

RESOLUTION No. 2018-

**RESOLUTION RELATIVE TO THE ABANDONMENT OF A PORTION OF THE  
ALLEY RUNNING NORTH-SOUTH FROM RHODE ISLAND AVENUE TO VIRGINIA  
AVENUE PARALLEL TO HYDE PARK BOULEVARD**

BY:

Council Chairman Andrew Touma  
Council Member Ezra P. Scott, Jr.  
Council Member Kenny Tompkins

**WHEREAS**, the City Council of the City of Niagara Falls desires to abandon a portion of the alley running north-south between Rhode Island Avenue to Virginia Avenue and parallel to Hyde Park Boulevard in order to facilitate utilization of the alley by abutting property owners; and

**WHEREAS**, the Planning Board of the City of Niagara Falls at its meeting on March 21, 2018 recommended that the City Council approve the abandonment of a portion of the aforementioned alley (a copy of the Planning Board resolution is attached hereto); and

**WHEREAS**, the City Council did, by resolution, give notice of its intention to abandon a portion of the aforementioned alley and did direct the City Clerk to publish notice of such intention and that a public hearing would be held by the City Council at its meeting to be held in the Council Chambers on April 25, 2018 at 6:00 p.m. daylight savings time and advise that all persons interested would be heard thereon at that said time and place; and

**WHEREAS**, the hearing was duly held on April 25, 2018 at 6:00 p.m. daylight savings time in regards to said abandonment.

Kennedy \_\_\_\_\_ Scott \_\_\_\_\_ Tompkins \_\_\_\_\_ Voccio \_\_\_\_\_ Touma \_\_\_\_\_

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Niagara Falls, New York that a portion of the alley running north-south between Rhode Island Avenue to Virginia Avenue and parallel to Hyde Park Boulevard and abutting 3324 Hyde Park Boulevard and 3320 Hyde Park Boulevard and 3316 Hyde Park Boulevard is hereby abandoned, the said abandoned alley portion subject, however, to reservation of right of and for the City of Niagara Falls, the Niagara Falls Water Board and any utility companies, their successors and assigns to use, maintain, repair, replace and continue to maintain their services and operations in said abandoned alley. The said alley portion is bounded and described as follows:

The area commencing at the point 43.118227 N -79.035049 W heading in a southeasterly direction 104.7' to the point 43.117952 N -79.034935 W, thence heading in a westerly direction 12' to the point 43.117952 N -79.03498 W, thence heading in a northwesterly direction 104.7' to the point 43.118227 N -79.035094 W, thence in an easterly direction 12' to the beginning.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be filed in the Office of the Clerk of the County of Niagara and that the Mayor may sign deeds or other documents desirable to effectuate this abandonment.