STATE OF NEW YORK

5796--B

2019-2020 Regular Sessions

IN SENATE

May 15, 2019

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the commissioner of general services to transfer and convey certain unappropriated state land to the village of Ossining, county of Westchester; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Subject to the provisions of this act but notwithstanding any other provision of law to the contrary, the commissioner of general services is hereby authorized, subject to the consent of the commissioner of corrections and community supervision, to transfer and convey to the village of Ossining in the county of Westchester, the state land described in section two of this act, owned by the department of corrections and community supervision and being a part of lot 97.10-1-4, in the village of Ossining in the county of Westchester, declared to be abandoned state land by the department of corrections and community supervision. The transfer and conveyance of the land described in section two of this act shall be made in consideration of the sum of one dollar and upon such conditions as the commissioner of general services may deem proper. If the transfer and conveyance of such land shall not have taken effect within two years of the effective date of this act, then such authority to transfer and convey shall be revoked.

§ 2. The lands authorized by section one of this act to be transferred and conveyed are as follows:

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

LBD11670-10-0

ALL That certain Plot Piece or Parcel of Land situated and lying in the Town of Ossining, Village of Ossining, County of Westchester, and State of New York and being more particularly bounded and described as follows:
Beginning at a point on the division line between land of the Village of Ossining on the North and the State of New York on the South Where the same is intersected by westerly side of land now or formerly Midtown Trackage Ventures formerly the New York City and Hudson River Railroad (N.Y.C. & H.R.R.R.) said point being the Northeasterly corner of land now or formerly State of New York as shown on map entitled "County of Westchester Department of Environmental Facilities" and filed in the Westchester County Clerk's office Division of Land Records as Map No. 19196.
Thence running along land now or formerly Midtown Trackage Ventures formerly the New York City and Hudson River Railroad (N.Y.C. & H.R.R.R.)South 4°39'15" East 320.11 feet to a point;
Thence running though Land of the State of New York the following two (2) courses and distances South 88°00'00" West 217.08 feet to a point; North 1°55'49" West 323.26 feet to the land of the Village of Ossining;
Thence along said land South 82° 34' 28" East 204.54 feet to the point and place of beginning.
Containing 1.6150 Acres = 70,348 Sq. Ft.

§ 3. The description in section two of this act is not intended to be a legal description, but is intended to identify the parcel to be conveyed. As a condition of the transfer, the village of Ossining may submit to the commissioner of general services, for his or her approval, an accurate survey and description of the lands to be conveyed, which may be used in the conveyance thereof.

§ 4. Notwithstanding the foregoing, the authorization to convey the above described portion of the Sing Sing Correctional Facility shall be subject to the condition precedent that such conveyance shall not impair or result in any diminution of the obligations to holders of any bonds which financed, refinanced, or are secured by correctional facilities (or payments in respect thereof), including the Sing Sing Correctional Facility, and shall not adversely affect any exemption of interest on such bonds from federal income tax.

§ 5. The office of general services shall not transfer or convey the aforesaid land unless the application is made to the office of general services by the village of Ossining within one year after the effective date of this act. Said application shall be in the form of a resolution setting forth a comprehensive statement approved by the Ossining's Village Board of Trustees acknowledging and accepting the use restrictions set forth in section six of this act.

§ 6. The transfer and conveyance made pursuant to this act shall be subject to the following use restrictions and reverter:

(a) The land described in this act shall be used exclusively for the purposes of operating and maintaining a museum.

(b) The conveyance of the land described in this act shall contain a covenant and restriction requiring that the land be used for the purpose set forth in subdivision (a) of this section. In the event the premises are not accepted and/or used for such purposes, ownership of the land shall revert to the state of New York.

§ 7. This act shall take effect immediately and shall expire and be deemed repealed two years after such effective date.