S T A T E O F N E W Y O R K

9896--A

I N A S S E M B L Y

May 27, 2014

Introduced by M. of A. LALOR -- 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 authorizing and validating the alienation of certain parkland in the village of Wappingers Falls in the county of Dutchess

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

Section 1. Notwithstanding any other provisions of law to the contrary, but subject to this act, the alienation of the parkland described in sections four and five of this act is hereby authorized and validated, notwithstanding the absence of prior legislative approval.

S 2. Subject to the provisions of this act, the village of Wappingers Falls, Dutchess County, acting by and through its village board, is authorized to discontinue and alienate as parkland the lands described in section four of this act for such purposes as are consistent with the village's comprehensive plan, which may be modified in accordance with the requirements of such plan.

S 3. The authorizations provided in section two of this act shall be effective only upon the condition that the village of Wappingers Falls, Dutchess County, dedicate lands of equal or greater fair market value described in section five of this act as additional parklands.

S 4. The lands to be discontinued as parkland and alienated and conveyed pursuant to section two of this act are bounded and described as follows:

ALL that tract or parcel of land situated in the village of Wappingers Falls, county of Dutchess, state of New York being bounded and described as follows:

Beginning at a point, said point being at the northwesterly corner of lands now or formerly Pettit, Liber 1274, Page 72, said point of beginning also being on the easterly line of Market Street; running thence along the easterly line of said Market Street, North 01°09'29" East 45.00 feet; thence running though lands of the village of Wappingers Falls the following course and distances: South 88°35'40" East a distance of 97.19 feet, North 88°05'35" East a distance of 95.07 feet, South 89°32'57" East a distance of 122.10 feet, South 00°27'03" West a distance of 187.33 feet, and North 89°26'08" West a distance of 231.89 feet to a point being on the westerly line of lands now or formerly

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

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Tompkins, Document No. 02-2012-5588; thence running along the easterly line of said Tompkins and the easterly line of the aforementioned lands of Pettit, North 06°16'04" East a distance of 138.68 feet to a point being at the northeasterly corner of said Pettit, North 88°35'46" West a distance of 97.00 feet to the point of beginning containing 1.054± acres of lands.

S 5. The village of Wappingers Falls, Dutchess County, acting through its village board, shall dedicate replacement lands for use as parkland for public park purposes, with such replacement lands, being of equal or greater fair market value, as follows:

Parcel 1

Beginning at a point, said point being distant: North 01°09'29" East a distance of 184.41 feet and North 83°31'31" West a distance of 40.17 feet from the northwesterly corner of lands now or formerly Pettit, Liber 1274, Page 72, said point of beginning being on the westerly line of Market Street; thence running along the westerly line of said Market Street the following courses and distances: South 01°09'29" West a distance of 186.99 feet, South 04°24'54" West a distance of 63.81 feet, South 13°09'11" West a distance of 24.20 feet, South 21°00'47" West a distance of 35.25 feet, South 21°00'47" West a distance of 116.98 feet, South 27°35'14" West a distance of 73.16 feet, South 33°57'24" West a distance of 39.58 feet, South 40°13'50" West a distance of 67.20 feet, South 43°27'10" West a distance of 86.90 feet, and South 46°41'07" West a distance of 95.89 feet to the easterly edge of the Wappinger Creek; thence running northerly along said creek edge and by tie line North 14°04'30" East a distance of 716.84 feet; thence leaving said easterly edge of the Wappinger Creek and running South 89°25'37" East a distance of 123.39 feet to the point of beginning containing 0.9± acres of land.

Parcel 2

Beginning at the northeast corner of the lands of Creekside Springs LLC and said point being the northwesterly corner of the lands of the Village of Wappinger Falls, thence in a southerly and westerly direction along th lands of the Village of Wappinger Falls the following courses and distances, SOUTH 07-38-57 WEST 32.33 feet to a point, thence SOUTH 15-13-27 WEST 524.63 feet to a point, thence SOUTH 73-41-57 WEST 283.00 feet to a point along the easterly line of Franklindale Avenue (undeveloped), thence in a northerly direction along the easterly line of Franklindale Avenue, NORTH 10-46-03 EAST 102.50 feet to a point, thence in a easterly and northerly direction over and through the lands of Creekside Springs LLC the following courses and distances, thence NORTH 79-13-57 EAST 35.00 feet to a point, thence SOUTH 10-46-03 EAST 63.95 feet to a point, thence NORTH 73-41-57 EAST 139.03 feet to a point, thence NORTH 27-58-58 EAST 331.26 feet to a point, thence NORTH 15-13-27 EAST 256.98 feet to a point along the northerly line of the lands of Creekside Springs, thence in a easterly direction along the northerly line of Creekside Springs, SOUTH 78-18-49 EAST 30.80 feet to the point of beginning. Containing 0.94 acres of land, more or less

S 6. The conveyances authorized by the provisions of this act shall not occur until the village of Wappingers Falls, Dutchess County, has complied with any federal requirements pertaining to the alienation or conversion 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 7. This act shall take effect immediately.