

STATE OF NEW YORK

10453--A

IN ASSEMBLY

April 23, 2018

Introduced by M. of A. BYRNE -- 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 Yorktown, in the county of Westchester to alienate certain parklands

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 Yorktown
2 in the county of Westchester, acting by and through its governing body
3 and upon such terms and conditions as determined by such board is hereby
4 authorized to discontinue as parklands and alienate the lands described
5 in section three of this act that are unusable for public recreational
6 purposes.

7 § 2. The authorization contained in section one of this act shall take
8 effect only upon the condition that the town of Yorktown shall dedicate
9 an amount equal to or greater than the fair market value of the park-
10 lands being discontinued towards the acquisition of new parklands and/or
11 towards capital improvements to existing parkland and recreational
12 facilities.

13 § 3. The parklands authorized by section one of this act to be alien-
14 ated are described as follows:

15 All that certain plot, piece or parcel of land, being in the Incorpo-
16 rated Town of Yorktown, County of Westchester and State of New York,
17 bounded and described as follows:

18 BEGINNING at a point on the easterly side of Illington Road where the
19 same is intersected by the northern boundary line of now or formerly
20 Kuchenmeister

21 THENCE running along the easterly side of Illington Road in a
22 northeasterly direction and

23 THENCE following the stone wall a distance of 420 feet

24 THENCE still continuing along said easterly side of Illington Road as
25 same bears to the left in a northerly direction

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

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1 THENCE following the stone wall a distance of 780 feet to the inter-
2 section of said easterly side of Illington Road with the southerly side
3 of the Old Croton Dam Road

4 THENCE running easterly along the southerly side of said Old Croton
5 Dam Road 132 feet to a monument and land of the State of New York acting
6 as the Westchester County Park Commission

7 THENCE running along the westerly boundary of said last mentioned
8 land, first in a southerly direction on a curve bearing to the right, a
9 length of 557.06 feet to another monument

10 THENCE on a curve still bearing to the right in a southwesterly direc-
11 tion length of 297.06 feet

12 THENCE still southwesterly in a straight line, a distance of 273.05
13 feet to a point in the westerly boundary line of said land of the State
14 of New York acting by the Westchester County Park Commission where the
15 same is interested by the aforementioned northerly boundary line of
16 Kuchenmeister

17 THENCE running westerly along said northerly boundary line of said of
18 Kuchenmeister 460 feet to the point or place of BEGINNING containing a
19 total of 5.73 acres.

20 § 4. In the event that the town of Yorktown received any funding
21 support or assistance from the federal government for the purchase,
22 maintenance or improvement of the parklands set forth in section three
23 of this act, the discontinuance and alienation of such parkland author-
24 ized by the provisions of this act shall not occur until the town of
25 Yorktown has complied with any federal requirements pertaining to the
26 alienation or conversion of parklands, including satisfying the secre-
27 tary of the interior that the alienation or conversion complies with all
28 conditions which the secretary of the interior deems necessary to assure
29 the substitution of other lands shall be equivalent in fair market value
30 and usefulness to the lands being alienated or converted.

31 § 5. This act shall take effect immediately.