

7072--A

2013-2014 Regular Sessions

I N A S S E M B L Y

May 1, 2013

Introduced by M. of A. MAGEE -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the New York state thruway authority to convey certain land located in the village of Canastota, county of Madison

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

1 Section 1. Declaration of purpose. The state of New York has deter-
2 mined that the development of the village of Canastota's underutilized
3 property, uniquely located near the New York state thruway, may provide
4 benefits to the local economy, such as job opportunities, expand tourism
5 and recreational related industry, and increase municipal revenue for
6 the residents of the village of Canastota and the overall Central New
7 York region. In general, the state of New York desires to improve this
8 corridor to create opportunities for tourism and recreation. A parcel
9 of such certain land has been identified, which is under its present
10 jurisdiction and owned by the people of the state of New York, that may
11 be utilized by the International Boxing Hall of Fame to allow realiza-
12 tion of such opportunities for tourism and recreation. The county of
13 Madison has established an industrial development agency pursuant to
14 section 893 of the general municipal law with the intention of using
15 such agency for the purposes of relieving and reducing unemployment,
16 promoting and providing for additional and maximum employment, bettering
17 and maintaining job opportunities, and such other purposes as may be
18 authorized by section 893 of the general municipal law.

19 S 2. Notwithstanding any other law to the contrary, the New York
20 state thruway authority shall transfer and convey to the Madison county
21 industrial development agency, created pursuant to section 893 of the
22 general municipal law, those parcels of certain lands referenced and
23 described in section four of this act.

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

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1 S 3. Within 180 days of such transfer and conveyance by the authori-
2 ty, the Madison county industrial development agency shall transfer and
3 convey such land to the International Boxing Hall of Fame, Inc., a
4 domestic not-for-profit corporation, upon terms and conditions as may be
5 required by the agency.

6 S 4. The lands authorized to be conveyed pursuant to section two of
7 this act are generally described as follows:

8 1. All that tract or parcel of land, situated, lying, and being in
9 the Village of Canastota, Town of Lenox, County of Madison, State of New
10 York, more particularly bounded and described as follows:

11 Beginning at an iron pin set at the northeasterly corner of Parcel No.
12 273 heretofore appropriated by the People of the State of New York
13 ("State") by virtue of Map No. 220 (Mohawk Thruway-Madison County) filed
14 in the Madison County Clerk's Office ("Clerk's Office") on August 20,
15 1952, said pin also being set at the northwesterly corner of lands
16 conveyed to The International Boxing Hall of Fame, Inc. ("IBHF") by deed
17 recorded in the Clerk's Office on October 6, 1987 in Liber 848 at page
18 218, and at a point in the easterly boundary of state Route 13 (a/k/a
19 North Peterboro Street); thence along said easterly boundary, North
20 7°-13'-07" East, 150.08 feet to an iron pin; thence through lands appro-
21 priated by the State the following four courses and distances: (1) North
22 47°-35'-00" East, 488.85 feet to an iron pin; (2) South 6°-35'-00" West,
23 52.00 feet to an iron pin; (3) South 42°-25'-00" East, 250.00 to an iron
24 pin; and (4) South 47°-35'-00" West, 650.00 feet to an iron pin set at a
25 point in the aforesaid easterly boundary of state Route 13; thence along
26 said easterly boundary North 7°-13'-07" West, 97.60 feet to an iron pin
27 set at the southeasterly corner of the aforesaid Parcel No. 273, said
28 pin also being set at the southwesterly corner of the aforementioned
29 lands conveyed to the IBHF; thence along the division line between lands
30 appropriated by the State and lands conveyed to the IBHF the following
31 three courses and distances: (1) North 52°-01'-00" East, 158.74 feet to
32 an iron pin; (2) North 8°-27'-51" West, 98.75 feet to an iron pin; and
33 (3) South 52°-01'-00" West, 156.25 feet to the point and place of begin-
34 ning; containing 3.29 acres, more or less, all as shown on a map made by
35 Myers and Associates, P.C., dated April 22, 1998 and last revised Decem-
36 ber 18, 1998, entitled "Portion of Lands of the New York State Thruway
37 Authority," filed in the Clerk's Office on June 17, 2002 under Control
38 No. 3867.

39 Being all of Parcel No. 274 appropriated by the State in fee without
40 the right of access reserved to abutting owners, by virtue of Map No.
41 227 (Mohawk Thruway-Madison County) filed in the Clerk's Office on
42 August 20, 1952; and a portion of Parcel Nos. 276 and 277 appropriated
43 by the State in fee without the right of access reserved to abutting
44 owners, by virtue of Map Nos. 222 and 223 (Mohawk Thruway-Madison Coun-
45 ty), respectively, filed in the Clerk's Office on August 20, 1952 and
46 November 10, 1952, respectively.

47 Access to and/or from the above-described lands is restricted to the
48 following described boundaries: North 7°-13'-07" West, 97.60 feet; North
49 52°-01'-00" East, 158.74 feet; North 8°-27'-51" West, 98.75 feet; South
50 52°-01'-00" West, 156.25 feet; and North 7°-13'-07" West, 150.08 feet.
51 Access, therefore, is strictly prohibited across all other boundaries
52 described hereinabove.

53 Such conveyance shall be subject to all covenants, conditions, ease-
54 ments and restrictions of record; and

55 2. All that tract or parcel of land, situated, lying, and being in
56 the village of Canastota, town of Lenox, county of Madison, state of New

1 York, abutting and bounded generally on the south by lands described in
2 subdivision 1 of this section, state route 13 on the west, the thruway
3 on the north, and other lands under the authority's jurisdiction on the
4 east, having an area not to exceed five acres. Such specific area,
5 configuration, and boundaries shall be determined by the authority.

6 Such conveyance shall be subject to all covenants, conditions, ease-
7 ments and restrictions of record.

8 S 5. The authorizations to transfer and convey land pursuant to this
9 act shall be subject to the requirement that such lands shall be used
10 exclusively by the International Boxing Hall of Fame for the purposes of
11 developing, expanding and operating a boxing hall of fame and museum. In
12 the event that the lands cease to be used for such purposes, or if such
13 lands are not developed within 5 years from the effective date of this
14 act, title to such lands and any improvements thereon shall revert to
15 the people of the state of New York under the jurisdiction of the New
16 York state thruway authority.

17 S 6. This act shall take effect immediately.