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

7554

I N S E N A T E

April 21, 2010

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 village of Dexter, town of Brownville, county of Jefferson to discontinue the use of certain village lands as parkland and to sell and convey such lands

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The village of Dexter, town of Brownville, Jefferson county, is hereby authorized to discontinue as parklands and alienate, sell and convey the lands described in section two of this act for fair market value and in exchange therefor, dedicate as parklands new land or make improvements to existing park and recreational facilities, as necessary, to equal such fair market value.

S 2. The lands to be discontinued as parklands and alienated, sold and conveyed are described as follows:

All the tract or certain parcel of land located in the village of Dexter, town of Brownville, Jefferson county situated to the south of Water Street and more particularly described as follows:

Beginning at a 1/2 inch iron pipe with stamped red survey cap set (January 2005) at the southwest corner of a 0.303 acre parcel of land described in a deed from Harry L. Dence to Carolyn A. Symonds dated January 27, 2005 and recorded in the Jefferson county clerk's office on February 11, 2005 as instrument no. 2005-2216, said point of beginning is also situated S.16°20'05"W., along the west line of the above referenced 0.303 acre Symonds parcel, a distance of 132.00 feet from a 1/2 inch iron rod with stamped red survey cap set (January 2005) in a concrete drive in the southerly margin of Water Street; Thence from said point of beginning S.73°34'00"E., along a southerly line of the above referenced 0.303 acre Symonds parcel, a distance of 50.00 feet to a 1/2 inch pipe with stamped red survey cap set (January 2005) at a corner thereof; Thence N.16°20'05"E., continuing along a line of the above referenced 0.303 acre Symonds parcel, a total distance of 22.00 feet to a 1/2 inch iron pipe with stamped red survey cap set (January 2005) at a corner of said 0.303 acre and passing on line at 8.16 feet a 3/4 inch

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

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iron pipe found; Thence S.73°39'55"E., continuing along a southerly line of the above referenced 0.303 acre Symonds parcel, a distance of 60.00 feet to a 1/2 inch iron pipe with stamped red survey cap set (January 2005) at the southeast corner of said 0.303 acres, said iron pipe is situate S. 16°20'05"W., along the east line of the above referenced 0.303 acre Symonds parcel, a distance of 110.00 feet from a 1/2 inch iron rod set in blacktop (flush) in the southerly margin of Water Street; Thence S.16°20'05"W., along the southerly prolongation of the east line of the above referenced 0.303 acre Symonds parcel, a distance of approximately 40 feet to the shoreline of the Black River; Thence in a general westerly direction, along the shoreline of the Black River as it bends and turns, to a point; Thence, N.16°20'05"E., along the southerly prolongation of the west line of the above referenced 0.303 acre Symonds parcel, a distance of approximately 36 feet to the point of beginning

S 3. In the event that the replacement village parklands to be dedicated in section two of this act are not equal to twice the size of the lands to be alienated in substitution of said lands, or are not equal to or greater than the fair market value of the lands to be alienated in section two of this act, the village of Dexter shall dedicate additional village-owned lands for parkland and/or cause funds to be made available for capital improvements to its existing park and recreational facilities, as necessary, to equal such fair market value.

S 4. The discontinuance and conveyance of parkland authorized by the provisions of this act shall not occur until the village of Dexter has complied with any federal requirements pertaining to the alienation or conversation of parklands, including satisfying the secretary of the interior that the conversion complies with all conditions which the secretary of interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and recreational usefulness to the lands being alienated or converted.

S 5. This act shall take effect immediately.