STATE OF NEW YORK

9031

IN SENATE

April 10, 2024

Introduced by Sen. HELMING -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT authorizing the commissioner of general services to transfer and convey certain state land to the Livingston County Water & Sewer Authority

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 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 Livingston County Water & Sewer Authority, the state land described in section two of this act, owned by the department of corrections and community supervision and being in the Town of Groveland, County of Livingston, and State of New York. 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. The lands authorized by section one of this act to be transferred and conveyed are as follows:

All that lot, parcel or piece of land situate in the Town of Groveland, County of Livingston, and State of New York, being more particularly bounded and described: Commencing at a point along the northeasterly boundary of Sonyea Road (New York State Route 36) at its intersection with the centerline of the Keshequa Creek, being the division line between lands of Groveland Correctional Facility on the west and the former Livingston Correctional Facility on the east; thence North 12° 33' East, a distance of 866 ± feet to the point of beginning, being situate in the centerline of the Keshequa Creek; thence through lands through said lands of Groveland Correctional Facility the following nine (9) courses and distances:

1) North 67° West, 332 ± feet to a point;
2) North 33° West, 144 ± feet to a point;
3) North 63° West, 116 ± feet to a point;

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

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4) North 25° East, 115 ± feet to a point;
5) North 57° West, 106 ± feet to a point;
6) North 28° East, 216 ± feet to a point;
7) North 55° West, 261 ± feet to a point;
8) North 33° East, 723 ± feet to a point; and
9) South 55° East, 772 ± feet to a point in the centerline of Keshequa Creek being along the division line between lands of Groveland Correctional Facility on the west and the former Livingston Correctional Facility on the east;

thence in southerly direction along the centerline of said creek 1,084 ± feet to the point of beginning. Containing 20 acres of land, more or less.

Together with an easement for ingress and egress, over an existing driveway running northerly from Sonyea Road on the westerly side of Keshequa Creek to the southerly boundary of the above-described parcel.

Reserving to the People of the State of New York easements for ingress and egress over existing driveways along the westerly and southerly portions of the above described parcel to access remaining lands of the People of the State of New York.

Subject to any enforceable easements, restrictions or covenants of record that may exist.

§ 3. The description in section two of this act is not intended to be a legal description, but is intended to identify the parcel to be conveyed. As a condition of the transfer, the Livingston County Water & Sewer Authority may submit to the commissioner of general services, for such commissioner's approval, an accurate survey and description of the lands to be conveyed, which may be used in the conveyance thereof.

§ 4. The office of general services shall not transfer or convey the aforesaid land unless the application is made to the office of general services by the Livingston County Water & Sewer Authority within one year after the effective date of this act. Said application shall be in the form of a resolution setting forth a comprehensive statement approved by the Livingston County Water & Sewer Authority Board acknowledging and accepting the use restrictions set forth in section five of this act.

§ 5. The transfer and conveyance made pursuant to this act shall be subject to the following use restrictions and reverter:

(a) The land described in this act shall be used exclusively for the purposes of operating and maintaining a wastewater treatment plant and appurtenant facilities and operations as reasonably may be necessary or desirable in connection therewith and water quality control.

(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.

§ 6. This act shall take effect immediately.