

5873

2009-2010 Regular Sessions

I N S E N A T E

June 15, 2009

Introduced by Sen. McDONALD -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT in relation to authorizing the town of Malta, county of Saratoga to discontinue the use of certain lands as parklands and to sell and convey such lands, which are no longer needed for park purposes

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 but notwithstanding
2 any provision of law to the contrary, the town of Malta, county of Sara-
3 toga is hereby authorized, acting by and through its town board and upon
4 such terms and conditions as determined by such legislative body, to
5 discontinue the use of the municipally owned parkland more particularly
6 described in section three of this act, and to sell and convey such
7 lands, including the historic residence known as the "Wiggins-Collamer
8 House" located at 450 East High Street in the town of Malta, which are
9 no longer needed for park purposes, upon such other terms and conditions
10 as may be determined by such board, but at fair market value.

11 S 2. The authorization provided in section one of this act shall be
12 effective only upon the condition that the town of Malta dedicate an
13 amount equal to or greater than the fair market value of the property
14 being alienated by this act for the acquisition of additional parklands
15 and/or for capital improvements to existing park and recreational facil-
16 ities.

17 S 3. The lands authorized by this act to be discontinued as parklands
18 are as follows:

19 ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Malta, County
20 of Saratoga and State of New York, lying in the northwest corner of the
21 intersection of East High Street and New York State Highway Route No. 9
22 and being more particularly bounded and described as follows: BEGINNING
23 at an iron rod set at the intersection of East High Street and New York
24 State Highway Route No. 9, as shown on a map entitled "Map Showing

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

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1 Survey of Lands of the Town of Malta, Known As: Collamer Park" Prepared
2 by Louis J. Gnip, P.L.S. 49022, dated July 28, 1988; thence, from said
3 point of beginning North 09°40'55" West, 8.68 feet to a point on the
4 westerly line of New York State Highway No. 9, thence continuing along
5 said westerly line North 11°38'48" West, 151.24 feet to a point in said
6 westerly line of New York State Highway Route No. 9; thence South
7 82°04'49" West through the lands of The Town of Malta, 142.00 feet more
8 or less to a point; thence South 07°31'01" East through the lands of The
9 Town of Malta, 143.00 feet more or less to a point in the northerly line
10 of East High Street; thence easterly along a curve to the right, having
11 a radius of 979.75 feet according to said map, an arc distance of 154.16
12 feet, the chord of said curve bearing of North 88°16'00" East, a chord
13 distance of 154.00 feet, to the point and place of beginning and
14 containing in all 0.50 acre, more or less, and being a portion of the
15 lands described in a deed recorded in book 919 at page 1033 in the
16 office of the County Clerk for Saratoga County, New York.

17 S 4. The discontinuance and conveyance of parkland authorized by the
18 provisions of this act shall not occur until the town of Malta has
19 complied with any federal or state requirements pertaining to the alien-
20 ation or conversion of parklands, including satisfying the secretary of
21 the interior that the alienation or conversion complies with all condi-
22 tions which the secretary of the interior deems necessary to assure that
23 the substitution of other lands shall be equivalent in fair market value
24 and recreational usefulness to the lands being alienated or converted.

25 S 5. In the event that the park lands to be dedicated by the town of
26 Malta pursuant to this act are not of equal or greater fair market value
27 and usefulness as park lands than the park lands to be discontinued, the
28 town of Malta shall dedicate the difference of fair market value and/or
29 usefulness of the lands to be alienated and the lands to be dedicated
30 for the acquisition of additional park lands and/or capital improvements
31 to existing park and recreational facilities.

32 S 6. This act shall take effect immediately.