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

8140--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 transfer and convey the properties described in section three 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.

S 2. The authorization contained in section one of this act shall be effective only on the condition that the village of Heuvelton acquire and dedicate as parkland additional lands of equal or greater fair market value than the parklands being alienated and/or make capital improvements to existing parklands and recreational facilities equal to or greater than the fair market value of the parklands being alienated.

S 3. 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 4. If the parkland that is the subject of this legislation has received funding pursuant to the federal land and water conservation fund, the discontinuance of parkland authorized by the provisions of this legislation 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 5. This act shall take effect immediately.