

ERIE COUNTY CLERK'S OFFICE



County Clerk's Recording Page

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Party 1:
TOWN OF NORTH COLLINS

Party 2:
LAWTONS WATER DISTRICT

Book Type: D Book: 11313 Page: 6994
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Recording Fees:

RECORDING	\$60.00
COE CO \$1 RET	\$1.00
COE STATE \$14.25 GEN	\$14.25
COE STATE \$4.75 RM	\$4.75

Consideration Amount:

BASIC MT	\$0.00
SONYMA MT	\$0.00
ADDL MT/NFTA	\$0.00
SP MT/M-RAIL	\$0.00
NY STATE TT	\$0.00
ROAD FUND TT	\$0.00

Total: \$80.00

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING – THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Peggy A. Lagree
Acting County Clerk

At a regular meeting of the Town Board of the
Town of North Collins, in the County of Erie,
State of New York, held at the North Collins
Town Hall on the 2nd day of May, 2017.

PRESENT: John M. Tobia, Town Supervisor
Ellen M. Mathis, Councilman
Michael W. Perry, Councilman
Peter D. Robbins, Councilman
William Ross Mortiz, Councilman

In the Matter

of the

Establishment of the Lawtons Water District
in the Town of North Collins, County of
Erie, State of New York

ORDER ESTABLISHING
WATER DISTRICT

WHEREAS, a Petition seeking the creation of a new water district to be known as the Lawtons Water District under Article 12 of the Town Law has been presented to and filed with the Town Board of the Town of North Collins and said Petition containing the necessary signatures required by law; and

WHEREAS, a map, plan and report relating to the proposed establishment of the Lawtons Water District in the Town of North Collins, was duly prepared by MDA Consulting Engineers, PLLC, in a manner and in such detail as has been determined by this Town Board to be in compliance with law, and has been duly filed with the Town Clerk, all in accordance with the requirements of Article 12 of the Town Law; and

WHEREAS, an Order was duly adopted by this Town Board on the 7th day of April, 2017, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the proposed method of financing, the fact that the map, plan and report describing the same were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying May 2, 2017 at 7:00 p.m. as the date and time where this Town Board would meet and consider said map, plan and report, and to hear all persons interested in the subject matter thereof, concerning the same, and to take such action thereon as is required or authorized by law; and

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WHEREAS, as stated in such map, plan and report, the project has an estimated maximum cost of \$675,000 which amount is to be financed by the issuance of serial bonds in an aggregate amount not to exceed \$675,000, such amount to be offset by any federal, state, county and/or local funds received, and unless paid from other sources or charges, the cost of the water improvement will be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the proposed Lawtons Water District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of the benefit conferred upon the same, to pay the principal of and interest on said bounds as the same shall become due and payable, except as provided by law; and

WHEREAS, the expected average annual cost to the Typical Property (as defined by Town Law) in the proposed Lawtons Water District (which is a single family home) during the first year will be approximately \$841.46; and

WHEREAS, the Town has heretofore complied with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law, and in connection therewith, the Town has determined that this project is a Type I Action under SEQRA and has issued a Negative Declaration as defined under SEQRA and therefore, no further action under SEQRA is required; and

WHEREAS, legal notice of the aforesaid Order was duly published and posted as required by law; and

WHEREAS, a Public Hearing on said matter was duly held by the Town Board on the 2nd day of May, 2017, commencing at 7:00 p.m. in the North Collins Town Hall, 10569 Main Street, North Collins, New York, at which all interested persons desiring to be heard were heard, including those in favor of and those opposed to, the establishment of said Lawtons Water District;

NOW THEREFORE, upon the evidence adduced at such public hearing; be it

RESOLVED AND DETERMINED, that (i) the petition aforesaid is signed and acknowledged or proved as required by law and it duly complies with the requirements of Section 191 of the Town Law; (ii) that all property and property owners within the proposed water district are benefitted thereby; (iii) that all property and property owners benefitted are included within the limits of the proposed district; and (iv) that it is in the public interest to establish said water district; and be it further

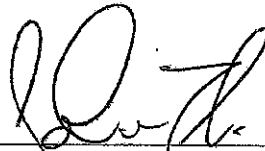
RESOLVED AND DETERMINED, that the Notice of Public Hearing was legally published and posted as required by law, and is otherwise sufficient; and be it further

RESOLVED AND DETERMINED, that the establishment of the proposed Lawtons Water District, as set forth in said map, plan and report, be and the same is hereby approved; and such water district shall hereafter be known and designated as the Lawtons Water District of the Town of North Collins; and said district shall be bounded and described as set forth in Exhibit A attached hereto and made part hereof; and be it further

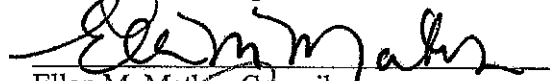
RESOLVED, that the proposed improvements, including costs of rights of way, construction costs and all other reasonable expenses therein, shall be constructed and the service therein described shall be provided for upon the required funds being made available or provided in order to pay for such improvements; and be it further

RESOLVED, that the Town Clerk, is hereby authorized and directed to file a certified copy of this Resolution in the Office of the Clerk of the County of Erie, which is the County in which the said Town of North Collins is located, and also in the Office of the State Department of Audit and Control, within ten days after the adoption of this Resolution, pursuant to the provisions of Section 195 of the Town Law.

Dated: May 2, 2017



John M. Fobia, Supervisor



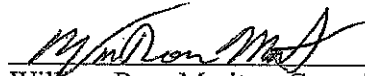
Ellen M. Mathis, Councilman



Michael W. Perry, Councilman



Peter D. Robbins, Councilman



William Ross Moritz, Councilman

SCHEDULE A

(Legal Description Attached)

**RICHARD J. ARONICA
LAND SURVEYOR**

10569 Rocky Mountain Road, P.O. Box 339
North Collins, New York 14111
(716) 337-3420

December 6, 2016

Lawtons Water District

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of North Collins, Hamlet of Lawtons, County of Erie and State of New York, being part of Lots Numbers 50, 51 and 58, Township 7, Range 8 of the Holland Land Company's Survey, bounded and described as follows:

Commencing at the intersection of the center line of N.Y. State 62 with the center line of Marshfield Road in the Town of North Collins, being the southwest corner of the fifth described parcel of land in a deed from Clayton C. Taylor to Philip J. Taylor recorded in the Erie County Clerk's Office in Liber 6874 of Deeds at Page 158; thence north $00^{\circ} 28'$ east along the center line of Route 62 and the west line of Lots Numbers 50 and 51, a distance of 932.25 feet to the southwest corner of land deeded to School District Number 1 in deed recorded in the Erie County Clerk's Office in Liber 510 of Deeds at Page 172; said point also being the point of beginning thence south $89^{\circ} 32'$ east leaving the highway 198 feet to the southeast corner of lands described in deed recorded in the Erie County Clerk's Office in Liber 510 of Deeds at Page 172 and the southwest corner of land deeded to Norman Schindler in deed recorded in the Erie County Clerk's Office in Liber 8039 of Deeds at Page 95; thence south $87^{\circ} 51' 55''$ east 154.73 feet to the southeast corner of lands described in deed recorded in the Erie County Clerk's Office in Liber 8039 of Deeds at Page 95; thence north $15^{\circ} 36'$ east 277 feet to the northeast corner of lands described in deed recorded in the Erie County Clerk's Office in Liber 8039 of Deeds at Page 95; thence north $69^{\circ} 35'$ east a distance of

670.33 feet; thence south $01^{\circ} 33'$ east a distance of 1396.36 feet to the center line of Marshfield Road; thence south $88^{\circ} 27' 30''$ west along the center line of said road 677.06 feet to the point; thence south, along the easterly line of lands conveyed to the Lawtons Volunteer Fire Company, a distance of 211.96 feet; thence west, parallel with Marshfield Road, a distance of 235.46 feet; thence south, parallel with Route 62, a distance of 95.6 feet; thence east a distance of 36.43 feet; thence south, parallel with Route 62, a distance of 132.0 feet; thence west, parallel with Marshfield Road, a distance of 60.0 feet; thence southeasterly, along the easterly line of lands conveyed to Norman J. Anderson, a distance of 210.2 feet; thence south along the easterly line of lands conveyed to the United States Postal Service, a distance of 102.3 feet; thence east along the south line of lands conveyed to Philip J. Taylor by deed recorded in Liber 6874 of Deeds at page 158, a distance of 462.0 feet; thence south, parallel with Route 62, a distance 264.0 feet; thence east along the north line of lands conveyed to Walter H. and Suzanne E. Velzy by deed recorded in Liber 9424 of Deeds at page 289, a distance of 1283.3 feet more or less; thence south along the easterly line of lands so conveyed to Walter H. & Suzanne E. Velzy and lands conveyed to the Lawtons Water Company by Liber 6791 of Deeds at page 507, a distance of 1354.32 feet; thence west along south line of Lot 50, a distance of 1953.6 feet to the center line of Rout 62; thence west along the south line of Lot 58, a distance of 770.3 feet; thence northwesterly, along the northeasterly line of the Erie Lackawanna Railroad, a distance of 2036.4 feet; thence west along the south line of Seneca Street, a distance of 66.67 feet; thence northwesterly along the westerly line of the Erie Lackawanna Railroad, distance of 50.0 feet; thence west along the north line of Seneca Street a distance of 2314.9 feet; thence north along the Indian Reservation Line, a distance of 1341.56 feet; thence east along the north line of Lot 58 and the northerly bounds of lands conveyed to Audrey L. Majchrzycki recorded in Liber 10895 of Deeds at page 1840 and lands conveyed to Howard A. Purdy, a distance of 3433.03 feet; thence south along the west line of lands conveyed to Worldcom Network Services, Inc. and a 30 foot right of way by deed recorded in Liber 10938 of Deeds at page 8662, a distance of 128.6 feet; thence east along the south line of said lands, a distance of 103.0 feet to the center line of Route 62 and approximate point of beginning.

CONTAINING 250 acres of land, more or less.

CERTIFICATE OF RECORDING OFFICER

(Formation of the Lawtons Water District Under Article 12 of the Town Law)

The Undersigned hereby certifies as follows:

1) The Undersigned is the duly qualified and acting Clerk of the Town of North Collins, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the Minutes of the proceedings of the town Board; and is duly authorized to execute this Certificate.

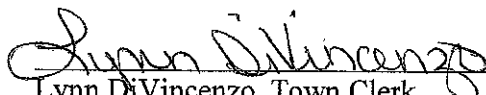
2) Attached hereto is a true and correct copy of a Resolution duly Adopting the Order Forming the Lawtons Water District at a Meeting of the Town Board held on May 2, 2017 and entitled "In the Matter of the Establishment of the Lawtons Water District in the Town of North Collins, County of Erie, State of New York."

3) The Seal appearing below constitutes the Official Seal of the Town and was duly affixed by the undersigned at the time this Certificate was signed.

IN WITNESS WHEREOF, I have signed this Certificate on the 4th day of May, 2017.

(Seal)

The seal is circular and contains text around the perimeter, including "TOWN OF NORTH COLLINS" and "COUNTY OF ERIE, STATE OF NEW YORK". The center of the seal is mostly illegible due to the quality of the scan.


Lynn DiVincenzo, Town Clerk