

4031

2009-2010 Regular Sessions

I N S E N A T E

April 7, 2009

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

AN ACT in relation to authorizing the county of Nassau to transfer
ownership of certain parklands to the town of North Hempstead

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

1 Section 1. Notwithstanding the provisions of any law to the contrary,
2 the Nassau county legislature is hereby authorized and empowered to
3 convey the properties described in sections two through twelve of this
4 act, which was heretofore used by such county for park and/or recre-
5 ational purposes, upon terms to be fixed and determined by such county
6 legislature, to the town of North Hempstead for use by such town for
7 park and/or recreational purposes, provided, however, that the town of
8 North Hempstead shall continue to provide access to such parklands
9 and/or recreational facilities to all residents of the county of Nassau
10 and the town shall not enact any fees or charges which are higher for
11 county residents who are not town residents.

12 S 2. The lands referred to in section one of this act are located,
13 bounded and described as follows and also known as Carle Place Veterans
14 Memorial Park:

15 All that certain plot, piece or parcel of land, with the buildings and
16 improvements thereon erected, situate, lying and being in Carle Place,
17 County of Nassau and State of New York, bounded and described as
18 follows:

19 COMMENCING at the intersection of the easterly side of Carle Road,
20 with the southerly side of Westbury Avenue (Maple Avenue) as realigned,
21 and running thence North 18°-16'-28" West, 66.24 feet (tie distance) to
22 the point of BEGINNING.

23 RUNNING THENCE from said point of beginning, along the easterly side
24 of Carle Road, North 07°-50'-45" West, 56.08 feet to the southerly end

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

LBD09802-03-9

1 of a arc connecting said easterly side of Carle Road with a southerly
2 side of Westbury Avenue (Maple Avenue) as realigned;

3 THENCE along the arc of said curve bearing to the right having a radi-
4 us of 14.28 feet, a distance of 24.01, said curve having a chord bearing
5 North 34°-29'-40" East, with a chord distance of 21.28 feet to a south-
6 erly side of Westbury Avenue;

7 THENCE along said southerly side of Westbury Avenue North 81°-48'04"
8 East, 240.82 feet to the easterly end of an arc;

9 THENCE along the arc of a curve bearing to the right having a radius
10 of 6.78 feet, a distance of 19.28 feet, said curve having a chord bear-
11 ing South 17°05'-27" East, with a chord distance of 13.41 feet to a
12 northerly side of Westbury Avenue as realigned;

13 THENCE along said northerly side of Westbury Avenue, the following
14 three (3) courses and distances to the easterly end of an arc connecting
15 said northerly side of Westbury Avenue with the easterly side of Carle
16 Road,

17 1. South 63°-43'-51" West, 175.94 feet;

18 2. South 65°-23'-47" West, 24.96 feet;

19 3. South 70°-05'-23" West, 27.97 feet;

20 THENCE along said arc of a curve bearing to the right, having a radius
21 of 14.82 feet, a distance of 24.95 feet, said curve having a chord bear-
22 ing North 58°-06'-33" West, with a chord distance of 22.11 feet to the
23 easterly side of Carle Road, said point being the point or place of
24 BEGINNING.

25 S 3. The lands referred to in section one of this act are located,
26 bounded and described as follows and also known as Herricks Ballfield:

27 All that certain plot, piece or parcel of land, with the buildings and
28 improvements thereon erected, situate, lying and being in Herricks,
29 County of Nassau and State of New York, bounded and described as
30 follows:

31 BEGINNING at the intersection of the southerly side of Wilson Boule-
32 vard with the westerly side of Herricks Road (Old Court House Road) and
33 running thence southerly along said westerly side of Herricks Road, the
34 following two (2) courses and distances;

35 1. South 08°-37'-59" West, 361.55 feet;

36 2. Along the arc of a curve to the left, having a radius of 1472.69
37 feet, a distance of 39.06 feet;

38 THENCE South 89°-51'-00" West, 174.24 feet;

39 THENCE South 89°-54'-44" West, 63.21 feet;

40 THENCE North 06°-42'-27" East, 315.77 feet;

41 THENCE North 01°-44'-07" East, 107.25 feet to southerly side of Wilson
42 Boulevard,

43 THENCE along said southerly side of Wilson Boulevard, South
44 84°-38'-16" East, 258.22 feet to the intersection of the southerly side
45 of Wilson Boulevard with the westerly side of Herricks Road, said point
46 being the point or place of BEGINNING.

47 S 4. The lands referred to in section one of this act are located,
48 bounded and described as follows and also known as Manhasset Valley
49 Park:

50 All that certain plot, piece or parcel of land, with the buildings and
51 improvements thereon erected, situate, lying and being in Great Neck,
52 County of Nassau and State of New York, bounded and described as
53 follows:

54 BEGINNING at the intersection formed by the northerly side of Northern
55 Boulevard (North Hempstead Turnpike, New York State Route 25A) with the
56 present easterly side of East Shore Road (Mitchell Avenue) and running

1 thence from said point of beginning, along the present easterly side of
2 East Shore Road, the following four (4) courses and distances to the
3 southerly side of Creek Road;

4 1. North 30°-12'-45" West, 729.11 feet;

5 2. Along the arc of a curve bearing to the right, having a radius of
6 2349.96 feet, a distance of 226.95 feet, said curve being subtended by a
7 chord bearing North 27°-26'-45" West, 226.86 feet;

8 3. North 24°-40'-45" West, 242.81 feet;

9 4. Along the arc of a curve bearing to the left, having a radius of
10 637.61 feet, a distance of 60.46 feet, said curve being subtended by a
11 chord bearing North 27°-23'-43" West, 60.43 feet;

12 THENCE along the southerly side of Creek Road, the following three (3)
13 courses and distances to the westerly side of Maple Avenue (Maple
14 Street);

15 1) North 42°-48'-40" East, 368.84 feet;

16 2) South 31°-40'-17" East, 7.11 feet;

17 3) South 85°-05'-06" East, 119.83 feet;

18 THENCE along the westerly side of Maple Avenue (Maple Street), the
19 following seven (7) courses and distances to the northerly side of
20 Northern Boulevard;

21 1) South 52°-02'-40" East, 119.11 feet;

22 2) South 48°-01'-56" East, 167.78 feet;

23 3) South 44°-44'-30" East, 82.15 feet;

24 4) South 38°-50'-37" East, 326.66 feet;

25 5) South 38°-43'-50" East, 186.50 feet;

26 6) South 38°-41'-02" East, 86.23 feet;

27 7) South 38°-49'-45" East, 223.21 feet;

28 THENCE along the northerly side of Northern Boulevard, the following
29 eight (8) courses and distances

30 1) South 54°-22'-43" West, 375.95 feet;

31 2) South 45°-33'-32" West, 49.68 feet;

32 3) North 23°-39'-45" East, 32.55 feet;

33 4) South 46°-15'-06" West, 30.40 feet;

34 5) South 22°-19'-24" East, 33.73 feet;

35 6) South 45°-02'-29" West, 75.33 feet;

36 7) South 61°-39'-00" West, 136.81 feet;

37 8) South 18°-12'-40" West, 82.69 feet.

38 to the present easterly side of East Shore Road, said point being the
39 point or place of BEGINNING.

40 S 5. The lands referred to in section one of this act are located,
41 bounded and described as follows and also known as Plandome Park:

42 All that certain plot, piece or parcel of land, with the buildings and
43 improvements thereon erected, situate, lying and being in Manhasset,
44 County of Nassau and State of New York, bounded and described as
45 follows:

46 BEGINNING at a point on the northerly side of Bournedale Road North,
47 at the common line between tax lot 30 on the west and tax lot 301 on the
48 east;

49 RUNNING THENCE from said point of beginning, along said easterly line
50 of tax lot 30, North 04°-23'-25" East, 76.55 feet;

51 THENCE North 35°-16'-30" West, 40.48 feet;

52 THENCE North 89°-38'-00" East, 337.88 feet to the westerly line of
53 Long Island Railroad;

54 THENCE along said westerly line of Long Island Railroad, the following
55 two (2) courses and distances;

1 1. South 01°-19'-40" East, 224.19 feet;
2 2. South 00°-04'-14" East, 23.97 feet;

3 THENCE South 88°-24'-56" West, 20.00 feet;
4 THENCE North 40°-04'-53" West, 27.71 feet;
5 THENCE North 59°-34'-15" West, 50.95 feet;
6 THENCE North 72°-21'-59" West, 57.41 feet;
7 THENCE South 88°-29'-37" West, 49.57 feet;
8 THENCE South 57°-17'-17" West, 46.57 feet;
9 THENCE South 51°-41'-36" West, 16.41 feet;
10 THENCE South 36°-02'-39" West, 15.17 feet;
11 THENCE South 06°-37'-08" West, 175.63 feet;
12 THENCE South 16°-58'-22" West, 60.41 feet;
13 THENCE South 11°-16'-14" West, 43.48 feet;
14 THENCE South 20°-18'-43" East, 83.12 feet to a Right-of-Way (approach
15 to bridge);
16 THENCE westerly along said Right-of-Way, North 89°-46'-17" West,
17 112.05 feet;
18 THENCE northerly along the easterly lines of tax lots 40 and 41, North
19 08°-15'-58" East, 161.59 feet;
20 THENCE northerly from the southerly side of Bournedale Road South to
21 the northerly side of Bournedale Road South, North 08°-16'-20" East,
22 50.50 feet;
23 THENCE northerly along the easterly lines of properties known as
24 Section 3 Block F-2 Lots 116 through 118 inclusive, North 04°-32'-25"
25 East, 239.12 feet;
26 THENCE northerly from the southerly side of Bournedale Road North to
27 the northerly side of Bournedale Road North, North 04°-33'-23" East,
28 53.25 feet to the common line between tax lots 30 on the west and tax
29 lot 301 on the east, said point being the point or place of BEGINNING.
30 The area of the above-described parcel is 100,930± square feet or
31 2.32± acres. Excepting therefrom a 20 foot wide Access Easement to
32 benefit the County of Nassau.
33 Together with an Access Easement for Ingress and Egress as described
34 below:
35 COMMENCING at a point on the northerly side of Bournedale Road North,
36 at the common line between tax lot 30 on the west and tax lot 301 on the
37 east and running thence South 04°-32'-25" West, 14.91 feet to the point
38 of BEGINNING.
39 RUNNING THENCE from said point of beginning, along the arc of a curve
40 to the right having a radius of 65.62 feet, a distance of 60.67 feet;
41 THENCE South 42°-33'-02" East, 15.27 feet;
42 THENCE along the arc of a curve bearing to the right having a radius
43 of 183.40 feet, a distance of 38.62 feet;
44 THENCE South 34°-32'-50" East, 28.28 feet;
45 THENCE South 57°-17'-17" West, 2.92 feet;
46 THENCE South 51°-41'-36" West, 16.41 feet;
47 THENCE North 34°-32'-50" West, 26.86 feet;
48 THENCE along the arc of a curve bearing to the left having a radius of
49 163.40 feet, a distance of 35.09 feet;
50 THENCE North 42°-33'-02" West, 15.28 feet;
51 THENCE along the arc of a curve bearing to the left, having a radius
52 of 45.62 feet, a distance of 47.20 feet;
53 THENCE North 04°-32'-25" West, 21.15 feet to the point or place of
54 BEGINNING.

1 The area of the above-described easement is 2,596± square feet or
2 0.06± acres.

3 S 6. The lands referred to in section one of this act are located,
4 bounded and described as follows and also known as Sagamore Ballfield:

5 All that certain plot, piece or parcel of land, with the buildings and
6 improvements thereon erected, situate, lying and being in the Incorpo-
7 rated Villages of East Williston and Mineola, County of Nassau and State
8 of New York, bounded and described as follows:

9 BEGINNING at the intersection of the northerly side of Marion Avenue
10 (Roselle Street) with the easterly side of Sagamore Avenue, and running
11 thence along said easterly side of Sagamore Avenue, North 04°-01'-40"
12 East, 330.00 feet;

13 THENCE South 85°-58'-20" East, 100.00 feet;

14 THENCE South 31°-13'-06" East, 3.56 feet;

15 THENCE along the arc of a curve bearing to the right having a radius
16 of 212.77 feet, a distance of 276.73 feet;

17 THENCE North 85°-58'-20" West, 181.37 feet;

18 THENCE South 04°-11'-05" West, 24.67 feet;

19 THENCE South 04°-01'-40" West, 100.00 feet to the northerly side of
20 Marion Avenue;

21 THENCE Along said northerly side of Marion Avenue, North 85°-58'-20"
22 West, 80.00 feet to the easterly side of Sagamore Avenue, said point
23 being the point or place of BEGINNING.

24 The area of the above-described parcel is 59,158± square feet or 1.36±
25 acres.

26 S 7. The lands referred to in section one of this act are located,
27 bounded and described as follows and also known as Roslyn Park:

28 All that certain plot, piece or parcel of land, with the buildings and
29 improvements thereon erected, situate, lying and being in the Incorpo-
30 rated Villages of East Williston and Mineola, County of Nassau and State
31 of New York, bounded and described as follows:

32 BEGINNING at the intersection of the southerly side of Lee Avenue with
33 the present westerly line of Roslyn-Mineola Road, and RUNNING THENCE
34 along said present westerly line of Roslyn-Mineola Road, the following
35 two (2) courses and distances to the northerly side of Hamilton Avenue
36 (Charles Street);

37 1. South 00°-19'-37" East, 64.30 feet;

38 2. South 03°-33'-08" West, 135.89 feet to the northerly side of Hamil-
39 ton Avenue;

40 THENCE along the northerly side of Hamilton Avenue, North 85°-58'-20"
41 West, 113.13 feet;

42 THENCE North 02°-47'-00" East, 200.05 feet to the southerly side of
43 Lee Avenue;

44 THENCE along said southerly side of Lee Avenue, South 85°-58'-20"
45 East, 111.46 to the present westerly line of Roslyn-Mineola Road, said
46 point being the point or place of BEGINNING.

47 The area of the above-described parcel is 22,754± square feet or 0.52±
48 acres.

49 S 8. The lands referred to in section one of this act are located,
50 bounded and described as follows and also known as Whitney Pond Park:

51 All that certain plot, piece or parcel of land, situate, lying and
52 being in Manhasset, County of Nassau and State of New York, bounded and
53 described as follows:

54 BEGINNING at the northerly end of an arc connecting the easterly side
55 of Valley Road (Community Road, New Hyde Park Road) with the northerly
56 side of Community Drive East (formerly Community Street) and running

1 thence still along the easterly side of Valley Road, the following three
2 (3) courses and distances:
3 1. North 06°-23'-42" West, 430.17 feet;
4 2. North 06°-22'-02" West, 270.57 feet;
5 3. Along the arc of a curve bearing to the right having a radius of
6 2824.79 feet, a distance of 148.36 feet;
7 THENCE along the southerly side of land now or formerly of the State
8 of New York, North 76°-15'-26" East, 56.83 feet;
9 THENCE along the easterly side of land now or formerly of the State of
10 New York, the following six (6) courses and distances to the southerly
11 side of Northern Boulevard (North Hempstead Turnpike, New York State
12 Route 25A);
13 1. North 05°-06'-39" West, 108.96 feet;
14 2. North 03°-29'-52" West, 98.54 feet;
15 3. North 08°-14'-47" West, 99.56 feet;
16 4. North 16°-48'-54" West, 102.79 feet;
17 5. North 33°-00'-42" West, 98.59 feet;
18 6. North 42°-36'-10" West, 103.32 feet;
19 THENCE along the southerly side of Northern Boulevard, the following
20 seven (7) courses and distances;
21 1. North 18°-33'-43" East, 70.11 feet;
22 2. North 32°-32'-11" East, 155.16 feet;
23 3. South 23°-19'-47" East, 23.01 feet;
24 4. North 65°-10'-38" East, 30.39 feet;
25 5. North 25°-04'-41" West, 37.48 feet;
26 6. North 47°-19'-31" East, 102.09 feet;
27 7. North 53°-58'-52" East, 118.00 feet;
28 THENCE along the westerly side of land now or formerly of Federated
29 Department Stores, the following ten (10) courses and distances to the
30 westerly terminus of Community Drive East;
31 1. Along the arc of a curve bearing to the right having a radius of
32 129.15 feet, a distance of 113.15 feet;
33 2. Along the arc of a curve bearing to the right having a radius of
34 475.85 feet, a distance of 44.00 feet;
35 3. South 17°-22'-19" East, 48.86 feet;
36 4. South 12°-35'-24" East, 76.54 feet;
37 5. Along the arc of a curve bearing to the left having a radius of
38 207.85 feet, a distance of 199.89 feet;
39 6. Along the arc of a curve bearing to the left having a radius of
40 2339.96 feet, a distance of 63.91 feet;
41 7. South 01°-15'-35" West, 360.58 feet;
42 8. South 19°-10'-47" West, 177.54 feet;
43 9. South 76°-43'-09" East, 360.00 feet;
44 10. South 87°-16'-35" East, 317.21 feet;
45 THENCE from the westerly terminus of Community Drive East and along
46 the northerly side of Community Drive East, the following four (4)
47 courses and distances to the easterly side of Valley Road, said point
48 being the point or place of BEGINNING;
49 1. South 02°-43'-25" West, 212.12 feet;
50 2. Along the arc of a curve bearing to the right having a radius of
51 493.83 feet, a distance of 671.48 feet;
52 3. South 80°-37'-58" West, 552.70 feet;
53 4. Along the arc of a curve bearing to the right having a radius of
54 18.98 feet, a distance of 30.80 feet.
55 S 9. The lands referred to in section one of this act are located,
56 bounded and described as follows and also known as Beacon Hill Park:

1 All the certain plot, piece of parcel of land, situate, lying and
2 being in Port Washington, County of Nassau and State of New York, bound-
3 ed and described as follows:

4 BEGINNING at the intersection of the present northerly side of Beacon
5 Hill Road (Roslyn-West Shore Drive), with a westerly side of Tax Lot
6 993, said point also being the northerly line of Section 6 Tax Block 36
7 as shown on the Land and Tax Maps of the County of Nassau, and RUNNING
8 THENCE from said point of beginning North $08^{\circ}-56'-24''$ West, 77.57 feet
9 to the present southerly side of Roslyn-West Shore Drive with the pres-
10 ent southerly side of Beacon Hill Road.

11 RUNNING THENCE along said present southerly and westerly sides of
12 Roslyn-West Shore Drive, the following seven (7) courses and distances;

- 13 1. North $54^{\circ}-53'-39''$ East, 644.23 feet;
- 14 2. Along the arc of a curve bearing to the left having a radius of
15 660.00 feet, a distance of 288.62 feet;
- 16 3. North $29^{\circ}-49'-06''$ East, 187.79 feet;
- 17 4. Along the arc of a curve bearing to the right having a radius of
18 600.00 feet a distance of 706.87 feet;
- 19 5. Along the arc of a curve bearing to the right having a radius of
20 760.00 feet a distance of 382.78 feet;
- 21 6. Along the arc of a curve bearing to the right having a radius of
22 600.00 feet a distance of 205.00 feet;
- 23 7. South $34^{\circ}-14'-48''$ East, 667.92 feet;

24 THENCE partially along the present westerly side of Roslyn-West Shore
25 Drive and partially along the westerly line of tax lot 1058, along the
26 arc of a curve bearing to the right having a radius of 2600.00 feet a
27 distance of 1286.04 feet;

28 THENCE still along the westerly line of tax lot 1058, the following
29 four (4) courses and distances;

- 30 1. South $05^{\circ}-54'-23''$ East, 1000.72 feet;
- 31 2. Along the arc of a curve bearing to the left having a radius of
32 4000.00 feet a distance of 759.31 feet;
- 33 3. South $22^{\circ}-37'-58''$ West, 523.64 feet;
- 34 4. South $25^{\circ}-29'-48''$ East, 815.00 feet;

35 THENCE North $64^{\circ}-26'-05''$ West, 409.68 feet;

36 THENCE along the arc of a curve bearing to the right having a radius
37 of 1400.00 feet, a distance of 545.70 feet;

38 THENCE North $42^{\circ}-06'-06''$ West, 3234.61 feet;

39 THENCE North $06^{\circ}-59'-04''$ West, 357.46 feet;

40 THENCE North $07^{\circ}-58'-54''$ West, 436.09 feet;

41 THENCE North $08^{\circ}-56'-24''$ West, 188.60 feet to the point or place of
42 BEGINNING.

43 S 10. The lands referred to in section one of this act are located,
44 bounded and described as follows and also known as Hempstead Harbor
45 Park:

46 All that certain plot, piece or parcel of land, situate, lying and
47 being in Port Washington, County of Nassau and State of New York, bound-
48 ed and described as follows:

49 BEGINNING at the intersection of the easterly side of New West Shore
50 Drive (as realigned) with the westerly side of Roslyn-West Shore Drive
51 and running thence along said easterly side of New West Shore Drive, the
52 following two (2) courses and distances;

53 1. North $21^{\circ}-46'-42''$ West, 3847.29 feet;

54 2. North $68^{\circ}-13'-18''$ East, 39.62 feet;

55 THENCE along the westerly side of Roslyn-West Shore Drive, the follow-
56 ing nine (9) courses and distances to the intersection of the easterly

1 side of New West Shore Drive (as realigned) with the westerly side of
2 Roslyn-West Shore Drive, said point being the point or place of BEGIN-
3 NING:

- 4 1. South 35°-28'-45" East, 150.25 feet;
- 5 2. South 34°-12'-11" East, 684.26 feet;
- 6 3. South 28°-37'-47" East, 582.51 feet;
- 7 4. South 27°-36'-16" East, 867.57 feet;
- 8 5. South 27°-00'-00" East, 552.79 feet;
- 9 6. Along the arc of a curve bearing to the right having a radius of
10 573.69 feet, a distance of 367.99 feet;
- 11 7. South 09°-45'-09" West, 171.72 feet;
- 12 8. South 02°-48'-09" West, 596.62 feet;
- 13 9. South 68°-13'-18" West, 10.00 feet.

14 S 11. The lands to be transferred pursuant to this act and all struc-
15 tures and facilities situated on such land shall be maintained, owned
16 and operated by the town of North Hempstead.

17 S 12. If the parkland or the recreational facility being alienated by
18 this act has received federal funding pursuant to the land and water
19 conservation fund, the federal conversion process shall be followed
20 prior to the transfer of parklands as stated in this act.

21 S 13. If the parkland or recreational facility being alienated by this
22 act has received federal funding pursuant to the urban park and recre-
23 ation and recovery program, the federal conversion process shall be
24 followed prior to the transfer of parklands as stated in this act.

25 S 14. This act shall take effect immediately.