

# STATE OF NEW YORK

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6206--B

2019-2020 Regular Sessions

## IN SENATE

May 22, 2019

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Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the alienation of certain parklands in 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. Subject to the provisions of this act, the town of South-  
2 ampton in the county of Suffolk, acting by and through its governing  
3 body and upon such terms and conditions as determined by such board is  
4 hereby authorized to discontinue as parklands and alienate the lands  
5 described in section three of this act for development of affordable  
6 housing.

7 § 2. The authorization contained in section one of this act shall take  
8 effect only upon the condition that the town of Southampton shall dedi-  
9 cate the lands described in section four of this act as parkland  
10 provided that the town of Southampton has never used such lands for  
11 public open space or park purposes.

12 § 3. The parklands authorized by section one of this act to be alien-  
13 ated are described as follows:

14 BEGINNING at a point the following three (3) courses and distances  
15 from the corner formed by the intersection of the easterly side of  
16 Magee Street and the southerly side of North Highway (C.R. 39):

17 1. South 24 degrees 26 minutes 30 seconds East, 139.49 feet to a  
18 point;

19 2. South 16 degrees 54 minutes 46 seconds East, 163.81 feet to a  
20 point;

21 3. South 16 degrees 58 minutes 35 seconds East, 50.93 feet to the true  
22 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 RUNNING THENCE along lands now or formerly of Pinill Corp. the follow-  
2 ing five (5) courses and distances:

3 1. North 62 degrees 03 minutes 05 seconds East, 163.94 feet to a  
4 point;

5 2. North 56 degrees 11 minutes 10 seconds East, 244.57 feet to a  
6 point;

7 3. Along an arc of a curve bearing to the right having a radius of  
8 100.00 feet and an arc length of 67.10 feet to a point;

9 4. South 85 degrees 22 minutes 16 seconds East, 52.13 feet to a point;

10 5. Along an arc of a curve bearing to the left having a radius of  
11 100.00 feet and an arc length of 102.01 feet to a point;

12 THENCE along lands now or formerly of The Zucherro Family Irrevocable  
13 Trust and S&M Press, Inc. the following two (2) courses and distances:

14 1. South 83 degrees 47 minutes 46 seconds East, 234.28 feet to a  
15 stake;

16 2. South 81 degrees 59 minutes 06 seconds East, 35.92 feet to a  
17 concrete monument;

18 THENCE South 06 degrees 24 minutes 14 seconds West, 492.50 feet to a  
19 concrete monument;

20 THENCE along lands now or formerly of Hattrick the following four (4)  
21 courses and distances:

22 1. North 40 degrees 58 minutes 15 seconds West, 23.69 feet to a  
23 concrete monument;

24 2. North 34 degrees 38 minutes 45 seconds West, 99.10 feet to a  
25 concrete monument;

26 3. North 82 degrees 56 minutes 25 seconds West, 47.62 feet to a  
27 concrete monument;

28 4. South 04 degrees 57 minutes 45 seconds West, 52.52 feet to a point;

29 THENCE South 85 degrees 10 minutes 55 seconds West, 230.80 feet to a  
30 concrete monument;

31 THENCE along lands now or formerly of 336 Magee Street, LLC the  
32 following two (2) courses and distances:

33 1. North 06 degrees 26 minutes 15 seconds East, 100.00 feet to a  
34 concrete monument;

35 2. South 85 degrees 19 minutes 35 seconds West, 378.52 feet to a gran-  
36 ite monument and the easterly side of Magee Street; THENCE along the  
37 easterly side of Magee Street, North 16 degrees 58 minutes 35 seconds  
38 West, 158.62 feet to the point or place of BEGINNING containing a total  
39 of 6.2966 acres.

40 § 4. Prior to the discontinuance and alienation of the parkland  
41 described in section three of this act, the town of Southampton shall  
42 dedicate as parklands such land described as follows:

43 ALL that certain plot, piece or parcel of land, with the buildings and  
44 improvements thereon erected, situate, lying and being at Tuckahoe, Town  
45 of Southampton, County of Suffolk and State of New York, being bounded  
46 and described as follows:

47 ALL that certain plot, piece or parcel of land, with the buildings and  
48 improvements thereon erected, situate, lying and being at Tuckahoe, Town  
49 of Southampton, County of Suffolk and State of New York, being bounded  
50 and described as follows:

51 BEGINNING at a concrete monument on the northerly side of Sebonac  
52 Road, said point being the southeasterly corner of the premises  
53 described herein;

54 RUNNING THENCE along the northerly side of Sebonac Road, North 66  
55 degrees 26 minutes 00 seconds West, 131.46 feet to a point and the  
56 northeasterly side of North Magee Street;

1     THENCE along the northeasterly side of North Magee Street the follow-  
2     ing three (3) courses and distances;

3     1. North 16 degrees 41 minutes 40 seconds West, 271.67 feet to a  
4     concrete monument;

5     2. North 25 degrees 53 minutes 40 seconds West, 109.23 feet to a  
6     point;

7     3. North 34 degrees 32 minutes 50 seconds West, 94.48 feet to a  
8     concrete monument;

9     THENCE North 09 degrees 55 minutes 40 seconds East, 1519.80 feet to a  
10    concrete monument;

11    THENCE South 80 degrees 04 minutes 20 seconds East, 342.84 feet to a  
12    point;

13    THENCE South 08 degrees 50 minutes 50 seconds West, 1950.00 feet to a  
14    concrete monument and the point or place of BEGINNING containing a total  
15    of 14.63 acres.

16    § 5. In the event that the fair market value of the parklands  
17    described in section four of this act to be dedicated as parklands by  
18    the town of Southampton pursuant to this act are not equal to or greater  
19    than the fair market value of the parklands to be alienated as described  
20    in section three of this act, the town of Southampton shall dedicate the  
21    difference of the fair market value of the lands to be alienated and the  
22    lands to be dedicated for the acquisition of additional parklands and/or  
23    capital improvements to existing park and recreational facilities.

24    § 6. In the event that the town of Southampton received any funding  
25    support or assistance from the federal government for the purchase,  
26    maintenance or improvement of the parklands set forth in section three  
27    of this act, the discontinuance and alienation of such parklands author-  
28    ized by the provisions of this act shall not occur until the town of  
29    Southampton has complied with any federal requirements pertaining to the  
30    alienation or conversion of parklands, including satisfying the secre-  
31    tary of the interior that the alienation or conversion complies with all  
32    conditions which the secretary of the interior deems necessary to assure  
33    the substitution of other lands shall be equivalent in fair market value  
34    and usefulness to the lands being alienated or converted.

35    § 7. This act shall take effect immediately.