STATE OF NEW YORK

6959

2023-2024 Regular Sessions

IN ASSEMBLY

May 9, 2023

Introduced by M. of A. BRABENEC -- read once and referred to the Committee on Local Governments

AN ACT authorizing the town of Warwick, county of Orange to alienate certain lands held in public trust in the town of Warwick, county of Orange

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 Warwick, in the county of Orange, acting by and through its town board, is hereby authorized to discontinue as public trust lands and to alienate the lands more particularly described in section three of this act for the purpose of exchanging such land for lands owned by urbanXtracts, a "seed-to-market" cannabis business, which lands are more suitable for development for recreational public park use and are located adjacent to an existing town park. The commissioner of general services shall amend a deed from the people of the state to the New York State Urban Development Corporation d/b/a Empire State Development conveying the lands described in section three of this act, relating to the uses of such lands, in order to permit the alienation pursuant to this act. In addition, the president of the New York State Urban Development Corporation d/b/a Empire State Development shall amend a deed from the New York State Urban Development Corporation d/b/a Empire State Development to the town of Warwick conveying the lands described in section three of this act, relating to the uses of such lands, in order to permit the alienation pursuant to this act.

§ 2. The authorization contained in section one of this act shall take effect only upon the condition that the town of Warwick shall dedicate an amount equal to or greater than the fair market value of the lands being discontinued and alienated pursuant to section one of this act towards (a) the acquisition of new lands to be used for the purpose of

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

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recreation, historic and/or environmental preservation and associated public works and that shall be held in public trust or (b) capital improvements to existing lands held in public trust for such purposes.

§ 3. The lands authorized by section one of this act to be discontinued as public trust land and alienated are as follows:

All that parcel of land situate, lying and being in the Town of Warwick, County of Orange and State of New York, being more particularly bounded and described as follows:

Beginning at a point along the easterly boundary of Lot 5 at the northwesterly corner of Lot 2 West, being located S 00 01' 34" W, 50.00 feet from the most easterly corner of Lot 1; thence along the boundary of Lot 2 West the following four (4) courses and distances:

(1) S 00° 01' 34" W, a distance of 108.85 feet to a point;
(2) S 13° 15' 40" W, a distance of 234.10 feet to a point;
(3) S 25° 00' 00" E, a distance of 148.92 feet to a point;
(4) N 72° 20' 30" E, a distance of 553.66 feet to a point;

thence through Lot 5 the following nineteen (19) courses and distances:

(1) S 13° 00' 00" W, a distance of 62.71 feet to a point;
(2) S 52° 27' 48" W, a distance of 1,126.22 feet to a point;
(3) S 69° 09' 00" W, a distance of 206.00 feet to a point;
(4) N 20° 51' 00" W, a distance of 254.50 feet to a point;
(5) N 69° 09' 00" E, a distance of 53.12 feet to a point;
(6) S 69° 37' 16" E, a distance of 62.55 feet to a point;
(7) N 20° 22' 24" E, a distance of 80.00 feet to a point;
(8) N 70° 38' 56" W, a distance of 80.00 feet to a point;
(9) N 29° 44' 43" E, a distance of 13.41 feet to a point;
(10) N 51° 49' 50" W a distance of 57.38 feet to a point;
(11) along a curve to the left having a radius of 115.00 feet, an arc length of 46.43 feet to a point;
(12) N 74° 57' 52" W, a distance of 25.46 feet to a point;
(13) along a curve to the right having a radius of 45.00 feet, an arc length of 43.03 feet to a point;
(14) N 20° 10' 47" W, a distance of 397.60 to the point located along the southerly boundary of a roadway now known as John Hicks Drive, said point being located N 65° 09' 20" E, 180.90 feet from the northeasterly boundary of Lot 1;
(15) N 65° 09' 20" E, for a distance of 136.44 feet to a point;
(16) along a curve to the right having a radius of 250.00 feet, an arc length of 97.24 feet to a point;
(17) N 87° 26' 30" E, a distance of 140.91 feet to a point;
(18) along a curve to the left having a radius of 350.00 feet, an arc length of 270.71 feet;
(19) along a curve to the right having a radius of 365.00 feet, an arc length of 298.77 feet to the Point Of Beginning.

Containing 15.67 acres of land, more or less.

Being a portion of Lot 5 shown on the map entitled "Survey Map showing The Remaining Lands to be Retained by the Town of Warwick of the former Mid-Orange Correctional Facility, prepared for Warwick Valley Local Development Corporation, New York State Office of General Services, Empire State Development Corporation," dated July 2, 2013, last revised December 5, 2013, on file at the New York State Office of General Services as OGS Map No. 2462, Sheet 4.

§ 4. In the event that the town of Warwick received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the lands held in public trust set forth

in section three of this act, the discontinuance and alienation of such lands held in public trust authorized by the provisions of section one of this act shall not occur until the town of Warwick has complied with any federal requirements pertaining to the alienation or conversion of such public trust lands, 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.

§ 5. This act shall take effect immediately.