

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

4031--A

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 -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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. The Nassau county legislature is hereby authorized and
2 empowered to discontinue as county parkland and convey the properties
3 described in sections two through ten of this act, which was heretofore
4 used by such county for park and/or recreational purposes, upon terms
5 agreed upon between the entities, to the town of North Hempstead for use
6 by such town for park and/or recreational purposes, provided, however,
7 that the town of North Hempstead shall continue to provide access to
8 such parklands and/or recreational facilities to all residents of the
9 county of Nassau and the town shall not enact any fees or charges which
10 are higher for county residents who are not town residents. Any revenues
11 received from the county from the transfer of parklands pursuant to
12 this act shall be used for capital improvements of existing park and
13 recreational facilities and/or for the acquisition of additional park
14 and recreational facilities.

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

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

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

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

5 RUNNING THENCE from said point of beginning, along the easterly side
6 of Carle Road, North 07°-50'-45" West, 56.08 feet to the southerly end
7 of a arc connecting said easterly side of Carle Road with a southerly
8 side of Westbury Avenue (Maple Avenue) as realigned;

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

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

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

19 THENCE along said northerly side of Westbury Avenue, the following
20 three (3) courses and distances to the easterly end of an arc connecting
21 said northerly side of Westbury Avenue with the easterly side of Carle
22 Road,

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

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

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

26 THENCE along said arc of a curve bearing to the right, having a radius
27 of 14.82 feet, a distance of 24.95 feet, said curve having a chord bear-
28 ing North 58°-06'-33" West, with a chord distance of 22.11 feet to the
29 easterly side of Carle Road, said point being the point or place of
30 BEGINNING. Containing .32 acres.

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

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

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

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

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

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

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

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

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

49 THENCE along said southerly side of Wilson Boulevard, South
50 84°-38'-16" East, 258.22 feet to the intersection of the southerly side
51 of Wilson Boulevard with the westerly side of Herricks Road, said point
52 being the point or place of BEGINNING. Containing 2.3 acres.

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

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

5 BEGINNING at the intersection formed by the northerly side of Northern
6 Boulevard (North Hempstead Turnpike, New York State Route 25A) with the
7 present easterly side of East Shore Road (Mitchell Avenue) and running
8 thence from said point of beginning, along the present easterly side of
9 East Shore Road, the following four (4) courses and distances to the
10 southerly side of Creek Road;

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

12 2. Along the arc of a curve bearing to the right, having a radius of
13 2349.96 feet, a distance of 226.95 feet, said curve being subtended by a
14 chord bearing North 27°-26'-45" West, 226.86 feet;

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

16 4. Along the arc of a curve bearing to the left, having a radius of
17 637.61 feet, a distance of 60.46 feet, said curve being subtended by a
18 chord bearing North 27°-23'-43" West, 60.43 feet;

19 THENCE along the southerly side of Creek Road, the following three (3)
20 courses and distances to the westerly side of Maple Avenue (Maple
21 Street);

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

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

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

25 THENCE along the westerly side of Maple Avenue (Maple Street), the
26 following seven (7) courses and distances to the northerly side of
27 Northern Boulevard;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 to the present easterly side of East Shore Road, said point being the
46 point or place of BEGINNING. Containing 17.6 acres.

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

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

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

1 RUNNING THENCE from said point of beginning, along said easterly line
2 of tax lot 30, North 04°-23'-25" East, 76.55 feet;
3 THENCE North 35°-16'-30" West, 40.48 feet;
4 THENCE North 89°-38'-00" East, 337.88 feet to the westerly line of
5 Long Island Railroad;
6 THENCE along said westerly line of Long Island Railroad, the following
7 two (2) courses and distances;

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

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

1 THENCE along the arc of a curve bearing to the left having a radius of
2 163.40 feet, a distance of 35.09 feet;
3 THENCE North 42°-33'-02" West, 15.28 feet;
4 THENCE along the arc of a curve bearing to the left, having a radius
5 of 45.62 feet, a distance of 47.20 feet;
6 THENCE North 04°-32'-25" West, 21.15 feet to the point or place of
7 BEGINNING.
8 The area of the above-described easement is 2,596± square feet or
9 0.06± acres.

10 S 6. The lands referred to in section one of this act are located,
11 bounded and described as follows and also known as Sagamore Ballfield:
12 All that certain plot, piece or parcel of land, with the buildings and
13 improvements thereon erected, situate, lying and being in the Incorporated Villages of East Williston and Mineola, County of Nassau and State
14 of New York, bounded and described as follows:
15 BEGINNING at the intersection of the northerly side of Marion Avenue
16 (Roselle Street) with the easterly side of Sagamore Avenue, and running
17 thence along said easterly side of Sagamore Avenue, North 04°-01'-40"
18 East, 330.00 feet;
19 THENCE South 85°-58'-20" East, 100.00 feet;
20 THENCE South 31°-13'-06" East, 3.56 feet;
21 THENCE along the arc of a curve bearing to the right having a radius
22 of 212.77 feet, a distance of 276.73 feet;
23 THENCE North 85°-58'-20" West, 181.37 feet;
24 THENCE South 04°-11'-05" West, 24.67 feet;
25 THENCE South 04°-01'-40" West, 100.00 feet to the northerly side of
26 Marion Avenue;
27 THENCE Along said northerly side of Marion Avenue, North 85°-58'-20"
28 West, 80.00 feet to the easterly side of Sagamore Avenue, said point
29 being the point or place of BEGINNING.
30 The area of the above-described parcel is 59,158± square feet or 1.36±
31 acres.

32 S 7. The lands referred to in section one of this act are located,
33 bounded and described as follows and also known as Roslyn Road Park:
34 All that certain plot, piece or parcel of land, with the buildings and
35 improvements thereon erected, situate, lying and being in the Incorporated Villages of East Williston and Mineola, County of Nassau and State
36 of New York, bounded and described as follows:
37 BEGINNING at the intersection of the southerly side of Lee Avenue with
38 the present westerly line of Roslyn-Mineola Road, and RUNNING THENCE
39 along said present westerly line of Roslyn-Mineola Road, the following
40 two (2) courses and distances to the northerly side of Hamilton Avenue
41 (Charles Street);
42 1. South 00°-19'-37" East, 64.30 feet;
43 2. South 03°-33'-08" West, 135.89 feet to the northerly side of Hamilton Avenue;
44 THENCE along the northerly side of Hamilton Avenue, North 85°-58'-20"
45 West, 113.13 feet;
46 THENCE North 02°-47'-00" East, 200.05 feet to the southerly side of
47 Lee Avenue;
48 THENCE along said southerly side of Lee Avenue, South 85°-58'-20"
49 East, 111.46 to the present westerly line of Roslyn-Mineola Road, said
50 point being the point or place of BEGINNING.
51 The area of the above-described parcel is 22,754± square feet or 0.52±
52 acres.

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

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

6 BEGINNING at the northerly end of an arc connecting the easterly side
7 of Valley Road (Community Road, New Hyde Park Road) with the northerly
8 side of Community Drive East (formerly Community Street) and running
9 thence still along the easterly side of Valley Road, the following three
10 (3) courses and distances:

11 1. North $06^{\circ}-23'-42''$ West, 430.17 feet;
12 2. North $06^{\circ}-22'-02''$ West, 270.57 feet;
13 3. Along the arc of a curve bearing to the right having a radius of
14 2824.79 feet, a distance of 148.36 feet;

15 THENCE along the southerly side of land now or formerly of the State
16 of New York, North $76^{\circ}-15'-26''$ East, 56.83 feet;

17 THENCE along the easterly side of land now or formerly of the State of
18 New York, the following six (6) courses and distances to the southerly
19 side of Northern Boulevard (North Hempstead Turnpike, New York State
20 Route 25A);

21 1. North $05^{\circ}-06'-39''$ West, 108.96 feet;
22 2. North $03^{\circ}-29'-52''$ West, 98.54 feet;
23 3. North $08^{\circ}-14'-47''$ West, 99.56 feet;
24 4. North $16^{\circ}-48'-54''$ West, 102.79 feet;
25 5. North $33^{\circ}-00'-42''$ West, 98.59 feet;
26 6. North $42^{\circ}-36'-10''$ West, 103.32 feet;

27 THENCE along the southerly side of Northern Boulevard, the following
28 seven (7) courses and distances;

29 1. North $18^{\circ}-33'-43''$ East, 70.11 feet;
30 2. North $32^{\circ}-32'-11''$ East, 155.16 feet;
31 3. South $23^{\circ}-19'-47''$ East, 23.01 feet;
32 4. North $65^{\circ}-10'-38''$ East, 30.39 feet;
33 5. North $25^{\circ}-04'-41''$ West, 37.48 feet;
34 6. North $47^{\circ}-19'-31''$ East, 102.09 feet;
35 7. North $53^{\circ}-58'-52''$ East, 118.00 feet;

36 THENCE along the westerly side of land now or formerly of Federated
37 Department Stores, the following ten (10) courses and distances to the
38 westerly terminus of Community Drive East;

39 1. Along the arc of a curve bearing to the right having a radius of
40 129.15 feet, a distance of 113.15 feet;

41 2. Along the arc of a curve bearing to the right having a radius of
42 475.85 feet, a distance of 44.00 feet;

43 3. South $17^{\circ}-22'-19''$ East, 48.86 feet;

44 4. South $12^{\circ}-35'-24''$ East, 76.54 feet;

45 5. Along the arc of a curve bearing to the left having a radius of
46 207.85 feet, a distance of 199.89 feet;

47 6. Along the arc of a curve bearing to the left having a radius of
48 2339.96 feet, a distance of 63.91 feet;

49 7. South $01^{\circ}-15'-35''$ West, 360.58 feet;

50 8. South $19^{\circ}-10'-47''$ West, 177.54 feet;

51 9. South $76^{\circ}-43'-09''$ East, 360.00 feet;

52 10. South $87^{\circ}-16'-35''$ East, 317.21 feet;

53 THENCE from the westerly terminus of Community Drive East and along
54 the northerly side of Community Drive East, the following four (4)
55 courses and distances to the easterly side of Valley Road, said point
56 being the point or place of BEGINNING;

1 1. South $02^{\circ}-43'-25''$ West, 212.12 feet;
2 2. Along the arc of a curve bearing to the right having a radius of
3 493.83 feet, a distance of 671.48 feet;
4 3. South $80^{\circ}-37'-58''$ West, 552.70 feet;
5 4. Along the arc of a curve bearing to the right having a radius of
6 18.98 feet, a distance of 30.80 feet. Containing 25.29 acres.
7 S 9. The lands referred to in section one of this act are located,
8 bounded and described as follows and also known as Beacon Hill Park:
9 All the certain plot, piece or parcel of land, situate, lying and
10 being in Port Washington, County of Nassau and State of New York, bound-
11 ed and described as follows:
12 BEGINNING at the intersection of the present northerly side of Beacon
13 Hill Road (Roslyn-West Shore Drive), with a westerly side of Tax Lot
14 993, said point also being the northerly line of Section 6 Tax Block 36
15 as shown on the Land and Tax Maps of the County of Nassau, and RUNNING
16 THENCE from said point of beginning North $08^{\circ}-56'-24''$ West, 77.57 feet
17 to the present southerly side of Roslyn-West Shore Drive with the pres-
18 ent southerly side of Beacon Hill Road.
19 RUNNING THENCE along said present southerly and westerly sides of
20 Roslyn-West Shore Drive, the following seven (7) courses and distances;
21 1. North $54^{\circ}-53'-39''$ East, 644.23 feet;
22 2. Along the arc of a curve bearing to the left having a radius of
23 660.00 feet, a distance of 288.62 feet;
24 3. North $29^{\circ}-49'-06''$ East, 187.79 feet;
25 4. Along the arc of a curve bearing to the right having a radius of
26 600.00 feet a distance of 706.87 feet;
27 5. Along the arc of a curve bearing to the right having a radius of
28 760.00 feet a distance of 382.78 feet;
29 6. Along the arc of a curve bearing to the right having a radius of
30 600.00 feet a distance of 205.00 feet;
31 7. South $34^{\circ}-14'-48''$ East, 667.92 feet;
32 THENCE partially along the present westerly side of Roslyn-West Shore
33 Drive and partially along the westerly line of tax lot 1058, along the
34 arc of a curve bearing to the right having a radius of 2600.00 feet a
35 distance of 1286.04 feet;
36 THENCE still along the westerly line of tax lot 1058, the following
37 four (4) courses and distances;
38 1. South $05^{\circ}-54'-23''$ East, 1000.72 feet;
39 2. Along the arc of a curve bearing to the left having a radius of
40 4000.00 feet a distance of 759.31 feet;
41 3. South $22^{\circ}-37'-58''$ West, 523.64 feet;
42 4. South $25^{\circ}-29'-48''$ East, 815.00 feet;
43 THENCE North $64^{\circ}-26'-05''$ West, 409.68 feet;
44 THENCE along the arc of a curve bearing to the right having a radius
45 of 1400.00 feet, a distance of 545.70 feet;
46 THENCE North $42^{\circ}-06'-06''$ West, 3234.61 feet;
47 THENCE North $06^{\circ}-59'-04''$ West, 357.46 feet;
48 THENCE North $07^{\circ}-58'-54''$ West, 436.09 feet;
49 THENCE North $08^{\circ}-56'-24''$ West, 188.60 feet to the point or place of
50 BEGINNING. Containing 187.18 acres.
51 S 10. The lands referred to in section one of this act are located,
52 bounded and described as follows and also known as Hempstead Harbor
53 Park:
54 All that certain plot, piece or parcel of land, situate, lying and
55 being in Port Washington, County of Nassau and State of New York, bound-
56 ed and described as follows:

1 BEGINNING at the intersection of the easterly side of New West Shore
2 Drive (as realigned) with the westerly side of Roslyn-West Shore Drive
3 and running thence along said easterly side of New West Shore Drive, the
4 following two (2) courses and distances;
5 1. North 21°-46'-42" West, 3847.29 feet;
6 2. North 68°-13'-18" East, 39.62 feet;
7 THENCE along the westerly side of Roslyn-West Shore Drive, the follow-
8 ing nine (9) courses and distances to the intersection of the easterly
9 side of New West Shore Drive (as realigned) with the westerly side of
10 Roslyn-West Shore Drive, said point being the point or place of BEGIN-
11 NING:
12 1. South 35°-28'-45" East, 150.25 feet;
13 2. South 34°-12'-11" East, 684.26 feet;
14 3. South 28°-37'-47" East, 582.51 feet;
15 4. South 27°-36'-16" East, 867.57 feet;
16 5. South 27°-00'-00" East, 552.79 feet;
17 6. Along the arc of a curve bearing to the right having a radius of
18 573.69 feet, a distance of 367.99 feet;
19 7. South 09°-45'-09" West, 171.72 feet;
20 8. South 02°-48'-09" West, 596.62 feet;
21 9. South 68°-13'-18" West, 10.00 feet.
22 Containing 23.66 acres.
23 S 11. The lands to be transferred pursuant to this act and all struc-
24 tures and facilities situated on such land shall be maintained, owned
25 and operated by the town of North Hempstead.
26 S 12. Where availability of such public parkland and facilities are
27 limited, the use of such parklands and facilities must be determined by
28 an equitable method which provides priority use based on a reservation
29 policy for free or a fee commensurate with the administrative costs
30 necessary to maintain and operate such a facility or facilities.
31 S 13. This act shall take effect immediately.