STATE OF NEW YORK

7609--B

2019-2020 Regular Sessions

IN ASSEMBLY

May 14, 2019

Introduced by M. of A. FITZPATRICK -- read once and referred to the Committee on Local Governments -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the county of Suffolk to alienate certain lands used as parkland and to dedicate certain other lands as parklands

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 Suffolk, acting by and through its governing body and upon such terms and conditions as determined by such board is hereby authorized to discontinue as parklands and alienate the lands described in section three of this act to Russel and Deana Galindo for the purpose of residential improvements.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that Russel and Deana Galindo convey to the county of Suffolk, and that the county of Suffolk acquire and dedicate the lands described in section four of this act as parklands, provided that the county of Suffolk has never used such lands for public open space or park purposes.

§ 3. The parklands authorized by section one of this act to be alienated are described as follows: All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in Smithtown, town of Smithtown, county of Suffolk and the state of New York situated being more particular bounded and described as follows:

BEGINNING at a point of being south 80 degrees 13 minutes 30 seconds west 75.71 feet from the south easterly corner of map entitled "prestige

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

LBD11517-06-0

estates at smithtown" filed in the Suffolk county clerk's office on September 9, 2005 under map no. 11304
THENCE running south 09 degrees 46 minutes 04 seconds east 56.91 feet.
THENCE running south 79 degrees 36 minutes 19 seconds west 227.94 feet.
THENCE running north 27 degrees 33 minutes27 seconds west 14.99 feet.
THENCE running along a curve bearing to the right with a radius of 600.00 feet and a length of 234.12 feet said curve also having a chord bearing of north 69 degrees 02 minutes 48 seconds east and a length of 232.64 feet.
THENCE running north 80 degrees 13 minutes 30 seconds east 4.29 feet to a point or place of beginning. Containing a total of 10,113.62 square feet or approximately 0.232 acres.
Parcel Also known as Suffolk County Tax Map # 0800-022.00-01.00- Part of 009.000.

§ 4. Prior to the discontinuance of the parklands described in section three of this act, Russel and Deana Galindo shall convey to the county of Suffolk, and the county of Suffolk shall acquire and dedicate as parklands, such land described as follows:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in Smithtown, town of Smithtown, county of Suffolk and the State of New York situated being more particularly bounded and described as follows:

BEGINNING at a point being the south easterly corner of map entitled "prestige estates at smithtown" filed in the Suffolk county clerk's office on September 9, 2005 under Map No. 11304;

THENCE running south 80 degrees 13 minutes 30 seconds west 75.71 feet.

THENCE running north 09 degrees 46 minutes 04 seconds west 132.98 feet.

THENCE running north 75 degrees 01 minutes 50 seconds east 76.01 feet.

THENCE running south 09 degrees 46 minutes 30 seconds east 139.86 feet to the point of place of beginning. Containing 10,327.43 square feet or approximately 0.237 acres.

Parcel also known as Suffolk County tax map # 0800-022.00-01.00-Part of 008.004.

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

§ 6. In the event that the county of Suffolk received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parkland author-ized by the provisions of this act shall not occur until Suffolk county 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.

§ 7. This act shall take effect immediately.