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

5655--A

2013-2014 Regular Sessions

I N S E N A T E

May 31, 2013

Introduced by Sen. CARLUCCI -- 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 to authorize the village of Ossining to convey an easement and temporarily alienate parkland for the purposes of completing and operating certain proposed improvements to a sanitary sewer pipeline in Snowden Park

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

Section 1. The village of Ossining, in the county of Westchester, is hereby authorized to convey by appropriate instruments to the county of Westchester a permanent easement for the purpose of enabling such county to re-route and operate a sanitary sewer pipeline under village parkland described as parcel A in section three of this act. Such village is also authorized to temporarily alienate a portion of village parkland described as parcel B in section three of this act for construction purposes. Upon completion of construction to re-route such sanitary sewer pipeline, the village of Ossining shall ensure that the surface of the lands are restored such that the lands shall continue to be used for park purposes, and there shall be no net loss of village parkland.

S 2. The authorization provided in section one of this act shall be effective only upon the condition that an amount equal to or greater than the fair market value of the interests being conveyed and temporarily alienated pursuant to section one of this act is dedicated for the acquisition of new village parklands and/or for capital improvements to existing village park and recreational facilities.

S 3. The permanent easement to be conveyed by the village of Ossining and the temporary alienation authorized pursuant to this act are two parcels of parkland in the village of Ossining, county of Westchester, described as follows:

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

LBD10710-03-3

PARCEL A

All that certain piece or parcel of land lying and being in the Town of Ossining, County of Westchester and the State of New York, and being more particularly bounded and described as follows.

BEGINNING at a point on the Northerly bounds of Broadway. Said point being South 87°20'17" East a distance of 47.93' from the Easterly bounds of Snowden Avenue where it is intersected with the Northerly bounds of Broadway. Thence;

Passing through Snowden Park North 05°43'05" West a distance of 95.04' to a point at the Easterly bounds of Snowden Avenue. Thence;

Along the Easterly bounds of Snowden Avenue North 35°45'05" East a distance of 22.65' to a point. Thence;

Passing through Snowden Park South 05°43'05" East a distance of 114.22' to a point at the Northerly bounds of Broadway. Thence;

Along the Northerly bounds of Broadway North 87°20'17" West a distance of 15.16' to the point or place of BEGINNING.

Having an area of 1,569.44 square feet, or 0.036 acres, more or less.

PARCEL B

All that certain piece or parcel of land lying and being in the Town of Ossining, County of Westchester and the State of New York, and being more particularly bounded and described as follows.

BEGINNING at a point, said point being North 21°30'54" West a distance of 1.35' from the Easterly bounds of Snowden Avenue where it is intersected with the Northerly bounds of Broadway. Thence;

North 12°43'40" East a distance of 68.46' to a point. Thence;

North 26°16'56" East a distance of 8.17' to a point. Thence;

North 33°22'29" East a distance of 11.13' to a point. Thence;

North 35°59'05" East a distance of 60.30' to a point. Thence;

South 59°53'40" East a distance of 86.19' to a point. Thence;

South 48°44'59" West a distance of 72.42' to a point. Thence;

South 05°23'44" West a distance of 46.36' to a point. Thence;

North 86°17'00" West a distance of 76.17' which is the point or place of BEGINNING.

Having an area of 9870 square feet, or 0.2266 acres, more or less.

S 4. If the parkland that is the subject of this act has received funding pursuant to the federal land and water conservation fund, the discontinuance of parkland authorized by the provisions of this act shall not occur until the municipality has complied with the federal requirements pertaining to the conversion of parklands, including satisfying the secretary of the interior that the discontinuance 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 discontinued.

S 5. This act shall take effect immediately.