

STATE OF NEW YORK

8183

2017-2018 Regular Sessions

IN ASSEMBLY

June 2, 2017

Introduced by M. of A. OTIS -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT authorizing the New York state thruway authority to convey real property to Rye Country Day School

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

1 Section 1. Legislative declaration. The state of New York desires to
2 use underutilized land to improve the recreational and educational lives
3 of its residents. A parcel of such certain land has been identified,
4 which under its present jurisdiction is owned by the people of the state
5 of New York, which may be utilized by the Rye Country Day School to
6 allow realization of such opportunities for recreation and education for
7 the school and the public. The school and the city of Rye have sought to
8 promote uses on the parcel consistent with community needs since the
9 late 1980's, and have pursued shared partnership use of the property for
10 recreational purposes in various forms since the 1990's.

11 § 2. Notwithstanding any provision of section 2897 of the public
12 authorities law to the contrary, the New York state thruway authority is
13 authorized to transfer and convey to the Rye Country Day School, a not-
14 for-profit corporation chartered by the Board of Regents of the Univer-
15 sity of the State of New York, those parcels of certain lands referenced
16 and described in section four of this act provided that such lands shall
17 be used for recreational and educational purposes including the
18 construction of a recreational playing field, track and fieldhouse.
19 Such transfer and conveyance shall be for fair market value established
20 by an appraisal conducted by the thruway authority and upon such terms
21 and conditions as the New York state thruway authority and the Rye Coun-
22 try Day School may determine.

23 § 3. The authorization to transfer and convey the lands described in
24 section four of this act shall only be effective upon the condition that
25 the city of Rye and the Rye Country Day School enter into an agreement,

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

LBD10856-04-7

1 which shall provide for the shared use of such lands and improvements
2 between the Rye Country Day School and the public. Such an agreement may
3 be amended from time to time as may be agreed to by the City of Rye and
4 the Rye Country Day School.

5 § 4. The lands authorized to be conveyed pursuant to section two of
6 this act are generally described as follows:

7 Beginning at a point demarcated by a rebar within the lands of the
8 People of the State of New York under present jurisdiction of the New
9 York State Thruway Authority, said point being 76.00 feet distant south-
10 easterly as measured at right angles from station 1 00+43.00 of the
11 hereinafter described survey baseline; thence through the said lands of
12 The People of the State of New York under present Jurisdiction of the
13 New York State Thruway Authority the following courses and distances:

14 1) North 16° 04' 08" East, a distance of 198.00 feet to a point demar-
15 cated by a rebar, said point being 17.00 feet distant southeasterly as
16 measured at right angles from station 102+32.00 of said survey baseline;
17 thence

18 2) North 26° 10' 07" East, a distance 63.51 feet to a point demarcated
19 by a rebar, said point being 9.00 feet distant southeasterly as measured
20 at right angles from station 1 02+95.00 of said survey baseline; thence

21 3) North 34° 00' 20" East, a distance of 698.00 feet to a point demar-
22 cated by a rebar, said point being 15.00 feet distant southeasterly as
23 measured at right angles from station 1 09+93.00 of said survey base-
24 line; thence

25 4) North 25° 07' 17" East, a distance of 309.00 feet to a point demar-
26 cated by a rebar, said point being 12.00 feet distant southeasterly as
27 measured at right angles from station 113+00.00 of said survey baseline;
28 thence

29 5) North 33° 53' 28" East, a distance of 61.23 feet to a point, said
30 point being 21.28 feet distant southeasterly as measured at right angles
31 from station 113+60.52 of said survey baseline; thence

32 6) Easterly along an arc to the right a distance of 105.94 feet,
33 having a radius of 50.00 feet, the chord of which is South 85° 24' 32"
34 East for a distance of 87.21 feet to a point, said point being 102.92
35 feet distant southeasterly as measured at right angles from station
36 113+91.17 of said survey baseline; thence

37 7) South 24° 42' 33" East, a distance of 132.18 feet to a point demar-
38 cated by a rebar, said point being 204.00 feet distant southeasterly as
39 measured at right angles from station 113+06.00 of said survey baseline;
40 thence

41 8) South 26° 42' 31" West, a distance of 149.05 feet to a point demar-
42 cated by a rebar, said point being 200.00 feet distant southeasterly as
43 measured at right angles from station 111 +57.00 of said survey base-
44 line; thence

45 9) South 48° 44' 51" East, a distance of 115.52 feet to a point demar-
46 cated by a rebar, said point being 311.00 feet distant southeasterly as
47 measured at right angles from station 111 +25.00 of said survey base-
48 line; thence

49 10) South 00° 14' 11" West, a distance of 125.72 feet to a point
50 demarcated by a rebar, said point being 364.00 feet distant southeaster-
51 ly as measured at right angles from station 110+11.00 of said survey
52 baseline; thence

53 11) South 16° 22' 48" West, a distance of 219.90 feet to a point
54 demarcated by a rebar, said point being 425.00 feet distant southeaster-
55 ly as measured at right angles from station 1 08+54.00 of said survey
56 baseline; thence

12) South 34° 07' 40" West, a distance of 201.01 feet to a point demarcated by a rebar, said point being 423.00 feet distant southeasterly as measured at right angles from station 1 06+53.00 of said survey baseline; thence

13) South 48° 34' 55" West, a distance of 203.99 feet to a point demarcated by a rebar, said point being 370.00 feet distant southeasterly as measured at right angles from station 1 04+55.00 of said survey baseline; thence

14) South 77° 30' 21" West, a distance of 270.15 feet to a point demarcated by a rebar, said point being 182.00 feet distant southeasterly as measured at right angles from station 1 02+61.00 of said survey baseline; thence

15) South 18° 05' 03" West, a distance of 75.69 feet to a point demarcated by a rebar, said point being 202.00 feet distant southeasterly as measured at right angles from station 1 01+88.00 of said survey baseline; thence

16) South 74° 23' 42" West, a distance of 192.10 feet to the point of beginning; containing 390,768 square feet or 8.971± acres.

§ 5. The authorization to transfer and convey the lands described in section four of this act shall be subject to the requirement that the use of such lands shall comply with the provisions of sections two and three of this act. In the event that the use of such land fails to comply with the requirements described in sections two or three of this act, title to such lands and any improvements thereon shall revert to the people of the state of New York under the jurisdiction of the New York state thruway authority and, upon such reversion, the New York state thruway authority is authorized to convey to the Rye Country Day School a sum up to the amount paid by the Rye Country Day School pursuant to section two of this act and the value of improvements made to the property based upon an appraisal conducted by the thruway authority.

§ 6. This act shall take effect immediately.