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

8205--A

2013-2014 Regular Sessions

I N A S S E M B L Y

October 24, 2013

Introduced by M. of A. CORWIN -- read once and referred to the Committee on Local Governments -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the county of Erie to transfer certain land to the town of Newstead

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

Section 1. The county of Erie acting through its legislature is hereby authorized to transfer the park lands described in section two of this act to the town of Newstead, county of Erie for a sum not to exceed $200,000 provided that such town uses such lands for continued park and recreational purposes. The revenue received by the county of Erie from the transfer of the property described in section two of this act shall be used for capital improvements of existing County park land and recreational facilities. The town of Newstead shall continue to provide access to the parklands and/or recreational facilities described in section two of this act to all residents of the county of Erie and shall not enact any fees which are higher for the residents of the county who are not residents of the town of Newstead.

S 2. The lands referred to in section one of this act are more particularly described as follows:

Parcel A

All that tract or parcel of land situate in the Village of Akron, Town of Newstead, County of Erie and State of New York, being part of Lots Nos. 41 and 42, Township 12, Range 5 of the Tonawanda Reservation, described as follows:

Beginning at a point in the south line of Lot No. 42, being also the north line of Lot No. 9, 350.59 feet west of the northeast corner of Lot No. 9: thence west along the common line of Lots Nos. 9, 41 and 42,

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

LBD11814-03-4

280.34 feet to the west line of premises of Leonard Raykowski recorded in Erie County Clerk's Office in liber 5127 of Deeds page 559: thence north along said west line, 944.37 feet to the south line of Skyline Drive: thence easterly along the south line of Skyline Drive, 159.52 feet to a point: continuing thence southeasterly, 114.23 feet along the southerly bounds of Skyline Drive to the east line of Leonard Raykowski recorded in said Clerk's Office in liber 5127 of Deeds page 559 and the west line of Henry Raykowski recorded in said Clerk's Office of liber 4290 of Deeds page 145: thence southerly along said boundary line, 919.50 feet to the point or place of beginning.

Parcel B

All that tract or parcel of land situate in the Town of Newstead, County of Erie and State of New York, being part of Lot No. 9, Section 3, Township 12, Range 5 of the Holland Land Company's Survey, described as follows:

Beginning at a point in the east line of Lot No. 9, 200 feet north of the southeast corner of said Lot: thence north along said Lot line, 4385.97 feet to the northeast corner of Lot No. 9: thence west along the north line of Lot No. 9, 1320 feet to the northwest corner of Lot No. 9: thence south and along the west line of Lot No. 9, 2554.03 feet to a point, 2040.06 feet north of the southwest corner of Lot No. 9: thence east, 218.46 feet along the north line of lands recorded in Erie County Clerk's Office in liber 1163 of Deeds page 481 to the northeast corner of said lands recorded in said Clerk's Office in liber 1163 of Deeds page 481: thence south along the east line of premises conveyed to Charles Carpenter and wife by said lands recorded in said Clerk's Office in liber 1163 of Deeds page 481, 1738.74 feet to a point: thence east and parallel with the south line of Lot No. 9, 410 feet to a point: thence south and parallel with the west line of Lot No. 9, 300 feet to the south line of Lot No. 9: thence easterly along the south line of Lot No. 9, being also the north line of Main Street, 325 feet to a point: thence north and parallel with the east line of Lot No. 9, 200 feet: thence east and parallel with the south line of Lot No. 9, 384.10 feet to the point or place of beginning in the east line of Lot No. 9.

Containing 131.13 acres, more or less.

S 3. The park land to be conveyed pursuant to this act, and all structures and facilities situated on such park land, shall be maintained, owned and operated by the town of Newstead.

S 4. The use of such park land and facilities shall be available to the public. Where the availability of such facilities is limited, the use of such facilities shall be determined by an equitable method which provides priority use to the public based on a reservation policy for free or nominal charge.

S 5. This act shall take effect immediately.