

7449

2015-2016 Regular Sessions

I N   A S S E M B L Y

May 12, 2015

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Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Governmental Operations

AN ACT to authorize the commissioner of general services to transfer and convey certain state property to the town of Fallsburg

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

1     Section 1. Subject to the provisions of this act, but notwithstanding  
2 any other provision of law to the contrary, the commissioner of general  
3 services is hereby authorized to transfer and convey to the town of  
4 Fallsburg, upon the consent of the commissioner of the department of  
5 corrections and community supervision, and upon such other terms and  
6 conditions including consideration as the commissioner of the department  
7 of corrections and community supervision may deem proper, the state  
8 owned land known as the Sullivan Annex located at the Sullivan Correctional Facility, in the town of Fallsburg, county of Sullivan and more  
9 particularly described in section two of this act.

11     S 2. All those pieces or parcels of land situate in the town of Fallsburg, county of Sullivan, state of New York, being bounded and described  
12 as follows:

14     PARCEL NO. 1

15     BEGINNING at a spike in the center of Riverside Drive the following  
16 five (5) courses from the northwest corner of Parcel 1 of lands acquired  
17 from Minimax Realities Inc. (Liber 1099, p. 294)

- 18     1) S 41°26'39" W, 82.00 feet to a spike;  
19     2) S 48°00'09" W, 214.24 feet to a spike;  
20     3) S 45°39'07" W, 306.69 feet to a spike;  
21     4) S 35°14'16" W, 270.66 feet to a spike; and  
22     5) S 32°52'52" W, 268.60 feet to a spike

23     thence from said Point of Beginning S 74°49'50" E, 1203.44 feet to an  
24 iron pipe at the junction of two stonewalls; thence along lands, now or  
25 formerly, of Jack and Anna Leiner S 14°53'29" W, 1101.88 feet to an iron

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

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pipe, thence turning and running along lands, now or formerly, of New Regal Hotel, Inc. N 69°29'02" W, 1242.18 feet to a spike in the center of Riverside Drive thence along the center of Riverside Drive the following four (4) courses;

6) N 19°14'54" E, 267.36 feet to a spike;

7) N 08°17'15" E, 292.34 feet to a spike;

8) N 18°58'09" E, 368.74 feet to a spike; and

9) N 32°52'52" E, 64.32 feet to the point or place of beginning.

CONTAINING 29.51 acres of land, more or less.

SUBJECT to a 100 foot wide easement to New York State Electric and Gas Corporation dated May 27, 1964 and recorded in the Sullivan County Clerk's Office on May 28, 1964 in Liber 674 of Deeds at page 144.

PARCEL NO. 2

BEGINNING at a point on the centerline of Riverside Drive, the westerly line of lands, now or formerly, of the New Regal Hotel, Inc. said point also being the northeasterly corner of other lands of said New Regal Hotel, Inc. and running thence along the northerly line of lands of said New Regal Hotel, Inc., N 74°46'00" W, 580 feet, more or less, in a point on the east bank of the Neversink River; thence along the east bank of said Neversink River as it now winds and turns and also along the westerly line of lands now or formerly of the City of New York, Board of Water Supply to a point in the southerly line of lands possibly claimed by Start Properties, Inc., under tax deed Liber 862, page 320; said point being N 01°48'00" E, 330.80 feet from the last described point; thence leaving said riverbank and along the line of lands possibly claimed by Start Properties, Inc. N. 89°15'00" E, 100 feet more or less to a point on the westerly bank of a gully; thence along the northerly line of the parcel herein described S 68°03'16" E, 472.23 feet to a point in the centerline of Riverside Drive; thence southerly along the centerline of Riverside Drive the following courses and distances:

S 03°47'58" W, 15.35 feet to a point;

S 05°03'49" E, 180.93 feet to a point;

S 01°52'10" E, 65.96 feet to a point; and

S 07°13'09" W, 46.76 feet to the point or place of beginning.

Containing 4.258 acres of land more or less.

PARCEL NO. 3

BEGINNING at a point in the centerline of Riverside Drive, said point being N 07°13'09" E, 46.76 feet; N 01°52'10" W, 65.96 feet; N 05°03'49" W, 180.93 feet; and N 03°47'58" E, 15.35 feet along the centerline of Riverside Drive from the intersection of the northerly-line of lands now or formerly New Regal Hotel, Inc. with the centerline of Riverside Drive; thence from said point of beginning N 68°03'16" W, 472.23 feet along the southerly lines of the parcel herein described to a point on the easterly line of lands possibly claimed by Start Properties, Inc. under tax deed Liber 862, page 320; thence northerly along the easterly line of said lands N 36°15'00" E, 117.00 feet to a point; and N 04°10'05" E, 393.08 feet to a point, said point being the northwesterly corner of the parcel herein described; thence easterly along the southerly line of lands, now or formerly, of Start Properties, Inc. S 75°45'57" E, 488.52 feet to a point in the centerline of Riverside Drive; thence southerly along the centerline of Riverside Drive S 08°17'15" W, 133.62 feet to a point; S 19°14'54" W, 267.36 feet to a point; thence S 14°07'58" W, 85.50 feet to a point; and S 03°47'58" W, 75.32 feet to the point or place of beginning. EXCEPTING from Parcel No. 3 lands with existing salt storage shed, bounded and described as follows:

BEGINNING at a point in the centerline of Riverside Drive at the northeast corner of Parcel No. 3; thence N 75°45'57" W, 270.00 feet to a point; thence southerly 320 feet, more or less, to a point; thence easterly 270 feet, more or less, to a point in the centerline of Riverside Drive; thence N 19°14'54" E, 200.00 feet to a point; thence N 08°17'15" E, 133.62 feet to the point or place of beginning. Containing 2.00 acres of land, more or less. Parcel 3 containing 3.5 acres of land, more or less, with the exception of the above described salt storage parcel.

S 3. The description in section two of this act is not intended to be a legal description but is intended to identify the lands to be conveyed. As a condition of the transfer, the town of Fallsburg shall submit to the commissioner of general services, for approval, an accurate survey and description of the land to be conveyed, which may be used in the conveyance thereof.

S 4. Notwithstanding the foregoing, the authorization to convey the Sullivan Correctional Facility shall be subject to the condition precedent that such conveyance shall not impair or result in any diminution of the obligations to holders of any bonds which financed, refinanced, or are secured by correctional facilities (or payments in respect thereof), including the Sullivan Correctional Facility, and shall not adversely affect any exemption of interest on such bonds from federal income tax.

S 5. Any state property transferred and conveyed pursuant to this act shall be used exclusively for the purposes of the town of Fallsburg and upon termination of such uses, the title to the state property so transferred and conveyed shall revert to the state of New York. The conveyance of land described in this act shall contain a covenant, restriction and reverter requiring that the land be improved and used for the town of Fallsburg.

S 6. The office of general services shall not transfer or convey the above described state property unless application therefor is made to the office of general services by the town of Fallsburg within one year after the effective date of this act.

S 7. This act shall take effect immediately.