

5735

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

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 value of the lands described in
7 section two of this act; provided, however, that the lands described in
8 section three of this act shall be used as part of the village of
9 Clayton's riverwalk 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
23 feet to a point; 2) North 74 degrees 07 minutes East, 25.00 feet to a

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

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

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

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

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

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

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

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

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

42 S 4. In the event that the Village of Clayton received any funding
43 support or assistance from the federal government for the purchase,
44 maintenance or improvement of the parklands set forth in section two of
45 this act, the discontinuance and conveyance of parkland authorized by
46 the provisions of this act shall not occur until the Village of Clayton
47 has complied with any federal requirements pertaining to the alienation
48 or conversion of parklands, including satisfying the secretary of the
49 interior that the alienation or conversion complies with all conditions
50 which the secretary of the interior deems necessary to assure the
51 substitution of other lands shall be equivalent in fair market value and
52 recreational usefulness to the lands being alienated or converted.

53 S 5. This act shall take effect immediately.