*** § 1599-e. Conveyance of property by the city to the authority; acquisition of property by the city or by the authority.** 1. The city may, by resolution or resolutions of the common council or by instruments authorized by such resolutions, convey, with or without consideration, and upon appropriate conditions as to outstanding city bonds appertaining thereto, to the authority real and personal property owned by the city for use by the authority as a project or projects or a part thereof. In case of real property so conveyed, the title thereto shall remain in the city but the authority shall have the use and occupancy thereof for so long as its corporate existence shall continue. In the case of personal property so conveyed, the title shall pass to the authority.

2. The city may acquire in the name of the city by purchase or condemnation real property in the city for any of the projects or for the widening of existing roads, streets, avenues, or highways, or for new roads, streets, avenues or highways within a radius of one mile to any of the projects, or partly for such purposes and partly for other city purposes, by purchase or condemnation in the manner provided by law for the acquisition of real property by the city. For like purposes, the city may close such streets, roads, avenues, or highways as may be necessary or convenient, except as to state highways and arterial ways which may not be closed without the consent of the state commissioner of transportation.

3. Contracts may be entered into between the city and the authority providing for the property to be conveyed by the city to the authority, the additional property to be acquired by the city and so conveyed, the streets, roads, avenues, and highways to be closed by the city and the amounts, terms and conditions of payment to be made by the authority. Such contracts may also contain covenants by the city as to the road, street, avenue and highway improvements to be made by the city. Any such contracts between the city and the authority may be pledged by the authority to secure its bonds and may not be modified thereafter except as provided by the terms of the pledge. The common council may authorize such contracts between the city and the authority and no other authorization on the part of the city for such contracts shall be

necessary. Any such contracts may be so authorized and entered into by the city and in such manner as the common council may determine, and the payments required to be made by the city may be made and financed notwithstanding that no provisions therefor shall have first been made in the annual budget of the city. All contractual or other obligations of the city incurred in carrying out the provisions of this title shall be included in and provided for by each annual budget of the city thereafter made, if and to the extent that they may appropriately be included therein.

4. The authority may, subject to the approval of the common council of the city of Niagara Falls, itself acquire real property for a project in the name of the city at the cost and expense of the authority by gift, purchase or condemnation pursuant to the condemnation law or pursuant to the laws relating to the condemnation of land by the city. The authority shall have the use and occupancy of such real property so long as its corporate existence shall continue.

5. In case the authority shall have the use and occupancy of any real property which it shall determine is no longer required for a project then, if such property was acquired at the cost and expense of the city, the authority shall have the power to surrender its use and occupancy thereof to the city, or, if such real property was acquired at the cost and expense of the authority, then the authority shall have the power to sell, lease or otherwise dispose of said real property at public or private sale, and shall retain and have the power to use the proceeds of sale, rentals, or other moneys derived from the disposition thereof for its purposes.

* NB Authority ceased to exist 07/01/1974
* NB There are 4 § 1599-e's