## 9673--A

## I N A S S E M B L Y

May 15, 2014

Introduced by M. of A. KATZ -- 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 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:

Section 1. (a) Subject to the provisions of this act, the town of Yorktown, Westchester County, acting by and through its town board, is hereby authorized to discontinue as parklands and alienate, the lands described in section three of this act, to Algonquin Gas Transmission, LLC for the purpose of a launcher and receiver above grade facility.
(b) Additionally, the town of Yorktown, Westchester County, acting by and through its town board, is hereby authorized to convey by appropriate instruments to Algonquin Gas Transmission, LLC, a temporary easement in town parkland as described in section four of this act, for the purpose of providing staging areas, workspace and a contractor ware yard to facilitate construction work to replace the existing pipeline with a larger one. Upon completion of construction, the surface of the lands shall be restored and the lands shall continue to be used for park purposes.

S 2. The authorization provided in section one of this act shall be effective only upon the condition that the town of Yorktown dedicate an amount equal to or greater than the fair market value of the conveyance and easement interest being alienated pursuant to section one of this act to the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

S 3. The lands authorized by subdivision (a) of section one of this act to be discontinued as parklands are as follows:

BEGINNING at a point on the westerly side of Stoney Street Thence, South 02오'58" East along said Stoney Street a distance of 46.88', Thence, South $02^{\circ} 16^{\prime 22 "}$ East a distance of 33.61', Thence, South 6601'21" West a distance of 380.00', Thence, North $23^{\circ} 58^{\prime \prime} 39 "$ West a

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

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distance of 75.00', Thence, North $66^{\circ} 01^{\prime 2} 21^{\prime \prime}$ 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 $08^{\circ} 53^{\prime \prime} 51^{\prime \prime}$ West along said easterly line of Lexington Avenue a distance of 83.45 feet; Thence North $64^{\circ} 34^{\prime \prime} 2^{\prime \prime}$ East a distance of 10.17 feet; Thence North $81^{\circ} 23^{\prime \prime} 05^{\prime \prime}$ East a distance of 94.81 feet; Thence South
 distance of 25.09 feet; Thence North $81^{\circ} 23^{\prime \prime} 05^{\prime \prime}$ 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 6436'57" West a distance of 146.00 feet; Thence along the Algonquin Gas Transmission Company easement South 6434'02" 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 0859'03" West a distance of 46.91 feet; Thence North 64³7'06" East a distance of 79.30 feet; Thence North 25²2'54" West a distance of 35.00 feet; Thence North 64³7'06" East a distance of 3.33 feet; Thence North $46^{\circ} 30^{\prime 29 " ~ E a s t ~ a ~ d i s t a n c e ~ o f ~}$ 96.67 feet; Thence South 43²9'31" East a distance of 35.00 feet; Thence North 46³0'29" East a distance of 139.13 feet; Thence North 5358'24" East a distance of 152.64 feet; Thence North 54ㅇ́s'24" East a distance of 200.28 feet; Thence North $55^{\circ} 41^{\prime 2} 28^{\prime \prime}$ East a distance of 990.64 feet; Thence North $81^{\circ} 41^{\prime \prime} 54$ East a distance of 102.73 feet to the existing Algonquin Gas easement. Thence along the Algonquin Gas Transmission Company easement South $55^{\circ} 41^{\prime \prime} 36$ " West a distance of 1082.67 feet; Thence along the Algonquin Gas Transmission Company easement South 5459'24" West a distance of 199.62 feet; Thence along the Algonquin Gas Transmission Company easement South 5358'24" West a distance of 149.31 feet; Thence along the Algonquin Gas Transmission Company easement South 46³0'29" West a distance of 245.61 feet; Thence along the Algonquin Gas Transmission Company easement South 64³6'57" 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 8141'54" West, a distance of 102.73 feet; Thence North $55^{\circ} 41^{\prime 2} 28^{\prime \prime}$ East, a distance of 180.22 feet; Thence North $34^{\circ} 20^{\prime} 2^{\prime \prime}$ West, a distance of 34.79 feet; Thence North 55 ${ }^{\circ} 11^{\prime \prime 27 " ~ E a s t, ~ a ~ d i s t a n c e ~ o f ~} 100.00$ feet; Thence South $34^{\circ} 48^{\prime \prime} 33^{\prime \prime}$ East, a distance of 35.00 feet; Thence North $55^{\circ} 22^{\prime 2} 29^{\prime \prime}$ East, a distance of 357.72 feet; Thence North $34^{\circ} 31^{\prime \prime} 35^{\prime \prime}$ West, a distance of 35.00 feet; Thence North $55^{\circ} 28^{\prime 2} 5^{\prime \prime}$ East, a distance of 100.00 feet; Thence South 34오'35" East, a distance of 35.00 feet; Thence North $55^{\circ} 377^{\prime \prime} 22^{\prime \prime}$ East, a distance of 479.62 feet; Thence North $34^{\circ} 25^{\prime \prime 0} 0$ " West, a distance of 35.00 feet; Thence North $55^{\circ} 35^{\prime \prime 0} 0$ East, a distance of 100.00 feet; Thence South $34^{\circ} 25^{\prime} 00^{\prime \prime}$ East, a distance of 8.21 feet; Thence South 37²9'19" 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 ${ }^{\circ} 32^{\prime \prime} 13^{\prime \prime}$ West, a distance of 1003.74 feet to the point of beginning. Consisting of 1.391 acres more or less.

BEGINNING at a point on the northerly line of an Algonquin Gas Transmission Company easement; Thence North $37^{\circ} 29^{\prime \prime} 9^{\prime \prime}$ East a distance of
233.41 feet; Thence South $34^{\circ} 25^{\prime \prime} 00^{\prime \prime}$ East a distance of 26.79 feet; Thence North 5554'05" East a distance of 114.30 feet; Thence South $07^{\circ} 12^{\prime \prime} 0^{\prime \prime}$ East a distance of 50.04 feet to the northern line of the Algonquin Gas Transmission Company easement; Thence along the Algonquin Gas Transmission Company easement South 55*28'46" West a distance of 313.28 feet to the point of beginning, Consisting of 0.290 acres more or less.

BEGINNING at a point on the westerly side of Stoney street Thence, South 02ㅇ'ㅇ" East along said Stoney Street a distance of 139.24', Thence, South 6601'21" West a distance of 1104.88', Thence, South 5557'16" West a distance of 1264.39', Thence, South 81054'27" West a distance of $3.37^{\prime}$, Thence, South $81^{\circ} 52^{\prime \prime} 23^{\prime \prime}$ West a distance of $99.58^{\prime}$, Thence, North 5557'16" East a distance of 424.35', Thence, North 34ㅇํ'44" West a distance of 35.00', Thence, North 55 5 57'16" East a distance of $100.00^{\prime}$, Thence, South $34^{\circ} 02^{\prime} 4^{\prime \prime}$ East a distance of $35.00^{\prime}$, Thence, North 5557'16" East a distance of 204.59', Thence, North 3402'44" West a distance of 35.00', Thence, North 5557'16" East a distance of 100.00', Thence, South $34^{\circ} 02^{\prime} 44^{\prime \prime}$ East a distance of $35.00^{\prime}$, Thence, North 55*57'16" East a distance of 536.01', Thence, North 6601'21" East a distance of 807.63', Thence, North 2358'39" West a distance of 85.00; , Thence, South 6601'21" East a distance of 351.10', to the POINT OF BEGINNING consisting of 3.323 acres more or less.

BEGINNING at a point on the westerly side of Stoney Street Thence, South 02́́'22" East along said Stoney Street a distance of 10.76', Thence, South $66^{\circ} 01^{\prime} 21^{\prime \prime}$ West a distance of 376.02', Thence, North 2358'39" West a distance of 10.00', Thence, South 6601'21" West a distance of 380.00 , to the POINT OF BEGINNING. Consisting of 0.086 acres more or less.

BEGINNING at a point on the westerly side of Stoney Street Thence, South 02058'58" East along said Stoney Street a distance of 52.99', Thence, South $66^{\circ} 01^{\prime} 21^{\prime \prime}$ West a distance of 351.10', Thence, South 2358'39" East a distance of 85.00', Thence, South 6601'21" West a distance of 807.63', Thence, South 55 5 $7^{\prime} 1^{\prime \prime} \mathbf{\prime \prime}^{\prime \prime}$ West a distance of 68.10', Thence, North $06^{\circ} 40^{\prime} 32$ " West a distance of 1131.76', Thence, North 82${ }^{\circ}$ 5'53" $^{\prime \prime}$ East a distance of 410.23', Thence, North 8307'23" East a distance of 175.02', Thence, South 0444'09" East a distance of 564.77', Thence, South 59¹5'30" East a distance of 283.36', Thence, North $66^{\circ} 01^{\prime \prime} 21^{\prime \prime}$ East a distance of $370.51^{\prime}$ to the POINT OF BEGINNING. Consisting of 15.40 acres more or less.

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

S 6. This act shall take effect immediately.

