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

8052

2015-2016 Regular Sessions

I N A S S E M B L Y

June 5, 2015

Introduced by M. of A. ENGLEBRIGHT, BUTLER, STEC -- (at request of the Department of Environmental Conservation) -- read once and referred to the Committee on Environmental Conservation

AN ACT approving the exchange of certain lands between the Town of Long Lake and the People of the State of New York

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

Section 1. Pursuant to section 1 of article 14 of the State Constitution, as amended at the general election held in November, 2007, the legislature approves the lands to be exchanged as specified in this act and finds and determines that the property to be received by the State, described in section four of this act, is true and forest land and is at least equal in value to the land to be conveyed by the State to the town of Long Lake, described in section five of this act. The legislature further finds that all provisions and requirements of the Constitution relating to this exchange have been met.

S 2. The commissioner of general services, after certification to him or her by the commissioner of environmental conservation that title to the lands described in section four of this act has vested in the people of the state of New York, shall issue letters patent to the town of Long Lake of the lands described in section five of this act.

Notwithstanding the provisions of the public lands law, the conveyance by the State may be without reservation of any minerals. The letters patent shall contain the following covenants and restrictions:

(a) The property shall be used for water supply purposes only and for no other purpose.

(b) The town of Long Lake shall not sell, transfer or subdivide the property.

S 3. Title to the land described in section four of this act shall be approved by the attorney general, and the deed to the people of the state of New York of such lands shall be approved by the attorney gener-

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

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al as to form and manner of execution and recordability prior to its delivery to the Hamilton County Clerk for recording.

S 4. The lands to be conveyed to the state are described as follows:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in Lot 37, Township 6, Totten and Crossfield Purchase, Town of Arietta, County of Hamilton and State of New York, further described as follows:

BEGINNING at a 1-1/4 inch iron pipe and stones located on the southerly boundary of New York State Route 28, which iron pipe also is located on the division line between Lots 36 and 37, Township 6, Totten and Crossfield Purchase, and then running the following five (5) courses and distances:

1. Easterly on a curve to the right with a radius of 1,096 feet, a chord of North 77 degrees 34 minutes 29 seconds East; 292.42 feet and a distance along the curve of 293.3 feet along the southerly boundary of the right-of-way of New York State Route 28 to a 1/2 inch re-rod; then

2. South 19 degrees 49 minutes 35 seconds East a distance of 195.40 feet to a point, which point is marked by a 1/2 inch re-rod; then

3. South 37 degrees 35 minutes 56 seconds East a distance of 2,277.20 feet along a blazed and painted line to a point for a corner, which point is marked by a 1/2 inch re-rod set in a stream; then

4. South 47 degrees 54 minutes 09 seconds West a distance of 205.63 feet to a point for a corner, which point is marked by a 1-1/4 inch iron pipe and stones, and which point is the common corner of Lots 30, 31, 36 and 37 of Township 6, Totten and Crossfield Purchase; then

5. North 37 degrees 35 minutes 56 seconds West a distance of 2,603.78 feet along the blazed and painted division line between Lots 36 and 37 to the point and place of beginning.

Consisting of 12.2 acres of land, more or less.

EXCEPTING AND RESERVING therefrom any of the above described parcel which may fall within the right-of-way of New York State Route 28.

ALL as shown on a map entitled "Map of Survey of Lands Proposed to be conveyed to The People of The State of New York by the Town of Long Lake" prepared by William D. Hollister P.L.S., dated July 1, 2013 and revised on May 8, 2014, filed October 9, 2014 in the Hamilton County Clerk's Office as Map 2312 and also filed in the New York State Department of Environmental Conservation Office in Albany, NY as Map No. 12,417.

S 5. The lands to be conveyed to the town of Long Lake are described as follows:

ALL THAT PIECE OR PARCEL OF LAND situate in Township 40, Totten & Crossfield's Purchase in the Town of Long Lake, Hamilton County, State of New York, further described as follows:

COMMENCING at the intersection of the centerline of N.Y.S. Route 28 with the centerline of Sagamore Road;

THENCE the following eighteen (18) courses and distances along the centerline of Sagamore Road:

1. South 24 degrees 18 minutes 54 seconds East, a distance of 140.29 feet to a point;

2. South 22 degrees 27 minutes 55 seconds East, a distance of 1222.38 feet to a point;

3. South 24 degrees 42 minutes 54 seconds East, a distance of 202.50 feet to a point;

4. South 31 degrees 11 minutes 09 seconds East, a distance of 211.97 feet to a point;

5. South 37 degrees 53 minutes 47 seconds East, a distance of 351.21 feet to a point;

6. South 41 degrees 35 minutes 56 seconds East, a distance of 165.91 feet to a point;
7. South 46 degrees 21 minutes 06 seconds East, a distance of 180.66 feet to a point;
8. South 39 degrees 16 minutes 20 seconds East, a distance of 167.62 feet to a point;
9. South 22 degrees 28 minutes 33 seconds East, a distance of 156.25 feet to a point;
10. South 20 degrees 47 minutes 46 seconds East, a distance of 219.25 feet to a point;
11. South 14 degrees 05 minutes 26 seconds East, a distance of 119.37 feet to a point;
12. South 00 degrees 47 minutes 03 seconds West, a distance of 167.92 feet to a point;
13. South 11 degrees 31 minutes 35 seconds West, a distance of 121.89 feet to a point;
14. South 20 degrees 35 minutes 25 seconds West, a distance of 206.44 feet to a point;
15. South 09 degrees 13 minutes 54 seconds West, a distance of 96.78 feet to a point;
16. South 02 degrees 02 minutes 53 seconds East, a distance of 114.59 feet to a point;
17. South 11 degrees 24 minutes 34 seconds West, a distance of 155.61 feet to a point of curvature;
18. Along a curve to the left, having a radius of 125.25 feet, a chord bearing of South 03 degrees 45 minutes 28 seconds West, a chord distance of 33.35 feet to a point;

THENCE South 86 degrees 06 minutes 21 seconds West, a distance of 24.75 feet to a point on the westerly side of Sagamore Road, to the said POINT OF BEGINNING;

THENCE from said POINT OF BEGINNING the following two (2) courses and distances along the westerly side of Sagamore Road;

1. Along a curve to the left, having a radius of 150.00 feet, a chord bearing of South 13 degrees 53 minutes 38 seconds East, a chord distance of 52.09 feet to a point of tangency;
2. South 23 degrees 53 minutes 38 seconds East, a distance of 35.41 feet to a point;

THENCE the following twenty eight (28) courses and distances through the lands of the People of the State of New York;

1. South 23 degrees 00 minutes 32 seconds West, passing through a set capped iron rod line marker at 25 feet and continuing 121.62 feet for a total distance of 146.62 feet to a set capped iron rod;
2. South 52 degrees 56 minutes 51 seconds West, a distance of 75.06 feet to a set capped iron rod;
3. South 34 degrees 09 minutes 38 seconds West, a distance of 87.41 feet to a point;
4. South 28 degrees 16 minutes 15 seconds West, a distance of 125.39 feet to a point of curvature;
5. Along a curve to the right, having a radius of 122.75 feet, a chord bearing of South 41 degrees 46 minutes 28 seconds West, a chord distance of 57.33 feet to a point of reverse curvature;
6. Along a curve to the left, having a radius of 48.24 feet, a chord bearing of South 31 degrees 28 minutes 28 seconds West, a chord distance of 38.93 feet to a point of tangency;
7. South 07 degrees 40 minutes 32 seconds West, a distance of 43.98 feet to a point of curvature;

8. Along a curve to the right, having a radius of 148.03 feet, a chord bearing of South 26 degrees 18 minutes 51 seconds West, a chord distance of 94.61 feet to a point of tangency;
9. South 44 degrees 57 minutes 02 seconds West, a distance of 103.46 feet to a point of curvature;
10. Along a curve to the right, having a radius of 112.91 feet, a chord bearing of South 57 degrees 12 minutes 09 seconds West, a chord distance of 47.92 feet to a point of reverse curvature;
11. Along a curve to the left, having a radius of 79.90 feet, a chord bearing of South 35 degrees 20 minutes 07 seconds West, a chord distance of 89.63 feet to a set capped iron rod to a point of tangency;
12. South 06 degrees 07 minutes 30 seconds East, a distance of 50.62 feet to a set capped iron rod;
13. South 79 degrees 25 minutes 57 seconds West, a distance of 88.63 feet to a set capped iron rod;
14. North 24 degrees 42 minutes 02 seconds West, a distance of 69.46 feet to a set capped iron rod;
15. North 72 degrees 57 minutes 16 seconds East, a distance of 103.64 feet to a set capped iron rod;
16. Along a curve to the right, having a radius of 95.90 feet, a chord bearing of North 43 degrees 24 minutes 01 seconds East, a chord distance of 84.24 feet to a point of reverse curvature;
17. Along a curve to the left, having a radius of 96.91 feet, a chord bearing of North 57 degrees 12 minutes 09 seconds East, a chord distance of 41.13 feet to a point of tangency;
18. North 44 degrees 57 minutes 02 seconds East, a distance of 103.46 feet to a point of curvature;
19. Along a curve to the left, having a radius of 132.03 feet, a chord bearing of North 26 degrees 18 minutes 43 seconds East, a chord distance of 84.38 feet to a point of tangency;
20. North 07 degrees 40 minutes 32 seconds East, a distance of 43.98 feet to a point of curvature;
21. Along a curve to the right, having a radius of 64.24 feet, a chord bearing of North 31 degrees 28 minutes 43 seconds East, a chord distance of 51.85 feet to a point of reverse curvature;
22. Along a curve to the left, having a radius of 106.75 feet, a chord bearing of North 41 degrees 46 minutes 28 seconds East, a chord distance of 49.86 feet to a point of tangency;
23. North 28 degrees 16 minutes 15 seconds East, a distance of 126.21 feet to a point;
24. North 34 degrees 09 minutes 38 seconds East, a distance of 91.13 feet to a set capped iron rod;
25. North 24 degrees 01 minutes 20 seconds East, a distance of 64.63 feet to a set capped iron rod;
26. North 47 degrees 57 minutes 12 seconds West, a distance of 125.19 feet to a set capped iron rod;
27. North 44 degrees 30 minutes 52 seconds East, a distance of 70.78 feet to a set capped iron rod;
28. North 63 degrees 51 minutes 43 seconds East, passing through a set capped iron rod line marker 107.56 feet and continuing 25 feet for a total distance of 132.56 feet to the point and place of beginning.

Consisting of 1.0 acre of land, more or less.
Bearings given in the above description refer to Grid North.
SUBJECT TO all easements, reservations, restrictions, and covenants of record.

RESERVING a 16 ft. wide easement for ingress and egress, centered on the existing access road running through the above described property and shown on the map referenced below.

ALL as shown on a map entitled "Map of Survey of Lands to be Conveyed to The Town of Long Lake, by The People of the State of New York, Pursuant to an Amendment to Article 14, Section 1, of the New York State Constitution, as Approved by Public Referendum on November 6, 2007, Project EX-AFP Hamilton 326, State of New York - Vendor" prepared by New York State Department of Environmental Conservation Land Surveyor Robert J. Bradley, PLS, dated August 1, 2014, filed October 9, 2014 in the Hamilton County Clerk's Office as Map 2311 and also in the New York State Department of Environmental Conservation office in Albany, NY as Map No. 12,319.

S 6. This act shall take effect immediately.