

STATE OF NEW YORK

7136--A

2017-2018 Regular Sessions

IN ASSEMBLY

April 10, 2017

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 and to dedicate other lands as 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 York-
2 town, in the county of Westchester, is hereby authorized to discontinue
3 and alienate as parkland the lands described in section four of this
4 act.

5 § 2. Notwithstanding the failure of the town of Yorktown to seek and
6 receive state legislative authorization to alienate the parklands
7 described in section four of this act prior to such parklands being
8 alienated, such alienation is hereby validated, legalized, ratified and
9 confirmed.

10 § 3. The authorization provided in section one of this act shall be
11 effective only upon the condition that the town of Yorktown, dedicates
12 the lands described in section five of this act as parkland:

13 § 4. 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 STARTING on the south side of Route No. 6 (Peekskill five mile turn-
19 pike), at its intersection with the center line Brook Outlet of Mohegan
20 Lake.

21 THENCE along said south side of Route No. 6, North 48°02'40" East,
22 219.83 feet

23 To the point or place of BEGINNING.

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

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1 THENCE southerly at right angle with the south side of Route No. 6,
2 South 41°57'20" East, 91.72 feet;

3 THENCE North 22°58'22" East, 15.30'

4 THENCE North 32°02'53" West, 24.875',

5 THENCE North 33°19'13" East, 98.00',

6 THENCE North 37°06'46" West, 24.31'

7 THENCE South 54°11'40" West, 64.81'

8 THENCE South 48°02'40" West, 81.29' to the point or place of BEGIN-
9 NING; containing 6227.31 square feet or .14 acres, more or less.

10 § 5. Prior to the discontinuance and alienation of the parkland
11 described in section four of this act, the town of Yorktown shall dedi-
12 cate as parkland such land described as follows:

13 All that certain plot, piece or parcel of land situate, lying a being
14 in the incorporated Town of Yorktown, County of Westchester and State of
15 New York bounded and described as follows:

16 BEGINNING on the south side of Route No.6 (Peekskill five mile turn-
17 pike), at its intersection with the center line Brook Outlet of Mohegan
18 Lake;

19 THENCE South 44°09'29" East, 69.52 feet;

20 THENCE South 13°20'00" East, 49.07 feet;

21 THENCE South 32°46'58" East, 27.81 feet;

22 THENCE North 48°02'40" East, 108.00 feet;

23 THENCE North 65°37'00" West, 65.00 feet;

24 THENCE South 75°17'41" West, 55.70 feet;

25 THENCE North 44°09'29" West, 55.00 feet;

26 THENCE South 48°02'40" West, 5.01 feet to the point or place of BEGIN-
27 NING; containing 6227.03 square feet or .14 acres, more or less.

28 § 6. In the event that the fair market value of the parklands
29 described in section five of this act to be dedicated by the town of
30 Yorktown pursuant to this act are not equal to or greater than the fair
31 market value of the parklands described in section four of this act
32 being alienated, the town of Yorktown shall dedicate the difference of
33 the fair market value of the lands to be alienated and the lands to be
34 dedicated for the acquisition of additional parklands and/or capital
35 improvements to existing park and recreational facilities.

36 § 7. If the parkland being alienated pursuant to this act has received
37 funding pursuant to the federal land and water conservation fund, the
38 discontinuance of parkland authorized by the provisions of this act
39 shall not occur until the town of Yorktown has complied with the federal
40 requirements pertaining to the conversion of parklands, including satis-
41 fying the federal secretary of the interior that the discontinuance will
42 include all conditions which such secretary of interior deems necessary
43 to assure the substitution of other lands shall be equivalent in fair
44 market value and recreational usefulness to the lands being discontin-
45 ued.

46 § 8. This act shall take effect immediately.