STATE OF NEW YORK

10037--A

IN ASSEMBLY

May 2, 2024

Introduced by M. of A. WALSH -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the village of Ballston Spa to transfer ownership of the Woods Hollow Nature Preserve to the town of Milton

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

Section 1. (a) Subject to the provisions of this act, the village of Ballston Spa, county of Saratoga, acting through its governing body is hereby authorized to discontinue the use of the Woods Hollow Nature Preserve more particularly described in section two of this act, and to convey its interest in the real property to the town of Milton upon terms agreed upon by the village of Ballston Spa and the town of Milton for use by such town for park and/or recreational purposes, provided, however, that such town of Milton shall continue to provide access to such parkland and/or recreational facilities to all residents of the village of Ballston Spa and the town of Milton shall not enact any fees or charges which are higher for village of Ballston Spa residents who are not residents of the town of Milton.

(b) Any revenues received from the village from the transfer shall be used for capital improvements of existing park or recreational facilities and/or the acquisition of additional park or recreational facilities.

§ 2. The parklands authorized to be conveyed by the village of Ballston Spa in section one of this act are located, bounded and described as follows:

PARCEL 1:

All that piece or parcel of land situate in the Town of Milton, County of Saratoga and State of New York, bounded as follows: Commencing at an oak tree in the east line of a lot called the "Eighty-two acre lot" and particularly described in a deed from Elias H. Peters, Referee, to George B. Bixby and recorded in Saratoga County Clerk's office, May 22,

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

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1666, in Book No. 104 P. 411, and also being the tree mentioned in the deed from Sales D. Bowens to the Village of Ballston Spa and running from thence south 87° 30' west fifteen hundred and three feet to the center of the highway. Thence along the center of said highway north 9° 55' east, eight hundred and twenty-five feet to an angle. Thence south 82° 5' east fourteen hundred feet to the east line of said "Eighty-two acre lot", as described in the above mentioned deed. Thence along the east line of said lot south 3° 30' west five hundred and fifty feet to the place of beginning. Containing twenty-two and thirty-five one-hundreths acres of land more or less.

PARCEL 2:

All that lot, piece or parcel of land situated in the Town of Milton, County of Saratoga, and State of New York bounded and described as follows: Distinguished by the name of lot number 7 on a map of the survey of land of Thomas G. Taylor, made by James Scott, Surveyer and is dated August 20, 1806, and is bounded as follows: beginning at a stake and heap of stones standing in the east line of the 14th allotment of the patent of the Kayderosseras and being the northeast corner of fifty acres of land sold to Thomas Brown, deceased, and runs from thence North along the east line of said 14th allotment 6 chains and 8.5 links to a stake and heap of stones, being the southeast corner of lot number 9 as distinguished on said map; thence along the south line thereof west 3.6 chains and 80 links to the highway leading from Ballston Spa to Greenfield, thence along said highway south 6 chains and 85 links to a stake and heap of stones; being the northwest corner of a piece of land belonging to and in possession of Abner Mosier, deceased, at the time of his death; thence along the north line of said land (being the same sold to Thomas Brown, now deceased) E 3.6 chains and 30 links to the place of beginning.

Containing 24 acres and three quarters of land, the said lots being a part of lot number 13 in the 14th allotment of the general partition of the patent of Kayderosseras.

Also all that track, piece or parcel of land situate, lying and bring in said town of Milton: Beginning at the southwest corner of Abner Mosier's land in the center of the highway leading from Factory Village to Malta and runs thence N. 15 deg. and 20 min. E. 18 chains and 64 links; thence northerly along the center of the public highway 6 chains and 85 links; thence W. 18 chains; thence S. 1 deg and 30 min. E. 21 chains and 25 links to the center of the highway leading from Factory Village to Malta; thence southeasterly along the center of said last mentioned highway 13 chains and 8 links to the place of beginning. Containing 37 acres and one quarter of one acre of land more or less.

Also that certain tract, piece or parcel of land, situate in said Town of Milton, bounded and described as follows:
On the north by the piece of land first above described on the east by lands of Thomas Brown, John McClair, and Squires Crandall, on the south by lands of Squires Crandall and the highway leading from Factory Village to Malta, and on the west by the highway leading from Ballston Spa to Greenfield. Containing 39 acres of land more or less. Being the same premises described and conveyed by a deed from Frederick et al to Henry Reiggins dated April 18, 1896.

PARCEL 3:

All that piece or parcel of land situated in the Town of Milton, Saratoga County, State of New York, bounded and described as follows: To wit commencing at a stake standing at the southeast corner of a wood lot belonging to Henry Wilsey running thence southerly on the division line thirty nine chains & twenty seven links to a stake standing at the lot of land known as the Weatherwax lot; thence westerly along the north line thereof to the center of the highway running south from Rowlands Mills to Ballston Spa; thence northerly along the center of the said highway to the southwest corner of the aforesaid Wilsey wood lot, thence easterly along the south line of the same to the place of the beginning. Containing 82 acres more or less.

§ 3. Should the lands described in section two of this act cease to be used for the purposes described in section one of this act, those lands shall revert to the village of Ballston Spa for public park and recreational purposes.

§ 4. The land to be transferred pursuant to this act and all structures and facilities situated on such land shall be maintained, owned and operated for park purposes by the town of Milton.

§ 5. The use of such parkland and facilities to be transferred pursuant to this act shall continue to be made available to the general public of the state of New York, including all residents of the village of Ballston Spa and the town of Milton. Where the availability of such facilities is limited, use of such facilities must be determined by an equitable method.

§ 6. In the event that the village of Ballston Spa received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section two of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the village of Ballston Spa 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.

§ 7. This act shall take effect immediately.