STATE OF NEW YORK

7996--A

2019-2020 Regular Sessions

IN ASSEMBLY

May 30, 2019

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

Section 1. Subject to the provisions of this act, the town of Southampton in 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 for development of affordable housing.

§ 2. The authorization contained in section one of this act shall take effect only upon the condition that the town of Southampton shall dedicate the lands described in section four of this act as parkland provided that the town of Southampton 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:

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

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

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

3. South 16 degrees 58 minutes 35 seconds East, 50.93 feet to the true point or place of BEGINNING;

RUNNING THENCE along lands now or formerly of Pinill Corp. the following five (5) courses and distances:

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

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1. North 62 degrees 03 minutes 05 seconds East, 163.94 feet to a point;
2. North 56 degrees 11 minutes 10 seconds East, 244.57 feet to a point;
3. Along an arc of a curve bearing to the right having a radius of 100.00 feet and an arc length of 67.10 feet to a point;
4. South 85 degrees 22 minutes 16 seconds East, 52.13 feet to a point;
5. Along an arc of a curve bearing to the left having a radius of 100.00 feet and an arc length of 102.01 feet to a point;

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

1. South 83 degrees 47 minutes 46 seconds East, 234.28 feet to a stake;
2. South 81 degrees 59 minutes 06 seconds East, 35.92 feet to a concrete monument;

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

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

1. North 40 degrees 58 minutes 15 seconds West, 23.69 feet to a concrete monument;
2. North 34 degrees 38 minutes 45 seconds West, 99.10 feet to a concrete monument;
3. North 82 degrees 56 minutes 25 seconds West, 47.62 feet to a concrete monument;
4. South 04 degrees 57 minutes 45 seconds West, 52.52 feet to a point;

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

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

1. North 06 degrees 26 minutes 15 seconds East, 100.00 feet to a concrete monument;
2. South 85 degrees 19 minutes 35 seconds West, 378.52 feet to a granite monument and the easterly side of Magee Street; THENCE along the easterly side of Magee Street, North 16 degrees 58 minutes 35 seconds West, 158.62 feet to the point or place of BEGINNING containing a total of 6.2966 acres.

§ 4. Prior to the discontinuance and alienation of the parkland described in section three of this act, the town of Southampton shall 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 at Tuckahoe, Town of Southampton, County of Suffolk and State of New York, being bounded and described as follows:

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

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

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

THENCE along the northeasterly side of North Magee Street the following three (3) courses and distances;

1. North 16 degrees 41 minutes 40 seconds West, 271.67 feet to a concrete monument;
2. North 25 degrees 53 minutes 40 seconds West, 109.23 feet to a point;
3. North 34 degrees 32 minutes 50 seconds West, 94.48 feet to a concrete monument;
THENCE North 09 degrees 55 minutes 40 seconds East, 1519.80 feet to a concrete monument;
THENCE South 80 degrees 04 minutes 20 seconds East, 342.84 feet to a point;
THENCE South 08 degrees 50 minutes 50 seconds West, 1950.00 feet to a concrete monument and the point or place of BEGINNING containing a total of 14.63 acres.

§ 5. In the event that the fair market value of the parklands described in section four of this act to be dedicated as parklands by the town of Southampton 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 town of Southampton 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 town of Southampton 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 parklands authorized by the provisions of this act shall not occur until the town of Southampton 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.