

# STATE OF NEW YORK

6610--A

2023-2024 Regular Sessions

## IN SENATE

April 28, 2023

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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  
22 property line of the City of Rochester (reputed owner), Tax Account No.

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

LBD11040-04-3

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

16 MAP 2, PARCEL 1:

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

43 MAP 3, PARCEL 1:

44 All that track or parcel of land being in the City of Rochester, Coun-  
45 ty of Monroe, State of New York, as shown on the accompanying map and  
46 described as follows: Commencing on the southerly boundary of Elmwood  
47 Avenue and the property line of the City of Rochester (reputed owner),  
48 Tax Account No. 135.58-1-1 on the east and property of the City of  
49 Rochester (reputed owner), Tax Account No. 135.51-1-8 on the west;  
50 thence, the following courses and distances along said division line S  
51 28° 49' 55" W 289.60 feet to a point, S 26° 36' 13" W 163.97 feet to a  
52 point, S 29° 22' 52" W 57.60 feet to the true point of beginning, said

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

20

## MAP 4, PARCEL 1:

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

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

53 § 5. This act shall take effect immediately.