

STATE OF NEW YORK

9310

IN SENATE

May 13, 2022

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT authorizing the city of Troy to lease sub-surface park land property referred to as Riverfront Park

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

1 Section 1. Notwithstanding any inconsistent provision of section 20
2 of the general city law, the city of Troy, acting by and through its
3 city council, and upon such terms and conditions as determined by such
4 body, is authorized to discontinue as parklands and to lease at fair
5 market value for a term not to exceed thirty years, the subsurface lands
6 more particularly described in section three of this act, for district
7 geothermal wells and distribution lines. Upon the completion of the
8 installation of subsurface equipment, the city of Troy shall restore the
9 surface of the land for use as parkland.

10 § 2. The authorization contained in section one of this act shall take
11 effect only upon the condition that the city of Troy dedicate the
12 proceeds of the lease toward the acquisition of new parklands and/or
13 capital improvements to existing park/recreational facilities.

14 § 3. The sub-surface lands authorized by section one of this act to be
15 discontinued as parkland and leased are described as follows:

16 ALL THAT CERTAIN TRACT PIECE OR PARCEL OF LAND situate in the city of
17 Troy, Rensselaer County, New York lying between the north-western margin
18 of Front Street, and 36 feet southeast of the Hudson River Seawall, east
19 of tax parcel 101.53-1-1 and west of the Riverfront Park Band perform-
20 ance area and spray park, being more particularly bounded and described
21 as follows:

22 BEGINNING at a point at the south corner of Riverfront Park tax parcel
23 101.45-5-1.1 at its intersection with the City of Troy's Front Street
24 right-of way, then following these 6 courses: Northeast along the prop-
25 erty line between the City of Troy right-of-way for Front Street and
26 Riverfront Park parcel 101.45-5-1.1 approximately 474 feet 9 inches to a
27 point that is 42.732819 degrees north, 73.690792 degrees west; North-

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

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1 west, perpendicular to said property line, 186 feet 1/2 inches to a
2 point that is 45 feet 1/4 inch southeast of the Hudson River side of the
3 seawall along this line extended; Southwest 103 feet 8 1/4 inches to a
4 point that is 36 feet from the Hudson River side of the seawall measured
5 perpendicular to the seawall; South-southwest, parallel to, and 36 feet
6 from the Hudson River side of the seawall for a distance of 420 feet 2
7 1/4 inches to a point on the property line separating Riverfront Park
8 parcel 101.45-5-1.1 and 101.53-1-1; Southeast 26 feet 2 inches along the
9 property line separating Riverfront Park parcel 101.45-5-1.1 and parcel
10 101.53-1-1; East approximately 84' 8 3/4 inches along the property line
11 separating the city of Troy Right-of way for Front Street and Riverfront
12 Park parcel 101.45-5-1.1 to the point of beginning.

13 Containing a total of 1.47 acres more or less.

14 § 4. Should the lands described in section three of this act cease to
15 be used for the purposes described in section one of this act, the lease
16 shall terminate and those lands shall revert to the city of Troy for
17 public park and recreational purposes. At the time of such reversion,
18 the removal of the equipment shall take place and the property shall be
19 returned to its previous state, consistent with park and recreational
20 purposes.

21 § 5. In the event that the city of Troy received any funding, support
22 or assistance from the federal government for the purchase, maintenance
23 or improvement of the parklands set forth in section three of this act,
24 the discontinuance and alienation of such parkland authorized by the
25 provisions of this act shall not occur until the city of Troy has
26 complied with any federal requirements pertaining to the alienation or
27 conversion of such park lands, including satisfying the secretary of the
28 interior that the alienation or conversion complies with all conditions
29 which the secretary of the interior deems necessary to assure the
30 substitution of other lands shall be equivalent in fair market value and
31 usefulness to the lands being alienated or converted.

32 § 6. This act shall take effect immediately.