

7557

I N   S E N A T E

May 9, 2016

---

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

AN ACT authorizing the town of Walton in the county of Delaware to alienate certain parcels of land used as parkland to Bruce Taylor and to acquire other parcels of land to replace such parkland

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

1     Section 1. The town of Walton, in the county of Delaware, acting by  
2 and through its town board, is hereby authorized to discontinue the use  
3 of certain parklands, described in section four of this act, and to sell  
4 and convey, in fee simple, such parklands for fair market value upon  
5 such terms and conditions to Bruce Taylor as may be determined by the  
6 town board of such town.

7     S 2. The authorization granted pursuant to section one of this act  
8 shall only be effective upon the condition that the town of Walton,  
9 acquire the lands described in section three of this act and dedicate  
10 such lands for parkland purposes.

11     S 3. The lands to be acquired by the town of Walton, in the county of  
12 Delaware as parkland pursuant to section two of this act are bounded and  
13 described as follows:

14     All that parcel of land situate in the Town of Walton, Delaware Coun-  
15 ty, New York shown as Lot 1 on map entitled "Survey of Land Exchange  
16 between the Town of Walton and Bruce Taylor" dated April 28, 2016; said  
17 parcel being more particularly described as follows:

18     BEGINNING at a point in the centerline of Murphy Hill Road at its  
19 intersection with the division line between the lands now or formerly of  
20 the Town of Walton (ref. Liber 210 page 650; Liber 224 page 107, and  
21 Liber 254 page 685) and lands now or formerly of Bruce Taylor (ref.  
22 Liber 1340 page 62).

23     THENCE northerly along said centerline the following three (3) courses  
24 and distances;

25     1) North 01°04'14" West, 44.60 feet to a point of curvature

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

LBD15219-02-6

1 2) Along the arc of a tangent clockwise curve having a radius of  
2 519.30 feet for a length of 59.66 feet to a point of tangency; said  
3 curve's chord is North 02°15'04" East, 59.63 feet;

4 3) North 05°32'33" East, 74.37 feet to a point;

5 THENCE the following three (3) courses and distances through the lands  
6 now or formerly of said Bruce Taylor;

7 1) Southeasterly South 38°14'19" East, 123.90 feet to a point

8 2) Southerly South 11°38'03" East, 1202.37 feet to a point;

9 3) Westerly South 78°22'08" West, 100.00 feet to its intersection with  
10 the division line between the lands now or formerly of said Town of  
11 Walton and said Bruce Taylor;

12 THENCE northerly along said division line North 11°37'51" West,  
13 1140.37 feet to the point of BEGINNING, being 2.86 acres of land more or  
14 less

15 Subject to: Utility easements of record; the rights of the public and  
16 highway rights and easements in and to that portion of the above  
17 described parcel lying within the bounds of Murphy Hill Road, Town High-  
18 way.

19 S 4. The lands to be discontinued as parkland and alienated and  
20 conveyed to Bruce Taylor pursuant to section one of this act are bounded  
21 and described as follows:

22 All that parcel of land situate in the Town of Walton, Delaware Coun-  
23 ty, New York show as Lot 2 on map entitled "Survey of Land Exchange  
24 between the Town of Walton and Bruce Taylor" dated April 28, 2016; said  
25 parcel being more particularly described as follows:

26 BEGINNING at a point on the division line between lands now or former-  
27 ly of the Town of Walton (ref. Liber 210 page 650; Liber 224 page 107  
28 and Liber 254 page 685) on the West and lands now formerly of Bruce  
29 Taylor (ref. Liber 1340 page 62) on the East; said point being South  
30 11°37'51" East, 1140.37 feet measured along said division line from its  
31 intersection with the centerline of Murphy Hill Road; said point being  
32 marked by a 1/2 inch iron pipe found in place.

33 THENCE southerly along the division line between said Town of Walton  
34 on the West and the lands now or formerly of said Bruce Taylor on the  
35 east South 28°15'21" East, 706.86 feet to its intersection with the  
36 division line between the lands now or formerly of Logs Unlimited, LLC  
37 (ref. Liber 1000 page 344) on the South and the lands now or formerly of  
38 said Town of Walton on the North; said point being marked by a 5/8 inch  
39 rebar with cap marked "Sheret" found in place;

40 Thence westerly along said division line the following two (2) courses  
41 and distances:

42 1) South 73°08'11" West, 150.4 feet to a point;

43 2) South 78°58'44" West, 121.82 feet to a point marked by 1 5/8 rebar  
44 with cap marked "Sheret" found in place;

45 THENCE northerly along the division line between the lands now or  
46 formerly of Frederick Tordella (ref. Liber 747 page 842) on the West and  
47 the lands now or formerly of said Town of Walton on the East North  
48 13°13'35" West, 687.54 feet to a point;

49 THENCE easterly through the lands now or formerly of said Town of  
50 Walton North 76°46'25" West, 88.54 feet to the point of BEGINNING; being  
51 2.86 acres of land more or less.

52 S 5. In the event that the parklands to be dedicated by the town of  
53 Walton pursuant to this act are not equal to or greater than the fair  
54 market value of the parkland to be acquired, the town of Walton shall  
55 dedicate the difference of the fair market value of the lands to be  
56 alienated and the lands to be dedicated for the acquisition of addi-

1 tional parklands and/or for capital improvements to existing park and  
2 recreational facilities.

3 S 6. In the event that the town of Walton received any funding support  
4 or assistance from the federal government for the purchase, maintenance  
5 or improvement of the parklands set forth in section four of this act,  
6 the discontinuance and conveyance of parkland authorized by the  
7 provisions of this act shall not occur until the town of Walton has  
8 complied with any federal requirements pertaining to the alienation or  
9 conversion of parklands, including satisfying the secretary of the inte-  
10 rior that the alienation or conversion complies with all conditions  
11 which the secretary of the interior deems necessary to assure the  
12 substitution of other lands shall be equivalent in fair market value and  
13 recreational usefulness to the lands being alienated or converted.

14 S 7. This act shall take effect immediately.