

# STATE OF NEW YORK

10106

## IN ASSEMBLY

April 29, 2022

Introduced by M. of A. LUNSFORD -- read once and referred to the Committee on Local Governments

AN ACT in relation to authorizing the town of Webster, county of Monroe, to alienate certain lands used as parkland and to dedicate certain other lands as parklands for use by the Webster central school district

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 town of Webster,  
2 located in the county of Monroe, acting by and through its governing  
3 body and upon such terms and conditions as determined by such body, is  
4 hereby authorized to discontinue as parklands and alienate the lands  
5 more particularly described in section three of this act, and convey to  
6 the Webster central school district, for the purpose of using such  
7 parcel in conjunction with the sports field already purchased for the  
8 benefits of the students of such school district.

9 § 2. The authorization provided in section one of this act shall be  
10 effective only upon the condition that the town of Webster and that the  
11 Webster central school district acquire and dedicate the lands described  
12 in section three of this act as parklands, provided that neither the  
13 town nor the Webster central school district has ever used such lands  
14 for public open space or park purposes.

15 § 3. The parklands authorized by section one of this act to be alien-  
16 ated as parklands are described as follows:

17 Prior to the discontinuance and alienation of the parklands described  
18 in section three of this act, the town of Webster shall convey to the  
19 Webster central school district and the Webster central school district  
20 shall acquire and dedicate as parklands such land described as follows:  
21 All that tract or parcel of land containing 2.65 acres ±, situated in  
22 the town of Webster, county of Monroe, state of New York, and being more  
23 particularly bounded and described as follows:

### Schedule A

24 Description of property on Boulter Industrial Parkway  
25

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

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1 All that tract or parcel of land, situate in the Town of Webster, County  
2 of Monroe, State of New York, all as shown on a map entitled "Boulter  
3 Industrial Park Lot 3, Subdivision Map", prepared by Costich Engineer-  
4 ing, P.C., having Drawing No. 1755 VS100, dated 1/21/2010, being more  
5 particularly bounded and described as follows:

6 Commencing at the northwesterly corner of Boulter Industrial Parkway,  
7 as shown on "Boulter Industrial Park Lot 4, Subdivision Map" prepared by  
8 Costich Engineering, P.C. and filed with the Monroe County Clerk's  
9 Office in Liber 303 of Maps, Page 20; thence

10 A.  $01^{\circ}36'31''$  West, a distance of 6.00 feet to a point; thence

11 B. South  $88^{\circ}23'29''$  West, a distance of 25.00 feet to a point; thence

12 C. Along a non-tangent curve to the left having a delta angle of  
13  $42^{\circ}57'41''$ , a radius of 236.00 feet, and an arc length of 176.96 feet,  
14 said curve also having a chord of South  $66^{\circ}54'48''$  West, 172.84 feet to a  
15 point; thence

16 D. Southwesterly along a curve to the left having a delta angle of  
17  $09^{\circ}13'23''$ , a radius of 235.97 feet, and an arc length of 37.98 feet,  
18 said curve also having a chord of South  $40^{\circ}48'46''$  West 37.94 feet to a  
19 point; thence

20 E. Southwesterly along a non-tangent curve to the right having a delta  
21 angle of  $53^{\circ}08'37''$ , a radius of 270.00 feet, and an arc length of 250.43  
22 feet, said curve also having a chord of South  $62^{\circ}46'41''$  West 241.55 feet  
23 to a point; thence

24 F. South  $89^{\circ}20'59''$  West, a distance of 222.02 feet to the point and  
25 place of beginning; thence

26 1. South  $89^{\circ}20'59''$  West, a distance of 200.00 feet to a point; thence

27 2. North  $00^{\circ}39'02''$  West, a distance of 577.25 feet to a point; thence

28 3. North  $89^{\circ}20'59''$  East, a distance of 200.00 feet to a point; thence

29 4. South  $00^{\circ}39'02''$  East, a distance of 577.25 feet to the point and  
30 place of beginning. Containing 2.650 acres of land, more or less.

31 § 4. In the event that the fair market value of the parklands  
32 described in section three of this act to be dedicated by the town of  
33 Webster pursuant to this act are not equal to or greater than the fair  
34 market value of the parklands to be alienated as described in section  
35 three of this act, the town of Webster shall dedicate the difference of  
36 the fair market value of the lands to be alienated and the lands to be  
37 dedicated for the acquisition of additional parklands and/or capital  
38 improvements to existing park and recreational facilities.

39 § 5. In the event that the town of Webster received any funding  
40 support or assistance from the federal government for the purchase,  
41 maintenance or improvement of the parklands set forth in section three  
42 of this act, the discontinuance and alienation of such parkland author-  
43 ized by the provisions of this act shall not occur until the town of  
44 Webster has complied with any federal requirements pertaining to the  
45 alienation or conversion of parklands, including satisfying the secre-  
46 tary of the interior that the alienation or conversion complies with all  
47 conditions which the secretary of the interior deems necessary to assure  
48 the substitution of other lands shall be equivalent in fair market value  
49 and usefulness to the lands being alienated or converted.

50 § 6. This act shall take effect immediately.