

8278

I N   S E N A T E

June 18, 2010

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Introduced by Sen. MORAHAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to authorize the town of Orangetown, county of Rockland to discontinue the use of certain town lands as parkland and to sell and convey such lands

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

1     Section 1. The town of Orangetown, county of Rockland, is hereby  
2 authorized to discontinue as parklands and alienate, grant a utility  
3 easement and convey the lands described in section three of this act and  
4 in exchange therefor, dedicate as parklands the lands described in  
5 section four of this act, such land to be used for park purposes.  
6     S 2. Notwithstanding the failure of the town of Orangetown to seek or  
7 receive state legislative authorization to alienate certain of the park-  
8 lands described in section three of this act and used for electric tran-  
9 smission wires, such use is validated, ratified and confirmed.  
10    S 3. The lands to be subject to the utility easement and discontinued  
11 as parklands and alienated, and conveyed are described as follows:  
12     BEGINNING at a point in the existing Westerly line of the existing  
13 easement for T/L 701 and 702 South of tower 33 and goes thence, N-29  
14 degrees-51 minutes-27 seconds-W 285.75' to a point; thence, N-12  
15 degrees-41 minutes-48 seconds-E 76.87' to a point; thence, N-42  
16 degrees-20 minutes-03 seconds-E 390.79' to a point in the aforesaid  
17 existing Westerly line of the said easement for T/L 701 and 702; thence,  
18 turning and running along the said Westerly line of this existing ease-  
19 ment, S-12 degrees-41 minutes-48 seconds-W 202.22, to a point; thence,  
20 leaving the said existing easement for T/L 701 and 702, S-42 degrees-20  
21 minutes-03 seconds-W 138.01' to a point; thence, S-12 degrees-41  
22 minutes-48 seconds-W 82.65' to a point; thence, S-29 degrees-51  
23 minutes-27 seconds-E 100.92' to a point in the aforesaid existing  
24 Westerly line of T/L 701 and 702; thence, along the said existing ease-  
25 ment for T/L 701 and 702, S-12 degrees-41 minutes-48 seconds-W 147.87'  
26 to the point and place of BEGINNING. Containing 1.28 acres.

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

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1 S 4. The replacement lands to be dedicated by the town of Orangetown  
2 to use as parkland for public park purposes are located in the town of  
3 Orangetown, Rockland county comprise a total of 2.09 acres more or less  
4 and particularly described as follows: Parcel 1. BEGINNING at a point  
5 in the southerly line of Orangeburg Road at the easterly edge of an  
6 existing 100 foot wide right-of-way of Orange and Rockland Utilities,  
7 Inc. and running thence along the southerly line of Orangeburg Road, on  
8 a course South  $86^{\circ} 48' 56''$  East, 53.84 feet to the northeasterly corner  
9 of the lands herein described; and running thence along the easterly  
10 line of land of Remat and Landa on a course South  $24^{\circ} 57' 40''$  West  
11 997.78 feet to land now or formerly of Ramland Properties, Inc.; thence  
12 along said last mentioned land the following two courses and distances:  
13 (1) North  $65^{\circ} 02' 20''$  East 50 feet, and (2) North  $24^{\circ} 57' 40''$  East,  
14 977.81 feet to the point or place of beginning.

15 Parcel 2. BEGINNING at a point in the Westerly most line of the  
16 existing easement for T/L 701 and 702 located between towers number 33  
17 and 32 and goes thence, along the said Westerly line of the said ease-  
18 ment, N-12 degrees-41 minutes-48 seconds-E 276.94' to a point; thence,  
19 cutting diagonally across the aforesaid existing easement, N-42  
20 degrees-20 minutes-03 seconds-E 202.22' to a point in the Easterly most  
21 line of the aforesaid easement for T/L 701 and 702; thence, turning and  
22 following the said Easterly line of the said easement, S-12 degress-41  
23 minutes-48 seconds-W 561.63' to a point; thence, turning and cutting  
24 back diagonally across the said easement. N-29 degrees-51 minutes-27  
25 seconds-W 147.87 to the point and place of BEGINNING. Containing 0.96  
26 acres of lands.

27 S 5. In the event that the replacement town parklands to be dedicated  
28 in section four of this act are not equal to the size of the lands to be  
29 alienated in section three of this act, or are not equal to or greater  
30 than the fair market value of the lands to be alienated in section three  
31 of this act, the town of Orangetown shall dedicate additional town-owned  
32 lands for parkland and/or cause funds to be made available for capital  
33 improvements to its existing park and recreational facilities, as neces-  
34 sary, to equal such fair market value.

35 S 6. The discontinuance and conveyance of parkland authorized by the  
36 provisions of this act shall not occur until the town of Orangetown has  
37 complied with any federal requirements pertaining to the alienation or  
38 conversion of parklands, including satisfying the Secretary of the Inte-  
39 rior that the conversion complies with all conditions which the Secre-  
40 tary of the Interior deems necessary to assure the substitution of other  
41 lands shall be equivalent in fair market value and recreational useful-  
42 ness to the lands being alienated or converted.

43 S 7. This act shall take effect immediately.