

6756

I N S E N A T E

February 17, 2016

Introduced by Sen. RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT authorizing the city of Fulton to discontinue its use of certain waterfront parklands

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

1 Section 1. 1. Subject to the provisions of this act, the city of  
2 Fulton, located in the county of Oswego, is hereby authorized, acting by  
3 and through its city council, to discontinue its use of the waterfront  
4 land described in section two of this act, and to enter into a contract  
5 to convey its interest in such real property, along with an easement and  
6 right-of-way for ingress and egress, to the town of Granby, located in  
7 the county of Oswego, upon terms agreed to by the city of Fulton and the  
8 town of Granby; provided that the town of Granby continue to use the  
9 property as parkland, and that the town shall continue to provide access  
10 to such parkland to the general public.

11 2. Any revenues received by the city of Fulton as a result of the  
12 initial conveyance of property described in section two of this act  
13 shall be used for capital improvements of existing park and recreational  
14 facilities and/or for acquisition of additional park and recreational  
15 facilities.

16 S 2. For purposes of this act, the description of the property to be  
17 transferred is described as follows: 1. All that tract or parcel of  
18 land, situated in the City of Fulton, County of Oswego, State of New  
19 York and being part of Lot 65 in said city being more particularly  
20 described as follows: Commencing at a point situate in the centerline of  
21 New York State Route 48, said point being 1,651.54' northerly from the  
22 south line of Lot 65 and the north line of the City of Fulton as meas-  
23 ured along the centerline of New York State Route 48; thence N 78° 03'  
24 10" E, a distance of 33.19' to a point in the east line of New York  
25 State Route 48; thence, N 17° 50' 46" W along the east line of New York  
26 State Route 48, a distance of 50.27' to a point; thence, N 78° 03' 10"  
27 E, a distance of 919.00' to a point; thence, N 06° 12' 26" W, a distance  
28 of 107.02' to a point; thence, northerly along a curve to the right

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

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1 having a radius of 163.80', an arc length of 85.97'; thence, N 23° 51'  
2 54" E, a distance of 158.96' to a point; thence, northerly along a curve  
3 to the left having a radius of 146.24', an arc length of 78.09' to a  
4 point; thence, N 06° 43' 47" W, a distance of 164.41' to a point;  
5 thence, S 83° 16' 13" W, a distance of 194.63' to a point, said point  
6 being the southeast corner of Brenton (Bk. 1261/Pg. 256) and the Point  
7 of Beginning of the premises conveyed herein; thence, N 17° 54' 47" E  
8 along the east line of said Brenton and the east line of Brannan (Bk.  
9 1214/Pg. 004), a distance of 439.21' to a point being the northeast  
10 corner of said Brannan and the south line of Gorman (R-2011-005902);  
11 thence, N 82° 59' 21" E along the south line of said Gorman and the  
12 south line of Gorman (Bk. 1437/Pg. 76), a distance of 547.5' to the  
13 westerly edge of the Oswego River; thence, southeasterly along the  
14 westerly edge of the Oswego River as it winds and turns, a distance of  
15 690.8' to a point; thence, S 83° 16' 13" W, a distance of 1,266.1' to  
16 the point and place of beginning containing 8.3 acres of land; and

17 2. The description for the property to be granted as an easement for  
18 ingress and egress is described as follows: All that tract or parcel of  
19 land, situate in the City of Fulton, County of Oswego, State of New York  
20 and being part of Lot 65 in said city being more particularly described  
21 as follows: Commencing at a point situate in the center line of New York  
22 State Route 48, said point being 1,651.54' northerly from the south line  
23 of Lot 65 and the north line of the City of Fulton as measured along the  
24 centerline of New York State Route 48; thence, N 78° 03' 10" E, a  
25 distance of 33.19' to a point in the east line of New York State Route  
26 48 and the Point of Beginning of the premises conveyed herein; thence, N  
27 17° 50' 46" W along the east line of New York State Route 48, a distance  
28 of 50.27' to a point; thence, N 78° 03' 10" E, a distance of 919.00' to  
29 a point; said point being the southwest corner of a 28' wide right-of-  
30 way and easement, thence, N 06° 12' 26" W, a distance of 107.02' to a  
31 point; thence, northerly along a curve to the right having a radius of  
32 163.80', an arc length of 85.97'; thence, N 23° 51' 54" E, a distance of  
33 158.96' to a point; thence, northerly along a curve to the left having a  
34 radius of 146.24', an arc length of 78.09' to a point; thence, N 06° 43'  
35 47" W, a distance of 164.41' to a point; thence, N 83° 16' 13" E, a  
36 distance of 28.00' to a point; thence, S 06° 43' 47" E, a distance of  
37 164.41'; thence, southerly along a curve to the right having a radius of  
38 174.24', an arc length of 93.04'; thence, S 23° 51' 54" W, a distance of  
39 158.96'; thence, southerly along a curve to the left having a radius of  
40 135.80', an arc length of 71.27' to a point; thence, S 06° 12' 26" E, a  
41 distance of 154.46' to a point; thence, S 78° 03' 10" W, a distance of  
42 936.94' to the point and place of beginning containing 1.46 acres of  
43 land. The town of Granby shall maintain all of the 28' wide easement

44 northerly to the 8.3 acres described in subdivision one of this section.  
45 S 3. The land to be transferred pursuant to this act shall be owned  
46 and maintained by the town of Granby as parkland, and made available for  
47 uses normally associated with waterfront parkland. Where the availabili-  
48 ty of the parklands and/or facilities located thereon is limited, the  
49 use of such shall be determined by an equitable method which provides  
50 priority use to the general public based on a reservation policy for  
51 free or nominal charge.

52 S 4. If the property described in section two of this act, and trans-  
53 ferred to the town of Granby pursuant to the provisions thereof, shall  
54 ever be used for a purpose other than as public parkland, ownership of  
55 such property shall revert back to the city of Fulton.

1 S 5. If the parkland that is subject of this act has received funding  
2 pursuant to the federal land and water conservation fund, the discontin-  
3 uance of parkland authorized by the provisions of this act shall not  
4 occur until the town of Granby has complied with the federal require-  
5 ments pertaining to the conversion of parklands, including satisfying  
6 the secretary of the interior that the discontinuance will include all  
7 conditions which the secretary of the interior deems necessary to assure  
8 the substitution of other lands shall be equivalent in fair market value  
9 and recreational usefulness to the lands being discontinued.  
10 S 6. This act shall take effect immediately.