STATE OF NEW YORK

7510--B

2017-2018 Regular Sessions

IN ASSEMBLY

April 28, 2017

Introduced by M. of A. WALSH -- 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 county of Saratoga to transfer and convey reforested lands on Kinns Road to the town of Clifton Park, county of Saratoga

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

Section 1. Notwithstanding section 219 of the county law, and subject to the provisions of this act, the county of Saratoga acting through its legislative body, is hereby authorized to discontinue the use of a parcel of reforested land on Kinns Road in the town of Clifton Park, more particularly described in section three of this act, and to enter into a contract to convey its interest in such real property to the town of Clifton Park, county of Saratoga, upon the terms and conditions contained in this act, for use by the town of Clifton Park for continued park and recreational purposes.

§ 2. The lands authorized to be alienated and conveyed pursuant to section one of this act, and which are more particularly described in section three of this act, shall be devoted for park and recreational purposes in perpetuity; and the conveyance of such lands from the county to the town shall be done without compensation and shall not require the county to acquire any replacement or substitute reforested lands.

§ 3. The lands authorized to be alienated and conveyed by the county of Saratoga pursuant to section one of this act shall be described as follows:

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the Town of Clifton Park, County of Saratoga, State of New York lying along the southerly line of Kinns Road, County Road No. 109, opposite the souther-

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

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ly end of Carlton Road and being further bounded and described as follows:

BEGINNING at a point marked with a capped iron rod set at the point of intersection of the southerly line of Kinns Road, County Road No. 109, with the common division line of a 10-foot wide strip of land as dedicated to The County of Saratoga in Book 1540 of Deeds at Page 94 and as shown on a map entitled "Knolltop Subdivision", dated June 1, 1994 as prepared by The Environmental Design Partnership and filed in the Saratoga County Clerk's Office on March 22, 1995 in Drawer "K" as Map No. 222 to the east and the parcel of land herein being described to the west;

THENCE from said POINT OF BEGINNING along the common division line of said 10-foot wide strip of land as dedicated to The County of Saratoga, lands of The Town of Clifton Park as conveyed in Book 1428 of Deeds at Page 133 (second parcel described therein), Lot 51 (lands of the Town of Clifton Park Water Authority as conveyed in Book 1430 of Deeds at Page 534), Lot 49, Lot 47, Lot 3, Lot 5, Lot 6 and lands of The Town of Clifton Park as conveyed in Book 1428 of Deeds at Page 133 (first parcel described therein) all as shown on said filed Knolltop Subdivision, filed Map No. K-222 to the east and the parcel of land herein being described to the west, South 15 deg. 58 min. 20 sec. West, 2,237.80 feet to a point marked with a capped iron rod found at the point of intersection of the northerly line of lands of the Town of Clifton Park as conveyed in Instrument No. 2007026577 with said common division line of lands of The Town of Clifton Park as conveyed in Book 1428 of Deeds at Page 133 (first parcel described therein) to the east and the parcel of land herein being described to the west;

THENCE along the common division line of lands of the Town of Clifton Park as conveyed in Instrument No. 2007026577, lands of the Land Trust of Saratoga Region, Inc. as conveyed in Book 1509 of Deeds at Page 166 and Lot 14, said lot as shown on a map entitled "Sherwood Forest - Section 6B, 2 Lot Subdivision", dated September 7, 1988 as prepared by The Environmental Design Partnership and filed in the Saratoga County Clerk's Office on November 15, 1989 in Drawer "S" as Map No. 269 all to the south and the parcel of land herein being described to the north the following two (2) courses and distances:

1) North 73 deg. 14 min. 40 sec. West, 629.48 feet to a point;

2) North 72 deg. 48 min. 10 sec. West, 791.92 feet to a point marked with a capped iron rod found being the southeasterly corner of Lot 16, said lot as shown on a map entitled "Sherwood Forest - Sect 6, Lands of Ralph E. Palmer, Inc.", dated February 27, 1978 as prepared by C.T. Male Associates, P.C. and filed in the Saratoga County Clerk's Office on July 18, 1978 in Drawer "S" as Map No. 69;

THENCE along the common division line of Lot 16, Lot 18 and Lot 17 as shown on said Sherwood Forest - Sect 6, filed Map No. S-69 and Lot 26, Lot 28, Lot 30, Lot 32, Lot 34, Lot 36, Lot 38 and Lot 40, said lots as shown on a map entitled "Sherwood Forest - Section 7, Lands of Ralph E. Palmer, Inc.", dated February 23, 1978 as prepared by C.T. Male Associates, P.C. and filed in the Saratoga County Clerk's Office on July 18, 1978 in Drawer "S" as Map No. 70 all to the west and the parcel of land herein being described to the east, North 17 deg. 50 min. 40 sec. East, 1,555.61 feet to a point marked with a capped iron rod found in the 1941 southerly right-of-way line of Kinns Road, County Road No. 109;

THENCE along said 1941 southerly right-of-way line of Kinns Road, County Road No. 109 the following five (5) courses and distances:

1) North 72 deg. 34 min. 20 sec. East, 270.64 feet to a point;

2) North 70 deg. 37 min. 50 sec. East, 480.53 feet to a point;
3) North 75 deg. 05 min. 30 sec. East, 229.66 feet to a point;
4) North 88 deg. 56 min. 00 sec. East, 307.22 feet to a point;
5) South 84 deg. 11 min. 50 sec. East, 172.70 feet to a point;

THENCE continuing along the southerly line of Kinns Road, County Road No. 109, South 69 deg. 08 min. 10 sec. East, 92.00 feet to the point or place of beginning and containing 63.362 acres of land.

§ 4. The land to be transferred pursuant to this act, and all structures and facilities situated on such land, shall be maintained, owned and operated for park purposes by the town of Clifton Park. The use of such parkland and facilities shall continue to be made available to the general public, including all residents of Saratoga County. Where the availability of such facilities is limited, the use of such facilities must be determined by an equitable method which provides priority use to the general public based on a reservation policy for free or for a nominal charge.

§ 5. If the property described in section three of this act, and transferred to the town of Clifton Park pursuant to the provisions of this act, shall ever be used for a purpose other than as public parkland, ownership of such property shall revert back to the county of Saratoga and shall be maintained as reforested lands in accordance with section 219 of the county law.

§ 6. This act shall take effect immediately.