STATE OF NEW YORK

5120

2019-2020 Regular Sessions

IN SENATE

April 10, 2019

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT authorizing the alienation of certain parklands in the village of Tarrytown, in the town of Greenburgh, in the county of Westchester

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 village of Tarrytown, located in the town of Greenburgh, county of Westchester, acting by and through its governing body and upon such terms and conditions as determined by such body, is hereby authorized to discontinue as parklands and alienate the lands more particularly described in section three of this act for the purpose of completing a transfer of land previously agreed to by the village and to make an undersized and irregularly shaped parcel more zoning compliant.

§ 2. The authorization contained in section one of this act shall be effective only upon the condition that the village of Tarrytown dedicate the lands described in section four of this act as parklands; provided that the village of Tarrytown 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, situated in the Town of Greenburgh, Village of Tarrytown, County of Westchester, and State of New York, known and designated as a portion of Lot 3 as shown on a plan entitled, "Proposed Lot Line Adjustment Map of Property situate in the Town of Greenburgh, Village of Tarrytown, Westchester County, New York" dated March 12, 2015, made by JRL Land Surveying P.C. and filed in the Westchester County Clerk's Office on June 28, 2017 as Map No. 29066, said portion of Lot 3 being more particularly bounded and described as follows:

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

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BEGINNING at a pin on the westerly line of Lot 3 as shown on a certain map entitled "Toll Land V Limited Partnership" filed in the Westchester County Clerk's Office, Division of Land Records as Map No. 28452, said point being South 10 degrees 41 minutes 47 seconds West 109.92 feet as measured along said westerly line of Lot No. 3 from its intersection with the southerly line of Warner Lane. Said point also being the south-easterly corner of lands now or formerly of DeRocker;

RUNNING THENCE through Lot No. 3 as shown on said filed Map No. 28542, the following courses and distances:

1. South 78 degrees 26 minutes 43 seconds East 20.00 feet and

2. South 11 degrees 33 minutes 17 seconds West 165.37 feet to a point;

RUNNING THENCE North 78 degrees 27 minutes 08 seconds West 20.00 feet to a concrete monument;

RUNNING THENCE North 11 degrees 33 minutes 17 seconds East 165.37 feet to a point and place of BEGINNING. Containing 3,301 square feet of land, more or less.

§ 4. Prior to the discontinuance and alienation of the parklands described in section three of this act, the village of Tarrytown shall dedicate as parklands such land described as follows:

All that certain plot, piece of parcel of land, situated and lying and being in the Village of Tarrytown Town of Greenburgh, County of Westchester, and State of New York,

Beginning at a Pin on the westerly line of lot 3 as shown on a certain map entitled "Toll Land V Limited Partnership" filed in the Westchester County Clerk's office Division of Land Records as Map No. 28452 said point being South 10°41'47" West 109.92 feet as measured along along said westerly line of lot No. 3 from its intersection with the southerly line of Warner Lane; Also being the south easterly corner of land of DeRocker;

Running thence through Lot 3 of said filed map South 78°26'43" East 20.00 feet and South 11°33'17" West 165.37 feet;

Thence North 78°27'08" West 20.00 feet to a Concrete Monument;

Thence North 11°33'17" East 165.37 feet to the point and place of beginning.

Containing 3,307 square feet of land, more or less.

§ 5. In the event that the replacement land to be acquired and dedicated as parkland, described in section four of this act, is 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 village of Tarrytown shall acquire and dedicate additional land for parkland and/or cause funds to be made available for capital improvements to its existing park and recreational facilities, as necessary, to equal such difference in fair market value.

§ 6. In the event that the village of Tarrytown 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 authorized by the provisions of this act shall not occur until the village of Tarrytown 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.