

5717--A

2013-2014 Regular Sessions

I N S E N A T E

June 7, 2013

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the New York state canal corporation to abandon certain canal lands and authorizing the commissioner of general services to sell and convey the right, title and interest of the people of the state of New York, in and to certain lands of the New York state canal corporation located in the city of Syracuse, county of Onondaga

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

1 Section 1. The New York state canal corporation is hereby authorized
2 to abandon certain canal lands as described in section two of this act
3 as such lands are determined to be no longer necessary or useful as a
4 part of the barge canal system, as an aid to navigation thereon, or for
5 barge canal terminal purposes. Such abandonment shall be in accordance
6 with the applicable provisions of the canal law.
7 S 2. The subject lands herein are described generally as follows:
8 All that tract or parcel of land, situate in the City of Syracuse,
9 County of Onondaga and State of New York, being Parcel AR according to a
10 map "New York State Canal Corporation Map Showing Abandoned Barge Canal
11 Terminal Lands in the City of Syracuse, County of Onondaga and State of
12 New York" by John E. McIntosh III dated June 29, 2011, bounded and
13 described as follows:
14 Beginning at the most southerly corner of said Parcel AR, said point
15 being the following courses and distances from the intersection of the
16 northerly boundary of West Kirkpatrick Street with the westerly boundary
17 of an abandoned portion of West Court Street: 1) S 56°23'00" W along
18 said northerly boundary of West Kirkpatrick Street, a distance of 395.76
19 feet to the southwesterly boundary of Parcel A2 according to said "New

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

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1 York State Canal Corporation Map Showing Abandoned Barge Canal Terminal
2 Lands in the City of Syracuse, County of Onondaga and State of New
3 York"; 2) N 37°34'00" W along said southwesterly boundary of Parcel A2,
4 a distance of 51.59 feet; 3) N 62°54'30" W continuing along said south-
5 westerly boundary of Parcel A2, a distance of 81.13 feet; 4) S 57°24'46"
6 W continuing along said southwesterly boundary of Parcel A2, a distance
7 of 110.10 feet; 5) N 32°16'39" W continuing along said southwesterly
8 boundary of Parcel A2, a distance of 11.75 feet; 6) N 57°24'46" E
9 continuing along said southwesterly boundary of Parcel A2, a distance of
10 84.33 feet; 7) N 50°39'10" W continuing along said southwesterly bounda-
11 ry of Parcel A2, a distance of 14.30 feet to said point of beginning;
12 running thence around said Parcel AR the following courses and
13 distances: 1) N 50°39'10" W, 52.28 feet; 2) N 56°21'00" E, 736.26 feet;
14 3) N 50°17'00" W, 173.44 feet; 4) S 56°21'00" W, 365.60 feet; 5) N
15 33°39'00" W, 99.29 feet; 6) N 56°21'00" E, 335.94 feet; 7) N 50°17'00"
16 W, 173.05 feet; 8) S 56°21'00" W, 365.21 feet; 9) N 33°39'00" W, 99.21
17 feet; 10) N 56°21'00" E, 335.57 feet; 11) N 50°17'00" W, 173.62 feet;
18 12) S 56°21'00" W, 364.95 feet; 13) N 33°39'00" W, 50.00 feet; 14) N
19 56°21'00" E, 402.20 feet; 15) S 50°17'00" E, 305.00 feet; 16) S
20 39°43'00" W, 30.00 feet; 17) S 50°17'00" E, 204.86 feet; 18) N 39°43'00"
21 E, 30.00 feet; 19) S 50°17'00" E, 298.98 feet to said westerly boundary
22 of an abandoned portion of West Court Street; 20) Southerly along said
23 westerly boundary of an abandoned portion of West Court Street following
24 a curve to the left having a radius of 515.00 feet, an arc length of
25 30.05 feet to the northwesterly boundary of said Parcel A2; 21) S
26 56°21'00" W along said northwesterly boundary of Parcel A2, 627.30 feet;
27 22) N 33°39'00" W along said northwesterly boundary of Parcel A2, 31.90
28 feet; 23) S 56°21'00" W along said northwesterly boundary of Parcel A2,
29 60.00 feet; 24) S 33°39'00" E along said northwesterly boundary of
30 Parcel A2, 31.90 feet; 25) S 56°21'00" W along said northwesterly bound-
31 ary of Parcel A2, 73.64 feet to the point of beginning.

32 Containing 3.615 acres of land, more or less.

33 All as shown on a map "Parcel AR, Lands to be Abandoned by New York
34 State Canal Corporation, Map Showing Abandoned Barge Canal Terminal
35 Lands, City of Syracuse, County of Onondaga and State of New York" by
36 Ianuzi & Romans Land Surveying, P.C. dated June 6, 2013.

37 S 3. The commissioner of general services is hereby authorized to sell
38 and convey at fair market value at public or private sale certain aban-
39 doned lands of the New York state canal corporation, related to the
40 Inner Harbor Project in Syracuse, described in section two of this act.
41 Conveyance of such lands shall be made in such parcel or parcels, and
42 upon such terms and conditions, including consideration, as the commis-
43 sioner of general services may determine; provided, however, all such
44 conveyances shall be subject to an easement or easements or permit or
45 permits acquired by grant or grants by any utility company, public util-
46 ity company, utility corporation or public utility corporation, as
47 defined in subdivisions 23 and 24 of section 2 of the public service
48 law, which has installed any structure or transmission lines upon, over
49 or under any such lands. Such conveyances shall be subject to the
50 approval of the director of the budget.

51 S 4. Such private sales or conveyances may be made without public
52 bidding to the owners of structures erected on the lands to be conveyed,
53 or to incorporated property owners associations representing such
54 persons, or to such other persons as the commissioner of general
55 services may determine. The commissioner of general services may also

1 lease such lands to the owners of such structures who do not purchase
2 such lands under the provisions of this act.

3 S 5. The commissioner of general services shall promulgate rules and
4 regulations establishing the procedures to be followed in the disposi-
5 tion of these lands, including a schedule of the consideration to be
6 charged for each conveyance. Such schedule shall be subject to the
7 approval of the director of the budget.

8 S 6. The authorization to sell at private sale pursuant to section
9 three of this act shall expire 5 years after the effective date of this
10 act.

11 S 7. This act shall take effect immediately.