

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

9760--A

I N A S S E M B L Y

April 2, 2012

Introduced by M. of A. MAGNARELLI, ROBERTS -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the county of Onondaga to lease certain park property to Syracuse University for Onondaga Lake Park purposes

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

1 Section 1. (a) The county of Onondaga is hereby authorized and
2 empowered to lease the waterfront park lands and improvements hereinaft-
3 er described for up to twenty-five years to Syracuse University for such
4 consideration and upon such terms, conditions and provisions as shall be
5 mutually agreed upon by the county and Syracuse University consistent
6 with section three of this act for boating and recreational activities.
7 (b) The authorization provided in subdivision (a) of this section
8 shall be effective only upon the condition that the county of Onondaga
9 dedicate an amount equal to or greater than the fair market value of the
10 lease for the capital improvement of Onondaga Lake Park and/or the capi-
11 tal improvement of existing park and recreational facilities and/or for
12 the acquisition of additional waterfront park and recreational facili-
13 ties.
14 S 2. The waterfront park lands and improvements to be leased pursuant
15 to this act comprise the facility known as the Boathouse and that land
16 immediately adjacent thereto, located at Onondaga Lake Park, county of
17 Onondaga, state of New York, and more particularly described as follows:
18 Beginning at a point on the northerly shoreline of Onondaga Lake
19 Outlet, which is intersected by a line 175' easterly of and parallel to
20 the westernmost building line of the existing Ten Eyck Boathouse; thence
21 northerly along said line a distance of 292'± to a point intersected by
22 a line 75' northerly of and parallel to the northernmost building line
23 of said Ten Eyck Boathouse; thence westerly along said line a distance
24 of 195' to a point; thence southerly along a line westerly of and paral-
25 lel to the westernmost building line of said Ten Eyck Boathouse a

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

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1 distance of 55' to a point; thence westerly along a line 20' northerly
2 of and parallel to the northernmost building line of said Ten Eyck Boat-
3 house a distance of 210' to a point; then southerly along a line wester-
4 ly of and parallel to the westernmost building line of said Ten Eyck
5 Boathouse a distance of 245'± to a point on the northerly shoreline of
6 Onondaga Lake Outlet; thence easterly along said shoreline to the point
7 and place of beginning, containing 2.5± acres of land more or less,
8 together with all improvements and/or structures situated thereon.

9 The above described lands and improvements are situated on a portion
10 of lands conveyed to the county of Onondaga by GRACE MARGUERITE MAURER
11 as Executrix of the last Will and Testament of BERNIE F. MAURER,
12 Deceased, GRACE MARGUERITE MAURER, Individually residing at 147 Fitch
13 Street, in the City of Syracuse, New York, and KERMIT DRAIS MAURER, her
14 son, residing at 1107 Valley Drive, in the City of Syracuse, New York,
15 WINIFRED E. PECKHAM, of 106 Elk Street, in the City of Syracuse, New
16 York, being heirs at law and next of kin and devisees of Bernhardt Maur-
17 er, Deceased, dated October 18, 1948, and recorded in the Onondaga Coun-
18 ty Clerk's office, February 4, 1950, in Book of Deeds 1427, page 375.

19 S 3. Should the leased waterfront park lands described in section one
20 of this act cease to be used for the purposes described therein, the
21 lease shall terminate and those lands shall revert to the county of
22 Onondaga for public waterfront park and recreational purposes. At the
23 time of such reversion, the property shall be returned to its previous
24 state, consistent with public waterfront park and recreational purposes.

25 S 4. Such waterfront park land described in section two of this act
26 shall be made available to the general public on an equitable basis.
27 Where availability of public facilities is limited, the use of such
28 facilities must be determined by a reservation policy which provides
29 priority use to the general public.

30 S 5. If the park land that is the subject of this act has received
31 funding pursuant to the federal land and water conservation fund, the
32 discontinuance of park land authorized by the provisions of this act
33 shall not occur until the municipality has complied with the federal
34 requirements pertaining to the conversion of park lands, including
35 satisfying to the secretary of the interior that the discontinuance will
36 include all conditions which the secretary of the interior deems neces-
37 sary to assure the substitution of other lands shall be equivalent in
38 fair market value and recreational usefulness to the lands being discon-
39 tinued.

40 S 6. This act shall take effect immediately.