STATE OF NEW YORK

10030--B

IN ASSEMBLY

March 7, 2018

Introduced by M. of A. BARCLAY -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the village of Phoenix to alienate and convey parklands to the Phoenix Central School District

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

Section 1. Subject to the provisions of this act, the village of Phoenix, located in the town of Schroeppel, county of Oswego, acting by and through its governing body and upon such terms and conditions as determined by such body, is hereby authorized to discontinue as parklands and alienate the lands more particularly described in section three of this act, and to sell and convey such parklands at fair market value to the Phoenix Central School District, county of Oswego, for the purposes of extending the nearby school campus, sports and recreational facilities.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the village of Phoenix, dedicates an amount equal to or greater than the fair market value of such parklands being discontinued towards the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. The lands to be discontinued as parklands are more fully described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Phoenix, in the County of Oswego and State of New York and being more particularly bounded and described as follows:

BEGINNING at a point on the northwesterly line of Park Street at its intersection with the division line between the lands now or formerly of the Phoenix Central School District on the west and the lands now or formerly of the Village of Phoenix as described in Book 524 of Deeds at Page 191 on the east, said point being North 57 deg. 30 min. 00 sec. East along said northwesterly line of Park Street, a distance of 389.25 feet from its intersection with northeasterly line of Main Street;

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

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thence along the said division line between the Phoenix Central School District and Village of Phoenix, the following four (4) courses and distances: 1.) North 34 deg. 48 min. 00 sec. West a distance of 177.07 feet to a point; thence 2.) North 14 deg. 55 min. 21 sec. West a distance of 178.61 feet to a point; thence 3.) North 54 deg. 05 min. 21 sec. West a distance of 150.00 feet to a point; and 4.) North 57 deg. 30 min. 00 sec. East a distance of 1093.29 feet to a point on the division line between the said lands of the Village of Phoenix on the west and the lands now or formerly of New York Central Lines, LLC as described in Book 1487 of Deeds at Page 37 on the east; thence South 24 deg. 09 min. 00 sec. East along said division line, a distance of 140.08 feet to a point on the division line between the said lands of the Village of Phoenix on the west and the lands now or formerly of Rodney & Diane Thomas as described in Deed Instrument No. R2011-007044 on the east; thence South 06 deg. 11 min. 00 sec. East along said division line, a distance of 427.38 feet to a point on the division line between the said lands of the Village of Phoenix on the north and the said lands of Thomas, the lands now or formerly of D & L Realty of CNY, LLC as described in Deed Instrument No. R2008-000126 on the east and the lands now or formerly of Carl P. Richardson, Jr. as described in Deed Instrument No. R2015-008266, in part by each, on the south; thence South 56 deg. 31 min. 03 sec. West along said division line, a distance of 686.44 feet to a point; thence through the said lands of the Village of Phoenix, the following two (2) courses and distances: 1.) North 32 deg. 30 min. 00 sec. West a distance of 46.77 feet to a point; and 2.) South 57 deg. 30 min. 00 sec. West a distance of 188.78 feet to the Point of Beginning. Containing 11.765 acres of land, more or less.

The above described parcel being the a portion of the lands conveyed to the Village of Phoenix as described in Book 524 of Deeds at Page 191.

§ 4. In the event that the village of Phoenix received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the village of Phoenix has complied with any federal requirements pertaining to the alienation or conversion of such 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 usefulness to the lands being alienated or converted.

§ 5. This act shall take effect immediately.