

7059--B

2013-2014 Regular Sessions

I N A S S E M B L Y

April 30, 2013

Introduced by M. of A. GIGLIO -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the commissioner of transportation to transfer certain lands in the county of Allegany to the town of Andover

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

1 Section 1. Subject to the provisions of this act but notwithstanding
2 any other provision of law to the contrary, the commissioner of trans-
3 portation is hereby authorized to transfer and convey to the town of
4 Andover, in consideration of one dollar and upon such other consider-
5 ation as the commissioner may deem proper, unused land formerly used as
6 a department of transportation sub-residency facility, and any improve-
7 ments thereon, located in the town of Andover, the county of Allegany.
8 S 2. The land situated in the county of Allegany to be transferred and
9 conveyed pursuant to section one of this act, is further described as
10 follows:
11 ALL THAT TRACT OR PARCEL OF LAND situate, lying and being in the Town
12 of Andover, in the County of Allegany and State of New York, being part-
13 ly within and partly without the Village of Andover, being a part of Lot
14 No. 81 in Township 2, Range 7, of Phelps and Gorhams Purchase and more
15 particularly bounded and described as follows:
16 BEGINNING at a point on the easterly line of the Andover-Alfred
17 Station-Almond State Highway No. 5502 where the same is intersected by
18 the division line between premises of the said party of the first part,
19 on the south, and premises formerly owned by Roswin Hardy but now owned
20 by Kenneth Waters (reputed owner), on the north, and running thence
21 along said division line South 89°36'20" East 140.21 feet to the divi-

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

LBD10127-08-4

1 sion line between said premises of said party of the first part, on the
2 west, and premises of Wilmer C. Atwell and Margaret R. Atwell, his wife
3 (reputed owners), on the east; thence along said last mentioned division
4 line South 18°02'10" East 278.16 feet to the division line between said
5 premises of said party of the first part, on the west, and premises of
6 Herman Lehman (reputed owner), on the east; thence along said last
7 mentioned division line and the division line between said premises of
8 said party of the first part, on the west, and premises of Donald L.
9 Nichols and Reva J. Nichols, his wife (reputed owners), on the east,
10 South 18°19'40" West 192.72 feet to an angle in said last mentioned
11 division line; thence along the division line between said premises of
12 said party of the first part, on the west, and said premises of Donald
13 L. Nichols and Reva J. Nichols, his wife (reputed owners), and premises
14 of Harold E. Dodge and Barbara J. Dodge, his wife (reputed owners), on
15 the east, South 66° 18' 20" West 213.18 feet to the division line
16 between said premises of said party of the first part, on the west, and
17 premises of John Dodge and Esther E. Dodge, his wife (reputed owners),
18 on the east; thence along said last mentioned division line South
19 52°59'20" West 110.07 feet to the division line between said premises of
20 said party of the first part on the West, and the premises of Ralph
21 Skinner and Wilma Skinner, his wife (reputed owners), on the east;
22 thence along said last mentioned division line South 43° 27' 50" West
23 195.87 feet to its intersection with the easterly line of the Andover
24 Village State Highway No. 5419; thence along said easterly line of said
25 highway and the easterly line of the Andover-Alfred Station-Almond State
26 Highway No. 5502 the following three courses and distances, to wit: (1)
27 North 33° 57' 10" East 203.89 feet; (2) thence North 16°40'20" East
28 455.67 feet, and (3) thence North 03° 09' 40" East 136.24 feet to the
29 point and place of beginning, containing 2.855± acres, of which 1.170±
30 acres lie within the Village of Andover and 1.145± acres lie outside the
31 Village of Andover; all bearings being referred to True North.

32 TOGETHER WITH all the right, title and interest, if any, of the said
33 party of the first part in and to all that portion of the highway lying
34 opposite and abutting said premises on the west, to the center line
35 thereof, as said highway existed on March 2, 1899.

36 S 3. The description in section two of this act of the land to be
37 conveyed is not intended to be a legal description but is intended to
38 identify the parcel to be conveyed. As a condition of the purchase, the
39 town of Andover shall submit to the commissioner of transportation, for
40 his or her approval, an accurate survey and description of the lands to
41 be conveyed, which shall be used in the conveyance thereof.

42 S 4. The commissioner of transportation shall not transfer or convey
43 the land described in section two of this act unless application is made
44 by the town of Andover within one year after the effective date of this
45 act.

46 S 5. The land described in section two of this act shall be used by
47 the town of Andover to advance the public purpose of providing such town
48 with additional lands for the storage of materials, and the storage,
49 repair and maintenance of equipment needed to maintain the town highway
50 system and upon termination of such use title to the lands so trans-
51 ferred along with any improvements made thereto shall revert to the
52 state of New York.

53 S 6. This act shall take effect immediately.