

7580--A

I N S E N A T E

May 15, 2014

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the county of Suffolk to alienate certain parcels of land used as parkland and to acquire other parcels of land to replace such parkland

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

1 Section 1. The county of Suffolk, is hereby authorized to discontinue
2 the use of certain municipally owned parklands and to lease for a term
3 not to exceed twenty-five years the parklands which are more particular-
4 ly described in section three of this act to Elwood Public Library.
5 S 2. The authorization contained in section one of this act shall only
6 be effective on the condition that the county of Suffolk acquire and
7 dedicate lands as new parklands the lands described in section four of
8 this act, such land to be used for park purposes.
9 S 3. The lands to be discontinued as parklands and alienated and
10 conveyed consist of 1.2 acres and are described as follows:
11 All that certain plot, piece, or parcel of land, with the buildings
12 and improvements thereon erected, situate, lying and being Town of Hunt-
13 ington, County of Suffolk and State of New York, being bounded and
14 described as follows:
15 BEGINNING at a point on the westerly side of Cuba Hill Road distant,
16 187.00 Feet southerly as measured along the westerly side of Cuba Hill
17 Road from the extreme southerly end of the arc of a curve which connects
18 the southerly side of Elbormar Drive with the westerly side of Cuba Hill
19 Road.
20 RUNNING THENCE South 12 degrees 38 minutes 40 seconds East along the
21 westerly side of Cuba Hill Road, 6.90 Feet to a point;
22 THENCE South 20 degrees 26 minutes 00 seconds East, still along the
23 westerly side of Cuba Hill Road, 91.57 Feet to land now or formerly of
24 Sisters of St. Benedict;

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

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1 THENCE the following two (2) courses and distances along last
2 mentioned land:
3 1. South 85 degrees 53 minutes 40 seconds West, 227.95 Feet to a
4 point;
5 2. South 86 degrees 16 minutes 00 seconds West, 329.76 Feet to the
6 southeast corner of Lot No. 9, as shown on a certain map entitled, "Map
7 of Elbormar" and filed in the Suffolk County Clerk's Office on 5/16/1947
8 as Map No. 1543;
9 THENCE the following two (2) courses and distances along Lot No. 9,
10 No. 10 and No. 11 as shown on aforesaid map;
11 1. North 6 degrees 45 minutes 40 seconds West, 101.66 Feet to a point;
12 2. North 86 degrees 51 minutes 20 seconds East, 535.71 Feet to the
13 westerly side of Cuba Hill Road at the point or place of BEGINNING.
14 S 4. The replacement lands to be acquired and dedicated by the county
15 of Suffolk to use as new parkland for public park purposes consist of
16 44.38 acres and are described as follows:
17 All that certain plot, piece or parcel of land, with the buildings and
18 improvements thereon erected, situate, lying and being at Mt. Sinai,
19 Town of Brookhaven, County of Suffolk and State of New York being more
20 particularly bounded and described as follows:
21 BEGINNING at a monument on the southerly side of Bayview Avenue (Old
22 Post Lane) where the same is intersected by the easterly line of lands
23 of the order of Poor Brethren of St. Francis, now known as the Society
24 of St. Francis, American Province, Inc. and the westerly side of the
25 premises herein described;
26 RUNNING THENCE from said point and place of beginning along the south-
27 erly side of Bayview Avenue (Old Post Lane) the following three (3)
28 courses and distances;
29 1) North 74 degrees 51 minutes 00 seconds east a distance of 98.00
30 feet;
31 2) South 72 degrees 07 minutes 10 seconds east a distance of 52.09
32 feet;
33 3) South 28 degrees 48 minutes 00 seconds east a distance of 35.87
34 feet to lands now or formerly of Salmon;
35 THENCE along land of Salmon, along land now or formerly of Takach and
36 lands now or formerly of Kowaleski the following four (4) courses and
37 distances;
38 1) South 20 degrees 56 minutes 26 seconds west a distance of 300.41
39 feet;
40 2) South 28 degrees 50 minutes 38 seconds east a distance of 446.83
41 feet;
42 3) South 42 degrees 53 minutes 14 seconds east a distance of 90.60
43 feet;
44 4) North 42 degrees 40 minutes 00 seconds east a distance of 36.05
45 feet to lands now or formerly of Brazier family 2009 irrevocable trust;
46 THENCE along said last mentioned land, along lands now or formerly of
47 Scaglione and lands now or formerly of Daddino the following five (5)
48 courses and distances;
49 1) South 33 degrees 10 minutes 00 seconds east a distance of 64.30
50 feet;
51 2) South 8 degrees 31 minutes 00 seconds east a distance of 68.50
52 feet;
53 3) South 12 degrees 13 minutes 00 seconds east a distance of 82.00
54 feet;
55 4) South 22 degrees 53 minutes 00 seconds east a distance of 145.70
56 feet;

1 5) South 31 degrees 00 minutes 00 seconds east a distance of 121.40
2 feet to lands now or formerly of Jean M. Caliguri living trust;
3 THENCE still along lands now or formerly of Jean M. Caliguri living
4 trust and lands now or formerly of Alfano, lands now or formerly of
5 Varland, lands now or formerly of Coleman, lands now or formerly of
6 Spero and lands now or formerly of Hecht, the following seven (7) courses and distances;
7
8 1) South 66 degrees 06 minutes 00 seconds west a distance of 135.00
9 feet;
10 2) South 66 degrees 16 minutes 00 seconds west a distance of 97.78
11 feet;
12 3) South 61 degrees 33 minutes 00 seconds west a distance of 138.70
13 feet;
14 4) South 60 degrees 16 minutes 00 seconds west a distance of 131.65
15 feet;
16 5) South 51 degrees 05 minutes 00 seconds west a distance of 56.20
17 feet;
18 6) South 72 degrees 31 minutes 00 seconds west a distance of 168.20
19 feet;
20 7) South 83 degrees 03 minutes 00 seconds west a distance of 93.50
21 feet to a point;
22 THENCE still along lands now or formerly of Hecht and lands of others
23 the following eight (8) courses and distances to a point and the
24 northwesterly line of Shore Road west;
25 1) South 00 degrees 00 minutes 56 seconds east a distance of 356.36
26 feet;
27 2) South 13 degrees 18 minutes 00 seconds west a distance of 78.50
28 feet;
29 3) South 26 degrees 55 minutes 00 seconds west a distance of 44.57
30 feet;
31 4) North 67 degrees 32 minutes 00 seconds west a distance of 80.20
32 feet;
33 5) North 73 degrees 22 minutes 00 seconds west a distance of 88.30
34 feet;
35 6) South 27 degrees 46 minutes 00 seconds east a distance of 209.30
36 feet;
37 7) South 58 degrees 49 minutes 00 seconds west a distance of 260.40
38 feet;
39 8) South 19 degrees 32 minutes 00 seconds east a distance of 209.84
40 feet;
41 THENCE along the northwesterly line of shore road west, south 46
42 degrees 10 minutes 00 seconds west a distance of 61.36 feet to a monu-
43 ment and lands now or formerly of Herwerth; thence along lands now or
44 formerly of Herwerth the following three (3) courses and distances;
45 1) North 65 degrees 12 minutes 00 seconds west a distance of 121.72
46 feet;
47 2) North 65 degrees 47 minutes 00 seconds west a distance of 136.10
48 feet;
49 3) North 72 degrees 12 minutes 00 seconds west a distance of 65.12
50 feet to lands know or formerly of Bruni;
51 THENCE along lands now or formerly of Bruni and lands of other the
52 following four (4) courses and distances;
53 1) North 66 degrees 22 minutes 00 seconds west a distance of 149.70
54 feet;
55 2) North 67 degrees 24 minutes 00 seconds west a distance of 131.45
56 feet;

1 3) North 65 degrees 33 minutes 00 seconds west a distance of 129.50
2 feet;
3 4) North 68 degrees 12 minutes 00 seconds west a distance of 178.40
4 feet to the easterly line of "map of Mt. Sinai Hills section 3", filed
5 in the office of the Suffolk County Clerk as map no. 8071;
6 THENCE along the Easterly line of said map the following six (6)
7 courses and distances;
8 1) North 05 degrees 54 minutes 00 seconds west a distance of 100.00
9 feet;
10 2) North 07 degrees 29 minutes 00 seconds west a distance of 140.80
11 feet;
12 3) North 05 degrees 55 minutes 00 seconds east a distance of 29.20
13 feet;
14 4) North 21 degrees 03 minutes 00 seconds east a distance of 104.20
15 feet;
16 5) North 20 degrees 19 minutes 00 seconds east a distance of 177.50
17 feet;
18 6) North 18 degrees 42 minutes 00 seconds east a distance of 236.80
19 feet to a monument and lands now or formerly of Society of St. Francis,
20 American Province, Inc.;
21 THENCE along lands now or formerly of Society of St. Francis, American
22 Province, Inc. the following sixteen (16) courses and distances;
23 1) South 87 degrees 00 minutes 00 seconds east a distance of 199.90
24 feet;
25 2) South 82 degrees 38 minutes 00 seconds east a distance of 58.00
26 feet;
27 3) South 87 degrees 32 minutes 00 seconds east a distance of 230.60
28 feet;
29 4) North 3 degrees 58 minutes 00 seconds west a distance of 104.30
30 feet;
31 5) North 26 degrees 21 minutes 00 seconds east a distance of 98.20
32 feet;
33 6) North 0 degrees 45 minutes 00 seconds east a distance of 127.90
34 feet;
35 7) North 8 degrees 10 minutes 00 seconds east a distance of 133.70
36 feet;
37 8) North 87 degrees 54 minutes 00 seconds east a distance of 110.00
38 feet;
39 9) North 9 degrees 55 minutes 00 seconds east a distance of 367.01
40 feet;
41 10) South 82 degrees 44 minutes 00 seconds east a distance of 12.00
42 feet;
43 11) North 31 degrees 50 minutes 00 seconds east a distance of 35.00
44 feet;
45 12) North 59 degrees 55 minutes 00 seconds east a distance of 48.50
46 feet;
47 13) South 89 degrees 30 minutes 00 seconds east a distance of 112.20
48 feet;
49 14) North 20 degrees 08 minutes 00 seconds east a distance of 207.75
50 feet;
51 15) North 36 degrees 57 minutes 00 seconds east a distance of 348.00
52 feet;
53 16) North 13 degrees 55 minutes 00 seconds east a distance of 46.44
54 feet to the point and place of BEGINNING.
55 S 5. In the event that the lands to be acquired, as described in
56 section four of this act, are not equal or greater in fair market value

1 than the lands being alienated, as described in section three of this
2 act, the county of Suffolk shall dedicate the difference in the fair
3 market value for the acquisition of additional parklands and/or for
4 capital improvements to existing park and recreational facilities.
5 S 6. If the land that is the subject of this act has received funding
6 pursuant to the federal land and water conservation fund, the discontin-
7 uance of parklands authorized by the provisions of this act shall not
8 occur until the municipality has complied with the federal requirements
9 pertaining to the conversion of parklands, including satisfying the
10 secretary of the interior that the discontinuance will include all
11 conditions which the secretary of the interior deems necessary to assure
12 the substitution of other lands shall be equivalent in fair market value
13 and recreational usefulness to the lands being discontinued.
14 S 7. This act shall take effect immediately.