

7276--B

Cal. No. 1131

I N S E N A T E

May 9, 2014

Introduced by Sen. SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee and committed to the Committee on Rules -- ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

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 ASSEMBLY, 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

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

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1 31° 11' 35" W along said right of way a distance of 200.44 feet to the
2 place of beginning and containing 0.86 acres of land.

3 Also conveying all rights, title and interest to the land lying east-
4 erly of the above described premises to the centerline of NYS Route No.
5 281.

6 Parcel II

7 ALL that tract or parcel of land situate in the town of Cortlandville,
8 county of Cortland and state of New York, being part of Lot 83 in said
9 town, being bounded and described as follows: Beginning at a point on
10 the west right of way line of NYS Route 281, set at the northeast corner
11 of the parcel of land conveyed by Arthur Yacavone to F. Donald McGee by
12 deed recorded in the Cortland County Clerk's Office in Liber 310 of
13 Deeds at Page 859; running thence North 62° 37' 19" West a distance of
14 409.17 feet to a steel pipe; thence running South 27° 22' 41" West a
15 distance of 242.76 feet to a point in the north line of Lamont Acres
16 Tract; running thence North 85° 21' 36" West a distance of 173.93 feet
17 to a steel pipe set in the east line of lands owned by Gutchess; running
18 thence North 3° 15' 40" East a distance of 545.0 feet to a steel pipe;
19 running thence South 85° 21' 36" East a distance of 404.54 feet along
20 the south line of lands owned by Arthur B. Yacavone to a point; running
21 thence South 62° 53' 46" East a distance of 250.0 feet to an iron pipe;
22 running thence South 27° 22' 41" West a distance of 200.0 feet to a
23 steel pipe; running thence South running 62° 37' 19" East a distance of
24 183.05 feet to a concrete monument set in the west line of the right-of-
25 way NYS route 281; running thence South 32° 57' 54" West along said
26 right-of-way a distance of 145.66 feet to the point or place of begin-
27 ning, containing 6.17 acres of land, more or less.

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

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

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

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

39 Thence North 11 degrees 24 minutes 00 seconds West for a distance of
40 411.00 feet along the centerline of Gracie Road to a point;

41 Thence North 10 degrees 37 minutes 00 seconds West for a distance of
42 871.00 feet along the centerline of Gracie Road to a point;

43 Thence North 09 degrees 28 minutes 00 seconds West for a distance of
44 120.50 feet along the centerline of Gracie Road to a point;

45 Thence North 04 degrees 03 minutes 00 seconds West for a distance of
46 65.00 feet along the centerline of Gracie Road to a point;

47 Thence North 07 degrees 06 minutes 00 seconds East for a distance of
48 77.23 feet along the centerline of Gracie Road to a point;

49 Thence North 18 degrees 33 minutes 00 seconds East for a distance of
50 76.35 feet along the centerline of Gracie Road to a point;

51 Thence North 21 degrees 24 minutes 00 seconds East for a distance of
52 260. 84 feet along the centerline of Gracie Road to a point;

53 Thence South 76 degrees 22 minutes 00 seconds East for a distance of
54 315.09 feet to a point;

55 Thence North 17 degrees 33 minutes 25 seconds East for a distance of
56 248.72 feet to a point;

1 Thence South 80 degrees 03 minutes 20 seconds East for a distance of
2 45.34 feet to a point;
3 Thence North 09 degrees 56 minutes 40 seconds East for a distance of
4 125.00 feet to a point;
5 Thence North 80 degrees 03 minutes 20 seconds West for a distance of
6 225.00 feet to a point;
7 Thence South 84 degrees 54 minutes 55 seconds West for a distance of
8 161.12 feet to a point along the centerline of Gracie Road;
9 Thence North 03 degrees 52 minutes 25 seconds East for a distance of
10 226.60 feet along the centerline of Gracie Road to a point;
11 Thence South 82 degrees 58 minutes 45 seconds East for a distance of
12 968.88 feet to a point;
13 Thence North 07 degrees 29 minutes 00 seconds East for a distance of
14 601.97 feet to a point;
15 Thence South 82 degrees 21 minutes 10 seconds East for a distance of
16 558.60 feet to a point;
17 Thence South 08 degrees 17 minutes 48 seconds West for a distance of
18 629.33 feet to a point;
19 Thence South 82 degrees 21 minutes 10 seconds East for a distance of
20 407.97 feet to a point;
21 Thence South 65 degrees 14 minutes 21 seconds West for a distance of
22 370.64 feet to a point;
23 Thence South 07 degrees 22 minutes 44 seconds West for a distance of
24 1019.77 feet to a point;
25 Thence South 83 degrees 01 minutes 36 seconds East for a distance of
26 218.99 feet to a point;
27 Thence South 18 degrees 01 minutes 56 seconds East for a distance of
28 221.48 feet to a point along the centerline of N.Y.S. Route 13;
29 Thence South 60 degrees 30 minutes 00 seconds West for a distance of
30 349.00 feet along the centerline of N.Y.S. Route 13 to a point;
31 Thence South 66 degrees 46 minutes 00 seconds West for a distance of
32 272.00 feet along the centerline of N.Y.S. Route 13 to a point;
33 Thence South 68 degrees 00 minutes 00 seconds West for a distance of
34 1213.00 feet along the centerline of N.Y.S. Route 13 to a point;
35 Thence South 69 degrees 26 minutes 00 seconds West for a distance of
36 707.00 feet to the point and place of beginning, containing 101.73 acres
37 of land, more or less.
38 Together with and subject to covenants, easements, and restrictions of
39 record.
40 S 5. The parklands identified in section three of this act shall
41 continue to be used as parkland until the replacement lands identified
42 in section four of this act have developed park facilities open for
43 public use.
44 S 6. In the event that the lands to be acquired, as described in
45 section four of this act, are not equal to or greater in fair market
46 value than the lands being alienated, as described in section three of
47 this act, the town of Cortlandville shall dedicate the difference in the
48 fair market value for the acquisition of additional parklands and/or for
49 capital improvements to existing park and recreational facilities.
50 S 7. If the land that is the subject of this act has received funding
51 pursuant to the federal land and water conservation fund, the discontin-
52 uance of parklands authorized by the provisions of this act shall not
53 occur until the municipality has complied with the federal requirements
54 pertaining to the conversion of parklands, including satisfying the
55 secretary of the interior that the discontinuance will include all
56 conditions which the secretary of the interior deems necessary to assure

1 the substitution of other lands shall be equivalent in fair market value
2 and recreational usefulness to the lands being discontinued.
3 S 8. This act shall take effect immediately.