

2342

2013-2014 Regular Sessions

I N S E N A T E

January 16, 2013

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

AN ACT to authorize the city of Albany to discontinue the use of certain lands as park lands

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 Albany,
2 located in the county of Albany, is hereby authorized, acting by and
3 through its common council and upon such terms and conditions as deter-
4 mined by such common council, to discontinue the use as park lands the
5 lands more particularly described in section three of this act and to
6 transfer such lands, at fair market value, which are no longer needed
7 for park purposes for use in connection with the development of property
8 for independent senior garden apartments.

9 S 2. The authorization provided in section one of this act shall be
10 subject to the condition that the city of Albany shall dedicate the fair
11 market value of those park lands being discontinued to the acquisition
12 of additional park land and/or improvements to existing park land.

13 S 3. The lands authorized by this act to be discontinued as park lands
14 are as follows:

15 All that tract, piece or parcel of land situate, lying and being in
16 the City of Albany, County of Albany, State of New York, more partic-
17 ularly described as follows:

18 Beginning at a point on the southeasterly side of South Allen Street
19 60 feet northeasterly from the corner of South Allen Street and Dale
20 Place and running thence northeasterly along said southeasterly side of
21 South Allen Street a distance of 390 feet to a point, thence southeast-
22 erly along the southerly line of lot 252 as shown on map of Allen Street
23 Terrace referenced below, 100 feet, running thence northeasterly on a
24 line parallel to South Allen Street 60 feet to the south line of lot 165
25 on said map, thence southeasterly 98 feet to the northwest side of

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

LBD01958-01-3

1 Onderdonk Avenue, thence running southwesterly along the northwesterly
2 side of Onderdonk Avenue 510 feet to the northerly line of Dale Place,
3 running thence northwesterly along the said northerly line of Dale Place
4 98 feet, thence northeasterly on a line parallel to South Allen Street
5 60 feet, thence northwesterly 100 feet to the southeasterly side of
6 South Allen Street, the point and place of beginning.
7 Said parcels being lots 166 to 182 on Onderdonk Avenue and Lots 239 to
8 251 fronting on South Allen Street as shown on map or plan of Allen
9 Street Terrace, made by A.L. Eliot, C.E. dated March 8, 1911 and filed
10 in the Albany County Clerk's Office in Book 25 as Map 750, said lands to
11 be removed from park purposes.
12 Containing 2.04 acres, more or less.
13 S 4. If the park land that is the subject of this act has received
14 funding pursuant to the federal land and water conservation fund, the
15 discontinuance of park land authorized by the provisions of this act
16 shall not occur until the municipality has complied with the federal
17 requirements pertaining to the conversion of park lands, including
18 satisfying the secretary of the interior that the discontinuance will
19 include all conditions which the secretary of the interior deems neces-
20 sary to assure the substitution of other lands shall be equivalent in
21 fair market value and recreational usefulness to the lands being discon-
22 tinued.
23 S 5. This act shall take effect immediately.