

STATE OF NEW YORK

7837--B

2021-2022 Regular Sessions

IN ASSEMBLY

May 26, 2021

Introduced by M. of A. NORRIS -- read once and referred to the Committee on Local Governments -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the county of Niagara to transfer ownership of certain parkland to the town of Lockport

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

1 Section 1. (a) Subject to the provisions of this act, the county of
2 Niagara acting through its legislative body is hereby authorized to
3 discontinue and convey the use of a portion of county parking more
4 particularly described in section two of this act, and to convey its
5 interest in the real property to the town of Lockport upon terms agreed
6 upon by the county of Niagara and the town of Lockport for use by such
7 town of Lockport for park and/or recreational purposes, provided, howev-
8 er, that such town of Lockport shall continue to provide access to such
9 parkland and/or recreational facilities to all residents of the county
10 of Niagara and the town shall not enact any fees or charges which are
11 higher for county residents who are not town residents.

12 (b) Any revenues received from the county from the transfer shall be
13 used for capital improvements of existing park or recreational and/or
14 the acquisition of additional park or recreational facilities.

15 § 2. The real property authorized to be conveyed by the county of
16 Niagara pursuant to section one of this act is more particularly
17 described as follows:

18 ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Lockport,
19 County of Niagara, and State of New York, being part of Lot 8, Section
20 10, Township 14, Range 6 of the Holland Land Company's Survey, more
21 particularly described as follows:

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

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1 Commencing at a point of intersection of the centerline of East High
2 Street (being 66.0 feet wide), also being the south line of Lot 8 and
3 the extension of the west line of Day Road (being 66.0 feet wide), said
4 point also being the southeasterly corner of lands conveyed to the Town
5 of Lockport as filed by deed in the Niagara County Clerk's Office in
6 Liber 3378 of Deeds at Page 281;

7 Thence, N 06°-49'-50" W, along the west line of Day Road, also being
8 the east line said lands conveyed to the Town of Lockport, a distance of
9 1780.00 feet to the Point of Beginning;

10 Thence, N 90°-00'-00" W, parallel with the centerline of East High
11 Street, also being the north line said lands conveyed to the Town of
12 Lockport, a distance of 1190.73 feet to a point on the west line Lot 8;

13 Thence, N 05°-49'-31" W, along said west line Lot 8, a distance of
14 2213.82 feet to a point on the north line Lot 8;

15 Thence, N 89°-55'-46" E, along said north line Lot 8, a distance of
16 1151.45 feet to a point on the west line Day Road, also being the west
17 line lands conveyed to the Town of Lockport as filed by deed in the
18 Niagara County Clerk's Office in Liber 1295 of Deeds at Page 105;

19 Thence, S 06°-49'-50" E, along said west line of lands conveyed to the
20 Town of Lockport, a distance of 2219.56 feet to the Point of Beginning.
21 Containing 58.23 acres of land, more or less.

22 § 3. Should the lands described in section two of this act cease to be
23 used for the purposes described in section one of this act, those lands
24 shall revert to the county of Niagara for public park and recreational
25 purposes.

26 § 4. The land to be transferred pursuant to this act and all struc-
27 tures and facilities situated on such land shall be maintained, owned
28 and operated for park purposes by the town of Lockport.

29 § 5. The use of such parkland and facilities shall be available to the
30 general public, including all residents of Niagara county and the town
31 of Lockport. Where the availability of such facilities is limited, use
32 of such facilities shall be determined by an equitable method.

33 § 6. In the event that the county of Niagara received any funding
34 support or assistance from the federal government for the purchase,
35 maintenance or improvement of the parklands set forth in section two of
36 this act, the discontinuance and alienation of such parkland authorized
37 by the provisions of this act shall not occur until the county of
38 Niagara has complied with any federal requirements pertaining to the
39 alienation or conversion of parklands, including satisfying the secre-
40 tary of the interior that the alienation or conversion complies with all
41 conditions which the secretary of the interior deems necessary to assure
42 the substitution of other lands shall be equivalent in fair market value
43 and usefulness to the lands being alienated or converted.

44 § 7. This act shall take effect immediately.