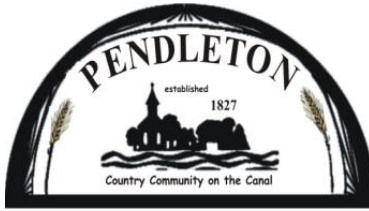


TOWN OF PENDLETON

6570 Campbell Boulevard

Lockport, NY 14094



Deborah K. Maurer, Town Clerk

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NOTICE OF PUBLIC HEARING

AN ORDER PROVIDING FOR A PUBLIC HEARING TO DISSOLVE AND DISCONTINUE **SANITARY SEWER DISTRICT No. 5 – HERITAGE LANDINGS** IN THE TOWN OF PENDLETON, NIAGARA COUNTY, NEW YORK, PURSUANT TO TOWN LAW SECTION 202-C (2).

WHEREAS, a map, plan and report dated March 17, 2014 prepared by Advanced Design Group, was presented to the Town Board by the Engineer for the Town, David M. Britton, P.E. and filed in the office of the Clerk of the Town of Pendleton detailing the request for the formation of a new sanitary sewer district in the Town of Pendleton, Niagara County, New York, to be known as Sanitary Sewer District No. 5- Heritage Landings, pursuant to Article 12-A of the Town law; and

WHEREAS, it was proposed that such Town Sanitary Sewer District shall comprise of all sanitary sewer pressure and gravity system, and pumping stations to service a residential subdivision, known as Heritage Landings comprised entirely within the Town of Pendleton, such subdivision was more particularly bounded and described as follows:

SANITARY SEWER DISTRICT No. 5 – HERITAGE LANDINGS

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Pendleton, County of Niagara, State of New York being part of Lots 71 and 66, Township 13, Range 7 of the Holland Land Survey (so called) bounded and described as follows:

Commencing at a point on the south line of Lot 71 and the centerline of Feigle Road a distance of 2388.40 feet easterly from the south west corner of Lot 71, as measured along the south line of Lot 71;

Thence N 1°33'27" W a distance of 33 feet to a point on the north line of Feigle Road, said point being the POINT OR PLACE OF BEGINNING;

Thence N 1°33'27" W a distance of 324.37 feet to a point

Thence N 88°26'33" E a distance of 20.00 feet to a point

Thence N 1°33'27" W a distance of 90.00 feet to a point of curve;

Thence along an arc 90.52 feet to the right, having a radius of 180.00 feet, the chord of which is N 12°50'58" E for a distance of 89.57 feet to a point of reverse curve;

Thence along an arc 60.35 feet to the left, having a radius of 120.00 feet, the chord of which is N 12°50'58" E for a distance of 59.71 feet to a point of tangency;

Thence N 1°33'27" W a distance of 116.54 feet to a point of curve;

Thence along an arc 51.53 feet to the left, having a radius of 120.00 feet, the chord of which is N 13°51'31" W for a distance of 51.13 feet to a point of tangency;

Thence N 26°09'36" W a distance of 42.02 feet to a point;

Thence N 89°30'35" W a distance of 278.80 feet to a point;

Thence N 1°33'27" W a distance of 1535.84 feet to a point;

Thence S 89°54'10" E a distance of 603.90 feet to a point;

Thence S 1°46'29" E a distance of 168.46 feet to a point;

Thence S 85°51'36" E a distance of 1571.89 feet to a point;

Thence S 1°15'28" E a distance of 61.38 feet to a point;

Thence N 88°44'32" E a distance of 1138.32 feet to a point, said point being the north west corner of Lot 3 as shown on Map filed in the Niagara County Clerk's office in Book 60 of microfilmed maps at page 6071;

Thence along the west line of lot 3 of said map S 26°09'56" W a distance of 259.12 feet to a point, said point being the south west corner of Lot 3 on said map;

Thence along the south line of Lot 3 of said map N 88°44'32" E a distance of 267.20 feet to a point on the west line of Bear Ridge Road and the south east corner of Lot 3 of said map;

Thence along the west line of Bear Ridge Road S 27°50'35" W a distance of 124.72 feet to a point;

Thence S 88°44'33" W a distance of 263.09 feet to a point on the west line of Lot 2 on said map;

Thence S 26°09'56" W a distance of 68.11 feet to an angle point in the west line of Lot 2 on said map;

Thence along the west line of Lot 2 and Lot 1 on said map S 36°36'06" W a distance of 196.03 feet to a point;

Thence S 26°09'56" W a distance of 450.82 feet to a point on the north line of Gilbert (Liber 957, Page 544);

Thence along the north line of Gilbert S 88°44'32" W a distance of 541.00 feet to the northwest corner of Gilbert, said point also being an angle point in the east line of Lot 3 as shown on Map filed in the Niagara County Clerk's Office in Book 61 of microfilm maps at page 6125;

Thence along the division between Lots 2 and 3 as shown on last said map S 1°15'02" E a distance of 564.40 feet to a point on the north line of lands conveyed to W Heitzenrater by deed filed in the Niagara County Clerk's Office in Liber 2560 of deeds at page 134;

Thence along the north line of said Heitzenrater lands S 88°44'31" E a distance of 112.59' feet more or less to the north east corner of said Heitzenrater lands;

Thence along the east line of Heitzenrater lands S 1°15'29" E a distance of 50.00 feet to a point;

Thence S 88°44'31' W a distance of 172.59 feet to a point;

Thence N 1°15'02" W a distance of 395.94 feet to a point;

Thence N 89°30'35" W a distance of 1879.09 feet to a point;

Thence S 26°09'36" E a distance of 13.19 feet to a point of curve;

Thence along an arc 77.29 feet to the right, having a radius of 180.00 feet, the chord of which is S 13°51'32" E for a distance of 76.70 feet to a point of tangency;

Thence S 1°33'27" E a distance of 116.54 feet to a point of curve;

Thence along an arc 90.52 feet to the right, having a radius of 180.00 feet, the chord of which is S 12°50'58" W for a distance of 89.57 feet to a point of reverse curve;

Thence along an arc 60.35 feet to the left, having a radius of 120.00 feet, the chord of which is S 12°50'58" W for a distance of 59.71 feet to a point of tangency;

Thence S 1°33'27" E a distance of 90.00 feet to a point;

Thence N 88°26'33" E a distance of 20.00 feet to a point;

Thence S 1°33'27" E a distance of 324.89 feet to a point on the north line Feigle Road;

Thence along the north line of Feigle Road S 88°44'31" W a distance of 100.00 feet and the POINT OF BEGINNING.

The above described parcel contains ± 89.859 acres (3914257 sq. ft.)

WHEREAS, accepting, also and reserving to any and all utilities the right of access at all times for the update, maintenance, and service of their facilities;

WHEREAS, private funds would have been used to install all sanitary sewer facilities and therefore, the facilities would have been constructed at no cost to the Town of Pendleton;

WHEREAS, more than three [3] years have elapsed since April 14, 2014, the date of the approval by the Town Board of the Town of Pendleton for the establishment of **SANITARY SEWER DISTRICT No. 5 – HERITAGE LANDINGS** and no improvement has been constructed or service provided for such proposed district at any time since the approval by the Town Board of the Town of Pendleton for the establishment thereof and further there is no indebtedness of the Town of Pendleton, outstanding and unpaid, incurred to accomplish any of the purposes of such proposed district;

Now, therefore, be it

ORDERED, by the Town Board of the Town of Pendleton, Niagara County, New York, as follows:

1. That the Town Board of the Town of Pendleton shall meet at the Town Hall, 6570 Campbell Blvd. on May 14, 2018 at 6:50 P.M., to conduct a public hearing to hear all persons interested in the proposed dissolution and discontinuance of **SANITARY SEWER DISTRICT No. 5 –**

HERITAGE LANDINGS IN THE TOWN OF PENDLETON, NIAGARA COUNTY, NEW YORK;

2. That the Town Clerk of the Town of Pendleton is hereby authorized and directed to publish a copy of the Order in the official newspaper, in the time and manner required by law. The Town Clerk shall also file a copy of this order with the New York State Comptroller's Office.

Deborah Maurer, Town Clerk

Date: May 2, 2018

Publish: May 7, 2018