

# STATE OF NEW YORK

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6368--A

2017-2018 Regular Sessions

## IN SENATE

May 11, 2017

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Introduced by Sen. RANZENHOFER -- 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 authorizing the town of Amherst, county of Erie to alienate and convey certain parcels of land used as parkland

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The town of Amherst, in the county of Erie, acting through  
2 its town board, is hereby authorized to discontinue and alienate certain  
3 parklands more particularly described in section three of this act.

4 § 2. The authorization contained in section one of this act shall take  
5 effect only upon the condition that the town of Amherst dedicates the  
6 lands described in section four of this act as parkland.

7 § 3. The lands to be discontinued as parklands and alienated and  
8 conveyed pursuant to section one of this act are bounded and described  
9 as follows:

10 ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Amherst,  
11 County of Erie and State of New York, being Part of Lot 73, Township 12,  
12 Range 7 of the Holland Land Company's Survey, bounded and described as  
13 follows:

14 Commencing at the southwest corner of Lot 67, also being the southeast  
15 corner of said Lot 73; Thence northerly along the east line of said Lot  
16 73, a distance of 955.95 to a point; Thence westerly along a line making  
17 an angle to the left of 268° 03' with the last mentioned course and  
18 along the south line of lands conveyed by a deed recorded in the Erie  
19 County Clerks Office in Liber 10957 of Deeds at Page 7085, a distance of  
20 383.60 feet to the southwest corner of said Liber 10957 Page 7085;  
21 Thence continuing westerly along the last mentioned course, a distance  
22 of 66.08 to the Principal Point of Beginning; Thence continuing westerly  
23 along the last mentioned course, a distance of 478.99 feet to the  
24 centerline of Millersport Highway (width varies) formerly New Home  
25 Bridge and Skinnerville Road, also known as Amherst Manor Drive; Thence  
26 northeasterly along the centerline of said Millersport Highway and along

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

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1 a line making an interior angle of 63° 14' 13" with the last mentioned  
2 course, a distance of 488.82 feet to a point, said point being 414.08  
3 feet south of the southwest corner of Parcel VIII of lands conveyed by a  
4 deed recorded in the Erie County Clerk's Office in Liber 6754 of Deeds  
5 at Page 511; Thence easterly along a line at right angles to the last  
6 mentioned course, a distance of 50.41 feet to a point of curvature;  
7 Thence along a curve to the left having a radius of 350.00 feet, an arc  
8 distance of 191.97 feet; Thence southerly along a line parallel with the  
9 west line of said Liber 10957 Page 7085, a distance of 378.44 feet to  
10 the point or place of beginning, to the right of way of said Millersport  
11 Highway.

12 Containing 2.950 acres, more or less.

13 § 4. Prior to the discontinuance and alienation of the parkland  
14 described in section three of this act, the town of Amherst shall dedi-  
15 cate as parkland such land described as follows:

16 ALL THAT PARCEL OR TRACT OF LAND, situate in the Town of Amherst,  
17 County of Erie and State of New York, being Part of Lot 101, Township  
18 12, Range 7 of the Holland Land Company's Survey and more particularly  
19 described as follows:

20 Beginning at a point on the Westerly line of Lot 101, distant 1077.58  
21 feet Southerly from the Northerly line of said Lot 101 as measured along  
22 the said Lot line; Thence South 89°-48'-53" East, parallel with the  
23 Northerly line of Lot 101 and also along the Southerly line of Lands  
24 conveyed to William Shadewell by Zebulon Ketchum on January 15, 1847, a  
25 distance of 1,250.3 feet+/- to the centerline of Gott Creek; Thence  
26 Southeasterly along the centerline of said Gott Creek also being the  
27 Westerly line of subdivision entitled "The Meadows of Amherst" recorded  
28 in the Erie County Clerk's Office under Map Cover 2549, a distance of  
29 1,040.5 feet+/-; Thence North 89°-48'-53" West, parallel with the North-  
30 erly line of Lot 101, a distance of 1769.1 feet+/- (measured) - 1769.40  
31 feet (deed) to the Westerly line of Lot 101, also being on the Easterly  
32 line of subdivision entitled "Golden Gate Subdivision" (Phase IV, Part  
33 I) and recorded in the Erie County Clerk's Office under Map Cover 2752;  
34 Thence North 00°-02'-49" West, along the said Westerly line of Lot 101  
35 and along the Easterly line of said Map Cover 2752, a distance of 720.53  
36 feet (Measured) - 720.46 feet (Deed) to the point of Beginning.

37 Containing 26.62 Acres of Land more or less.

38 § 5. In the event that the parklands to be acquired and dedicated by  
39 the town of Amherst pursuant to this act are not of equal or greater  
40 fair market value to the parklands to be discontinued and conveyed, the  
41 town of Amherst shall dedicate the difference of the fair market value  
42 of the lands to be alienated and the lands to be dedicated for the  
43 acquisition of the additional parklands and/or for capital improvements  
44 to existing park and recreational facilities.

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

56 § 7. This act shall take effect immediately.