

STATE OF NEW YORK

8209--A

IN SENATE

April 18, 2018

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the town of Big Flats, county of Chemung to alienate and convey certain parcels of land used as parklands

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 town of Big
2 Flats, county of Chemung, acting by and through its governing body, is
3 hereby authorized to discontinue as parklands and alienate the lands
4 more particularly described in section three of this act, and to sell
5 and convey such lands at fair market value and upon such other terms and
6 conditions as determined by the governing body of the town.

7 § 2. The authorization contained in section one of this act shall take
8 effect only upon the condition that the town of Big Flats, county of
9 Chemung, shall acquire and dedicate an amount equal to or greater than
10 the fair market value of the parklands being discontinued towards the
11 acquisition of new parklands and/or towards capital improvements to
12 existing parkland and recreational facilities.

13 § 3. The parkland to be alienated, commonly known as "Somerset Park",
14 consists of a total 4.06 acres and is more particularly described as
15 follows:

16 THAT TRACT OR PARCEL OF LAND situate in the Town of Big Flats, County
17 of Chemung and State of New York, bounded and described as follows:
18 COMMENCING at a point located in the easterly limits of Harris Hill
19 Road, said point also being the northwest corner of Lot #6 as shown on
20 Case Map No. 2568 recorded in the Chemung County Clerk's Office on Octo-
21 ber 23, 1987; running thence North 51° 12' 47" East a distance of 592.12
22 feet to an iron pin; thence North 38° 41' 44" West a distance of 367.33
23 feet to an iron pin; thence South 53° 10' 09" West a distance of 89.08
24 feet to an iron pin; thence South 38° 47' 13" East a distance of 200.00
25 feet to an iron pin; then South 51° 12' 47" West a distance of 200.00

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

LBD15476-03-8

1 feet to a point in the Easterly limit of Harris Hill Road; running
2 thence southerly along the easterly limit of Harris Hill Road South 38°
3 47' 13" East a distance of 155.61 feet to the point or place of begin-
4 ning.

5 § 4. In the event that the town of Big Flats received any funding
6 support or assistance from the federal government for the purchase,
7 maintenance or improvement of the parklands set forth in section three
8 of this act, the discontinuance of parkland authorized by the provisions
9 of this act shall not occur until the town of Big Flats has complied
10 with any federal requirements pertaining to the alienation or conversion
11 of such parklands, including satisfying the secretary of the interior
12 that the alienation or conversion complies with all conditions which the
13 secretary of the interior deems necessary to assure the substitution of
14 other lands shall be equivalent in fair market value and recreational
15 usefulness to the lands being alienated or converted.

16 § 5. This act shall take effect immediately.