

S. 7620--A

A. 9706--A

S E N A T E - A S S E M B L Y

May 16, 2014

IN SENATE -- Introduced by Sen. LAVALLE -- 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

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to the alienation and substitution of certain parklands in the town of Southampton in the county of Suffolk

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 South-
2 ampton, in the county of Suffolk, acting by and through its town board,
3 is hereby authorized to discontinue as parklands and alienate, the lands
4 described in section three of this act for the purpose of county road
5 traffic safety improvements.

6 S 2. The authorization contained in section one of this act shall take
7 effect only upon the condition that the town of Southampton shall
8 acquire and dedicate the lands of equal or greater fair market value
9 that have never been used for park purposes described in section four of
10 this act as additional parklands of the town.

11 S 3. The lands authorized by section one of this act to be discontin-
12 ued as parklands are as follows:

13 ALL THAT TRACT OR PARCEL OF LAND situate in the town of Southampton,
14 county of Suffolk and state of New York being part of Parcel No. 1,
15 described as follows:

16 Beginning at a point at the northeasterly side of Center Drive (Nugent
17 Drive) County Road No. 94 at the westerly end of a curve connecting the
18 northeasterly side of Center Drive (Nugent Drive) County Road No. 94
19 with the westerly side of Peconic Avenue:

20 Thence along the northerly side of Center Drive (Nugent Drive) County
21 Road No. 94, North 54°06'00" West, 172.95 feet to a point;

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

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1 Thence along the lands now or formerly Suffolk County South $73^{\circ}51'50''$
2 East, 30.55 feet to a point;
3 Thence through the lands now or formerly Town of Southampton South
4 $60^{\circ}33'16''$ East, 135.91 feet to a point;
5 Thence northeasterly and easterly along a curve bearing to the left
6 having a radius of 65.00 feet a distance of 112.73 feet to a point;
7 Thence North $20^{\circ}04'34''$ East, 84.17 feet to a point;
8 Thence North $35^{\circ}50'56''$ East, 23.07 feet to a point;
9 Thence South $85^{\circ}19'00''$ East, 11.52 feet to a point on the northwester-
10 ly side of Peconic Avenue;
11 Thence South $22^{\circ}09'00''$ West along the northwesterly side of Peconic
12 Avenue 138.08 feet to the northerly end of a curve connecting the
13 northeasterly side of Center Drive (Nugent Drive) County Road 94 to the
14 northwesterly side of Peconic Avenue;
15 Thence southwesterly and westerly along said curve bearing to the
16 right having a radius of 67.72 feet a distance of 122.63 feet to the
17 point of beginning, being 7,510± square feet.
18 S 4. Prior to the discontinuance and alienation of the parkland
19 described in section three of this act, the town of Southampton, acting
20 through its town board, shall acquire and dedicate replacement lands for
21 use as parkland for public park purposes, as follows:
22 ALL THAT TRACT OR PARCEL OF LAND situated in the county of Suffolk,
23 state of New York being part of Parcel No. 2, described as follows:
24 Beginning at a point at the northeasterly corner of Parcel 2, said
25 point being the following two courses and distances from a point on the
26 westerly side of Peconic Avenue at the northerly end of a curve having a
27 radius of 67.72' and a distance of 122.63' connecting the westerly side
28 of Peconic Avenue with the northerly side of Center Drive (C.R. 94):
29 (1) North $22^{\circ}09'00''$ West, 138.08 feet to a point and the division
30 line between lands now or formerly Town of Southampton on the north and
31 lands now or formerly Town of Southampton to the south;
32 (2) South $85^{\circ}19'00''$ East, 212.29 feet to the point of Beginning:
33 Thence along the division line of property of the People of the County
34 of Suffolk and the Town of Southampton the following six courses and
35 distances:
36 (1) North $85^{\circ}19'00''$ West, 63.29 feet to a point;
37 (2) South $35^{\circ}54'00''$ West, 7.98 feet to a point;
38 (3) South $03^{\circ}02'40''$ West, 88.10 feet to a point;
39 (4) North $73^{\circ}51'50''$ West, 46.17 feet to a point, thence through the
40 lands now or formerly Suffolk County;
41 (5) North $53^{\circ}44'39''$ West, 99.18 feet to a point;
42 (6) North $36^{\circ}15'21''$ East, 119.19 feet to the waterline of Griffings
43 Pond;
44 Thence running along the waterline of Griffings Pond the following
45 seven tie line courses and distances:
46 (1) South $05^{\circ}11'00''$ East, 26.65 feet to a point;
47 (2) South $52^{\circ}16'24''$ East, 46.76 feet to a point;
48 (3) North $54^{\circ}37'12''$ East, 12.58 feet to a point;
49 (4) North $14^{\circ}09'55''$ East, 33.32 feet to a point;
50 (5) North $07^{\circ}41'59''$ East, 23.04 feet to a point;
51 (6) North $07^{\circ}10'04''$ West, 18.35 feet to a point;
52 (7) North $06^{\circ}43'41''$ East, 26.33 feet to a point along the lands now
53 or formerly Town of Southampton;
54 Thence along the said mentioned lands the following four courses and
55 distances:
56 (1) South $02^{\circ}11'10''$ East, 50.30 feet to a point;

- 1 (2) South 77° 56' 30" East, 16.80 feet to a point;
- 2 (3) South 26° 19' 40" East, 37.61 feet to a point;
- 3 (4) South 34° 50' 40" East, 51.74 feet to the point of beginning,
- 4 being 15,286± square feet.

5 S 5. In the event that the parklands to be dedicated by the town of
6 Southampton pursuant to this act are not equal to or greater than the
7 fair market value of the parkland to be discontinued, the town of South-
8 ampton shall dedicate the difference of the fair market value of the
9 lands to be alienated and the lands to be dedicated for the acquisition
10 of additional parklands and/or for capital improvements to existing park
11 and recreational facilities.

12 S 6. In the event that the town of Southampton received any funding
13 support or assistance from the federal government for the purchase,
14 maintenance or improvement of the parklands set forth in section three
15 of this act, the discontinuance and alienation of such parkland author-
16 ized by the provisions of section three of this act shall not occur
17 until the town of Southampton has complied with any federal requirements
18 pertaining to the alienation or conversion of such parklands, including
19 satisfying the secretary of the interior that the alienation or conver-
20 sion complies with all conditions which the secretary of the interior
21 deems necessary to assure the substitution of other lands shall be
22 equivalent in fair market value and usefulness to the lands being alien-
23 ated or converted.

24 S 7. This act shall take effect immediately.