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

7779--A

I N S E N A T E

June 9, 2014

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the town of Niagara, county of Niagara to discontinue the use of certain town lands as parkland and to sell and convey such lands

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

Section 1. The town of Niagara, in the county of Niagara, is hereby authorized to discontinue use of certain parklands more particularly described in section three of this act and sell and convey in fee simple for its fair market value and upon such terms and conditions as it deems appropriate such lands which are no longer useful for parkland recreation purposes.

S 2. The authorization provided for in section one of this act shall be subject to the requirement that upon the alienation of the lands more particularly described in section three of this act, the town of Niagara shall dedicate all proceeds from the sale of such lands for capital improvements to existing park facilities in the town of Niagara.

S 3. The lands authorized by section one of this act to be discontinued as parklands, and to be sold and conveyed are described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Niagara, County of Niagara and State of New York, being part of Lot 6, Township 13, Range 9 of the Holland Land Company's Survey, and being Lots X, W, V, U and T according to a map entitled "A Map of Part of Youngs Farm", filed in the Niagara County Clerk's Office in Book 10 of Maps at page 93, being more particularly bounded and described as follows:

COMMENCING at the intersection of the southeast line of Packard Road (as a 49.5 feet wide right of way) and the southwest line of Young Street (66 feet wide);

Thence southeasterly along the said southwest line of Young Street, a distance of 300.00 feet to the POINT OF BEGINNING, said point being the north corner of said Lot X.

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

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Thence southwesterly at an interior angle of 90°00'00" and along the northwest line of said Lot X, a distance of 496.6 feet to the southwest corner of said Lot X;

Thence southeasterly, parallel with the northeast line of Porter Road (100 feet wide) and 300 feet therefrom, and along the southwest line of said Lots X, W, V, U and T, a distance of approximately 799.65 feet to a point on the said southwest line of Young Street, said point being the southeast corner of said Lot T;

Thence northwesterly along the said southwest line of Young Street, a distance of 626.74 feet to the point or place of beginning, containing 155,495± square feet or 3.57± acres of land more or less.

S 4. In the event that the town of Niagara received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and conveyance of parkland authorized by the provisions of this act shall not occur until the town of Niagara has complied with any federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and recreational usefulness to the lands being alienated or converted.

S 5. This act shall take effect immediately.