

5747

2013-2014 Regular Sessions

I N S E N A T E

June 11, 2013

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to authorize the conveyance of certain real property of the state of New York to Karen R. Lynch of 8283 West Port Bay Road, Wolcott, New York in exchange for real property of an equal or higher value, to be utilized for wildlife management purposes

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

1 Section 1. Notwithstanding any other provision of law, the commission-  
2 er of environmental conservation is hereby authorized to enter into a  
3 contract for and on behalf of and in the name of the people of the state  
4 of New York ("the state"), for the conveyance of a parcel of state wild-  
5 life management lands in the town of Huron, county of Wayne, as more  
6 fully described in section two of this act, to Karen R. Lynch, in  
7 exchange for lands described in section three of this act.

8 The conveyance and exchange of lands authorized pursuant to this  
9 section shall be completed only if the commissioner of environmental  
10 conservation determines that:

11 a. the parcel described in section three of this act is of equal or  
12 greater value than the parcel described in section two of this act; and

13 b. the parcel described in section three of this act is adaptable for  
14 wildlife management and other purposes as prescribed in title 3 of arti-  
15 cle 11 of the environmental conservation law and consistent with para-  
16 graph v of subdivision 2 of section 3-0301 of the environmental conser-  
17 vation law, is contiguous to existing wildlife management area lands,  
18 and that the operation of the wildlife management area as a whole will  
19 not be adversely affected by such conveyance and exchange.

20 S 2. The lands authorized to be conveyed to Karen R. Lynch pursuant to  
21 section one of this act are bounded and described as follows:

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

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1 ALL THAT TRACT OR PARCEL OF LAND situated in Lot 264 of the Williamson  
2 Tract, Town of Huron, County of Wayne, State of New York, being more  
3 particularly bounded and described as follows:

4 COMMENCING in the center of West Port Bay Road at the point of inter-  
5 section of said centerline with the south line of lands now or formerly  
6 of William C. Michatek (Liber 785 of Deeds, Page 536) and the north line  
7 of lands of Karen R. Faulkner (Liber 972 of Deeds, Page 954); thence  
8 N75°57'12"W and along the south line of lands of said Michatek and along  
9 the north line of lands of said Faulkner 75.53 feet to a point marked by  
10 a rebar with aluminum cap set in an easterly line of lands of the People  
11 of the State of New York (Liber 584 of Deeds, Page 142) and the true  
12 point of BEGINNING of the parcel to be described; thence S14°02'48"W and  
13 along an easterly line of lands of said People of the State of New York  
14 and the westerly line of lands of said Faulkner which said line is the  
15 extension southerly of the west line of lands formerly owned by Albert  
16 R. Hickox (Liber 334 of Deeds, Page 169) now or formerly owned by said  
17 Michatek 120.00 feet to a point at the south west corner of lands of  
18 said Faulkner; thence N75°57'12"W through the lands of said People of  
19 the State of New York and on the extension of the southerly line of said  
20 Faulkner 19.58 feet to a point marked by a rebar with aluminum cap set;  
21 thence N02°19'48"E and parallel with the centerline of West Port Bay  
22 Road and through the lands of said People of the State of New York  
23 122.55 feet to a point marked by a rebar with aluminum cap set; thence  
24 S75°57'12"E and through the lands of the People of the State of New  
25 York, said line also being the extension westerly of the northerly line  
26 of lands of said Faulkner 44.47 feet to the point and place of BEGIN-  
27 NING.

28 CONTAINING 0.0882 acres of land more or less.

29 BEING a portion of the premises conveyed by Hazel R. Buisch to The  
30 People of the State of New York by appropriation dated December 20, 1966  
31 and recorded in the Wayne County Clerk's Office on January 27, 1967 in  
32 Liber 584 of Deeds, Page 142.

33 S 3. In exchange for the conveyance of such estate and rights  
34 described in section two of this act, Karen R. Lynch shall convey to the  
35 state, by warranty deed with covenant against grantor's acts, the  
36 following described parcel of land:

37 ALL THAT TRACT OR PARCEL OF LAND being part of Lot 303 in the William-  
38 son Tract, situate in the Town of Huron, County of Wayne and State of  
39 New York, being more particularly bounded and described as follows:

40 COMMENCING in the center of West Port Bay Road in the said Town at the  
41 point of intersection of said centerline with the north line of Lot No.  
42 303; thence S85°37'23"W and along the north line of Lot 303, for a  
43 distance of 175.00 feet to the northeasterly corner of premises conveyed  
44 by deed to the People of the State of New York by Henry Hugh Bolger  
45 dated April 22, 1964 and recorded in the Wayne County Clerk's Office in  
46 Liber 531 of Deeds, Page 104 and the true point of BEGINNING of the  
47 parcel to be described; thence S04°07'02"W and along the easterly line  
48 of said People of the State of New York and the westerly line of lands  
49 of Cheryl M. Darling (Liber 679 of Deeds, Page 775) for a distance of  
50 674.65 feet to a point at the southeast corner of said People of the  
51 State of New York and the south line of premises formerly conveyed to  
52 Henry H. Bolger and wife by Vina Mae Turner by deed dated June 13, 1952  
53 and recorded in the Wayne County Clerk's Office in Liber 398 of Deeds,  
54 Page 471, said point being 275 feet from the centerline of West Port Bay  
55 Road; thence N85°53'18"E and along the southerly line of said Darling  
56 for a distance of 13.05 feet to a point marked by a rebar with aluminum

1 cap set; thence N03°01'03"E and through the lands of said Darling for a  
2 distance of 672.91 feet to the point and place of BEGINNING.

3 CONTAINING 0.10 acres of land more or less.

4 BEING the same premises conveyed to Karen R. Lynch by Cheryl M.  
5 Darling by deed dated May 14, 2013 and recorded in the Wayne County  
6 Clerk's Office on May 24, 2013 in deed instrument number R9151206.

7 S 4. The commissioner of environmental conservation may prescribe  
8 additional terms for such exchange of lands. Such contract shall not  
9 become binding upon the state until approved by the director of the  
10 budget and the comptroller. Title to the land to be conveyed to the  
11 state pursuant to the provisions of such contract shall be approved by  
12 the attorney general and the deed to the state shall be approved by such  
13 attorney general as to form and manner of execution and recordability  
14 before such deed shall be accepted on behalf of the state. Notwith-  
15 standing the provisions of the public lands law, the conveyance of the  
16 state owned lands pursuant to such contract, shall be without reserva-  
17 tion or exception except as provided for in such contract. Upon certif-  
18 ication by the commissioner of environmental conservation to the commis-  
19 sioner of general services of a copy of the contract and certification  
20 that Karen R. Lynch has complied with all terms and conditions of the  
21 contract upon her part to be kept and performed, together with a  
22 description of each of the parcels to be exchanged, the commissioner of  
23 general services shall convey the land described in section two of this  
24 act in accordance with the provision of the contract. Any interest in  
25 land acquired by the state pursuant to this act shall be devoted to  
26 wildlife management and such other kindred purposes as may be determined  
27 by the commissioner of environmental conservation in accordance with the  
28 environmental conservation law.

29 S 5. This act shall take effect immediately.