

5735--A

2015-2016 Regular Sessions

I N   S E N A T E

June 1, 2015

---

Introduced by Sen. RITCHIE -- 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 to authorize the village of Clayton, county of Jefferson to transfer and convey certain parklands to Dean Hyde in exchange for certain lands owned by Dean Hyde which will be used as parkland

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

- 1     Section 1. The village of Clayton, county of Jefferson is hereby  
2 authorized to discontinue its use of the lands described in section two  
3 of this act which are no longer needed for park purposes and to convey  
4 its interest in the real property to Dean Hyde in exchange for the lands  
5 described in section three of this act which are owned by Dean Hyde and  
6 are of equal or greater value than the lands described in section two of  
7 this act; provided, however, that the lands described in section three  
8 of this act shall be used as part of the village of Clayton's riverwalk  
9 project and shall be dedicated parkland.
- 10    S 2. The lands to be alienated are described as follows:
- 11    All that parcel of land located in the Village of Clayton, County of  
12 Jefferson and State of New York, bounded and described as follows:
- 13    Beginning at a railroad spike set at the northeast corner of a parcel  
14 of land conveyed to Dean Hyde (Liber 1855, Page 245), said railroad  
15 spike set also being in the division line between said lands conveyed to  
16 Hyde on the southwest and lands conveyed to the Village of Clayton  
17 (Instrument 2004-00003418) on the north and east (the following  
18 described parcel being a part of thereof); and runs thence from the  
19 point of beginning South 74 degrees 07 minutes West, 25.00 feet along  
20 the north line of said lands conveyed to Hyde to a point; thence passing  
21 through said lands conveyed to the Village of Clayton the following  
22 three courses and distances: 1) North 15 degrees 53 minutes West, 12.00

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

LBD11402-03-5

1 feet to a point; 2) North 74 degrees 07 minutes East, 25.00 feet to a  
2 point; 3) South 15 degrees 53 minutes East, 12.00 feet to the point of  
3 beginning, containing 300 square feet of land.

4 The above described parcel being a part of lands conveyed from the  
5 Village of Clayton to the Village of Clayton by deed dated March 9, 2004  
6 and recorded in the Jefferson County Clerk's Office on March 10, 2004 as  
7 Instrument 2004-00003418.

8 Together with and subject to rights, covenants, easements,  
9 restrictions and rights of way of record.

10 S 3. The replacement parklands are described as follows:

11 All that parcel of land located in the Village of Clayton, County of  
12 Jefferson and State of New York, bounded and described as follows:

13 Beginning at an existing iron plug at the northwest corner of a parcel  
14 of land conveyed to Dean Hyde (Liber 1855, Page 245), said existing iron  
15 plug also being in the division line between said lands conveyed to Hyde  
16 on the south and lands conveyed to the Village of Clayton (Instrument  
17 2004-00003418) on the north, said existing iron plug further being in  
18 the west line of a grant of lands underwater formerly conveyed by the  
19 People of the State of New York to Raymond E. Secor, Bernice O. Secor  
20 and James J. Brabant (Liber 929, Page 944); and runs thence from the  
21 point of beginning North 74 degrees 07 minutes East, 10.20 feet along  
22 the division line between said lands conveyed to Hyde on the south and  
23 said lands conveyed to the Village of Clayton on the north to a point;  
24 thence South 17 degrees 52 minutes East, 15.44 feet passing through said  
25 lands conveyed to Hyde to a drill hole at the northeast corner of lands  
26 conveyed to Bruce N. Beattie and Cynthia S. Beattie (Liber 1889, Page  
27 125); thence South 74 degrees 15 minutes West, 10.63 feet along the  
28 north line of said lands conveyed to Beattie to a point in the aforemen-  
29 tioned west line of a grant of lands underwater formerly conveyed to  
30 Secor and Brabant and along the west line of the aforementioned lands  
31 conveyed to Hyde, said point also being North 74 degrees 15 minutes  
32 East, 0.68 feet from a chiseled "V" in concrete; thence North 16 degrees  
33 16 minutes West, 15.41 feet along the west line of said grant of lands  
34 underwater formerly conveyed to Secor and Brabant and along the west  
35 line of said lands conveyed to Hyde to the point of beginning, contain-  
36 ing 161 square feet of land.

37 The above described parcel being a part of lands conveyed from the  
38 Village of Clayton to Dean Hyde by deed dated May 8, 2002 and recorded  
39 in the Jefferson County Clerk's Office on May 14, 2002 in Liber 1855 of  
40 Deeds at Page 245.

41 Together with and subject to rights, covenants, easements,  
42 restrictions and rights of way of record.

43 S 4. In the event it is determined that the village of Clayton  
44 received any funding support or assistance from the federal government  
45 for the purchase, maintenance or improvement of the parklands described  
46 in section two of this act, the discontinuance and alienation of such  
47 parkland authorized by the provisions of this act shall not occur until  
48 the village of Clayton has complied with any federal requirements  
49 pertaining to the alienation or conversion of parklands, including  
50 satisfying the secretary of the interior that the alienation or conver-  
51 sion complies with all conditions which the secretary of the interior  
52 deems necessary to assure the substitution of other lands shall be  
53 equivalent in fair market value and usefulness to the lands being alien-  
54 ated or converted.

55 S 5. This act shall take effect immediately.