S T A T E O F N E W Y O R K

245

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

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

AN ACT to authorize the city of Watertown, county of Jefferson, to lease certain parklands

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 but notwithstanding chapter 308 of the laws of 1998, the city of Watertown, county of Jefferson, is hereby authorized, acting by and through its city council, to lease to the Watertown Family YMCA, Inc. for a term not to exceed twenty-five years, the municipally owned parkland more particularly described in section three of this act, consisting of a public indoor sports facility with indoor athletic fields, exercise/weight training areas, concession facilities and related facilities.

S 2. The authorization provided in section one of this act shall be effective only upon the condition that the city of Watertown, county of Jefferson, dedicate an amount equal to the fair market value of those interests being transferred by this act, for the acquisition of additional parklands and/or for capital improvements to existing park and recreational facilities.

S 3. The lands referred to in section one of this act are located, bounded and described as follows:

BEGINNING at a 3/4" iron pipe found in the westerly margin of Rand Drive, said iron pipe also marking the most northeasterly corner of P.N. 829103, said iron pipe being situate N 34°-50'-00" E a direct tie distance of 414.00± feet from the northerly margin of Coffeen Street;

THENCE N 54°-47'-00" W along the northerly property line of P.N. 829103 passing through a 3/4" iron pipe found at 450.00± feet and continuing on the same bearing a total distance of 516.00± feet to a 3/4" iron pipe set in the easterly property line of P.N. 829101.2;

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

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THENCE N 34°-50-00" E along the easterly property line of P.N. 829101.2 a distance of 205.67± feet to a railroad spike set at the point of intersection of the easterly property line of P.N. 829101.2 and the easterly property line of the Western Outfall Trunk Sewer (W.O.T.S.) P.N. 829102;

THENCE N 42°-01'-24" E along the easterly property line of the W.O.T.S. P.N. 829102 a distance of 224.41± feet to a railroad spike set;

THENCE S 54°47'-00" E along the newly created lease dividing line a distance of 487.91± feet to a 3/4" iron pipe set;

THENCE S 34°-50'-00" W along a prolongation line of the westerly margin line of Rand Drive, passing through a 3/4" iron pipe found at 123.41± feet and continuing on the same bearing along the actual westerly margin line of Rand Drive, a total distance of 428.50± feet to the point and place of beginning.

CONTAINING 217,971.71± square feet (5.00 acres) of land more or less.

SUBJECT to and including any and all rights or restrictions of record.

S 4. Should the interests described in section three of this act cease to be operated as a public indoor sports facility, such interests shall revert to the city of Watertown, county of Jefferson, for public park and recreational purposes. Such public indoor sports facility shall be made available to the general public on an equitable basis. Where availability of public facilities are limited, the use of such facilities must be determined by a reservation policy which provides priority use to the general public.

S 5. If the parkland that is the subject of this act has received funding pursuant to the federal land and water conservation fund, the discontinuance of parkland authorized by the provisions of this act shall not occur until the municipality has complied with the federal requirements pertaining to the conversion of parklands, including satisfying the secretary of the interior that the discontinuance will include 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 recreational usefulness to the lands being discontinued.

S 6. This act shall take effect immediately.