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

5120

2015-2016 Regular Sessions

I N S E N A T E

May 1, 2015

Introduced by Sen. AMEDORE -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to authorize the commissioner of general services to transfer and convey certain unappropriated state land to the county of Greene

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

Section 1. Subject to the provisions of this act but notwithstanding any other provision of law to the contrary, the commissioner of general services is hereby authorized, subject to the consent of the commissioner of corrections and community supervision, to transfer and convey to the county of Greene, the state land described in section two of this act at the Coxsackie correctional facility, in the town of Coxsackie and the county of Greene, declared to be abandoned state land by the department of corrections and community supervision. The transfer and conveyance of the land described in section two of this act shall be made in consideration of the sum of one dollar and upon such conditions as the commissioner of general services may deem proper.

S 2. The lands authorized by section one of this act to be transferred and conveyed are as follows:

ALL that piece or parcel of land situate in the Town of Coxsackie, County of Greene, and State of New York being more particularly bounded and described as follows:

Beginning at a point located alone the easterly boundary of US Route 9W (S.H. 8384) at its intersection with the division line between lands now or formerly of the People of the State of New York as described in Liber 263 of Deeds at Page 161 on the north and lands now or formerly of Popco Realty, Inc. as described in Liber 1329 of Deeds at Page 217 on the south; thence in a generally northerly direction along the 1931 highway boundary of said US Route 9W, the following five (5) bearings and distances:

1) North 13° -09' -20" East, a distance of 489.14 feet to a point;

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

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2) North 15° -26' -00" East, a distance of 246.83 feet to a point;
3) North 19° -23' -40" East, a distance of 284.41 feet to a point;
4) North 23° -53' -30" East, a distance of 306.93 feet to a point;
5) North 26° -33' -40" East, a distance of 56.36 feet to a point;

Thence through said lands of the People of the State of New York the following four (4) bearing and distances;

1) South 71° -46' -42" East, a distance of 418.36 feet to a point;
2) South 18° -13' -18" West, a distance of 74.42 feet to a point;
3) South 71° -46' -42" East, a distance of 1,082.22 feet to a point approximately 25 feet westerly of an electric transmission line running through said lands of the People of the State of New York;
4) South 03° -47' -17" West, running approximately 25 feet westerly of said electric transmission line a distance of 244.61 feet to a point located long the division line between said lands now or formerly of the People of the State of New York as described in Liber 263 of Deeds at Page 161 on the north and other lands of the People of the State of New York as described in Liber 263 of Deeds at Page 163 on the south;

Thence South 03° -47' -17" West, continuing through said lands of the People of the State of New York as described in Liber 263 of Deeds at Page 163 and running approximately 25 feet westerly of said electric transmission line a distance of 1,050.22 feet to its intersection with the division line between the last mentioned lands of the People of the State of New York on the north and the aforementioned lands of Popco Realty, Inc. on the south; thence North 71° -09' -30" West, along said division line a distance of 495.25 feet to a point located at its intersection with the first mentioned division line; thence North 74° - 13' - 30" West, along said division line passing through trees with wire fence remains, a distance of 1,318.43 feet to the Point of Beginning, containing 50.00 acres, more or less.

Subject to any enforceable easements, restrictions or covenants of record that may exist.

S 3. The description in section two of this act is not intended to be a legal description but is intended to identify the parcel to be conveyed. As a condition of the transfer, the county of Greene may submit to the commissioner of general services, for his or her approval, an accurate survey and description of the lands to be conveyed, which may be used in the conveyance thereof.

S 4. The office of general services shall not transfer or convey the aforesaid land unless application is made to the office of general services by the county of Greene within 1 year after the effective date of this act. Said application shall be in the form of a resolution setting forth a comprehensive statement approved by its county legislature acknowledging and accepting the use restrictions set forth in section five of this act.

S 5. The transfer and conveyance made pursuant to this act shall be subject to the following use restrictions and reverter:

(a) The land described in this act shall be used exclusively for the purposes of operating and maintaining a county correctional facility.

(b) The conveyance of the land described in this act shall contain a covenant and restriction requiring that the land be used for the purposes set forth in subdivision (a) of this section. In the event the premises are not accepted and/or used for such purposes, it shall revert to the state of New York.

S 6. This act shall take effect immediately.