

# STATE OF NEW YORK

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6657

2017-2018 Regular Sessions

## IN SENATE

June 9, 2017

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

AN ACT to authorize the county of Westchester to convey a temporary easement and temporarily alienate certain parkland during period of such easement

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The county of Westchester, is hereby authorized, acting by  
2 and through the county legislature of such county, to convey, upon such  
3 terms and conditions and for such consideration as shall be determined  
4 by the county legislature, a temporary easement to Nelson Peltz and  
5 Claudia Peltz in, upon, over and under a portion of county parkland,  
6 known as Merestead, as described in section three of this act, and to  
7 temporarily alienate such portion of parkland during the term of such  
8 easement. Upon termination of such easement, pursuant to the terms thereof,  
9 the parklands alienated pursuant to this act shall be restored such  
10 that the lands shall continue to be used for park purposes, and there  
11 shall be no net loss of county parkland.

12 § 2. The authorization granted in section one of this act shall be  
13 effective only upon the condition that an amount equal to or greater  
14 than the fair market value of the temporary easement conveyed and the  
15 temporary alienation pursuant to section one of this act is dedicated to  
16 the acquisition of new county parklands and/or capital improvements to  
17 existing county park and recreational facilities.

18 § 3. The temporary easement to be conveyed by the county of Westchester  
19 and the temporary alienation of parkland authorized by this act  
20 shall be for a parcel of parkland described as follows:

21 All that certain lot, piece or parcel of land, situate, lying and  
22 being in the Town of Bedford, County of Westchester and State of New  
23 York, being more particularly bounded and described as follows:

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

LBD13152-01-7

1 BEGINNING at a point on the easterly boundary line of property belong-  
2 ing to the County of Westchester, said point being distant 2,674.40 feet  
3 as measured in a northerly direction along said easterly boundary line  
4 from its intersection with the northerly boundary line of Byram Lake  
5 Road as shown on a certain map entitled "Survey of Property to be  
6 Acquired by the County of Westchester from Dr. Robert and Margaret Sloan  
7 Patterson, etc." said map being filed in the Westchester County Clerk's  
8 Office, Division of Land Records May 11, 1983 as Map No. 21209, running  
9 thence in a northerly direction through property belonging to the County  
10 of Westchester North 7°12'14" West 350.42 feet, on a curve to the left  
11 having a radius of 150.00 feet, a central angle of 19°47'58" for a  
12 length of 51.84 feet and North 27°00'12" West 102.43 feet to a point on  
13 the northerly boundary line of property belonging to the County of West-  
14 chester, thence in an easterly direction along the same North 84°02'48"  
15 East 28.20 feet and North 84°48'02" East 25.51 feet to a point, thence  
16 in a southerly direction through property belonging to the County of  
17 Westchester South 27°00'12" East 82.83 feet, on a curve to the right  
18 having a radius of 200.00 feet, a central angle of 19°47'58" for a  
19 length of 69.11 feet and South 7°12'14" East 350.78 feet to a point on  
20 the easterly boundary line of property belonging to the County of West-  
21 chester, thence in a westerly direction along the same South 83°12'32"  
22 West 50.00 feet to the point or place of beginning.

23 § 4. If the parkland that is the subject of this act has received  
24 funding pursuant to the federal land and water conservation fund, the  
25 discontinuance of parkland authorized by the provisions of this act  
26 shall not occur until the county of Westchester has complied with the  
27 federal requirements pertaining to the conversion of parklands, includ-  
28 ing satisfying the secretary of the interior that the discontinuance  
29 with all conditions which the secretary of the interior deems necessary  
30 to assure the substitution of other lands shall be equivalent in fair  
31 market value and recreational usefulness to the lands being discontin-  
32 ued.

33 § 5. This act shall take effect immediately.