STATE OF NEW YORK

3540--A

2025-2026 Regular Sessions

IN SENATE

January 28, 2025

Introduced by Sen. BORRELLO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the county of Cattaraugus to discontinue as reforested lands certain reforested lands in the town of Perrysburg

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

Section 1. Notwithstanding section 219 of the county law to the contrary, the county of Cattaraugus acting by and through its governing body and upon such terms and conditions as determined by such body, is hereby authorized to discontinue the use of lands described in section two of this act acquired for reforestation purposes for the purposes of rehabilitating the dam and developing the land for future use. The lands described in section two of this act are currently vacant property not used by the public for recreational or reforestation purposes. The authorization provided in this section shall be effective only upon the acquisition by the county of Cattaraugus of lands described in section three of this act.

§ 2. The lands authorized to be leased by the county of Cattaraugus pursuant to section one of this act are described as follows:

(a) ALL THAT TRACT OR PARCEL OF LAND situate in Lot No. 16, Town 6, Range 9 of the Holland Land Company's survey, in the Town of Perrysburg, bounded and described as follows: Beginning at a point on the south line of Lot 16, which point is 2,258.24 feet west of the southeasterly corner of Lot 16; thence north parallel with the west line of Lot 16, 1,160.28 feet; thence east on a line parallel with the south bounds of Lot 16. 739.2 feet; thence southeasterly at an interior angle of 119° 21', 981.81 feet; thence east at an exterior angle of 119° 21', 790.6 feet to the center of the public highway commonly known as Easton Road; thence southeasterly along the center of said highway or public road 66.18

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

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feet; thence west on a line parallel to the south bounds of said lot1,780 feet; thence south 232.98 feet to the south bounds of Lot 16, thence west on the south bounds of said lot, 286.44 feet to the point of beginning, comprising an area of 23.73 acres more or less.

(b) ALL THAT TRACT OR PARCEL OF LAND situate in Lot No. 16, Town 6, Range 9 of the Holland Land Company's survey, in the Town of Perrysburg, bounded and described as follows: Beginning on the north line of Parcel D of lands conveyed to Vernon Croker and Harold Croker by Warranty Deed recorded in the Cattaraugus County Clerk's Office in Liber 555 of Deeds at Page 290 on March 2, 1956, at a point 1680.6 feet east of the center line of North Road (said center line of North Road being the west line of said Lot 16); thence easterly, along the north line of the above mentioned Deed, 1169.94 feet to a stake at the northeast corner of lands conveyed by above mentioned Deed; thence southerly along the east line of lands conveyed by above mentioned Deed and parallel to the west line of Lot 16, 1160.28 feet to the southeast corner of lands conveyed by above mentioned Deed; thence westerly along the south bounds of land conveyed by the above mentioned Deed, 1169.94 feet to a stake; thence north, parallel to the west line of Lot 16, 1160.28 feet to the point or place of beginning, comprising an area of 31 acres more or less.

(c) ALL THAT TRACT OR PARCEL OF LAND situate in Lot 16, Town 6, Range 9 of the Holland Land Company's survey, in the Town of Perrysburg, bounded and described as follows: Beginning at a point in the south bounds of Lot 16, which point is 2,014.3 feet measured along the south bounds of Lot 16 and an extension thereof from the center line of the public highway commonly known as Eaton Road; thence north on a line parallel to the west bounds of Lot 16, 232.98 feet; thence east on a line parallel to the south bounds of said lot, 935 feet; thence south on a line parallel to the west bounds of Lot 16, 232.98 feet to the south bounds of Lot 16; thence west along the south bounds of Lot 16, 935 feet to the point of beginning, comprising an area of 5 acres more or less.

(d) ALL THAT TRACT OR PARCEL OF LAND situate in Lot 15, Town 6, Range 9 of the Holland Land Company's survey, in the Town of Perrysburg, bounded and described as follows: Beginning at a point in the north bounds of Lot 15, which point is 2014.3 feet measured along the south bounds of Lot 16 and an extension thereof from the center line of the public highway commonly known as Eaton Road; thence south on a line parallel with the west bounds of Lot 15, 400 feet; thence west on a line parallel to the north bounds of Lot 15, 435.6 feet; thence north on a line parallel to the west bounds of Lot 15, 400 feet to the north bounds of Lot 15; thence east along the north bounds of Lot 15, 435.6 feet to the point of beginning, comprising an area of 4 acres more or less. Said tract of lands comprising a total of 63.73 acres more or less.

§ 3. The authorization provided in section one of this act shall be effective only upon the condition that on or before the alienation and conveyance of lands described in section two of this act, the county of Cattaraugus shall acquire and dedicate real property for reforestation purposes, of equal or greater fair market value to the lands being alienated. In the event that the lands to be acquired by the county of Cattaraugus for reforestation purposes pursuant to this act are not equal to or greater than the fair market value of the lands to be alienated by the county of Cattaraugus, the county shall dedicate the difference between the fair market value of the lands to be alienated and the fair market value of the lands to be acquired for the acquisition of additional lands for reforestation purposes or for the improvement of existing reforested lands.

§ 4. If the property described in section two of this act shall ever be used for a purpose other than the purpose described in section one of this act, such land shall be restored to its original state and maintained as reforested lands in accordance with section 219 of the county law.

§ 5. This act shall take effect immediately.