STATE OF NEW YORK

6916--A

2025-2026 Regular Sessions

IN ASSEMBLY

March 18, 2025

Introduced by M. of A. HAWLEY -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the city of Batavia to alienate certain parklands for use as a municipal parking lot and to preserve the historic Brisbane mansion

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

Section 1. Subject to the provisions of this act, the city of Batavia, located in the county of Genesee, acting by and through its governing body and upon such terms and conditions as determined by such body, is hereby authorized to discontinue as parklands and to sell and convey at fair market value the lands more particularly described in section three of this act, for the purposes of providing free municipal parking and preserving the historic Brisbane mansion for residential or hotel uses.

§ 2. The authorization contained in section one of this act shall only be effective on the condition that the city of Batavia dedicate an amount equal to or greater than the fair market value of the parklands being alienated pursuant to section one of this act towards the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. The parklands authorized by section one of this act to be discontinued as parklands are described as follows:

ALL that tract or parcel of land, situate in the City of Batavia, County of Genesee and State of New York, being part of Original Village Lots 15 and 16 and part of the alley adjoining Lot 16 on the east, and more particularly described as follows:

Beginning at a point on the northerly street line of East Main Street at the southwest corner of land owned by the United States Government, known as the Post Office property, said point being N 79°47'00" W,

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

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149.68' from the intersection of the northerly street line of East Main Street and the westerly street line of Jefferson Avenue;

Thence N 79°47'00" W, along the northerly street line of East Main Street, a distance of 50.39' to a point;

Thence N 58°32'00" W, along the northerly street line of West Main Street, a distance of 147.05' to a point;

Thence N 30°40'00" E, along the easterly line of lands of the County of Genesee, a distance of 133.04' to a point;

Thence S 59°20'00" E, continuing along the easterly line of lands of the County of Genesee, a distance of 25.00' to a point;

Thence N 30°40'00" E, continuing along the easterly line of lands of the County of Genesee, a distance of 120.00' to a point;

Thence N 59°20'00" W, continuing along the easterly line of lands of the County of Genesee, a distance of 31.00' to a point;

Thence N 30°40'00" E, continuing along the easterly line of lands of the County of Genesee and an extension thereof, a distance of 55.00' to a point;

Thence S 59°04'00" E a distance of 341.61' to a point on the westerly street line of Jefferson Avenue;

Thence S 30°56'00" W, along the westerly street line of Jefferson Avenue, a distance of 83.60' to a point, said point being the northeast corner of the Post Office property, said point also being N 30°56'00" E, 155.00' from the intersection of the northerly street line of East Main Street and the westerly street line of Jefferson Avenue;

Thence N 59°04'00" W, along the northerly line of the Post Office property, a distance of 140.00' to a point, said point being the northwest corner of the Post Office property;

Thence S 30°56'00" W, along the westerly line of the Post Office property, a distance of 207.95' to the point of beginning, containing 1.580 +/- acres.

§ 4. In the event that the city of Batavia received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the city of Batavia has complied with any federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 5. This act shall take effect immediately.