

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

10050--A

I N A S S E M B L Y

June 10, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Lifton) --
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 authorizing the town of Cortlandville, county of Cortland to
alienate and convey certain parcels of land used as parkland and to
acquire other parcels of land to replace such parkland

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

1 Section 1. The town of Cortlandville, county of Cortland, is hereby
2 authorized to discontinue as parklands, alienate and convey to Gutches
3 Lumber Company the lands described in section three of this act.
4 S 2. The authorization contained in section one of this act shall take
5 effect only upon the condition that the town of Cortlandville dedicate
6 an amount equal to or greater than the fair market value of the property
7 being alienated in section three of this act toward acquisition of addi-
8 tional parkland and/or capital improvements to existing parkland.
9 S 3. The lands to be discontinued as parklands and alienated and
10 conveyed pursuant to section one of this act are bounded and described
11 as follows:
12 Parcel I
13 ALL that tract or parcel of land situate on the westerly side of New
14 York state route 281 in Lot 83, town of Cortlandville, county of Cort-
15 land and state of New York being bounded and described as follows:
16 Beginning at a point on the westerly right-of-way line of said Route
17 #281 at the northeast corner of lands conveyed to the town of Cortland-
18 ville (R.O.) as filed in the Cortland County Clerk's Office in Liber 342
19 of Deeds at Page 765; thence running N 62° 37' 19" W along said parcel,
20 a distance of 183.05 feet to a point; thence running N 27° 22' 41" E
21 along said parcel, a distance of 200.0 feet to a point; thence running S
22 62° 37' 19" E along said parcel, a distance of 196.39 feet to a point on
23 the westerly right of way line of NYS Route No. 281; thence running S
24 31° 11' 35" W along said right of way a distance of 200.44 feet to the
25 place of beginning and containing 0.86 acres of land.
26 Also conveying all rights, title and interest to the land lying east-
27 erly of the above described premises to the centerline of NYS Route No.
28 281.

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

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1 Parcel II

2 ALL that tract or parcel of land situate in the town of Cortlandville,
3 county of Cortland and state of New York, being part of Lot 83 in said
4 town, being bounded and described as follows: Beginning at a point on
5 the west right of way line of NYS Route 281, set at the northeast corner
6 of the parcel of land conveyed by Arthur Yacavone to F. Donald McGee by
7 deed recorded in the Cortland County Clerk's Office in Liber 310 of
8 Deeds at Page 859; running thence North $62^{\circ} 37' 19''$ West a distance of
9 409.17 feet to a steel pipe; thence running South $27^{\circ} 22' 41''$ West a
10 distance of 242.76 feet to a point in the north line of Lamont Acres
11 Tract; running thence North $85^{\circ} 21' 36''$ West a distance of 173.93 feet
12 to a steel pipe set in the east line of lands owned by Gutches; running
13 thence North $3^{\circ} 15' 40''$ East a distance of 545.0 feet to a steel pipe;
14 running thence South $85^{\circ} 21' 36''$ East a distance of 404.54 feet along
15 the south line of lands owned by Arthur B. Yacavone to a point; running
16 thence South $62^{\circ} 53' 46''$ East a distance of 250.0 feet to an iron pipe;
17 running thence South $27^{\circ} 22' 41''$ West a distance of 200.0 feet to a
18 steel pipe; running thence South running $62^{\circ} 37' 19''$ East a distance of
19 183.05 feet to a concrete monument set in the west line of the right-of-
20 way NYS route 281; running thence South $32^{\circ} 57' 54''$ West along said
21 right-of-way a distance of 145.66 feet to the point or place of begin-
22 ning, containing 6.17 acres of land, more or less.

23 Also, all the lands lying between the above described parcel of land
24 and the center line of NYS Route No. 281 on the east, subject to the
25 right of the public to use the same for street and highway purposes.

26 S 4. The replacement lands to be acquired and dedicated by the town of
27 Cortlandville, county of Cortland, to use as new parkland for public
28 park purposes are described as follows:

29 ALL that tract or parcel of land situated in the town of Cortland-
30 ville, county of Cortland and state of New York bounded and described as
31 follows:

32 Beginning at a point, said point being at the intersection of NYS
33 Route 13 and Gracie Road;

34 Thence North 11 degrees 24 minutes 00 seconds West for a distance of
35 411.00 feet along the centerline of Gracie Road to a point;

36 Thence North 10 degrees 37 minutes 00 seconds West for a distance of
37 871.00 feet along the centerline of Gracie Road to a point;

38 Thence North 09 degrees 28 minutes 00 seconds West for a distance of
39 120.50 feet along the centerline of Gracie Road to a point;

40 Thence North 04 degrees 03 minutes 00 seconds West for a distance of
41 65.00 feet along the centerline of Gracie Road to a point;

42 Thence North 07 degrees 06 minutes 00 seconds East for a distance of
43 77.23 feet along the centerline of Gracie Road to a point;

44 Thence North 18 degrees 33 minutes 00 seconds East for a distance of
45 76.35 feet along the centerline of Gracie Road to a point;

46 Thence North 21 degrees 24 minutes 00 seconds East for a distance of
47 260.84 feet along the centerline of Gracie Road to a point;

48 Thence South 76 degrees 22 minutes 00 seconds East for a distance of
49 315.09 feet to a point;

50 Thence North 17 degrees 33 minutes 25 seconds East for a distance of
51 248.72 feet to a point;

52 Thence South 80 degrees 03 minutes 20 seconds East for a distance of
53 45.34 feet to a point;

54 Thence North 09 degrees 56 minutes 40 seconds East for a distance of
55 125.00 feet to a point;

1 Thence North 80 degrees 03 minutes 20 seconds West for a distance of
2 225.00 feet to a point;
3 Thence South 84 degrees 54 minutes 55 seconds West for a distance of
4 161.12 feet to a point along the centerline of Gracie Road;
5 Thence North 03 degrees 52 minutes 25 seconds East for a distance of
6 226.60 feet along the centerline of Gracie Road to a point;
7 Thence South 82 degrees 58 minutes 45 seconds East for a distance of
8 968.88 feet to a point;
9 Thence North 07 degrees 29 minutes 00 seconds East for a distance of
10 601.97 feet to a point;
11 Thence South 82 degrees 21 minutes 10 seconds East for a distance of
12 558.60 feet to a point;
13 Thence South 08 degrees 17 minutes 48 seconds West for a distance of
14 629.33 feet to a point;
15 Thence South 82 degrees 21 minutes 10 seconds East for a distance of
16 407.97 feet to a point;
17 Thence South 65 degrees 14 minutes 21 seconds West for a distance of
18 370.64 feet to a point;
19 Thence South 07 degrees 22 minutes 44 seconds West for a distance of
20 1019.77 feet to a point;
21 Thence South 83 degrees 01 minutes 36 seconds East for a distance of
22 218.99 feet to a point;
23 Thence South 18 degrees 01 minutes 56 seconds East for a distance of
24 221.48 feet to a point along the centerline of N.Y.S. Route 13;
25 Thence South 60 degrees 30 minutes 00 seconds West for a distance of
26 349.00 feet along the centerline of N.Y.S. Route 13 to a point;
27 Thence South 66 degrees 46 minutes 00 seconds West for a distance of
28 272.00 feet along the centerline of N.Y.S. Route 13 to a point;
29 Thence South 68 degrees 00 minutes 00 seconds West for a distance of
30 1213.00 feet along the centerline of N.Y.S. Route 13 to a point;
31 Thence South 69 degrees 26 minutes 00 seconds West for a distance of
32 707.00 feet to the point and place of beginning, containing 101.73 acres
33 of land, more or less.

34 Together with and subject to covenants, easements, and restrictions of
35 record.

36 S 5. The parklands identified in section three of this act shall
37 continue to be used as parkland until the replacement lands identified
38 in section four of this act have developed park facilities open for
39 public use.

40 S 6. In the event that the lands to be acquired, as described in
41 section four of this act, are not equal to or greater in fair market
42 value than the lands being alienated, as described in section three of
43 this act, the town of Cortlandville shall dedicate the difference in the
44 fair market value for the acquisition of additional parklands and/or for
45 capital improvements to existing park and recreational facilities.

46 S 7. If the land that is the subject of this act has received funding
47 pursuant to the federal land and water conservation fund, the discontin-
48 uance of parklands authorized by the provisions of this act shall not
49 occur until the municipality has complied with the federal requirements
50 pertaining to the conversion of parklands, including satisfying the
51 secretary of the interior that the discontinuance will include all
52 conditions which the secretary of the interior deems necessary to assure
53 the substitution of other lands shall be equivalent in fair market value
54 and recreational usefulness to the lands being discontinued.

55 S 8. This act shall take effect immediately.