

3488

2011-2012 Regular Sessions

I N   S E N A T E

February 23, 2011

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Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to authorize the town of Webster, in the county of Monroe, to discontinue the use of certain lands as parklands

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subject to the provisions of this act, the town of Webster,  
2     in the county of Monroe, acting by and through its town board, is hereby  
3     authorized to discontinue as parklands and alienate, sell and convey the  
4     lands described in section three of this act.

5     S 2. The authorization granted in section one of this act shall take  
6     effect upon the condition that the lands described in section four of  
7     this act to be acquired and dedicated as parkland by the town of Webster  
8     are of equal or greater fair market value than the fair market value of  
9     the lands being alienated by this act.

10    S 3. The lands authorized by section one of this act to be discontin-  
11    ued as parklands are located on Hard road in the town of Webster, Monroe  
12    county; comprise a total of 1.325 acres more or less; are identified as  
13    part of Monroe county tax map #79.11-01-0; and are particularly  
14    described as follows:

15    All that tract or parcel of land situate in part of Town Lot 47, Town  
16    of Webster, County of Monroe, State of New York, and being more partic-  
17    ularly bounded and described as follows:

18    Commencing at the intersection of the northerly bounds of Ridge Road  
19    East - New York State Route 404 (66' R.O.W.) and the easterly bounds of  
20    Hard Road (66' R.O.W.); thence

21    A. N00°46'55"E, along said easterly bounds of Hard Road, a distance of  
22    698.15 feet to a point; thence

23    B. N04°56'00"E, along said easterly bounds of Hard Road, a distance of  
24    436.03 feet to the point and place of beginning, said point and place of

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD01254-01-1

1 beginning being on the common line between lands now or formerly owned  
2 by GBR Webster Limited Liability Company (T.A. #79. 15-01-03) to the  
3 south and lands now or formerly owned by the Town of Webster (T.A.  
4 #79.11-01-10) to the north; thence  
5 1. N04°56'00"E along said easterly bounds of Hard Road, a distance of  
6 190.53 feet to a point; thence  
7 2. S84°57'39"E, a distance of 238.70 feet to a point; thence  
8 3. Along a curve to the right having a delta angle of 90°00'00", a  
9 radius of 70.00 feet, and an arc distance of 109.96 feet, said curve  
10 also having a chord of S39°57'39"E 98.99 feet to a point; thence  
11 4. S05°02'21"W, a distance of 120.53 feet to a point; thence  
12 5. N84°57'39"W, a distance of 308.34 feet to the point and place of  
13 beginning. Containing 1.325 acres of land, more or less.  
14 S 4. The replacement lands to be acquired and dedicated by the town of  
15 Webster as parkland for public park purposes are located in the town of  
16 Webster, Monroe county; comprise a total of 2.650 acres more or less;  
17 are identified as part of Monroe tax map #66.30-01-6.002; and are  
18 particularly described as follows:  
19 All that tract or parcel of land situate in the Town of Webster, Coun-  
20 ty of Monroe, State of New York, all as shown on a map entitled "Boulter  
21 Industrial Park Lot 3, Subdivision Map", prepared by Costich Engineer-  
22 ing, P.C., having Drawing No. 1755 VS100, dated 1/21/2010, last revised  
23 3/3/2010, map to be filed in the Monroe County Clerk's Office and being  
24 more particularly bounded and described as follows:  
25 Commencing at the northwesterly corner of Boulter Industrial Parkway,  
26 as shown on "Boulter Industrial Park Lot 4, Subdivision Map" prepared by  
27 Costich Engineering, P.C. and filed with the Monroe County Clerk's  
28 Office in Liber 303 of Maps, Page 20; thence  
29 A. N01°36'31"W, a distance of 6.00 feet to a point; thence  
30 B. S88°23'29"W, a distance of 25.00 feet to a point; thence  
31 C. Along a non-tangent curve to the left having a delta angle of  
32 42°57'41", a radius of 236.00 feet, and an arc length of 176.96 feet,  
33 said curve also having a chord of S66°54'48"W 172.84 feet to a point;  
34 thence  
35 D. Southwesterly along a curve to the left having a delta angle of  
36 09°13'23", a radius of 235.97 feet, and an arc length of 37.98 feet,  
37 said curve also having a chord of S40°48'46"W 37.94 feet to a point;  
38 thence  
39 E. Southwesterly along a non-tangent curve to the right having a delta  
40 angle of 53°08'37", a radius of 270.00 feet, and an arc length of 250.43  
41 feet, said curve also having a chord of S62°46'41"W 241.55 feet to a  
42 point; thence  
43 F. S89°20'59"W, a distance of 222.02 feet to the point and place of  
44 beginning; thence  
45 1. S89°20'59"W, a distance of 200.00 feet to a point; thence  
46 2. N00°39'02"W, a distance of 577.25 feet to a point; thence  
47 3. N89°20'59"E, a distance of 200.00 feet to a point; thence  
48 4. S00°39'02"E, a distance of 577.25 feet to the point and place of  
49 beginning. Containing 2.650 acres of land, more or less.  
50 S 5. In the event that the replacement parklands to be acquired and  
51 dedicated by the town of Webster pursuant to this act are not of equal  
52 or greater fair market value than the parklands to be discontinued, the  
53 town of Webster shall dedicate the difference of fair market value of  
54 the lands to be alienated and the lands to be dedicated for the acquisi-  
55 tion of additional parklands and/or capital improvements to existing  
56 park and recreational facilities.

1     S 6. The discontinuance and conveyance of parklands authorized by the  
2 provisions of this act shall not occur until the town of Webster has  
3 complied with any federal requirements pertaining to the alienation or  
4 conversion of parklands, including satisfying the secretary of the inte-  
5 rior that the alienation or conversion complies with all conditions  
6 which the secretary of the interior deems necessary to assure the  
7 substitution of other lands shall be equivalent in fair market value and  
8 recreational usefulness to the lands being alienated or converted.  
9     S 7. This act shall take effect immediately.