

6019

2011-2012 Regular Sessions

I N   A S S E M B L Y

March 3, 2011

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Introduced by M. of A. JOHNS -- read once and referred to the Committee  
on Local Governments

AN ACT to authorize the town of Webster, in the county of Monroe, to  
discontinue the use of certain lands as parklands

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, the town of Webster,  
2     in the county of Monroe, acting by and through its town board, is hereby  
3     authorized to discontinue as parklands and alienate, sell and convey the  
4     lands described in section three of this act.

5     S 2. The authorization granted in section one of this act shall take  
6     effect upon the condition that the lands described in section four of  
7     this act to be acquired and dedicated as parkland by the town of Webster  
8     are of equal or greater fair market value than the fair market value of  
9     the lands being alienated by this act.

10    S 3. The lands authorized by section one of this act to be discontinued  
11    as parklands are located on Hard road in the town of Webster, Monroe  
12    county; comprise a total of 1.325 acres more or less; are identified as  
13    part of Monroe county tax map #79.11-01-0; and are particularly  
14    described as follows:

15    All that tract or parcel of land situate in part of Town Lot 47, Town  
16    of Webster, County of Monroe, State of New York, and being more particularly  
17    bounded and described as follows:

18    Commencing at the intersection of the northerly bounds of Ridge Road  
19    East - New York State Route 404 (66' R.O.W.) and the easterly bounds of  
20    Hard Road (66' R.O.W.); thence

21    A. N00°46'55"E, along said easterly bounds of Hard Road, a distance of  
22    698.15 feet to a point; thence

23    B. N04°56'00"E, along said easterly bounds of Hard Road, a distance of  
24    436.03 feet to the point and place of beginning, said point and place of  
25    beginning being on the common line between lands now or formerly owned

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

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by GBR Webster Limited Liability Company (T.A. #79. 15-01-03) to the south and lands now or formerly owned by the Town of Webster (T.A. #79.11-01-10) to the north; thence

1. N04°56'00"E along said easterly bounds of Hard Road, a distance of 190.53 feet to a point; thence

2. S84°57'39"E, a distance of 238.70 feet to a point; thence

3. Along a curve to the right having a delta angle of 90°00'00", a radius of 70.00 feet, and an arc distance of 109.96 feet, said curve also having a chord of S39°57'39"E 98.99 feet to a point; thence

4. S05°02'21"W, a distance of 120.53 feet to a point; thence

5. N84°57'39"W, a distance of 308.34 feet to the point and place of beginning. Containing 1.325 acres of land, more or less.

S 4. The replacement lands to be acquired and dedicated by the town of Webster as parkland for public park purposes are located in the town of Webster, Monroe county; comprise a total of 2.650 acres more or less; are identified as part of Monroe tax map #66.30-01-6.002; and are particularly described as follows:

All that tract or parcel of land situate in the Town of Webster, County of Monroe, State of New York, all as shown on a map entitled "Boulter Industrial Park Lot 3, Subdivision Map", prepared by Costich Engineering, P.C., having Drawing No. 1755 VS100, dated 1/21/2010, last revised 3/3/2010, map to be filed in the Monroe County Clerk's Office and being more particularly bounded and described as follows:

Commencing at the northwesterly corner of Boulter Industrial Parkway, as shown on "Boulter Industrial Park Lot 4, Subdivision Map" prepared by Costich Engineering, P.C. and filed with the Monroe County Clerk's Office in Liber 303 of Maps, Page 20; thence

A. N01°36'31"W, a distance of 6.00 feet to a point; thence

B. S88°23'29"W, a distance of 25.00 feet to a point; thence

C. Along a non-tangent curve to the left having a delta angle of 42°57'41", a radius of 236.00 feet, and an arc length of 176.96 feet, said curve also having a chord of S66°54'48"W 172.84 feet to a point; thence

D. Southwesterly along a curve to the left having a delta angle of 09°13'23", a radius of 235.97 feet, and an arc length of 37.98 feet, said curve also having a chord of S40°48'46"W 37.94 feet to a point; thence

E. Southwesterly along a non-tangent curve to the right having a delta angle of 53°08'37", a radius of 270.00 feet, and an arc length of 250.43 feet, said curve also having a chord of S62°46'41"W 241.55 feet to a point; thence

F. S89°20'59"W, a distance of 222.02 feet to the point and place of beginning; thence

1. S89°20'59"W, a distance of 200.00 feet to a point; thence

2. N00°39'02"W, a distance of 577.25 feet to a point; thence

3. N89°20'59"E, a distance of 200.00 feet to a point; thence

4. S00°39'02"E, a distance of 577.25 feet to the point and place of beginning. Containing 2.650 acres of land, more or less.

S 5. In the event that the replacement parklands to be acquired and dedicated by the town of Webster pursuant to this act are not of equal or greater fair market value than the parklands to be discontinued, the town of Webster shall dedicate the difference of fair market value of the lands to be alienated and the lands to be dedicated for the acquisition of additional parklands and/or capital improvements to existing park and recreational facilities.

1       S 6. The discontinuance and conveyance of parklands authorized by the  
2 provisions of this act shall not occur until the town of Webster has  
3 complied with any federal requirements pertaining to the alienation or  
4 conversion of parklands, including satisfying the secretary of the inte-  
5 rior that the alienation or conversion complies with all conditions  
6 which the secretary of the interior deems necessary to assure the  
7 substitution of other lands shall be equivalent in fair market value and  
8 recreational usefulness to the lands being alienated or converted.  
9       S 7. This act shall take effect immediately.