

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

S. 7606--A

A. 10578--A

S E N A T E - A S S E M B L Y

June 6, 2012

IN SENATE -- Introduced by Sen. BRESLIN -- 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

IN ASSEMBLY -- Introduced by COMMITTEE ON RULES -- (at request of M. of A. McEneny) -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the city of Albany to discontinue the use of certain lands as park lands

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 Albany,
2 located in the county of Albany, is hereby authorized, acting by and
3 through its common council and upon such terms and conditions as determined by such common council, to discontinue the use as park lands the
4 lands more particularly described in section three of this act and to
5 transfer such lands, at fair market value, which are no longer needed
6 for park purposes for use in connection with the development of property
7 for independent senior garden apartments.
8 S 2. The authorization provided in section one of this act shall be
9 subject to the condition that the city of Albany shall dedicate the fair
10 market value of those park lands being discontinued to the acquisition
11 of additional park land and/or improvements to existing park land.
12 S 3. The lands authorized by this act to be discontinued as park lands
13 are as follows:
14 All that tract, piece or parcel of land situate, lying and being in
15 the City of Albany, County of Albany, State of New York, more particularly described as follows:
16 Beginning at a point on the southeasterly side of South Allen Street
17 60 feet northeasterly from the corner of South Allen Street and Dale
18 Place and running thence northeasterly along said southeasterly side of
19 South Allen Street a distance of 390 feet to a point, thence southeast-

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

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1 erly along the southerly line of lot 252 as shown on map of Allen Street
2 Terrace referenced below, 100 feet, running thence northeasterly on a
3 line parallel to South Allen Street 60 feet to the south line of lot 165
4 on said map, thence southeasterly 98 feet to the northwest side of
5 Onderdonk Avenue, thence running southwesterly along the northwesterly
6 side of Onderdonk Avenue 510 feet to the northerly line of Dale Place,
7 running thence northwesterly along the said northerly line of Dale Place
8 98 feet, thence northeasterly on a line parallel to South Allen Street
9 60 feet, thence northwesterly 100 feet to the southeasterly side of
10 South Allen Street, the point and place of beginning.

11 Said parcels being lots 166 to 182 on Onderdonk Avenue and Lots 239 to
12 251 fronting on South Allen Street as shown on map or plan of Allen
13 Street Terrace, made by A.L. Eliot, C.E. dated March 8, 1911 and filed
14 in the Albany County Clerk's Office in Book 25 as Map 750, said lands to
15 be removed from park purposes.

16 Containing 2.04 acres, more or less.

17 S 4. If the park land that is the subject of this act has received
18 funding pursuant to the federal land and water conservation fund, the
19 discontinuance of park land authorized by the provisions of this act
20 shall not occur until the municipality has complied with the federal
21 requirements pertaining to the conversion of park lands, including
22 satisfying the secretary of the interior that the discontinuance will
23 include all conditions which the secretary of the interior deems neces-
24 sary to assure the substitution of other lands shall be equivalent in
25 fair market value and recreational usefulness to the lands being discon-
26 tinued.

27 S 5. This act shall take effect immediately.