

STATE OF NEW YORK

S. 8658

A. 10681

SENATE - ASSEMBLY

May 10, 2018

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

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

AN ACT authorizing the county of Suffolk to transfer and convey a portion of County parkland to the town of Southampton, county of Suffolk

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

1 Section 1. (a) The county of Suffolk acting through its legislative
2 body, is hereby authorized to discontinue the use of a portion of County
3 parkland, which area is colloquially referred to as the Shinnecock
4 Commercial Fishing Dock, described in section two of this act, and to
5 enter into a contract to convey its interest in the real property to the
6 town of Southampton, county of Suffolk upon terms agreed upon by the
7 county of Suffolk and the town of Southampton, for use by the town of
8 Southampton for continued park and recreational purposes and as a
9 commercial fishing dock; provided that the town of Southampton shall
10 continue to provide access to such parklands and/or recreational facilities
11 to all residents of the County of Suffolk.

12 (b) Any revenues received by such county from such town from the
13 transfer of the property described in section two of this act shall be
14 used for capital improvements of existing park and recreational facilities
15 and/or for the acquisition of additional park and recreational
16 facilities.

17 § 2. The real property authorized to be conveyed by the county of
18 Suffolk pursuant to section one of this act shall be bounded and
19 described as follows:

20 All that certain piece or parcel of land situate lying and being at
21 Hampton Bays, in the Town of Southampton, County of Suffolk, and State
22 of New York, being Parcel 43 as shown on a map on file in the office of
23 the Commissioner of Public Works of Suffolk County titled "Map Showing
24 Property to be Acquired for County Purposes, Town of Southampton, County

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

LBD15697-01-8

1 of Suffolk, New York, Sheet 5 of 5" more particularly bound and
2 described as follows:

3 Commencing at the intersection of the easterly boundary of Road I and
4 the existing northerly boundary of County Road 89 Dune Road. Running
5 thence, along said northerly boundary of County Road 89 Dune Road, N 65°
6 48' 14" E a distance of 100 feet to the division line between the
7 subject parcel on the east and other land of Suffolk County on the west,
8 or the POINT OF BEGINNING;

9 Thence, from said place or point of Beginning northerly along said
10 division line N 23° 11' 46" W a distance of 436± feet more or less, to a
11 point on the mean high water line of Shinnecock Bay, said line being the
12 division line between the lands of the subject parcel to the south and
13 the lands of the Town of Southampton to the north;

14 Thence, along said division line a distance of 1475± feet more or
15 less, to a point on the division line between the lands of the subject
16 parcel to the west and the lands now or formerly of Shinnecock Fish
17 Packers, Inc. on the east;

18 Thence, along said division line S 23° 11' 46" E a distance of 314±
19 feet, more or less, to the aforementioned existing northerly boundary of
20 County Road 89 Dune Road;

21 Thence along said northerly boundary S 68° 28' 14" W a distance of
22 525.51 feet to a point;

23 Thence continuing along said northerly boundary S 65° 48' 14" W a
24 distance of 875.12 feet to the point or place of beginning; being
25 402,449± square feet or 9.24± acres more or less.

26 § 3. The land to be transferred pursuant to this act, and all struc-
27 tures and facilities situated on such land (the "Premises") shall be
28 conveyed subject to the following restrictive covenants that will run
29 with the land so conveyed:

30 (a) The Premises shall be maintained, owned and operated by the Town
31 of Southampton.

32 (b) The Town of Southampton shall indemnify and hold harmless the
33 County for any liability arising directly or indirectly from the Prem-
34 ises, or as a consequence of the use of the Premises.

35 (c) The use of the Premises shall be available to the general public.
36 Where the availability of facilities located at the Premises is limited,
37 use of such facilities must be determined by an equitable method.

38 § 4. This act shall take effect immediately.