

5568--A

Cal. No. 1253

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

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" more particularly described in  
5 section three of this act and to sell and convey such parklands at fair  
6 market value and upon such other terms and conditions as determined by  
7 the town board.

8 S 2. The authorization contained in section one of this act shall take  
9 effect only upon the condition that the town of Naples shall dedicate an  
10 amount equal to or greater than the fair market value of the property  
11 being alienated in this act toward the acquisition of additional park-  
12 land and or capital improvements to existing parkland. The town of  
13 Naples shall also dedicate a portion of the Naples Community Park to  
14 James P. Long.

15 S 3. The parklands authorized by section one of this act to be discon-  
16 tinued as parklands are as follows:  
17 All THAT TRACT OR PARCEL OF LAND situate in the Town of Naples, County  
18 of Ontario and State of New York, bounded and described as follows:  
19 BEING a parcel of land located on the southeast side of N.Y.S. Rtes.  
20 #21 and #245, commencing at a point in the east line of said N.Y.S.  
21 Rtes. #21 and #245 distant south-southwesterly 800 feet from the south  
22 line of lands now owned by one Northrop (formerly Wallace Fleming);

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

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1 thence south-southwesterly and continuing along the east line of said  
2 N.Y.S. Rtes. #21 and #245 to the north line of lands now owned by  
3 Charles H. Warren and Anna A. Warren, his wife; thence easterly along  
4 the north line of said Warren lands a distance of approximately 370 feet  
5 to the west line of lands now owned by August Schoenthaler and Freda  
6 Schoenthaler, his wife; thence north-northeasterly along the west line  
7 of said Schoenthaler a distance of approximately 490 feet to a point;  
8 thence westerly and parallel with the south line of the said Northrop  
9 lands a distance of approximately 350 feet to the east line of said  
10 N.Y.S. Rtes. #21 and #245 and the point and place of beginning, contain-  
11 ing approximately 4.75 ACRES OF LAND.

12 S 4. 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 one of this act shall not occur until the town of  
17 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 5. This act shall take effect immediately.