

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

S. 7774--A

A. 10147--A

S E N A T E - A S S E M B L Y

May 12, 2016

IN SENATE -- Introduced by Sen. LAVALLE -- 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

IN ASSEMBLY -- Introduced by M. of A. PALUMBO -- 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 in relation to authorizing the town of Brookhaven to transfer ownership of certain parklands to SMW Property Holdings

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

1 Section 1. Subject to the provisions of this act, the town of Brookha-
2 ven, county of Suffolk, acting by and through its town board, is author-
3 ized to transfer and convey its interest in parkland located at Route
4 25A, Rocky Point, and more particularly described in section two of this
5 act, to Soundview Pipe Stave Hollow LLC, S. Weissman EM Property LLC
6 and V. Howard LLC, also known as SMW Property Holdings (hereinafter
7 SMW), in exchange for the transfer and conveyance to the town of Brook-
8 haven by SMW, of SMW's interest in property located at 32 Echo Avenue,
9 Miller Place, and more particularly described in section three of this
10 act. Such exchange shall be made upon such terms and conditions as shall
11 be agreed upon between the parties.

12 S 2. The parcel of land to be transferred and conveyed by the town of
13 Brookhaven pursuant to section one of this act is more fully described
14 as follows:

15 ALL that certain plot, piece or parcel of land, with the buildings
16 thereon erected, situate, lying and being at Rocky Point, Town of Brook-
17 haven, County of Suffolk and State of New York more particularly bounded
18 and described as follows:

19 BEGINNING at a point on the northerly line of New York State Route
20 25A, distant 979.33 feet westerly from the westerly end of a curve
21 having a radius of 20.00 feet and arc length of 32.07 feet which

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

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1 connects the northerly line of New York State Route 25A and the westerly
2 line of Fairway Drive;
3 RUNNING THENCE North 79 degrees 25 minutes 00 seconds West, along New
4 York State Route 25A, 150.00 feet;
5 RUNNING THENCE North 10 degrees 35 minutes 00 seconds East, 250.00
6 feet;
7 RUNNING THENCE South 79 degrees 25 minutes 00 seconds East, 150.00
8 feet;
9 RUNNING THENCE South 10 degrees 35 minutes 00 seconds West, 250.00
10 feet to the northerly line of New York State Route 25A, at the point or
11 place of BEGINNING. The said parcel containing 37,500.00 square feet or
12 0.86 acres.

13 S 3. The parcel of land to be transferred and conveyed to the town of
14 Brookhaven pursuant to section one of this act is more fully described
15 as follows:

16 ALL THAT CERTAIN PLOT, PIECE, OR PARCEL OF LAND, situate, lying, and
17 being at miller place, town of Brookhaven, county of Suffolk and state
18 of New York, bounded and described as follows:

19 BEGINNING at the corner formed by the intersection of the easterly
20 side of Pipe Stave Hollow Road (also known as Hopkins Road) and the
21 southerly side of Echo Avenue (Hallock Avenue);

22 RUNNING THENCE from said point or place of beginning along the south-
23 erly side of Echo Avenue, north 62 degrees 11 minutes 15 seconds east
24 316.00 feet to land now or formerly of town of Brookhaven;

25 RUNNING THENCE along said land, south 09 degrees 57 minutes 45 seconds
26 east along said land 394.31 feet to the northerly side of the Long
27 Island power authority right of way;

28 THENCE along said right of way, south 89 degrees 40 minutes 30 seconds
29 west 230.00 feet to the easterly side of Pipe Stave Hollow Road (also
30 known as Hopkins Road);

31 THENCE along the easterly side of Pipe Stave Hollow Road, north 25
32 degrees 55 minutes 06 seconds 269.32 feet to the point or place of
33 beginning. The said parcel containing 87,234 square feet or 2.002 acres.

34 S 4. In the event that the fair market value of the property acquired
35 by the town of Brookhaven from SMW is not equal to or greater than the
36 fair market value of the property transferred from the town of Brookha-
37 ven to SMW, the town of Brookhaven shall dedicate the difference between
38 the fair market value of the property transferred to SMW and the fair
39 market value of the property acquired from SMW, for the acquisition of
40 additional parkland and/or for capital improvements to existing park and
41 recreational facilities within the town of Brookhaven.

42 S 5. If the parkland that is the subject of this act has received
43 funding pursuant to the federal land and water conservation fund, the
44 transfer authorized by the provisions of this act shall not occur until
45 the town of Brookhaven has complied with the federal requirements
46 pertaining to the conversion of parklands, including satisfying the
47 secretary of the interior that the transfer will include all conditions
48 which the secretary of the interior deems necessary to assure the
49 substitution of other lands shall be equivalent in fair market value and
50 recreational usefulness to the lands being discontinued.

51 S 6. This act shall take effect immediately.