§ 59. Survey and map of lands to be acquired; appropriation of land. When directed by the governor to acquire designated lands, structures or waters, for the purposes hereinbefore prescribed, the commission shall cause a survey and map of such lands to be made. The members of such commission and its duly authorized agents and employees may enter upon such lands, and the structures and waters thereon, for the purpose of making such survey and map. There shall be annexed thereto a certificate executed by the members of the commission, stating that the lands and the structures and waters thereon, described in such survey and map, are necessary for purposes of public defense and for other public purposes incidental thereto including public highway purposes. If any rights of way, easements or other estates or interests in lands are acquired for public highway purposes, the certificate of the commission shall include a description of the strips of land to be used for such purposes. The original of such survey and map and the certificates annexed thereto shall be submitted to the governor, and if approved by him, it shall be filed in the office of the department of state. A copy of such survey, map and certificates, certified by the department of state, shall be filed by the commission in the office of the county clerk of each county in which such lands, or any portion thereof, are situated.

From the time of the filing of the said survey and map in the office of the department of state, entry upon and appropriation by the state, of the property described in such survey and map for the purposes hereinbefore prescribed, shall be deemed complete and the strips of land selected for such public highway purposes shall thereupon become and be and forever continue to be open and established public highways. The commission shall, immediately upon such filing of the survey and map in the office of the department of state, enter upon and take possession of all the lands, structures and waters described in such survey and map. The commission shall thereupon cause the strips of land selected for public highway purposes to be constructed and improved as such. The expenses of such construction and improvement shall be paid from the treasury out of funds appropriated therefor, on the audit and warrant of the comptroller. Such highways shall thereafter be maintained and repaired under the direct supervision and control of the department of transportation as a part of the improved highways of the state,

excepting however, that state highway ninety-one hundred and four, lying wholly within the borough of Queens, city of New York shall hereafter be maintained and repaired under the direct supervision and control of the city of New York as a city street for street purposes in accordance with the provisions of the administrative code of the city of New York.