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## IN SENATE

## February 21, 2014

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

AN ACT to amend the town law, in relation to authorizing the town board of the town of Fort Ann, in the county of Washington, to diminish the area of the Lake Hadlock park district

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

- Section 1. Subdivision 8 of section 202-c of the town law, as added by chapter 394 of the laws of 2010, is renumbered subdivision 9 and a new subdivision 10 is added to read as follows:
- 10. (A) NOTWITHSTANDING ANY OTHER PROVISION OF GENERAL, SPECIAL OR 5 LOCAL LAW, RULE, OR REGULATION TO THE CONTRARY, WHENEVER THE TOWN BOARD OF THE TOWN OF FORT ANN, IN THE COUNTY OF WASHINGTON, SHALL DETERMINE IT TO BE IN THE PUBLIC INTEREST, SAID TOWN BOARD MAY, UPON ITS OWN 8 AND WITHOUT A PETITION, BUT AFTER A PUBLIC HEARING HELD IN THE MANNER 9 AND UPON THE NOTICE SPECIFIED IN SUBDIVISION ONE OF THIS SECTION, DIMIN-10 ISH THE LAKE HADLOCK PARK DISTRICT BY DELETING THEREFROM THE PARCELS LANDS DESCRIBED IN PARAGRAPH (B) OF THIS SUBDIVISION LOCATED IN THE TOWN 11 FORT ANN AND PRESENTLY INCLUDED IN SAID DISTRICT, PROVIDED THAT SUCH 12 13 LANDS HAVE NOT RECEIVED ANY BENEFIT FROM SUCH PARK DISTRICT SINCE IN ADDITION, ANY ORDER ADOPTED BY THE TOWN BOARD PURSUANT TO 14 15 THIS SUBDIVISION SHALL BE SUBJECT TO A PERMISSIVE REFERENDUM PURSUANT TO ARTICLE SEVEN OF THIS CHAPTER. 16
- 17 (B) THE PARCELS OF LANDS AUTHORIZED TO BE DELETED FROM THE LAKE 18 HADLOCK PARK DISTRICT ARE DESCRIBED AS FOLLOWS:

# 19 PARCEL A

- 20 ALL THAT PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE TOWN 21 OF FORT ANN, COUNTY OF WASHINGTON AND STATE OF NEW YORK, BEING BOUNDED 22 AND DESCRIBED AS FOLLOWS:
- BEGINNING AT A POINT IN THE CENTER OF HADLOCK POND ROAD AT THE INTER-SECTION OF SAID HADLOCK POND ROAD WITH TWISS ROAD, SAID POINT BEING THE NORTHEASTERLY CORNER OF LOT 1 AND THE SOUTHEASTERLY CORNER OF THE PARCEL

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

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HEREIN DESCRIBED AND BEING 25 FEET FROM A CAPPED IRON PIN SET; RUNNING THENCE ALONG SAID LOT 1 THE FOLLOWING TWO COURSES:

- S 43 DEGREES 40' 46" W 188.26 FEET PASSING THROUGH SAID IRON PIN SET 3 TO A CAPPED IRON PIN SET;
- 5 S 58 DEGREES 54' 56" W 552.56 FEET TO A CAPPED IRON PIN SET ONTHE 6 EASTERLY BOUNDS OF LANDS OF MAHONEY; RUNNING THENCE ALONG SAID LANDS OF 7 MAHONEY
- N 12 DEGREES 56' 54" E 363.49 FEET TO A CAPPED IRON PIN AT THE 8 SOUTH-WESTERLY CORNER OF LOT 3; RUNNING THENCE ALONG SAID LOT 3 9
- 10 N 56 DEGREES 19' 59" E 618.90 FEET PASSING THROUGH A CAPPED IRON PIN SET TO A POINT IN THE CENTERLINE OF THE AFOREMENTIONED 11 RUNNING THENCE ALONG SAID CENTERLINE OF TWISS ROAD THE FOLLOWING THREE 12 13 COURSES:
- 14 S 00 DEGREES 11' 59" W 158.11 FEET;
  - S 05 DEGREES 56' 23" E 80.08 FEET;
- S 01 DEGREES 34' 02" W 38.15 FEET TO THE POINT AND PLACE OF BEGINNING. 16
- 17 CONTAINING 4.020 ACRES OF LAND.

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#### 18 PARCEL B

ALL THAT PIECE OF PARCEL OF LAND SITUATE, LYING AND BEING IN THE TOWN 19 20 OF FORT ANN, COUNTY OF WASHINGTON AND STATE OF NEW YORK, BEING BOUNDED 21 AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF TWISS ROAD APPROXIMATELY FEET NORTH OF THE INTERSECTION OF SAID TWISS ROAD WITH HADLOCK POND ROAD, SAID POINT BEING THE NORTHEASTERLY CORNER OF LOT 2 AND THE SOUTH-EASTERLY CORNER OF THE PARCEL HEREIN DESCRIBED AND BEING 25 FEET FROM A CAPPED IRON PIN SET; RUNNING THENCE ALONG SAID LOT 2

- S 56 DEGREES 19' 59" W 618.90' PASSING THROUGH SAID IRON PIN SET TO A CAPPED IRON PIN AT THE SOUTHWESTERLY CORNER OF LANDS OF GANNON; RUNNING THENCE ALONG SAID LANDS OF GANNON THE FOLLOWING TWO COURSES:
- N 12 DEGREES 56' 54" E 420.12' TO A CAPPED IRON PIN AT THE 30 31 STONE WALL;
- 54 DEGREES 46' 56" W 100.00' ALONG SAID STONE WALL TO A CAPPED IRON 33 PIN SET AT THE SOUTHEASTERLY CORNER OF LOT 4; RUNNING THENCE ALONG SAID 34 LOT 4 THE FOLLOWING TWO COURSES:
  - N 74 DEGREES 54' 06" E 127.80' TO A CAPPED IRON PIN SET;
- 36 24 DEGREES 37' 08" E 308.95' PASSING THROUGH A CAPPED IRON PIN SET 37 TO A POINT IN THE CENTERLINE OF THE AFOREMENTIONED TWISS ROAD; RUNNING 38 THENCE ALONG SAID CENTERLINE OF TWISS ROAD THE FOLLOWING SIX COURSES:
  - S 50 DEGREES 17' 57" E 143.95';
    - S 48 DEGREES 34' 58" E 90.83';
  - S 38 DEGREES 10' 37" E 78.55';
  - S 17 DEGREES 44' 41" E 56.30';
- 43 S 03 DEGREES 54' 28" E 92.35';
- 44 00 DEGREES 11' 59" W 78.58' TO THE POINT AND PLACE OF BEGINNING. 45 CONTAINING 4.700 ACRES OF LAND.

#### 46 PARCEL C

47 ALL THAT PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE OF FORT ANN, COUNTY OF WASHINGTON AND STATE OF NEW YORK, BEING BOUNDED 48 49 AND DESCRIBED AS FOLLOWS:

50 BEGINNING AT A POINT IN THE CENTER OF TWISS ROAD APPROXIMATELY 51 FEET EAST OF THE INTERSECTION OF SAID TWISS ROAD WITH BUTTERMILK FALLS 52 ROAD, SAID POINT BEING THE NORTHERLY CORNER OF LOT 3 AND THE EASTERLY CORNER OF THE PARCEL HEREIN DESCRIBED AND BEING 25 FEET FROM A CAPPED 53 IRON PIN SET; RUNNING THENCE ALONG SAID LOT 3 THE FOLLOWING TWO COURSES: 54

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1 S 24 DEGREES 37' 08" W 308.95' PASSING THROUGH SAID IRON PIN SET TO A CAPPED IRON PIN SET;

- S 74 DEGREES 54' 06" W 127.80' TO A CAPPED IRON PIN SET ON THE NORTH-ERLY BOUNDS OF LANDS OF GANNON; RUNNING THENCE ALONG SAID LANDS OF GANNON AND THENCE LANDS OF MAHONEY THE FOLLOWING THREE COURSES:
  - N 54 DEGREES 48' 56" W 75.19' TO A CAPPED IRON PIN SET;
- 7 N 51 DEGREES 51' 16" W 281.11' TO AN IRON PIPE AT THE END OF A STONE 8 WALL;
- 9 N 10 DEGREES 29' 14" E 429.70' ALONG SAID STONE WALL AND AN EXTENSION 10 THEREOF TO A POINT IN THE CENTERLINE OF THE AFOREMENTIONED TWISS ROAD 11 NEAR ITS INTERSECTION WITH BUTTERMILK FALLS ROAD; RUNNING THENCE ALONG 12 THE CENTERLINE OF TWISS ROAD THE FOLLOWING FOUR COURSES:
- 13 S 63 DEGREES 04' 54" E 147.27';

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- S 56 DEGREES 31' 04" E 135.66';
- 15 S 53 DEGREES 26' 03" E 77.33';
- 16 S 47 DEGREES 24' 35" E 203.53' TO THE POINT AND PLACE OF BEGINNING. 17 CONTAINING 4.730 ACRES OF LAND.

### 18 PARCEL D

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN TOWN OF FORT ANN, COUNTY OF WASHINGTON AND STATE OF NEW YORK COMMENCING AT A POINT IN THE CENTER OF AN EIGHTEEN FOOT WIDE SURFACED ROADWAY KNOWN AS THE HADLOCK POND ROAD AND BEING THE NORTHWES-TERLY CORNER OF THOSE PREMISES DESCRIBED IN A DEED FROM JOHN R. AND JOANNE M. FERGUSON TO ROBERT H. QUINLAN AND GLORIA M. DATED SEPTEMBER 15, 1994 AND RECORDED IN THE WASHINGTON COUNTY CLERK'S OFFICE ON OCTOBER 3, 1994 IN BOOK 719 OF DEEDS AT PAGE 221 AND FROM SAID POINT OR PLACE OF BEGINNING ON A COURSE OF NORTH 69 DEGREES 58 MINUTES 00 SECONDS EAST TO A POINT ON THE HIGH WATER MARK OF BISHOP BROOK AND BEING THE NORTHEASTERLY CORNER OF THOSE PREMISES OF THE SAID QUINLAN; THENCE IN A GENERALLY NORTHERLY DIRECTION AND ALONG THE HIGH WATER MARK BISHOP BROOK AS IT WINDS AND TURNS TO THE NORTHERLY BOUNDARY LINE OF LANDS FORMERLY OF HADLOCK REALTY CORPORATION; THENCE SOUTH 81 DEGREES 35 MINUTES 30 SECONDS WEST ALONG SAID NORTHERLY LINE TO A POINT BEING THE NORTHEASTERLY CORNER OF A LOT OF LAND HERETOFORE CONVEYED TO LAWRENCE WOOD AND ELIZABETH WOOD BY DEED DATED MAY 26, 1964 AND RECORDED IN WASH-INGTON COUNTY CLERK'S OFFICE JUNE 2, 1964 IN BOOK 393 OF DEEDS AT 255, RUNNING THENCE SOUTH 33 DEGREES WEST ALONG THE EASTERLY LINE OF THE LANDS SO CONVEYED TO SAID LAWRENCE WOOD AND ELIZABETH WOOD TO THE CENTER SAID HADLOCK POND ROAD, THENCE ALONG THE CENTER LINE OF HADLOCK ROAD IN A SOUTHERLY DIRECTION TO THE POINT OR PLACE OF BEGINNING.

### 41 PARCEL E

42 ALL THAT CERTAIN PARCEL OF LAND SITUATE IN THE TOWN OF FORT ANN, WASH-43 INGTON COUNTY, NEW YORK, LOCATED ON THE EASTERLY SIDE OF A TOWN HIGHWAY 44 AT THE NORTHEASTERLY END OF HADLOCK POND, AND WHICH SAID PARCEL IS 45 BOUNDED AND DESCRIBED AS FOLLOWS:

46 BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE EASTERLY EDGE 47 TRAVELED PORTION OF SAID HIGHWAY WITH A LINE CONNECTING THE NORTHERLY END OF THE EASTERLY AND WESTERLY ABUTMENT OF A BRIDGE CROSSING 48 49 SAID ROADWAY, UNDER WHICH FLOWS A STREAM ENTERING INTO HADLOCK POND; 50 RUNNING THENCE FROM THE PLACE OF BEGINNING, IN A NORTHERLY DIRECTION, ALONG THE EASTERLY EDGE OF SAID TRAVELED PORTION OF SAID ROADWAY, FOR A 51 52 DISTANCE OF APPROXIMATELY 283 FEET; THENCE IN AN EASTERLY DIRECTION, ON A LINE WHICH IS PARALLEL TO AND 3 FEET DISTANT, SOUTHERLY, AT RIGHT 53 54 ANGLES FROM THE CENTER OF TWO PINE TREES, THE FIRST OF WHICH IS LOCATED S. 6649 4

JUST WEST OF THE ABOVE MENTIONED ROADWAY, THE SECOND BEING LOCATED NEAR

- THE SHORE OF HADLOCK POND, FOR A DISTANCE OF APPROXIMATELY 80 FEET TO
- THE CENTER OF THE AFOREMENTIONED STREAM; THENCE SOUTHERLY AND SOUTHWES-
- TERLY, ALONG THE CENTER LINE OF SAID STREAM, FOR A DISTANCE OF APPROXI-
- MATELY 480 FEET, MORE OR LESS, TO THE EASTERLY FACE OF SAID BRIDGE ABUT-MENT; THENCE NORTHERLY, ALONG THE EASTERLY FACE OF SAID ABUTMENT TO THE
- 7 NORTHEAST CORNER OF SAID ABUTMENT; THENCE IN A WESTERLY DIRECTION, ALONG
- 8 THE NORTHERLY FACE OF SAID ABUTMENT AND CONTINUING IN THE SAME LINE TO
- THE POINT OF BEGINNING WHICH IS THE EASTERLY EDGE OF THE TRAVELED 9
- 10 PORTION OF SAID ROADWAY.
- S 2. This act shall take effect immediately.