



**CITY COUNCIL
SCHENECTADY, NEW YORK**

RESOLUTION NO. 2017-178

Councilmember Mr. Kosiur

offered the following:

A Resolution Requesting the New York State Legislature for the Authority to Exchange a Portion of Riverside Park Parkland for Parkland to be Created at Gateway Plaza.

WHEREAS, the City of Schenectady requests authorization to exchange a parcel of parkland in Riverside Park, as illustrated in the attached Exhibit "A" for a larger portion of parkland, to be named Gateway Plaza, as illustrated in the attached Exhibit "B"; and

WHEREAS, the portion of said park to be exchanged shall be for the potential purpose of building an improved sewage pump station, and for no other purpose;

WHEREAS, such an exchange requires parkland alienation legislation by the New York State Legislature:

NOW, THEREFORE BE IT,

RESOLVED, this City Council requests the New York State Legislature adopt legislation authorizing the exchange of a portion of parkland in Riverside Park, as illustrated in the attached Exhibit "A" for a larger portion of parkland, to be named Gateway Plaza, as illustrated in the attached Exhibit "B"; and be it further

RESOLVED, that the Mayor or his duly authorized representative is hereby empowered to execute any such agreement, document, or papers approved as to form by the Corporation Counsel, as may be necessary to implement the intent and purpose of this resolution; and be it further

RESOLVED, that the Clerk of the City Council is hereby directed to send a copy of this Resolution and all supporting documentation to the New York State Senate and Assembly home rule offices, Senator James Tedisco, and Assemblymember Phil Steck.

Approved as to form this
12^{5th} day of June, 2017.


Carl G. Falotico, Esq.
Corporation Counsel

ADOPTED LOST by the following vote (a majority of all members voting in the affirmative negative)

Council Member	AYE	NAY
John Ferrari <i>Karen Zalewski - Wilder</i>	✓	
Ed Kosiur	✓	
John Mootoveren	✓	
Leesa L. Perazzo	✓	
John M. Polimeni	✓	
Marion Porterfield	✓	
Vincent Raggi		✓
TOTAL	10	1

ORDINANCE RESOLUTION LOCAL LAW
ADOPTED unanimously **LOST** JUN 12 2017
 Approved by Mayor JUN 10 2017
 Vetoed by Mayor



**SUGGESTED DESCRIPTION
PARKLAND ALIENATION
RIVERSIDE PARK
CITY OF SCHENECTADY, NEW YORK**

All that certain piece or parcel of land located in the City of Schenectady, County of Schenectady, State of New York and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly boundary of lands now or formerly of the City of Schenectady, known as North Ferry Street Pumping Station (TM#39.55-1-38.2), at its intersection with the property division line between lands now or formerly of Thomas Killeen (TM#39.55-1-22), on the south and other lands of the City of Schenectady, known as Riverside Park, on the north; thence South 58°-59'-05" West, along said property division line, and lands now of formerly of Bradley J. Fisher (TM#39.55-1-21), lands now of formerly of Michael J. Petta (TM#39.55-1-20), lands now of formerly of St. George's Church (TM#39.55-1-19.2), lands now of formerly of Lynn D. Seal (TM#39.55-1-18), and lands now of formerly of Ronald J. Chard (TM#39.55-117), a distance of 231.35 feet to a point on the northerly terminus of Governors Lane, thence through said lands of the City of Schenectady, known as Riverside Park the following three (3) courses and distances:

1. North 24°-12'-16" West, a distance of 59.35 feet to a point,
2. North 13°-06'-35" West, a distance of 38.93 feet to a point, and
3. North 58°-59'-05" East, a distance of 217.88 feet to a point on the property division line between said lands now of the City of Schenectady, known as North Ferry Street Pumping Station, on the east and said lands of the City of Schenectady, known as Riverside Park, on the west; thence South 27°-42'-47" East, along said property division line, a distance of 96.14 feet to the point or place of beginning and being 21,780 square feet or 0.50 acres of land, more or less.

Subject to all rights, easements, covenants or restrictions of record.

Subject to any statement of facts that an up to date abstract of title would disclose.

SCHEDULE A DESCRIPTION

Parcel A:

ALL THAT TRACT OR PARCEL OF LAND, situate, lying and being on the westerly side of Railroad Street in the First Ward of the City of Schenectady, County of Schenectady, and State of New York, bounded and described as follows:

Commencing in the westerly margin of Railroad Street, at the northeasterly corner of the parcel of land heretofore conveyed by Edie Rich and George N. Rich, her husband, to Josephine M. Clute, and running thence northerly along the westerly margin of Railroad Street, forty-eight (48) feet; thence westerly on a line parallel with the northerly line of said parcel heretofore conveyed to Josephine M. Clute, about ninety-five (95) feet to the lands now or formerly of the heirs of Daniel D. Campbell, deceased; thence southerly along the last mentioned lands about forty-eight (48) feet to the northwesterly corner of said parcel heretofore conveyed to Josephine M. Clute, and thence easterly along the northerly line of said parcel heretofore conveyed to Josephine M. Clute, about ninety-five (95) feet to the westerly margin of Railroad Street, at the point or place of beginning, excepting and reserving from the above described premises the northerly ten (10) feet in width thereof for the entire depth of said lot, which said ten (10) feet in width is to remain open and unobstructed and to be used as an alleyway or passageway by teams and persons for the benefit of the other owners of the abutting and adjacent land, the fee, however, of the said ten (10) feet to be by this conveyance vested in the said party of the second part, its representatives and assigns.

Parcel B:

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND, situate, lying and being on the westerly side of Railroad Street in the First Ward of the City and County of Schenectady, State of New York, bounded and described as follows:

Commencing at a point in the Westerly line of said street, which point is distant Thirty five (35) feet southerly along said line of said street from the southerly line of the lands of The Schenectady Savings and Loan Association, formerly belonging to the parties of the first part as the grantees of one Beyer; and running

Thence Westerly through the lands of the parties of the first part in a line parallel to the southerly line of said lands of said Schenectady Savings and Loan Association and distant Thirty five (35) feet southerly therefrom, Eighty one and seventy five hundredths (81.75) feet, more or less, to the easterly line of the lands formerly of D.D. Campbell, now of The Schenectady Savings Bank; thence Southerly along the aforesaid lands Seven and one-half (7 1/2) feet; thence Westerly still along said lands of Two and twenty five hundredths (2.25) feet to the aforesaid lands;

Thence Southerly along the easterly line of said lands, Twenty seven and one half (27 1/2) feet, more or less, to a point;

Thence Easterly through the lands of the parties of the first part and in a line parallel to the northerly line of the premises herein conveyed and distant Thirty five (35) feet southerly therefrom, Eighty four (84) feet, more or less, to the said westerly line of said Railroad Street;

Thence in a Northerly direction along the westerly line of said street, Thirty five (35) feet to the point or

place of beginning.

Parcel C:

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND, situate, lying and being on the westerly side of Railroad Street in the First Ward of the City and County of Schenectady, State of New York, bounded and described as follows:

Commencing at a point in the Westerly line of said Street where said line of said street is intersected by the southerly line of the lands of the Schenectady Savings and Loan Association, formerly belonging to the parties of the first part as the grantees of one Beyer, and

Running thence Westerly along the southerly line of the lands of said Schenectady Savings and Loan Association, Eighty one (81) feet nine (9) inches, more or less, to the easterly line of the lands of The Schenectady Savings Bank;

thence in a Southerly direction along said easterly line of the lands of said Schenectady Savings Bank, Thirty five (35) feet to a point therein;

thence in an Easterly direction in a line parallel to the northerly line of the lands hereby conveyed, Eighty one (81) feet nine (9) inches more or less, to the westerly line of the said Railroad Street;

thence Northerly along the westerly line of said Railroad Street, Thirty five (35) feet to the point or place of beginning.

Parcel D:

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, bounded and described as follows:

Beginning at a point in the division line of lands belonging to the Schenectady Savings Bank and the lands of Margaret N. Mc Rae, said point being distant fifty-one and thirty-five hundredths (51.35) feet from the southerly property line of Water Street; thence southeasterly along the above mentioned division line, a distance of sixty-seven and eight tenths (67.8) feet to a point; thence northeasterly five and four tenths (5.4) feet to a point in the division line of lands now belonging to the Schenectady Auto Club Inc.; thence northerly along said division line a distance of seventy-six (76.0) feet to a point; thence still further along said division line in a northerly direction a distance of three and eleven hundredths (3.11) feet to a point; thence southwesterly on a line parallel with the southerly property line of Water Street a distance of thirty-nine and forty-six hundredths (39.46) feet to the point or place of beginning.

Parcel E:

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND situate, lying and being in the City of Schenectady, County of Schenectady, State of New York, lying generally Southerly of State Street and Northwesterly of Railroad Street and being more particularly bounded and described as follows:

BEGINNING at the most Southerly corner of the lands now or formerly of James DeSantis as described in Book 553 of Deeds at page 400 and also Book 743 of Deeds at page 307 and also being situate the following five (5) courses along the Northeasterly, Northerly and Northwesterly lines of the lands of the Northway Automobile Club, Inc., from the intersection of said Northeasterly line with the Northwesterly

margin of Railroad Street:

1. North 43 degrees, 16 minutes, 00 seconds West, 74.70 feet,
2. South 46 degrees, 44 minutes, 00 seconds West, 2.50 feet,
3. Along said Northerly line and being the Southerly line of the lands now or formerly of Karen J. Barnes as described in Book 987 of Deeds at page 1093, North 69 degrees, 22 minutes, 20 seconds West, 52.42 feet,
4. Along said Westerly line and the Easterly line of lands previously mentioned of DeSantis, South 16 degrees, 19 minutes, 10 seconds West, 75.30 feet, and
5. South 46 degrees, 30 minutes, 40 seconds West, 60.50 feet; and thence from said point of beginning along the common line between the lands of DeSantis on the Northeast and the lands of Northway Automobile Club, Inc. on the Southwest, North 39 degrees, 44 minutes, 00 seconds West, a distance of 5.37 feet to a point; thence through the lands of said DeSantis North 46 degrees, 30 minutes, 40 seconds East, a distance of 69.36 feet to a point on the common line between the lands of DeSantis on the West and the lands of Northway Automobile Club, Inc. on the East; thence along said common line South 16 degrees, 19 minutes, 10 seconds West, a distance of 10.66 feet to a point; thence along the common line between DeSantis on the Northwest and the lands of Northway Automobile Club, Inc. on the Southeast, South 46 degrees, 30 minutes, 40 seconds West, a distance of 60.50 feet to the point or place of beginning containing 348 plus or minus square feet of land.

Parcel F:

ALL THAT TRACT OR PARCEL OF LAND, situate in the First Ward of the City and County of Schenectady, State of New York, bounded and described as follows:

Beginning at a point in the Westerly line of Railroad Street at its intersection with the land now or formerly belonging to Joseph Shaw; thence Southerly along the Westerly line of Railroad Street, Thirty-three (33) feet, more or less, to lands formerly belonging to John Prondzinski, said lands of Prondzinski being the Southerly one-half of lands conveyed by Albert Ward to Thomas Mc Geoy and Daniel Garrity by deed dated April 9th 1850, recorded in Book 27 of Deeds at page 11; thence along the said line of Prondzinski, Eighty-one (81) feet, more or less, to the land formerly of D.D. Campbell and now of the parties of the first part; thence Northerly along said line Thirty-three (33) feet, more or less, to lands formerly of Francis Morgan more recently of Joseph Shaw; thence Easterly and along said Morgan and Eighty-one (81) feet, more or less, to the place of beginning.

ALSO ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate in the First Ward of the City and County of Schenectady, State of New York, bounded and described as follows:

Beginning at a point on the Easterly line of Vrooman Lane distant Northerly, Twenty-one and Five-tenths feet from the corner of a shed which was a portion of the Southerly boundary of a lot of lands conveyed by Albert Ward to Henry Craft by deed dated April 2, 1863, and recorded in Book 41 of Deeds at page 421; thence Northerly along said Lane about Fifty (50) feet; thence Easterly in a straight line about Eighty-one (81) feet to the land described in first parcel, being the Campbell-Ward division line; thence Southerly along said line about Fifty-one (51) feet to the Southwest corner of the lands conveyed by Albert Ward to Mc Geoy and others in 1850; thence Westerly about Seventy-eight (78) feet, more or less to the place of beginning.

ALSO, all his right, title and interest in all that strip of land on the South side of the parcel first described herein, being above Four (4) feet in width on Railroad Street and One and One-Half (1 1/2) feet on the rear of the said lot; ALSO the strip of land lying on the North side of the parcel secondly described herein, being on an average of about Five (5) feet in width and extending from Vrooman Lane to the parcel first described herein; ALSO that parcel of land Easterly of the said land conveyed and lying between said land and the Campbell-Ward division line.

Parcel G:

ALL that tract or parcel of land with the buildings thereon, situate in the First Land of the City of Schenectady, County of Schenectady and State of New York, lying on the West side of Railroad Street, bounded and described as follows:

Beginning in the Westerly margin of Railroad Street, thirty-three (33) feet Southerly from the Southerly line of lands formerly belonging to William Kinghorn, now deceased, and running thence Westerly along the said lands formerly belonging to said William Kinghorn, and now owned by John Morgenstern and Fannie Morgenstern, his wife, about eighty-four (84) feet; thence Southerly by the lands of owner unknown, and along the easterly line of said lands, thirty-three (33) feet along the same; thence Easterly along the lands formerly belonging to Peter Hood, now deceased, eighty-four (84) feet to the Westerly margin of Railroad Street; thence northerly along the Westerly line of said Railroad Street, thirty-three (33) feet to the point or place of beginning. And being the Southerly half of the premises conveyed by Albert Ward and wife to John Daley by Deed recorded in the Schenectady County Clerk's Office, in Book, 31 of Deeds at page, 29, and by said John Daley devised to Annie Daley in and by his Last Will and Testament, duly probated in Surrogate's Court of the County of Schenectady in February, 1876, and by the said Annie Daley devised to Anita B. Fairgrieve, (now Anita B. Hotaling) by her Last Will and Testament duly admitted to probate on the 20th day of March, 1924 by the Court of Probate for the District of Litchfield, State of Connecticut.

Parcel H:

ALL that certain lot of ground in the First Ward of the City of Schenectady, County of Schenectady, State of New York, on the Westerly side of a Street known as Railroad Avenue, and bounded as follows:

Commencing at the Southeasterly corner of a lot of ground owned by Thomas McGuire, on the Westerly side of said Street, and running thence Southerly on the Westerly side of said Street, thirty (30) feet; thence Westerly fifty-nine (59) feet, four (4) inches to the shed of Cornelies Miller; thence Northerly eighteen (18) feet, ten (10) inches to a stone wall; thence Westerly, one-hundred and ten (110) feet to an alley; thence Northerly along said alley twenty-seven (27) feet, nine (9) inches; thence Westerly one hundred sixty seven (167) feet to the place of beginning, be the same more or less.

Parcel I:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND with the buildings thereon, situate on the Westerly side of Railroad Street in the First Ward of the City and County of Schenectady and State of New York, bounded and described as follows, viz:

Commencing at the Southeasterly corner of the lands now or formerly of one Annie Daley and runs thence Southerly along the Westerly margin of Railroad Street about thirty-two (32) feet and nine (9) inches to the lands now or formerly of Mary Craft; thence Westerly along said last mentioned lands about

eighty-eight (88) feet; thence Southerly still along the lands now or formerly of Mary Craft about nineteen (19) feet and nine (9) inches; thence Westerly still along the same about eighty-six (86) feet to a lane or alleyway; thence Northerly along said lane or alleyway about forty-five (45) feet and seven (7) inches to the lands now or formerly of said Annie Daley; and thence Easterly along the same about one hundred and sixty-eight (168) feet to the point or place of beginning. Be the aforesaid several dimensions more or less.

Parcel J:

ALL THAT TRACT OR PARCEL OF LAND, commonly known as a portion of No. 122 Railroad Street, in the City of Schenectady, New York, and also being a portion of the premises devised to Mary A. Kiggin by the Last Will and Testament of Thomas Mc Geoy, more particularly bounded and described as follows:

Beginning at an iron pipe on the Westerly side of Railroad Street, distant 54.95 feet Northerly from the old iron pin which pin is 11 feet west of the present curb of Railroad Street and also is at the intersection of the lands of Van Curler Motor Company, Inc. and Schenectady Automobile Club, Inc. with Railroad Street, and runs thence Northerly along said Street 12 feet to a point; thence Westerly along the lands of Schenectady Automobile Club, Inc., 81 feet to a point; thence Southerly 12 feet to a point in the line extending from Railroad Street to an alley, said line being parallel to and 40 feet Northerly from the garage now occupied by Van Curler Motor Company, Inc., thence Easterly 81 feet to the iron pipe in the westerly side of Railroad Street, the point or place of beginning.

Parcel K:

ALL THAT LOT, PIECE OR PARCEL OF LAND, situate, lying and being in the City of Schenectady, County of Schenectady and State of New York, bounded and described as follows:

BEGINNING at a point on the Southerly side of State Street, also known as Water Street, said point being the Northeasterly corner of the lands now or formerly of Anthony Kamen and also being the Northwesterly corner of the lands described herein; thence running along the Southerly side of State Street, also known as Water Street, the following four (4) courses:

1. South 78 degrees, 26 minutes, 50 seconds East, 71.22 feet to a point;
2. South 78 degrees, 18 minutes, 30 seconds East, 15.88 feet to a point;
3. South 74 degrees, 56 minutes, 00 seconds East, 42.53 feet to a point;
4. South 68 degrees, 53 minutes, 30 seconds East, 46.00 feet to a point, which point marks the Northwesterly corner of the lands now or formerly of Scautub Agency, Inc.; thence running South 39 degrees, 56 minutes, 10 seconds West, 29.85 feet to a point; thence North 60 degrees, 43 minutes, 30 seconds West, 37.00 feet to a point; thence running South 21 degrees, 45 minutes, 00 seconds West, 31.88 feet to a point; thence running South 46 degrees, 44 minutes, 10 seconds West, 2.50 feet to a point; thence running North 69 degrees, 22 minutes, 20 seconds West, 52.41 feet to a point; thence running South 16 degrees, 19 minutes, 10 seconds West, 64.64 feet to a point; thence running South 46 degrees, 30 minutes, 40 seconds West, 69.36 feet to a point; thence running North 39 degrees, 44 minutes, 00 seconds West, 72.79 feet to a point; thence running South 52 degrees, 24 minutes, 50 seconds West, 25.43 feet to a point; thence running North 39 degrees, 36 minutes, 50 seconds West, 18.32 feet to a point, which point is the Southeasterly corner of the lands now or formerly of Anthony Kamen; thence running along the lands

now or formerly of Anthony Kamen, the following two (2) courses:

1. North 50 degrees, 28 minutes, 00 seconds East, 109.84 feet to a point;
2. North 08 degrees, 14 minutes, 40 seconds East, 48.53 feet to the point and place of beginning.

ALSO, ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND, situate, lying and being in the City of Schenectady, Schenectady County, New York, lying generally Southerly of State Street and Northwesterly of Railroad Street and being more particularly bounded and described as follows:

BEGINNING at a point on the common line between the lands now or formerly of Karen J. Barnes as described in Book 987 of Deeds at page 1093 on the North and the lands of Northway Automobile Club, Inc., on the South, said point being situate the following three (3) courses from the intersection of the Northeasterly line of Northway Automobile Club, Inc., with the Northwesterly margin of Railroad Street;

1. North 43 degrees, 16 minutes, 00 seconds West, 74.70 feet,
2. Along the Northwesterly line of Northway Automobile Club, Inc., South 46 degrees, 44 minutes, 00 seconds West, 2.50 feet, and
3. Along the previously mentioned common line between the lands of Barnes on the north and Northway Automobile Club, Inc., on the South, North 69 degrees, 22 minutes, 20 seconds West, 16.28 feet; and runs thence from said point of beginning through the lands of Northway Automobile Club, Inc., South 46 degrees 30 minutes 40 seconds West a distance of 71.65 feet to a point on the common line between the lands herein described in the East and the lands now or formerly of James DeSantis as described in Book 553 of Deeds at page 400 and Book 743 of Deeds at page 307 on the West; thence along said common line, North 16 degrees, 19 minutes, 10 seconds East, a distance of 64.64 feet to a point; thence along the aforesaid common line between the lands of Barnes on the North and the lands herein described on the South, South 69 degrees, 22 minutes, 20 seconds East, a distance of 36.14 feet to the point or place of beginning and containing 1,165 +/- Square feet of land.

Together with an easement for the purpose of ingress and egress over a triangular parcel of land located generally Easterly of the above described parcel and being more particularly bounded and described as follows:

BEGINNING at the point of beginning of the above described parcel of lands and running from said point of beginning through the land of Northway Automobile Club, Inc., the following two (2) courses:

1. South 40 degrees, 40 minutes, 20 seconds East, a distance of 7.41 feet to a point,
2. North 80 degrees, 16 minutes, 00 seconds West, a distance of 9.24 feet to a point on the first course of the first herein described parcel, also being parallel to and 10 feet distant therefrom an existing building on the lands of Karen J. Barnes as it stands May 18, 1979; thence along said course, North 46 degrees, 30 minutes, 40 seconds East, a distance of 5.90 feet to the point or place of beginning.

EXCEPTING FROM ALL THE ABOVE those parcels conveyed by the following deeds:

- a. Deed from Schenectady Automobile Club, Inc. to Carl Brandt recorded April 1, 1948 in Liber 577 page 214,

b. Deed from Schenectady Automobile Club, Inc. to Van Curler Motor Company, Inc. recorded September 8, 1948 in Liber 586 page 589,

c. Deed from AAA Northway, Inc. to County of Schenectady recorded December 28, 2006 in Liber 1751 page 89.