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

10098--B

I N A S S E M B L Y

May 3, 2012

Introduced by M. of A. SKARTADOS -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the conveyance of certain real property in the city of Poughkeepsie subject to section twenty of the general city law

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

Section 1. Notwithstanding any inconsistent provisions of section 20 of the general city law, and in anticipation of a chapter amendment to include metes and bounds for Parcels B and C, the city of Poughkeepsie is hereby authorized to convey to 1687 Properties, LLC, owned by the not-for-profit organization The Dyson Foundation, at fair market value, all its rights, title and interest in the real property and improvements thereon described as Parcel A, Parcel B and Parcel C in section three of this act. Provided, however, that Parcel A shall be used solely for non-commercial recreational purposes for the general public subject to existing easements and rights of ways as of the effective date of this act.

S 2. The authorization contained in section one of this act shall take effect only upon the conditions that the city of Poughkeepsie dedicate an amount equal to or greater than the fair market value of Parcel A in section three of this act toward the acquisition of additional waterfront property and/or payment for the acquisition of waterfront property and that the city of Poughkeepsie dedicate an amount equal to or greater than the fair market value of Parcel B and Parcel C toward the acquisition of additional waterfront property and/or improvements to existing waterfront property.

S 3. The property authorized by section one of this act to be conveyed is generally described as a parcel of real property with improvements thereon, consisting of approximately 2.717 acres, located at 83 North Water Street in the City of Poughkeepsie, County of Dutchess, and is bounded by the Hudson River on the west, the Fallkill Creek on the

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

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South, North Water Street on the East and the property line of Central Hudson Gas and Electric Corp. on the North, and being more particularly described as follows:

Parcel A

SCHEDULE A DESCRIPTION

All that parcel of land situate in the City of Poughkeepsie, County of Dutchess and State of New York, bounded and described as follows:

Beginning at a point on the assumed westerly line of North Water Street at the northeasterly corner of lands, now or formerly of Adolfo's of Poughkeepsie and the southeasterly corner of lands now or formerly of Center Hudson Gas & Electric Corp., thence along the northerly line of lands now or formerly of Adolfo's of Poughkeepsie, the northerly line of the Creek, and the southerly line of lands now or formerly of Central Hudson Gas & Electric Corp., the following three (3) courses and distances:

1. North 73° 10' 58" West 14.34 feet,
2. North 75° 20' 27" West 118.70 feet,
3. North 88° 51' 50" West 210.31 feet to a point near the easterly line of the Hudson River, thence along said easterly shore of the Hudson River and line of formerly Water Grants the following two (2) courses and distances:
4. North 00° 20' 35" East 100.00 feet,
5. North 09° 54' 25" West 53.00 feet to a proposed lot line between Lot 1 to the north and the herein described Lot 2 to the south, thence along said proposed lot line between Lot 1 and Lot 2 the following eight (8) courses and distances:
6. North 88° 18' 40" East 139.71 feet,
7. North 86° 53' 00" East 127.26 feet,
8. North 49° 38' 00" West 53.00 feet,
9. North 44° 30' 00" West 76.17 feet,
10. North 59° 51' 00" East 74.41 feet,
11. North 88° 31' 20" East 201.06 feet,
12. North 50° 31' 40" East 134.80 feet,
13. South 89° 23' 46" East 42.30 feet to a point on the aforementioned assumed westerly line of North Water Street, thence along the aforementioned westerly road line of North Water Street the following six (6) courses and distances:
14. South 20° 22' 30" West 50.19 feet,
15. South 22° 38' 15" West 84.62 feet,
16. South 26° 55' 56" West 236.59 feet,
17. South 67° 25' 17" West 46.96 feet,
18. South 44° 48' 46" West 45.43 and
19. South 08° 25' 51" West 32.06 feet to the point of beginning.

Containing 2.717 acres, more or less

Excluding those lands contained in Parcel B and Parcel C.

Subject to a Access Easement No. 1, Access Easement No. 2, Utility Easement No. 1, Utility Easement No. 2 and Utility Easement No. 3 as shown on Filed Map #11198.

Utility Easement No. 1, Utility Easement No. 2 and Utility Easement No. 3 are further described as follows:

Utility Easement No. 1

Beginning at a point on the assumed westerly line of North Water Street at its intersection with the division line between lands now or formerly of Adolfo's of Poughkeepsie, now or formerly Mid-Hudson Children's Center Doc. 02-2004-4074 on the south and lands now or formerly of Central Hudson Energy Group, Inc. on the north. Thence along said

division line North 73° 10' 58" West 6.43 feet. Thence through said lands of Central Hudson Energy Group, Inc. (hereafter called Lot 2) the following four (4) courses and distances: 1) North 33° 09' 00" West 39.94 feet, 2) North 55° 49' 36" West 159.95 feet, 3) North 48° 01' 30" West 58.68 feet, 4) North 45° 28' 10" West 42.10 feet to its intersection with the lot line between Lot 1 F.M. 11198 on the north and said lot 2 on the south. Thence along said lot line the following two (2) courses and distances: 1) North 88° 18' 40" East 26.27 feet, 2) North 86° 53' 00" East 14.93 feet. Thence through said Lot 2 the following four (4) courses and distances: 1) South 45° 28' 10" East 13.20 feet, 2) South 48° 01' 30" East 55.96 feet, 3) South 55° 49' 36" East 163.92, 4) South 33° 09' 00" East 25.92 feet to its intersection with said line of North Water Street. Thence along said line of North Water Street the following two (2) courses and distances: 1) South 44° 48' 46" West 4.69 feet and 2) South 08° 25' 51" West 32.06 feet to the point of beginning.

Containing 8,461 Sq. Ft. or 0.194 Acre more or less.

Utility Easement No. 2

Beginning at a point on the assumed westerly line of North Water Street being distant the following four (4) courses and distances as measured along said line of North Water Street from its intersection with the division line between lands now or formerly of Mid Hudson Children's Center Doc. 02-2004-4074 on the south and Lot 2, F.M. 11198 on the north; 1) North 08° 25' 51" East 32.06 feet, 2) North 44° 58' 46" East 45.43 feet, 3) North 67° 25' 17" East 46.96 feet, 4) North 26° 55' 56" East 90.08 feet. Thence through said Lot 2 the following four (4) courses and distances: 1) North 74° 32' 00" West 109.86 feet, 2) South 78° 59' 00" West 86.29 feet, 3) South 83° 09' 00" West 90.01 feet to the northeasterly line of aforedescribed Utility Easement No. 1, Thence along the just mentioned line the following two (2) courses and distances: 1) North 48° 01' 30" West 32.72 feet, 2) North 45° 28' 10" West 13.20 feet to its intersection with the lot line between Lot 1 F.M. 11198 on the north and said Lot 2 on the south. Thence along said lot line the following two (2) courses and distances: 1) North 86° 53' 00" East 112.33 feet, 2) North 49° 38' 00" West 2.42 feet. Thence through said Lot 2 the following two (2) courses and distances: 1) North 78° 59' 00" East 100.52 feet, 2) South 74° 32' 00" East 123.00 feet to its intersection with said line of North Water Street. Thence along said line of North Water Street South 26° 43' 56" West 30.61 feet to the point of beginning of this parcel.

Containing 9,381 Sq. Ft. = 0.215 Acre more or less.

Utility Easement No. 3

Beginning at a point on the assumed westerly line of North Water Street being distant the following four (4) courses and distances are measured along said line of North Water Street from its intersection with the division line between lands now or formerly of Mid-Hudson Children's Center Doc 02-2004-4074 on the south and Lot 2 F.M. 11198 on the north: 1) North 08°25'51" East 32.06 feet, 2) North 44°58'46" East 45.43 feet, 3) North 67°25'17" East 46.96 feet, 4) North 26°55'56" East 94.46 feet. Thence through said Lot 2, North 10°50'45" West 169.66 feet to its intersection with the lot line between Lot 1 F.M. 11198 on the north and said Lot 2 on the south (the last mentioned point being an angle point on said lot line). Thence along said lot line, N 50°31'40" East 34.18 feet. Thence through said Lot 2, South 10°50'45" East 147.33 feet to its intersection with said line of North Water Street. Thence along said line of North Water Street, S 26°55'56" West 48.97 feet to the point of beginning of this parcel.

Containing 4,755 Sq. Ft. = 0.109 Acre more or less.

Parcel B

Includes those lands containing the buildings known as the "Hoffman House" and the "Reynolds Homestead".

Parcel C

Includes the land containing a parking lot currently leased to the Metropolitan Transportation Authority.

S 4. The lands in Parcel A, transferred pursuant to this act, shall be used for non-commercial recreational purposes for the general public as provided for in section one unless otherwise authorized by an act of the state legislature.

S 5. This act shall take effect immediately.