STATE OF NEW YORK

9798--A

IN ASSEMBLY

April 12, 2022

Introduced by M. of A. DeSTEFANO -- 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 county of Suffolk to alienate certain lands used as parklands to enable Sunrise Wind, LLC to construct, maintain and operate a subterranean conduit and electrical distribution cable system, together with subterranean transition joint bays and link boxes, on county of Suffolk parkland located at Southaven County Park, Smith Point County Park and Smith Point County Marina and appurtenances thereto

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 county of Suffolk is hereby authorized, acting by and through its governing body, and upon such terms and conditions as determined by such governing body, to: (a) temporarily discontinue the use of the parklands described in section three of this act; and (b) to discontinue the use as parkland and alienate the lands described in section four of this act, and convey such lands to Sunrise Wind, LLC for the purpose of constructing, maintaining and operating a subterranean conduit and electrical distribution cable system, together with subterranean transition joint bays and link boxes, and appurtenances thereto, on county of Suffolk parkland located at Southaven County Park, Smith Point County Park and Smith Point County Marina.

§ 2. The authorization contained in section one of this act shall only be effective on the condition that the county of Suffolk dedicate an amount equal to or greater than fair market value of the parklands being alienated pursuant to section one of this act towards the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. The parklands authorized by section one of this act to be temporarily discontinued as parkland for construction are described as follows:

Parcel 1

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

LBD15324-04-2

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Brookhaven, County of Suffolk and State of New York, and bounded and described by the following:

Beginning at a point on the New York State Plane Coordinate System (NY NAD 83), Long Island Zone, with a Northing of 233,574'+/- and an Easting of 1,291,309'+/-, said point being on the northerly side of Victory Avenue, 500 feet +/- easterly from Gerard Road, and further being the southwest corner of the herein described Temporary Work Area;

Thence running northwesterly through land now or formerly of Suffolk County North 5°13'53" West a distance of 73'+/- to a point;

Thence running northeasterly through land now or formerly of Suffolk County North 85°49'04" East a distance of 170.00' to a point;

Thence running northwesterly through land now or formerly of Suffolk County North 3°33'14" West a distance of 45.00' to a point;

Thence running northeasterly through land now or formerly of Suffolk County North 86°03'06" East a distance of 106.00' to a point;

Thence southeasterly through land now or formerly of Suffolk County the following two courses and distances: South 23°44'30" East a distance of 28.00' to a point; thence South 63°55'34" East a distance of 51.00' to a point;

Thence running northeasterly through land now or formerly of Suffolk County North 86°14'51" East a distance of 37.00' to a point;

Thence running southwesterly through land now or formerly of Suffolk County the following two courses and distances: South 12°24'32" West a distance of 22.00' to a point; thence South 2°31'01" West a distance of 13.93 to a point;

Thence running northeasterly through land now or formerly of Suffolk County North 85°55'07" East a distance of 1,072'+/- to the northerly side of Victory Ave;

Thence running westerly along Victory Ave and land now or formerly of Suffolk County a distance of 1,430' +/- to the point and place of beginning.

Containing within said bounds 0.95 Acres, more or less.

Parcel 2

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Brookhaven, County of Suffolk and State of New York, and bounded and described by the following:

Beginning at a point on the New York State Plane Coordinate System (NY NAD 83), Long Island Zone, with a Northing of 211092.35' and an Easting of 1296647.77';

Thence running southwesterly through land now or formerly of Suffolk County Nature Preserve and land now or formerly Suffolk County, in part through each South 87°40'01" West a distance 281.99 feet to a point;

Thence running northwesterly through land now or formerly of the Suffolk County Nature Preserve North 2°44'23" West a distance of 306.00 feet to a point;

Thence running northeasterly through land now or formerly of the Suffolk County Nature Preserve North 87°10'22" East a distance of 19.04 feet to a point;

Thence running northwesterly through land now or formerly of Suffolk County Nature Preserve and land now or formerly of Suffolk County, in part through each, North 3°31'27" West a distance of 565.50 feet to a point;

Thence running northwesterly through land now or formerly of Suffolk County North 2°36'40" West a distance of 604.99 feet to a point;

Thence running northeasterly through land now or formerly of Suffolk County the following three courses and distances: along a curve to the right having a radius of 200.00 feet, a central angle of 89°06'23", a length of 311.04 feet, and a chord bearing of North 41°56'31" East a distance of 280.63 feet to a point; North 86°29'43" East a distance of 383.15 feet to a point; thence along a curve to the left having a radius of 30.00 feet, a central angle of 66°53'10", a length of 35.02 feet and a chord bearing of North 53°03'08" East a distance of 33.07 feet to a point on the westerly side of the William Floyd Parkway;

Thence running southeasterly along the westerly side of the William Floyd Parkway South 8°40'52" East a distance of 107.90 feet to a point;

Thence running southwesterly through land now or formerly of Suffolk County the following two courses and distances: South 86°51'51" West a distance of 523.24 feet; thence along a curve to the left having a radius of 145.30 feet, a central angle of 51°08'59", a length of 129.71 feet, a chord bearing of South 23°38'07" West a distance of 125.45 feet to a point;

Thence running southeasterly through land now or formerly of Suffolk County the following ten courses and distances: South 2°36'40" East a distance of 604.99 feet to point; thence along a curve to the left having a radius of 380.00 feet, a central angle of 35°21'31", a length of 234.51 feet, a chord bearing of South 20°17'26" East a distance of 230.80 feet to a point; thence South 37°58'11" East a distance of 47.45 feet; thence along a curve to right having a radius of 420.00 feet, a central angle of 24°32'47", a length of 179.93 feet, and a chord bearing of South 25°41'47" East a distance of 178.56 feet to a point; thence South 13°25'24" East a distance of 4.32 feet to a point; thence along a curve to the left having a radius of 30.00 feet, a central angle of 74°16'51", a length of 38.89 feet, and a chord bearing of South 50°33'49" East a distance of 36.23 feet to a point; thence South 87°42'15" East a distance 104.26 feet to a point; thence along a curve to the right having a radius of 70.00 feet, a central angle of 24°41'52", a length of 30.17 feet, and a chord bearing of South 75°21'18" East a distance of 29.94 feet to a point; thence South 88°35'50" East a distance of 34.15 feet to a point; thence South 24°50'14" East a distance of 18.32 feet to a point;

Thence running southeasterly through land now or formerly of Suffolk County and land now or formerly the Suffolk County Nature Preserve, in part through each South 5°37'10" East a distance 187.70 feet to a point;

Thence running southeasterly through land now or formerly of the Suffolk County Nature Preserve the following two courses and distances: South 2°20'09" East a distance 160.82 feet to a point; thence along a curve to the left having a radius 180.00 feet, a central angle of 11°17'12", a length of 35.46 feet, and a chord bearing of South 27°21'46" East a distance of 35.40 feet to a point;

Thence running southeasterly through land now or formerly of the Suffolk County Nature Preserve and land now or formerly of Suffolk County, in part through each, South 33°00'22" East a distance of 561.90 feet to land now or formerly of the Town of Brookhaven;

Thence running southwesterly along said land of the Town of Brookhaven South 67°40'08" West a distance of 142.47 feet to a point;

Thence running northwesterly through land now or formerly of Suffolk County and land now or formerly of the Suffolk County Nature Preserve, in part through each North 33°00'22" West a distance of 613.08 feet to a point to the point of beginning.

Containing within said bounds 8.86 Acres, more or less.

Parcel 3

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Brookhaven, County of Suffolk and State of New York, and bounded and described by the following:

Beginning at a point on the New York State Plane Coordinate System (NY NAD 83), Long Island Zone, with a Northing of 208386.92' and an Easting of 1298251.29', said point further being the southwest corner of the herein described temporary work area;

Thence running northwesterly through Fire Island Beach Road and land now or formerly of Suffolk County, in part through each, North 19°07'39" West a distance of 746.22 feet to a point;

Thence running northwesterly through land now formerly of Suffolk County North 33°00'22" West a distance of 249.89 feet to the southerly side of Bellport Bay, being land now or formerly of the Town of Brookhaven;

Thence running northeasterly along said land now or formerly of the Town of Brookhaven the following two courses and distances: North 20°31'39" East a distance 61.66 feet to a point; North 22°42'54" East a distance of 48.90 feet to a point;

Thence running southeasterly through land now or formerly of Suffolk County South 33°00'22" East a distance of 134.37 feet to a point;

Thence running northeasterly though land now or formerly of Suffolk County, and the William Floyd Parkway, in part through each North 66°30'23" East a distance of 273.11 feet to a point;

Thence running southeasterly through the William Floyd Parkway the following three courses and distances: South 21°58'23" East 590.00 feet to a point; thence along a curve to the right having a radius of 853.00 feet, central angle of 7°50'19", length of 116.70 feet, and a chord bearing of South 18°35'25" East a distance of 116.61 feet to a point; thence along a curve to the right having a radius of 152.00 feet, central angle of 17°01'24", length of 45.16 feet, and a chord bearing of South 6°09'34" East, a distance of 44.99 feet to a point;

Thence running northeasterly through the William Floyd Parkway and land now or formerly of Suffolk County, in part through each North 71°13'25" East a distance of 162.62 feet;

Thence running northeasterly through land now or formerly of Suffolk County the following four courses and distances: along a curve to the left having a radius of 180.00 feet, central angle of 68°23'16", length of 214.85 feet, and a chord bearing of North 37°01'47" East a distance of 202.32 feet to a point; thence North 2°50'09" East a distance of 37.60 feet to a point; thence along a curve to the right having a radius of 220.00 feet, central angle of 65°05'16", length of 249.92 feet, and a chord bearing of North 35°22'48" East, a distance of 236.70 feet to a point; thence North 67°55'26" East a distance of 1,187.25 feet to a point;

Thence running northwesterly through land now or formerly of Suffolk County North 21°46'13" West a distance of 293.15 feet to a point;

Thence running northeasterly through land now or formerly of Suffolk County the following two courses and distances: North 61°18'58" East a distance of 276.62 feet to a point; thence North 72°38'05" East a distance of 76.81 feet to a point;

Thence running northwesterly through land now or formerly of Suffolk County North 15°01'45" West a distance of 144.89 feet to the southerly side of Narrow Bay, being land now or formerly of the Town of Brookhaven, and to the beginning of Tie Line "A";

Thence running generally southeasterly along said Narrow Bay approximately 300 feet to a point, said point located South 84°39'53" East 280.51 feet from said beginning of Tie Line "A";

Thence running southwesterly though land now or formerly of Suffolk County South 0°39'05" West a distance of 163.19 feet to a point;

Thence running southeasterly through land now or formerly of Suffolk County the following three courses and distances: South 55°57'48" East a distance of 143.86 to a point; thence South 68°42'04" East a distance of 157.85 feet to a point; thence South 76°58'46" East a distance of 532.79 feet to a point;

Thence running northeasterly through land now or formerly of Suffolk County North 67°53'05" East a distance of 2,063.08 feet to a point;

Thence running southeasterly through land now or formerly of Suffolk County the following two courses and distances: South 21°26'00" East a distance of 254.87 feet to a point; thence South 66°27'34" East a distance of 149.57 feet to a point;

Thence running northeasterly through land now or formerly of Suffolk County North 66°54'57" East a distance of 1,811.64 feet to a point;

Thence running southeasterly through land now or formerly of Suffolk County along a curve to the right having a radius of 262.08 feet, central angle of 86°56'11", length of 397.66 feet, chord bearing of South 69°27'11" East a distance of 360.59 feet to the Tax Assessor Parcel Line, and to the beginning of Tie Line "B";

Thence running generally southwesterly along the Tax Assessor Parcel Line approximately 4,650 feet to a point, said point being located South 65°46'46" West a distance of 4,592.74 feet from said beginning of Tie Line "B";

Thence running northwesterly through land now or formerly of Suffolk County and Fire Beach Road, in part through each North 69°54'29" West a distance of 1,135.09 feet to a point;

Thence running northwesterly through land now or formerly of Suffolk County North 21°46'13" West a distance of 293.87 to a point;

Thence running southwesterly through land now or formerly of Suffolk County the following three courses and distances: South 67°55'26" West a distance of 1,187.03 feet to a point; thence along a curve to the left having a radius of 180.00 feet, a central angle of 65°05'16", a length of 204.48 feet and a chord bearing of South 35°22'48" West a distance of 193.66 feet to point; thence South 2°50'09" West a distance of 37.60 feet to a point;

Thence running southwesterly through land now or formerly of Suffolk County and the William Floyd Parkway, in part through each along a curve to the right having a radius of 220.00 feet, a central angle of 68°23'16", a length of 262.59 feet, and a chord bearing of South 37°01'47" West a distance of 247.28 feet to a point;

Thence running southwesterly through William Floyd Parkway South 71°13'25" West a distance of 185.57 feet to a point;

Thence running southwesterly through Fire Island Beach Road the following three courses and distances: South 26°03'10" West a distance of 183.24 feet to a point; thence along a curve to the right having a radius of 141.00 feet, central angle of 41°55'24", length of 103.17 feet, a chord bearing of South 47°19'31" West, a distance of 100.88 feet to a point; thence South 68°17'13" West a distance of 89.11 feet to the point of beginning.

Containing within said bounds 76.21 Acres, more or less.

§ 4. The subsurface portion of land authorized by section one of this act to be permanently discontinued as parkland is described as follows:

Parcel 1

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Brookhaven, County of Suffolk and State of New York, and bounded and described by the following:

Beginning at a point on the New York State Plane Coordinate System (NY NAD 83), Long Island Zone, with a Northing of 233,596'+/- and an Easting of 1,291,532'+/-, said point being on the northerly side of Victory Avenue;

Thence running northeasterly through land now or formerly of Suffolk County the following two courses and distances: along a curve to the right having a radius of 110.00 feet, a central angle of 29°55'45", a length of 57.46 feet and a chord bearing of North 70°57'15" East a distance of 56.81 feet to a point; thence North 85°55'07" East a distance of 663.96 feet to a point on the northerly side of Victory Avenue;

Thence running westerly along the northerly side of Victory Avenue and land now or formerly of Suffolk County a distance of 719' +/- to the point of beginning.

Containing within said bounds 0.11 Acres, more or less.

Parcel 2

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Brookhaven, County of Suffolk and State of New York, and bounded and described by the following:

Beginning at a point on the New York State Plane Coordinate System (NY NAD 83), Long Island Zone, with a Northing of 210628.48' and an Easting of 1297104.10';

Thence running southwesterly along land now or formerly of the Town of Brookhaven and land now or formerly of Suffolk County South 67°40'08" West a distance of 71.23 feet to a point;

Thence running northwesterly through land now or formerly of Suffolk County North 33°00'22" West a distance of 512.67 feet to a point;

Thence running northwesterly through land now or formerly of Suffolk County and land now or formerly of the Suffolk County Nature Preserve, in part through each North 3°41'47" West 409.66 feet to a point;

Thence running northwesterly through land now or formerly of Suffolk County the following eight courses and distances: along a curve to the left having a radius of 40.00 feet, a central angle of 84°00'28", a length of 58.65 feet, and a chord bearing of North 45°42'01" West a distance of 53.53 feet to point; thence North 87°42'15" West a distance of 104.26 feet to a point; thence along a curve to the right having a radius of 60.00 feet, a central angle of 74°16'51", a length of 77.79 feet, and a chord bearing of North 50°33'49" West a distance of 72.45 feet to a point; thence North 13°25'24" West a distance of 4.32 feet to a point; thence along a curve to the left having a radius of 390.00 feet, a central angle of 24°32'47", a length of 167.08 feet, and a chord bearing of North 25°41'47" West a distance of 165.81 feet to a point; thence North 37°58'11" West a distance of 47.45 feet to a point; thence along a curve to the right having a radius of 410.00 feet, a central angle of 35°21'31", a length of 253.02 feet, and a chord bearing of North 20°17'26" West a distance of 249.02 feet to a point; thence North 2°36'40" West a distance of 604.99 feet to a point;

Thence running northeasterly through land now or formerly of Suffolk County the following three courses and distances: along a curve to the right having a radius of 190.00 feet, a central angle of 89°06'23", a length of 295.49 feet, and a chord bearing of North 41°56'31" East a distance of 266.60 feet to a point; thence North 86°29'43" East a

distance of 383.15 feet to a point; thence along a curve to the left having a radius of 40.00 feet, a central angle of 46°01'49", a length of 32.14 feet, and a chord having a bearing of North 63°28'49" East and a distance of 31.28 feet to a point on the westerly side of the William Floyd Parkway;

Thence running southeasterly along the said westerly side of the William Floyd Parkway South 8°23'02" East a distance of 45.45 feet to a point;

Thence running southwesterly through land now or formerly of Suffolk County the following two courses and distances: South 86°21'07" West a distance of 483.98 feet to a point; thence along a curve to the left having a radius of 170.00 feet, a central angle of 65°27'48", a length of 194.23 feet, and a chord bearing of South 30°07'14" West a distance of 183.84 feet to a point;

Thence running southeasterly though land now or formerly of Suffolk County the following eight courses and distances: South 2°36'40" East a distance of 604.99 feet to point; thence along a curve to the left having a radius of 390.00 feet, a central angle of 35°21'31", a length of 240.68 feet, a chord bearing of South 20°17'26" East a distance of 236.88 feet to a point; thence South 37°58'11" East a distance of 47.45 feet; thence along a curve to right having a radius of 410.00 feet, a central angle of 24°32'47", a length of 175.65, and a chord bearing of South 25°41'47" East a distance of 174.31 feet to a point; thence South 13°25'24" East a distance of 4.32 feet to a point; thence along a curve to the left having a radius of 40.00 feet, a central angle of 74°16'51", a length of 51.86 feet, and a chord bearing of South 50°33'49" East a distance of 48.30 feet to a point; thence South 87°42'15" East a distance 104.26 feet to a point; thence along a curve to the right having a radius of 60.00 feet, a central angle of 84°00'28", a length of 87.97 feet, and a chord bearing of South 45°42'01" East a distance of 80.30 feet to a point;

Thence running southeasterly through land now or formerly of Suffolk County and land now or formerly of the Suffolk County Nature Preserve, in part through each, South 3°41'47" East a distance of 252.61 feet to a point;

Thence running southeasterly through land now or formerly of the Suffolk County Nature Preserve along a curve to the left having a radius of 190.00 feet, a central angle of 29°18'35", a length of 97.19 feet, and a chord bearing of South 18°21'04" East a distance of 96.14 feet to a point;

Thence running southeasterly through land now or formerly of the Suffolk County Nature Preserve and land now or formerly of Suffolk County, in part through each South 33°00'22" East a distance of 560.02 feet to the point of beginning.

Containing within said bounds 2.14 Acres, more or less.

Parcel 3

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Brookhaven, County of Suffolk and State of New York, and bounded and described by the following:

Beginning at a point on the New York State Plane Coordinate System (NY NAD 83), Long Island Zone, with a Northing of 209600.57' and an Easting of 1300207.31';

Thence running northeasterly through land now or formerly of Suffolk County North 46°40'13" East a distance of 305.30 feet to a point;

Thence running southeasterly through land now or formerly of Suffolk County South 67°05'24" East a distance of 1,566.43 feet to the Tax Assessor Parcel Line, and to the beginning of a Tie Line;

Thence running generally southwesterly along the Tax Assessor Parcel Line approximately 480 feet to a point, said point being located South 66°15'52" West a distance of 478.09 feet from said beginning of Tie Line;

Thence running northwesterly through land now or formerly of Suffolk County the following two courses and distances: North 66°25'16" West a distance of 1,200.52 feet to a point; thence North 48°27'49" West a distance of 169.67 feet to the point of beginning.

Containing within said bounds 11.41 Acres, more or less.

Parcel 4

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Brookhaven, County of Suffolk and State of New York, and bounded and described by the following:

Beginning at a point on the New York State Plane Coordinate System (NY NAD 83), Long Island Zone, with a Northing of 209600.57' and an Easting of 1300207.31';

Thence running southeasterly through land now or formerly of Suffolk County South 48°25'21" East a distance of 24.30 feet to a point;

Thence running northwesterly through land now or formerly of Suffolk County North 72°31'21" West a distance of 16.54 feet to a point;

Thence running southwesterly through land now or formerly of Suffolk County the following five courses and distances: along a curve to the left having a radius of 190.00 feet, a central angle of 39°33'13", a length of 131.16 feet, and a chord bearing of South 87°42'02" West a distance of 128.58 feet to a point; thence South 67°55'26" West a distance of 1,249.25 feet to a point; thence along a curve to the left having a radius of 190.00 feet, a central angle of 65°05'16", a length of 215.84 feet, and a chord bearing of South 35°22'48" West a distance of 204.42 feet to a point; thence South 2°50'09" West a distance of 37.60 feet to a point; thence along a curve to the right having a radius of 210.00 feet, a central angle of 68°23'16", a length of 250.65 feet, and a chord bearing of South 37°01'47" West a distance of 236.04 feet to a point;

Thence running southwesterly through land now or formerly of Suffolk County and through the William Floyd Parkway, in part through each South 71°13'25" West a distance of 195.44 feet to a point;

Thence running northwesterly through the William Floyd Parkway and land now or formerly of Suffolk County, in part through each along a curve to the right having a radius of 210.00 feet, a central angle of 41°46'26", a length of 153.11 feet, and a chord bearing of North 87°53'22" West a distance of 149.74 feet to a point;

Thence running northwesterly through land now or formerly of Suffolk County the following five courses and distances: North 67°00'09" West a distance of 131.82 feet to a point; thence along a curve to the right having a radius of 210.00 feet, a central angle of 49°08'23", a length of 180.11 feet, and a chord bearing of North 42°25'58" West a distance of 174.64 feet to a point; thence North 17°51'46" West a distance of 219.84 feet to a point; thence along a curve to the right having a radius of 210.00 feet, a central angle of 14°05'52", a length of 51.67 feet and a chord bearing of North 10°48'50" West a distance of 51.54 feet to the point; thence North 33°00'22" West a distance of 247.88' feet to a point, said point being on the southerly side of Bellport Bay, being land now or formerly of the Town of Brookhaven;

Thence running northeasterly along land now or formerly of the Town of Brookhaven the following two courses and distances: North 20°10'55" East a distance of 49.45 feet to a point; thence North 21°13'47" East a distance of 37.48 feet to a point;

Thence running southeasterly through land now or formerly of Suffolk County the following seven courses and distances: South 33°00'22" East a distance of 166.37 feet to a point; thence along a curve to the right having a radius of 210.00 feet, a central angle of 35°45'38", a length of 131.07 feet, and chord bearing South 15°07'34" East a distance of 128.95 feet to a point; thence South 2°45'15" West a distance of 2.31 feet to a point; along a curve to the left having a radius of 190.00 feet, a central angle of 20°37'01", a length of 68.37 feet, and a chord bearing of South 7°33'16" East a distance of 68.00 feet to a point; thence South 17°51'46" East a distance of 219.84 feet to a point; thence along a curve to the left having a radius of 190.00 feet, a central angle of 49°08'23", a length of 162.95 feet, and a chord bearing of South 42°25'58" East a distance of 158.00 feet to a point; thence South 67°00'09" East a distance of 131.82 feet to a point;

Thence running southeasterly through land now or formerly of Suffolk County and the William Floyd Parkway, in part through each along a curve to the left having a radius of 190.00 feet, a central angle of 41°46'26", a length of 138.53 feet, and a chord bearing of South 87°53'22" East a distance of 135.48 feet to a point;

Thence running northeasterly through the William Floyd Parkway and land now or formerly of Suffolk County, in part through each North 71°13'25" East a distance of 195.44 feet to a point;

Thence running northeasterly through land now or formerly of Suffolk County the following five courses and distances: along a curve to the left having a radius of 190.00 feet, a central angle of 68°23'16", a length of 226.78 feet, and a chord bearing of North 37°01'47" East a distance of 213.56 feet to a point; thence North 2°50'09" East a distance of 37.60 feet to a point; thence along a curve to the right having a radius of 210.00 feet, a central angle of 65°05'16", a length of 238.56 feet, and a chord bearing of North 35°22'48" East a distance of 225.94 feet to a point; thence North 67°55'26" East a distance of 1,249.25 feet to a point; thence along a curve to the right having a radius of 210.00 feet, a central angle of 39°33'13", a length of 144.97 feet, and a chord bearing of North 87°42'02" East a distance of 142.11 feet to a point;

Thence running southwesterly though land now or formerly of Suffolk County South 46°41'57" West a distance of 11.55 feet to the point of beginning.

Containing within said bounds 1.68 Acres, more or less.

§ 5. Upon completion of construction, Sunrise Wind, LLC, as authorized by this act in agreement and in consultation with the Suffolk County Department of Parks, Recreation & Conservation, shall restore the surface of the lands more particularly described in section three of this act and such lands shall continue to be used for park purposes.

§ 6. In the event that the county of Suffolk received any funding support or assistance from the federal government for the purchase, maintenance, or improvement of the parklands set forth in sections three and four of this act, the discontinuance and alienation of such park-lands authorized by the provisions of this act shall not occur until the county of Suffolk 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.