STATE OF NEW YORK

5985--B

Cal. No. 1349

2021-2022 Regular Sessions

IN SENATE

March 25, 2021

Introduced by Sen. PALUMBO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged and said bill committed to the Committee on Rules -- ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT authorizing the town of Southampton, county of Suffolk to alienate certain parcels of land used as parkland

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, county of Suffolk, 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 to alienate the lands described in section three of this act to extend Good Ground Road to create an intersection.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the town of Southampton dedicate the lands described in section four of this act as parklands, 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 more particularly described as follows:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Southampton, at Hampton Bays, county of Suffolk and state of New York being more particularly bounded and described as follows: Beginning at a point on the southerly side of Montauk Highway a distance of 107.13 feet from a point on the northerly side of Montauk Highway where the easterly side of Riverhead-Hampton Bays Road would intersect if said road were extended in a southerly direction and from said point of beginning; Running thence along the southerly side of

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

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Montauk Highway North 67 deg. 17 min. 10 sec. East a distance of 162.18 feet; Running thence South 05 deg. 44 min. 03 sec. East a distance of 853.24 feet; Running thence South 76 deg. 33 min. 10 sec. West a distance of 151.24 feet (deed) South 76 deg. 34 min. 20 sec. West 151.26 feet (actual); Running thence North 06 deg. 05 min. 50 sec. West a distance of 826.19 feet (deed) 826.14 feet (actual) to the southerly side of Montauk Highway and the point or place of Beginning. Total parcel size is 2.9 acres.

§ 4. Prior to the discontinuance and alienation of the parklands 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 Shinnecock Hills, in the Town of Southampton, County of Suffolk and State of New York and known and designated on a certain map entitled, "Amended Map "A" Westerly Part of Shinnecock Hills, Jere Johnson Jr. Co., Selling Agents, 193 Montague Street, Brooklyn, New York situate in the Town of Southampton, Long Island, Suffolk County, N.Y." made from plan for subdivision of part of Shinnecock Hills as made by Olmsted Bros. and Downing Vaux, dated 1907 and from actual surveys by Wallace H. Halsey, Professional Engineer and Land Surveyor, Southampton, New York, and filed in the Office of the Clerk of the County of Suffolk as Map 213 on October 22, 1925 as and by Lot 1, Lot 2, Lot 9, and Part of Lot 8 in Block 111, and being more particularly bounded and described as follows:

BEGINNING at a point on the Northwesterly side of Hillover Road at the division line between the within described premises and land now or formerly Frederick A. and Margaret Proper where same intersects the Northwesterly side of Hillover Road;

RUNNING THENCE along the Northwesterly side of Hillover Road South, 61 deg. 46' 40" West, 224.75 feet to other land now or formerly Victoria G. Newman;

THENCE the following four courses and distances along other land now or formerly Victoria G. Newman:

1) North 28 deg. 13' 20" West, 224.95 feet;

2) North 88 deg. 28' 14" West, 130.29 feet;

3) South 78 deg. 27' 00" West, 147.59 feet;

4) North 80 deg. 09' 40" West, 210.00 feet; to the easterly side of South Valley Road;

THENCE the following two courses and distances along the Easterly side of South Valley Road:

1) North 8 deg. 00' 20" East, 325.21 feet;

2) Along an arc of curve bearing to the left whose radius is 1350.26 feet a distance of 389.63 feet to the extreme Southerly end of an arc of curve connecting the easterly side of South Valley Road with the Southerly side of Canoe Place Road;

RUNNING THENCE along said last mentioned arc of curve bearing to the right whose radius is 35.00 feet a distance of 77.02 feet to a point on the Southerly side of Canoe Place Road;

THENCE the following two courses and distances along the Southerly side of Canoe Place Road:

1) South 62 deg. 07' 30" East, 276.13 feet;

2) North 68 deg. 16' 30" East, 533.49 feet to land now or formerly Gerald M. & Eden W. Rafshoon

THENCE the following two courses and distances along land now or formerly Gerald M. & Eden W. Rafshoon and another:

1) South 7 deg. 34' 10" West, 584.99 feet;

2) South 63 deg. 56' 50" East, 147.48 feet to land now or formerly Frederick A. & Margaret Proper;

THENCE along land now or formerly Frederick A. & Margaret Proper South, 21 deg. 46' 10" West, 271.43 feet to the Northwesterly side of Hillover Road and the point or place of BEGINNING. Total parcel size is 13.28 acres.

§ 5. In the event that the fair market value of the lands 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 parkland 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.