

7575

I N   S E N A T E

June 5, 2012

---

Introduced by Sens. DeFRANCISCO, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to authorize the New York state thruway authority to convey certain land located in the village of Canastota, county of Madison

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

1     Section 1. Declaration of purpose. The state of New York, the village  
2 of Canastota and the county of Madison have determined that the develop-  
3 ment of the village of Canastota's underutilized property, uniquely  
4 located near the New York state thruway, is vital to the growth and  
5 prosperity of the state of New York, the village of Canastota and the  
6 county of Madison. Development of this area offers an historic opportu-  
7 nity to expand the local economy, provide job opportunities, expand  
8 tourism and recreational related industry, and increase municipal reven-  
9 ue for the residents of the village of Canastota and the overall Central  
10 New York region. In general, the state of New York desires to improve  
11 this corridor to create opportunities for tourism and recreation. The  
12 New York state thruway authority has identified a parcel of such certain  
13 land, which is under its present jurisdiction and owned by the people of  
14 the state of New York, that may be utilized to allow realization of such  
15 opportunities for tourism and recreation. The county of Madison has  
16 established an industrial development agency pursuant to section 893 of  
17 the general municipal law with the intention of using such agency for  
18 the purposes of relieving and reducing unemployment, promoting and  
19 providing for additional and maximum employment, bettering and maintain-  
20 ing job opportunities, and such other purposes as may be authorized by  
21 section 893 of the general municipal law.

22     S 2. Notwithstanding any other law, the New York state thruway author-  
23 ity shall transfer and convey to the Madison county industrial develop-  
24 ment agency, created pursuant to section 893 of the general municipal  
25 law, the parcel of certain land referenced in section one of this act  
26 and described in section four of this act for the purposes described in  
27 this act, sole consideration of redevelopment activities and site owner-

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

LBD16093-02-2

1 ship responsibilities, within 60 days of notice by such industrial  
2 development agency.

3 S 3. The Madison county industrial development agency shall use the  
4 lands conveyed pursuant to this act for such purposes and in accordance  
5 with such powers as authorized by section 893 of the general municipal  
6 law.

7 S 4. The lands authorized to be conveyed pursuant to section two of  
8 this act are generally described as follows:

9 All that tract or parcel of land, situated, lying, and being in the  
10 Village of Canastota, Town of Lenox, County of Madison, State of New  
11 York, more particularly bounded and described as follows:

12 Beginning at an iron pin set at the northeasterly corner of Parcel No.  
13 273 heretofore appropriated by the People of the State of New York  
14 ("State") by virtue of Map No. 220 (Mohawk Thruway-Madison County) filed  
15 in the Madison County Clerk's Office ("Clerk's Office") on August 20,  
16 1952, said pin also being set at the northwesterly corner of lands  
17 conveyed to The International Boxing Hall of Fame, Inc. ("IBHF") by deed  
18 recorded in the Clerk's Office on October 6, 1987 in Liber 848 at page  
19 218, and at a point in the easterly boundary of state Route 13 (a/k/a  
20 North Peterboro Street); thence along said easterly boundary, North  
21 7°-13'-07" East, 150.08 feet to an iron pin; thence through lands APPRO-  
22 PRIATED BY THE STATE THE FOLLOWING FOUR COURSES AND DISTANCES: (1) NORTH  
23 47°-35'-00" EAST, 488.85 FEET TO AN IRON PIN; (2) SOUTH 6°-35'-00" WEST,  
24 52.00 FEET TO AN IRON PIN; (3) SOUTH 42°-25'-00" EAST, 250.00 TO AN IRON  
25 PIN; AND (4) SOUTH 47°-35'-00" WEST, 650.00 FEET TO AN IRON PIN SET AT A  
26 POINT IN THE AFORESAID EASTERLY BOUNDARY OF STATE ROUTE 13; THENCE ALONG  
27 SAID EASTERLY BOUNDARY NORTH 7°-13'-07" WEST, 97.60 FEET TO AN IRON PIN  
28 SET AT THE SOUTHEASTERLY CORNER OF THE AFORESAID PARCEL NO. 273, SAID  
29 PIN ALSO BEING SET AT THE SOUTHWESTERLY CORNER OF THE AFOREMENTIONED  
30 LANDS CONVEYED TO THE IBHF; THENCE ALONG THE DIVISION LINE BETWEEN LANDS  
31 APPROPRIATED BY THE STATE AND LANDS CONVEYED TO THE IBHF THE FOLLOWING  
32 THREE COURSES AND DISTANCES: (1) NORTH 52°-01'-00" EAST, 158.74 FEET TO  
33 AN IRON PIN; (2) NORTH 8°-27'-51" WEST, 98.75 FEET TO AN IRON PIN; AND  
34 (3) SOUTH 52°-01'-00" WEST, 156.25 FEET TO THE POINT AND PLACE OF BEGIN-  
35 NING; CONTAINING 3.29 ACRES, MORE OR LESS, ALL AS SHOWN ON A MAP MADE BY  
36 MYERS AND ASSOCIATES, P.C., DATED APRIL 22, 1998 AND LAST REVISED DECEM-  
37 BER 18, 1998, ENTITLED "PORTION OF LANDS OF THE NEW YORK STATE THRUWAY  
38 AUTHORITY," FILED IN THE CLERK'S OFFICE ON JUNE 17, 2002 UNDER CONTROL  
39 NO. 3867.

40 Being all of Parcel No. 274 appropriated by the State in fee without  
41 the right of access reserved to abutting owners, by virtue of Map No.  
42 227 (Mohawk Thruway-Madison County) filed in the Clerk's Office on  
43 August 20, 1952; and a portion of Parcel Nos. 276 and 277 appropriated  
44 by the State in fee without the right of access reserved to abutting  
45 owners, by virtue of Map Nos. 222 and 223 (Mohawk Thruway-Madison Coun-  
46 ty), respectively, filed in the Clerk's Office on August 20, 1952 and  
47 November 10, 1952, respectively.

48 Access to and/or from the above-described lands is restricted to the  
49 following described boundaries: North 7°-13'-07" West, 97.60 feet; North  
50 52°-01'-00" East, 158.74 feet; North 8°-27'-51" West, 98.75 feet; South  
51 52°-01'-00" West, 156.25 feet; and North 7°-13'-07" West, 150.08 feet.  
52 Access, therefore, is strictly prohibited across all other boundaries  
53 described hereinabove.

54 Such conveyance shall be subject to all covenants, conditions, ease-  
55 ments and restrictions of record.

1     S 5. The Madison county industrial development agency shall adopt by  
2 resolution comprehensive guidelines which detail the corporation's oper-  
3 ative policy and instructions regarding the use, awarding, monitoring  
4 and reporting of procurement contracts. Such guidelines shall, at a  
5 minimum, include the standards established in section 104-b of the  
6 general municipal law.

7     S 6. In the event that the lands as described in section four of this  
8 act shall cease to be developed within five years from the date of  
9 transfer, in accordance with the purposes set forth in sections one and  
10 three of this act prior to the issuance of any certificate of occupancy,  
11 title to such lands and any improvements thereon shall revert to the  
12 people of the state of New York under the jurisdiction of the New York  
13 state thruway authority.

14     S 7. This act shall take effect immediately.