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

9103--A

2009-2010 Regular Sessions

I N A S S E M B L Y

August 17, 2009

Introduced by M. of A. J. MILLER -- read once and referred to the Committee on Local Governments -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the town law, in relation to authorizing the town board of the town of Hyde Park, in the county of Dutchess, to diminish the area of the Greenfields water district

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

Section 1. Section 202-c of the town law is amended by adding a new subdivision 8 to read as follows:

8. NOTWITHSTANDING ANY OTHER PROVISION OF GENERAL, SPECIAL OR LOCAL LAW, RULE, OR REGULATION TO THE CONTRARY, WHENEVER THE TOWN BOARD OF THE TOWN OF HYDE PARK, DUTCHESS COUNTY, SHALL DETERMINE IT TO BE IN THE PUBLIC INTEREST, SAID TOWN BOARD MAY, UPON ITS OWN MOTION AND WITHOUT A PETITION, BUT AFTER A PUBLIC HEARING HELD IN THE MANNER AND UPON THE NOTICE SPECIFIED IN SUBDIVISION ONE OF THIS SECTION, DIMINISH THE GREENFIELDS WATER DISTRICT BY DELETING THEREFROM THE ONE HUNDRED NINETEEN TOWNHOUSE LOTS WHICH HAVE NOT SINCE THE FORMATION OF THE DISTRICT BEEN PROVIDED WITH ANY WATER INFRASTRUCTURE OR SERVICE AND PRESENTLY ARE INCLUDED IN SAID DISTRICT. IN ADDITION, ANY ORDER ADOPTED BY THE TOWN BOARD PURSUANT TO THIS SUBDIVISION SHALL BE SUBJECT TO A PERMISSIVE REFERENDUM OF THE PROPERTY OWNERS IN THE GREENFIELDS WATER DISTRICT PURSUANT TO ARTICLE SEVEN OF THIS CHAPTER.

THE LANDS AUTHORIZED TO BE DELETED FROM THE GREENFIELDS WATER DISTRICT IS DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN PARCEL OF LAND SITUATE IN THE TOWN OF HYDE PARK, COUNTY OF DUTCHESS AND STATE OF NEW YORK AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

LBD14540-02-0

BEGINNING AT THE SOUTHERLY MOST CORNER OF LOT 16 AS SHOWN ON A MAP ENTITLED "REVISED SUBDIVISION PLAT GREEN FIELDS EAST" AS FILED IN THE DUTCHESS COUNTY CLERK'S OFFICE AS MAP NO. 4604; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF LOT 16 NORTH 79°14'00" EAST 122.93 FEET TO THE SOUTHEASTERLY CORNER OF LOT 16; THENCE NORTHERLY ALONG THE EASTERLY LINE OF LOTS 16-23 AND THE PROJECTION OF SAID LINE NORTH 10°46'00" WEST 168.66 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 30; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF LOTS 30 AND 31 NORTH 79°14'00" EAST 35.66 FEET TO THE SOUTHEASTERLY CORNER OF LOT 31; THENCE NORTHERLY ALONG THE EASTERLY LINE OF LOT 31 NORTH 10°46'00" WEST 100.00 FEET TO A POINT ON THE SOUTHERLY LINE OF RUSSETT ROAD, SAID POINT BEING THE NORTHEASTERLY CORNER OF SAID LOT 31; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RUSSETT ROAD NORTH 79°14'00" EAST 34.34 FEET TO A POINT; THENCE NORTHERLY CROSSING RUSSETT ROAD NORTH 10°46'00" WEST 50.00 FEET TO THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF RUSSETT ROAD AND THE EASTERLY LINE OF CALL HOLLOW ROAD; THENCE NORTHWESTERLY ALONG SAID EASTERLY ROAD LINE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 39.27 FEET TO THE SOUTHWESTERLY CORNER OF LOT 196; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF LOT 196 NORTH 79°14'00" EAST 100.00 FEET TO THE SOUTHEASTERLY CORNER OF LOT 196; THENCE NORTHERLY ALONG THE EASTERLY LINE OF LOTS 196-201 NORTH 10°46'00" WEST 120.66 FEET TO THE NORTHEASTERLY CORNER OF LOT 201; THENCE WESTERLY ALONG THE NORTHERLY LINE OF LOT 201 SOUTH 79°14'00" WEST 100.00 FEET TO A POINT ON THE EASTERLY LINE OF CALL HOLLOW ROAD, SAID POINT BEING THE NORTHWESTERLY CORNER OF LOT 201; THENCE NORTHERLY ALONG SAID EASTERLY ROAD LINE NORTH 10°46'00" WEST 87.34 FEET TO ITS POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF LITCHFIELD DRIVE; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY ROAD LINE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 39.27 FEET TO A POINT; THENCE NORTHERLY CROSSING LITCHFIELD DRIVE NORTH 10°46'00" WEST 50.00 FEET TO A POINT OF INTERSECTION ON THE NORTHERLY LINE OF LITCHFIELD DRIVE, SAID POINT BEING THE SOUTHWESTERLY CORNER OF LOT 107; THENCE NORTHWESTERLY ALONG SAID NORTHERLY ROAD LINE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 39.27 FEET TO THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF LITCHFIELD DRIVE AND THE EASTERLY LINE OF CALL HOLLOW ROAD; THENCE WESTERLY CROSSING CALL HOLLOW ROAD SOUTH 79°14'00" WEST 50.00 FEET TO A POINT ON THE WESTERLY LINE OF CALL HOLLOW ROAD; THENCE SOUTHERLY ALONG SAID ROAD LINE SOUTH 10°46'00" EAST 6.68 FEET TO THE NORTHEASTERLY CORNER OF LOT 1228; THENCE WESTERLY ALONG THE NORTHERLY LINE OF LOT 128 SOUTH 79°14'00" WEST 100.00 FEET TO THE NORTHWESTERLY CORNER OF LOT 128; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF LOTS 128 AND 129 SOUTH 10°46'00" EAST 25.31 FEET TO A POINT IN RANGE WITH THE NORTHERLY LINE OF LOTS 170-173; THENCE WESTERLY ALONG A LINE IN RANGE WITH LOTS 170-173, THE NORTHERLY LINE OF LOTS 170-173 AND ITS WESTERLY PROJECTION SOUTH 79°14'00" WEST 112.62 FEET TO A POINT ON THE WESTERLY LINE OF FILE MAP NO. 4604; THENCE NORTHERLY ALONG SAID WESTERLY LINE NORTH 07°40'01" EAST 454.74 FEET TO THE NORTHWESTERLY CORNER OF SAID MAP NO. 4604; THENCE EASTERLY ALONG THE NORTHERLY LINE OF MAP NO. 4604 THE FOLLOWING THREE (3) COURSES:

1. SOUTH 72°25'56" EAST 180.00 FEET,
2. SOUTH 71°50'56" EAST 384.20 FEET AND
3. SOUTH 72°49'56" EAST 262.85 FEET

TO THE NORTHEASTERLY CORNER OF MAP NO. 4604; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF MAP NO. 4604 THE FOLLOWING FIVE (5) COURSES:

1. SOUTH 07°30'57" WEST 170.03 FEET,

2. SOUTH 09°05'57" WEST 218.24 FEET,
3. SOUTH 06°59'57" WEST 148.58 FEET,
4. SOUTH 07°42'57" WEST 151.40 FEET AND
5. SOUTH 07°52'57" WEST 266.32 FEET

TO THE SOUTHEASTERLY CORNER OF MAP NO. 4604; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF MAP NO. 4604 THE FOLLOWING FOUR (4) COURSES:

1. NORTH 72°59'04" WEST 221.10 FEET,
2. NORTH 59°47'03" WEST 9.80 FEET,
3. NORTH 74°01'04" WEST 194.72 FEET AND
4. NORTH 72°25'04" WEST 105.87 FEET

TO THE POINT OR PLACE OF BEGINNING AND CONTAINING 12.897 ACRES OF LAND, MORE OR LESS.

S 2. This act shall take effect immediately.