

5568

2015-2016 Regular Sessions

I N S E N A T E

May 14, 2015

Introduced by Sen. FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT in relation to the alienation and substitution of certain parklands in the town of Naples in the county of Ontario

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, the town of Naples,
2 in the county of Ontario, acting by and through its town board, is here-
3 by authorized to discontinue as parklands and alienate the lands known
4 as the "James P. Long Memorial Park" further described in section three
5 of this act.
6 S 2. The authorization contained in section one of this act shall take
7 effect only upon the condition that the town of Naples shall dedicate
8 the proceeds from the sale of such parkland to further develop and
9 improve existing parklands, and dedicate a portion of the Naples Commu-
10 nity Park to James P. Long.
11 S 3. The lands authorized by section one of this act to be discontin-
12 ued as parklands are as follows:
13 All THAT TRACT OR PARCEL OF LAND situate in the Town of Naples, County
14 of Ontario and State of New York, bounded and described as follows:
15 BEING a parcel of land located on the southeast side of N.Y.S. Rtes.
16 #21 and #245, commencing at a point in the east line of said N.Y.S.
17 Rtes. #21 and #245 distant south-southwesterly 800 feet from the south
18 line of lands now owned by one Northrop (formerly Wallace Fleming);
19 thence south-southwesterly and continuing along the east line of said
20 N.Y.S. Rtes. #21 and #245 to the north line of lands now owned by
21 Charles H. Warren and Anna A. Warren, his wife; thence easterly along
22 the north line of said Warren lands a distance of approximately 370 feet
23 to the west line of lands now owned by August Schoenthaler and Freda
24 Schoenthaler, his wife; thence north-northeasterly along the west line
25 of said Schoenthaler a distance of approximately 490 feet to a point;

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

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1 thence westerly and parallel with the south line of the said Northrop
2 lands a distance of approximately 350 feet to the east line of said
3 N.Y.S. Rtes. #21 and #245 and the point and place of beginning, contain-
4 ing approximately 4.75 ACRES OF LAND.

5 S 4. In the event that the parklands to be developed and improved by
6 the town of Naples pursuant to this act are not equal to or greater than
7 the fair market value of the parkland to be discontinued, the town of
8 Naples shall dedicate the difference of the fair market value of the
9 lands to be alienated and the lands to be developed for the acquisition
10 of additional parklands and/or for capital improvements to existing park
11 and recreational facilities.

12 S 5. In the event that the town of Naples received any funding support
13 or assistance from the federal government for the purchase, maintenance
14 or improvement of the parklands set forth in section three of this act,
15 the discontinuance and alienation of such parkland authorized by the
16 provisions of section three of this act shall not occur until the town
17 of Naples has complied with any federal requirements pertaining to the
18 alienation or conversion of such parklands, including satisfying the
19 secretary of the interior that the alienation or conversion complies
20 with all conditions which the secretary of the interior deems necessary
21 to assure the substitution of other lands shall be equivalent in fair
22 market value and usefulness to the lands being alienated or converted.

23 S 6. This act shall take effect immediately.