

# STATE OF NEW YORK

10383--A

## IN ASSEMBLY

May 13, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Abinanti) --  
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  
Greenburgh, in the county of Westchester

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

1 Section 1. Subject to the provisions of this act, the town of Green-  
2 burgh, located in the county of Westchester, acting by and through its  
3 governing body and upon such terms and conditions as determined by such  
4 body, is hereby authorized to discontinue as parklands and alienate the  
5 lands more particularly described in section three of this act for the  
6 purpose of providing an easement for access to a public housing apart-  
7 ment complex known as Greenburgh Heights.

8 § 2. The authorization provided in section one of this act shall be  
9 effective only upon the condition that the town of Greenburgh dedicate  
10 the lands described in section four of this act as parklands; provided  
11 that the town of Greenburgh has never used such lands for public open  
12 space or park purposes.

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

15 ALL that certain plot, piece or parcel of land, situate, lying and  
16 located in the Village of Ardsley, Town of Greenburgh, County of West-  
17 chester, State of New York and identified as Leona Place (Private Access  
18 Road) property now or formerly Town of Greenburgh bounded and described  
19 as follows:

20 Beginning at a point formed by the westerly side of Lot 22 and the  
21 southerly side of Secor Road as shown on a map entitled "Subdivision Map  
22 of Kimberly Estates" dated Oct. 7, 1981, last revised Apr. 19, 1982 and  
23 filed in the Westchester County Clerks Office (Division of Land Records)  
24 on May 3, 1984 as Map No 21541, said point being distant 218.32 feet  
25 westerly from the P.C. (R=13.00') connecting the westerly side of  
26 Kimberly Drive to the POINT OF BEGINNING;

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

LBD15801-02-2

1 thence from said point of beginning along the westerly side of Lots  
2 21, 22 and part of Lot 20, South 13 degrees 54 minutes 43 seconds West,  
3 a distance of 198.64 feet;  
4 thence along the westerly side of Lot 20 Southerly, a distance of  
5 44.11 feet along a curve to the right having a radius of 300.00 feet and  
6 a central angle of 8 degrees 25 minutes 26 seconds;  
7 thence South 22 degrees 20 minutes 10 seconds West, a distance of  
8 100.18 feet to a point on the south end of the Proposed 50-foot wide  
9 Access Easement;  
10 thence over and across property now or formerly Town of Greenburgh and  
11 Leona Place, North 69 degrees 36 minutes 37 seconds West, a distance of  
12 50.03 feet to a point on the easterly side of property now or formerly  
13 Greenburgh Housing Authority;  
14 thence along said easterly side of property now or formerly Greenburgh  
15 Housing Authority, North 22 degrees 20 minutes 10 seconds East, a  
16 distance of 101.88 feet;  
17 thence Northerly, a distance of 36.76 feet along a curve to the left  
18 having a radius of 250.00 feet and a central angle of 8 degrees 25  
19 minutes 26 seconds;  
20 thence North 13 degrees 54 minutes 43 seconds East, a distance of  
21 205.74 feet to a point on the southerly side of Secor Road;  
22 thence along said southerly side of Secor Road, South 68 degrees 00  
23 minutes 20 seconds East, a distance of 50.50 feet to the westerly side  
24 of Lot 22 as shown on the aforesaid filed Map No. 21541, the point and  
25 place of BEGINNING.  
26 Containing 17,182 square feet or 0.3944 acres, more or less.  
27 § 4. Prior to the discontinuance and alienation of the parklands  
28 described in section three of this act, the town of Greenburgh shall  
29 dedicate as parklands such land described as follows:  
30 ALL that certain plot, piece or parcel of land, situate, lying and  
31 located in the Town of Greenburgh, County of Westchester, State of New  
32 York and bounded and described as follows:  
33 Beginning at a point formed by the division line between property now  
34 or formerly Town of Greenburgh (Lot 4, Block 143, Section 7.131),  
35 Proposed Lot 2.1 and the northerly side of a (Permanent Easement for  
36 Driveway to the People of the State of New York as shown on a map enti-  
37 tled "Sheet 4 of 7, Survey of Tarrytown Hills Inc." dated Sept. 30, 1965  
38 and filed in the Westchester County Clerk's Office (Division of Land  
39 Records) on Dec. 15, 1965 as Map No. 14695 and the southeasterly side  
40 of Taxter Road at an X-Cut set on a Boulder as shown on a map entitled  
41 "Subdivision Map prepared for the Town of Greenburgh" dated April 22,  
42 2022 to be filed in the Westchester County Clerk's Office (Division of  
43 Land Records), said point being the POINT OF BEGINNING;  
44 thence along the easterly side of Taxter Road along Lot 2.1, North 45  
45 degrees 52 minutes 27 seconds East, a distance of 199.45 feet in a rebar  
46 set;  
47 thence along the division line between Lots 2.1 and 2.2, South 56  
48 degrees 50 minutes 50 seconds East, a distance of 312.80 feet to a rebar  
49 set;  
50 thence South 45 degrees 52 minutes 27 seconds West, a distance of  
51 199.45 feet through a concrete monument found, 1.0 feet north of corner;  
52 thence along the southerly side of Lot 2.1, North 56 degrees 50  
53 minutes 50 seconds West, a distance of 312.80 feet to the easterly side  
54 of Taxter Road and an X-Cut set on a Boulder, the point and place of  
55 BEGINNING.  
56 Containing 60,856 square feet or 1.3971 acres, more or less.

1 § 5. In the event that the fair market value of the parklands to be  
2 dedicated by the town of Greenburgh pursuant to section four of this act  
3 are not equal to or greater than the fair market value of the parkland  
4 to be discontinued in section three of this act, the town of Greenburgh  
5 shall dedicate the difference of the fair market value of the lands to  
6 be alienated and the lands to be dedicated for the acquisition of addi-  
7 tional parklands and/or for capital improvements to existing park and  
8 recreational facilities.

9 § 6. In the event that the town of Greenburgh received any funding  
10 support or assistance from the federal government for the purchase,  
11 maintenance or improvement of the parklands set forth in section three  
12 of this act, the discontinuance and alienation of such parkland author-  
13 ized by the provisions of this act shall not occur until the town of  
14 Greenburgh has complied with any federal requirements pertaining to the  
15 alienation or conversion of parklands, including satisfying the secre-  
16 tary of the interior that the alienation or conversion complies with all  
17 conditions which the secretary of the interior deems necessary to assure  
18 the substitution of other lands shall be equivalent in fair market value  
19 and usefulness to the lands being alienated or converted, such addi-  
20 tional parklands dedication or capital improvements must occur no later  
21 than one year from the date of the discontinuance and alienation of  
22 parklands as described in section three of this act.

23 § 7. This act shall take effect immediately.