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

5241

2013-2014 Regular Sessions

I N S E N A T E

May 15, 2013

Introduced by Sen. BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to authorize the commissioner of general services to transfer and convey certain unappropriated state land to the Safe Haven Animal Shelter and Wildlife Center

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 general services is hereby authorized to transfer and convey to the Safe Haven Animal Shelter and Wildlife Center, the state land described in section two of this act at the Green Haven correctional facility, in the town of Beekman and the county of Dutchess, declared to be abandoned state land by the department of corrections and community supervision. The transfer and conveyance of the land described in section two of this act shall be made in consideration of the sum of one dollar and upon such conditions as the commissioner of general services may deem proper.

S 2. The lands authorized by section one of this act to be transferred and conveyed are as follows:

ALL that piece or parcel of land situate in the Town of Beekman, County of Dutchess and the State of New York, as shown on a map prepared by Spencer S. Hall, Land Surveyor, entitled, "Map of a Survey for Safe Haven Animal Shelter & Wildlife Center", dated May 10, 2013, more particularly bounded and described as follows:

BEGINNING at an iron rod to be set in the assumed road line (25' from the center of pavement) of South Green Haven Road, said point being in the southeast corner of the herein described parcel and said point being located S29°08'44"E 821.58' and S60°15'00"W 25.00' from the intersection of the center of South Green Haven Road and the center of the tracks of the Metro-North Commuter Railroad tracks where they cross said road; thence S60°15'00"W 300.00' to an iron rod to be set; thence N29°45'00"W

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

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600.00' to an iron rod to be set; thence N60°15'00"E 300.00' to an iron rod to be set on the said assumed road line of said South Green Haven Road; thence along same, S29°45'00"E 600.00' to the point or place of beginning. Containing 4.13 acres of land more or less.

Together with any right, title or interest in and to the center of South Green Haven Road.

S 3. The description in section two of this act is not intended to be a legal description but is intended to identify the parcel to be conveyed. As a condition of the transfer, Safe Haven Animal Shelter and Wildlife Center may submit to the commissioner of general services, for his or her approval, an accurate survey and description of the lands to be conveyed, which may be used in the conveyance thereof.

S 4. The office of general services shall not transfer or convey the aforesaid land unless application is made to the office of general services by the Safe Haven Animal Shelter and Wildlife Center within 1 year after the effective date of this act. Said application shall be in the form of a resolution setting forth a comprehensive statement approved by its managing board acknowledging and accepting the use restrictions set forth in section five of this act.

S 5. The transfer and conveyance made pursuant to this act shall be subject to the following use restrictions and reverter:

(a) The land described in this act shall be used exclusively for the purposes of operating and maintaining a no-kill animal rescue shelter, and an educational and rehabilitation center for pets and wildlife.

(b) The conveyance of the land described in this act shall contain a covenant and restriction requiring that the land be used for the purposes set forth in subdivision (a) of this section. In the event the premises are not accepted and/or used for such purposes, it shall revert to the state of New York.

S 6. This act shall take effect immediately.