

9992

I N A S S E M B L Y

February 23, 2010

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

AN ACT to authorize the village of Plandome Heights to discontinue the use of certain land 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 but notwithstanding  
2 any provision of law to the contrary, the village of Plandome Heights,  
3 located in the county of Nassau, is hereby authorized, acting by and  
4 through its village board of trustees, and upon such terms and condi-  
5 tions as are determined by such board, to discontinue the use as park-  
6 land of the land more particularly described in section four of this  
7 act, and to discontinue and convey at fair market value such parklands  
8 which are no longer needed for park purposes.

9 S 2. Notwithstanding the failure of the village of Plandome Heights to  
10 seek or receive state legislative authorization to alienate those park-  
11 lands described in section four of this act, such alienation is hereby  
12 validated, legalized, ratified and confirmed.

13 S 3. The authorization provided for in section one of this act shall  
14 be subject to the requirement that, upon the alienation of the lands  
15 more particularly described in section four of this act, the village of  
16 Plandome Heights shall dedicate the fair market value of such lands for  
17 the acquisition of new parklands of equal or greater fair market value  
18 and/or for capital improvements to existing park and recreational facil-  
19 ities.

20 S 4. The parklands authorized to be discontinued by section one of  
21 this act are further bounded and described as follows:

22 All that certain plot, piece or parcel of land situate, lying and  
23 being located within the Village of Plandome Heights, Town of North  
24 Hempstead, County of Nassau and State of New York, being more partic-  
25 ularly bounded and described as follows:

26 Beginning at a point which is located the following 5 courses and  
27 distances from the extreme southerly end of the arc of a curve having a

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

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1 radius of 13.69 feet and an arc length of 32.20 feet connecting the  
2 westerly side of Bay View Circle with the southerly side of Bay Drive:  
3 1. Southerly along the westerly side of Bay View Circle being the arc  
4 of a curve to the left having a radius of 124.12 feet a distance of  
5 89.24 feet to a point;  
6 2. Southwesterly and westerly along the arc of a curve to the right  
7 having a radius of 18.30 feet a distance of 32.82 feet to a point of  
8 tangency, on the northerly side of Waterside Lane (private right-of-  
9 way);  
10 3. North 82 degrees 13 minutes 00 seconds West 80.73 feet to a point  
11 of curve;  
12 4. Westerly and northwesterly along the arc of a curve to the right  
13 having a radius of 32.14 feet a distance of 34.34 feet to a point of  
14 compound curve;  
15 5. Westerly and southerly along the arc of a curve to the left having  
16 a radius of 45.00 feet, a distance of 144.10 feet to a point being the  
17 true point of beginning, and from the said point of beginning  
18 RUNNING THENCE North 21 degrees 00 minutes 59 seconds West 153.32 feet  
19 to a point;  
20 THENCE North 24 degrees 35 minutes 04 seconds West 53.22 feet to a  
21 point;  
22 THENCE North 25 degrees 42 minutes 16 seconds East 42.74 feet to a  
23 point; and  
24 THENCE North 46 degrees 11 minutes 25 seconds East 81.19 feet to a  
25 point on the southerly side of Waterside Lane, to the point or place of  
26 BEGINNING.  
27 The described property having an area of 3,522.2 square feet or .0809  
28 acres.  
29 S 5. If the parkland or recreational facility being alienated by this  
30 act has received federal funding pursuant to the land and water conser-  
31 vation fund, then the federal conversion process shall be followed prior  
32 to the transfer of parkland as stated in this act.  
33 S 6. If the parkland or recreational facility being alienated by this  
34 act has received federal funding pursuant to the urban park and recre-  
35 ation and recovery program, then the federal conversion process shall be  
36 followed prior to the transfer of parklands as stated in this act.  
37 S 7. This act shall take effect immediately.