

# STATE OF NEW YORK

8639

## IN SENATE

June 26, 2020

Introduced by Sen. KAMINSKY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT in relation to authorizing the county of Nassau to lease certain parkland located in the village of Atlantic Beach

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

1 Section 1. Notwithstanding the provisions of any law to the contrary,  
2 the governing body of the county of Nassau is hereby authorized and  
3 empowered to lease the property described herein, which was heretofore  
4 leased by such county pursuant to chapter 269 of the laws of 1979, as  
5 amended by chapter 459 of the laws of 1998, for fair market value and  
6 upon such terms and conditions and for such duration, as such governing  
7 body, in its discretion, shall deem fair and reasonable, Lot 9 (formerly  
8 Lots 1, 2, 7, and 8 set forth in Section 58, Block A on the Land and Tax  
9 Map of the county of Nassau, and located at Silver Point, Atlantic Beach  
10 in the town of Hempstead, such lands having been acquired by the county  
11 pursuant to article fifteen of the former parks and recreation law.  
12 During the period of such lease, such land shall remain on the assess-  
13 ment rolls of the municipality, school districts and other districts in  
14 which they are located and shall be subject to real estate taxes and  
15 assessments in the same manner as privately owned lands. The tenant's  
16 rights under such lease to occupy and use such lands shall be condi-  
17 tioned on the prompt payment of the full amount of such taxes and  
18 assessments with interest and penalties, if any. A copy of such lease  
19 shall be filed with the Nassau county clerk within ten days after such  
20 lease is executed.

21 § 2. The lands referred to in section one of this act are located,  
22 bounded and described as follows:

23 BEGINNING at a point in the easterly side of premises herein described  
24 where the same is intersected by the southerly side of Pacific Blvd., as  
25 shown on Map "A" of amended Map of Atlantic Beach filed in the Nassau  
26 County Clerk's Office on November 3, 1941, under Case No. 4177, running  
27 thence from the said point of beginning South 12 degrees 49 minutes 50  
28 seconds East, 392.95 feet to a point in the easterly prolongation of the

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

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1 southerly line of land granted by the state of New York to Atlantic  
2 Beach Development Corporation; (being the high water line of Atlantic  
3 Ocean as described in said grant) running thence South 82 degrees 04  
4 minutes 09 seconds West along the said southerly line and the prolonga-  
5 tion thereof, 987.96 feet; running thence still along the said southerly  
6 line the following three courses and distances: (1) South 77 degrees 14  
7 minutes 42 seconds West 841.74 feet; (2) South 76 degrees 42 minutes 45  
8 seconds West 436.92 feet; (3) South 73 degrees 27 minutes 12 seconds  
9 West 1643.77 feet; running thence northeasterly on the arc of a curve  
10 bearing to the right having a radius of 875 feet, whose chord bears  
11 North 25 degrees 47 minutes 09 seconds East 636.18 feet, a distance of  
12 651.9 feet; running thence North 47 degrees 06 minutes 10 seconds East  
13 2069.11 feet; running thence North 47 degrees 45 minutes 00 seconds East  
14 partly along the southerly side of East Rockaway Inlet 964.87 feet;  
15 running thence still along the southerly side of East Rockaway Inlet the  
16 following eighteen courses and distances:

17 (1) South 81 degrees 59 minutes 43 seconds East 21.97 feet;  
18 (2) South 22 degrees 00 minutes 00 seconds East 37 feet;  
19 (3) South 39 degrees 00 minutes 00 seconds West 22 feet;  
20 (4) South 50 degrees 00 minutes 00 seconds East 44 feet;  
21 (5) North 69 degrees 00 minutes 00 seconds East 115 feet;  
22 (6) North 55 degrees 00 minutes 00 seconds East 150 feet;  
23 (7) North 39 degrees 00 minutes 00 seconds East 110 feet;  
24 (8) North 26 degrees 20 minutes 16 seconds East 110.95 feet;  
25 (9) North 50 degrees 00 minutes 00 seconds West 45 feet;  
26 (10) North 40 degrees 00 minutes 00 seconds East 20 feet;  
27 (11) South 72 degrees 00 minutes 00 seconds East 45 feet;  
28 (12) North 72 degrees 00 minutes 00 seconds East 122 feet;  
29 (13) North 78 degrees 44 minutes 27 seconds East 77.48 feet;  
30 (14) North 71 degrees 48 minutes 39 seconds East 22.10 feet;  
31 (15) North 19 degrees 30 minutes 46 seconds West 52.78 feet;  
32 (16) North 73 degrees 58 minutes 50 seconds East 18.08 feet;  
33 (17) South 40 degrees 31 minutes 54 seconds East 64.35 feet;  
34 (18) North 83 degrees 22 minutes 15 seconds East 140.76 feet to land  
35 shown on Map "A" of Amended Map of Atlantic Beach; running thence South  
36 12 degrees 49 minutes 50 seconds East along the last mentioned land  
37 1741.18 feet, to the point or place of BEGINNING.

38 § 3. Any amounts received by the county of Nassau pursuant to any  
39 lease authorized pursuant to section one of this act shall be used by  
40 such county for the acquisition of additional parklands or capital  
41 improvements to existing parks or financing of additional parklands or  
42 additional improvements to existing parks; provided, however, that such  
43 amounts shall be placed into an account which is utilized only for park  
44 and recreational purposes.

45 § 4. If the lessee of the lands authorized to be leased pursuant to  
46 section one of this act shall fail or cease to use such lands and  
47 improvements thereon for public recreational purposes, the leasehold or  
48 on such lands and improvements shall terminate and possession thereof  
49 shall immediately revert to the county of Nassau.

50 § 5. This act shall take effect immediately.