STATE OF NEW YORK

10802

IN ASSEMBLY

July 11, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. M. L. Miller) -- read once and referred to the Committee on Local Governments

AN ACT to authorize the county of Nassau to discontinue use of certain lands as parkland located in the county's Bay Park and to authorize the city of Long Beach to convey to the county of Nassau an easement through land located in the city's Veteran's Memorial Park

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 county of Nassau, acting by and through its county legislature, is hereby authorized to discontinue the use as parklands the lands described in section five of this act, for the purpose of constructing, installing, operating and maintaining a force main from the city of Long Beach to the Bay Park sewage treatment plant. Upon completion of the force main related construction, the county of Nassau shall restore the surface of the lands more particularly described in section five of this act and the lands shall continue to be used for park purposes.

§ 2. Subject to the provisions of this act, the city of Long Beach, acting by and through its city council, is hereby authorized to discontinue the use as parklands the lands described in section six of this act and convey by appropriate instrument an easement to such lands to the county of Nassau, for the purpose of enabling the county to construct, install, operate and maintain a sewage force main from the city of Long Beach to the Bay Park sewage treatment plant. Upon completion of the force main related construction, the county of Nassau shall restore the surface of the lands more particularly described in section six of this act and the lands shall continue to be used for park purposes.

§ 3. The authorization provided in section one of this act shall be effective only upon the condition that the county of Nassau dedicate an amount equal to or greater than the fair market value of the parklands being discontinued towards the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

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

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§ 4. The authorization provided in section two of this act shall be effective only upon the condition that the city of Long Beach dedicate an amount equal to or greater than the fair market value of the parklands being discontinued towards the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 5. The parklands to be alienated by the county of Nassau, pursuant to section one of this act are described as follows:

All that certain plot, piece or parcel of land, situate, lying and being at, Town of Hempstead, County of Nassau and State of New York, said parcel on Tax Map Section 42 Block S Lot 20 being more particularly described as follows:

BEGINNING at a point on the northerly line of the BPSTP at its intersection with the easterly line of First Avenue;

RUNNING THENCE South 29 degrees 52 minutes 07 seconds West a distance of approximately 246 feet to the POINT OF BEGINNING;

South 71 degrees 18 minutes 58 seconds West a distance of 38.03 feet to a point;

South 26 degrees 18 minutes 58 seconds West a distance of 105.21 feet to a point;

South 15 degrees 03 minutes 58 seconds West a distance of 1113.63 feet to a point;

South 26 degrees 18 minutes 53 seconds West a distance of 25.63 feet to a point;

South 15 degrees 03 minutes 58 seconds West a distance of 482.20 feet to a point;

South 29 degrees 56 minutes 02 seconds East a distance of 72.71 feet to a point;

South 74 degrees 56 minutes 02 seconds East a distance of 22.49 feet to a point of curvature;

Thence on a curve to the right having an arc length of 27.22 feet, a radius of 1000.00 feet, a chord bearing of South 74 degrees 09 minutes 14 seconds East, and a chord length of 27.22 feet to a point of tangency;

South 73 degrees 22 minutes 27 seconds East a distance of 161.54 feet to a point;

South 50 degrees 52 minutes 27 seconds East a distance of 148.85 feet to a point of curvature;

Thence on a curve to the left having an arc length of 110.25 feet, a radius of 1000.00 feet, a chord bearing of South 54 degrees 01 minutes 57 seconds East, and a chord length of 110.20 feet to a point of tangency;

South 57 degrees 11 minutes 28 seconds East a distance of 66.27 feet to a point;

South 68 degrees 26 minutes 28 seconds East a distance of 1045.56 feet to a point;

Thence on a curve to the right having an arc length of 45.77 feet, a radius of 1000.00 feet, a chord bearing of South 67 degrees 07 minutes 47 seconds East, and a chord length of 45.77 feet to a point;

South 65 degrees 49 minutes 07 seconds East a distance of 35.46 feet to a point;

South 20 degrees 49 minutes 07 seconds East a distance of 8.85 feet to a point;

South 24 degrees 10 minutes 53 seconds West a distance of 419.12 feet to a point;

South 69 degrees 11 minutes 01 seconds West a distance of 15.92 feet to a point;

South 24 degrees 11 minutes 01 seconds West a distance of 518.23 feet to a point;
South 25 degrees 42 minutes 47 seconds West a distance of 37.27 feet to a point of curvature;
Thence on a curve to the right having an arc length of 103.79 feet, a radius of 1000.00 feet, a chord bearing of South 28 degrees 41 minutes 11 seconds West, and a chord length of 103.74 feet to a point of tangency;
South 31 degrees 39 minutes 35 seconds West a distance of 14.08 feet to a point of curvature;
Thence on a curve to the left having an arc length of 43.58 feet, a radius of 1000.00 feet, a chord bearing of South 30 degrees 24 minutes 40 seconds West, and a chord length of 43.58 feet, to a point of tangency;
South 29 degrees 09 minutes 46 seconds West a distance of 11.18 feet to a point;
South 15 degrees 50 minutes 14 seconds East a distance of 15.90 feet to a point;
South 27 degrees 05 minutes 14 seconds East a distance of 59.51 feet to a point;
South 17 degrees 54 minutes 46 seconds West a distance of 191.05 feet to a point;
South 27 degrees 05 minutes 14 seconds East a distance of 16.00 feet to a point;
South 72 degrees 05 minutes 14 seconds East a distance of 60.65 feet to a point;
South 27 degrees 05 minutes 14 seconds East a distance of 13.08 feet to a point;
South 17 degrees 54 minutes 46 seconds West a distance of 468.42 feet to a point;
South 16 degrees 29 minutes 16 seconds West a distance of 532.43 feet to a point on the south line of Parcel 2 of lands conveyed to the County of Nassau by deed recorded in the Nassau County Clerk's Office in Liber 9184 of Deeds at page 117, said easement

Containing 120,598 square feet or 2.768 acres of land more or less.

All that certain plot, piece, or parcel of land, situate, lying and being at, Town of Hempstead, County of Nassau and State of New York, said parcel on Tax Map Section 42, Block A, Lot 50 being more particularly described as follows:

BEGINNING at a point on the northerly line of the BPSTP at its intersection with the easterly line of First Avenue;
RUNNING THENCE South 20 degrees 36 minutes 18 seconds West a distance of approximately 203 feet to the POINT OF BEGINNING;
South 23 degrees 38 minutes 27 seconds West a distance of 30.00 feet to a point;
South 76° degrees 38 minutes 37 seconds West a distance of 35.40 feet to a point;
North 18 degrees 55 minutes 59 seconds West a distance of 27.00 feet to a point;
North 58 degrees 04 minutes 18 seconds East a distance of 38.09 feet to a point;
South 66 degrees 21 minutes 33 seconds East a distance of 25.00 feet to the point or place of beginning,

Containing 1,566 square feet or 0.036 acre of land more or less.

All that certain plot, piece, or parcel of land, situate, lying and being at, Town of Hempstead, County of Nassau and State of New York,

said parcel on Tax Map Section 42, Block S, Lot 20 being more particularly described as follows:

BEGINNING at a point on the northerly line of the Nassau County Sewage Treatment Plant at its intersection with the easterly line of First Avenue;

RUNNING THENCE South 04 degrees 18 minutes 21 seconds East a distance of approximately 4401 feet to the POINT OF BEGINNING;

South 17 degrees 54 minutes 46 seconds West a distance of 10.00 feet to a point;

North 72 degrees 05 minutes 14 seconds West a distance of 10.00 feet to a point;

North 17 degrees 54 minutes 46 seconds East a distance of 10.00 feet to a point;

South 72 degrees 05 minutes 14 seconds East a distance of 10.00 feet to the point or place of beginning,

Containing 100 square feet or 0.002 acre of land more or less.

§ 6. The easement to be conveyed by the city of Long Beach, pursuant to section two of this act is described as follows:

All that certain plot, piece, or parcel of land, situate, lying and being in Long Beach, Town of Hempstead, County of Nassau and State of New York, said parcel on Tax Map Section 59, Block 278, Lot 39 being more particularly described as follows:

BEGINNING at a point at the southwest corner of lands conveyed to the City of Long Beach by deed recorded in the Nassau County Clerk's Office in Liber 10938 of Deeds at page 659;

RUNNING THENCE North 82 degrees 50 minutes 44 seconds East a distance of approximately 559 feet to the POINT OF BEGINNING;

North 59 degrees 16 minutes 14 seconds West a distance of 121.85 feet to a point;

North 89 degrees 21 minutes 25 seconds East a distance of 38.42 feet to a point;

South 59 degrees 16 minutes 14 seconds E a distance of 114.28 feet to a point;

South 82 degrees 19 minutes 33 seconds West a distance of 32.20 feet to the point or place of beginning,

Containing 2361 square feet or 0.054 acre of land more or less.

§ 7. In the event that the county of Nassau received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section five of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the county of Nassau has complied with any federal requirements pertaining to the alienation or conversion of 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.

§ 8. In the event that the city of Long Beach received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section six of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the city of Long Beach has complied with any federal requirements pertaining to the alienation or conversion of 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.

§ 9. This act shall take effect immediately.