S T A T E O F N E W Y O R K

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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Subject to: Utility easements of record; the rights of the public and highway rights and easements in and to that portion of the above described parcel lying within the bounds of Murphy Hill Road, Town Highway.

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

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

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

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

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

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

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

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

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

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

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

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

S 7. This act shall take effect immediately.