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

3807

2009-2010 Regular Sessions

I N S E N A T E

April 1, 2009

Introduced by Sens. FLANAGAN, MORAHAN, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the real property law, in relation to the filing of subdivision maps

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

Section 1. Subdivision 5 of section 334 of the real property law, as amended by chapter 687 of the laws of 2005, is amended to read as follows:

5. In case the lands sought to be shown upon the subdivision map are contiguous to the navigable waters of the state and have frontage on such waters, such map shall show the extension of the RIPARIAN/littoral property line or lines of such lots, plots, blocks, sites or units from the intersection of said PROPERTY line or lines with the high water mark into said navigable waters of the state. Such map shall show sufficient data to define the location of the riparian/littoral [area] LINE OR LINES associated with such lots, plots, blocks, sites or units.

S 2. Section 334-a of the real property law is amended by adding a new subdivision 4-a to read as follows:

4-A. IN CASE THE LANDS SOUGHT TO BE SHOWN UPON THE SUBDIVISION MAP ARE CONTIGUOUS TO THE NAVIGABLE WATERS OF THE STATE AND HAVE FRONTAGE ON SUCH WATERS, SUCH MAP SHALL SHOW THE EXTENSION OF THE RIPARIAN/LITTORAL PROPERTY LINE OR LINES OF SUCH LOTS, PLOTS, BLOCKS, SITES OR UNITS FROM THE INTERSECTION OF SAID PROPERTY LINE OR LINES WITH THE HIGH WATER MARK INTO SAID NAVIGABLE WATERS OF THE STATE. SUCH MAP SHALL SHOW SUFFICIENT DATA TO DEFINE THE LOCATION OF THE RIPARIAN/LITTORAL LINE OR LINES ASSOCIATED WITH SUCH LOTS, PLOTS, BLOCKS, SITES OR UNITS.

S 3. Section 335 of the real property law is amended by adding a new subdivision 1-a to read as follows:

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

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1-A. IN CASE THE LANDS SOUGHT TO BE SHOWN UPON THE SUBDIVISION MAP ARE CONTIGUOUS TO THE NAVIGABLE WATERS OF THE STATE AND HAVE FRONTAGE ON SUCH WATERS, SUCH MAP SHALL SHOW THE EXTENSION OF THE RIPARIAN/LITTORAL PROPERTY LINE OR LINES OF SUCH LOTS, PLOTS, BLOCKS, SITES OR UNITS FROM THE INTERSECTION OF SAID PROPERTY LINE OR LINES WITH THE HIGH WATER MARK INTO SAID NAVIGABLE WATERS OF THE STATE. SUCH MAP SHALL SHOW SUFFICIENT DATA TO DEFINE THE LOCATION OF THE RIPARIAN/LITTORAL LINE OR LINES ASSOCIATED WITH SUCH LOTS, PLOTS, BLOCKS, SITES OR UNITS.

S 4. This act shall take effect immediately.