

5812--A

2015-2016 Regular Sessions

I N S E N A T E

June 4, 2015

Introduced by Sen. SERINO -- 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 in relation to authorizing the city of Poughkeepsie, in the county of Dutchess, to discontinue the use of certain lands as parklands and to sell and convey such lands, which are no longer needed for park purposes

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 city of Pough-
2 keepsie, in the county of Dutchess is hereby authorized, acting by and
3 through its Common Council and upon such terms and conditions as deter-
4 mined by such legislative body, to discontinue the use of the municipal-
5 ly owned parklands more particularly described in section three of this
6 act, and to sell and convey such lands, including the historic residence
7 known as the "Pelton Mansion" located at 36 North Clover Street in the
8 city of Poughkeepsie, which are no longer needed for park purposes, upon
9 such other terms and conditions as may be determined by such legislative
10 body, but at fair market value.

11 S 2. The authorization provided in section one of this act shall be
12 effective only upon the condition that the city of Poughkeepsie dedicate
13 an amount equal to or greater than the fair market value of the property
14 being alienated by this act for the acquisition of additional parklands
15 and/or for capital improvements to existing park and recreational facil-
16 ities.

17 S 3. The property authorized by this act to be discontinued as park-
18 lands by the city of Poughkeepsie are generally described as follows:

19 All that tract or parcel of land situated in the City of Poughkeepsie,
20 County of Dutchess, and the State of New York, bounded and described as
21 follows:

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

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1 Beginning at a point in the Westerly line of North Clover Street, said
2 point being the Southeasterly corner of lands now or formerly Provenzano
3 (Liber 1973, cp 419); thence along the said Westerly line of North
4 Clover Street South 29-28-25 West 32.00 feet to a point; thence along
5 the Northerly line of lands now or formerly Delleo (Deed Document Number
6 22008/1137) North 60-31-35 West 150.00 feet to a point; thence along the
7 Westerly lines of the said lands now or formerly Delleo (Deed Document
8 Number 22008/1137), lands now or formerly Villano (Deed Document Number
9 22010/3925) and lands now or formerly Trocino & Milea (Deed Document
10 Number 22008/2923), South 29-28-25 West 187.17 feet to a point; thence
11 along the Northerly line of lands now or formerly Holy Comforter Church
12 (Liber 373, cp 347) North 83-19-10 West; 173.50 feet to a point in the
13 Easterly line of Davies Place; thence along the said Easterly line of
14 Davies Place, generally along a stone retaining wall, the following two
15 courses: North 11-55-00 East 8.06 feet to an angle in the said retaining
16 wall and North 5-43-30 West 238.88 feet to a point at the Southerly end
17 of a curve to the right connecting the said Easterly line of Davies
18 Place with the Southerly line of Dongan Place; thence, continuing along
19 the said stone retaining wall, along the said curve to the right, having
20 a radius of 105.00 feet, a length of 201.74 feet to a point in the said
21 Southerly line of Dongan Place; thence along the said Southerly line of
22 Dongan Place, continuing generally along the said stone retaining wall,
23 the following courses: South 75-42-00 East 167.71 feet to a point, South
24 72-23-10 East 34.97 feet to a point, South 68-42-40 East 39.88 feet to a
25 point, South 64-56-50 East 32.46 feet to a point, South 61-35-50 East
26 44.04 feet to a point, and South 56-45-00 East 62.07 feet to a point;
27 thence, generally along the said stone retaining wall, South 26-29-50
28 East 17.67 feet to a point, and, leaving the said stone retaining wall,
29 South 11-58-40 West 10.48 feet to a point in the said Westerly line of
30 North Clover Street, said point being the Northeasterly corner of a 3
31 story brick building situate on lands now or formerly GCAABB LLC (Deed
32 Document Number 22009/5257); thence along the Northerly line of the said
33 lands now or formerly GCAABB LLC (Deed Document Number 22009/5257),
34 partially along the Northerly face of the said 3 story brick building,
35 North 60-31-35 West 150.00 feet to a point; thence along the Westerly
36 lines of the said lands now or formerly GCAABB LLC (Deed Document Number
37 22009/5257) and lands now or formerly TJ Associates Inc. (Liber 1992, cp
38 207) South 29-28-25 West 80.00 feet to a point; thence along the South-
39 erly line of the said lands now or formerly TJ Associates Inc. (Liber
40 1992, cp 207) South 60-31-35 East 25.50 feet to a point; thence along
41 the Westerly and Southerly lines of the said lands now or formerly
42 Provenzano (Liber 1973, cp 419) the following two courses: South 29-28-
43 25 West 34.50 feet to a point and South 60-31-35 East 124.50 feet to the
44 point or place of beginning. Containing 2.45 acres of land.

45 Subject to and together with the existing easements and rights-of-way
46 of record, if any.

47 S 4. The discontinuance and conveyance of parkland authorized by the
48 provisions of this act shall not occur until the city of Poughkeepsie
49 has complied with any federal or state requirements pertaining to the
50 alienation or conversion of parklands, including satisfying the secre-
51 tary of the interior that the alienation or conversion complies with all
52 conditions which the secretary of the interior deems necessary to assure
53 that the substitution of other lands shall be equivalent in fair market
54 value and recreational usefulness to the lands being alienated or
55 converted.

1 S 5. In the event that the park lands to be dedicated by the city of
2 Poughkeepsie pursuant to this act are not of equal or greater fair
3 market value and usefulness as park lands than the park lands to be
4 discontinued, the city of Poughkeepsie shall dedicate the difference of
5 fair market value and/or usefulness of the lands to be alienated and the
6 lands to be dedicated for the acquisition of additional park lands
7 and/or capital improvements to existing park and recreational facili-
8 ties.

9 S 6. This act shall take effect immediately.