STATE OF NEW YORK

5953--A

Cal. No. 951

2021-2022 Regular Sessions

IN SENATE

March 23, 2021

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:

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

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

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

Parcel 1

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

LBD10612-05-1

All that certain piece or parcel of property, lying, being and situated in the Town of Orangetown, County of Rockland and State of New York described as follows:
Beginning at a point on the northerly line of the original two and one-half Rod (41.25 foot) Right-of-Way of W Washington Ave (County Route 30). Said point being the following course and distance, along said original northerly Right-of-Way line, from a Rockland County Highway monument, concrete with brass plate, set at a deflection point of 5° 47' 00" left on the original Right-of-Way. S 77°03'55" W a distance of 208.63 feet.
Thence, from said Point of Beginning along said original northerly Right-of-Way line of W Washington Ave
1. S 77°06'09" W a distance of 173.97 feet; thence, continuing along the northerly Right-of-Way line of W Washington Ave
2. S 89°51'09" W a distance of 231.33 feet; thence, still along the northerly Right-of-Way line of W Washington Ave
3. N 77°36'51" W a distance of 49.83 feet; thence, still along the northerly Right-of-Way line of W Washington Ave
4. N 62°38'51" W a distance of 56.29 feet; thence, still along the northerly Right-of-Way line of W Washington Ave to the beginning of a tangent curve to the right having a
5. radius of 226.65 feet, a central angle of 41°44'47", and an arc length of 165.14 feet to a point on the northerly Right-of-Way line of W Washington Ave and the Northwesterly corner of Parcel I; thence,
6. S 66°48'50" E a distance of 176.06 feet through Tax Lot 68.14-2-26 to an angle point in the proposed northerly line of Parcel 1; thence,
7. S 80°46'11" E a distance of 128.18 feet through Tax Lot 68.14-2-26 to an angle point in the proposed northerly line of Parcel 1; thence,
8. N 87°18'30" E a distance of 311.93 feet through Tax Lot 68.14-2-26 to a point on the division line between Tax Lot 68.14-2-26 and Tax Lot 68.15-1-4; thence,
9. S 09°41'51" E a distance of 42.96 feet along the division line between Tax Lot 68.14-2-26 and Tax Lot 68.15-1-4 and along a jog in the northerly Right-of-Way line of W Washington Ave to the Point of Beginning.
Containing an area of 39,525 square feet more or less, or 0.907 acres +/-

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

Parcel 2

All that certain piece or parcel of property, lying, being and situated in the Town of Orangetown, County of Rockland and State of New York described as follows:
Beginning at a point on the Northerly line of Parcel 1 described in subdivision (a) of section three of this act. Said point being the Southeast corner of parcel 2 and being the following course and distance from the Northeast corner of Parcel 1, along the Northerly line of Parcel 1; S 87°18'30" W 135.10 feet to the Point of Beginning.
Thence from said Point of Beginning;
1. S 87° 18' 30" W 176.83 feet; thence,
2. N 25° 06' 37" W 124.05 feet; thence,
3. N 10° 55' 29" W 137.83 feet; thence,
4. N 67° 21' 42" E 72.38 feet; thence,
5. S 19° 39' 56" E 107.61 feet; thence,
6. S 42° 34' 22" E 225.25 feet to the Point of Beginning.

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

§ 5. In the event that the town of Orangetown 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 land authorized by the provisions of this act shall not occur until the town of Orangetown 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.

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

§ 7. This act shall take effect immediately.