

STATE OF NEW YORK

6610

2023-2024 Regular Sessions

IN SENATE

April 28, 2023

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 2

AN ACT in relation to authorizing the city of Rochester to convey by appropriate instruments to the Rochester Pure Waters District, an easement in Genesee Valley Park, for installation and maintenance of sanitary sewer facilities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The city of Rochester, acting by and through its governing
2 body, is hereby authorized to convey by appropriate instruments to the
3 Rochester Pure Waters District, a permanent easement in Genesee Valley
4 Park described in section three of this act, for the purpose of enabling
5 such water district to construct, operate, repair, replace, and maintain
6 sanitary sewer facilities. Upon completion of any repairs or
7 construction, the Rochester Pure Waters District shall restore the
8 surface of the lands and the lands shall continue to be used for park
9 purposes.

10 § 2. The authorization provided in section one of this act shall be
11 effective only upon the condition that the University of Rochester
12 grants to the city of Rochester a conservation easement over a 3.962
13 acre parcel of land adjacent to Genesee Valley Park, and that the
14 University of Rochester further compensate the city of Rochester in a
15 sum of not less than \$100,000 or an amount equal to or greater than the
16 fair market value of the easement interest being alienated pursuant to
17 section one of this act, whichever is greater, to be used for the acqui-
18 sition of new parklands and/or capital improvements to existing park and
19 recreational facilities.

20 § 3. The easements to be conveyed by the city of Rochester pursuant to
21 the provisions of this act are described as follows:

22 MAP 1, PARCEL 1:

23 All that track or parcel of land being in the City of Rochester, Coun-
24 ty of Monroe, State of New York, as shown on the accompanying map and

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

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1 described as follows: Commencing at an angle point in the southerly
2 property line of the City of Rochester (reputed owner), Tax Account No.
3 148.06-1-1.001 on the north and property of the City of Rochester
4 (reputed owner), Tax Account No. 135.15-1-1 on the south; thence S 83°
5 50' 06" W along said division line a distance of 122.53 feet to the true
6 point of beginning, said point having coordinates of N 1,138,746.57 and
7 E 1,401,724.37; thence, continuing south westerly along the said divi-
8 sion line S 83° 50' 06" W, 44.77 feet to a point, said point having
9 coordinates of N 1,138,741.76 and E 1,401,679.86; thence, through land
10 owned by the City of Rochester (reputed owner), Tax Account No.
11 148.06-1-1.001, N 32° 51' 14" W, 187± feet to a point on the approximate
12 mean high water of the Genesee River: thence easterly along the approxi-
13 mate high water of the Genesee River 43± feet to a point; thence,
14 through lands owned by the City of Rochester (reputed owner), Tax
15 Account No. 148.06-1-1.001, S 32° 51' 14" E 193± feet to the point of
16 beginning, being 7,572± square feet or 0.174± acres.

17 MAP 2, PARCEL 1:

18 All that track or parcel of land being in the City of Rochester, Coun-
19 ty of Monroe, State of New York, as shown on the accompanying map and
20 described as follows: Commencing at an angle point in the southerly
21 property line of the City of Rochester (reputed owner), Tax Account No.
22 148.06-1-1.001 on the north and property of the City of Rochester
23 (reputed owner), Tax Account No. 135.15-1-1 on the south; thence S 83°
24 50' 06" W along said division line a distance of 122.53 feet to the true
25 point of beginning, said point having coordinates of N 1,138,746.57 and
26 E 1,401,724.37; thence, through land owned by the City of Rochester
27 (reputed owner), Tax Account No. 135.15-1-1, S 32° 51' 14" E, 280.84
28 feet to a point at the division line of lands owned by the University of
29 Rochester (reputed owner), Tax Account No. 135.67-1-2.001 on the south
30 and lands owned by the City of Rochester (reputed owner), Tax Account
31 No. 135.15-1-1 on the north, said point having coordinates of N
32 1,138,510.64 and E 1,401,876.73; thence south westerly along said divi-
33 sion line on a curve to the right with a radius of 2,435.31 feet a
34 distance of 43.72 feet to a point, said point having coordinates of N
35 1,138,474.12 and E 1,401,852.70; thence, through lands owned by the City
36 of Rochester (reputed owner), Tax Account No. 135.15-1-1, N 32° 51' 14"
37 W, 318.60 feet to a point at the division line of lands owned by the
38 City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001 on the
39 north and property of the City of Rochester (reputed owner), Tax Account
40 No. 135.15-1-1 on the south, said point having coordinates of N
41 1,138,741.76 and E 1,401,679.86; thence N 83° 50' 06" E along said divi-
42 sion line a distance of 44.77 feet to the point of beginning, being
43 11,992± square feet or 0.275± acres.

44 MAP 3, PARCEL 1:

45 All that track or parcel of land being in the City of Rochester, Coun-
46 ty of Monroe, State of New York, as shown on the accompanying map and
47 described as follows: Commencing on the southerly boundary of Elmwood
48 Avenue and the property line of the City of Rochester (reputed owner),
49 Tax Account No. 135.58-1-1 on the east and property of the City of
50 Rochester (reputed owner), Tax Account No. 135.51-1-8 on the west;
51 thence, the following courses and distances along said division line S
52 28° 49' 55" W 289.60 feet to a point, S 26° 36' 13" W 163.97 feet to a

1 point, S 29° 22' 52" W 57.60 feet to the true point of beginning, said
2 point having coordinates of N 1,139,566.23 and E 1,401,089.95; thence,
3 the following courses and distances through land owned by the City of
4 Rochester (reputed owner), Tax Account No. 135.58-1-1, S 58° 00' 55" E,
5 197.66 feet to a point, said point having coordinates of N 1,139,461.53
6 and E 1,401,257.60, S 33° 08' 00" E, 290± feet to a point on the approx-
7 imate mean high water of the Genesee River: thence southwesterly along
8 the approximate high water of the Genesee River 40 feet ± to a point;
9 thence, the following courses and distances through land owned by the
10 City of Rochester (reputed owner), Tax Account No. 135.58-1-1, N 33° 08'
11 00" W, 278± feet to a point, said point having coordinates of N
12 1,139,432.27 and E 1,401,228.93, N 58° 00' 55" W, 188.14 feet to a point
13 at the division line of lands owned by the City of Rochester (reputed
14 owner), Tax Account No. 135.58-1-1 on the east and lands owned by the
15 City of Rochester (reputed owner), Tax Account No. 135.51-1-8 on the
16 west, said point having coordinates of N 1,139,531.93 and E
17 1,401,069.35; thence, the following courses and distances along said
18 division line, N 31° 12' 15" E, 35.19 feet, N 29° 22' 52" E, 4.82 feet
19 to the point of beginning, being 19,075± square feet or 0.438± acres.

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MAP 4, PARCEL 1:

21 All that track or parcel of land being in the City of Rochester, Coun-
22 ty of Monroe, State of New York, as shown on the accompanying map and
23 described as follows: Commencing on the southerly boundary of Elmwood
24 Avenue and the property line of the City of Rochester (reputed owner),
25 Tax Account No. 135.58-1-1 on the east and property of the City of
26 Rochester (reputed owner), Tax Account No. 135.51-1-8 on the west;
27 thence, the following courses and distances along said division line S
28 28° 49' 55" W 289.60 feet to a point, S 26° 36' 13" W 163.97 feet to a
29 point, S 29° 22' 52" W 57.60 feet to the true point of beginning, said
30 point having coordinates of N 1,139,566.23 and E 1,401,089.95; thence,
31 the following courses and distances along said division line, S 29° 22'
32 52" W, 4.82 feet, S 31° 12' 15" W, 35.19 feet to a point, said point
33 having coordinates of N 1,139,531.93 and E 1,401,069.35; thence, through
34 land owned by the City of Rochester (reputed owner), Tax Account No.
35 135.51-1-8, N 58° 00' 55" W, 40.84 feet to a point at the division line
36 of lands owned by the City of Rochester (reputed owner), Tax Account No.
37 135.51-1-8 on the east and lands owned by the City of Rochester (reputed
38 owner), Tax Account No. 135.58-1-2 on the west, said point having coor-
39 dinates of N 1,139,553.56 and E 1,401,034.71; thence, the following
40 courses and distances along said division line, N 32° 46' 56" E, 33.69
41 feet to a point, N 30° 57' 33" E, 6.32 feet to a point; thence, through
42 land owned by the City of Rochester (reputed owner), Tax Account No.
43 135.51-1-8, S 58° 00' 55" E, 39.79 feet to the point of beginning, being
44 1,612± square feet or 0.037± acres.

45 § 4. The conveyance of the easement authorized by the provisions of
46 this act shall not occur until the city of Rochester has complied with
47 any federal requirements pertaining to the alienation or conversion of
48 parklands, including satisfying the secretary of the interior that the
49 alienation or conversion complies with all conditions which the secre-
50 tary of the interior deems necessary to assure that the substitution of
51 other lands be equivalent in fair market value and recreational useful-
52 ness to the lands being alienated or converted.

53 § 5. This act shall take effect immediately.