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I N   S E N A T E

March 1, 2012

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

AN ACT to authorize the city of Jamestown, in the county of Chautauqua, 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 city of Jamestown, in the county of Chautauqua, acting by and through its city council, is hereby authorized to discontinue as parklands the lands described in section three of this act.

2     S 2. The authorization granted in section one of this act shall take effect upon the condition that the lands described in section four of this act be dedicated as parkland by the city of Jamestown are of equal or greater fair market value than the fair market value of the lands being discontinued as parklands by this act.

3     S 3. The lands to be discontinued as parklands are described as follows:

4     ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Jamestown, County of Chautauqua and State of New York, being part of Lot 35, Town 2 and Range 11 of the Holland Land Company's Survey and more particularly bounded and described as follows: BEGINNING at an existing iron stake in the southwesterly line of Fluvanna Avenue (66 feet wide), said iron stake being also the northwesterly corner of lands conveyed to The Clip Joint, LLC by deed described in a deed recorded in the Chautauqua County Clerk's office in Liber 2714 of Deeds at page 688; thence S 22° 04' 54" W 121.75 feet; thence S 20° 51' 13" E 190.90 feet; thence S 68° 38' 05" W 208.88 feet; thence S 01° 02' 17" E 790.00 feet; thence S 68° 53' 16" W 784.54 feet; thence N 01° 48' 58" W 720.41 feet; thence northwesterly on a non-tangent curve, concave to the southwest, having a radius of 2027.08 feet, an arc distance of 602.07 feet (closure chord N 19° 43' 18" W 599.87 feet); thence easterly on a non-tangent curve, concave to the North, having a radius of 666.78 feet, an arc distance 827.46 feet (closure chord N 86° 26' 46" E 775.38 feet); thence N 34° 03' 05" E 33.47 feet; thence S 67° 59' 19" E 110.25 feet; thence northeasterly on a

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

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1 non-tangent curve, concave to the northwest, having a radius of 1005.4  
2 feet, an arc distance of 56.61 feet (closure chord N 49° 11' 09" E 56.60  
3 feet); thence N 01° 03' 01" W 6.84 feet; thence N 44° 42' 34" E 117.18  
4 feet; thence N 23° 03' 55" W 25.96 feet; thence N 35° 28' 23" E 11.80  
5 feet; thence S 67° 52' 37" E 106.32 feet to the point or place of begin-  
6 ning, containing 20.949± acres of land more or less.

7 S 4. The replacement lands to be dedicated by the city of Jamestown as  
8 parklands for public park purposes are described as follows:

9 PARCEL A

10 ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Jamestown,  
11 County of Chautauqua and State of New York, being part of Lot 34, Town 2  
12 and Range 11 of the Holland Land Company's Survey and more particularly  
13 bounded and described as follows: BEGINNING at a point in the west line  
14 of lands conveyed to Chautauqua, Cattaraugus, Allegany and Stuben South-  
15 ern Tier Extension Railroad Authority by deed describe in Liber 2462 of  
16 Deeds at page 247 and being the northeast corner of a portion of lands  
17 conveyed to George White by deed described in Liber 1901 of Deeds at  
18 page 515, said point also being N 01°48'58" W 140.00 feet along said  
19 Railroad Authority and George White lands from the intersection with the  
20 north line of Isabella Avenue; thence S 88°10'03" W 172.18 feet to the  
21 easterly shoreline of the Chadakoin River; thence northerly along said  
22 easterly shoreline of the Chadakoin River to the intersection with the  
23 northeasterly line of the parcel herein described and the existing  
24 southwesterly line of Chadakoin Park; thence S 53°02'14" E 320.80 feet  
25 to the said west line of the Railroad Authority lands; thence S  
26 01°48'58" E 876.83 feet along said west line of the Railroad Authority  
27 lands to an existing rail monument; thence S 88°11'02" W 16.00 feet to  
28 an existing iron stake; thence S 01°48'58" E 197.81 feet along said west  
29 line of the Railroad Authority lands to the point or place of beginning,  
30 containing 17.33± acres of land more or less.

31 PARCEL B

32 ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Jamestown,  
33 County of Chautauqua and State of New York, being part of Lot 34, Town 2  
34 and Range 11 of the Holland Land Company's Survey and more particularly  
35 bounded and described as follows: BEGINNING at the intersection of the  
36 north line of Tenth Street and the west line of Monroe Street, being the  
37 southeast corner of the parcel herein described; thence S 88° 10' 03" W  
38 347.00 feet along said north line of Tenth Street to the east line of  
39 lands conveyed to Chautauqua, Cattaraugus, Allegany and Stuben Southern  
40 Tier Extension Railroad Authority by deed described in Liber 2462 of  
41 Deeds at page 247 and being the west terminus of Tenth Street; thence N  
42 01° 48' 58" W 381.73 feet along said east line of the Railroad Authority  
43 lands to the south line of Eleventh Street; thence N 89° 52' 55" E  
44 347.14 feet along said south line of Eleventh Street to said west line  
45 of Monroe Street; thence S 01° 48' 58" E 371.51 feet along said west  
46 line of Monroe Street to the point or place of beginning, containing  
47 3.01± acres of land more or less.

48 PARCEL C

49 ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Jamestown,  
50 County of Chautauqua and State of New York, being part of Lot 34, Town 2  
51 and Range 11 of the Holland Land Company's Survey and more particularly  
52 bounded and described as follows: BEGINNING at the intersection of the  
53 northwesterly line of West Eighth Street with the west line of Outlet  
54 Street; thence S 48°48'10"W 213.96 feet; thence northeasterly on a non-  
55 tangent curve, concave to the northwest, having a radius of 448.93 feet,  
56 an arc distance of 114.20 feet (closure chord N 29°07'33"E 113.89 feet);

1 thence N 41°50'17"W 116.98 feet to the shoreline of the Chadakoin River,  
2 passing over an existing iron stake at 98.10 feet; thence northerly  
3 along said shoreline of the Chadakoin River to the intersection with the  
4 south line of Isabella Avenue; thence N 88°10'03"E 210.04 feet along  
5 said south line of Isabella Avenue to the intersection with said west  
6 line of Outlet Street; thence S 01°48'58"E 660.48 feet along said west  
7 line of Outlet Street to the point or place of beginning, containing  
8 2.51± acres of land more or less.

## 9 PARCEL D

10 ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Jamestown,  
11 County of Chautauqua, and State of New York, being part of Lot 34, Town  
12 2 and Range 11 of the Holland Land Company's Survey and more particular-  
13 ly bounded and described as follows: BEGINNING at the intersection of  
14 the south line of Eleventh Street (60' wide) with the east line of Clin-  
15 ton Street; thence S 89° 52' 55" W 734.38 feet along said south line of  
16 Eleventh street to the east bounds of lands conveyed to Chautauqua,  
17 Cattaraugus, Allegany and Stuben Southern Tier Extension Railroad  
18 Authority by deed described in Liber 2462 of Deeds at page 247; thence N  
19 01° 48' 58" W 60.03 feet along said Railroad Authority lands and the  
20 west terminus of said Eleventh Street to the north line of said Eleventh  
21 Street; thence N 89° 52' 55" E 734.38 feet along said north line of  
22 Eleventh Street; thence S 01° 48' 58" E 60.03 feet to the point or place  
23 of beginning, containing 1.012+ acres of land more or less.

24 S 5. In the event that the replacement parklands to be dedicated by  
25 the city of Jamestown pursuant to this act are not of equal or greater  
26 fair market value than the parklands discontinued, the city of Jamestown  
27 shall dedicate the difference of fair market value of the parklands to  
28 be discontinued and the lands to be dedicated for the acquisition of  
29 additional parklands and/or capital improvements to existing park and  
30 recreational facilities.

31 S 6. The discontinuance of parklands authorized by the provisions of  
32 this act shall not occur until the city of Jamestown has complied with  
33 any federal requirements pertaining to conversion of parklands, includ-  
34 ing satisfying the secretary of the interior that the conversion  
35 complies with all conditions which the secretary of the interior deems  
36 necessary to assure the substitution of other lands shall be equivalent  
37 in fair market value and recreational usefulness to the lands being  
38 converted.

39 S 7. This act shall take effect immediately.