

1 LEGISLATURE HAS DETERMINED THAT THE JUDICIAL SYSTEM IS NOT AN APPROPRI-
2 ATE FORUM TO RESOLVE THESE LONGSTANDING TITLE DISPUTES AND THAT A STATU-
3 TORY SOLUTION IS REQUIRED.

4 2. FOR THESE REASONS AND AS AUTHORIZED BY THE PROVISIONS OF SECTION
5 ONE OF ARTICLE FOURTEEN OF THE STATE CONSTITUTION, THE LEGISLATURE FINDS
6 THAT IT IS IN THE PUBLIC INTEREST TO COMPREHENSIVELY AND EXPEDITIOUSLY
7 RESOLVE THESE LONGSTANDING TITLE DISPUTES IN A MANNER WHICH IS FAIR AND
8 EQUITABLE. THE LEGISLATURE FINDS THAT IT IS IN THE BEST INTERESTS OF THE
9 STATE, THE COUNTY OF HAMILTON, THE TOWN OF LONG LAKE, AND THE PRIVATE
10 PARTIES WHO CLAIM TITLE TO PORTIONS OF TOWNSHIP FORTY TO RESOLVE THESE
11 TITLE DISPUTES IN A STRUCTURED AND EFFICIENT MANNER THAT RESULTS IN
12 CLARIFICATION OF OWNERSHIP INTERESTS, ENHANCEMENT OF PUBLIC ACCESS TO
13 FOREST PRESERVE LANDS, AND THE QUIET ENJOYMENT OF PRIVATE PROPERTY.

14 3. THE LEGISLATURE FURTHER FINDS THAT RESOLUTION OF THESE TITLE
15 DISPUTES SHALL BE ACCOMPLISHED IN A MANNER THAT ENSURES THE INTEGRITY OF
16 THE FOREST PRESERVE IN THE ADIRONDACK PARK AND THAT RESULTS IN A NET
17 BENEFIT TO THE FOREST PRESERVE WHEN COMPARED TO THE CONTESTED PARCELS.

18 4. THE LEGISLATURE FURTHER FINDS THAT THE TITLE DISPUTES ASSOCIATED
19 WITH TOWNSHIP FORTY CONSTITUTE A UNIQUE SITUATION, FOUND NOWHERE ELSE IN
20 THE STATE, AND THAT CONSEQUENTLY IT IS EQUITABLE AND APPROPRIATE FOR THE
21 STATE TO RELINQUISH ITS CLAIM OF TITLE TO DISPUTED PARCELS WITHIN THE
22 TOWNSHIP. THIS RELINQUISHMENT OF CLAIMS TO TITLE SHALL NOT BE DEEMED TO
23 SET PRECEDENT FOR THE RELINQUISHMENT OF CLAIMS TO TITLE WITH RESPECT TO
24 OTHER LANDS OWNED BY THE STATE.

25 S 9-1903. DEFINITIONS.

26 FOR PURPOSES OF THIS TITLE, THE FOLLOWING TERMS SHALL HAVE THE FOLLOW-
27 ING MEANINGS:

28 1. "COUNTY" MEANS THE COUNTY OF HAMILTON.

29 2. "DISPUTED PARCEL" MEANS A PARCEL OF LAND LOCATED IN TOWNSHIP FORTY
30 TO WHICH BOTH THE STATE AND A PERSON CLAIM TITLE.

31 3. "PERSON" MEANS ANY INDIVIDUAL, FIRM, PARTNERSHIP, ASSOCIATION,
32 TRUST, LIMITED LIABILITY COMPANY OR CORPORATION THAT CLAIMS TITLE TO A
33 DISPUTED PARCEL.

34 4. "TOWN" MEANS THE TOWN OF LONG LAKE, IN THE COUNTY OF HAMILTON.

35 5. "TOWNSHIP FORTY" MEANS TOWNSHIP FORTY, TOTTEN AND CROSSFIELD
36 PURCHASE.

37 S 9-1905. LIST OF DISPUTED PARCELS.

38 THE FOLLOWING PARCELS OF LAND, IDENTIFIED BY THE COUNTY'S TWO THOUSAND
39 TEN ASSESSMENT ROLLS AND THE COUNTY'S ONLINE MAPPING SYSTEM AS OF APRIL
40 FIFTH, TWO THOUSAND TWELVE, AND ANY SUBSEQUENT CONVEYANCES THEREFROM,
41 ARE THE DISPUTED PARCELS THAT ARE THE SUBJECT OF THE PROVISIONS OF THIS
42 TITLE:

43 37.016-1-1.100

44 37.016-1-1.210

45 37.016-1-1.220

46 37.016-1-2

47 37.016-1-3

48 37.016-1-4.110

49 37.016-1-4.120

50 37.016-1-4.131

51 37.016-1-4.132

52 37.016-1-4.140

53 37.016-1-4.150

54 37.016-1-4.160

55 37.016-1-4.200

56 37.016-1-4.300

1	37.016-1-5
2	37.016-1-6
3	37.016-1-8.100
4	37.016-1-10,
5	37.018-1-1
6	44.000-1-18
7	44.000-1-19
8	44.000-1-20
9	44.000-1-22
10	44.000-1-26.100
11	44.000-1-26.111
12	44.000-1-26.112
13	44.000-1-26.121
14	44.000-1-27-112
15	44.000-1-27.113
16	44.000-1-27.120
17	44.000-1-27.211
18	44.000-1-27.212
19	44.000-1-27.220
20	44.000-1-28
21	44.000-1-3
22	44.000-1-4.111
23	44.000-1-4.121
24	44.000-1-4.200
25	44.000-1-8
26	44.000-1-9
27	44.000-1-10
28	44.000-1-11
29	44.000-2-32.100
30	44.000-2-33.100
31	44.000-3-1
32	44.000-3-10
33	44.000-3-11
34	44.000-3-12
35	44.000-3-13
36	44.000-3-14
37	44.000-3-15
38	44.000-3-16
39	44.000-3-17
40	44.000-3-2.100
41	44.000-3-2.200
42	44.000-3-3
43	44.000-3-4
44	44.000-3-5
45	44.000-3-6
46	44.000-3-7
47	44.000-3-8
48	44.000-3-9.100
49	44.000-4-1.100
50	44.000-4-1.200
51	44.000-4-1.300
52	44.014-1-10
53	44.014-1-11.100
54	44.014-1-12
55	44.014-1-13
56	44.014-1-2

1	44.014-1-3.100
2	44.014-1-3.200
3	44.014-1-4.200
4	44.014-1-5
5	44.014-1-6
6	44.014-1-7
7	44.014-1-8
8	44.014-1-9
9	44.014-2-1
10	44.015-1-1
11	44.015-1-2
12	44.015-1-3
13	44.015-1-4
14	44.015-1-5
15	44.015-1-6
16	44.015-1-7
17	44.015-1-8
18	44.015-1-9
19	44.018-1-1.110
20	44.018-1-10
21	44.018-1-11
22	44.018-1-12
23	44.018-1-13
24	44.018-1-14
25	44.018-1-15
26	44.018-1-17
27	44.018-1-18
28	44.018-1-19
29	44.018-1-2
30	44.018-1-20
31	44.018-1-21
32	44.018-1-22.111
33	44.018-1-22.112
34	44.018-1-22.114
35	44.018-1-22.115
36	44.018-1-22.116
37	44.018-1-22.120
38	44.018-1-22.200
39	44.018-1-23.111
40	44.018-1-23.112
41	44.018-1-23.120
42	44.018-1-23.130
43	44.018-1-23.200
44	44.018-1-23.311
45	44.018-1-23.312
46	44.018-1-23.320
47	44.018-1-27.110
48	44.018-1-27.200
49	44.018-1-28.100
50	44.018-1-3
51	44.018-1-4
52	44.018-1-5
53	44.018-1-6.100
54	44.018-1-8.100
55	44.018-1-8.200
56	44.018-1-8.300

1	44.018-1-9
2	44.018-3-1
3	44.018-3-2
4	44.018-3-2.100
5	52.006-1-13
6	52.006-1-18
7	52.006-1-19.100
8	52.006-1-19.200
9	52.006-1-19.300
10	52.006-1-20
11	52.006-1-22
12	52.006-1-23
13	52.006-1-24
14	52.006-1-25
15	52.006-1-26
16	52.006-1-27
17	52.006-2-1
18	52.006-2-10
19	52.006-2-11
20	52.006-2-12
21	52.006-2-13
22	52.006-2-14
23	52.006-2-15
24	52.006-2-16
25	52.006-2-17
26	52.006-2-18
27	52.006-2-19.100
28	52.006-2-19.200
29	52.006-2-2.121
30	52.006-2-2.122
31	52.006-2-2.123
32	52.006-2-2.124
33	52.006-2-2.200
34	52.006-2-20
35	52.006-2-21.111
36	52.006-2-21.112
37	52.006-2-22.110
38	52.006-2-22.120
39	52.006-2-23.111
40	52.006-2-23.112
41	52.006-2-23.113
42	52.006-2-23.114
43	52.006-2-23.115
44	52.006-2-23.116
45	52.006-2-23.117
46	52.006-2-23.118
47	52.006-2-23.119
48	52.006-2-23.120
49	52.006-2-24./1
50	52.006-2-24.100
51	52.006-2-25.100
52	52.006-2-26.100
53	52.006-2-26.200
54	52.006-2-27
55	52.006-2-28.111
56	52.006-2-28.112

1 52.006-2-28.113
2 52.006-2-28.114
3 52.006-2-28.120
4 52.006-2-28.200
5 52.006-2-29
6 52.006-2-3
7 52.006-2-4
8 52.006-2-5
9 52.006-2-6
10 52.006-2-7
11 52.006-2-8
12 52.006-2-9
13 52.011-1-1
14 52.011-1-10.100
15 52.011-1-10.200
16 52.011-1-11
17 52.011-1-2.111
18 52.011-1-2.112
19 52.011-1-2.113
20 52.011-1-2.120
21 52.011-1-2.200
22 52.011-1-4.200
23 52.011-1-5
24 52.011-1-6
25 52.011-1-7.100
26 52.011-1-8
27 52.011-1-9.110
28 52.011-1-9.120
29 52.011-1-9.211
30 52.011-1-9.212
31 52.011-1-9.220
32 52.011-1-9.230
33 52.011-1-9.300

34 S 9-1907. PROCESS FOR CLEARING TITLE.

35 1. WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THIS SECTION, THE
36 DEPARTMENT SHALL SEND, BY FIRST CLASS MAIL, A LETTER TO EACH PERSON
37 CLAIMING TITLE TO A DISPUTED PARCEL LISTED IN SECTION 9-1905 OF THIS
38 TITLE, INFORMING THE PERSON THAT A CONSTITUTIONAL AMENDMENT HAS BEEN
39 ADOPTED AND LEGISLATION ENACTED THAT AUTHORIZES A RESOLUTION OF TITLE
40 ISSUES ON DISPUTED PARCELS IN TOWNSHIP FORTY, INCLUDING THE DISPUTED
41 PARCEL TO WHICH THE PERSON CLAIMS OWNERSHIP RIGHTS. THE DEPARTMENT
42 SHALL SEND A SEPARATE LETTER FOR EACH DISPUTED PARCEL. SUCH LETTER
43 SHALL DESCRIBE THE PROCESS FOR RESOLVING TITLE SET FORTH IN THIS TITLE
44 AND STATE THAT, UNTIL SUCH TIME AS THE STATE IS ESTOPPED FROM ASSERTING
45 ITS CLAIM OF TITLE TO THE DISPUTED PARCEL PURSUANT TO SUBDIVISION SEVEN
46 OF THIS SECTION, THE PERSON CLAIMING TITLE TO THE DISPUTED PARCEL SHALL
47 ASSUME ALL THE RISK WITH RESPECT TO SUBDIVIDING OR ADDING NEW STRUCTURES
48 OR IMPROVEMENTS TO THE DISPUTED PARCEL. THE DEPARTMENT SHALL PROVIDE A
49 COPY OF EACH SUCH LETTER TO THE ATTORNEY GENERAL.

50 2. WITHIN NINETY DAYS OF THE RECEIPT OF THE DEPARTMENT'S LETTER,
51 PURSUANT TO SUBDIVISION ONE OF THIS SECTION, A PERSON SHALL, FOR EACH
52 DISPUTED PARCEL, EITHER:

53 A. NOTIFY THE DEPARTMENT IN WRITING, WITH A COPY TO THE ATTORNEY
54 GENERAL AND THE TOWN, (I) THAT HE OR SHE WILL PARTICIPATE IN THE PROCESS
55 SET FORTH IN THIS TITLE TO RESOLVE TITLE TO THE DISPUTED PARCEL OR
56 PARCELS, AND (II) WHETHER HE OR SHE INTENDS TO PROVIDE AS A GIFT TO THE

1 STATE A SPECIFIED PORTION OF A DISPUTED PARCEL IN FEE SIMPLE WITHOUT
2 RESERVATIONS FOR INCLUSION IN THE FOREST PRESERVE OR A CONSERVATION
3 EASEMENT TO THE TOWN RESTRICTING DEVELOPMENT OVER ALL OR A SPECIFIED
4 PORTION OF A DISPUTED PARCEL, WITH A SECONDARY RIGHT OF ENFORCEMENT IN
5 THE STATE; OR

6 B. PROVIDE THE DEPARTMENT WITH A NOTARIZED STATEMENT OF NONPARTIC-
7 IPATION AS SET FORTH IN SECTION 9-1915 OF THIS TITLE, INDICATING THAT HE
8 OR SHE DECLINES TO PARTICIPATE IN THE PROCESS ESTABLISHED BY THIS TITLE
9 TO RESOLVE TITLE TO DISPUTED PARCELS, AND PROVIDE A COPY OF SUCH NOTA-
10 RIZED STATEMENT TO THE ATTORNEY GENERAL AND THE TOWN.

11 3. WITH RESPECT TO A PARCEL OR CONSERVATION EASEMENT WHICH THE PERSON
12 INTENDS TO PROVIDE AS A GIFT TO THE STATE OR THE TOWN, RESPECTIVELY, AS
13 SPECIFIED IN PARAGRAPH A OF SUBDIVISION TWO OF THIS SECTION, THE TOWN
14 SHALL PROVIDE THE PERSON WITH AN ASSESSED VALUE OF THE PROPOSED CONVEY-
15 ANCE, WITH A COPY TO THE DEPARTMENT, WITHIN ONE HUNDRED TWENTY DAYS OF
16 THE TOWN'S RECEIPT OF A COPY OF THE NOTIFICATION CONCERNING SUCH GIFT.

17 4. WITHIN TWELVE MONTHS OF THE DATE OF THE LETTERS SENT BY THE DEPART-
18 MENT PURSUANT TO SUBDIVISION ONE OF THIS SECTION, ALL PERSONS WHO ARE
19 PARTICIPATING IN THE PROCESS SET FORTH IN THIS TITLE TO RESOLVE TITLE TO
20 DISPUTED PARCELS SHALL CONVEY TO THE STATE ANY LAND WHICH SUCH PERSONS
21 EXPRESSED AN INTENT TO SO CONVEY PURSUANT TO PARAGRAPH A OF SUBDIVISION
22 TWO OF THIS SECTION, AND CONVEY TO THE TOWN ANY CONSERVATION EASEMENTS
23 WHICH SUCH PERSONS EXPRESSED AN INTENT TO SO CONVEY PURSUANT TO PARA-
24 GRAPH A OF SUBDIVISION TWO OF THIS SECTION, AND MAKE PAYMENT TO THE TOWN
25 DUE PURSUANT TO SUBDIVISION FIVE OF THIS SECTION.

26 5. PERSONS PARTICIPATING IN THE PROCESS SET FORTH IN THIS TITLE TO
27 RESOLVE TITLE TO DISPUTED PARCELS SHALL PAY THE TOWN AN AMOUNT THAT
28 APPROXIMATES THE STATE'S ADMINISTRATIVE COSTS IN RESOLVING THE DISPUTED
29 PARCELS SITUATED WITHIN TOWNSHIP FORTY. THE PAYMENT AMOUNT FOR EACH
30 INDIVIDUAL DISPUTED PARCEL SHALL BE THE SUM OF: (A) A FLAT RATE OF TWO
31 THOUSAND DOLLARS PER PARCEL; AND (B) AN AMOUNT EQUAL TO THE TOTAL
32 ASSESSED VALUE OF THE PARCEL, INCLUDING STRUCTURES AND IMPROVEMENTS
33 SITUATED THEREON, AS DETERMINED BY THE TWO THOUSAND TWELVE TOWN ASSESS-
34 MENT, LESS THE ASSESSED VALUE OF ANY PORTION OF SUCH PARCEL CONVEYED TO
35 THE STATE IN FEE OR ANY CONSERVATION EASEMENT CONVEYED TO THE TOWN,
36 PURSUANT TO PARAGRAPH A OF SUBDIVISION TWO OF THIS SECTION, DIVIDED BY
37 THE TOTAL ASSESSED VALUE OF ALL DISPUTED PARCELS, INCLUDING STRUCTURES
38 AND IMPROVEMENTS SITUATED THEREON AS DETERMINED BY THE TWO THOUSAND
39 TWELVE TOWN ASSESSMENT, MULTIPLIED BY TWO HUNDRED THOUSAND DOLLARS. THE
40 TOWN SHALL USE ALL SUCH PAYMENTS TO ACQUIRE LAND FOR INCLUSION IN THE
41 FOREST PRESERVE PURSUANT TO SUBDIVISION SIX OF THIS SECTION.

42 6. WITHIN EIGHTEEN MONTHS OF THE DATE OF THE LETTERS SENT BY THE
43 DEPARTMENT PURSUANT TO SUBDIVISION ONE OF THIS SECTION, THE DEPARTMENT
44 SHALL IDENTIFY LANDS FOR THE TOWN TO ACQUIRE FOR INCLUSION IN THE FOREST
45 PRESERVE. SUBJECT TO LEGISLATIVE APPROVAL, SUCH LANDS SHALL PROVIDE A
46 NET BENEFIT TO THE FOREST PRESERVE AS COMPARED TO THE DISPUTED PARCELS
47 TO WHICH THE STATE IS ESTOPPED FROM ASSERTING A CLAIM PURSUANT TO SUBDI-
48 VISION SEVEN OF THIS SECTION. THE TOWN SHALL USE ALL PAYMENTS ACQUIRED
49 PURSUANT TO SUBDIVISION FIVE OF THIS SECTION FOR THE ACQUISITION OF SUCH
50 LANDS. SUCH LANDS SHALL BE CONVEYED FROM THE OWNER DIRECTLY TO THE
51 STATE.

52 7. UPON LEGISLATIVE APPROVAL OF THE LANDS TO BE PROVIDED TO THE STATE
53 PURSUANT TO SUBDIVISION SIX OF THIS SECTION AND THE SUBSEQUENT
54 COMPLETION OF SUCH CONVEYANCES TO THE STATE, AND EXCEPT AS PROVIDED IN
55 PARAGRAPH B OF SUBDIVISION TWO OF THIS SECTION AND SECTION 9-1909 OF
56 THIS TITLE, THE STATE SHALL BE ESTOPPED FROM ASSERTING ANY CLAIM OF

TITLE TO THE DISPUTED PARCELS BASED UPON A. FACTS OR ACTIONS THAT OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS TITLE, AND B. DEEDS, TAX SALES OR OTHER DOCUMENTS THAT PREDATE THE EFFECTIVE DATE OF THIS TITLE. S 9-1909. ATTORNEY GENERAL TO FILE SUIT.

THE ATTORNEY GENERAL, WITHIN TWENTY-FOUR MONTHS OF A PERSON'S FAILURE TO COMPLY WITH THE REQUIREMENTS OF SUBDIVISION TWO OF SECTION 9-1907 OF THIS TITLE WITH RESPECT TO A PARTICULAR DISPUTED PARCEL, OR WITHIN TWENTY-FOUR MONTHS OF A PERSON'S FILING OF A NOTICE OF NONPARTICIPATION PURSUANT TO PARAGRAPH B OF SUBDIVISION TWO OF SECTION 9-1907 OF THIS TITLE WITH RESPECT TO A PARTICULAR DISPUTED PARCEL, SHALL COMMENCE AN ACTION IN A COURT OF COMPETENT JURISDICTION PURSUANT TO THE REAL PROPERTY ACTIONS AND PROCEEDINGS LAW TO DETERMINE TITLE TO SUCH PARCEL. NOTHING CONTAINED IN THIS TITLE SHALL BE APPLICABLE TO SUCH ACTION. FAILURE BY THE ATTORNEY GENERAL TO COMMENCE SUCH ACTION WITHIN SUCH TIME FRAME SHALL NOT SUBSEQUENTLY PREVENT THE ATTORNEY GENERAL FROM COMMENCING SUCH AN ACTION OR CREATE A PRESUMPTION AGAINST THE STATE'S CLAIM OF TITLE. S 9-1911. CONVEYANCES TO THE STATE.

NOTHING IN THIS TITLE SHALL BE INTERPRETED AS AT ANY TIME PREVENTING ANY PERSON CLAIMING A DISPUTED PARCEL FROM OFFERING TO CONVEY ANY SUCH PARCEL OR INTEREST IN ANY SUCH PARCEL TO THE STATE, PROVIDED THE STATE MAY, SOLELY IN ITS DISCRETION, DECIDE WHETHER TO ACCEPT ANY SUCH OFFER. S 9-1913. ADIRONDACK PARK AGENCY JURISDICTION.

NOTHING IN THIS TITLE SHALL BE INTERPRETED AS ALTERING OR AFFECTING THE REGULATORY JURISDICTION OF THE ADIRONDACK PARK AGENCY OVER ANY LAND LOCATED WITHIN TOWNSHIP FORTY.

S 9-1915. NOTICE OF NONPARTICIPATION FORMAT.

THE FORMAT FOR THE NOTARIZED NOTICE OF NONPARTICIPATION DESCRIBED IN PARAGRAPH B OF SUBDIVISION TWO OF SECTION 9-1907 OF THIS TITLE SHALL BE AS FOLLOWS:

NOTICE OF NONPARTICIPATION
TOWNSHIP FORTY, TOTTEN AND CROSSFIELD PURCHASE
TOWN OF LONG LAKE, COUNTY OF HAMILTON
NAME(S):
MAILING ADDRESS(ES):
TELEPHONE NUMBER(S):
DESCRIPTION OF TOWNSHIP FORTY DISPUTED PARCEL:

I (WE) ELECT TO NOT PARTICIPATE IN THE SPECIAL PROCEEDING TO RESOLVE TITLE ISSUES REGARDING THE ABOVE-REFERENCED PARCEL AS AUTHORIZED BY TITLE NINETEEN OF ARTICLE NINE OF THE ENVIRONMENTAL CONSERVATION LAW. I (WE) UNDERSTAND THAT: WITHIN TWENTY-FOUR MONTHS OF MY (OUR) FILING OF THIS NOTICE, THE ATTORNEY GENERAL SHALL COMMENCE AN ACTION IN A COURT OF COMPETENT JURISDICTION TO DETERMINE TITLE TO SUCH PARCEL; NOTHING IN TITLE NINETEEN OF ARTICLE NINE OF THE ENVIRONMENTAL CONSERVATION LAW SHALL BE APPLICABLE TO SUCH LITIGATION; AND FAILURE BY THE ATTORNEY GENERAL TO COMMENCE SUCH ACTION WITHIN SUCH TWENTY-FOUR MONTH TIME FRAME SHALL NOT SUBSEQUENTLY PREVENT THE ATTORNEY GENERAL FROM COMMENCING SUCH AN ACTION OR CREATE A PRESUMPTION AGAINST THE STATE'S CLAIM OF TITLE.

SIGNATURE
(NOTARIZATION)

S 2. This act shall take effect on the same date and in the same manner as a "CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY proposing an amendment to section 1 of article 14 of the constitution, in relation to disputed title in township 40, Totten and Crossfield Purchase, in the town of Long Lake, Hamilton county," takes effect in accordance with section 1 of article 19 of the constitution.