

RESOLUTION No. 2019-

***REGARDING THE ABANDONMENT OF A PORTION OF THE OLD FALLS STREET
RIGHT OF WAY ADJACENT TO 304 – 1ST STREET***

BY:

Council Chairman Andrew Touma
Council Member William Kennedy
Council Member Ezra P. Scott, Jr.
Council Member Kenny Tompkins
Council Member Christopher Voccio

WHEREAS, the City Council of the City of Niagara Falls desires to abandon a portion of the Old Falls Street Right of Way adjacent to 304 – 1st Street; and

WHEREAS, the City Council did, by resolution, give notice of its intention to abandon a portion of the aforementioned right of way 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 3, 2019 at 6:00 p.m. eastern daylight time and advise that all persons interested would be heard on that said time and place; and

WHEREAS, the hearing was duly held on April 3, 2019 at 6:00 p.m. eastern daylight time in regards to said abandonment.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York, that a portion of the Old Falls Street Right of Way adjacent to 304 – 1st Street, is hereby abandoned, the said abandoned right of way 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 right of way. The said right of way portion is bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the City of Niagara Falls, County of Niagara, State of New York, bounded and described as follows:

1. Commencing at the point of intersection of the southerly right of way of Old Falls Street with the easterly right of way of Rainbow Boulevard; thence
2. 5.00 feet north along the easterly right of way of Rainbow Boulevard to a point; thence
3. Easterly at a 90° angle to a point on the westerly right of way of First Street; thence

Kennedy _____ Scott _____ Tompkins _____ Voccio _____ Touma _____

4. South a distance of 5.00 feet along the westerly right of way of 1st Street to the point of intersection with said right of way with the southerly right of way of Old Falls Street; thence
5. Along the southerly right of way of Old Falls Street to the point and place of beginning.

Intending to describe a 5-foot-wide abandonment of the right of way.

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.