

5717

2013-2014 Regular Sessions

I N   S E N A T E

June 7, 2013

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

AN ACT in relation to authorizing the New York state canal corporation  
to abandon certain canal lands and authorizing the commissioner of  
general services to sell and convey the right, title and interest of  
the people of the state of New York, in and to certain lands of the  
New York state canal corporation located in the city of Syracuse,  
county of Onondaga

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

1 Section 1. The New York state canal corporation is hereby authorized to  
2 abandon certain canal lands as described in section two of this act as  
3 such lands are determined to be no longer necessary or useful as a part  
4 of the barge canal system, as an aid to navigation thereon, or for barge  
5 canal terminal purposes. Such abandonment shall be in accordance with  
6 the applicable provisions of the canal law.  
7 S 2. The subject lands herein are described generally as follows:  
8 All that tract or parcel of land, situate in the City of Syracuse,  
9 County of Onondaga and State of New York, being Parcel AR according to a  
10 map "New York State Canal Corporation Map Showing Abandoned Barge Canal  
11 Terminal Lands in the City of Syracuse, County of Onondaga and State of  
12 New York" by John E. McIntosh III dated June 29, 2011, bounded and  
13 described as follows:  
14 Beginning at the most southerly corner of said Parcel AR, said point  
15 being the following courses and distances from the intersection of the  
16 northerly boundary of West Kirkpatrick Street with the westerly boundary  
17 of an abandoned portion of West Court Street: 1) S 56°23'00" W along  
18 said northerly boundary of West Kirkpatrick Street, a distance of 395.76  
19 feet to the southwesterly boundary of Parcel A2 according to said "New  
20 York State Canal Corporation Map Showing Abandoned Barge Canal Terminal  
21 Lands in the City of Syracuse, County of Onondaga and State of New

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

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1 York"; 2) N 37°34'00" W along said southwesterly boundary of Parcel A2,  
2 a distance of 51.59 feet; 3) N 62°54'30" W continuing along said south-  
3 westerly boundary of Parcel A2, a distance of 81.13 feet; 4) S 57°24'46"  
4 W continuing along said southwesterly boundary of Parcel A2, a distance  
5 of 110.10 feet; 5) N 32°16'39" W continuing along said southwesterly  
6 boundary of Parcel A2, a distance of 11.75 feet; 6) N 57°24'46" E  
7 continuing along said southwesterly boundary of Parcel A2, a distance of  
8 84.33 feet; 7) N 50°39'10" W continuing along said southwesterly bounda-  
9 ry of Parcel A2, a distance of 14.30 feet to said point of beginning;  
10 running thence around said Parcel AR the following courses and  
11 distances: 1) N 50°39'10" W, 52.28 feet; 2) N 56°21'00" E, 736.26 feet;  
12 3) N 50°17'00" W, 173.44 feet; 4) S 56°21'00" W, 365.60 feet; 5) N  
13 33°39'00" W, 99.29 feet; 6) N 56°21'00" E, 335.94 feet; 7) N 50°17'00"  
14 W, 173.05 feet; 8) S 56°21'00" W, 365.21 feet; 9) N 33°39'00" W, 99.21  
15 feet; 10) N 56°21'00" E, 335.57 feet; 11) N 50°17'00" W, 173.62 feet;  
16 12) S 56°21'00" W, 364.95 feet; 13) N 33°39'00" W, 50.00 feet; 14) N  
17 56°21'00" E, 402.20 feet; 15) S 50°17'00" E, 305.00 feet; 16) S  
18 39°43'00" W, 30.00 feet; 17) S 50°17'00" E, 204.86 feet; 18) N 39°43'00"  
19 E, 30.00 feet; 19) S 50°17'00" E, 298.98 feet to said westerly boundary  
20 of an abandoned portion of West Court Street; 20) Southerly along said  
21 westerly boundary of an abandoned portion of West Court Street following  
22 a curve to the left having a radius of 515.00 feet, an arc length of  
23 30.05 feet to the northwesterly boundary of said Parcel A2; 21) S  
24 56°21'00" W along said northwesterly boundary of Parcel A2, 627.30 feet;  
25 22) N 33°39'00" W along said northwesterly boundary of Parcel A2, 31.90  
26 feet; 23) S 56°21'00" W along said northwesterly boundary of Parcel A2,  
27 60.00 feet; 24) S 33°39'00" E along said northwesterly boundary of  
28 Parcel A2, 31.90 feet; 25) S 56°21'00" W along said northwesterly bound-  
29 ary of Parcel A2, 73.64 feet to the point of beginning.

30 Containing 3.615 acres of land, more or less.

31 All as shown on a map "Parcel AR, Lands to be Abandoned by New York  
32 State Canal Corporation, Map Showing Abandoned Barge Canal Terminal  
33 Lands, City of Syracuse, County of Onondaga and State of New York" by  
34 Ianuzi & Romans Land Surveying, P.C. dated June 6, 2013.

35 S 3. The commissioner of general services is hereby authorized to sell  
36 and convey at public or private sale certain abandoned lands of the New  
37 York state canal corporation described in section two of this act.  
38 Conveyance of such lands shall be made in such parcel or parcels, and  
39 upon such terms and conditions, including consideration, as the commis-  
40 sioner of general services may determine; provided, however, all such  
41 conveyances shall be subject to an easement or easements or permit or  
42 permits acquired by grant or grants by any utility company, public util-  
43 ity company, utility corporation or public utility corporation, as  
44 defined in subdivisions 23 and 24 of section 2 of the public service  
45 law, which has installed any structure or transmission lines upon, over  
46 or under any such lands. Such conveyances shall be subject to the  
47 approval of the director of the budget.

48 S 4. Such private sales or conveyances may be made without public  
49 bidding to the owners of structures erected on the lands to be conveyed,  
50 or to incorporated property owners associations representing such  
51 persons, or to such other persons as the commissioner of general  
52 services may determine. The commissioner of general services may also  
53 lease such lands to the owners of such structures who do not purchase  
54 such lands under the provisions of this act.

55 S 5. The commissioner of general services shall promulgate rules and  
56 regulations establishing the procedures to be followed in the disposi-

1 tion of these lands, including a schedule of the consideration to be  
2 charged for each conveyance. Such schedule shall be subject to the  
3 approval of the director of the budget.

4 S 6. The authorization to sell at private sale pursuant to section  
5 three of this act shall expire 5 years after the effective date of this  
6 act.

7 S 7. This act shall take effect immediately.