

# STATE OF NEW YORK

9807

## IN SENATE

May 31, 2024

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

AN ACT in relation to authorizing the state to exchange parcels of land  
located in the city of Yonkers, county of Westchester, with 140  
Warburton LLC

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Subject to the provisions of this act but notwithstanding  
2 any other provision of law to the contrary, the commissioner of general  
3 services is hereby authorized, subject to the consent of the adjutant  
4 general of New York, to convey and exchange state land in the city of  
5 Yonkers, the county of Westchester, described in section two of this act  
6 to 140 Warburton LLC in exchange for the land described in section three  
7 of this act. The conveyance and exchange of the land described in  
8 sections two and three of this act shall be only if the adjutant general  
9 of New York determines that the parcels described in section three of  
10 this act are of equal or greater fair market value to the parcels  
11 described in section two of this act.

12 § 2. The portion of land authorized by section one of this act to be  
13 conveyed is described as follows:

14 All those parcels of land situate in the City of Yonkers, County of  
15 Westchester, and State of New York, being more particularly bounded and  
16 described as follows:

17 Beginning at the intersection of the northerly line of Quincy Place  
18 with the easterly line of Warburton Avenue; thence North 15°00' East,  
19 along the easterly line of Warburton Avenue a distance of 300 feet to  
20 the northwesterly corner of Lot 10, Block 2013 as shown on the Official  
21 Tax Map of the City of Yonkers; thence South 75° East, along the north-  
22 erly boundary of said Lot 10 Block 2013 a distance of 100 feet, more or  
23 less; thence southerly through lands of the People of the State of New  
24 York to a point at on the southerly line of Quincy Place, said point  
25 being 100 feet, more or less easterly of Warburton Avenue; thence North  
26 75°33' West, along said southerly line a distance of 100 feet, more or  
27 less, to the intersection of the southerly line of Quincy Place with the

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

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1 easterly line of Warburton Avenue; thence North 15°00' East, along the  
2 easterly line of Warburton Avenue a distance of 30 feet to the point or  
3 place of beginning.

4 Containing 0.75 acre, more or less.

5 Being a portion of lands conveyed to the People of the State of New  
6 York recorded in the Westchester County Clerk's Office in Liber 7969 at  
7 Page 646.

8 All those parcels of land shown as Lot 13, Lot 15, Lot 16, Lot 18 &  
9 Lot 20, Block 2013 as shown on the Official Tax Map of the City of Yonk-  
10 ers, being located at the intersection of the easterly side of Warburton  
11 Avenue and the southerly side of Ashburton Avenue.

12 Containing 0.66 acre, more or less.

13 § 3. In exchange for the conveyance of such lands and rights as are  
14 described in section two of this act, 140 Warburton LLC shall convey to  
15 the people of the state of New York parcels of land that are of equal or  
16 greater fair market value to the parcels described in section two of  
17 this act.

18 § 4. The adjutant general of New York shall prescribe additional terms  
19 in a contract for such exchange of lands including the requirement that  
20 140 Warburton LLC contract for surveys, that adhere to specifications in  
21 accordance with the standards and procedures for surveying and mapping  
22 as adopted by the division of military and naval affairs, by a licensed  
23 land surveyor of all parcels. Such contract shall not become binding  
24 upon the state until approved by the attorney general and the comp-  
25 troller. Title to the land to be conveyed to the state pursuant to the  
26 provisions of such contract shall be approved by the attorney general  
27 and the deed to the state shall be approved by the attorney general as  
28 to form and manner of execution before such deed shall be accepted on  
29 behalf of the state. Notwithstanding the provisions of the public lands  
30 law, the conveyance of the state owned lands, pursuant to such contract,  
31 shall be without reservation or exception except as provided for in such  
32 contract. Upon certification by the adjutant general of New York to the  
33 commissioner of general services of a copy of the contract and certifi-  
34 cation that 140 Warburton LLC has complied with all terms and condi-  
35 tions of the contract upon its part to be kept and performed, together  
36 with a description of each of the parcels to be exchanged, the commis-  
37 sioner of general services shall convey all the right, title and inter-  
38 est of the state in such land in accordance with the provisions of the  
39 contract.

40 § 5. The office of general services shall not transfer or convey the  
41 aforesaid land unless the application is made to the office of general  
42 services by 140 Warburton LLC within one year after the effective date  
43 of this act.

44 § 6. This act shall take effect immediately.