

# STATE OF NEW YORK

7818

## IN SENATE

February 28, 2018

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

AN ACT in relation to authorizing the village of Penn Yan, county of Yates, to alienate and convey certain parcels of land used as parklands

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 Village of Penn  
2 Yan, located in the county of Yates, is hereby authorized, acting by and  
3 through its village board and upon such terms and conditions as deter-  
4 mined by such board, to discontinue as parklands and alienate the lands  
5 more particularly described in section three of this act, and to lease  
6 such parklands at fair market value for the continued operation of the  
7 Finger Lakes Tourism Alliance information center at Red Jacket Park.

8 § 2. The authorization contained in section one of this act shall take  
9 effect only upon the condition that the Village of Penn Yan dedicate  
10 lands of like usefulness and of value equal to or greater than the fair  
11 market value of the lease interest being alienated pursuant to section  
12 one of this act as parklands.

13 § 3. The lands authorized by section one of this act to be discontin-  
14 ued as parklands and leased by the Village of Penn Yan are described as  
15 follows:

16 ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND at Red Jacket Park,  
17 Village of Penn Yan, county of Yates and State of New York, more partic-  
18 ularly bounded and described as follows:

19 Beginning at the intersection of the center line of Lake Street with a  
20 line of 10.00 feet from parallel to a line that passes through the two  
21 concrete on the north line of house lot at 307 Lake Street; thence S37°  
22 - 43'W along said center line 129.39 feet to Red Jacket Park; thence  
23 N78° - 32'W along the north line of Red Jacket Park 439.29 feet to the  
24 high water line of Keuka Lake; thence N25° -24'E along said highwater  
25 line 25.50 feet to an iron pipe; thence the following courses and  
26 distances along land reserved by the grantor: S78° - 32'E 240.33 feet to  
27 and iron pipe, N25° - 24'E through an iron pipe 34.33 feet distant a

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

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1 total distance of 136.77 feet to an iron pipe and S69° -07'E through an  
2 iron pipe at the edge of the sidewalk and 149.45 feet distant, a total  
3 distance of 176.35 feet to the place of beginning according to the  
4 survey made by Harnish & Lookup on August 17, 1950.

5 § 4. Should the leased lands described in section three of this act  
6 cease to be used for the purposes described in section one of this act,  
7 the lease shall terminate and those lands shall revert to the Village of  
8 Penn Yan for public park and recreational purposes. At the time of such  
9 reversion, the removal of such tourism information center shall take  
10 place and the property shall be returned to its previous state, consist-  
11 ent with park and recreational purposes.

12 § 5. In the event that the Village of Penn Yan received any funding  
13 support or assistance from the federal government for the purchase,  
14 maintenance or improvement of the parklands set forth in section three  
15 of this act, the discontinuance of parkland authorized by the provisions  
16 of this act shall not occur until the Village of Penn Yan has complied  
17 with any federal requirements pertaining to the alienation or conversion  
18 of such parklands, including satisfying the secretary of the interior  
19 that the alienation or conversion complies with all conditions which the  
20 secretary of the interior deems necessary to assure the substitution of  
21 other lands shall be equivalent in fair market value and recreational  
22 usefulness to the lands being alienated or converted.

23 § 6. This act shall take effect immediately.