

DONNA L. BRAUN
City Clerk-Treasurer
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Assistant City Clerk

Denise Proefrock
Assistant City Treasurer

City of North Tonawanda

OFFICE OF THE CITY CLERK - TREASURER
VITAL STATISTICS
CITY HALL
216 PAYNE AVENUE
NORTH TONAWANDA, N.Y. 14120

Treasurer's Office: (716) 695-8575
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COMMON COUNCIL WORKSHOP AGENDA

July 2, 2025

The following meeting has been scheduled for TUESDAY, JULY 8, 2025:

SPECIAL SESSION OF THE COMMON COUNCIL-6:00 PM

Proposed Bargain and Sale Deed with Lien Covenant between the City of North Tonawanda and MCW Construction, Inc. to Become the Entrance to the Wachowicz Project

Followed by regular session of the Common Council Workshop

Botanical Gardens

**Re: Drone policy
Municipal support for EJCIG R12**

Common Council

Re: General Discussion

Respectfully submitted,



**Donna L. Braun
City Clerk-Treasurer**

City of North Tonawanda

EDWARD A. ZEBULSKE, III
CITY ATTORNEY

NICHOLAS B. ROBINSON
ASSISTANT CITY ATTORNEY

MATTHEW T. MOSHER
ASSISTANT CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
CITY HALL
216 PAYNE AVENUE
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11.1

TELEPHONE
(716) 695-8590
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JUL 01 2025

June 26, 2025

Hon. Mayor and Common Council
City Hall, 216 Payne Avenue
North Tonawanda, New York 14120

RE: Proposed Bargain and Sale Deed with Lien Covenant between City of North Tonawanda and MCW Construction, Inc. to Become the Entrance to the Wachowicz Project

Dear Honorable Body:

Attached is a proposed Bargain and Sale Deed with Lien Covenant for the proposed transfer of a portion of Briarwood Drive from the City of North Tonawanda to MCW Construction, Inc., to be used as the entrance of the Wachowicz project.

Should your Honorable Body concur, please pass a resolution to permit the execution of the Bargain and Sale Deed with Lien Covenant by the Mayor, subject to any further review by the City Attorney.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Edward A. Zebulske III

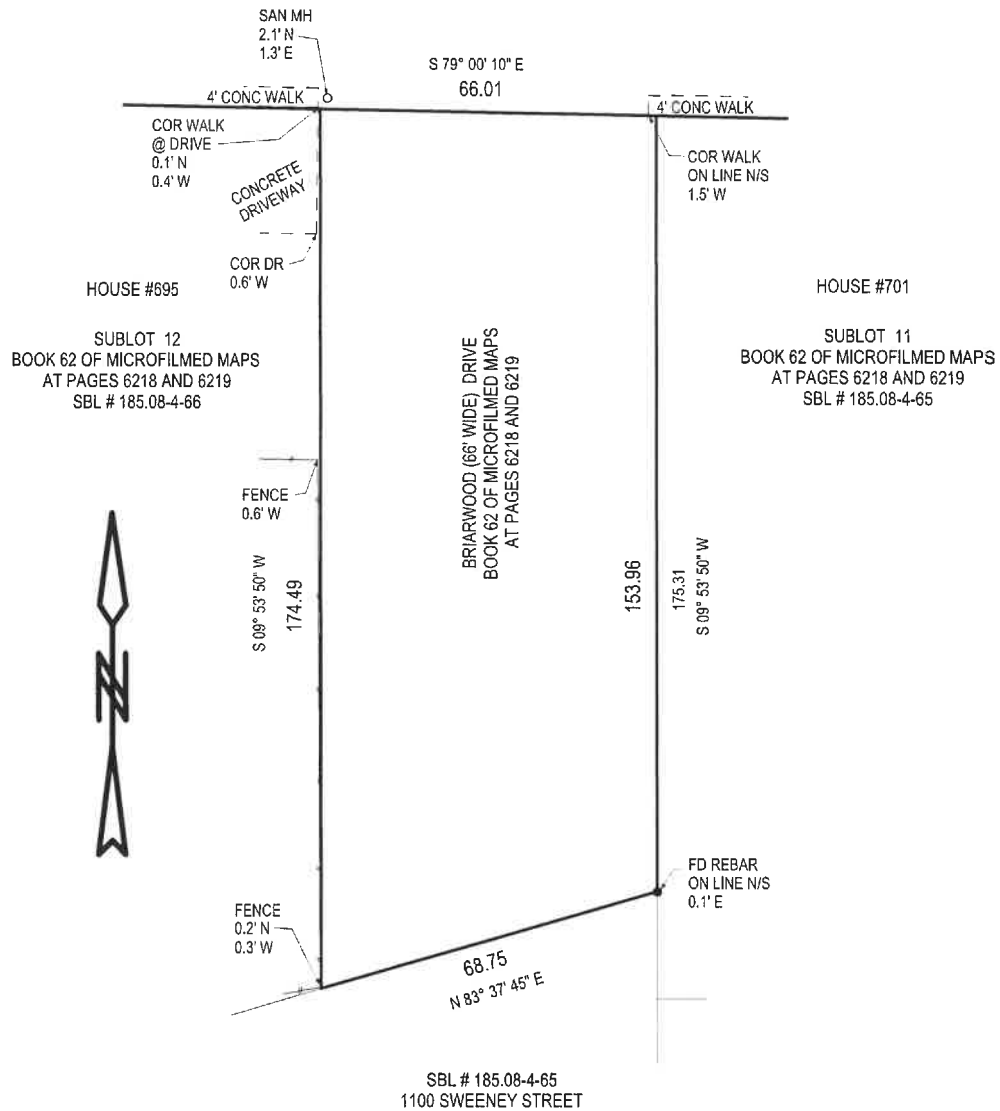
Edward A. Zebulske, III
City Attorney

EAZ/lk
Att.

2025 JUN 26 AM 11:29
NORTH TONAWANDA NY

RECEIVED
CITY CLERK'S OFFICE

EAST GOUNDRY (66' WIDE) STREET



NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209, PART 2 OF THE NEW YORK STATE EDUCATION LAW.

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SAME.

BISSELL STONE

BISSELL, STONE ASSOCIATES
ENGINEERING AND LAND SURVEYING, P.C.
 CIVIL ENGINEERING : LAND SURVEYING : SITE PLANNING : CONSULTING
 TELEPHONE: (716) 632-7000 FAX: (716) 632-7004

DATE: MAY 20, 2025

JOB NO: 59921

FIELD BOOK: DC 54704

SCALE 1" = 30'

SURVEY OF PART OF LOT 8 SECTION -- TOWNSHIP 12 RANGE 8
 CITY OF NORTH TONAWANDA - NIAGARA COUNTY, NEW YORK - HOLLAND LAND COMPANY

FORMERLY GEO. DIEHL, SHEEHAN, FRETTS & TALLAMY; FRETTS & SENIOR, SENIOR, BISSELL & BRONKIE
 DESIGN SYSTEM COLLABORATIVE; THE BISSELL CO.

BARGAIN AND SALE DEED WITH LIEN COVENANT

Made the _____ day of JUNE, TWO THOUSAND AND TWENTY-FIVE

BY AND BETWEEN

CITY OF NORTH TONAWANDA,
216 Payne Avenue, North Tonawanda, NY 14120

Grantor, and

MCW CONST., INC.
391 River Road, North Tonawanda, NY 14120

Grantee.

WITNESSETH, that the said Grantor, in consideration of **ONE AND NO MORE** Dollars (\$1.00 & NO MORE) lawful money of the United States, paid by the Grantee, does hereby grant and release unto the Grantee, its successors and assigns forever that parcel of land more particularly described as

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of North Tonawanda, County of Niagara and State of New York, being Part of Lot 8, Township 12, Range 8 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the south right of way of East Goundry Street (66 feet wide) at the northeast corner of Sublot 12 as shown on the subdivision map for Briarwood Estates Subdivision filed in the Niagara County Clerk's Office in Book 62 of Microfilmed Maps at Pages 6218 and 6219; Thence easterly along a line bearing S 79° 00' 10" E, a distance of 66.01 feet to the northwest corner of Sublot 11 of said Book 62 of Microfilmed Maps at Page 6218 & 6219; Thence southerly along the west line of said Sublot 11 and bearing S 09° 53' 50" W, a distance of 153.96 feet to a point; Thence westerly along a line bearing S 83° 37' 45" W, a distance of 68.75 feet to the southeast point of said Sublot 12; Thence northerly along the east line of said Sublot 12 and bearing N 09° 53' 50" E, a distance of 174.49 feet to the point or place of beginning.

Commonly known as:

Vacant Land, East Goundry Street, North Tonawanda, NY 14120

SUBJECT TO *easements, rights of way, restrictions, agreements and deeds of record and all other matters of record, and those state of facts shown in the survey provided to the Grantee.*

TOGETHER with all right, title and interest, if any, of the Grantor in and to any streets and roads abutting the above described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the Grantor in and to said premises;

TO HAVE AND TO HOLD the above granted premises unto the said Grantee, its heirs or successors and assigns forever.

AND the Grantor covenants that the Grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the Grantor, in compliance with Section 13 of the Lien Law, covenants that the Grantor 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 said Grantor has hereunto set its hand and seal the day and year first above written.

IN PRESENCE OF:

City of North Tonawanda

_____[L.S.]
By: Austin J. Tylec, Mayor

STATE OF NEW YORK)
COUNTY OF NIAGARA) SS:

On this _____ day of JUNE, 2025, before me, the undersigned, personally appeared **AUSTIN J. TYLEC**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public