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

7741

I N S E N A T E

June 3, 2014

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT authorizing the village of Massena and the town of Massena to alienate certain parcels of land used as parkland

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

Section 1. The village of Massena and the town of Massena, are hereby authorized to discontinue as parklands, alienate and convey the lands described in section three of this act.

S 2. The authorization contained in section one of this act shall only be effective on the condition that the village of Massena and the town of Massena acquire and dedicate lands of equal or greater fair market value as additional parklands of the village and town.

S 3. The lands to be discontinued as parklands and alienated and conveyed consist of 3.89 acres and are described as follows:

Parcel 1:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village of Massena, Town of Massena, County of St. Lawrence, State of New York, and described as follows:

BEGINNING at a point on the Southerly side of St. Regis Boulevard, (N.Y. Route 37) distant 220.44 feet Easterly from the corner formed by the intersection of the Easterly side of Main Street with the Southerly side of St. Regis Boulevard;

CONTINUING THENCE along the Southerly line of St. Regis Boulevard, a distance of 262.5 feet to a point where the same is intersected by the prolongation of the Westerly side of Hamilton Street;

RUNNING THENCE South 00 degrees 21 minutes 43 seconds West and along said prolongation of the Westerly side of Hamilton Street, a distance of 66.4 feet;

THENCE South 89 degrees 44 minutes 17 seconds East, 61 feet;

THENCE South 0 degrees 11 minutes 17 seconds West, 235.35 feet;

THENCE South 89 degrees 48 minutes 07 seconds West, 324.27 feet;

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

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THENCE NORTH 0 degrees 20 minutes 35 seconds West, 300 feet more or less to the point or place of BEGINNING.

BEING and intended to be the premises acquired by the Village of Massena and the Town of Massena by deed dated September 13, 1971 and recorded November 11, 1971 in Liber 863 at page 765.

Parcel 2:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village of Massena, Town of Massena, County of St. Lawrence, State of New York, and described as follows:

BEGINNING at a point on the Southerly side of St. Regis Boulevard (State Route 37) where the same is intersected by a prolongation of the Easterly side of Hamilton Street;

RUNNING THENCE South 00 degrees 21 minutes 43 seconds West, 58.03 feet;

RUNNING THENCE South 89 degrees 44 minutes 17 seconds West, 315.40 feet;

RUNNING THENCE North 3 degrees 50 minutes 40 seconds West, 90 feet more or less to the Southerly side of St. Regis Boulevard;

RUNNING THENCE Westerly along the Southerly line of St. Regis Boulevard on a curve to the left whose radius is 3947.72 feet, a distance of 306 feet to the point or place of BEGINNING.

BEING and intended to be the premises acquired by the Village of Massena and the Town of Massena by deed dated September 13, 1971 and recorded November 11, 1971 in Liber 863 at page 759.

Parcel 3:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village of Massena, Town of Massena, County of St. Lawrence, State of New York, and described as follows:

BEGINNING at a point on a prolongation of the Easterly side of Hamilton Street distant 58.03 feet Southerly from the point of intersection of the said Easterly side of Hamilton Street with the Southerly side of St. Regis Boulevard (State Highway 37);

RUNNING THENCE South 0 degrees 11 minutes 17 seconds East and along the Easterly line of lands now or formerly of Haven Realty Corporation, a distance of 235.35 feet to a point;

THENCE South 89 degrees 48 minutes 07 seconds West and along the Southerly line of lands now or formerly of Haven Realty Corporation a distance of 324.27 feet;

THENCE South 0 degrees 20 minutes 35 seconds East a distance of 122.2 feet to the Northerly side of a Right of Way known as Romeo Avenue;

THENCE along the Northerly line of Romeo Avenue and further along a continuation of same, a distance of 660 feet more or less to lands now or formerly of Harte Haven, Inc.

RUNNING THENCE North 3 degrees 50 minutes 40 seconds West along the division lines of lands now or formerly of Harte Haven Inc. and the lands now or formerly of Harry B. Helmsley etal. a distance of 315 feet more or less to a point (said line also being the Southerly line of lands intended to be conveyed by Harte Haven Inc. to The Village of Massena, New York and the Town of Massena, New York by deed dated Sept 13, 1971 and intended to be recorded simultaneously herewith;

CONTINUING THENCE North 89 degrees 44 minutes 17 seconds West along said line, 315.4 feet to the point or place of BEGINNING.

BEING and intended to be the premises acquired by the Village of Massena and the Town of Massena by deed dated November 3, 1971 and recorded November 11, 1971 in Liber 863 at page 762.

S 4. In the event that the lands to be acquired are not equal or greater in fair market value than the lands being alienated, as described in section three of this act, the village of Massena and the town of Massena shall dedicate the difference in the fair market value for the acquisition of additional parklands and/or for capital improvements to existing park and recreational facilities.

S 5. If the land that is the subject of this act has received funding pursuant to the federal land and water conservation fund, the discontinuance of parklands authorized by the provisions of this act shall not occur until the municipality has complied with the federal requirements pertaining to the conversion of parklands, including satisfying the secretary of the interior that the discontinuance will include all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and recreational usefulness to the lands being discontinued.

S 6. This act shall take effect immediately.