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

5717--A

2013-2014 Regular Sessions

I N S E N A T E

June 7, 2013

Introduced by Sen. DeFRANCISCO -- 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

AN ACT in relation to authorizing the New York state canal corporation to abandon certain canal lands and authorizing the commissioner of general services to sell and convey the right, title and interest of the people of the state of New York, in and to certain lands of the New York state canal corporation located in the city of Syracuse, county of Onondaga

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

Section 1. The New York state canal corporation is hereby authorized to abandon certain canal lands as described in section two of this act as such lands are determined to be no longer necessary or useful as a part of the barge canal system, as an aid to navigation thereon, or for barge canal terminal purposes. Such abandonment shall be in accordance with the applicable provisions of the canal law.

S 2. The subject lands herein are described generally as follows:

All that tract or parcel of land, situate in the City of Syracuse, County of Onondaga and State of New York, being Parcel AR according to a map "New York State Canal Corporation Map Showing Abandoned Barge Canal Terminal Lands in the City of Syracuse, County of Onondaga and State of New York" by John E. McIntosh III dated June 29, 2011, bounded and described as follows:

Beginning at the most southerly corner of said Parcel AR, said point being the following courses and distances from the intersection of the northerly boundary of West Kirkpatrick Street with the westerly boundary of an abandoned portion of West Court Street: 1) S 56°23'00" W along said northerly boundary of West Kirkpatrick Street, a distance of 395.76 feet to the southwesterly boundary of Parcel A2 according to said "New

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

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York State Canal Corporation Map Showing Abandoned Barge Canal Terminal Lands in the City of Syracuse, County of Onondaga and State of New York"; 2) N 37°34'00" W along said southwesterly boundary of Parcel A2, a distance of 51.59 feet; 3) N 62°54'30" W continuing along said southwesterly boundary of Parcel A2, a distance of 81.13 feet; 4) S 57°24'46" W continuing along said southwesterly boundary of Parcel A2, a distance of 110.10 feet; 5) N 32°16'39" W continuing along said southwesterly boundary of Parcel A2, a distance of 11.75 feet; 6) N 57°24'46" E continuing along said southwesterly boundary of Parcel A2, a distance of 84.33 feet; 7) N 50°39'10" W continuing along said southwesterly boundary of Parcel A2, a distance of 14.30 feet to said point of beginning; running thence around said Parcel AR the following courses and distances: 1) N 50°39'10" W, 52.28 feet; 2) N 56°21'00" E, 736.26 feet; 3) N 50°17'00" W, 173.44 feet; 4) S 56°21'00" W, 365.60 feet; 5)N 33°39'00" W, 99.29 feet; 6) N 56°21'00" E, 335.94 feet; 7) N 50°17'00" W, 173.05 feet; 8) S 56°21'00" W, 365.21 feet; 9) N 33°39'00" W, 99.21 feet; 10) N 56°21'00" E, 335.57 feet; 11) N 50°17'00" W, 173.62 feet; 12) S 56°21'00" W, 364.95 feet; 13) N 33°39'00" W, 50.00 feet; 14) N 56°21'00" E, 402.20 feet; 15) S 50°17'00" E, 305.00 feet; 16) S 39°43'00" W, 30.00 feet; 17) S 50°17'00" E, 204.86 feet; 18) N 39°43'00" E, 30.00 feet; 19) S 50°17'00" E, 298.98 feet to said westerly boundary of an abandoned portion of West Court Street; 20) Southerly along said westerly boundary of an abandoned portion of West Court Street following a curve to the left having a radius of 515.00 feet, an arc length of 30.05 feet to the northwesterly boundary of said Parcel A2; 21) S 56°21'00" W along said northwesterly boundary of Parcel A2, 627.30 feet; 22) N 33°39'00" W along said northwesterly boundary of Parcel A2, 31.90 feet; 23) S 56°21'00" W along said northwesterly boundary of Parcel A2, 60.00 feet; 24) S 33°39'00" E along said northwesterly boundary of Parcel A2, 31.90 feet; 25) S 56°21'00" W along said northwesterly boundary of Parcel A2, 73.64 feet to the point of beginning.

Containing 3.615 acres of land, more or less.

All as shown on a map "Parcel AR, Lands to be Abandoned by New York State Canal Corporation, Map Showing Abandoned Barge Canal Terminal Lands, City of Syracuse, County of Onondaga and State of New York" by Ianuzi & Romans Land Surveying, P.C. dated June 6, 2013.

S 3. The commissioner of general services is hereby authorized to sell and convey at fair market value at public or private sale certain abandoned lands of the New York state canal corporation, related to the Inner Harbor Project in Syracuse, described in section two of this act. Conveyance of such lands shall be made in such parcel or parcels, and upon such terms and conditions, including consideration, as the commissioner of general services may determine; provided, however, all such conveyances shall be subject to an easement or easements or permit or permits acquired by grant or grants by any utility company, public utility company, utility corporation or public utility corporation, as defined in subdivisions 23 and 24 of section 2 of the public service law, which has installed any structure or transmission lines upon, over or under any such lands. Such conveyances shall be subject to the approval of the director of the budget.

S 4. Such private sales or conveyances may be made without public bidding to the owners of structures erected on the lands to be conveyed, or to incorporated property owners associations representing such persons, or to such other persons as the commissioner of general services may determine. The commissioner of general services may also

lease such lands to the owners of such structures who do not purchase such lands under the provisions of this act.

S 5. The commissioner of general services shall promulgate rules and regulations establishing the procedures to be followed in the disposition of these lands, including a schedule of the consideration to be charged for each conveyance. Such schedule shall be subject to the approval of the director of the budget.

S 6. The authorization to sell at private sale pursuant to section three of this act shall expire 5 years after the effective date of this act.

S 7. This act shall take effect immediately.