Paper' Street a Gold Mine for Albany

By JULIUS J. HELLER

One of Albany's phantom streets, Lydius Street, disappeared from the map some time ago. And in ordinary terms, it never existed at all -it was just a "paper street." . The "street" consisted of a right-of-way through what is now State University in

NOW THE STREET is just a memory and the city of Albany is \$27,000 richer, thanks to a Court of Claims.

Alpert against the State of New York, which took the property-about 81/2 acreswhen it took over the old Albany County Club site for the university.

The country club had an easement on Lydius Street.

The award made by Judge Alpert is a far cry from the original award of \$1 made by-Court of Claims Judge Richard S. Heller in the 12year litigation in that court

be paid for the "paper

The original Court of Claims decision rejected the City of Albany's claim that Lydius Street was actually a street laid out for street purposes by the Dongan Charter of 287 years ago,

THE APPELLATE Division affirmed the Court of Claims but the Court of Appea's reversed both courts, and held that Albany owned

the street, that it was an actual street reserved for that purpose and directed the Court of Claims to fix a value which was done

The city said that the price of \$2,000 an acre or total of \$17,000 was a "just compensation" and that \$10,000 interest on top of that was acceptable also.

It was a long fight by Corporation Counsel John W. Hacker with Raymond E. Marinelli of counsel.

Dengen Charter of 1686 was designated on the city map as a street extending from the Hudson River to the present Schenectady County Line. Later the name became Madison Avenue.

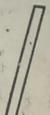
But somehow down through the years, after a driving club had used part of the "'eper street" extending 3,-000- feet between Magazine Street and Fuller Road, and still later the Abany Country

Club used it for part of a golf course, the State of New York acquired the country club, paying a substantial price for the club's entire

The club relocated in Wormer Road, Voorheesvile, and on the former site was built SUNY.

The City of Albany then filed its suit for Lydius Street, which now is only a memory n the city's historical arch-

The Local Front



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