

PUBLIC NOTICE

**THE FOLLOWING ORDER WAS DULY ENACTED ON FEBRUARY 19, 2014,
AND ORDERED PUBLISHED BY THE TOWN BOARD OF
THE TOWN OF BATAVIA**

s/ Teresa M. Morasco

TERESSA M. MORASCO, Town Clerk

**ORDER FOR PUBLIC HEARING ON ESTABLISHMENT OF
THE PRATT ROAD WATER DISTRICT
FOR A PORTION OF THE TOWN OF BATAVIA**

WHEREAS, the Town Board of the Town of Batavia, New York, has duly adopted a Resolution directing the Supervisor of the Town of Batavia to file a map, plan and report for providing the facilities, improvements or services in a portion of the Town of Batavia, where a water district is proposed to be established; and said map, plan and report has been filed in the office of the Town Clerk of the Town of Batavia on November 25, 2013; and

WHEREAS, a "Petition to Request Water District" was filed in the Batavia Town Clerk's Office on February 14, 2014, signed by the required number of property owners within the proposed district, namely, pursuant to the latest completed assessment roll of the Town of Batavia, the owners of taxable real property located in the proposed Pratt Road Water District owning in the aggregate at least one-half of the assessed valuation of all of the taxable real property of the proposed Water District; and also constituting the signatures of resident owners who own taxable real property aggregating at least one-half of the assessed valuation of all of the taxable real property of the proposed Water District owned by residents, and

WHEREAS, the boundaries of the proposed water district are as follows:

See **EXHIBIT A** attached hereto.

WHEREAS, the improvements proposed consists of the construction and installation of approximately 16,000 linear feet of eight (8) inch water main along portions of Pratt Road and Powers Road; together with all related right-of-way costs, site work and other ancillary work, including hydrants, valves, apparatus, and other improvements and costs incidental thereto (referred to herein as "water improvement"), and

WHEREAS, the maximum amount proposed to be expended for such water improvement is \$937,000.00, which is planned to be financed by the issuance of serial bonds in the amount not to exceed \$937,000.00, offset by any funds received from the United States of America, and/or the State of New York, and/or the County of Genesee, and/or local grants; including, but not limited to, a USDA Rural Development Agency grant, of approximately \$420,000.00, and

WHEREAS, the proposed annual debt service (assuming 32 units) is estimated to be approximately \$691.00 per typical property user in the proposed district, which is a single family home, and

WHEREAS, a typical household uses 63,000 gallons of water per year and the estimated cost of the water to be purchased by the water district's users is a total of \$4.34 per 1,000 gallons used; thereby the average household can expect to additionally pay approximately \$273.00 per

year for water purchase above and beyond the debt service, and

WHEREAS, based upon the foregoing estimates, the total annual cost of the typical property in the proposed district is estimated to be \$964.00 per year, and

WHEREAS, payment of the debt service will be made by levy and collection of special assessments from the several lots and parcels of lands within the water district, which the Town Board shall determine and specify to be specially benefited thereby, so much upon and from each as such shall be in just proportion of the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds, as the same shall become due and payable, and

WHEREAS, each property will also have to pay for service from their home to the road right-of-way, incurring estimated one time costs of approximately \$125.00 for a meter, plus approximately \$8.00-\$12.00 per linear feet of pipe, plus potential well abandonment or separation charges of approximately \$200.00-\$600.00; as well as any internal plumbing charges, and

WHEREAS, the map, plan and report describing such improvements is on file in the office of the Town Clerk of the Town of Batavia and available for public inspection, and it is

ORDERED, that the Town Board of the Town of Batavia, New York, shall meet at the Town Hall, located at 3833 West Main Street Road, Batavia, New York on the 19th day of March, 2014, at 6:45 p.m. for the purpose of conducting a public hearing on the proposal to establish said water district with the improvements specified herein, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

ORDERED, that the Town Clerk of the Town of Batavia is hereby authorized and directed to publish a copy of this Order in **The Daily News**, to post a copy of the same on the signboard of the Town of Batavia, and to mail a copy to all owners of property located within the proposed water district, in the time and manner required by law.

DATED: February 19, 2014

Exhibit "A"

**TOWN OF BATAVIA
PROPOSED PRATT ROAD WATER DISTRICT**

The boundary of the proposed Town of Batavia Pratt Road Water District includes all that tract or parcel of land situated in the Town of Batavia, County of Genesee, State of New York, being described as follows:

Beginning at a point which is the northwesterly corner of Tax Parcel number 2.-1-44.111; thence,

1. Easterly, along the northerly line of Tax Parcel numbers 2.-1-44.111, 2.-1-44.112, 2.-1-44.2, 2.-1-44.12, 2.-1-43, 2.-1-40, 2.-1-39, 2.-1-35, 2.-1-34, 2.-1-33, 2.-1-29.1, 2.-1-28.1, 2.-1-53.2, 2.-1-28.1, 2.-1-28.2, 2.-1-23.12, and 2.-1-23.11, a distance of 10,539 feet, more or less, to the northeasterly corner of Tax Parcel number 2.-1-23.11; thence,
2. Southerly, along the easterly line of Tax Parcel number 2.-1-23.11, through the right-of-way of Pratt Road (49.5 feet wide right-of-way), continuing along the easterly line of Tax Parcel number 6.-1-12.1, a distance of 1,558 feet, more or less, to a point along the easterly line of Tax Parcel number 6.-1-12.1; thence,
3. Westerly, through Tax Parcel number 6.-1-12.1, along the southerly line of Tax Parcel number 6.-1-12.2, through Tax Parcel numbers 6.-1-12.1 and 6.-1-68, continuing along the southerly line of Tax Parcel number 6.-1-10, a distance of 4,045 feet, more or less, to the southwestly corner of Tax Parcel number 6.-1-10; thence,
4. Southerly, along an easterly line of Tax Parcel number 6.-1-6.2, a distance of 662 feet, more or less, to a southeasterly corner of Tax Parcel number 6.-1-6.2; thence,
5. Westerly, along a southerly line of Tax Parcel number 6.-1-6.2, a distance of 1,294 feet, more or less, to the northwesterly corner of Tax Parcel number 6.-1-7; thence,
6. Southerly, along an easterly line of Tax Parcel number 6.-1-6.2, a distance of 916 feet, more or less, to a southeasterly corner of Tax Parcel number 6.-1-6.2; thence,
7. Westerly, along a southerly line of Tax Parcel number 6.-1-6.2, a distance of 684 feet, more or less, to a northeasterly corner of Tax Parcel number 6.-1-60.1; thence,
8. Southerly, along an easterly line of Tax Parcel number 6.-1-60.1, a distance of 1,404 feet, more or less, to a southeasterly corner of Tax Parcel number 6.-1-60.1; thence,
9. Westerly, along a southerly line of Tax Parcel number 6.-1-60.1, a distance of 681 feet, more or less, to the northwesterly corner of Tax Parcel number 6.-1-63.1; thence,
10. Southerly, along an easterly line of Tax Parcel number 6.-1-60.1, continuing through the right-of-way of Stegman Road (49.5 feet wide right-of-way), a distance of 647 feet, more or less, to a point along the northerly line of Tax Parcel number 6.-1-61; thence,
11. Easterly, along the northerly line of Tax Parcel number 6.-1-61, a distance of 978 feet, more or less, to the northeasterly corner of Tax Parcel number 6.-1-61; thence,
12. Southerly, along the easterly line of Tax Parcel number 6.-1-61, continuing through the Tonawanda Creek, a distance of 778 feet, more or less, to a point along the northerly boundary of the Consolidated Water District at the centerline of the Tonawanda Creek; thence,

13. Westerly, along the northerly boundary of the Consolidated Water District at the centerline of the Tonawanda Creek, a distance of 3,036 feet, more or less, to a point along the northerly boundary of the Consolidated Water District; thence,
14. Northerly, through the Tonawanda Creek, along the westerly line of Tax Parcel number 6.-1-57, continuing through the right-of-way of Stegman Road (49.5 feet wide right-of-way), a distance of 458 feet, more or less, to a point along a southerly line of Tax Parcel number 6.-1-52.11; thence,
15. Westerly, along a southerly line of Tax Parcel number 6.-1-52.11, a distance of 1,285 feet, more or less, to a southwesterly corner of Tax Parcel number 6.-1-52.11; thence,
16. Northerly, along a westerly line of Tax Parcel number 6.-1-52.11, a distance of 1,832 feet, more or less, to a northeasterly corner of Tax Parcel number 6.-1-51.1; thence,
17. Westerly, along a southerly line of Tax Parcel number 6.-1-52.11, a distance of 500 feet, more or less, to a southwesterly corner of Tax Parcel number 6.-1-52.11; thence,
18. Northerly, along a westerly line of Tax Parcel number 6.-1-52.11, a distance of 906 feet, more or less, to a northeasterly corner of Tax Parcel number 6.-1-51.1; thence,
19. Westerly, along a southerly line of Tax Parcel number 6.-1-52.11, a distance of 436 feet, more or less, to a southwesterly corner of Tax Parcel number 6.-1-52.11; thence,
20. Northerly, along a westerly line of Tax Parcel number 6.-1-52.11, a distance of 601 feet, more or less, to the northeasterly corner of Tax Parcel number 6.-1-50; thence,
21. Westerly, along a southerly line of Tax Parcel number 6.-1-52.11, a distance of 196 feet, more or less, to a southwesterly corner of Tax Parcel number 6.-1-52.11; thence,
22. Northerly, along the westerly line of Tax Parcel numbers 6.-1-52.11 and 6.-1-70, through the right-of-way of Pratt Road (49.5 feet wide right-of-way), continuing along the westerly line of Tax Parcel number 2.-1-44.111, a distance of 1,513 feet, more or less, to the point of beginning.

All as shown on a map prepared by the Town of Batavia entitled, "Proposed Pratt Road Water District – 2011 Water System Improvements," dated 5/2011. The Town of Batavia Pratt Road Water District, as described above, contains approximately 711.2 acres of land.