



New York State Archives

**New York State Office of General Services Bureau of Land
Management Upland Application Files 13633**

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Overview of the Records

Repository:	New York State Archives
Summary:	This series consists of upland application files documenting grant, easement, lease, permit, transfer of jurisdiction, and license transactions of state lands during the years 1799-1916 and 1954-2001. Other transactions documented in this series include state surplus real property; gold, silver, mineral, and fossil deposits on state lands; and leases and transfers of unappropriated lands to the federal government and cessions of jurisdiction to the United States. Documents relating to individual applications are either bundled or filed together in discrete folders.
Creator:	New York (State). Office of General Services. Bureau of Land Management
Title:	Upland application files
Quantity:	197.25 cubic feet
Quantity:	225 16mm microfilm roll(s)
Inclusive Date:	1799-1916, 1942-2009
Series:	13633

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Administrative History

The New York State Commissioners of the Land Office administered the granting or selling of state lands from 1786 to 1960.

The commissioner of the State Office of General Services (OGS) has the authority to sell, lease, and grant permits and easements for the use of state lands or structures to non-state agency entities under the State Public Lands Law Article 2, Section 3, Subdivision 4. OGS has the authority to dispose of state real property by transferring it to non-state entities, including local governments, public authorities, private individuals, corporations, and other entities, through five types of transactions. These transactions include grants (legal transfer of land by letters patent or by deed); easements (right or privilege granted by the commissioner of OGS to use a defined area of state lands for a prescribed purpose and time); leases (for set time limits to owner of adjacent upland, or, with consent of owner of adjacent upland, to others); permits (agreements granting temporary occupancy or use of lands or structures, usually with

revocable privileges); and licenses (usually for longer terms and are used primarily with marina and sand and gravel removal applications).

The general procedure for selling or granting state lands involves several steps. The unappropriated state lands must be declared abandoned. The OGS commissioner may order a survey and map of the unappropriated lands to be sold. The lands are first offered to other state agencies or local governments prior to offering them for public sale. The real property is appraised and a minimum bid is set. A legal notice of the sale is placed in a newspaper published in the vicinity of the lands for sale. The property is offered for sale to the public through either an open or a sealed bid auction, usually held at the seat of the county in which the lands are situated. The purchaser presents a certificate of sale and receipt of payment to the OGS commissioner for the purchase price in whole. Once satisfied, the purchaser's bond is cancelled, and a letters patent is issued. If the purchaser fails to satisfy the purchase-money bond, the OGS commissioner may direct the State Comptroller to sue against the bond or the commissioner may decide to sell the land.

The transaction process for easements, licenses, permits, and leases is generally the same as the sale of state land, with the exception of a lack of public notification.

Other types of upland transactions overseen by the agency include state surplus real property; gold, silver, mineral, and fossil deposits on state lands; and leases and transfers of unappropriated lands to the federal government and cessions of jurisdiction to the United States.

Sales of state surplus real property follow the same process outlined above for sales of state lands, except for the steps relating to bonds.

Gold, silver, mineral, and fossil deposits on state lands are the property of the people of New York State and "notices of discovery" must be filed with the New York State Secretary of State. U.S. citizens may apply to OGS for a permit, consent, or lease to explore state lands for deposits or to extract deposits from state lands. The function of processing applications relating to notices of discovery of mines, minerals, and metals was transferred from the New York State Department of State to OGS under the laws of 1960, chapter 462.

OGS is authorized to transfer or lease state lands to the federal government, usually for military, navigation, flood control, and post office purposes. With any lands conveyed to the U.S. through such cessions of jurisdiction, the state must retain concurrent jurisdiction over the property. Once the federal government no longer has a need for use of the land to which it holds title, it can transfer jurisdiction back to the state (retrocession) or alternately sell the land to the public. The records are indexed by grantee within OGS's land transaction card files. If title is granted to the federal government, the resulting letters patent is filed with the Department of State. Prior to the creation of OGS by virtue of the laws of 1960, chapter 459, transfers of jurisdiction were done by resolution of the Land Board/Office and can be found in the minutes of the Land Board/Office. These records may be found in both uplands and lands under water files.

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Scope and Content Note

This series consists of upland application files documenting grant, easement, lease, permit, transfer of jurisdiction, and license transactions of state lands during the years 1799-1916 and 1954-2001. Other transactions included in this series may be state surplus real property; gold, silver, mineral, and fossil deposits on state lands; leases and transfers of unappropriated lands to the federal government; and cessions of jurisdiction to the United States. Documents relating to individual applications are either bundled or filed together in discrete folders.

Upland files generally contain some or many of the following types of documents: declaration of abandonment; notices of abandonment; application for a land grant; survey description and/or map submitted by the applicant; property appraisal report; report on the title history of the parcel, including prior sale and foreclosure or default if applicable; notice and certificate of sale; legal objection(s) (caveat) to the proposed grant; receipts indicating payment to the state; State Attorney General's opinion and/or Office of General Services (OGS) commissioner's findings recommending issuance of letters patent; copy of letters patent; hearing transcript (if application was contested); affidavits and correspondence regarding the title, prior sale, and occupancy; and other correspondence.

Records relating to gold, silver, minerals, and fossil deposits are organized by closing date. Files include the following types of records: notice of discovery; proof of expenditures which are assessed by the State Geologist; copy of permit, consent, or lease to explore or extract deposits; copy of deed; periodic statements of quantities of deposits extracted and royalties owed to the state; receipt of monies owed to the state; and copy of notices of expiration of permit, consent, or lease. If a requester defaults, hearing transcripts, findings and decisions of facts, and memorandums from the State Attorney General may also be included.

Leases and transfers of unappropriated lands to the federal government and cessions of jurisdiction to the United States are organized by date that transaction was completed. The files consist of the following records: formal request from the federal government for purchase or jurisdiction of land; correspondence with the federal government and municipalities within which the lands are situated; OGS correspondence; copy of deed(s); and a copy of letters patent if the title is conveyed.

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Related Information

Related Material

A0449 Register of gold and silver mines.

A0376 Public notices of discovery of gold, silver, and other minerals in New York State.

A0464 Original deeds and title papers.

12945 Miscellaneous deeds and title papers.

A4688 Grantor index to deeds and other miscellaneous documents recorded or filed by the Secretary of State.

B1870 Commissioners of the Land Office Minutes.

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Other Finding Aids

Available at Repository

13633-06, 13633-06A, 13633-06B, 13633-07, 13633-11, 13633-14: Folder list providing date, roll sequence, county, applicant, case number (sometimes), remarks (if applicable), and box number is available at the repository.

13633-82, 13633-06, 13633-06A, 13633-07, 13633-14: Container list is available at the repository.

13633-06B: Roll list is available at the repository.

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Use of Records

Access Restrictions

There are no restrictions regarding access to or use of the material.

Alternate Formats AvailableAlternate Formats Available

13633-06B: Microfilm rolls are original camera masters. No use copies are available.

Administrative Information

Acquisition Information

13633-06: Transfer of these records is pursuant to revised RDA 19268.

13633-19: This accretion includes records from transfer lists 670003 and 870003.

13633-20: This accretion was transferred under RDA 19268.

13633-22: This accretion includes records from transfer lists 840014 and 870003.

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Access Terms

- Land surveys
- Monitoring
- Deeds
- Issuing letters patent
- Real property, Exchange of
- Affidavits
- Public lands
- New York (State)
- Maps (documents)
- Land settlement
- Land grants
- New York (State). Office of General Services. Division of Land Utilization