

5840

2013-2014 Regular Sessions

I N S E N A T E

June 17, 2013

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to authorize the town of Orangetown, county of Rockland, to discontinue use of certain lands as park lands and sell such lands, and dedicate certain other lands as park lands

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

1 Section 1. Subject to the provisions of this act, the town of Orange-
2 town, county of Rockland, is hereby authorized, acting by and through
3 its town board and upon such terms and conditions as determined by such
4 board, to discontinue the use of the municipally owned park land common-
5 ly known as Broadacres Golf Course, and more particularly described in
6 section three of this act, which is no longer needed for park purposes,
7 and sell and convey in fee simple for its fair market value and upon
8 such terms and conditions as it deems appropriate such lands which are
9 no longer useful for park and recreation purposes. The authorization
10 contained in this section shall only be effective on the condition that
11 State of New York waives any reversion clause of any deed conveying such
12 property, if applicable.

13 S 2. The authorization contained in section one of this act shall take
14 effect only upon the condition that the town of Orangetown shall dedi-
15 cate lands from the lands described in section four of this act as addi-
16 tional park lands of the town, provided that the town of Orangetown has
17 never used such lands for public open space or park purposes, are not
18 lands under water, are improved such that the lands with improvements
19 are of equal or greater fair market value than the value of the park
20 lands being alienated by this act, are at least thirty acres of land
21 that include all land adjacent to a body of water within the lands
22 described in section four of this act known as Lake Tappan, and that
23 such lands form one contiguous park. Such improvements shall include,
24 but not be limited to, a walking and/or bike path, and public access

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

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1 points to Lake Tappan. The authorization contained in section one of
2 this act shall also only be effective on the condition that the Office
3 of Parks, Recreation and Historic Preservation has agreed that such
4 additional lands are suitable replacement park lands. In the event that
5 such lands and improvements are not of equal or greater fair market
6 value to the park lands being alienated by this act, the town of Orange-
7 town shall dedicate the difference in such fair market value for the
8 acquisition or designation of additional town park lands that the town
9 of Orangetown has never used for public open space or park purposes, or
10 for capital improvements to existing town park and recreational facili-
11 ties.

12 S 3. The lands authorized by section one of this act to be discontin-
13 ued as park lands, and to be sold and conveyed are as follows:

14 ALL that certain plot, piece or parcel of land, with the buildings and
15 improvements thereon erected, situate, lying and being in the Town of
16 Orangetown, County of Rockland and State of New York, being more partic-
17 ularly bounded and described as follows:

18 BEGINNING at an iron pin at the intersection of the southerly side of
19 Convent Road with the southwesterly line of lands of the Palisades
20 Interstate Parkway; running thence Southeasterly along the southwesterly
21 line of said lands of the Palisades Interstate Parkway on a curve to the
22 right having a radius of 85200.00 feet, the arc length of 1127.10 feet,
23 said curve being subtended by a chord bearing of South 38° 37' 37" East
24 and a length of 1126.28 feet; running thence South 9° 33' 28" East 70.16
25 feet; running thence South 86° 10' 42" West 169.64 feet; running thence
26 South 0° 29' 31" East 434.02 feet; running thence South 86° 53' 36" East
27 180.62 feet; running thence South 0° 27' 28" East 919.15 feet; running
28 thence South 12° 41' 48" West 532.48 feet; running thence South 75° 23'
29 37" West 669.81 feet; running thence North 18° 05' 09" East 542.73 feet;
30 running thence North 0° 49' 20" East 200.30 feet; running thence North
31 16° 11' 45" East 220.32 feet; running thence North 0° 17' 09" East
32 242.81 feet; running thence North 18° 52' 35" West 292.53 feet; running
33 thence North 8° 46' 37" West 90.46 feet; running thence North 4° 02' 36"
34 West 184.50 feet; running thence South 62° 13' 00" West 174.29 feet;
35 running thence South 1° 35' 56" West 146.64 feet; running thence South
36 89° 34' 18" West 428.60 feet; running thence North 32° 03' 38" West
37 114.70 feet; running thence North 53° 35' 58" West 84.80 feet; running
38 thence North 42° 36' 43" West 50.88 feet; running thence North 33° 45'
39 55" West 52.74 feet; running thence North 21° 38' 31" West 49.42 feet;
40 running thence North 10° 02' 58" West 50.27 feet; running thence North
41 6° 44' 22" West 36.63 feet; running thence South 88° 11' 36" West 261.00
42 feet; running thence North 2° 06' 36" West 1115.47 feet to an iron pin
43 in the southerly side of Convent road; running thence North 88° 31' 56"
44 East 408.32 feet; running thence North 87° 42' 57" East 621.05 feet to
45 an iron pin the southwesterly line of lands of the Palisades Interstate
46 Parkway, being the northeasterly corner of the premises hereinabove
47 described and the point of place of BEGINNING, CONTAINING 64.8743 acres,
48 more or less.

49 S 4. Prior to the discontinuance and alienation of the park land
50 described in section three of this act, and subject to the requirements
51 of section two of this act, the town of Orangetown, acting through its
52 town board, shall dedicate lands from the description of lands below
53 that the town of Orangetown has never used for public open space or park
54 purposes, are not lands under water, are at least thirty acres of land
55 that include all land adjacent to a body of water known as Lake Tappan,

1 and that such lands form one contiguous park. Such lands are located in
2 an area bounded and described as follows:

3 ALL that certain plot, piece or parcel of land situate, lying and
4 being in the Town of Orangetown, County of Rockland and State of New
5 York, being more particularly bounded and described as follows:

6 BEGINNING at a point in the northerly side of Old Orangeburg Road at
7 its intersection with the northerly side of Veterans Memorial Drive
8 a/k/a New Orangeburg Road and running thence North $84^{\circ} 03' 48''$ West
9 along the northerly side of Veterans Memorial Drive a/k/a New Orangeburg
10 Road 42.77 feet; running thence North $70^{\circ} 41' 42''$ West still along the
11 northerly side of Veterans Memorial Drive a/k/a new Orangeburg Road
12 174.74 feet; running thence North $34^{\circ} 14' 48''$ West 209.46 feet; running
13 thence North $22^{\circ} 26' 12''$ East 1,022.58 feet to a corner; running thence
14 South $85^{\circ} 34' 12''$ West still along the same 166.55 feet to a corner;
15 running thence North $12^{\circ} 56' 22''$ East 285.35 feet; running thence North
16 $1^{\circ} 49' 08''$ West 222.46 feet; running thence North $17^{\circ} 13' 32''$ East
17 207.02 feet; running thence North $80^{\circ} 22' 22''$ East 93.34 feet; running
18 thence South $52^{\circ} 08' 58''$ East 93.41 feet; running thence South $88^{\circ} 00'$
19 $38''$ East 133.52 feet; running thence North $69^{\circ} 47' 12''$ East 141.69 feet;
20 running thence North $47^{\circ} 58' 52''$ East 338.13 feet; running thence North
21 $78^{\circ} 14' 52''$ East 123.15 feet; running thence South $81^{\circ} 31' 48''$ East
22 122.77 feet; running thence North $57^{\circ} 34' 42''$ East 97.72 feet; running
23 thence North $30^{\circ} 40' 32''$ East 184.56 feet; running thence North $0^{\circ} 07'$
24 $58''$ West 148.68 feet; running thence North $41^{\circ} 34' 12''$ East 322.84 feet;
25 running thence South $84^{\circ} 55' 08''$ East 273.91 feet thence North $86^{\circ} 11'$
26 $40''$ East 452.00 feet; running thence South $20^{\circ} 56' 14''$ East 123.13 feet;
27 running thence North $58^{\circ} 55' 10''$ East 768.44 feet; running thence North
28 $63^{\circ} 30' 13''$ East 599.40 feet; running thence South $0^{\circ} 28' 51''$ West
29 517.55 feet; running thence South $88^{\circ} 10' 59''$ West 576.17 feet; running
30 thence South $4^{\circ} 47' 04''$ East 859.02 feet; running thence South $70^{\circ} 17'$
31 $25''$ West 84.17; running thence Due West 267.48 feet; running thence Due
32 South 95.82 feet; running thence South $70^{\circ} 17' 25''$ West 48.04 feet;
33 running thence South $6^{\circ} 39' 10''$ East 161.28 feet; running thence South
34 $79^{\circ} 53' 23''$ East 500.35 feet; running thence South $2^{\circ} 34' 07''$ East
35 623.29 feet; running thence South $76^{\circ} 20' 28''$ West 127.36 feet; running
36 thence South $87^{\circ} 18' 26''$ West 185.39 feet; running thence South $0^{\circ} 00'$
37 $18''$ West 665.06 feet in the northerly side of Old Orangeburg Road;
38 running thence South $86^{\circ} 05' 03''$ West 59.81 feet; running thence North
39 $89^{\circ} 54' 12''$ West 583.36 feet; running thence South $87^{\circ} 27' 33''$ West
40 197.88 feet; running thence South $86^{\circ} 20' 03''$ West 193.02 feet in the
41 northerly side of Old Orangeburg Road; running thence Due North, 743.60
42 feet; running thence Due West, 580.39 feet; running thence North
43 $75^{\circ} 40' 44''$ West 110.46 feet; running thence South $36^{\circ} 33' 44''$ West 48.05
44 feet; running thence North $53^{\circ} 26' 16''$ West 24.46 feet; running thence
45 South $39^{\circ} 18' 20''$ West 66.52 feet; running thence Southwesterly, on a
46 curve to the right having a radius of 434.61 feet and an arc distance of
47 144.03 feet; running thence Southwesterly, on a curve to the right
48 having a radius of 135.06 feet and an arc length of 71.92 feet of
49 compound curvature; running thence Southwesterly, on a curve to the left
50 having a radius of 115.05 feet and an arc length of 109.96 feet of
51 reverse curvature; running thence Southeasterly, on a curve to the left
52 having a radius of 65.00 feet and an arc length of 79.01 feet of
53 compound curvature; running thence South $35^{\circ} 36' 22''$ East 81.38 feet;
54 running thence Southerly, on a curve to the right having a radius of
55 285.00 feet and an arc length of 211.28 feet; running thence South
56 $06^{\circ} 52' 07''$ West 200.23 feet; running thence Southerly, on a curve to the

1 left having a radius of 115.00 feet and an arc length of 19.34 feet;
2 running thence Southeasterly, along a curve to the left having a radius
3 of 35.00 feet and an arc length of 56.72 feet along the northerly side
4 of Old Orangeburg Road; running thence South 84° 23' 03" West 670.19
5 feet along the northerly side of Old Orangeburg Road to the point or
6 place of BEGINNING.

7 S 5. If the parkland that is the subject of this act has received
8 funding pursuant to the federal land and water conservation fund, the
9 discontinuance of parkland authorized by the provisions of this act
10 shall not occur until the municipality has complied with the federal
11 requirements pertaining to the conversion of parklands, including satis-
12 fying the secretary of the interior that the discontinuance with all
13 conditions which the secretary of the interior deems necessary to assure
14 the substitution of other lands shall be equivalent in fair market value
15 and recreational usefulness to the lands being discontinued.

16 S 6. This act shall take effect immediately.