

STATE OF NEW YORK

9176

IN SENATE

May 12, 2022

Introduced by Sen. HELMING -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT in relation to authorizing the town of Webster, county of Monroe, to alienate certain lands used as parkland by the Candlewood Park District and to dedicate certain other lands as parklands for use by the Bear Creek Park 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, alienate the lands and
5 divide from the Candlewood park district more particularly described in
6 section three of this act, creating a new park district consisting of
7 2.33 acres of land on Bear Creek Circle and designate and convey such
8 land to the Bear Creek park 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 acquire and
11 dedicate the lands described in section three of this act as parklands.

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

14 All those tracts or parcels of land situated in the Town of Webster,
15 County of Monroe, State of New York, being individually and more partic-
16 ularly bounded and described as follows:

17 Commencing at a point on the southeast property corner of 1086 Bear
18 Creek Circle having tax ID # 095.02-2-1, said point also being the west
19 Right of Way line of Harris Road; thence S 89° 49' 44" W a distance of
20 564.45± feet along the Webster Penfield border to the southwest property
21 corner of 1092 Bear Creek Circle, said point being the point and place
22 of beginning; thence

23 1. S 89° 49' 44" W continuing along the Webster Penfield border a
24 distance of 300.00± feet to a point; thence

25 2. N 48° 25' 48" E a distance of 314.68± feet to a point; thence

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

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1 3. N 19° 6' 32" E a distance of 233.34± feet to a point; thence
2 4. N 15° 4' 7" E a distance of 93.49± feet to a point; thence
3 5. S 76° 24' 33" E a distance of 162.54± feet to a point; thence
4 6. N 73° 15' 27" E a distance of 388.38± feet to a point on the west
5 Right of Way line of Harris Road; thence
6 7. S 0° 9' 9" W a distance of 150.00± feet to a point, said point
7 being the northeast property corner of 1087 Bear Creek Circle; thence
8 8. N 89° 50' 51" W a distance of 404.43± feet to a point, said point
9 being a northerly property corner of 1093 Bear Creek Circle; thence
10 9. S 44° 43' 36" W a distance of 196.41± feet to a point, said point
11 being a westerly property corner of 1095 Bear Creek Circle; thence
12 10. S 15° 36' 49" W a distance of 87.81± feet to a point, said point
13 being the southwest property corner of 1095 Bear Creek Circle; thence
14 11. S 0° 10' 16" E a distance of 219.32± feet along the west property
15 line of 1094 Bear Creek Circle to the point and place of beginning.

16 § 4. In the event that the fair market value of the parklands
17 described in section three of this act to be dedicated by the town of
18 Webster pursuant to this act are not equal to or greater than the fair
19 market value of the parklands to be alienated as described in section
20 three of this act, the town of Webster shall dedicate the difference of
21 the fair market value of the lands to be alienated and the lands to be
22 dedicated for the acquisition of additional parklands and/or capital
23 improvements to existing park and recreational facilities.

24 § 5. In the event that the town of Webster received any funding
25 support or assistance from the federal government for the purchase,
26 maintenance or improvement of the parklands set forth in section three
27 of this act, the discontinuance and alienation of such parkland author-
28 ized by the provisions of this act shall not occur until the town of
29 Webster has complied with any federal requirements pertaining to the
30 alienation or conversion of parklands, including satisfying the secre-
31 tary of the interior that the alienation or conversion complies with all
32 conditions which the secretary of the interior deems necessary to assure
33 the substitution of other lands shall be equivalent in fair market value
34 and usefulness to the lands being alienated or converted.

35 § 6. This act shall take effect immediately.