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

S. 4374 A. 7728

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

April 22, 2009

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

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

AN ACT in relation to authorizing the town of Southold, county of Suffolk to discontinue the use of certain lands as parklands

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

Section 1. Subject to the provisions of this act but notwithstanding any provision of law to the contrary, the town of Southold, county of Suffolk is hereby authorized, acting by and through its town board and upon such terms and conditions as determined by such legislative body, to discontinue the use of the municipally owned parkland more particularly described in section three of this act which is no longer needed for park purposes.

S 2. The authorization provided in section one of this act shall be effective only upon the condition that the town of Southold dedicate an amount equal to or greater than the fair market value of the property being alienated by this act for the acquisition of additional parklands and/or for capital improvements to existing park and recreational facilities.

S 3. The lands authorized by this act to be discontinued as parklands are as follows:

All that certain piece or parcel of land situate near the Hamlet of Mattituck, Town of Southold, Suffolk County, New York, bounded and described as follows: BEGINNING at a point on the southerly line of New Suffolk Avenue at the northwesterly corner of the premises hereby conveyed, being the northeasterly corner of land of Maurice King; running thence along said southerly line of New Suffolk Avenue about six

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

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hundred ninety-four (694) feet to the westerly line of a certain open right of way, twenty-five (25) feet in width; thence southerly along said westerly line of said right of way about one thousand two hundred ninety-five (1295) feet to land formerly of H.R. Gildersleeve; thence westerly along said land formerly of H.R. Gildersleeve about five hundred (500) feet; thence southerly along said land formerly of H.R. Gildersleeve about four hundred ninety (490) feet; thence easterly along said land formerly of H.R. Gildersleeve about four hundred sixty (460) feet to the westerly line of said right of way; thence southerly along the westerly line of said right of way about one hundred eighty (180) feet to the land now or formerly of Carrie H. Tuthill; thence in a general southerly direction along said land now or formerly of Carrie H. Tuthill, and partly along an old roadway, partly along the center of a meadow, and partly along a gutter or creek through the meadow, to meadow land formerly of Phebe M. Hollister; thence along said meadow land formerly of Phebe M. Hollister and along a certain gutter or creek, westerly and then southerly to the main gutter or creek leading to Great Peconic Bay; thence along said main gutter or creek in a general northwesterly direction and then in a general northerly direction to said Land of Maurice E. King; thence easterly along said land of Maurice H. King about six hundred fifty (650) feet; thence northerly along said land of Maurice H. King about one thousand nine (1009) feet to the point of beginning.

S 4. The discontinuance and conveyance of parkland authorized by the provisions of this act shall not occur until the town of Southold has complied with any federal or state requirements pertaining to the alienation or conversion of parklands.

S 5. This act shall take effect immediately.