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

4994--B

Cal. No. 839

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 -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading

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:

Section 1. The town of Kinderhook, in the county of Columbia, 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 determined by the town board.

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

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

ALL that piece or parcel of land generally known as the former Niverville Schoolhouse premises of the Kinderhook Central School District located in the Hamlet of Niverville, Town of Kinderhook, Columbia County, New York.

BEGINNING at a point referenced as south 45 degrees, 30 minutes west and distant 105.7 feet from the steel fence post designated the southwesterly corner of the present school premises as conveyed by John

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

LBD09393-08-5

Raeder and wife by deed dated April 10, 1880 and recorded in the office of the clerk of Columbia County, New York in Liber 72 at page 472; thence north 88 degrees 45 minutes east 159.14 feet to the northwesterly corner of lands conveyed by Anna E. Strain to Henry R. Van Hoesen and wife by deed dated October 15, 1924 and recorded in Liber 188 at Page 114, and as shown on a map thereof filed in the office of the county clerk of Columbia County as Map Number 819; thence south 5 degrees 2 minutes east 206.15 feet to a steel pin designating the southwesterly corner of Lot Number 4 on said map and the northwesterly corner of a "Street" as shown thereon; thence south 5 degrees 2 minutes east 22.46 feet to lands of Fannie M. Clapper; thence along lands of said Clapper south 87 degrees 17 minutes west 2.02 feet to a steel bolt; thence along lands of said Fannie M. Clapper, Anna A. Webber, and the Methodist Episcopal Church south 5 degrees 2 minutes east 298.77 feet to an iron pipe; thence south 88 degrees 28 minutes west 500.75 feet to lands conveyed to Valatie Mills Corporation by deed dated June 28, 1922, and recorded in the office of the clerk of Columbia County in Liber 180 at Page 25; thence along lands of said Valatie Mills Corporation the following five courses: north 31 degrees 1 minute east 80.19 feet, north 5 degrees 1 minute east 87.2 feet, north 7 degrees 27 minutes west 67.3 feet, north 18 degrees 42 minutes east 95.7 feet, and north 45 degrees 30 minutes east 317.3 feet to the point of beginning. The total acreage of the parcel described approximately 4.57 acres.

S 4. In the event that the town of Kinderhook 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 Kinderhook has complied with any federal requirements pertaining to the alienation of 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 on the ninetieth day after it shall have become a law.