

LEGAL NOTICE

TOWN OF ALBION

Public Hearing on Application for Change of Zone

West County House Road

PLEASE TAKE NOTICE, that the Town Board of the Town of Albion will hold a public hearing at the Town Hall, 3663 Clarendon Road, Albion, New York, in said Town on March 11, 2019 at 5:00 p.m. to hear all persons interested in the rezoning of a vacant property on West County House Road consisting of 14.7 acres, Tax Account Number 84-1-61.12.

David Hill, the owner of the property, has submitted to the Albion Town Board an application and proposal to rezone the property from R-1 Residential to L-I Light Industrial.

The property proposed to be rezoned is more particularly described as follows:

LEGAL DESCRIPTION

All that tract or parcel of land, situate in the Town of Albion, County of Orleans, and State of New York, distinguished as being part of Lot No. 8, Township 14, Range 2 of the Holland Land Company's survey, so called, bounded and described as follows: Beginning at a point on the westerly bounds of Oak Orchard Road at a distance of 242.50 feet southerly as measured along the westerly bounds of Oak Orchard Road from the northerly bounds of Lot No. 8, being the centerline of West County House Road. Said point of beginning being the southeasterly corner of lands deeded to Grant C. Downey and Mary Janet Downey by deed recorded in the Orleans County Clerk's Office in Liber 390 of Deeds at page 658; (1) Thence southerly along the west bounds of Oak Orchard Road a distance of 369.90 feet to the northeasterly corner of lands deeded to James E. Nesbitt by deed recoded in the Orleans County Clerk's Office in Liber 407 of Deeds at page 542; (2) Thence westerly along the northerly bounds of lands described in Liber 407 of Deeds at page 542 and parallel with the northerly bounds of said Lot Number 8 a distance of 1234.20 feet to a point which is also the west bounds of said Fancher's land (Liber 193 - Page 308); (3) Thence northerly along a line parallel with the western boundary of Oak Orchard Road a distance of 306.20 feet to a point being the southwest corner of premises previously deeded to Jeffrey D. Post and Mary Ellen Post by deed recorded in the Orleans County Clerk's Office at Liber 538 of Deeds at page 152; (4) Thence easterly and parallel with the north line of Lot Number 8 a distance of 250.02 feet to a point; (5) Thence northerly and parallel with the western boundary of Oak

Orchard Road a distance of 306.20 feet to the northern line of Lot Number 8; (6) Thence easterly along the centerline of West County house Road a distance of 852.18 feet to a point being the northwesterly corner of lands previously deeded to Grant and Mary Janet Downey (Liber 390 of Deeds at Page658); (7) Thence southerly and along the western boundary line of Downey a distance of 242.50 feet to a point; (8) Thence easterly along the southern boundary of Downey a distance of 132 feet to the point and place of beginning. Being a parcel containing 14.86 acres more or less. Excepting therefrom so much of the above described premises as may lie within the bounds of any public highway.

The application is available for inspection at the Office of the Albion Town Clerk, 3665 Clarendon Road, Albion, New York, during regular office hours or may be viewed on the Towns website, www.townofalbion.com.

By order of the Albion Town Board of the Town of Albion
Sarah Basinait, Albion Town Clerk

Petition for Amendment to Zoning Ordinance or Map

1. Name of applicant: David S. Hill

2. Address of applicant: 8978 Ridge Rd. Gasport, NY 14067

3. Telephone number of applicant: 716-628-3740 work; _____ home.

4. Address of subject property: N/A

5. Tax Map Number: 84-1-61-12

6. Is the applicant the owner of the subject property? If not, please state the name and address of the owner, together with the relationship of applicant to the owner:

Yes

7. State the zoning amendment desired, text or map, and the reason for the change, together with any other information considered pertinent to the determination of the matter. In the case of a text amendment, please attach the full text of the proposed amendment.

Map, to be rezoned from R-1 Residential
to Light Industrial

Please include the following materials with your application:

Fee: \$ 100.00

Map showing the boundaries of:
• the affected property
• the existing zoning district
• the requested zoning change

Environmental Assessment Form

Short Form (Unlisted Action)
 Long Form (Type I Action)

Proof of ownership or other interest in the property (e.g., copy of deed, option to purchase, etc.)

Dated this 31st day of October, 2018

[Signature] Signature of applicant

Procedures for amending the zoning ordinance or map

A completed petition for a zoning amendment or rezoning shall be filed with the Town Clerk.

Referral to Town Planning Board

The Code Enforcement Officer shall provide a copy of the proposed zoning amendment to the Planning Board. The Planning Board shall make a recommendation on the text amendment or rezoning within 45 days of receiving information from the Code Enforcement Officer. The Planning Board shall state whether the proposed amendment is in harmony with the Comprehensive Plan.

Notice to neighboring municipalities

If the proposed text amendment or rezoning would affect land within 500 feet of a neighboring municipality, the Town Clerk shall send a copy of the public hearing notice to the Clerk of such municipality at least 10 days prior to the public hearing.

Referral to County Planning Board

If the proposed text amendment or rezoning would affect property within 500 feet of:

- a town or village boundary;
- a state or county highway;
- state or county land upon which a state or county institution is located,

the Code Enforcement Officer shall send a copy of the proposed amendment to the County Planning Board for referral pursuant to Section 239 l and m of NYS General Municipal Law.

Referrals must be submitted one week before the County Planning Board's regular meeting, which is held on the fourth Thursday of each month or according to the schedule published yearly by the County Planning Board.

Referrals should be sent at least 30 days before the County Planning Board anticipates a final vote on the matter.

If the County Planning Board recommends disapproval or modification of the amendment, the approval will require four votes of the Town Board in favor of the amendment.

Public hearing

The Town Board shall conduct a public hearing on the proposed amendment.

The Town Clerk shall publish a notice of the public hearing in the official newspaper at least 10 days prior to the hearing date.

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Following adoption by the Town Board:

The Town Clerk shall:

- Enter the amendment into the minutes of the Town Board;
- Publish a copy, summary or abstract of the amendment once in the official newspaper of the Town, and shall file an affidavit of the publication;
- File the amendment and map in a location that is accessible to the public for review during regular business hours.

The amendment shall take effect:

- 10 days following its publication in the official newspaper; *OR*
- when a copy of the amendment, certified by the Town Clerk with the corporate seal of the Town and showing the date the amendment was passed by the Town Board and entered into the minutes, is provided personally to a person affected by the amendment.

NOTE:

After the Town Board denies a petition for a zoning amendment, it shall not consider such an amendment again within one (1) year from the date of the denial, unless the Planning Board submits a recommendation certifying that there have been substantial changes in the situation which would merit a rehearing by the Town Board. Such rehearing may be granted only with a favorable vote of four members of the Town Board. (105.E)

§ 103-82. Procedures.

ARTICLE X
Site Plan Review

§ 103-83. Purpose.

§ 103-84. Applications.

§ 103-85. Procedure.

§ 103-86. Application for site plan approval.

§ 103-87. Planning Board review of site plan.

§ 103-88. Application for final detailed site plan approval.

§ 103-89. Action on detailed final site plan application.

§ 103-90. Supplemental regulations pertaining to site plan approval.

Zoning Schedule

Zoning Map

[HISTORY: Adopted by the Town Board of the Town of Albion 11-10-1997. Amendments noted where applicable.]

GENERAL REFERENCES

Numbering of buildings — See Ch. 39.
Unsafe buildings — See Ch. 40.
Dumps and landfills — See Ch. 49.
Environmental quality review — See Ch. 53.
Fire prevention and building code administration — See Ch. 58.

Flood damage prevention — See Ch. 62.
Solid waste management facilities — See Ch. 87.
Subdivision of land — See Ch. 89.
Abandoned vehicles — See Ch. 95.

ARTICLE I
Enactment and Intent

§ 103-1. Title; repealer.

The title of this code is the "Town of Albion Zoning Ordinance, Orleans County, New York," and shall include this text, the Zoning Schedule, and the Zoning Map. All existing zoning ordinances of the Town of Albion, Orleans County, New York, are hereby repealed upon the effective date of this chapter.

§ 103-2. Purpose.

This chapter is adopted pursuant to the Town Law of the State of New York, to promote and protect the public health, safety and general welfare and in furtherance of the following related and more specific purposes:

- A. To protect the open, rural and natural character of the land.
- B. To preserve the Town's natural resources and habitats.
- C. To guide and regulate the orderly growth, development and redevelopment of the Town of Albion in accordance with a well-considered plan and with long-term objectives, principles and standards deemed beneficial to the interest and welfare of the people.

§ 103-3. Conflict with other provisions.

Whenever the requirements of this chapter are in conflict with the requirements of any other lawfully adopted rules, regulations, codes, ordinances or local laws, the most restrictive of such rules, regulations, codes, or ordinances or those imposing the higher standards shall govern.

§ 103-4. Severability.

Should any section of or provision of this chapter be decided by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the chapter as a whole, or any part thereof, other than the part so decided to be unconstitutional or otherwise invalid.

§ 103-5. Consistency with Comprehensive Plan.

The provisions and regulations of this chapter and interpretations thereof shall be made in accordance with the objectives of the Town's Comprehensive Plan.

§ 103-6. Amendments.

- A. Procedure. The Town Board may from time to time on its own motion, on petition or on recommendation of the Planning Board and in accordance with the laws of the State of New York, amend, supplement or repeal the regulations, provisions or district boundaries of this chapter.
- B. Filing of petition. A petition to amend, change or supplement the text of this chapter or any zoning district as designated on the Zoning Map established herein shall be filed with the Town Clerk and accompanied by the appropriate fees, as specified in the fee schedule adopted by the Town Board. The Clerk shall transmit the documentation to the Town Board. A petition for a change to the Zoning Map shall contain a map which clearly describes the affected property and its boundaries and shall indicate the existing zoning district and the requested zoning change. In addition, every petition for a change to the Official Zoning Map shall contain an environmental assessment form completed and signed by the petitioner, or agent, in accordance with the procedures set forth in State environmental quality review (SEQR) regulations.
- C. Referral to Planning Board. Each proposed amendment, except those initiated by the Planning Board, shall be referred to the Planning Board for an advisory report. In reporting, the Planning Board shall fully state its reasons for recommending or opposing the adoption of such proposed amendment. The Planning Board may condition its approval, as may be appropriate, and shall state whether such amendment is in harmony with the Town's plan for land use. The Planning Board shall state its position relative to proposed zoning amendments in writing within 45 days of the receipt of all pertinent data from the Town Board. Absence of a reply from the Planning Board within the forty-five-day period shall indicate that the Board is in favor of the amendment.

- D. Public hearing; notice; recording of actions. Unless otherwise provided, the provisions of the Town Law of the State of New York pertaining to public hearings, official notices and proper recording of zoning actions taken by the Town Board shall apply to all amendments to this chapter.
- E. Disposition final; rehearing on petition. The disposition of a petition for amendment by the Town Board shall be final and disapproval or denial of the proposed amendment shall void the petition. No new petition for an amendment which has been previously denied by the Town Board shall be considered by it, except for a vote to table or to receive and file, and no public hearing shall be held on such amendment within a period of one year from the date of such previous denial, unless the Planning Board shall submit a recommendation, with reasons stated therefor, certifying that there have been substantial changes in the situation which would merit a rehearing by the Town Board. Such rehearing may be granted only upon a favorable vote of a majority of the Town Board plus one.

§ 103-7. Repealer.

The text of the Albion Zoning Ordinance and the Zoning Map of the Town of Albion, Orleans County, New York, enacted by the Town Board of the Town of Albion and as the same from time to time have been amended, are hereby repealed and amended in their entirety as set forth below, superseding all previous enactments and amendments, and from their taking effect, all such previous enactments and amendments thereto shall be repealed.

§ 103-8. When effective.

This chapter shall be in effect immediately upon adoption and the posting and filing of notice of adoption as required by state law.

§ 103-9. Enforcement actions.

- A. If the Code Enforcement Officer discovers a project commencing without the required permits, he shall undertake enforcement actions as authorized by this chapter and other provisions of NYS law.
- B. The Town may maintain an action for a temporary restraining order, temporary injunction, or injunction to restrain, correct, or abate any violation of this chapter or any failure to comply with any of the provisions of this chapter.

§ 103-10. Penalties for offenses.

Any person, firm or corporation who violates, disobeys, neglects or refuses to comply with any provision of this chapter shall be guilty of an offense, and upon conviction thereof, shall be subject to a fine of not more than \$250 or imprisonment for a period not more than six months or both. Each day a violation is continued shall be deemed a separate offense.

§ 103-11. Fees.

- A. Each application for a permit provided for by this chapter shall be accompanied by a fee, payable in cash or other form of security approved by the Town Attorney, according to the fee structure in effect at the time of application. Fees shall be established by resolution of the Town Board.
- B. A fee schedule shall be posted at the Town Clerk's office.

**ARTICLE II
Terminology**

§ 103-12. Word usage; administrative agencies defined.

For the purpose of this chapter, certain words and terms used herein shall be defined as follows:

A. Word usage.

- (1) All words used in the present tense include the future tense.
- (2) All words in the plural number include the singular number and all words in the singular number include the plural number, except as to the number of permitted structures, unless the natural construction of the wording indicates otherwise.
- (3) The word "person" includes an association, partnership or corporation.
- (4) Unless otherwise specified, all distances shall be measured horizontally along the ground.
- (5) The word "building" includes the word "structure."
- (6) "Lot" includes the words "plot," "parcel," "tract" or "site."
- (7) The word "premises" includes a lot and all buildings or structures thereon.
- (8) To "erect," "to construct" and "to build" a building or structure each have the same meaning and also include "to excavate" for a building and "to relocate" a building by moving it from one location to another.
- (9) "Used" shall be deemed also to include "designated, intended or arranged to be used or occupied."
- (10) "Shall" is mandatory and not discretionary; "may" is permissive.

B. Administrative agencies defined.

BOARD OF APPEALS — The Zoning Board of Appeals of the Town of Albion.

CODE ENFORCEMENT OFFICER — The official or officials designated by the Town Board of the Town of Albion to enforce the provisions of this chapter.

COUNTY PLANNING BOARD — The Planning Board of the County of Orleans.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: request for amendment to zoning map and comprehensive plan			
Project Location (describe, and attach a location map): Tax Parcel ID# 84.-1-61.12			
Brief Description of Proposed Action: Owner is requesting zoning classification of tax parcel ID# 84.-1-61.12 to be rezoned from R-1 Residential to light industrial to accommodate a proposed commercial storage business.			
Name of Applicant or Sponsor: David S. Hill		Telephone: 716-628-3740 E-Mail: asuperiorconcrete@yahoo.com	
Address: 8978 Ridge Road			
City/PO: Gasport		State: NY	Zip Code: 14067
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <i>County Planning, review only</i>			NO <input checked="" type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? <i>14.7</i> acres			
b. Total acreage to be physically disturbed? <i>TBD</i> acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <i>14.7</i> acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: <u>N/A (no specific site designated for development at this time)</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>N/A</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>N/A</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>Existing roadside ditches</u> <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Deborah Hill</u>		Date: <u>10/31/18</u>
Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



Property Description Report For: West County House Rd, Municipality of Town of Albion

No Photo Available

Status:	Active	Status:	Active
Roll Section:	Taxable	Roll Section:	Taxable
Swis:	342089	Swis:	342089
Tax Map ID #:	84.-1-61.12	Tax Map ID #:	84.-1-61.12
Property Class:	311 - Res vac land	Property Class:	311 - Res vac land
Site:	RES 1	Site:	RES 1
In Ag. District:	No	In Ag. District:	No
Site Property Class:	311 - Res vac land	Site Property Class:	311 - Res vac land
Zoning Code:	-	Zoning Code:	-
Neighborhood Code:	20122 - Residential	Neighborhood Code:	20122 - Residential
School District:	Albion	School District:	Albion
Total Assessment:	2018 - \$39,500	Total Assessment:	2018 - \$39,500
Total Acreage/Size:	14.70	Property Desc:	
Land Assessment:	2018 - \$39,500	Deed Page:	2826
Full Market Value:	----	Grid North:	1172785
Equalization Rate:	----		
Deed Book:	849		
Grid East:	1251362		

Area

Living Area:	0 sq. ft.	First Story Area:	0 sq. ft.
Second Story Area:	0 sq. ft.	Half Story Area:	0 sq. ft.
Additional Story Area:	0 sq. ft.	3/4 Story Area:	0 sq. ft.
Finished Basement:	0 sq. ft.	Number of Stories:	0
Finished Rec Room	0 sq. ft.	Finished Area Over Garage	0 sq. ft.

Structure

Building Style:	0	Bathrooms (Full - Half):	0 - 0
Bedrooms:	0	Kitchens:	0
Fireplaces:	0	Basement Type:	0
Porch Type:	0	Porch Area:	0.00
Basement Garage Cap:	0	Attached Garage Cap:	0.00 sq. ft.
Overall Condition:	0	Overall Grade:	
Year Built:			

Owners

David S Hill

2982 Johnson Creek Rd
Middleport NY 14105

Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book and Page
12/16/2014	\$50,000	311 - Res vac land	Land Only	Warne, Jr., Calvin J.	No	Yes	No	849/2826
4/30/2014	\$29,400	311 - Res vac land	Land Only	Nesbitt, James	No	Yes	No	847/8371

Utilities

Sewer Type:	Private	Water Supply:	Comm/public
Utilities:	Gas & elec	Heat Type:	0
Fuel Type:	0	Central Air:	No

Improvements

Structure	Size	Grade	Condition	Year
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Special Districts for 2018

Description	Units	Percent	Type	Value
FD201-Albion fire 1	0	0%		0
WD203-Albion Water #3	1	0%		0

Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
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Taxes

Year	Description	Amount
2018	County	\$868.53
2018	School	\$659.91
2017	County	\$866.56
2017	School	\$662.76

*** Taxes reflect exemptions, but may not include recent changes in assessment.**

DANNA & DANNA
ATTORNEYS AT LAW
155 EAST AVENUE
LOCKPORT, NEW YORK 14094
(716) 434-4132
Fax: (716) 434-3271

Mark R. Danna

John F. Danna
(1933-1991)

FAX TRANSMITTAL

TO:

A Superior

ATTN:

Dave Hill

FAX NO:

716-2276

DATE:

1/29/15

FROM:

DANNA & DANNA, ATTORNEYS
716-434-3271

FAX NO:

RE:

WARME TO Hill

Dave,
Deed to follow

Pages to Follow

3

IF YOU DO NOT RECEIVE ALL PAGES OF THIS TRANSMITTAL
PLEASE NOTIFY US IMMEDIATELY AT (716) 434-4132.

Orleans County
Karen Lake-Maynard County Clerk
3 South Main Street Courthouse Square
Ablon NY 14411

Volm-849 Pg-2828

Recorded On: December 16, 2014
Parties: WARNE CALVIN J JR
To
HILL, DAVID S
Recorded By: ORLEANS ABSTRACT
Comment: ALB

Instrument Number: 2014-00083624
As
Deed With Rott #

Billable Pages: 2
Num Of Pages: 3

Deed With Rott # 00.00
TPB84 AMdevlt 8.00
Recording Charge: 310.00
Amount
Tax-Transfer 200.00
ALB:DN
Tax Charge: 200.00

** Examined and Charged as Follows: **

Condominium	8.00	RP6217 Commercial	280.00
Consideration Amount	60,000.00	RS#/GS#	470
Basic	0.00	Local	0.00
Additional	0.00	Special Additional	0.00
		Transfer	200.00

** THIS PAGE IS PART OF THE INSTRUMENT **

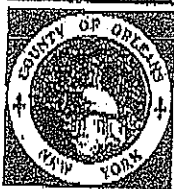
I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Orleans County,

File Information:

Document Number: 2014-00083624
Receipt Number: 234276
Recorded Date/Time: December 16, 2014 11:00:14A
Book-Vol/Pg: BK-D VI-849 Pg-2828
Cashier / Station: M Tower / Cashier Station 3

Record and Return To:
ORLEANS ABSTRACT

Libers: 849 PG: 2828
Dec 16, 2014 11:00A
INBT #: 00083624
ORLEANS COUNTY CLERK
Karen Lake-Maynard



Karen Lake-Maynard
Karen Lake-Maynard
Orleans County Clerk

WARRANTY DEED

THIS INDENTURE, Made the 10th day of December, Two Thousand Fourteen
BETWEEN

CALVIN J. WARNE, JR. and GAIL J. WARNE, husband and wife, residing at
13524 West County House Road, Albion, New York 14411, as tenants by the entirety
parties of the first part; and

DAVID S. HILL, residing at 8585 Slayton-Settlement Road, Gasport, New York
14067
party of the second part,

WITNESSETH that the parties of the first part, in consideration of ONE DOLLAR AND
MORE (\$1.00+), lawful money of the United States, paid by the party of the second part, do hereby
grant and release unto the parties of the second party, its successors and assigns forever,

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Albion, County of
Orleans and State of New York, distinguished as being part of Lot No. 8, Township 14, Range 2 of
the Holland Land Company's survey, so called, bounded and described as follows: Beginning at a
point on the westerly bounds of Oak Orchard Road at a distance of 242.50 feet southerly as measured
along the westerly bounds of Oak Orchard Road from the northerly bounds of Lot No. 8, being the
centerline of West County House Road. Said point of beginning being the southeasterly corner of
lands deeded to Grant C. Downey and Mary Janet Downey by deed recorded in the Orleans County
Clerk's Office in Liber 390 of Deeds at Page 658; (1) Thence southerly along the west bounds of
Oak Orchard Road a distance of 369.90 feet to the northeasterly corner of lands deeded to James E.
Nesbitt by deed recorded in the Orleans County Clerk's Office in Liber 407 of Deeds at Page 542;
(2) Thence westerly along the northerly bounds of lands described in Liber 407 of Deeds at Page 542
and parallel with the northerly bounds of said Lot Number 8 a distance of 1234.20 feet to a point
which is also the west bounds of said Fancher's land (Liber 193-page 308); (3) Thence northerly
along a line parallel with the western boundary of Oak Orchard Road a distance of 306.20 feet to a
point being the southwest corner of premises previously deeded to Jeffrey D. Post and Mary
Ellen Post by deed recorded in the Orleans County Clerk's Office at Liber 538 of Deeds at Page 152;
(4) Thence easterly and parallel with the north line of Lot Number 8 a distance of 250.02 feet to a
point; (5) Thence northerly and parallel with the western boundary of Oak Orchard Road a distance
of 306.20 feet to the northern line of Lot Number 8; (6) Thence easterly along the centerline of West
County House Road a distance of 852.18 feet to a point being the northwesterly corner of lands
previously deeded to Grant and Mary Janet Downey (Liber 390 of Deeds at Page 658); (7) Thence
southerly and along the western boundary line of Downey a distance of 242.50 feet to a point; (8)
Thence easterly along the southern boundary of Downey a distance of 132 feet to the point and place
of beginning. Being a parcel containing 14.86 acres more or less, Excepting therefrom so much of
the above-described premises as may lie within the bounds of any public highway.

Subject to all covenants, easements and restrictions of record, if any, affecting said premises.

Being and intending to be the same premises conveyed to the parties of the first part by
Warranty Deed dated April 10, 2014 and recorded on May 14, 2014 in the Orleans County Clerk's
Office in Liber 847 of Deeds at Page 8371.

THIS CONVEYANCE IS NOT MADE PURSUANT TO ANY MATRIMONIAL ACTION
BROUGHT UNDER NEW YORK DOMESTIC RELATIONS LAW SECTION 236.

TAX MAP NO: 84-1-61.12
PROPERTY ADDRESS: Vincent Land, West County House Road, Albion, NY
TAX BILLING ADDRESS: 8585 Slayton-Settlement Road, Gasport, NY 14067

Together with the appurtenances and all the estate and rights of the parties of the first part
in and to said premises,

To have and to hold the premises herein granted unto the party of the second part, its
successors and assigns forever.

And said parties of the first part covenant as follows:

First, That the party of the second part shall quietly enjoy the said premises;

Second, That said parties of the first part will forever warrant the title to said premises;

Third, That, in Compliance with Sec. 13 of the Lien Law, the grantors will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

IN PRESENCE OF

Calvin J. Warne, Jr. L.S.
Calvin J. Warne, Jr.

Gail J. Warne L.S.
Gail J. Warne

STATE OF NEW YORK:

COUNTY OF ORLEANS: SS:

On this 10th day of December, Two Thousand Fourteen, before me, the undersigned, personally appeared CALVIN J. WARNE, JR. and GAIL J. WARNE, personally known to me, or proved to me on the basis of satisfactory evidence, to be the individuals whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their capacity and that by their signatures on the instrument, the individuals or the persons upon behalf of which the individuals acted, executed the instrument.

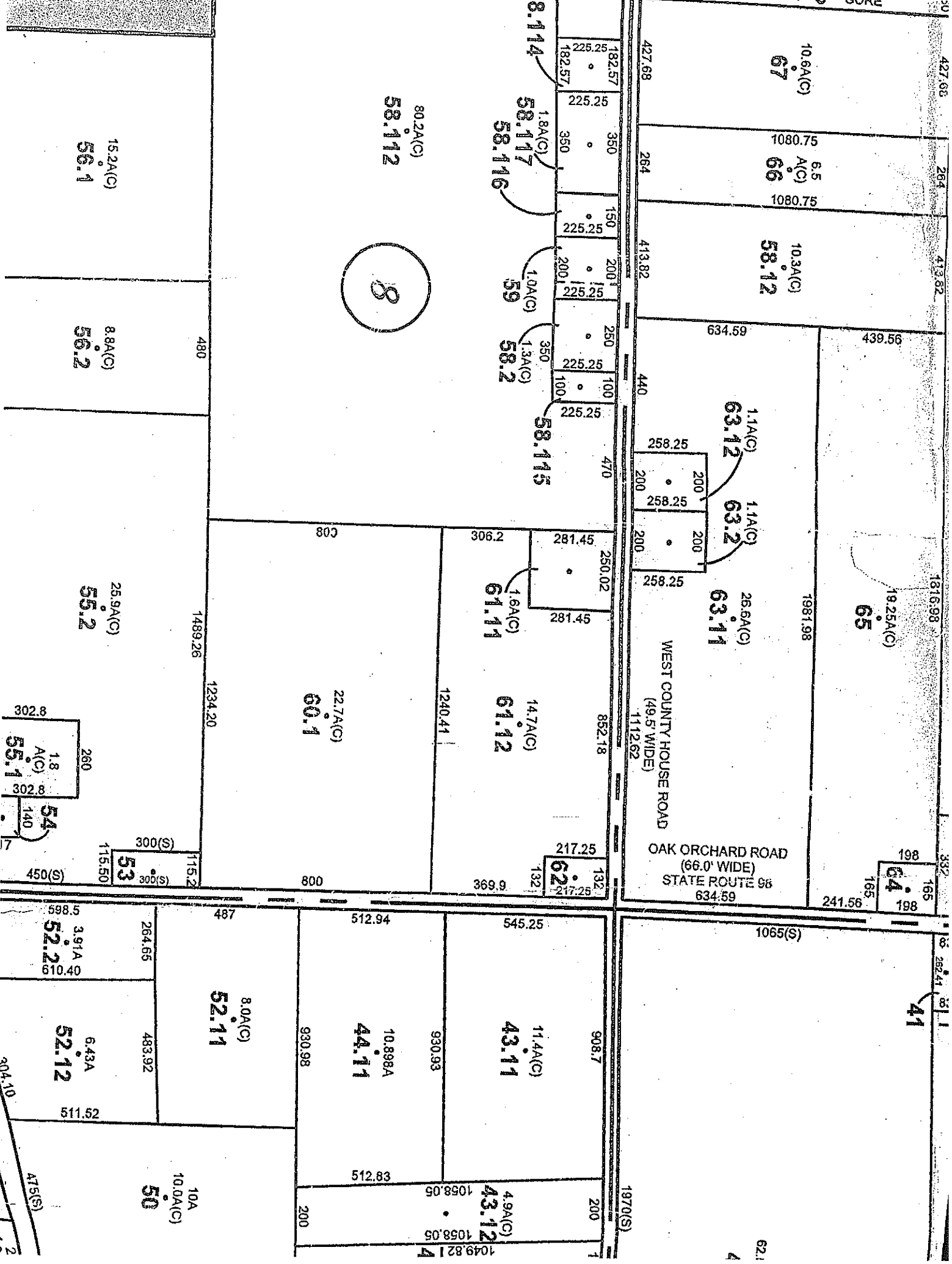
Deborah A Rowles
Notary Public

RECORD AND RETURN TO:

DANNA & DANNA, ATTORNEYS
155 East Avenue
Lockport, New York 14094

DEBORAH A. ROWLES
Notary Public, State of New York
Cattaraugus Co. - Reg. No. 01804770720
Commission Expires Mar. 30, 2018

Releas/Deeds/Warne to Hill (VL-Wait County House Rd)



80.2A(C)
58.112

8

15.2A(C)
56.1

8.8A(C)
56.2

25.9A(C)
55.2

260
302.8
1.8
A(C)
55.1
140
54

300(S)
115.50
300(S)
53

598.5
3.91A
52.2
610.40

6.43A
52.12
511.52

10A
10.0A(C)
50

22.7A(C)
60.1

14.7A(C)
61.12

1.6A(C)
61.11

217.25
132
62.1
217.25

11.4A(C)
43.11

4.9A(C)
43.12

10.898A
44.11

1049.82
4

1.1A(C)
63.12

1.1A(C)
63.2

26.6A(C)
63.11

19.25A(C)
65

198
165
64.1
198

41

WEST COUNTY HOUSE ROAD
(49.5' WIDE)
1112.62
OAK ORCHARD ROAD
(66.0' WIDE)
STATE ROUTE 96
634.59

1970(S)

62.1

4

AT5(S)

1.2

CONNECTEXPLORER

