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

4416--B

Cal. No. 776

2011-2012 Regular Sessions

I N S E N A T E

April 4, 2011

Introduced by Sen. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report, and to be reprinted as amended, retaining its place in the order of second report

AN ACT to authorize the county of Suffolk to discontinue the use of certain county lands as parkland and to sell and convey such lands to the First Baptist Church of Bay Shore

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

Section 1. The county of Suffolk, acting by and through its governing body, is hereby authorized to permanently discontinue as parklands, and to sell and convey, upon such terms and conditions as such governing body shall deem to be reasonable, to the First Baptist Church of Bay Shore the land described in section three of this act.

S 2. The authorization provided in section one of this act shall be effective only upon the condition that the county of Suffolk dedicate an amount equal to or greater than the fair market value of the property being alienated by this act for the acquisition of additional parklands and/or for capital improvements to existing park and recreational facilities.

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

ALL that certain plot, piece or parcel of land situate, lying and being at Bay Shore, Town of Islip, County of Suffolk and State of New York, known and designated as lot numbers 70 and 71 on the Map of Fordham Tract, filed in the Office of Suffolk County Clerk on October 19, 1912 as Map No. 270, said property being bounded and described as follows:

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

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BEGINNING at a point on the easterly side of Harrison Avenue (Forks Road) at the southwesterly corner of Lot 69 on said map, said point being distant 370.61 feet southeasterly from the corner formed by the northeasterly side of Harrison Avenue and the easterly side of Second Avenue (2nd Avenue);

RUNNING THENCE North 53 degrees 20 minutes 00 seconds East, 171.25 feet to Penataquit Brook;

THENCE South 68 degrees 22 minutes 29 seconds East, 80.53 feet along Penataquit Brook to the southerly side of Lot 71 on said map;

THENCE South 56 degrees 55 minutes 00 seconds West, 187.70 feet along the southerly side of Lot 71 to the westerly side of Harrison Avenue on said map;

THENCE North 59 degrees 28 minutes 00 seconds East, 61.43 feet along the northeasterly side of Harrison Avenue (Forks Road) to the southwesterly corner of Lot 69, the point or place of BEGINNING.

Containing 11,097 Square Feet, more or less.

Reference Suffolk County Tax Map District 0500 Section 341 Block 02 Lot 64.

S 4. The discontinuance and conveyance of parkland authorized by the provisions of this act shall not occur until the county of Suffolk 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 5. In the event that the park lands to be dedicated by the county of Suffolk pursuant to this act are not of equal or greater fair market value and usefulness as park lands than the park lands to be discontinued, the county of Suffolk shall dedicate the difference of fair market value and/or usefulness of the lands to be alienated and the lands to be dedicated for the acquisition of additional park lands and/or capital improvements to existing park and recreational facilities.

S 6. This act shall take effect immediately.