

4285

2013-2014 Regular Sessions

I N S E N A T E

March 19, 2013

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

AN ACT authorizing the city of Rochester, county of Monroe to alienate and convey certain parcels of land used as parkland and to acquire other parcels of land to replace such parkland

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

1 Section 1. The city of Rochester, county of Monroe, is hereby author-
2 ized to discontinue as parklands, alienate and convey the lands
3 described in section three of this act.
4 S 2. The authorization contained in section one of this act shall only
5 be effective on the condition that the city of Rochester acquire and
6 dedicate as parklands the lands described in section four of this act,
7 such land to be used for park purposes.
8 S 3. The lands to be discontinued as parklands and alienated and
9 conveyed are described as follows:
10 All that tract or parcel of land situate in the City of Rochester,
11 County of Monroe, and State of New York, being part of Lot 33 of the
12 Winton Road Tract as filed in the Monroe County Clerk's Office October
13 20, 1910 in Liber 23 of Maps, Page 19 and more particularly bounded and
14 described as follows:
15 Commencing at a point in the southerly line of Tryon Park (50' Wide
16 R.O.W.) a distance of 1621.17 feet easterly of the easterly line of
17 North Winton Road (66.0' Wide R.O.W.), said point being also the north-
18 west corner of lands conveyed to Brian Conheady and Elizabeth A.
19 Conheady by a deed recorded in the Monroe County Clerk's Office on
20 September 13, 2010 in Liber 10920 of Deeds, Page 571; thence easterly,
21 along said southerly line of Tryon Park, 40.00 feet to a point being the
22 northeast corner of said land conveyed to Conheady and being the point
23 and place of beginning of the parcel to be described; thence easterly,
24 continuing along the same course on a line forming an interior angle of

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

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1 90°00'00" with the easterly line of said lands conveyed to Conheady and
2 through lands conveyed to the City of Rochester by a deed recorded in
3 the Monroe County Clerk's Office August 16, 1922 in Liber 1190 of Deeds,
4 Page 12, a distance of 10.50 feet to a point; thence southerly, continu-
5 ing through said lands conveyed to the City of Rochester on a line form-
6 ing an interior angle of 90°00'00" with the previous course, a distance
7 of 166.50 feet to a point; thence westerly, continuing through said
8 lands conveyed to the City of Rochester and on a line forming an interi-
9 or angle of 90°00'00" with the previous course, a distance of 10.50 feet
10 to a point in said easterly line of lands conveyed to Conheady; thence
11 northerly, along said easterly line of lands conveyed to Conheady and on
12 a line forming an interior angle of 90°00'00" with the previous course,
13 a distance of 166.50 feet to the point and place of beginning. Said
14 lands to be conveyed being 0.040 acres of land more or less.

15 Being part of the same premises conveyed to the City of Rochester by a
16 deed recorded in the Monroe County Clerk's Office August 16, 1922 in
17 Liber 1190 of Deeds, Page 12.

18 S 4. The replacement lands to be acquired and dedicated by the town of
19 Amherst, county of Erie to use as parkland for public park purposes are
20 described as follows:

21 All that tract or parcel of land situate in the City of Rochester,
22 County of Monroe, and State of New York, being part of Lot 32 and 33 of
23 the Winton Road Tract as filed in the Monroe County Clerk's Office Octo-
24 ber 20, 1910 in Liber 23 Maps, Page 19 and being more particularly
25 bounded and described as follows:

26 Commencing at a point in the southerly line of Tyron Park (50' Wide
27 R.O.W.) a distance of 1621.17 feet easterly of the easterly line of
28 North Winton Road (66.0' Wide R.O.W.), said point being also the north-
29 west corner of lands conveyed to Brian Conheady and Elizabeth A.
30 Conheady by a deed recorded in the Monroe County Clerk's Office on
31 September 13, 2010 in Liber 10920 of Deeds, Page 571; thence easterly,
32 along said southerly line of Tryon Park, 40.00 feet to a point being the
33 northeast corner of said lands conveyed to Conheady; thence southerly,
34 along the easterly line of said lands conveyed to Conheady and on a line
35 forming an angle of 90°00'00" in the southwest quadrant, a distance of
36 166.50 feet to the point and place of beginning of the parcel to be
37 described; thence continuing southerly on the same course and on a line
38 forming an interior angle of 90°00'00", a distance of 33.50 feet to a
39 point, said point being the southeast corner of said lands conveyed to
40 Conheady; thence westerly, along the southerly line of said lands
41 conveyed to Conheady and on a line forming an interior angle of
42 90°00'00" with the previous course, a distance of 60.00 feet to a point,
43 said point being the southwest corner of said lands conveyed to
44 Conheady; thence northerly, along the westerly line of said lands
45 conveyed to Conheady and on a line forming an interior angle of
46 90°00'00" with the previous course, a distance of 33.50 feet to a point;
47 thence easterly, through said lands of Conheady and on a line forming an
48 interior angle of 90°00'00" with the previous course, a distance of
49 60.00 feet to the point and place of beginning. Said lands to be
50 conveyed being 0.046 acres of land more or less.

51 Being part of the same premises conveyed to Brian Conheady and Eliza-
52 beth A. Conheady by a deed recorded in the Monroe County Clerk's Office
53 on September 13, 2010 in Liber 10920 of Deeds, Page 571.

54 S 5. In the event that the lands to be acquired, as described in
55 section four of this act, are not equal or greater in fair market value
56 that the lands being alienated, as described in section three of this

1 act, the city of Rochester shall dedicate the difference in the fair
2 market value for the acquisition of additional parklands and/or for
3 capital improvements to existing park and recreational facilities.
4 S 6. If the land that is the subject of this act has received funding
5 pursuant to the federal land and water conservation fund, the discontin-
6 uance of parklands authorized by the provisions of this act shall not
7 occur until the municipality has complied with the federal requirements
8 pertaining to the conversion of parklands, including satisfying the
9 secretary of the interior that the discontinuance will include all
10 conditions which the secretary of the interior deems necessary to assure
11 the substitution of other lands shall be equivalent in fair market value
12 and recreational usefulness to the lands being discontinued.
13 S 7. This act shall take effect immediately.