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

5298--A

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

Introduced by Sen. BOYLE -- 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

AN ACT to authorize the county of Suffolk to discontinue the use of certain county lands as parkland and to sell and convey such lands to the First Baptist Church of Bay Shore

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

Section 1. The county of Suffolk, acting by and through its governing body, is hereby authorized to permanently discontinue as parklands, and to sell and convey, upon such terms and conditions as such governing body shall deem to be reasonable, to the First Baptist Church of Bay Shore the land described in section three of this act.

S 2. The authorization provided in section one of this act shall be effective only upon the condition that the county of Suffolk dedicate an amount equal to or greater than the fair market value of the property being alienated by this act for the acquisition of additional parklands and/or for capital improvements to existing park and recreational facilities.

S 3. The lands to be permanently discontinued as parklands and alienated, and conveyed are described as follows:

ALL that certain plot, piece or parcel of land situate, lying and being at Bay Shore, Town of Islip, County of Suffolk and State of New York, known and designated as part of Lot 71 and part of Lot 70 on the Map of Fordham Tract, filed in the Office of the Suffolk County Clerk on October 19, 1912 as Map No.l 270, said property being more particularly bounded and described as follows:

BEGINNING at a point on the northeasterly side of former Harrison Avenue (Tax Lot 143), distant the following two (2) courses and distances from the intersection of the northerly side of the said former

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

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Harrison Avenue (Tax Lot 143), with the northeasterly side of Second Avenue:

1. North 76 degrees 02 minutes 00 seconds East 183.83 feet;

2. South 59 degrees 28 minutes 00 seconds East, 199.80 feet;

RUNNING THENCE North 53 degrees 20 minutes 00 seconds East, 102.29 feet;

THENCE South 37 degrees 39 minutes 08 seconds East, 49.91 feet to the southerly line of Lot 71 on the Map of Fordham Tract;

THENCE South 56 degrees 55 minutes 00 seconds West 84.54 feet, along said line, to the northerly line of said former Harrison Avenue (Tax Lot 143);

THENCE along the northerly line of said former Harrison Avenue (Tax Lot 143) North 59 degrees 28 minutes 00 seconds West, 48.41 feet to the POINT OR PLACE OF BEGINNING.

Containing 4,386 square feet, more or less.

S 4. The replacement lands to be acquired and dedicated by the county of Suffolk to use as parkland for public park purposes are described as follows:

ALL that certain plot, piece or parcel of land situate, lying and being at Bay Shore, Town of Islip, County of Suffolk and State of New York, known and designated as part of lot numbers 68 and 69 and part of the northerly 12 feet of Lot 70 on the Map of Fordham Tract, filed in the Office of the Suffolk County Clerk on October 19, 1912 as Map No. 270, said property being more particularly bounded and described as follows:

BEGINNING at the southwesterly corner of the property herein described, said point being distant the following three (3) courses and distances from the intersection of the northerly side of the former Harrison Avenue (Tax Lot 143) with the northeasterly side of Second Avenue:

1. North 76 degrees 02 minutes 00 seconds East 183.83 feet;

2. South 59 degrees 28 minutes 00 seconds East, 199.80 feet;

3. North 53 degrees 20 minutes 00 seconds East, 102.29 feet;

RUNNING THENCE North 37 degrees 39 minutes 08 seconds West, 61.97 feet to the division line between Lot 67 and Lot 68 shown on said Map of Fordham Tract;

THENCE along Penataquit Brook, South 89 degrees 07 minutes 03 seconds East 101.66 feet, along a tie line;

THENCE South 53 degrees 20 minutes 00 seconds West, 79.53 feet to the POINT OR PLACE OF BEGINNING.

Containing 2,464 square feet, more or less.

ALL that certain plot, piece or parcel of land, situate, lying and being at Bay Shore in the Town of Islip, County of Suffolk and State of New York bounded and described as follows:

BEGINNING at a point on the southerly line of Lot 71 on said of Map of Fordham Tract, distant the following three (3) courses and distances from the intersection of the northerly side of the former Harrison Avenue (Tax Lot 143), with the northeasterly side of Second Avenue:

1. North 76 degrees 02 minutes 00 seconds East 183.83 feet;

2. South 59 degrees 28 minutes 00 seconds East, 284.21 feet;

3. North 56 degrees 55 minutes 00 seconds East 84.54 feet, along said southerly line of Lot 71;

RUNNING THENCE North 56 degrees 55 minutes 00 seconds East 52.68 feet, along said southerly line of Lot 71;

THENCE South 31 degrees 17 minutes 00 seconds East, 13.21 feet;

THENCE North 84 degrees 50 minutes 00 seconds 4.67 feet;

THENCE South 18 degrees 53 minutes 00 seconds West, 65.91 feet;
THENCE North 37 degrees 39 minutes 08 seconds West, 56.18 feet to the POINT OR PLACE OF BEGINNING.
Containing 1,922 square feet, more or less.

S 5. The discontinuance and conveyance of parkland authorized by the provisions of this act shall not occur until the county of Suffolk has complied with any federal requirements pertaining to the alienation or conversion of parklands, including satisfying the Secretary of the Interior that the conversion complies with all conditions which the Secretary of the Interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and recreational usefulness to the lands being alienated or converted.

S 6. In the event that the park lands to be dedicated by the county of Suffolk pursuant to this act are not of equal or greater fair market value and usefulness as park lands than the park lands to be discontinued, the county of Suffolk shall dedicate the difference of fair market value and/or usefulness of the lands to be alienated and the lands to be dedicated for the acquisition of additional park lands and/or capital improvements to existing park and recreational facilities.

S 7. This act shall take effect immediately.