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

S. 2756 A. 4021

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

February 1, 2011

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

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

AN ACT to authorize the village of Port Jefferson, town of Brookhaven, county of Suffolk to discontinue the use of certain city lands as parkland and to alienate and convey such lands

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

Section 1. The village of Port Jefferson, town of Brookhaven, county of Suffolk, is hereby authorized to discontinue as parklands, alienate and convey the lands described in section three of this act.

S 2. The authorization contained in section one of this act shall only be effective on the condition that the village of Port Jefferson acquire and dedicate as parklands the lands described in section four of this act, such land to be used for park purposes.

S 3. The lands to be discontinued as parklands and alienated and conveyed are described as follows:

All that certain plot piece or parcel of land, situate lying and being in the Inc. Village of Port Jefferson, Town of Brookhaven, County of Suffolk, State of New York, being Part of Lot 9, Block 6, Section 21, District 206 as designated on the tax maps of the county of Suffolk Department of Real Property Tax Service Agency, more particularly bounded and described as follows:

Commencing at the point of intersection of the northerly side of the Caroline Street, to the easterly side of Brook Road;

Thence easterly along the north side of Caroline Street NORTH 75°34'25" EAST, 29.60 feet to the point or place of Beginning;

Thence northerly through Tax Lot 9 the following four courses:

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

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1. NORTH 06°21'44" WEST 28.02 feet;
2. Thence NORTH 16°39'14" 99.90 feet;
3. Thence NORTH 57°15'25" EAST 72.16 feet;
4. Thence SOUTH 32°44'35" EAST 129.44 feet to the north side of Caroline Street;

Continuing westerly along the north side of Caroline Street the following two courses:

1. SOUTH 57°15'25" WEST 33.86 feet;
2. Thence SOUTH 75°34'25" WEST 133.35 feet to the point or place of BEGINNING;

Having an area of 15,100.58 square feet or 0.3467 acres more or less.

S 4. The replacement lands to be acquired and dedicated by the village of Port Jefferson, town of Brookhaven, county of Suffolk to use as parkland for public park purposes are described as follows:

All that certain plot piece or parcel of land, situate lying and being in the Inc. Village of Port Jefferson, Town of Brookhaven, County of Suffolk, State of New York, being Lot 3, Block 2, Section 06, as designated on the tax maps of the County of Suffolk Department of Real Property Tax Service Agency, more particularly bounded and described as follows:

Commencing at the extreme westerly terminus of a curve connecting the westerly side of Winston Drive, to the northerly line of Oakwood Road;

Thence continuing easterly through the right of way of Winston Drive the following two courses:

1. South 81°44'07" East, 40.98 feet;
2. North 59-22'53" East, 47.49 feet to the intersection of the east side of Winston Drive and north side of the southerly extension of Crystal Brook Hollow Road and the point or place of BEGINNING;

Thence northerly from the point of beginning along the east side of Winston Drive the following four courses:

1. Thence North 20°55'00" East, 131.18 feet to a point of curvature;
2. Thence along a curve bearing to the right, having a radius of 1,175.00 feet, an arc length of 143.71 feet;
3. Thence North 27°54'00" East, 174.98 feet to a point of curvature;
4. Thence along a curve bearing to the left, having a radius of 425.00 feet, an arc length of 43.37 feet to the extreme easterly terminus of a curve connecting the easterly side of Winston Drive, to the southerly line of Crystal Brook Hollow Road;

Thence easterly along the south side of Crystal Brook Hollow Road the following two courses:

1. Thence along a curve bearing to the right, having a radius of 25.00 feet, an arc length of 24.45 feet;
2. Thence North 78°05'24" East, 384.86 feet to a point of intersection of Crystal Brook Hollow Road and the southerly extension Crystal Brook Hollow Road:

Thence along the north side of the southerly extension of Crystal Brook Hollow Road the following three courses:

1. Thence South 43°35'51" West, 423.02 feet to a point of curvature;
2. Thence along a curve bearing to the right, having a radius of 1,200.00 feet, an arc length of 330.58 feet to a concrete monument;
3. Thence South 59°22'53" West, 59.53 feet to the point or place of BEGINNING;

Having an area of 100,459.47 square feet or 2.31 acres more or less.

S 5. In the event that the replacement lands to be acquired and dedicated as parkland, described in section four of this act, are not equal to or greater than the fair market value of the parklands to be alien-

ated, as described in section three of this act, the village of Port Jefferson shall acquire and dedicate additional lands for parkland and/or cause funds to be made available for capital improvements to its existing park and recreational facilities, as necessary, to equal such fair market value.

S 6. The discontinuance and conveyance of parkland authorized by the provisions of this act shall not occur until the village of Port Jefferson has complied with any federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and recreational usefulness to the lands being alienated or converted.

S 7. This act shall take effect immediately.