

4413

2011-2012 Regular Sessions

I N   S E N A T E

April 4, 2011

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Introduced by Sen. FLANAGAN -- 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:

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

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

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

14     4-A. IN CASE THE LANDS SOUGHT TO BE SHOWN UPON THE SUBDIVISION MAP ARE  
15 CONTIGUOUS TO THE NAVIGABLE WATERS OF THE STATE AND HAVE FRONTAGE ON  
16 SUCH WATERS, SUCH MAP SHALL SHOW THE EXTENSION OF THE RIPARIAN/LITTORAL  
17 PROPERTY LINE OR LINES OF SUCH LOTS, PLOTS, BLOCKS, SITES OR UNITS FROM  
18 THE INTERSECTION OF SAID PROPERTY LINE OR LINES WITH THE HIGH WATER MARK  
19 INTO SAID NAVIGABLE WATERS OF THE STATE. SUCH MAP SHALL SHOW SUFFICIENT  
20 DATA TO DEFINE THE LOCATION OF THE RIPARIAN/LITTORAL LINE OR LINES ASSO-  
21 CIATED WITH SUCH LOTS, PLOTS, BLOCKS, SITES OR UNITS.

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

24     1-A. IN CASE THE LANDS SOUGHT TO BE SHOWN UPON THE SUBDIVISION MAP ARE  
25 CONTIGUOUS TO THE NAVIGABLE WATERS OF THE STATE AND HAVE FRONTAGE ON

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

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1 SUCH WATERS, SUCH MAP SHALL SHOW THE EXTENSION OF THE RIPARIAN/LITTORAL  
2 PROPERTY LINE OR LINES OF SUCH LOTS, PLOTS, BLOCKS, SITES OR UNITS FROM  
3 THE INTERSECTION OF SAID PROPERTY LINE OR LINES WITH THE HIGH WATER MARK  
4 INTO SAID NAVIGABLE WATERS OF THE STATE. SUCH MAP SHALL SHOW SUFFICIENT  
5 DATA TO DEFINE THE LOCATION OF THE RIPARIAN/LITTORAL LINE OR LINES ASSO-  
6 CIATED WITH SUCH LOTS, PLOTS, BLOCKS, SITES OR UNITS.

7 S 4. This act shall take effect immediately.