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

9642--A

I N A S S E M B L Y

March 24, 2016

Introduced by M. of A. BARRETT -- 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 Hyde Park to convey to the Greenfields Town Water District, a special district of the town of Hyde Park, an easement through land located in the town's Greenfields Park currently utilized as a public ground water supply with underground water mains, electrical lines and well heads as a part of the existing public water supply system

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

Section 1. The town of Hyde Park, acting by and through its town board, is hereby authorized to convey by appropriate instruments to the board of commissioners of the Greenfields Town Water District, a permanent easement in Greenfields Park described in section three of this act, for the purpose of enabling such water district to own, construct, and repair when necessary, public water supply wells, water mains, electrical lines and associated infrastructure as a part of the existing public water supply system. Upon completion of any repairs or construction, the Greenfields Town Water District shall restore the surface of the lands 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 Hyde Park dedicate an amount equal to or greater than the fair market value of the 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 easements to be conveyed by the Greenfields Town Water District pursuant to the provisions of this act are described as follows:

Wellhead Access and Utility Easement No. 1:

ALL that plot piece or parcel of land, being an easement for the purpose of ingress, egress, maintenance and repair, located in the Town of Hyde

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

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Park, County of Dutchess and State of New York, bounded and described as follows:
Beginning at a point, said point being distant: North 01°16'42" West 48.18 feet, North 03°37'12" West 17.50 feet, South 80°13'28" East 152.68 feet, North 84°22'54" East 32.91 feet, North 80°17'18" East 88.90 feet and North 00°19'34" West 16.93 feet from the southwesterly corner of lands now or formerly the Town of Hyde Park (recreation parcel), Liber 1493, Page 526; thence leaving said point of beginning and running through the aforementioned lands of the Town of Hyde Park (recreation parcel) the following courses and distances: North 43°35'42" West 123.22 feet, North 32°52'40" West 143.41 feet, North 44°58'37" West 54.47 feet on a curve to the right having a radius of 30.00 feet and an arc length of 157.08 feet, South 44°58'37" East 57.65 feet, South 32°52'40" East 143.78 feet, South 43°35"42" East 77.69 feet and South 08°30'59" East 52.20 feet to the point of beginning containing 0.270± acres of land.
Wellhead Access and Utility Easement No. 3:
ALL that plot piece or parcel of land, being an easement for the purpose of ingress, egress, maintenance and repair, located in the Town of Hyde Park, County of Dutchess and State of New York, bounded and described as follows:
Beginning at a point, said point being distant: North 84°22'54" East 185.26 feet, North 80°17'18" East 97.51 feet, North 67°52'46" East 98.11 feet and on a curve to the left having a radius of 30.00 feet and an arc length of 40.49 feet; thence leaving said point of beginning and running through the aforementioned lands of the Town of Hyde Park (recreation parcel) the following courses and distances: South 76°14'45" West 39.04 feet, North 27°33'10" East 34.29 feet, North 11°48'01" East 179.43 feet on a curve to the right having a radius of 30.00 feet and an arc length of 78.13 feet, North 23°51'46" West 346.61 feet, South 27°38'42" East 496.20 feet, South 14°46'22" East 105.81 feet to a point being on the northerly line of the aforementioned lands of Greenfields Water District; thence running along the northerly line of said Greenfields Water District, South 67°52'46" West 24.00 feet; thence leaving the northerly line of said Greenfields Water District and running through the aforementioned lands of the Town of Hyde Park (recreation parcel) the following courses and distances: North 18°45'56" West 90.00 feet, North 23°51'46" West 110.54 feet, on a curve to the right having a radius of 30.00 feet and an arc length of 15.73 feet, South 11°48'01" West 186.36 feet and South 27°33'10" West 12.07 feet to the point of beginning containing 0.445± acres of land.
Wellhead Access and Utility Easement No. 4:
ALL that plot piece or parcel of land, being an easement for the purpose of ingress, egress, maintenance and repair, located in the Town of Hyde Park, County of Dutchess and State of New York, bounded and described as follows:
Beginning at a point, said point being distant: On a curve to the left having a radius of 25.00 feet and an arc length of 40.48 feet, North 80°52'48" East 54.73 feet and on a curve to the left having a radius of 100.00 feet and an arc length of 22.89 feet, from the intersection of the easterly line of Cream Street (County Route 39) with the northerly line of Windmill Road, said point of beginning being on the northerly line of Windmill Road and said point being on the southerly line of lands now or formerly Town of Hyde Park (recreation parcel), Liber 1558, Page 568; thence leaving said northerly road line and running through said lands of the Town of Hyde Park the following courses and distances: North 01°43'18" West 33.06 feet, on a curve to the left having a radius

of 70.00 feet and an arc length of 36.08 feet, North 28°42'28" East 117.48 feet, North 45°50'44" West 111.25 feet, on a curve to the right having a radius of 30.00 feet and an arc length of 75.27 feet, North 19°22'33" East 279.30 feet and North 40°20'33" West 41.56 feet to a point being on the easterly line of said Town of Hyde Park (recreation parcel), said point also being on the westerly line of lands now or formerly Greenfields Sewer District, Liber 1493, Page 5109; thence running along said division line, North 77°05'28" East 41.88 feet and South 11°53'12" East 78.01 feet; thence leaving said division line and running through the aforementioned lands of the Town of Hyde Park (recreation parcel) the following courses and distances: South 19°22'33" East 244.63 feet, on a curve to the right having a radius of 30.00 feet and an arc length of 23.52 feet and South 45°50'44" East 131.32 feet to a point being on the northerly line of the aforementioned Windmill Road; thence running along said road line, South 28°42'28" West 150.69 feet and on a curve to the right having a radius of 100.00 feet and an arc length of 68.17 feet to the point of beginning containing 0.572± acres of land.

S 4. In the event that the town of Hyde Park received any funding support or assistance from the federal government for the purchase, maintenance, or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parkland authorized by the provisions of section one of this act shall not occur until the town of Hyde Park has complied with any federal requirements pertaining to the alienation or conversion of such parklands, including satisfying the secretary of the interior that the alienation or 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 usefulness to the lands being alienated or converted.

S 5. This act shall take effect immediately.