S T A T E O F N E W Y O R K

3179

2013-2014 Regular Sessions

I N S E N A T E

January 31, 2013

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

AN ACT authorizing the urban development corporation, the office of general services and the department of corrections and community supervision to transfer and convey certain lands in the county of Bronx, city of New York, to the Thomas Mott Osborne Memorial Fund, Inc.

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

Section 1. Notwithstanding any inconsistent provision of law to the contrary, the urban development corporation is authorized to transfer and convey to the Thomas Mott Osborne Memorial Fund, Inc. its right, title, and interest in the lands and improvements known as the Fulton Correctional Facility and further described in section two of this act. The conveyance shall be made upon such terms and conditions, as the board of directors of the urban development corporation may, in its discretion, fix and determine. The commissioner of general services and the commissioner of the department of corrections and community supervision are hereby empowered to enter into such contractual agreements with the corporation and its subsidiaries to effect the transfer and conveyance and do all things necessary to carry out the provisions of this act.

S 2. The lands to be conveyed pursuant to section one of this act are situated in the city of New York, county of Bronx, and are generally described as follows:

Parcel I

All that piece or parcel of land lying and being in the Borough and County of the Bronx, City and State of New York, and being all of Lot No. 30, Block 2928, and being more particularly described as follows:

Beginning at the intersection of the northerly line of E. 171st Street, and the westerly line of Fulton Avenue, thence westerly along

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

LBD06249-01-3

the northerly line of E. 171st Street, 115.32 feet to the easterly line of Lot 33; thence northerly along the last mentioned lot line 71.90 feet to the intersection of the southerly line of Lot 29; thence easterly along the last mentioned lot line, 106.08 feet to its intersection with the said westerly line of Fulton Ave.; thence southerly along the said westerly line of Fulton Avenue 80.00 feet to the point or place of beginning.

Parcel II

All that piece or parcel of land lying and being in the Borough and County of the Bronx, City and State of New York, and being all of Lot No. 33, Block 2928, and being more particularly described as follows:

Beginning at the intersection of the northerly line of E. 171st Street, and the westerly line of Lot 30, said point being 115.32 feet westerly from the intersection of the northerly line of E. 171st Street, and the westerly line of Fulton Avenue; thence South 88° 21' 50" West, along the northerly line of E. 171st Street, a distance of 75.86 feet to a point, said point being 175.21 feet distant easterly, measured along the northerly line of E. 171st Street from the corner formed by the intersection of the easterly line of 3rd Avenue and the northerly line of E. 171st Street; thence North 01° 11' 27" East, and parallel with 3rd Avenue 141.75 feet to a point; thence North 84° 03' 45" East, a distance of 50.38 feet to a point; thence South 01° 11' 27" West, and parallel to 3rd Avenue, 25.19 feet to a point; thence North 84° 03' 45" East, 25.99 feet to a point; thence South 01° 11' 27" West, and parallel to 3rd Avenue, 122.30 feet to the point or place of beginning.

S 3. Notwithstanding the foregoing, the authorization to convey the Fulton Correctional Facility shall be subject to the condition precedent that such conveyance shall not impair or result in any diminution of the obligations to holders of any bonds which financed, refinanced or are secured by correctional facilities (or payments in respect thereof), including the Fulton Correctional Facility, and shall not adversely affect any exemption of interest on such bonds from federal income tax.

S 4. The description in section two of this act is not intended to be a legal description but is intended to identify the parcel to be conveyed. As a condition of the purchase, the Thomas Mott Osborne Memorial Fund, Inc. may submit to the urban development corporation for approval, an accurate survey and description of the lands to be conveyed, which may be used in the conveyance thereof.

S 5. Any lands transferred pursuant to this act shall be used for the purpose of providing opportunities for individuals in conflict with the law through reform and rehabilitation programs, alternatives to incarceration and re-entry, for providing services to persons affected by crime and/or incarceration, and for related community activities, and upon termination of such use, title to the lands so transferred shall revert to the state of New York.

S 6. The board of directors of the urban development corporation shall not transfer and convey said lands unless application is made therefor by the Thomas Mott Osborne Memorial Fund, Inc. within one year after the effective date of this act.

S 7. This act shall take effect immediately.