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

4560--B

Cal. No. 846

2013-2014 Regular Sessions

I N S E N A T E

April 10, 2013

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommitted to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

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:

Section 1. Subject to the provisions of this act but notwithstanding any other provision of law to the contrary, the commissioner of transportation is hereby authorized to transfer and convey to the town of Andover, in consideration of one dollar and upon such other consideration as the commissioner may deem proper, unused land formerly used as a department of transportation sub-residency facility, and any improvements thereon, located in the town of Andover, the county of Allegany.

S 2. The land situated in the county of Allegany to be transferred and conveyed pursuant to section one of this act, is further described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate, lying and being in the Town of Andover, in the County of Allegany and State of New York, being partly within and partly without the Village of Andover, being a part of Lot No. 81 in Township 2, Range 7, of Phelps and Gorhams Purchase and more particularly bounded and described as follows:

BEGINNING at a point on the easterly line of the Andover-Alfred Station-Almond State Highway No. 5502 where the same is intersected by the division line between premises of the said party of the first part, on the south, and premises formerly owned by Roswin Hardy but now owned

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

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by Kenneth Waters (reputed owner), on the north, and running thence along said division line South 89°36'20" East 140.21 feet to the division line between said premises of said party of the first part, on the west, and premises of Wilmer C. Atwell and Margaret R. Atwell, his wife (reputed owners), on the east; thence along said last mentioned division line South 18°02'10" East 278.16 feet to the division line between said premises of said party of the first part, on the west, and premises of Herman Lehman (reputed owner), on the east; thence along said last mentioned division line and the division line between said premises of said party of the first part, on the west, and premises of Donald L. Nichols and Reva J. Nichols, his wife (reputed owners), on the east, South 18°19'40" West 192.72 feet to an angle in said last mentioned division line; thence along the division line between said premises of said party of the first part, on the west, and said premises of Donald L. Nichols and Reva J. Nichols, his wife (reputed owners), and premises of Harold E. Dodge and Barbara J. Dodge, his wife (reputed owners), on the east, South 66° 18' 20" West 213.18 feet to the division line between said premises of said party of the first part, on the west, and premises of John Dodge and Esther E. Dodge, his wife (reputed owners), on the east; thence along said last mentioned division line South 52°59'20" West 110.07 feet to the division line between said premises of said party of the first part on the West, and the premises of Ralph Skinner and Wilma Skinner, his wife (reputed owners), on the east; thence along said last mentioned division line South 43° 27' 50" West 195.87 feet to its intersection with the easterly line of the Andover Village State Highway No. 5419; thence along said easterly line of said highway and the easterly line of the Andover-Alfred Station-Almond State Highway No. 5502 the following three courses and distances, to wit: (1) North 33° 57' 10" East 203.89 feet; (2) thence North 16°40'20" East 455.67 feet, and (3) thence North 03° 09' 40" East 136.24 feet to the point and place of beginning, containing 2.855± acres, of which 1.170± acres lie within the Village of Andover and 1.145± acres lie outside the Village of Andover; all bearings being referred to True North.

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

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

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

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

S 6. This act shall take effect immediately.