

7027

I N S E N A T E

April 24, 2012

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to authorize the town of Alden to convey an easement to the village of Alden in the Alden Town Park

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

1 Section 1. The Town of Alden, acting by and through its Town Board, is
2 hereby authorized to convey by appropriate instruments to the village of
3 Alden an easement in Alden Town Park described in section three of this
4 act, for the purpose of enabling such village to construct, and repair
5 when necessary, a transmission main which will extend the existing
6 public water supply system. With the completion of construction, the
7 village of Alden shall restore the surface of the lands and the lands
8 shall continue to be used for park purposes.

9 S 2. The authorization provided in section one of this act shall be
10 effective only upon the condition that the town of Alden dedicate an
11 amount equal to or greater than the fair market value of the easement
12 interest being alienated pursuant to section one of this act to the
13 acquisition of new parklands and/or for capital improvements to existing
14 park and recreational facilities.

15 S 3. The easement to be conveyed by the Town of Alden pursuant to the
16 provisions of this act is described as follows:

17 All that certain plot, piece or parcel of land situate, lying and
18 being located in the Town of Alden, County of Erie and State of New
19 York, being more particularly bounded and described as follows:

20 Being at a point on the division line between lands of the Town of Alden
21 and the lands of the Alden Central School District a distance of
22 1,589.94 feet northerly from the north line of West Main Street; thence
23 northerly and along the east line of the lands of the Town of Alden and
24 parallel to the east line of said lot 18, a distance of 720.35 feet to a
25 point located 2,310.29 feet north of the north line of West Main Street
26 and at the south line of the perpetual Right-of-Way between the Village
27 of Alden and the Town of Alden; thence westerly and parallel with the

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

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1 north line of West Main Street, a distance of 30 feet; thence southerly
2 a distance of 720.35 feet parallel to the east line of said lot 18, to a
3 point at the northeast corner of lands of the Village of Alden; thence
4 easterly and parallel with the north line of West Main Street, a
5 distance of 30 feet to the point or place of beginning.

6 S 4. The conveyance of the easement is authorized by the provisions of
7 this act and shall not occur until the town of Alden has complied with
8 any applicable federal requirements pertaining to the alienation or
9 conversion of parklands.

10 S 5. This act shall take effect immediately.