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

5840

2013-2014 Regular Sessions

I N S E N A T E

June 17, 2013

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to authorize the town of Orangetown, county of Rockland, to discontinue use of certain lands as park lands and sell such lands, and dedicate certain other lands as park lands

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

Section 1. Subject to the provisions of this act, the town of Orangetown, county of Rockland, is hereby authorized, acting by and through its town board and upon such terms and conditions as determined by such board, to discontinue the use of the municipally owned park land commonly known as Broadacres Golf Course, and more particularly described in section three of this act, which is no longer needed for park purposes, and sell and convey in fee simple for its fair market value and upon such terms and conditions as it deems appropriate such lands which are no longer useful for park and recreation purposes. The authorization contained in this section shall only be effective on the condition that State of New York waives any reversion clause of any deed conveying such property, if applicable.

S 2. The authorization contained in section one of this act shall take effect only upon the condition that the town of Orangetown shall dedicate lands from the lands described in section four of this act as additional park lands of the town, provided that the town of Orangetown has never used such lands for public open space or park purposes, are not lands under water, are improved such that the lands with improvements are of equal or greater fair market value than the value of the park lands being alienated by this act, are at least thirty acres of land that include all land adjacent to a body of water within the lands described in section four of this act known as Lake Tappan, and that such lands form one contiguous park. Such improvements shall include, but not be limited to, a walking and/or bike path, and public access

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

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points to Lake Tappan. The authorization contained in section one of this act shall also only be effective on the condition that the Office of Parks, Recreation and Historic Preservation has agreed that such additional lands are suitable replacement park lands. In the event that such lands and improvements are not of equal or greater fair market value to the park lands being alienated by this act, the town of Orangetown shall dedicate the difference in such fair market value for the acquisition or designation of additional town park lands that the town of Orangetown has never used for public open space or park purposes, or for capital improvements to existing town park and recreational facilities.

S 3. The lands authorized by section one of this act to be discontinued as park lands, and to be sold and conveyed are as follows:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Orangetown, County of Rockland and State of New York, being more particularly bounded and described as follows:

BEGINNING at an iron pin at the intersection of the southerly side of Convent Road with the southwesterly line of lands of the Palisades Interstate Parkway; running thence Southeasterly along the southwesterly line of said lands of the Palisades Interstate Parkway on a curve to the right having a radius of 85200.00 feet, the arc length of 1127.10 feet, said curve being subtended by a chord bearing of South 38° 37' 37" East and a length of 1126.28 feet; running thence South 9° 33' 28" East 70.16 feet; running thence South 86° 10' 42" West 169.64 feet; running thence South 0° 29' 31" East 434.02 feet; running thence South 86° 53' 36" East 180.62 feet; running thence South 0° 27' 28" East 919.15 feet; running thence South 12° 41' 48" West 532.48 feet; running thence South 75° 23' 37" West 669.81 feet; running thence North 18° 05' 09" East 542.73 feet; running thence North 0° 49' 20" East 200.30 feet; running thence North 16° 11' 45" East 220.32 feet; running thence North 0° 17' 09" East 242.81 feet; running thence North 18° 52' 35" West 292.53 feet; running thence North 8° 46' 37" West 90.46 feet; running thence North 4° 02' 36" West 184.50 feet; running thence South 62° 13' 00" West 174.29 feet; running thence South 1° 35' 56" West 146.64 feet; running thence South 89° 34' 18" West 428.60 feet; running thence North 32° 03' 38" West 114.70 feet; running thence North 53° 35' 58" West 84.80 feet; running thence North 42° 36' 43" West 50.88 feet; running thence North 33° 45' 55" West 52.74 feet; running thence North 21° 38' 31" West 49.42 feet; running thence North 10° 02' 58" West 50.27 feet; running thence North 6° 44'22" West 36.63 feet; running thence South 88° 11' 36" West 261.00 feet; running thence North 2° 06' 36" West 1115.47 feet to an iron pin in the southerly side of Convent road; running thence North 88° 31' 56" East 408.32 feet; running thence North 87° 42' 57" East 621.05 feet to an iron pin the southwesterly line of lands of the Palisades Interstate Parkway, being the northeasterly corner of the premises hereinabove described and the point of place of BEGINNING, CONTAINING 64.8743 acres, more or less.

S 4. Prior to the discontinuance and alienation of the park land described in section three of this act, and subject to the requirements of section two of this act, the town of Orangetown, acting through its town board, shall dedicate lands from the description of lands below that the town of Orangetown has never used for public open space or park purposes, are not lands under water, are at least thirty acres of land that include all land adjacent to a body of water known as Lake Tappan,

and that such lands form one contiguous park. Such lands are located in an area bounded and described as follows:

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Orangetown, County of Rockland and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point in the northerly side of Old Orangeburg Road at its intersection with the northerly side of Veterans Memorial Drive a/k/a New Orangeburg Road and running thence North 84° 03' 48" West along the northerly side of Veterans Memorial Drive a/k/a New Orangeburg Road 42.77 feet; running thence North 70° 41' 42" West still along the northerly side of Veterans Memorial Drive a/k/a new Orangeburg Road 174.74 feet; running thence North 34° 14' 48" West 209.46 feet; running thence North 22° 26' 12" East 1,022.58 feet to a corner; running thence South 85° 34' 12" West still along the same 166.55 feet to a corner; running thence North 12° 56' 22" East 285.35 feet; running thence North 1° 49' 08" West 222.46 feet; running thence North 17° 13' 32" East 207.02 feet; running thence North 80° 22' 22" East 93.34 feet; running thence South 52° 08' 58" East 93.41 feet; running thence South 88° 00' 38" East 133.52 feet; running thence North 69° 47' 12" East 141.69 feet; running thence North 47° 58' 52" East 338.13 feet; running thence North 78° 14' 52" East 123.15 feet; running thence South 81° 31' 48" East 122.77 feet; running thence North 57° 34' 42" East 97.72 feet; running thence North 30° 40' 32" East 184.56 feet; running thence North 0° 07' 58" West 148.68 feet; running thence North 41° 34' 12" East 322.84 feet; running thence South 84° 55' 08" East 273.91 feet thence North 86° 11' 40" East 452.00 feet; running thence South 20° 56' 14" East 123.13 feet; running thence North 58° 55' 10" East 768.44 feet; running thence North 63° 30' 13" East 599.40 feet; running thence South 0° 28' 51" West 517.55 feet; running thence South 88° 10' 59" West 576.17 feet; running thence South 4° 47' 04" East 859.02 feet; running thence South 70° 17' 25" West 84.17; running thence Due West 267.48 feet; running thence Due South 95.82 feet; running thence South 70° 17' 25" West 48.04 feet; running thence South 6° 39' 10" East 161.28 feet; running thence South 79° 53' 23" East 500.35 feet; running thence South 2° 34' 07" East 623.29 feet; running thence South 76° 20' 28" West 127.36 feet; running thence South 87° 18' 26" West 185.39 feet; running thence South 0° 00' 18" West 665.06 feet in the northerly side of Old Orangeburg Road; running thence South 86° 05' 03" West 59.81 feet; running thence North 89° 54' 12" West 583.36 feet; running thence South 87° 27' 33" West 197.88 feet; running thence South 86° 20' 03" West 193.02 feet in the northerly side of Old Orangeburg Road; running thence Due North, 743.60 feet; running thence Due West, 580.39 feet; running thence North 75°40'44" West 110.46 feet; running thence South 36°33'44" West 48.05 feet; running thence North 53°26'16" West 24.46 feet; running thence South 39°18'20" West 66.52 feet; running thence Southwesterly, on a curve to the right having a radius of 434.61 feet and an arc distance of 144.03 feet; running thence Southwesterly, on a curve to the right having a radius of 135.06 feet and an arc length of 71.92 feet of compound curvature; running thence Southwesterly, on a curve to the left having a radius of 115.05 feet and an arc length of 109.96 feet of reverse curvature; running thence Southeasterly, on a curve to the left having a radius of 65.00 feet and an arc length of 79.01 feet of compound curvature; running thence South 35°36'22" East 81.38 feet; running thence Southerly, on a curve to the right having a radius of 285.00 feet and an arc length of 211.28 feet; running thence South 06°52'07" West 200.23 feet; running thence Southerly, on a curve to the

left having a radius of 115.00 feet and an arc length of 19.34 feet; running thence Southeasterly, along a curve to the left having a radius of 35.00 feet and an arc length of 56.72 feet along the northerly side of Old Orangeburg Road; running thence South 84° 23' 03" West 670.19 feet along the northerly side of Old Orangeburg Road to the point or place of BEGINNING.

S 5. 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 6. This act shall take effect immediately.