S T A T E O F N E W Y O R K

4031--A

2009-2010 Regular Sessions

I N S E N A T E

April 7, 2009

Introduced by Sen. C. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the county of Nassau to transfer ownership of certain parklands to the town of North Hempstead

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The Nassau county legislature is hereby authorized and empowered to discontinue as county parkland and convey the properties described in sections two through ten of this act, which was heretofore used by such county for park and/or recreational purposes, upon terms agreed upon between the entities, to the town of North Hempstead for use by such town for park and/or recreational purposes, provided, however, that the town of North Hempstead shall continue to provide access to such parklands and/or recreational facilities to all residents of the county of Nassau and the town shall not enact any fees or charges which are higher for county residents who are not town residents. Any revenues received from the county from the transfer of parklands pursuant to this act shall be used for capital improvements of existing park and recreational facilities and/or for the acquisition of additional park and recreational facilities.

S 2. The lands referred to in section one of this act are located, bounded and described as follows and also known as Carle Place Veterans Memorial Park:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in Carle Place, County of Nassau and State of New York, bounded and described as follows:

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

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COMMENCING at the intersection of the easterly side of Carle Road, with the southerly side of Westbury Avenue (Maple Avenue) as realigned, and running thence North 18°-16'-28" West, 66.24 feet (tie distance) to the point of BEGINNING.

RUNNING THENCE from said point of beginning, along the easterly side of Carle Road, North 07°-50'-45" West, 56.08 feet to the southerly end of a arc connecting said easterly side of Carle Road with a southerly side of Westbury Avenue (Maple Avenue) as realigned;

THENCE along the arc of said curve bearing to the right having a radius of 14.28 feet, a distance of 24.01, said curve having a chord bearing North 34°-29'-40" East, with a chord distance of 21.28 feet to a southerly side of Westbury Avenue;

THENCE along said southerly side of Westbury Avenue North 81°-48'04" East, 240.82 feet to the easterly end of an arc;

THENCE along the arc of a curve bearing to the right having a radius of 6.78 feet, a distance of 19.28 feet, said curve having a chord bearing South 17°05'-27" East, with a chord distance of 13.41 feet to a northerly side of Westbury Avenue as realigned;

THENCE along said northerly side of Westbury Avenue, the following three (3) courses and distances to the easterly end of an arc connecting said northerly side of Westbury Avenue with the easterly side of Carle Road,

1. South 63°-43'-51" West, 175.94 feet;
2. South 65°-23'-47" West, 24.96 feet;
3. South 70°-05'-23" West, 27.97 feet;

THENCE along said arc of a curve bearing to the right, having a radius of 14.82 feet, a distance of 24.95 feet, said curve having a chord bearing North 58°-06'-33" West, with a chord distance of 22.11 feet to the easterly side of Carle Road, said point being the point or place of BEGINNING. Containing .32 acres.

S 3. The lands referred to in section one of this act are located, bounded and described as follows and also known as Herricks Ballfield:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in Herricks, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at the intersection of the southerly side of Wilson Boulevard with the westerly side of Herricks Road (Old Court House Road) and running thence southerly along said westerly side of Herricks Road, the following two (2) courses and distances;

1. South 08°-37'-59" West, 361.55 feet;
2. Along the arc of a curve to the left, having a radius of 1472.69 feet, a distance of 39.06 feet;

THENCE South 89°-51'-00" West, 174.24 feet;

THENCE South 89°-54'-44" West, 63.21 feet;

THENCE North 06°-42'-27" East, 315.77 feet;

THENCE North 01°-44'-07" East, 107.25 feet to southerly side of Wilson Boulevard,

THENCE along said southerly side of Wilson Boulevard, South 84°-38'-16" East, 258.22 feet to the intersection of the southerly side of Wilson Boulevard with the westerly side of Herricks Road, said point being the point or place of BEGINNING. Containing 2.3 acres.

S 4. The lands referred to in section one of this act are located, bounded and described as follows and also known as Manhasset Valley Park:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in Great Neck, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at the intersection formed by the northerly side of Northern Boulevard (North Hempstead Turnpike, New York State Route 25A) with the present easterly side of East Shore Road (Mitchell Avenue) and running thence from said point of beginning, along the present easterly side of East Shore Road, the following four (4) courses and distances to the southerly side of Creek Road;

1. North 30°-12'-45" West, 729.11 feet;

2. Along the arc of a curve bearing to the right, having a radius of 2349.96 feet, a distance of 226.95 feet, said curve being subtended by a chord bearing North 27°-26'-45" West, 226.86 feet;

3. North 24°-40'-45" West, 242.81 feet;

4. Along the arc of a curve bearing to the left, having a radius of 637.61 feet, a distance of 60.46 feet, said curve being subtended by a chord bearing North 27°-23'-43" West, 60.43 feet;

THENCE along the southerly side of Creek Road, the following three (3) courses and distances to the westerly side of Maple Avenue (Maple Street);

1) North 42°-48'-40" East, 368.84 feet;

2) South 31°-40'-17" East, 7.11 feet;

3) South 85°-05'-06" East, 119.83 feet;

THENCE along the westerly side of Maple Avenue (Maple Street), the following seven (7) courses and distances to the northerly side of Northern Boulevard;

1) South 52°-02'-40" East, 119.11 feet;

2) South 48°-01'-56" East, 167.78 feet;

3) South 44°-44'-30" East, 82.15 feet;

4) South 38°-50'-37" East, 326.66 feet;

5) South 38°-43'-50" East, 186.50 feet;

6) South 38°-41'-02" East, 86.23 feet;

7) South 38°-49'-45" East, 223.21 feet;

THENCE along the northerly side of Northern Boulevard, the following eight (8) courses and distances

1) South 54°-22'-43" West, 375.95 feet;

2) South 45°-33'-32 West, 49.68 feet;

3) North 23°-39'-45" East, 32.55 feet;

4) South 46°-15'-06" West, 30.40 feet;

5) South 22°-19'-24" East, 33.73 feet;

6) South 45°-02'-29" West, 75.33 feet;

7) South 61°-39'-00" West, 136.81 feet;

8) South 18°-12'-40" West, 82.69 feet.

to the present easterly side of East Shore Road, said point being the point or place of BEGINNING. Containing 17.6 acres.

S 5. The lands referred to in section one of this act are located, bounded and described as follows and also known as Plandome Park:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in Manhasset, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point on the northerly side of Bournedale Road North, at the common line between tax lot 30 on the west and tax lot 301 on the east;

RUNNING THENCE from said point of beginning, along said easterly line of tax lot 30, North 04°-23'-25" East, 76.55 feet;
THENCE North 35°-16'-30" West, 40.48 feet;
THENCE North 89°-38'-00" East, 337.88 feet to the westerly line of Long Island Railroad;
THENCE along said westerly line of Long Island Railroad, the following two (2) courses and distances;

1. South 01°-19'-40" East, 224.19 feet;
2. South 00°-04'-14" East, 23.97 feet;

THENCE South 88°-24'-56" West, 20.00 feet;
THENCE North 40°-04'-53" West, 27.71 feet;
THENCE North 59°-34'-15" West, 50.95 feet;
THENCE North 72°-21'-59" West, 57.41 feet;
THENCE South 88°-29'-37" West, 49.57 feet;
THENCE South 57°-17'-17" West, 46.57 feet;
THENCE South 51°-41'-36" West, 16.41 feet;
THENCE South 36°-02'-39" West, 15.17 feet;
THENCE South 06°-37'-08" West, 175.63 feet;
THENCE South 16°-58'-22" West, 60.41 feet;
THENCE South 11°-16'-14" West, 43.48 feet;
THENCE South 20°-18'-43" East, 83.12 feet to a Right-of-Way (approach to bridge);
THENCE westerly along said Right-of-Way, North 89°-46'-17" West, 112.05 feet;
THENCE northerly along the easterly lines of tax lots 40 and 41, North 08°-15'-58" East, 161.59 feet;
THENCE northerly from the southerly side of Bournedale Road South to the northerly side of Bournedale Road South, North 08°-16'-20" East, 50.50 feet;
THENCE northerly along the easterly lines of properties known as Section 3 Block F-2 Lots 116 through 118 inclusive, North 04°-32'-25" East, 239.12 feet;
THENCE northerly from the southerly side of Bournedale Road North to the northerly side of Bournedale Road North, North 04°-33'-23" East, 53.25 feet to the common line between tax lots 30 on the west and tax lot 301 on the east, said point being the point or place of BEGINNING.
The area of the above-described parcel is 100,930± square feet or 2.32± acres. Excepting therefrom a 20 foot wide Access Easement to benefit the County of Nassau.
Together with an Access Easement for Ingress and Egress as described below:
COMMENCING at a point on the northerly side of Bournedale Road North, at the common line between tax lot 30 on the west and tax lot 301 on the east and running thence South 04°-32'-25" West, 14.91 feet to the point of BEGINNING.
RUNNING THENCE from said point of beginning, along the arc of a curve to the right having a radius of 65.62 feet, a distance of 60.67 feet;
THENCE South 42°-33'-02" East, 15.27 feet;
THENCE along the arc of a curve bearing to the right having a radius of 183.40 feet, a distance of 38.62 feet;
THENCE South 34°-32'-50" East, 28.28 feet;
THENCE South 57°-17'-17" West, 2.92 feet;
THENCE South 51°-41'-36" West, 16.41 feet;
THENCE North 34°-32'-50" West, 26.86 feet;

THENCE along the arc of a curve bearing to the left having a radius of 163.40 feet, a distance of 35.09 feet;
THENCE North 42°-33'-02" West, 15.28 feet;
THENCE along the arc of a curve bearing to the left, having a radius of 45.62 feet, a distance of 47.20 feet;
THENCE North 04°-32'-25" West, 21.15 feet to the point or place of BEGINNING.
The area of the above-described easement is 2,596± square feet or 0.06± acres.
S 6. The lands referred to in section one of this act are located, bounded and described as follows and also known as Sagamore Ballfield:
All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Incorporated Villages of East Williston and Mineola, County of Nassau and State of New York, bounded and described as follows:
BEGINNING at the intersection of the northerly side of Marion Avenue (Roselle Street) with the easterly side of Sagamore Avenue, and running thence along said easterly side of Sagamore Avenue, North 04°-01'-40" East, 330.00 feet;
THENCE South 85°-58'-20" East, 100.00 feet;
THENCE South 31°-13'-06" East, 3.56 feet;
THENCE along the arc of a curve bearing to the right having a radius of 212.77 feet, a distance of 276.73 feet;
THENCE North 85°-58'-20" West, 181.37 feet;
THENCE South 04°-11'-05" West, 24.67 feet;
THENCE South 04°-01'-40" West, 100.00 feet to the northerly side of Marion Avenue;
THENCE Along said northerly side of Marion Avenue, North 85°-58'-20" West, 80.00 feet to the easterly side of Sagamore Avenue, said point being the point or place of BEGINNING.
The area of the above-described parcel is 59,158± square feet or 1.36± acres.
S 7. The lands referred to in section one of this act are located, bounded and described as follows and also known as Roslyn Road Park:
All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Incorporated Villages of East Williston and Mineola, County of Nassau and State of New York, bounded and described as follows:
BEGINNING at the intersection of the southerly side of Lee Avenue with the present westerly line of Roslyn-Mineola Road, and RUNNING THENCE along said present westerly line of Roslyn-Mineola Road, the following two (2) courses and distances to the northerly side of Hamilton Avenue (Charles Street);
1. South 00°-19'-37" East, 64.30 feet;
2. South 03°-33'-08" West, 135.89 feet to the northerly side of Hamilton Avenue;
THENCE along the northerly side of Hamilton Avenue, North 85°-58'-20" West, 113.13 feet;
THENCE North 02°-47'-00" East, 200.05 feet to the southerly side of Lee Avenue;
THENCE along said southerly side of Lee Avenue, South 85°-58'-20" East, 111.46 to the present westerly line of Roslyn-Mineola Road, said point being the point or place of BEGINNING.
The area of the above-described parcel is 22,754± square feet or 0.52± acres.

S 8. The lands referred to in section one of this act are located, bounded and described as follows and also known as Whitney Pond Park:

All that certain plot, piece or parcel of land, situate, lying and being in Manhasset, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at the northerly end of an arc connecting the easterly side of Valley Road (Community Road, New Hyde Park Road) with the northerly side of Community Drive East (formerly Community Street) and running thence still along the easterly side of Valley Road, the following three (3) courses and distances:

1. North 06°-23'-42" West, 430.17 feet;
2. North 06°-22'-02" West, 270.57 feet;
3. Along the arc of a curve bearing to the right having a radius of 2824.79 feet, a distance of 148.36 feet;

THENCE along the southerly side of land now or formerly of the State of New York, North 76°-15'-26" East, 56.83 feet;

THENCE along the easterly side of land now or formerly of the State of New York, the following six (6) courses and distances to the southerly side of Northern Boulevard (North Hempstead Turnpike, New York State Route 25A);

1. North 05°-06'-39" West, 108.96 feet;
2. North 03°-29'-52" West, 98.54 feet;
3. North 08°-14'-47" West, 99.56 feet;
4. North 16°-48'-54" West, 102.79 feet;
5. North 33°-00'-42" West, 98.59 feet;
6. North 42°-36'-10" West, 103.32 feet;

THENCE along the southerly side of Northern Boulevard, the following seven (7) courses and distances;

1. North 18°-33'-43" East, 70.11 feet;
2. North 32°-32'-11" East, 155.16 feet;
3. South 23°-19'-47" East, 23.01 feet;
4. North 65°-10'-38" East, 30.39 feet;
5. North 25°-04'-41" West, 37.48 feet;
6. North 47°-19'-31" East, 102.09 feet;
7. North 53°-58'-52" East, 118.00 feet;

THENCE along the westerly side of land now or formerly of Federated Department Stores, the following ten (10) courses and distances to the westerly terminus of Community Drive East;

1. Along the arc of a curve bearing to the right having a radius of 129.15 feet, a distance of 113.15 feet;
2. Along the arc of a curve bearing to the right having a radius of 475.85 feet, a distance of 44.00 feet;
3. South 17°-22'-19" East, 48.86 feet;
4. South 12°-35'-24" East, 76.54 feet;
5. Along the arc of a curve bearing to the left having a radius of 207.85 feet, a distance of 199.89 feet;
6. Along the arc of a curve bearing to the left having a radius of 2339.96 feet, a distance of 63.91 feet;
7. South 01°-15'-35" West, 360.58 feet;
8. South 19°-10'-47" West, 177.54 feet;
9. South 76°-43'-09" East, 360.00 feet;
10. South 87°-16'-35" East, 317.21 feet;

THENCE from the westerly terminus of Community Drive East and along the northerly side of Community Drive East, the following four (4) courses and distances to the easterly side of Valley Road, said point being the point or place of BEGINNING;

1. South 02°-43'-25" West, 212.12 feet;
2. Along the arc of a curve bearing to the right having a radius of 493.83 feet, a distance of 671.48 feet;
3. South 80°-37'-58" West, 552.70 feet;
4. Along the arc of a curve bearing to the right having a radius of 18.98 feet, a distance of 30.80 feet. Containing 25.29 acres.

S 9. The lands referred to in section one of this act are located, bounded and described as follows and also known as Beacon Hill Park:

All the certain plot, piece or parcel of land, situate, lying and being in Port Washington, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at the intersection of the present northerly side of Beacon Hill Road (Roslyn-West Shore Drive), with a westerly side of Tax Lot 993, said point also being the northerly line of Section 6 Tax Block 36 as shown on the Land and Tax Maps of the County of Nassau, and RUNNING THENCE from said point of beginning North 08°-56'-24" West, 77.57 feet to the present southerly side of Roslyn-West Shore Drive with the present southerly side of Beacon Hill Road.

RUNNING THENCE along said present southerly and westerly sides of Roslyn-West Shore Drive, the following seven (7) courses and distances;

1. North 54°-53'-39" East, 644.23 feet;
2. Along the arc of a curve bearing to the left having a radius of 660.00 feet, a distance of 288.62 feet;
3. North 29°-49'-06" East, 187.79 feet;
4. Along the arc of a curve bearing to the right having a radius of 600.00 feet a distance of 706.87 feet;
5. Along the arc of a curve bearing to the right having a radius of 760.00 feet a distance of 382.78 feet;
6. Along the arc of a curve bearing to the right having a radius of 600.00 feet a distance of 205.00 feet;
7. South 34°-14'-48" East, 667.92 feet;

THENCE partially along the present westerly side of Roslyn-West Shore Drive and partially along the westerly line of tax lot 1058, along the arc of a curve bearing to the right having a radius of 2600.00 feet a distance of 1286.04 feet;

THENCE still along the westerly line of tax lot 1058, the following four (4) courses and distances;

1. South 05°-54'-23" East, 1000.72 feet;
2. Along the arc of a curve bearing to the left having a radius of 4000.00 feet a distance of 759.31 feet;
3. South 22°-37'-58" West, 523.64 feet;
4. South 25°-29'-48" East, 815.00 feet;

THENCE North 64°-26'-05" West, 409.68 feet;

THENCE along the arc of a curve bearing to the right having a radius of 1400.00 feet, a distance of 545.70 feet;

THENCE North 42°-06'-06" West, 3234.61 feet;

THENCE North 06°-59'-04" West, 357.46 feet;

THENCE North 07°-58'-54" West, 436.09 feet;

THENCE North 08°-56'-24" West, 188.60 feet to the point or place of BEGINNING. Containing 187.18 acres.

S 10. The lands referred to in section one of this act are located, bounded and described as follows and also known as Hempstead Harbor Park:

All that certain plot, piece or parcel of land, situate, lying and being in Port Washington, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at the intersection of the easterly side of New West Shore Drive (as realigned) with the westerly side of Roslyn-West Shore Drive and running thence along said easterly side of New West Shore Drive, the following two (2) courses and distances;

1. North 21°-46'-42" West, 3847.29 feet;
2. North 68°-13'-18" East, 39.62 feet;

THENCE along the westerly side of Roslyn-West Shore Drive, the following nine (9) courses and distances to the intersection of the easterly side of New West Shore Drive (as realigned) with the westerly side of Roslyn-West Shore Drive, said point being the point or place of BEGINNING:

1. South 35°-28'-45" East, 150.25 feet;
2. South 34°-12'-11" East, 684.26 feet;
3. South 28°-37'-47" East, 582.51 feet;
4. South 27°-36'-16" East, 867.57 feet;
5. South 27°-00'-00" East, 552.79 feet;
6. Along the arc of a curve bearing to the right having a radius of 573.69 feet, a distance of 367.99 feet;
7. South 09°-45'-09" West, 171.72 feet;
8. South 02°-48'-09" West, 596.62 feet;
9. South 68°-13'-18" West, 10.00 feet.

Containing 23.66 acres.

S 11. The lands to be transferred pursuant to this act and all structures and facilities situated on such land shall be maintained, owned and operated by the town of North Hempstead.

S 12. Where availability of such public parkland and facilities are limited, the use of such parklands and facilities must be determined by an equitable method which provides priority use based on a reservation policy for free or a fee commensurate with the administrative costs necessary to maintain and operate such a facility or facilities.

S 13. This act shall take effect immediately.