STATE OF NEW YORK

8757

IN SENATE

April 11, 2022

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 for use by the Webster central school district

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, the town of Webster, located in the county of Monroe, acting by and through its governing body and upon such terms and conditions as determined by such body, is hereby authorized to discontinue as parklands and alienate the lands more particularly described in section three of this act, and convey to the Webster central school district, for the purpose of using such parcel in conjunction with the sports field already purchased for the benefits of the students of such school district.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the town of Webster and that the Webster central school district acquire and dedicate the lands described in section three of this act as parklands, provided that neither the town nor the Webster central school district has ever used such lands for public open space or park purposes.

§ 3. The parklands authorized by section one of this act to be alienated as parklands are described as follows:

Prior to the discontinuance and alienation of the parklands described in section three of this act, the town of Webster shall convey to the Webster central school district and the Webster central school district shall acquire and dedicate as parklands such land described as follows: All that tract or parcel of land containing 2.65 acres ±, situated in the town of Webster, county of Monroe, state of New York, and being more particularly bounded and described as follows:

Schedule A

Description of property on Boulter Industrial Parkway

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

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All that tract or parcel of land, situate in the Town of Webster, County of Monroe, State of New York, all as shown on a map entitled "Boulter Industrial Park Lot 3, Subdivision Map", prepared by Costich Engineering, P.C., having Drawing No. 1755 VS100, dated 1/21/2010, being more particularly bounded and described as follows:

Commencing at the northwesterly corner of Boulter Industrial Parkway, as shown on "Boulter Industrial Park Lot 4, Subdivision Map" prepared by Costich Engineering, P.C. and filed with the Monroe County Clerk's Office in Liber 303 of Maps, Page 20; thence

A. 01°36'31" West, a distance of 6.00 feet to a point; thence

B. South 88°23'29" West, a distance of 25.00 feet to a point; thence

C. Along a non-tangent curve to the left having a delta angle of 42°57'41", a radius of 236.00 feet, and an arc length of 176.96 feet, said curve also having a chord of South 66°54'48" West, 172.84 feet to a point; thence

D. Southwesterly along a curve to the left having a delta angle of 09°13'23", a radius of 235.97 feet, and an arc length of 37.98 feet, said curve also having a chord of South 40°48'46" West 37.94 feet to a point; thence

E. Southwesterly along a non-tangent curve to the right having a delta angle of 53°08'37", a radius of 270.00 feet, and an arc length of 250.43 feet, said curve also having a chord of South 62°46'41" West 241.55 feet to a point; thence

F. South 89°20'59" West, a distance of 222.02 feet to the point and place of beginning; thence

1. South 89°20'59" West, a distance of 200.00 feet to a point; thence

2. North 00°39'02" West, a distance of 577.25 feet to a point; thence

3. North 89°20'59" East, a distance of 200.00 feet to a point; thence

4. South 00°39'02" East, a distance of 577.25 feet to the point and place of beginning. Containing 2.650 acres of land, more or less.

§ 4. In the event that the fair market value of the parklands described in section three of this act to be dedicated by the town of Webster pursuant to this act are not equal to or greater than the fair market value of the parklands to be alienated as described in section three of this act, the town of Webster shall dedicate the difference of the fair market value of the lands to be alienated and the lands to be dedicated for the acquisition of additional parklands and/or capital improvements to existing park and recreational facilities.

§ 5. In the event that the town of Webster received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the town of Webster 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.

§ 6. This act shall take effect immediately.