# STATE OF NEW YORK

9075

# IN ASSEMBLY

January 18, 2018

Introduced by M. of A. MONTESANO -- read once and referred to the Committee on Local Governments

AN ACT authorizing the village of Bayville to alienate certain parcels of land used as parkland and to acquire other parcels of land to replace such parkland

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

Section 1. Subject to the provisions of this act, the village of Bayville, town of Oyster Bay, Nassau county, acting by and through its governing body, is hereby authorized to discontinue the use of waterfront parklands and alienate such lands more particularly described in section three of this act, for the purpose of constructing and maintaining a pump station on such waterfront parklands, and upon such other terms and conditions as determined by the governing body of the village of Bayville.

§ 2. The authorization contained in section one of this act shall take effect only upon the condition that the village of Bayville shall acquire and dedicate an amount equal to or greater than the fair market value of the waterfront parklands being discontinued towards the acquisition of new waterfront parklands and/or towards capital improvements to existing waterfront parkland and recreational facilities.

§ 3. Beginning at a point on the northerly side of Bayville - Center Island Road, at the southeast corner of the herein described parcel, said point being more particularly described as follows:
Commencing at the intersection of the westerly side of Pleasant View Drive (Sound Beach Drive) with the northerly side of 10' widening to be dedicated to the County of Nassau for Highway purposes on Bayville - Center Island Road, as it appears on the Map of Bayville Sound Homes, filed October 26, 1967 as case No. 8102;
Running thence along the northerly side of said widening, South 49°48'12" West 106.62 feet, to the westerly map line of said map of Map of Bayville Sound Homes;

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

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Thence along said map line, South 21°31'08" East 10.56 feet, to the northerly side of Bayville - Center Island Road, at the Point of Beginning.
Running thence along the northerly side of Bayville - Center Island Road, South 49°48'12" West 63.34 feet;
Thence North 21°31'08" West 110.00 feet;
Thence North 68°28'52" East 60.00 feet, to the westerly map line of Bayville Sound Homes;
Thence along said westerly map line, South 21°31'08" East 89.72 feet, to the northerly side of Bayville - Center Island Road, at the Point of Beginning.
Containing within said bounds 5,992 square feet (0.138 acres)
Basis of bearings is North American Datum of 1983 New York State Plane Coordinate System (NAD83 NYSPCS) Long Island Zone, which differs from the local mapping meridian by a clockwise rotation of 11°45'28".

§ 4. In the event that the village of Bayville 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 three of this act shall not occur until the village of Bayville 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.

§ 5. This act shall take effect immediately.