STATE OF NEW YORK

9063

IN SENATE

April 15, 2024

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

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 is hereby authorized, acting by and through its governing body, and upon such terms and conditions as determined by, and in the sole discretion of such governing body, to discontinue the use as parkland and alienate the lands described in section three of this act, and to convey property interests in such lands to The Papermill, LLC.

§ 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 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 portion of land authorized by section one of this act to be permanently 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, bounded and described as follows, to wit:

BEGINNING at a point where the south line of Buffalo Avenue produced from-east intersects the east line of Tenth Street produced south; thence running south along the east line of Tenth Street produced to the thread of the Niagara River or the south boundary of the City of Niagara Falls; thence westerly along the said boundary of the City of Niagara Falls to a point in said boundary that is distant from the said east line of Tenth Street produced south as aforesaid ten rods or one hundred sixty five (165) feet, measured at right angles therefrom; thence north parallel to the east line of Tenth Street produced south and distant ten rods or one hundred sixty five (165) feet therefrom to the south line of Buffalo Avenue; thence east along the south line of Buffalo Avenue and

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

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along the south line of Buffalo Avenue produced east ten rods or one hundred sixty five (165) feet to the point of beginning,

TOGETHER with all the right, title and interest of the parties of the first part in and to Buffalo Avenue adjoining said premises on the north.

§ 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.