

# STATE OF NEW YORK

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5953--A

Cal. No. 951

2021-2022 Regular Sessions

## IN SENATE

March 23, 2021

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Introduced by Sen. REICHLIN-MELNICK -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT in relation to authorizing the town of Orangetown, county of Rockland to discontinue the use of certain park land

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

1 Section 1. Subject to the provisions of this act, the town of Orange-  
2 town, Rockland County, acting by and through its governing body, and  
3 upon such terms and conditions as determined by such body, is hereby  
4 authorized to: (a) discontinue the use as park land and alienate the  
5 lands described in section three of this act, and convey such lands by  
6 appropriate instrument to the county of Rockland, for the purpose of the  
7 county of Rockland completing roadway safety improvements, including the  
8 replacement of a structurally deficient bridge and channel realignment  
9 in order to reduce flooding in the area; and (b) temporarily discontinue  
10 the use of the parklands identified in section four of this act, for  
11 such construction.

12 § 2. The authorization provided in section one of this act shall be  
13 effective only upon the condition that the town of Orangetown dedicate  
14 an amount of land equal to or greater than the fair market value of  
15 parklands being discontinued towards the acquisition of new parklands  
16 and/or capital improvements to existing park and recreational facilities.  
17

18 § 3. The parklands to be permanently alienated by the town of Orange-  
19 town, Rockland County, pursuant to section one of this act are described  
20 as follows:

21 Parcel 1

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

LBD10612-05-1

1 All that certain piece or parcel of property, lying, being and situated  
2 in the Town of Orangetown, County of Rockland and State of New York  
3 described as follows:

4 Beginning at a point on the northerly line of the original two and one-  
5 half Rod (41.25 foot) Right-of-Way of W Washington Ave (County Route  
6 30). Said point being the following course and distance, along said  
7 original northerly Right-of-Way line, from a Rockland County Highway  
8 monument, concrete with brass plate, set at a deflection point of 5° 47'  
9 00" left on the original Right-of-Way. S 77°03'55" W a distance of  
10 208.63 feet.

11 Thence, from said Point of Beginning along said original northerly  
12 Right-of-Way line of W Washington Ave

13 1. S 77°06'09" W a distance of 173.97 feet; thence, continuing along  
14 the northerly Right-of-Way line of W Washington Ave

15 2. S 89°51'09" W a distance of 231.33 feet; thence, still along the  
16 northerly Right-of-Way line of W Washington Ave

17 3. N 77°36'51" W a distance of 49.83 feet; thence, still along the  
18 northerly Right-of-Way line of W Washington Ave

19 4. N 62°38'51" W a distance of 56.29 feet; thence, still along the  
20 northerly Right-of-Way line of W Washington Ave to the beginning of a  
21 tangent curve to the right having a

22 5. radius of 226.65 feet, a central angle of 41°44'47", and an arc  
23 length of 165.14 feet to a point on the northerly Right-of-Way line of W  
24 Washington Ave and the Northwestern corner of Parcel I; thence,

25 6. S 66°48'50" E a distance of 176.06 feet through Tax Lot 68.14-2-26  
26 to an angle point in the proposed northerly line of Parcel 1; thence,

27 7. S 80°46'11" E a distance of 128.18 feet through Tax Lot 68.14-2-26  
28 to an angle point in the proposed northerly line of Parcel 1; thence,

29 8. N 87°18'30" E a distance of 311.93 feet through Tax Lot 68.14-2-26  
30 to a point on the division line between Tax Lot 68.14-2-26 and Tax Lot  
31 68.15-1-4; thence,

32 9. S 09°41'51" E a distance of 42.96 feet along the division line  
33 between Tax Lot 68.14-2-26 and Tax Lot 68.15-1-4 and along a jog in the  
34 northerly Right-of-Way line of W Washington Ave to the Point of Begin-  
35 ning.

36 Containing an area of 39,525 square feet more or less, or 0.907 acres  
37 +/-

38 § 4. The parklands for which a temporary easement may be temporarily  
39 granted by the town of Orangetown, Rockland County, to the county of  
40 Rockland pursuant to section one of this act are described as follows:

41 Parcel 2

42 All that certain piece or parcel of property, lying, being and situated  
43 in the Town of Orangetown, County of Rockland and State of New York  
44 described as follows:

45 Beginning at a point on the Northerly line of Parcel 1 described in  
46 subdivision (a) of section three of this act. Said point being the  
47 Southeast corner of parcel 2 and being the following course and distance  
48 from the Northeast corner of Parcel 1, along the Northerly line of  
49 Parcel 1; S 87°18'30" W 135.10 feet to the Point of Beginning.

50 Thence from said Point of Beginning;

51 1. S 87° 18' 30" W 176.83 feet; thence,

52 2. N 25° 06' 37" W 124.05 feet; thence,

53 3. N 10° 55' 29" W 137.83 feet; thence,

54 4. N 67° 21' 42" E 72.38 feet; thence,

55 5. S 19° 39' 56" E 107.61 feet; thence,

56 6. S 42° 34' 22" E 225.25 feet to the Point of Beginning.

1 Containing an area of 31,129 square feet more or less, or 0.714 acres  
2 +/-

3 § 5. In the event that the town of Orangetown received any funding  
4 support or assistance from the federal government for the purchase,  
5 maintenance or improvement of the parklands set forth in sections three  
6 and four of this act, the discontinuance and alienation of such park  
7 land authorized by the provisions of this act shall not occur until the  
8 town of Orangetown has complied with any federal requirements pertaining  
9 to the alienation or conversion of parklands, including satisfying the  
10 secretary of the interior that the alienation or conversion complies  
11 with all conditions which the secretary of the interior deems necessary  
12 to assure the substitution of other lands shall be equivalent in fair  
13 market value and usefulness to the lands being alienated or converted.

14 § 6. Upon completion of construction by the county of Rockland as  
15 authorized by this act, the county of Rockland shall restore the surface  
16 of the lands more particularly described in section four of this act  
17 and such lands shall continue to be used for park purposes by the town.

18 § 7. This act shall take effect immediately.