

STATE OF NEW YORK

7166--B

Cal. No. 398

IN SENATE

(Prefiled)

January 3, 2018

Introduced by Sen. RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

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:

1 Section 1. Subject to the provisions of this act, the village of Phoenix,
2 nix, located in the county of Oswego, is hereby authorized, acting by
3 and through its village board and upon such terms and conditions as
4 determined by such board, to discontinue as parklands and alienate the
5 lands more particularly described in section three of this act, and to
6 enter into a contract to sell and convey such parklands at fair market
7 value and upon such other terms and conditions as determined by the
8 governing body of the village of Phoenix in the county of Oswego to the
9 Phoenix Central School District, county of Oswego.

10 § 2. The authorization provided in section one of this act shall be
11 effective only upon the condition that the village of Phoenix, in the
12 county of Oswego dedicate an amount equal to or greater than the fair
13 market value of such parklands being alienated pursuant to section one
14 of this act to the acquisition of new parklands and/or improvements to
15 existing parklands.

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

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

21 BEGINNING at a point on the northwesterly line of Park Street at its
22 intersection with the division line between the lands now or formerly of
23 the Phoenix Central School District on the west and the lands now or

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

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1 formerly of the Village of Phoenix as described in Book 524 of Deeds at
2 Page 191 on the east, said point being North 57 deg. 30 min. 00 sec.
3 East along said northwesterly line of Park Street, a distance of 389.25
4 feet from its intersection with northeasterly line of Main Street;
5 thence along the said division line between the Phoenix Central School
6 District and Village of Phoenix, the following four (4) courses and
7 distances: 1.) North 34 deg. 48 min. 00 sec. West a distance of 177.07
8 feet to a point; thence 2.) North 14 deg. 55 min. 21 sec. West a
9 distance of 178.61 feet to a point; thence 3.) North 54 deg. 05 min. 21
10 sec. West a distance of 150.00 feet to a point; and 4.) North 57 deg. 30
11 min. 00 sec. East a distance of 1093.29 feet to a point on the division
12 line between the said lands of the Village of Phoenix on the west and
13 the lands now or formerly of New York Central Lines, LLC as described in
14 Book 1487 of Deeds at Page 37 on the east; thence South 24 deg. 09 min.
15 00 sec. East along said division line, a distance of 140.08 feet to a
16 point on the division line between the said lands of the Village of
17 Phoenix on the west and the lands now or formerly of Rodney & Diane
18 Thomas as described in Deed Instrument No. R2011-007044 on the east;
19 thence South 06 deg. 11 min. 00 sec. East along said division line, a
20 distance of 427.38 feet to a point on the division line between the said
21 lands of the Village of Phoenix on the north and the said lands of
22 Thomas, the lands now or formerly of D & L Realty of CNY, LLC as
23 described in Deed Instrument No. R2008-000126 on the east and the lands
24 now or formerly of Carl P. Richardson, Jr. as described in Deed Instru-
25 ment No. R2015-008266, in part by each, on the south; thence South 56
26 deg. 31 min. 03 sec. West along said division line, a distance of 686.44
27 feet to a point; thence through the said lands of the Village of Phoe-
28 nix, the following two (2) courses and distances: 1.) North 32 deg. 30
29 min. 00 sec. West a distance of 46.77 feet to a point; and 2.) South 57
30 deg. 30 min. 00 sec. West a distance of 188.78 feet to the Point of
31 Beginning. Containing 11.765 acres of land, more or less.
32 The above described parcel being the a portion of the lands conveyed
33 to the Village of Phoenix as described in Book 524 of Deeds at Page 191.

34 § 4. In the event that the village of Phoenix received any funding
35 support or assistance from the federal government for the purchase,
36 maintenance or improvement of the parklands set forth in section three
37 of this act, the discontinuance of parkland authorized by the provisions
38 of this act shall not occur until the village of Phoenix has complied
39 with any federal requirements pertaining to the alienation or conversion
40 of such parklands, including satisfying the secretary of the interior
41 that the alienation or conversion complies with all conditions which the
42 secretary of the interior deems necessary to assure the substitution of
43 other lands shall be equivalent in fair market value and recreational
44 usefulness to the lands being alienated or converted.
45 § 5. This act shall take effect immediately.