

7484--A

Cal. No. 1170

I N S E N A T E

May 15, 2014

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

AN ACT to authorize the town of Yorktown, Westchester County to alienate and convey certain parcels of land used as parkland

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

1 Section 1. (a) Subject to the provisions of this act, the town of
2 Yorktown, Westchester County, acting by and through its town board, is
3 hereby authorized to discontinue as parklands and alienate, the lands
4 described in section three of this act, to Algonquin Gas Transmission,
5 LLC for the purpose of a launcher and receiver above grade facility.
6 (b) Additionally, the town of Yorktown, Westchester County, acting by
7 and through its town board, is hereby authorized to convey by appropri-
8 ate instruments to Algonquin Gas Transmission, LLC, a temporary easement
9 in town parkland as described in section four of this act, for the
10 purpose of providing staging areas, workspace and a contractor ware yard
11 to facilitate construction work to replace the existing pipeline with a
12 larger one. Upon completion of construction, the surface of the lands
13 shall be restored and the lands shall continue to be used for park
14 purposes.
15 S 2. The authorization provided in section one of this act shall be
16 effective only upon the condition that the town of Yorktown dedicate an
17 amount equal to or greater than the fair market value of the conveyance
18 and easement interest being alienated pursuant to section one of this
19 act to the acquisition of new parklands and/or capital improvements to
20 existing park and recreational facilities.
21 S 3. The lands authorized by subdivision (a) of section one of this
22 act to be discontinued as parklands are as follows:
23 BEGINNING at a point on the westerly side of Stoney Street Thence,
24 South 02°58'58" East along said Stoney Street a distance of 46.88',
25 Thence, South 02°16'22" East a distance of 33.61', Thence, South

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

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66°01'21" West a distance of 380.00', Thence, North 23°58'39" West a distance of 75.00', Thence, North 66°01'21" East a distance of 409.02' to the POINT OF BEGINNING. Consisting of 0.68 acres more or less.

S 4. The temporary easements to be conveyed by the town of Yorktown pursuant to the provisions of subdivision (b) of section one of this act are described as follows:

BEGINNING at a point on the easterly line of Lexington Avenue at the northerly line of an Algonquin Gas Transmission Company easement; Thence North 08°53'51" West along said easterly line of Lexington Avenue a distance of 83.45 feet; Thence North 64°34'02" East a distance of 10.17 feet; Thence North 81°23'05" East a distance of 94.81 feet; Thence South 25°25'58" East a distance of 7.57 feet; Thence North 64°36'19" East a distance of 25.09 feet; Thence North 81°23'05" East a distance of 155.90 feet to the northerly line of the Algonquin Gas Transmission Company easement; Thence along the Algonquin Gas Transmission Company easement, South 64°36'57" West a distance of 146.00 feet; Thence along the Algonquin Gas Transmission Company easement South 64°34'02" West a distance of 153.01 feet to the point of beginning. Consisting of 0.282 acres more or less.

BEGINNING at a point on the northerly line of an Algonquin Gas Transmission Company easement; Thence North 08°59'03" West a distance of 46.91 feet; Thence North 64°37'06" East a distance of 79.30 feet; Thence North 25°22'54" West a distance of 35.00 feet; Thence North 64°37'06" East a distance of 3.33 feet; Thence North 46°30'29" East a distance of 96.67 feet; Thence South 43°29'31" East a distance of 35.00 feet; Thence North 46°30'29" East a distance of 139.13 feet; Thence North 53°58'24" East a distance of 152.64 feet; Thence North 54°59'24" East a distance of 200.28 feet; Thence North 55°41'28" East a distance of 990.64 feet; Thence North 81°41'54" East a distance of 102.73 feet to the existing Algonquin Gas easement. Thence along the Algonquin Gas Transmission Company easement South 55°41'36" West a distance of 1082.67 feet; Thence along the Algonquin Gas Transmission Company easement South 54°59'24" West a distance of 199.62 feet; Thence along the Algonquin Gas Transmission Company easement South 53°58'24" West a distance of 149.31 feet; Thence along the Algonquin Gas Transmission Company easement South 46°30'29" West a distance of 245.61 feet; Thence along the Algonquin Gas Transmission Company easement South 64°36'57" West a distance of 108.62 feet to the point of beginning. Consisting of 1.872 acres more or less.

BEGINNING at a point on the northerly line of an Algonquin Gas Transmission Company easement; Thence South 81°41'54" West, a distance of 102.73 feet; Thence North 55°41'28" East, a distance of 180.22 feet; Thence North 34°20'20" West, a distance of 34.79 feet; Thence North 55°11'27" East, a distance of 100.00 feet; Thence South 34°48'33" East, a distance of 35.00 feet; Thence North 55°22'29" East, a distance of 357.72 feet; Thence North 34°31'35" West, a distance of 35.00 feet; Thence North 55°28'25" East, a distance of 100.00 feet; Thence South 34°31'35" East, a distance of 35.00 feet; Thence North 55°37'22" East, a distance of 479.62 feet; Thence North 34°25'00" West, a distance of 35.00 feet; Thence North 55°35'00" East, a distance of 100.00 feet; Thence South 34°25'00" East, a distance of 8.21 feet; Thence South 37°29'19" West, a distance of 233.41 feet to the northerly line of the Algonquin Gas Transmission Company easement; Thence along the Algonquin Gas Transmission Company easement South 55°32'13" West, a distance of 1003.74 feet to the point of beginning. Consisting of 1.391 acres more or less.

1 BEGINNING at a point on the northerly line of an Algonquin Gas Trans-
2 mission Company easement; Thence North 37°29'19" East a distance of
3 233.41 feet; Thence South 34°25'00" East a distance of 26.79 feet;
4 Thence North 55°54'05" East a distance of 114.30 feet; Thence South
5 07°12'30" East a distance of 50.04 feet to the northern line of the
6 Algonquin Gas Transmission Company easement; Thence along the Algonquin
7 Gas Transmission Company easement South 55°28'46" West a distance of
8 313.28 feet to the point of beginning, Consisting of 0.290 acres more or
9 less.

10 BEGINNING at a point on the westerly side of Stoney Street Thence,
11 South 02°58'58" East along said Stoney Street a distance of 139.24',
12 Thence, South 66°01'21" West a distance of 1104.88', Thence, South
13 55°57'16" West a distance of 1264.39', Thence, South 81°54'27" West a
14 distance of 3.37', Thence, South 81°52'23" West a distance of 99.58',
15 Thence, North 55°57'16" East a distance of 424.35', Thence, North
16 34°02'44" West a distance of 35.00', Thence, North 55°57'16" East a
17 distance of 100.00', Thence, South 34°02'44" East a distance of 35.00',
18 Thence, North 55°57'16" East a distance of 204.59', Thence, North
19 34°02'44" West a distance of 35.00', Thence, North 55°57'16" East a
20 distance of 100.00', Thence, South 34°02'44" East a distance of 35.00',
21 Thence, North 55°57'16" East a distance of 536.01', Thence, North
22 66°01'21" East a distance of 807.63', Thence, North 23°58'39" West a
23 distance of 85.00'; Thence, South 66°01'21" East a distance of 351.10',
24 to the POINT OF BEGINNING consisting of 3.323 acres more or less.

25 BEGINNING at a point on the westerly side of Stoney Street Thence,
26 South 02°16'22" East along said Stoney Street a distance of 10.76',
27 Thence, South 66°01'21" West a distance of 376.02', Thence, North
28 23°58'39" West a distance of 10.00', Thence, South 66°01'21" West a
29 distance of 380.00, to the POINT OF BEGINNING. Consisting of 0.086 acres
30 more or less.

31 BEGINNING at a point on the westerly side of Stoney Street Thence,
32 South 02°58'58" East along said Stoney Street a distance of 52.99',
33 Thence, South 66°01'21" West a distance of 351.10', Thence, South
34 23°58'39" East a distance of 85.00', Thence, South 66°01'21" West a
35 distance of 807.63', Thence, South 55°57'16" West a distance of 68.10',
36 Thence, North 06°40'32" West a distance of 1131.76', Thence, North
37 82°45'53" East a distance of 410.23', Thence, North 83°07'23" East a
38 distance of 175.02', Thence, South 04°44'09" East a distance of 564.77',
39 Thence, South 59°15'30" East a distance of 283.36', Thence, North
40 66°01'21" East a distance of 370.51' to the POINT OF BEGINNING.
41 Consisting of 15.40 acres more or less.

42 S 5. The conveyances authorized by the provisions of this act shall
43 not occur until the town of Yorktown has complied with any federal
44 requirements as applicable pertaining to the alienation or conversation
45 of parklands, including satisfying the secretary of the interior with
46 all conditions which the secretary of the interior deems necessary to
47 assure that the substitution of other lands be equivalent in fair market
48 value and recreational usefulness to the lands being alienated or
49 converted.

50 S 6. This act shall take effect immediately.