

STATE OF NEW YORK

5127

2021-2022 Regular Sessions

IN SENATE

February 24, 2021

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

AN ACT in relation to authorizing the town of Webster, county of Monroe, 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 town of Webster,
2 county of Monroe, 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, to the county
5 of Monroe, for the purpose of fulfilling and assisting the completion of
6 REDI Project MO.56 Lake Road Retirement Project, and upon such other
7 terms and conditions as determined by the governing body of the town of
8 Webster.

9 § 2. The authorization provided in section one of this act shall be
10 effective only upon the condition that the county of Monroe convey to
11 the town of Webster and that the town of Webster acquire and dedicate
12 the lands described in section four of this act as parklands, provided
13 that the town of Webster has never used such lands for public open space
14 or park purposes.

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

17 All that tract or parcel of land containing 16,970 square feet or
18 0.389 acres more or less, situated in the town of Webster, county of
19 Monroe, state of New York, and being more particularly bounded and
20 described as follows:

21 Commencing at a point on the northerly right-of-way of lake road, a
22 variable width right-of-way, at its intersection with the westerly line
23 of lands now or formerly Kenneth J. & Linda M. Lill (tax acct.
24 063.060-001-003.1) and the easterly line of lands now or formerly of the

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

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1 town of Webster (tax acct. 063.090-001-078.13); thence, south 62° 49'
2 52" west, along said right-of-way line, a distance of 20.28 feet to the
3 point of beginning; thence, south 52° 10' 06" west along said right-of-
4 way, a distance of 296.82 feet to a point; thence, south 56° 41' 34"
5 west along said right-of-way, a distance of 315.18 feet to a point;
6 thence, departing the right-of-way of lake road through the lands now or
7 formerly of the town of Webster in a northeasterly direction, along a
8 non-tangent curve to the left, having a radius of 897.04 feet, arc
9 length of 132.73 feet, delta 8° 28' 40", to a point of reverse curva-
10 ture, said curve having a chord bearing of north 45°56'52" east and a
11 chord distance of 132.61 feet; thence, in a northeasterly direction,
12 along a non-tangent curve to the right, having a radius of 780.00 feet,
13 arc length of 281.07 feet, delta 20° 38' 48", to a point of tangency;
14 said curve having a chord bearing of north 52°30'31" east and a chord
15 distance of 279.55 feet; thence, north 62° 49' 52" east, a distance of
16 203.14 feet to the point and place of beginning, hereby intending to
17 describing a portion of lands now of formerly of the town of Webster to
18 be dedicated for highway purposes.

19 § 4. Prior to the discontinuance and alienation of the parklands
20 described in section three of this act, the county of Monroe shall dedi-
21 cate as parklands such land described as follows: All that tract or
22 parcel of land containing 21,141 square feet or 0.462 acres more or
23 less, situated in the town of Webster, county of Monroe, state of New
24 York, and being more particularly bounded and described as follows:

25 Commencing at a point on the northerly right-of-way of lake road, a
26 variable width right-of-way, at its intersection with the westerly line
27 of lands now or formerly Kenneth J. & Linda M. Lill (tax acct.
28 063.060-001-003.1) and the easterly line of lands now or formerly of the
29 town of Webster (tax acct. 063.090-001-078.13); thence, south 11° 48'
30 17" east through the right-of-way of lake road, a distance of 72.12 feet
31 to a point on the southerly right-of-way of lake road at its inter-
32 section with the easterly line of lands now or formerly of the town of
33 Webster (tax acct. 063.090-001-037) and point of beginning; thence,
34 along the southerly right-of-way of lake road the following courses in a
35 southwesterly direction, along a non-tangent curve to the right, having
36 a radius of 2257.59 feet, arc length of 97.36 feet, delta 2° 28' 15", to
37 a point of tangency, said curve having a chord bearing of south
38 51°18'15" west and a chord distance of 97.35 feet; thence, south 52° 32'
39 22" west, a distance of 63.72 feet to a point; thence, south 55° 13' 14"
40 west, a distance of 444.76 feet to a point; thence, north 42° 11' 01"
41 east departing the southerly right-of-way through the right-of-way of
42 lake road, a distance of 150.40 feet to a point of curvature; thence, in
43 a northeasterly direction, along a tangent curve to the right, having a
44 radius of 720.00 feet, arch length of 259.45 feet, delta 20° 38' 48", to
45 a point of tangency; thence, north 62° 49' 52" east, a distance of
46 107.56 feet to a point; thence, north 68° 27' 49" east, a distance of
47 97.22 feet to the point of beginning, hereby intending to describing a
48 portion of Lake Road, a variable width public right-of-way, to be alien-
49 ated.

50 § 5. In the event that the fair market value of the parklands
51 described in section four of this act to be dedicated by the town of
52 Webster pursuant to this act are not equal to or greater than the fair
53 market value of the parklands to be alienated as described in section
54 three of this act, the town of Webster shall dedicate the difference of
55 the fair market value of the lands to be alienated and the lands to be

1 dedicated for the acquisition of additional parklands and/or capital
2 improvements to existing park and recreational facilities.

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

14 § 7. This act shall take effect immediately.