STATE OF NEW YORK

6313--C

2021-2022 Regular Sessions

IN SENATE

April 21, 2021

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government 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 -- committee discharged, bill amended, 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:

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

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

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

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Lockport, County of Niagara, and State of New York, being part of Lot 8, Section

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

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10, Township 14, Range 6 of the Holland Land Company's Survey, more particularly described as follows:

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

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

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

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

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

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

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

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

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

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

§ 7. This act shall take effect immediately.