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

8140

I N S E N A T E

June 11, 2010

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

AN ACT in relation to authorizing the village of Heuvelton, county of St. Lawrence to transfer ownership of certain parklands to the Heuvelton central school district

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

Section 1. The village of Heuvelton, county of St. Lawrence is hereby authorized and empowered to discontinue as parkland and convey the properties described in section two of this act, which were heretofore used by such village for park and/or recreational purposes, upon terms agreed upon between the entities, to the Heuvelton central school district for use by such school district, provided, however, that the Heuvelton central school district shall continue to provide access to such parklands and/or recreational facilities to all residents of the county of St. Lawrence and the Heuvelton central school district shall not enact any fees or charges which are higher for county residents who are not village residents. Any revenues received from the village from the transfer of parklands pursuant to this act shall be used for capital improvements of existing park and recreational facilities and/or for the acquisition of additional park and recreational facilities.

S 2. The lands referred to in section one of this act are located, bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate northwesterly of Washington Street, in Block Number 11 of the Village of Heuvelton, County of St. Lawrence and State of New York, being part of the "original burial lot" and being more particularly bounded and described as follows:

BEGINNING at a 5/8" iron rod set in the northerly boundary of said Washington Street at it's intersection with the former southwesterly boundary of York Street, said point also being the southeasterly corner of Block Number 11 and running;

Thence South 55 degrees 20 minutes 50 seconds West along the northerly boundary of said Washington Street a distance of 205.92 feet to a 5/8" iron rod set;

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

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Thence North 34 degrees 10 minutes 42 seconds West partially along the northeasterly boundary of lands now or formerly of Andrew D. & Victoria L. Thornhill (Liber 1108 Page 111) and partially along the northeasterly boundary of lands now or formerly of Michael P. & Patricia E. Hebert (Liber 1009 Page 1048) a total distance of 211.98 feet to a 5/8" iron rod set;

Thence North 56 degrees 29 minutes 05 seconds East through the lands now or formerly of the Village of Heuvelton a distance of 205.92 feet to a 5/8" iron rod set in former southwesterly boundary of York Street;

Thence South 34 degrees 10 minutes 46 seconds East along the former southwesterly boundary of York Street a distance of 207.89 feet to the Point of Beginning.

Containing 0.99 acres of land more or less as surveyed during the month of August, 2008 by Richard D. Jacobs L.L.S. 050588. All bearings as referenced herein are referenced to Magnetic North as determined by compass needle on the date of the aforementioned survey.

Being a portion of the premises conveyed by the Heuvelton Central School District to the Village of Heuvelton by an unrecorded deed dated May 12, 1981.

Subject to a right of way across the remaining lands of the Village of Heuvelton as conveyed to them by the aforesaid unrecorded deed.

TOGETHER WITH AND SUBJECT TO ANY EASEMENTS, EXCEPTIONS, RIGHTS, PRIVILEGES, OBLIGATIONS, COVENANTS, AND CONDITIONS OF RECORD.

S 3. The lands to be transferred pursuant to this act and all structures and facilities situated on such land shall be maintained, owned and operated by the Heuvelton central school district.

S 4. Where availability of such public parkland and facilities are limited, the use of such parklands and facilities must be determined by an equitable method which provides priority use based on a reservation policy for free or a fee commensurate with the administrative costs necessary to maintain and operate such a facility or facilities.

S 5. This act shall take effect immediately.