

4994--A

2015-2016 Regular Sessions

I N S E N A T E

April 28, 2015

Introduced by Sen. MARCHIONE -- 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 authorizing and validating the alienation of certain parkland in the town of Kinderhook in the county of Columbia

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

1 Section 1. The town of Kinderhook, in the county of Columbia, is here-  
2 by authorized to discontinue use of certain parklands more particularly  
3 described in section three of this act and sell and convey in fee simple  
4 for its fair market value and upon such terms and conditions, as deter-  
5 mined by the town board.

6 S 2. The authorization provided for in section one of this act shall  
7 only be effective on the condition that the town of Kinderhook shall  
8 dedicate the fair market value of such lands for the acquisition of  
9 additional parkland and/or capital improvements to existing park facili-  
10 ties in the town of Kinderhook.

11 S 3. The lands to be discontinued as parkland and alienated and  
12 conveyed pursuant to section two of this act are bounded and described  
13 as follows:

14 ALL that piece or parcel of land generally known as the former Niver-  
15 ville Schoolhouse premises of the Kinderhook Central School District  
16 located in the Hamlet of Niverville, Town of Kinderhook, Columbia Coun-  
17 ty, New York.

18 BEGINNING at a point referenced as south 45 degrees, 30 minutes west  
19 and distant 105.7 feet from the steel fence post designated the south-  
20 westerly corner of the present school premises as conveyed by John  
21 Raeder and wife by deed dated April 10, 1880 and recorded in the office  
22 of the clerk of Columbia County, New York in Liber 72 at page 472;  
23 thence north 88 degrees 45 minutes east 159.14 feet to the northwesterly

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

LBD09393-05-5

1 corner of lands conveyed by Anna E. Strain to Henry R. Van Hoesen and  
2 wife by deed dated October 15, 1924 and recorded in Liber 188 at Page  
3 114, and as shown on a map thereof filed in the office of the county  
4 clerk of Columbia County as Map Number 819; thence south 5 degrees 2  
5 minutes east 206.15 feet to a steel pin designating the southwesterly  
6 corner of Lot Number 4 on said map and the northwesterly corner of a  
7 "Street" as shown thereon; thence south 5 degrees 2 minutes east 22.46  
8 feet to lands of Fannie M. Clapper; thence along lands of said Clapper  
9 south 87 degrees 17 minutes west 2.02 feet to a steel bolt; thence along  
10 lands of said Fannie M. Clapper, Anna A. Webber, and the Methodist  
11 Episcopal Church south 5 degrees 2 minutes east 298.77 feet to an iron  
12 pipe; thence south 88 degrees 28 minutes west 500.75 feet to lands  
13 conveyed to Valatie Mills Corporation by deed dated June 28, 1922, and  
14 recorded in the office of the clerk of Columbia County in Liber 180 at  
15 Page 25; thence along lands of said Valatie Mills Corporation the  
16 following five courses: north 31 degrees 1 minute east 80.19 feet, north  
17 5 degrees 1 minute east 87.2 feet, north 7 degrees 27 minutes west 67.3  
18 feet, north 18 degrees 42 minutes east 95.7 feet, and north 45 degrees  
19 30 minutes east 317.3 feet to the point of beginning.

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

31 S 5. This act shall take effect on the ninetieth day after it shall  
32 have become a law.