STATE OF NEW YORK

8898--B

IN ASSEMBLY

January 26, 2024

Introduced by M. of A. MORINELLO -- read once and referred to the Committee on Cities -- 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 city of Niagara Falls to alienate and discontinue the use of certain parklands

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 city of Niagara Falls, county of Niagara, is hereby authorized, acting by and through its governing body, and upon such terms and conditions as determined by such governing body, to discontinue the use as parkland and alienate the lands described in section three of this act, to The Papermill, LLC for the purpose of joining two commercial properties that this parkland divides preventing development of the adjacent properties.

§ 2. The authorization contained in section one of this act shall only be effective on the condition that the city of Niagara Falls dedicate an amount equal to or greater than the fair market value of the parklands being alienated pursuant to section one of this act towards the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. The parkland authorized by section one of this act to be discontinued as parkland is described as follows:

ALL THAT TRACT, PIECE OF PARCEL OF LAND, situate in the City of Niagara Falls, County of Niagara, and State of New York, known as the "Ten Rod Strip", located and bounded and described as follows:

Beginning at a point where the south line of Buffalo Avenue produced from the east (99-foot-wide Roadway) intersects the east line of Tenth Street produced south;

Thence running south along the east line of Tenth Street produced south to the north line of lands Appropriated by the Power Authority of the State of New York for the Niagara Power Project, Map No. 1499 Parcel 1966 recorded in Liber 1426 of deeds at page 980;

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

LBD13779-08-4

Thence northwesterly, along the north line of lands Appropriated by the Power Authority of the State of New York for the Niagara Power Project, Map No. 1499 Parcel 1966 recorded in Liber 1426 of deeds at page 980 to a point that is distant from the east line of Tenth Street, produced south as aforesaid ten rods or 165 feet measured at right angles therefrom;

Thence running north, parallel to the east line of Tenth Street produced south and distant ten rods or 165 feet therefrom to the south line of Buffalo as a 66-foot-wide Roadway;

Thence east, along the south line of Buffalo Avenue as a 66-foot-wide Roadway to the west line of Tenth Street produced south;

Thence south along the west line of Tenth Street produced south to the south line of Buffalo Avenue produced from the east (99-foot-wide Roadway);

Thence east, along the south line of Buffalo Avenue produced from the east (99-foot-wide Roadway) to the POINT OR PLACE of BEGINNING, containing 1.77 acres more or less.

§ 4. In the event that the city of Niagara Falls 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 parklands authorized by the provisions of this act shall not occur until the city of Niagara Falls 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.

§ 5. This act shall take effect immediately.