

STATE OF NEW YORK

5985--A

Cal. No. 1349

2021-2022 Regular Sessions

IN SENATE

March 25, 2021

Introduced by Sen. PALUMBO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged and said bill committed to the Committee on Rules -- ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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
22 thence through land now or formerly Town of Southampton South 84 deg. 16

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

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

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

11 ALL that certain plot, piece or parcel of land, with the buildings and
12 improvements thereon erected, situate, lying and being at Shinnecock
13 Hills, in the Town of Southampton, County of Suffolk and State of New
14 York and known and designated on a certain map entitled, "Amended Map
15 "A" Westerly Part of Shinnecock Hills, Jere Johnson Jr. Co., Selling
16 Agents, 193 Montague Street, Brooklyn, New York situate in the Town of
17 Southampton, Long Island, Suffolk County, N.Y." made from plan for
18 subdivision of part of Shinnecock Hills as made by Olmsted Bros. and
19 Downing Vaux, dated 1907 and from actual surveys by Wallace H. Halsey,
20 Professional Engineer and Land Surveyor, Southampton, New York, and
21 filed in the Office of the Clerk of the County of Suffolk as Map 213 on
22 October 22, 1925 as and by Lot 1, Lot 2, Lot 9, and Part of Lot 8 in
23 Block 111, and being more particularly bounded and described as follows:

24 BEGINNING at a point on the Northwesterly side of Hillover Road at the
25 division line between the within described premises and land now or
26 formerly Frederick A. and Margaret Proper where same intersects the
27 Northwesterly side of Hillover Road;

28 RUNNING THENCE along the Northwesterly side of Hillover Road South, 61
29 deg. 46' 40" West, 224.75 feet to other land now or formerly Victoria G.
30 Newman;

31 THENCE the following four courses and distances along other land now
32 or formerly Victoria G. Newman:

33 1) North 28 deg. 13' 20" West, 224.95 feet;

34 2) North 88 deg. 28' 14" West, 130.29 feet;

35 3) South 78 deg. 27' 00" West, 147.59 feet;

36 4) North 80 deg. 09' 40" West, 210.00 feet; to the easterly side of
37 South Valley Road;

38 THENCE the following two courses and distances along the Easterly side
39 of South Valley Road:

40 1) North 8 deg. 00' 20" East, 325.21 feet;

41 2) Along an arc of curve bearing to the left whose radius is 1350.26
42 feet a distance of 389.63 feet to the extreme Southerly end of an arc of
43 curve connecting the easterly side of South Valley Road with the South-
44 erly side of Canoe Place Road;

45 RUNNING THENCE along said last mentioned arc of curve bearing to the
46 right whose radius is 35.00 feet a distance of 77.02 feet to a point on
47 the Southerly side of Canoe Place Road;

48 THENCE the following two courses and distances along the Southerly
49 side of Canoe Place Road:

50 1) South 62 deg. 07' 30" East, 276.13 feet;

51 2) North 68 deg. 16' 30" East, 533.49 feet to land now or formerly
52 Gerald M. & Eden W. Rafshoon

53 THENCE the following two courses and distances along land now or
54 formerly Gerald M. & Eden W. Rafshoon and another:

55 1) South 7 deg. 34' 10" West, 584.99 feet;

1 2) South 63 deg. 56' 50" East, 147.48 feet to land now or formerly
2 Frederick A. & Margaret Proper;

3 THENCE along land now or formerly Frederick A. & Margaret Proper
4 South, 21 deg. 46' 10" West, 271.43 feet to the Northwesterly side of
5 Hillover Road and the point or place of BEGINNING. Total parcel size is
6 13.28 acres.

7 § 5. In the event that the fair market value of the lands described in
8 section four of this act to be dedicated as parklands by the town of
9 Southampton pursuant to this act are not equal to or greater than the
10 fair market value of the parklands to be alienated as described in
11 section three of this act, the town of Southampton shall dedicate the
12 difference of the fair market value of the lands to be alienated and the
13 lands to be dedicated for the acquisition of additional parklands and/or
14 capital improvements to existing park and recreational facilities.

15 § 6. In the event that the town of Southampton received any funding
16 support or assistance from the federal government for the purchase,
17 maintenance or improvement of the parklands set forth in section three
18 of this act, the discontinuance and alienation of such parkland author-
19 ized by the provisions of this act shall not occur until the town of
20 Southampton has complied with any federal requirements pertaining to the
21 alienation or conversion of parklands, including satisfying the secre-
22 tary of the interior that the alienation or conversion complies with all
23 conditions which the secretary of the interior deems necessary to assure
24 the substitution of other lands shall be equivalent in fair market value
25 and usefulness to the lands being alienated or converted.

26 § 7. This act shall take effect immediately.