

STATE OF NEW YORK

5616

2019-2020 Regular Sessions

IN SENATE

May 9, 2019

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

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:

1 Section 1. Subject to the provisions of this act, the city of Albany,
2 Albany county, acting by and through its governing body, is hereby
3 authorized to discontinue the use of parklands and alienate such lands
4 more particularly described in section three of this act, for the
5 purpose of constructing and maintaining a new underground pipe through
6 Lincoln Park in connection with the disinfection and floatables control
7 project, and associated infrastructure, also known as the Beaver Creek
8 Clean River Project (screening and disinfection satellite treatment
9 facility), within such parklands, and upon such other terms and condi-
10 tions as determined by the governing body of the city of Albany.

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

16 § 3. The parklands authorized by section one of this act to be discon-
17 tinued as parklands are described as follows:

18 All that tract or parcel of land situate in the City of Albany, County
19 of Albany, and State of New York more particularly bounded and described
20 as follows:

21 Parcel 1A-2019

22 Commencing at a point on the westerly street boundary of Martin Luther
23 King Jr. Boulevard at its intersection with the southerly street bounda-
24 ry of Park Avenue and running along the said westerly street boundary of
25 Martin Luther King Jr. Boulevard a distance of 235± feet to the point of

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

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1 beginning of Parkland Alienation Parcel 1-2018; thence continuing along
2 said westerly street boundary of Martin Luther King Jr. Boulevard the
3 following two (2) courses and distances:

4 1. South 24°31'32" West, a distance of 9.53 feet to a point of curva-
5 ture; and

6 2. along a curve to the left having a radius of 308.00 feet, an arc
7 length of 47.87 feet and a chord of South 20°04' 22" West, a distance of
8 47.82 feet to a point;

9 thence running through lands now or formerly of the City of Albany,
10 Tax Parcel 76.10-1-3, the following four (4) courses and distances:

11 1. North 84°48'55" West, a distance of 68.00 feet to a point; thence

12 2. South 05°11'05" West, a distance of 40.76 feet to a point; thence

13 3. South 53°21'58" West, a distance of 17.83 feet to a point; and

14 4. South 63°54'14" West, a distance of 11.29 feet to the POINT OF

15 BEGINNING of Parcel 1A-2019;

16 Thence running through lands now or formerly of the City of Albany,
17 Tax Parcel 76.10-1-3 from said Point of Beginning the following thirteen
18 (13) courses and distances:

19 1. South 16°26'04" East, a distance of 80.27 feet to a point; thence

20 2. North 84°34'57" West, a distance of 169.18 feet to a point; thence

21 3. North 80°13'24" West, a distance of 43.33 feet to a point; thence

22 4. North 49°52'12" West, a distance of 62.43 feet to a point; thence

23 5. North 22°02'21" West, a distance of 52.28 feet to a point; thence

24 6. North 36°57'46" West, a distance of 27.78 feet to a point; thence

25 7. North 46°25'00" East, a distance of 33.06 feet to a point; thence

26 8. South 84°42'13" East, a distance of 25.96 feet to a point; thence

27 9. South 05°11'03" West, a distance of 20.94 feet to a point; thence

28 10. South 35°16'56" East, a distance of 54.59 feet to a point of
29 curvature; thence

30 11. Along a curve to the left having a Radius of 328.96 feet, a length
31 of 84.34 feet and a chord of South 42°37'38" East, a distance of 84.11
32 feet to a point; thence

33 12. North 70°11'06" East, a distance of 139.34 feet to a point; and

34 13. North 63°54'14" East, a distance of 5.55 feet to the point of
35 beginning.

36 Parcel 1B-2019

37 Commencing at the easterly end of course number 8 above; thence
38 running North 05°11'03" East through lands now or formerly of the City
39 of Albany, Tax Parcel 76.10-1-3, a distance of 71.54 feet to the POINT
40 OF BEGINNING of Parcel 1B-2019;

41 Thence running through lands now or formerly of the City of Albany,
42 Tax Parcel 76.10-1-3 from said Point of Beginning the following eleven
43 (11) courses and distances:

44 1. North 79°46'31" West, a distance of 34.82 feet to a point; thence

45 2. North 71°43'00" West, a distance of 27.08 feet to a point; thence

46 3. North 54°17'59" West, a distance of 25.52 feet to a point; thence

47 4. North 44°42'20" West, a distance of 40.46 feet to a point; thence

48 5. North 41°36'54" West, a distance of 42.80 feet to a point; thence

49 6. North 39°49'38" West, a distance of 44.83 feet to a point; thence

50 7. North 35°13'26" West, a distance of 96.34 feet to a point; thence

51 8. North 35°32'30" West, a distance of 44.73 feet to a point; thence

52 9. North 51°44'19" East, a distance of 53.15 feet to a point; thence

53 10. South 39°02'50" East, a distance of 329.64 feet to a point; and

54 11. South 05°11'03" West, a distance of 16.83 feet to the point of
55 beginning.

56 Both parcels containing a total of 0.75 acres of land more or less.

1 And, All that tract or parcel of land situate in the City of Albany,
2 County of Albany, and State of New York more particularly bounded and
3 described as follows:

4 Parcel 2A-2019

5 Commencing at a point on the westerly street boundary of Martin Luther
6 King Jr. Boulevard at its intersection with the southerly street bounda-
7 ry of Park Avenue and running along the said westerly street boundary of
8 Martin Luther King Jr. Boulevard a distance of 235± feet to the point of
9 beginning of Parkland Alienation Parcel 1-2018; thence continuing along
10 said westerly street boundary of Martin Luther King Jr. Boulevard the
11 following two (2) courses and distances:

12 1. South 24°31'32" West, a distance of 9.53 feet to a point of curva-
13 ture; and

14 2. along a curve to the left having a radius of 308.00 feet, an arc
15 length of 47.87 feet and a chord of South 20°04' 22" West, a distance of
16 47.82 feet to the POINT OF BEGINNING of Parcel 2A-2019;

17 Thence running along the said westerly street boundary of Martin Luth-
18 er King Jr. Boulevard from said Point of Beginning the following seven
19 (7) courses and distances:

20 1. South 13°04'38" West, a distance of 27.33 feet to a point; thence

21 2. South 07°59'28" West, a distance of 27.33 feet to a point; thence

22 3. South 05°26'52" West, a distance of 35.04 feet to a point; thence

23 4. South 05°26'52" West, a distance of 41.82 feet to a point; thence

24 5. South 05°26'52" West, a distance of 91.72 feet to a point; thence

25 6. South 06°16'57" West, a distance of 36.63 feet to a point; and

26 7. South 07°22'28" West, a distance of 10.80 feet to a point; thence
27 turning and running through lands now or formerly of the City of Albany,
28 Tax Parcel 76.10-1-3, the following five (5) courses and distances:

29 1. North 16°26'04" West, a distance of 227.88 feet to a point; thence

30 2. North 63°54'14" East, a distance of 11.29 feet to a point; thence

31 3. North 53°21'58" East, a distance of 17.38 feet to a point; thence

32 4. North 05°11'05" East, a distance of 40.76 feet to a point; and

33 5. South 84°48'55" East, a distance of 68.00 feet to the point of
34 beginning.

35 Parcel 2B-2019

36 Commencing at a point on the easterly street boundary of Martin Luther
37 King Jr. Boulevard at its intersection with the northerly street bounda-
38 ry of Morton Avenue and running along the said northerly street boundary
39 of Morton Avenue a distance of 624± feet to the point of beginning of
40 Parkland Alienation Parcel 2B-2018; thence South 70°59'48" East continu-
41 ing along said northerly street boundary of Morton Avenue, a distance of
42 50.00 feet; thence turning and running through lands now or formerly of
43 the City of Albany, Tax Parcel 76.10-1-3 from said Point of Beginning
44 the following four (4) courses and distances:

45 1. North 19°00'12" East, a distance of 77.67 feet to a point; thence

46 2. North 50°48'41" West, a distance of 273.01 feet to a point; thence

47 3. North 16°26'04" West, a distance of 391.83 feet to a point; and

48 4. North 16°26'04" West, a distance of 188.78 feet to a point on the
49 easterly street boundary of Martin Luther King Jr. Boulevard; thence
50 continuing along said easterly street boundary of Martin Luther King Jr.
51 Boulevard the following three (3) courses and distances:

52 1. South 09°45'16" West, a distance of 26.86 feet to a point; thence

53 2. South 12°18'59" West, a distance of 50.52 feet to a point; and

54 3. South 15°50'09" West, a distance of 25.93 feet to a point; thence
55 turning and running through lands now or formerly of the City of Albany,
56 Tax Parcel 76.10-1-3 the following four (4) courses and distances:

1 1. South 16°26'04" East, a distance of 98.46 feet to a point; thence
2 2. South 16°26'04" East, a distance of 407.29 feet to a point;
3 3. South 50°48'41" East, a distance of 253.58 feet to a point; and
4 4. South 19°00'12" West, a distance of 42.78 feet to the point of
5 beginning.

6 Both parcels containing a total of 1.29 acres of land more or less.

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

18 § 5. This act shall take effect immediately.