

7251--B

Cal. No. 914

I N S E N A T E

May 2, 2012

Introduced by Sen. SALAND -- 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 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to authorize the conveyance of certain real property in the city of Poughkeepsie subject to section twenty of the general city law

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

1 Section 1. Notwithstanding any inconsistent provisions of section 20
2 of the general city law, and in anticipation of a chapter amendment to
3 include metes and bounds for Parcels B and C, the city of Poughkeepsie
4 is hereby authorized to convey to 1687 Properties, LLC, owned by the
5 not-for-profit organization The Dyson Foundation, at fair market value,
6 all its rights, title and interest in the real property and improvements
7 thereon described as Parcel A, Parcel B and Parcel C in section three of
8 this act. Provided, however, that Parcel A shall be used solely for
9 non-commercial recreational purposes for the general public subject to
10 existing easements and rights of ways as of the effective date of this
11 act.

12 S 2. The authorization contained in section one of this act shall take
13 effect only upon the conditions that the city of Poughkeepsie dedicate
14 an amount equal to or greater than the fair market value of Parcel A in
15 section three of this act toward the acquisition of additional water-
16 front property and/or payment for the acquisition of waterfront property
17 and that the city of Poughkeepsie dedicate an amount equal to or greater
18 than the fair market value of Parcel B and Parcel C toward the acquisi-
19 tion of additional waterfront property and/or improvements to existing
20 waterfront property.

21 S 3. The property authorized by section one of this act to be conveyed
22 is generally described as a parcel of real property with improvements
23 thereon, consisting of approximately 2.717 acres, located at 83 North

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

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Water Street in the City of Poughkeepsie, County of Dutchess, and is bounded by the Hudson River on the west, the Fallkill Creek on the South, North Water Street on the East and the property line of Central Hudson Gas and Electric Corp. on the North, and being more particularly described as follows:

Parcel A

SCHEDULE A DESCRIPTION

All that parcel of land situate in the City of Poughkeepsie, County of Dutchess and State of New York, bounded and described as follows:

Beginning at a point on the assumed westerly line of North Water Street at the northeasterly corner of lands, now or formerly of Adolfo's of Poughkeepsie and the southeasterly corner of lands now or formerly of Center Hudson Gas & Electric Corp., thence along the northerly line of lands now or formerly of Adolfo's of Poughkeepsie, the northerly line of the Creek, and the southerly line of lands now or formerly of Central Hudson Gas & Electric Corp., the following three (3) courses and distances:

1. North 73° 10' 58" West 14.34 feet,

2. North 75° 20' 27" West 118.70 feet,

3. North 88° 51' 50" West 210.31 feet to a point near the easterly line of the Hudson River, thence along said easterly shore of the Hudson River and line of formerly Water Grants the following two (2) courses and distances:

4. North 00° 20' 35" East 100.00 feet,

5. North 09° 54' 25" West 53.00 feet to a proposed lot line between Lot 1 to the north and the herein described Lot 2 to the south, thence along said proposed lot line between Lot 1 and Lot 2 the following eight (8) courses and distances:

6. North 88° 18' 40" East 139.71 feet,

7. North 86° 53' 00" East 127.26 feet,

8. North 49° 38' 00" West 53.00 feet,

9. North 44° 30' 00" West 76.17 feet,

10. North 59° 51' 00" East 74.41 feet,

11. North 88° 31' 20" East 201.06 feet,

12. North 50° 31' 40" East 134.80 feet,

13. South 89° 23' 46" East 42.30 feet to a point on the aforementioned assumed westerly line of North Water Street, thence along the aforementioned westerly road line of North Water Street the following six (6) courses and distances:

14. South 20° 22' 30" West 50.19 feet,

15. South 22° 38' 15" West 84.62 feet,

16. South 26° 55' 56" West 236.59 feet,

17. South 67° 25' 17" West 46.96 feet,

18. South 44° 48' 46" West 45.43 and

19. South 08° 25' 51" West 32.06 feet to the point of beginning.

Containing 2.717 acres, more or less

Excluding those lands contained in Parcel B and Parcel C.

Subject to a Access Easement No. 1, Access Easement No. 2, Utility Easement No. 1, Utility Easement No. 2 and Utility Easement No. 3 as shown on Filed Map #11198.

Utility Easement No. 1, Utility Easement No. 2 and Utility Easement No. 3 are further described as follows:

Utility Easement No. 1

Beginning at a point on the assumed westerly line of North Water Street at its intersection with the division line between lands now or formerly of Adolfo's of Poughkeepsie, now or formerly Mid-Hudson Chil-

1 dren's Center Doc. 02-2004-4074 on the south and lands now or formerly
2 of Central Hudson Energy Group, Inc. on the north. Thence along said
3 division line North 73° 10' 58" West 6.43 feet. Thence through said
4 lands of Central Hudson Energy Group, Inc. (hereafter called Lot 2) the
5 following four (4) courses and distances: 1) North 33° 09' 00" West
6 39.94 feet, 2) North 55° 49' 36" West 159.95 feet, 3) North 48° 01' 30"
7 West 58.68 feet, 4) North 45° 28' 10" West 42.10 feet to its inter-
8 section with the lot line between Lot 1 F.M. 11198 on the north and said
9 lot 2 on the south. Thence along said lot line the following two (2)
10 courses and distances: 1) North 88° 18' 40" East 26.27 feet, 2) North
11 86° 53' 00" East 14.93 feet. Thence through said Lot 2 the following
12 four (4) courses and distances: 1) South 45° 28' 10" East 13.20 feet, 2)
13 South 48° 01' 30" East 55.96 feet, 3) South 55° 49' 36" East 163.92, 4)
14 South 33° 09' 00" East 25.92 feet to its intersection with said line of
15 North Water Street. Thence along said line of North Water Street the
16 following two (2) courses and distances: 1) South 44° 48' 46" West 4.69
17 feet and 2) South 08° 25' 51" West 32.06 feet to the point of beginning.
18 Containing 8,461 Sq. Ft. or 0.194 Acre more or less.

19 Utility Easement No. 2

20 Beginning at a point on the assumed westerly line of North Water
21 Street being distant the following four (4) courses and distances as
22 measured along said line of North Water Street from its intersection
23 with the division line between lands now or formerly of Mid Hudson Chil-
24 dren's Center Doc. 02-2004-4074 on the south and Lot 2, F.M. 11198 on
25 the north; 1) North 08° 25' 51" East 32.06 feet, 2) North 44° 58' 46"
26 East 45.43 feet, 3) North 67° 25' 17" East 46.96 feet, 4) North 26° 55'
27 56" East 90.08 feet. Thence through said Lot 2 the following four (4)
28 courses and distances: 1) North 74° 32' 00" West 109.86 feet, 2) South
29 78° 59' 00" West 86.29 feet, 3) South 83° 09' 00" West 90.01 feet to the
30 northeasterly line of aforescribed Utility Easement No. 1, Thence
31 along the just mentioned line the following two (2) courses and
32 distances: 1) North 48° 01' 30" West 32.72 feet, 2) North 45° 28' 10"
33 West 13.20 feet to its intersection with the lot line between Lot 1 F.M.
34 11198 on the north and said Lot 2 on the south. Thence along said lot
35 line the following two (2) courses and distances: 1) North 86° 53' 00"
36 East 112.33 feet, 2) North 49° 38' 00" West 2.42 feet. Thence through
37 said Lot 2 the following two (2) courses and distances: 1) North 78° 59'
38 00" East 100.52 feet, 2) South 74° 32' 00" East 123.00 feet to its
39 intersection with said line of North Water Street. Thence along said
40 line of North Water Street South 26° 43' 56" West 30.61 feet to the
41 point of beginning of this parcel.

42 Containing 9,381 Sq. Ft. = 0.215 Acre more or less.

43 Utility Easement No. 3

44 Beginning at a point on the assumed westerly line of North Water
45 Street being distant the following four (4) courses and distances are
46 measured along said line of North Water Street from its intersection
47 with the division line between lands now or formerly of Mid-Hudson Chil-
48 dren's Center Doc 02-2004-4074 on the south and Lot 2 F.M. 11198 on the
49 north: 1) North 08°25'51" East 32.06 feet, 2) North 44°58'46" East
50 45.43 feet, 3) North 67°25'17" East 46.96 feet, 4) North 26°55'56" East
51 94.46 feet. Thence through said Lot 2, North 10°50'45" West 169.66 feet
52 to its intersection with the lot line between Lot 1 F.M. 11198 on the
53 north and said Lot 2 on the south (the last mentioned point being an
54 angle point on said lot line). Thence along said lot line, N 50°31'40"
55 East 34.18 feet. Thence through said Lot 2, South 10°50'45" East 147.33
56 feet to its intersection with said line of North Water Street. Thence

1 along said line of North Water Street, S 26°55'56" West 48.97 feet to
2 the point of beginning of this parcel.

3 Containing 4,755 Sq. Ft. = 0.109 Acre more or less.

4 Parcel B

5 Includes those lands containing the buildings known as the "Hoffman
6 House" and the "Reynolds Homestead".

7 Parcel C

8 Includes the land containing a parking lot currently leased to the
9 Metropolitan Transportation Authority.

10 S 4. The lands in Parcel A, transferred pursuant to this act, shall be
11 used for non-commercial recreational purposes for the general public as
12 provided for in section one unless otherwise authorized by an act of the
13 state legislature.

14 S 5. This act shall take effect immediately.