# STATE OF NEW YORK

8081

# IN SENATE

January 5, 2024

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend a chapter of the laws of 2023 relating to authorizing the commissioner of general services to transfer and convey certain unappropriated state land to the town of Romulus, as proposed in legislative bills numbers S. 7542 and A. 7756, in relation to land to be conveyed by the state and circumstances under which such land shall revert to the state

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

Section 1. Section 1 of a chapter of the laws of 2023 relating to authorizing the commissioner of general services to transfer and convey certain unappropriated state land to the town of Romulus, as proposed in legislative bills numbers S. 7542 and A. 7756, is amended to read as follows:

Section 1. Subject to the provisions of this act but notwithstanding any other provision of law to the contrary, the commissioner of general services is hereby authorized, subject to the consent of the commissioner of corrections and community supervision, to transfer and convey to the town of Romulus in the county of Seneca, the state land described in section two of this act, [~~owned by~~] *under the jurisdiction of* the department of corrections and community supervision and being in the town of Romulus in the county of Seneca[~~, declared to be abandoned state land by the department of corrections and community supervision~~]. The transfer and conveyance of the land described in section two of this act shall be made in consideration of the sum of one dollar and upon such conditions as the commissioner of general services may deem proper.

§ 2. Section 2 of a chapter of the laws of 2023 relating to authorizing the commissioner of general services to transfer and convey certain unappropriated state land to the town of Romulus, as proposed in legislative bills numbers S. 7542 and A. 7756, is amended to read as follows:

§ 2. The lands authorized by section one of this act to be transferred and conveyed shall be those parcels as follows:

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

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All those parcels of land situate in the Town of Ovid, County of Seneca and State of New York, being more particularly described as follows:

[~~Building 122 (Water Pump Station)~~

~~A rectangular parcel of land generally being bounded by the following boundaries:~~

~~(a) On the North being 5 feet northerly of and parallel to Building 122;~~

~~(b) On the East being 10 feet easterly of and parallel to Building 122;~~

~~(c) On the South being 25 feet southerly of and parallel to Building 122; and~~

~~(d) On the West being 20 feet westerly of and parallel to Building 122.~~

~~Buildings 163, 253 & 254 (Water Treatment Plant & Tanks)~~

~~A parcel of land generally being bounded by the following boundaries:~~

~~(a) On the North being 24.75 feet southerly of and parallel to the existing roadway;~~

~~(b) On the East being 50 feet easterly of and parallel to the projection of the most easterly sides of the existing Raw Water Tank and Finish Water Tank;~~

~~(c) On the South being 50 feet southerly of the most southerly side of the existing Finish Water Tank and at right angles to the easterly boundary;~~

~~(d) On the Southwest being 50 feet at right angle to the most southwest corner of the existing Water Plant and at a 45-degree angle to the southerly boundary; and~~

~~(e) On the West being 50 feet westerly of and parallel to the most westerly edge of the parking lot.~~

~~Building 255 (Elevated Water Tank)~~

~~A parcel of land generally being bounded by the following boundaries:~~

~~(a) On the North being 100 feet northerly of the center of the Elevated Water Tank running due east - west based upon New York State Plane Coordinates, Central Zone, NAD 83;~~

~~(b) On the East being 100 feet easterly of the center of the Elevated Water Tank and at right angles to the northerly boundary;~~

~~(c) On the South being 100 feet southerly of the center of the Elevated Water Tank and at right angles to the easterly boundary; and~~

~~(d) On the West being 100 feet westerly of the center of the Elevated Water Tank and at right angles to the southerly boundary.~~

~~Buildings 64 & 65 (Staff Residence & Staff Garage)~~

~~A rectangular parcel of land generally being bounded by the following boundaries:~~

~~(a) On the North being along the southerly boundary of East Lake Road, having an assumed 3 rod (49.5 foot) right of way;~~

~~(b) On the East being 75 feet easterly of and parallel to the most easterly wall of Building 64 (Staff Residence);~~

~~(c) On the South being along a line 10 northerly of and parallel to the northerly top of bank of a drainage channel; and~~

~~(d) On the West being 50 feet westerly of and parallel to the most westerly wall of Building 64 (Staff Residence).~~]

Building 122, 89, and 90 (Water Pump Station, Sewage Lift Station, and Storage Building)

A parcel of land generally being bounded by the following boundaries:

(a) On the North to the centerline of East Lake Road (C.R.132A);

(b) On the East being 10 feet easterly of and parallel to the Sewage Lift Station;

(c) On the South being 25 feet southerly of and parallel to Building 122; and

(d) On the West being 20 feet westerly of and parallel to Building 122.

Buildings 163, 253 & 254 (Water Treatment Plant & Tanks) A Parcel of land generally being bounded by the following boundaries:

(a) On the North being 24.75 feet southerly of and parallel to the existing roadway;

(b) On the East being 50 feet easterly of and parallel to the projection of the most easterly sides of the existing Raw Water Tank and Finish Water Tank;

(c) On the south being 50 feet southerly of the most southerly side of the existing Finish Water Tank and at right angles to the easterly boundary;

(d) On the Southwest being 50 feet from the most southwest corner of the existing Water Plant and at a 45-degee angle to the southerly boundary; and

(e) On the West being 191.5 feet westerly of and parallel to the most Westerly edge of the parking lot.

Building 255 (Elevated Water Tank)

A parcel of land generally being bounded by the following boundaries:

(a) On the North running along the north edge of gravel parking lot thence northeasterly along the treeline thence easterly and at right angles to the east property line;

(b) On the East by the east property line;

(c) On the South being 100 feet southerly of the center of the Elevated Water Tank and at right angles to the easterly boundary; and

(d) On the West to the easterly edge of the asphalt drive and its projection through the parking lot.

Buildings 64 & 65 (Staff Residence & Staff Garage)

A parcel of land generally being bounded by the following boundaries:

(a) On the North being along the southerly boundary of East Lake Road, having an assumed 3 rod (49.5 foot) right of way;

(b) On the East being 75 feet easterly of and parallel to the most easterly wall of Building 64 (Staff Residence);

(c) On the South being along a line 10 feet northerly of and parallel to the northerly top of the bank of a drainage channel; and

(d) On the West being 50 feet westerly of and parallel to the most westerly wall of Building 64 (Staff Residence).

§ 3. Subdivision (b) of section 5 of a chapter of the laws of 2023 relating to authorizing the commissioner of general services to transfer and convey certain unappropriated state land to the town of Romulus, as proposed in legislative bills numbers S. 7542 and A. 7756, is amended to read as follows:

(b) The conveyance of the land described in this act shall contain a covenant and restriction requiring that the land be used for the purpose set forth in subdivision (a) of this section. In the event the premises are not accepted and/or used for such purposes, [~~ownership of the land shall revert to the state of New York~~] the title to said land shall revert to the people of the state of New York, and the attorney general may institute an action in the supreme court for a judgment declaring a revesting of such title in the people of the state of New York.

§ 4. Section 6 of a chapter of the laws of 2023 relating to authorizing the commissioner of general services to transfer and convey certain unappropriated state land to the town of Romulus, as proposed in legislative bills numbers S. 7542 and A. 7756, is amended to read as follows:

§ 6. This act shall take effect immediately**, and shall expire 2 years after such effective date when upon such date the provisions of this act shall be deemed repealed**.

§ 5. This act shall take effect immediately; provided, however that sections one, two and three of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2023 relating to authorizing the commissioner of general services to transfer and convey certain unappropriated state land to the town of Romulus, as proposed in legislative bills numbers S. 7542 and A. 7756, takes effect; and provided, further that the amendments to sections one, two and five of a chapter of the laws of 2023 relating to authorizing the commissioner of general services to transfer and convey certain unappropriated state land to the town of Romulus, as proposed in legislative bills numbers S. 7542 and A. 7756, made by sections one, two and three of this act, respectively, shall not affect the expiration of such sections and shall be deemed repealed therewith.