along the southerly line of Oakwood Avenue, a distance of about three hundred seventy-two (372.0) feet to the northwest corner of subdivision Lot Number 28 as shown on a map filed in the Erie County Clerk's Office in Map Cover 475; thence southerly along the westerly line of said subdivision Lot Number 28, a distance of one hundred fifty-two (152.0) feet to the southwestern corner of said subdivision Lot Number 28; thence easterly parallel to Oakwood Avenue, a distance of about eight hundred seventy (870.0) feet to a point in the west bounds of Glenwood Avenue, said point being the southeast corner of subdivision Lot Number 56, Map Cover 475; thence northerly along the westerly line of Glenwood Avenue, about one hundred fifty-two (152.0) feet to the south line of Oakwood Avenue; thence westerly along the south line of Oakwood Avenue, a distance of about seven hundred eighty-six (786.0) feet to the intersection of a southerly extension of the westerly line of Powers Avenue with the southerly line of Oakwood Avenue; thence northerly along said extension and the westerly line of Powers Avenue, a distance of two hundred seventy-five and thirty-four one hundredths (275.43) feet to the southerly line of Elmwood Avenue; thence westerly along the southerly line of Elmwood Avenue, a dis-

tance of about ninety-five (95.0) feet to the northwest corner of subdivision Lot Number 179 as shown on a subdivision map filed in the Erie County Clerk's Office in Map Cover 439; thence northerly along a northerly extension of the westerly line said subdivision Lot Number 179 and the easterly line of subdivision Lot Number 121 as filed in Map Cover 439, a distance of one hundred seventy (170.0) feet to the north easterly corner of said subdivision Lot Number 121; thence westerly and parallel to Elmwood Avenue, a distance of three hundred (300.0) feet to the southwest corner of Subdivision Lot Number 89 as shown of map cover 439; thence northerly along the westerly line of said subdivision Lot Number 89, a distance of one hundred twenty (120.0) feet to the southerly line of Linwood Avenue; thence westerly along the southerly line of Linwood Avenue, a distance of one hundred eighty (180.0) feet to the northeast corner of subdivision Lot Number 96, Map Cover 439; thence northerly along an extension northerly of the east line of said subdivision Lot Number 96, a distance of fifty (50.0) feet to the point or place of beginning.

Hamburg Sewer District 24

BEGINNING at a point on the south line of Lot 41 in Fairview Parkway as shown on map of Sagamore Heights Subdivision as filed in the Erie County Clerk's Office in Map Cover #1471, said point being the intersection of said south line of Lot # 41 with the southerly extension of the east line of subdivision lot #35, Block 20, Map Cover #1471; thence north, parallel with and 140.0' west as measured at right angles from the east line of said subdivision, said east line being the east line of Wolf Street, a 30' street as shown on said subdivision map, a distance of 806.20' to the center line of Telfer Street, as shown on said Map Cover #1471; thence east along the center line of Telfer Street a distance of 140.0' to the east line of Map Cover #1471; thence north along said east line a distance of 1057.02'; thence east at right angles a distance of 340.78' to a point in the west right-of-way line of the New York State Thruway; thence south along the various courses of said right-of-way line a distance of 1884.60' to the south line of Lot #38; thence west along said south line and the south line of Lot #41 a distance of 595' more or less to the point or place of beginning containing 19.25 acres more or less.

Hamburg Sewer District 27

All that tract or parcel of land situate in the Village of Blasdel, Town of Hamburg, County of Erie, State of New York, being part of Lots 4 and 5, Township 10, Range 8 and part of Lot 8, Township 9, Range 8 and being more particularly described as follows:

BEGINNING at a point on the east line of lands conveyed to Ravenwood Park, Inc. by Liber 9162, Page 46, 1600.00 feet north of the centerline of Big Tree Road, said point to be on the northern boundary of the present Hamburg Master Sewer District; thence N 00°09'45" E a distance of 1644.00 feet to a point on the northwest corner of lands conveyed to Nellie C. Crawford by Liber 5706, Page 249; thence easterly along a bearing of S 88°59'16" E a distance of 1160.00 feet more or less to a point being in the center of the Rush Creek Channel; thence northerly along the channel centerline 1078.00 feet more or less to a point on the north line of Lot 8 and the south line of Lot 4; thence continuing northerly along the channel centerline a distance of 1123.00 feet more or less to a point on the north line of lands conveyed to Joe Ball by Liber 7553, Page 119; thence westerly along said described north line along a bearing of N 89°22'42" W a distance of 530.00 feet more or less to a point on the east line of Pieczonka Drive (being a 60.00 foot wide right of way); thence northerly on a bearing of N 00°54'22" E a distance of 1864.43 feet to a point on the south line of Milestrip Road (being a 66.00) foot right of way); thence westerly on a bearing of N 89°22'42" W a distance of 6.35 feet to a point; thence northerly on a bearing of N 01°51'10" E a distance of 8.25 feet to a point; thence westerly on a bearing of N 89°22'42" W a distance of 0.83' to a point; thence continuing westerly along a bearing of N 83°04'22" W a distance of 28.06 feet to a point on the easterly right of way line of the Norfolk Southern Railroad; thence southwesterly along said east line of railroad right of way along a bearing of S 24°54'32" W a distance of 2533.53 feet to a point of curve; thence continuing southwesterly along said curve having a radius of 6700.00 feet, a delta angle of 11°53'47", and arc distance of 1391.13 feet to a point on the west line of lands conveyed to Northern Operating Corporation by Liber 1358, Pages 598 and 606; thence southerly on a bearing of S 00°09'21" W a distance of 1470.00 feet to a point; thence easterly along a line which is 1600.00 feet north of and parallel to the centerline of Big Tree Road and being the north line of the existing Hamburg Master Sewer District on a bearing of S 89°06'37" E a distance of 1770.00 feet more or less to the point or place of beginning.

Hamburg Sewer District 28

All that tract or parcel of land situate in the Town of Hamburg, County of Erie and State of New York being part of Lot 55, Township 9, Range 7 and Lot 56, Township 9, Range 7, and being more particularly bounded and described as follows:

BEGINNING at a point (1), said point being at the intersection of the southeast corner of subdivision Lot Number 6, Block 1 as shown on Erie County Tax Map 160.18 and the westerly line of the New York State Thruway (Erie Section) right-of-way; thence, northerly along the westerly line of said subdivision Lot Number 6, a distance of approximately 1,003 feet to a point (2), said point being at the intersection of the westerly line of subdivision Lot Number 6 and the southeast corner of subdivision Lot Number 5, thence, westerly along the southerly line of subdivision Lot Number 5, a distance of approximately 44 feet to a point (3), said point being at the intersection of the centerline of Rush Creek and the southerly line of subdivision Lot Number 5; thence northerly and westerly along the centerline of Rush Creek and the southerly line of subdivision Lot Number 5, a distance of approximately 675 feet to a point (4), said point being at the intersection of the centerline of Big Tree Road and the centerline of Rush Creek approximately 550 feet east of the centerline of South Park Avenue; thence, northerly along the centerline of Rush Creek and the westerly line of subdivi-

vision Lot Numbers 6 and 28, Block 1 as shown on Erie County Tax Map 160.14, for approximately 1,250 feet to a point (5), said point being at the intersection of the centerline of Rush Creek, the southern most corner of subdivision Lot Number 3 and the western most corner of subdivision Lot Number 28; thence, westerly along the centerline of Rush Creek through the South Park Avenue right-of-way, for approximately 275 feet to a point (6), said point being at the intersection of the centerline of Rush Creek and the westerly line of the South Park Avenue right-of-way; thence, northerly along the westerly line of South Park Avenue right-of-way and the easterly line of subdivision Lot Number 2, Block 2 as shown on Erie County Tax Map 160.13, for approximately 175 feet to a point (7) being at the intersection of the northeast corner of subdivision Lot Number 2 and the southeast corner of subdivision Lot Number 3; thence, westerly along the southerly line of subdivision Lot Number 3, for approximately 200 feet to a point (8), said point being at the southwest corner of subdivision Lot Number 3; thence, northerly along the westerly line of subdivision Lot Number 3, for approximately 100 feet to a point (9), said point being the northwest corner of subdivision Lot Number 3; thence, westerly along the southerly line of subdivision Lot Number 8, Block 5 as shown on Erie County Tax Map 160.09, for approximately 300 feet to a point (10), said point being the corner of subdivision Lot Number 8 located approximately 50 feet west of the centerline of Rush Creek; thence, southerly along the easterly line of subdivision Lot Number 8, for approximately 65 feet to a point (11), said point being at the southeast corner of subdivision Lot Number 8 at Rush Creek; thence, westerly along the southerly line of subdivision Lot Number 8, for approximately 315 feet to a point (12), said point being at the intersection of the southwest corner of subdivision Lot Number 8 and the easterly line of the Erie-Lackawanna Railroad right-of-way; thence, northerly along the easterly line of the Erie-Lackawanna Railroad right-of-way, for approximately 690 feet to a point (13), said point being at the intersection of the western most corner of subdivision Lot Number 8 and the easterly line of the Erie-Lackawanna Railroad right-of-way; thence, northerly along the westerly line of subdivision Lot Number 8, for approximately 750 feet to a point (14), said point being at the intersection of the northwest corner of subdivision Lot Number 8 and the southerly line of subdivision Lot Number 6; thence, easterly along the southerly line of subdivision Lot Number 6, for approximately 130 feet to a point (15) said point being the intersection of the southeast corner of subdivision Lot Number 6 and the southwest corner of subdivision Lot Number 4, Block 4; thence, northerly along the westerly line of subdivision Lot Number 4, for approximately 47 feet to a point (16), said point being at the southeast corner of subdivision Lot Number 3; thence, westerly along the southerly line of subdivision Lot Numbers 2 and 3, for approximately 120 feet to a point (17), said point being at the southwest corner of subdivision Lot Number 2; thence, northerly along the westerly line of subdivision Lot Numbers 1 and 2 and the westerly line of the Highland Parkway right-of-way, for approximately 430 feet to a point (18), said point being at the intersection of the northerly line of the Highland Parkway right-of-way and subdivision Lot Number 7, Block 5; thence, easterly along the southerly line of subdivision Lot Number 2, Block 5, for approximately 59 feet to a point (19), said point being at the southwest corner of subdivision Lot Number 1, Block 3; thence, northerly along the westerly line of subdivision Lot Number 1, for approximately 191 feet to a point (20), said point being at the northwest corner of subdivision Lot Number 1; thence, westerly along the southerly line of subdivision Lot Numbers 2 and 28.1, Block 2, for approximately 422 feet to a point (21), said point being at the southwest corner of subdivision Lot Number 28.1; thence, northerly along the westerly line of subdivision Lot Number 28.1, for approximately 297 feet to a point (22), said point being at the southwest corner of subdivision Lot Number 3; thence, easterly along the northerly line of subdivision Lot Numbers 2 and 28.1, for approximately 575 feet to point (23), said point being at the intersection of the northerly line of subdivision Lot Number 28.1 and the westerly line of the Bain Parkway right-of-way; thence, southerly along the westerly line of the Bain Parkway right-of-way and subdivision Lot Number 4 for approximately 135 feet to a point (24), said point being at the southwest corner of subdivision Lot Number 4; thence, easterly along the southerly line of subdivision Lot Numbers 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, for approximately 781 feet to a point (25), said point being at the northeast corner of subdivision Lot Number 20; thence, southerly along the easterly line of subdivision Lot Number 20 and the westerly line of the Osborne-Sagamore Sewer District, for approximately 135 feet to a point (26), said point being located at the intersection of the southwest corner of the Osborne-Sagamore Sewer District and the centerline of Bristol Parkway; thence, easterly along the southerly line of the Osborne-Sagamore Sewer District, for approximately 330 feet to a point (27), said point being at the northeast corner of subdivision Lot Number 66, Block 2, as shown on Erie County Tax Map 160.10; thence, northerly along the easterly line of the Osborne-Sagamore Sewer District, for approximately 345 feet to a point