STATE OF NEW YORK

8860

IN SENATE

March 22, 2024

Introduced by Sen. GALLIVAN -- 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 Eden 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 town of Eden, located in the county of Erie, 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 to sell and convey such lands at fair market value, for the purpose of providing needed resources to enhance the existing parks within the town.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the town of Eden, county of Erie, dedicate an amount equal to or greater than the fair market value of the parklands being discontinued toward the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

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

PARCEL 1:

All That Tract or Parcel of Land, Town of Eden, County of Erie, State of New York, being part of Lot No. 29, Township 8, Range 8 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the east line of map cover number 2553 at the northeast corner of East Pleasant Avenue, a 70 foot wide right of way;

thence S 89°-59'-29" E, a distance of 23.01 feet to a point of curvature;

thence northeasterly along a curve to the left having a radius of 265.00 feet and an arc length of 196.21 feet to a point of reverse curvature;

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

LBD14978-02-4

thence northeasterly along a curve to the right having a radius of 335.00 feet and an arc length of 246.70 feet;
thence N 89°-46'-49" E, a distance of 221.93 feet;
thence S 01°-28'-52" W, a distance of 70.03 feet to a point in the south line of East Pleasant Avenue, a 70 foot wide right of way;
thence S 89°-46'-49" W, a distance of 219.85 feet to a point of curvature;
thence southwesterly along a curve to the left having a radius of 265.00 feet and an arc length of 195.15 feet to a point of reverse curvature;
thence southwesterly along a curve to the right having a radius of 335.00 feet and an arc length of 248.03 feet;
thence N 89°-59'-29" W, a distance of 24.77 feet to a point in the east line of map cover 2553;
thence N 01°-26'-47" E, a distance of 70.02 feet to the point of beginning, containing 1.11 acres more or less.

PARCEL 2:

All that tract or Parcel of Land, Town of Eden, County of Erie, State of New York, being part of Lot No. 29, Township 8, Range 8 of the Holland Land Company's Survey, bounded and described as follows:
Beginning at a point in the southeast corner of map cover number 2591;
thence N 01°-26'-47" E, a distance of 77.07 feet;
thence S 89°-59'-29" E, a distance of 148.74 feet;
thence N 67°-30'-55" E. a distance of 438.02 feet;
thence N 89°-46'-49" E, a distance of 225.00 feet;
thence S 01°-28'-52" W, a distance of 218.15 feet;
thence S 89°-4I'-30" E, a distance of 199.95 feet;
thence S 01°-28'-52" W. a distance of 31.50 feet;
thence N 89°-41'-30" W. a distance of 973.92 feet to the point of beginning, containing 3.19 acres more or less

§ 4. In the event that the town of Eden 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 Eden 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 ensure 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.