

# STATE OF NEW YORK

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6724

2023-2024 Regular Sessions

## IN ASSEMBLY

May 8, 2023

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Introduced by M. of A. BRONSON -- read once and referred to the Committee on Cities

AN ACT in relation to authorizing the city of Rochester to convey by appropriate instruments to the Rochester Pure Waters District, an easement in Genesee Valley Park, for installation and maintenance of sanitary sewer facilities

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

1 Section 1. The city of Rochester, acting by and through its governing  
2 body, is hereby authorized to convey by appropriate instruments to the  
3 Rochester Pure Waters District, a permanent easement in Genesee Valley  
4 Park described in section three of this act, for the purpose of enabling  
5 such water district to construct, operate, repair, replace, and maintain  
6 sanitary sewer facilities. Upon completion of any repairs or  
7 construction, the Rochester Pure Waters District shall restore the  
8 surface of the lands and the lands shall continue to be used for park  
9 purposes.

10 § 2. The authorization provided in section one of this act shall be  
11 effective only upon the condition that the city of Rochester dedicates  
12 an amount equal to or greater than the fair market value of the easement  
13 interest being alienated pursuant to section one of this act, for the  
14 acquisition of new parklands and/or capital improvements to existing  
15 park and recreational facilities.

16 § 3. The easements to be conveyed by the city of Rochester pursuant to  
17 the provisions of this act are described as follows:

18 MAP 1, PARCEL 1:

19 All that track or parcel of land being in the City of Rochester, Coun-  
20 ty of Monroe, State of New York, as shown on the accompanying map and  
21 described as follows: Commencing at an angle point in the southerly

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

LBD11040-03-3

1 property line of the City of Rochester (reputed owner), Tax Account No.  
2 148.06-1-1.001 on the north and property of the City of Rochester  
3 (reputed owner), Tax Account No. 135.15-1-1 on the south; thence S 83°  
4 50' 06" W along said division line a distance of 122.53 feet to the true  
5 point of beginning, said point having coordinates of N 1,138,746.57 and  
6 E 1,401,724.37; thence, continuing south westerly along the said divi-  
7 sion line S 83° 50' 06" W, 44.77 feet to a point, said point having  
8 coordinates of N 1,138,741.76 and E 1,401,679.86; thence, through land  
9 owned by the City of Rochester (reputed owner), Tax Account No.  
10 148.06-1-1.001, N 32° 51' 14" W, 187± feet to a point on the approximate  
11 mean high water of the Genesee River: thence easterly along the approxi-  
12 mate high water of the Genesee River 43± feet to a point; thence,  
13 through lands owned by the City of Rochester (reputed owner), Tax  
14 Account No. 148.06-1-1.001, S 32° 51' 14" E 193± feet to the point of  
15 beginning. Said parcel having an area of 7,572± square feet or 0.174±  
16 acres.

17 MAP 2, PARCEL 1:

18 All that track or parcel of land being in the City of Rochester, Coun-  
19 ty of Monroe, State of New York, as shown on the accompanying map and  
20 described as follows: Commencing at an angle point in the southerly  
21 property line of the City of Rochester (reputed owner), Tax Account No.  
22 148.06-1-1.001 on the north and property of the City of Rochester  
23 (reputed owner), Tax Account No. 135.15-1-1 on the south; thence S 83°  
24 50' 06" W along said division line a distance of 122.53 feet to the true  
25 point of beginning, said point having coordinates of N 1,138,746.57 and  
26 E 1,401,724.37; thence, through land owned by the City of Rochester  
27 (reputed owner), Tax Account No. 135.15-1-1, S 32° 51' 14" E, 280.84  
28 feet to a point at the division line of lands owned by the University of  
29 Rochester (reputed owner), Tax Account No. 135.67-1-2.001 on the south  
30 and lands owned by the City of Rochester (reputed owner), Tax Account  
31 No. 135.15-1-1 on the north, said point having coordinates of N  
32 1,138,510.64 and E 1,401,876.73; thence south westerly along said divi-  
33 sion line on a curve to the right with a radius of 2,435.31 feet a  
34 distance of 43.72 feet to a point, said point having coordinates of N  
35 1,138,474.12 and E 1,401,852.70; thence, through lands owned by the City  
36 of Rochester (reputed owner), Tax Account No. 135.15-1-1, N 32° 51' 14"  
37 W, 318.60 feet to a point at the division line of lands owned by the  
38 City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001 on the  
39 north and property of the City of Rochester (reputed owner), Tax Account  
40 No. 135.15-1-1 on the south, said point having coordinates of N  
41 1,138,741.76 and E 1,401,679.86; thence N 83° 50' 06" E along said divi-  
42 sion line a distance of 44.77 feet to the point of beginning. Said  
43 parcel having an area of 11,992± square feet or 0.275± acres.

44 MAP 3, PARCEL 1:

45 All that track or parcel of land being in the City of Rochester, Coun-  
46 ty of Monroe, State of New York, as shown on the accompanying map and  
47 described as follows: Commencing on the southerly boundary of Elmwood  
48 Avenue and the property line of the City of Rochester (reputed owner),  
49 Tax Account No. 135.58-1-1 on the east and property of the City of  
50 Rochester (reputed owner), Tax Account No. 135.51-1-8 on the west;  
51 thence, the following courses and distances along said division line S  
52 28° 49' 55" W 289.60 feet to a point, S 26° 36' 13" W 163.97 feet to a

1 point, S 29° 22' 52" W 57.60 feet to the true point of beginning, said  
2 point having coordinates of N 1,139,566.23 and E 1,401,089.95; thence,  
3 the following courses and distances through land owned by the City of  
4 Rochester (reputed owner), Tax Account No. 135.58-1-1, S 58° 00' 55" E,  
5 197.66 feet to a point, said point having coordinates of N 1,139,461.53  
6 and E 1,401,257.60, S 33° 08' 00" E, 290± feet to a point on the approx-  
7 imate mean high water of the Genesee River: thence southwesterly along  
8 the approximate high water of the Genesee River 40 feet ± to a point;  
9 thence, the following courses and distances through land owned by the  
10 City of Rochester (reputed owner), Tax Account No. 135.58-1-1, N 33° 08'  
11 00" W, 278± feet to a point, said point having coordinates of N  
12 1,139,432.27 and E 1,401,228.93, N 58° 00' 55" W, 188.14 feet to a point  
13 at the division line of lands owned by the City of Rochester (reputed  
14 owner), Tax Account No. 135.58-1-1 on the east and lands owned by the  
15 City of Rochester (reputed owner), Tax Account No. 135.51-1-8 on the  
16 west, said point having coordinates of N 1,139,531.93 and E  
17 1,401,069.35; thence, the following courses and distances along said  
18 division line, N 31° 12' 15" E, 35.19 feet, N 29° 22' 52" E, 4.82 feet  
19 to the point of beginning. Said parcel having an area of 19,075± square  
20 feet or 0.438± acres.

21 MAP 4, PARCEL 1:

22 All that track or parcel of land being in the City of Rochester, Coun-  
23 ty of Monroe, State of New York, as shown on the accompanying map and  
24 described as follows: Commencing on the southerly boundary of Elmwood  
25 Avenue and the property line of the City of Rochester (reputed owner),  
26 Tax Account No. 135.58-1-1 on the east and property of the City of  
27 Rochester (reputed owner), Tax Account No. 135.51-1-8 on the west;  
28 thence, the following courses and distances along said division line S  
29 28° 49' 55" W 289.60 feet to a point, S 26° 36' 13" W 163.97 feet to a  
30 point, S 29° 22' 52" W 57.60 feet to the true point of beginning, said  
31 point having coordinates of N 1,139,566.23 and E 1,401,089.95; thence,  
32 the following courses and distances along said division line, S 29° 22'  
33 52" W, 4.82 feet, S 31° 12' 15" W, 35.19 feet to a point, said point  
34 having coordinates of N 1,139,531.93 and E 1,401,069.35; thence, through  
35 land owned by the City of Rochester (reputed owner), Tax Account No.  
36 135.51-1-8, N 58° 00' 55" W, 40.84 feet to a point at the division line  
37 of lands owned by the City of Rochester (reputed owner), Tax Account No.  
38 135.51-1-8 on the east and lands owned by the City of Rochester (reputed  
39 owner), Tax Account No. 135.58-1-2 on the west, said point having coor-  
40 dinates of N 1,139,553.56 and E 1,401,034.71; thence, the following  
41 courses and distances along said division line, N 32° 46' 56" E, 33.69  
42 feet to a point, N 30° 57' 33" E, 6.32 feet to a point; thence, through  
43 land owned by the City of Rochester (reputed owner), Tax Account No.  
44 135.51-1-8, S 58° 00' 55" E, 39.79 feet to the point of beginning. Said  
45 parcel having an area of 1,612± square feet or 0.037± acres.

46 § 4. The conveyance of the easement authorized by the provisions of  
47 this act shall not occur until the city of Rochester has complied with  
48 any federal requirements pertaining to the alienation or conversion of  
49 parklands, including satisfying the secretary of the interior that the  
50 alienation or conversion complies with all conditions which the secre-  
51 tary of the interior deems necessary to assure that the substitution of  
52 other lands be equivalent in fair market value and recreational useful-  
53 ness to the lands being alienated or converted.

54 § 5. This act shall take effect immediately.