

STATE OF NEW YORK

7118

IN SENATE

(Prefiled)

January 3, 2018

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

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, is hereby authorized to discontinue use as
3 and alienate the parklands described in section four of this act.

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

8 § 3. The authorization granted in section one of this act shall be
9 subject to the requirement that all proceeds from the sale of the park-
10 lands described in section four of this act shall be used for the acqui-
11 sition of additional parkland and/or for capital improvements to exist-
12 ing park and recreational facilities.

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 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

19 § 5. If the parkland that is the subject of this act has received
20 funding pursuant to the federal Land and Water Conservation Fund, the
21 discontinuance of parkland authorized by the provisions of this act
22 shall not occur until the town of Yorktown has complied with the federal
23 requirements pertaining to the conversion of parklands, including the
24 satisfying of the federal Secretary of the Interior that the discontin-
25 uance will include all conditions which the Secretary of the Interior
26 deems necessary to assure the substitution of other lands shall be
27 equivalent in fair market value and recreational usefulness to the lands
28 being discontinued.

29 § 6. This act shall take effect immediately.