

6585

I N S E N A T E

March 1, 2012

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to authorize the city of Jamestown, in the county of Chautauqua, 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 city of Jamestown, in the county of Chautauqua, acting by and through its city council, is hereby authorized to discontinue as parklands the lands described in section three of this act.

2 S 2. The authorization granted in section one of this act shall take effect upon the condition that the lands described in section four of this act be dedicated as parkland by the city of Jamestown are of equal or greater fair market value than the fair market value of the lands being discontinued as parklands by this act.

3 S 3. The lands to be discontinued as parklands are described as follows:

4 ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Jamestown, County of Chautauqua and State of New York, being part of Lot 35, Town 2 and Range 11 of the Holland Land Company's Survey and more particularly bounded and described as follows: BEGINNING at an existing iron stake in the southwesterly line of Fluvanna Avenue (66 feet wide), said iron stake being also the northwesterly corner of lands conveyed to The Clip Joint, LLC by deed described in a deed recorded in the Chautauqua County Clerk's office in Liber 2714 of Deeds at page 688; thence S 22° 04' 54" W 121.75 feet; thence S 20° 51' 13" E 190.90 feet; thence S 68° 38' 05" W 208.88 feet; thence S 01° 02' 17" E 790.00 feet; thence S 68° 53' 16" W 784.54 feet; thence N 01° 48' 58" W 720.41 feet; thence northwesterly on a non-tangent curve, concave to the southwest, having a radius of 2027.08 feet, an arc distance of 602.07 feet (closure chord N 19° 43' 18" W 599.87 feet); thence easterly on a non-tangent curve, concave to the North, having a radius of 666.78 feet, an arc distance 827.46 feet (closure chord N 86° 26' 46" E 775.38 feet); thence N 34° 03' 05" E 33.47 feet; thence S 67° 59' 19" E 110.25 feet; thence northeasterly on a

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

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1 non-tangent curve, concave to the northwest, having a radius of 1005.4
2 feet, an arc distance of 56.61 feet (closure chord N 49° 11' 09" E 56.60
3 feet); thence N 01° 03' 01" W 6.84 feet; thence N 44° 42' 34" E 117.18
4 feet; thence N 23° 03' 55" W 25.96 feet; thence N 35° 28' 23" E 11.80
5 feet; thence S 67° 52' 37" E 106.32 feet to the point or place of begin-
6 ning, containing 20.949± acres of land more or less.

7 S 4. The replacement lands to be dedicated by the city of Jamestown as
8 parklands for public park purposes are described as follows:

9 PARCEL A

10 ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Jamestown,
11 County of Chautauqua and State of New York, being part of Lot 34, Town 2
12 and Range 11 of the Holland Land Company's Survey and more particularly
13 bounded and described as follows: BEGINNING at a point in the west line
14 of lands conveyed to Chautauqua, Cattaraugus, Allegany and Stuben South-
15 ern Tier Extension Railroad Authority by deed describe in Liber 2462 of
16 Deeds at page 247 and being the northeast corner of a portion of lands
17 conveyed to George White by deed described in Liber 1901 of Deeds at
18 page 515, said point also being N 01°48'58" W 140.00 feet along said
19 Railroad Authority and George White lands from the intersection with the
20 north line of Isabella Avenue; thence S 88°10'03" W 172.18 feet to the
21 easterly shoreline of the Chadakoin River; thence northerly along said
22 easterly shoreline of the Chadakoin River to the intersection with the
23 northeasterly line of the parcel herein described and the existing
24 southwesterly line of Chadakoin Park; thence S 53°02'14" E 320.80 feet
25 to the said west line of the Railroad Authority lands; thence S
26 01°48'58" E 876.83 feet along said west line of the Railroad Authority
27 lands to an existing rail monument; thence S 88°11'02" W 16.00 feet to
28 an existing iron stake; thence S 01°48'58" E 197.81 feet along said west
29 line of the Railroad Authority lands to the point or place of beginning,
30 containing 17.33± acres of land more or less.

31 PARCEL B

32 ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Jamestown,
33 County of Chautauqua and State of New York, being part of Lot 34, Town 2
34 and Range 11 of the Holland Land Company's Survey and more particularly
35 bounded and described as follows: BEGINNING at the intersection of the
36 north line of Tenth Street and the west line of Monroe Street, being the
37 southeast corner of the parcel herein described; thence S 88° 10' 03" W
38 347.00 feet along said north line of Tenth Street to the east line of
39 lands conveyed to Chautauqua, Cattaraugus, Allegany and Stuben Southern
40 Tier Extension Railroad Authority by deed described in Liber 2462 of
41 Deeds at page 247 and being the west terminus of Tenth Street; thence N
42 01° 48' 58" W 381.73 feet along said east line of the Railroad Authority
43 lands to the south line of Eleventh Street; thence N 89° 52' 55" E
44 347.14 feet along said south line of Eleventh Street to said west line
45 of Monroe Street; thence S 01° 48' 58" E 371.51 feet along said west
46 line of Monroe Street to the point or place of beginning, containing
47 3.01± acres of land more or less.

48 PARCEL C

49 ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Jamestown,
50 County of Chautauqua and State of New York, being part of Lot 34, Town 2
51 and Range 11 of the Holland Land Company's Survey and more particularly
52 bounded and described as follows: BEGINNING at the intersection of the
53 northwesterly line of West Eighth Street with the west line of Outlet
54 Street; thence S 48°48'10"W 213.96 feet; thence northeasterly on a non-
55 tangent curve, concave to the northwest, having a radius of 448.93 feet,
56 an arc distance of 114.20 feet (closure chord N 29°07'33"E 113.89 feet);

1 thence N 41°50'17"W 116.98 feet to the shoreline of the Chadakoin River,
2 passing over an existing iron stake at 98.10 feet; thence northerly
3 along said shoreline of the Chadakoin River to the intersection with the
4 south line of Isabella Avenue; thence N 88°10'03"E 210.04 feet along
5 said south line of Isabella Avenue to the intersection with said west
6 line of Outlet Street; thence S 01°48'58"E 660.48 feet along said west
7 line of Outlet Street to the point or place of beginning, containing
8 2.51± acres of land more or less.

9 PARCEL D

10 ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Jamestown,
11 County of Chautauqua, and State of New York, being part of Lot 34, Town
12 2 and Range 11 of the Holland Land Company's Survey and more particular-
13 ly bounded and described as follows: BEGINNING at the intersection of
14 the south line of Eleventh Street (60' wide) with the east line of Clin-
15 ton Street; thence S 89° 52' 55" W 734.38 feet along said south line of
16 Eleventh street to the east bounds of lands conveyed to Chautauqua,
17 Cattaraugus, Allegany and Stuben Southern Tier Extension Railroad
18 Authority by deed described in Liber 2462 of Deeds at page 247; thence N
19 01° 48' 58" W 60.03 feet along said Railroad Authority lands and the
20 west terminus of said Eleventh Street to the north line of said Eleventh
21 Street; thence N 89° 52' 55" E 734.38 feet along said north line of
22 Eleventh Street; thence S 01° 48' 58" E 60.03 feet to the point or place
23 of beginning, containing 1.012+ acres of land more or less.

24 S 5. In the event that the replacement parklands to be dedicated by
25 the city of Jamestown pursuant to this act are not of equal or greater
26 fair market value than the parklands discontinued, the city of Jamestown
27 shall dedicate the difference of fair market value of the parklands to
28 be discontinued and the lands to be dedicated for the acquisition of
29 additional parklands and/or capital improvements to existing park and
30 recreational facilities.

31 S 6. The discontinuance of parklands authorized by the provisions of
32 this act shall not occur until the city of Jamestown has complied with
33 any federal requirements pertaining to conversion of parklands, includ-
34 ing satisfying the secretary of the interior that the conversion
35 complies with all conditions which the secretary of the interior deems
36 necessary to assure the substitution of other lands shall be equivalent
37 in fair market value and recreational usefulness to the lands being
38 converted.

39 S 7. This act shall take effect immediately.