

4560--A

2013-2014 Regular Sessions

I N   S E N A T E

April 10, 2013

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Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommitted to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the commissioner of transportation to transfer certain lands in the county of Allegany to the town of Andover

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 but notwithstanding  
2 any other provision of law to the contrary, the commissioner of general  
3 services is hereby authorized to transfer and convey to the town of  
4 Andover, in consideration of one dollar and upon such other consideration as the commissioner may deem proper, lands, and any improvements thereon, located in the town of Andover, the county of Allegany.  
5     S 2. The land situated in the county of Allegany to be transferred and  
6 conveyed pursuant to section one of this act, is further described as  
7 follows:  
8     ALL THAT TRACT OR PARCEL OF LAND situate, lying and being in the Town  
9 of Andover, in the County of Allegany and State of New York, being partly within and partly without the Village of Andover, being a part of Lot  
10 No. 81 in Township 2, Range 7, of Phelps and Gorhams Purchase and more  
11 particularly bounded and described as follows:  
12 BEGINNING at a point on the easterly line of the Andover-Alfred  
13 Station-Almond State Highway No. 5502 where the same is intersected by  
14 the division line between premises of the said party of the first part,  
15 on the south, and premises formerly owned by Roswin Hardy but now owned  
16 by Kenneth Waters (reputed owner), on the north, and running thence  
17 along said division line South 89°36'20" East 140.21 feet to the division line between said premises of said party of the first part, on the  
18 west, and premises of Wilmer C. Atwell and Margaret R. Atwell, his wife

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

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1 (reputed owners), on the east; thence along said last mentioned division  
2 line South  $18^{\circ}02'10''$  East 278.16 feet to the division line between said  
3 premises of said party of the first part, on the west, and premises of  
4 Herman Lehman (reputed owner), on the east; thence along said last  
5 mentioned division line and the division line between said premises of  
6 said party of the first part, on the west, and premises of Donald L.  
7 Nichols and Reva J. Nichols, his wife (reputed owners), on the east,  
8 South  $18^{\circ}19'40''$  West 192.72 feet to an angle in said last mentioned  
9 division line; thence along the division line between said premises of  
10 said party of the first part, on the west, and said premises of Donald  
11 L. Nichols and Reva J. Nichols, his wife (reputed owners), and premises  
12 of Harold E. Dodge and Barbara J. Dodge, his wife (reputed owners), on  
13 the east, South  $66^{\circ}18'20''$  West 213.18 feet to the division line  
14 between said premises of said party of the first part, on the west, and  
15 premises of John Dodge and Esther E. Dodge, his wife (reputed owners),  
16 on the east; thence along said last mentioned division line South  
17  $52^{\circ}59'20''$  West 110.07 feet to the division line between said premises of  
18 said party of the first part on the West, and the premises of Ralph  
19 Skinner and Wilma Skinner, his wife (reputed owners), on the east;  
20 thence along said last mentioned division line South  $43^{\circ}27'50''$  West  
21 195.87 feet to its intersection with the easterly line of the Andover  
22 Village State Highway No. 5419; thence along said easterly line of said  
23 highway and the easterly line of the Andover-Alfred Station-Almond State  
24 Highway No. 5502 the following three courses and distances, to wit: (1)  
25 North  $33^{\circ}57'10''$  East 203.89 feet; (2) thence North  $16^{\circ}40'20''$  East  
26 455.67 feet, and (3) thence North  $03^{\circ}09'40''$  East 136.24 feet to the  
27 point and place of beginning, containing  $2.855\pm$  acres, of which  $1.170\pm$   
28 acres lie within the Village of Andover and  $1.145\pm$  acres lie outside the  
29 Village of Andover; all bearings being referred to True North.

30 TOGETHER WITH all the right, title and interest, if any, of the said  
31 party of the first part in and to all that portion of the highway lying  
32 opposite and abutting said premises on the west, to the center line  
33 thereof, as said highway existed on March 2, 1899.

34 S 3. The description in section two of this act of the land to be  
35 conveyed is not intended to be a legal description but is intended to  
36 identify the parcel to be conveyed. As a condition of the purchase, the  
37 town of Andover shall submit to the commissioner of general services,  
38 for his or her approval, an accurate survey and description of the lands  
39 to be conveyed, which shall be used in the conveyance thereof.

40 S 4. The land described in section two of this act shall be used by  
41 the town of Andover to advance the public purpose of providing such town  
42 with additional lands for the storage of materials, and the storage,  
43 repair and maintenance of equipment needed to maintain the town highway  
44 system and upon termination of such use title to the lands so trans-  
45 ferred along with any improvements made thereto shall revert to the  
46 state of New York.

47 S 5. This act shall take effect immediately.