STATE OF NEW YORK

10790--A

IN ASSEMBLY

May 18, 2018

Introduced by M. of A. McDONALD, FAHY -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the city of Albany to alienate certain lands used as parkland and to dedicate certain other lands as parklands

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 city of Albany, Albany county, acting by and through its governing body, is hereby authorized to discontinue the use of parklands and alienate such lands more particularly described in section three of this act, for the purpose of constructing and maintaining a disinfection and floatables control project, and associated infrastructure, also known as the Beaver Creek Clean River Project (screening and disinfection satellite treatment facility), on such parklands, and upon such other terms and conditions as determined by the governing body of the city of Albany.

§ 2. The authorization contained in section one of this act shall take effect only upon the condition that the city of Albany shall dedicate an amount equal to or greater than the fair market value of the parklands being discontinued towards the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. The parklands authorized by section one of this act to be discontinued as parklands are described as follows:

ALL that certain piece or parcel of land located in the City of Albany, County of Albany, State of New York and being more particularly bounded and described as follows:

Parcel 1

Commencing at a point on the westerly street boundary of Martin Luther King Jr. Boulevard at its intersection with the southerly street boundary of Park Avenue and running along the said westerly street boundary of Martin Luther King Jr. Boulevard a distance of 235± feet to the point of beginning of the herein described Parkland Alienation Parcel 1; thence continuing along said westerly street boundary of Martin Luther King Jr. Boulevard the following two (2) courses and distances:

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

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1. South 24°31'32" West, a distance of 9.53 feet to a point of curvature; and
2. along a curve to the left having a radius of 308.00 feet, an arc length of 47.87 feet and a chord of South 20°04'22" West, a distance of 47.82 feet to a point;

Thence running through lands now or formerly of the City of Albany, Tax Parcel 76.10-1-3, the following sixteen (16) courses and distances:

1. North 84°48'55" West, a distance of 68.00 feet to a point;
2. South 05°11'05" West, a distance of 40.76 feet to a point;
3. South 53°21'58" West, a distance of 17.83 feet to a point;
4. South 63°54'14" West, a distance of 16.84 feet to a point;
5. South 70°11'06" West, a distance of 139.34 feet to a point of curvature;
6. along a curve to the right having a radius of 328.96 feet, an arc length of 84.34 feet and a chord of North 42°37'38" West, a distance of 84.11 feet to a point;
7. North 35°16'56" West, a distance of 54.59 feet to a point;
8. North 05°11'03" East, a distance of 109.30 feet to a point;
9. North 39°02'50" West, a distance of 575.64 feet to a point;
10. North 50°57'31" East, a distance of 80.00 feet to a point;
11. South 39°02'50" East, a distance of 579.49 feet to a point;
12. South 84°48'57" East, a distance of 179.54 feet to a point;
13. North 50°05'39" East, a distance of 28.88 feet to a point;
14. South 39°54'21" East, a distance of 57.00 feet to a point;
15. South 50°05'39" West, a distance of 21.49 feet to a point; and
16. South 39°54'21" East, a distance of 70.63 feet to the point or place of beginning.

Containing 109,051 square feet or 2.50 acres of land, more or less.
Subject to all rights, easements, covenants or restrictions of record.
Subject to any statement of facts that an up to date abstract of title would disclose.

§ 4. In the event that the city of Albany 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 city of Albany 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.