

STATE OF NEW YORK

S. 5985

A. 6668

2021-2022 Regular Sessions

SENATE - ASSEMBLY

March 25, 2021

IN SENATE -- Introduced by Sen. PALUMBO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Local Governments

AN ACT authorizing the town of Southampton, county of Suffolk to alienate certain parcels of land used as parkland

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 South-
2 ampton, county of Suffolk, acting by and through its governing body and
3 upon such terms and conditions as determined by such body, is hereby
4 authorized to discontinue as parklands and to alienate the lands
5 described in section three of this act to extend Good Ground Road to
6 create an intersection.

7 § 2. The authorization provided in section one of this act shall be
8 effective only upon the condition that the town of Southampton dedicate
9 the lands described in section four of this act as parklands, provided
10 that the town of Southampton has never used such lands for public open
11 space or park purposes.

12 § 3. The parklands authorized by section one of this act to be alien-
13 ated are more particularly described as follows:

14 ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND situate, lying and
15 being in Hampton Bays in the town of Southampton, county of Suffolk and
16 state of New York, said parcel being particularly bounded and described
17 as follows: Beginning at a point on the southerly side of Montauk High-
18 way said point being situate South 67 deg. 17 min. 10 sec. West 98.11
19 feet from an angle point in the southerly side of Montauk Highway;
20 running thence along the westerly side of land now or formerly Miajax,
21 LLC. South 05 deg. 44 min. 03 sec. East 396.64 feet to a point; running

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

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1 thence through land now or formerly Town of Southampton South 84 deg. 16
2 min. 06 sec. West 152.90 feet to a point on the easterly side of land
3 now or formerly Montauk 24 Realty, LLC.; running thence along the east-
4 erly side of land now or Montauk 24 Realty, LLC. North 06 deg. 05 min.
5 50 sec. West 349.28 feet to the southerly side of Montauk Highway;
6 running thence along the southerly side of Montauk Highway North 67 deg.
7 17 min. 08 sec. East 162.18 feet to the Point or Place of beginning.
8 Total parcel size is 1.32 acres.

9 § 4. Prior to the discontinuance and alienation of the parklands
10 described in section three of this act, the town of Southampton shall
11 dedicate as parklands such land described as follows:

12 ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND situate, lying and
13 being in Hampton Bays in the Town of Southampton, county of Suffolk and
14 state of New York, said parcel being particularly bounded and described
15 as follows: Beginning at a point that is the southwest corner of land
16 now or formerly Miajax, LLC. said point being situate the following two
17 courses and distances from an angle point in the southerly side of
18 Montauk Highway; 1. Along the southerly side of Montauk Highway South
19 67 deg. 17 min. 10 Sec. West 98.11 feet to a point; 2. Along the wester-
20 ly side of land now or formerly Miajax, LLC. South 05 deg. 44 min. 03
21 sec, East 581.55' to the point or place of beginning; running thence
22 along the southerly side of land now or formerly Miajax, LLC North 76
23 deg. 34 min. 20 sec. East 290.45 feet to the westerly side of land now
24 or formerly the Mary Ann Butz Living Trust & the Franklin D. Butz Living
25 Trust; running thence along the westerly side of land now or formerly
26 the Mary Ann Butz Living Trust & the Franklin D. Butz Living Trust South
27 06 deg. 03 min. 22 sec. East 220.97 feet to a point; running thence
28 through land now or formerly Town of Southampton the following two
29 courses and distances; 1. South 76 deg. 33 min. 10 sec. West 279.13 feet
30 to a point; 2. Along the arc of a curve to the right with a radius of
31 100.00 feet and an arc length of 12.50 feet to the easterly side of land
32 now or formerly Town of Southampton; running thence along the easterly
33 side of land now or formerly Town of Southampton North 05 deg. 44 min.
34 03 sec. West 220.44 feet to the Point or Place of Beginning. Total
35 parcel size is 1.46 acres.

36 § 5. In the event that the fair market value of the lands described in
37 section four of this act to be dedicated as parklands by the town of
38 Southampton pursuant to this act are not equal to or greater than the
39 fair market value of the parklands to be alienated as described in
40 section three of this act, the town of Southampton shall dedicate the
41 difference of the fair market value of the lands to be alienated and the
42 lands to be dedicated for the acquisition of additional parklands and/or
43 capital improvements to existing park and recreational facilities.

44 § 6. In the event that the town of Southampton received any funding
45 support or assistance from the federal government for the purchase,
46 maintenance or improvement of the parklands set forth in section three
47 of this act, the discontinuance and alienation of such parkland author-
48 ized by the provisions of this act shall not occur until the town of
49 Southampton has complied with any federal requirements pertaining to the
50 alienation or conversion of parklands, including satisfying the secre-
51 tary of the interior that the alienation or conversion complies with all
52 conditions which the secretary of the interior deems necessary to assure
53 the substitution of other lands shall be equivalent in fair market value
54 and usefulness to the lands being alienated or converted.

55 § 7. This act shall take effect immediately.