

# STATE OF NEW YORK

9108--A

## IN SENATE

February 3, 2026

Introduced by Sen. ORTT -- 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 in relation to authorizing the town of Niagara to alienate and discontinue the use of certain parklands and to convey such parklands to David Gaines

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

1 Section 1. Subject to the provisions of this act, the town of Niagara,  
2 county of Niagara, is hereby authorized, acting by and through its  
3 governing body, and upon such terms and conditions as determined by such  
4 governing body, to discontinue the use as parkland and alienate the  
5 lands described in section three of this act, and to sell and convey  
6 property interests in such lands at fair market value to David Gaines,  
7 for the purpose of residential improvements.

8 § 2. The authorization contained in section one of this act shall only  
9 be effective on the condition that the town of Niagara dedicate an  
10 amount equal to or greater than the fair market value of the parklands  
11 being alienated pursuant to section one of this act towards the acquisi-  
12 tion of new parklands and/or capital improvements to existing park and  
13 recreational facilities.

14 § 3. The parklands authorized by section one of this act to be discon-  
15 tinued as parklands are described as follows:

16 ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Niagara, Coun-  
17 ty of Niagara and State of New York, and being part of Lot No. 8, Town-  
18 ship 13, Range 9 of the Holland Land Purchase so called, more partic-  
19 ularly described as follows:

20 BEGINNING at a point which is located 242 feet east of the west line  
21 of Lot No. 8 and 927.7 feet south of the north line of Lot No. 8; thence  
22 running east along a line parallel to the north line of Lot No. 8 505  
23 feet; thence north along a line parallel to the west line of Lot No. 8,  
24 346.9 feet; thence west along a line parallel to the north line of Lot

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

LBD13565-04-6

1 No. 8 505 feet; thence south along a line parallel to the west line of  
2 Lot No. 8 to the point of beginning;

3 ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Niagara, Coun-  
4 ty of Niagara, and State of New York, being a part of Lot No. 8, Town-  
5 ship 13, Range 5 of the Holland Land Purchase so called, more partic-  
6 ularly described as follows:

7 BEGINNING at a point 66 feet east of the west line of Lot No. 8 and  
8 927.7 feet south of the north line of Lot No. 8; thence easterly along a  
9 line parallel to the north line of Lot No. 8, 681 feet; thence south  
10 along a line parallel to the west line of Lot No. 8, 66 feet; thence  
11 west along a line parallel to the north line of Lot No. 8, 681 feet;  
12 thence north 66 feet to the point of beginning; and

13 ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Niagara, Coun-  
14 ty of Niagara and State of New York, and being part of Lot No. 8, Town-  
15 ship 13, Range 5 of the Holland Land Purchase so called, more partic-  
16 ularly described as follows:

17 BEGINNING at a point which is located 242 feet east of the west line  
18 of Lot No. 8 and 927.7 feet south of the north line of Lot No. 8; thence  
19 running east along a line parallel to the north of Lot No. 8, 505 feet;  
20 thence north along a line parallel to the west line of Lot No. 8, 346.9  
21 feet; thence west along a line parallel to the north line of Lot No. 8,  
22 505 feet; thence south along a line parallel to the west line of Lot No.  
23 8 to the point of beginning. Containing a total of approximately 5.1  
24 acres of land, more or less.

25 § 4. In the event that the town of Niagara received any funding  
26 support or assistance from the federal government for the purchase,  
27 maintenance, or improvement of the parklands set forth in section three  
28 of this act, the discontinuance and alienation of such parklands author-  
29 ized by the provisions of this act shall not occur until the town of  
30 Niagara has complied with any federal requirements pertaining to the  
31 alienation or conversion of parklands, including satisfying the secre-  
32 tary of the interior that the alienation or conversion complies with all  
33 conditions which the secretary of the interior deems necessary to assure  
34 the substitution of other lands shall be equivalent in fair market value  
35 and usefulness to the lands being alienated or converted.

36 § 5. This act shall take effect immediately.